OCTOBER 23, 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 October 23, 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

10/11/13
Date

Edward Scott
City Controller

10/11/13
Date

RECEIVED
2013 OCT 11 PM 4:52
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

October 23, 2013
Date

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

General Information

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

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.

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne en 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 Disabilities Act.* ***La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.***

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

Reglas de Cortesía

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

- Ninguna persona retrasara o interrumpirá los procedimientos, o se negara a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben 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 este 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 precisara al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 23, 2013
ORDER OF BUSINESS

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

9:00 a.m.	**INVOCATION AND PLEDGE OF ALLEGIANCE**	
	OPEN MICROPHONE	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 46
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 47 - 55
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 56 - 69

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

AGENDA

CITY COUNCIL MEETING

OCTOBER 23, 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 October 8, 2013 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a three-year service contract for repair of traffic signal control components - D and J Electronics, lowest responsible bidder of three - Not to exceed $248,653 - Financing: Current Funds (subject to annual appropriations)

3. Authorize a three-year service contract for the purchase, service, parts and labor of self-contained breathing apparatus and thermal imagers for Fire-Rescue and Water Utilities - Hoyt Enterprises dba Hoyt Breathing Air Products in the amount of $1,783,666, Metro Fire Apparatus Specialists, Inc. in the amount of $498,816 and Koetter Fire Protection, LLC in the amount of $49,703, lowest responsible bidders of four - Total not to exceed $2,332,185 - Financing: Current Funds ($2,095,920) and Water Utilities Current Funds ($236,265) (subject to annual appropriations)

4. Authorize the purchase of two heavy-duty trucks and seven sport utility vehicles for Fire-Rescue - Sam Pack's Five Star Ford in the amount of $222,026 and Chastang's Bayou City Ford in the amount of $70,967 through the Houston-Galveston Area Council of Governments - Total not to exceed $292,993 - Financing: Current Funds ($23,480), Municipal Lease Agreement Funds ($141,478) and U.S. Department of Homeland Security Grant Funds ($128,035)

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

5. Authorize a two-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains - HD Supply Waterworks LTD, lowest responsible bidder of three - Not to exceed $321,528 - Financing: Water Utilities Current Funds

6. Authorize a two-year master agreement for hot mix asphalt and cold patch materials - APAC-Texas, Inc. in the amount of $5,571,668, Unique Paving Materials in the amount of $1,237,816, International Roadway Research, LLP in the amount of $2,125 and Austin Asphalt, LP in the amount of $1,125, lowest responsible bidders of four - Total not to exceed $6,812,734 - Financing: Current Funds ($5,531,843), Water Utilities Current Funds ($1,256,341) and Aviation Current Funds ($24,550)

7. Authorize a three-year master agreement for the purchase of veterinary drugs and supplies – Butler Schein Animal Health in the amount of $3,117,945, Bayer Animal Health in the amount of $1,222,369 and Neogen Corporation in the amount of $7,979, lowest responsible bidders of six - Total not to exceed $4,348,293 - Financing: Current Funds

8. Authorize a three-year master agreement for the purchase of brass fittings - A. Y. McDonald Mfg. in the amount of $1,512,000, Mueller Company LTD in the amount of $347,900, Fortiline, Inc. in the amount of $104,200, Four Star Hose & Supply, Inc. in the amount of $87,500 and HD Supply Waterworks LTD in the amount of $2,650, lowest responsible bidders of five - Total not to exceed $2,054,250 - Financing: Water Utilities Current Funds ($2,051,350) and Stormwater Drainage Management Current Funds ($2,900)

9. Authorize a five-year master agreement for Cisco communication equipment and SmartNet maintenance - AT&T, through the State of Texas Department of Information Resources contract - Not to exceed $10,996,875 - Financing: Current Funds

City Attorney's Office

10. Authorize settlement of a claim filed by Glenda Anderson, Claim No. 12-00002 - Not to exceed $63,000 - Financing: Current Funds

Code Compliance

11. Authorize **(1)** the establishment of a fund to receive and deposit grants and donations made to Dallas Animal Services; and **(2)** the Dallas Animal Services Grant and Donation Fund to receive a transfer in an amount not to exceed $16,508 from the Animal Control Enhancement Fund - Financing: This action has no cost consideration to the City

CONSENT AGENDA (Continued)

Code Compliance (Continued)

12. An ordinance amending Chapters 17 of the Dallas City Code to adjust various fees and charges relating to food establishment inspections and regulations - Estimated Annual Revenue Loss: ($1,037,522)

Economic Development

13. Authorize a resolution amending the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts in accordance with the provisions of Chapter 372 of the Texas Local Government Code, Public Improvement Districts in Municipalities, adopted by Resolution No. 08-1782 on June 25, 2008; as amended, to clarify that with the exception of the Klyde Warren and Tourism PIDs, no other PID districts will be allowed to have overlapping boundaries with another Dallas PID District and other minor clarifications including the process for PID boundary changes consistent with state law - Financing: No cost consideration to the City

14. Authorize an amendment to the development agreement with Southern Methodist University related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a trail connection previously approved on June 8 2011, by Resolution Nos. 11-1543 and 11-1544, in Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) to extend project deadlines beyond the first extension approved by the TOD TIF District Board - Financing: No cost consideration to the City

Fair Housing

15. Authorize **(1)** the acceptance of a grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2013 through September 30, 2014; and **(2)** the execution of any and all documents related to the grant - Not to exceed $356,889 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Housing/Community Services

16. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 1 property 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

CONSENT AGENDA (Continued)

Housing/Community Services (Continued)

17. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; 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

18. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 8 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 8 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

Human Resources

19. Authorize a contract with Dallas Area Rapid Transit for the purchase of 339 annual passes in support of the City's clean air initiative - Not to exceed $222,600 - Financing: Current Funds (to be reimbursed by participating employees)

Office of Management Services

Trinity River Corridor Project
Legislative Services

Note: Item Nos. 20 and 21 must be considered collectively.

20. * Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Corridor Project for the period October 1, 2013 through September 30, 2014 - Not to exceed $73,800 - Financing: Current Funds

21. * Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Corridor Project for the period October 1, 2013 through September 30, 2014 - Not to exceed $43,650 - Financing: Current Funds

22. Authorize a personal services contract with Jesse Romero for state legislative services for the period October 1, 2013 through September 30, 2014 - Not to exceed $30,000 - Financing: Current Funds

23. Authorize a personal services contract with Kwame Walker for state legislative services for the period October 1, 2013 through September 30, 2014 - Not to exceed $45,000 - Financing: Current Funds

CONSENT AGENDA (Continued)

Office of Management Services (Continued)

24. Authorize a personal services contract with Randy C. Cain for state legislative services for the period October 1, 2013 through September 30, 2014 - Not to exceed $75,000 - Financing: Current Funds

25. Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2013 through September 30, 2014 - Not to exceed $160,000 - Financing: Current Funds

26. Authorize a professional services contract with HillCo Partners, LLC for state legislative information and related services for the period October 1, 2013 through September 30, 2014 - Not to exceed $86,250 - Financing: Water Utilities Current Funds

Park & Recreation

27. Authorize a development and maintenance agreement with ASA Apartments, LP, a Delaware limited partnership for the construction, development, and maintenance of a hike and bike trail and landscaping improvements for the purpose of creating a connection between the Katy Trail and the planned Trinity Strand Trail located at 1899 Goat Hill Road - Financing: No cost consideration to the City

28. Authorize **(1)** a license agreement with Oncor for the use of right-of-way for public hike and bike trail purposes for the trail known as the Lake Highlands Trail; and **(2)** award of a contract for construction of a multi-use trail for the Lake Highlands Trail from Ferndale Road to White Rock Trail - Wall Enterprises, lowest responsible bidder of nine - Not to exceed $886,783 - Financing: General Obligation Commercial Paper Funds

29. Authorize award of a contract for extension of the hike and bike trail of the White Rock Creek Trail from Valley View Park to Hillcrest Park and construction of a small loop trail and overlook at Hillcrest Park located at 13819 Hillcrest Road - A S Con, Inc., lowest responsible bidder of nine - Not to exceed $1,465,190 - Financing: 2006 Bond Funds ($151,972) and General Obligation Commercial Paper Funds ($1,313,218)

Police

30. Authorize **(1)** an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant, from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period July 1, 2013 through June 30, 2014; and **(2)** execution of the grant agreement - Not to exceed $477,337 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

CONSENT AGENDA (Continued)

Police (Continued)

31. Authorize **(1)** the Dallas Police Department to receive funds in the amount of $600,000 from various federal and state law enforcement agencies for reimbursement of overtime for investigative services (list attached); **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of $173,700; and **(3)** execution of the grant agreements - Total not to exceed $773,700 - Financing: Current Funds ($600,000 to be reimbursed by various federal and state law enforcement agencies)

Public Works Department

32. Authorize a professional services contract with APM & Associates, Inc. for the engineering design of target neighborhood projects on Arizona Avenue from Saner Avenue to Kiest Boulevard and McVey Avenue from Beckley Avenue to Marsalis Avenue - Not to exceed $337,175 - Financing: General Obligation Commercial Paper Funds ($307,250) and Water Utilities Capital Improvement Funds ($29,925)

33. Authorize Supplemental Agreement No. 5 to the professional services contract with Conley Design Group, Inc. to provide the necessary asbestos abatement specifications, air monitoring, abatement project management and final report related to the interior demolition of the 106 South Harwood Street Building - Not to exceed $82,170, from $1,113,650 to $1,195,820 - Financing: 1998 Bond Funds

Sustainable Development and Construction

34. Authorize acquisition from Ineight Holdings Limited Partnership, of approximately 1,963 square feet of land for a water easement and approximately 5,196 square feet of land for two temporary working space easements located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $27,000 ($23,827, plus closing costs and title expenses not to exceed $3,173) - Financing: Water Utilities Capital Improvement Funds

35. Authorize acquisition from Margie Deleon of approximately 7,500 square feet of land improved with a single-family dwelling located near the intersection of LaSalle Drive and Morrell Avenue in the Cadillac Heights neighborhood for future City facilities - Not to exceed $23,500 ($21,500, plus closing costs and title expenses not to exceed $2,000) - Financing: 2006 Bond Funds

36. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of two tracts of land for the construction of the South Oak Cliff Line Section (SOC3-07 and SOC3-08) located near the intersection of Lancaster and Crouch Roads (list attached) - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

37. Authorize a ten-year license agreement with American Towers LLC for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive to be used as the primary backup radio communications site for the Police and Fire radio channels for the period November 1, 2013 through October 31, 2023 - Not to exceed $835,601 - Financing: Current funds (subject to annual appropriations)

38. A resolution authorizing the conveyance of a wastewater easement containing approximately 917 square feet of land to the City of Garland for the construction and maintenance of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersection of Roan Road and Rowlett Road - Revenue: $1,300

39. An ordinance granting a private license to Gilliland Properties II, Ltd. for a total of approximately 55 square feet of land to install, maintain and use two awnings with signs over portions of McKinney Avenue, located near their intersection with Knox Street - Revenue: $2,000 annually, plus the $20 ordinance publication fee

40. An ordinance abandoning portions of a drainage easement, wastewater easement and a water easement to PR/Crow Penn Distribution, LP, the abutting owner, containing a total of approximately 45,726 square feet of land, located near the intersection of Penn Farm Road and Interstate Highway 20 (Lyndon B. Johnson Freeway) - Revenue: $5,400, plus the $20 ordinance publication fee

Trinity Watershed Management

41. Authorize a personal services contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas City Design Studio for the period October 1, 2013 through September 30, 2014 - Not to exceed $85,000 - Financing: Current Funds

42. Authorize an increase in the contract with Jeske Construction Company for the Elam Creek Channel Improvements Project, Phase II to provide boring, trench protection, new water and wastewater service (including testing) to the Umphress Park Recreation Center, addition of a flood gauge, extension of an existing 51-inch pipe, protective bollards of an electrical service feed, and other miscellaneous items needed to complete the project - Not to exceed $228,906, from $4,337,928 to $4,566,834 - Financing: 2006 Bond Funds ($165,150), Water Utilities Capital Construction Funds ($1,560) and Water Utilities Capital Improvements Funds ($62,196)

Water Utilities

43. Authorize a twenty-four-month contract with the Department of State Health Services to provide on-line computer services for the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of $1.83 for each birth certificate printed for the period September 1, 2013 through August 31, 2015 - Not to exceed $25,000 annually for a total not to exceed $50,000 - Financing: Water Utilities Current Funds (to be reimbursed by Current Funds) (subject to annual appropriations)

CONSENT AGENDA (Continued)

Water Utilities (Continued)

Note: Item Nos. 44 and 45 must be considered collectively.

44. Authorize a five-year service contract for public awareness campaigns for water conservation and grease abatement - Burson-Marsteller LLC, most advantageous proposer of four - Not to exceed $6,313,000 - Financing: Water Conservation Program Funds ($4,759,000) (subject to annual appropriations) and Water Utilities Current Funds ($1,554,000) (subject to annual appropriations)

45. Authorize an amendment to the "Memorandum of Understanding Public Awareness Campaign" between the City of Dallas and the Tarrant Regional Water District for the continuation of and creative development of the water conservation public awareness campaign for the next five years - Not to exceed $750,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

46. Authorize **(1)** the rejection of bids received for the HVAC Major Repair and Replacement Project - Phase 1; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

47. 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)

ITEMS FOR FURTHER CONSIDERATION

Office of Financial Services

48. Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to the Airports Council International - North America in the amount of $55,000, Dallas Regional Mobility Coalition in the amount of $50,000, Gartner, Inc. (IT Executives and Leaders) in the amount of $90,681, North Central Texas Council of Governments in the amount of $120,742, North Texas Commission in the amount of $91,020, The Steering Committee of Cities Served by Oncor in the amount of $131,635,Texas Coalition of Cities For Utility Issues in the amount of $52,654, Texas Municipal League in the amount of $53,083, Water Environment Research Foundation in the amount of $83,374, and Water Research Foundation in the amount of $246,959 - Total not to exceed $975,148 - Financing: Current Funds ($589,815), Aviation Current Funds ($55,000) and Water Utilities Current Funds ($330,333)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

Sustainable Development and Construction

49. Authorize a moving and related expenses-nonresidential payment for Tip Top Big Dog Inc. dba Tini Bar, who has been displaced as a direct result of real property acquisition of the property at 2224 Elm Street, to be used in conjunction with the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed $77,021 - Financing: 2003 Bond Funds

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Note: Item Nos. 50 and 51 must be considered collectively.

Cedars TIF District

50. * Authorize a development agreement with Dig It! Development, LLC to dedicate future Cedars TIF District revenues in an amount not to exceed $490,700 for eligible project costs related to infrastructure, streetscaping, and landscaping improvements located at: **(1)** 1509, 1513, 1517, 1521 and 1527 Hickory Street; **(2)** 1814, 1818, and 1820 Browder Street; **(3)** the adjoining alley between Browder Street and Ervay Street; **(4)** along Hickory Street beyond the project site; and **(5)** a second alley between Beaumont Street and Hickory Street in Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) – Not to exceed $490,700 – Financing: Cedars TIF District Funds

51. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to reimburse Dig It! Development, LLC up to $490,700 for certain TIF-eligible project costs related to infrastructure, streetscaping, and landscaping improvements located at: **(1)** 1509, 1513, 1517, 1521 and 1527 Hickory Street; **(2)** 1814, 1818, and 1820 Browder Street; **(3)** the adjoining alley between Browder Street and Ervay Street; **(4)** along Hickory Street beyond the project site; and **(5)** a second alley between Beaumont Street and Hickory Street in the Cedars TIF District - Financing: No cost consideration to the City

52. Authorize a Chapter 380 Economic Development Grant Agreement in the amount of $1,500,000 to KRR Construction, LTD., for the acquisition and redevelopment of improved property commonly known as 3540 Simpson Stuart Road and 3546 Simpson Stuart Road, Dallas Texas, for the Simpson Stuart/Bonnie View Grocery Store Project, including associated closing costs, pre development, relocation, environmental, and demolition costs - Not to exceed $1,500,000 - Financing: General Obligation Commercial Paper Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

53. Authorize a Chapter 380 Forgivable Loan in the amount of $150,000 to GBD BDM, LLC for gap financing for construction costs related to expanding the offices of Dental Delite, the dental practice of Belinda D. Marsaw, DDS to 8222 Bruton Road, Dallas Texas in the Pleasant Grove area - Not to exceed $150,000 - Financing: Public/Private Partnership Funds

Housing/Community Services

54. Authorize a housing development loan in the amount of $250,000 to Fowler Christian Apartments III, Inc. as gap financing for the development of 36 units of affordable housing to be located in the 5800 block of East Side Avenue for seniors - Not to exceed $250,000 - Financing: FY 2013-14 HOME Investment Partnership Program Funds

55. Authorize an amendment to Resolution No.13-0458, previously approved on February 27, 2013, to support an application for 4% low income housing tax credits (LIHTC) to the Texas Department of Housing & Community Affairs (TDHCA) for the proposed project to be located at 4623 South Lancaster Road, for a multifamily residential development for low income families - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

56. A public hearing to receive comments regarding an application for a CR Community Retail District, subject to deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District on property bounded by Illinois Avenue, Alaska Avenue, Montana Avenue, and Marsalis Avenue
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z112-294(RB)

57. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1912 for a Late-hours establishment limited to an Alcoholic beverage establishment for a bar, lounge, or tavern on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west line of Greenville Avenue, north of Alta Avenue
Recommendation of Staff and CPC: Approval for a three-year period, subject to a revised site plan and revised conditions
Z123-315(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

58. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Public school other than an Open-enrollment charter school and R-10(A) Single Family District Uses on property zoned an R-10(A) Single Family District, in the northwest quadrant of Abrams Road and Whitehurst Drive
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan, traffic management plan, and conditions
Z123-316(RB)

59. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1357 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northwest corner of Bruton Road and McCutcheon Lane
Recommendation of Staff and CPC: Approval, subject to a site plan, traffic management plan and conditions
Z123-318(WE)

ZONING CASES - INDIVIDUAL

60. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1883 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D-1 Commercial Services District with a D-1 Liquor Control Overlay on the northeast line of CF Hawn Freeway at the intersection of South Belt Line Road
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions
Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewal for additional three-year periods, subject to conditions
Z123-311(MW)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

61. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z123-279(WE)
Note: This item was considered by the City Council at a public hearing on October 8, 2013, and was taken under advisement until October 23, 2013, with the public hearing open

DESIGNATED ZONING CASES - INDIVIDUAL

62. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned a GR General Retail Subdistrict and an O-2 Office Subdistrict, with deed restrictions on the northern portion of the site currently zoned an O-2 Office Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Fitzhugh Avenue, between Cole Avenue and McKinney Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions, with retention of the existing deed restrictions
Z123-265(RB)

FLOODPLAIN APPLICATIONS

Trinity Watershed Management

63. A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 1,462 square feet of the current 1.589 acres of land located at 4040 Cochran Chapel, of which 1.258 acres is within the floodplain of Bachman Branch, Fill Permit 13-03 - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Housing/Community Services

64. A public hearing to receive comments on the proposed City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan; and at the close of the public hearing, consideration of approval of the City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

Office of Management Services

65. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by 2218 Bryan Street Ltd. located near the intersection of Bryan and North Pearl Streets and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to 2218 Bryan Street Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

66. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Sullivan Asset Management Inc. located near the intersection of South Haskell and Gurley Avenues and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Sullivan Asset Management, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Sustainable Development and Construction

67. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from James Hogg Elementary, a public school, required by Section 6-4 of the Dallas City Code to allow a mixed beverage permit with a food and beverage certificate for a proposed restaurant without drive-in or drive-through service on property on the northwest corner of North Beckley Avenue and Eldorado Avenue – Financing: No cost consideration to the City

68. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from L.G. Pinkston High School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [Minyard Food Store] on property on the northwest corner of North Hampton Road and Singleton Boulevard – Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Sustainable Development and Construction (Continued)

69. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Thomas C. Marsh Middle School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [CVS Corp.] on property on the southwest corner of Forest Lane and Cox Lane – Financing: No cost consideration to the City

Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity
Agenda Item # 16

Property Address	Mapsco	Amount of Non-Tax Liens
1. 2909 Dorris	56H	$7,833.43

Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity
Agenda Item # 17

Property Address	Mapsco	Amount of Non-Tax Liens
1. 1934 McBroom	44J	$11,612.56
2. 1976 Shaw	44J	$11,262.82

Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity
Agenda Item # 18

Property Address	Mapsco	Amount of Non-Tax Liens
1. 4201 Cardinal	65D	$14,447.41
2. 2402 Custer	65D	$ 8,387.35
3. 2502 Custer	65D	$14,245.39
4. 2627 Custer	65D	$12,498.72
5. 4220 Landrum	65D	$ 9,231.71
6. 2427 Moffatt	65D	$ 5,365.91
7. 2318 Wilhurt	65D	$15,337.36
8. 2418 Wilhurt	65D	$13,235.31

Various Joint Task Forces with Federal and State Agencies
Agenda Item # 31

Federal Agencies

Federal Bureau of Investigation

United States Customs

United States Marshals Service

Immigration and Naturalization Services

Drug Enforcement Agency

Bureau of Alcohol, Tobacco, and Firearms

Department of the Treasury - Internal Revenue Service

Secret Services

State Agencies

Department of Public Safety

NOTE: Agencies listed are recurring. Other agencies may be involved on occasion.

DART South Oak Cliff Line Section (SOC-3)
Agenda Item # 36

Tract	Property Owner(s)	Address	Lot & Block	Council District
1.	Charles K. Cope	5701 Lancaster Road	Blk 6895	8
2.	Marina Gloria Velasquez Adams Julia Ann Adams Chammelia Deborah Adams Ahlborn Ahulia Arsia Adams	5703 Lancaster Road	Blk 6895	8

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

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

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

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

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

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

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

AGENDA DATE October 23, 2013

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of October 8, 2013 City Council Meeting
2			All	C	PBD, STS	$248,652.34	100.00%	0.00%	Authorize a three-year service contract for repair of traffic signal control components
3			All	C	PBD, FIR, WTR	$2,332,184.15	2.13%	0.00%	Authorize a three-year service contract for the purchase, service, parts and labor of self-contained breathing apparatus and thermal imagers for Fire-Rescue and Water Utilities
4			All	C	PBD, FIR	$164,957.90	NA	NA	Authorize the purchase of two heavy-duty trucks and seven sport utility vehicles for Fire-Rescue through the Houston-Galveston Area Council of Governments
5			All	C	PBD, WTR	$321,528.00	100.00%	0.00%	Authorize a two-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains
6			All	C	PBD, AVI, PKR, STS, WTR	$6,812,733.90	76.00%	8.50%	Authorize a two-year master agreement for hot mix asphalt and cold patch materials
7			6	C	PBD, CCS	$4,348,293.00	0.00%	0.00%	Authorize a three-year master agreement for the purchase of veterinary drugs and supplies
8			All	C	PBD, TWM, WTR	$2,054,250.00	9.46%	0.00%	Authorize a three-year master agreement for the purchase of brass fittings
9			All	C	PBD, CIS	$10,996,875.00	NA	NA	Authorize a five-year master agreement for Cisco communication equipment and SmartNet maintenance through the State of Texas Department of Information Resources contract
10			N/A	C	ATT, EBS	$63,000.00	NA	NA	Authorize settlement of a claim filed by Glenda Anderson, Claim No. 12-00002
11			All	C	CCS	NC	NA	NA	Authorize the establishment of a fund to receive and deposit grants and donations made to Dallas Animal Services; and the Dallas Animal Services Grant and Donation Fund to receive a transfer in an amount not to exceed $16,508 from the Animal Control Enhancement Fund
12			All	C	CCS	REV ($1,037,522)	NA	NA	An ordinance amending Chapters 17 of the Dallas City Code to adjust various fees and charges relating to food establishment inspections and regulations
13			All	C	ECO	NC	NA	NA	Authorize a resolution amending the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts in accordance with the provisions of Chapter 372 of the Texas Local Government Code, Public Improvement Districts in Municipalities, adopted by Resolution No. 08-1782 on June 25, 2008; as amended, to clarify that with the exception of the Klyde Warren and Tourism PIDs, no other PID districts will be allowed to have overlapping boundaries with another Dallas PID District and other minor clarifications including the process for PID boundary changes consistent with state law
14			14	C	ECO	NC	NA	NA	Authorize an amendment to the development agreement with Southern Methodist University related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a trail connection previously approved on June 8 2011, by Resolution Nos. 11-1543 and 11-1544, in Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) to extend project deadlines beyond the first extension approved by the TOD TIF District Board
15			All	C	MGT, OHC	GT	NA	NA	Authorize the acceptance of a grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2013 through September 30, 2014; and the execution of any and all documents related to the grant
16			7	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; the sale of 1 vacant lot from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and execution of a release of lien for any non-tax liens on the 1 property 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

AGENDA DATE October 23, 2013

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
17			6	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; 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
18			4	C	HOU	NC	NA	NA	Authorize approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; the sale of 8 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and execution of a release of lien for any non-tax liens on the 8 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
19			N/A	C	HRD	$222,600.00	NA	NA	Authorize a contract with Dallas Area Rapid Transit for the purchase of 339 annual passes in support of the City's clean air initiative
20			All	C	IGS, MGT, OFS	$73,800.00	NA	NA	Trinity River Corridor Project Legislative Services: Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Corridor Project for the period October 1, 2013 through September 30, 2014
21			All	C	IGS, MGT, OFS	$43,650.00	NA	NA	Trinity River Corridor Project Legislative Services: Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Corridor Project for the period October 1, 2013 through September 30, 2014
22			All	C	IGS, MGT, OFS	$30,000.00	NA	NA	Authorize a personal services contract with Jesse Romero for state legislative services for the period October 1, 2013 through September 30, 2014
23			All	C	IGS, MGT, OFS	$45,000.00	NA	NA	Authorize a personal services contract with Kwame Walker for state legislative services for the period October 1, 2013 through September 30, 2014
24			All	C	IGS, MGT, OFS	$75,000.00	NA	NA	Authorize a personal services contract with Randy C. Cain for state legislative services for the period October 1, 2013 through September 30, 2014
25			All	C	IGS, MGT, OFS	$160,000.00	NA	NA	Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2013 through September 30, 2014
26			All	C	IGS, MGT, WTR	$86,250.00	NA	NA	Authorize a professional services contract with HillCo Partners, LLC for state legislative information and related services for the period October 1, 2013 through September 30, 2014
27			14	C	PKR	NC	NA	NA	Authorize a development and maintenance agreement with ASA Apartments, LP, a Delaware limited partnership for the construction, development, and maintenance of a hike and bike trail and landscaping improvements for the purpose of creating a connection between the Katy Trail and the planned Trinity Strand Trail located at 1899 Goat Hill Road
28			10	C	PKR, PWT	$886,782.11	21.01%	25.42%	Authorize a license agreement with Oncor for the use of right-of-way for public hike and bike trail purposes for the trail known as the Lake Highlands Trail; and award of a contract for construction of a multi-use trail for the Lake Highlands Trail from Ferndale Road to White Rock Trail
29			11	C	PKR, PWT	$1,465,190.00	82.24%	43.95%	Authorize award of a contract for extension of the hike and bike trail of the White Rock Creek Trail from Valley View Park to Hillcrest Park and construction of a small loop trail and overlook at Hillcrest Park located at 13819 Hillcrest Road
30			All	C	POL	GT	NA	NA	Authorize an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant, from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period July 1, 2013 through June 30, 2014; and execution of the grant agreement
31			All	C	POL	$773,700.00	NA	NA	Authorize the Dallas Police Department to receive funds from various federal and state law enforcement agencies for reimbursement of overtime for investigative services; a City contribution of pension and Federal Insurance Contributions Act costs; and execution of the grant agreements

AGENDA DATE October 23, 2013

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
32			4	C	PBW, WTR	$337,175.00	100.00%	100.00%	Authorize a professional services contract with APM & Associates, Inc. for the engineering design of target neighborhood projects on Arizona Avenue from Saner Avenue to Kiest Boulevard and McVey Avenue from Beckley Avenue to Marsalis Avenue
33			14	C	PBW	$82,170.00	100.00%	30.95%	Authorize Supplemental Agreement No. 5 to the professional services contract with Conley Design Group, Inc. to provide the necessary asbestos abatement specifications, air monitoring, abatement project management and final report related to the interior demolition of the 106 South Harwood Street Building
34			Outside	C	DEV, WTR	$27,000.00	NA	NA	Authorize acquisition from Ineight Holdings Limited Partnership, of approximately 1,963 square feet of land for a water easement and approximately 5,196 square feet of land for two temporary working space easements located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project
35			4	C	DEV, PBW	$23,500.00	NA	NA	Authorize acquisition from Margie Deleon of approximately 7,500 square feet of land improved with a single-family dwelling located near the intersection of LaSalle Drive and Morrell Avenue in the Cadillac Heights neighborhood for future City facilities
36			8	C	DEV	NC	NA	NA	Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of two tracts of land for the construction of the South Oak Cliff Line Section (SOC3-07 and SOC3-08) located near the intersection of Lancaster and Crouch Roads
37			1	C	DEV, CIS	$835,600.56	NA	NA	Authorize a ten-year license agreement with American Towers LLC for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive to be used as the primary backup radio communications site for the Police and Fire radio channels for the period November 1, 2013 through October 31, 2023
38			Outside	C	DEV, WTR	REV $1,300	NA	NA	A resolution authorizing the conveyance of a wastewater easement containing approximately 917 square feet of land to the City of Garland for the construction and maintenance of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersection of Roan Road and Rowlett Road
39			14	C	DEV	REV $2,000	NA	NA	An ordinance granting a private license to Gilliland Properties II, Ltd. for a total of approximately 55 square feet of land to install, maintain and use two awnings with signs over portions of McKinney Avenue, located near their intersection with Knox Street
40			8	C	DEV	REV $5,400	NA	NA	An ordinance abandoning portions of a drainage easement, wastewater easement and a water easement to PR/Crow Penn Distribution, LP, the abutting owner, containing a total of approximately 45,726 square feet of land, located near the intersection of Penn Farm Road and Interstate Highway 20 (Lyndon B. Johnson Freeway)
41			All	C	TWM, MGT	$85,000.00	NA	NA	Authorize a personal services contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas City Design Studio for the period October 1, 2013 through September 30, 2014
42			4	C	TWM	$228,906.00	84.69%	100.00%	Authorize an increase in the contract with Jeske Construction Company for the Elam Creek Channel Improvements Project, Phase II to provide boring, trench protection, new water and wastewater service (including testing) to the Umphress Park Recreation Center, addition of a flood gauge, extension of an existing 51-inch pipe, protective bollards of an electrical service feed, and other miscellaneous items needed to complete the project
43			All	C	WTR	$50,000.00	NA	NA	Authorize a twenty-four-month contract with the Department of State Health Services to provide on-line computer services for the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of $1.83 for each birth certificate printed for the period September 1, 2013 through August 31, 2015
44			All	C	WTR, PBD	$6,313,000.00	100.00%	0.00%	Authorize a five-year service contract for public awareness campaigns for water conservation and grease abatement
45			All	C	WTR	$750,000.00	NA	NA	Authorize an amendment to the “Memorandum of Understanding Public Awareness Campaign” between the City of Dallas and the Tarrant Regional Water District for the continuation of and creative development of the water conservation public awareness campaign for the next five years
46			All	C	WTR	NC	NA	NA	Authorize the rejection of bids received for the HVAC Major Repair and Replacement Project - Phase 1; and the re-advertisement for new bids
47			N/A	I	SEC	NC	N/A	N/A	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
48			N/A	I	OFS, AVI, CIS, ECO, PBW, WTR	$975,147.65	NA	NA	Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to the Airports Council International

AGENDA DATE October 23, 2013

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
49			14	I	DEV, PBW	$77,021.00	NA	NA	Authorize a moving and related expenses-nonresidential payment for Tip Top Big Dog Inc. dba Tini Bar, who has been displaced as a direct result of real property acquisition of the property at 2224 Elm Street, to be used in conjunction with the Central Expressway from Commerce to Live Oak Realignment Project
50			2	I	ECO	$490,700.00	NA	NA	Cedars TIF District: Authorize a development agreement with Dig It! Development, LLC to dedicate future Cedars TIF District revenues in an amount not to exceed $490,700 for eligible project costs related to infrastructure, streetscaping, and landscaping improvements located at: 1509, 1513, 1517, 1521 and 1527 Hickory Street; 1814, 1818, and 1820 Browder Street; the adjoining alley between Browder Street and Ervay Street; along Hickory Street beyond the project site; and a second alley between Beaumont Street and Hickory Street in Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District)
51			2	I	ECO	NC	NA	NA	Cedars TIF District: A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to reimburse Dig It! Development, LLC up to $490,700 for certain TIF-eligible project costs related to infrastructure, streetscaping, and landscaping improvements located at: 1509, 1513, 1517, 1521 and 1527 Hickory Street; 1814, 1818, and 1820 Browder Street; the adjoining alley between Browder Street and Ervay Street; along Hickory Street beyond the project site; and a second alley between Beaumont Street and Hickory Street in the Cedars TIF District
52			8	I	ECO	$1,500,000.00	NA	NA	Authorize a Chapter 380 Economic Development Grant Agreement to KRR Construction, LTD., for the acquisition and redevelopment of improved property commonly known as 3540 Simpson Stuart Road and 3546 Simpson Stuart Road, Dallas Texas, for the Simpson Stuart/Bonnie View Grocery Store Project, including associated closing costs, pre development, relocation, environmental, and demolition costs
53			5	I	ECO	$150,000.00	NA	NA	Authorize a Chapter 380 Forgivable Loan to GBD BDM, LLC for gap financing for construction costs related to expanding the offices of Dental Delite, the dental practice of Belinda D. Marsaw, DDS to 8222 Bruton Road, Dallas Texas in the Pleasant Grove area
54			2	I	HOU	GT	NA	NA	Authorize a housing development loan to Fowler Christian Apartments III, Inc. as gap financing for the development of 36 units of affordable housing to be located in the 5800 block of East Side Avenue for seniors
55			4	I	HOU	NC	NA	NA	Authorize an amendment to Resolution No.13-0458, previously approved on February 27, 2013, to support an application for 4% low income housing tax credits (LIHTC) to the Texas Department of Housing & Community Affairs (TDHCA) for the proposed project to be located at 4623 South Lancaster Road, for a multifamily residential development for low income families
56			4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for a CR Community Retail District, subject to deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District on property bounded by Illinois Avenue, Alaska Avenue, Montana Avenue, and Marsalis Avenue
57			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1912 for a Late-hours establishment limited to an Alcoholic beverage establishment for a bar, lounge, or tavern on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west line of Greenville Avenue, north of Alta Avenue
58			10	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Public school other than an Open-enrollment charter school and R-10(A) Single Family District Uses on property zoned an R-10(A) Single Family District, in the northwest quadrant of Abrams Road and Whitehurst Drive
59			5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1357 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northwest corner of Bruton Road and McCutcheon Lane
60			8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1883 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D-1 Commercial Services District with a D-1 Liquor Control Overlay on the northeast line of CF Hawn Freeway at the intersection of South Belt Line Road
61			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard

AGENDA DATE October 23, 2013

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
62			14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned a GR General Retail Subdistrict and an O-2 Office Subdistrict, with deed restrictions on the northern portion of the site currently zoned an O-2 Office Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Fitzhugh Avenue, between Cole Avenue and McKinney Avenue
63			13	PH	TWM	NC	NA	NA	A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 1,462 square feet of the current 1.589 acres of land located at 4040 Cochran Chapel, of which 1.258 acres is within the floodplain of Bachman Branch, Fill Permit 13-03
64			1, 2, 3, 4, 5, 6, 7, 8	PH	HOU	NC	NA	NA	A public hearing to receive comments on the proposed City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan; and at the close of the public hearing, consideration of approval of the City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan
65			14	PH	OEQ, MGT	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by 2218 Bryan Street Ltd. located near the intersection of Bryan and North Pearl Streets and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to 2218 Bryan Street Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water
66			7	PH	OEQ, MGT	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Sullivan Asset Management Inc. located near the intersection of South Haskell and Gurley Avenues and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Sullivan Asset Management, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water
67			1	PH	DEV	NC	NA	NA	A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from James Hogg Elementary, a public school, required by Section 6-4 of the Dallas City Code to allow a mixed beverage permit with a food and beverage certificate for a proposed restaurant without drive-in or drive-through service on property on the northwest corner of North Beckley Avenue and Eldorado Avenue
68			6	PH	DEV	NC	NA	NA	A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from L.G. Pinkston High School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [Minyard Food Store] on property on the northwest corner of North Hampton Road and Singleton Boulevard
69			13	PH	DEV	NC	NA	NA	A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Thomas C. Marsh Middle School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [CVS Corp.] on property on the southwest corner of Forest Lane and Cox Lane

TOTAL $43,129,666.61

AGENDA ITEM # 2

KEY FOCUS AREA:	Efficient, Effective and Economical Government
AGENDA DATE:	October 23, 2013
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Street Services
CMO:	Jeanne Chipperfield, 670-7804 Forest E. Turner, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a three-year service contract for repair of traffic signal control components - D and J Electronics, lowest responsible bidder of three - Not to exceed $248,653 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will provide for the repair of traffic signal control components citywide. A signalized intersection is controlled and operated by a traffic signal controller cabinet that contains various electronic components and microprocessors. Some of these components will occasionally malfunction and need to be replaced or repaired.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services used its procurement system to send out 315 email bid notifications to vendors registered under respective commodities. To further increase competition, Business Development and Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' 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)

This item has no prior action.

FISCAL INFORMATION

$248,652.34 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

315 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

D and J Electronics

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

BID INFORMATION

The following bids were received from solicitation number BK1314 and opened on July 25, 2013. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount of Bid
*D and J Electronics	11440 Kleberg Rd. Dallas, TX 75253	$248,652.34

BID INFORMATION (Continued)

Bidders	**Address**	**Amount of Bid**
Di Piave Corporation	4287 Beltline Rd. Suite 224 Addison, TX 75001	$442,140.00
Siemens Industry, Inc.	2725 114th St. Grand Prairie, TX 75050	$710,604.00

OWNER

D and J Electronics

Donald E. Prentiss, Owner

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for repair of traffic signal control components - D and J Electronics, lowest responsible bidder of three - Not to exceed $248,653 - Financing: Current Funds (subject to annual appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$248,652.34	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$248,652.34	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

October 23, 2013

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 D and J Electronics (VS0000055910) for the repair of traffic signal control components for a term of three years in an amount not to exceed $248,652.34, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed basis, unit price basis for performance of specified tasks, payment to D and J Electronics shall be based only on the amount of the services directed to be performed by the City and properly performed by D and J Electronics under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $248,652.34 (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: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Fire
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Charles Cato, 670-9194
Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for the purchase, service, parts and labor of self-contained breathing apparatus and thermal imagers for Fire-Rescue and Water Utilities – Hoyt Enterprises dba Hoyt Breathing Air Products in the amount of $1,783,666, Metro Fire Apparatus Specialists, Inc. in the amount of $498,816 and Koetter Fire Protection, LLC in the amount of $49,703, lowest responsible bidders of four - Total not to exceed $2,332,185 - Financing: Current Funds ($2,095,920) and Water Utilities Current Funds ($236,265) (subject to annual appropriations)

BACKGROUND

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

This service contract will provide for the purchase, service, parts and labor of self-contained breathing apparatus (SCBA) and thermal imagers for Fire-Rescue and Water Utilities. An SCBA is a device worn like a backpack to provide breathable air in environments that are dangerous to life and health.

Each SCBA comprises of the following components:

- Full face mask
- Pressure regulator
- Air cylinder containing filtered compressed air and a cylinder pressure gauge
- Heads-up display that allows the firefighter to visually see the amount of air left in the cylinder at all times
- Harness with adjustable shoulder straps and a waist belt
- All electronic components are waterproof

BACKGROUND (Continued)

The SCBAs being purchased meet all the requirements of National Fire Protection Association - 1981 Standard on Open-Circuit Self-Contained Breathing Apparatus 2013 Edition. Fire-Rescue currently has approximately 1,300 SCBAs in service and are repaired when possible or taken out of service when defective and cannot be repaired. Water Utilities currently has approximately 70 SCBAs and uses them to enter confined spaces with highly concentrated amounts of chemicals or when the air quality might deteriorate rapidly.

Infrared thermal imagers assist Fire-Rescue personnel in providing rapid search and rescue operations and detecting hidden fire/heat sources. Thermal imagers help fire-fighters see on a thermal level instead of a visual level enhancing safety. This emergency equipment has proven to be a vital tool to assess the thermal variances of objects and surrounding environments, locating the hottest areas of the fire, raising the awareness of impending hostile fire events (backdraft or flashover) that could injure or kill firefighters.

Currently, Fire-Rescue has thermal imagers assigned to every engine, truck and battalion chief apparatus. The additional imagers are needed for emergency response equipment added to the Fire-Rescue fleet and to replace aging units. The City has 57 fire stations and responds to over 211,500 emergency calls per year.

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 615 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 23, 2011, City Council authorized a two-year master agreement for self-contained breathing apparatus, thermal imagers, parts and accessories for Dallas Fire-Rescue by Resolution No. 11-0515.

FISCAL INFORMATION

$2,095,919.50 - Current Funds (subject to annual appropriations)
$ 236,264.65 - Water Utilities Current Funds (subject to annual appropriations)

M/WBE INFORMATION

72 - Vendors contacted
72 - No response
0 - Response (Bid)
0 - Response (No Bid)
0 - Successful

615 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

Hoyt Enterprises dba Hoyt Breathing Air Products

White Male	11	White Female	4
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	0	Other Female	0

Metro Fire Apparatus Specialists, Inc.

White Male	41	White Female	21
Black Male	1	Black Female	0
Hispanic Male	0	Hispanic Female	1
Other Male	2	Other Female	6

Koetter Fire Protection, LLC

White Male	34	White Female	7
Black Male	3	Black Female	1
Hispanic Male	2	Hispanic Female	2
Other Male	1	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BY1343 and opened on September 5, 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)

Bidders	Address	Amount
*Hoyt Enterprises dba Hoyt Breathing Air Products	252 E. State Hwy. 276 West Tawakoni, TX 75474	Multiple Groups
*Metro Fire Apparatus Specialists, Inc.	10940 W. Sam Houston Pkwy. N. Suite 325 Houston, TX 77064	Mulitple Groups
*Koetter Fire Protection, LLC	10351 Olympic Dr. Dallas, TX 75220	Multiple Groups
Municipal Emergency Services, Inc.	7 Poverty Rd. 85H Bennett Square Southbury, CT 06488	Multiple Groups

OWNERS

Hoyt Enterprises dba Hoyt Breathing Air Products

Barbara Hoyt, President
Pete Hoyt, Vice President

Metro Fire Apparatus Specialists, Inc.

Craig N. Russell, President

Koetter Fire Protection, LLC

Robert Rabroker, President
Jonathan Rabroker, Vice President
Ken Blackard, Secretary
Lee Rabroker, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for the purchase, service, parts and labor of self-contained breathing apparatus and thermal imagers for Fire-Rescue and Water Utilities – Hoyt Enterprises dba Hoyt Breathing Air Products in the amount of $1,783,666, Metro Fire Apparatus Specialists, Inc. in the amount of $498,816 and Koetter Fire Protection, LLC in the amount of $49,703, lowest responsible bidders of four - Total not to exceed $2,332,185 - Financing: Current Funds ($2,095,920) and Water Utilities Current Funds ($236,265) (subject to annual appropriations)

Hoyt Enterprises dba Hoyt Breathing Air Products and Metro Fire Apparatus Specialists, Inc. are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. Koetter Fire Protection, LLC is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$49,702.50	2.13%
Total non-local contracts	$2,282,481.65	97.87%
TOTAL CONTRACT	$2,332,184.15	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

October 23, 2013

WHEREAS, on February 23, 2011, City Council authorized a two-year master agreement for self-contained breathing apparatus, thermal imagers, parts and accessories for Dallas Fire-Rescue by Resolution No. 11-0515;

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 Hoyt Enterprises dba Hoyt Breathing Air Products (VS0000060259) in the amount of $1,783,665.51, Metro Fire Apparatus Specialists, Inc. (339015) in the amount of $498,816.14 and Koetter Fire Protection, LLC (020204) in the amount of $49,702.50 for the purchase, service, parts and labor of self-contained breathing apparatus and thermal imagers for Fire-Rescue and Water Utilities for a term of three years in a total amount not to exceed $2,332,184.15, upon approval as to form by the City Attorney. If the service contract was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Hoyt Enterprises dba Hoyt Breathing Air Products, Metro Fire Apparatus Specialists, Inc. and Koetter Fire Protection, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Hoyt Enterprises dba Hoyt Breathing Air Products, Metro Fire Apparatus Specialists, Inc. and Koetter Fire Protection, LLC under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $2,332,184.15 (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 # 4

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 23, 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 the purchase of two heavy-duty trucks and seven sport utility vehicles for Fire-Rescue - Sam Pack's Five Star Ford in the amount of $222,026 and Chastang's Bayou City Ford in the amount of $70,967 through the Houston-Galveston Area Council of Governments - Total not to exceed $292,993 - Financing: Current Funds ($23,480), Municipal Lease Agreement Funds ($141,478) and U.S. Department of Homeland Security Grant Funds ($128,035)

BACKGROUND

The purchase of two heavy-duty trucks and seven sport utility vehicles for Fire-Rescue are new additions to the fleet and will be used for Urban Search & Rescue and the Community Paramedic Program. The F-350 will be a communications vehicle, while the F-750 is necessary to move trailers operated by the Urban Search and Rescue Team.

The Community Paramedic Program is included in the FY14 budget and is anticipated to begin early FY14. This program expands traditional Emergency Management Service from response-only to a pro-active community program that is integrated with local healthcare providers. The five Ford Escapes will be used to visit patients at their place of residence for scheduled healthcare events. The remaining two Ford Escapes are expected to be utilized by designated field operation chiefs for various duties. Fire-Rescue has 350 pieces of equipment for emergency response throughout the City and areas adjacent to the City. Fire-Rescue responded to approximately 212,000 emergency calls in fiscal year 2012.

The Houston-Galveston Area Council of Governments conforms to the requirements of Texas Statutes that are applicable for competitive bid and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, the Houston-Galveston Area Council of Governments receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 11, 2012, City Council authorized acceptance of the 2012 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative, and the State Homeland Security Grant Program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2012 through May 31, 2014; and execution of the grant agreement by Resolution No. 12-2662.

FISCAL INFORMATION

$ 23,479.70 - Current Funds
$141,478.20 - Municipal Lease Agreement Funds
$128,034.11 - U.S. Department of Homeland Security Grant Funds

ETHNIC COMPOSITION

Sam Pack's Five Star Ford

White Male	104	White Female	19
Black Male	20	Black Female	2
Hispanic Male	3	Hispanic Female	0
Other Male	4	Other Female	0

Chastang's Bayou City Ford

White Male	28	White Female	12
Black Male	3	Black Female	0
Hispanic Male	19	Hispanic Female	7
Other Male	1	Other Female	0

OWNERS

Sam Pack's Five Star Ford

Sam Pack, President

Chastang's Bayou City Ford

Joseph E. Chastang, President

October 23, 2013

WHEREAS, on January 11, 2012, City Council authorized acceptance of the 2012 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative, and the State Homeland Security Grant Program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2012 through May 31, 2014; and execution of the grant agreement by Resolution No. 12-2662;

NOW, THEREFORE,

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

Section 1. That the purchase of two heavy-duty trucks and seven sport utility vehicles for Fire-Rescue is authorized with Sam Pack's Five Star Ford (113696) in the amount of $222,025.01 and Chastang's Bayou City Ford (VS0000011688) in the amount of $70,967.00 through the Houston-Galveston Area Council of Governments in a total amount not to exceed $292,992.01.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for two heavy-duty trucks and seven sport utility vehicles for Fire-Rescue. 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 (10 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

Section 4. That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed $292,992.01:

Fund	Dept	Unit	Object	Encumbrance	Amount
ML12	DFD	E316	4742	PODFD00000111509	$47,559.40
F352	MGT	1680	4742	PODFD00000111509	$57,067.11
ML14	DFD	E336	4742	PODFD00000111509	$93,918.80
0001	DFD	ER90	4742	PODFD00000111509	$23,479.70
F352	MGT	1680	4742	PODFD00000111076	$70,967.00

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.

AGENDA ITEM # 5

KEY FOCUS AREA:	Efficient, Effective and Economical Government
AGENDA DATE:	October 23, 2013
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Forest E. Turner, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a two-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains - HD Supply Waterworks LTD, lowest responsible bidder of three - Not to exceed $321,528 - Financing: Water Utilities Current Funds

BACKGROUND

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

This master agreement will allow for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains. The sampling stations provide a lead free and corrosion resistant environment for regulated sampling programs within the potable water system.

The automatic flushing device is an effective and efficient tool for accomplishing Texas Commission on Environmental Quality regulated pipeline flushing. The automatic flushing device allows flushing to occur off-peak and water to be recaptured within the wastewater system. Flushing and sampling programs are an important part of water quality management.

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 370 email bid notifications to vendors registered under respective commodities.

BACKGROUND (Continued)

To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, 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)

This item has no prior action.

FISCAL INFORMATION

$321,528.00 - Water Utilities Current Funds

M/WBE INFORMATION

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

370 - 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

HD Supply Waterworks LTD

White Male	9	White Female	2
Black Male	1	Black Female	0
Hispanic Male	4	Hispanic Female	1
Other Male	1	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BM1333 and opened on August 1, 2013. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*HD Supply Waterworks LTD	4333 Irving Blvd. Dallas, TX 75247	$321,528.00
Fortiline, Inc.	11200 Seagoville Rd. Balch Springs, TX 75180	$322,500.00
HD Supply Facilities Maintenance dba Bluebook	3781 Burwood Dr. Waukegan, IL 60085	$427,550.00

OWNER

HD Supply Waterworks LTD

Jerry L. Webb, President
Donald W. Clayton, Vice President
Judy Burrow, Secretary
Mark L. Witkowski, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a two-year master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains - HD Supply Waterworks LTD, lowest responsible bidder of three - Not to exceed $321,528 - Financing: Water Utilities Current Funds

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$321,528.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$321,528.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

October 23, 2013

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

Section 1. That a master agreement for the purchase of sampling stations and automatic flushing devices with parts and accessories for water mains is authorized with HD Supply Waterworks, LTD (VS0000038746) for a term of two years in an amount not to exceed $321,528.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for sampling stations and automatic flushing devices with parts and accessories for water mains. If a written contract is required or requested for any or all purchases of sampling stations and automatic flushing devices with parts and accessories for water mains 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 $321,528.00.

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:	October 23, 2013
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Aviation Park & Recreation Street Services Water Utilities
CMO:	Jeanne Chipperfield, 670-7804 Theresa O'Donnell, 671-9195 Willis Winters, 670-4071 Forest E. Turner, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize a two-year master agreement for hot mix asphalt and cold patch materials - APAC-Texas, Inc. in the amount of $5,571,668, Unique Paving Materials in the amount of $1,237,816, International Roadway Research, LLP in the amount of $2,125 and Austin Asphalt, LP in the amount of $1,125, lowest responsible bidders of four - Total not to exceed $6,812,734 - Financing: Current Funds ($5,531,843), Water Utilities Current Funds ($1,256,341) and Aviation Current Funds ($24,550)

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 hot mix asphalt and cold patch materials for Street Services, Water Utilities and Park and Recreation departments to conduct permanent pavement and temporary roadway repairs. The hot mix asphalt product is used by Street Services for street and alley repairs including potholes and full-depth repairs throughout the City. Water Utilities uses the material for street and alley repair after a water main or water line break. Park and Recreation uses asphalt material to repair hike and bike trails, service drives, curbs and speed bumps in parks throughout the City and Fair Park. The hot mix asphalt material is delivered to the job-site and immediately applied to the surface.

BACKGROUND (Continued)

Street Services will utilize the asphalt materials to repair approximately 30,000 potholes, over 400 lane miles of asphalt streets, and alleys each year. Additionally, Street Services recycles approximately 30% of the old asphalt excavated during repairs and uses it as base material supporting the new street surface.

Cold patch is an asphalt product that can be used in inclement weather and can be stored at City facilities for maintenance use. The cold patch product is used to repair potholes and other street repair needs. Additionally, it is also used when asphalt plants are down and hot mix asphalt is unavailable.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing; this bid resulted in a 5.5% increase over comparable unit prices for the bid awarded in 2011.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 220 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On August 12, 2009, City Council authorized a twenty-four-month master agreement for hot mix asphalt and cold patch material for the repair of streets, alleys, and sidewalks by Resolution No. 09-1884.

On October 10, 2011, City Council authorized a three-year master agreement for the purchase of hot mix asphalt and cold patch materials by Resolution No. 11-2715.

FISCAL INFORMATION

$5,531,843.00 - Current Funds
$1,256,340.90 - Water Utilities Current Funds
$ 24,550.00 - Aviation Current Funds

M/WBE INFORMATION

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

220 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

APAC-Texas, Inc.

White Male	128	White Female	16
Black Male	31	Black Female	1
Hispanic Male	92	Hispanic Female	3
Other Male	0	Other Female	1

Unique Paving Materials

White Male	26	White Female	11
Black Male	4	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	1	Other Female	0

International Roadway Research, LLP

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

Austin Asphalt, LP

White Male	210	White Female	21
Black Male	25	Black Female	2
Hispanic Male	341	Hispanic Female	6
Other Male	13	Other Female	3

BID INFORMATION

The following bids were received from solicitation numbers BK1321 and were opened on August 29, 2013. This master agreement is being awarded to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*APAC-Texas, Inc.	2121 Irving Blvd. Dallas, TX 75207	Multiple Groups
*Unique Paving Materials	3993 E. 93rd St. Cleveland, OH 44105	Multiple Groups
*International Roadway Research, LLP	14702 Marine Rd. Humble, TX 77396	Multiple Groups
*Austin Asphalt, LP	6330 Commerce Dr. Suite 150 Irving, TX 75063	Multiple Groups

OWNERS

APAC-Texas, Inc.

Stephen R. Koonce, President
Steve Millington, Secretary

Unique Paving Materials

Michael Pemberton, President
Jeffrey Higerd, Vice President

International Roadway Research, LLP

William Yost, President
Sylvia Bumstead, Secretary

OWNERS (Continued)

Austin Asphalt, LP

David Walls, President
Richard Mills, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a two-year master agreement for hot mix asphalt and cold patch materials - APAC-Texas, Inc. in the amount of $5,571,668, Unique Paving Materials in the amount of $1,237,816, International Roadway Research, LLP in the amount of $2,125 and Austin Asphalt, LP in the amount of $1,125, lowest responsible bidders of four - Total not to exceed $6,812,734 - Financing: Current Funds ($5,531,843), Water Utilities Current Funds ($1,256,341) and Aviation Current Funds ($24,550)

APAC-Texas, Inc. is local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors. Austin Asphalt, LP is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use their own workforce. Unique Paving Materials is a non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors. International Roadway Research, LLP is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$5,177,411.78	76.00%
Total non-local contracts	$1,635,322.12	24.00%
TOTAL CONTRACT	$6,812,733.90	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Gloria Valenzuela Enterprise, Inc.	HFDB58364Y0814	$117,613.60	7.19%
Eagle Aggregate Transportation, LLC	WFDB55955Y0114	$277,767.62	16.99%
Statewide Trucking	WFDB58332Y0814	$184,000.00	11.25%
Total Minority - Non-local		$579,381.22	35.43%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$579,381.22	8.50%
Total	$0.00	0.00%	$579,381.22	8.50%

October 23, 2013

WHEREAS, on August 12, 2009, City Council authorized a twenty-four-month master agreement for hot mix asphalt and cold patch material for the repair of streets, alleys, and sidewalks by Resolution No. 09-1884; and,

WHEREAS, on October 10, 2011, City Council authorized a three-year master agreement for the purchase of hot mix asphalt and cold patch materials by Resolution No. 11-2715;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of hot mix asphalt and cold patch materials is authorized with APAC-Texas, Inc. (004204) in the amount of $5,571,668.00, Unique Paving Materials (341227) in the amount of $1,237,815.90, International Roadway Research, LLP (VS0000035570) in the amount of $2,125.00 and Austin Asphalt, LP (VS000000215) in the amount of $1,125.00, for a term of two years in a total amount not to exceed $6,812,733.90.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for hot mix asphalt and cold patch materials. If a written contract is required or requested for any or all purchases of hot mix asphalt and cold patch materials 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 $6,812,733.90.

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

AGENDA ITEM # 7

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 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

Authorize a three-year master agreement for the purchase of veterinary drugs and supplies – Butler Schein Animal Health in the amount of $3,117,945, Bayer Animal Health in the amount of $1,222,369 and Neogen Corporation in the amount of $7,979, lowest responsible bidders of six - Total not to exceed $4,348,293 - 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 Dallas Animal Services (shelter) to purchase veterinary medicines necessary for the care of the shelter animals. Medicines to be purchased under this agreement range from vaccines to heartworm prevention drugs. These medicines will be administered by the shelter's in-house veterinarians.

The shelter houses and cares for over 600 animals daily and takes in an average of 75 cats and dogs per day. Other animals received at the shelter include livestock, exotic animals and wildlife. Each animal is examined upon arrival and treated based on the animal's needs; treatment is provided until it is no longer necessary or until the animal leaves the shelter. Each animal is required to be spayed/neutered prior to leaving the facility.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 45 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 28, 2013, City Council executed 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 by Resolution No. 13-1472.

FISCAL INFORMATION

$4,348,293.00 - Current Funds

ETHNIC COMPOSITION

Butler Schein Animal Health

White Male	52	White Female	94
Black Male	2	Black Female	1
Hispanic Male	2	Hispanic Female	1
Other Male	0	Other Female	4

Bayer Animal Health

White Male	186	White Female	148
Black Male	12	Black Female	7
Hispanic Male	13	Hispanic Female	8
Other Male	23	Other Female	8

Neogen Corporation

White Male	306	White Female	231
Black Male	14	Black Female	13
Hispanic Male	28	Hispanic Female	14
Other Male	19	Other Female	16

M/WBE INFORMATION

5 - Vendors Contacted
5 - No response
0 - Response (Bid)
0 - Response (No Bid)
0 - Successful

45 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.

BID INFORMATION

The following bids were received from solicitation number BL1333 and opened on July 27, 2013. This master agreement is being awarded to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount of Bid
*Butler Schein Animal Health	400 Metro Pl. Dublin, OH 43017	Multiple Lines
*Bayer Animal Health	12070 W. 63rd Shawnee, KS 66216	Multiple Lines
*Neogen Corporation	620 Lesher Pl. Lancing, MI 48912	Multiple Lines
Infused Medical Technology, Inc.	4559 S. Westmoreland Rd. Dallas, TX 75237	Multiple Lines
Intervet, Inc. dba Merck Animal Health	29160 Intervet Ln. Millsboro, DE 19966	Multiple Lines
Zoetis, Inc.	5 Giralda Farms Madison, NJ 07940	Non-Responsive**

**Zoetis, Inc. was deemed non-responsive due to not meeting specifications.

OWNERS

Butler Schein Animal Health

Kevin Vasquez, President
Kimberly Allen, Vice President

Bayer Animal Health

Dr. Dirk Ehle, Chairman of the Board
Michael Schade, Managing Director

Neogen Corporation

Michael McAllister, Chairman of the Board

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of veterinary drugs and supplies – Butler Schein Animal Health in the amount of $3,117,945, Bayer Animal Health in the amount of $1,222,369 and Neogen Corporation in the amount of $7,979, lowest responsible bidders of six - Total not to exceed $4,348,293 - Financing: Current Funds

Butler Schein Animal Health, Bayer Animal Health and Neogen Corporation are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$4,348,293.00	100.00%
TOTAL CONTRACT	$4,348,293.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

October 23, 2013

WHEREAS, on August 28, 2013, City Council executed 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 by Resolution No. 13-1472;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of veterinary drugs and supplies is authorized with Butler Schein Animal Health (VS0000048821) in the amount of $ 3,117,945.00, Bayer Animal Health (358123) in the amount of $1,222,369.00 and Neogen Corporation (VS0000079114) in the amount of $7,979.00, for a term of three years in a total amount not to exceed $4,348,293.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for veterinary drugs and supplies. If a written contract is required or requested for any or all purchases of veterinary drugs and supplies 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 $4,348,293.00.

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 # 8

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Trinity Watershed Management
Water Utilities

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 brass fittings - A. Y. McDonald Mfg. in the amount of $1,512,000, Mueller Company LTD in the amount of $347,900, Fortiline, Inc. in the amount of $104,200, Four Star Hose & Supply, Inc. in the amount of $87,500 and HD Supply Waterworks LTD in the amount of $2,650, lowest responsible bidders of five - Total not to exceed $2,054,250 - Financing: Water Utilities Current Funds ($2,051,350) and Stormwater Drainage Management Current Funds ($2,900)

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 the City to continue to purchase various types and sizes of brass fittings for general service, water main repairs and new installations. The City performs approximately 750 water main repairs, 1,100 general service repairs and 1,050 new installations annually. Listed below are some fittings that will be purchased using this agreement:

- Brass plain ell - 90 degree, sizes 3/4" thru 2"
- Brass tee, sizes 3/4" thru 2"
- Brass caps
- Brass nipples – closed and long
- Brass coupling, sizes 3/4" thru 2"
- Brass compression coupling, sizes 1/2" thru 1"
- Brass meter coupling, sizes 3/4" thru 1"

BACKGROUND (Continued)

- Brass plug – cleanout, square head and hexagon
- Brass corporation plug, sizes 1 1/2" thru 2”
- Brass valve - gate
- Brass valve - 45 degree
- Ball valve - curb stop, with lock wing, sizes 3/4" thru 1"
- Union, sizes 3/4" thru 1"
- Drain valve, 1/2"
- Hose bibb, 3/4"
- Bronze service saddles

State and Environmental Protection Agency (EPA) regulations require the fittings to be certified by the National Sanitation Foundation due to the placement of the fittings within the water distribution system. All brass fittings that have been removed from service and deemed unusable are recycled through the City's existing contract for scrap metal.

This solicitation was structured in a manner which required bidders to submit a response using discount or markup pricing from manufacturer’s price list. This bid resulted in an average of 55.98% discount compared to an average 55.50% discount for the bid awarded in 2012.

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 282 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 May 13, 2009, City Council authorized a twenty-four month master agreement for brass fittings by Resolution No. 09-1157.

On June 27, 2012, City Council authorized a two-year master agreement for brass fittings by Resolution No. 12-1612.

FISCAL INFORMATION

$2,051,350.00 - Water Utilities Current Funds
$ 2,900.00 - Stormwater Drainage Management Current Funds

M/WBE INFORMATION

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

282 - 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

A. Y. McDonald Mfg.

White Male	292	White Female	67
Black Male	2	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	1	Other Female	1

Mueller Company LTD

White Male	355	White Female	21
Black Male	54	Black Female	3
Hispanic Male	0	Hispanic Female	0
Other Male	3	Other Female	0

Fortiline, Inc.

White Male	9	White Female	1
Black Male	2	Black Female	0
Hispanic Male	2	Hispanic Female	0
Other Male	3	Other Female	0

Four Star Hose & Supply, Inc.

White Male	33	White Female	2
Black Male	2	Black Female	0
Hispanic Male	12	Hispanic Female	0
Other Male	1	Other Female	0

ETHNIC COMPOSITION (Continued)

HD Supply Waterworks LTD

White Male	9	White Female	2
Black Male	1	Black Female	1
Hispanic Male	4	Hispanic Female	0
Other Male	1	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BM1331 and opened on August 8, 2013. This master agreement is being awarded to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*A. Y. McDonald Mfg.	4800 Chavenelle Rd. Dubuque, IA 52002	Multiple Lines
*Mueller Company LTD	500 W. Eldorado St. Decatur, IL 62522	Multiple Lines
*Fortiline, Inc.	11200 Seagoville Rd. Balch Springs, TX 75100	Multiple Lines
*Four Star Hose & Supply, Inc.	10704 Composite Dr. Dallas, TX 75220	Multiple Lines
*HD Supply Waterworks LTD	4333 Irving Blvd. Irving, TX 75247	Multiple Lines

OWNERS

A. Y. McDonald Mfg.

Robert D. McDonald II, President
Sarah M. Hasken, Vice President
Andrew D. Wickham, Controller

OWNERS (Continued)

Mueller Company LTD

Greg Rogowski, President
Mike Williams, Vice President
Chad Mize, Vice President

Fortiline, Inc.

Tim Tysinger, President
Ben Cagle, Vice President
Jason Painter, Secretary

Four Star Hose & Supply, Inc.

Keith Culhane, President

HD Supply Waterworks LTD

Jerry L. Webb, President
Donald W. Clayton, Vice President
Judy Barrow, Secretary
Mark R. Witkowski, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for the purchase of brass fittings - A. Y. McDonald Mfg. in the amount of $1,512,000, Mueller Company LTD in the amount of $347,900, Fortiline, Inc. in the amount of $104,200, Four Star Hose & Supply, Inc. in the amount of $87,500 and HD Supply Waterworks LTD in the amount of $2,650, lowest responsible bidders of five - Total not to exceed $2,054,250 - Financing: Water Utilities Current Funds ($2,051,350) and Stormwater Drainage Management Current Funds ($2,900)

A. Y. McDonald Mfg. and Mueller Company LTD are a non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforce. Fortiline, Inc., Four Star Hose & Supply, Inc. and HD Supply Waterworks LTD are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$194,350.00	9.46%
Total non-local contracts	$1,859,900.00	90.54%
TOTAL CONTRACT	$2,054,250.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

October 23, 2013

WHEREAS, on May 13, 2009, City Council authorized a twenty-four month master agreement for brass fittings by Resolution No. 09-1157; and,

WHEREAS, on June 27, 2012, City Council authorized a two-year master agreement for brass fittings by Resolution No. 12-1612;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of brass fittings is authorized with A. Y. McDonald Mfg. (VS0000080901) in the amount of $1,512,000.00, Mueller Company LTD (VS0000056849) in the amount of $347,900.00, Fortiline Inc. (VS0000073028) in the amount of $104,200.00, Four Star Hose & Supply (161103) in the amount of $87,500.00 and HD Supply Waterworks LTD (VS0000038746) in the amount of $2,650.00, for a term of three-years in a total amount not to exceed $2,054,250.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for brass fittings. If a written contract is required or requested for any or all purchases of brass fittings 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 $2,054,250.00.

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 # 9

KEY FOCUS AREA:	Efficient, Effective and Economical Government
AGENDA DATE:	October 23, 2013
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Communication and Information Services
CMO:	Jeanne Chipperfield, 670-7804 Jill A. Jordan, P.E., 670-5299
MAPSCO:	N/A

SUBJECT

Authorize a five-year master agreement for Cisco communication equipment and SmartNet maintenance - AT&T, through the State of Texas Department of Information Resources contract - Not to exceed $10,996,875 – 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.

The City's communication network is utilizing Cisco equipment and SmartNet maintenance through AT&T and the State of Texas Department of Information Resources (DIR). This agreement will make available the necessary equipment and software to replace end-of-life equipment, to enhance the existing network for existing and new facilities, and to accommodate projects requiring network equipment for a five year period. Typical purchases from this master agreement include desktop phones, routers, switches, servers, software and software licenses. Provisions in the existing managed services contract with AT&T allow for certain types of new equipment and software purchased to be covered under the existing SmartNet maintenance agreement, therefore resulting in cost savings on this new equipment.

Competitive bids for Cisco communication equipment and SmartNet maintenance were issued on July 4, 2013 and opened on August 15, 2013. Bid pricing received from 8 bidders were then compared to governmental cooperative purchasing agreements, and was found that pricing received from AT&T was identical to DIR. However, DIR offers a provision for volume pricing discounts not otherwise available through standard agreements. Therefore, Business Development and Procurement Services determined that DIR provided the most advantageous agreement for Cisco communication equipment and SmartNet maintenance.

BACKGROUND (Continued)

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 25, 2011, City Council authorized an increase in the master agreement for the purchase of Cisco communication equipment and SmartNet maintenance by Resolution No. 11-1278.

On November 14, 2012, City Council authorized a one-year master agreement for Cisco communication equipment and SmartNet maintenance services for new projects by Resolution No. 12-2727.

FISCAL INFORMATION

$10,996,875.00 - Current Funds

ETHNIC COMPOSITION

AT&T

White Male	4789	White Female	2658
Black Male	1366	Black Female	2245
Hispanic Male	483	Hispanic Female	694
Other Male	588	Other Female	299

OWNER

AT&T

Andrew M. Geisse, President

October 23, 2013

WHEREAS, on May 25, 2011, City Council authorized an increase in the master agreement for the purchase of Cisco communication equipment and SmartNet maintenance by Resolution No. 11-1278; and,

WHEREAS, on November 14, 2012, City Council authorized a one-year master agreement for Cisco communication equipment and SmartNet maintenance services for new projects by Resolution No. 12-2727;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of Cisco communication equipment and SmartNet maintenance is authorized with AT&T (502484) through the State of Texas Department of Information Resources contract for a term of five years in an amount not to exceed $10,996,875.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for Cisco communication equipment and SmartNet maintenance. If a written contract is required or requested for any or all purchases of Cisco communication equipment and SmartNet maintenance 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 $10,996,875.00.

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 # 10

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Equipment & Building Services

CMO: Warren M.S. Ernst, 670-3491
Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize settlement of a claim filed by Glenda Anderson, Claim No. 12-00002 - Not to exceed $63,000 - Financing: Current Funds

BACKGROUND

Claimant Glenda Anderson filed a claim against the City seeking compensation for alleged bodily injuries sustained in an automobile accident on December 14, 2011, involving an Equipment & Building Services vehicle. Plaintiff is represented by Attorney Jim S. Adler & Associates.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed in Closed Session on October 16, 2013.

FISCAL INFORMATION

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

$63,000.00 - Current Funds

October 23, 2013

WHEREAS, a claim was filed by Glenda Anderson, Claim No. 12-00002, seeking compensation from the City of Dallas for alleged bodily injuries sustained in an automobile accident on December 14, 2011, involving an Equipment & Building Services vehicle; and,

WHEREAS, claimant Glenda Anderson, through her attorney, has agreed to settle this claim for the amount of $63,000.00, of which $61,733.18 is payable to Glenda Anderson and her attorney, Jim S. Adler & Associates, and $1,266.82 is payable to Optum Subrogation Services; **Now, Therefore,**

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

Section 1. That settlement of the claim filed by Glenda Anderson, Claim No. 12-00002, in an amount not to exceed $63,000.00 is hereby approved.

Section 2. That the City Controller is authorized to pay to Glenda Anderson and her attorney Jim S. Adler & Associates, the amount of $61,733.18 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor MVATT001.

Section 3. That the City Controller is authorized to pay to Optum Subrogation Services, the amount of $1,266.82 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor MVORM001.

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 # 11

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Code Compliance

CMO: Charles Cato, 671-3908

MAPSCO: N/A

SUBJECT

Authorize **(1)** the establishment of a fund to receive and deposit grants and donations made to Dallas Animal Services; and **(2)** the Dallas Animal Services Grant and Donation Fund to receive a transfer in an amount not to exceed $16,508 from the Animal Control Enhancement Fund - Financing: This action has no cost consideration to the City

BACKGROUND

Dallas Animal Services currently receives and deposits grants and donations with specific earmarks, including adoptions, medical procedures, outreach and spay/neuter, in multiple funds. This revenue can be more efficiently managed through a single fund, with units dedicated for each donation purpose.

The unencumbered balances in the existing funds will be transferred to the new grant and donation fund.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

This action has no cost consideration to the City.

October 23, 2013

WHEREAS, certain grants and donations received by the City of Dallas related to animal care and control would be more efficiently managed through the use of a single fund; and

WHEREAS, the grants and donations received will continue to be managed through separate units within the new fund;

Now, Therefore,

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

Section 1. That the City Controller is hereby authorized to transfer funds from the Animal Control Enhancement Fund 0878, Department CCS, Unit 3476, Object Code 3690, to Dallas Animal Services Grant and Donation Fund 0898, Department CCS, Unit 2740, Revenue Code 9201, in the amount of $16,507.39.

Section 2. That the City Manager is hereby authorized to establish appropriations in the amount of $16,507.39, in Fund 0898, Department CCS, Unit 2740, Various Supply Object Codes according to future procurements.

Section 3. That the City Controller is hereby authorized to accept and deposit grants and donations for animal care and control in Fund 0898, Department CCS, Unit 2740, Revenue Source 8411.

Section 4. That the City Controller is hereby authorized to encumber and disperse funds in the amount of $16,507.39, from Fund 0898, Department CCS, Unit 2740, Various Supply Object Codes according to future procurements.

Section 5. 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 it is accordingly so resolved.

AGENDA ITEM # 12

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Code Compliance

CMO: Charles Cato, 671-3908

MAPSCO: N/A

SUBJECT

An ordinance amending Chapters 17 of the Dallas City Code to adjust various fees and charges relating to food establishment inspections and regulations - Estimated Annual Revenue Loss: ($1,037,522)

BACKGROUND

The food inspection and regulation fees and charges were reviewed by the City's consultant in 2013 and changes in various fees have been recommended. The estimated revenue impact by fee changes is included in the FY 2013-14 Budget. The changes which are incorporated into the proposed ordinance relate to food establishment inspection and regulation.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Budget Finance and Audit Committee on Code Compliance Department Fee Study Results on October 7, 2013.

Briefed the City Council on the City Manager's recommended FY 2013-14 budget on August 7, 2013.

FISCAL INFORMATION

Estimated Annual Revenue Loss: ($1,037,522)

10/7/2013

ORDINANCE NO. _____

An ordinance amending Sections 17-2.2 and 17-10.2 of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended; adjusting fees relating to food establishment inspection and regulation; providing for a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Subsection (c)(6) of Section 17-2.2, “Additional Requirements,” of Article II, "Management and Personnel," of CHAPTER 17, “FOOD ESTABLISHMENTS,” of the Dallas City Code, as amended, is amended to read as follows:

"(6) Food service manager registration fees. An applicant shall pay a nonrefundable fee of $20 [~~100~~] for a food service manager registration. The fee for replacing a lost, stolen, or damaged certificate of registration is $11 [~~5~~]."

SECTION 2. That Subsection (d)(5) of Section 17-2.2, “Additional Requirements,” of Article II, "Management and Personnel," of CHAPTER 17, “FOOD ESTABLISHMENTS,” of the Dallas City Code, as amended, is amended to read as follows:

"(5) Food handler certification fees. An applicant shall pay a nonrefundable fee of $55 for a food handler certificate. The fee for replacing a lost, stolen, or damaged certificate is $11 [~~5~~]."

SECTION 3. That Subsection (d)(2) of Section 17-10.2, “Additional Requirements,” of Article X, "Compliance and Enforcement," of CHAPTER 17, “FOOD ESTABLISHMENTS,” of the Dallas City Code, as amended, is amended to read as follows:

"(2) The applicant shall pay a nonrefundable fee according to the following schedule:

	Fixed Facility	Mobile Food Preparation Vehicle
Cessation of operation of existing facility or vehicle for 12 or more months	$70 [~~300~~]	$86 [~~315~~]
Change of ownership of existing facility or vehicle	$131 [~~300~~]	$86 [~~315~~]
Change of ownership of newly constructed facility or vehicle or extensively remodeled facility	$131 [~~300~~]	$86 [~~315~~]
Newly constructed facility or vehicle or extensively remodeled facility under same ownership	$120 [~~300~~]	$86 [~~315~~]
Reinstatement fee after lapse of permit for failure to pay annual inspection fee by due date: existing facility or vehicle under same ownership	$236 [~~110~~]	$236 [~~110~~]"

SECTION 4. That Subsection (e)(1) of Section 17-10.2, “Additional Requirements,” of Article X, "Compliance and Enforcement," of CHAPTER 17, “FOOD ESTABLISHMENTS,” of the Dallas City Code, as amended, is amended to read as follows:

"(1) A person shall not begin constructing a fixed facility or constructing a mobile food preparation vehicle (whether by manufacturing, retrofitting, or converting), or extensively remodeling a fixed facility, intended for use in the operation of a food establishment (other than a temporary food service establishment) before a copy of plans and specifications of the construction or remodeling are approved, in writing, by the director. A request for approval

of plans and specifications must be accompanied by a nonrefundable plans review fee of $66 [~~250~~] for a fixed facility or $66 [~~250~~] for a mobile food preparation vehicle."

SECTION 5. That Subsection (f)(4) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(4) Periodic inspections. The director shall periodically inspect each separate and distinct facility and vehicle from which a food establishment operates to determine whether the establishment complies with this chapter and other applicable city ordinances and state and federal law. The director shall conduct the periodic inspection as often as the director considers necessary to enforce this chapter or other applicable law, but at least once each six-month period. Whenever a food establishment is inspected by the director and a violation of this chapter or other applicable law is found, the director shall, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, reinspect the food establishment to determine that the violation has been eliminated. A $110 [~~380~~] fee will be charged for each reinspection that must be conducted before the violation is determined to be eliminated."

SECTION 6. That Subsection (g) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(g) Annual inspection fees: catering services and mobile food establishments.

(1) Catering service. A catering service shall pay the city a nonrefundable annual inspection fee of $120 [~~130~~] for each vehicle used to operate the service inside the city.

(2) Mobile food establishment.

(A) A food establishment that operates a mobile food establishment inside the city shall pay the city a nonrefundable annual inspection fee in accordance with the following schedule:

Type of Operation	Each Vehicle
General service	$236 [~~150~~]
Limited service	$137 [~~130~~]
Vegetable or fruit vendor	$109 [~~130~~]

Mobile food preparation vehicle	$218 [~~150~~]

(B) An additional nonrefundable $138 [~~100~~] fee will be charged for each vehicle requested by a food establishment to be inspected at a location other than a location designated by the director."

SECTION 7. That Subsection (h)(2) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(2) Amount. The amount of the fee for each facility is determined by the floor area of the facility. In determining the floor area, the director shall include each interior part of the facility used to manufacture or process, store, package, prepare, distribute, sell, or serve food. The fees are as prescribed in the following schedule:

(A) For facilities not included in Section 17-10.2(h)(2)(B):

Area in square feet	Annual fee
1 to 2,000	$284 [~~390~~]
2,001 or more	$313 [~~425~~]

(B) If a food establishment is being operated from more than one separate and distinct facility in the same building, for each facility in excess of one:

Area in square feet	Annual fee
1 to 2,000	$284 [~~390~~]
2,001 or more	$313 [~~400~~]"

SECTION 8. That Subsection (i)(1) of Section 17-10.2, "Additional Requirements," of Article X, "Compliance and Enforcement," of CHAPTER 17, "FOOD ESTABLISHMENTS," of the Dallas City Code, as amended, is amended to read as follows:

"(1) Before the director issues a permit to a temporary food service establishment, the applicant for the permit shall pay the city a nonrefundable permit fee of $156 [~~190~~], plus $7 [~~5~~] for each day of operation for each facility from which the establishment is operated. A maximum nonrefundable annual fee of $124 [~~100~~] for each facility will be collected from concessionaires operating under contract with the city park and recreation department [~~or the municipal produce market~~]. A maximum nonrefundable annual fee of $132 [~~200~~] for each

facility will be collected from concessionaires operating at a school stadium. A maximum nonrefundable annual fee of $123 [~~100~~] for each booth or stall at the first market location and $120 [~~50~~] for each booth or stall at each additional market location will be collected from a vendor operating at a neighborhood farmers market permitted under Chapter 29A of this code."

SECTION 9. That Subsection (j)(1) of Section 17-10.2, “Additional Requirements,” of Article X, "Compliance and Enforcement," of CHAPTER 17, “FOOD ESTABLISHMENTS,” of the Dallas City Code, as amended, is amended to read as follows:

"(1) A food establishment operating from a facility located outside the city that sells, distributes, or transports food inside the city may not conduct operations inside the city unless the establishment annually:

(A) registers with the director on a form provided for the purpose;

(B) pays to the city a nonrefundable registration fee of $10 [~~40~~] and other applicable fees; and

(C) furnishes the department with:

(i) a certificate from a health authority with jurisdiction over the establishment indicating that the establishment complies with applicable public health laws; and

(ii) other information that the director determines is necessary to enable the director to implement or enforce this chapter or otherwise protect the public health or safety."

SECTION 10. That Subsection (l)(1) of Section 17-10.2, “Additional Requirements,” of Article X, "Compliance and Enforcement," of CHAPTER 17, “FOOD ESTABLISHMENTS,” of the Dallas City Code, as amended, is amended to read as follows:

"(1) If a food establishment changes its name, continuing under the same ownership, the establishment shall inform the director in writing of the change and pay the city a service fee of $48 [~~65~~], not more than seven days after the change."

SECTION 11. That Subsection (s)(1) of Section 17-10.2, “Additional Requirements,” of Article X, "Compliance and Enforcement," of CHAPTER 17, “FOOD ESTABLISHMENTS,” of the Dallas City Code, as amended, is amended to read as follows:

"(1) A food establishment may apply to the director for a variance modifying or waiving the requirements of the Texas Food Establishment Rules or the requirements of this chapter. The food establishment shall apply for the variance on a form provided by the director and shall include in the application all of the information required by Section 229.171(c)(2) of the Texas Food Establishment Rules. The application must be accompanied by a nonrefundable application fee of:

(A) $127 for a variance to allow dogs to be present in the outdoor patio area of a food establishment under Subsection (s)(7);

(B) $95 for a variance to allow the preparation, cooking, and service of raw poultry, raw seafood, and non-fast-cooked food items on a mobile food preparation vehicle under Subsection (s)(8); and

(C) $100 for all other variances applied for under this subsection."

SECTION 12. That any person who, from October 1, 2013 through the effective date of this ordinance, paid a fee under Chapter 17 of the Dallas City Code at a rate higher than the amount established for the particular fee by this ordinance may apply to the director of code compliance, or his designated representative, for a refund of the difference between the fee paid and the new amount of the fee established by this ordinance. The director of code compliance, or his designated representative, is authorized to refund portions of fees as provided for in this section.

SECTION 13. That a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed $2,000.

SECTION 14. That CHAPTER 17 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 15. 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 16**.** That this ordinance will take effect on October 28, 2013, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST, Interim City Attorney

By _____
Assistant City Attorney

Passed _____

LC/DCC/00548A

AGENDA ITEM # 13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize a resolution amending the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts in accordance with the provisions of Chapter 372 of the Texas Local Government Code, Public Improvement Districts in Municipalities, adopted by Resolution No. 08-1782 on June 25, 2008; as amended, to clarify that with the exception of the Klyde Warren and Tourism PIDs, no other PID districts will be allowed to have overlapping boundaries with another Dallas PID District and other minor clarifications including the process for PID boundary changes consistent with state law - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas first adopted a Public Improvement District (PID) Policy on December 14, 2005 and subsequently amended the policy pursuant to Resolution No. 08-1782 on June 25, 2008, and Resolution No. 09-2620 on October 28, 2009. This policy addresses issues related to eligibility for creation of PIDs, signature and petition requirements and reporting and financial accountability standards. This policy has improved the management and oversight of PIDs in Dallas.

On September 11, 2013, the City Council approved the annual service plan and assessment process for eleven of the City's existing PIDs. During the public hearings, there was discussion concerning overlapping PID boundaries. On October 7, 2013, the Economic Development Committee reviewed proposed amendments to the PID policy and recommended the amended policy for City Council approval.

The current PID policy does not set limits on PID boundaries or specify the process for any boundary changes. In response to concerns about the potential impact of overlapping PID boundaries, with the exception of the Klyde Warren and Tourism PIDs, the amended policy would not allow future PIDs to be created that overlap the boundaries of another Dallas PID.

BACKGROUND (Continued)

The amendment would also clarify that existing PIDs may consider boundary changes only as part of a renewal process with a new map as part of the petition or during the existing term of the PID only if re-petition of the entire PID area (both current boundary and proposed modified areas) meets the minimum criteria for creation/renewal and pays the $15,000 application fee as described in the policy.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 2005, City Council authorized the adoption of the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts by Resolution No. 05-3539.

On June 25, 2008, City Council authorized amendments to the City of Dallas PID policy by Resolution No. 08-1782.

On October 28, 2009, City Council authorized amendments to the City of Dallas PID policy by Resolution No. 09-2620.

On October 7, 2013, a memo was submitted to the Economic Development Committee on proposed amendments to the PID policy.

FISCAL INFORMATION

No cost consideration to the City

October 23, 2013

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

WHEREAS, on December 14, 2005, City Council authorized the adoption of the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts by Resolution No. 05-3539; as amended; and

WHEREAS, on October 7, 2013, a memo was submitted to the Economic Development Committee on the proposed amended PID Policy and recommended the item to the City Council for consideration and approval on October 23, 2013.

NOW, THEREFORE,

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

Section 1. That the amended City of Dallas Public Improvement District (PID) Policy, as presented in **(Exhibit A**), be adopted as a policy guideline for the Area Redevelopment Program and is hereby established and approved.

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 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 of Dallas PID Policy

Adopted December 14, 2005
Amended June 25, 2008
Amended October 28, 2009
Amended October 23, 2013

City of Dallas

Office of Economic Development
www.dallas-ecodev.org

PID Policy - Background

- On December 14, 2005, the City Council, pursuant to Resolution Number 05-3539, adopted the City of Dallas Public Improvement District (PID) Policy for the creation, renewal, administration and management of Public Improvement Districts within the City of Dallas.
- The City Council subsequently amended the policy pursuant to Resolution No. 08-1782 on June 25, 2008 and Resolution No. 09-2620 on October 28, 2009.
- On October 7, 2013, the Economic Development Committee reviewed an amendment to the PID policy and recommended the amended policy for City Council approval.
- On October 23, 2013, the City Council considered the amended PID policy.

Exhibit A

PID Policy – Overall Recommendations

- The amended PID policy will prohibit future PIDs that overlap the boundaries of another Dallas PID and make such other minor clarifications consistent with state law including the process for boundary changes.
- The City of Dallas should continue to support and upgrade the use of Public Improvement Districts for Commercial and Mixed Use Areas.
- The Prestonwood PID shall continue to be renewed, supported and administered until such time the City Council deems it appropriate not to pursue renewal in accordance with Chapter 372 of the Texas Local Government Code. *Procedures for renewal will follow those outlined in this policy for single-family PIDs.*
- The City of Dallas Office of Economic Development will allow the use of Public Improvement Districts for single-family districts (defined as areas with a minimum of 30% of land area dedicated to detached single-family housing) in established areas (defined as at least 80% of all single-family lots being developed) for the purpose of funding screening wall improvements, park improvements and maintenance, landscaping, other public improvement and additional security if less than 50% of the total PID budget.
- The amended PID Policy will NOT support the creation of PID Districts in undeveloped subdivisions.

PID Policy (continued)

- In new and renewing *commercial or mixed use district* PIDs, the City will require that Owners representing at least 60% of the value and 60% of all record Owners or 60% of land area support the creation of a new or renewing PID.
  - Petitions will not be required to be notarized.
  - Staff will verify that the person signing the petition is the owner and has the authority to sign.
  - PID petitions shall include this additional note: "With respect to community property, the City may accept the signature of a spouse as a representation of both spouses that they support the creation or renewal of the PID absent a separate property agreement. *However, if staff is made aware of any disagreement among owners of community property those petitions will not be counted.*
- In new or *renewing* Single-Family PIDs, the City will require that Owners representing at least 66.7% of the value and 66.7% of all record Owners or 66.7% of land area support the creation of a new PID.
- PID petitions will be due on April 1st annually for approval by October 1st. Signatures for PID petitions must be gathered between October 1 and April 1 prior to the submission of the petition.
- PID assessments will be based on a set rate based on total property value. The maximum PID assessment in Dallas shall be $0.15 per $100 valuation.
- PIDs in Dallas will be allowed to fund any item provided by state law.

Exhibit A

PID Policy (continued)

- PIDs must be self-sufficient and not adversely impact ordinary service delivery of the City.
- Administrative expenses, including costs for day to day City Staff administration, for a PID shall not exceed ***15%*** of the total budget in any year.
- A PID Service Plan shall contain procedures for the termination of the PID without imposing unintended costs on the City of Dallas. A PID cannot be dissolved without a petition from property owners and must be sufficient as for creation or renewal in accordance with Chapter 372, Section 372.005(b).
- Upon approval of a PID, City staff will file the resolution creating the PID including the assessment roll in the Dallas or other County deed records and provide contact information so that a title company may determine how much of an assessment is owed or paid for each property in the PID each year This will ensure that a title company can pro-rate the assessments for the year between the buyer and seller in the same way the title company is responsible for calculating and collecting the taxes apportioned between the buyer and seller at the date of closing. This practice will not involve separately recording documents for each parcel within a PID.

PID Policy (continued)

- Property owned by the City of Dallas shall not be subject to assessment by any PID, excluding the Downtown Improvement District.
- An application fee of $15,000 will be required for all new or renewing PIDs. This fee may be reimbursed to the PID management entity out of PID assessments when collected. This fee is regulatory in character so it approximates the costs of administering the PID through creation or renewal by City staff. The fee will be used for direct expenditures and to compensate the City of Dallas for creation and renewal staff time expended. If the City of Dallas costs for this process are less than $15,000, the remainder will be reimbursed to the PID applicant. The application fee will not be counted as part of the 15% maximum for administrative expenses in a PID budget.
- A PID application for creating or renewing a PID shall include a current list of properties and tax roll (City will assist in this process in coordination with the PID and DCAD).

PID Policy (continued)

- PID applications shall include a map acceptable to the Office of Economic Development and a legal or clear description of the property included in the District. This practice will not require that the applicant provide property surveys.
- A PID application for creating or renewing a PID shall include a section that clearly identifies the benefit of the PID to the affected property owners and to the city as a whole and also evidence of insurance.
- Any management firm for a PID shall be required to submit quarterly reports of all activities and expenditures; an annual independent audit of all PID expenditures; and shall hold an annual meeting open to all property owners and held in a public meeting space with written notice to all property owners in the PID at least two weeks prior to this meeting to provide an opportunity for property owner questions, comments and input to be considered during the PID Budget and Service Plan approval process.

PID Policy - Boundaries

- With the exception of Klyde Warren Park and the Tourism PID, and any future modifications to the boundaries of either PID, no future PIDs will be allowed to be created that overlap the boundaries of another Dallas PID.
- In general, the boundaries of existing PIDs can be modified during a renewal process (with updated map as part of the petition). However, a boundary change during the existing term of a PID may only be considered if a re-petition of the entire PID area (both current boundary and proposed modified areas) meets the minimum criteria for creation/renewal and the $15,000 application fee as described earlier in this Policy.
- The boundaries of the Tourism PID include hotels over 100 rooms at the time of creation. Any hotels that drop below that level during the term will be removed from the assessment roll. New hotels may only be added during the next renewal or re-petition process.

PID Policy (continued)

- Special Purpose PIDs may be requested by the City Manager's Office to address unique issues, subject to state law petition requirements.
- The maximum PID assessment in these districts may be above $0.15 per $100 valuation.
- These PIDs in Dallas will be allowed to fund any item provided by state law.
- These Districts may be used to address special facility maintenance and beautification issues.
- Administrative expenses in these districts shall not exceed ***10%*** of the total budget in any year.

AGENDA ITEM # 14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 36 E-F 36 J

SUBJECT

Authorize an amendment to the development agreement with Southern Methodist University related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a trail connection previously approved on June 8 2011, by Resolution Nos. 11-1543 and 11-1544, in Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) to extend project deadlines beyond the first extension approved by the TOD TIF District Board - Financing: No cost consideration to the City

BACKGROUND

Southern Methodist University ("SMU") has been working in partnership with the City of Dallas and North Central Texas Council of Governments (NCTCOG) on proposed pedestrian improvements along SMU Boulevard between Central Expressway and Greenville Avenue and a trail extension to the existing and programmed Katy Trail segments.

These improvements will provide district wide benefits that improve pedestrian and bicycle safety and connectivity to the Mockingbird DART Station, existing businesses and new development along with providing additional green space for residents and employees of the area.

On June 8, 2011, City Council authorized a development agreement with Southern Methodist University (SMU) to dedicate future TIF revenues for the reimbursement of a $400,000 local match associated with a North Central Texas Council of Governments Sustainable Development Grant.

BACKGROUND (Continued)

On October 12, 2012, the TOD TIF Board approved a six month deadline extension for all project deadlines pursuant to a provision in the development agreement and the authorizing resolution. The project was delayed due to the collaboration and relationship complexity involving other partners and agencies which delayed execution of agreements.

Agreements are now executed and project design has begun. The North Central Texas Council of Governments (NCTCOG) has also formally approved extending project deadlines. Now that the project is underway, an updated schedule indicates the necessity to extend TIF agreement deadlines further. SMU has requested another deadline extension and anticipates project completion in March 2015.

On September 19, 2013, the TOD TIF Board voted to recommend further extending project deadlines including construction start date until October 31, 2014 and completion related deadlines to June 30, 2015. This additional deadline extension will also require City Council approval.

The NCTCOG Sustainable Development Grant total project cost is $2,000,000 with $1,600,000 (80%) reimbursable from Regional Transportation Council (RTC) local funds and the remaining $400,000 to be provided by SMU, which may be reimbursed from TOD TIF District funds provided the terms of the development agreement are met and there is TIF increment available. In addition, as part of the City's 2006 bond program $1,038,300 was approved for streetscape improvements along SMU Boulevard and Twin Sixties Drive.

The scope of the project will include: (1) streetscape improvements along SMU Boulevard between Central Expressway and Greenville Avenue. Improvements will include wider sidewalks, pedestrian lighting, and other amenities; and (2) a 12 foot wide concrete trail extension with lighting and landscaping from SMU Boulevard to the intersection of a segment of the Katy Trail near Twin Sixties Drive. A respite park/green space is also contemplated at the intersection of the two trail segments.

SMU is working in partnership with the City's Public Works staff and Prescott Realty Group on project coordination. The construction of public improvements will be publically bid by the City.

ESTIMATED PROJECT SCHEDULE

Begin Project	October 2014
Complete Project	June 2015

PRIOR ACTION/REVIEW (COUNCIL. BOARDS, COMMISSIONS)

On December 10, 2008, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Seventeen, the TOD TIF District by Ordinance No. 27432; as amended.

On April 14, 2010, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the TOD TIF District by Ordinance No. 27854; as amended.

On June 8, 2011, City Council authorized a development agreement with Southern Methodist University for the reimbursement of a $400,000 local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a trail connection by Resolution Nos. 11-1543 and 11-1544.

On October 12, 2012, the TOD TIF Board approved a six month deadline extension for all project deadlines pursuant to a provision in the development agreement.

On September 19, 2013, the TOD TIF Board voted to recommend further extending project deadlines including construction start date until October 31, 2014 and completion related deadlines to June 30, 2015.

On October 7, 2013, a memo was submitted to the Economic Development Committee on the proposed amendment to the development agreement with Southern Methodist University to further extend project deadlines.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Southern Methodist University
A non-profit corporation

Brad Cheves, Vice President of
Development & External Affairs

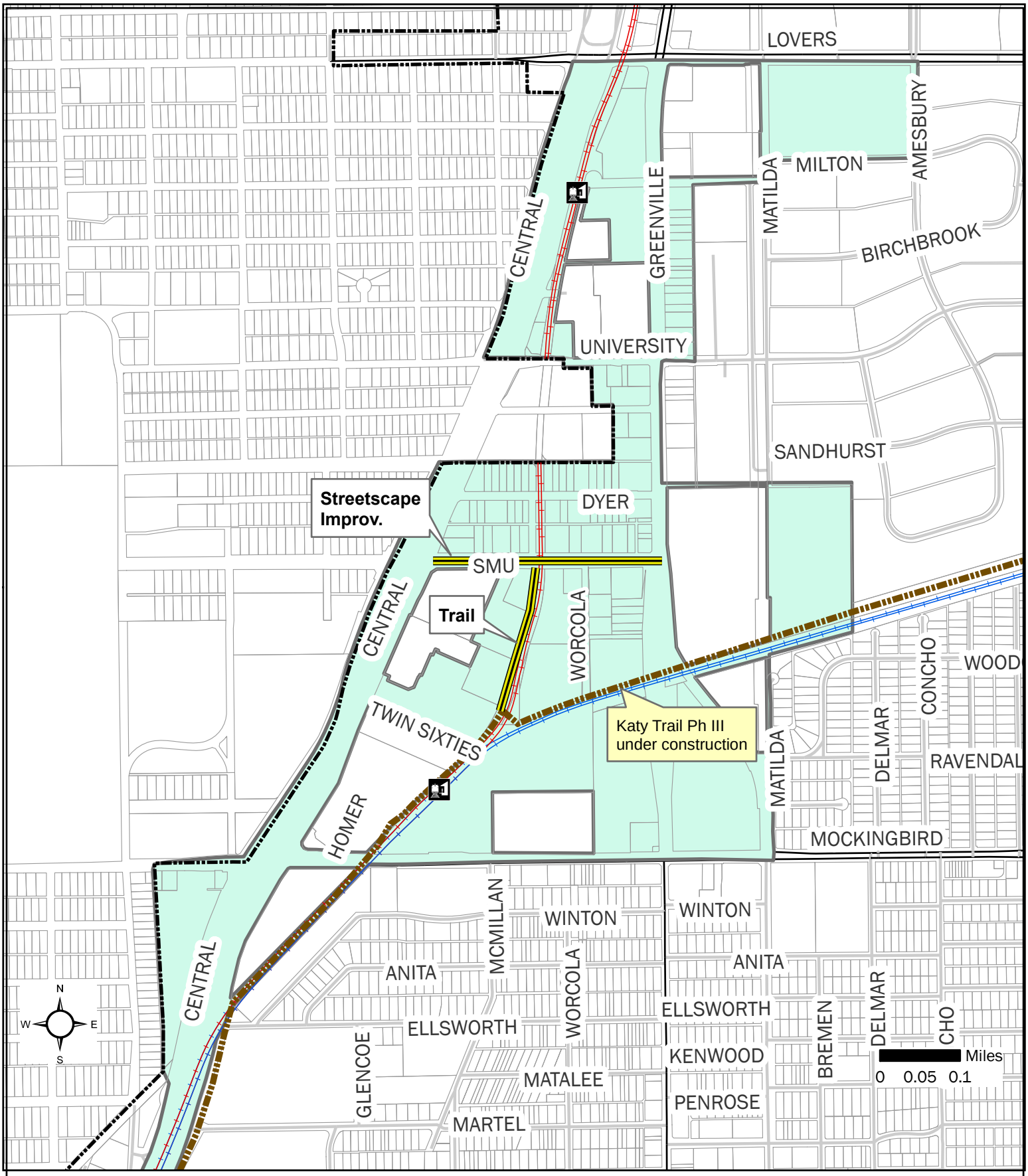
DEVELOPER

Southern Methodist University
A non-profit corporation

Brad Cheves, Vice President of
Development & External Affairs

MAP

Attached.



Proposed SMU Blvd Streetscape & Katy Trail Improvements
TOD TIF - Mockingbird & Lovers Lane Sub-District

TIF Boundary
City of Dallas
Proposed Improvements
Katy Trail Extension underway
DART Red Line
DART Blue Line
DART Stations

City of Dallas
Office of Economic Development
http://www.Dallas-EcoDev.org
Created April 2011

October 23, 2013

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

WHEREAS, on December 10, 2008, City Council authorized the adoption of Ordinance No. 27432; as amended which created Tax Increment Financing Reinvestment Zone Number Seventeen, (the "TOD TIF District") in accordance with V.T.C.A. Tax Code, Chapter 311 ("Act"); and

WHEREAS, the TOD TIF District was created to encourage transit-oriented development (TOD) around DART stations in the central portion of the City and help create a series of unique destinations, as well as foster the construction of structures or facilities that will be useful or beneficial to the development of transit stations along the DART light rail system in the central portion of the City; and

WHEREAS, on April 14, 2010, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the TOD TIF District by Ordinance No. 27854; as amended; and

WHEREAS, on June 8, 2011, City Council authorized a development agreement with Southern Methodist University for the reimbursement of a $400,000 local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a trail connection (the Project) by Resolution Nos. 11-1543 and 11-1544; and

WHEREAS, the TOD TIF Board approved a six month deadline extension for all project deadlines pursuant to Section 8 of Resolution No. 11-1543 and the development agreement; and

WHEREAS, on September 19, 2013, the TOD TIF District Board of Directors reviewed the current status of the Project and recommended an additional extension of project deadlines.

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 an amendment to the development agreement between Southern Methodist University (“SMU”) and the City of Dallas, on behalf of the TOD TIF District to extend project deadlines beyond the first extension approved by the TOD TIF District Board.

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 Section 6 of Resolution No. 11-1543 is amended as follows:

C. Project improvement construction must start by ~~December 31, 2012~~ October 31, 2014.

D. Project improvements must be completed and receive a City certificate of acceptance by ~~December 31, 2013~~ June 30, 2015.

G. An operating and maintenance agreement must be executed and funded for non-standard public improvements associated with the Project by ~~December 31, 2013~~ June 30, 2015.

H. Any necessary easements or deed restrictions for improvements outside of public right-of-way must be executed and recorded in the Dallas County Property Records by ~~December 31, 2013~~ June 30, 2015.

Section 4. That with the exception of the sections above, all other requirements of Resolution Nos. 11-1543 and 11-1544 will remain in full force and effect.

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

AGENDA ITEM # 15

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Management Services
Fair Housing

CMO: Theresa O'Donnell, 671-9195
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize **(1)** the acceptance of a grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2013 through September 30, 2014; and **(2)** the execution of any and all documents related to the grant - Not to exceed $356,889 - Financing: U.S. Department of Housing and Urban Development Grant Funds

BACKGROUND

On November 15, 1991, the U.S. Department of Housing and Urban Development notified the Fair Housing Office that the City of Dallas Fair Housing Ordinance is substantially equivalent to the Federal Act. Certification of substantial equivalency qualifies the City for federal funding for fair housing enforcement, education and outreach.

On September 1, 1992, a Cooperative Agreement between the City and the U.S. Department of Housing and Urban Development was executed whereby the City became a Fair Housing Assistance Program agency and began participating in the U.S. Department of Housing and Urban Development Fair Housing Assistance Program. This program provides funding for substantially equivalent fair housing agencies.

The funding allows the U.S. Department of Housing and Urban Development to refer housing discrimination complaints of Dallas origin to the City for processing, while the U.S. Department of Housing and Urban Development monitors the City's performance. On August 26, 1992, the City Council approved the first of twenty Cooperative Agreements with the U.S. Department of Housing and Urban Development. Since December 1992, the U.S. Department of Housing and Urban Development has provided the City $5,311,638 under this program.

BACKGROUND (Continued)

Thus far, the funds have been used to partially fund the investigation of 2,215 housing discrimination complaints, to lease computer equipment that is compatible and is required by the U.S. Department of Housing and Urban Development, to attend the U.S. Department of Housing and Urban Development required training seminars, and to enhance Fair Housing education and outreach.

On September 10, 2013, the City was notified that it would receive $356,889 in Comprehensive Funding Approach funds for Fiscal Year 2013-14. These funds are to be used for Fair Housing Office case investigation and processing, administrative costs, and training and professional development.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Cooperative Agreement for FHAP funding for FY 2008-09 on October 8, 2008, by Resolution No. 08-2762.

Authorized a Cooperative Agreement for FHAP funding for FY 2009-10 on September 23, 2009, by Resolution No. 09-2309.

Authorized a Cooperative Agreement for FHAP funding for FY 2010-11 on September 22, 2010, by Resolution No. 10-2359.

Authorized a Cooperative Agreement for FHAP funding for FY 2011-12 on September 28, 2011, by Resolution No. 11-2537.

Authorized a Cooperative Agreement for FHAP funding for FY 2012-13 on September 26, 2012, by Resolution No. 12-2363.

FISCAL INFORMATION

$356,889 - U.S. Department of Housing and Urban Development Grant Funds

October 23, 2013

WHEREAS, the Fair Housing Ordinance, Chapter 20A of the Dallas City Code, was amended on November 7, 1990 and September 25, 1991 for the purpose of obtaining certification from the U.S. Department of Housing and Urban Development (HUD) that the City of Dallas is a fair housing agency operating substantially equivalent to HUD; and

WHEREAS, on June 12, 1992, the U.S. Department of Housing and Urban Development granted the City of Dallas interim certification as a substantially equivalent fair housing agency; and

WHEREAS, on April 24, 1995, the U.S. Department of Housing and Urban Development granted the City of Dallas final certification as a substantially equivalent fair housing agency; and

WHEREAS, on September 10, 2013, the U.S. Department of Housing and Urban Development granted the City Fair Housing Assistance Program Comprehensive Funding Approach funds for Fiscal Year 2013-14 in the amount of $356,889;

NOW, THEREFORE,

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

Section 1. That the City Manager be and is hereby authorized to accept the Fair Housing Assistance Comprehensive Funding Approach Award (FHAP) funds for FY 2013-14 in the amount of $356,889 and to execute any and all documents related to the CFDA 14.401 grant FF206K136005 award with the U.S. Department of Housing and Urban Development, subject to approval as to form by the City Attorney.

Section 2. That the City Manager be and is hereby authorized to establish appropriations in the amount of $356,889 in Fund F406, Department MGT, Unit 1504, and take actions to implement the 2013-14 FHAP Award.

Section 3. That the City Controller be authorized to receive and deposit these funds in the amount of $356,889, in Fund F406, Department MGT, Unit 1504, Revenue Source 6506.

Section 4. That the City Controller be authorized to disburse funds from Fund F406, Department MGT, Unit 1504, in an amount not to exceed $356,889 in accordance with the Cooperative Agreement.

Section 5. That the City Manager is hereby authorized to reimburse to HUD any expenditure 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 # 16

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 56H

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 1 vacant lot (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 1 property 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 16, 2013, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

BACKGROUND (continued)

Dallas Area Habitat for Humanity (Habitat) has submitted a proposal and development plan to DHADC for 1 lot 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 Habitat to the City's Land Bank, the sale of that lot from DHADC to Habitat 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 lot was 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 Habitat will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Habitat and construction financing is not closed within three years of conveyance.

Habitat will build an affordable house on the lot. The approximate square footage and sales prices of the houses will be 1,279 square feet and from $80,000 to $90,000. The lot will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (1 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 (0 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 percent 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 $4,661.11 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 October 17, 2013, DHADC approved the development plan and sale of 1 lot from DHADC to Habitat.

FISCAL INFORMATION

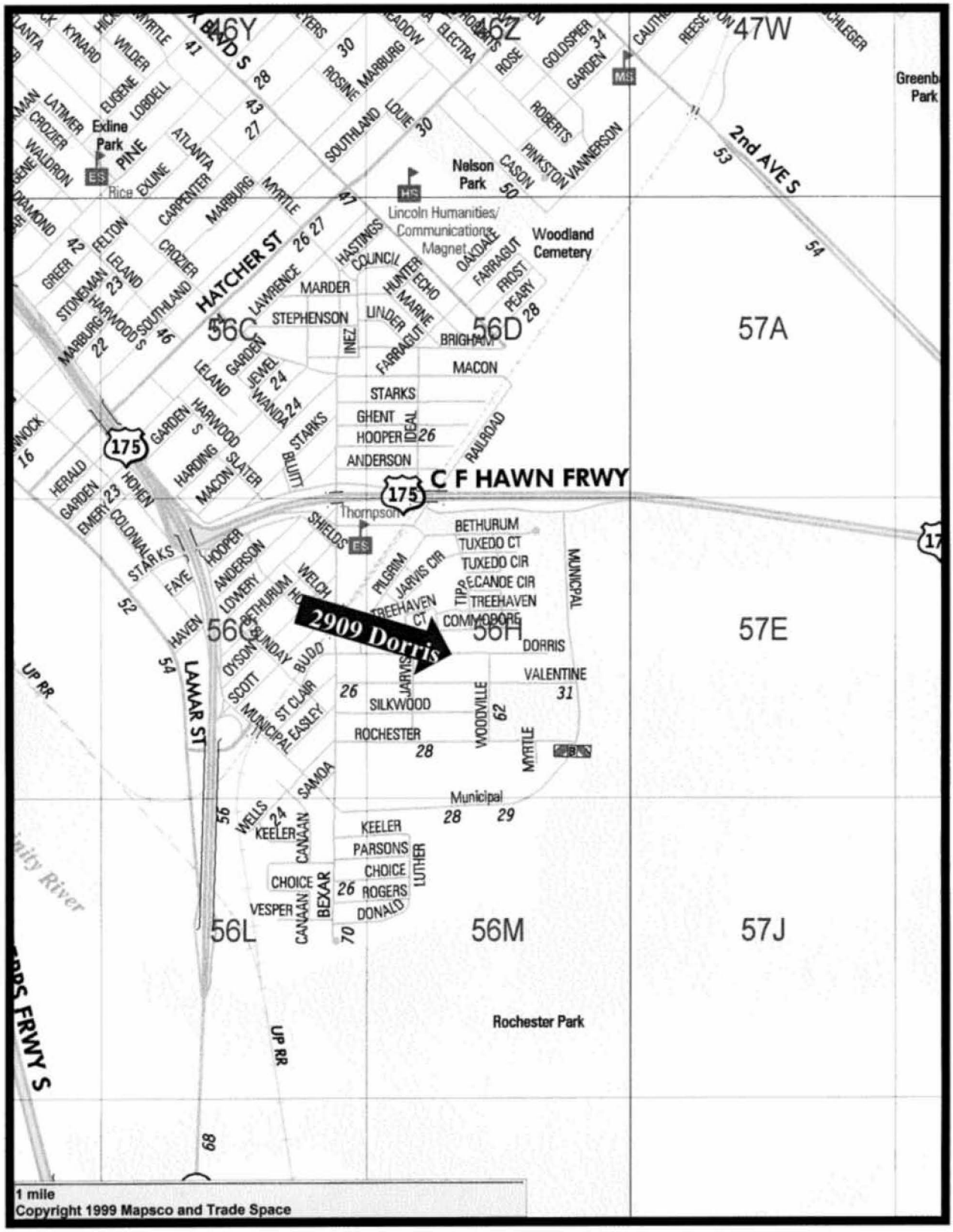
No cost consideration to the City

MAP

Attached

Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity

Property Address	Mapsco	Amount of Non-Tax Liens
1. 2909 Dorris	56H	$7,833.43


46Y
46Z
47W
56C
56D
56G
56H
56L
56M
57A
57E
57J
2909 Dorris
C F HAWN FRWY
HATCHER ST
LAMAR ST
2nd AVE S
Exline Park
Nelson Park
Lincoln Humanities/ Communications Magnet
Woodland Cemetery
Greenb Park
Thompson
Rochester Park
Municipal
UP RR
175
1 mile
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MAPSCO 56H

October 23, 2013

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, Dallas Area Habitat for Humanity (Habitat) submitted a proposal and development plan to DHADC for 1 lot 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 Habitat and authorize the sale of the said 1 lot from DHADC to Habitat to build an affordable house; **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 Habitat and the sale of 1 lot shown on Exhibit "A" from DHADC to Habitat 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 lot shown on Exhibit "A".

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**2909 Dorris** Lot 9, Rochester Park Addition Block 4/7072	Dallas Area Habitat for Humanity	1	$4,661.11
TOTAL				**$4,661.11**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. ___1_____

(2) Land Bank name for this parcel of lots. _____Unknown_____

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

Number	Street	Lot	Block	Subdivision	DCAD Value
2909	Dorris	9	4/7072	Rochester Park	$1000

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

Number of homes to be built on lots ____1_____
Square Footage of each home _____Approximately 1279_AC; 1691 total_____
Number of Bedrooms/Baths in each home___3_____/____2_____
Number of Garages__1__ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer__Brick or hardiboard_____ Which sides _____4_____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer___$80-90,000_

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

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

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

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

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction ____1095_____ days
Completion of Construction _____1215_____ days
Sale of first affordable housing unit to low income households __1305_____ days
Sale of last affordable unit to low income households ___1305_____ days

AGENDA ITEM # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 44J

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; 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 16, 2013, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

BACKGROUND (continued)

Dallas Area Habitat for Humanity (Habitat) 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 Habitat to the City's Land Bank, the sale of those lots from DHADC to Habitat 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 Habitat will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Habitat and construction financing is not closed within three years of conveyance.

Habitat will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,279 square feet and from $80,000 to $90,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (2 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 (0 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 percent 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 $9,535.00 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 October 17, 2013, DHADC approved the development plan and sale of 2 lots from DHADC to Habitat.

FISCAL INFORMATION

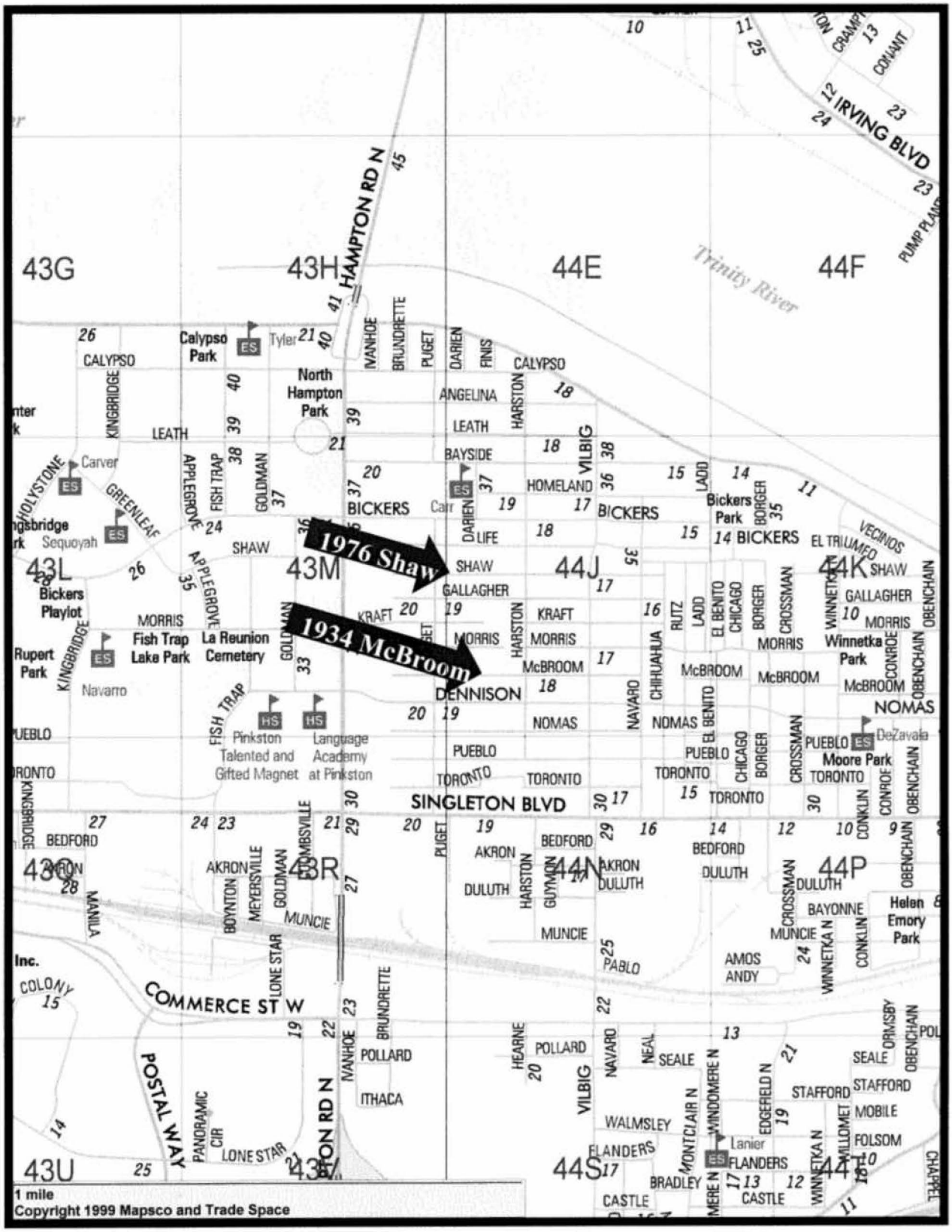
No cost consideration to the City

MAP

Attached

Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity

Property Address	Mapsco	Amount of Non-Tax Liens
1. 1934 McBroom	44J	$11,612.56
2. 1976 Shaw	44J	$11,262.82


43G
43H
44E
44F
43L
43M
44J
44K
43R
44N
44P
43U
44S
44T
HAMPTON RD N
IRVING BLVD
Trinity River
1976 Shaw
1934 McBroom
SINGLETON BLVD
COMMERCE ST W
POSTAL WAY
Calypso Park
North Hampton Park
Bickers Playlot
Fish Trap Lake Park
La Reunion Cemetery
Rupert Park
Pinkston Talented and Gifted Magnet
Language Academy at Pinkston
Bickers Park
Winnetka Park
Moore Park
Helen Emory Park
Lanier
1 mile
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MAPSCO 44J

October 23, 2013

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, Dallas Area Habitat for Humanity (Habitat) 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 Habitat and authorize the sale of the said 2 lots from DHADC to Habitat 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 Habitat and the sale of 2 lots shown on Exhibit "A" from DHADC to Habitat 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				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	**1934 McBroom** Lot 1, Victory Gardens No. 3 Addition Block 2/7124	Dallas Area Habitat for Humanity	1	$4,850.00
2	**1976 Shaw** Lot 2, Victory Gardens No. 5 Section 2 Addition Block 30/7127	Dallas Area Habitat for Humanity	1	$4,685.00
TOTAL				**$9,535.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

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

(2) Land Bank name for this parcel of lots. Unknown

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

Number	Street	Lot	Block	Subdivision	DCAD Value
1934	McBroom	1	2/7124	Victory Gardens No. 3	$9,570
1976	Shaw	2	30/7127	Victory Gardens No 5 Sec 2	$10,360

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

Number of homes to be built on lots 1 on each lot
Square Footage of each home Approximately 1279 AC; 1691 total
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Brick or hardiboard Which sides 4
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer $80-90,000

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

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

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

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

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction ____1095_____ days
Completion of Construction ____1215_____ days
Sale of first affordable housing unit to low income households ___1305_____ days
Sale of last affordable unit to low income households ___1305_____ days

AGENDA ITEM # 18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 65D

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 8 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 8 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 16, 2013, the Housing Committee received a briefing regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

BACKGROUND (continued)

Dallas Area Habitat for Humanity (Habitat) has submitted a proposal and development plan to DHADC for 8 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 Habitat to the City's Land Bank, the sale of those lots from DHADC to Habitat 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 Habitat will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Habitat and construction financing is not closed within three years of conveyance.

Habitat will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,279 square feet and from $80,000 to $90,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (8 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 (0 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 percent 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 $34,606.66 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 October 17, 2013, DHADC approved the development plan and sale of 8 lots from DHADC to Habitat.

FISCAL INFORMATION

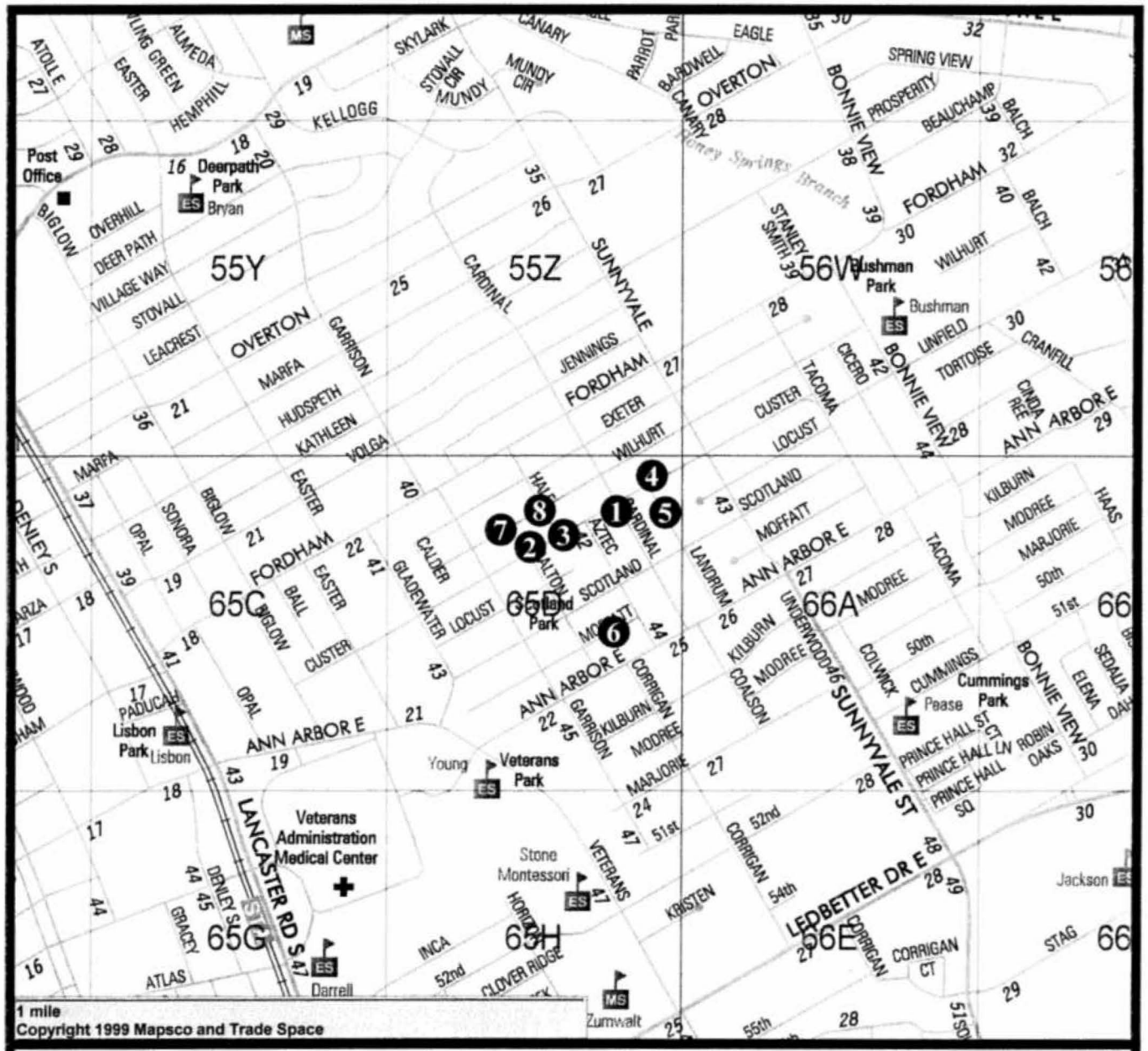
No cost consideration to the City

MAP

Attached

Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity

Property Address	Mapsco	Amount of Non-Tax Liens
1. 4201 Cardinal	65D	$14,447.41
2. 2402 Custer	65D	$ 8,387.35
3. 2502 Custer	65D	$14,245.39
4. 2627 Custer	65D	$12,498.72
5. 4220 Landrum	65D	$ 9,231.71
6. 2427 Moffatt	65D	$ 5,365.91
7. 2318 Wilhurt	65D	$15,337.36
8. 2418 Wilhurt	65D	$13,235.31



1. 4201 Cardinal
2. 2402 Custer
3. 2502 Custer
4. 2627 Custer
5. 4220 Landrum
6. 2427 Moffatt
7. 2318 Wilhurt
8. 2418 Wilhurt

October 23, 2013

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, Dallas Area Habitat for Humanity (Habitat) submitted a proposal and development plan to DHADC for 8 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 Habitat and authorize the sale of the said 8 lots from DHADC to Habitat 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 Habitat and the sale of 8 lots shown on Exhibit "A" from DHADC to Habitat 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				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**4201 Cardinal** Lot 44, City View Revised Addition Block 7/6083	Dallas Area Habitat for Humanity	1	$4,275.00
2	**2402 Custer** Lot 16, Southern Crest Addition Block 10/5851	Dallas Area Habitat for Humanity	1	$4,550.00
3	**2502 Custer** Lot 10, Southern Crest Addition Block 10/5851	Dallas Area Habitat for Humanity	1	$4,550.00
4	**2627 Custer** Lot 16, Lisbon Heights Addition Block 6/5852	Dallas Area Habitat for Humanity	1	$4,198.33
5	**4220 Landrum** Lots 16 & 17, City View Addition Block 5/6083	Dallas Area Habitat for Humanity	1	$4,250.00
6	**2427 Moffatt** Lot 7, Southern Crest Addition Block 4/5851	Dallas Area Habitat for Humanity	1	$4,615.00
7	**2318 Wilhurt** Lot 5, Lisbon Heights Annex Addition Block 6/5853	Dallas Area Habitat for Humanity	1	$3,953.33
8	**2418 Wilhurt** Lot 13, Lisbon Heights Annex Addition Block 6/5853	Dallas Area Habitat for Humanity	1	$4,215.00
TOTAL				**$34,606.66**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 8

(2) Land Bank name for this parcel of lots. Unknown

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

Number	Street	Lot	Block	Subdivision	DCAD Value
4201	Cardinal	44	7/6083	Cityview	$ 6,900.00
2402	Custer	16	10/5851	Southern Crest	$ 6,900.00
2502	Custer	10	Custer	Southern Crest	$ 6,900.00
2627	Custer	16	6/5852	Lisbon Heights	$ 6,900.00
4220	Landrum	16 & 17	5/6083	Cityview	$ 6,900.00
2427	Moffatt	7	4/5851	Southern Crest	$ 6,900.00
2318	Wilhurt	5	6/5853	Lisbon Heights Annex	$ 6,900.00
2418	Wilhurt	13	6/5853	Lisbon Heights Annex	$ 6,900.00

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

Number of homes to be built on lots 1 on each lot
Square Footage of each home Approximately 1279 AC; 1691 total
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1 Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Brick or hardiboard Which sides 4
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer $80-90,000

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

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

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

Number of homes to be built on lots _____

Square Footage of each home _____
Number of Bedrooms/Baths in each home_____/_____
Number of Garages____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer_____ Which sides _____
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer_____

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction ____1095_____ days
Completion of Construction _____1215_____ days
Sale of first affordable housing unit to low income households __1305_____ days
Sale of last affordable unit to low income households ___1305_____ days

AGENDA ITEM # 19

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Human Resources

CMO: A. C. Gonzalez, 670-3302

MAPSCO: N/A

SUBJECT

Authorize a contract with Dallas Area Rapid Transit for the purchase of 339 annual passes in support of the City's clean air initiative - Not to exceed $222,600 - Financing: Current Funds (to be reimbursed by participating employees)

BACKGROUND

The Dallas Area Rapid Transit (DART) annual pass program is designed to increase DART ridership through a reduced fare to program participants. Passes allow unlimited transportation for a full calendar year (7 days per week) on DART bus, rail and commuter rail routes. It is expected to increase the use of public transportation by City employees, thereby decreasing automobile emissions.

Increasing City employees' use of mass transportation is part of the City's clean air strategies. The 2014 program will be effective January 1, 2014, through December 31, 2014.

The DART Pass program is open to permanent civilian and uniformed Fire employees. Uniformed Police employees already ride free of charge on DART transportation routes. The City will purchase approximately 339 annual bus passes which will be reimbursed by participating employees through payroll deductions beginning January 10, 2014 through December 26, 2014.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS

Authorized the DART A-Pass program on January 22, 2003, by Resolution No. 03-0373.

Authorized the City funded DART A-Pass program as part of the FY 2003-04 budget on September 24, 2003, by Resolution No. 03-2570.

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

Authorized a contract with DART to purchase A-Passes on October 22, 2003, by Resolution No. 03-2881.

Authorized the City funded DART A-Pass program as part of the FY 2004-05 budget on September 22, 2004, by Resolution No. 04-2841.

Authorized the City funded DART pass program as part of the FY 2005-06 budget on September 28, 2005, by Resolution No. 05-2822.

Authorized a contract with DART to purchase A-Passes on October 26, 2005, by Resolution No. 05-3038.

Authorized purchase of 1,700 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2007 clean air initiative on October 25, 2006, by Resolution No. 06-2962.

Authorized purchase of 2,000 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2008 clean air initiative on October 24, 2007, by Resolution No. 07-3196.

Authorized purchase of 4,000 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2008 clean air initiative on November 10, 2008, by Resolution No. 08-3508.

Authorized purchase of 450 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2010 clean air initiative on January 27, 2010, by Resolution No. 10-0364.

Authorized purchase of 384 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2011 clean air initiative on December 8, 2010, by Resolution No. 10-3001.

Authorized purchase of 375 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2012 clean air initiative on November 7, 2011, by Resolution No. 11-3027.

Authorized purchase of 343 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2013 clean air initiative on December 12, 2012, by Resolution No. 12-2983.

FISCAL INFORMATION

Current Funds - $222,600 (to be reimbursed by participating employees)

OWNER

Dallas Area Rapid Transit

Gary Thomas, President and Executive Director

October 23, 2013

WHEREAS, the City Council authorized the Dallas Area Rapid Transit A-Pass program on January 22, 2003, by Resolution No. 03-0373; and

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit A-Pass program on September 24, 2003, by Resolution No. 03-2570; and

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit A-Pass program on October 22, 2003, by Resolution No. 03-2881; and

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit A-Pass program on September 22, 2004, by Resolution No. 04-2841; and

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit Pass program on September 28, 2005, by Resolution No. 05-2822; and

WHEREAS, the City Council authorized a contract with Dallas Area Rapid Transit to purchase A-Passes on October 26,2005, by Resolution No 05-3038; and

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit Pass program on October 25, 2006, by Resolution No. 06-2962; and

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit Pass program on October 24, 2007, by Resolution No. 07-3196; and

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit Pass program on November 10, 2008, by Resolution No. 08-3508; and

WHEREAS, the City Council authorized the City funded Dallas Area Rapid Transit Pass program on January 27, 2010, by Resolution No. 10-0364; and

WHEREAS, the City Council authorized a contract with Dallas Area Rapid Transit for the purchase of 384 annual passes in support of the City's 2011 clean air initiative on December 8, 2010, by Resolution No. 10-3001; and

WHEREAS, the City Council authorized a contract with Dallas Area Rapid Transit for the purchase of 375 annual passes in support of the City's 2012 clean air initiative on November 7, 2011, by Resolution No. 11-3027; and

WHEREAS, the City Council authorized the purchase of 343 bus passes from Dallas Area Rapid Transit on behalf of City employees in support of the City's 2013 clean air initiative on December 12, 2012, by Resolution No. 12-2983; and

October 23, 2013

WHEREAS, it is the City's desire to execute a one-year contract for the 2014 Calendar year with Dallas Area Rapid Transit to purchase approximately 339 passes, the cost of which will be reimbursed through employee payroll deductions.

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, where a contract is required, after approval as to form by the City Attorney, for the purchase of approximately 339 DART Passes to include Paratransit coupon books on behalf of City employees in support of the City's clean air initiative.

Section 2. That the City Controller is hereby authorized to disburse funds from Fund 0001, Dept PER, Unit 1436, Object 3532, Encumbrance No. CT PER14362012 to Dallas Area Rapid Transit (Vendor #232802) for the purchase of approximately 339 passes, on behalf of City employees at a cost not to exceed $222,600 to be reimbursed through employee payroll deductions.

Section 3. That the City Controller is hereby authorized to make employee payroll deductions to reimburse the City to Fund 0001, Dept PER, Unit 1436, Object 5011 in the amount of $222,600.

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 # 20,21

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Management Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3302
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Trinity River Corridor Project Legislative Services

* Authorize a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Corridor Project for the period October 1, 2013 through September 30, 2014 - Not to exceed $73,800 - Financing: Current Funds

* Authorize a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Corridor Project for the period October 1, 2013 through September 30, 2014 - Not to exceed $43,650 - Financing: Current Funds

BACKGROUND

The Trinity River Corridor Project is broad in scope and requires extensive interface with officials at both the federal and state levels. In order to successfully achieve the legislative initiatives required for the project, the City benefits from a liaison in Washington with expertise in specific areas and singular focus on the project.

Hector Alcalde and Paul Schlesinger have represented the City in Washington for the last thirteen years. They have extensive knowledge, background and contacts in the field of transportation and infrastructure and Army Corps of Engineers' projects. In addition, they have excellent working relationships with the leadership of key Congressional Committees.

Hector Alcalde and Paul Schlesinger provide the City with advice, assistance and advocacy services to achieve the City Council's designated legislative objectives in connection with the Trinity River Corridor Project, especially in the areas of flood control and transportation. To date, they have worked to secure over $220 million for the Trinity River Corridor Project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Legislative Ad Hoc Committee on November 3, 2008.

Authorized a contract with Hector Alcalde for FY2008-2009 on November 10, 2008, by Resolution No. 08-3064.

Authorized a contract with Paul Schlesinger for FY2008-2009 on November 10, 2008, by Resolution No. 08-3065.

Briefed the Legislative Ad Hoc Committee on October 6, 2009.

Authorized a contract with Hector Alcalde for FY2009-2010 on October 28, 2009, by Resolution No. 09-2630.

Authorized a contract with Paul Schlesinger for FY2009-2010 on October 28, 2009, by Resolution No. 09-2631.

Briefed the Legislative Ad Hoc Committee on October 5, 2010.

Authorized a contract with Hector Alcalde for FY2010-2011 on October 13, 2010, by Resolution No. 10-2579.

Authorized a contract with Paul Schlesinger for FY2010-2011 on October 13, 2010, by Resolution No. 10-2580.

Authorized a contract with Hector Alcalde for FY2011-2012 on October 10, 2011 by Resolution No. 11-2725.

Authorized a contract with Paul Schlesinger for FY2011-2012 on October 10, 2011 by Resolution No. 11-2726.

Briefed the Legislative Ad Hoc Committee on October 22, 2012.

Authorized a contract with Hector Alcalde for FY2012-2013 on November 14, 2012 by Resolution No. 12-2747.

Authorized a contract with Paul Schlesinger for FY2012-2013 on November 14, 2012 by Resolution No. 12-2748.

The Dallas City Council is scheduled to be briefed on October 16, 2013.

FISCAL INFORMATION

$117,450.00 - Current Funds

October 23, 2013

WHEREAS, The Trinity River Corridor Project is broad in scope and requires extensive interface with officials at both the federal and state levels; and

WHEREAS, on March 18, 2008, Administrative Action No. 08-0956 increased the FY2007-2008 contract amount with Hector Alcalde to $73,800.00; and

WHEREAS, on November 10, 2008, Resolution No. 08-3064 authorized a contract with Hector Alcalde for FY2008-2009; and

WHEREAS, on October 28, 2009, Resolution No. 09-2630 authorized a contract with Hector Alcalde for FY2009-2010; and

WHEREAS, on October 13, 2010, Resolution No. 10-2579 authorized a contract with Hector Alcalde for FY2010-2011; and

WHEREAS, on October 10, 2011, Resolution No. 11-2725 authorized a contract with Hector Alcalde for FY2011-2012; and

WHEREAS, on November 14, 2012, Resolution No. 12-2747 authorized a contract with Hector Alcalde for FY2012-2013; and

WHEREAS, the City of Dallas has initiated a multi-year plan for the Trinity River, providing flood protection, recreational opportunities, economic development and transportation; and

WHEREAS, many of the federal legislative initiatives associated with the project must occur in a timely manner in order to avoid delays in the project; and

WHEREAS, in order to successfully achieve the legislative initiatives required by the project, the City would benefit from a liaison in Washington with expertise in specific areas and singular focus on the project; and

WHEREAS, Hector Alcalde has extensive knowledge, background and contacts in the field of transportation and infrastructure and Army Corps of Engineers' water projects;

NOW, THEREFORE,

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

SECTION 1. That the City Manager is authorized to enter into a personal services contract with Hector Alcalde for legislative services regarding the Trinity River Corridor Project from October 1, 2013 through September 30, 2014.

SECTION 2. That the City Controller is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed $73,800.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. HA14BMS1978, Vendor No. 338625.

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.

October 23, 2013

WHEREAS, The Trinity River Corridor Project is broad in scope and requires extensive interface with officials at both the federal and state levels; and

WHEREAS, on November 10, 2008, Resolution No. 08-3065 authorized a contract with Paul Schlesinger for FY 2008-2009; and

WHEREAS, on October 28, 2009, Resolution No. 09-2631 authorized a contract with Paul Schlesinger for FY 2009-2010; and

WHEREAS, on October 13, 2010, Resolution No. 10-2580 authorized a contract with Paul Schlesinger for FY 2010-2011; and

WHEREAS, on October 10, 2011, Resolution No. 11-2726 authorized a contract with Paul Schlesinger for FY 2011-2012; and

WHEREAS, on November 14, 2012, Resolution No. 12-2748 authorized a contract with Paul Schlesinger for FY 2012-2013; and

WHEREAS, the City of Dallas has initiated a multi-year plan for the Trinity River, providing flood protection, recreational opportunities, economic development and transportation; and

WHEREAS, many of the federal legislative initiatives associated with the project must occur in a timely manner in order to avoid delays in the project; and

WHEREAS, in order to successfully achieve the legislative initiatives required for the project, the City benefits from a liaison in Washington with expertise in specific areas and singular focus on the project; and

WHEREAS, Paul Schlesinger has extensive knowledge, background and contacts in the fields of transportation and infrastructure and Army Corps of Engineers' water projects;

NOW, THEREFORE,

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

SECTION 1. That the City Manager is authorized to enter into a personal services contract with Paul Schlesinger for legislative services regarding the Trinity River Corridor Project from October 1, 2013 through September 30, 2014.

SECTION 2. That the City Controller is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed $43,650.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. PS14BMS1978, Vendor No. 338626.

SECTION 3. 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 # 22

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Management Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3302
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a personal services contract with Jesse Romero for state legislative services for the period October 1, 2013 through September 30, 2014 – Not to exceed $30,000 – Financing: Current Funds

BACKGROUND

Jesse Romero has represented the City of Dallas before the State Legislature and various state agencies during the last four legislative sessions (2007, 2009, 2011 and 2013).

Mr. Romero monitors state action affecting cities, working with State Legislators and the Governor's Office to advance City interests and priorities.

The scope of services for this contract will include:

- Representation before state agencies and legislators.
- Monitoring 83rd and interim state legislative and committee activities as requested by the City Council, City Manager and City Attorney.
- Assistance with special projects as requested.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Legislative Ad Hoc Committee on October 6, 2009 and the Committee recommended approval.

Authorized a contract with Jesse Romero for FY2009-10 on October 6, 2009, by Administrative Action No. 09-2465.

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

Briefed the Legislative Ad Hoc Committee on October 5, 2010.

Authorized a contract with Jesse Romero for FY2010-11 on October 13, 2010, by Resolution No. 10-2577.

Authorized a contract with Jesse Romero for FY2011-12 on October 10, 2011, by Resolution No. 11-2721.

Briefed the Legislative Ad Hoc Committee on October 22, 2012.

Authorized a contract with Jesse Romero for FY2012-2013 on November 15, 2012, by Resolution No. 12-2743.

The Dallas City Council is scheduled to be briefed on October 16, 2013.

FISCAL INFORMATION

$30,000.00 – Current Funds

October 23, 2013

WHEREAS, Jesse Romero has represented the City of Dallas before the State Legislature and various state agencies during the last three state legislative sessions; and

WHEREAS, on October 2, 2008, Administrative Action No. 08-2956 authorized an extension of FY2008 contract with Jesse Romero for FY2008-09; and

WHEREAS, on December 2, 2008, Administrative Action No. 08-3266 authorized a contract with Jesse Romero for FY2008-09; and

WHEREAS, on October 6, 2009, Administrative Action No. 09-2465 authorized a contract with Jesse Romero for FY2009-10; and

WHEREAS, on October 13, 2010, Administrative Action No. 10-2577 authorized a contract with Jesse Romero for FY2010-11; and

WHEREAS, on October 10, 2011, Resolution No. 11-2721 authorized a contract with Jesse Romero for FY2011-12; and

WHEREAS, on November 14, 2012, Resolution No. 12-2743 authorized a contract with Jesse Romero for FY2012-13; and

WHEREAS, Jesse Romero uses resources to monitor and influence legislation for the City of Dallas during the state legislative session and throughout the interim; and

WHEREAS, Jesse Romero assists the City Attorney's Office with various legislator and staff requests and works closely with the Texas Municipal League on issues of importance to the City of Dallas;

NOW, THEREFORE,

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

SECTION 1. That the City Manager is authorized to enter into a personal services contract with Jesse Romero to provide state legislative services from October 1, 2013 through September 30, 2014 in an amount not to exceed $30,000.00.

SECTION 2. That the City Controller is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed $30,000.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. JR14BMS1978, Vendor No. VC0000005104.

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

AGENDA ITEM # 23

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Management Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3302
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a personal services contract with Kwame Walker for state legislative services for the period October 1, 2013 through September 30, 2014 - Not to exceed $45,000 - Financing: Current Funds

BACKGROUND

Kwame Walker represents governmental entities and corporations before the State Legislature including, but not limited to, Boehringer Ingelheim Pharmaceuticals, Consumer Healthcare Products Association, the National Safety Commission, Texas Association of Local Health Officials, and the Texas Strategy Group, the Texas Municipal League, the American Heart Association, Career Colleges and Schools of Texas, Community Financial Services of America, the Texas Group, Waste Control Specialists, and the Texas State Troopers Association. Mr. Walker has also represented the City of Dallas during the last seven legislative sessions (2001, 2003, 2005, 2007, 2009, 2011, and 2013).

The scope of services for this contract will include:

- Conduct necessary research, information gathering, and other supporting activities.
- Review, analyze and monitor interim committee activities as requested by the City Attorney.
- Study and recommend legislative initiatives for the 83rd State Legislative Interim Session.
- Draft legislation for early filing and throughout the session to assure that the City's needs are met.
- Arrange for bill sponsors.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Legislative Ad Hoc Committee on October 6, 2009.

Authorized a contract with Kwame Walker for FY2009-2010 on October 28, 2009, by Resolution No. 09-2629.

Briefed the Legislative Ad Hoc Committee on October 5, 2010.

Authorized a contract with Kwame Walker for FY2010-2011 on October 13, 2010, by Resolution No. 10-2578.

Authorized a contract with Kwame Walker for FY2011-2012 on October 10, 2011, by Resolution No. 11-2722.

Briefed the Legislative Ad Hoc Committee on October 22, 2012.

Authorized a contract with Kwame Walker for FY2012-2013 on November 14, 2012, by Resolution No. 12-2744.

The Dallas City Council is scheduled to be briefed on October 16, 2013.

FISCAL INFORMATION

$45,000.00 - Current Funds

October 23, 2013

WHEREAS, the City of Dallas needs representation in Austin to monitor interim committee activities and to recommend and draft legislation to assure that the City's needs are met during the State Legislative session; and

WHEREAS, on October 3, 2008, Administrative Action No. 08-2958 extended FY2007-2008 contract with Kwame Walker to November 2008; and

WHEREAS, on November 10, 2008, Resolution No. 08-3062 authorized a contract with Kwame Walker for FY2008-2009; and

WHEREAS, on October 28, 2009, Resolution No. 09-2629 authorized a contract with Kwame Walker for FY2009-2010; and

WHEREAS, on October 13, 2010, Resolution No. 10-2578 authorized a contract with Kwame Walker for FY2010-2011; and

WHEREAS, on October 10, 2011, Resolution No. 11-2722 authorized a contract with Kwame Walker for FY2011-2012; and

WHEREAS, on November 14, 2012, Resolution No. 12-2744 authorized a contract with Kwame Walker for FY2012-2013; and

WHEREAS, Kwame Walker has represented the City of Dallas before the State Legislature and various state agencies during the last seven state legislative sessions; and

WHEREAS, Kwame Walker uses substantial resources to monitor and influence legislation for the City of Dallas during the state legislative session and throughout the interim; and

WHEREAS, Kwame Walker assists the City Attorney's Office with various legislator and staff requests and works closely with the Texas Municipal League on issues of importance to the City of Dallas;

NOW, THEREFORE,

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

SECTION 1. That the City Manager is authorized to enter into a personal services contract with Kwame Walker to provide state legislative services from October 1, 2013 through September 30, 2014.

SECTION 2. That the City Controller is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed $45,000.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. KW14BMS1978, Vendor No. 354093.

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

AGENDA ITEM # 24

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Management Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3302
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a personal services contract with Randy C. Cain for state legislative services for the period October 1, 2013 through September 30, 2014 - Not to exceed $75,000 - Financing: Current Funds

BACKGROUND

Randy Cain has represented the City of Dallas before the State Legislature and various state agencies during the last ten legislative sessions (1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011 and 2013).

Mr. Cain operates an Austin office which monitors state action affecting cities, working with State Legislators and the Governor's Office to advance City interests and priorities.

The scope of services for this contract will include:

- Representation before state agencies and legislators.
- Monitoring 83rd and interim state legislative and committee activities as requested by the City Council, City Manager and City Attorney.
- Assistance with special projects as requested.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Legislative Ad Hoc Committee on October 6, 2009, and the Committee recommended approval.

Authorized a contract with Randy C. Cain for FY2009-2010 on October 28, 2009, by Resolution No. 09-2630.

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

Briefed the Legislative Ad Hoc Committee on October 5, 2010.

Authorized a contract with Randy C. Cain for FY2010-2011 on October 13, 2010, by Resolution No. 10-2576.

Authorized a contract with Randy C. Cain for FY2011-2012 on October 10, 2011, by Resolution No. 11-2723.

Briefed the Legislative Ad Hoc Committee on October 22, 2012.

Authorized a contract with Randy C. Cain for FY2012-2013 on November 14, 2012, by Resolution No. 12-2745.

The Dallas City Council is scheduled to be briefed on October 16, 2013.

FISCAL INFORMATION

$75,000.00 – Current Funds

October 23, 2013

WHEREAS, Randy C. Cain has represented the City of Dallas before the State Legislature and various state agencies during the last nine state legislative sessions; and

WHEREAS, on October 3, 2008, Administrative Action No. 08-2954 extended FY2007-2008 contact with Randy C. Cain to November 30, 2008; and

WHEREAS, on November 10, 2008, Resolution No. 08-3063 authorized a contract with Randy C. Cain for FY2008-2009; and

WHEREAS, on October 28, 2009, Resolution No. 09-2628 authorized a contract with Randy C. Cain for FY2009-2010; and

WHEREAS, on October 13, 2010, Resolution No. 10-2576 authorized a contract with Randy C. Cain for FY2010-2011; and

WHEREAS, on October 10, 2011, Resolution No. 11-2723 authorized a contract with Randy C. Cain for FY2011-2012; and

WHEREAS, on November 14, 2012, Resolution No. 12-2745 authorized a contract with Randy C. Cain for FY2012-2013; and

WHEREAS, Randy C. Cain uses substantial resources to monitor and influence legislation for the City of Dallas during the state legislative session and throughout the interim; and

WHEREAS, Randy C. Cain assists the City Attorney's Office with various legislator and staff requests and works closely with the Texas Municipal League on issues of importance to the City of Dallas;

NOW, THEREFORE,

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

SECTION 1. That the City Manager is authorized to enter into a personal services contract with Randy C. Cain to provide state legislative services from October 1, 2013 through September 30, 2014 in an amount not to exceed $75,000.00.

SECTION 2. That the City Controller is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed $75,000.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858, Encumbrance No. RC14BMS1978, Vendor No. 513298.

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

AGENDA ITEM # 25

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Management Services
Office of Financial Services

CMO: A. C. Gonzalez, 670-3302
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2013 through September 30, 2014 - Not to exceed $160,000 - Financing: Current Funds

BACKGROUND

CapitalEdge Strategies, LLC has represented the City of Dallas in Washington, D.C. as part of the Texas Cities Legislative Coalition (TCLC) since 1987. Other participants in the Coalition include the cities of Arlington, Austin and Denton.

CapitalEdge Strategies, LLC, led by Ralph Garboushian, operates a Washington, D.C. office which monitors federal action affecting TCLC cities, working with the Texas Congressional delegation and the Executive Branch to advance City interests and priorities. In addition, the office works closely with national municipal organizations, including the National League of Cities (NLC), the U.S. Conference of Mayors (USCM), the International City-County Management Association (ICMA), and others to make sure they are aware of the City's positions and agendas.

Under the contract, CapitalEdge Strategies contacts City staff regularly, by telephone, through visits to Dallas, written reports, bulletins and memoranda. Briefings on federal issues are presented to Council members during meetings of the NLC, as well as at any other time requested by the City. Supplemental information necessary to understanding the effect and impact of federal legislation and regulations is also provided. Timely information about government grant programs, frequently based on personal contact with federal program managers, is sent directly to the appropriate staff to facilitate Dallas funding applications.

BACKGROUND (Continued)

The scope of services for this contract will include:

Representation before federal agencies and legislators

Monitoring specific legislation as requested by the City Council, City Manager and City Attorney

A weekly update of federal legislative and executive action tailored to the City's interests (The Washington Report)

Grant procurement information and assistance

Briefings at NLC meetings, and at any other time requested by the City

Working with other municipal associations - NLC, USCM, etc.

Assistance with special projects as requested

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed Legislative Ad Hoc Committee on October 6, 2009.

Authorized a contract with CapitalEdge Strategies, LLC on October 28, 2009, by Resolution No. 09-2626.

Briefed Legislative Ad Hoc Committee on October 5, 2010.

Authorized a contract with CapitalEdge Strategies, LLC on October 13, 2010, by Resolution No. 10-2574.

Authorized a contract with CapitalEdge Strategies, LLC on October 10, 2011, by Resolution No. 11-2727.

Briefed Legislative Ad Hoc Committee on October 22, 2012.

Authorized a contract with CapitalEdge Strategies, LLC on November 14, 2012, by Resolution No. 12-2749.

The Dallas City Council is scheduled to be briefed on October 16, 2013.

FISCAL INFORMATION

$160,000.00 - Current Funds

October 23, 2013

WHEREAS, there exists a need for the City to have reliable means of receiving information regarding pending federal legislative and executive action which may impact the City; and

WHEREAS, on October 28, 2009, Resolution No. 09-2626 authorized a contract with CapitalEdge Strategies, LLC, for FY2009-2010; and

WHEREAS, on October 13, 2010, Resolution No. 10-2574 authorized a contract with CapitalEdge Strategies, LLC, for FY2010-2011; and

WHEREAS, on October 10, 2011, Resolution No. 11-2727 authorized a contract with CapitalEdge Strategies, LLC, for FY2011-2012; and

WHEREAS, on November 14, 2012, Resolution No. 12-2749 authorized a contract with CapitalEdge Strategies, LLC, for FY2012-2013; and

WHEREAS, the City of Dallas with the participation of the cities of Arlington, Austin and Denton comprise the Texas Cities Legislative Coalition (TCLC); and

WHEREAS, CapitalEdge Strategies, LLC monitors federal legislation impacting the cities and works with the Texas Congressional delegation and the Executive Branch to advance City interests and priorities; and

WHEREAS, CapitalEdge Strategies, LLC works closely with national municipal organizations, including the National League of Cities, the U.S. Conference of Mayors, and the International City-County Management Association, and others to make sure they are aware of the City's positions and agendas; and

WHEREAS, CapitalEdge Strategies, LLC makes presentations to Council members during the meetings of the National League of Cities as well as at any other time requested by the City; and

WHEREAS, CapitalEdge Strategies, LLC provides supplemental information necessary to understanding the effects and impacts of federal legislation and regulations; and

WHEREAS, CapitalEdge Strategies, LLC also provides timely information about government grant programs, frequently based on personal contact with federal program managers, and directly sends information to appropriate staff to facilitate Dallas funding applications;

NOW, THEREFORE,

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

SECTION 1. That the City Manager is authorized to enter into a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period October 1, 2013 through September 30, 2014.

SECTION 2. That the City Controller is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed $160,000.00 from Fund 0001, Department BMS, Unit 1978, Object Code 3070, Commodity Code 91858**,** Encumbrance No. RG14BMS1978, Vendor No. VC0000008080.

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 # 26

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services
Office of Management Services
Water Utilities

CMO: A. C. Gonzalez, 670-3302
Jeanne Chipperfield, 670-7804
Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize a professional services contract with HillCo Partners, LLC for state legislative information and related services for the period October 1, 2013 through September 30, 2014 - Not to exceed $86,250 - Financing: Water Utilities Current Funds

BACKGROUND

Water and wastewater will continue to be an important legislative issue during the 83rd Interim Session of the Texas State Legislature. Water and wastewater is critical to the quality of life and economic vitality of the City.

HillCo Partners, LLC, a well respected firm with offices in Austin and Washington, D.C., provided the City with legislative consulting and related services during the 83rd Session of the Texas State Legislature and during the interim.

The firm will provide the City with advice, legal analysis and advocacy services to achieve the City Council's designated legislative objectives in connection with water and wastewater issues. These include, but are not limited to, protecting water sources, revenue streams, permitting authority, and home rule authority.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Legislative Ad Hoc Committee on October 6, 2009.

Authorized the contract with HillCo Partners, LLC for FY2009-2010 on October 28, 2009, by Resolution No. 09-2627.

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

Briefed the Legislative Ad Hoc Committee on October 5, 2010.

Authorized the contract with HillCo Partners, LLC for FY2010-2011 on October 13, 2010, by Resolution No. 10-2575

Authorized the contract with HillCo Partners, LLC for FY2011-2012 on October 10, 2011, by Resolution No. 11-2724

Briefed the Legislative Ad Hoc Committee on October 22, 2012

Authorized the contract with HillCo Partners, LLC for FY2012-2013 on November 14, 2012, by Resolution No. 12-2746

The Dallas City Council is scheduled to be briefed on October 16, 2013.

FISCAL INFORMATION

$86,250.00 – Current Funds

October 23, 2013

WHEREAS, the Dallas City Council finds that there are many items brought before the Legislature of the State of Texas that may directly affect the public health, safety or welfare of the residents of the City of Dallas; and

WHEREAS, the Dallas City Council further finds that there is a need to inform the Legislature of the State of Texas on proposed or needed state legislation necessary for or detrimental to the protection of the public health, safety and welfare of the residents of the City of Dallas; and

WHEREAS, the Dallas City Council also finds that many state agencies of the State of Texas propose and pass rules that directly affect the public health, safety and welfare of the residents of the City of Dallas; and

WHEREAS, the Dallas City Council believes that there is a need to inform the state agencies on proposed or needed rules necessary for, or detrimental to the public, health, safety or welfare of the residents of the City of Dallas; and

WHEREAS, on November 10, 2008, Resolution No. 08-3061 authorized a contract with HillCo Partners, LLC for FY2008-2009; and

WHEREAS, on October 28, 2009, Resolution No. 09-2627 authorized a contract with HillCo Partners, LLC for FY2009-2010; and

WHEREAS, on October 13, 2010, Resolution No. 10-2575 authorized a contract with HillCo Partners, LLC for FY2010-2011; and

WHEREAS, on October 10, 2011, Resolution No. 11-2724 authorized a contract with HillCo Partners, LLC for FY2011-2012; and

WHEREAS, on November 14, 2012, Resolution No. 12-2746 authorized a contract with HillCo Partners, LLC for FY2012-2013; and

WHEREAS, the Dallas City Council finds it to be a public purpose and in the best interest of the residents of the City of Dallas to engage the services of HillCo Partners, LLC to inform the Legislature and state agencies of its views on either pending legislation or rules that could or would affect the public health, safety or welfare of the residents of the City of Dallas;

NOW, THEREFORE,

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

October 23, 2013

SECTION 1. That the City Manager is authorized to enter into a professional services contract with HillCo Partners, LLC to provide state legislative information and related services for the period October 1, 2013 through September 30, 2014 in an amount not to exceed $86,250.00.

SECTION 2. That the City Controller is hereby authorized to make periodic payments in accordance with the terms of the contract, in an amount not to exceed $86,250.00 from Fund 0100, Department DWU, Unit 7015, Object Code 3070, Encumbrance No.CTDWU7015A1401, Vendor No. VS0000014218.

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 # 27

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 35-X

SUBJECT

Authorize a development and maintenance agreement with ASA Apartments, LP, a Delaware limited partnership for the construction, development, and maintenance of a hike and bike trail and landscaping improvements for the purpose of creating a connection between the Katy Trail and the planned Trinity Strand Trail located at 1899 Goat Hill Road - Financing: No cost consideration to the City

BACKGROUND

This item authorized a development and maintenance agreement with ASA Apartments, LP, a Delaware limited partnership for design, construction, and maintenance of a hike and bike trail connection to the Katy Trail located approximately between the Katy Trail, Goat Hill Road, and North Houston Street at a place commonly known as Goat Hill.

The agreement will be subject to the following terms:

1) The term is for 20 years with one consecutive five-year renewal option.

2) The City is the grantee of the Hike and Bike Trail easement which shall be subject to the terms of the Hike and Bike Trail agreement.

3) ASA Apartments, LP, a Delaware limited partnership at its own cost, is responsible for the development of the design, plans and specifications for the improvements to be to the Hike and Bike Trail. ASA Apartments, LP will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.

BACKGROUND (Continued)

4) ASA Apartments, LP, a Delaware limited partnership will hire a contractor to construct improvements. The City of Dallas shall have the right to observe and inspect the construction work. ASA Apartments, LP and its contractors will be responsible for all permits and other approvals. The City will take possession of the improvements upon acceptance.

5) The City shall have the right at any time to enter the premises and to make changes, repairs, and alterations as it sees fit.

6) ASA Apartments, LP, a Delaware limited partnership shall be responsible for all operations, management, and maintenance of the improvements of the Hike and Bike Trail extension in accordance with the agreement.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized award of the development and maintenance agreement on September 19, 2013.

FISCAL INFORMATION

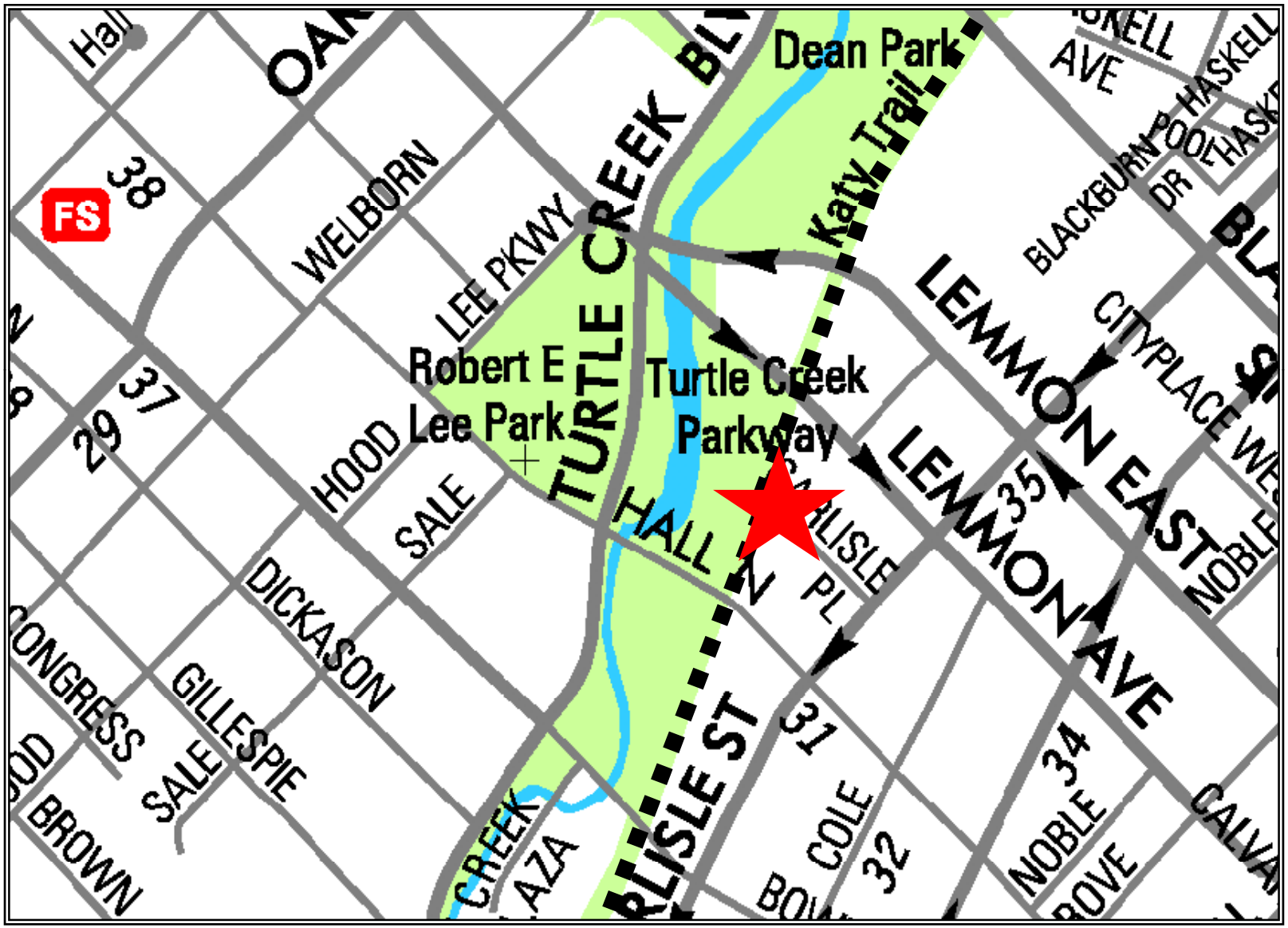
No cost consideration to the City.

MAP

Attached

Katy Trail at Carlisle Place

Council District 14



Katy Trail at Carlisle Place

Mapsco #35-X

October 23, 2013

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and ASA Apartments, LP, a Delaware limited partnership (ASA), desires to enter into a development and maintenance agreement for the purpose of designing, constructing, and maintaining a Hike and Bike Trail connection between the Katy Trail and the planned Trinity Strand Trail as shown in Exhibit A; and

WHEREAS, the City desires to have ASA construct, develop, and maintain a Hike and Bike Trail easement at Katy Trail during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a development and maintenance agreement with ASA for the construction, development, and maintenance of a hike and bike trail and landscaping improvements for the purpose of creating a connection between the Katy Trail and the planned Trinity Strand Trail.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a development and maintenance agreement with ASA, after approval as to form by the City Attorney's Office.

SECTION 3. That the duration of the agreement will be for an initial term of 20 years with one consecutive five-year renewal option.

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

Exhibit A

ALEXAN SKYLINE

TBG

November 19, 2012

"SLOW" MARKINGS ON TRAIL

BIKE DECELERATION LANE

PAVER PEDESTRIAN CROSSING

"CROSS WITH CARE"
QUARRY BLOCK SIGN

QUARRY BLOCK BARRIERS

ENHANCED LANDSCAPE
30" MAXIMUM HEIGHT

REMOVE EXISTING
VEGETATION - PAVER
PEDETRIAN REFUGE

FUTURE BUILDING

8'

50'

10'

10'

UPPER TERRACE

MIDDLE TERRACE

TERRACE SEATING

TRINITY STRAND TRAIL

KATY TRAIL

12'

CORNER RADIUS

PAVER PEDESTRIAN "REFUGE"

BIKE RACKS

EXISTING POWER POLE

25' ONCOR SETBACK

15'

5'

YIELD SIGN

WARNING STRIPS

APPROXIMATE KATY TRAIL R.O.W.

UPPER TERRACE @
455.00

MID LEVEL TERRACE
@ APPROX. 448.50

BUILDING
BEYOND

TRINITY STRAND
TRAIL

TRINITY STRAND
TRAIL

LANDSCAPE
AREA

PLAZA & STAIRS
UP BEYOND

LANDSCAPE
AREA

KATY TRAIL

EXISTING POWER POLE
@ APPROX. 437.40

Plaza Section @ Transmission Tower
SCALE: 1/4" = 1'-0"

Exhibit A

THE ALEXAN

Pedestrian Crossing Enlargement

January 31, 2013

The information shown is based on the best information available and is subject to change without notice.

TBG

AGENDA ITEM # 28

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 10

DEPARTMENT: Park & Recreation
Public Works & Transportation

CMO: Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 27-K L M

SUBJECT

Authorize **(1)** a license agreement with Oncor for the use of right-of-way for public hike and bike trail purposes for the trail known as the Lake Highlands Trail; and **(2)** award of a contract for construction of a multi-use trail for the Lake Highlands Trail from Ferndale Road to White Rock Trail - Wall Enterprises, lowest responsible bidder of nine - Not to exceed $886,783 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

On July 25, 2013, nine bids were received for construction of a multi-use trail for the Lake Highlands Trail from Ferndale Road to White Rock Trail, which is located within an Oncor utility right-of-way. This item authorizes award of the construction contract to Wall Enterprises, with a total bid amount of $886,782.11. This trail project is consistent with the City's trails master plan.

The following chart illustrates Wall Enterprises' contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR
Projects Completed	0	0	2
Change Orders	0	0	6
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2009
Completed Design	August 2011
Begin Construction	October 2013
Complete Construction	October 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized advertisement for bids on December 20, 2012.

The Park and Recreation Board authorized award of the contract on September 19, 2013.

FISCAL INFORMATION

General Obligation Commercial Funds - $886,782.11

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Wall Enterprises

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

BID INFORMATION

The following nine bids were received and opened on July 25, 2013:

*Denotes successful bidder

Bidders	Base Bid	Alt. Nos. 1 thru 11**	Total Bid
*Wall Enterprises 5425 C R 309 Cleburne, TX	$611,482.76	$275,299.35	$886,782.11
Cole Construction Co.	$647,898.00	$340,991.00	$988,889.00
RoeschCo Construction	$735,306.75	$309,660.50	$1,044,967.25
Texas Standard Construction	$498,119.66	$570,076.55	$1,068,196.21

BID INFORMATION (Continued)

Bidders	Base Bid	Alt. Nos. 1 thru 11**	Total Bid
North Rock Construction, LLC	$685,059.82	$412,681.03	$1,097,740.85
Ratliff Hardscape	$760,418.23	$492,875.28	$1,253,293.51
C2MD, Inc.	$776,179.17	$482,337.55	$1,258,516.72
Phillips-May Corporation	$904,333.01	$379,142.21	$1,283,475.22
J. C. Commercial, Inc.	$814,617.64	$493,756.20	$1,308,373.84

**Alternate No. 1 - provides for a trail from Church Road to recreation center parking lot.
**Alternate No. 2 - provides for walkway approaches at White Rock Trail and Church Road.
**Alternate No. 3 - provides for walkway approaches at White Rock Trail driveways.
**Alternate No. 4 - provides for bike lanes on White Rock Trail.
**Alternate No. 5 - provides for installation of site furnishings.
**Alternate No. 6 - provides for installation of signalization at Audelia Road crossing.
**Alternate No. 7 - provides for directional signage package.
**Alternate No. 8 - provides for Lake Highlands Trail project sign.
**Alternate No. 9 - provides for seating nodes.
**Alternate No. 10 - provides for pavement markings at Church Road, White Rock Trail, Royal Highlands Drive and Trailcliff Drive.
**Alternate No. 11 - provides for pavement markings on Audelia Road.

OWNER

Wall Enterprises

Mike L. Wall, Owner

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a license agreement with Oncor for the use of right-of-way for public hike and bike trail purposes for the trail known as the Lake Highlands Trail; and **(2)** award of a contract for construction of a multi-use trail for the Lake Highlands Trail from Ferndale Road to White Rock Trail - Wall Enterprises, lowest responsible bidder of nine - Not to exceed $886,783 - Financing: General Obligation Commercial Paper Funds

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$186,300.00	21.01%
Total non-local contracts	$700,482.11	78.99%
TOTAL CONTRACT	$886,782.11	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
C & R Construction	HMMB58743N0914	$186,300.00	100.00%
Total Minority - Local		$186,300.00	100.00%

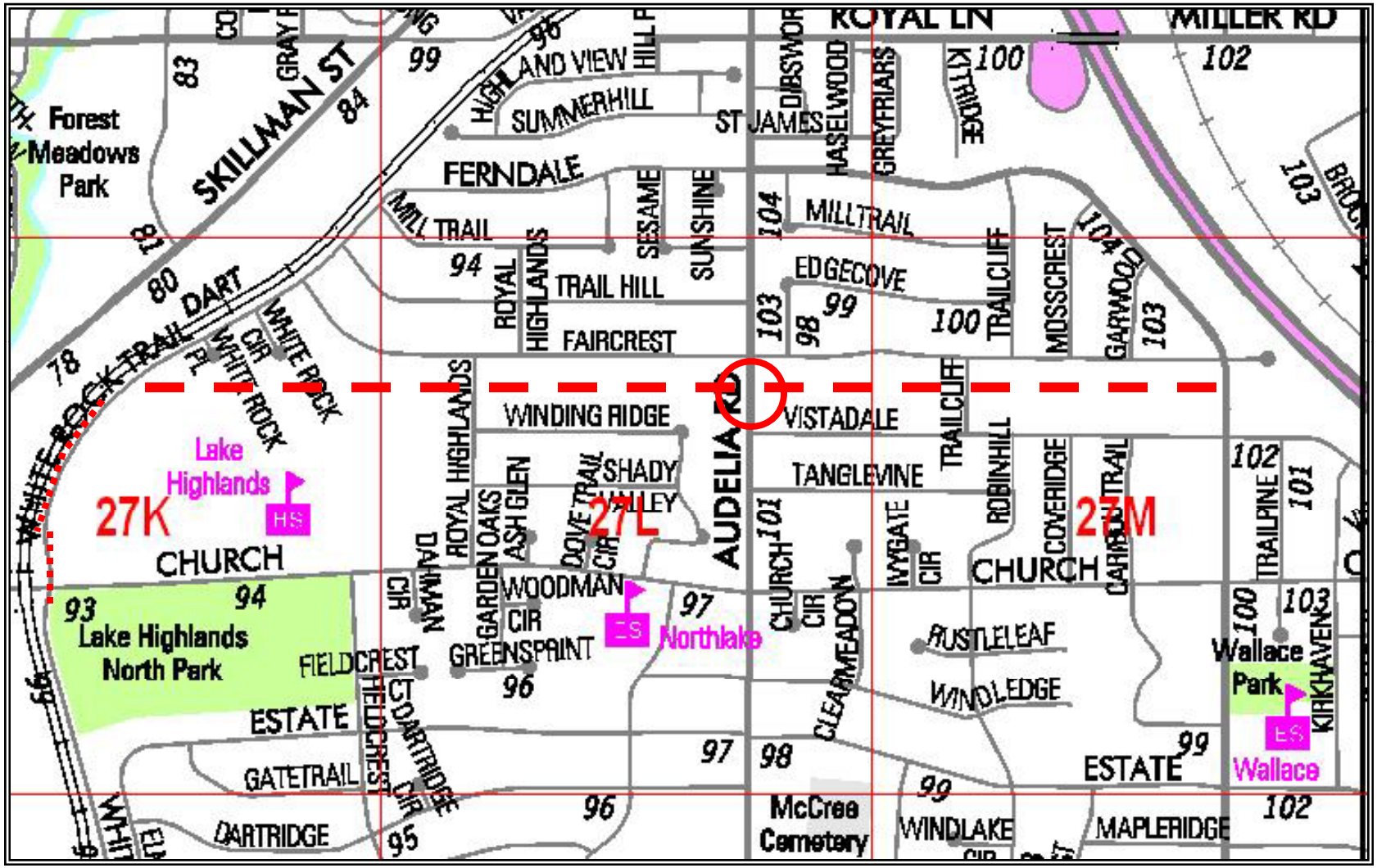
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Road Master	HMDB55638Y1213	$24,460.00	3.49%
One Horse Contracting	WFWB57454N0514	$14,630.00	2.09%
Total Minority - Non-local		$39,090.00	5.58%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$186,300.00	100.00%	$210,760.00	23.77%
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%	$14,630.00	1.65%
Total	$186,300.00	100.00%	$225,390.00	25.42%

Lake Highlands Trail
Council District 10



Oncor utility right-of-way from Ferndale to White Rock Trail

Mapsco 27-K, L, M

October 23, 2013

WHEREAS, on July 25, 2013, nine bids were received for construction of a multi-use trail for the Lake Highlands Trail from Ferndale Road to White Rock Trail, which is located within an Oncor utility right-of-way.

Bidders	**Base Bid**	**Alt. Nos. 1 thru 11****	**Total Bid**
Wall Enterprises	$611,482.76	$275,299.35	$886,782.11
Cole Construction Co.	$647,898.00	$340,991.00	$988,889.00
RoeschCo Construction	$735,306.75	$309,660.50	$1,044,967.25
Texas Standard Construction	$498,119.66	$570,076.55	$1,068,196.21
North Rock Construction, LLC	$685,059.82	$412,681.03	$1,097,740.85
Ratliff Hardscape	$760,418.23	$492,875.28	$1,253,293.51
C2MD, Inc.	$776,179.17	$482,337.55	$1,258,516.72
Phillips-May Corporation	$904,333.01	$379,142.21	$1,283,475.22
J. C. Commercial, Inc.	$814,617.64	$493,756.20	$1,308,373.84

**Alternate No. 1 - provides for a trail from Church Road to recreation center parking lot.
**Alternate No. 2 - provides for walkway approaches at White Rock Trail and Church Road.
**Alternate No. 3 - provides for walkway approaches at White Rock Trail driveways.
**Alternate No. 4 - provides for bike lanes on White Rock Trail.
**Alternate No. 5 - provides for installation of site furnishings.
**Alternate No. 6 - provides for installation of signalization at Audelia Road crossing.
**Alternate No. 7 - provides for directional signage package.
**Alternate No. 8 - provides for Lake Highlands Trail project sign.
**Alternate No. 9 - provides for seating nodes.
**Alternate No. 10 - provides for pavement markings at Church Road, White Rock Trail, Royal Highlands Drive and Trailcliff Drive.
**Alternate No. 11 - provides for pavement markings on Audelia Road.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a contract with Wall Enterprises for a license agreement with Oncor for the use of right-of-way for public hike and bike trail purposes for the trail known as the Lake Highlands Trail; and a contract for construction of a multi-use trail for the Lake Highlands Trail from Ferndale Road to White Rock Trail, in an amount not to exceed $886,782.11.

SECTION 2. That the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Wall Enterprises, after approval as to form by the City Attorney's Office.

SECTION 3. That the City Controller is hereby authorized to pay the amount of $886,782.11 to Wall Enterprises from General Obligation Commercial Paper Funds, Fund 1T22, Department PBW, Unit P828, Object 4599, Activity INGV, CT-PKR13019409, Program PB06P828, Commodity 91200, Vendor 256424.

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 # 29

KEY FOCUS AREA: Culture, Arts and Recreation

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 11

DEPARTMENT: Park & Recreation
Public Works & Transportation

CMO: Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 15-L Q and R

SUBJECT

Authorize award of a contract for extension of the hike and bike trail of the White Rock Creek Trail from Valley View Park to Hillcrest Park and construction of a small loop trail and overlook at Hillcrest Park located at 13819 Hillcrest Road - A S Con, Inc., lowest responsible bidder of nine - Not to exceed $1,465,190 - Financing: 2006 Bond Funds ($151,972) and General Obligation Commercial Paper Funds ($1,313,218)

BACKGROUND

On August 15, 2013, nine bids were received for extension of the hike and bike trail of the White Rock Creek Trail from Valley View Park to Hillcrest Park and construction of a small loop trail and overlook at Hillcrest Park. This item authorizes award of the construction contract to A S Con, Inc., with a total bid amount of $1,465,190.

The following chart illustrates A S Con, Inc.'s contractual activities with the City of Dallas for the past three years:

	PBW	DWU	PKR
Projects Completed	0	0	5
Change Orders	0	0	12
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2009
Completed Design	April 2011
Begin Construction	November 2013
Complete Construction	April 2014

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized advertisement for bids on April 21, 2011.

The Park and Recreation Board authorized award of the contract on September 19, 2013.

FISCAL INFORMATION

2006 Bond Funds - $151,972.11
General Obligation Commercial Paper Funds - $1,313,217.89

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

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

BID INFORMATION

The following nine bids were received and opened on August 15, 2013:

*Denotes successful bidder

Bidders	Base Bid	Alt. Nos. 16-1 thru 16-21**	Total Bid
*A S Con, Inc. 15724 Golden Creek Road Dallas, TX	$1,159,710.00	$305,480.00	$1,465,190.00
Texas Standard Construction, Ltd.	$1,520,842.50	$379,595.00	$1,900,437.50
Omega Contracting, Inc.	$1,637,452.50	$335,314.00	$1,972,766.50
RoeschCo Construction, Inc.	$1,516,729.10	$500,500.00	$2,017,229.10
Jeske Construction Company	$1,747,283.50	$306,455.00	$2,053,738.50

BID INFORMATION (Continued)

Bidders	Base Bid	Alt. Nos. 16-1 thru 16-21**	Total Bid
HQS Construction, LLC			***Withdrew
J.C. Commercial, Inc.			***Non-responsive
MACVAL Associates, LLC			***Non-responsive
Massana Construction, LLC			***Non-responsive

**Alternate No. 16-1 - provides for survey and layout of trail.
**Alternate No. 16-2 - provides for erosion control to include silt fence or fitrexx silt soxx.
**Alternate No. 16-3 - provides for stabilized construction entrance & staging area.
**Alternate No. 16-4 - provides for tree protection.
**Alternate No. 16-5 - provides for clearing, grubbing and other associated items.
**Alternate No. 16-6 - provides for earthwork and grade maintenance.
**Alternate No. 16-7 - provides for construction barriers.
**Alternate No. 16-8 - provides for tree removal.
**Alternate No. 16-9 - provides for concrete trail.
**Alternate No. 16-10 - provides for curb inlet type drainage inlet structure.
**Alternate No. 16-11 - provides for 12-inch class III RCP storm pipe.
**Alternate No. 16-12 - provides for pre-fab or cast in place sloping headwall.
**Alternate No. 16-13 - provides for yellow permanent trail striping.
**Alternate No. 16-14 - provides for white permanent trail striping.
**Alternate No. 16-15 - provides for grass seeding.
**Alternate No. 16-16 - provides for extension of existing irrigation system.
**Alternate No. 16-17 - provides for 3-inch Pecan.
**Alternate No. 16-18 - provides for 3-inch Cedar Elm.
**Alternate No. 16-19 - provides for 3-inch Shumard Oak.
**Alternate No. 16-20 - provides for 3-inch Chinquapin Oak.
**Alternate No. 16-21 - provides for 3-inch Red Oak.
***HQS Construction, LLC was deemed non-responsive for not utilizing the City of Dallas, Park and Recreation Department bid proposal.
***J.C. Commercial, LLC was deemed non-responsive due to mathematical errors submitted with their proposal.
***MACVAL Associates, LLC was deemed non-responsive due to mathematical errors submitted with their proposal.
***Massana Construction, LLC was deemed non-responsive due to mathematical errors submitted with their proposal.

OWNER

A S Con, Inc.

Ali Safdarinia, President

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize award of a contract for extension of the hike and bike trail of the White Rock Creek Trail from Valley View Park to Hillcrest Park and construction of a small loop trail and overlook at Hillcrest Park located at 13819 Hillcrest Road - A S Con, Inc., lowest responsible bidder of nine - Not to exceed $1,465,190 - Financing: 2006 Bond Funds ($151,972) and General Obligation Commercial Paper Funds ($1,313,218)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$1,204,900.00	82.24%
Total non-local contracts	$260,290.00	17.76%
TOTAL CONTRACT	$1,465,190.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Berumen Construction	HMMB57290N0414	$643,898.00	53.44%
Total Minority - Local		$643,898.00	53.44%

Non-Local Contractors / Sub-Contractors

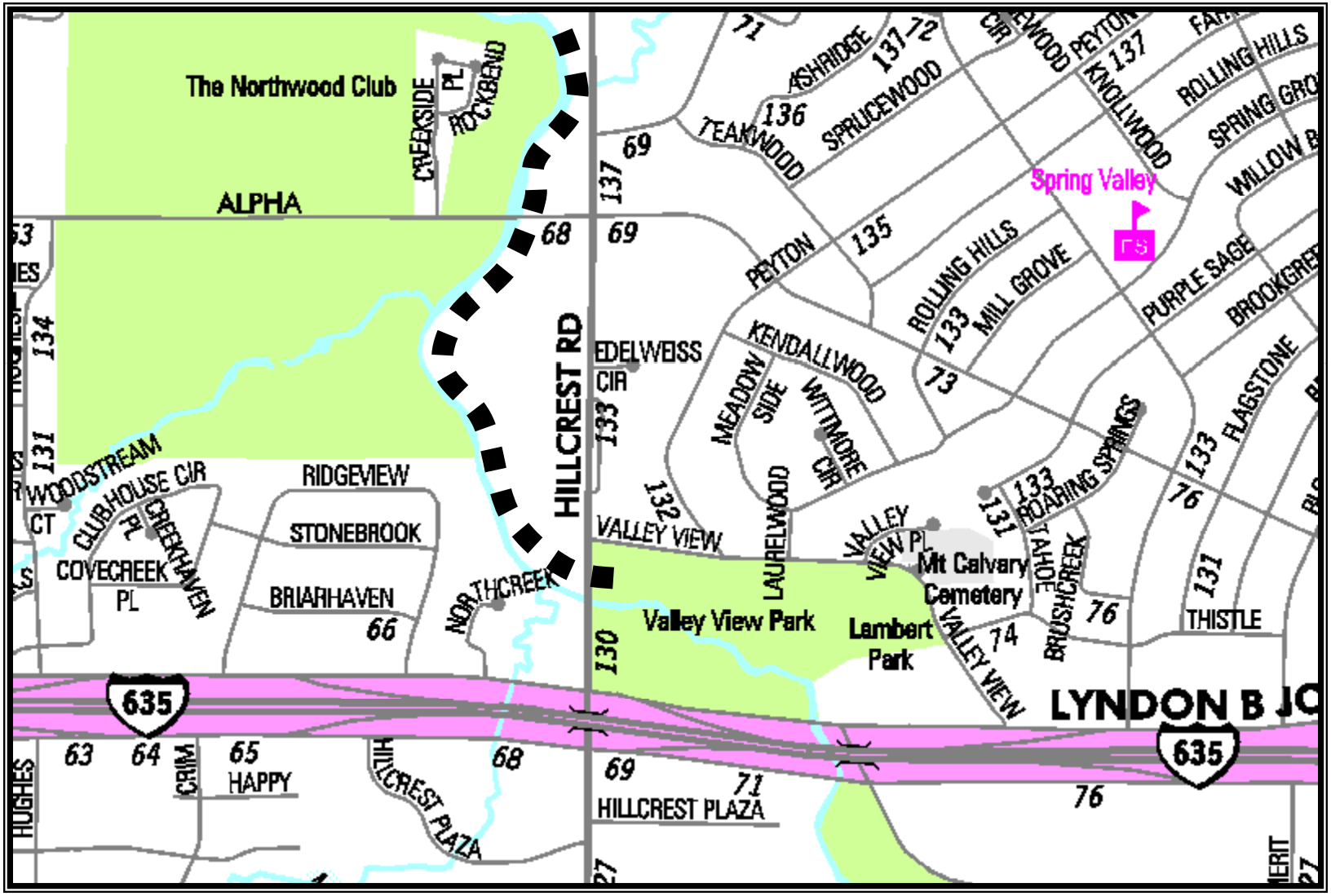
None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$643,898.00	53.44%	$643,898.00	43.95%
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	$643,898.00	53.44%	$643,898.00	43.95%

White Rock Creek Greenbelt Trail Extension

Council District 11

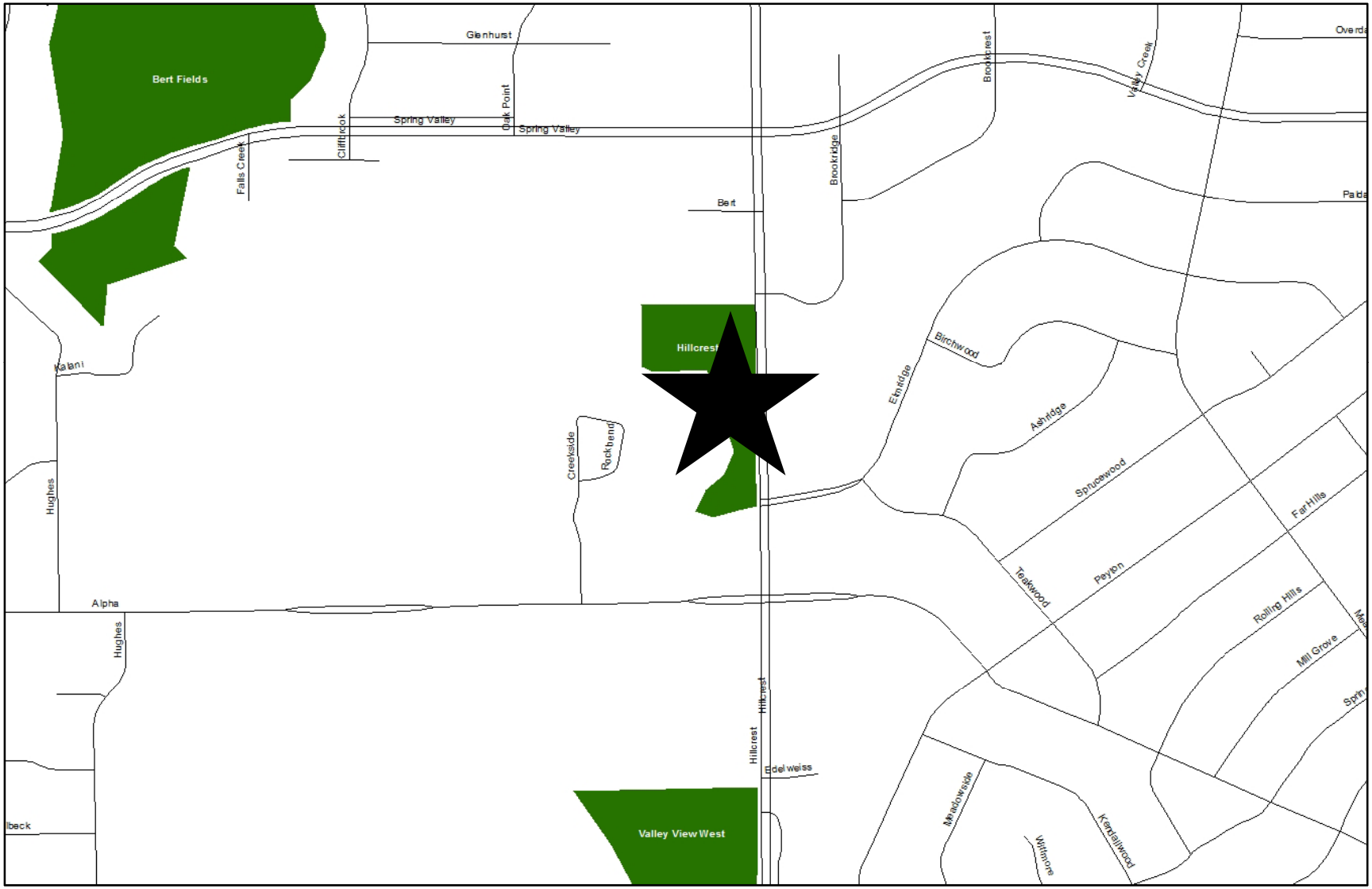


Valley View Park to Hillcrest Park

Mapsco # 15-L,Q and R

Hillcrest Park

Council District 11



13819 Hillcrest Road

Mapsco #15-R

October 23, 2013

WHEREAS, on August 15, 2013, nine bids were received for extension of the hike and bike trail of the White Rock Creek Trail from Valley View Park to Hillcrest Park and construction of a small loop trail and overlook at Hillcrest Park located at 13819 Hillcrest Road.

Bidders	**Base Bid**	**Alt. Nos. 16-1 thru 16-21****	**Total Bid**
A S Con, Inc.	$1,159,710.00	$305,480.00	$1,465,190.00
Texas Standard Construction, Ltd.	$1,520,842.50	$379,595.00	$1,900,437.50
Omega Contracting, Inc.	$1,637,452.50	$335,314.00	$1,972,766.50
RoeschCo Construction, Inc.	$1,516,729.10	$500,500.00	$2,017,229.10
Jeske Construction Company	$1,747,283.50	$306,455.00	$2,053,738.50
HQS Construction, LLC			***Withdrew
J.C. Commercial, Inc.			***Non-responsive
MACVAL Associates, LLC			***Non-responsive
Massana Construction, LLC			***Non-responsive

**Alternate No. 16-1 - provides for survey and layout of trail.
**Alternate No. 16-2 - provides for erosion control to include silt fence or fitrexx silt soxx.
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**Alternate No. 16-20 - provides for 3-inch Chingquapn Oak.
**Alternate No. 16-21 - provides for 3-inch Red Oak.
***HQS Construction, LLC was deemed non-responsive for not utilizing the City of Dallas, Park and Recreation Department bid proposal.
***J.C. Commercial, LLC was deemed non-responsive due to mathematical errors submitted with their proposal.

(Continued)

***MACVAL Associates, LLC was deemed non-responsive due to mathematical errors submitted with their proposal.
***Massana Construction, LLC was deemed non-responsive due to mathematical errors submitted with their proposal.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a contract with A S Con, Inc. for extension of the hike and bike of the White Rock Creek Trail from Valley View Park to Hillcrest Park and construction of a small loop trail and overlook at Hillcrest Park, in an amount not to exceed $1,465,190.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with A S Con, Inc., after approval as to form by the City Attorney's Office.

SECTION 3. That the City Controller is hereby authorized to pay the amount of $1,465,190 to A S Con, Inc., as follows:

General Obligation Commercial Paper Funds Fund 1T22, Department PBW, Unit P829, Object 4599 Activity INGV, CT-PKR13019411, Program PB06P829 Commodity 91200, Vendor 261853	$1,313,217.89
(2006) Park and Recreation Facilities Improvement Funds Fund 1T00, Department PKR, Unit T309, Object 4599 Activity HIBT, CT-PKR13019411, Program PK06T309 Commodity 91200, Vendor 261853	$85,030.00
(2006) Park and Recreation Facilities Improvement Funds Fund 8T00, Department PKR, Unit T309, Object 4599 Activity HIBT, CT-PKR13019411, Program PK06T309 Commodity 91200, Vendor 261853	$66,942.11
Total amount not to exceed	$1,465,190.00

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 # 30

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize **(1)** an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant, from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period July 1, 2013 through June 30, 2014; and **(2)** execution of the grant agreement - Not to exceed $477,337 – Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

BACKGROUND

On September 16, 2013 the Dallas Police Department's Crimes Against Children Unit was awarded a grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. This grant, in the amount of $477,337 is for the period July 1, 2013 through June 30, 2014. The City Council approved the original grant acceptance from the Office of Juvenile Justice and Delinquency Prevention on November 14, 2012, by Resolution No. 12-2756.

This is a continuation grant, new funding period and there is no cash match or in kind cost to the City of Dallas.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized an application for and acceptance of the Internet Crimes Against Children Task Force Grant on August 10, 2005, by Resolution No. 05-2211.

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

Authorized Internet Crimes Cooperative Working Agreements with the Amarillo Police Department, Austin Police Department, Bexar County Sheriff's Department, Corpus Christi Police Department, Dallas Children's Advocacy Center, Dallas County District Attorney's Office, Denton County District Attorney's Office, El Paso Police Department, Harris County Constable's Office, Longview Police Department, Tarrant County District Attorney's Office, Texas Attorney's General's Office, and Steve Wiederrich on August 24, 2005, by Resolution No. 05-2479.

Authorized Internet Cooperative Working Agreements with the Potter County District Attorney's Office, Lubbock County District Attorney's Office, Bowie County Sheriff's Department, Collin County Sheriff's Department, Ellis County Sheriff's Department, and the Taylor County Sheriff's Department on December 13, 2006, by Resolution No. 06-3411.

Authorized an application for and acceptance of the 2007 Internet Crimes Against Children Continuation Grant supplement on November 28, 2007, by Resolution No. 07-3501.

Authorized Internet Crimes Cooperative Working Agreements with the Longview Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Lubbock County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's, and the Dallas Children's Advocacy Center on November 28, 2007, by Resolution No. 07-3502.

Authorized an application for and acceptance of the 2008 Internet Crimes Against Children Continuation Grant No. 2008-MC-CX-K024 on December 10, 2008, by Resolution No. 08-3355.

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Lubbock County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, the Dallas Children's Advocacy Center, and the Fox Valley Technical College on December 10, 2008, by Resolution No. 08-3357.

Authorized the application for and acceptance of the 2009 American Recovery and Reinvestment Act Grant on June 24, 2009, by Resolution No. 09-1640.

Authorized an application for and acceptance of the 2009 Internet Crimes Against Children Continuation Grant No. 2008-MC-CX-K026 on November 9, 2009, by Resolution No. 09-2783.

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

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, the Dallas Children's Advocacy Center, and the Fox Valley Technical College on November 9, 2009, by Resolution No. 09-2784.

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Lubbock Police Department, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office and the Dallas Children's Advocacy Center on October 13, 2010, by Resolution No. 10-2590.

Authorized an application for and acceptance of the 2010 Internet Crimes Against Children Continuation Grant No. 2010-MC-CX-K037 on October 13, 2010, by Resolution No. 10-2591.

Authorized an application for and acceptance of the Internet Crimes Against Children Continuation Grant supplement, 2010-MC-CX-K037 October 26, 2011, by Resolution No. 11-2841

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, and the Dallas Children's Advocacy Center on October 26, 2011, by Resolution No. 11-2835.

Authorized Resolution No.11-2835 to add Wichita Falls Sheriff's Office into the Internet Crimes Cooperative Working Agreements. Taylor County Sheriff's Department will decrease by $11,000, and be added to Wichita Falls Sheriff Office.

Authorized an application for and acceptance of the Internet Crimes Against Children Continuation Grant supplement, 2010-MC-CX-K037 November 14, 2012, by Resolution No. 12-2756.

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

Authorized Internet Crimes Cooperative Working Agreements with the Arlington Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita Falls Sheriff's Office and the Dallas Children's Advocacy Center on November 14, 2012, by Resolution No. 12-2757.

The Public Safety Committee was briefed on October 14, 2013.

FISCAL INFORMATION

$477,337 – U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention

October 23, 2013

WHEREAS, the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention has made grant funds available to aid missing and exploited children during Fiscal Year 2013-2014; and

WHEREAS, such funding was awarded to the City of Dallas on September 16, 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 Internet Crimes Against Children Continuation Grant, new funding period, 2013-MC-FX-K036, CFDA #16.543 in an amount not to exceed $477,337, for the period July 1, 2013 through June 30, 2014 and execute the grant agreement.

Section 2. That the City Manager is hereby authorized to establish appropriations in the Internet Crimes Against Children Continuation Grant fund in the amount of $477,337, Fund F407, Department DPD, Unit 1505 in accordance with Schedule A.

Section 3. That the City Controller is hereby authorized to deposit grant funds in an amount not to exceed $477,337, in Fund F407, Department DPD, Unit 1505, Revenue Source 6506.

Section 4. That the City Manager will provide no funding for cash match for Internet Crimes Against Children Continuation Grant.

Section 5. That the City Manager will provide no funding for In-Kind contributions for the Internet Crimes Against Children Continuation Grant.

Section 6. That the City Controller is hereby authorized to disburse grant funds from Fund F407, Department DPD, Unit 1505, an amount not to exceed $477,337 according to Schedule A.

Section 7. That the City Manager is hereby authorized to reimburse to the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention any expenditure identified as ineligible.

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

Internet Crimes Against Children Continuation Grant
Fund F407, Unit 1505

1102	Salaries, Uniform	$191,134
1302	Pension, Sworn	43,841
1304	Health, Sworn	10,028
1306	FICA	2,311
2280	Supplies	13,287
3060	Equipment (Outside City)	2,200
3099	Misc Special Services (Contractual)	208,891
3361	Professional Development	4,425
4731	Other	1,220
	Grant Total	**$477,337**

AGENDA ITEM # 31

KEY FOCUS AREA: Public Safety

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize **(1)** the Dallas Police Department to receive funds in the amount of $600,000 from various federal and state law enforcement agencies for reimbursement of overtime for investigative services (list attached); **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of $173,700; and **(3)** execution of the grant agreements - Total not to exceed $773,700 - Financing: Current Funds ($600,000 to be reimbursed by various federal and state law enforcement agencies)

BACKGROUND

The Dallas Police Department is routinely asked to participate in various federal and state law enforcement investigation task forces and receives reimbursement for expenses associated with those task forces from the sponsoring federal or state agency involved. The reimbursed expenses are generally for the Dallas Police Department officers' overtime associated with the investigations. Occasionally, the task force agreement specifies reimbursement for other miscellaneous expenses.

The Dallas Police Department participates in approximately 20 to 30 task forces per year for varying lengths of time. Each task force investigation is usually confidential, and the officers assigned to the investigation are generally undercover officers. Each task force agreement specifies the nature, time period, and maximum amount of reimbursement the City may receive and must be signed by an authorized official of the City. The purpose of this agenda item is to create a better tracking-monitoring system on all task force activities.

In fiscal year 1999-00, the Dallas Police Department initiated a procedure to obtain approval for all task force participation through one City Council resolution in lieu of processing an Administrative Action for each task force each fiscal year. This procedure ensures that the agreements are processed in a routine, but confidential manner.

BACKGROUND (continued)

Funding allocations represent projections only and are subject to modification based upon the progress and needs of the investigation. Additionally, resources are contingent upon the availability of federal and state funds as well as the availability of Dallas Police Department officers to work on a task force as planned. Approval of this item will insure that all task force revenues are authorized to be deposited, and subsequently, the general fund will be reimbursed consistent with the original overtime expenditures.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on December 8, 1999, by Resolution No. 99-3895.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on October 25, 2000, by Resolution No. 00-3246.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on October 10, 2001, by Resolution No. 01-3057.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on October 9, 2002, by Resolution No. 02-2960.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on December 8, 2003, by Resolution No. 03-3361.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on September 22, 2004, by Resolution No. 04-2809.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on November 9, 2005, by Resolution No. 05-3270.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on November 8, 2006, by Resolution No. 06-3103.

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

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on January 23, 2008, by Resolution No. 08-0316.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on January 28, 2009, by Resolution No. 09-0299.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on October 28, 2009, by Resolution No. 09-02639.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on September 22, 2010, by Resolution No. 10-2388.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on October 10, 2011, by Resolution No. 11-2734.

Authorized the expenditure of funds, acceptance of reimbursement and execution of agreements with federal and state law enforcement agencies on October 24, 2012, by Resolution No. 12-2664.

Briefed to the Public Safety Committee on October 14, 2013.

FISCAL INFORMATION

$773,700 - Current Funds ($600,000 to be reimbursed by various federal and state law enforcement agencies)

Various Joint Task Forces with Federal and State Agencies

Federal Agencies

Federal Bureau of Investigation

United States Customs

United States Marshals Service

Immigration and Naturalization Services

Drug Enforcement Agency

Bureau of Alcohol, Tobacco, and Firearms

Department of the Treasury - Internal Revenue Service

Secret Services

State Agencies

Department of Public Safety

NOTE: Agencies listed are recurring. Other agencies may be involved on occasion.

October 23, 2013

WHEREAS, the City of Dallas is routinely requested to participate in various federal and state law enforcement investigation task forces; and

WHEREAS, the City of Dallas receives reimbursement expenses associated with the investigation task forces from the sponsoring federal or state Department involved.

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 agreements for FY 2013-14 with various federal and state law enforcement agencies (list attached) to participate in investigations, as requested.

Section 2. That the City Controller is authorized to receive and deposit reimbursements, not to exceed $600,000.00, into Fund 0T69, Department DPD, Units 3778-3799, Revenue Source 6526 from federal and state law enforcement agencies as reimbursement for expenditures associated with the overtime expended in the investigations.

Section 3. That the City Controller is authorized to disburse funds from the General Fund 0001, Department DPD, various Units, Object 1202 not to exceed $600,000.

Section 4. That the City Controller is authorized to contribute pension and FICA costs, in an amount not to exceed $173,700, after the expenditure of overtime in the General Fund 0001, Department DPD, various Units, Object 1302/1306.

Section 5. That the City Controller is authorized to reimburse the General Fund 0001, Department DPD, various Units, Object 5110 from Fund 0T69, Department DPD, Units 3778-3799, Object 3090 in an amount not to exceed $600,000.

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 # 32

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 4

DEPARTMENT: Public Works Department
Water Utilities

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

MAPSCO: 54V Z 55W

SUBJECT

Authorize a professional services contract with APM & Associates, Inc. for the engineering design of target neighborhood projects on Arizona Avenue from Saner Avenue to Kiest Boulevard and McVey Avenue from Beckley Avenue to Marsalis Avenue - Not to exceed $337,175 - Financing: General Obligation Commercial Paper Funds ($307,250) and Water Utilities Capital Improvement Funds ($29,925)

BACKGROUND

Arizona Avenue from Saner Avenue to Kiest Boulevard and McVey Avenue from Beckley Avenue to Marsalis Avenue were selected as candidate Target Neighborhood street improvement projects in the 2012 Bond Program. Each street is currently an unimproved asphalt street with no curb and gutter. This action will authorize a professional services contract for the engineering design of both Arizona Avenue and McVey Avenue.

The target neighborhood improvements will consist of 26 feet wide reinforced concrete, paving, storm drainage, and water main improvements. The design cost for each project is as follows: Arizona Avenue from Saner Avenue to Kiest Boulevard is $185,825.00 and for McVey Avenue from Beckley Avenue to Marsalis Avenue is $151,350.00.

The consulting firm, APM & Associates, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	December 2013
Complete Design	July 2014
Begin Construction	December 2014
Complete Construction	March 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - $307,250.00
Water Utilities Capital Improvement Funds - $29,925.00

Target Neighborhood

Arizona Avenue from Saner Avenue to Kiest Boulevard

Design (PBW)	$ 176,450.00
Design (WTR)	$ 9,375.00
Construction	$1,577,977.50 (est.)
Total	$1,763,802.50 (est.)

McVey Avenue from Beckley Avenue to Marsalis Avenue

Design (PBW)	$ 130,800.00
Design (WTR)	$ 20,550.00
Construction	$1,273,943.00 (est.)
Total	$1,425,293.00 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

APM & Associates, Inc.

Hispanic Female	2	Hispanic Male	0
African-American Female	6	African-American Male	5
Other Female	0	Other Male	2
White Female	0	White Male	15

OWNER

APM & Associates, Inc.

Afisu Olabimtan, P.E., President

MAP(S)

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with APM & Associates, Inc. for the engineering design of target neighborhood projects on Arizona Avenue from Saner Avenue to Kiest Boulevard and McVey Avenue from Beckley Avenue to Marsalis Avenue - Not to exceed $337,175 - Financing: General Obligation Commercial Paper Funds ($307,250) and Water Utilities Capital Improvement Funds ($29,925)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$337,175.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$337,175.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
APM & Associates, Inc.	BMMB57524Y0514	$253,155.00	75.08%
Mas-Tek	BMDB56718Y0314	$5,000.00	1.48%
Urban Engineers	HFDB58019Y0714	$10,260.00	3.04%
Arrendondo Zepeda Brunz, LLC	HMDB57530Y0514	$68,760.00	20.39%
Total Minority - Local		$337,175.00	100.00%

Non-Local Contractors / Sub-Contractors

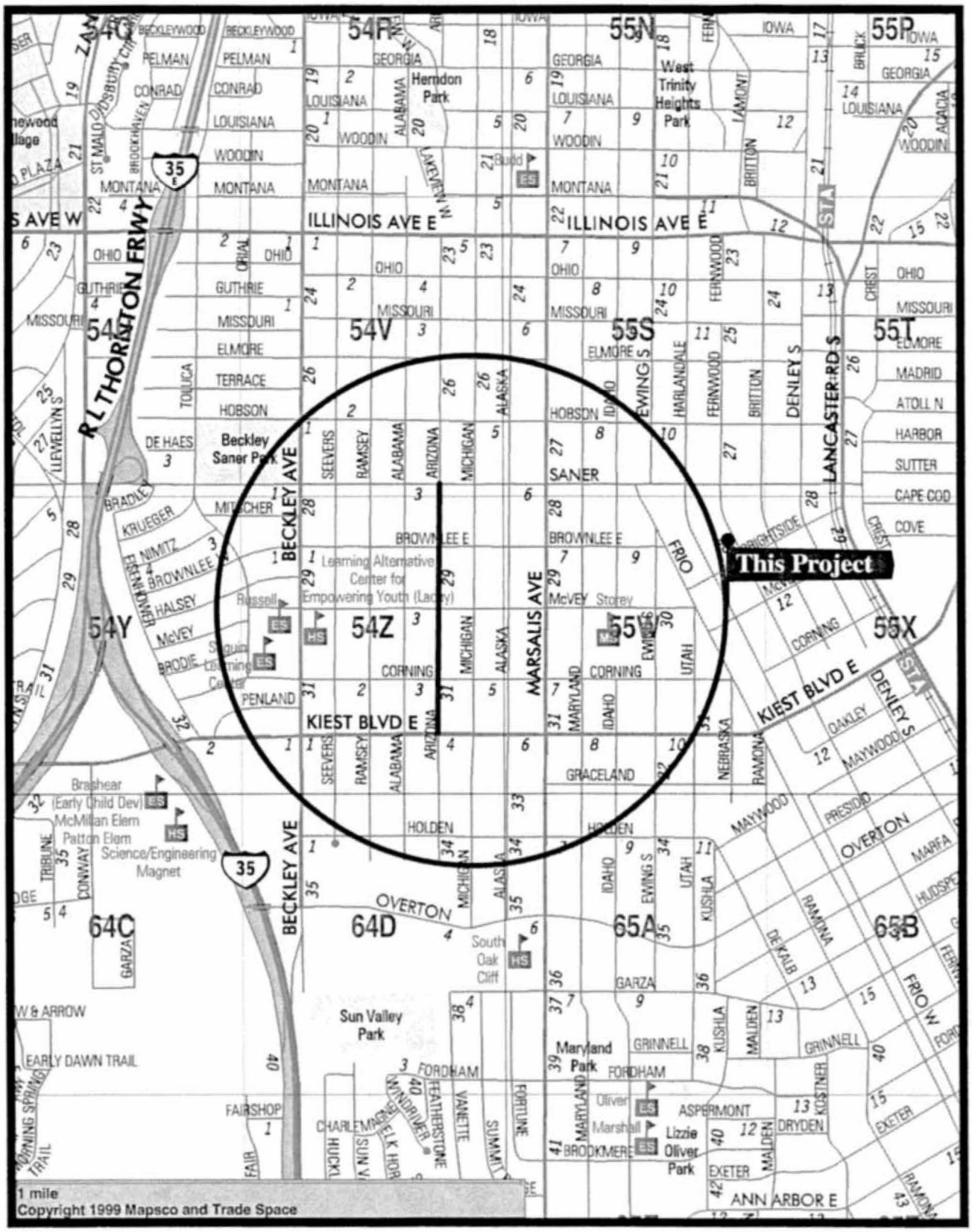
None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$258,155.00	76.56%	$258,155.00	76.56%
Hispanic American	$79,020.00	23.44%	$79,020.00	23.44%
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	$337,175.00	100.00%	$337,175.00	100.00%

TARGET NEIGHBORHOOD

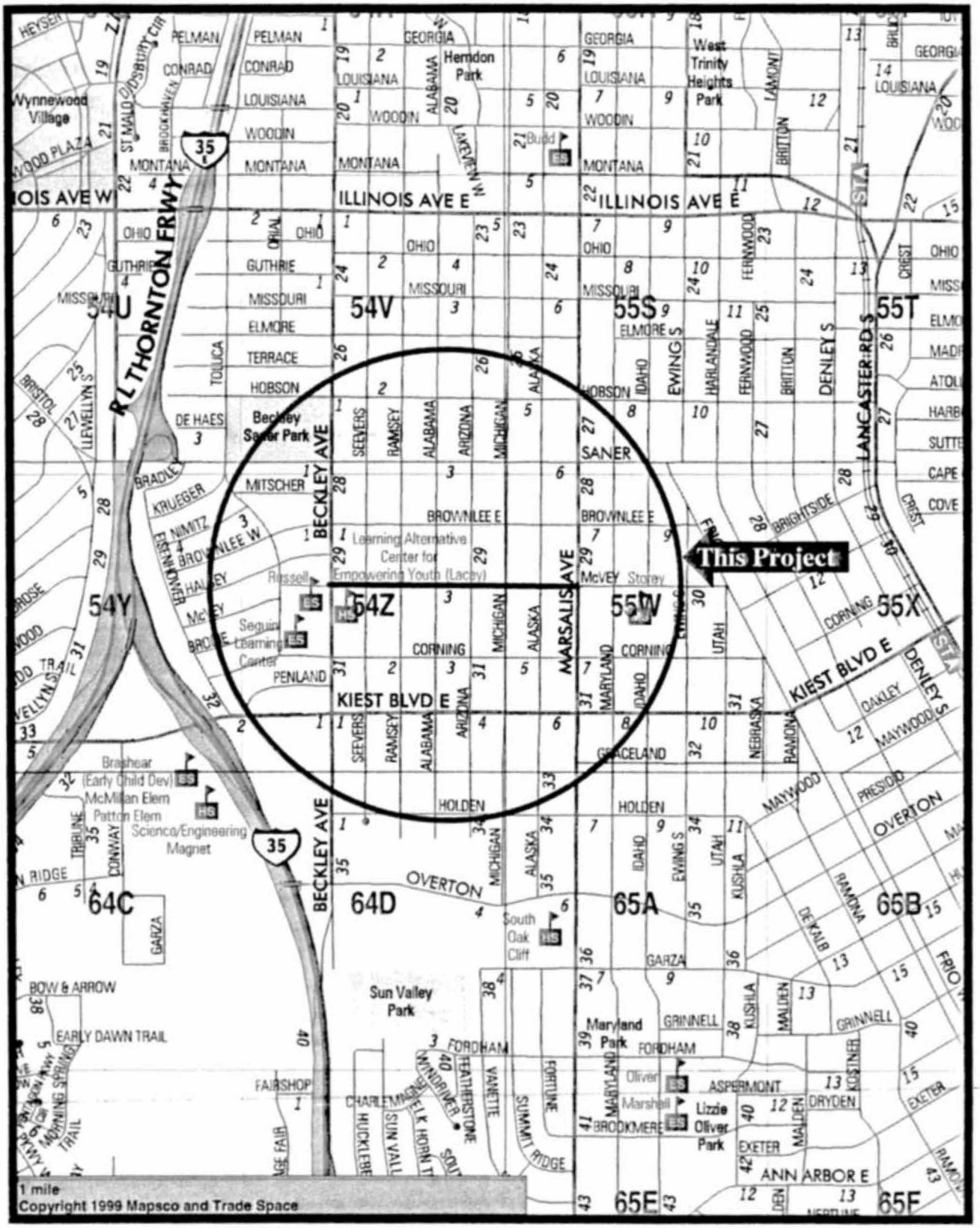
Arizona from Saner to Kiest



Mapsco 54V & Z

TARGET NEIGHBORHOOD

McVey from Beckley to Marsalis



Mapsco 54Z & 55W

October 23, 2013

WHEREAS, APM & Associates, Inc. was selected to provide the engineering design of target neighborhood projects on Arizona Avenue from Saner Avenue to Kiest Boulevard and McVey Avenue from Beckley Avenue to Marsalis Avenue.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with APM & Associates, Inc. for the engineering design of target neighborhood projects on Arizona Avenue from Saner Avenue to Kiest Boulevard and McVey Avenue from Beckley Avenue to Marsalis Avenue in an amount not to exceed $337,175.00, 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:

Street and Transportation Improvements Fund Fund 2U22, Dept. PBW, Unit S601, Act. T6TN Obj. 4111, Program #PB12S601, CT PBW12S601A1 Vendor #265694, in an amount not to exceed	$176,450.00
Street and Transportation Improvements Fund Fund 2U22, Dept. PBW, Unit S607, Act. T6TN Obj. 4111, Program #PB12S607, CT PBW12S601A1 Vendor #265694, in an amount not to exceed	$130,800.00
Water Capital Improvement Fund Fund 0115, Dept. DWU, Unit PW42, Act. RELP Obj. 4111, Program #714065, Rep. W3HH, CT PBW714065CP Vendor #265694, in an amount not to exceed	$ 29,925.00
Total in an amount not to exceed	$337,175.00

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 # 33

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Public Works Department

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

MAPSCO: 45L

SUBJECT

Authorize Supplemental Agreement No. 5 to the professional services contract with Conley Design Group, Inc. to provide the necessary asbestos abatement specifications, air monitoring, abatement project management and final report related to the interior demolition of the 106 South Harwood Street Building - Not to exceed $82,170, from $1,113,650 to $1,195,820 - Financing: 1998 Bond Funds

BACKGROUND

On June 25, 2008, Resolution No. 08-1890 authorized a professional services contract with Conley Design Group, Inc. to provide architectural and engineering services for the exterior renovation of the 106 South Harwood Street Building. An asbestos inspection report documented the existence of asbestos-containing materials in the building. This action will authorize Supplemental Agreement No. 5 to the professional services contract with the Conley Design Group, Inc. to contract with an asbestos consultant to provide the necessary asbestos abatement specifications, air monitoring, abatement project management and final report related to the interior demolition of the old Municipal Building. The abatement specifications will be included in the project manual with the construction documents when this project is advertised for proposals for construction.

The Municipal Building located at 106 South Harwood Street was constructed in 1914 and functioned as Dallas City Hall until the current City Hall was built in 1978. The upper floors continued to be occupied by the Police Department until the Jack Evans Police Headquarters was built in 2003. The first and second floors were occupied by Court Services until August 2013, when these functions were moved to the adjacent 2014 Main Street building now known as the Municipal Court Building. The old Municipal Building is currently vacant and is planned to become the University of North Texas (UNT) Law School in downtown Dallas. The City of Dallas agreed to provide the exterior renovation and interior demolition of this building while UNT would be responsible for the renovation of the interior. The asbestos abatement of this building must be completed prior to the commencement of the interior demolition phase.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	June 2008
Complete Design	February 2014

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with the Conley Design Group, Inc. to provide architectural and engineering services for the exterior renovation of the 106 South Harwood Street Building on June 25, 2008, by Resolution No. 08-1890.

FISCAL INFORMATION

1998 Bond Funds - $82,170

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Conley Design Group, Inc.

Hispanic Female	0	Hispanic Male	3
African-American Female	0	African-American Male	1
Other Female	0	Other Male	0
White Female	6	White Male	24

OWNER(S)

Conley Design Group, Inc.

Bill Conley, Principal

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 5 to the professional services contract with Conley Design Group, Inc. to provide the necessary asbestos abatement specifications, air monitoring, abatement project management and final report related to the interior demolition of the 106 South Harwood Street Building - Not to exceed $82,170, from $1,113,650 to $1,195,820 - Financing: 1998 Bond Funds

Conley Design Group, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$82,170.00	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$82,170.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

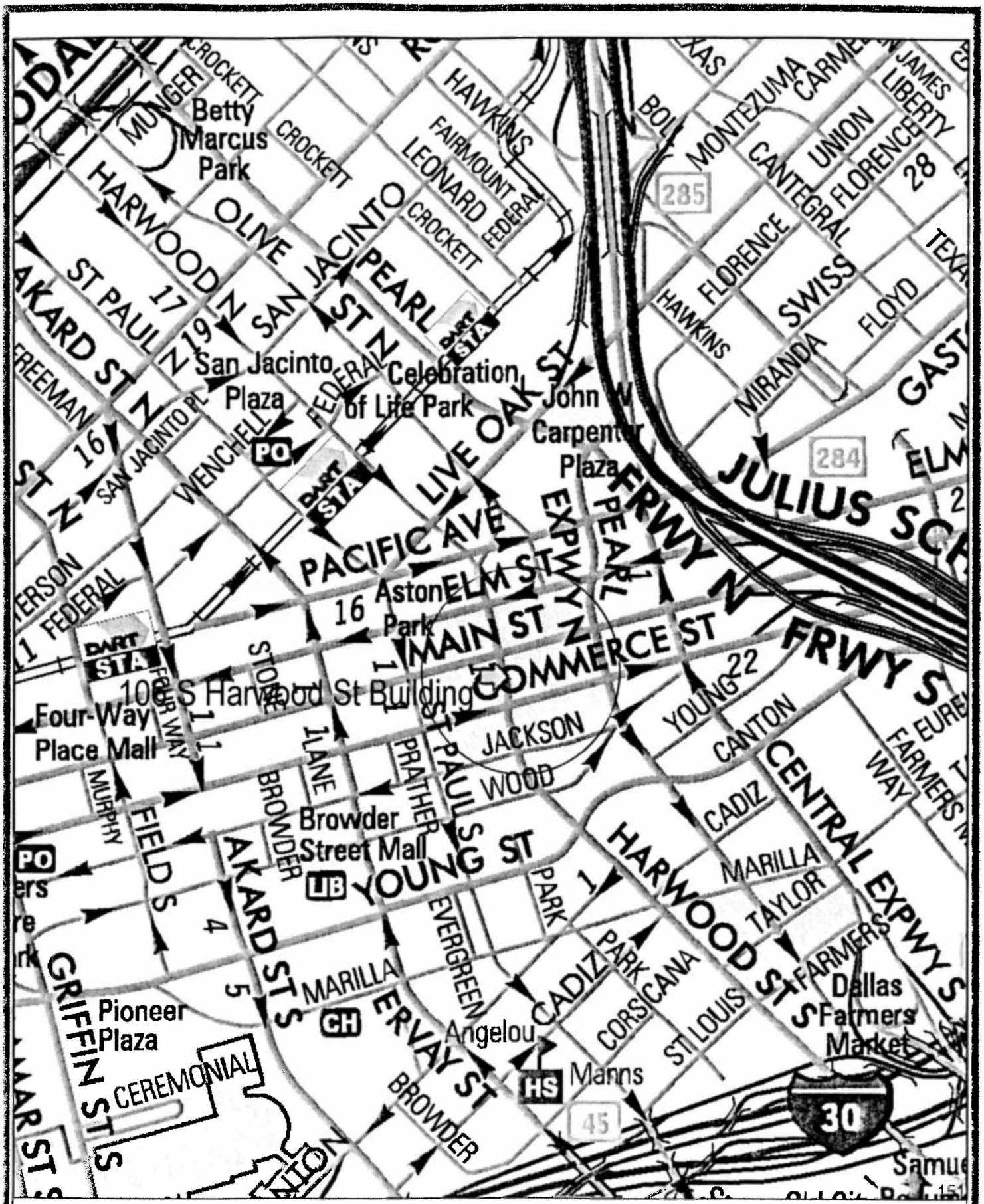
Local	Certification	Amount	Percent
Resource Environmental Consulting	WFDB56378Y0114	$74,670.00	90.87%
Total Minority - Local		$74,670.00	90.87%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$58,100.00	4.86%
Hispanic American	$0.00	0.00%	$214,750.00	17.96%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$74,670.00	90.87%	$97,270.00	8.13%
Total	$74,670.00	90.87%	$370,120.00	30.95%



106 S Harwood St Building

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Mapsco 45L

0 Mi 0.13 Mi 0.25 Mi

Scale 1 : 8 166

October 23, 2013

WHEREAS, on June 25, 2008, Resolution No. 08-1890 authorized a professional services contract with the Conley Design Group, Inc. to provide architectural and engineering services for the exterior renovation of the 106 South Harwood Building in the amount of $1,026,800; and,

WHEREAS, on November 5, 2008, Administrative Action No. 08-3463 authorized Supplemental Agreement No. 1 to the professional services contract with the Conley Design Group, Inc. for exterior cleaning in the amount of $16,500, increasing the contract from $1,026,800 to $1,043,300; and,

WHEREAS, on January 23, 2012, Administrative Action No. 12-0249 authorized Supplemental Agreement No. 2 to the professional services contract with the Conley Design Group, Inc. to provide services for the design of below-grade waterproofing and water collection at the exterior basement walls of the 106 South Harwood Building in the amount of $24,850, increasing the contract from $1,043,300 to $1,068,150; and,

WHEREAS, on April 6, 2012, Administrative Action No. 12-0838 authorized Supplemental Agreement No. 3 to the professional services contract with the Conley Design Group, Inc. for design of roof replacement for the 106 South Harwood Building in the amount of $24,100, increasing the contract from $1,068,150 to $1,092,250; and,

WHEREAS, on November 13, 2012, Administrative Action No. 12-2918 authorized Supplemental Agreement No. 4 to the professional services contract with the Conley Design Group, Inc. to investigate structural damage to the concrete basement ceiling related to a water infiltration issue at the 106 South Harwood Building in the amount of $21,400, increasing the contract from $1,092,250 to $1,113,650; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 5 to the professional services contract with the Conley Design Group, Inc. to provide asbestos abatement specifications and related services for the interior demolition and exterior renovation of the 106 South Harwood Building in the amount of $82,170, increasing the contract from $1,113,650 to $1,195,820.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 5 to the professional services contract with the Conley Design Group, Inc. to provide asbestos abatement specifications and related services for the interior demolition and exterior renovation of the 106 South Harwood Building in an amount not to exceed $82,170, from $1,113,650 to $1,195,820 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:

City Facilities and Improvements Fund
Fund 1P60, Department EBS, Unit N924 Act. MMCF
Obj. 4112, Program #07DC162, CT #EBS08N924CT
Vendor #259339 in an amount not to exceed $82,170

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

AGENDA ITEM # 34

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	October 23, 2013
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Theresa O'Donnell, 671-9293 Forest E. Turner, 670-3390
MAPSCO:	N/A

SUBJECT

Authorize acquisition from Ineight Holdings Limited Partnership, of approximately 1,963 square feet of land for a water easement and approximately 5,196 square feet of land for two temporary working space easements located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project – Not to exceed $27,000 ($23,827, plus closing costs and title expenses not to exceed $3,173) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition of approximately 1,963 square feet of land for a water easement and approximately 5,196 square feet of land for two temporary working space easements in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project. This property will be used for the construction of a 96-inch and 120-inch diameter treated water transmission line from the East Side Water Treatment Plant to Southwest Dallas. The consideration is based on an independent appraisal.

This acquisition is part of the Long Range Water Master Plan and the Water Distribution Master Plan. The water transmission main is required to facilitate conveyance of treated water to the South and Southwest portions of Dallas and its customer cities. Installation of approximately 32 miles of 96-inch and 120-inch water transmission pipeline is needed to meet near term critical demands associated with the population growth as determined through master planning efforts. The overall pipeline is sized to meet future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - $27,000 ($23,827, plus closing costs and title expenses not to exceed $3,173)

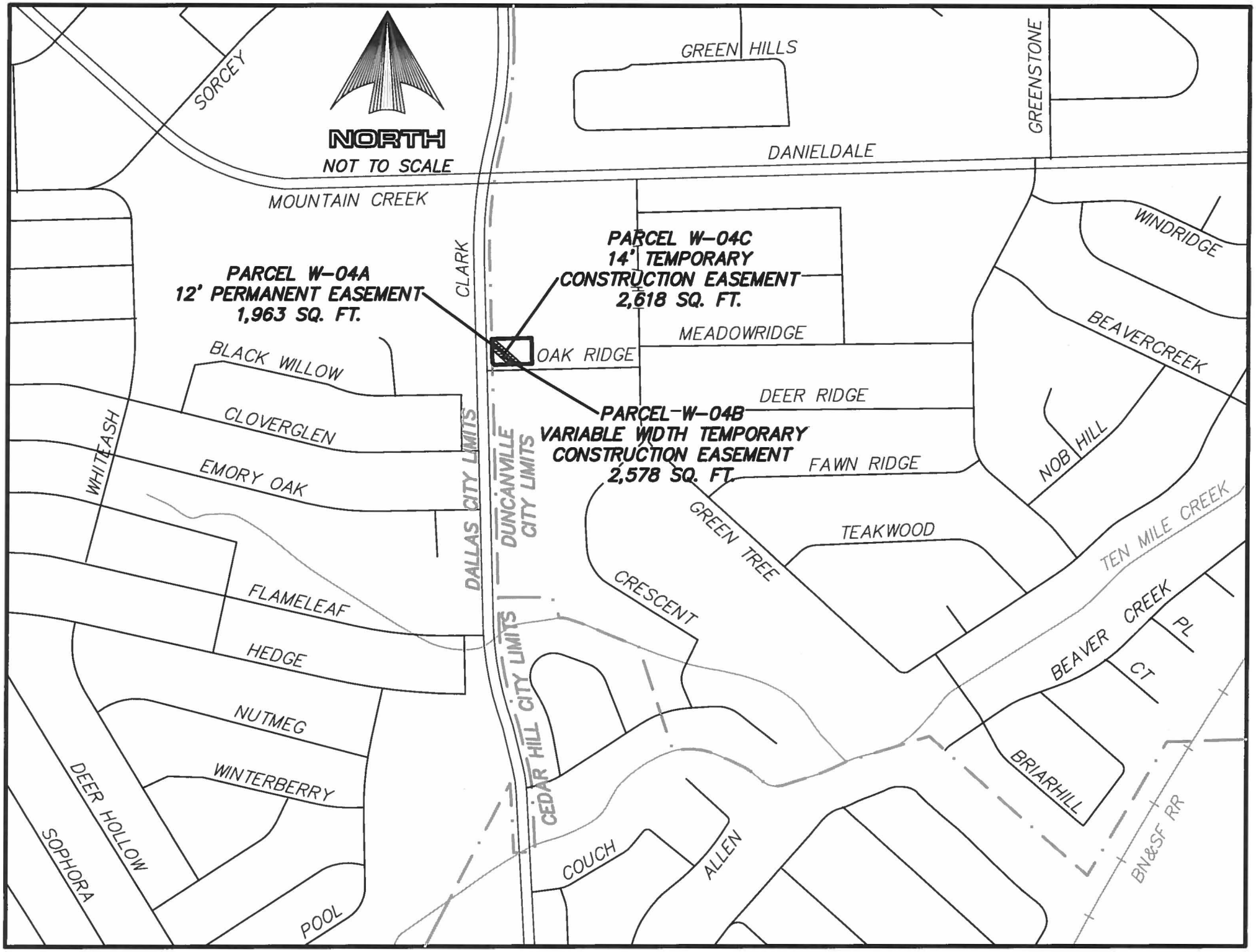
OWNER

Ineight Holdings Limited Partnership

Karen Romney, General Partner

MAP

Attached


NORTH
NOT TO SCALE
SORCEY
GREEN HILLS
GREENSTONE
DANIELDALE
MOUNTAIN CREEK
WINDRIDGE
PARCEL W-04C
14' TEMPORARY
CONSTRUCTION EASEMENT
2,618 SQ. FT.
PARCEL W-04A
12' PERMANENT EASEMENT
1,963 SQ. FT.
CLARK
MEADOWRIDGE
OAK RIDGE
BEAVERCREEK
BLACK WILLOW
DEER RIDGE
CLOVERGLEN
PARCEL W-04B
VARIABLE WIDTH TEMPORARY
CONSTRUCTION EASEMENT
2,578 SQ. FT.
WHITEASH
EMORY OAK
FAWN RIDGE
NOB HILL
DALLAS CITY LIMITS
DUNCANVILLE CITY LIMITS
GREEN TREE
TEAKWOOD
TEN MILE CREEK
CRESCENT
FLAMELEAF
HEDGE
BEAVER CREEK
PL
CT
NUTMEG
CEDAR HILL CITY LIMITS
WINTERBERRY
BRIARHILL
DEER HOLLOW
SOPHORA
COUCH
ALLEN
POOL
BN&SF RR

October 23, 2013

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 1,963 square feet of land for a water easement and 5,196 square feet for two temporary working space easements located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

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

"USE": The construction, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Easements subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instruments more particularly described in Exhibit "B".

"OWNER": Ineight Holdings Limited Partnership, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $23,827

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,173

"AUTHORIZED AMOUNT": Not to exceed $27,000

PROPERTY INTEREST(S)	OFFER AMOUNT	TITLE EXPENSES NOT TO EXCEED	AUTHORIZED AMOUNT
Wastewater Easement	$13,694	$3,173	$27,000
Temporary Easements	$10,133	included w/above	included w/above

October 23, 2013

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the 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 PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Improvement Funds, Fund No 2115, Department DWU, Unit PW40, Activity MPSA, Program No. 706035, Object 4250, Encumbrance No. CT-DWU706035CPAZ. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

October 23, 2013

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

APPROVED AS TO FORM:
WARREN M. S. ERNST, Interim City Attorney

BY _____
Assistant City Attorney

EXHIBIT "A"
PAGE 1 OF 3
PARCEL W-04A
12' PERMANENT EASEMENT
1,963 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 1,963 square foot tract of land situated in the Catharine Kimmell Survey, Abstract No. 724 and the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas and being a portion of a called 0.5968 acre tract as described in that certain Warranty Deed to Ineight Holdings Limited Partnership as recorded in Instrument No. 200503562220 of the Official Public Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cop stamped "TX REG NO 100189-00" set for corner in the south line of the aforementioned Ineight Holdings Limited Partnership tract, said south line being the north right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the southeast corner of said tract bears N 89°27'42" E (deed-N 89°12'50" W), 71.20 feet;

THENCE S 89°27'42" W (deed-N 89°12'50" W), with the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 17.67 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 47°45'36" W, departing the south line of said Ineight Holdinge Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 151.52 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said Ineight Holdings Limited Partnership tract, said west line being the east right-of-way line of Clark Road (variable width right-of-way);

THENCE N 00°33'34" W (deed-N 00°47'10 E), with the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 16.35 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 47°45'36" E, departing the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 175.61 feet to POINT OF BEGINNING and containing 0.0451 acres or 1,963 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

REVIEWED BY DAC 9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04A.dwg

EXHIBIT "A"
PAGE 2 OF 3
PARCEL W-04A
12' PERMANENT EASEMENT
1,963 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The herein described property is subject to any restrictions, covenants or conditions described in the instrument entitled "Exhibit O, Declaration of Restrictions" as recorded in Volume 79252, Page 2249 of the Deed Records of Dallas County, Texas (D.R.D.C.T.).

The herein described property is subject to any restrictions, covenants or conditions described in the Special Warranty Deed as recorded in Volume 84087, Page 2601, D.R.D.C.T.

The instrument recorded in Volume 52, Page 1262, D.R.D.C.T., as affected by the instrument recorded in Volume 206, Page 619, D.R.D.C.T., does not affect the subject tract.

REVIEWED BY 9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

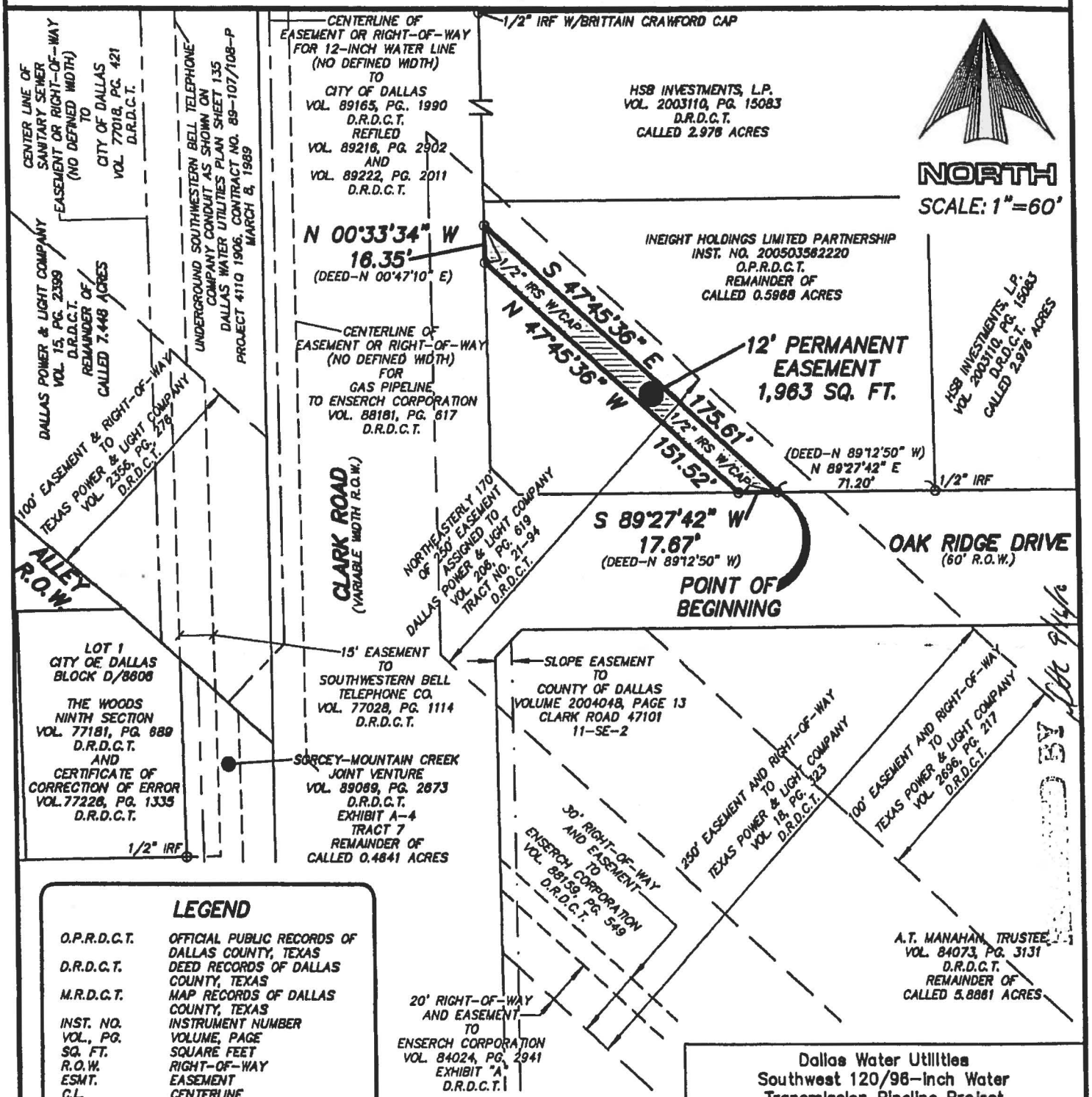
NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04A.dwg

EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-04A
12' PERMANENT EASEMENT
1,963 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04A.dwg

EXHIBIT "A"
PAGE 1 OF 3
PARCEL W-04B
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT
2,578 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2,578 square foot tract of land situated in the Catharine Kimmell Survey, Abstract No. 724 and the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas and being a portion of a called 0.5968 acre tract as described in that certain Warranty Deed to Ineight Holdings Limited Partnership as recorded in Instrument No. 200503562220 of the Official Public Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the south line of the aforementioned Ineight Holdings Limited Partnership tract, said south line being the north right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the southeast corner of said tract bears N 89°27'42" E (deed-N 89°12'50" W), 88.87 feet;

THENCE S 89°27'42" W (deed-N 89°12'50" W), with the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 28.89 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 47°40'57" W, departing the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 112.29 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said Ineight Holdings Limited Partnership tract, said west line being the east right-of-way line of Clark Road (variable width right-of-way);

THENCE N 00°33'34" W (deed-N 00°47'10 E), with the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 26.53 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 47°45'36" E, departing the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 151.52 feet to POINT OF BEGINNING and containing 0.0592 acres or 2,578 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC. TBPE FIRM REG. NO. F-356 TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600 Dallas, Texas 75231 / (214) 739-4741

AECOM 1957
AECOM USA GROUP, INC. 17300 DALLAS PARKWAY, SUITE 1010 DALLAS, TEXAS 75248-1157 WWW.AECOM.COM TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04B.dwg

EXHIBIT "A"
PAGE 2 OF 3

PARCEL W-04B
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT

2,578 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The herein described property is subject to any restrictions, covenants or conditions described in the instrument entitled "Exhibit O, Declaration of Restrictions" as recorded in Volume 79252, Page 2249 of the Deed Records of Dallas County, Texas (D.R.D.C.T.).

The herein described property is subject to any restrictions, covenants or conditions described in the Special Warranty Deed as recorded in Volume 84087, Page 2601, D.R.D.C.T.

The instrument recorded in Volume 52, Page 1262, D.R.D.C.T., as affected by the instrument recorded in Volume 206, Page 619, D.R.D.C.T., does not affect the subject tract.

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
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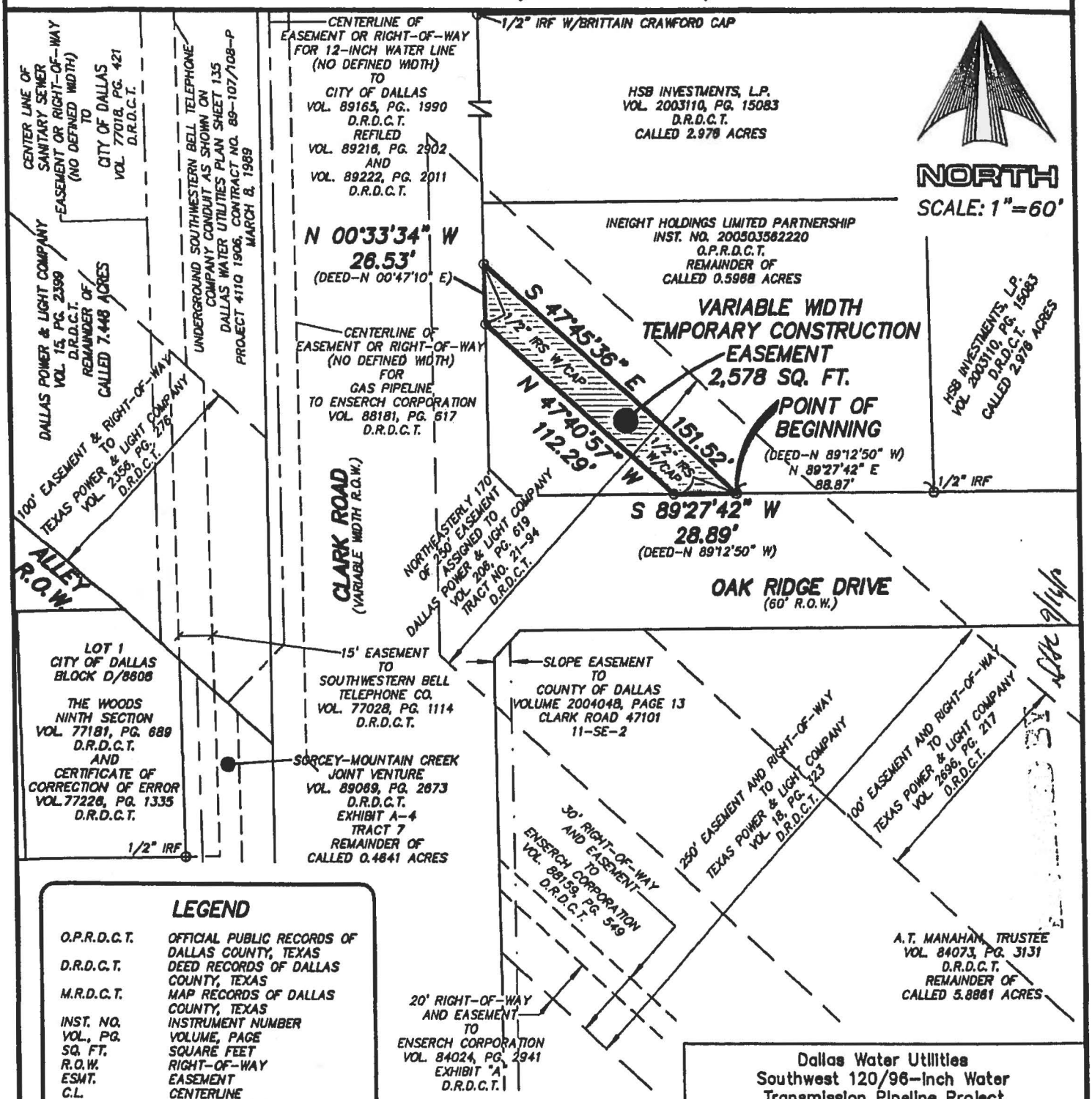
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04B.dwg

EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-04B
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT

2,578 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04B.dwg

EXHIBIT "A"
PAGE 1 OF 3
PARCEL W-04C
14' TEMPORARY CONSTRUCTION EASEMENT
2,618 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2,618 square foot tract of land situated in the Catharine Kimmell Survey, Abstract No. 724 and the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas and being a portion of a called 0.5968 acre tract as described in that certain Warranty Deed to Ineight Holdings Limited Partnership as recorded in Instrument No. 200503562220 of the Official Public Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the south line of the aforementioned Ineight Holdings Limited Partnership tract, said south line being the north right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the southeast corner of said tract bears N 89°27'42" E (deed-N 89°12'50" W), 50.59 feet;

THENCE S 89°27'42" W (deed-N 89°12'50" W), with the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 20.61 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 47°45'38" W, departing the south line of said Ineight Holdinge Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 175.61 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said Ineight Holdings Limited Partnership tract, said west line being the east right-of-way line of Clark Road (variable width right-of-way);

THENCE N 00°33'34" W (deed-N 00°47'10 E), with the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 10.74 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for the northwest corner of said Ineight Holdings Limited Partnership tract, said northwest corner also being the most westerly southwest corner of a called 2.976 acre tract as described in that certain General Warranty Deed to HSB Investments, L.P. as recorded in Volume 2003110, Page 15083 of the Deed Records of Dallas County, Texas, from whence a 1/2" iron rad with plastic cap stamped "Brittain Crawford" found for the northwest corner of said HSB Investments, L.P. tract bears N 00°33'34" W, 175.64 feet;

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04C.dwg

PARCEL W-04C
14' TEMPORARY CONSTRUCTION EASEMENT
2,618 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), departing the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road and with the north line of said Ineight Holdings Limited Partnership tract and the most westerly south line of said HSB Investments, L.P. tract, 9.02 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 47°45'36"E, departing the north line of said Ineight Holdings Limited Partnership tract and the most westerly south line of said HSB Investments, L.P. tract, 191.41 feet to the POINT OF BEGINNING and containing 0.0601 acres or 2,618 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Pratessional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The herein described property is subject to any restrictions, covenants or conditions described in the instrument entitled "Exhibit O, Declaration of Restrictions" as recorded in Volume 79252, Page 2249 of the Deed Records of Dallas County, Texas (D.R.D.C.T.).

The herein described property is subject to any restrictions, covenants or conditions described in the Special Warranty Deed as recorded in Volume 84087, Page 2601, D.R.D.C.T.

The instrument recorded in Volume 52, Page 1262, D.R.D.C.T., as affected by the instrument recorded in Volume 206, Page 619, D.R.D.C.T., does not affect the subject tract.

9/14/10

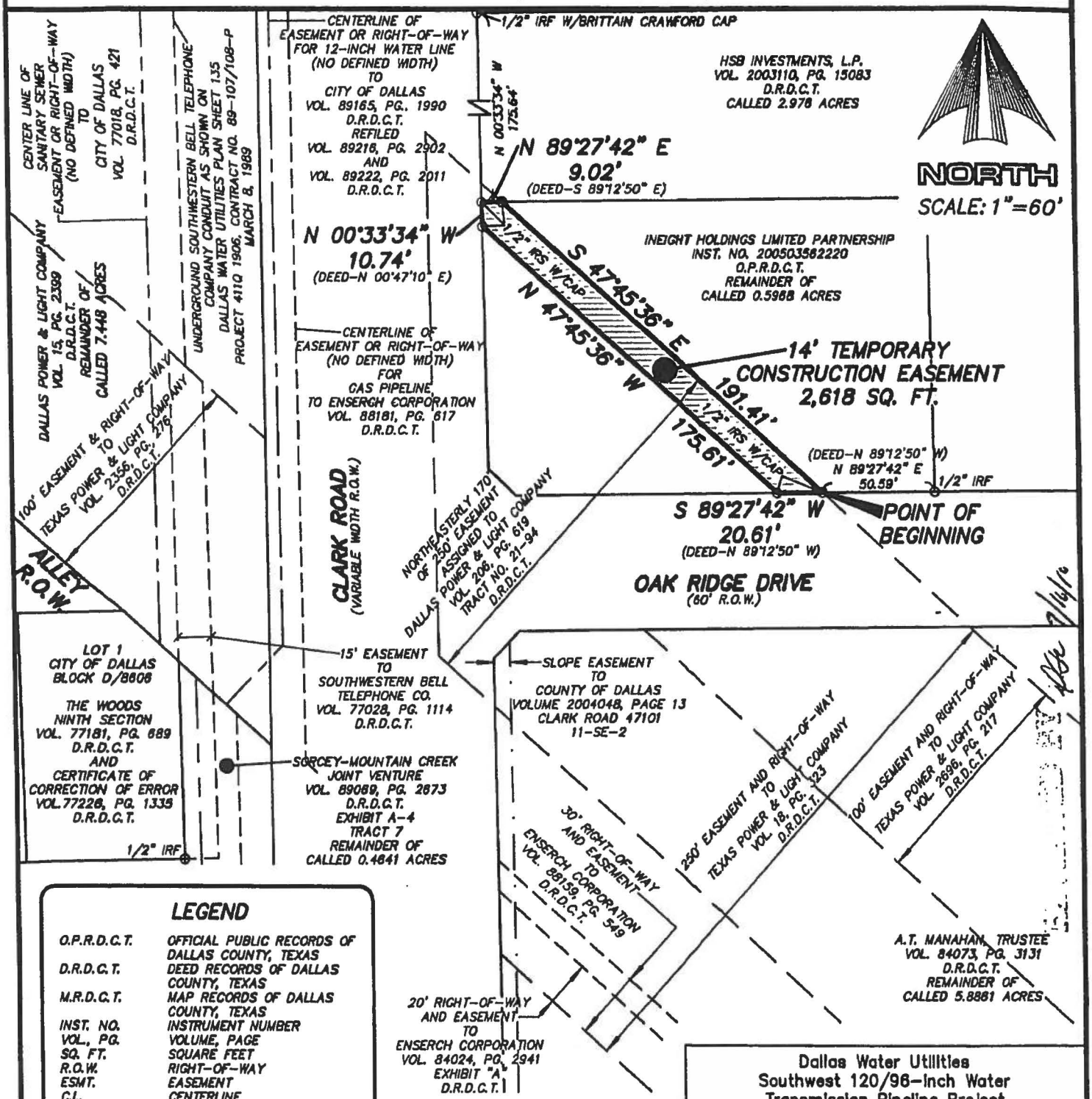
Dallas Water Utilities
Southwest 120/96-inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04C.dwg

EXHIBIT "A"
PAGE 3 OF 3
PARCEL W-04C
14' TEMPORARY CONSTRUCTION EASEMENT
2,618 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04C.dwg

Exhibit B

WATER EASEMENT

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

That Ineight Holdings Limited Partnership, a Nevada limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Clark, State of Nevada, for and in consideration of the sum of THIRTEEN THOUSAND SIX HUNDRED NINETY FOUR AND 00/100 DOLLARS ($13,694.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, an easement for the purpose of laying, constructing, maintaining, repairing and replacing a City water main or mains and appurtenances and such additional main or mains and appurtenances as are needed in the future in, under, through, across and along all that certain lot, tract or parcel of land described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

The City is acquiring this property for the purpose of laying, constructing, maintaining, repairing and replacing a City water main or mains and appurtenances, and such additional main or mains and appurtenances as are needed in the future, according to such plans and specifications as will, in City's opinion, best serve the public purpose. The payment of the purchase price shall be considered full and adequate compensation for the easement rights herein granted.

Should one or more of the Grantors herein be natural persons and not joined by their respective spouse, it is conclusively presumed that the land herein conveyed is not the residence or business homestead of such Grantor(s). Should one or more of the Grantors herein be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of such a party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

The City shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, including, but without limiting the same to, the right of ingress and egress over and across said property to and from said easement for the purpose of constructing, reconstructing, maintaining, inspecting or repairing said main or mains and appurtenances.

The City shall have the right to remove and keep removed from the permanent easement herein granted any and all structures, fences, trees, shrubs, growths or other obstructions which may endanger or interfere with the construction, reconstruction, maintenance, repair or operation of the said main or mains. (Grantor, its successors or assigns, shall not place or store any material upon, or cover, bury, pave over or otherwise obstruct any cleanout, valve, meter or manhole located within the herein described permanent easement.)

Grantor, its successors or assigns, shall not be permitted to plant trees or shrubs of any

kind within the boundaries of the herein described permanent easement.

All expenses in the construction and maintenance of said main or mains and appurtenances shall be borne by the City. In the construction of said main or mains and appurtenances, should the City find it necessary to remove any improvements now on the above-described property, all of those expenses shall also be borne by the City. Upon completion of construction, all surplus excavation, debris, trash or litter resulting from construction shall be cleaned up and hauled off the premises, and the easement property, including any fences disturbed, shall be restored to its original contour and condition.

Nothing in this easement shall be construed as a waiver by the City of any connection charge or charges imposed by ordinance or Charter of the City of Dallas.

SPECIAL PROVISIONS: "None".

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

EXECUTED this _____ day of _____, _____.

Ineight Holdings Limited Partnership,
a Nevada limited partnership

By: _____
Karen Romney
Title: General Partner

Approved As To Form:
WARREN M. S. ERNST
Interim City Attorney

By: _____
Assistant City Attorney

* * * * * * * * * * * * * * * * * * * *

STATE OF NEVADA '
COUNTY OF CLARK '

This instrument was acknowledged before me on_____
by Karen Romney , General Partner of Ineight Holdings Limited Partnership, a Nevada limited partnership, on behalf of said partnership.

_____
Notary Public, State of Nevada

* * * * * * * * * * * * * * * * * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Lisa Andrews
Water Easement Log No. 36505

Exhibit B

TEMPORARY WORKING SPACE EASEMENT

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

That Ineight Holdings Limited Partnership, a Nevada limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Clarks, State of Nevada, for and in consideration of the sum of FIVE THOUSAND ONE HUNDRED SIX AND 00/100 DOLLARS ($5,106.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, a right-of-way under, in and along the property described in "Exhibit A", attached hereto and made a part hereof by reference for all purposes, for the purpose of working space and storage of machinery; supplies, equipment and material in connection with the construction of the Southwest 120/96-inch Water Transmission Pipeline Project.

Any and all trees which lie within this temporary working space may be trimmed of low limbs or removed by the City or its contractor without liability to Grantor if deemed essential to allow for the normal use or passage of construction equipment during the construction of said main or mains.

Upon completion of construction, all surplus excavation, debris, trash or litter resulting from said construction shall be cleaned up and hauled off the premises, and said property, including the fences disturbed, shall be restored as nearly as practicable to its original contour and condition.

It is understood and agreed by Grantor that the consideration herein represents full and adequate consideration for the right-or-way granted, together with any and all damages, costs and/or inconvenience that may be incident to the construction.

This grant shall be for a term of 730 days, beginning upon commencement of construction and terminating upon completion of construction on Grantor's property or expiration of the time period, whichever occurs first, at which time all rights granted under this instrument shall terminate and cease and the described property shall be restored to it's former condition as nearly as possible.

SPECIAL PROVISIONS: "None"

TO HAVE AND TO HOLD the above described property unto the City of Dallas for the purposes hereinbefore provided, and said City or Dallas, its agents, servants and contractors shall have the right to go upon said property for the purpose of a working

easement and as an easement for the storage of supplies, materials, machinery and equipment for the term herein provided.

EXECUTED this _____ day of _____, _____.

Ineight Holdings Limited Partnership,
A Nevada limited partnership

By: _____
Karen Romney
Title: General Partner

Approved As To Form:
WARREN M. S. ERNST,
Interim City Attorney

By: _____
Assistant City Attorney

* * * * * * * * * * * * * * * * * * * *

STATE OF NEVADA §
COUNTY OF CLARK §

This instrument was acknowledged before me on _____

by Karen Romney, General Partner of Ineight Holdings Limited Partnership, a Nevada limited partnership, on behalf of said partnership.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Lisa Andrews

Temporary Easement Log No. 39583

Exhibit B

TEMPORARY WORKING SPACE EASEMENT

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

That Ineight Holdings Limited Partnership, a Nevada limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Clarks, State of Nevada, for and in consideration of the sum of FIVE THOUSAND TWENTY-SEVEN AND 00/100 DOLLARS ($5,027.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, and the further benefits to be derived by the remaining property as a result of projected public improvements, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, a right-of-way under, in and along the property described in "Exhibit A", attached hereto and made a part hereof by reference for all purposes, for the purpose of working space and storage of machinery; supplies, equipment and material in connection with the construction of the Southwest 120/96-inch Water Transmission Pipeline Project.

Any and all trees which lie within this temporary working space may be trimmed of low limbs or removed by the City or its contractor without liability to Grantor if deemed essential to allow for the normal use or passage of construction equipment during the construction of said main or mains.

Upon completion of construction, all surplus excavation, debris, trash or litter resulting from said construction shall be cleaned up and hauled off the premises, and said property, including the fences disturbed, shall be restored as nearly as practicable to its original contour and condition.

It is understood and agreed by Grantor that the consideration herein represents full and adequate consideration for the right-or-way granted, together with any and all damages, costs and/or inconvenience that may be incident to the construction.

This grant shall be for a term of 730 days, beginning upon commencement of construction and terminating upon completion of construction on Grantor's property or expiration of the time period, whichever occurs first, at which time all rights granted under this instrument shall terminate and cease and the described property shall be restored to it's former condition as nearly as possible.

SPECIAL PROVISIONS: "None"

TO HAVE AND TO HOLD the above described property unto the City of Dallas for the purposes hereinbefore provided, and said City or Dallas, its agents, servants and contractors shall have the right to go upon said property for the purpose of a working

easement and as an easement for the storage of supplies, materials, machinery and equipment for the term herein provided.

EXECUTED this _____ day of _____, _____.

Ineight Holdings Limited Partnership,
A Nevada limited partnership

By: _____
Karen Romney
Title: General Partner

Approved As To Form:
WARREN M. S. ERNST,
Interim City Attorney

By: _____
Assistant City Attorney

* * * * * * * * * * * * * * * * * * * *

STATE OF NEVADA §
COUNTY OF CLARK §

This instrument was acknowledged before me on _____

by Karen Romney, General Partner of Ineight Holdings Limited Partnership, a Nevada limited partnership, on behalf of said partnership.

_____
Notary Public, State of TEXAS

* * * * * * * * * * * * * * * * * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Lisa Andrews

Temporary Easement Log No. 39584

EXHIBIT "A"
PAGE 1 OF 3
PARCEL W-04A
12' PERMANENT EASEMENT
1,963 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 1,963 square foot tract of land situated in the Catharine Kimmell Survey, Abstract No. 724 and the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas and being a portion of a called 0.5968 acre tract as described in that certain Warranty Deed to Ineight Holdings Limited Partnership as recorded in Instrument No. 200503562220 of the Official Public Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the south line of the aforementioned Ineight Holdings Limited Partnership tract, said south line being the north right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the southeast corner of said tract bears N 89°27'42" E (deed-N 89°12'50" W), 71.20 feet;

THENCE S 89°27'42" W (deed-N 89°12'50" W), with the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 17.67 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 47°45'38" W, departing the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 151.52 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said Ineight Holdings Limited Partnership tract, said west line being the east right-of-way line of Clark Road (variable width right-of-way);

THENCE N 00°33'34" W (deed-N 00°47'10 E), with the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 16.35 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 47°45'36" E, departing the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 175.61 feet to POINT OF BEGINNING and containing 0.0451 acres or 1,963 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS REGISTERED JOHN L. MELTON #4268 PROFESSIONAL LAND SURVEYOR

REVIEWED BY [illegible] 9/16/10

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC. TBPE FIRM REG. NO. F-358 TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600 Dallas, Texas 75231 / (214) 739-4741

AECOM
AECOM USA GROUP, INC. 17300 DALLAS PARKWAY, SUITE 1010 DALLAS, TEXAS 75248-1157 WWW.AECOM.COM TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04A.dwg

EXHIBIT "A"
PAGE 2 OF 3
PARCEL W-04A
12' PERMANENT EASEMENT
1,963 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

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The herein described property is subject to any restrictions, covenants or conditions described in the Special Warranty Deed as recorded in Volume 84087, Page 2601, D.R.D.C.T.

The instrument recorded in Volume 52, Page 1262, D.R.D.C.T., as affected by the instrument recorded in Volume 206, Page 619, D.R.D.C.T., does not affect the subject tract.

Dallas Water Utilities
Southwest 120/96-inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
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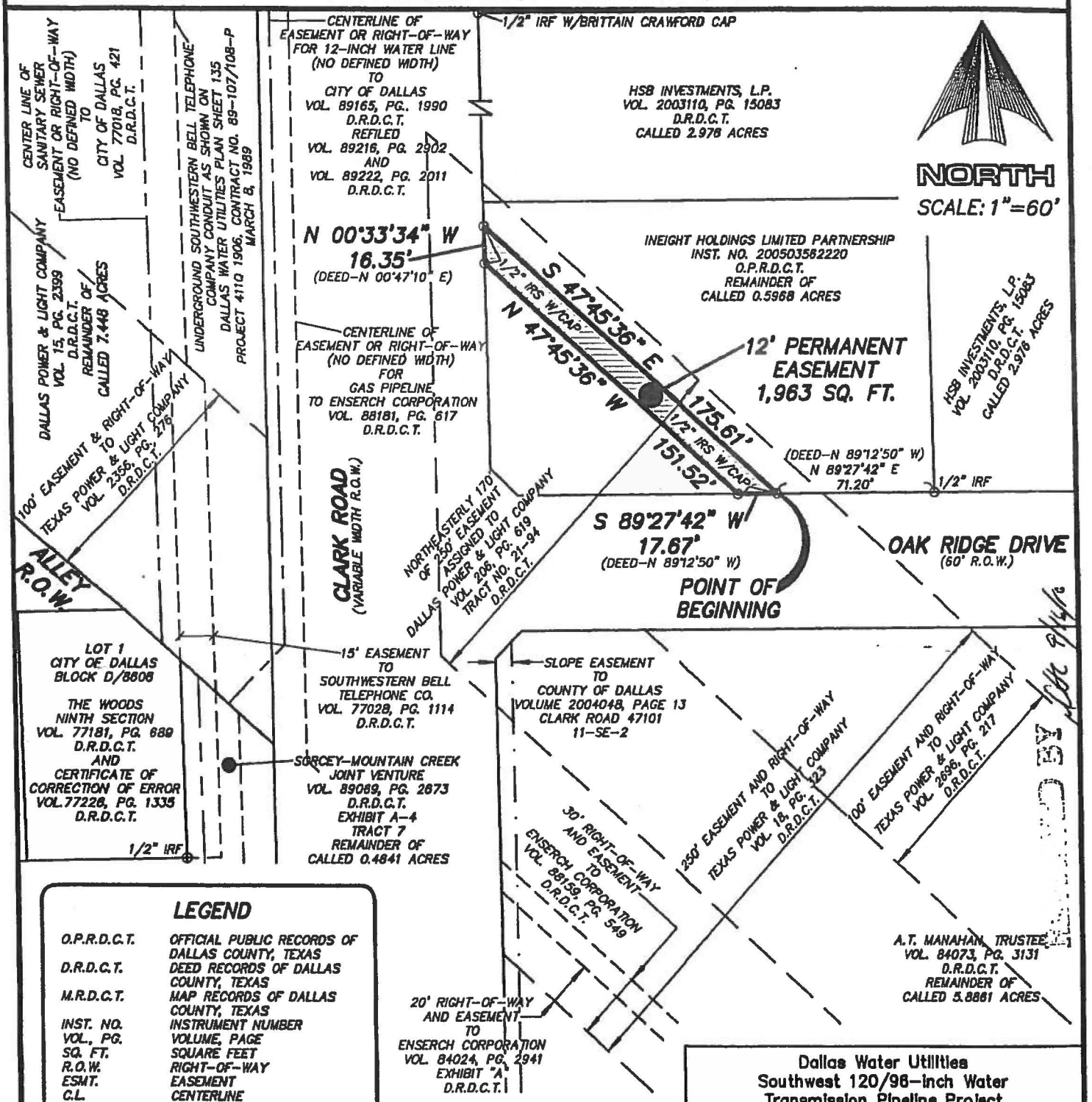
EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-04A
12' PERMANENT EASEMENT
1,963 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
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SEPTEMBER 2, 2010 | 7059-ES04A.dwg

EXHIBIT "A"
PAGE 1 OF 3
PARCEL W-04B
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT
2,578 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2,578 square foot tract of land situated in the Catharine Kimmell Survey, Abstract No. 724 and the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas and being a portion of a called 0.5968 acre tract as described in that certain Warranty Deed to Ineight Holdings Limited Partnership as recorded in Instrument No. 200503562220 of the Official Public Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the south line of the aforementioned Ineight Holdings Limited Partnership tract, said south line being the north right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the southeast corner of said tract bears N 89°27'42" E (deed-N 89°12'50" W), 88.87 feet;

THENCE S 89°27'42" W (deed-N 89°12'50" W), with the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 28.89 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 47°40'57" W, departing the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 112.29 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said Ineight Holdings Limited Partnership tract, said west line being the east right-of-way line of Clark Road (variable width right-of-way);

THENCE N 00°33'34" W (deed-N 00°47'10 E), with the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 26.53 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 47°45'36" E, departing the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 151.52 feet to POINT OF BEGINNING and containing 0.0592 acres or 2,578 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM
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17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
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TBPE REG. NO. F-3082

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EXHIBIT "A"
PAGE 2 OF 3
PARCEL W-04B
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT
2,578 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The herein described property is subject to any restrictions, covenants or conditions described in the instrument entitled "Exhibit O, Declaration of Restrictions" as recorded in Volume 79252, Page 2249 of the Deed Records of Dallas County, Texas (D.R.D.C.T.).

The herein described property is subject to any restrictions, covenants or conditions described in the Special Warranty Deed as recorded in Volume 84087, Page 2601, D.R.D.C.T.

The instrument recorded in Volume 52, Page 1262, D.R.D.C.T., as affected by the instrument recorded in Volume 206, Page 619, D.R.D.C.T., does not affect the subject tract.

Dallas Water Utilities
Southwest 120/96-Inch Water
Transmission Pipeline Project

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
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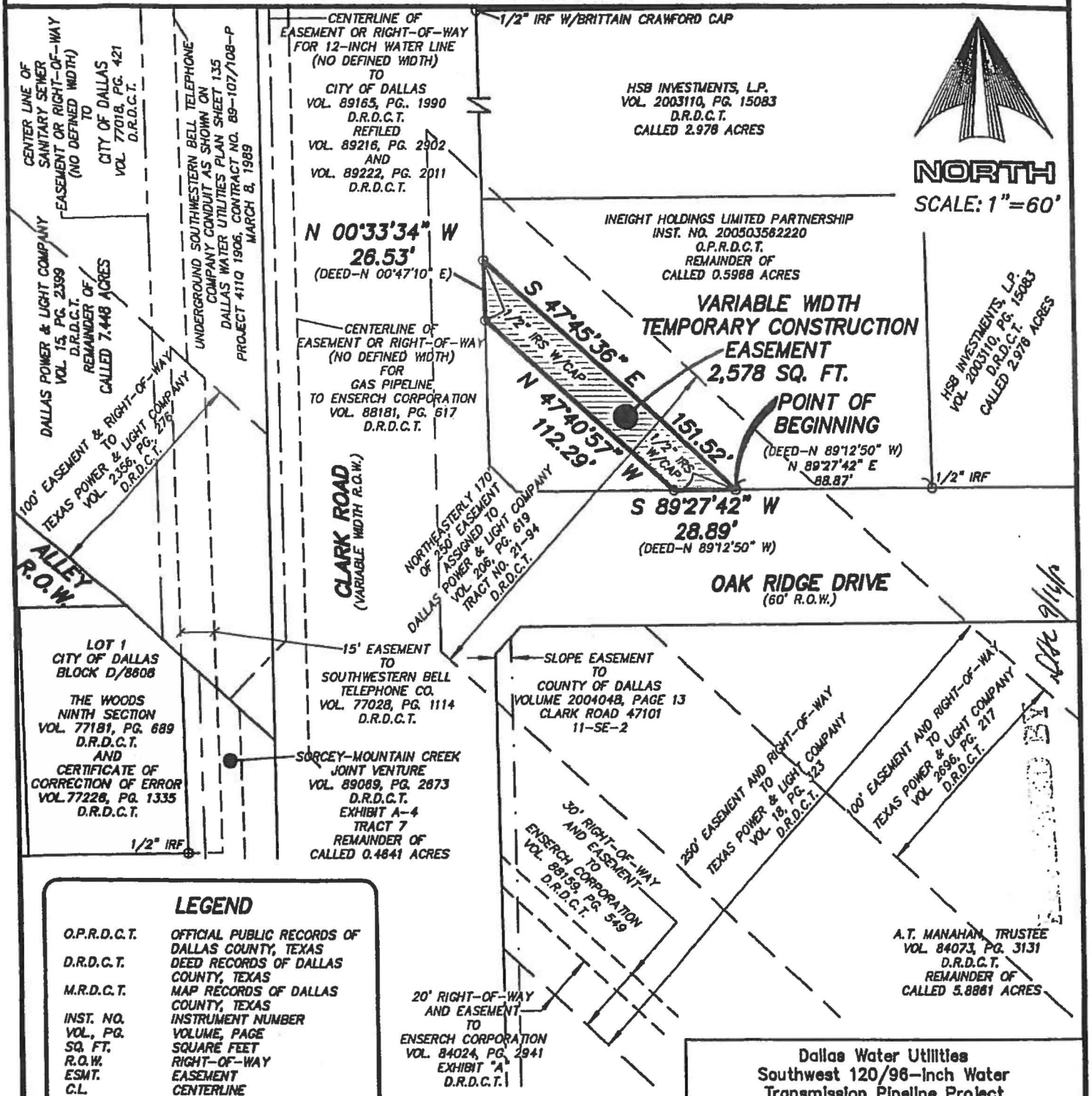
SEPTEMBER 2, 2010 | 7059-ES04B.dwg

EXHIBIT "A"
PAGE 3 OF 3

PARCEL W-04B
VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT

2,578 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

Dallas Water Utilities
Southwest 120/96-Inch Water
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SEPTEMBER 2, 2010 | 7059-ES04B.dwg

EXHIBIT "A"
PAGE 1 OF 3
PARCEL W-04C
14' TEMPORARY CONSTRUCTION EASEMENT
2,618 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 2,618 square foot tract of land situated in the Catharine Kimmell Survey, Abstract No. 724 and the Crawford Trees Survey, Abstract No. 1468, being in the City of Duncanville, Dallas County, Texas and being a portion of a called 0.5968 acre tract as described in that certain Warranty Deed to Ineight Holdings Limited Partnership as recorded in Instrument No. 200503562220 of the Official Public Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the south line of the aforementioned Ineight Holdings Limited Partnership tract, said south line being the north right-of-way line of Oak Ridge Drive (60' right-of-way), from whence a 1/2" iron rod found for the southeast corner of said tract bears N 89°27'42" E (deed-N 89°12'50" W), 50.59 feet;

THENCE S 89°27'42" W (deed-N 89°12'50" W), with the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 20.61 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 47°45'36" W, departing the south line of said Ineight Holdings Limited Partnership tract and said north right-of-way line of Oak Ridge Drive, 175.61 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said Ineight Holdings Limited Partnership tract, said west line being the east right-of-way line of Clark Road (variable width right-of-way);

THENCE N 00°33'34" W (deed-N 00°47'10 E), with the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road, 10.74 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for the northwest corner of said Ineight Holdings Limited Partnership tract, said northwest corner also being the most westerly southwest corner of a called 2.976 acre tract as described in that certain General Warranty Deed to HSB Investments, L.P. as recorded in Volume 2003110, Page 15083 of the Deed Records of Dallas County, Texas, from whence a 1/2" iron rod with plastic cap stamped "Brittain Crawford" found for the northwest corner of said HSB Investments, L.P. tract bears N 00°33'34" W, 175.64 feet;

Dallas Water Utilities
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TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

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DALLAS, TEXAS 75248-1157
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TBPE REG. NO. F-3082

SEPTEMBER 2, 2010 | 7059-ES04C.dwg

PARCEL W-04C
14' TEMPORARY CONSTRUCTION EASEMENT
2,618 SQ. FT PARCEL
CATHARINE KIMMELL SURVEY, ABSTRACT NO. 724
CRAWFORD TREES SURVEY, ABSTRACT NO. 1468
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS

THENCE N 89°27'42" E (deed-S 89°12'50" E), departing the west line of said Ineight Holdings Limited Partnership tract and said east right-of-way line of Clark Road and with the north line of said Ineight Holdings Limited Partnership tract and the most westerly south line of said HSB Investments, L.P. tract, 9.02 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 47°45'36"E, departing the north line of said Ineight Holdings Limited Partnership tract and the most westerly south line of said HSB Investments, L.P. tract, 191.41 feet to the POINT OF BEGINNING and containing 0.0601 acres or 2,618 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
JOHN L. MELTON
#4268
PROFESSIONAL
LAND SURVEYOR

NOTES:

Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

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9/14/10

Dallas Water Utilities
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SEPTEMBER 2, 2010 | 7059-ES04C.dwg

EXHIBIT "A"
PAGE 3 OF 3

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2,618 SQ. FT PARCEL
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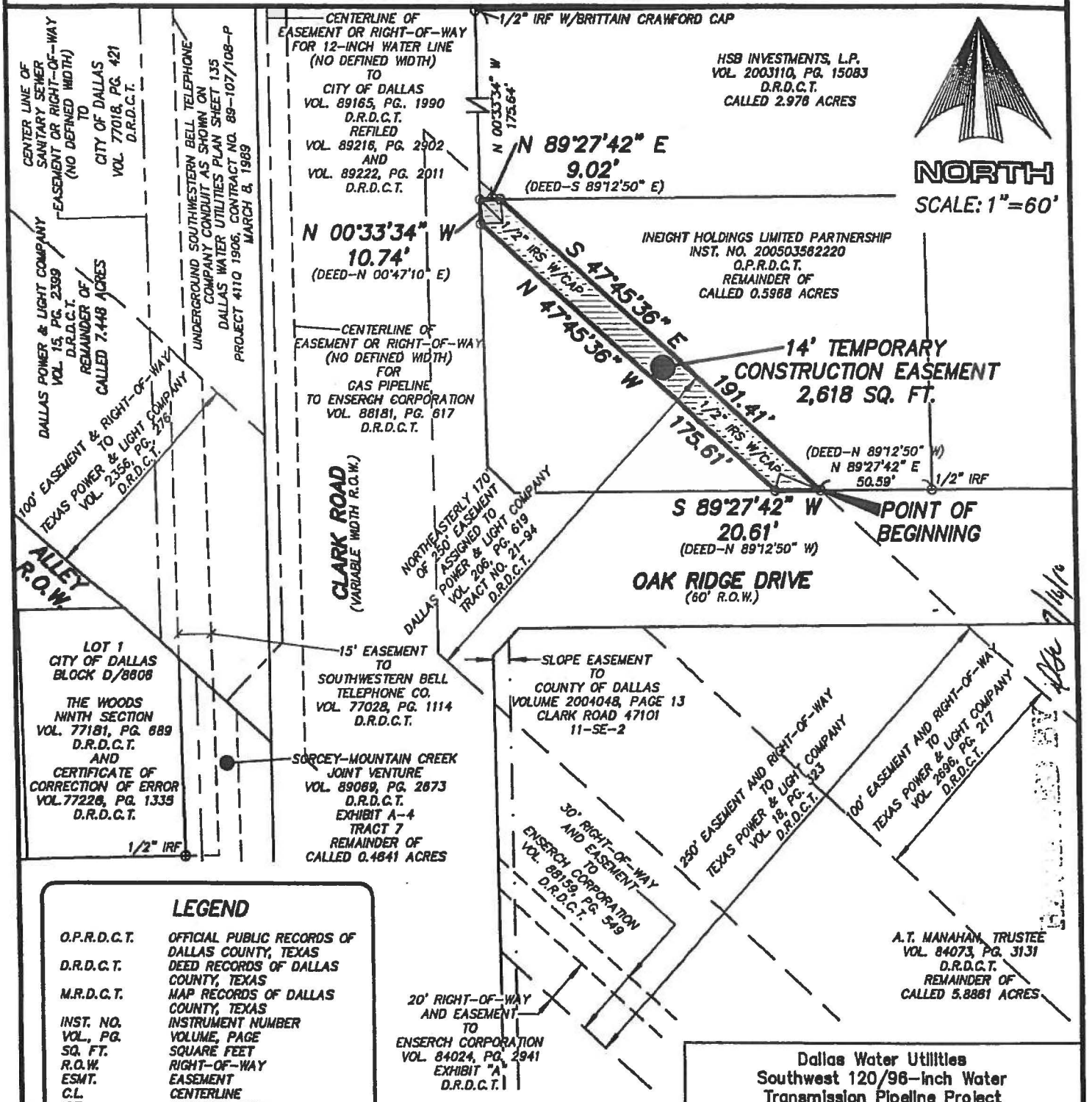
CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS



LEGEND

O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
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IRF	IRON ROD FOUND
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IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG ND 100189-00"

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SEPTEMBER 2, 2010 | 7059-ES04C.dwg

AGENDA ITEM # 35

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction
Public Works Department

CMO: Theresa O'Donnell, 671-9195
Jill A. Jordan, P.E., 670-5299

MAPSCO: 55H

SUBJECT

Authorize acquisition from Margie Deleon of approximately 7,500 square feet of land improved with a single-family dwelling located near the intersection of LaSalle Drive and Morrell Avenue in the Cadillac Heights neighborhood for future City facilities - Not to exceed $23,500 ($21,500, plus closing costs and title expenses not to exceed $2,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 7,500 square feet of land improved with a single-family dwelling located near the intersection of LaSalle Drive and Morrell Avenue. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

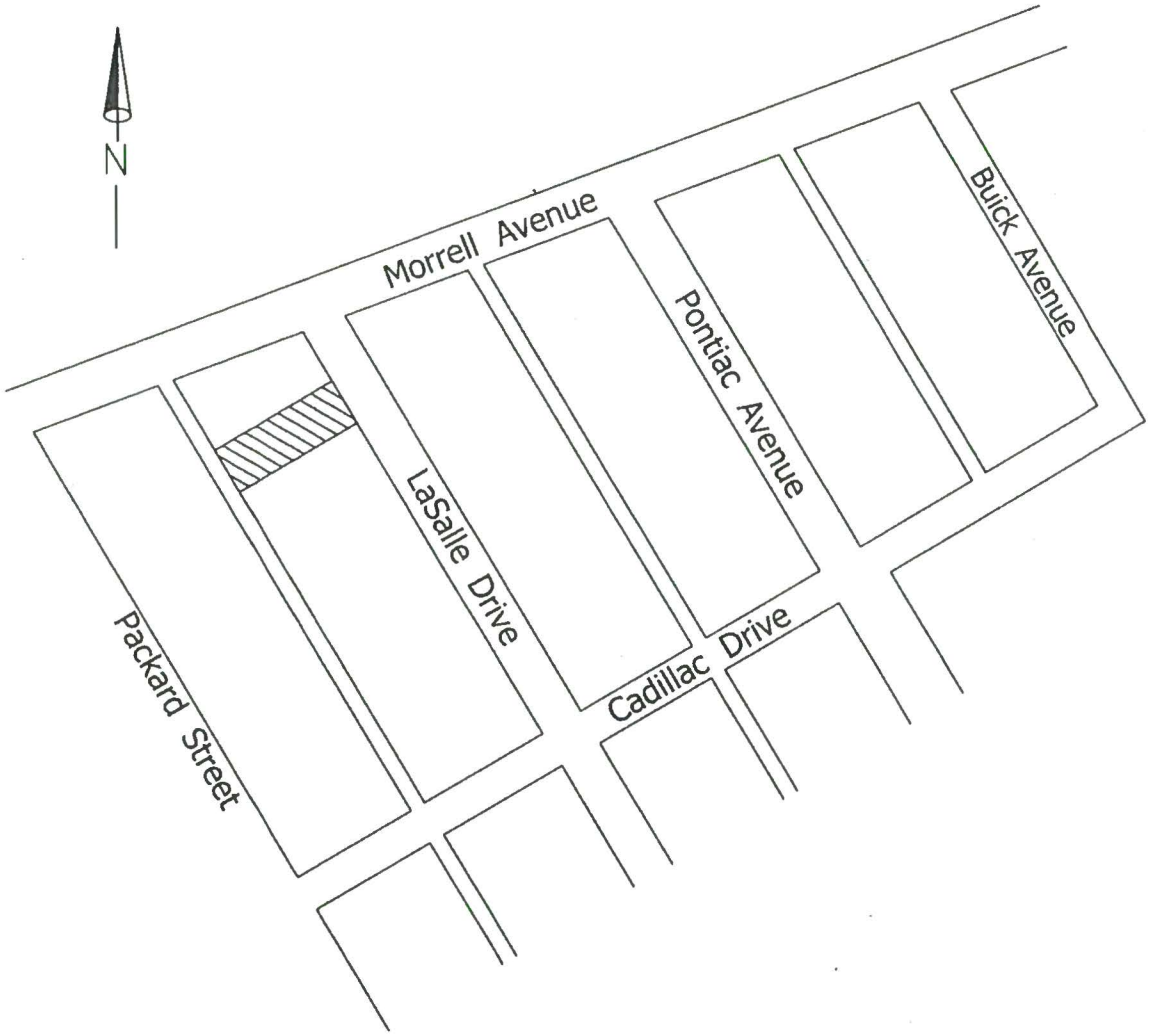
2006 Bond Funds - $23,500 ($21,500, plus closing costs and title expenses not to exceed $2,000)

OWNER

Margie Deleon

MAP

Attached



Area To Be Acquired

October 23, 2013

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 7,500 square feet of land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Future City Facilities

"USE": The construction, use, and maintenance of future City facilities provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit "B".

"OWNER": Margie Deleon, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $21,500

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,000

"AUTHORIZED AMOUNT": Not to exceed $23,500

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

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

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

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

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

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

SECTION 6. That in the event this acquisition closes, the 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 PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Land Acquisition in Cadillac Heights Funds, Fund No. BT11, Department PBW, Unit T825, Activity LAAQ, Program No. PB06T825, Object 4210, Encumbrance No. SUSTVLT82549. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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

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

APPROVED AS TO FORM:
WARREN M. S. ERNST, Interim City Attorney

BY Roxanne Diamond
Assistant City Attorney

EXHIBIT A

Being Lot 1, in Block 13/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 7, page 459, of the Map Records of Dallas County, Texas.

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

GENERAL WARRANTY DEED **Exhibit B**

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

That Margie DeLeon, a single woman (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of TWENTY ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($21,500.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED and does hereby GRANT, SELL AND CONVEY unto City, its successors and assigns, the following (all said property and interests being collectively referred to herein as the "Property"):

(a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;

(b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;

(c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;

(d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and

(e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

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

EXECUTED this _____ day of _____, _____.

_____
Margie DeLeon

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Margie DeLeon.

_____
Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 36809

EXHIBIT A

Being Lot 1, in Block 13/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 7, page 459, of the Map Records of Dallas County, Texas.

AGENDA ITEM # 36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 65R

SUBJECT

Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of two tracts of land for the construction of the South Oak Cliff Line Section (SOC3-07 and SOC3-08) located near the intersection of Lancaster and Crouch Roads (list attached) – Financing: No cost consideration to the City

BACKGROUND

The Dallas Area Rapid Transit (DART) Board passed Resolution No. 13-0061 on June 25, 2013 declaring a public necessity for the acquisition of two privately owned tracts of land for the construction of the DART South Oak Cliff Line Section. Construction is scheduled to commence January 2014 and is scheduled for completion December 2016.

This item authorizes DART to acquire two privately owned tracts of land by eminent domain, if such becomes necessary.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

Dallas Area Rapid Transit

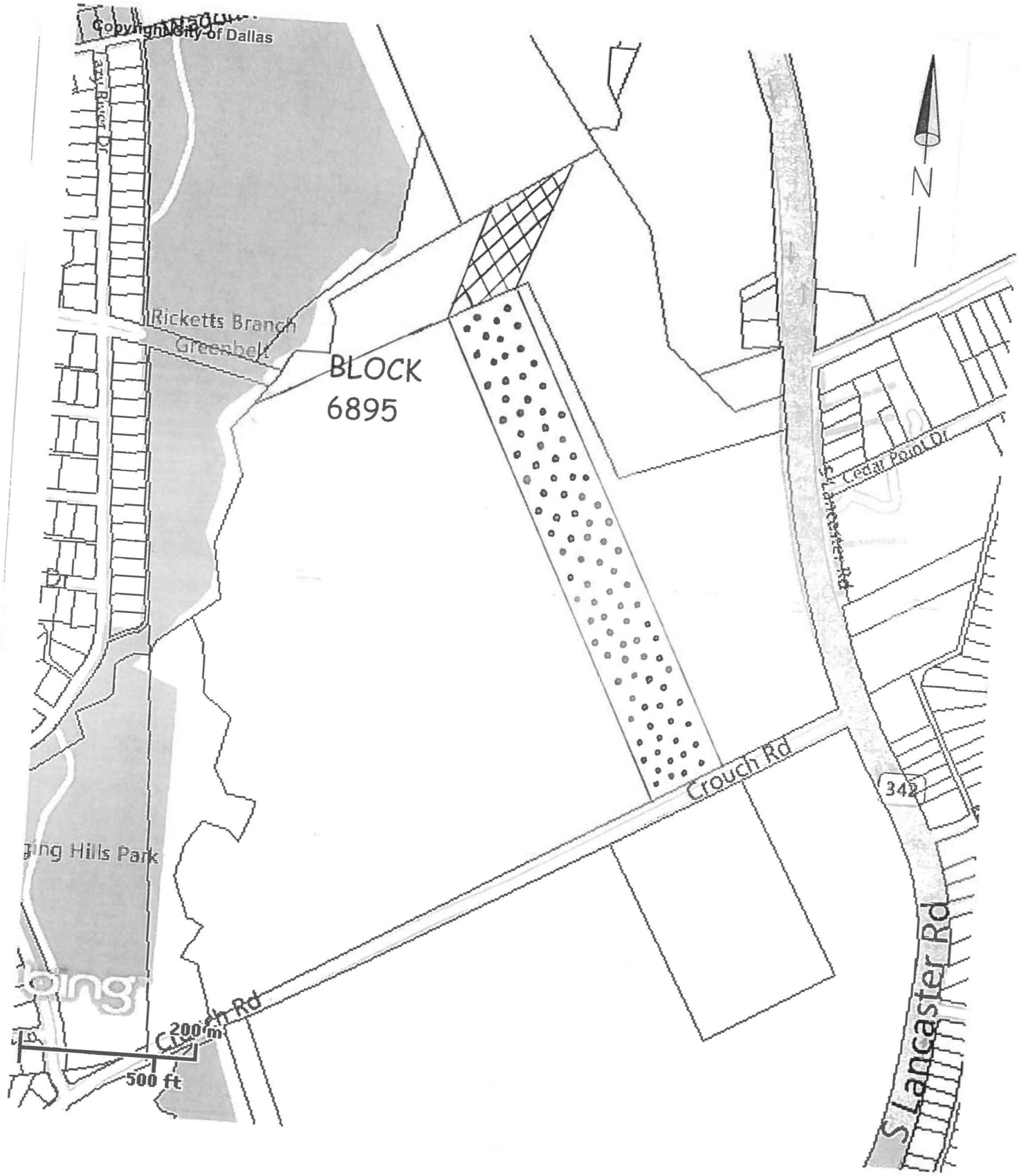
Gary C. Thomas, President/Executive Director

MAPS

Attached

DART South Oak Cliff Line Section (SOC-3)

Tract	Property Owner(s)	Address	Lot & Block	Council District
1.	Charles K. Cope	5701 Lancaster Road	Blk 6895	8
2.	Marina Gloria Velasquez Adams Julia Ann Adams Chammelia Deborah Adams Ahlborn Ahulia Arsia Adams	5703 Lancaster Road	Blk 6895	8



Parcel SOC3-07
5701 Lancaster Road

Parcel SOC3-08
5703 Lancaster Road

October 23, 2013

WHEREAS, on February 28, 1990, the Dallas City Council adopted Resolution No. 90-0810, approving the Master Interlocal Agreement between the City and Dallas Area Rapid Transit (DART); and

WHEREAS, on July 25, 1990, Supplemental Agreement No. 1 to the Master Interlocal Agreement was adopted by the Dallas City Council to address planning and development issues related to implementation of DART's transportation system; and

WHEREAS, on August 28, 1991, Supplemental Agreement No. 2 to the Master Interlocal Agreement was adopted by the Dallas City Council to address design and construction issues related to implementation of DART's transportation system; and

WHEREAS, the Master Interlocal Agreement, Supplemental Agreement No. 1, Supplemental Agreement No. 2, and any amendments thereto are hereinafter collectively referred to as the "Agreement"; and

WHEREAS, Chapter 452 of the Texas Transportation Code, as amended, (the Act) grants DART the right of eminent domain to acquire lands in fee simple and any interests less than fee simple in, on, under and above lands, including, without limitation, easements, rights-of-way, rights of use of air space or subsurface space, or any combination thereof; and

WHEREAS, the Act further provides that such right of eminent domain shall not be exercised within a city without the approval of each acquisition by the governing body of such city; and

WHEREAS, the Board of Directors of DART has adopted Resolution No. 13-0061 on June 25, 2013 declaring the public necessity for the acquisition by DART of certain real property or interests described in the DART resolution, and that such acquisition (subject to the terms and conditions of the Agreement and this resolution) is necessary and proper for the construction and development of DART's South Oak Cliff Line Section (SOC-3) and for any other use authorized by the Act, and is in the public interest;

NOW, THEREFORE,

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

SECTION 1. That the City of Dallas hereby approves (subject to the terms and conditions of the Agreement and this resolution) DART Resolution No. 13-0061 (except for the lands and interests owned in whole or in part by the City of Dallas) adopted, by the Dallas Area Rapid Transit Board on June 25, 2013.

October 23, 2013

SECTION 2. That the City of Dallas hereby approves (except for the lands and interests owned in whole or in part by the City of Dallas) the proposed acquisition, including the exercise of the right of eminent domain, if such becomes necessary, by DART in the City of Dallas of lands in fee simple and interests less than fee simple, as identified in DART Resolution No. 13-0061 adopted on June 25, 2013 for the South Oak Cliff Line Section (SOC-3), (subject to the terms and conditions of the Agreement and this resolution), as more particularly described in field notes marked Exhibit "A" attached hereto and made a part hereof.

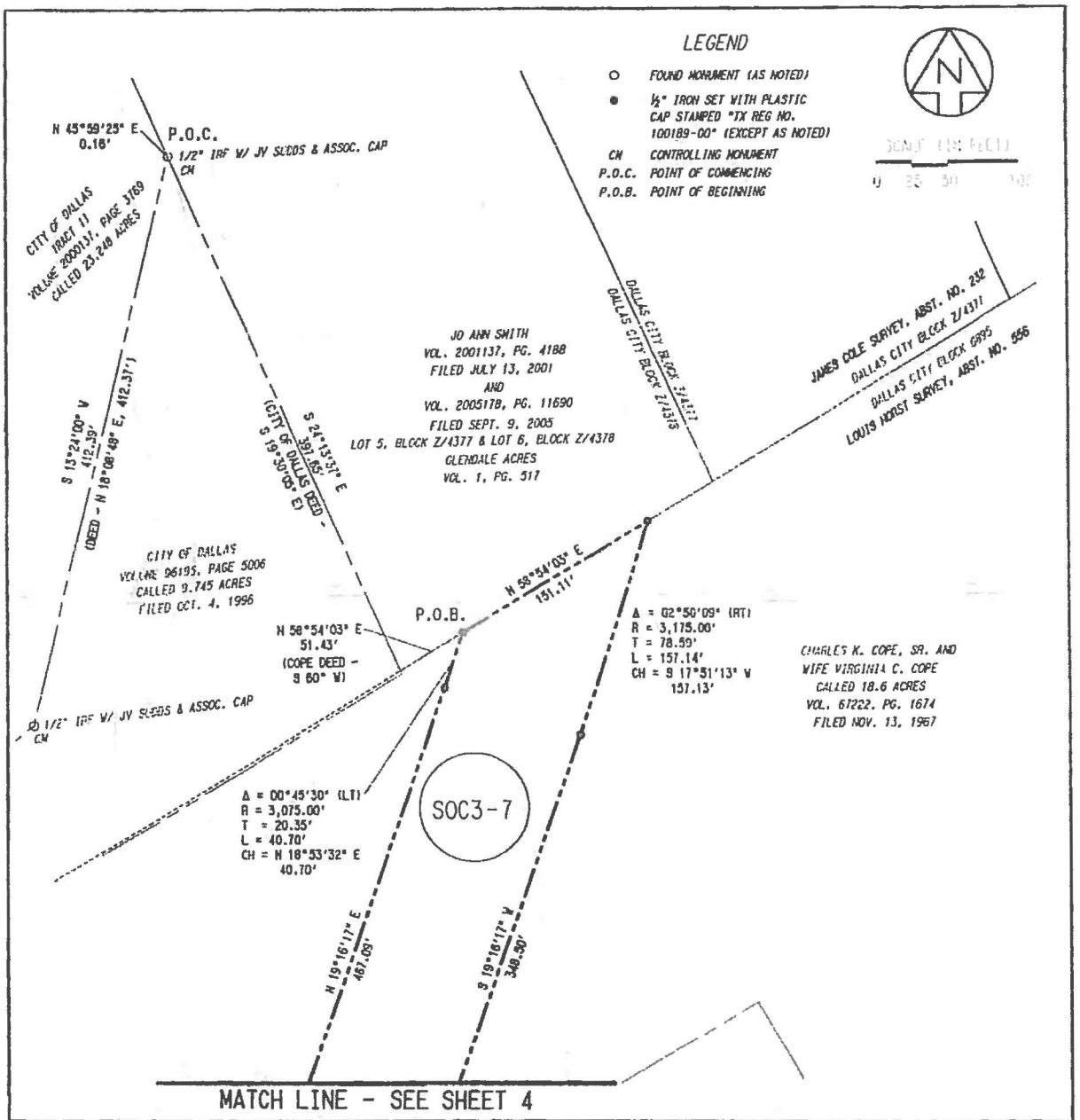
SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
WARREN M. S. ERNST, Interim City Attorney

By: _____
Assistant City Attorney

EXHIBIT A

EXHIBIT A-TRACT 1



PROPERTY DATA

PROPERTY OWNER(S) OF RECORD: CHARLES K. COPE AND VIRGINIA C. COPE
STREET ADDRESS: 4932 GULFSTREAM DRIVE, DALLAS, TEXAS 75244
DEED VOLUME: 67222 PAGE: 1674
BLOCK NUMBER: CITY BLOCK 6895
SURVEY: LOUIS HORST, ABSTRACT NUMBER 556

AREA SUMMARY

WHOLE PROPERTY: 18.6 Ac
PARCEL AREAS: 1.1641 Ac
FEE: 1.1641 Ac

NDM
NATHAN D. MAIER CONSULTING ENGINEERS, INC.
8080 PARK LANE STE. 600
DALLAS, TEXAS 75231
Texas Reg. No. 100189-00

DART PROJECT

DART

CAES

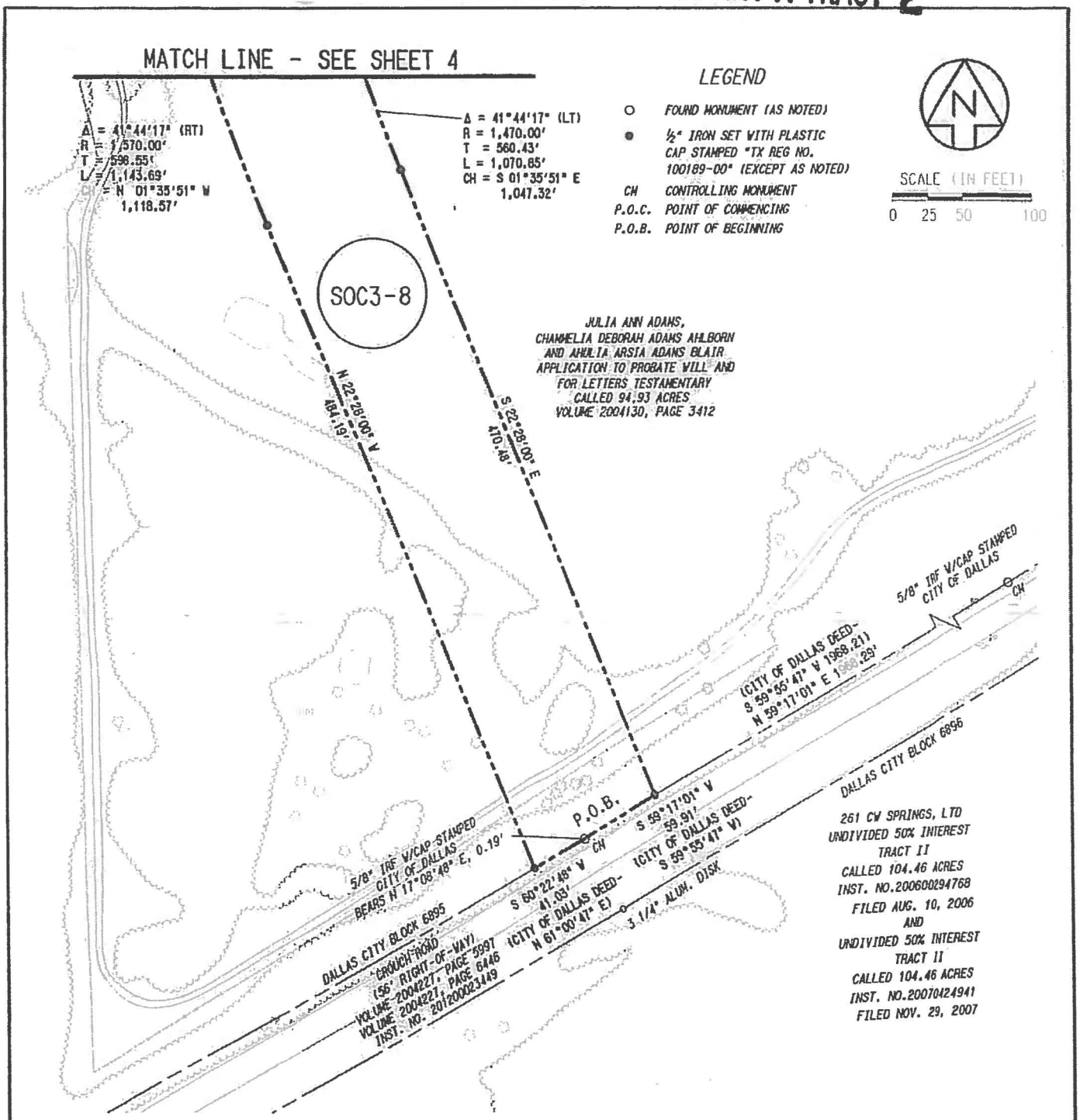
LIGHT RAIL TRANSIT SYSTEM
LINE SECTION SOC-3
PARCEL NUMBER

SOC3-7
SHEET 3 OF 4

CONTRACT

DWG No. SOC3-7

EXHIBIT A EXHIBIT A-TRACT 2



PROPERTY DATA

PROPERTY OWNER(S) OF RECORD: JULIA ANN ADAMS, CHANNELIA DEBORAH ADAMS AHLBORN & AHULIA ARSIA ADAMS BLAIR
STREET ADDRESS: 9124 MONARCH DRIVE, WACO, TEXAS 76712 (EXECUTRIX: JULIA ANN ADAMS)
DEED VOLUME: 2004130 PAGE: 3412
BLOCK NUMBER: CITY BLOCK 6895
SURVEY: LOUIS HORST, ABSRTACT NUMBER 556

AREA SUMMARY

WHOLE PROPERTY: 94.93 Ac
PARCEL AREAS: 5.5546 Ac
FEE: 5.5546 Ac

NDM
NATHAN D. MAIER CONSULTING ENGINEERS, INC.
8080 PARK LANE STE. 600
DALLAS, TEXAS 75231
Texas Reg. No. 100189-00

DART PROJECT

DART

SCALE	AS SHOWN
DRAWN	N. BESHEAR
DESIGNED	G. MATTHEWS
CHECKED	J. NELSON
IN CHARGE	J. NELSON
DATE	28 DEC 2012

CAES

LIGHT RAIL TRANSIT SYSTEM
LINE SECTION SOC-3
PARCEL NUMBER
SOC3-8
SHEET 3 OF 6

CONTRACT | DWG No. SOC3-8

AGENDA ITEM # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction
Communication and Information Services

CMO: Theresa O'Donnell, 671-9195
Jill A. Jordan, P.E., 670-5299

MAPSCO: 43U

SUBJECT

Authorize a ten-year license agreement with American Towers LLC for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive to be used as the primary backup radio communications site for the Police and Fire radio channels for the period November 1, 2013 through October 31, 2023 - Not to exceed $835,601 - Financing: Current funds (subject to annual appropriations)

BACKGROUND

This item authorizes a license agreement for approximately 14,895 square feet of land and tower space located at 2833 Remond Drive. This license will provide the Communication and Information Services Department a primary backup radio communications site for the Police and Fire radio channels. This tower will replace the current Fair Park Tower site which will be decommissioned on or about March 31, 2014.

The license will begin on November 1, 2013 through October 31, 2023.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$835,600.56 – Current funds (subject to annual appropriations)

OWNER

American Towers LLC

Steven B. Dodge, Director and CEO

Douglas C. Wiest, Director and Executive Vice President

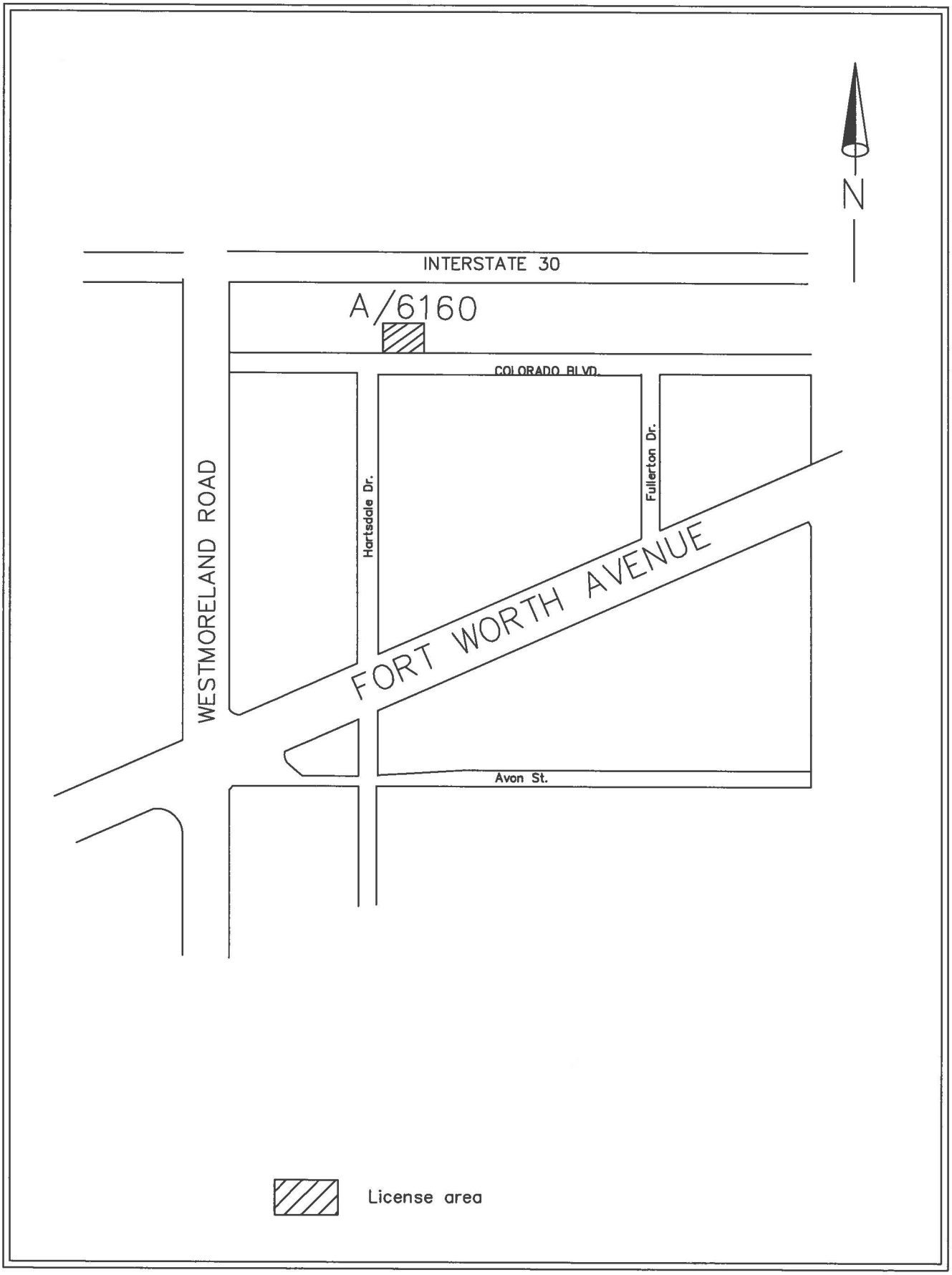
Joseph L. Winn, Director and Vice Chairman

Justin D. Benincasa, Director, Senior Vice President, Controller and Assistant Treasurer

James Taiclet, President and CEO

MAP

Attached


N
INTERSTATE 30
A/6160
COLORADO BLVD.
Hartsdale Dr.
Fullerton Dr.
WESTMORELAND ROAD
FORT WORTH AVENUE
Avon St.
License area

October 23, 2013

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 license agreement (the "License") between American Towers LLC, a Delaware limited liability company, or its successor and assigns, as licensor, hereinafter referred to as "Licensor", and the City of Dallas, as licensee, hereinafter referred to as "City" for approximately 14,895 square feet of ground space and tower space located 2833 Remond Avenue, Dallas, Dallas County, Texas ("Premises") to be used by the Communication and Information Services Department.

SECTION 2. That the special terms and conditions of the license are:

a) The license is for a term of ten (10) years beginning November 1, 2013 and ending October 31, 2023.

b) Monthly license payments during the term shall be as follows (subject to annual appropriations):

November 1, 2013 – October 31, 2014	$5,800.00 per month
November 1, 2014 – October 31, 2015	$6,032.00 per month
November 1, 2015 – October 31, 2016	$6,273.28 per month
November 1, 2016 – October 31, 2017	$6,524.21 per month
November 1, 2017 – October 31, 2018	$6,785.18 per month
November 1, 2018 – October 31, 2019	$7,056.59 per month
November 1, 2019 – October 31, 2020	$7,338.85 per month
November 1, 2020 – October 31, 2021	$7,632.40 per month
November 1, 2021 – October 31, 2022	$7,936.70 per month
November 1, 2022 – October 31, 2023	$8,254.17 per month

The license payments shall begin November 1, 2013.

c) Licensor grants City reasonable access to the Premises for the purpose of installing and maintaining the approved equipment and its appurtenances.

d) City shall be granted two (2) five-year options to renew the term of the license by giving written notice of intent to extend not later than one hundred eighty (180) days prior to the expiration of the then current term.

e) City shall provide Licensor an as-built or construction drawings showing the approved equipment as installed in both hard copy and electronic form within forty-five (45) days following the commencement of the installation of the approved equipment. In the event City fails to deliver the construction drawings, Licensor shall assess a fee for such construction drawings in an amount equal to one-hundred twenty (120) percent of the actual cost of obtaining the construction drawings, which upon invoicing shall become immediately due and payable by City.

f) City is responsible for the reporting and payment when due of any tax, including, but not limited to, any property taxes Licensor may be obligated to pay under the license.

g) City shall be responsible for reimbursing Licensor for their pro-rata share of all common expenses incurred by Licensor in the installation, operation, maintenance and repair of the tower, including, but not limited to, the construction, maintenance and repair of a common septic system and field, insurance, common utilities and any and all other costs of operating and maintaining the tower.

h) To request the right to replace or modify the approved equipment, alter the permitted frequencies or increase the ground space, City shall submit a relocation application and be responsible for a relocation application fee of $500 per application increased annually on each anniversary of the Commencement Date by the annual escalator of 4%.

i) City shall be responsible for an initial $750.00 site inspection fee, increased annually on each anniversary of the Commencement Date by the annual escalator of 4% if additional site inspections are needed.

j) City shall identify all approved equipment, including equipment cabinets and coaxial cable by labels with City's name, contact phone number and date of installation. In the event City fails to comply with this provision, Licensor may label the approved equipment and assess a $1,500.00 fee payable upon receipt of an invoice.

k) City shall cooperate with Licensor and with other licensees, lessees or occupants of the tower for purposed of avoiding interference and/or investigating claims of interference.

l) City shall be responsible for the installation and expense of all utilities.

m) City shall be responsible for painting the transmission lines to match the colors of the tower, if required to do so.

n) City shall reimburse Licensor for any and all costs required to modify and/or upgrade Licensor's lighting system to comply with all necessary FAA/FCC regulations should City's equipment interfere with Licensor's lighting system located on any of the towers or building systems.

o) The City reserves the right to terminate the license on the last day of any current fiscal year due to non-appropriation of funds.

SECTION 3. That the City Controller is hereby authorized to draw warrants payable to American Towers LLC or its successors and assigns on the first day of each month in advance during the license term beginning November 1, 2013 in the amounts specified below:

November 1, 2013 – October 31, 2014 (subject to annual appropriations)	$5,800.00 per month
November 1, 2014 – October 31, 2015 (subject to annual appropriations)	$6,032.00 per month
November 1, 2015 – October 31, 2016 (subject to annual appropriations)	$6,273.28 per month
November 1, 2016 – October 31, 2017 (subject to annual appropriations)	$6,524.21 per month
November 1, 2017 – October 31, 2018 (subject to annual appropriations)	$6,785.18 per month
November 1, 2018 – October 31, 2019 (subject to annual appropriations)	$7,056.59 per month
November 1, 2019 – October 31, 2020 (subject to annual appropriations)	$7,338.85 per month
November 1, 2020 – October 31, 2021 (subject to annual appropriations)	$7,632.40 per month
November 1, 2021 – October 31, 2022 (subject to annual appropriations)	$7,936.70 per month
November 1, 2022 – October 31, 2023 (subject to annual appropriations)	$8,254.17 per month

SECTION 4. That payments will be charged as follows**:**

November 1, 2013 – September 30, 2014: Fund 0191, Dept DSV Unit 2911, Object Code 3110, Encumbrance No. DSV14FAIRTOW, Commodity Code 97100, Vendor No.519066.

October 1, 2014 – October 31, 2023: Fund TBD, Dept DSV Unit TBD, Object Code TBD, Encumbrance No. TBD, Commodity Code 97100, Vendor No. 519066.

SECTION 5. That the City Controller is hereby authorized to draw warrants payable to the respective utility companies and tax authorities upon receipt of a bill for services or other applicable charges throughout the term of the license.

October 23, 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.

APPROVED AS TO FORM
Warren M.S. Ernst, Interim City Attorney

BY:_____
Assistant City Attorney

AGENDA ITEM # 38

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 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: 30Y

SUBJECT

A resolution authorizing the conveyance of a wastewater easement containing approximately 917 square feet of land to the City of Garland for the construction and maintenance of wastewater facilities across City-owned land at Lake Ray Hubbard located near the intersection of Roan Road and Rowlett Road - Revenue: $1,300

BACKGROUND

This item authorizes the conveyance of a wastewater easement across City-owned land at Lake Ray Hubbard to the City of Garland for the Hillside on the Lake Project. The operation, construction, repair and full maintenance of these facilities shall be at no cost to the City of Dallas.

The consideration was based on an independent appraisal.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $1,300

October 23, 2013

WHEREAS, the City of Dallas owns tracts of land which are used for Lake Ray Hubbard; and

WHEREAS, the City of Garland has requested a wastewater easement on said land for the construction, maintenance and use of wastewater facilities containing approximately 917 square feet of land, located in Abstract 761, Dallas County, Texas; **Now Therefore,**

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

SECTION 1. That upon receipt of **ONE THOUSAND THREE HUNDRED AND NO/100 ($1,300.00) DOLLARS** from the City of Garland, the City Manager is authorized to execute a wastewater easement to be attested by the City Secretary upon approval as to form by the City Attorney for approximately 917 square feet of land located in Abstract No. 761, Dallas County, Texas, to the City of Garland as Grantee.

SECTION 2. That the City Controller is authorized to deposit proceeds into the General Fund 0001, Dept DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for administrative costs incurred (Fund 0001, Dept 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:
WARREN M.S. ERNST
INTERIM CITY ATTORNEY

By: _____
Assistant City Attorney

AGENDA ITEM # 39

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 35V

SUBJECT

An ordinance granting a private license to Gilliland Properties II, Ltd. for a total of approximately 55 square feet of land to install, maintain and use two awnings with signs over portions of McKinney Avenue, located near their intersection with Knox Street - Revenue: $2,000 annually, plus the $20 ordinance publication fee

BACKGROUND

This item grants a license for the construction, installation, use and maintenance of a total of approximately 55 square feet of land for two awnings with signs over portions of McKinney Avenue. 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: $2,000 annually, plus the $20 ordinance publication fee

OWNER

Gilliland Properties II, Ltd.

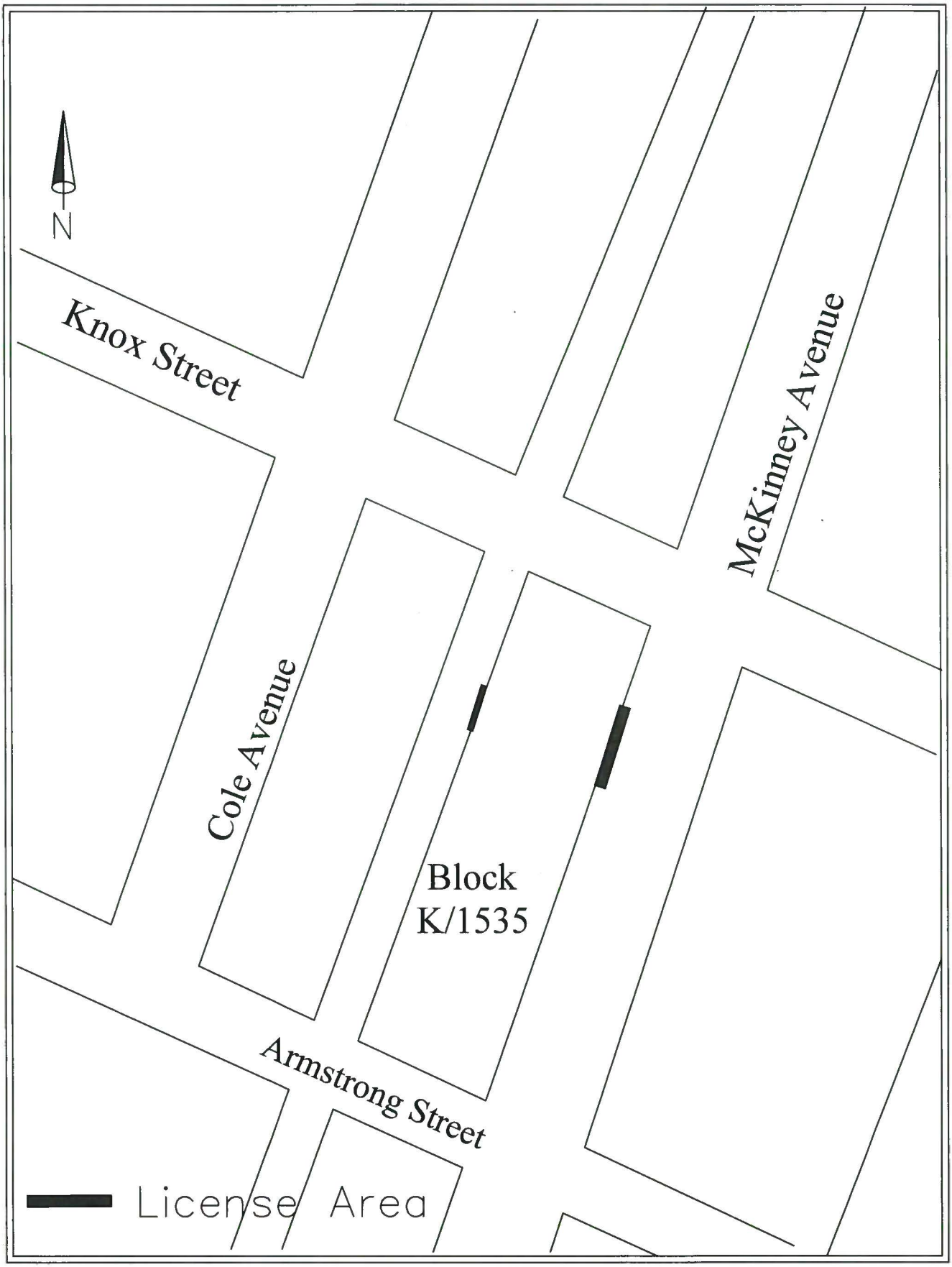
Gilliland Property Management, LLC, General Partner

Lynn G. Dauterman, Sole Manager

MAP

Attached

Mapsco 35V


N
Knox Street
McKinney Avenue
Cole Avenue
Block
K/1535
Armstrong Street
License Area

ORDINANCE NO. _____

An ordinance granting a private license to Gilliland Properties II, Ltd. to occupy, maintain, and utilize portions of McKinney Avenue right-of-way located near the intersection of Knox Street adjacent to City Block 1535 within the limits hereinafter more fully described, for the purposes of installing, using and maintaining two awnings with signs; 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 Gilliland Properties II, Ltd., a Texas limited partnership, 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** shall pay to the City of Dallas the sum of **TWO THOUSAND DOLLARS AND NO/100 ($2,000.00) DOLLARS** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof, provided that the first annual payment due hereunder in the sum of **TWO THOUSAND DOLLARS AND NO/100 ($2,000.00) DOLLARS** shall become due and payable upon the final passage of this ordinance and shall cover the consideration for 2013. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of Department of Sustainable Development and Construction may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the 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 Department of Sustainable Development and Construction of the City of Dallas: installing, using and maintaining two awnings with signs.

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

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That 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 Department 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 Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 8. That upon receipt of **GRANTEE's** final written acceptance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

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

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions, and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said 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 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the fee for the year 2013, an acceptable certificate of insurance, and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. 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:
WARREN M. S. ERNST
Interim City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Interim Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

EXHIBIT A

LICENSE AGREEMENT
TRACT 1
COCKRELL'S FAIRLAND ADDITION
ADJACENT TO BLOCK K/1535
CITY OF DALLAS, DALLAS COUNTY TEXAS

BEING a 42 Square Foot Tract of Land adjacent to Block K/1535over and across Mckinney Avenue 80' wide Right-of-Way dedicated by the Plat of Cockrell's Fairland Addition recorded in Volume 95, Page 624 of the Deed Records of Dallas County, Texas and being situated in the W. B. Coats Survey, Abstract No. 237 said 42 Square Foot License Area being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner at the South corner of that certain tract of land described by Special Warranty Deed to Gilliland Properties II, Ltd., and recorded in Volume 2001136, Page 1001, of the Deed Records, Dallas County, Texas, same being the East corner of that certain tract of land described by Special Warranty Deed with Vender's Lien to Gilliland Properties III, Ltd. and recorded in Volume 2001159, Page 6471 of said Deed Records and being in the Northwest line of said McKinney Avenue, same being the southeast line of Lot 6, Block K/1535 of said Cockrell Fairland Addition (Lot 8, Block K/1535, Revised Cockrell Fair Land Addition, Volume 142, Page 382 of said Deed Records);

THENCE North 23°10'20" East with the Southeast line of said Gilliland Properties II, Ltd and said Northwest line of said McKinney Avenue for a distance of 50.00 feet to point corner at the East corner of said Gilliland Properties II, Ltd and the South corner of that certain tract of land described by Special Warranty Deed to Gilliland Properties, Ltd. and recorded in Volume 93049, Page 2981, of said Deed Records and also being the South corner of Lot 7A, Block K\1535 of the Gilliland 1 Addition to the City of Dallas, Dallas County, Texas according to the Map or Plat of said Addition recorded in Volume 2002243, Page 62 of said Deed Records;

THENCE South 66°35'57" East across said McKinney Avenue for a distance of 0.60 feet to point for corner;

THENCE South 23°10'20" West for a distance of 34.00 feet to a point corner;

THENCE South 66°35'57" East for a distance of 0.75 feet to a point for corner;

THENCE South 23°10'20" West for a distance of 16.00 feet to a point corner;

THENCE North 66°35'57" West for a distance of 1.35 feet to back to the **POINT OF BEGINNING** and **CONTAINING:** 42 square feet of land, more or less.

J. Scott Cole
Registered professional Land Surveyor
State of Texas No. 5411
Date: January 28, 2013

STATE OF TEXAS
REGISTERED
J. SCOTT COLE
5411
PROFESSIONAL
LAND SURVEYOR

(For SPRG use only)
Reviewed by: JL
Date: 8-22-13
SPRG No. 2600

Bearing Source: N20°10'20"E assumed along Northwest Right-of-Way line of McKinney Avenue.

EXHIBIT A

LICENSE AGREEMENT
TRACT 2
COCKRELL'S FAIRLAND ADDITION
ADJACENT TO BLOCK K/1535
CITY OF DALLAS, DALLAS COUNTY TEXAS

BEING a 13 Square Foot Tract of Land adjacent to Block K/1535 over and across a 20 foot wide Alley Right-of-Way dedicated by the Plat of Cockrell's Fairland Addition recorded in Volume 95, Page 624 of the Deed Records of Dallas County, Texas and being situated in the W. B. Coats Survey, Abstract No. 237 said 13 Square Foot License Area being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner at the West corner of that certain tract of land described by Special Warranty Deed to Gilliland Properties II, Ltd., and recorded in Volume 2001136, Page 1001, of the Deed Records, Dallas County, Texas, same being the North corner of that certain tract of land described by Special Warranty Deed with Vendors Lien to Gilliland Properties III, Ltd. and recorded in Volume 2001159, Page 6471 of said Deed Records and being in the Southeast line of a 20 foot wide alley Right-of-Way dedicated by said Plat of Cockrell Fairland Addition, same being the Northwest line of Lot 6, Block K/1535 of said Fair Land Addition (Lot 8, Block K/1535, Revised Cockrell Fair Land Addition, Volume 142, Page 382 of said Deed Records);

THENCE North 66°35'57" West across said Alley Right-of-Way a distance of 0.75 feet to point for corner in said Alley Right-of-Way;

THENCE North 23°10'20" East for a distance of 18.66 feet to a point corner;

THENCE South 66°35'57" East for a distance of 0.75 feet to a point for corner in the Northwest line of said Gilliland Properties II, Ltd.;

THENCE South 23°10'20" West with the Northwest line of said Gilliland Properties II, Ltd for a distance of 18.66 feet back to the POINT OF BEGINNING and CONTAINING: 13 square feet of land, more or less.

J. Scott Cole
Registered professional Land Surveyor
State of Texas No. 5411
Date: January 28, 2013

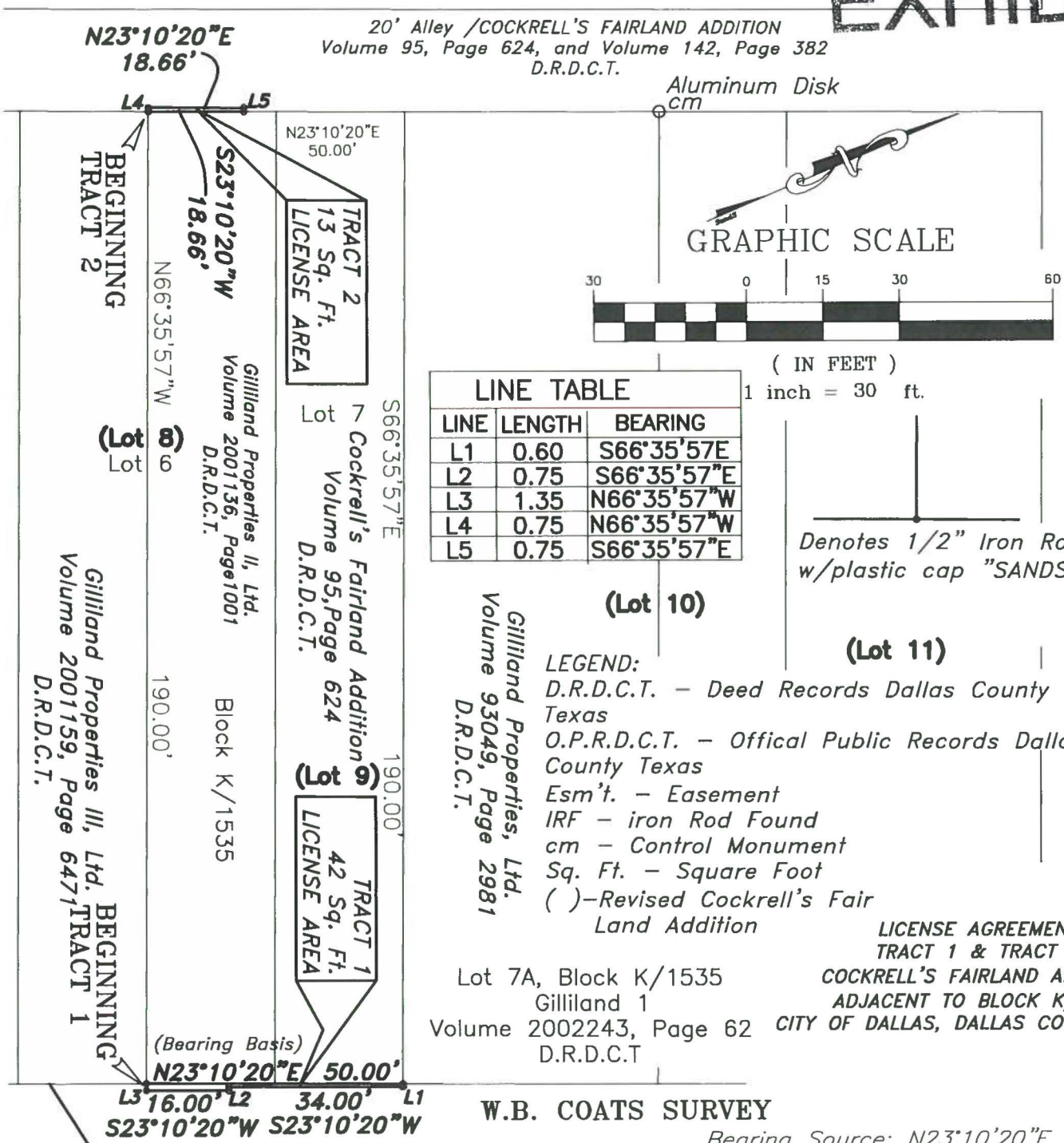
STATE OF TEXAS
REGISTERED
J. SCOTT COLE
5411
PROFESSIONAL
LAND SURVEYOR

(For SPRG use only)
Reviewed by: JL
Date: 8-22-13
SPRG No. 2600 .

Bearing Source: N20°10'20"E assumed along Northwest Right-of-Way line of McKinney Avenue.

ABSTRACT No. 237

EXHIBIT A



LINE TABLE		
LINE	LENGTH	BEARING
L1	0.60	S66°35'57E
L2	0.75	S66°35'57"E
L3	1.35	N66°35'57"W
L4	0.75	N66°35'57"W
L5	0.75	S66°35'57"E

LEGEND:
D.R.D.C.T. – Deed Records Dallas County Texas
O.P.R.D.C.T. – Offical Public Records Dallas County Texas
Esm't. – Easement
IRF – iron Rod Found
cm – Control Monument
Sq. Ft. – Square Foot
( )–Revised Cockrell's Fair Land Addition

LICENSE AGREEMENT
TRACT 1 & TRACT 2
COCKRELL'S FAIRLAND ADDITION
ADJACENT TO BLOCK K/1535
CITY OF DALLAS, DALLAS COUNTY TEXAS

Bearing Source: N23°10'20"E assumed along Northwest Right-of-Way line of McKinney Avenue.

(For SPRG use only)
Reviewed by: JC
Date: 8-22-13
SPRG No. 2600

SANDS SURVEYING CORPORATION

422 Willow Way,
Highland Village Texas 75077
(817) 355-5253 ph
(817) 510-0432 e-fax
www.SandSSurveyingTX.com

SCALE: 1"=20'
DATE: 01/28,2013
W.O.: 137706
DRAWN BY: JSC II
CHECKED BY: SC
SHEET: 3 of 3

J. Scott Cole
Registered Professional
Land Surveyor No. 5411

STATE OF TEXAS
REGISTERED
J. SCOTT COLE
5411
PROFESSIONAL
LAND SURVEYOR

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

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

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

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

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

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

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

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at 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.

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

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

whether such damage is due to flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

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

AGENDA ITEM # 40

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 74E

SUBJECT

An ordinance abandoning portions of a drainage easement, wastewater easement and a water easement to PR/Crow Penn Distribution, LP, the abutting owner, containing a total of approximately 45,726 square feet of land, located near the intersection of Penn Farm Road and Interstate Highway 20 (Lyndon B. Johnson Freeway) - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a drainage easement, a wastewater easement and a water easement to PR/Crow Penn Distribution, LP, the abutting owner. The area will be included with the property of the abutting owner for the construction of an industrial building.

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

PR/Crow Penn Distribution, LP

PR Crow Penn Distribution GP, LLC

PR/Crow Penn Distribution Holdings, LLC

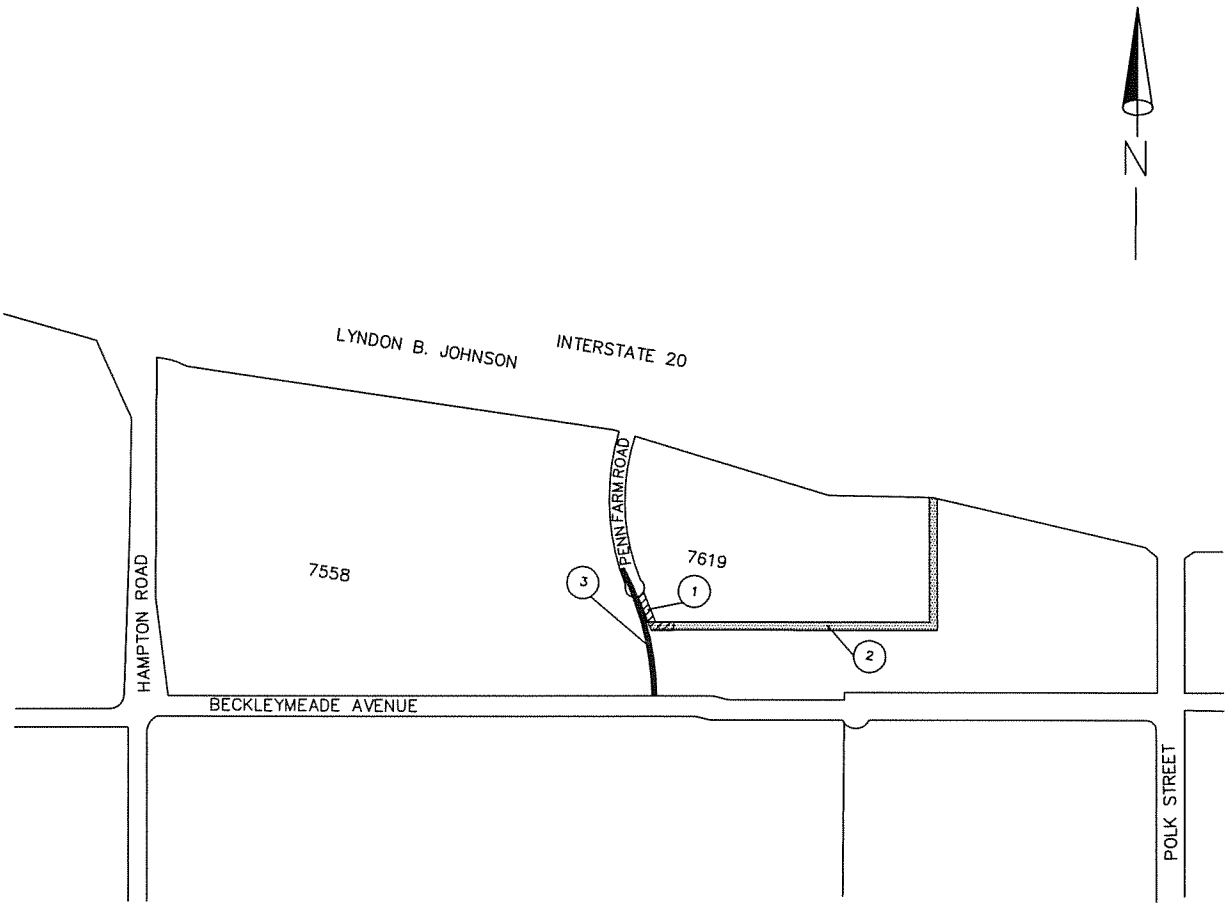
TCC Penn Development, LLC

TCDFW Development, Inc.

Adam Saphier, President

MAP

Attached



ABANDONMENT AREAS

TRACT 1) DRAINAGE EASEMENT

TRACT 2) WASTEWATER EASEMENT

TRACT 3) WATER EASEMENT

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of portions of a drainage easement, wastewater easement and a water easement, located in City Blocks 7558 and 7619 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to PR/Crow Penn Distribution, LP; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement, 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.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of PR/Crow Penn Distribution, 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 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 Sections 8 and 9, 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 water and wastewater easements 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:
WARREN M. S. ERNST
Interim City Attorney

BY _____
Assistant City Attorney

DAVID COSSUM
Interim Director of Department of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1
25 FOOT DRAINAGE EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 5,757 square foot (0.1322 acre) tract of land situated in the Albertus Crutchfield Survey, Abstract Number 243 and the William Sprowls Survey, Abstract Number 1291, City of Dallas, Dallas County, Texas, Official City of Dallas Block Numbers 7558 and 7619, and being part of the remainder of a called 60.199 acre tract of land described as Exhibit "C" Penn Brothers Parcel in Partition Agreement to Penn Brothers Realty, as recorded in Volume 92249, Page 7749 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being part of the remainder of a called 61.400 acre tract of land described in Special Warranty Deed to Penn Farm Ltd., as recorded in Instrument Number 20070456099 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being all of a 25 Foot Drainage Easement, as created in Instrument Number 20070073787, O.P.R.D.C.T., and being more particularly described as follows:

COMMENCING at a found concrete monument on the south right-of-way line of Interstate Highway 20 (also known as Lyndon B. Johnson Freeway, a variable width right-of-way) for an angle point of said 60.199 acre tract;

THENCE North 72 degrees 21 minutes 49 seconds West, with the south right-of-way line of said Interstate Highway 20 and with the north line of said 60.199 acre tract, a distance of 1,091.03 feet to a point (not monumented) for corner;

THENCE North 79 degrees 51 minutes 19 seconds West, continuing with the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract, a distance of 11.28 feet to a point (not monumented) at the intersection of the east right-of-way line of Penn Farm Road (a 30-foot wide right-of-way) with the south right-of-way line of said Interstate Highway 20, from which a found PK nail for witness bears North 45 degrees 48 minutes 12 seconds West, a distance of 0.52 of a foot;

THENCE South 10 degrees 08 minutes 41 seconds West, departing the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract, and with the east right-of-way line of said Penn Farm Road, a distance of 87.06 feet to a point (not monumented) for the point of curvature of a tangent circular curve to the left having a radius of 750.00 feet, whose chord bears South 05 degrees 42 minutes 20 seconds East, a distance of 409.69 feet , from which a found "X" in concrete for witness bears North 46 degrees 56 minutes 17 seconds West, a distance of 0.47 of a foot;

(For SPRG use only)
Reviewed By: JB
Date: 07.30.2013
SPRG NO.: 2688

THENCE Southeasterly, continuing with the east right-of-way line of said Penn Farm Road and with said curve, through a central angle of 31 degrees 42 minutes 02 seconds, passing at a distance of 397.36 feet a point (not monumented) for the southeast corner of said Penn Farm Road, an angle point of said 60.199 acre tract, and an angle point of said 61.400 acre tract, from which a found PK nail for witness bears North 20 degrees 37 minutes 40 seconds West, a distance of 0.39 of a foot, and continuing with said curve, and with the south line of said 60.199 acre tract and with the north line of said 61.400 acre tract, in all, a total arc length of 414.96 feet to a point (not monumented) for the point of tangency, from which a found PK nail for witness bears North 69 degrees 45 minutes 59 seconds West, a distance of 1.91 feet;

THENCE South 21 degrees 33 minutes 21 seconds East, continuing with the south line of said 60.199 acre tract and the north line of said 61.400 acre tract, a distance of 84.73 feet to a point (not monumented) for the POINT OF BEGINNING, said point being on the northwest line of said 25 Foot Drainage Easement and the point of curvature of a non-tangent circular curve to the left having a radius of 50.00 feet, whose chord bears North 54 degrees 16 minutes 00 seconds East, a distance of 24.50 feet;

THENCE Northeasterly, departing the south line of said 60.199 acre tract and the north line of said 61.400 acre tract, over and across said 60.199 acre tract and with the northwest line of said 25 Foot Drainage Easement and with said curve, through a central angle of 28 degrees 21 minutes 36 seconds an arc length of 24.75 feet to a point (not monumented) for the north corner of said 25 Foot Drainage Easement;

THENCE South 21 degrees 33 minutes 22 seconds East, continuing over and across said 60.199 acre tract and with the northeast line of said 25 Foot Drainage Easement, a distance of 152.30 feet to a point (not monumented) for corner;

THENCE South 88 degrees 50 minutes 36 seconds East, continuing over and across said 60.199 acre tract and with the northeast line of said 25 Foot Drainage Easement, a distance of 65.51 feet to a point (not monumented) for the northeast corner of said 25 Foot Drainage Easement;

THENCE South 01 degree 09 minutes 24 seconds West, , continuing over and across said 60.199 acre tract and with the east line of said 25 Foot Drainage Easement, passing at a distance of 16.97 feet the south line of said 60.199 acre tract and the north line of said 61.400 acre tract, over and across said 61.400 acre tract and with the east line of said 25 Foot Drainage Easement, in all, a total distance of 25.00 feet to a point (not monumented) for the southeast corner of said 25 Foot Drainage Easement;

(For SPRG use only)
Reviewed By: JR
Date: 07.30.2013
SPRG NO.: 2688

EXHIBIT A-TRACT 1
25 FOOT DRAINAGE EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 88 degrees 50 minutes 36 seconds West, continuing over and across said 61.400 acre tract and with the south line of said 25 Foot Drainage Easement, a distance of 82.15 feet to a point (not monumented) for the southwest corner of said 25 Foot Drainage Easement;

THENCE North 21 degrees 33 minutes 22 seconds West, continuing over and across said 61.400 acre tract and with the southwest line of said 25 Foot Drainage Easement, a distance of 162.95 feet to a point (not monumented) for the northwest corner of said 25 Foot Drainage Easement and the beginning of a non-tangent circular curve to the left having a radius of 50.00 feet, whose chord bears North 69 degrees 09 minutes 45 seconds East, a distance of 1.25 feet;

THENCE Northeasterly, continuing over and across said 61.400 acre tract and with the northwest line of said 25 Foot Drainage Easement and with said curve, through a central angle of 01 degree 25 minutes 54 seconds, for an arc length of 1.25 feet to the POINT OF BEGINNING AND CONTAINING 5,757 square feet or 0.1322 acre of land, more or less.

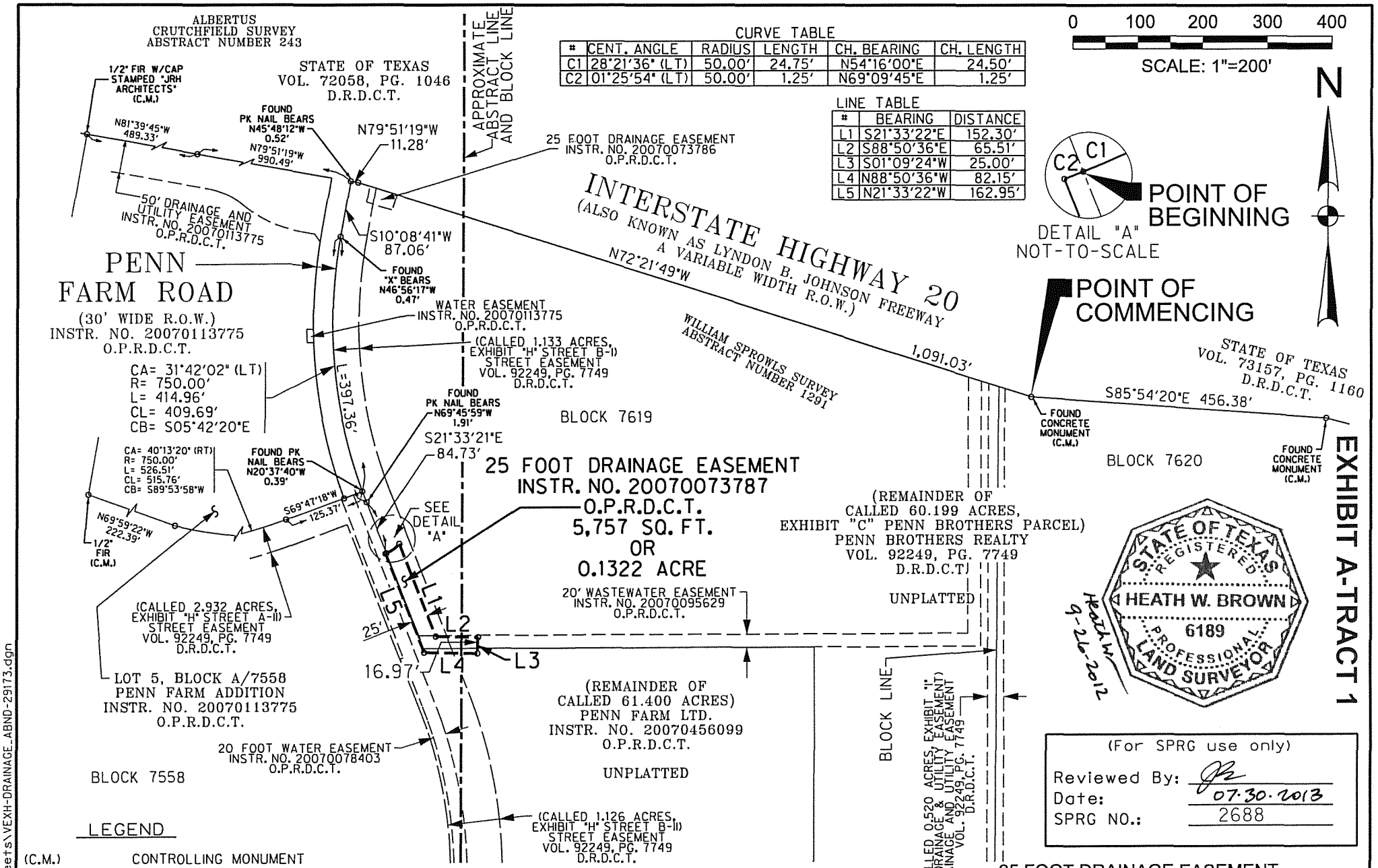
Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

Heath W. — 9-26-2012

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
214-346-6326

STATE OF TEXAS
REGISTERED
HEATH W. BROWN
6189
PROFESSIONAL
LAND SURVEYOR

(For SPRG use only)
Reviewed By: JB
Date: 07.30.2013
SPRG NO.: 2688



CURVE TABLE

#	CENT. ANGLE	RADIUS	LENGTH	CH. BEARING	CH. LENGTH
C1	28°21'36" (LT)	50.00'	24.75'	N54°16'00"E	24.50'
C2	01°25'54" (LT)	50.00'	1.25'	N69°09'45"E	1.25'

LINE TABLE

#	BEARING	DISTANCE
L1	S21°33'22"E	152.30'
L2	S88°50'36"E	65.51'
L3	S01°09'24"W	25.00'
L4	N88°50'36"W	82.15'
L5	N21°33'22"W	162.95'

DETAIL "A" NOT-TO-SCALE

POINT OF BEGINNING

(For SPRG use only)

Reviewed By: JB
Date: 07.30.2013
SPRG NO.: 2688

LEGEND

(C.M.)	CONTROLLING MONUMENT
R.O.W.	RIGHT-OF-WAY
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
INSTR. NO.	INSTRUMENT NUMBER
1/2" FIR	1/2-INCH FOUND IRON ROD

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

25 FOOT DRAINAGE EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

HALFF
1201 NORTH BOWSER ROAD
RICHARDSON, TEXAS 75081-2275
TEL (214) 346-6200
FAX (214) 739-0095
TBPE FIRM #F-312

SCALE: 1" = 200' MAY, 2013 AVO: 29173 (REF: 29044) PAGE 4 OF 4

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EXHIBIT A-TRACT 2
20' WASTEWATER EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 25,081 square foot (0.5758 acre) tract of land situated in the Albertus Crutchfield Survey, Abstract Number 243 and the William Sprowls Survey, Abstract Number 1291, City of Dallas, Dallas County, Texas, Official City of Dallas Block Numbers 7558 and 7619, and being part of the remainder of a called 60.199 acre tract of land described as Exhibit "C" Penn Brothers Parcel in Partition Agreement to Penn Brothers Realty, as recorded in Volume 92249, Page 7749 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being all of a 20' Wastewater Easement, as recorded in Instrument Number 20070095629 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a found concrete monument on the south right-of-way line of Interstate Highway 20 (also known as Lyndon B. Johnson Freeway, a variable width right-of-way) for an angle point of said 60.199 acre tract;

THENCE North 72 degrees 21 minutes 49 seconds West, with the south right-of-way line of said Interstate Highway 20 and with the north line of said 60.199 acre tract, a distance of 80.70 feet to a point (not monumented) for the POINT OF BEGINNING, said point being the northeast corner of said 20' Wastewater Easement;

THENCE South 00 degrees 03 minutes 28 seconds West, departing the south right-of-way of said Interstate Highway 20 and the north line of said 60.199 acre tract, over and across said 60.199 acre tract and with the east line of said 20' Wastewater Easement, a distance of 407.49 feet to a point (not monumented) for the southeast corner of said 20' Wastewater Easement;

THENCE South 89 degrees 50 minutes 12 seconds West, continuing over and across said 60.199 acre tract and with the south line of said 20' Wastewater Easement, passing at a distance of 256.91 feet a point (not monumented) for an interior ell corner of said 60.199 acre tract and the northeast corner of the remainder of a called 61.400 acre tract of land described in Special Warranty Deed to Penn Farm Ltd., as recorded in Instrument Number 20070456099, O.P.R.D.C.T., from which a 1/2-inch found iron rod with cap stamped "GRAHAM" for witness bears North 72 degrees 59 minutes 11 seconds West, a distance of 2.03 feet, and continuing with the south line of said 20' Wastewater Easement, with the north line of said 61.400 acre tract and with the south line of said 60.199 acre tract, in all, a total distance of 859.39 feet to a point (not monumented) for the southwest corner of said 20' Wastewater Easement, from which a 1/2-inch found iron rod with cap stamped "GRAHAM" for witness bears North 66 degrees 37 minutes 22 seconds West, a distance of 1.93 feet;

THENCE North 21 degrees 33 minutes 21 seconds West, continuing with the north line of said 61.400 acre tract and the south line of said 60.199 acre tract, and with a west line of said 20' Wastewater Easement, a distance of 21.48 feet to a point (not monumented) for a northwest corner of said 20' Wastewater Easement;

(For SPRG use only)
Reviewed By: JR
Date: 07.30.2013
SPRG NO.: 2689

EXHIBIT A-TRACT 2
20' WASTEWATER EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 89 degrees 50 minutes 12 seconds East, departing the north line of said 61.400 acre tract and the south line of said 60.199 acre tract, over and across said 60.199 acre tract and with a north line of said 20' Wastewater Easement, a distance of 847.31 feet to a point (not monumented) for an interior ell corner of said 20' Wastewater Easement;

THENCE North 00 degrees 03 minutes 28 seconds East, continuing over and across said 60.199 acre tract and with a west line of said 20' Wastewater Easement, a distance of 393.90 feet to a point (not monumented) on the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract for a northwest corner of said 20' Wastewater Easement;

THENCE South 72 degrees 21 minutes 49 seconds East, with the south right-of-way line of said Interstate Highway 20, with the north line of said 60.199 acre tract, and with a north line of said 20' Wastewater Easement, a distance of 20.98 feet to the POINT OF BEGINNING AND CONTAINING 25,081 square feet or 0.5758 acre of land, more or less.

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

Heath W — 9-26-2012

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
214-346-6326

STATE OF TEXAS
REGISTERED
HEATH W. BROWN
6189
PROFESSIONAL
LAND SURVEYOR

(For SPRG use only)
Reviewed By: JB
Date: 07.30.2013
SPRG NO.: 2689

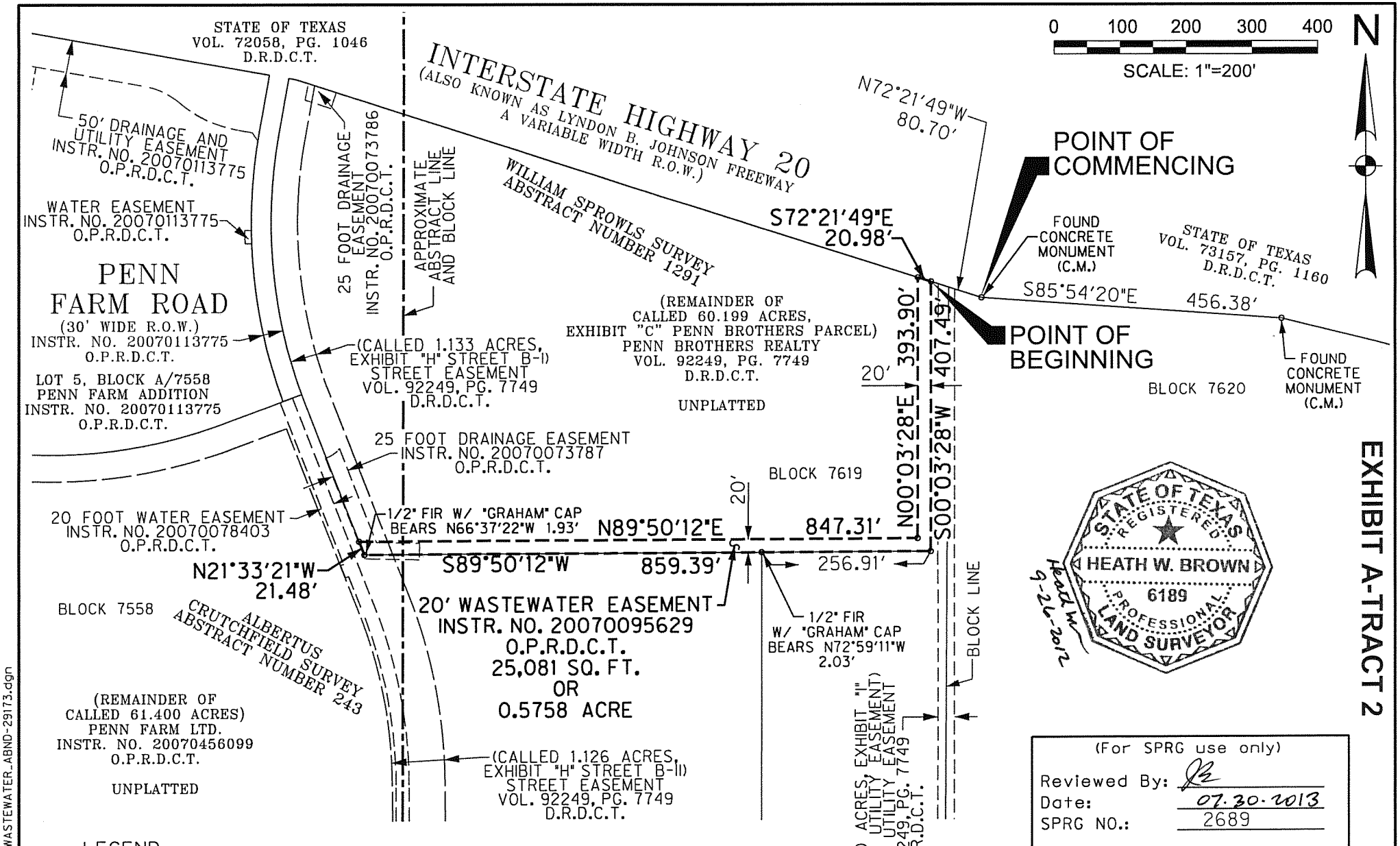

EXHIBIT A-TRACT 2

(For SPRG use only)	
Reviewed By:	
Date:	07.30.2013
SPRG NO.:	2689

LEGEND

(C.M.)	CONTROLLING MONUMENT
R.O.W.	RIGHT-OF-WAY
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
INSTR. NO.	INSTRUMENT NUMBER
1/2" FIR	1/2-INCH FOUND IRON ROD

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

20' WASTEWATER EASEMENT
ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

HALFF
1201 NORTH BOWSER ROAD
RICHARDSON, TEXAS 75081-2275
TEL (214) 346-6200
FAX (214) 739-0095
TBPE FIRM #F-312

SCALE: 1" = 200' MAY, 2013 AVO: 29173 (REF: 29044) PAGE 3 OF 3

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EXHIBIT A-TRACT 3
20 FOOT WATER EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 14,888 square foot (0.3418 acre) tract of land situated in the Albertus Crutchfield Survey, Abstract Number 243 and the William Sprowls Survey, Abstract Number 1291, City of Dallas, Dallas County, Texas, Official City of Dallas Block Numbers 7558 and 7619, and being part of the remainder of a called 61.400 acre tract of land described in Special Warranty Deed to Penn Farm Ltd., as recorded in Instrument Number 20070456099 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being part of a 20 Foot Water Easement, as created in Instrument Number 20070078403, O.P.R.D.C.T., and being more particularly described as follows:

COMMENCING at a found concrete monument on the south right-of-way line of Interstate Highway 20 (also known as Lyndon B. Johnson Freeway, a variable width right-of-way) for an angle point of the remainder of a called 60.199 acre tract of land described as Exhibit "C" Penn Brothers Parcel in Partition Agreement to Penn Brothers Realty, as recorded in Volume 92249, Page 7749, D.R.D.C.T.;

THENCE North 72 degrees 21 minutes 49 seconds West, with the south right-of-way line of said Interstate Highway 20 and with the north line of said 60.199 acre tract, a distance of 1,091.03 feet to a point (not monumented) for corner;

THENCE North 79 degrees 51 minutes 19 seconds West, continuing with the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract, a distance of 11.28 feet to a point (not monumented) at the intersection of the east right-of-way line of Penn Farm Road (a 30-foot wide right-of-way) with the south right-of-way line of said Interstate Highway 20, from which a found PK nail for witness bears North 45 degrees 48 minutes 12 seconds West, a distance of 0.52 of a foot;

THENCE South 10 degrees 08 minutes 41 seconds West, departing the south right-of-way line of said Interstate Highway 20 and the north line of said 60.199 acre tract, and with the east right-of-way line of said Penn Farm Road, a distance of 87.06 feet to a point (not monumented) for the point of curvature of a tangent circular curve to the left having a radius of 750.00 feet, whose chord bears South 05 degrees 02 minutes 01 second East, a distance of 392.73 feet , from which a found "X" in concrete for witness bears North 46 degrees 56 minutes 17 seconds West, a distance of 0.47 of a foot;

THENCE Southeasterly, continuing with the east right-of-way line of said Penn Farm Road and with said curve, through a central angle of 30 degrees 21 minutes 23 seconds, arc length of 397.36 feet to a point (not monumented) for the southeast corner of said Penn Farm Road, an angle point of said 60.199 acre tract, and an angle point of said 61.400 acre tract, from which a found PK nail for witness bears North 20 degrees 37 minutes 40 seconds West, a distance of 0.39 of a foot;

(For SPRG use only)
Reviewed By: JR
Date: 07.30.2013
SPRG NO.: 2687

THENCE South 69 degrees 47 minutes 18 seconds West, with the south line of said Penn Farm Road, and with the north line of said 61.400 acre tract, a distance of 14.71 feet to a point (not monumented) for the POINT OF BEGINNING, said point being the northeast corner of said 20 Foot Water Easement;

THENCE South 21 degrees 33 minutes 22 seconds East, departing the south line of said Penn Farm Road and the north line of said 61.400 acre tract, over and across said 61.400 acre tract and with the easterly line of said 20 Foot Water Easement, a distance of 340.21 feet to a point (not monumented) for the point of curvature of a tangent circular curve to the right having a radius of 735.50 feet, whose chord bears South 10 degrees 51 minutes 36 seconds East, a distance of 273.02 feet;

THENCE Southeasterly, continuing over and across said 61.400 acre tract and with the easterly line of said 20 Foot Water Easement and with said curve, through a central angle of 21 degrees 23 minutes 33 seconds, an arc length of 274.61 feet to a point (not monumented) for the point of tangency;

THENCE South 00 degrees 09 minutes 49 seconds East, continuing over and across said 61.400 acre tract and with the easterly line of said 20 Foot Water Easement, a distance of 128.15 feet to a point (not monumented) on the north right-of-way line of Beckleymeade Avenue (a variable width right-of-way) for the point of curvature of a non-tangent circular curve to the left having a radius of 930.00 feet, whose chord bears North 89 degrees 50 minutes 18 seconds West, a distance of 10.69 feet;

THENCE Northwesterly, with the north right-of-way line of said Beckleymeade Avenue, and with said curve, through a central angle of 00 degrees 39 minutes 31 seconds, an arc distance of 10.69 feet to a point (not monumented) for the point of tangency;

THENCE South 89 degrees 49 minutes 57 seconds West, continuing with the north right-of-way line of said Beckleymeade Avenue, a distance of 9.31 feet to a point (not monumented) on the westerly line of said 20 Foot Water Easement;

THENCE North 00 degrees 09 minutes 49 seconds West, departing the north right-of-way line of said Beckleymeade Avenue, over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 128.09 feet to a point (not monumented) for the point of curvature of a tangent circular curve to the left having a radius of 715.50 feet, whose chord bears North 10 degrees 51 minutes 36 seconds West, a distance of 265.60 feet;

THENCE Northwesterly, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement and with said curve, through a central angle of 21 degrees 23 minutes 33 seconds, an arc length of 267.15 feet to a point (not monumented) for the point of tangency;

(For SPRG use only)
Reviewed By: JB
Date: 07.30.2013
SPRG NO.: 2687

EXHIBIT A-TRACT 3
20 FOOT WATER EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 21 degrees 33 minutes 22 seconds West, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 58.88 feet to a point (not monumented) for corner;

THENCE South 68 degrees 26 minutes 38 seconds West, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 5.00 feet to a point (not monumented) for corner;

THENCE North 21 degrees 33 minutes 22 seconds West, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 20.00 feet to a point (not monumented) for corner;

THENCE North 68 degrees 26 minutes 38 seconds East, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 5.00 feet to a point (not monumented) for corner;

THENCE North 21 degrees 33 minutes 22 seconds West, continuing over and across said 61.400 acre tract and with the westerly line of said 20 Foot Water Easement, a distance of 261.80 feet to a point (not monumented) on the north line of said 61.400 acre tract, and the south line of Lot 5, Block A/7558 of PENN FARM ADDITION, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 20070113775, O.P.R.D.C.T. for the northwest corner of said 20 Foot Water Easement;

THENCE North 69 degrees 47 minutes 18 seconds East, with the north line of said 61.400 acre tract, with the south line of said Lot 5, and with the north line of said 20 Foot Water Easement, passing at a distance of 4.72 feet a point (not monumented) for the common southwest corner of said Penn Farm Road and southeast corner of said Lot 5, and continuing with the north line of said 61.400 acre tract, the north line of said 20 Foot Water Easement, and with the south line of said Penn Farm Road, in all, a total distance of 20.01 feet to the POINT OF BEGINNING AND CONTAINING 14,888 square feet or 0.3418 acre of land, more or less.

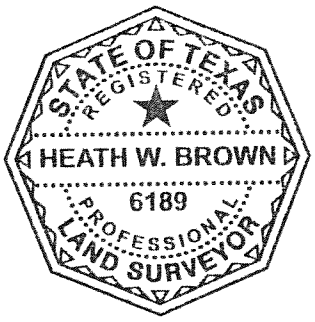
(For SPRG use only)
Reviewed By: JR
Date: 07.30.2013
SPRG NO.: 2687

EXHIBIT A-TRACT 3
20 FOOT WATER EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

Heath W. 9-26-2012

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
214-346-6326



(For SPRG use only)
Reviewed By: JB
Date: 07·30·2013
SPRG NO.: 2687

CURVE TABLE					
#	CENT. ANGLE	RADIUS	LENGTH	CH. BEARING	CH. LENGTH
C1	21°23'33" (RT)	735.50'	274.61'	S10°51'36"E	273.02'
C2	00°39'31" (LT)	930.00'	10.69'	N89°50'18"W	10.69'
C3	21°23'33" (LT)	715.50'	267.15'	N10°51'36"W	265.60'

0 100 200 300 400

SCALE: 1"=200'

N

1/2" FIR W/CAP STAMPED "JRH ARCHITECTS" (C.M.)

STATE OF TEXAS VOL. 72058, PG. 1046 D.R.D.C.T.

FOUND PK NAIL BEARS N45°48'12"W 0.52'

N81°39'45"W 489.33'

N79°51'19"W 990.49'

N79°51'19"W 11.28'

25 FOOT DRAINAGE EASEMENT INSTR. NO. 20070073786 O.P.R.D.C.T.

50' DRAINAGE AND UTILITY EASEMENT INSTR. NO. 20070113775 O.P.R.D.C.T.

FOUND "X" BEARS N46°56'17"W 0.47'

S10°08'41"W 87.06'

LOT 5, BLOCK A/7558 PENN FARM ADDITION INSTR. NO. 20070113775 O.P.R.D.C.T.

PENN FARM ROAD (30' WIDE R.O.W.) INSTR. NO. 20070113775 O.P.R.D.C.T.

WATER EASEMENT INSTR. NO. 20070113775 O.P.R.D.C.T.

(CALLED 1.133 ACRES, EXHIBIT "H" STREET B-I) STREET EASEMENT VOL. 92249, PG. 7749, D.R.D.C.T.

APPROXIMATE ABSTRACT LINE AND BLOCK LINE

INTERSTATE HIGHWAY 20 (ALSO KNOWN AS LYNDON B. JOHNSON FREEWAY A VARIABLE WIDTH R.O.W.)

N72°21'49"W

POINT OF COMMENCING

FOUND CONCRETE MONUMENT (C.M.)

STATE OF TEXAS VOL. 73157, PG. 1160 D.R.D.C.T.

1,091.03'

S85°54'20"E 456.38'

BLOCK 7620

WILLIAM SPROWLS SURVEY ABSTRACT NUMBER 1291

FOUND CONCRETE MONUMENT (C.M.)

BLOCK 7619

(REMAINDER OF CALLED 60.199 ACRES, EXHIBIT "C" PENN BROTHERS PARCEL) PENN BROTHERS REALTY VOL. 92249, PG. 7749 D.R.D.C.T.

UNPLATTED

CA= 30°21'23" (LT)
R= 750.00'
L= 397.36'
CL= 392.73'
CB= S05°02'01"E

CA= 40°13'20" (RT)
R= 750.00'
L= 526.51'
CL= 515.76'
CB= S89°53'58"W

N69°47'18"E 20.01'

S69°47'18"W 14.71'

FOUND PK NAIL BEARS N20°37'40"W 0.39'

POINT OF BEGINNING

N69°59'22"W 222.39'

1/2" FIR (C.M.)

4.72'
95.37'
S69°47'18"W

N21°33'22"W 261.80'

S21°33'22"E 340.21'

(CALLED 2.932 ACRES, EXHIBIT "H" STREET A-II) STREET EASEMENT VOL. 92249, PG. 7749 D.R.D.C.T.

25 FOOT DRAINAGE EASEMENT INSTR. NO. 20070073787 O.P.R.D.C.T.

20' WASTEWATER EASEMENT INSTR. NO. 20070095629 O.P.R.D.C.T.

(CALLED 0.520 ACRES, EXHIBIT "I" 25' DRAINAGE & UTILITY EASEMENT) DRAINAGE AND UTILITY EASEMENT VOL. 92249, PG. 7749 D.R.D.C.T.

N68°26'38"E 5.00'

N21°33'22"W 20.00'

S68°26'38"W 5.00'

N21°33'22"W 58.88'

ALBERTUS CRUTCHFIELD SURVEY ABSTRACT NUMBER 243

BLOCK 7558

(CALLED 1.126 ACRES, EXHIBIT "H" STREET B-II) STREET EASEMENT VOL. 92249, PG. 7749 D.R.D.C.T.

20'

(REMAINDER OF CALLED 61.400 ACRES) PENN FARM LTD. INSTR. NO. 20070456099 O.P.R.D.C.T.

UNPLATTED

BLOCK LINE

20 FOOT WATER EASEMENT INSTR. NO. 20070078403 O.P.R.D.C.T. 14,888 SQ. FT. OR 0.3418 ACRE

C3 C1

N00°09'49"W 128.09'

S00°09'49"E 128.15'

(CALLED 2.180 ACRES, EXHIBIT "H" BECKLEYMEADE AVE.-II) STREET EASEMENT VOL. 92249, PG. 7749 D.R.D.C.T.

C2

S89°49'57"W 9.31'

BECKLEYMEADE AVENUE (A VARIABLE WIDTH R.O.W.) INST. NO. 200600436953 INST. NO. 200503543564 O.P.R.D.C.T.

STATE OF TEXAS REGISTERED HEATH W. BROWN 6189 PROFESSIONAL LAND SURVEYOR

Heath W. 9-26-2012

EXHIBIT A-TRACT 3

(For SPRG use only)
Reviewed By:
Date: 07.30.2013
SPRG NO.: 2687

LEGEND

(C.M.)	CONTROLLING MONUMENT
R.O.W.	RIGHT-OF-WAY
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
INSTR. NO.	INSTRUMENT NUMBER
1/2" FIR	1/2-INCH FOUND IRON ROD

Basis of Bearings being the north line (North 89 degrees 49 minutes 57 seconds East) of Lot 4D, Block B/7558 of BECKLEYMEADE ADDITION NO. 3, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201200274925 of the Official Public Records of Dallas County, Texas.

20 FOOT WATER EASEMENT ABANDONMENT
BLOCK NUMBERS 7558 AND 7619
CITY OF DALLAS, DALLAS COUNTY, TEXAS

HALFF
1201 NORTH BOWSER ROAD
RICHARDSON, TEXAS 75081-2275
TEL (214) 346-6200
FAX (214) 739-0095
TBPE FIRM #F-312

SCALE: 1" = 200' MAY, 2013 AVO: 29173 (REF: 29044) PAGE 5 OF 5

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AGENDA ITEM # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Trinity Watershed Management
Office of Management Services

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

MAPSCO: N/A

SUBJECT

Authorize a personal services contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas City Design Studio for the period October 1, 2013 through September 30, 2014 - Not to exceed $85,000 - Financing: Current Funds

BACKGROUND

On September 23, 2009, City Council authorized the acceptance of a donation from the Trinity Trust Foundation through the Dallas Foundation in an amount not to exceed $2,000,000 for the creation and operation of the Dallas CityDesign Studio over a five-year period. A requirement of the grant is that the City provide an increasing share of the Studio's funding over years two (FY 2010-11) through five (FY 2013-14), with the Studio being completely City funded in year six. The general fund match requirement for FY 2013-14 is 80 percent. The City is receiving $118,999 from the grant in FY 2013-14.

In FY 2009-10, FY 2010-11, FY 2011-12, and FY 2012-13, City Council authorized personal service contracts with Brent Brown to guide and direct the Studio, work with City Staff and the local design and development community to advance livable communities within Dallas, and elevate an awareness and attention to design in both private and public projects.

Brent Brown has agreed to renew his contract to serve as the Studio Director. The amount of the contract for FY 2013-14 is $85,000. The scope of services for this contract will include:

- Plan and direct the overall management of the Studio;
- Establish priorities for the Studio and develop appropriate strategies and work program to ensure their implementation;

BACKGROUND (Continued)

- Direct Studio staff to ensure productivity and quality standards are maintained; and
- Represent the Studio to the design and development community as well as other City Departments.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the acceptance of a donation from the Trinity Trust Foundation through the Dallas Foundation on September 23, 2009, by Resolution No. 09-2376.

Authorized a personal services contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2009 through September 30, 2010, on October 28, 2009, by Resolution No. 09-2651.

Authorized a personal services contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2010 through September 30, 2011, on October 26, 2010, by Resolution No. 10-2764.

Authorized a personal services contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2011 through September 30, 2012, on October 26, 2011, by Resolution No. 11-2850.

Authorized a personal services contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2012 through September 30, 2013, on October 24, 2012, by Resolution No. 12-2670.

FISCAL INFORMATION

Current Funds - $85,000

October 23, 2013

WHEREAS, the Trinity Trust Foundation ("Trust") works closely with the City of Dallas ("City") to achieve excellence in the Trinity River Corridor Project; and raises private funds to implement the Balanced Vision Plan for the Trinity River Corridor Project; and

WHEREAS, the Trinity Trust Foundation has received a private donation to establish the Dallas CityDesign Studio ("Studio") in partnership with the City with an initial focus on areas adjacent to the Trinity River Corridor Project; and

WHEREAS, on September 23, 2009, Resolution No. 09-2376 authorized the acceptance of the donation in an amount up to $2,000,000; and

WHEREAS, on October 28, 2009, Resolution No. 09-2651 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2009 until September 30, 2010; and

WHEREAS, on October 26, 2010, Resolution No. 10-2764 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2010 until September 30, 2011; and

WHEREAS, on October 26, 2011, Resolution No. 11-2850 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2011 until September 30, 2012; and

WHEREAS, on October 24, 2012, Resolution No. 12-2670 authorized Brent Brown to serve as the Studio Director for the Dallas CityDesign Studio from October 1, 2012 until September 30, 2013; and

WHEREAS, Brent Brown is capable of and willing to renew his contract to serve the City of Dallas as the Studio Director for the Dallas CityDesign Studio.

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 personal services contract with Brent Brown with buildingcommunity Workshop to serve as Studio Director for the Dallas CityDesign Studio from October 1, 2013 through September 30, 2014 in an amount not to exceed $85,000.

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 make periodic payments in accordance with the terms and conditions of the contract from:

Current Funds
Fund 0001, Dept. MGT, Unit 3322
Obj. 3072, CT MGT3322A001
Vendor # VS0000030392, in an amount not to exceed $ 85,000.00

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 # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 4

DEPARTMENT: Trinity Watershed Management
Water Utilities

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

MAPSCO: 58 F & K

SUBJECT

Authorize an increase in the contract with Jeske Construction Company for the Elam Creek Channel Improvements Project, Phase II to provide boring, trench protection, new water and wastewater service (including testing) to the Umphress Park Recreation Center, addition of a flood gauge, extension of an existing 51-inch pipe, protective bollards of an electrical service feed, and other miscellaneous items needed to complete the project – Not to exceed $228,906, from $4,337,928 to $4,566,834 - Financing: 2006 Bond Funds ($165,150), Water Utilities Capital Construction Funds ($1,560) and Water Utilities Capital Improvements Funds ($62,196)

BACKGROUND

On October 26, 2011, Resolution No. 11-2851 authorized a contract with Jeske Construction Company for construction of the Elam Creek Channel Improvements Project Phase II from Seco Blvd. to Umphress Park. This action will authorize an increase in the construction contract with Jeske Construction Company for several items described below.

The Elam Creek project is located along the Elam Creek Channel from Seco Boulevard to Umphress Park and is also in the vicinity of the Umphress Park Recreation Center. The Elam Creek project was designed to protect the adjacent residential neighborhood from flooding. The planned improvements replace an obsolete, deteriorated and undersized concrete channel with a new channel hydraulically sized to meet the capacity of a 100 year flood. The project is part of the 2006 Bond Program and is nearing completion.

BACKGROUND (Continued)

In order to avoid conflicts with the normal operation of the Umphress Park Recreation Center and also the Hillburn Drive bridge, it was necessary to extend the Elam Creek channel lining a length of 96 feet and relocate various water and wastewater lines and the electrical service feed to the recreation center. Change order work also includes extension of stormwater outfall piping into the creek and the addition of a flood gauge, bollards and slope stabilization to facilitate flood fighting strategies for future rain events for the benefit of residents and park users. The change order work is necessary to complete contract work and it is anticipated that work will be complete by December 2013.

ESTIMATED SCHEDULE OF PROJECT

Began Design	May 2005
Completed Design	July 2007
Completed Construction, Phase I	September 2010
Began Construction, Phase II	November 2011
Complete Construction, Phase II	December 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Alan Plummer and Associates, Inc. for the preparation of the U.S. Army Corps of Engineers 404 Permit, Stormwater Pollution Prevention Plan and letter of Map Revision for the Elam Creek Channel Project, Phase I, Lake June Rd. to Seco Blvd. on March 9, 2005, by Resolution No. 05-0907.

Authorized Supplemental Agreement No. 1 to the professional services contract with Alan Plummer and Associates, Inc. on May 24, 2006, by Resolution No. 06-1462.

Authorized Supplemental Agreement No. 2 to the professional services contract with Alan Plummer and Associates, Inc. on September 27, 2006, by Resolution No. 06-2579.

Authorized a construction contract for the construction of the Elam Creek Channel Improvements, Phase I on February 13, 2008, by Resolution No. 08-0419.

Authorized Supplemental Agreement No. 4 to the professional services contract with Alan Plummer and Associates, Inc. for the design of Elam Creek Channel Improvements, Phase II on October 14, 2009, by Resolution No. 09-2542.

Authorized a construction contract for the construction of the Elam Creek Channel Improvements Phase II on October 26, 2011, by Resolution No. 11-2851.

FISCAL INFORMATION

2006 Bond Funds - $165,150.00
Water Utilities Capital Construction Funds - $1,560
Water Utilities Capital Improvement Funds - $62,196

Design	$ 311,081.40
Construction, Phase I	$4,143,680.00
Construction, Phase II	$4,300,092.50
Change Order No.1	$ 37,836.00
Change Order No. 2 (this action)	$ 228,906.00
Total Project Cost	$9,021,595.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Jeske Construction Company

Hispanic Female	1	Hispanic Male	17
African-American Female	0	African-American Male	2
Other Female	0	Other Male	0
White Female	1	White Male	4

OWNER

Jeske Construction Company

Steve Jeske, Managing Principal

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Jeske Construction Company for the Elam Creek Channel Improvements Project, Phase II to provide boring, trench protection, new water and wastewater service (including testing) to the Umphress Park Recreation Center, addition of a flood gauge, extension of an existing 51-inch pipe, protective bollards of an electrical service feed, and other miscellaneous items needed to complete the project – Not to exceed $228,906, from $4,337,928 to $4,566,834 - Financing: 2006 Bond Funds ($165,150), Water Utilities Capital Construction Funds ($1,560) and Water Utilities Capital Improvements Funds ($62,196)

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$193,853.12	84.69%
Non-local contracts	$35,052.88	15.31%
TOTAL THIS ACTION	$228,906.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Macval Associates, LLC	BMDB56449Y0114	$35,000.00	18.05%
DFW Aggregates, LLC	HFMB56271N0114	$53,000.00	27.34%
Total Minority - Local		$88,000.00	45.40%

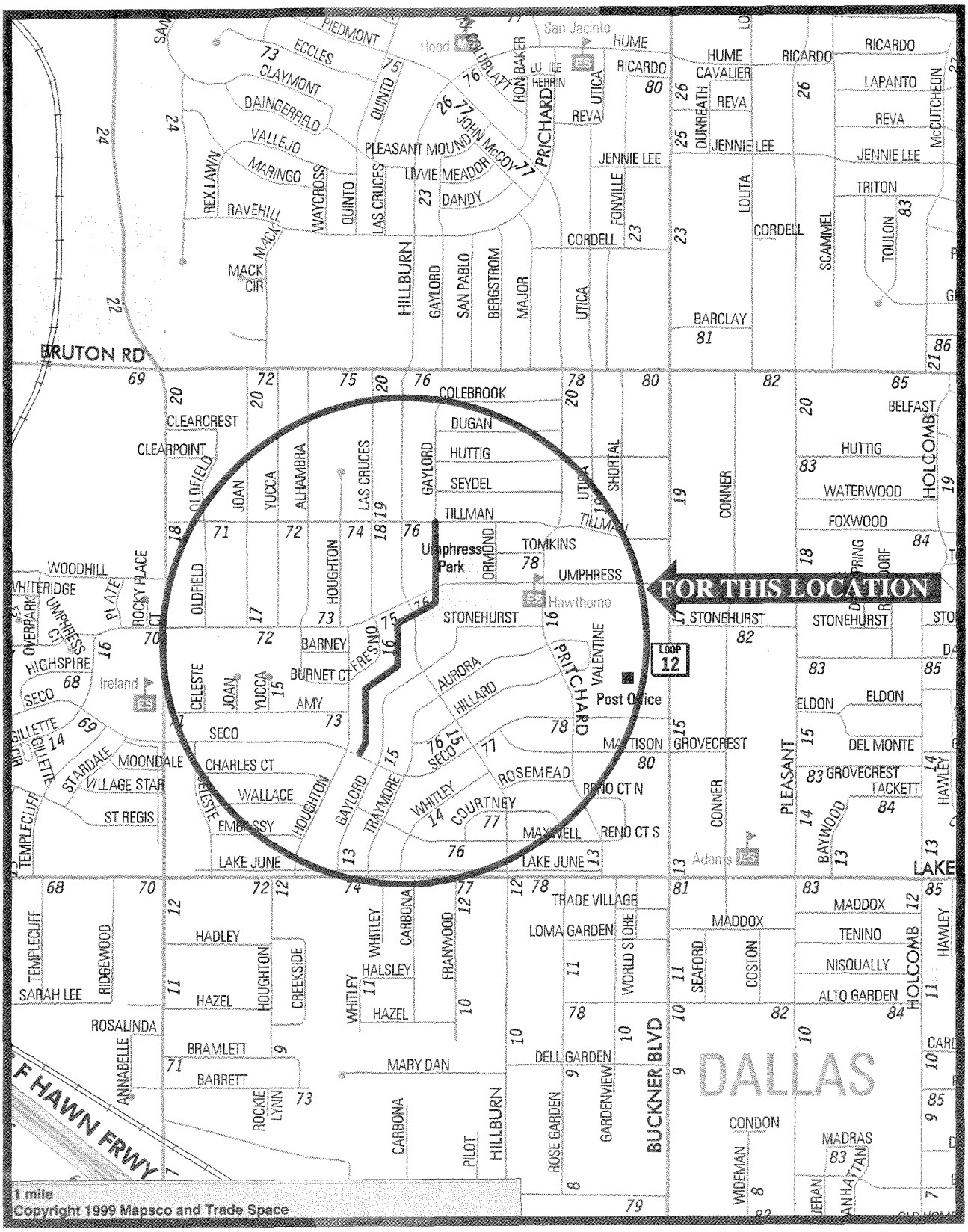
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Texas Metal Technologies	HFDB58726Y0914	$68,167.38	194.47%
J-R Transport Contractors	HMDB56792Y0314	($33,314.50)	-95.04%
MMG Building Services & Construction Services, LLC	WFWB57725N0614	$200.00	0.57%
Total Minority - Non-local		$35,052.88	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$35,000.00	15.29%	$454,538.00	45.67%
Hispanic American	$87,852.88	38.38%	$424,960.50	42.70%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$200.00	0.09%	$115,704.66	11.63%
Total	$123,052.88	53.76%	$995,203.16	100.00%

FLOOD CONTROL IMPROVEMENTS
ELAM CREEK



PHASE II (SECO BLVD. TO PLEASANT GROVE PARK)
MAPSCO 58-F & K

October 23, 2013

WHEREAS, on March 9, 2005, Resolution No. 05-0907 authorized a professional services contract with Alan Plummer and Associates, Inc. for the preparation of the U.S. Army Corps of Engineers 404 Permit, Storm Water Pollution Prevention Plan and letter of Map Revision for the Elam Creek Channel Project, Phase I, Lake June Rd. to Seco Blvd. in the amount of $93,951.00; and,

WHEREAS, on May 24, 2006, Resolution No. 06-1462 authorized Supplemental Agreement No. 1 to the professional services contract with Alan Plummer and Associates, Inc. in the amount of $90,548.00, from $93,951.00 to $184,499.00, for design modification to revise the alignment for the proposed Elam Creek Channel, Phase I from Lake June Rd. to Seco Blvd.; and,

WHEREAS, on September 27, 2006, Resolution No. 06-2579 authorized Supplemental Agreement No. 2 to the professional services contract with Alan Plummer and Associates, Inc. in the amount of $110,179.00, from $184,499.00 to $294,678.00, for design modification for the proposed Elam Creek Channel, Phase I, south of Lake June Rd. to Seco Blvd.; and,

WHEREAS, on April 23, 2008, Administrative Action 08-1328 authorized Supplemental Agreement No. 3 to the professional services contract with Alan Plummer Associates, Inc. in the amount of $16,403.40, from 294,678.00 to $311,081.40, for the design of fill placement for site development for the Pleasant Grove Branch Library, on a site in the floodplain of Elam Creek; and,

WHEREAS, on February 13, 2008, Resolution No. 08-0419 authorized a construction contract with Jeske Construction Company for the construction of the Elam Creek Channel Project, Phase I, south of Lake June Rd. to Seco Blvd. in an amount not to exceed $4,327,182; and,

WHEREAS, on October 14, 2009, Resolution No. 09-2542 authorized Supplemental Agreement No. 4 to the contract with Alan Plummer Associates, Inc. for design of the proposed Elam Creek Channel, Phase II from Seco Blvd. to Umphress Rd., in the amount of $57,900, from $311,081.40 to $368,981.00; and,

WHEREAS, on October 26, 2011, Resolution No. 11-2851 authorized a construction contract with Jeske Construction Company for the construction of Elam Creek Channel Improvements Phase II in the amount of $4,300,092.50; and,

WHEREAS, on May 6, 2013, Administrative Action No. 13-5549 authorized Change Order No. 1 to the construction contract with Jeske Construction Company for the relocation of the electrical service box in conflict with the proposed concrete channel in an amount not to exceed $37,836.00, from $4,300,092.50 to $4,337,928.50.

October 23, 2013

WHEREAS, it is now necessary to authorize Change Order No. 2 to the existing contract with Jeske Construction Company for providing boring, trench protection, new water service and waste water service (including testing) to the recreation center, addition of a flood gauge, extension of an existing 51-inch pipe, protective bollards of an electrical service feed, and other miscellaneous items needed to complete the project $228,906.00, increasing the contract from $4,337,928.50 to $4,566,834.50.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to increase the contract with Jeske Construction Company for providing boring, trench protection, new water service and waste water service (including testing) to the recreation center, addition of a flood gauge, extension of an existing 51-inch pipe, protective bollards of an electrical service feed, and other miscellaneous items needed to complete the project in an amount not to exceed $228,906.00, from $4,337,928.50 to $4,566,834.50, 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 agreement from:

Flood Protection and Storm Drainage Facilities Fund Fund 6T23, Dept. PBW, Unit T504, Act. FLDM Obj. 4540, Program # PB06T504, CT PBW06T510L1 Vendor #083791, in an amount not to exceed	$ 18,667.00
Flood Protection and Storm Drainage Facilities Fund Fund 7T23, Dept. PBW, Unit T504, Act. FLDM Object 4540, Program #PB06T504, CT PBW06T504L1 Vendor #083791, in an amount not to exceed	$ 4,396.00
Flood Protection and Storm Drainage Facilities Fund Fund 8T23, Dept. PBW, Unit T504, Act. FLDM Obj. 4540, Program #PB06T504, CT PBW06T504L1 Vendor #083791, in an amount not to exceed	$142,087.00
Wastewater Construction Fund Fund 0103, Dept. DWU, Unit CS42, Act. RELP Obj. 3222, Program #711096X, Rep T2TR, CT PBW711096EN Vendor #083791, in an amount not to exceed	$ 1,560.00

Wastewater Capital Improvement Fund Fund 0116, Dept. DWU, Unit PS42, Act. RELP Obj. 4560, Program #711096, Rep. T2TR, CT PBW711096CP Vendor #083791, in an amount not to exceed	$ 25,833.00
Water Capital Improvement Fund Fund 0115, Dept. DWU, Unit PW42, Act. RELP Obj. 4550, Program #711095, REP W3HN, CT PBW711095CP Vendor #083791, in an amount not to exceed	$ 36,363.00
Total	$228,906.00

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

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: All

SUBJECT

Authorize a twenty-four-month contract with the Department of State Health Services to provide on-line computer services for the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of $1.83 for each birth certificate printed for the period September 1, 2013 through August 31, 2015 - Not to exceed $25,000 annually for a total not to exceed $50,000 - Financing: Water Utilities Current Funds (to be reimbursed by Current Funds) (subject to annual appropriations)

BACKGROUND

The City of Dallas' Bureau of Vital Statistics is responsible for registering births, deaths and fetal deaths that occur within the City of Dallas and provides over 120,000 certified birth and death certificates annually to qualified individuals that apply either in-person, by mail, or via the Internet.

Through this contract, the City will pay the Department of State Health Services $1.83 for each birth record printed. The annual cost owed to the Department of State Health Services will vary each year based on the number of records printed.

Vital Statistics is part of the non-departmental budget and therefore, Current Funds will reimburse the Water Department for the operation of Vital Statistics.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$50,000 - Water Utilities Current Funds (to be reimbursed by Current Funds) (subject to annual appropriations)

October 23, 2013

WHEREAS, it is the goal of the City of Dallas to provide faster and expanded services to citizens seeking vital records from the City's Bureau of Vital Statistics program; and

WHEREAS, the City has installed computer terminals that will allow direct access to birth certificate information in the Department of State Health Services' computer system; and

WHEREAS, the City will pay the Department of State Health Services $1.83 for each birth certificate printed;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a twenty-four-month contract with the Department of State Health Services to provide on-line computer services to the City's Bureau of Vital Statistics program to obtain certified copies of birth certificates at a cost of $1.83 for each birth certificate printed for the period September 1, 2013 through August 31, 2015, and execute any and all documents related to the contract.

Section 2. That the City Controller is hereby authorized to disburse funds from Water Utilities Current Fund in an amount not to exceed $50,000 (subject to annual appropriations) as follows:

FUND	DEPT	UNIT	OBJ	ENCUMBRANCE	VENDOR	FY14
0100	DWU	4012	3099	CTDWU4012A1402	214083	

FUND	DEPT	UNIT	OBJ	ENCUMBRANCE	VENDOR	FY15
0100	DWU	4012	3099	CTDWU4012A1501	214083	

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

AGENDA ITEM # 44

KEY FOCUS AREA:	Efficient, Effective and Economical Government
AGENDA DATE:	October 23, 2013
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Water Utilities Business Development & Procurement Services
CMO:	Forest E. Turner, 670-3390 Jeanne Chipperfield, 670-7804
MAPSCO:	N/A

SUBJECT

Authorize a five-year service contract for public awareness campaigns for water conservation and grease abatement – Burson-Marsteller LLC, most advantageous proposer of four - Not to exceed $6,313,000 - Financing: Water Conservation Program Funds ($4,759,000) (subject to annual appropriations) and Water Utilities Current Funds ($1,554,000) (subject to annual appropriations)

BACKGROUND

This service contract will provide public awareness campaigns for water conservation and grease abatement. The purpose of these programs is to promote public awareness of the need to conserve water and the proper way to dispose of grease. This goal is achieved by using public relations in the form of advertising including but not limited to television/radio ads, outdoor billboards, bus advertising, print ads, and internet ads. Other efforts included in this service contract are community outreach activities, programs and consumer research for behavior modifications.

Water Utilities (DWU) has had a comprehensive water conservation public awareness campaign since 2001. Public awareness campaigns, conservation programs and other efforts to date, has helped Dallas customers save an estimated 165 billion gallons of water. In 2009 DWU and Tarrant Regional Water District (TRWD) began a regional water conservation public awareness campaign, sharing the cost to develop the creative concepts and products which doubled the exposure by running a shared message.

BACKGROUND (Continued)

DWU will jointly work with TRWD on the water conservation public awareness campaign under the terms established in a Memorandum of Understanding (MOU) which was approved by Council on September 26, 2012. As part of the MOU, Dallas and TRWD will cost share in the creative concepts development and production for the water conservation public awareness campaign. Actual media buy, printing, and placement of the campaign materials will be procured through this service contract. TRWD does not provide wastewater services and therefore does not have to participate in the grease abatement program.

DWU's Grease Abatement Program began its public outreach campaign in 2005. Outreach efforts reduced sanitary sewer overflows (SSO), which are defined as the discharge of sewage from the wastewater collection system before reaching the treatment plant. The creative development of the Grease Abatement Program is considered in this agenda item and not within the MOU with TRWD.

The continued goal of the City through these campaigns is to:

- Build on the success of past campaigns by continuing to motivate and educate residents and businesses
- Continue the partnership with TRWD on the water conservation public awareness campaign
- Continue quantifiable reduction of SSO's in the wastewater system
- Increase public awareness and outreach efforts
- Increase grease collection and recycling efforts

A six member evaluation committee was selected from the following departments:

- Sanitation (1)
- Public Information Office (1)
- Trinity Watershed Management (1)
- Water Utilities (1)
- Business Development and Procurement Services (2)*

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

The successful proposer was selected by the committee based on the following criteria:

Experience	35 points
Price	30 points
Project Approach	20 points
Business Inclusion and Development Plan	15 points

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1164 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 24, 2011, the City Council authorized Supplemental Agreement No. 1 to the professional services contract to continue the advertising campaign and media placement for the promotion and reinforcement of water conservation initiatives and grease abatement program for the period October 2011 through September 2013, by Resolution No. 11-2222.

FISCAL INFORMATION

$4,759,000.00 - Water Conservation Program Funds (subject to annual appropriations)
$1,554,000.00 - Water Utilities Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

1164 - 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

Burson-Marsteller LLC

White Male	156	White Female	301
Black Male	6	Black Female	30
Hispanic Male	13	Hispanic Female	21
Other Male	9	Other Female	48

PROPOSAL INFORMATION

The following proposals were received from solicitation number BMZ1337 and opened on August 8, 2013. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposer	Address	Score	Amount
*Burson-Marsteller LLC	1845 Woodall Rogers Frwy. 11th Floor Dallas, TX 75201	86.40%	$6,313,000.00
Tuerff-Davis Enviromedia, Inc.	1717 W. 6th St. Suite #400 Austin, TX 78703	85.75%	$6,186,500.00
The LeMaster Group LTD	15455 N. Dallas Pkwy. Suite #600 Addison, TX 75001	85.27%	$6,286,975.00
Buckalew Media	11675 Jolleyville Rd. Suite #100 Austin, TX 78759	68.78%	$7,772,000.00

OWNER

Burson-Marsteller LLC

Dave Herder, Chief Executive Officer
Michael Law, President
Matt Burns, Southwest Market Leader
Michelle Bleiberg, Director

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year service contract for public awareness campaigns for water conservation and grease abatement – Burson-Marsteller LLC, most advantageous proposer of four - Not to exceed $6,313,000 - Financing: Water Conservation Program Funds ($4,759,000) (subject to annual appropriations) and Water Utilities Current Funds ($1,554,000) (subject to annual appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$6,313,000.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$6,313,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

October 23, 2013

WHEREAS, on August 24, 2011, the City Council authorized Supplemental Agreement No. 1 to the professional services contract to continue the advertising campaign and media placement for the promotion and reinforcement of water conservation initiatives and grease abatement program for the period October 2011 through September 2013 by Resolution No. 11-2222;

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 and execute five-year service contract for public awareness campaigns for water conservation and grease abatement – Burson-Marsteller LLC, most advantageous proposer of four - Not to exceed $6,313,000 - Financing: Water Conservation Program Funds ($4,759,000) (subject to annual appropriations) and Water Utilities Current Funds ($1,554,000) (subject to annual appropriations)

Section 2. That the City Controller is hereby authorized to transfer funds from the Water Utilities Current Fund 0100, Department DWU, Unit 7140, Object Code 3320, to Water Conservation Program Fund 0713, Department DWU, Unit 7138, Object Code 3320, in an amount not to exceed $4,759,000.00 (subject to annual appropriations).

Section 3. That the City Manager is authorized to increase appropriations for Water Conservation Program Fund 0713 Department DWU Unit 7138 Object 3320 in an amount not to exceed $951,800.

Section.4. That the City Controller is hereby authorized to encumber and disburse funds from the following encumbrances in an amount not to exceed $6,313,000 (subject to annual appropriations):

FUND	DEPT	UNIT	OBJ	ENCUMBRANCE	VENDOR	AMOUNT	FY
0713	DWU	7138	3320	CTDWU7138A1426M	502450	$951,800	14
0713	DWU	7138	3320	CTDWU7138A1513M	502450	$951,800	15
0713	DWU	7138	3320	CTDWU7138A1609M	502450	$951,800	16
0713	DWU	7138	3320	CTDWU7138A1705M	502450	$951,800	17
0713	DWU	7138	3320	CTDWU7138A1802M	502450	$951,800	18
0100	DWU	7041	3320	CTDWU7041A1427M	502450	$310,800	14
0100	DWU	7041	3320	CTDWU7041A1514M	502450	$310,800	15
0100	DWU	7041	3320	CTDWU7041A1610M	502450	$310,800	16
0100	DWU	7041	3320	CTDWU7041A1706M	502450	$310,800	17
0100	DWU	7041	3320	CTDWU7041A1803M	502450	$310,800	18

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

AGENDA ITEM # 45

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize an amendment to the "Memorandum of Understanding Public Awareness Campaign" between the City of Dallas and the Tarrant Regional Water District for the continuation of and creative development of the water conservation public awareness campaign for the next five years - Not to exceed $750,000 - Financing: Water Utilities Current Funds (subject to annual appropriations)

BACKGROUND

In 2012, Dallas and Tarrant Regional Water District (TRWD) entered into the Memorandum of Understanding Public Awareness Campaigns (MOU) to i) inform and educate the public regarding issues related to protection of drinking water sources and/or water conservation; ii) foster community ownership of the protection of drinking water sources and/or water conservation; and iii) raise the public's awareness of the public's role and impact in protection of drinking water resources and/or water conservation. The MOU anticipated the addition of individual Attachments for joint public awareness campaigns (Attachment 1 being the Reverse Litter Campaign).

This item is Attachment 2 to the MOU which includes the development of a campaign steering committee, establishes TRWD as the contracting authority for the creative development contract, establishes a 50/50 cost share for the creative development and production, references the "TRWD/Dallas Integrated Pipeline Project Fair Opportunities Purchasing/Contracting Policy" (Policy) to provide specific goals in the procurement of contracts. The Policy establishes a goal of 25%, guidelines for the development of joint procurement and contracting policies for future projects' specific goals, and includes a City of Dallas contract compliance staff person to jointly determine and approve project/contract compliance with policy.

BACKGROUND (Continued)

Dallas' annual share will be in an amount not to exceed $150,000 which will cover Dallas share of the cost necessary to develop the water conservation public awareness campaign, which includes: the creative development for the campaign concepts and production for all shared print, outdoor, transit and internet advertising the production of TV and radio ads, and web videos.

Results from the creative concept development and production will be implemented and funded—independently—by both Dallas and TRWD. Any media buy, printing, and placement of the campaign materials will be procured by Dallas under the Burson-Marsteller, LLC contract which is subject to approval by the City Council under a separate item on this Agenda.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 26, 2012, the City Council authorized the Memorandum of Understanding with the Tarrant Regional Water District to develop and implement regional awareness campaigns to address litter by Resolution No. 12-2429.

FISCAL INFORMATION

$750,000.00 - Water Utilities Current Funds (subject to annual appropriations)

October 23, 2013

WHEREAS, the population of the Dallas-Fort Worth Metroplex and surrounding communities is approximately 4.5 million people; and,

WHEREAS, the City of Dallas and Tarrant Regional Water District (TRWD) have a keen interest in the wise and efficient use of the regional water supply; and,

WHEREAS, the City of Dallas 2010 Water Conservation Five-year Strategic Plan Update sets specific goals and objectives to reach an average 1 ½ percent reduction in per capita consumption each year for FY 2011 through FY 2015; and,

WHEREAS, the City of Dallas 2010 Five-year Strategic Plan Update recommends the continuation of a public awareness campaign to encourage behavioral changes that help lower per capita consumption; and,

WHEREAS, the City of Dallas and TRWD desire to enter into and jointly establish, manage and fund a regional water conservation public awareness campaign initiative; and,

WHEREAS, the City of Dallas has an existing Memorandum of Understanding with the Tarrant Regional Water District related to public awareness campaigns that anticipates the addition of regional public awareness campaigns as Attachments to the Memorandum of Understanding; and,

WHEREAS, the purpose of Attachment 2 to the Memorandum of Understanding is to provide for the fundamental principles as agreed to between TRWD and the City of Dallas with regard to their respective rights and responsibilities pertaining to the regional water conservation public awareness campaign initiatives; and,

WHEREAS, the City Council is committed to water conservation; **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 Attachment 2 Water Conservation Public Awareness Campaign to “Memorandum of Understanding Public Awareness Campaign” with the Tarrant Regional Water District to continue a regional water conservation public awareness campaign.

Section 2. That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed $750,000.00 (subject to annual appropriations):

FUND	DEPT	UNIT	OBJ	ENCUMBRANCE	VENDOR	AMOUNT	FY
0100	DWU	7140	3072	CTDWU7140A1425M	510851	$150,000	14
0100	DWU	7140	3072	CTDWU7140A1511M	510851	$150,000	15
0100	DWU	7140	3072	CTDWU7140A1607M	510851	$150,000	16
0100	DWU	7140	3072	CTDWU7140A1703M	510851	$150,000	17
0100	DWU	7140	3072	CTDWU7140A1801M	510851	$150,000	18

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

AGENDA ITEM # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: Various

SUBJECT

Authorize **(1)** the rejection of bids received for the HVAC Major Repair and Replacement Project - Phase 1; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

BACKGROUND

This item will authorize the rejection of bids for the HVAC Major Repair and Replacement Project - Phase 1. On September 5, 2013, two bids were received. The bid submitted by John Cook & Associates, Inc. is being considered non-responsive due to submitting an incomplete proposal and the bid submitted by Assured Mechanical Solutions, LLC was significantly higher than the Engineer's estimate.

In the best interest of the City of Dallas, the Water Utilities Department is recommending rejection of all bids received and the re-advertisement of the project at a later date.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

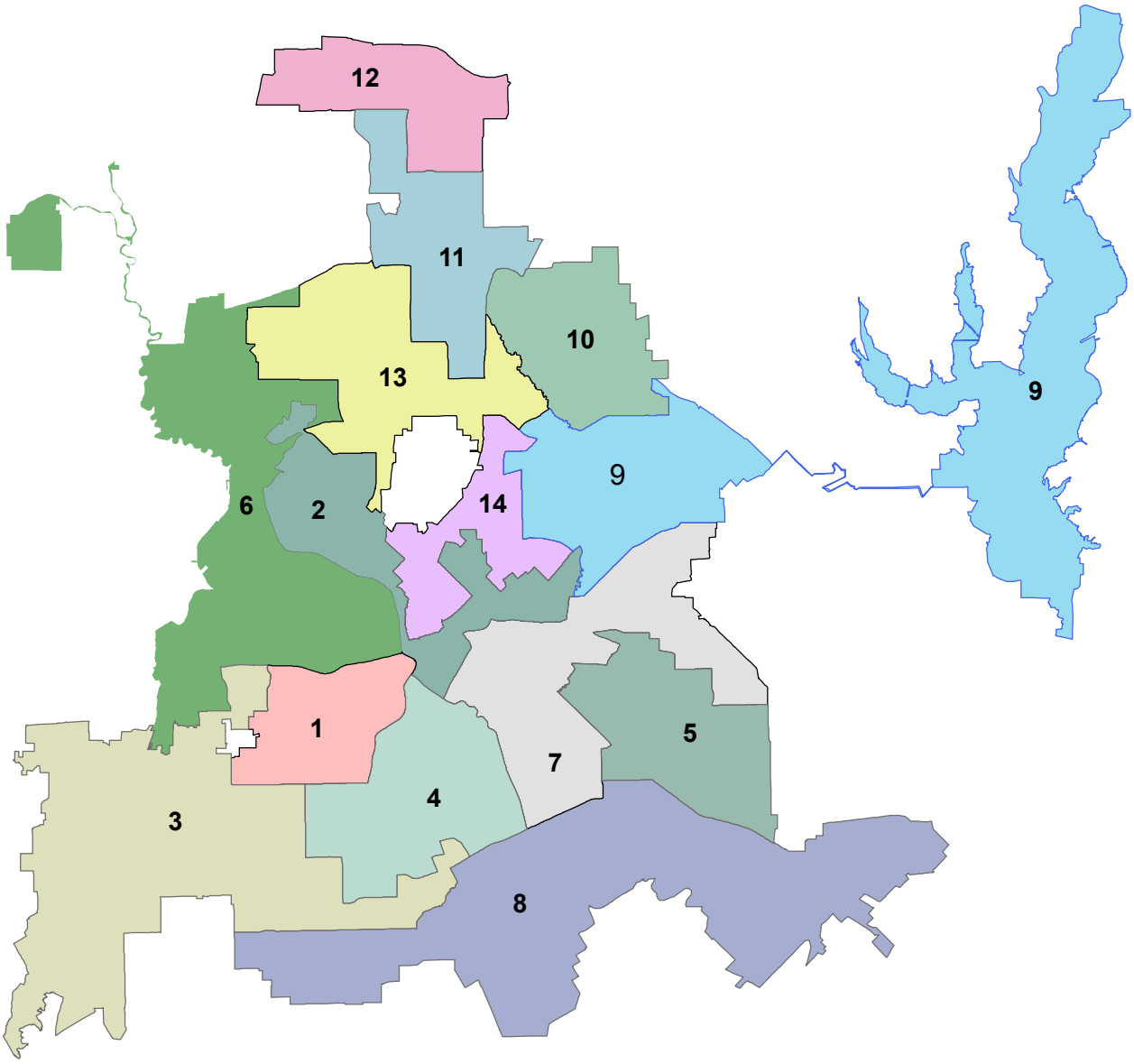
Authorized a professional services contract with Conley Group to provide architectural and engineering services to perform condition assessment of the roof and HVAC systems at the Water Utilities Department's 230 facilities, on June 27, 2012, by Resolution No. 12-1668.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Water Utilities Department
HVAC Major Repair and Replacement Project
Phase 1
Contract No. 14-005/006

October 23, 2013

WHEREAS, on September 5, 2013, two bids were received for the HVAC Major Repair and Replacement Project - Phase 1; and,

WHEREAS, one bidder submitted an incomplete proposal and the other bidder submitted a bid that was significantly higher than the engineer's estimate; and,

WHEREAS, after further evaluation of the bids, it has been determined that it is in the best interest of the City of Dallas to reject all bids received and re-advertise for new bids at a later date.

Now, Therefore,

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

Section 1. That all bids for doing the work covered by the plans, specifications, and contract documents, Contract No. 14-005/006, be rejected.

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

AGENDA ITEM # 48

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services
Aviation
Communication and Information Services
Office of Economic Development
Public Works Department
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Theresa O'Donnell, 671-9195
Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837
Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to the Airports Council International - North America in the amount of $55,000, Dallas Regional Mobility Coalition in the amount of $50,000, Gartner, Inc. (IT Executives and Leaders) in the amount of $90,681, North Central Texas Council of Governments in the amount of $120,742, North Texas Commission in the amount of $91,020, The Steering Committee of Cities Served by Oncor in the amount of $131,635, Texas Coalition of Cities For Utility Issues in the amount of $52,654, Texas Municipal League in the amount of $53,083, Water Environment Research Foundation in the amount of $83,374, and Water Research Foundation in the amount of $246,959 - Total not to exceed $975,148 - Financing: Current Funds ($589,815), Aviation Current Funds ($55,000) and Water Utilities Current Funds ($330,333)

BACKGROUND

Arrangements with these professional organizations provide the City of Dallas an avenue for greater communication and cooperation with other municipalities and government entities, access to research and information of benefit to the City, as well as providing consultation with other agencies on the needs of the region, state and nation.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was deferred by Councilmember Hill on October 8, 2013.

FISCAL INFORMATION

Current Funds - $589,815
Aviation Current Funds - $55,000
Water Utilities Current Funds - $330,332.65

ETHNIC COMPOSITION

Airports Council International - North America

Hispanic Female	0	Hispanic Male	0
Black Female	9	Black Male	1
White Female	11	White Male	9
Other Female	1	Other Male	2

Dallas Regional Mobility Coalition

Hispanic Female	1	Hispanic Male	0
Black Female	1	Black Male	1
White Female	6	White Male	20
Other Female	0	Other Male	1

Gartner, Inc. (IT Executives and Leaders)

Hispanic Female	0	Hispanic Male	2
Black Female	2	Black Male	3
White Female	8	White Male	25
Other Female	1	Other Male	0

North Central Texas Council of Governments

Hispanic Female	20	Hispanic Male	13
Black Female	26	Black Male	7
White Female	115	White Male	97
Other Female	14	Other Male	12

North Texas Commission

Hispanic Female	2	Hispanic Male	5
Black Female	2	Black Male	4
White Female	28	White Male	59
Other Female	1	Other Male	3

ETHNIC COMPOSITION (Continued)

The Steering Committee of Cities Served by Oncor

Ethnic Composition not available - staffed by volunteers

Texas Coalition of Cities For Utility Issues

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

Texas Municipal League

Hispanic Female	1	Hispanic Male	1
Black Female	1	Black Male	0
White Female	19	White Male	6
Other Female	0	Other Male	0

Water Environment Research Foundation

Hispanic Female	0	Hispanic Male	0
Black Female	2	Black Male	0
White Female	15	White Male	9
Other Female	1	Other Male	1

Water Research Foundation

Hispanic Female	3	Hispanic Male	1
Black Female	1	Black Male	0
White Female	23	White Male	10
Other Female	0	Other Male	1

October 23, 2013

WHEREAS, arrangements with professional organizations provide the City of Dallas access to research and information of benefit to the City, enhanced communication with other municipalities, opportunities for information exchange and professional development, as well as effective lobbying on matters of municipal interest; and

WHEREAS, the City of Dallas continues to benefit through its relationships with these professional organizations;

Now, Therefore,

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

Section 1. That the City of Dallas continue arrangements with the organizations listed below for fiscal year 2013-14 for the annual fees specified.

Section 2. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $55,000 from Fund 0130, Dept. AVI, Unit 7710, Object 3340, Encumbrance CT AVIACINA091412, Vendor No. 221216, for payment of annual fees for the Airports Council International - North America.

Section 3. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $90,681 from Fund 0198, Dept. DSV, Unit 1664, Object 3340, Encumbrance CT DSV14GRTNIT, Vendor No. VS0000018090, for payment of annual fees to Gartner, Inc. for the IT Executives and Leaders.

Section 4. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $120,742 from Fund 0001, Dept. BMS, Unit 1991, Object 3340, Encumbrance CT BMS1991A1401 Vendor No. 265554, for payment of annual fees for the North Central Texas Council of Governments.

Section 5. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $53,083 from Fund 0001, Dept. BMS, Unit 1991, Object 3340, Encumbrance CT BMS1991A1402, Vendor 079714, for payment of annual fees for the Texas Municipal League.

Section 6. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $131,635 from Fund 0001, Dept. BMS, Unit 1991, Object 3340, Encumbrance CT BMS1991A1403 Vendor No. 264729, for payment of annual fees for the Steering Committee of Cities Served by Oncor.

Section 7. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $52,654 from Fund 0001, Dept. BMS, Unit 1991, Object 3340, Encumbrance CT BMS1991A1404 Vendor 354776, for payment of annual fees for the Texas Coalition of Cities for Utility Issues.

Section 8. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $246,959.15 from Fund 0100, Dept. DWU, Unit 7015, Object 3340, Encumbrance CT DWU7015K1375, Vendor No. VC0000008752, for payment of annual fees for the Water Research Foundation.

Section 9. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $83,373.50 from Fund 0100, Dept. DWU, Unit 7015, Object 3340, Encumbrance CT DWU7015K1376, Vendor No. 333952, for payment of annual fees for the Water Environment Research Foundation.

Section 10. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $91,020 from Fund 0001, Dept. ECO, Unit 1164, Object 3340 Encumbrance CT ECO1164L048, Vendor No. 193362, for payment of annual fees for the North Texas Commission.

Section 11. That the City Controller is hereby authorized to encumber and disburse an amount not to exceed $50,000 from Fund 0001, Dept. PBW, Unit 3117, Object 3340 Encumbrance CT PBW3117A001, Vendor No. 265046, for payment of annual fees for the Dallas Regional Mobility Coalition.

Section 12. 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: October 23, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction
Public Works Department

CMO: Theresa O'Donnell, 671-9195
Jill A. Jordan, P.E., 670-5299

MAPSCO: 45L

SUBJECT

Authorize a moving and related expenses-nonresidential payment for Tip Top Big Dog Inc. dba Tini Bar, who has been displaced as a direct result of real property acquisition of the property at 2224 Elm Street, to be used in conjunction with the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed $77,021 – Financing: 2003 Bond Funds

BACKGROUND

Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense payments for businesses displaced by the City of Dallas in conjunction with its real property acquisition activities. On April 10, 2013, the City Council approved Resolution No. 13-0627 which authorized a Special Commissioners' Award and settlement of a condemnation suit for real property, known as 2224 Elm Street, for public use in conjunction with the Central Expressway from Commerce to Live Oak Realignment Project. Tip Top Big Dog Inc. dba Tini Bar has been displaced as a direct result of this property acquisition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 10, 2013, the City Council authorized a Special Commissioners' Award of real property for public use in conjunction with the Central Expressway from Commerce to Live Oak Realignment Project by Resolution No. 13-0627.

This item was deferred by Councilmember Kingston on October 8, 2013.

FISCAL INFORMATION

2003 Bond Funds - $77,021

OWNER

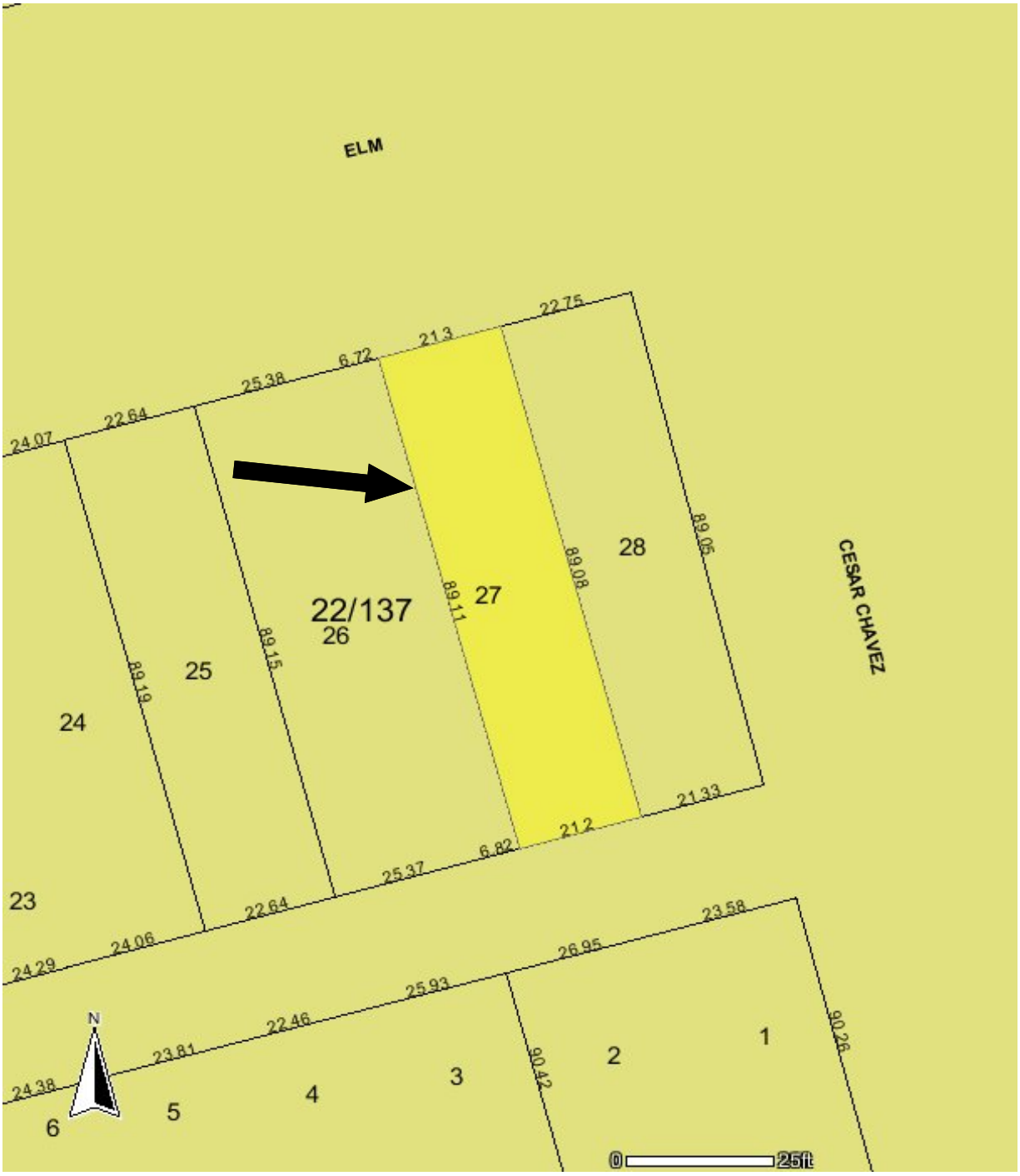
Tip Top Big Dog Inc. dba Tini Bar

Steve Wylie, Owner

MAP

Attached

Central Expressway from Commerce to Live Oak Realignment Project
Relocation Assistance



Block 22/137 Lt 27-2224 Elm Street

October 23, 2013

WHEREAS, on April 10, 2013, the City Council approved Resolution No. 13-0627 which authorized a Special Commissioners' Award and settlement of a condemnation suit for real property improved with commercial buildings and more commonly known as 2224 Elm Street, to be used in conjunction with the Central Expressway from Commerce to Live Oak Realignment Project; and

WHEREAS, Tip Top Big Dog Inc. dba Tini Bar has been displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides relocation payments for businesses displaced by the City of Dallas in conjunction with its property acquisition activities for its projects; and

Now, Therefore,

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

SECTION 1. That Tip Top Big Dog Inc. dba Tini Bar has been displaced in conjunction with the construction of the Central Expressway from Commerce to Live Oak Realignment Project and is entitled to an actual reasonable moving and related expenses-nonresidential payment pursuant to Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SECTION 2. That Tip Top Big Dog Inc. dba Tini Bar is eligible to receive an actual reasonable moving and related expenses-nonresidential payment in an amount up to $77,021.

SECTION 3. That the City Controller is authorized to draw a warrant in favor of Tip Top Big Dog Inc. dba Tini Bar in an amount not to exceed $77,021 for an actual reasonable moving and related expenses-nonresidential payment.

This warrant is to be paid as follows:

Fund	Dept	Unit	Obj	Act Code	Prog No	CT	Vendor No	Amount
4R22	PBW	U779	4240	THRF	PB06U779	SUSU779ND66	VC0000012192	$77,021

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 # 50,51

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45V

SUBJECT

Cedars TIF District

* Authorize a development agreement with Dig It! Development, LLC to dedicate future Cedars TIF District revenues in an amount not to exceed $490,700 for eligible project costs related to infrastructure, streetscaping, and landscaping improvements located at: **(1)** 1509, 1513, 1517, 1521 and 1527 Hickory Street; **(2)** 1814, 1818, and 1820 Browder Street; **(3)** the adjoining alley between Browder Street and Ervay Street; **(4)** along Hickory Street beyond the project site; and **(5)** a second alley between Beaumont Street and Hickory Street in Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) – Not to exceed $490,700 – Financing: Cedars TIF District Funds

* A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to reimburse Dig It! Development, LLC up to $490,700 for certain TIF-eligible project costs related to infrastructure, streetscaping, and landscaping improvements located at: **(1)** 1509, 1513, 1517, 1521 and 1527 Hickory Street; **(2)** 1814, 1818, and 1820 Browder Street; **(3)** the adjoining alley between Browder Street and Ervay Street; **(4)** along Hickory Street beyond the project site; and **(5)** a second alley between Beaumont Street and Hickory Street in the Cedars TIF District – Financing: No cost consideration to the City

BACKGROUND

This item commits TIF funding in an amount not to exceed $490,700 to enable the construction of the Galleries on Hickory Project.

BACKGROUND (Continued)

The Galleries on Hickory Project will include the following improvements:

A. The construction of 18 detached for sale single-family housing units on the parcels that comprise 1509, 1513, 1517, 1521 and 1527 Hickory Street; and 1814, 1818, and 1820 Browder Street. The housing units' size will range between approximately 1,450 and 3,000 square feet.

B. Infrastructure, streetscaping, and landscaping improvements that will consist of the demolition of a concrete foundation that remains from a previously demolished structure; construction of water utilities, storm water drainage, sanitary sewers, and new sidewalks; street improvements; replacement and repair of existing sidewalks; pavement of the adjoining alley between Browder Street and Ervay Street as well as a second alley between Beaumont Street and Hickory Street; and the planting of native plants and trees. The new sidewalks for the Project shall be a minimum of 10' measured from the back of the curb and include a minimum 3-foot wide landscaping/pedestrian lighting zone adjacent to the curb and a minimum 7-foot wide pedestrian zone.

The anticipated total project cost is approximately $6,931,700 and consists of the following components: (i) land acquisition costs of approximately $726,000; (ii) hard construction costs of approximately $4,745,000; (iii) soft costs of approximately $970,000; and (iv) public improvement costs and contingences of approximately $490,700.

This item allows funding for District-wide public improvements (along Hickory Street beyond the project site and the alley between Beaumont Street and Hickory Street) out of existing Cedars TIF District Funds.

This project will not be eligible for TIF increment contributed to the Cedars TIF District Fund by Dallas County. The specific terms for the deal are included in the resolutions.

ESTIMATED PROJECT SCHEDULE

Begin Construction of Single-family Housing Project	December 2013
Complete Construction of Single-family Housing Project	April 2016
Begin Public Infrastructure Improvements	December 2013
Complete Public Infrastructure Improvements	April 2016

PRIOR ACTION/REVIEW (COUNCIL. BOARDS, COMMISSIONS)

On December 9, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) by Ordinance No. 21492, as amended.

On April 9, 1997, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Cedars TIF District by Ordinance No. 23092, as amended.

On August 23, 2013, the Peer Review Committee reviewed and approved the Conceptual Site Plan and Conceptual Elevations for the Galleries on Hickory Project.

On September 19, 2013, the Cedars TIF Board of Directors reviewed the proposed infrastructure, streetscaping, and landscaping improvements at: (1) 1509, 1513, 1517, 1521 and 1527 Hickory Street; (2) 1814, 1818, and 1820 Browder Street; (3) the adjoining alley between Browder Street and Ervay Street; (4) along Hickory Street beyond the project site; and (5) a second alley between Beaumont Street and Hickory Street in the Cedars TIF District and recommended City Council consideration of a development agreement with Dig It! Development, LLC and for authority to dedicate an amount not to exceed $490,700 in future TIF revenues from the Cedars TIF District for certain TIF-eligible public improvements.

On October 7, 2013, the Economic Development Committee was briefed on the proposed Galleries on Hickory Project and recommended approval.

FISCAL INFORMATION

$490,700 – Cedars TIF District Funds

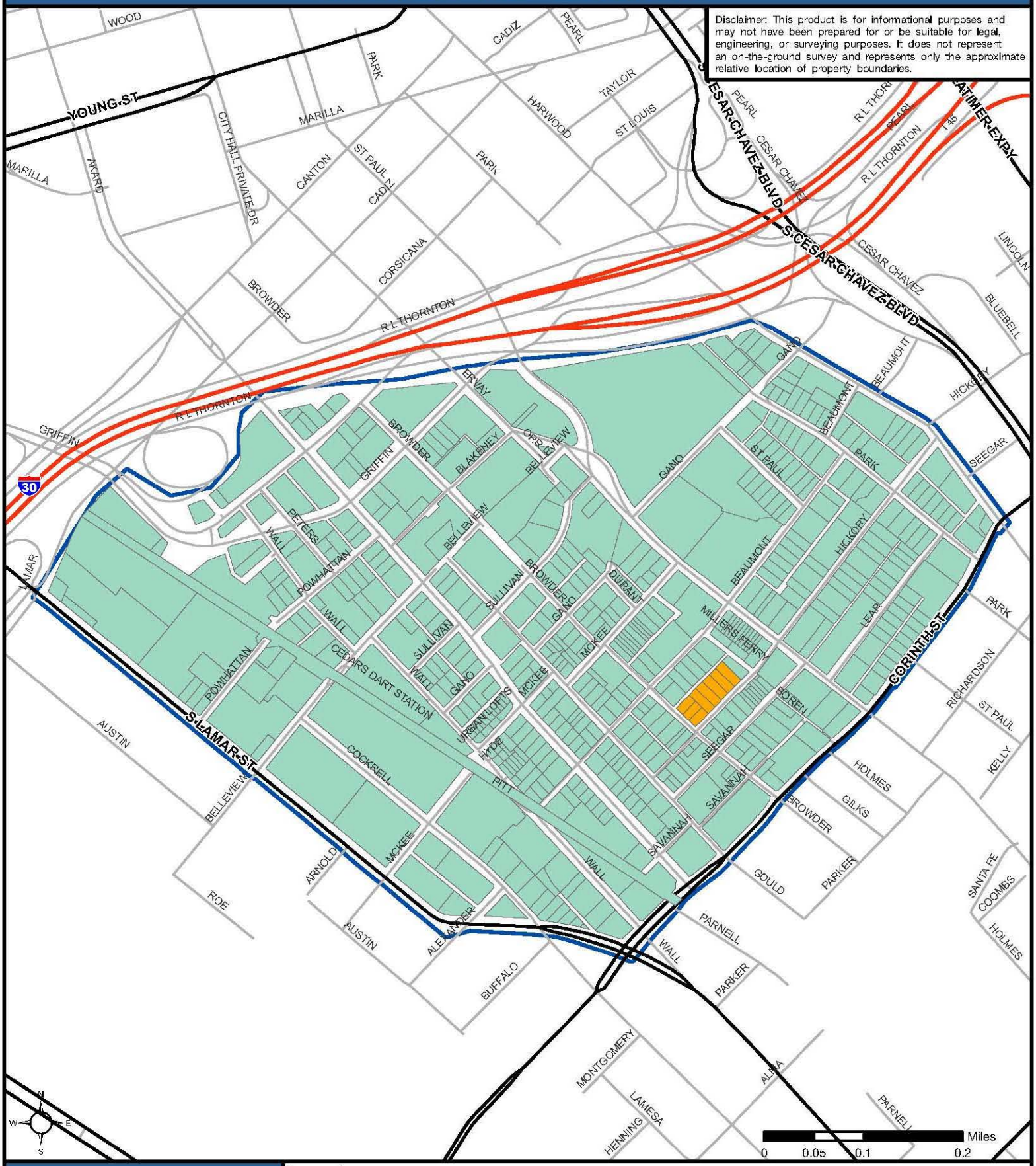
OWNER	DEVELOPER
Dig It! Development, LLC **A Texas limited liability company**	**Dig It! Development, LLC** **A Texas limited liability company**
Brad Friedman, Managing Partner	Brad Friedman, Managing Partner

MAP

Attached.

Cedars TIF District

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



DALLAS
ECONOMIC DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Created 09.10.13, Last Updated 09.10.13 - GalleriesOnHickory.ALP

Legend

- The Galleries on Hickery
- Cedars Parcels 2013
- Cedars TIF District Boundary

Data Source: City of Dallas

October 23, 2013

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

WHEREAS, on December 9, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Four ("Cedars 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. 21492, as amended; and

WHEREAS, on April 9, 1997, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cedars TIF District by Ordinance No. 23092, as amended; and

WHEREAS, on August 23, 2013, the Peer Review Committee reviewed and approved the Conceptual Site Plan and Conceptual Elevations for the Galleries on Hickory Project; and

WHEREAS, on September 19, 2013, the Cedars TIF Board of Directors reviewed the proposed infrastructure, streetscaping, and landscaping improvements at: (1) 1509, 1513, 1517, 1521 and 1527 Hickory Street; (2) 1814, 1818, and 1820 Browder Street; (3) the adjoining alley between Browder Street and Ervay Street; (4) along Hickory Street beyond the project site; and (5) a second alley between Beaumont Street and Hickory Street in the Cedars TIF District and recommended City Council consideration of a development agreement with Dig It! Development, LLC and for authority to dedicate an amount not to exceed $490,700 in future TIF revenues from the Cedars TIF District for certain TIF-eligible public improvements; and

WHEREAS, the infrastructure, streetscaping, and landscaping improvements are anticipated to further future growth and expansion of residential and commercial activity within the City of Dallas; and

WHEREAS, in furtherance of the Cedars TIF District Project Plan and Reinvestment Zone Financing Plan, the City desires to reimburse Dig It! Development, LLC for the cost of infrastructure, streetscaping, and landscaping improvements at: (1) 1509, 1513, 1517, 1521 and 1527 Hickory Street; (2) 1814, 1818, and 1820 Browder Street; (3) the adjoining alley between Browder Street and Ervay Street; (4) along Hickory Street beyond the project site; and (5) a second alley between Beaumont Street and Hickory Street in the Cedars TIF District as described in the Conceptual Site Plan attached hereto as **Exhibit A** and the Conceptual Elevations attached hereto as **Exhibit B**.

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 development agreement between Dig It! Development, LLC and the City of Dallas, subject to future appropriations, in an amount not to exceed $490,700 for TIF-eligible public improvements costs as shown in the TIF Funded Project Budget attached hereto as **Exhibit C** in accordance with the Cedars TIF District Project Plan and Reinvestment Zone Financing Plan.

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 the City Controller is hereby authorized to encumber and disburse funds from future tax increments and subject to future appropriations from:

Cedars TIF District Fund - Fund 0033, Department ECO, Unit P840, Object 4510, Activity TCED, Program No. CEDTIF0010, CT ECOP840L239-01, Vendor No. VS0000081192, in an amount not to exceed $95,700; and

Cedars TIF District Fund - Fund 0033, Department ECO, Unit P840, Object 4510, Activity TCED, Program No. CEDTIF0010, CT ECOP840L239-02, Vendor No. VS0000081192, in an amount not to exceed $395,000.

Total in an amount not to exceed $490,700.

Section 4. That Dig It! Development, LLC shall fund infrastructure, streetscaping, and landscaping improvements located at: (1) 1509, 1513, 1517, 1521 and 1527 Hickory Street; (2) 1814, 1818, and 1820 Browder Street; (3) the adjoining alley between Browder Street and Ervay Street; (4) along Hickory Street beyond the project site; and (5) a second alley between Beaumont Street and Hickory Street in the Cedars TIF District, in an amount not to exceed $490,700 for the cost of TIF-eligible public improvements in the Cedars TIF District. Dig It! Development, LLC will be paid solely from the Cedars TIF District Fund in accordance with the terms of the development agreement described in hereof, but only to the extent such Cedars TIF District Funds are available for such purpose. No interest will be paid on this award since funds are not advanced to the City for these improvements.

Section 5. That assuming all conditions for payment have been met, the City will administer the payment of the TIF Reimbursement for the Project annually from the Cedars TIF District Fund. Project Infrastructure improvements will be reimbursed from increment created by the project, Shared Increment and the District-wide Improvement Set-aside in accordance with the Cedars TIF District Increment Allocation Policy. This project will not be eligible for TIF increment contributed to the Cedars TIF District Fund by Dallas County.

Section 5. (Continued)

A. The Project will be eligible to receive its own increment. The individual increment will be used to fund site related improvements.

B. The Project will be eligible to receive Shared Increment in accordance with the Increment Allocation Policy. Shared Increment will be used to fund site related improvements. If there are other projects that are eligible for Shared Increment, funds will be allocated based on the ratio of a Project's Cumulative Individual Increment to the sum of the Cumulative Individual Increment generated by all Projects that are eligible for reimbursement from Shared Increment for a given year.

C. The District-wide Improvement Set-aside will be used to fund the infrastructure improvements along Hickory Street beyond the project site and the paving of the alley between Beaumont Street and Hickory Street. If there are other District-wide improvements that are eligible for TIF funding, funds will be allocated based on the ratio of a Project's Cumulative Individual Increment to the sum of the Cumulative Individual Increment generated by all Projects that are eligible for reimbursement from the set-aside for a given year.

Section 6. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds other than the Cedars TIF District Fund and/or Tax Increment Bonds. Any funds expended under the development agreement that remain unpaid upon termination of the Cedars TIF District, due to lack or unavailability of Cedars TIF District Funds shall no longer be considered project costs of the Cedars TIF District or the City and the obligation of the Cedars TIF District to pay Dig It! Development, LLC shall automatically expire.

Section 7. That in addition to the conditions set out in the Sections above, the Development Agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

A. A minimum private investment of $4,200,000 which is defined as including land acquisition, site preparation, hard construction costs, and soft costs related to construction incurred by the Developer/Owner with respect to the Project as evidenced by an audit of its applicable invoices, contractor payments, and sales agreements.

Section 7. (Continued)

B. Design Review including compliance with the Peer Review Committee's recommendations for the design of all public infrastructure improvements at: (1) 1509, 1513, 1517, 1521 and 1527 Hickory Street; (2) 1814, 1818, and 1820 Browder Street; (3) the adjoining alley between Browder Street and Ervay Street; (4) along Hickory Street beyond the project site; and (5) the alley between Beaumont Street and Hickory Street. The project's TIF funding eligibility requires the Developer/Owner's compliance with Design Review recommendations.

C. The Project must be consistent in general form and character with the attached Conceptual Site Plan and Conceptual Elevations (please refer to Exhibits A and B). Any modification to the plans must be approved through the TIF Design Review process.

D. The project shall contain a minimum of 10 single-family housing units with 1,250 square feet of space each.

E. Developer/Owner must complete and receive a Certificate of Occupancy for the single-family housing units by May 31, 2016.

F. Developer/Owner must complete all public infrastructure improvements as described in the Description of the Project's Public Infrastructure Improvements attached hereto as **Exhibit D**, and receive a certificate of acceptance from the City's Department of Public Works by May 31, 2016, for all infrastructure improvements that are to be reimbursed with TIF funds.

G. Developer/Owner shall make good faith efforts to comply with the Business Inclusion and Development (BID) process and goals established by the City in its BID Plan with the City's Fair Share Goals. Specifically, the Developer/Owner's goals shall be 25% participation by M/WBE firms for all construction work related to the Project that is a TIF Eligible Project Cost and 10% participation by M/WBE firms for the remainder of the Project Construction.

H. An operating and maintenance agreement must be executed and funded for non-standard public improvements associated with the Project by May 31, 2016.

Section 8. That the Director of the Office of Economic Development, after approval and recommendation of the Davis Garden TIF District Board of Directors, may authorize minor modifications to the project including development site plan and/or an extension of the project deadlines up to six months.

Section 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

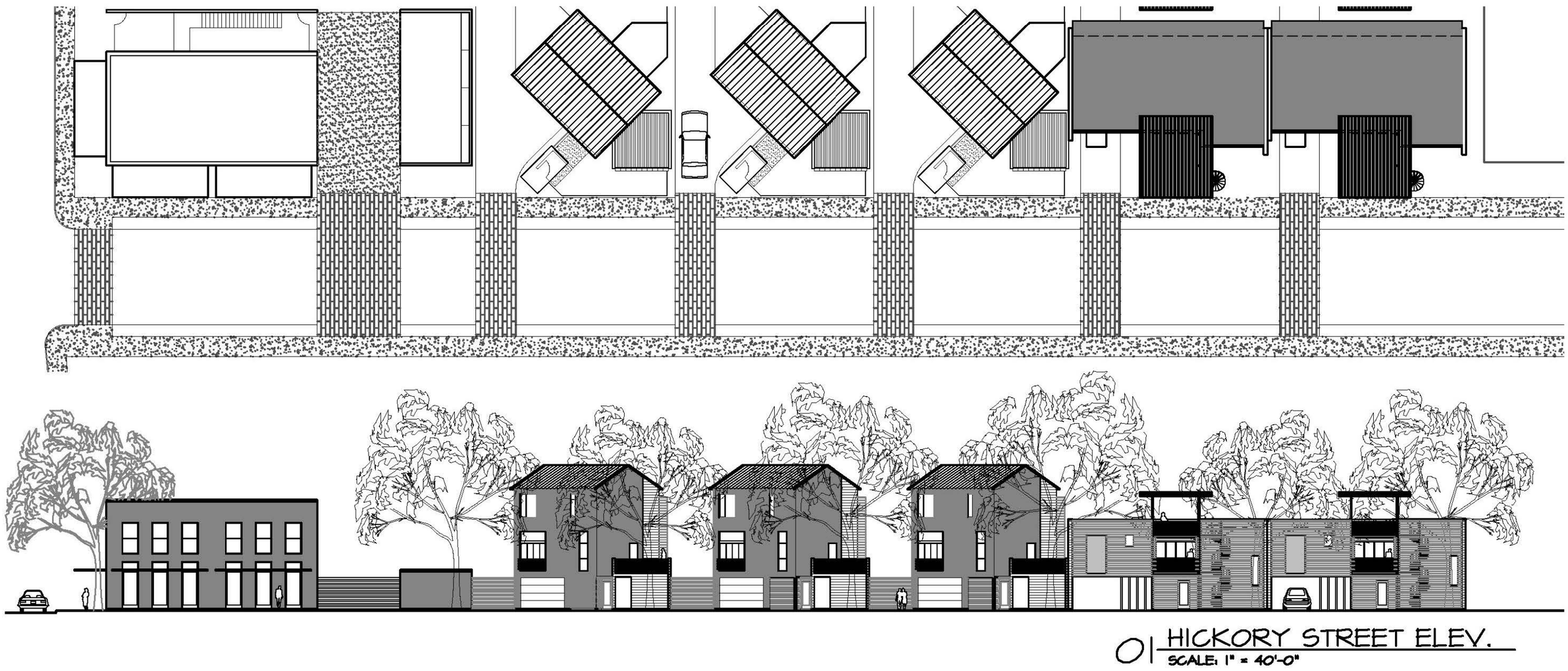
Exhibit A
Conceptual Site Plan

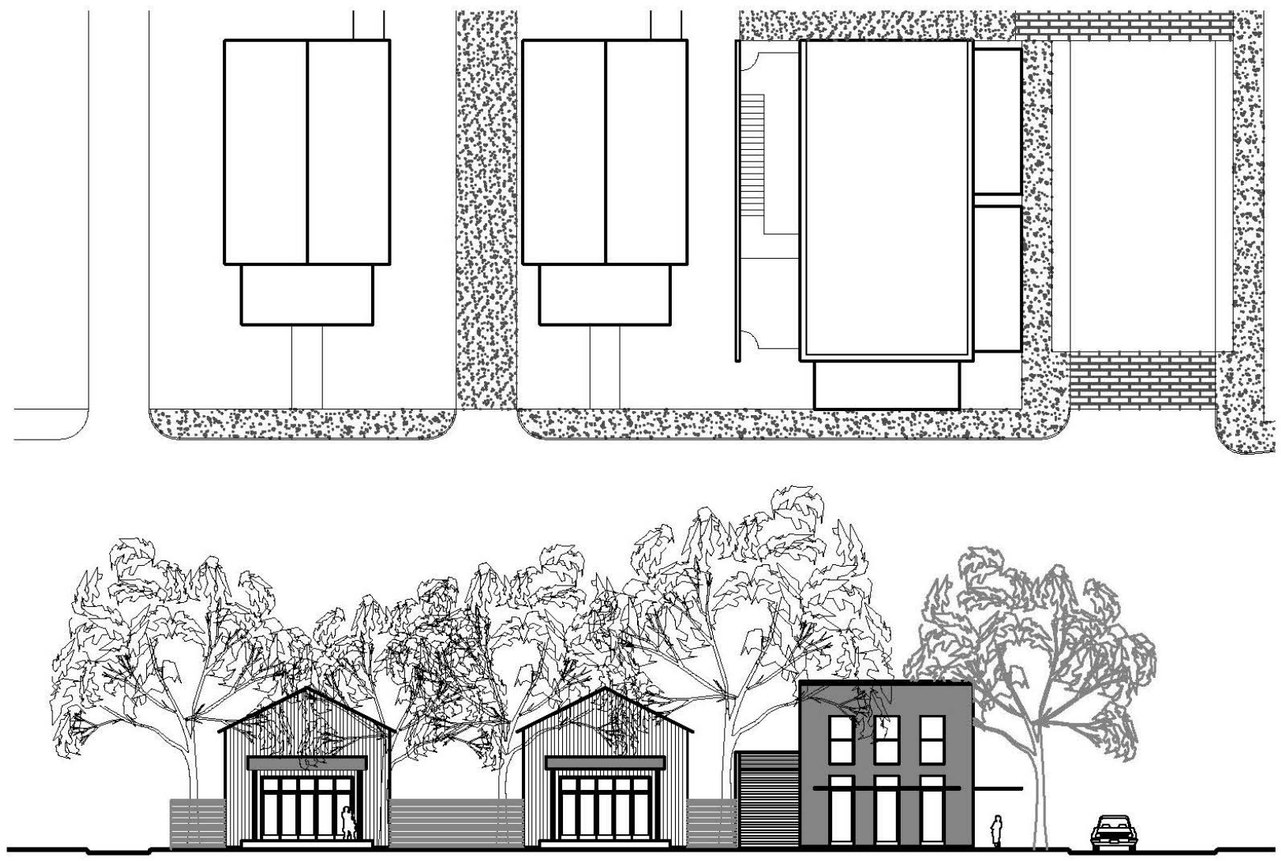
HICKORY STREET DEVELOPMENT
Dallas, Texas

SITE PLAN

shipley ARCHITECTS
1709 Gould Street Dallas, Texas 75215 214.428.2080

Exhibit B
Conceptual Elevations





02 BROWDER STREET ELEV.
SCALE: 1" = 40'-0"

HICKORY STREET DEVELOPMENT
Dallas, Texas

45 DEGREE HOME

shipley ARCHITECTS
1709 Gould Street Dallas, Texas 75215 214.428.2080

HICKORY STREET DEVELOPMENT
Dallas, Texas

UP AND OVER HOME

shipley ARCHITECTS
1709 Gould Street Dallas, Texas 75215 214.428.2080

Exhibit C
TIF Funded Project Budget

Infrastructure Improvements	
(TIF Eligible Project Costs)	
Infrastructure Improvements - Street Construction/Streetscape/Water/ Wastewater/Drainage Improvements/East-West Corridor Construction/ Public Open Spaces/Economic Development Grants	
Infrastructure Improvements extending beyond the project site along Hickory Street and the paving of the alley between Beaumont Street and Hickory Street	$95,700
Site related Public Improvements along Hickory Street and Browder Street as well as the paving of the adjoining alley between Browder Street and Ervay Street	$395,000
Total TIF Eligible Project Costs	**$490,700**

** Cost maybe reallocated among categories as long as the total TIF funding commitment does not exceed $490,700. No interest shall accrue on any portion of the TIF subsidy.*

Exhibit D
Description of the Project's Public Infrastructure Improvements

The public infrastructure improvements for the Galleries on Hickory Project will consist of the following components:

- Site related infrastructure, streetscaping, and landscaping improvements along Hickory Street and Browder Street; and the paving of the adjoining alley between Browder Street and Ervay Street. The improvements along Hickory Street will begin at Browder Street and extend approximately 428 feet toward South Ervay Street. The improvements along Browder Street will begin at Hickory Street and extend approximately 180 feet towards Beaumont Street.

- Infrastructure, streetscaping, and landscaping improvements beyond the project site along Hickory Street between Gould Street and Browder Street (approximately 350 feet); and the paving of the alley between Beaumont Street and Hickory Street. The alley paving will begin at Hickory Street and extend approximately 160 feet towards Beaumont Street.

October 23, 2013

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

WHEREAS, on December 9, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Four ("Cedars 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. 21492, as amended; and

WHEREAS, on April 9, 1997, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cedars TIF District by Ordinance No. 23092, as amended; and

WHEREAS, on August 23, 2013, the Peer Review Committee reviewed and approved the Conceptual Site Plan and Conceptual Elevations for the Galleries on Hickory Project.

WHEREAS, on September 19, 2013, the Cedars TIF Board of Directors reviewed the proposed infrastructure, streetscaping, and landscaping improvements at: (1) 1509, 1513, 1517, 1521 and 1527 Hickory Street; (2) 1814, 1818, and 1820 Browder Street; (3) the adjoining alley between Browder Street and Ervay Street; (4) along Hickory Street beyond the project site; and (5) a second alley between Beaumont Street and Hickory Street in the Cedars TIF District and recommended City Council consideration of a development agreement with Dig It! Development, LLC and for authority to dedicate an amount not to exceed $490,700 in future TIF revenues from the Cedars TIF District for certain TIF-eligible public improvements; and

WHEREAS, the infrastructure, streetscaping, and landscaping improvements are anticipated to further future growth and expansion of residential and commercial activity within the City of Dallas; and

WHEREAS, in furtherance of the Cedars TIF District Project Plan and Reinvestment Zone Financing Plan, the City desires to reimburse Dig It! Development, LLC for the cost of infrastructure, streetscaping, and landscaping improvements at: (1) 1509, 1513, 1517, 1521 and 1527 Hickory Street; (2) 1814, 1818, and 1820 Browder Street; (3) the adjoining alley between Browder Street and Ervay Street; (4) along Hickory Street beyond the project site; and (5) a second alley between Beaumont Street and Hickory Street in the Cedars TIF District.

NOW, THEREFORE,

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

October 23, 2013

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

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

Project Description	**Debt To Be Issued**
Infrastructure, streetscaping, and landscaping improvements at: (1) 1509, 1513, 1517, 1521 and 1527 Hickory Street; (2) 1814, 1818, and 1820 Browder Street; (3) the adjoining alley between Browder Street and Ervay Street; (4) along Hickory Street beyond the project site; and (5) a second alley between Beaumont Street and Hickory Street	Not to exceed $490,700 as provided by the Project Plan and Reinvestment Zone Financing Plan

Section 3. That the total Cedars TIF District participation in the cost of public infrastructure improvements for Dig It! Development, LLC's project shall not exceed an amount of $490,700 all in accordance with the terms of the said development agreement.

Section 4. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds other than the Cedars TIF District Fund and/or Tax Increment Bonds. Any funds expended under the development agreement that remain unpaid upon termination of the Cedars TIF District, due to lack or unavailability of Cedars TIF District Funds shall no longer be considered project costs of the Cedars TIF District or the City and any obligation to pay Dig It! Development, LLC shall automatically expire.

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

AGENDA ITEM # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 8

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 66 P

SUBJECT

Authorize a Chapter 380 Economic Development Grant Agreement in the amount of $1,500,000 to KRR Construction, LTD., for the acquisition and redevelopment of improved property commonly known as 3540 Simpson Stuart Road and 3546 Simpson Stuart Road, Dallas Texas, for the Simpson Stuart/Bonnie View Grocery Store Project, including associated closing costs, pre-development, relocation, environmental, and demolition costs - Not to exceed $1,500,000 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

KRR Construction, LTD., has proposed to work with the City of Dallas to undertake the redevelopment of a commercial strip located at 3540 Simpson Stuart Road to include a 16,000 sq. ft. grocery store for an area qualified as a Food Desert by USDA. The project is proposed to also utilize 2.3 acres of undeveloped land to the east of the current commercial strip for retail development in conjunction with the grocery store. Acquisition and redevelopment of the property will further the City's goals for development in southern Dallas.

Funds expended for land acquisition will not exceed appraised value of the property as determined by a city approved independent appraiser. Terms of the grant will require Grantee to:

- Contract with a full service grocery store operator for the site acceptable to the city
- Complete demolition of current structure within one (1) year from first draw under the grant agreement
- Complete vertical construction within three (3) years from first draw under the grant agreement

BACKGROUND (Continued)

If terms of the grant agreement are not met timely, the Grantee will provide the city collateral interest in the subject real property equal to $1,500,000 or the cash equivalent.

The location is on the south side of Simpson Stuart Road just east of the intersection of Simpson Stuart and Bonnie View Roads KRR Construction, LTD., has over 35 years of experience in the construction industry. The company's concentration has been multi-family, with over 2,000 units built. They have partnered on several commercial developments. KRR will have three years to redevelop the property. The total cost for the development is $4.5 million. Chase Bank has submitted a Letter of Interest in providing financing for the project.

The proposed development is intended to complement a recent $2 million investment in a convenience store service station, the first new commercial development in the area for many years, a new city library being relocated just to the south of the site and the proposed redevelopment of blighted apartments directly behind the site.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, the City Council approved a development loan in the amount of $2,500,000 for the acquisition of improved property located at 6271 Highland Hills Drive for demolition and redevelopment of a blighted 150 unit apartment complex by Resolution No. 13-1158.

On October 7, 2013, the Economic Development Committee was briefed on the Simpson Stuart/Bonnie View Grocery Store Project.

FISCAL INFORMATION

$1,500,000 – General Obligation Commercial Paper Funds

OWNER	**DEVELOPER**
KRR Construction, LTD.	**KRR Construction, LTD.**
Joseph Kemp, President	Joseph Kemp, President

MAP

Attached.

CONCEPT

[A = 19,570sf New Library]
[B = 6,500sf Exxon]
[C = Sr Development 220 units + 3.97 Future Dev]
[D = 16,500sf Grocery]
[E = + 22,000sf Neighborhood Retail]

October 23, 2013

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

WHEREAS, on June 23, 2010, the City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 10-1721, as amended; and

WHEREAS, KRR Construction, LTD., wishes to partner with the City of Dallas to develop the property located at 3540 and 3546 Simpson Stuart Road in Dallas to commercial and retail uses to include a full service grocery store; and

WHEREAS, the acquisition and redevelopment of the Properties will further the City's goals for development in the southern Dallas.

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 a Chapter 380 Economic Development Grant pursuant to the Texas Local Government Code in the amount of $1,500,000 to KRR Construction, LTD., for the acquisition and redevelopment of improved property located at 3540 Simpson Stuart Road and unimproved property located at 3546 Simpson Stuart Road in Dallas, including associated closing costs, pre development, relocation, environmental, and demolition costs.

Section 2. That the other terms of the grant shall include:

(a) A commitment to operate a grocery store from an operator acceptable to the City of Dallas.

(b) Three (3) years from the date of the first advance under the Grant Agreement, the Grantee must complete redevelopment of the acquired properties. Demolition must be completed within one year from the date of the first advance under the Grant Agreement.

(c) If the Grantee fails to complete redevelopment within the three year period, the City of Dallas has the option to require the Grantee to convey to the City of Dallas Fee simple title to the properties acquired with funds under the loan, free of any liens or encumbrances not acceptable to the City or the cash equivalent.

Section 2. (Continued

(d) Grantee shall obtain approval from the City for permitted uses of the property. "Permitted uses" includes those uses that are permitted under the Dallas Development Code on the property, but in no event may they include any use that requires a sexually oriented business license under Chapter 41A of the Dallas City Code, or a liquor store, a pawn shop, a body piercing studio, or a tattoo studio as those terms are defined by the Dallas Development Code.

(e) As a certificate of occupancy has been obtained for a constructed structure or project on the property and a grocer acceptable to the city has committed to operate a full service grocery, Grantee will be released from any obligation corresponding with grant proceeds advanced.

(f) Deed Restrictions to prevent property sale or transfer of ownership without consent and the approval of the City.

(g) Development grant is subject to final execution of purchase agreement between buyer and sellers, also approved by the City, no later than November 15, 2013.

Section 3. That the grant will be forgiven if development of sites purchased is completed within three years from the date of the first advance under the Grant Agreement and certificate of occupancy is issued Time may be extended by the Director of City of Dallas Office of Economic Development.

Section 4. That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

Fund: 2T52, Unit: T808, Department: ECO, Object Code: 3016, Activity INFS, Encumberance No. ECOT808A241, Vendor No. VC0000011993, in an amount not to exceed $1,500,000.

Section 5. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available funding, and there will be no liability or obligation on the City until final contract documents are approved, executed and final closing completed.

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

AGENDA ITEM # 53

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 5

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: N/A

SUBJECT

Authorize a Chapter 380 Forgivable Loan in the amount of $150,000 to GBD BDM, LLC for gap financing for construction costs related to expanding the offices of Dental Delite, the dental practice of Belinda D. Marsaw, DDS to 8222 Bruton Road, Dallas Texas in the Pleasant Grove area - Not to exceed $150,000 - Financing: Public/Private Partnership Funds

BACKGROUND

Dr. Belinda Marsaw has been a dental practitioner since 1984, serving southern Dallas. Her practice, Dental Delite PG is located 8228 Bruton Road, Dallas, Texas in the Pleasant Grove area. Her business has outgrown its existing facilities and she needs to expand to accommodate an increasing patient load. She has purchased a vacant lot next to her current location for expansion.

The project will add 10,000 square feet of space to the existing Dental Delite facility improve a vacant lot, improve the efficiency and productivity of the current practice, increase revenue and add 20 jobs. The total project cost is $1,512,000. Dr. Marsaw will bring $460K of equity to the project.

The development of the Property will further the City's goals for development in southern Dallas. The total consideration of $150,000 is contingent upon approval of $900K of financing from the primary lender, the Small Business Administration and completion of the redevelopment of the subject site within three (3) years from the date of first advance under the Loan Agreement. Borrower shall execute a subordinate second lien Deed of Trust on the subject development site for all cost expended from loan proceeds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 7, 2013, a memo was submitted to the Economic Development Committee regarding authorizing a Chapter 380 Forgivable Loan in the amount of $150,000 to GBD BDM, LLC for construction costs related to expanding the offices of Dental Delite.

FISCAL INFORMATION

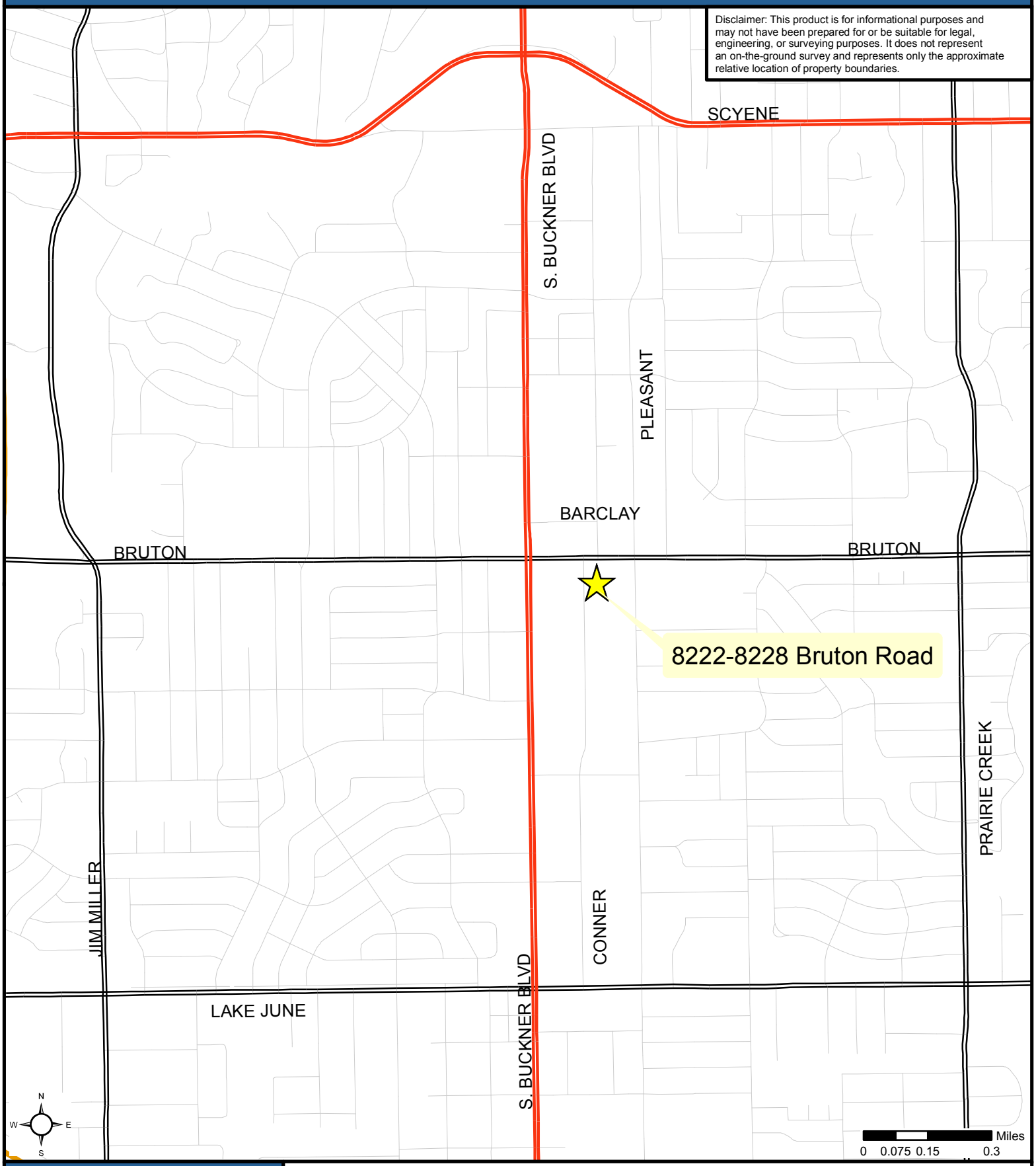
$150,000 – Public/Private Partnership Funds

OWNER	**DEVELOPER**
GBG BDM, LLC	**GBG BDM, LLC**
Dr. Belinda Marsaw, President	Dr. Belinda Marsaw, President

MAP

Attached.

Dental Delite



DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 10.02.13,
Last Updated 10.02.13 - FileName.13-10-01 LeeMcKinney

Legend

Dallas Area Roads

- Freeway
- Tollway
- Highway
- Arterial
- Local Road

Data Source: COD GIS and OED files

October 23, 2013

WHEREAS, GBG BDM, LLC., wishes to partner with the City of Dallas to expand the Dental Delite dental practice to 8222 Bruton Road in Dallas by adding 10,000 square feet of space to the current site located at 8228 Bruton Road Dallas Texas; and

WHEREAS, the new construction will improve a currently vacant lot, increase revenue and add 20 new jobs and further the City's goals for development in the Southern Sector.

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 a uthorized to execute a Chapter 380 Forgivable Loan in the amount of $150,000 to GBD BDM, LLC for construction costs related to expanding the offices of Dental Delite to 8222 Bruton Road, Dallas Texas.

Section 2. That the other terms of the loan documents shall include:

(a) Borrower must complete redevelopment of the subject site within three (3) years from the date of the first advance under the Loan Agreement.

(b) If the Borrower fails to complete development of the subject site within the three year period, the City of Dallas has the option to require Borrower to convey to the City of Dallas Fee simple title to the properties acquired with funds under the loan, free of any liens or encumbrances not acceptable to the City.

(c) Borrower shall execute a subordinate second lien deed of trust on the subject development site for all costs expended from loan proceeds.

(d) Borrower shall obtain approval from the City for permitted uses of the property. "Permitted uses" includes those uses that are permitted under the Dallas Development Code on the property, but in no event may they include any use that requires a sexually oriented business license under Chapter 41A of the Dallas City Code, or a liquor store, a pawn shop, a body piercing studio, or a tattoo studio as those terms are defined by the Dallas Development Code.

(e) As a certificate of occupancy has been obtained for a constructed structure or project on the subject site, Borrower will be released from any obligation associated with the Loan corresponding with loan proceeds advanced.

Section 2. (Continued)

(f) Deed Restrictions to prevent property sale or transfer of ownership without consent and the approval of the City.

(g) Loan is subject to final approval of all financing necessary to complete the project.

Section 3. That the loan, secured by a second lien on the real property, is forgivable if development of site is completed within the three year period and certificate of occupancy is issued for the project. Time may be extended by the Director of City of Dallas, Office of Economic Development.

Section 4. That the City Controller is hereby authorized to disburse the forgivable loan from Fund 0352, Department ECO, Unit 9992, Object Code 3015 (developers loan), Activity PPPF, Encumbrance No. ECO9992A240, Vendor No. VC0000012341, Balance Sheet Account 033F (debit notes receivable – developers loan), Balance Sheet Account 0898 (credit deferred revenue – business loan), as necessary to make payments in an amount not to exceed $150,000.

Section 5. That the City Controller is hereby authorized to receive and deposit loan principal repayments, in accordance with the terms of the loan agreement, in Fund 0352, Department ECO, Unit 9992, Revenue Source 847G (credit principal repayment), Activity PPPF, Balance Sheet Account 0898 (debit deferred revenue), Balance Sheet Account 033F (credit notes receivable), in an amount up to $150,000.

Section 6. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available funding, and there will be no liability or obligation on the City until final contract documents are approved, executed and final closing complete

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

AGENDA ITEM # 54

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46D

SUBJECT

Authorize a housing development loan in the amount of $250,000 to Fowler Christian Apartments III, Inc. as gap financing for the development of 36 units of affordable housing to be located in the 5800 block of East Side Avenue for seniors – Not to exceed $250,000 - Financing: FY 2013-14 HOME Investment Partnership Program Funds

BACKGROUND

In September 2013, Juliette Fowler Homes, Inc. as developer of the Fowler Christian Apartments III project site, and Fowler Christian Apartments III, Inc. as owner, submitted a proposal to the City of Dallas for the construction of thirty six (36) affordable housing units for persons 62 years of age or older in the 5800 block of East Side Avenue. Juliette Fowler Homes, Inc. will also manage the project when completed.

The single three-story building will have thirty six one bedroom/one bath units, a community room, warming kitchen, laundry facilities and a leasing/social service coordinator's office. The City of Dallas will provide a zero interest, forgivable loan of $250,000 with an affordability period of 20 years. HUD will provide $4,242,289 in Section 202 Capital Advance, Predevelopment Grant and Deferred Developer fee funds. The Section 202 HUD funds do not require repayment as long as the owner operates the housing as affordable senior housing for the 40 year term of the mortgage.

The funds for the forgivable loan will be provided through FY 2013-14 HOME Investment Partnership Program Funds from the Department of Housing and Urban Development (HUD) which the City Council appropriated for housing developments such as this. The construction work should be complete within a year with occupancy within the same year. The loan will be forgiven 1/20th annually following the completion of construction and initial lease-up.

BACKGROUND (continued)

City Council approval of this agenda item will authorize the City Manager to execute the forgivable loan agreement with Fowler Christian Homes, III, Inc. for $250,000 in HOME Investment Partnership Funds, subject to environmental review by the City of Dallas and HUD. The forgivable loan agreement will provide eighteen months for the construction and occupancy of the 36 units.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2013-14 federal funds which included the HOME Investment Partnership Funds by Resolution No. 13-1142.

On October 7, 2013, the Housing Committee was briefed on the Fowler Christian Apartments senior project.

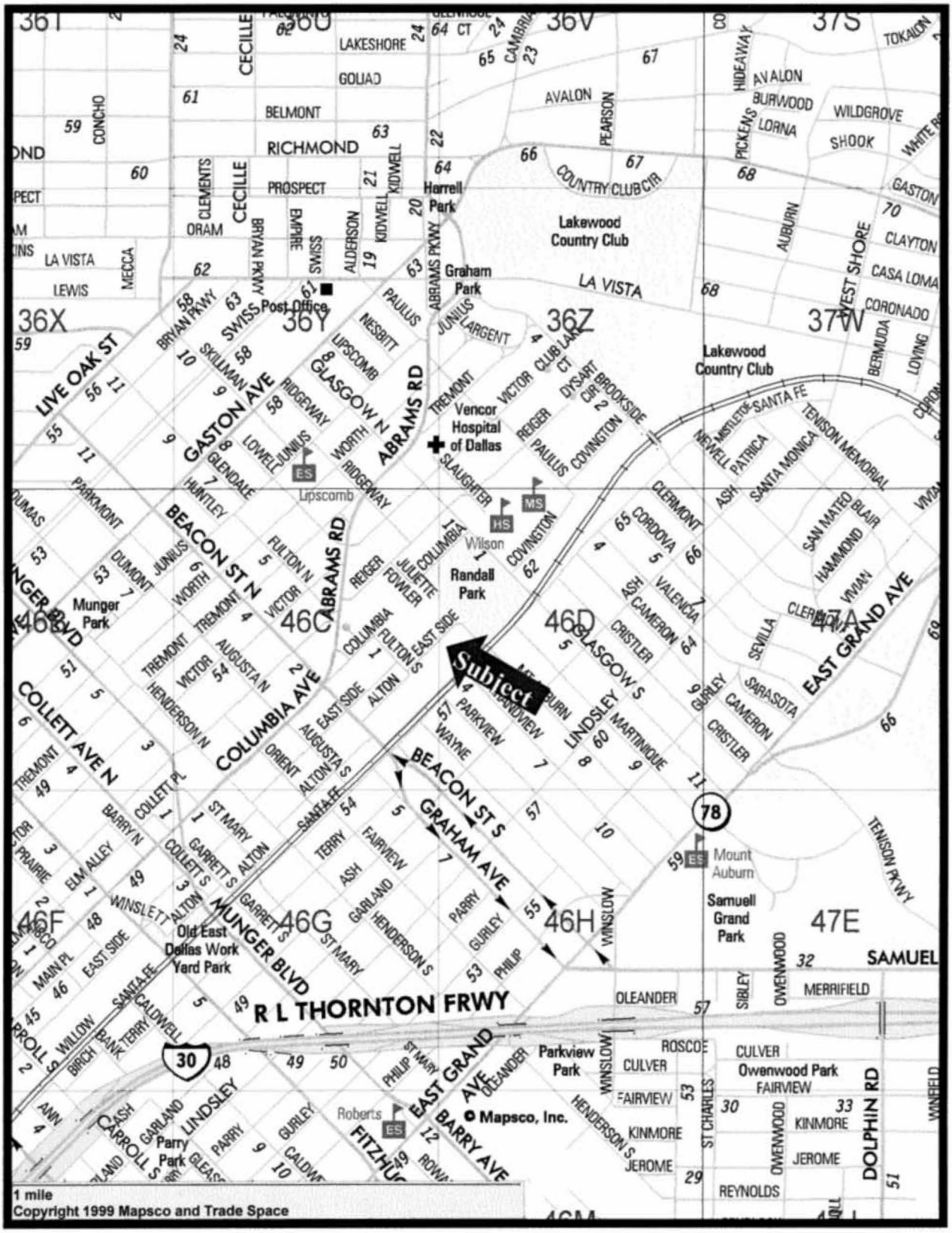
FISCAL INFORMATION

FY 2013-14 HOME Investment Partnership Program Funds **-** $250,000

Owner	**Developer**
Fowler Christian Apartments III, Inc.	**Juliette Fowler Homes, Inc.**
Melissa Bitting, President	Richard Dooley, Chair
Eddie Hill, Vice President	Don Bostell, Vice Chair

MAP(s)

Attached


Subject
Harrell Park
Lakewood Country Club
Graham Park
Post Office
Vencor Hospital of Dallas
Lipscomb
Wilson
Randall Park
Munger Park
Mount Auburn
Samuell Grand Park
Old East Dallas Work Yard Park
Parkview Park
Owenwood Park
Roberts
Parry Park
R L THORNTON FRWY
GASTON AVE
ABRAMS RD
GLASGOW N
BEACON ST N
COLLETT AVE N
COLUMBIA AVE
MUNGER BLVD
BEACON ST S
GRAHAM AVE
EAST GRAND AVE
LINDSLEY
GLASGOW S
DOLPHIN RD
LIVE OAK ST
LA VISTA
RICHMOND
PROSPECT
BELMONT
AVALON
SAMUEL
1 mile
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MAPSCO 46D

October 23, 2013

WHEREAS, affordable housing for seniors is a high priority of the City of Dallas; and

WHEREAS, on June 26, 2013, the City Council approved the FY 2013-14 Consolidated Plan Budget which included the HOME Investment Partnership Program Funds by Resolution No. 13-1142; and

WHEREAS, Fowler Christian Apartments III, Inc. proposed to work with the City of Dallas and HUD to undertake the construction of a 36 unit senior apartment facility in the 5800 block of East Side Ave.; and

WHEREAS, the City desires for Fowler Christian Apartments III, Inc. to develop 36 affordable units for seniors; **NOW, THEREFORE,**

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in the amount of $250,000 to Fowler Christian Apartments III, Inc. as gap financing for the development of 36 units of affordable housing to be located in the 5800 block of East Side Ave. for seniors.

Section 2. The terms of the loan agreement include:

(a) Fowler Christian Apartments III, Inc. must execute a note payable to the City of Dallas for $250,000 for the loan.

(b) Fowler Christian Apartments III, Inc. must construct and occupy the affordable units to seniors with incomes at or below 50% of area median family income.

(c) Fowler Christian Apartments III, Inc. will execute a Deed of Trust Lien and a Deed Restriction on the property which will carry a 20 year term for the affordable units.

(d) Fowler Christian Apartments III, Inc. will have eighteen months to fully complete the project.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with this Resolution and the terms and conditions of the loan agreement with Fowler Christian Apartments III, Inc. as follows:

VENDOR - VS0000053598

FUND	DEPT	UNIT	OBJ	CT	AMOUNT
HM13	HOU	236F	3099	HOU236FK152	$250,000

Section 4. That the City Controller is hereby authorized to set up receivable balance sheet account (033F) and an allowance for uncollectible debt (022D) in fund HM13 for the amount of the loan.

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 is accordingly so resolved.

AGENDA ITEM # 55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 65G

SUBJECT

Authorize an amendment to Resolution No.13-0458, previously approved on February 27, 2013, to support an application for 4% low income housing tax credits (LIHTC) to the Texas Department of Housing & Community Affairs (TDHCA) for the proposed project to be located at 4623 South Lancaster Road, for a multifamily residential development for low income families - Financing: No cost consideration to the City

BACKGROUND

On January 21, 2013, Yigal Lelah, Managing Member, submitted an application to the City of Dallas on behalf of Sapphire Road Development Patriot's Crossing South, LLC ("Applicant"), for support of their application to TDHCA for the 2013 Low Income Housing Tax Credit Program.

As a requirement for City of Dallas' funding and endorsement of low income housing tax credit projects, the Applicant(s) are required to conduct a survey of the needs of the tenants as each lease is signed and will provide some or all of the following social services at no cost to the tenants, such as: after-school and summer break care for children, health screenings; counseling/domestic crisis intervention; emergency assistance, computer education, adult education programs (such as: ESL, life skills and nutrition classes, etc.); and social and recreational activities. This requirement only applies if the Applicant(s) is utilizing City funding in the financing of the low income housing tax credit project. The Applicant has committed to renting all 162 units at 60% of area median family income.

This project is included in the City of Dallas adopted Community Revitalization Plan adopted by the City Council on December 12, 2012. On February 27, 2013, the City Council provided a resolution in support of the LIHTC application for 9% low income housing tax credits, authorized a loan in the amount of $1,350,000 for the vertical development, and explicitly identified the project as contributing most significantly to the concerted revitalization efforts of the city.

BACKGROUND (continued)

The applicant, Sapphire Road Development Patriots Crossing South, LLC has requested that the City of Dallas amend its support to allow for them to apply for 4% LIHTC. The applicant would utilize the $1,350,000 gap financing previously approved on February 27, 2013. With this support, the applicant would file paperwork with TDHCA in October.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On February 10, 2010, the City Council approved a modification to the policy for the acceptance of applications seeking City of Dallas support for low income housing tax credit financing, when the State of Texas does not require direct City of Dallas approval by Resolution No. 10-0498.

On February 4, 2013, the Housing Committee was briefed on the Low Income Housing Tax Credit Program.

On February 19, 2013, the Low Income Housing Tax Credit multifamily project to be located at 4623 S. Lancaster Road was briefed to the Housing Committee.

On February 27, 2013, the City Council provided a resolution in support of the LIHTC application for 9% low income housing tax credits, authorized a loan in the amount of $1,350,000 for the vertical development, and explicitly identified the project as contributing most significantly to the concerted revitalization efforts of the city by Resolution No. 13-0458.

FISCAL INFORMATION

No cost consideration to the City

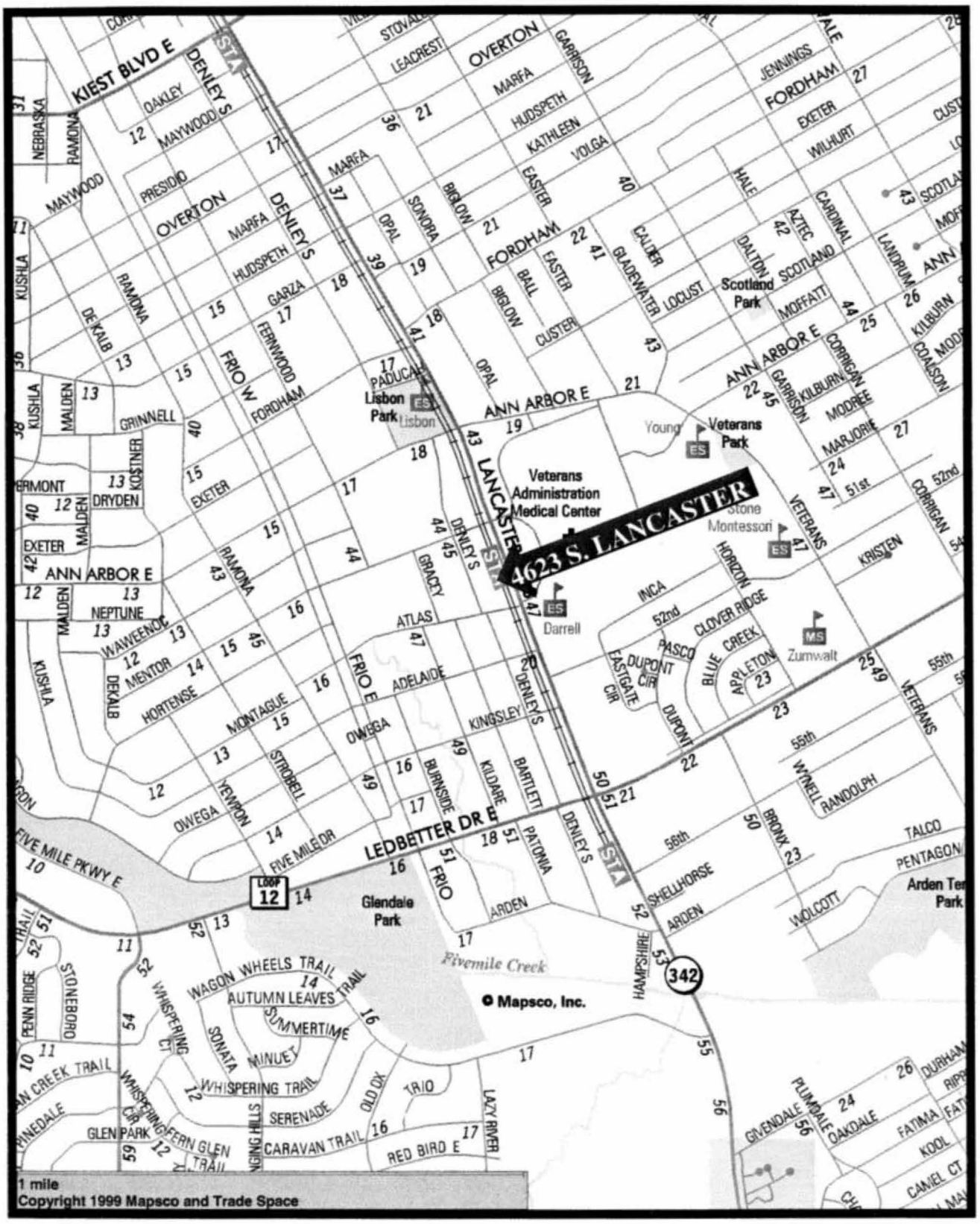
OWNER(S)/DEVELOPER

Sapphire Road Development Patriots Crossing South, LLC

Sapphire I GP, LLC, Managing Member
Yigal Lelah, President

MAP

Attached


4623 S. LANCASTER
LANCASTER
KIEST BLVD E
DENLEY S
OVERTON
FORDHAM
ANN ARBOR E
LEDBETTER DR E
FRIO W
FRIO E
FRIO
Veterans Administration Medical Center
Veterans Park
Young
Scotland Park
Lisbon Park
Lisbon
Darrell
Stone Montessori
Zumwalt
Glendale Park
Fivemile Creek
Arden Ter Park
FIVE MILE PKWY E
FIVE MILE DR
LOOP 12
342
WAGON WHEELS TRAIL
AUTUMN LEAVES TRAIL
SUMMERTIME
WHISPERING TRAIL
SERENADE
CARAVAN TRAIL
RED BIRD E
© Mapsco, Inc.
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 65G

October 23, 2013

WHEREAS, on February 10, 2010, the City Council approved a modification to the policy for the acceptance of applications seeking City of Dallas support for low income housing tax credit financing, when the State of Texas does not require direct City of Dallas approval by Resolution No. 10-0498; and

WHEREAS, the Managing Member, Yigal Lelah, submitted an application to the City of Dallas on behalf of Sapphire Road Development Patriot's Crossing South, LLC ("the Applicant"), for support of their application to TDHCA for the 2013 Low Income Housing Tax Credit Program; and

WHEREAS, on February 4, 2013 and February 19, 2013, the Low Income Housing Tax Credit multifamily project to be located at 4623 S. Lancaster Road was briefed to the Housing Committee; and

WHEREAS, the Tax Credit multifamily project to be located at 4623 S. Lancaster Road was selected as contributing most significantly to the concerted revitalization efforts of the city, pursuant to §11.9(d)(6)(A)(ii)(III) of the 2013 Housing Tax Credit Qualified Allocation Plan; and

WHEREAS, as a condition for being considered for the award of the 4% tax credit, the Applicant has committed to renting all 162 units at 60% of area median family income; and

WHEREAS, as with the City of Dallas' funding and endorsement of the TDHCA LIHTC application for Sapphire Road Development Patriots Crossing South, LLC the owner of the project will provide social services with the project approved by the Housing/Community Services Department, if the Project Owner is utilizing City funding in the financing of the low income housing tax credit project; and

WHEREAS, the City of Dallas desires to provide approval of the TDHCA 4% LIHTC application for the project located at 4623 S. Lancaster Road; **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 amend Resolution No. 13-0458 previously approved on February 27, 2013, to support an application for 4% low income housing tax credits (LIHTC) to the Texas Department of Housing & Community Affairs (TDHCA) for the proposed project to be located at 4623 South Lancaster Road, for a multifamily residential development for low income families.

SECTION 2. That some of the terms of the loan documents previously approved include:

a. Sapphire Road Development Patriots Crossing South, LLC must adhere to all applicable HOME Program requirements.
b. Sapphire Road Development Patriots Crossing South, LLC must execute a note, deed of trust, and deed restrictions for a thirty-five year affordability period.
c. The outstanding principal balance of the City's $1,350,000 loan shall bear an interest rate of zero percent 0% per year forgivable in equal amounts annually over a thirty-five year period.
d. The balance will be due and payable upon the sale or refinancing of the project.

SECTION 3. That the City of Dallas' funding and endorsement of the TDHCA LIHTC application for the project to be located at 4623 S. Lancaster Road will be contingent on the following if the owner is utilizing City funding in financing of the low income housing tax credit project: (1) the Project Owner expending a minimum of $40,000 (a minimum of $40,000 or $200 per unit per year, whichever is greater) for social services for, and at no cost, to the residents of the development, based on a survey of residents needs, to be implemented within three months of project completion; (2) inclusion of this requirement in the Land Use Restriction Agreement (LURA) by the Texas Department of Housing and Community Affairs (TDHCA) and the City's Deed Restrictions containing the social services requirement; and, (3) if the LURA does not require the social services expenditures to be made prior to debt service payment, a separate guarantee by an entity or individual acceptable to the City that the social services expenditures will be made. Up to 50% of the social service requirement can be fulfilled with in kind social services provided the Housing/Community Services Department gives prior approval of the social service plan.

SECTION 4. That prior to receiving a conditional City of Dallas building permit required by TDHCA prior to closing on the tax credits, the Project Developer will consult with the City of Dallas Sustainable Development and Construction Department with regard to security related design standards.

SECTION 5. That the City of Dallas' funding and endorsement for this project will be contingent on the Project Owner paying to the City an annual monitoring review fee in the amount of $500, beginning on the anniversary of the closing on the 4% tax credits and ending at the end of the tax credit compliance period, for the cost of monitoring compliance with the social service requirement, if the Project Owner is utilizing City funding in the financing of the low income housing tax credit project.

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

AGENDA ITEM # 56

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 55 N; S

SUBJECT

A public hearing to receive comments regarding an application for a CR Community Retail District, subject to deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District on property bounded by Illinois Avenue, Alaska Avenue, Montana Avenue, and Marsalis Avenue
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z112-294(RB)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 23, 2013**

ACM: Theresa O'Donnell

FILE NUMBER: Z112-294(RB) **DATE FILED:** March 28, 2012

LOCATION: Property bounded by Illinois Avenue, Alaska Avenue, Montana Avenue, and Marsalis Avenue

COUNCIL DISTRICT: 4 **MAPSCO:** 55 N, S

SIZE OF REQUEST: Approx. 2.45 Acres **CENSUS TRACT:** 54

APPLICANT: Huttonco Development, L.P.

REPRESENTATIVE: Frank Youmans

OWNER: Rainier Sun West 2012, LLC

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District.

SUMMARY: The applicant is requesting a CR District in order to permit additional development of a 7,000 square foot general merchandise or food store (auto parts store) as well as permitting additional nonresidential uses. In conjunction with the request, the applicant has volunteered deed restrictions that will: 1) prohibit certain uses; 2) address certain operational characteristics; and, 3) provide for additional landscape materials along portions of the perimeter of the site.

CPC RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to a development plan, landscape plan, and conditions with retention of the existing deed restrictions based upon:

1. *Performance impacts upon surrounding property* – The proposed auto parts store is not expected to impact adjacent properties (lighting, noise, odor).

2. *Traffic impact* – As the site fronts possesses four street frontages with multiple access points, local streets serving adjacent residential uses will not be utilized to access the site.

3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area. Additionally, the request as recommended in the attached conditions complies with the Oak Lawn Special Purpose District and Oak Lawn Plan criteria for redevelopment.

4. The applicant has worked with staff to ensure various provisions (development/operational regulations and prohibited uses) are provided to ensure compatibility with adjacent residential and institutional uses.

BACKGROUND:

- The request site is developed with a legally nonconforming general merchandise or food store greater than 3,500 square feet, which consists of 21,980 square feet of floor area.

- Prior to the city-wide zoning transition in the late 1980's, the property was zoned an NS Neighborhood Service District, which permitted the existing improvements (use classified as a Retail Food Store); it has remained a legally nonconforming use during this time. No additional development has been provided on the property since that time.

- The applicant is requesting a CR District in order to provide for a 7,000 square foot auto parts store (classified as a general merchandise or food store greater than 3,500 square feet use designation). As a parallel benefit, the above referenced use would become a legal use, which would permit various improvements and renovations (per the requested CR District development standards) should the property owner wish to pursue such improvements.

- In conjunction with the requested CR District, the applicant has volunteered deed restrictions that will: 1) prohibit certain uses; 2) address certain operational characteristics; and, 3) provide for additional landscape materials along portions of the perimeter of the site.

Zoning History: There has been no recent zoning activity in the immediate area relevant to this request.

Thoroughfare/Street	Designation; Existing & Proposed ROW
Illinois Avenue	Principal Arterial; 100' & 100' ROW
Marsalis Avenue	Minor Arterial; 100' & 100' ROW
Alaska Avenue	Local; 50' ROW
Montana Avenue	Local; 50' ROW

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system.

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.

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 request site is developed with a legally nonconforming general merchandise or food store greater than 3,500 square feet, which consists of 21,980 square feet of floor area. The applicant is requesting a CR District in order to provide for a 7,000 square foot auto parts store (classified as a general merchandise or food store greater than 3,500 square feet use designation). As a parallel benefit, the above referenced use would become a legal use, which would permit various improvements and renovations (per the requested CR District development standards) should the property owner wish to pursue such improvements

Surrounding land use consists of low density residential served by various institutional uses: 1) Harrell Budd Elementary School and teacher/visitor surface parking/outside play areas to the north and northeast, and 2) church uses to the west and east.

With respect to the residentially-influenced built environment, the applicant has worked with staff to address a myriad of issues, the vast majority of them addressed in the applicant's volunteered deed restrictions. In summary, 1) certain uses have been prohibited; 2) location of speaker boxes for uses providing drive-through service are prohibited along the Alaska Avenue frontage; 3) restricted hours of delivery; and, 4) perimeter planting areas along portions of all street frontages with the exception of Montana Avenue and Alaska Avenue.

Landscaping: With the exception of one large tree and a short row of small trees along Alaska Avenue, the site is void of landscaping. While it is anticipated the applicant's request to provide for the above referenced auto parts store will not trigger landscaping, staff has remained concerned that such a highly visible site (i.e., four street frontages) lacks areas of landscaping typically found on developed property of this size. Lastly, it should be noted the entire site is paved, thus infrastructure normally provided to maintain landscaping does not exist.

As a result of these concerns, the applicant has worked with staff to address the possibility of softening existing and future improvements at the site's perimeter. The applicant's volunteered deed restrictions will require planting areas along the site's Illinois Avenue and Marsalis Avenue frontages, consisting of small trees and a three foot-tall hedgerow for certain lengths along these perimeter streets. For illustrative purposes only, staff has provided the attached streetscape exhibit; reference the attached volunteered deed restrictions for specific enabling language.

Miscellaneous-Six Month Extension. The Dallas Development Code states that a request for a zoning change may not be held for longer than six months from the date of the Commission's action without being scheduled for a City Council hearing.

Furthermore, the Commission shall review a zoning request that has not been scheduled within six months of the Commission's action to determine whether a time extension should be granted for a specified period or whether the application should be terminated and declared null and void.

The City Plan Commission granted two extensions: June 20, 2013 for three months, and September 12, 2013 for two months.

CPC ACTION
(January 10, 2013)

Motion: It was moved to recommend **approval** of a CR Community Retail District, subject to revised deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District on property bounded by Illinois Avenue, Alaska Avenue, Montana Avenue and Marsalis Avenue.

Maker: Lavallaisaa
Second: Shellene
Result: Carried: 11 to 0

For: 11 - Davis, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Alcantar

Against: 0
Absent: 1 - Wally, Anglin, Ridley
Vacancy: 1 - District 4

Notices: Area: 300 Mailed: 63
Replies: For: 4 Against: 2

Speakers: None

From: Sonja Billington [mailto:sbillington@EMERSONSCOMM.COM]
Sent: Friday, January 04, 2013 11:45 AM
To: Frank Youmans
Subject: FW: Officers for Rainier Sunwest 2012, LLC

Good Morning Frank,

Per your request;

President – J. Kenneth Dunn
Vice-President – Timothy C. Nichols
Vice-President – Danny S. Lovell
Secretary-Treasurer – Thomas B. Mock

Sonja

Sonja Billington
Property Manager
Emersons Commercial Management US, LLC
O: 972-738-0122 | F: 972-931-0140
17776 Preston Road, Ste. 100
Dallas, TX 75252
sbillington@emersonscomm.com
www.emersonscomm.com

423.756.9267 Phone
423.756.7927 Fax

736 Cherry Street
Chattanooga, Tennessee 37402

the Hutton Company

DEVELOPMENT
CONSTRUCTION

List of Partners/Principals/Officers

HuttonCo Development, L.P., a Texas limited partnership
By: Hutton Real Property Texas, LLC, a Texas limited liability company as its general property.

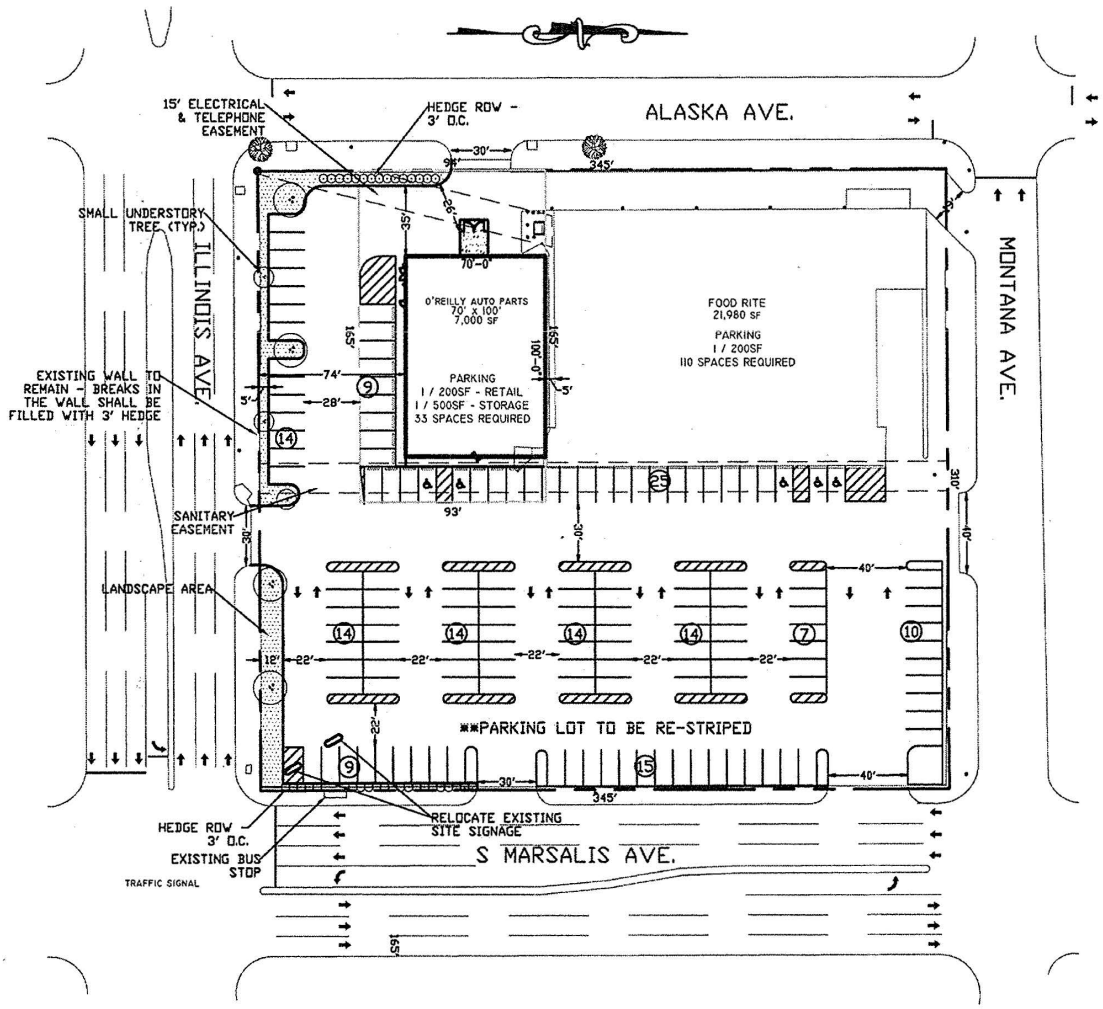
Federal ID #13-4208165

Sole Owner: Karen J. Hutton, Chief Manager/CEO

Officers: Geoffrey W. Smith, President
Oliver F. Perdomo, Executive Vice President
George G. Hixson, Secretary

Z112-294

PRELIMINARY SITE SKETCH



AREA SUMMARY		
	SQUARE FOOTAGE	ACREAGE
GROSS AREA	106,722 SF	2.45
PAVING AREA	57,520 SF	1.32

PARKING SUMMARY				
	TOTAL BLDG SF	REQ-D SPACES	PROV-D	SPACE SIZE
PROPOSED	28,630 SF	SEE PLAN FOR CALCS 143	145	9' x 18'

BUILDING SETBACKS		
	REQ-D	PROV-D
FRONT	15 FT	170 FT
REAR	15 FT	44 FT
SIDE (NORTH)	15 FT	249
SIDE (SOUTH)	15 FT	25

SITE the Hutton Company
DEVELOPMENT CONSTRUCTION REAL ESTATE

LOCATION Dallas, TX

SCALE 1"=80'

DRAWN BY Miller-McCoy - ML

DATE November 16, 2012

Streetscape Exhibit
(for illustrative purposes only)

VOLUNTEERED DEED RESTRICTIONS

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. Deliveries are prohibited between the hours of 9:00 p.m. and 6:00 a.m., Monday through Sunday.
2. Any use that incorporates a drive-through must have the speaker box and drive-through window oriented away from Alaska Avenue.
3. The following uses are prohibited:

   (A) Lodging uses.

   -- Hotel or motel.
   -- Lodging or boarding house.
   -- Overnight general purpose shelter.

   (B) Retail uses.

   -- Alcoholic beverage establishment.
   -- Car wash.
   -- Commercial amusement (inside).
   -- Commercial amusement (outside).
   -- Liquor store.

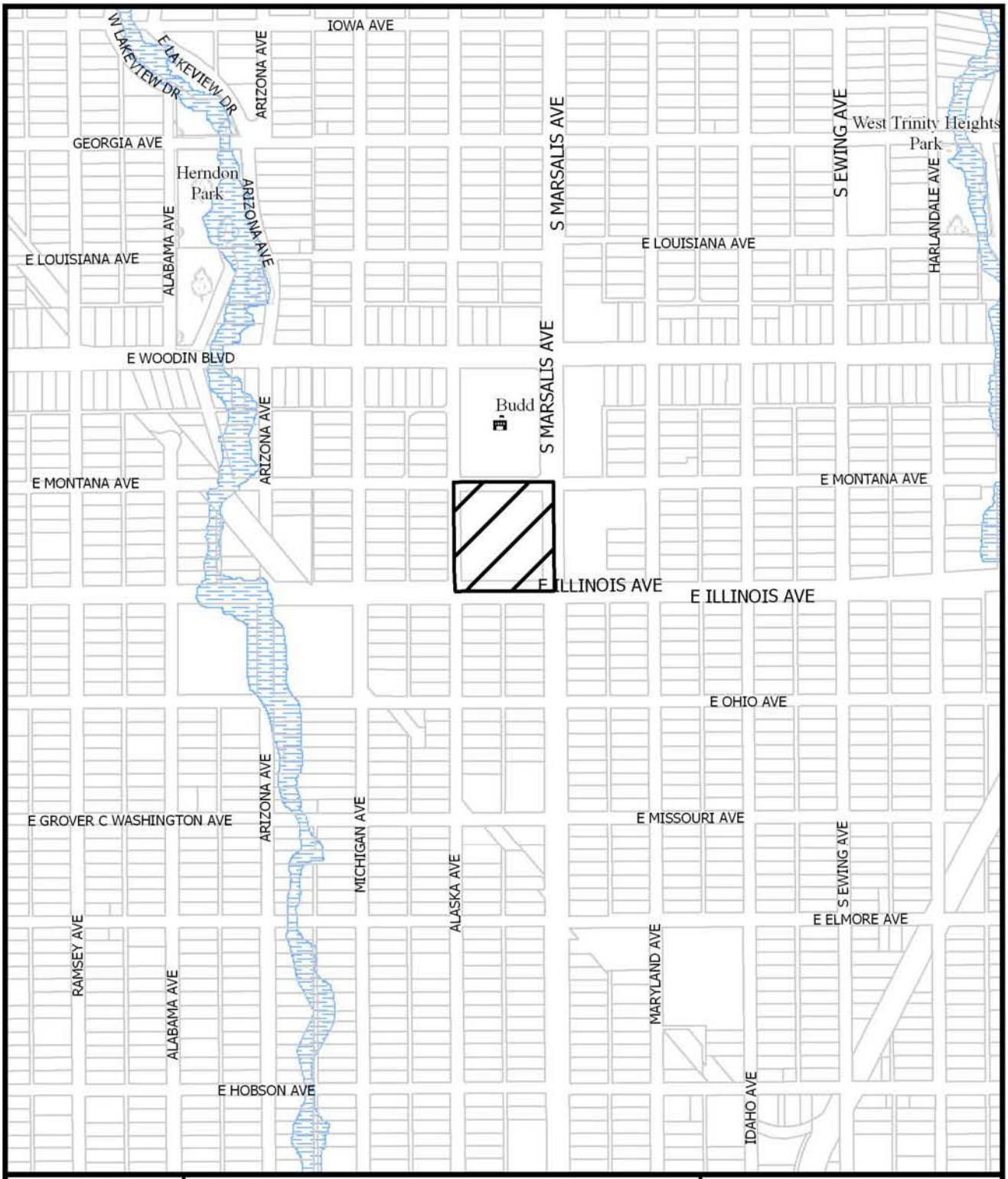
   (C) Wholesale, distribution, and storage uses.

   -- Mini-warehouse.

4. Prior to the issuance of a certificate of occupancy, the following must be provided:

   (A) A minimum five-foot-wide perimeter landscape area along Illinois Avenue with a minimum of seven small trees;
   (B) A 75-foot-long hedgerow to screen off-street parking along the west line of Marsalis Avenue, beginning at its intersection with Illinois Avenue, consisting of evergreen plant materials capable of obtaining a solid appearance within three years;

5. A 75-foot–long, three-foot-high solid parking lot screening along the east line of Alaska Avenue, beginning at the intersection of Alaska Avenue and Illinois Avenue, exclusive of points of ingress and egress.



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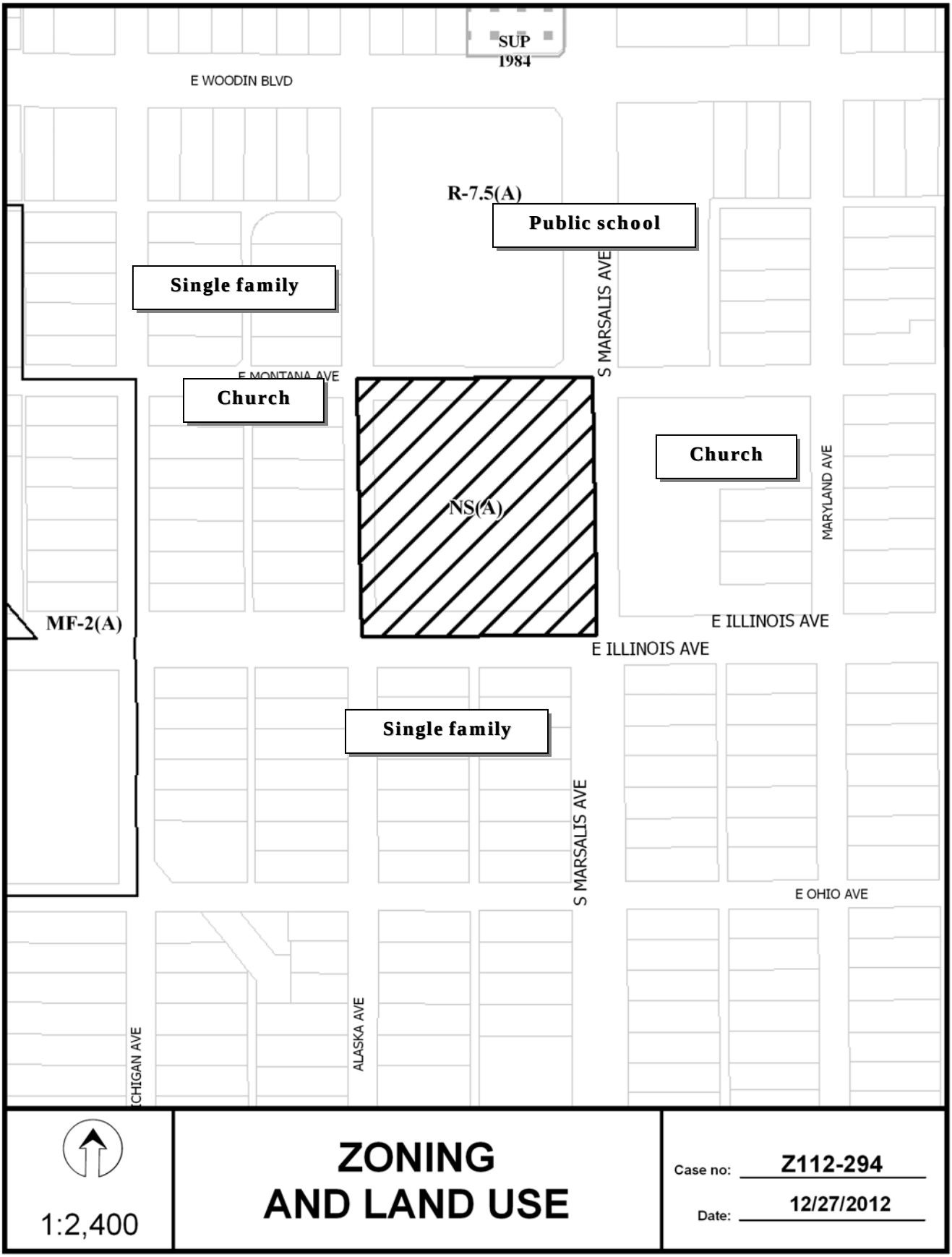
VICINITY MAP

Case no: Z112-294

Date: 12/27/2012


SUP
1984
E WOODIN BLVD
R-7.5(A)
Public school
Single family
S MARSALIS AVE
E MONTANA AVE
Church
NS(A)
Church
MARYLAND AVE
MF-2(A)
E ILLINOIS AVE
E ILLINOIS AVE
Single family
S MARSALIS AVE
E OHIO AVE
ALASKA AVE
CHIGAN AVE
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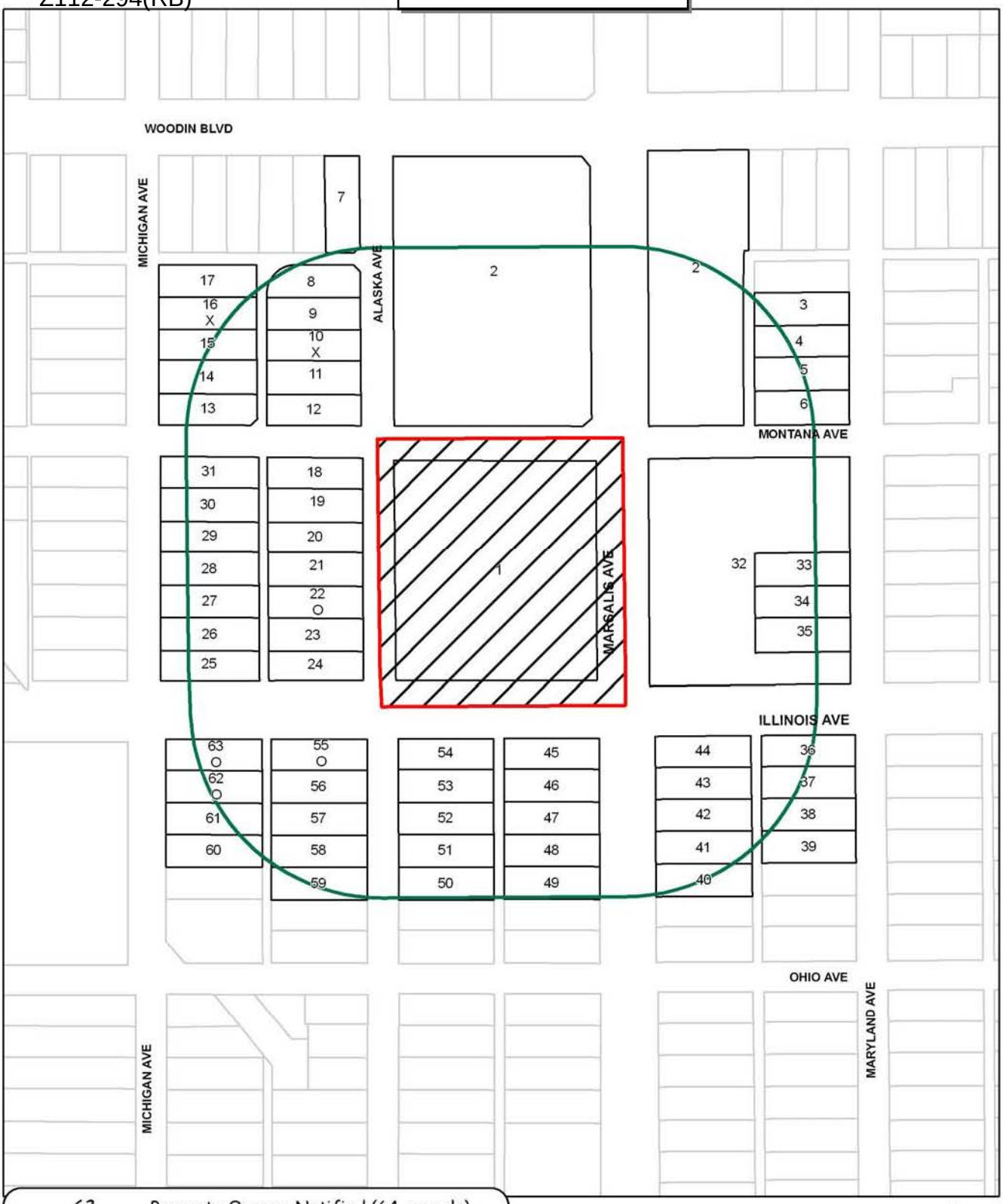
ZONING
AND LAND USE
Case no: Z112-294
Date: 12/27/2012

Z112-294(RB)

CPC RESPONSES



63	Property Owners Notified (64 parcels)
4	Replies in Favor (4 parcels)
2	Replies in Opposition (2 parcels)
300'	Area of Notification
1/10/2013	Date

Z112-294
CPC

N W E S

1:2,400

1/10/2013

Reply List of Property Owners

Z112-294

63 Property Owners Notified 4 Property Owners in Favor 2 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	2215	MARSALIS AVE	RAINIER SUNWEST 2012 LLC
	2	2100	MARSALIS AVE	Dallas ISD
	3	2119	MARYLAND AVE	GUEL FELIPE TORRES &
	4	2123	MARYLAND AVE	TINOCO REFUGIO T & MARIA
	5	2127	MARYLAND AVE	EGUILUZ PATRICIO
	6	2131	MARYLAND AVE	TEXAS NORTHEAST CHURCH
	7	522	WOODIN BLVD	GARCIA JULIAN R
	8	2115	ALASKA AVE	WILLIAMS PATRICIA B
	9	2119	ALASKA AVE	GONZALEZ ALVARO & MARIA E
X	10	2123	ALASKA AVE	MIRANDA RITA
	11	2127	ALASKA AVE	RIOS CAMILO R
	12	2131	ALASKA AVE	BAKER BERL EST OF
	13	2130	MICHIGAN AVE	CHATMAN RUFUS
	14	2126	MICHIGAN AVE	CHATMAN VADA JOE
	15	2122	MICHIGAN AVE	BERNAL JESUS & LUDIVINA
X	16	2118	MICHIGAN AVE	ANDERSON DOROTHY
	17	2112	MICHIGAN AVE	MOORE BETTY
	18	2203	ALASKA AVE	CANAAN BAPTIST CHURCH
	19	2207	ALASKA AVE	CANNAN BAPTIST CHURCH
	20	2211	ALASKA AVE	VARGAS PRUDENCIO
	21	2215	ALASKA AVE	SHEPHERD ERMIE JEAN
O	22	2221	ALASKA AVE	KROUT ELLIS
	23	2223	ALASKA AVE	SMITH SHERRIL A
	24	2227	ALASKA AVE	ARREDONDO JOSE &
	25	2224	MICHIGAN AVE	ORTIZ BENITO
	26	2222	MICHIGAN AVE	PHILLIPS RUSSIAN

1/10/2013

Reply	*Label #*	*Address*		*Owner*
	27	2218	MICHIGAN AVE	CORTINAS OSCAR C
	28	2214	MICHIGAN AVE	PEREIRA AIRAN &
	29	2210	MICHIGAN AVE	VAZQUEZ HONORIO
	30	2206	MICHIGAN AVE	GUERRERO MARGARITA
	31	2202	MICHIGAN AVE	RODRIGUEZ FERNANDO & MARY
	32	2200	MARSALIS AVE	CHURCH OF GOD IN CHRIST
	33	2215	MARYLAND AVE	CH OF GOD IN CHRIST TNE
	34	2219	MARYLAND AVE	SAINTSVILLE C O G I E
	35	2223	MARYLAND AVE	CHURCH OF GOD IN CHRIST
	36	2307	MARYLAND AVE	JASSO ANTONIO SABAS
	37	2311	MARYLAND AVE	ROCHA JOSE LUIS &
	38	2315	MARYLAND AVE	MEDINA JOSE ANTONIO
	39	2319	MARYLAND AVE	MEDINA JOSE A
	40	2322	MARSALIS AVE	DKW ENTERPRISES
	41	2318	MARSALIS AVE	BEJARANO ITANIO &
	42	2314	MARSALIS AVE	HERRERA JUAN F
	43	2310	MARSALIS AVE	WALKER PATRICIA K
	44	2306	MARSALIS AVE	STRATFORD TERACE NICOLE &
	45	2305	MARSALIS AVE	GUERRERO CASTILLO MELITON
	46	2309	MARSALIS AVE	MOTEN EUGENE & STELLA
	47	2315	MARSALIS AVE	WILSON GUSSIE L
	48	2319	MARSALIS AVE	SHIELDS MARVIN
	49	2323	MARSALIS AVE	ELLIOTT DEBRA ANN
	50	2322	ALASKA AVE	WATSON DIMPLE
	51	2318	ALASKA AVE	NECH VICENTE
	52	2314	ALASKA AVE	SIMMONS MYRTLE
	53	2310	ALASKA AVE	HOLMES LARRY & DOROTHY
	54	2306	ALASKA AVE	2841 BEASLEY LLC
O	55	2307	ALASKA AVE	KELLEY PATRICIA & KENNETH
	56	2311	ALASKA AVE	LUSK PHILIP W
	57	2315	ALASKA AVE	BANDA ALEJANDRO & SOFIA

1/10/2013

Reply	*Label #*	*Address*		*Owner*
	58	2319	ALASKA AVE	SANTANA RAFAEL L & MARIA
	59	2323	ALASKA AVE	HERNANDEZ DORA
	60	2320	MICHIGAN AVE	SCOTT JERRY D
	61	2316	MICHIGAN AVE	RAYNER RUTH
O	62	2310	MICHIGAN AVE	WOODS LOTTIE J
O	63	2306	MICHIGAN AVE	GURRUSQUIETA ARMANDO &

AGENDA ITEM # 57

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 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 an amendment to and renewal of Specific Use Permit No. 1912 for a Late-hours establishment limited to an Alcoholic beverage establishment for a bar, lounge, or tavern on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west line of Greenville Avenue, north of Alta Avenue

Recommendation of Staff and CPC: Approval for a three-year period, subject to a revised site plan and revised conditions

Z123-315(RB)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 23, 2013**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-315(RB) **DATE FILED:** June 18, 2013

LOCATION: West Line of Greenville Avenue, North of Alta Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 36 X

SIZE OF REQUEST: Approx. 2,534 Sq. Ft. **CENSUS TRACT:** 10.02

APPLICANT: The Old Crow-Brian Hankins, President

REPRESENTATIVE: Audra Buckley

OWNER: Intercity Investments

REQUEST: An application for an amendment to and renewal of Specific Use Permit No. 1912 for a Late-hours establishment limited to an Alcoholic beverage establishment for a bar, lounge, or tavern on property zoned Planned Development District No. 842 for CR Community Retail District Uses.

SUMMARY: The applicant is proposing to continue operation of an existing bar, lounge, or tavern use past midnight as well as providing for the ability to utilize the patio area fronting Greenville Avenue.

CPC RECOMMENDATION: Approval for a three-year period, subject to a revised site plan and revised conditions.

STAFF RECOMMENDATION: Approval for a three-year period, subject to a revised site plan and revised conditions.

Guiding Criteria for Recommendation:

Staff recommends approval of this renewal and amendment subject to the revised site and revised conditions based upon:

1. *Compatibility with surrounding uses and community facilities* – The request is oriented along the Greenville Avenue frontage, consistent with similar retail and personal service uses in the immediate area. No outside operations (i. e., patio areas) face the residential area to the west. Use of outdoor loudspeakers is prohibited.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use possesses similar operational characteristics as expected along this portion of the Greenville Avenue frontage.

3. *Not a detriment to the public health, safety, or general welfare* – The applicant has operated in a responsible manner (one recorded police report and one TABC violation) since the granting of SUP No. 1912 for this late hours establishment.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – A valid certificate of occupancy exists and no building, health, or safety code violations have been recorded.

BACKGROUND INFORMATION:

- The existing improvements are utilized for a bar, lounge, or tavern use. The applicant has operated at this location since October, 1996.

- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses that includes the request site. The PDD requires an SUP for any retail and personal service uses operating between 12:00 a.m. and 6:00 a. m.

- On October 26, 2011, the City Council approved SUP No. 1912 for a two-year period on the subject site. The applicant is proposing to continue operation of an existing bar, lounge, or tavern use with late hours as well as providing the ability to utilize the patio area fronting Greenville Avenue (360 sf).

- The site lies within the Area 3 portion of Modified Delta Overlay No. 1.

Zoning History:

File No.	**Request, 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. Z101-311 On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a commercial amusement (inside) use limited to a billiard hall for a two-year period subject to a site plan and conditions.

4. Z101-260 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. Z123-304 Renewal of SUP No. 1904 for a late-hours establishment limited to a restaurant without drive-in or drive-through service. Pending the October 10, 2013 CPC hearing.

6. Z101-318 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.

7. Z123-262 On August 28, 2013, 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 one-year period subject to a site plan and conditions.

Street	**Existing & Proposed ROW**
Greenville Avenue	Local; 50' ROW

Traffic: The Engineering Section of the Sustainable Development and Construction Department has reviewed the requested renewal and amendment to SUP No. 1912 and determined that it will not impact the surrounding street system.

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.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns

SUP No. 1912 is located in an area that is consistent with the vision of the Main Street Building Block: 1) wide sidewalks and pedestrian amenity areas; 2) outdoor seating/gathering areas unique in application to the respective retail storefronts; 3) varied retail and personal service uses within close proximity of one another; and 4) patron access within walking distance from the established residential areas east and west of the Greenville Avenue corridor.

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.

Land Use: The request site possesses improvements that are utilized for a bar, lounge, or tavern use. The applicant is proposing to continue operation of an existing bar, lounge, or tavern use with late hours as well as providing the ability to utilize the patio area fronting Greenville Avenue.

The bar has been at this location since October, 1996. The site is part of the land area for SUP No. 1289 for an Alcoholic beverage establishment for a Bar, lounge, or tavern. This SUP was approved for a permanent time period.

The site is surrounded by a mix of office, retail, and entertainment uses. Residential uses (single family and multifamily structures) are found on properties further west/southwest in the general area along Summit Avenue.

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 late-hours establishment:

> (e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):
>
> (1) the number of citations issued by police to patrons of the establishment (one);
>
> (2) the number of citations issued by police for noise ordinance violations by the establishment (none);
>
> (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment (none);
>
> (4) the number of Texas Alcoholic Beverage Code violations of the establishment (one); and
>
> (5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment (none);.

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 the street. The applicant has operated in a responsible manner with one (prior to midnight) reported offense calls involving police activity at the location for the time period of approval of SUP No. 1912 through August, 2013 (see table, below). With respect to the applicant's standing with the Texas Alcoholic Beverage Commission, one miscellaneous violation (written warning) has been filed for the time period of October 26, 2011 through August, 2013.

Parking: The existing bar requires 28 off-street parking spaces (1/100 square feet), based on the applicant's floor area calculations (2,803 square feet). Six spaces are provided on-site (per the site plan for SUP No. 1289) with the balance satisfied by delta credits. With regard to the delta credits, the applicant's representative has been made aware of the fact that existing delta credits are subject to being lost should the applicant proceed with licensing and improving the outside patio area. Due to the extension of the patio, a new Certificate of Occupancy will have to be issued. Adequate parking will have to be secured prior to its issuance.

Reported offense calls requiring police activity

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0146605-Z	06/14/2012	COLE,APRIL,RENEE,	THEFT	01911		GREENVILLEAVE	144	1161	06901	

CPC ACTION
(September 26, 2013)

Motion: It was moved to recommend **approval** of an amendment to and renewal of Specific Use Permit No. 1912 for a Late-hours establishment limited to an Alcoholic beverage establishment for a bar, lounge, or tavern for a three-year period, subject to a revised site plan and revised conditions on property zoned Planned Development District No. 842 for CR Community Retail District Uses on the west line of Greenville Avenue, north of Alta Avenue.

Maker: Wally
Second: Shellene
Result: Carried: 14 to 0
For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0

Intercity Investment Properties - Officers

President	Edwin B Jordan, Jr.
Vice President	Anne Jordan Logan
Vice President/Secretary	Christopher G. Jordan
Treasurer	Curtis Garmon
Assistant Secretary	Elizabeth Kowalski

CPC RECOMMENDED/APPLICANT REQUESTED AMENDING CONDITIONS FOR SPECIFIC USE PERMIT

1. USE: 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. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Applicant requested:

3. TIME LIMIT: This specific use permit expires on ~~October 26, 2013~~ (five years).

CPC recommended:

3. TIME LIMIT: This specific use permit expires on ~~October 26, 2013~~ (three years).

4. FLOOR AREA: Maximum floor area is 2,803 square feet in the location shown on the attached site plan.

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. CERTIFICATE OF OCCUPANCY: The owner or operator must obtain a certificate of occupancy for a late-hours establishment before operating after 12:00 a.m. (midnight).~~

6. OUTDOOR PATIO:

   A. The maximum outdoor patio area is 360 square feet in the location shown on the attached site plan.

   B. The patio must be uncovered.

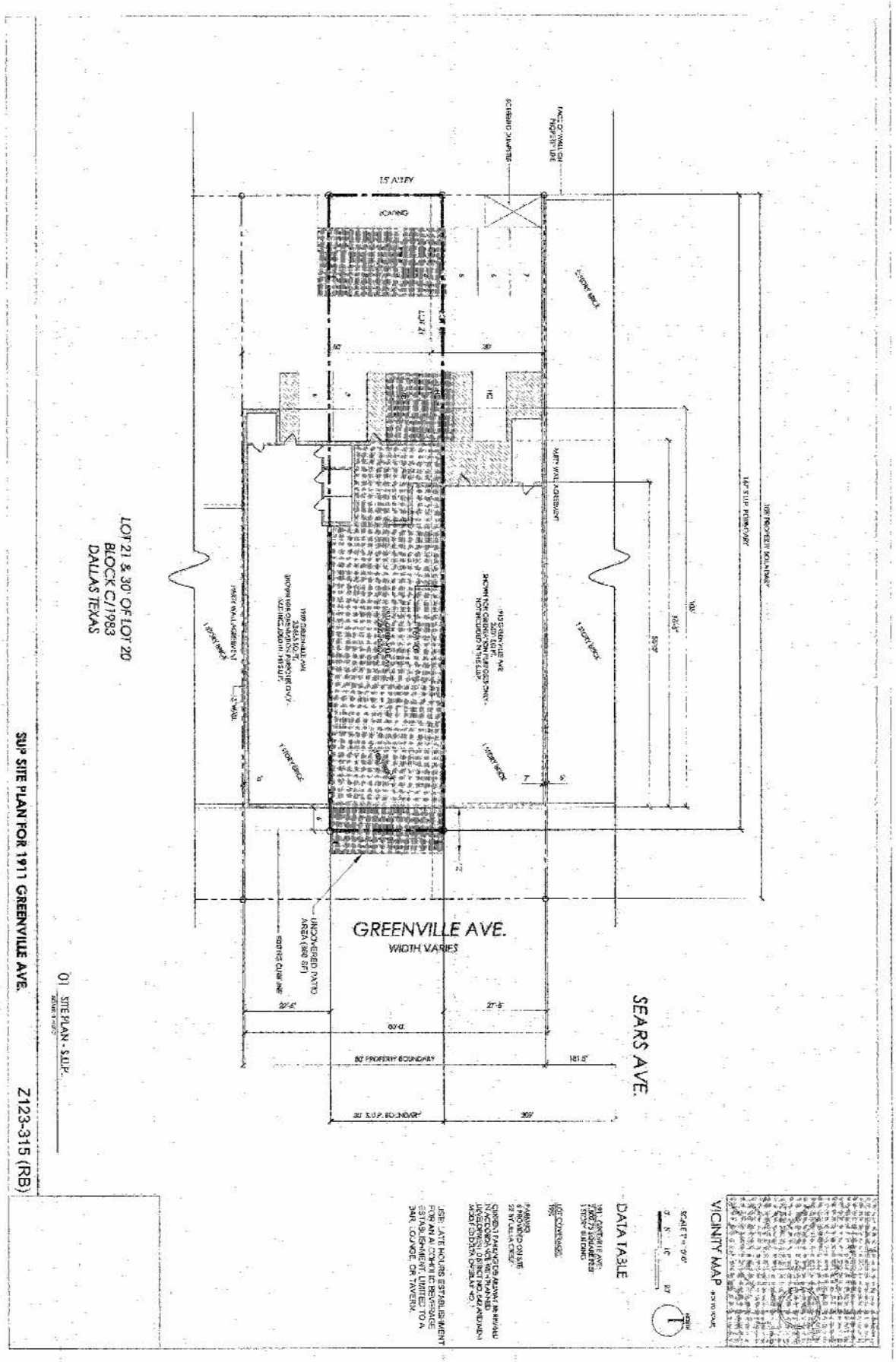
   C. The owner or operator must obtain a private license for an outdoor patio, with a copy of the private license provided to the building official, before the outdoor patio may be used by customers.

7. PARKING: Parking must be provided in accordance with Planned Development District No. 842 and MD-1 Modified Delta Overlay No. 1.

8. OUTDOOR LOUDSPEAKERS: Use of outdoor loudspeakers on the Property is prohibited.

9. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.

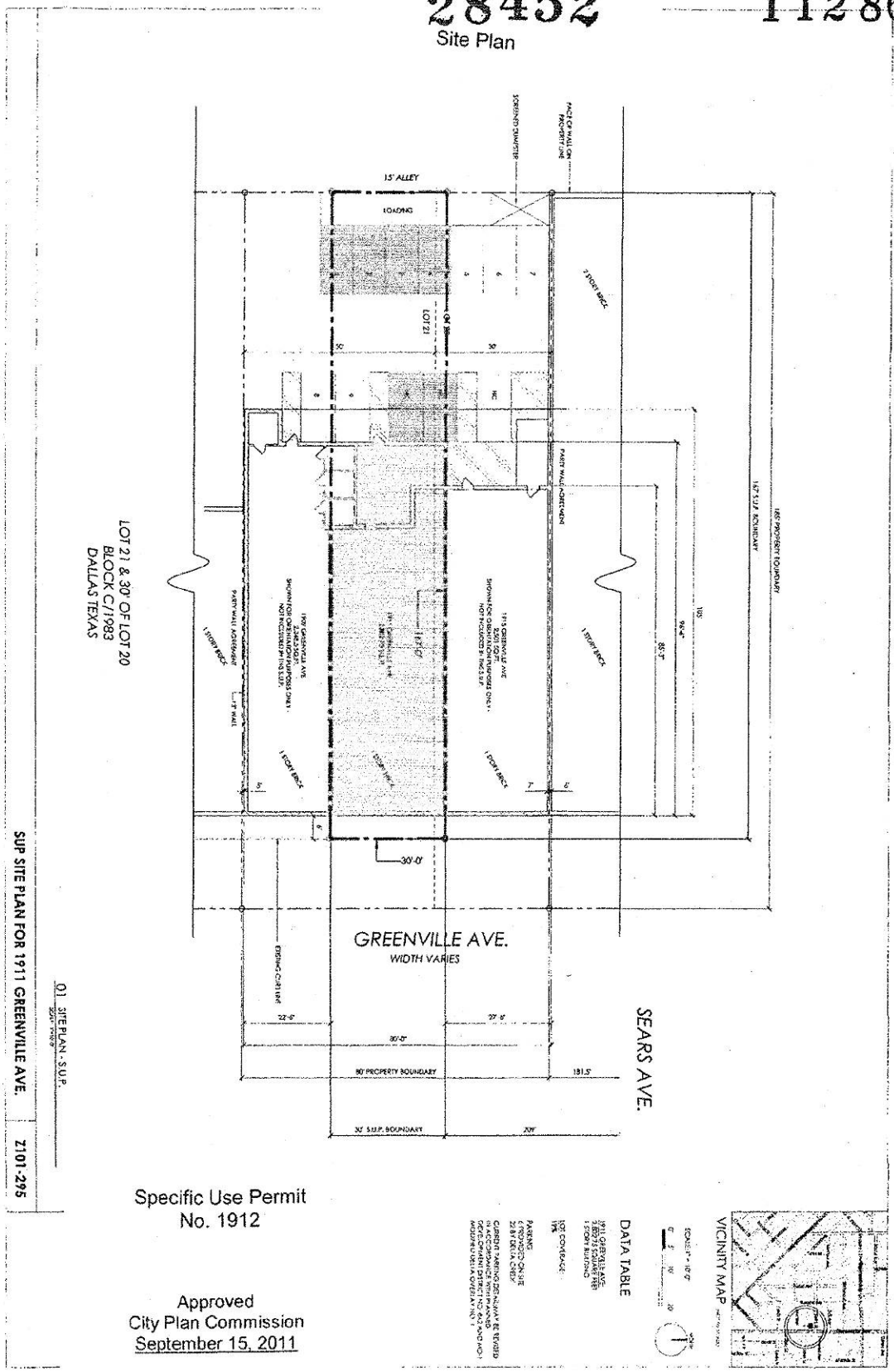
10. GENERAL REQUIREMENT: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



Proposed Site Plan

28452 112868

Site Plan



Specific Use Permit
No. 1912

Approved
City Plan Commission
September 15, 2011

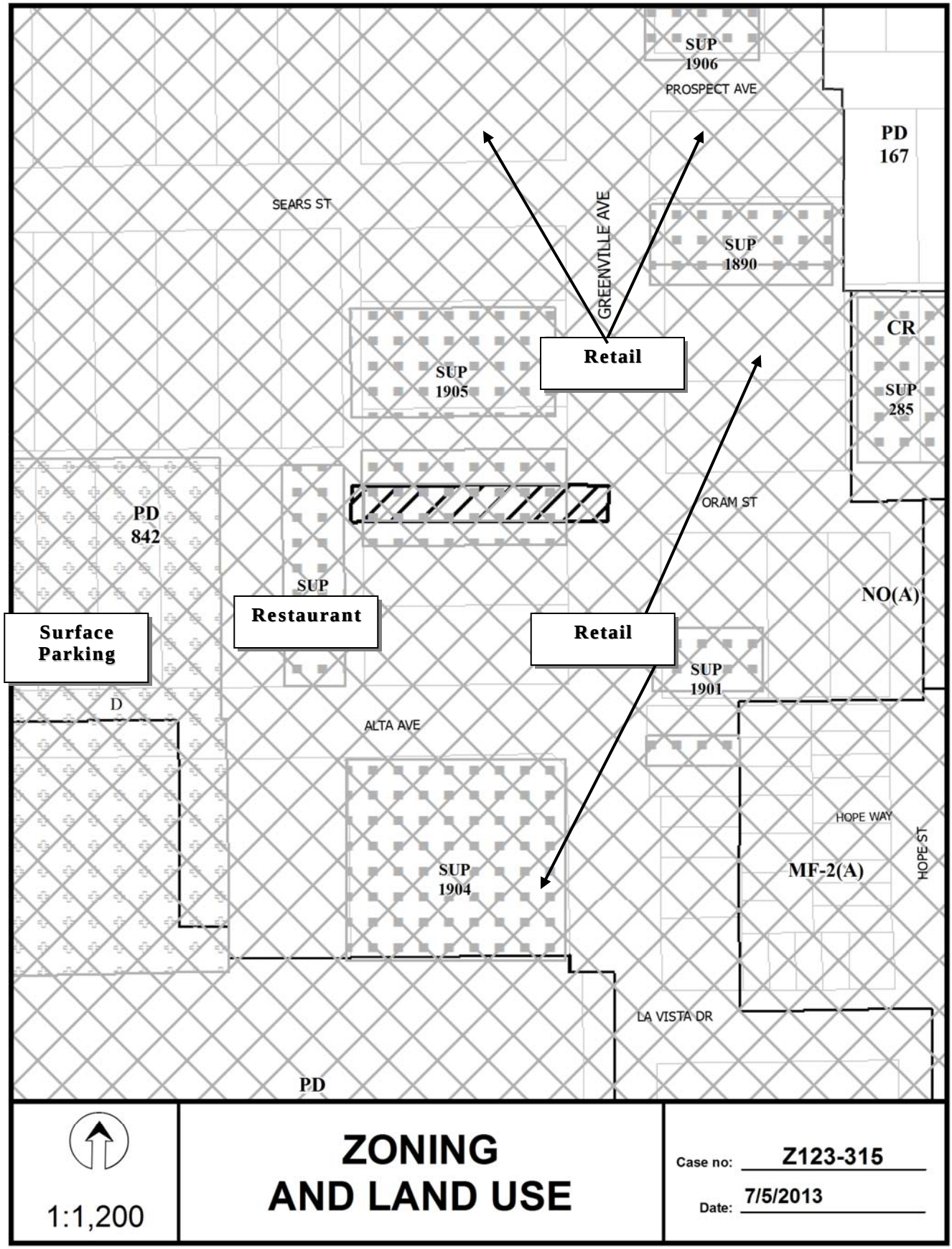
Existing Site Plan

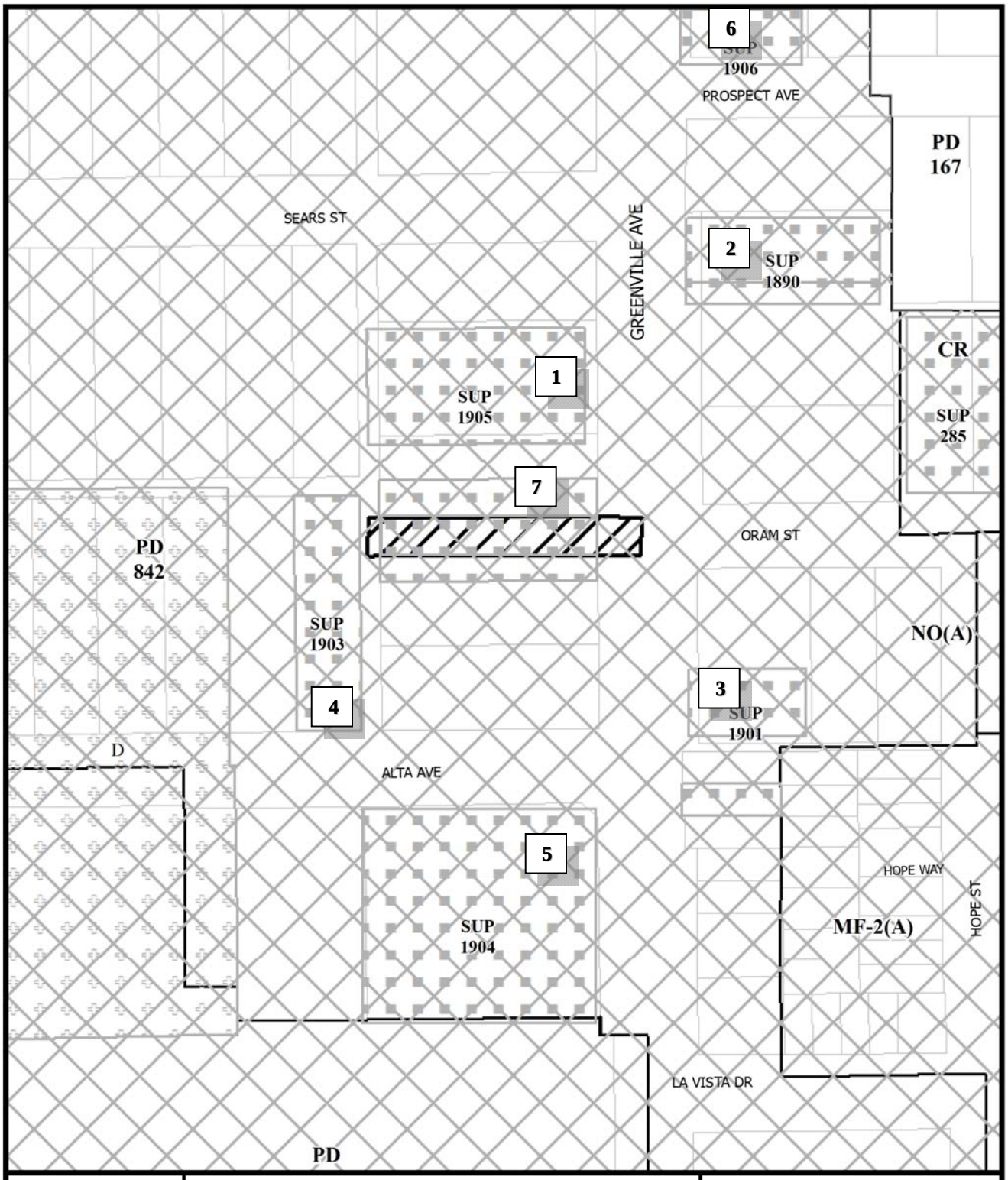
1:4,800

VICINITY MAP

Case no: Z123-315

Date: 7/5/2013


SUP
1906
PROSPECT AVE
PD
167
SEARS ST
GREENVILLE AVE
SUP
1890
CR
Retail
SUP
1905
SUP
285
PD
842
ORAM ST
SUP
Restaurant
NO(A)
Surface
Parking
Retail
SUP
1901
D
ALTA AVE
HOPE WAY
HOPE ST
SUP
1904
MF-2(A)
LA VISTA DR
PD
1:1,200
ZONING
AND LAND USE
Case no: Z123-315
Date: 7/5/2013

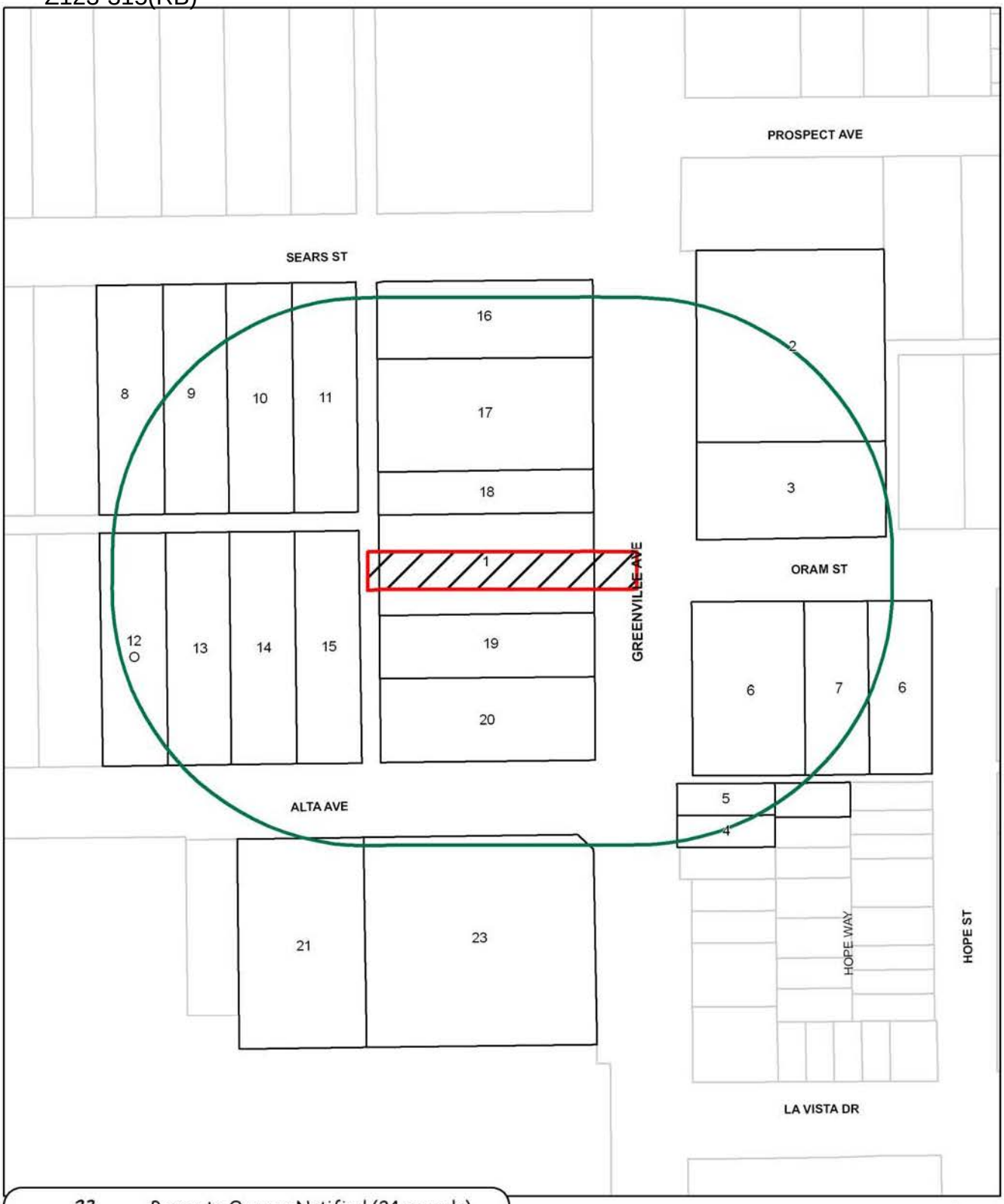


1:1,200

ZONING HISTORY

Case no: Z123-315

Date: 7/5/2013



23	Property Owners Notified (24 parcels)
1	Replies in Favor (1 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
9/26/2013	Date

Z123-315
CPC

N W E S

1:1,200

9/26/2013

Reply List of Property Owners

Z123-315

23 Property Owners Notified 1 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	1911	GREENVILLE AVE	INTERCITY INVESTMENT PROP
	2	2008	GREENVILLE AVE	WONDERFUL SEVEN A LP
	3	2000	GREENVILLE AVE	LANDE PAUL &
	4	1914	GREENVILLE AVE	CHAPLIN JACK ET AL
	5	1916	GREENVILLE AVE	SHORT STACK LLC
	6	5712	ORAM ST	LOWGREEN PS
	7	5710	ORAM ST	SOURIS MINOS
	8	5618	SEARS ST	GREENVILLE HOLDINGS CO
	9	5622	SEARS ST	ROY MARION B
	10	5624	SEARS ST	5624 SEARS STREET LTD
	11	5628	SEARS ST	ANDRES FAMILY TRUSTS
O	12	5619	ALTA AVE	THACKER RICHARD E JR
	13	5623	ALTA AVE	SHIELDS WILLIAM OLIVER
	14	5627	ALTA AVE	WSVV
	15	5631	ALTA AVE	WSVV LLC
	16	1931	GREENVILLE AVE	GENARO TRUST 1
	17	1919	GREENVILLE AVE	1919 27 GREENVILLE LTD
	18	1917	GREENVILLE AVE	WORLD WIDE FOOD INC
	19	1909	GREENVILLE AVE	WORLDWIDE FOOD INC
	20	1903	GREENVILLE AVE	LOWGREEN PS
	21	5626	ALTA AVE	LATORRE ROBERT INC
	22	1919	HOPE WAY	NGUYEN NGOC DIEP
	23	1827	GREENVILLE AVE	LOWGREEN PS

AGENDA ITEM # 58

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 10

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 27 A

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Public school other than an Open-enrollment charter school and R-10(A) Single Family District Uses on property zoned an R-10(A) Single Family District, in the northwest quadrant of Abrams Road and Whitehurst Drive

Recommendation of Staff and CPC: Approval, subject to a development/landscape plan, traffic management plan, and conditions

Z123-316(RB)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 23, 2013**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-316(RB) **DATE FILED:** June 19, 2013

LOCATION: Whitehurst Drive and Abrams Road, Northwest Quadrant

COUNCIL DISTRICT: 10 **MAPSCO:** 27- A

SIZE OF REQUEST: Approx. 18 Acres **CENSUS TRACT:** 78.10

APPLICANT: Richardson I.S.D., Owner

REPRESENTATIVE: Karl Crawley

REQUEST: An application for a Planned Development District for a Public school other than an Open-enrollment charter school and R-10(A) Single Family District Uses on property zoned an R-10(A) Single Family District.

SUMMARY: The applicant is requesting a Planned Development District in order to provide for an expansion of the existing public middle school with consideration of alternative screening, off-street parking, landscape provisions, and locating fences in the required setbacks.

CPC RECOMMENDATION: Approval, subject to a development/landscape plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: Approval, subject to a development/landscape plan, traffic management plan, and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to a development plan/landscape plan, traffic management plan, and conditions based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The proposed expansion is situated within the existing perimeter footprint of the main structure and gymnasium, with no encroachments to the adjacent residential dwellings.

2. *Traffic impact* – The projected increase in trip generations associated with the increase in enrollment will be absorbed by additional on-site student drop-off and pick-up areas as well as a continued reliance on school buses to provide transportation of approximately 50 percent of student enrollment.

3. *Comprehensive Plan or Area Plan Conformance* – forwardDallas! recognizes the importance of various institutional uses located within established residential areas.

4. The applicant has worked with staff to ensure that a required traffic management plan provides for scheduled updates to monitor projected increased enrollments. Additionally, certain screening and tree placements will be provided for those portions of the new off-street parking area that is in close proximity to the residential uses to the west.

BACKGROUND INFORMATION:

- The request site is developed with a public middle school (Forest Meadow Junior High School) as well as supporting athletic fields/areas and surface parking. The school is requesting to add ten classrooms to the main structure. Existing enrollment of 700 is anticipated to increase by approximately 400 students.

- Schools (public school, private school, open-enrollment charter school) are permitted in all zoning districts, excluding the Central Area Districts (allowed by right) subject to either a residential adjacency review (RAR) or a specific use permit. Existing schools prior to the 1980's code amendment requiring an SUP are considered legally non-conforming. As is the situation regarding an expansion or revision to one of these existing schools, a zoning change (SUP or PDD) is required to address these changes to the school campus.

- The applicant has requested a PDD for consideration of the following: 1) public school allowed by right; 2) fencing and off-street parking permitted within a required front yard; 3) permit surface parking without screening; 4) provide for alternative landscape regulations.

- The existing uses and development standards afforded by the R-10(A) District will be retained.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfare/Street	Designation; Existing & Proposed ROW
Abrams Road	Principal Arterial; 100' & 100' ROW
Whitehurst Drive	Local; 60' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's request and submitted Traffic Management Plan. As part of this review, it should be noted the Transportation Division of Street Department Public Works and Transportation has worked with the school over the years to utilize the local street system for certain aspects of typical student unloading/loading. Staff is recommending the property owner provide signage and pavement markings per the attached TMP.

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.

Land Use Compatibility: The request site developed with a public middle school (Forest Meadow Junior High School), with the balance of the property improved with athletic fields/areas and surface parking. The school proposes an increase of ten classrooms (from 50 to 60) with an existing enrollment of 700 students increasing to approximately 1,100 during the next eight years. The applicant has requested a PDD for consideration of the following: 1) public school allowed by right; 2) fencing and off-street parking permitted within a required front yard; 3) permit surface parking without screening; 4) provide for alternative landscape regulations.

The school is located within an area developed with low-density single family uses. Staff recognizes the existing use as part of the fabric of this residential area. The proposed expansion is located at the main structure. Lastly, the submitted and approved Traffic Management Plan will require future updates per staff's recommended conditions.

As a result of this analysis, staff supports the request subject to the attached development plan, traffic management plan, and conditions.

As a result of this analysis and existing relationship between the city and the school district, staff accepts the TMP, subject to staff's recommended updates (see conditions).

Off-Street Parking: As is the situation with some public school campuses, the Transportation Division of the Streets Department has worked with the applicant to utilize public right-of-way for unloading/loading operations. Based on the recommendations contained in the attached TMP, certain striping and signage should be provided by the property owner to ensure an efficient and save environment exists during drop-off/pick-up operations.

With respect to required parking, the applicant has requested an alternative off-street parking ratio for the school. Dallas City Code requires 3.5 spaces for each middle school classroom. The submitted TMP also addresses consideration of an alternate off-street parking requirement based on existing demands.

Landscaping: The site possesses existing mature landscaping around the property. The applicant has worked with the city arborist to address existing and future landscape requirements (triggered by the classroom expansion as well as an increase in nonpermeable surface areas for additional off-street parking). The attached complies with the spirit of Article X as well as screening the westernmost area of a new off-street parking area (living hedge and large canopy trees) in close proximity to the residential uses to the west.

CPC ACTION

(September 26, 2013)

Motion: It was moved to recommend **approval** of a Planned Development District for a Public school other than an Open-enrollment charter school and R-10(A) Single Family District Uses, subject to a development/landscape plan, revised traffic management/circulation plan and conditions on property zoned an R-10(A) Single Family District in the northwest quadrant of Whitehurst Drive and Abrams Road.

Maker: Tarpley
Second: Culbreath
Result: Carried: 13 to 0

For: 13 - Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0
Conflict: 1 - Shellene

Notices: Area: 500 Mailed: 226
Replies: For: 20 Against: 8

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

RICHARDSON INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES

Adam Meierhofer, Member Place 1
Karen Holburn, Vice President, Place 5
Kris Oliver, Secretary, Place 3
Lanet Greenhaw, Member, Place 4
Karen Ellis, Member, Place 7
Kim Caston, Treasurer, Place 2
Kim Quirk, President, Place 6
Kay Waggoner, Ph.D., Superintendent of Schools
Patti Kieker, Deputy Superintendent
Michael Longanecker, Executive Director of Facility Services

CPC RECOMMENDED CONDITIONS FOR A PLANNED DEVELOPMENT DISTRICT

SEC. 51P___ .101. LEGISLATIVE HISTORY.

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

SEC. 51P ____.102 . PROPERTY LOCATION AND SIZE.

PD _____ is established on property generally located in the northwest quadrant of Abrams Road and Whitehurst Drive. The size of PD ___ is approximately 17.69 acres.

SEC. 51P- ____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P- ____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit __A: development/landscape plan.
(2) Exhibit __B: traffic management plan.

SEC. 51P-____.105. DEVELOPMENT PLAN.

(a) For a public school other than an open-enrollment charter school, development and use of the Property must comply with the development/landscape plan (Exhibit ___A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P- ____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-10(A) Single Family District, subject to the same conditions applicable in the R-10(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-10(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-10(A) Single Family District is subject to DIR in this district, etc.

(b) A public school other than an open-enrollment charter school is permitted by right.

SEC. 51P- ____.107. ACCESSORY USES.

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

SEC. 51P- ____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls).

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Front yard. For a public school other than an open-enrollment charter school, minimum front yard is 25 feet.

(c) Side and Rear yard. For a public school other than an open-enrollment charter school, minimum side and rear yard is ten feet.

(d) Floor area. For a public school other than an open-enrollment charter school, maximum floor area is 131,000 square feet.

SEC. 51P- ____.109. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Public school other than an open-enrollment charter school.

(1) A minimum of three spaces for each classroom with not less than 180 off-street parking spaces must be provided in the location shown on the development/landscape plan.

(2) Parking may be provided in the required yards.

SEC. 51P- ____.110. TRAFFIC MANAGEMENT PLAN.

(a) In general. The operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit ____B).

(b) Queuing. Queuing within the right-of-way is prohibited unless written approval is obtained from the director of public works and transportation. Queuing within the right-of-way must not impede maneuvering for emergency vehicles.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2015. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1 of each odd-numbered year for a total of four updates.

(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) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P- ____.111. FENCING.

For a public school other than an open-enrollment charter school, fencing must be provided as shown on the development plan. Fencing may be provided in the required yards.

SEC. 51P- ____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- ____.113. LANDSCAPING.

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

(b) Public school other than an open-enrollment charter school. For a public school other than an open-enrollment charter school, landscaping must be provided as shown on the attached development/landscape plan.

(c) Maintenance. Plant materials must be maintained in a healthy, growing condition.

(d) Tree removal permit. A tree removal permit may be issued by the building official prior to the issuance of a building permit.

SEC. 51P- ____.114. SIGNS.

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

SEC. 51P- ____.115. ADDITIONAL PROVISIONS.

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

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

SEC. 51P-_____.116. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

TRAFFIC MANAGEMENT PLAN

Richardson ISD
Forest Meadow Junior High
Dallas, Texas

August 12, 2013

Prepared for

Richardson ISD

STATE OF TEXAS
STEPHEN M. MOORE
95814
LICENSED
PROFESSIONAL ENGINEER

08/12/13

HALFF

1201 North Bowser Road
Richardson, Texas 75081
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AVO 29459

Executive Summary

Halff Associates, Inc. (Halff) conducted a Traffic Management Plan on behalf of the Richardson Independent School District (RISD) for proposed improvements to their Forest Meadow Junior High School campus. The campus, which serves approximately 700 7th and 8th grade students, is located on the northwest corner of the Abrams Road / Whitehurst Drive intersection in Dallas. The RISD plans to add 8 new classrooms to the campus in order to accommodate the projected enrollment growth to approximately 1,100 students over the next 8 to 10 years.

Halff conducted AM and PM peak period observations and traffic counts at the campus to identify current traffic patterns and estimate current trip generation for the site. The campus has a one-way loop drive along the front (south) side of the school, accessed from Whitehurst Drive, which is shared by school buses and parents. In the AM peak, buses and parents drop off students in the front loop. In the PM peak, buses queue up and load in the front loop, and parents are prohibited from entering the loop drive until the buses exit the site. Parents also drop off and pick up students in the staff parking lot on the east side of the site, accessed from a driveway along Abrams Road, and along Echo Valley Drive and Whitehurst adjacent to the school.

Based on the traffic counts and observations, Halff estimated the maximum queuing demand for the school to be 95 vehicles, occurring just after the release bell at 3:30 pm. Using a straight-line projection, the projected "maximum" queue demand once the school reaches its maximum enrollment is approximately 149 vehicles in the PM peak period.

As part of the campus improvements, the RISD will be constructing a new bus drop off / pick up area on the back (north) side of the school building and will be adding approximately 94 new parking spaces on the site, a new staff parking lot on the northwest side of the building and a new visitor parking lot on the southeast side of the building (the campus currently has 88 designated parking spaces). This will provide separate areas for the buses and parents to drop off and pick up students, and will allow parents to queue up in the front loop in the PM peak.

If would be desirable if all parent drop off / pick up activities associated with Forest Meadow Junior High could be accommodated entirely on the school campus and out of any City of Dallas right-of-way (ROW). However, even with the proposed improvements in place, it is expected that some queuing will occur on Whitehurst Drive and Echo Valley Drive, primarily during the PM peak period. (It is important to note that queuing ***currently*** occurs on these two streets during the PM peak period.) The queuing that occurs on Whitehurst Drive today does not appear to significantly impact the through traffic on the road; as Whitehurst is a four-lane undivided road, the two inside lanes (one in each direction) still provide adequate capacity to accommodate through traffic in the school PM peak period. Whitehurst Drive and Echo Valley Drive, ***which are both areas in which parents currently queue during the PM peak period***, should provide adequate queuing space to accommodate the projected demand once the school reaches its projected maximum enrollment. Furthermore, by opening the front loop for passenger car queuing, and by making more efficient use of the available queuing space in the east staff lot and the available parking spaces on the site, the on-street queuing should not significantly increase from what it is today.

Halff recommends the following measures to help facilitate the safe, efficient movement of traffic into and out of the Forest Meadow Junior High School campus:

- School staff should monitor the front loop in the AM and PM peak periods to encourage parents to pull in as far to the end (west) as possible, in order to make full use of the loop drive. (The front door to the school is located on the east side, near the entrance to the loop drive, and parents were observed stopping directly at the front door to drop off students.)

- Consideration should be given to opening the doors on the west end of the front of the school building during the morning peak period to help encourage parents to pull up all the way to the west end of the front loop.

- School staff should also monitor the staff parking lot on the east side of the campus to ensure that the available stacking space and open parking spaces are being used efficiently.

- Stripe the right (inside) lane of the front loop drive for "Drop Off / Pick Up Only." Stripe the left (outside) lane for "Thru Traffic Only."

- Restrict parking and standing on the north side of Whitehurst Drive from 50 feet east of the loop drive exit to 50 feet west of the alley just west of the school's west driveway, in order to provide adequate visibility for vehicles exiting the school's west driveway and loop driveway onto Whitehurst Drive.

- Enforce the "No Parking or Standing" restrictions on the north side of Whitehurst Drive just west of Abrams Road, and on the south side of Whitehurst from west of Echo Valley Drive to Abrams Road.

- Widen the school's west driveway approach to Whitehurst Drive to provide adequate space for buses to turn into and out of the driveway. (If space allows, it would be desirable to provide two egress lanes and one ingress lane.)

- Install a sign for "Buses / Parking / Deliveries" at the entrance to the school's west driveway.

- Install a sign for "Parent Drop Off / Pick Up / Visitor Parking" at the front loop entrance drive off of Whitehurst Drive.

- Install a sign for "Visitor Parking" at the entrance to the new parking lot accessed from the front loop.

- Install a sign for "Exit Only" at the front loop exit drive.

- Replace the "No Parking or Standing Here to Corner" sign located on the south side of Whitehurst Drive just west of Abrams Road. (The sign is very faded.)

- Repaint the existing crosswalk across Whitehurst Drive on the east side of the front loop entrance drive, and install new crosswalk signs (S1-1) with downward-pointing arrow plaques (SW16-7P) on each side of the crosswalk. Stationing a crossing guard at this crosswalk would be desirable for directing students to cross to / from the south side of Whitehurst Drive

- All school staff should be encouraged to park on the site at all times.

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I. INTRODUCTION

Halff Associates, Inc. (Halff) conducted a Traffic Management Plan on behalf of the Richardson Independent School District (RISD) to address planned improvements to the district's Forest Meadow Junior High School campus, located on the northwest corner of the Abrams Road / Whitehurst Drive intersection in Dallas, Texas. Figure 1 below is a map showing the school site. A copy of the school site plan has been included in the Appendix as Figure 2.

Figure 1 – RISD Forest Meadow JH Location Map

The RISD is planning to add eight new classrooms on the campus in order to accommodate projected enrollment growth over the next 8 to 10 years. The classrooms are expected to be in place by the fall of 2014.

II. PURPOSE and METHODOLOGY

Halff conducted the study for submittal to the City of Dallas, in order to identify potential traffic impacts associated with the proposed school expansion and to address and improve the existing traffic flow around the school. Halff used standard transportation engineering practices in conducting the study. Halff conducted AM and school PM peak period traffic counts at the school driveways along Whitehurst Drive and Abrams Road, and along Whitehurst Drive and Echo Valley Drive, on Tuesday and Wednesday, May 7 and 8, 2013, in order to identify the current queuing demands for the school. Halff also conducted parking surveys at the school to determine the current day parking demand. Halff conducted a site visit to identify current roadway conditions around the school and to observe student drop-off / pick-up operations during the AM and school PM peak periods.

Using the data collected at the school and information provided by the RISD, Halff developed queuing and parking demands for the school, assuming full (projected) enrollment. Halff then worked with the RISD to develop infrastructure and operational improvements to facilitate the projected increase in traffic generated by the school.

III. EXISTING ROADWAY CONDITIONS

Forest Meadow Junior High School is bordered on the east side by Abrams Road, on the south side by Whitehurst Drive, and on the north and west sides by single-family residences. Abrams Road is constructed as a six-lane divided road with a posted speed limit of 40 miles per hour (mph). There is a reduced speed school zone (20 mph) on Abrams Road adjacent to the school.

Whitehurst Drive is constructed as a four-lane undivided road with a posted speed limit of 30 mph. There is a reduced speed school zone (20 mph) on Whitehurst Drive adjacent to the school. The Abrams Road / Whitehurst Drive intersection is signalized.

IV. FUTURE ROADWAY CONDITIONS

There are no plans for improvements to either Abrams Road or Whitehurst Drive in the vicinity of the school.

V. EXISTING SCHOOL TRAFFIC OPERATIONS

The school campus has a one-way loop drive, two lanes wide, across the front (south side) of the building, accessed from Whitehurst Drive, with a couple of parking spaces off of the loop drive. There is a staff parking lot on the east side of the school building, accessed from a driveway along Abrams Road. There is also a small staff parking lot on the west side of the school building, in the services / delivery area, access from a driveway on Whitehurst Drive on the far west side of the site. This drive also provides fire lane access to the back (north side) of the building. (Some staff members were observed parking in this area.)

Currently, in the AM peak period students are primarily dropped off in two locations. Buses and parents drop off students in the front loop drive along Whitehurst Drive (the school is served by eight full-size buses and three handicapped / special education buses). Students are also dropped off in the staff parking lot along Abrams Road. A small number of students were also observed being dropped off along both sides of Whitehurst Drive. The school day begins at 8:30 am, but students were observed being dropped off as early as 7:30 am. Drop off activities peaked between 8:00 am and 8:15 am, and was substantially complete by 8:35 am.

In the PM peak period, the front loop drive is restricted to buses only, until the buses are loaded and exit the site approximately 10 minutes after school lets out. Once the buses exited the site, parents began using the front loop to pick up students. Prior to this time, parents queued up along both sides of Whitehurst Drive, and along Echo Valley Drive south of Whitehurst Drive, and students were observed walking to the cars in these areas. Parents also queued up in the staff parking lot along Abrams Road and parked in the empty parking spaces in this lot. Parents began queuing up around 3:00 pm, 30 minutes prior to students being released at 3:30 pm. The afternoon pick up activities were more spread out than at a typical elementary school, with students congregating in front of the school after the release time, waiting to be picked up. Most of the students had been picked up by 3:50 pm.

There are not any parking or standing restrictions in place along the north side of Whitehurst Drive, expect near the intersection with Abrams Road, where parking and standing are restricted at all times from Abrams Road to a point approximately 50 feet west of Abrams. On the south side of Whitehurst Drive, parking and standing are restricted at all times between Echo Valley Drive and Abrams Road. Parking and standing are also restricted, from 7:00 – 9:00 am and 2:45 – 4:30 pm on school days, from Echo Valley Drive west approximately 225 feet, in order to provide adequate access and visibility to an alley connection to Whitehurst Drive. (These restrictions did not appear to be enforced on the days that Halff conducted counts and observations.)

VI. TRAFFIC COUNT DATA and QUEUING OBSERVATIONS

Halff conducted AM and school PM peak period traffic counts and observations at the school on Tuesday and Wednesday, May 7 and 8, 2013. Traffic counts were conducted at the following locations:

- Abrams Road / staff parking lot driveway
- Whitehurst Drive / front loop entrance driveway
- Whitehurst Drive / front loop exit driveway
- Whitehurst Drive / school west driveway
- Along both sides of Whitehurst Drive adjacent to the school
- Along both sides of Echo Valley Drive south of Whitehurst Drive

Halff conducted the traffic counts and observations in order to estimate the number of vehicle trips generated by the school at its current enrollment, approximately 700 students. A summary of the observed trip generation is presented in Table 1. The trips shown are comprised of the trips turning into and out of the school driveways and the vehicles observed dropping off or picking up students along Whitehurst Drive and Echo Valley Drive during the AM and PM peak hours of the school (the school hours of operation are 8:30 am to 3:30 pm).

Table 1
Site-Generated One-Way Trips – Observed

	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Observed (700 students)	396	323	719	178	186	364

From the peak hour observations and traffic counts, Halff also identified the time when the maximum number of vehicles were "queued" on or around the school (in this case, "queued" vehicles include vehicles queued or parked on Whitehurst Drive and Echo Valley Drive, vehicles queued in the drive aisles of the staff parking lot on the east side of the site, and vehicles parked in the staff parking lot). As is common at school campuses, the maximum queue was observed in the PM peak hour, just after students were released at 3:30 pm. The number of passenger cars waiting on or around the school campus to pick up students at this time was approximately 95. Eight full size school buses were also queued in the front loop.

Halff also identified the parking demand for the school by counting the parked cars on the site and along the north side of Whitehurst Drive after the morning and afternoon peak periods (according to the school principal, there are some staff members that park on Whitehurst Drive instead of on the site). The maximum observed parking demand for the school was 85 vehicles which occurred after the morning peak period.

VII. PROPOSED CAMPUS IMPROVEMENTS

As mentioned, the RISD plans to add eight new classrooms to the Forest Meadow Junior High School campus. Along with the classroom addition, the RISD is planning to rebuild and improve the driveway on the west and north sides of the school building, in order to bring the drive into compliance with current fire lane codes. The RISD is also improving the area on the northwest side of the site to provide a new bus drop off / pick up area and a new staff parking lot. Additional parking will also be added on the southeast corner of the school building, in a small visitor parking lot accessed from the front loop. These improvements are shown in the concept plan included in the Appendix as Figure 3.

These improvements will add approximately 94 new parking spaces (88 regular spaces and 6 handicapped spaces) to the existing 88 on-site parking spaces (81 regular spaces and 7 handicapped spaces), for a total of 182 parking spaces on the campus. The new spaces will be primarily in the new parking lot on the northwest corner of the site (80 spaces), with the remaining 14 spaces in the new visitor parking lot on the southeast corner of the school building.

These improvements will also allow the bus drop off / pick up area to be separated from the parent drop off / pick up area. All buses will now be routed into the west driveway on Whitehurst Drive to the new drop off / pick up area on the north side of the school building. This will open the front loop to be used exclusively by parents for dropping off students in the morning and picking them up in the afternoon.

VIII. PROJECTED QUEUING and PARKING DEMAND

Halff used a straight-line projection to estimate the queuing demand in the afternoon peak period, once the school reaches its projected maximum enrollment of 1,100 students. The projected queue demand at maximum enrollment is approximately 149 passenger cars in the PM peak period. Also using a straight-line projection, the number of full-size school buses could increase to 12. It is important to note that the actual number of new trips generated by the additional student enrollment, and thus the actual queuing demand for passenger cars and buses, will vary based on where in the school's attendance zone the projected enrollment growth takes place. The current attendance zone includes a number of apartment complexes, and a number of the students living in these complexes are bused to the school. If a large percentage of the new students are drawn from this area and are bused to the school, the queuing demand for passenger cars will be less than what is projected in this report.

The RISD expects to add 10 to 15 new staff members to the campus over the course of the next 8 to 10 years. If each of these new staff members drives their own vehicle, the total projected parking demand for the school will be approximately 100 (current day parking demand of 85 vehicles plus 15 new vehicles).

The new area designated for bus loading and unloading on the back (north) side of the school building will provide more than 600 feet of stacking space, which can accommodate approximately 15 full size school buses (the school is currently served by 8 full size buses).

If would be desirable if all parent drop off / pick up activities associated with Forest Meadow Junior High could be accommodated entirely on the school campus and out of any City of Dallas right-of-way (ROW). However, even with the proposed improvements in place, it is expected that some queuing will occur on Whitehurst Drive and Echo Valley Drive, primarily during the PM peak period. (It is important to note that queuing ***currently*** occurs on these two streets during the PM peak period.) The queuing that occurs on Whitehurst Drive today does not appear to significantly impact the through traffic on the road; as Whitehurst is a four-lane undivided road, the two inside lanes (one in each direction) still provide adequate capacity to accommodate through traffic in the school PM peak period.

The front loop drive provides approximately 460 feet of stacking space, which can accommodate approximately 23 passenger cars (assuming 20 feet per car). The staff parking lot on the east side of the school building has approximately 720 feet of stacking space (in the drive aisles), which can accommodate approximately 36 passenger vehicles.

With a projected parking demand of 100 vehicles, the site will have approximately 69 regular marked parking spaces available for parents to use during the afternoon pick up period. (Parents were observed parking in open spaces in the staff parking lot on the east side of the campus on the day Halff conducted peak period counts and observations.) If parents fill half of the open parking spaces, this would leave approximately 56 passenger vehicles that would need to queue along either Whitehurst Drive or Echo Valley Drive. The queue distance, at 20 feet per car, would be approximately 1,120 feet. A summary of this calculation is provided below:

Estimated "max" queue demand = 149 passenger vehicles (2,980 feet)
Vehicles queued in the front loop = 23 (460 feet)
Vehicles queued in the east staff lot = 36 (720 feet)
Vehicles parked on the site = 34 (680 feet)
Vehicles queued on Whitehurst Drive or Echo Valley Drive = 56 (1,120 feet)

This space can be distributed between Whitehurst Drive and Echo Valley Drive in the following manner:

- North side of Whitehurst Drive between front loop entrance drive and the existing parking restriction west of Abrams Road = 120 feet
- North side of Whitehurst Drive between front loop entrance drive and proposed parking restriction east of front loop exit drive = 300 feet
- South side of Whitehurst Drive from parking restriction west of Echo Valley Drive to Dove Meadow Drive (west of school site) > 500 feet
- Echo Valley Drive > 200 feet

These areas, ***which are all areas in which parents are currently queuing during the PM peak period***, should provide adequate queuing space to accommodate the projected demand once the school reaches its projected maximum enrollment. Furthermore, by opening the front loop for passenger car queuing, and by making more efficient use of the available queuing space in the east staff lot and the available parking spaces on the site, the on-street queuing should not significantly increase from what it is today.

Overall, once the proposed improvements are made, the site will have stacking space to accommodate approximately 59 passenger vehicles and 15 full size school buses, and dedicated parking spaces for approximately 182 passenger vehicles. (As mentioned, the parking spaces not used by school staff can be used by parents in the afternoon when picking up students.) This represents an increase in on-site stacking space of 460 feet (the space gained in the front loop drive by moving the bus drop off / pick up area to the back of the school) and an increase of 94 on-site parking spaces.

Figure 3a in the Appendix shows the existing queuing areas discussed in the report; Figure 3b in the Appendix shows the proposed queuing areas discussed in this section of the report.

IX. STAFF ASSISTANCE

In order to facilitate efficient drop off and pick up activities, it would be desirable for school staff to be present during these times, especially around the front loop drive. To maximize the available space in the front loop drive, staff should encourage parents to pull through to the far west end of the drive, both in the morning and in the afternoon, and should ensure that parents remain in their vehicles at all times. Staff should also encourage students to quickly exit / enter their vehicles so that the parents may exit the drive, opening up space for more parents to drop off / pick up students. Staff assistance in the staff parking lot on the east side of the campus would also be beneficial to ensure that the available stacking space is used efficiently, and that any open parking spaces are used as well.

There is an existing crosswalk across Whitehurst Drive on the east side of the front loop entrance drive / west side of Echo Valley Drive (the crosswalk needs to be repainted and proper signs should be installed). Stationing a crossing guard or school staff member at this crosswalk would help students to cross to / from the south side of Whitehurst Drive.

X. RECOMMENDATIONS

Halff recommends the following measures to help facilitate the safe, efficient movement of traffic into and out of the Forest Meadow Junior High School campus:

- School staff should monitor the front loop in the AM and PM peak periods to encourage parents to pull in as far to the end (west) as possible, in order to make full use of the loop drive. (The front door to the school is located on the east side, near the entrance to the loop drive, and parents were observed stopping directly at the front door to drop off students.)

- Consideration should be given to opening the doors on the west end of the front of the school building during the morning peak period to help encourage parents to pull up all the way to the west end of the front loop.

- School staff should also monitor the staff parking lot on the east side of the campus to ensure that the available stacking space and open parking spaces are being used efficiently.

- Stripe the right (inside) lane of the front loop drive for "Drop Off / Pick Up Only." Stripe the left (outside) lane for "Thru Traffic Only."

- Restrict parking and standing on the north side of Whitehurst Drive from 50 feet east of the loop drive exit to 50 feet west of the alley just west of the school's west driveway, in order to provide adequate visibility for vehicles exiting the school's west driveway and loop driveway onto Whitehurst Drive.

- Enforce the "No Parking or Standing" restrictions on the north side of Whitehurst Drive just west of Abrams Road, and on the south side of Whitehurst from west of Echo Valley Drive to Abrams Road.

- Widen the school's west driveway approach to Whitehurst Drive to provide adequate space for buses to turn into and out of the driveway. (If space allows, it would be desirable to provide two egress lanes and one ingress lane.)

- Install a sign for "Buses / Parking / Deliveries" at the entrance to the school's west driveway.

- Install a sign for "Parent Drop Off / Pick Up / Visitor Parking" at the front loop entrance drive off of Whitehurst Drive.

- Install a sign for "Visitor Parking" at the entrance to the new parking lot accessed from the front loop.

- Install a sign for "Exit Only" at the front loop exit drive.

- Replace the "No Parking or Standing Here to Corner" sign located on the south side of Whitehurst Drive just west of Abrams Road. (The sign is very faded.)

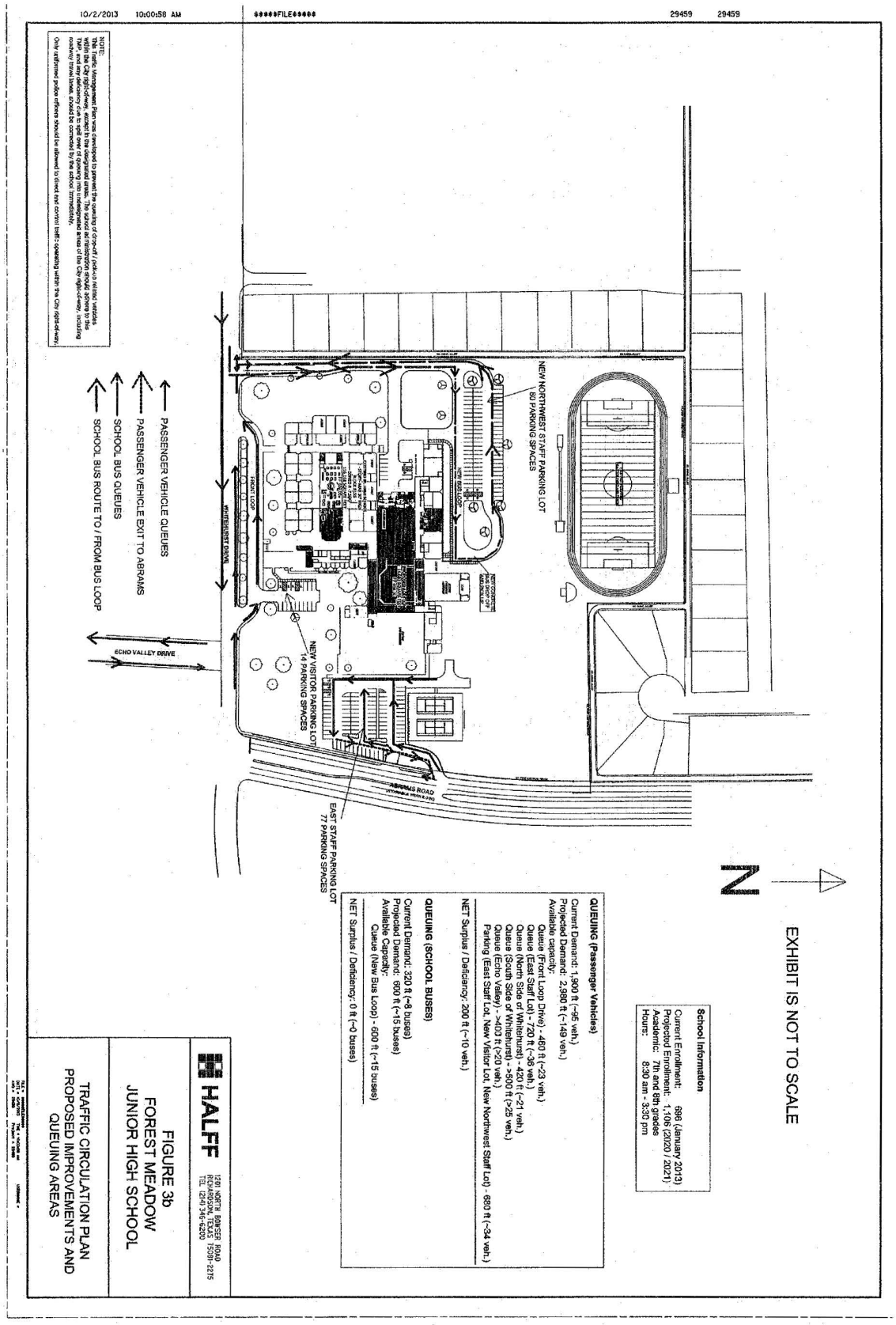
- Repaint the existing crosswalk across Whitehurst Drive on the east side of the front loop entrance drive, and install new crosswalk signs (S1-1) with downward-pointing arrow plaques (SW16-7P) on each side of the crosswalk. Stationing a crossing guard at this crosswalk would be desirable for directing students to cross to / from the south side of Whitehurst Drive

- All school staff should be encouraged to park on the site at all times.

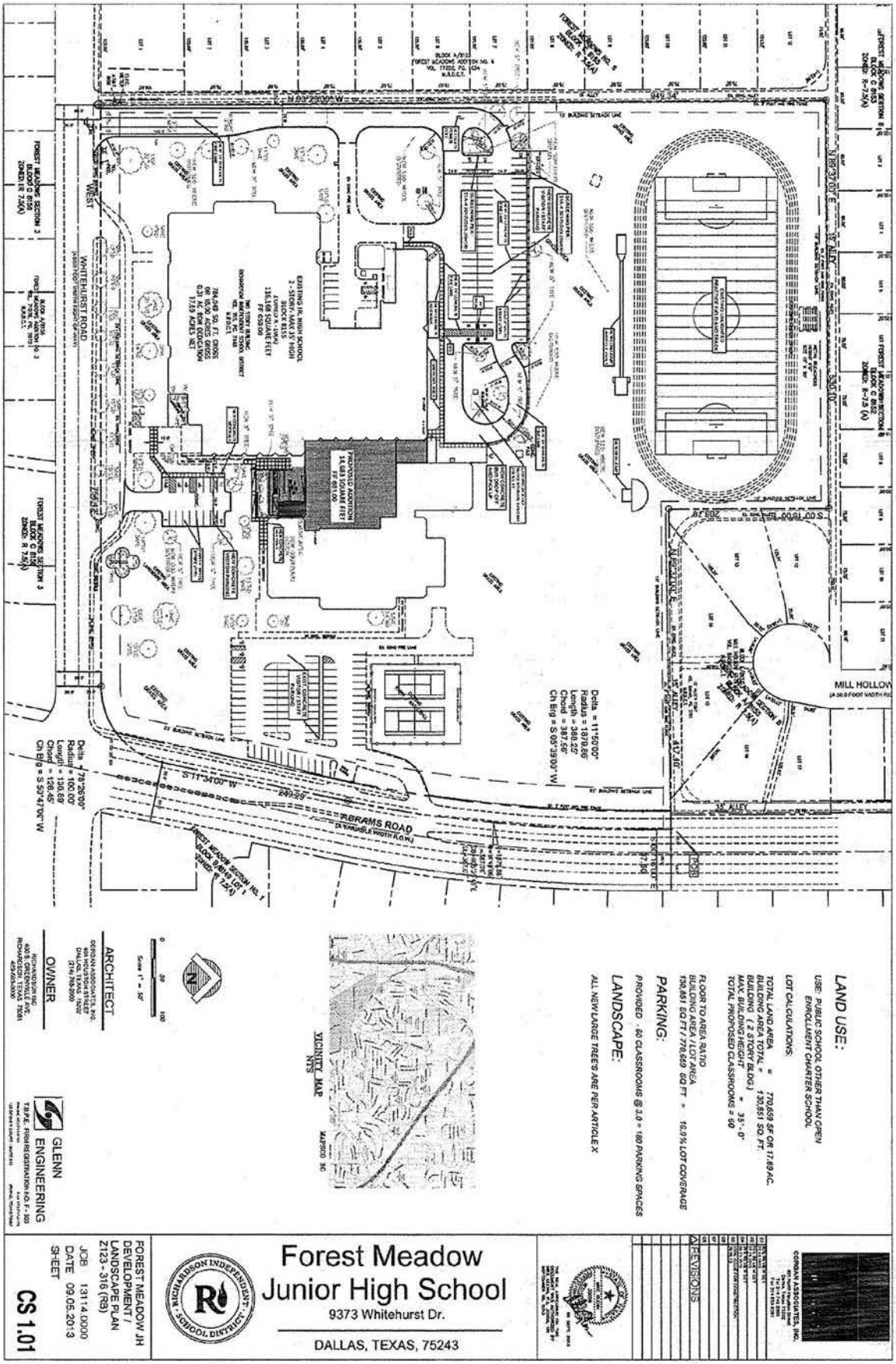
XI. CONCLUSION

The school will generate more trips due to the proposed expansion, but providing a separate bus drop off / pick up area on the back (north) side of the school building will open up the front loop to be used exclusively by parents for dropping off and picking up students. (Opening the doors on the west end of the front side of the school building will help encourage parents to use the entire front loop.) Separating the buses from the parent traffic will help improve overall traffic flow and safety around the school, and will provide more space for passenger vehicles on the site, especially during the afternoon peak period. School staff should monitor the front loop and the staff parking lot on the east side of the campus during the peak periods to ensure that both locations are functioning efficiently and maximizing the number of passenger cars able to drop off / pick up students on the site and off of the City ROW. By opening the front loop for passenger car queuing, and by making more efficient use of the available queuing space in the east staff lot and the available parking spaces on the site, the on-street queuing should not significantly increase from what it is today.

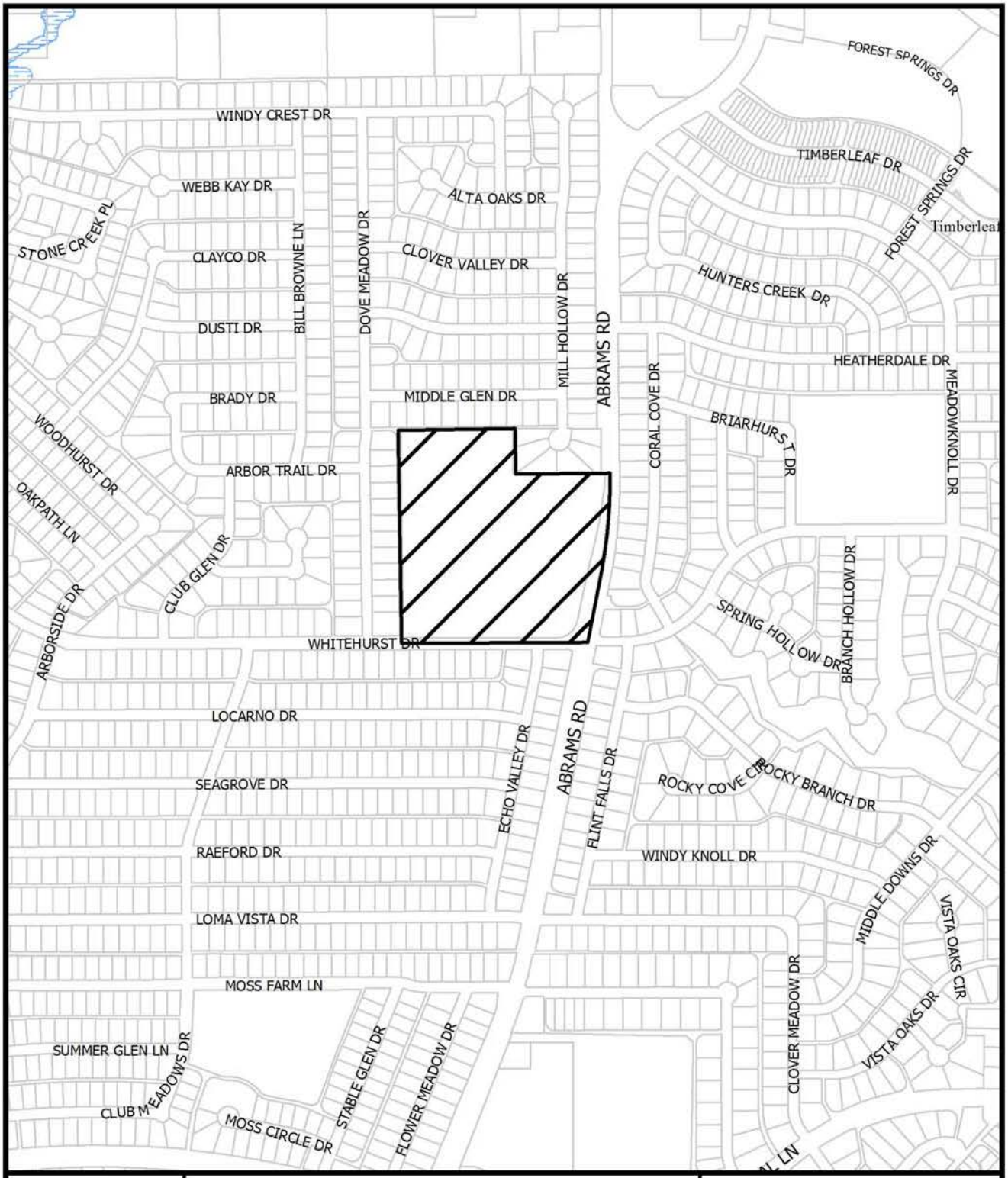
It is important to note that the actual number of new trips generated by the additional student enrollment, and thus the actual queuing demand for passenger cars and buses, will vary based on where in the school's attendance zone the projected enrollment growth takes place. Halff's queuing and parking demand estimates for when the school reaches its maximum enrollment are based on straight-line projections of the current day demands. The current attendance zone includes a number of apartment complexes, and a number of the students living in these complexes are bused to the school. If a large percentage of the new students are drawn from this area and are bused to the school, the queuing demand for passenger cars will be less than what is projected in this report.



TMP Circulation Plan



Proposed Development/Landscape Plan

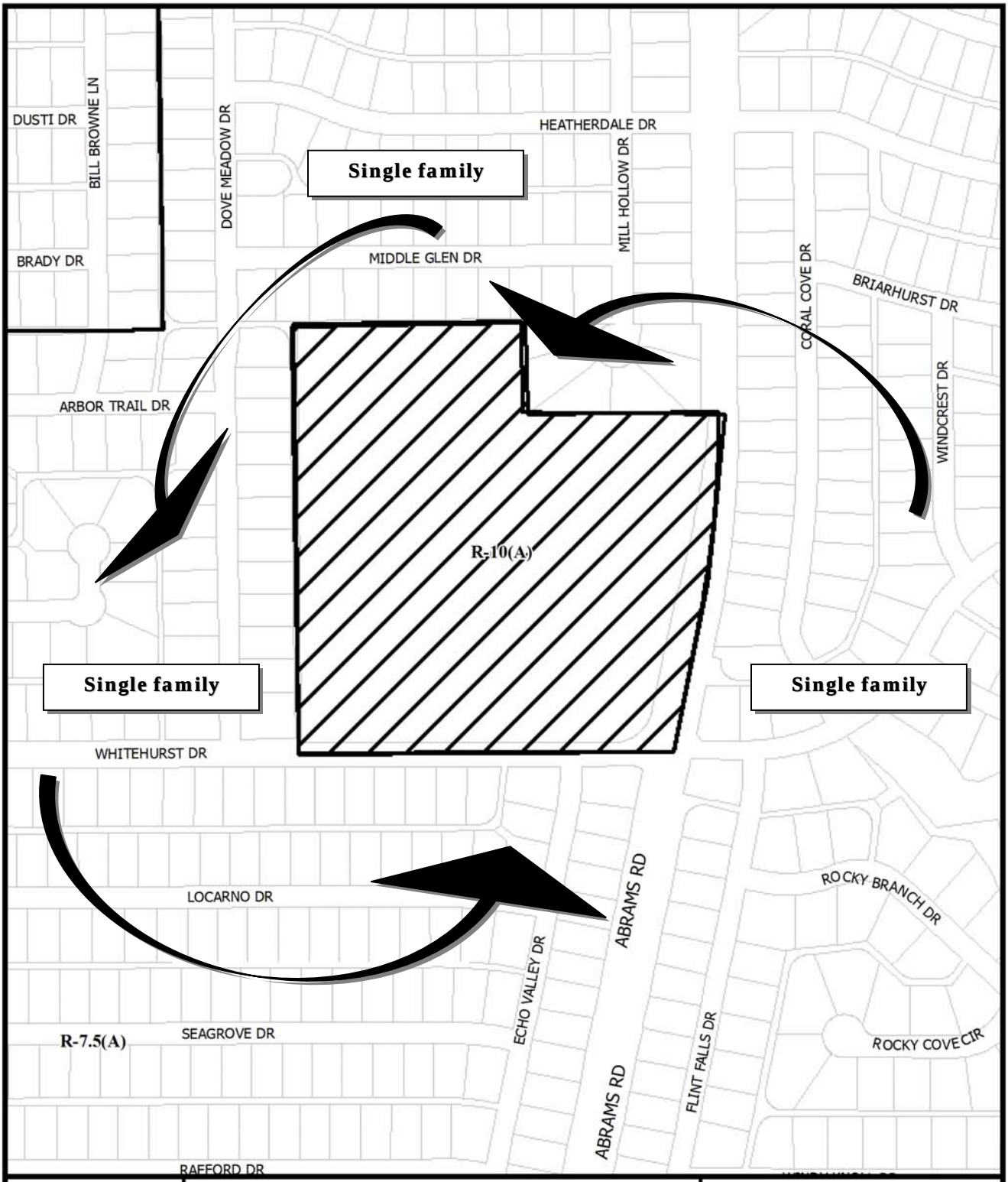


1:7,200

VICINITY MAP

Case no: Z123-316

Date: 9/5/2013



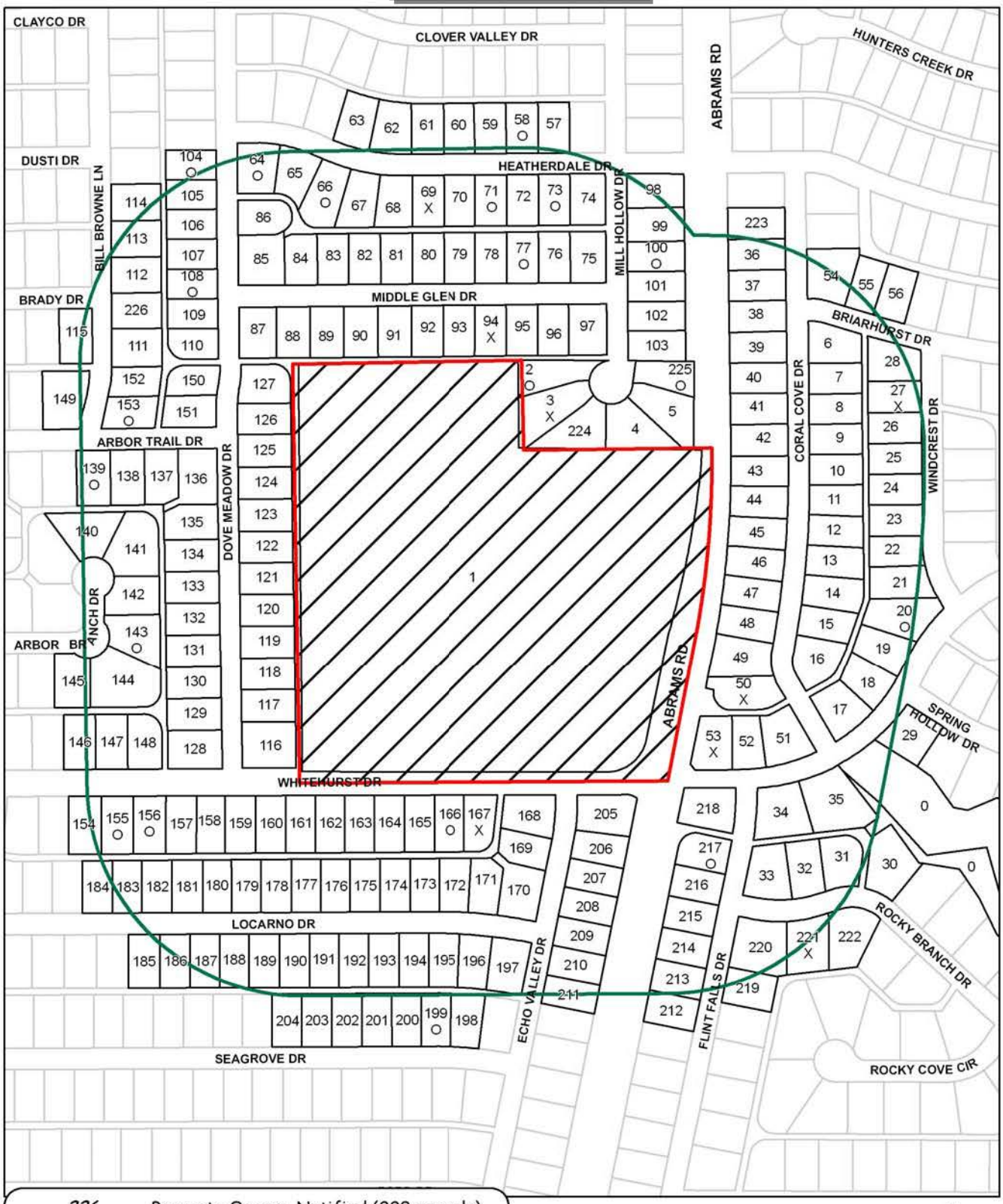
1:3,600

ZONING AND LAND USE

Case no: Z123-316

Date: 9/5/2013

CPC RESPONSES



226	Property Owners Notified (228 parcels)
20	Replies in Favor (20 parcels)
8	Replies in Opposition (8 parcels)
500'	Area of Notification
9/26/2013	Date

Z123-316

CPC

N W E S

1:3,600

9/26/2013

Reply List of Property Owners

Z123-316

226 Property Owners Notified ***20 Property Owners in Favor*** ***8 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	9373	WHITEHURST DR	RICHARDSON I S D
O	2	9211	MILL HOLLOW DR	BEESON J BRANDON & SHANNON L
X	3	9207	MILL HOLLOW DR	GEE ROBERT
	4	9204	MILL HOLLOW DR	SPARKS DUSTIN
	5	9208	MILL HOLLOW DR	RAINER MICHAEL V & JENNIFER B
	6	9230	CORAL COVE DR	SIMMONS BENJAMIN A
	7	9224	CORAL COVE DR	PRICE STEPHEN V & LISA L
	8	9218	CORAL COVE DR	PAULSEN MAX W &
	9	9212	CORAL COVE DR	WILSON VICKIE ANN
	10	9142	CORAL COVE DR	GACHELIN ERIC J
	11	9136	CORAL COVE DR	TAYLOR DAVID
	12	9130	CORAL COVE DR	DARBY HOWARD E
	13	9124	CORAL COVE DR	POLVADO WENDI
	14	9118	CORAL COVE DR	WILLIAMS BILL JAMES
	15	9112	CORAL COVE DR	HENDRICKS THOMAS E
	16	9018	CORAL COVE DR	VANDERGRIFF WILHELMINA
	17	9429	WHITEHURST DR	SOTIROPOULOS KONSTANTINOS & ALEXANDRA SO
	18	9435	WHITEHURST DR	PENIX WILLIAM H JR &
	19	9441	WHITEHURST DR	TIDWELL KATRINA
O	20	9447	WHITEHURST DR	SOTO HENRIETTA
	21	9111	WINDCREST DR	SPANN ROGER C &
	22	9117	WINDCREST DR	THORNE ADRIANNE E & DAVID R MORROW
	23	9123	WINDCREST DR	ROBINSON RICHARD C ETAL
	24	9129	WINDCREST DR	RASKIN ROBBIN
	25	9135	WINDCREST DR	CONNOLLY STEVEN M &
	26	9211	WINDCREST DR	WOOD PETER A &

Reply	*Label #*	*Address*		*Owner*
X	27	9217	WINDCREST DR	MOIOLA RICHARD J
	28	9223	WINDCREST DR	HICKEY MATTHEW A &
	29	9402	SPRING HOLLOW DR	STOLTE STEPHEN C
	30	9423	ROCKY BRANCH DR	GRIFFIN DAVID R &
	31	9417	ROCKY BRANCH DR	HART WILLIAM BLAIR &
	32	9411	ROCKY BRANCH DR	LINVILLE LLOYD W
	33	9405	ROCKY BRANCH DR	NURSE KRIS
	34	9416	WHITEHURST DR	BEKARIAN HAGOP &
	35	9422	WHITEHURST DR	RIDGWAY DONIVAN L JR
	36	9317	CORAL COVE DR	KESNER MARC C &
	37	9311	CORAL COVE DR	ORTEGA ROBERT J & ELMA M
	38	9235	CORAL COVE DR	TOOMEY EDWARD F
	39	9229	CORAL COVE DR	SEYMOUR LAURA J & JASON M
	40	9223	CORAL COVE DR	SHOAF NANCY W
	41	9217	CORAL COVE DR	MAYER KALAWAKUA
	42	9211	CORAL COVE DR	ROJAS GERARDO &
	43	9141	CORAL COVE DR	WELTY KATHRYN
	44	9135	CORAL COVE DR	QUINE BEN & JULIE
	45	9129	CORAL COVE DR	PAPPAS JASON N & ASHLEY E
	46	9123	CORAL COVE DR	THOMAS CAROLYN K
	47	9117	CORAL COVE DR	PLUMMER ALISA K
	48	9111	CORAL COVE DR	SCOGGINS BILL JR &
	49	9023	CORAL COVE DR	SELL SHIRLEY
X	50	9017	CORAL COVE DR	BREEDING BILL C
	51	9423	WHITEHURST DR	HOCKER DONNA Z
	52	9417	WHITEHURST DR	ROSAMOND DAVID F &
X	53	9411	WHITEHURST DR	HOOD BRIAN A
	54	9312	CORAL COVE DR	WILKERSON JERRY W &
	55	9376	BRIARHURST DR	KRUEGER D EDWARD
	56	9370	BRIARHURST DR	MCWHORTER DAVID R &
	57	9237	HEATHERDALE DR	BOYD EDWARD L & JANIS A

Reply	*Label #*	*Address*		*Owner*
O	58	9233	HEATHERDALE DR	LANE JERRY W & JANET H
	59	9227	HEATHERDALE DR	CROW REBECCA N
	60	9225	HEATHERDALE DR	ALLEN MICHAEL B & TANDRA T
	61	9221	HEATHERDALE DR	BOND JOEL B
	62	9219	HEATHERDALE DR	BURKE RALPH E &
	63	9215	HEATHERDALE DR	CORBETT DWAYNE D &
O	64	9204	HEATHERDALE DR	SWEENEY FRANK B
	65	9208	HEATHERDALE DR	CARLO JAMES T & MARTHA B
O	66	9210	HEATHERDALE DR	SMITH LELAND P II &
	67	9214	HEATHERDALE DR	KALB JOHN M & EILEEN F
	68	9216	HEATHERDALE DR	HIGGINS DANA LANCE &
X	69	9218	HEATHERDALE DR	BRALEY GANT & SHANNON
	70	9220	HEATHERDALE DR	NEAL JANIE LEE
O	71	9222	HEATHERDALE DR	ARCHER ERIC D
	72	9224	HEATHERDALE DR	MCLAUGHLIN LARRY D &
O	73	9226	HEATHERDALE DR	PAUL JOHN J & SHERYL
	74	9228	HEATHERDALE DR	HALL DANA DENISE &
	75	9237	MIDDLE GLEN DR	WITHEY MARILYN J
	76	9233	MIDDLE GLEN DR	MILLICAN PAULA J
O	77	9227	MIDDLE GLEN DR	GRIFFITH OTIS E &
	78	9225	MIDDLE GLEN DR	WALKER JOHN W III &
	79	9221	MIDDLE GLEN DR	BRUCE DANIEL H &
	80	9219	MIDDLE GLEN DR	REYNOLDS BRAYDEN &
	81	9217	MIDDLE GLEN DR	SAKOWSKI JOHN D
	82	9215	MIDDLE GLEN DR	CHRONISTER EDWARD M
	83	9209	MIDDLE GLEN DR	CLARK JAMES F LIFE EST &
	84	9205	MIDDLE GLEN DR	ZMUD SHANNON M & DARREN TEICHER
	85	9203	MIDDLE GLEN DR	JAMISON KURT L &
	86	9314	DOVE MEADOW DR	HIXSON DOTTY M LIFE ESTATE
	87	9204	MIDDLE GLEN DR	GUTHROW ANDREW E &
	88	9208	MIDDLE GLEN DR	OLIPHANT LORI & JOHN

Reply	*Label #*	*Address*		*Owner*
	89	9210	MIDDLE GLEN DR	MEAD DAVID M & REBECCA
	90	9214	MIDDLE GLEN DR	TRULL MICHAEL E & SUSAN
	91	9216	MIDDLE GLEN DR	RAGLAND PAULA NOURSE
	92	9218	MIDDLE GLEN DR	DODGEN JACK &
	93	9220	MIDDLE GLEN DR	TRAN DUKE N
X	94	9222	MIDDLE GLEN DR	BROWN LOUIS W
	95	9224	MIDDLE GLEN DR	HOANG HOAN TRAC & HOA TRI
	96	9226	MIDDLE GLEN DR	HIDER FRANK C
	97	9228	MIDDLE GLEN DR	REESE JAMES E ETAL
	98	9312	MILL HOLLOW DR	RUCKER BREN D & NANCY G
	99	9310	MILL HOLLOW DR	PITTMAN CRAIG S & KELLY K
O	100	9308	MILL HOLLOW DR	CAMERON JO ANN
	101	9306	MILL HOLLOW DR	KING A. C. & DEBRAH A
	102	9304	MILL HOLLOW DR	BURROW CAROL K
	103	9302	MILL HOLLOW DR	MAXWELL ROBERT D & DEANNA
O	104	9327	DOVE MEADOW DR	COMBEST STEVEN J
	105	9323	DOVE MEADOW DR	BERENT JASON M
	106	9319	DOVE MEADOW DR	MURRELL MARSHALL T
	107	9315	DOVE MEADOW DR	GREER CHARLES D M &
O	108	9309	DOVE MEADOW DR	HEDRICK STEPHEN M &
	109	9305	DOVE MEADOW DR	GAGE EVELYN G REV LIV TR
	110	9301	DOVE MEADOW DR	FISK MUNGER KATHLEEN L
	111	9218	BILL BROWNE LN	DMELLO SANTOSH &
	112	9302	BILL BROWNE LN	GAVSON KEVIN &
	113	9308	BILL BROWNE LN	TORRES JOSE E &
	114	9314	BILL BROWNE LN	CLARDY FLOYD III & KAREN
	115	9132	BRADY DR	STEVENS ZHAWN AUSTIN &
	116	9202	DOVE MEADOW DR	GIMNICH JERRY &
	117	9206	DOVE MEADOW DR	CHUANG WENYU
	118	9210	DOVE MEADOW DR	YOUNG TIMOTHY C &
	119	9214	DOVE MEADOW DR	BAKER IRA WILLIS JR

Reply	*Label #*	*Address*		*Owner*
	120	9218	DOVE MEADOW DR	DEES LAURA S
	121	9222	DOVE MEADOW DR	BRADLEY JASON S & CRYSTAL
	122	9226	DOVE MEADOW DR	PORTER HENRY M JR &
	123	9230	DOVE MEADOW DR	BRAINERD RICHARD K &
	124	9234	DOVE MEADOW DR	MACFARLANE FORREST J & NICOLE L
	125	9238	DOVE MEADOW DR	LOUCKS PETER E
	126	9242	DOVE MEADOW DR	KEPLEY L F JR
	127	9246	DOVE MEADOW DR	LOUVIER PAMELA S &
	128	9201	DOVE MEADOW DR	EDZARDS DEAN MORRIS &
	129	9205	DOVE MEADOW DR	HEWITT EARL &
	130	9211	DOVE MEADOW DR	TURNER J BART & LYNNE C P
	131	9215	DOVE MEADOW DR	WALTERS PAUL DOUGLAS TR &
	132	9219	DOVE MEADOW DR	LOGAN JOE DONALD &
	133	9223	DOVE MEADOW DR	BRICKLER ERIC & JAMIE K
	134	9227	DOVE MEADOW DR	MORGAN THOMAS CARROLL &
	135	9231	DOVE MEADOW DR	MUT KEVIN &
	136	9248	ARBOR TRAIL DR	HENDRICKS CHARLES B &
	137	9244	ARBOR TRAIL DR	ERICKSON JEFFREY D
	138	9240	ARBOR TRAIL DR	SHELLENE JOHN &
O	139	9234	ARBOR TRAIL DR	MOORE FRANK H & LINDA B
	140	9235	ARBOR BRANCH DR	GRAFT AARON P &
	141	9234	ARBOR BRANCH DR	BASDEN BRENT E & ERIN S
	142	9230	ARBOR BRANCH DR	THROCKMORTON DOUGLAS A &
O	143	9226	ARBOR BRANCH DR	DELTURCO ALEX & ELIZABETH
	144	9222	ARBOR BRANCH DR	BONO LOUIS C & JEAN KRONE
	145	9218	ARBOR BRANCH DR	ACKERT JOSEPH EDWARD & JENNIFER THURMAN
	146	9227	WHITEHURST DR	AMAN RUSSELL E & KIMBERLY
	147	9231	WHITEHURST DR	LINDSEY CHAD & BROOKE
	148	9235	WHITEHURST DR	CARRANZA CARLOS G
	149	9231	ARBOR TRAIL DR	EDMONDSON DAVID H &
	150	9247	DOVE MEADOW DR	LOWELL NANCY B FAMILY

Reply	*Label #*	*Address*		*Owner*
	151	9243	DOVE MEADOW DR	DACUS JOHN C
	152	9210	BILL BROWNE LN	CAMINOS JUAN M &
O	153	9202	BILL BROWNE LN	BREWER ROBERT H &
	154	9246	WHITEHURST DR	ASADIAN SHAHIN D
O	155	9252	WHITEHURST DR	SHEPELUK JON &
O	156	9256	WHITEHURST DR	THEISS D MICHAEL & ARIANNE L
	157	9262	WHITEHURST DR	KNIGHT MILDRED R
	158	9266	WHITEHURST DR	YANG MORLEY S
	159	9304	WHITEHURST DR	PRY WILLIAM F II
	160	9310	WHITEHURST DR	GRIGSBY ELLEN
	161	9314	WHITEHURST DR	PINKERTON WILLIAM N
	162	9320	WHITEHURST DR	NELSON ROBERT J &
	163	9324	WHITEHURST DR	MANDERNACH CHARLES G
	164	9330	WHITEHURST DR	BRESLIN MATTHEW D
	165	9334	WHITEHURST DR	AHN JONG W &
O	166	9340	WHITEHURST DR	HANSON WANDA
X	167	9344	WHITEHURST DR	PERKINS CHRISTOPHER M &
	168	8919	ECHO VALLEY DR	DOWD WILLIAM K JR
	169	8909	ECHO VALLEY DR	HALL MARY JANE
	170	9343	LOCARNO DR	PATTON DAVID LEE &
	171	9339	LOCARNO DR	SIRINOGLU NAZARET
	172	9333	LOCARNO DR	BOYCE ALLISON
	173	9329	LOCARNO DR	MURRAY JEFFREY A &
	174	9325	LOCARNO DR	HATFIELD JEDIDIAH K & APRIL J
	175	9319	LOCARNO DR	MCCLURE ALLEN W
	176	9315	LOCARNO DR	HERRIN ADAM
	177	9309	LOCARNO DR	PAPPAS CHARLES &
	178	9303	LOCARNO DR	BARRETT NATHAN B & JENNIFER R
	179	9255	LOCARNO DR	ALDER JAMES L
	180	9249	LOCARNO DR	NORRIS VERNON &
	181	9243	LOCARNO DR	ROBINSON JAMES E

Reply	*Label #*	*Address*		*Owner*
	182	9239	LOCARNO DR	DACUS ELIZABETH F.
	183	9235	LOCARNO DR	BUELL WILLIAM H & JUDY D
	184	9229	LOCARNO DR	JONES LAWRENCE R JR ETUX
	185	9236	LOCARNO DR	WINCHESTER MELISSA M
	186	9240	LOCARNO DR	JACKSON COREY LEE &
	187	9244	LOCARNO DR	NORRIS CHRIS & DAWN F
	188	9250	LOCARNO DR	SPURGIN JOE & MYRA
	189	9304	LOCARNO DR	LALUMIA ANTHONY L &
	190	9310	LOCARNO DR	ROBERTSON LEE A & ROBYN A
	191	9314	LOCARNO DR	HENDON VAN GRIFFIN & MARY
	192	9320	LOCARNO DR	SMITH DONALD C
	193	9324	LOCARNO DR	KRETZ JOHN MICHAEL &
	194	9330	LOCARNO DR	AGNEW LYNN H
	195	9334	LOCARNO DR	PATENAUDE AARON &
	196	9340	LOCARNO DR	NICKEL DAVID M
	197	9344	LOCARNO DR	JOHNSON JERRY D & DIANE D
	198	9339	SEAGROVE DR	WERTZ BRIAN M & KRISTIN L
O	199	9333	SEAGROVE DR	GOKEY ROBERT C
	200	9329	SEAGROVE DR	CARLISLE FAMILY LIVING TRUST
	201	9323	SEAGROVE DR	PROFITT KEVIN L
	202	9319	SEAGROVE DR	MACY ERIC D &
	203	9315	SEAGROVE DR	GOYNE ALAN G &
	204	9309	SEAGROVE DR	PATTEN CRAIG D &
	205	8922	ECHO VALLEY DR	BRYANT WILLIAM C III &
	206	8916	ECHO VALLEY DR	WYATT HERBERT & YOKO
	207	8910	ECHO VALLEY DR	HUNDLEY BRENDA KAY
	208	8904	ECHO VALLEY DR	GUYNES SHERRYE L
	209	8848	ECHO VALLEY DR	RESNICK MARCIA LOUISE
	210	8842	ECHO VALLEY DR	HARKEY PEGGY
	211	8838	ECHO VALLEY DR	HAILEY H M JR
	212	8841	FLINT FALLS DR	LOZANO RAUL A

Reply	*Label #*	*Address*		*Owner*
	213	8849	FLINT FALLS DR	RACHO HELEN & TITO RACHO
	214	8857	FLINT FALLS DR	BRANNON JEWELL RUTH
	215	8865	FLINT FALLS DR	HONEA F FRANKLIN II
	216	8901	FLINT FALLS DR	LOPEZ EDWARD
O	217	8905	FLINT FALLS DR	HIGGINS THOMAS D JR &
	218	8909	FLINT FALLS DR	HOFFMAN JAMES WELDON
	219	8842	FLINT FALLS DR	ZIMMERER RUSSELL R & JAIMEE M
	220	9406	ROCKY BRANCH DR	MING ELIZABETH & BRISTOL H
X	221	9412	ROCKY BRANCH DR	SORROW CHRISTOPHER T & CINCO CALFEE
	222	9418	ROCKY BRANCH DR	COX MARK A & ANN M
	223	9323	CORAL COVE DR	PAGE TAMYSIA WHITLEY
	224	9203	MILL HOLLOW DR	CHAO JAMES K & STELLA
O	225	9212	MILL HOLLOW DR	DZINA JAMES D & PATRICIA
	226	9220	BILL BROWNE LN	REAGAN ROBERT TODD &

AGENDA ITEM # 59

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 58 D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1357 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northwest corner of Bruton Road and McCutcheon Lane

Recommendation of Staff and CPC: Approval, subject to a site plan, traffic management plan and conditions

Z123-318(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 23, 2013**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-318(WE) **DATE FILED:** June 25, 2013

LOCATION: Bruton Road and McCutcheon Lane, northwest corner

COUNCIL DISTRICT: 5 **MAPSCO:** 58-D

SIZE OF REQUEST: Approx. 3.975 acres **CENSUS TRACT:** 90

APPLICANT / OWNER: Riley Family Faith Academy

REPRESENTATIVE: Audra Buckley
Permitted Development

REQUEST: An application for an amendment to Specific Use Permit No. 1357 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow the school to include grades 9th through 12th in their curriculum. The total student enrollment is anticipated to reach approximately 600 students when the additional grades are added.

CPC RECOMMENDATION: Approval, subject to a revised site plan, revised traffic management plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a revised site plan, revised traffic management plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval of this amendment subject to the site plan, traffic management plan and conditions based upon:

1. *Compatibility with surrounding uses and community facilities* – The minor changes to Specific Use Permit No. 1357 will not affect the compatibility with the surrounding uses. The institutional use serves the residents and is consistent in height and scale with the adjacent residential and institutional uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The minor changes to Specific Use Permit No. 1357 will allow for senior high school students residing in the neighborhood to attend a local school.

3. *Not a detriment to the public health, safety, or general welfare* – The increase in the number of students from 488 students to 600 students should not cause a detriment to the public health, safety or general welfare of the adjacent neighborhood.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The amendment of Specific Use Permit No. 1357 will conform to the development standards and regulations in the Dallas Development Code.

BACKGROUND INFORMATION:

- The applicant's request for an amendment to Specific Use Permit No. 1357 will allow for the administration to include grades 9th through 12th in their curriculum. Presently, the school serves kindergarten through eighth grades.

- In addition, there are some modifications to the site plan and traffic management plan that reflect changes to the surface parking lot. The changes were made to provide a more efficient circulation pattern for vehicular traffic during student drop-off and pick-up.

- The maximum student enrollment will not change from the proposed 600 students. Currently, the school has approximately 488 students enrolled.

Zoning History: Other than the granting of the specific use permit on this site, there have been no other recent zoning changes requested in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bruton Road	Principal Arterial	100 ft.	100 ft.
McCutcheon Lane	Local	60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Private school
North	R-7.5(A)	Single Family
South	R-7.5(A)	Child-care facility & private school
East	R-7.5(A)	Undeveloped, Single Family
West	R-7.5(A)	Church

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Residential Neighborhood Building Block. The amendment to Specific Use Permit No. 1357 conforms to the Residential Neighborhood Building Block standards.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

LAND USE

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: There are no changes to the existing conditions expect for including grades ninth through twelfth to the classrooms and a change to the site plan and traffic management plan. Staff has also included text for the traffic management

plan that describes the faculties' role in implementing safety procedures when the students are dropped-off and picked-up.

In January 2009, the City Council approved an amendment to Specific Use Permit No. 1357 for an open-enrollment charter school for a ten year period with eligibility for automatic renewals for addition ten year periods, subject to a site plan, traffic management plan 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 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 reviewed and recommends approval of the applicant's request for an amendment to Specific Use Permit No. 1357 for an open enrollment charter school, subject to a site plan, traffic management plan and conditions.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family

Parking: The requirement for off-street parking for a school, pursuant to the Dallas Development Code is;

- one and one-half space for each kindergarten/elementary school classroom;
- three and one-half space for each junior high/middle school classroom; and
- nine and one-half space for each senior high school classroom.

The number of required off-street parking spaces for the proposed school is 97 spaces and the applicant is providing 117 off-street parking spaces. The applicant will have to re-stripe the parking lot to conform to the attached site plan. The existing circulation pattern on the northeastern portion of the site was inadequate for student drop-off and

/pick-up. The total number of proposed classrooms determines the number of required parking spaces. The school is proposing approximately 26 classrooms.

Landscaping: Landscaping of any development will be in accordance with the attached site plan. The minor changes to Specific use Permit No. 1357 will not trigger any additional landscaping requirements.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

CPC Action: September 26, 2013

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1357 for an open-enrollment charter school, subject to a revised site plan, revised traffic management plan and conditions on property zoned an R-7.5(A) Single Family District on the northwest corner of Bruton Road and McCutcheon Lane.

Maker: Lavallaisaa
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0

Notices: Area: 300 Mailed: 49
Replies: For: 1 Against: 0

Speakers**:** None

LIST OF OFFICERS
Riley Family Faith Academy

- Theda Marie Green, President
- Ernest Crowley, Member
- Charles Oliver, Secretary
- Jeanne Campbell, Member
- Karen Belknap, Member/Founder
- Dr. Alan Seay, Chief Administrative Officer

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on January 28, 2019, 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. PARKING: Parking must be [~~provided and~~] located as shown on the attached site plan.

5. LANDSCAPING: Before the issuance of a certificate of occupancy for an open-enrollment charter school, landscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.

6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 5:00 p.m., Monday through Saturday.

7. INGRESS/ EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

8. CLASSROOMS: The maximum number of classrooms is 26. Classes are limited to kindergarten through [~~eighth~~] twelfth grade.

9. TRAFFIC MANAGEMENT PLAN:

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit B).

(b) Queuing. . Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(i) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study was ~~[must be]~~ submitted to the director by **November 1, 2009**. ~~[After the initial traffic study,]~~ T[~~t~~]he Property owner or operator shall submit annual updates of the traffic study to the director by November 1st of each year.

(ii) 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;

(G) circulation;

(iii) 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) Amendment process.

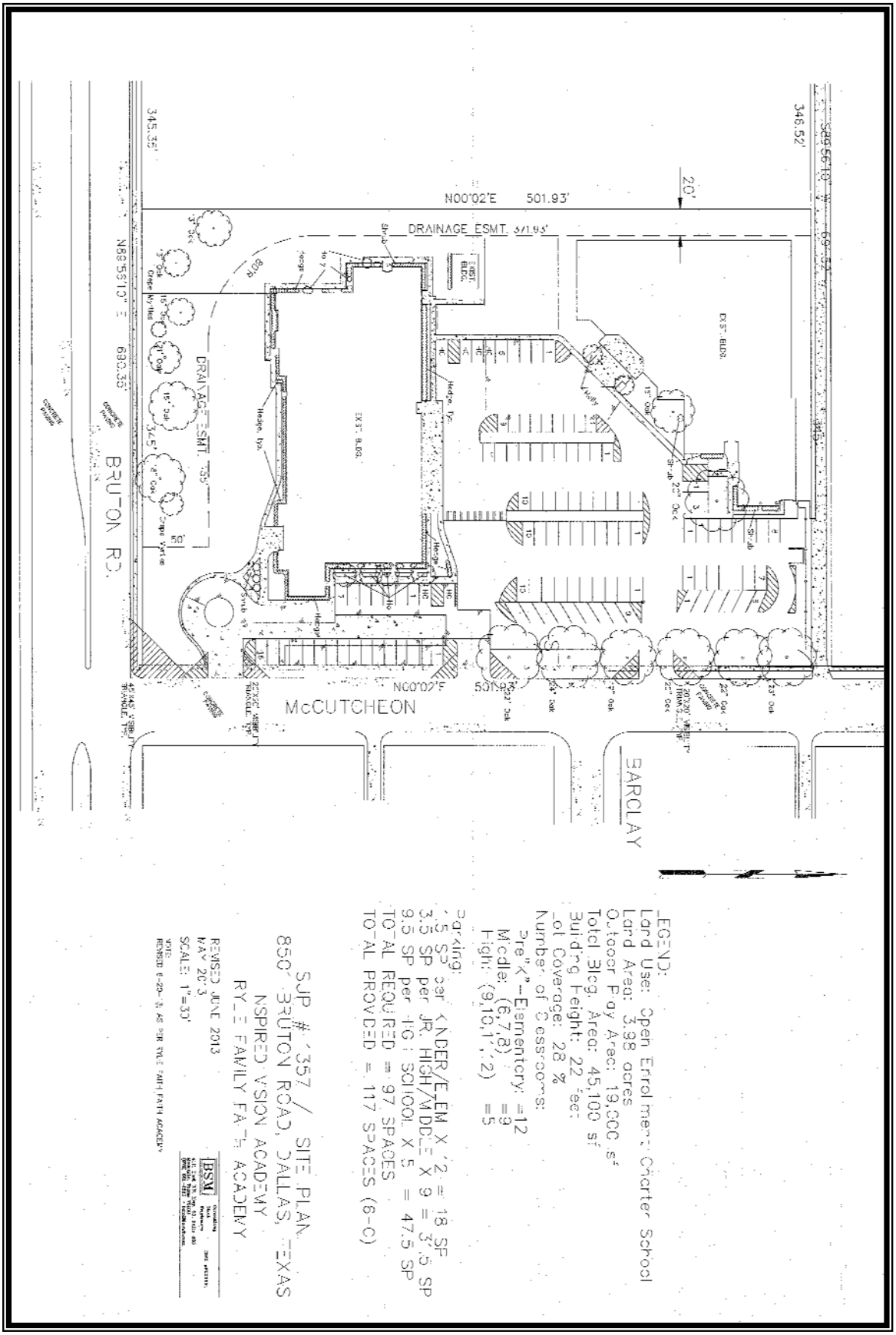
(i) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A fi the Dallas City Code, as amended.

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

11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



Riley Family Faith Academy 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 Inspired Vision Middle School assumed in this analysis:

Table 1. School Operational Characteristics

	Existing Conditions	**Proposed Conditions**
Enrollment:	*Total (Grades K-8th): 488 students*	*Maximum Allowed (Grades K-12th): up to 600 students*
Daily Start/End Schedule	All Grades: >Start: 7:45 AM >End: 3:30 PM	No significant change
Approximate Number of Students Travelling by Mode Other Than Drop-off/Pick-up:	By School Bus: none By Walking: negligible By Self-Driving: none By Other: negligible	By School Bus: none By Walking: negligible By Self-Driving: negligible By Other: negligible
Approximate Number of Students With Alternate Schedules (i.e., Arrive/Depart Outside of Normal Peak Times):	Approximately 15% (extracurricular activities, etc.)	Approximately 15% (extracurricular activities, etc.)

NOTE #1: To the highest degree practical, the accounts of "existing conditions" presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day(s) conditions and from personal interviews of school representatives. 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 drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

Existing Traffic Conditions

Site Access and Circulation

The subject site currently has three total driveways, and all are on McCutcheon Lane. During the pick-up and drop-off periods, parents driving vehicles to the site at generally enter from "Driveway 1" (northernmost driveway) and "Driveway 2" (middle driveway) and exit from the site at Driveway 2 and "Driveway 3" (southernmost driveway).

Once inside the site, pick-up traffic either parks in the available parking spaces on site or circulates through the parking lot aisles. During the morning drop-off period, a similar circulation pattern is used.

Passenger Unloading/Loading and Vehicle Queuing

During the afternoon pick-up period, Inspired Vision Middle 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 mandatory loading area exists, though much of the loading occurs near the building access points. School staff members are typically accessible for general supervision, oversight, and security. 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 13, 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*	Approximately 104	Approximately 128

* May also include parent-vehicles that were parked on- or off-site.

Recommendations

The following recommendations are provided by DeShazo to Inspired Vision Middle 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 (based upon the site plan prepared by **BSM Engineers, Inc.**) depicted in **Exhibit 1** 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 approximately 2,250 linear feet of on-site vehicular queuing (i.e., storage for up to 101 vehicles @ 22 feet per vehicle), plus approximately thirty (30) available on-site parking spaces. At the potential enrollment increase to 600 students, DeShazo estimates that the number of vehicles in queue at the peak time could reach 128. Under this scenario, the site may be unable to accommodate this magnitude of vehicles on the site simultaneously. In order reduce the peak number of

vehicles in queue, it is recommended that Inspired Vision Middle School implement a staggered release time of no less than 15 minutes. The intent is to distribute the vehicular traffic over a longer period so that the maximum queue will be sufficiently reduced to be fully accommodated within the site.

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.

Staff directing traffic at the intersecting point of two queue lanes (and other areas, where appropriate) should, in lieu of simple hand gestures, procure and use reversible hand-paddle signs with the messages (and symbols) for STOP and for SLOW (i.e., proceed slowly). Optional additional equipment used by staff may include whistles (for audible warnings) and flashlights (for visual warnings) in order to better-gain the attention of motorists.

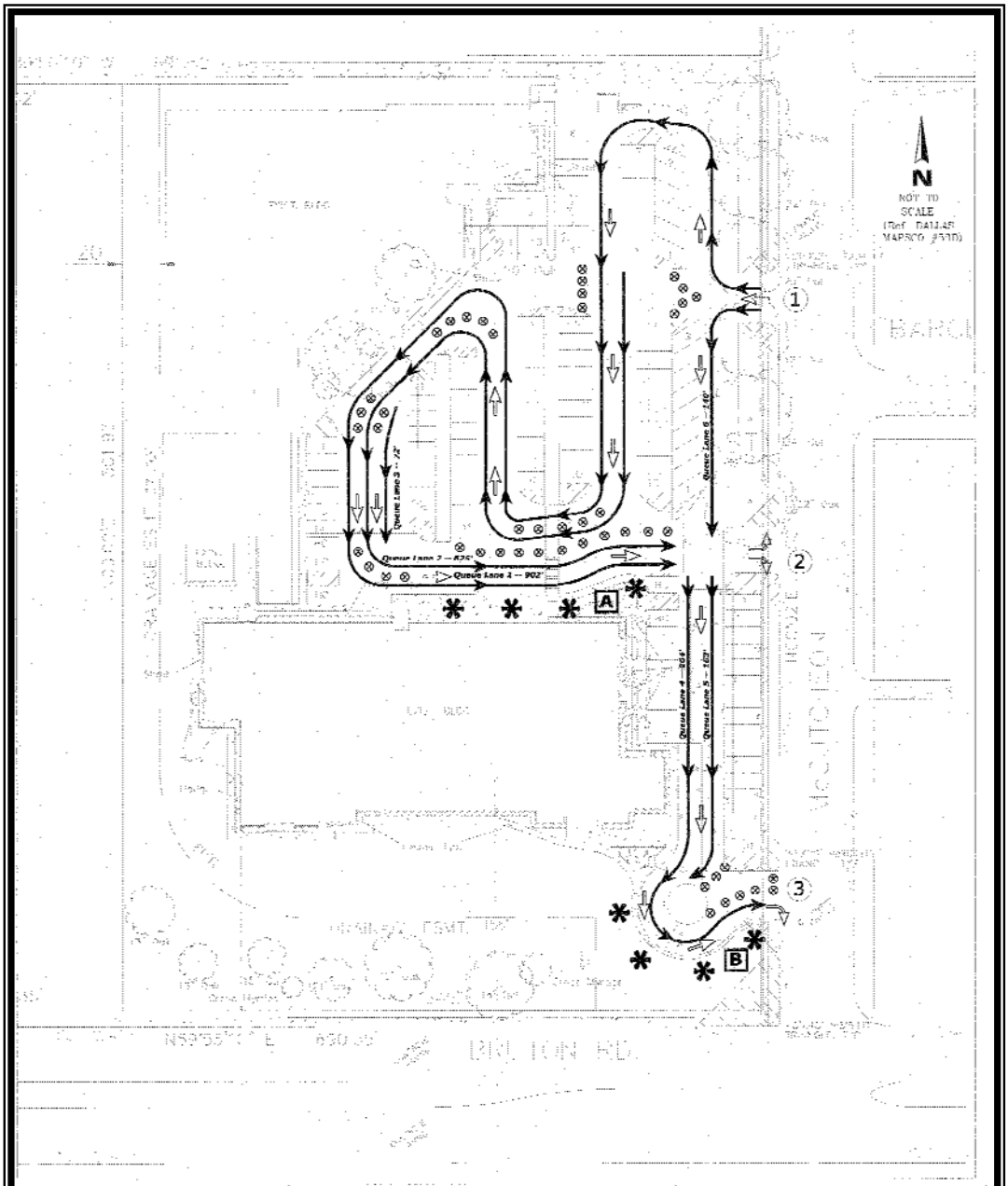
Summary

This TMP is to be used by Inspired Vision Middle 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.

Recommendation:

Implement a staggered release time of no less than 15 minutes that should be managed with the intent of reducing the number of vehicles in the peak queue so that it can be accommodated within the site.

Traffic Management Plan Circulation Map



School Information

Current Enrollment: 488 Students
Maximum Allowed Enrollment: 600 Students
Academic (Current): K - 8th Grades
Academic (Proposed): K - 12th Grades
Hours: 7:45 AM-3:30 PM

Vehicular Queue:

	Primary Queue Veh./(Ft.)	Additional Parking Vacant Spaces	Total Veh./(Ft.)
Projected Demand*	128 (2,816')	(Approx.) --	128 (2,816')
Available Capacity	98 (2,166')	30** (Out of 121 spaces)	128 (2,166')
NET Surplus/(Deficiency)	(30) (650')	30	0

* Based upon observations at the existing campus on May 13, 2013.
** Estimated parking supply available for afternoon pick-up operations.
NOTE: Vehicular queue in linear feet is calculated at 22 ft. per passenger vehicle.

NOTE: This Traffic Management Plan was developed to prevent the queuing of drop-off/pick-up related vehicles within the city right-of-way. The school administration should adhere to this TMP and any deficiency due to spill over of queuing into undesignated areas of the city right-of-way, including roadway travel lanes, should be corrected by the school immediately.

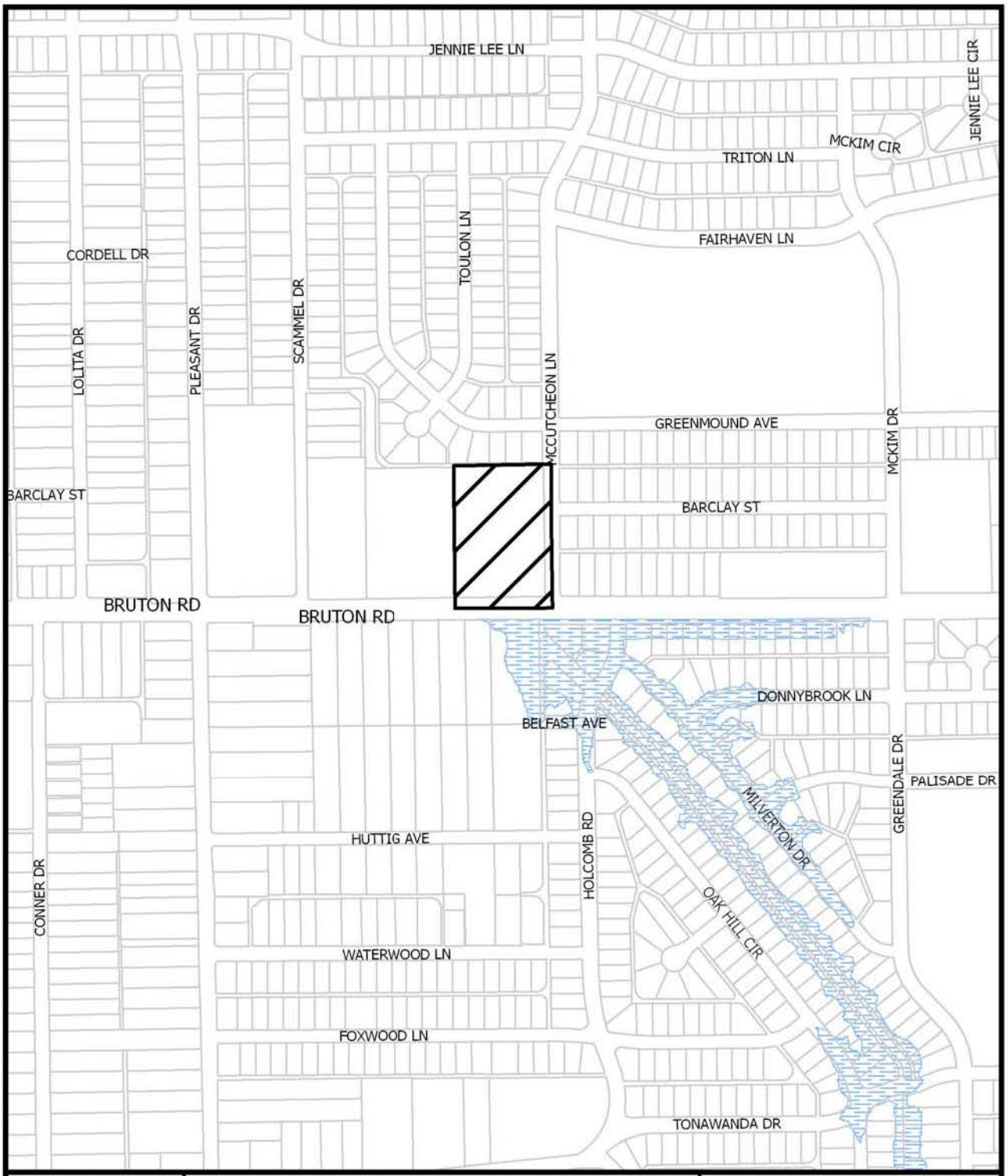
Legend

- Circulation Path
- Passenger Vehicle Queue
- A — Drop-off/Pick-up Area (Primary)
- B — Drop-off/Pick-up Area (Additional)
- * * Staff Assistance
- (#) School Driveway Nomenclature
- ⊗ Temporary Traffic Cones

Traffic Management Plan — **Z 123-318** — EXHIBIT 1

Inspired Vision Academy Traffic Management Plan

Site plan (base) is prepared by RSM Engineers, Inc



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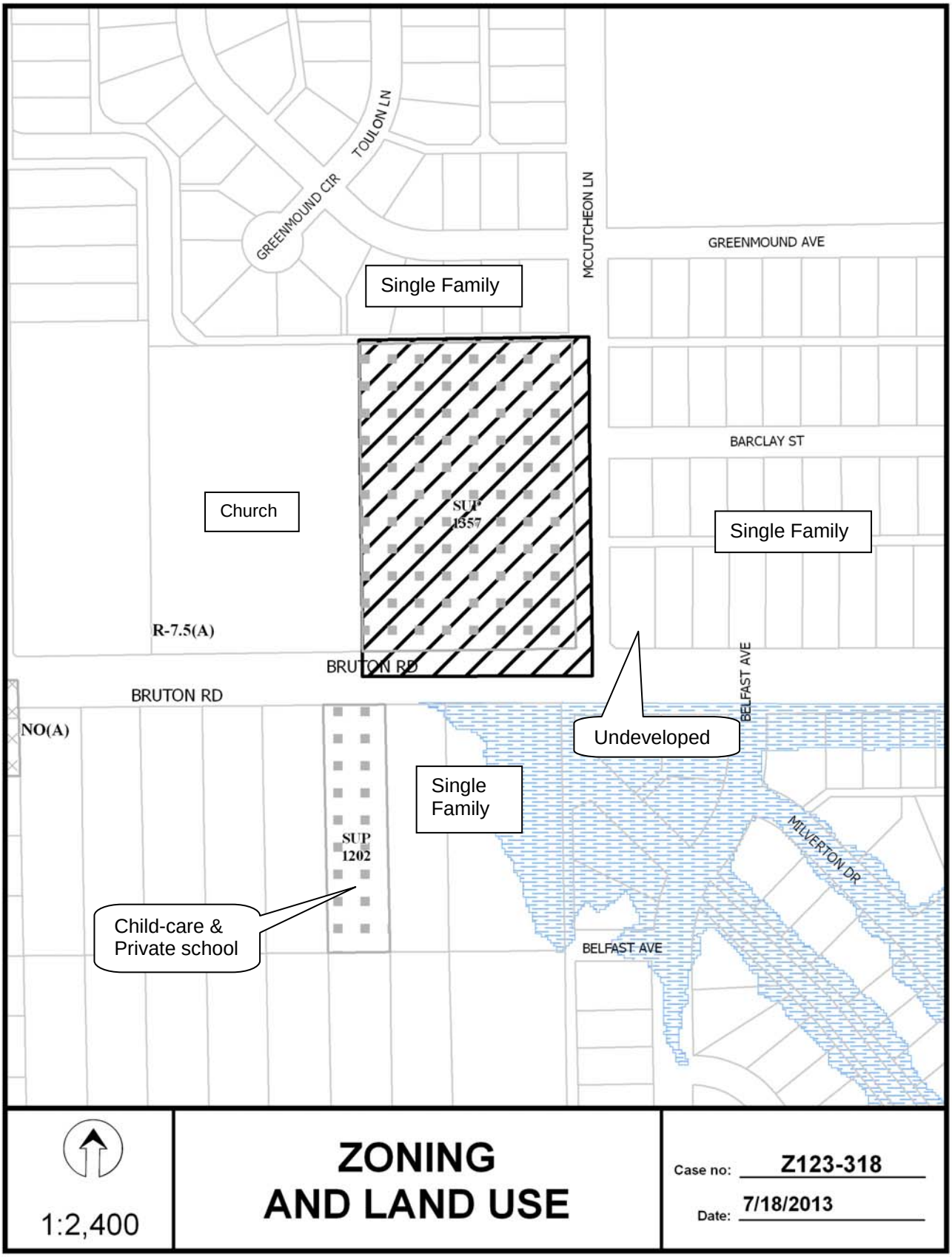
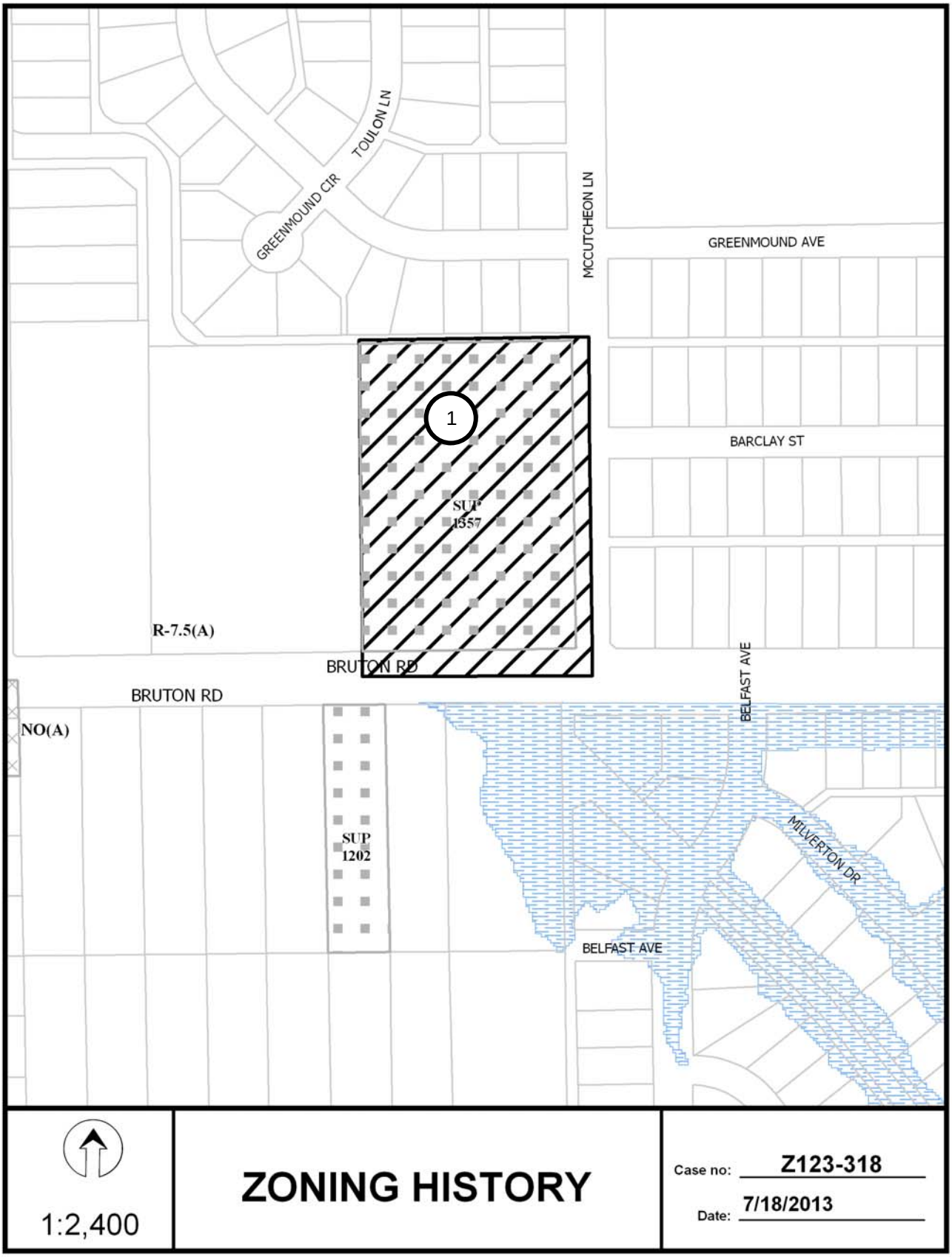
VICINITY MAP

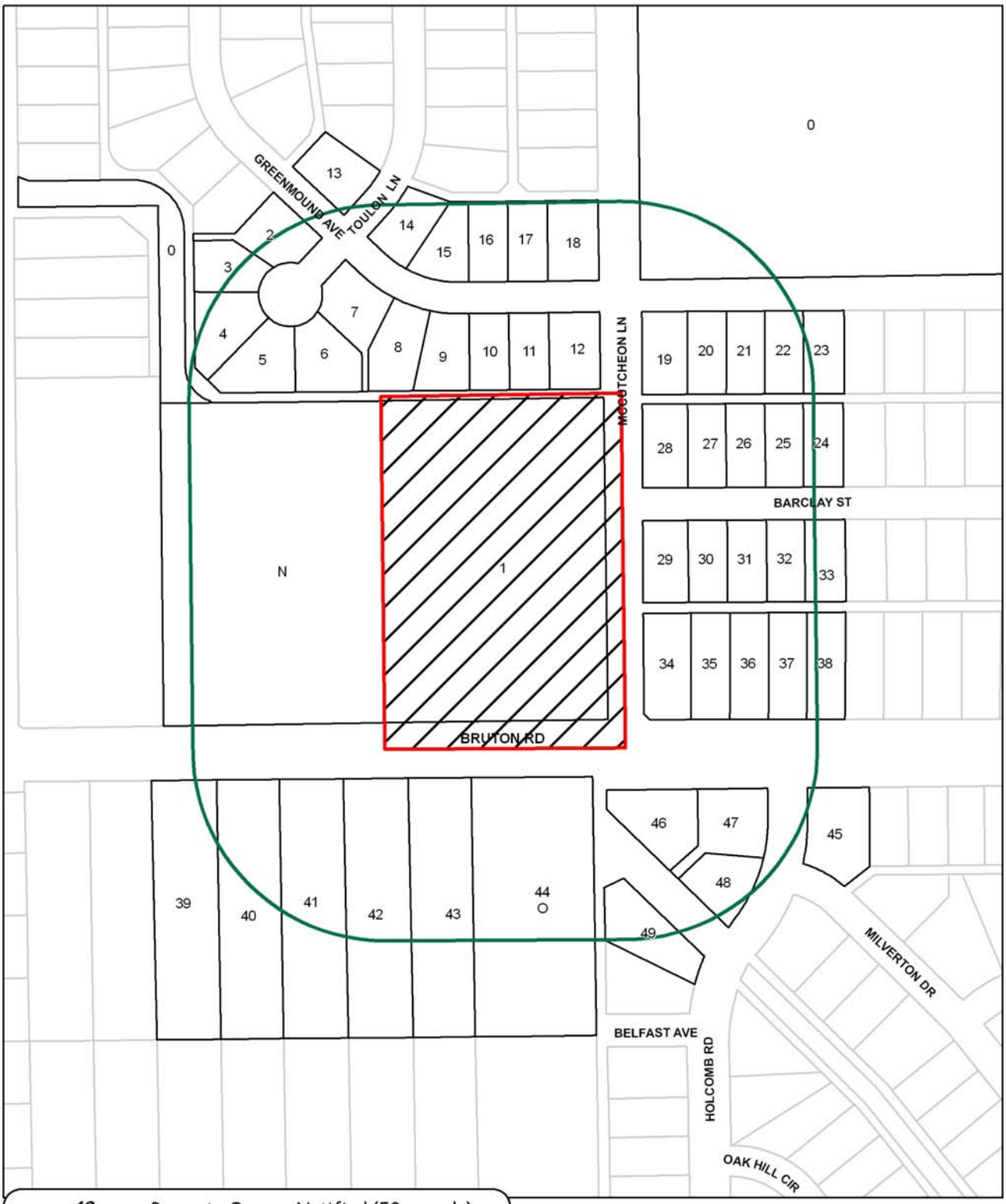
Case no: Z123-318

Date: 7/18/2013


TOULON LN
GREENMOUND CIR
MCCUTCHEON LN
GREENMOUND AVE
Single Family
BARCLAY ST
Church
SUP 1357
Single Family
R-7.5(A)
BRUTON RD
BRUTON RD
BELFAST AVE
NO(A)
Undeveloped
Single Family
SUP 1202
MILVERTON DR
Child-care & Private school
BELFAST AVE
1:2,400
ZONING AND LAND USE
Case no: Z123-318
Date: 7/18/2013


TOULON LN
GREENMOUND CIR
MCCUTCHEON LN
GREENMOUND AVE
1
BARCLAY ST
SUP
1357
R-7.5(A)
BRUTON RD
BRUTON RD
BELFAST AVE
NO(A)
SUP
1202
MILVERTON DR
BELFAST AVE
1:2,400
ZONING HISTORY
Case no: Z123-318
Date: 7/18/2013

CPC RESPONSES



49	Property Owners Notified (52 parcels)
1	Replies in Favor (1 parcels)
0	Replies in Opposition (0 parcels)
300'	Area of Notification
9/26/2013	Date

Z123-318
CPC

N W E S

1:2,400

Notification List of Property Owners

Z123-318

49 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	Label #	Address		Owner
	1	8501	BRUTON RD	RYLIE FAMILY FAITH ACADEMY INC
	2	8432	GREENMOUND AVE	GIL JOSE & SANDRA
	3	8438	GREENMOUND AVE	MORENO MARTIN & TERESA
	4	8442	GREENMOUND AVE	SCOTT RALPH A
	5	8446	GREENMOUND AVE	BROOKS SANDRA E
	6	8450	GREENMOUND AVE	RUIZ JOSE GERONIMO LARA &
	7	8456	GREENMOUND AVE	GOMEZ JOSE
	8	8510	GREENMOUND AVE	RODRIGUEZ PEDRO & TERESA
	9	8514	GREENMOUND AVE	MUIR EVERTON D & JULLIAN
	10	8518	GREENMOUND AVE	SERRANO J ANGEL &
	11	8522	GREENMOUND AVE	MACALUSO FRANK & JOAN
	12	8526	GREENMOUND AVE	VERGARA VICENTE
	13	2207	TOULON LN	WAGNER GEORGE W JR
	14	8505	GREENMOUND AVE	MALDONADO ROBERT
	15	8511	GREENMOUND AVE	SURBER ARVINA
	16	8517	GREENMOUND AVE	TOVAR MARIA O &
	17	8521	GREENMOUND AVE	CLICK DAVID IVEN
	18	8525	GREENMOUND AVE	WATKINS TANYA M
	19	8606	GREENMOUND AVE	ARIAS ARNOLDO A &
	20	8610	GREENMOUND AVE	VILLA MARIA A
	21	8616	GREENMOUND AVE	LATTIMORE JAMES E &
	22	8620	GREENMOUND AVE	SANDERS WILLIAM &
	23	8626	GREENMOUND AVE	AMAYA IRIS
	24	8635	BARCLAY ST	CALVILLO MARIA
	25	8629	BARCLAY ST	JOHNSON HILDE J
	26	8621	BARCLAY ST	GIBBONS GARY A & ANN

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	27	8615	BARCLAY ST	BENNETT MARTHA CHRISTINE
	28	8605	BARCLAY ST	MERCADO REINA
	29	8604	BARCLAY ST	JONES OLEN T
	30	8614	BARCLAY ST	SMITH LENNES
	31	8620	BARCLAY ST	PRYOR LANARVALL D
	32	8628	BARCLAY ST	RAMIREZ ARISTEO
	33	8634	BARCLAY ST	GUYNES HELEN EUGENIA
	34	8601	BRUTON RD	PEREZ ROGELIO
	35	8615	BRUTON RD	HAMILTON ROBERT
	36	8621	BRUTON RD	MATA ELIAS N &
	37	8627	BRUTON RD	TORRES JOSE C &
	38	8633	BRUTON RD	LEVINGSTON MAGGIE &
	39	8406	BRUTON RD	MEDINA G MARCO ANTONIO
	40	8414	BRUTON RD	MIRELES PAUL & DEBBIE L
	41	8422	BRUTON RD	LOREDO REYNALDO &
	42	8430	BRUTON RD	MARTINEZ JUAN J & IRMA G
	43	8506	BRUTON RD	GOMEZ SILVANO
O	44	8514	BRUTON RD	DAVIS FAMILY LIVING TRUST
	45	8708	BRUTON RD	BENITEZ ARCADIO
	46	8610	BRUTON RD	OLGUIN ARMANDO &
	47	2059	HOLCOMB RD	GREEN ELIJAH
	48	2053	HOLCOMB RD	GUARDIOLA BRENDA A
	49	2041	HOLCOMB RD	GARAY LUZ

AGENDA ITEM # 60

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 69A R

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1883 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D-1 Commercial Services District with a D-1 Liquor Control Overlay on the northeast line of CF Hawn Freeway at the intersection of South Belt Line Road

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions

Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewal for additional three-year periods, subject to conditions

Z123-311(MW)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 23, 2013**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-311(MW) **DATE FILED:** June 14, 2013

LOCATION: Northeast line of CF Hawn Freeway at the intersection of South Belt Line Road

COUNCIL DISTRICT: 8 **MAPSCO:** 69A-R

SIZE OF REQUEST: ±0.5874 acre **CENSUS TRACT:** 170.04

REPRESENTATIVE: Gardere Wynne Sewell LLP

APPLICANT/OWNER: 7-Eleven, Inc.

REQUEST: An application to renew Specific Use Permit No. 1883 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D-1 Commercial Services District with a D-1 Liquor Control Overlay

SUMMARY: The applicant proposes to continue to sell beer and wine for off-premise consumption in conjunction with the existing convenience store.

CPC RECOMMENDATION: **Approval** for a three-year period with eligibility for automatic renewal for additional three-year periods, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions.

STAFF RECOMMENDATION:

Staff recommends approval of this renewal subject to the conditions based upon the following:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store 3,500 square feet or less is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with the main use does not affect compatibility.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing general merchandise or food store, which offers the sale of alcoholic beverages, provides a service to this area of the City and does not appear to negatively impact to the adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores 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.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the existing site plan associated with Specific Use Permit No. 1883, the request complies all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- The ±0.5874-acre request site is developed with a ±2,613-square foot general merchandise or food store (convenience store) which includes three (3) gas pumps.

- The general merchandise or food store use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit due to the D-1 Liquor Control Overlay.

- SUP No. 1883 was approved on August 24, 2011 for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions. The applicant missed the April 26, 2013 deadline for automatic renewal; therefore, a complete application was required for consideration of renewal.

- The applicant doe not propose any changes to the existing site plan.

- Based on information provided by the Dallas Police Department (DPD), Neighborhood Police Unit, Southeast Patrol Division, the convenience store

located at 13601 CF Hawn Freeway is in DPD's system and passed inspection in May 2013. Therefore, the referenced convenience store complies with Chapter 12B (Convenience Store) requirements.

Surrounding Zoning History:

1. **Z101-317:** On Wednesday, October 10, 2011, the City Council approved a Specific Use Permit 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 of additional five-year periods, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
CF Hawn Freeway	Primary Highway	Variable Lane Width
South Belt Line Road	Principal Arterial	Variable Lane Width

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.

Land Use:

	Zoning	nd Use
Site	CS-D-1	Convenience store
Northeast	CS-D-1	Restaurant with drive-through service; undeveloped
Southeast	CS-D-1	Undeveloped land; CF Hawn right-of-way
Southwest	CS-D-1	CF Hawn right-of-way
Northwest	CS-D-1	Auto-related; restaurant with drive-through service; motel

STAFF ANALYSIS:

Comprehensive Plan:

The Comprehensive Plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building

Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Commercial Center or Corridor* Building Block. These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

In general, the applicant's request for Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet at this location is consistent with the following goal and policy 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

The existing general merchandise or food store 3,500 square feet or less is generally consistent with the development desired in a Commercial Center or Corridor. The sale of alcoholic beverages in conjunction with the main use does not directly impact the consistency.

Land Use Compatibility:

The ±0.5874-acre request site is developed with a ±2,613-square foot convenience store which includes three (3) gas pumps. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store.

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.

A convenience store requires a certificate of registration to comply with Chapter 12B. 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. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

Based on information provided by the Dallas Police Department (DPD), Neighborhood Police Unit, Southeast Patrol Division, the convenience store located at 13601 CF Hawn Freeway is in DPD's system and passed inspection in May 2013. Therefore, the referenced convenience store complies with Chapter 12B (Convenience Store) requirements.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The initial short time period will allow the request be reevaluated to ensure the use is appropriate in this location.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area; the requirement for a motor vehicle fueling station is two (2) spaces. Therefore, the ±2,613-square foot convenience store with gas pumps requires a total of 15 parking spaces. The applicant will continue to provide 18 parking spaces, as depicted on the site plan.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

CPC Action: September 26, 2013

Motion: It was moved to recommend approval of the renewal of Specific Use Permit No. 1883 for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet for a three-year period with eligibility for automatic renewal for additional three-year periods, subject to conditions on property zoned a CS-D-1 Commercial Services District with a D-1 Liquor Control Overlay along the northeast line of CF Hawn Freeway at the intersection of South Belt Line Road.

Maker: Lavallaisaa
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0

Notices:	Area:	200	Mailed:	8
Replies:	For:	2	Against:	0

Speakers: None

Police Report:

Specific Use Permit No. 1883 was approved on August 25, 2011. An online search of the Dallas Police Department's offense incident reports for the period from August 25, 2009 to August 25, 2011, two-years prior to approval, revealed the following results:

DALLAS POLICE DEPARTMENT

UCR Codes | Year Codes | Property Class Codes

Virtual Viewer - Public Access | Welcome

Search Records - Offense | Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0013095-X	01/14/2010	LUTFOR,RAHMAN	ASSAULT	13601		CFHAWNF...	357	4436	08192	
0052782-X	02/24/2010	BIVENS, ROBERT	ROBBERY	13601		CFHAWNF...	357	4436	03941	
0052860-X	02/24/2010	TASBY, TERRANCE, RASH...	FOUND PROPERTY	13601		CFHAWNF...	357	4436	43020	
0060076-Y	03/10/2011	NORRIS,VICTORIA	THEFT	13601		CFHAWNF...	357	4436	06945	
0060802-Y	03/11/2011	ISLAM,MD	TRAFFIC MOTOR VEHICLE	13601		CFHAWNF...	357	4436	32090	
0071765-Y	03/22/2011	@CITY OF DALLAS	FOUND PROPERTY	13601		CFHAWNF...	357	4436	43020	
0091878-X	04/03/2010	*7-11 #27206	THEFT	13601		CFHAWNF...	357	4436	06931	
0108710-Y	04/29/2011	*7-ELEVEN STORE	THEFT	13601		CFHAWNF...	357	4436	06935	
0111609-Y	05/01/2011	*7-ELEVEN STORES	THEFT	13601		CFHAWNF...	357	4436	26000	06905
0112435-Y	05/03/2011	*7;-ELEVEN	ROBBERY	13601		CFHAWNF...	357	4436	03341	06933
0114834-X	04/26/2010	*7-ELEVEN #27206	THEFT	13601		CFHAWNF...	357	4436	06933	
0119984-X	05/01/2010	*TLC EMS	CRIMINAL MISCHIEF/VAN...	13601		CFHAWNF...	357	4436	14081	
0130276-Y	05/21/2011	*7-ELEVEN #27206	ROBBERY	13601		CFHAWNF...	357	4436	03411	
0160995-X	06/09/2010	*7;-ELEVEN STORE 27206	THEFT	13601		CFHAWNF...	357	4436	06933	
0166326-Y	06/24/2011	TOLIVER, MICHAEL	AUTO THEFT-UUMV	13601		CFHAWNF...	357	4436	07173	

Page 1 of 2 (24 items)

DALLAS POLICE DEPARTMENT

UCR Codes | Year Codes | Property Class Codes

Virtual Viewer - Public Access | Welcome

Search Records - Offense | Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0184788-Y	07/11/2011	*SEVEN-ELEVEN	OTHER OFFENSES	13601		CFHAWNF...	357	4436	26530	
0195998-Y	07/25/2011	*CITY OF DALLAS	FOUND PROPERTY	13601		CFHAWNF...	357	4436	43020	
0198395-X	07/15/2010	*7-11	THEFT	13601		CFHAWNF...	357	4436	06932	
0222267-X	08/08/2010	WALKER,CHRISTOPHER	MURDER	13601		CFHAWNF...	357	4436	04212	01212
0234321-X	08/20/2010	HERNANDEZ,MARIA	TRAFFIC MOTOR VEHICLE	13601		CFHAWNF...	357	4436	32090	
0241188-X	08/27/2010	EDWARDS-ONG,CYNTHIA	AUTO THEFT-UUMV	13601		CFHAWNF...	357	4436	07671	
0279348-Y	07/25/2011	@CITY OF DALLAS	FOUND PROPERTY	13601		CFHAWNF...	357	4436	43020	
0293062-X	10/21/2010	STRANGE,LAWRENCE	AGGRAVATED ASSAULT	13601		CFHAWNF...	357	4436	04971	04271
0325739-W	11/02/2009	COMBS,NANCY	CRIMINAL MISCHIEF/VAN...	13601		CFHAWNF...	357	4436	14082	

Page 2 of 2 (24 items)

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Below are the results for the period from August 26, 2011 to August 25, 2013:

DALLAS POLICE DEPARTMENT

UCR Codes | Year Codes | Property Class Codes

Virtual Viewer - Public Access | Welcome

Search Records - Offense | Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0003053-Z	01/04/2012	*7-11	THEFT	13601		CFHAWNF...	357	4436	06933	
0011275-A	01/15/2013	*SEVEN ELEVEN	OTHER OFFENSES	13601		CFHAWNF...	357	4436	26530	
0026517-Z	02/01/2012	%CARROLL,KURT,WAYNE...	ANIMAL BITES	13601		CFHAWNF...	357	4436	37010	
0033174-Z	02/09/2012	BAKER, ROBERT	THEFT	13601		CFHAWNF...	357	4436	06943	
0035513-Z	02/12/2012	*711 STORE#27206	CRIMINAL MISCHIEF/VAN...	13601		CFHAWNF...	357	4436	14082	
0039275-Z	02/17/2012	BANKS, CORNELIUS	OTHER OFFENSES	13601		CFHAWNF...	357	4436	26000	
0068506-A	03/23/2013	*7-11	ROBBERY	13601		CFHAWNF...	357	4436	03311	03411
0070903-A	03/25/2013	@BALCH SPRINGS POLIC...	FOUND PROPERTY	13601		CFHAWNF...	357	4436	43030	
0086158-Z	04/10/2012	WILLIAMS,TONYA	THEFT	13601		CFHAWNF...	357	4436	06901	42020
0087268-A	04/09/2013	HERNANDEZ, ENRIQUE	HOME ACCIDENTS	13601		CFHAWNF...	357	4436	34070	
0089051-Z	04/13/2012	*SEVEN- ELEVEN #27206	THEFT	13601		CFHAWNF...	357	4436	06935	
0116332-A	05/11/2013	*B&B	THEFT	13601		CFHAWNF...	357	4436	069E1	
0120892-A	05/16/2013	*7-ELEVEN STORES	CRIMINAL MISCHIEF/VAN...	13601		CFHAWNF...	357	4436	14082	
0171210-Z	07/11/2012	*7-11	THEFT	13601		CFHAWNF...	357	4436	06901	
0180740-Z	07/21/2012	ALVAREZ,LINDA,AURORA	THEFT	13601		CFHAWNF...	357	4436	06902	06102

Page **1** of **2** (25 items)

DALLAS POLICE DEPARTMENT

UCR Codes | Year Codes | Property Class Codes

Virtual Viewer - Public Access | Welcome

Search Records - Offense | Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0208684-A	08/15/2013	*SEVEN ELEVEN#27206	THEFT	13601		CFHAWNF...	357	4436	06932	
0231872-Z	09/17/2012	WINTERS,SYLVIA	OTHER OFFENSES	13601		CFHAWNF...	357	4436	26000	
0246205-Z	10/03/2012	*SEVEN-ELEVEN #27206	CRIMINAL MISCHIEF/VAN...	13601		CFHAWNF...	357	4436	14082	
0252549-Y	09/23/2011	MCCOOLOUGH,DANIEL	OTHER OFFENSES	13601		CFHAWNF...	357	4436	26000	
0255984-Y	09/27/2011	*SEVEN-ELEVEN	THEFT	13601		CFHAWNF...	357	4436	06934	
0259328-Z	10/17/2012	JOLES,SAMMY	ACCIDENTAL INJURY - PU...	13601		CFHAWNF...	357	4436	33070	
0261546-Z	10/20/2012	RAHMAN,LUTFFOR	ASSAULT	13601		CFHAWNF...	357	4436	08112	
0283101-Z	11/14/2012	BECK, DANA	OTHER OFFENSES	13601		CFHAWNF...	357	4436	26000	
0303246-Y	11/17/2011	*7-11 STORES	EMBEZZLEMENT	13601		CFHAWNF...	357	4436	12011	
0324859-Y	12/13/2011	*7-ELEVEN STORES	THEFT	13601		CFHAWNF...	357	4436	06935	

Page **2** of **2** (25 items)

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Officers and Directors

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1722 Routh Street, Suite 1000
Dallas, Texas 75201

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Darren M. Rebelez – Executive Vice President and Chief Operating Officer
Stanley W. Reynolds – Executive Vice President and Chief Financial Officer
Carole L. Davidson – Senior Vice President, Strategic Planning
Jesus H. Delgado-Jenkins – Senior Vice President, Merchandise & Logistics
Rankin Gasaway [redacted] – Senior Vice President, General Counsel and Secretary
Wesley M. Hargrove – Senior Vice President and Chief Information Officer
C. Bradley Jenkins – Senior Vice President, Store Operations
Krystin E. Mitchell – Senior Vice President, Human Resources
Jeffrey A. Schenck – Senior Vice President, Franchising
Christopher P. Tanco – Senior Vice President, International

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Masaaki Asakura – Vice President, International
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Ena Williams – Vice President, Southwest Division

Directors
Toshifumi Suzuki – Chairman of the Board
Jay W. Chai – Director
Joseph M. DePinto – Director, President and Chief Executive Officer
Masaaki Kamata – Director
Nobutake Sato - Director

Z123-311

Existing/Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less.

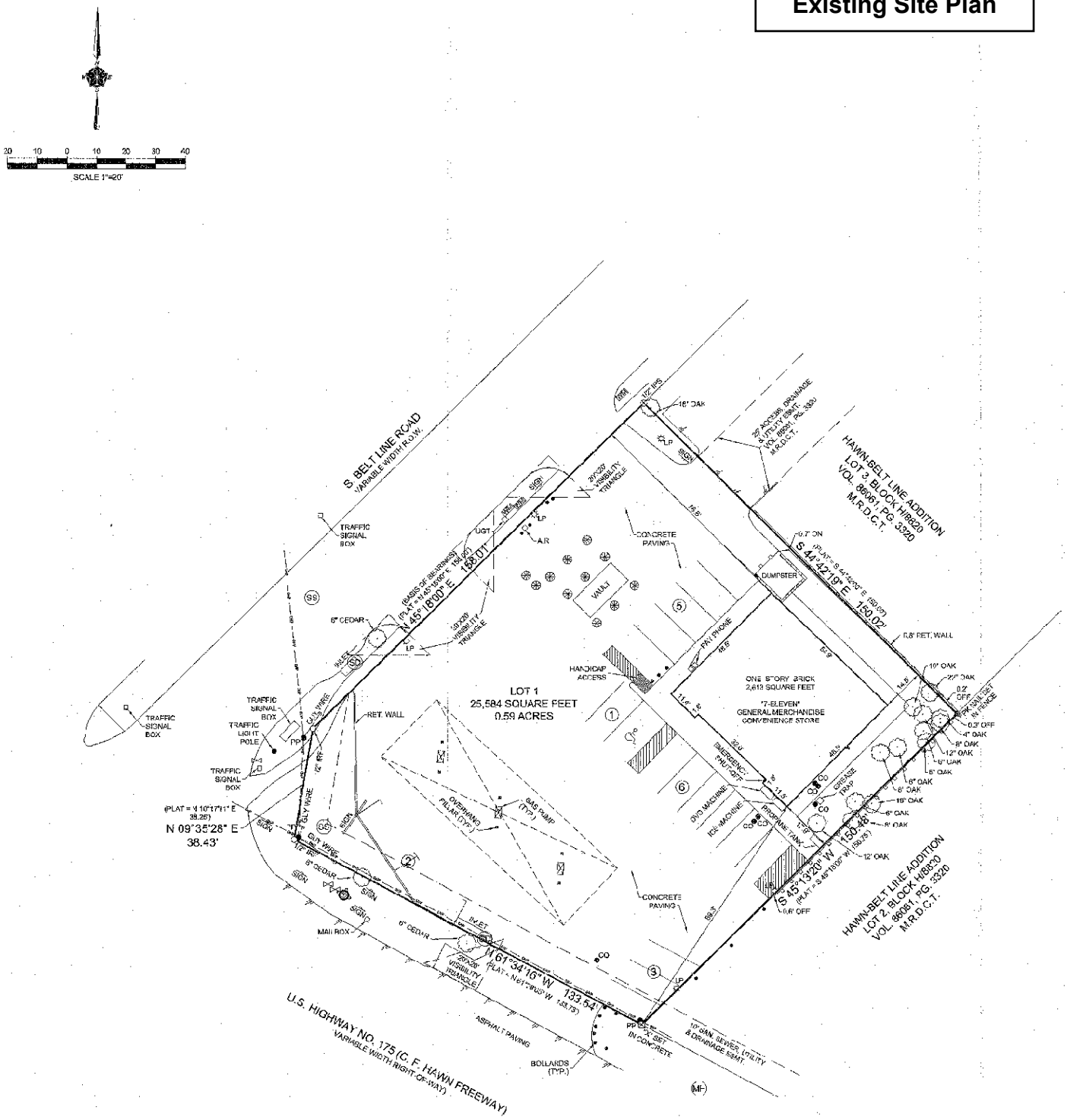
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

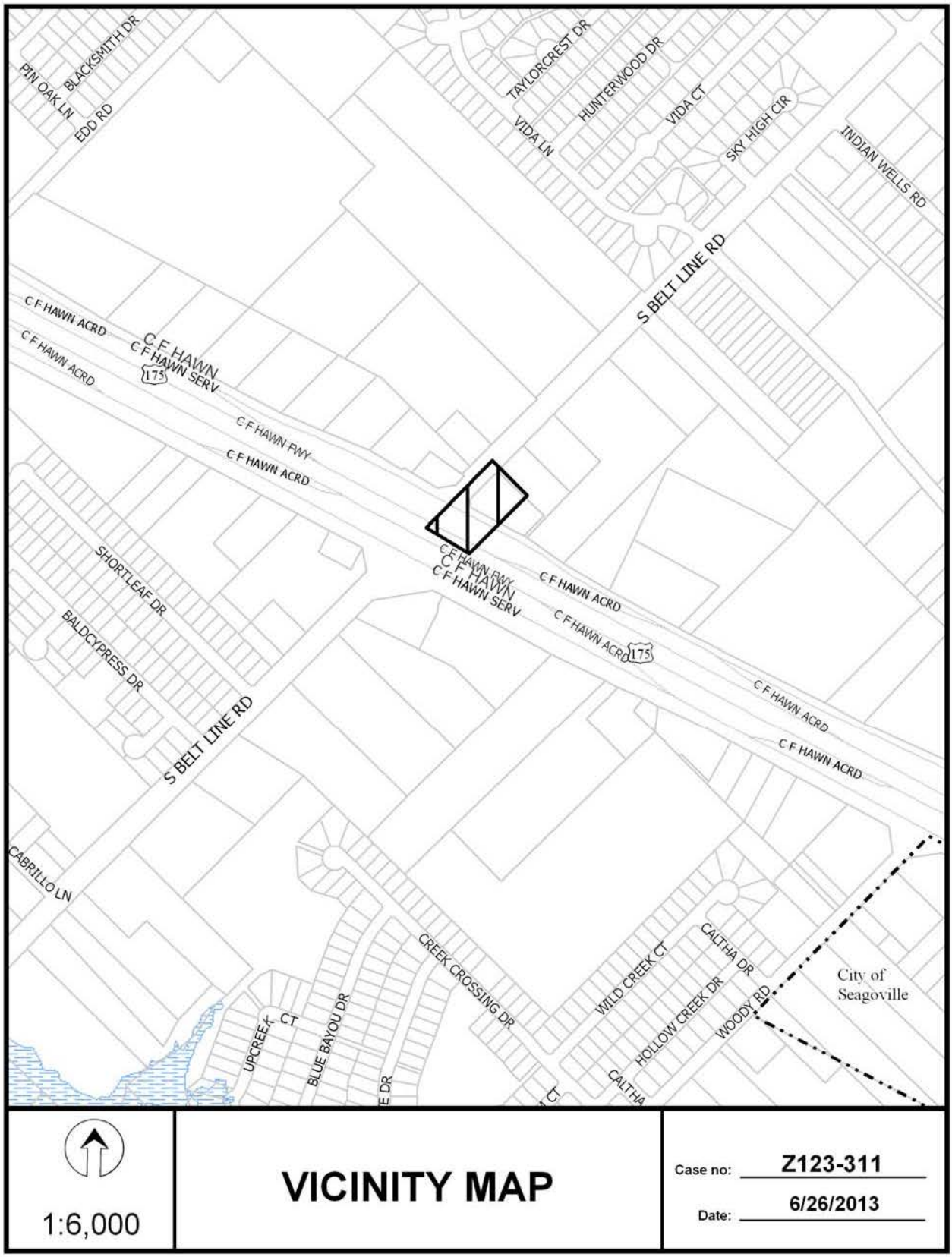
3. TIME LIMIT: This specific use permit expires on ~~August 24, 2013~~ (five years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a 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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Existing Site Plan



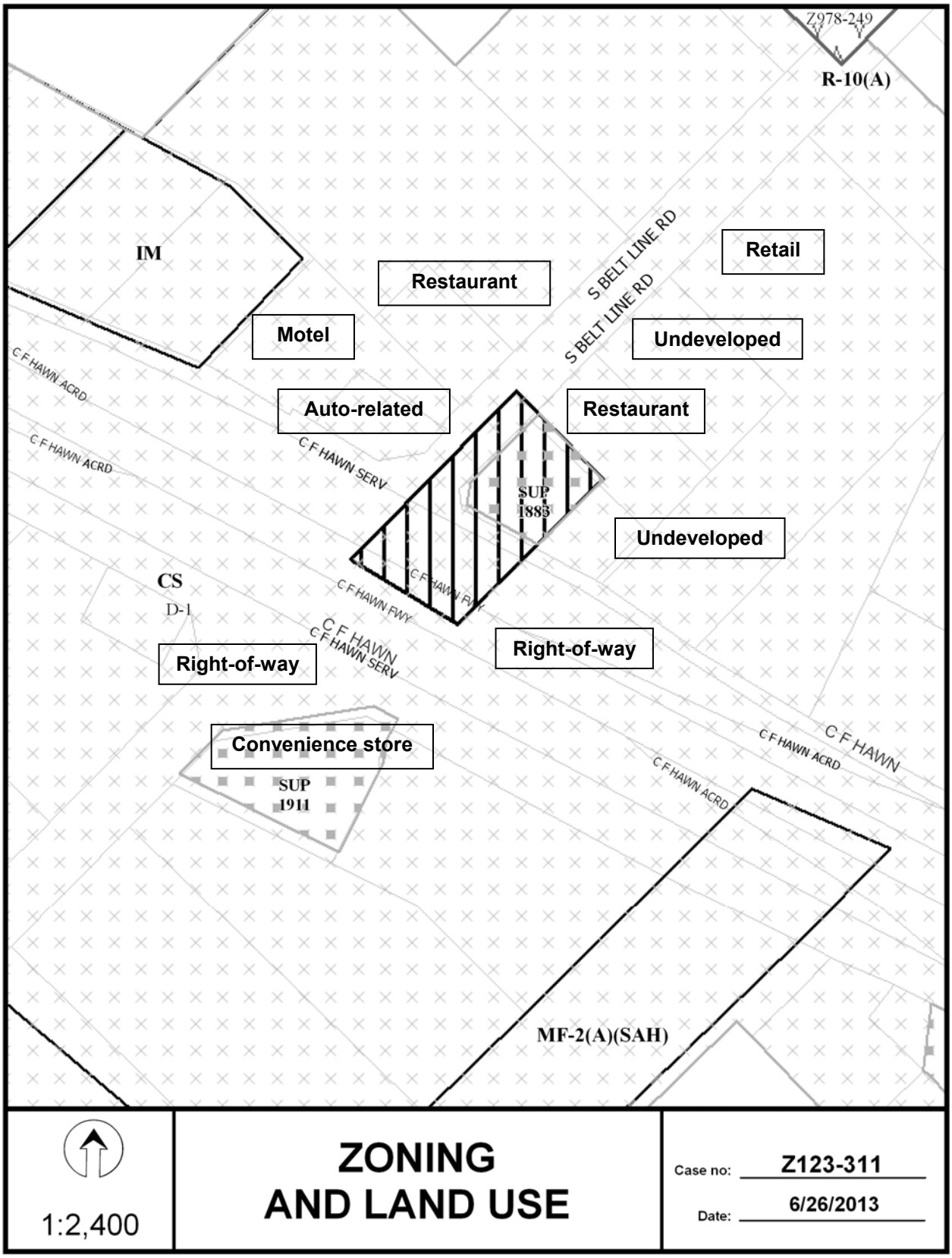


1:6,000

VICINITY MAP

Case no: Z123-311

Date: 6/26/2013

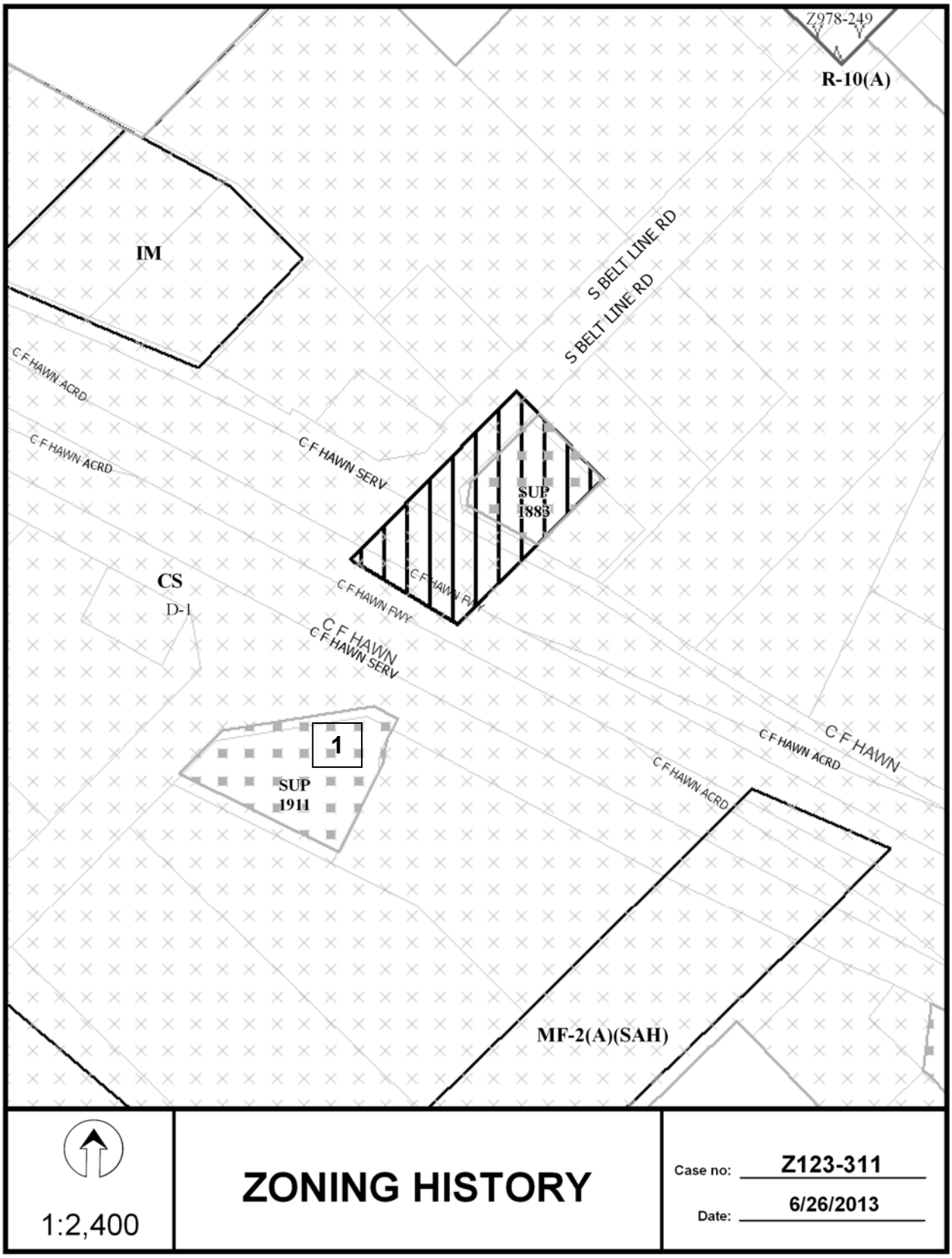


1:2,400

ZONING AND LAND USE

Case no: Z123-311

Date: 6/26/2013


Z978-249
R-10(A)
IM
S BELT LINE RD
S BELT LINE RD
C F HAWN ACRD
C F HAWN ACRD
C F HAWN SERV
SUP
1883
C F HAWN FWY
C F HAWN FWY
CS
D-1
C F HAWN
C F HAWN SERV
1
SUP
1911
C F HAWN
C F HAWN ACRD
C F HAWN ACRD
MF-2(A)(SAH)
1:2,400
ZONING HISTORY
Case no: Z123-311
Date: 6/26/2013

8	Property Owners Notified (9 parcels)
2	Replies in Favor (2 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
9/26/2013	Date

Z123-311
CPC

N W E S

1:2,400

6/25/2013

Notification List of Property Owners

Z123-311

8 Property Owners Notified

Label #	*Address*		*Owner*
1	13601	C F HAWN FWY	SOUTHLAND CORP 27206 % AD VALOREM
2	1811	BELTLINE RD	SADEGHIAN KHOSROW
3	1800	BELTLINE RD	MCDONALDS CORP 42 524 % ROLAND PARRISH
4	13600	C F HAWN FWY	FOX RUSSELL TRUSTEE STE G
5	13415	C F HAWN FWY	OM SHANTI ARP LLC
6	13525	C F HAWN FWY	POWERS J D &
7	1800	BELTLINE RD	CRARE INC
8	1790	BELTLINE RD	SEAGOVILLE ONE LP

AGENDA ITEM # 61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 48 Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard

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

Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions

Z123-279(WE)

Note: This item was considered by the City Council at a public hearing on October 8, 2013, and was taken under advisement until October 23, 2013, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **TUESDAY, OCTOBER 23, 2013**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-279(WE) **DATE FILED:** May 6, 2013

LOCATION: Forney Road and South Buckner Boulevard, southwest corner

COUNCIL DISTRICT: 7 **MAPSCO:** 48-Q

SIZE OF REQUEST: Approx. 0.616 acres **CENSUS TRACT:** 85

APPLICANT / OWNER: Buckner Food, Inc.

REPRESENTATIVE: MASTERPLAN
Santos Martinez

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing general merchandise or food store.

CPC RECOMMENDATION: Approval for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The proposed request is 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 prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.

- The adjacent land uses consist of an auto related use and office uses to the west, and a large tract of undeveloped land to the north. Properties east of request site, across South Buckner Boulevard are retail and personal services and a general merchandise or food store with fueling station. There is a vacant restaurant and several warehouse uses that are located south of the request site.

- **Zoning History:** There are one zoning changes being requested in the area.

  1. Z123-268 On Thursday, August 22, 2013, the City Plan Commission will consider a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a LI-D-1 Light Industrial District with a D-1 Dry Liquor Control Overlay on the northeast corner of Forney Road and South Buckner Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Forney Road		80 ft.	80 ft.
South Buckner Boulevard	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	LI-D-1	General merchandise or food store
North	MC-1-D-1	Undeveloped
South	LI-D-1	Vacant restaurant
East	LI-D-1	Retail and personal service
West	LI-D-1	Auto related uses

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

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. 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

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 approximately 0.616 acre site is zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store and a motor vehicle fueling station. The applicant's request for a Specific Use Permit will allow for the sale of alcoholic beverages in conjunction with a general merchandise store or food store 3,500 square feet or less.

The adjacent land uses consist of an auto related use and office uses to the west, and a large tract of undeveloped land to the north. Properties east of the request site, across South Buckner Boulevard are retail and personal services and a general merchandise or food store with fueling station. There is a vacant restaurant and several warehouse uses that are located south of the request site.

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 applicant has met and is in compliance with Chapter 12B requirements.

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
LI-D-1 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

Landscaping: Landscaping of any development will be in accordance with Article X, as amended.

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 3,500 square feet or less is at one space for each 200 square feet of floor area. The development requires 24 spaces with 25 being provided per the attached site plan.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Dallas Police Department: A copy of a police report of the past 5 years of offenses is provided below.

DALLAS POLICE DEPARTMENT

UCR Codes Year Codes Property Class Codes

Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
002889...	01/30/2009	JENNIFER,PETTIGREW,	OTHER OFFENSES	04625	S	BUCKNE...	322	1229	26000	
005217...	02/23/2010	*BUCKNER FOODS	BURGLARY	04625	S	BUCKNE...	322	1229	05337	
005635...	02/27/2009	HARGE,LASHINA	OTHER OFFENSES	04625	S	BUCKNE...	322	1229	26000	
005822...	03/01/2010	GANCHI, SOFYE	OTHER OFFENSES	04625	S	BUCKNE...	322	1229	26000	
006070...	03/04/2010	COLEMAN, DERRELL	AUTO THEFT-UUMV	04625	S	BUCKNE...	322	1229	07142	
006380...	03/15/2012	*BUCKNER FOOD	CRIMINAL MISCHIEF/...	04625	S	BUCKNE...	322	1229	14082	
006901...	03/22/2012	GANCHI,SOFIYE	CRIMINAL MISCHIEF/...	04625	S	BUCKNE...	322	1229	14081	
008299...	04/03/2011	PLATT,MARCUS	ASSAULT	04625	S	BUCKNE...	322	1229	08291	
009570...	04/18/2013	*BUCKNER FOODS	OTHER OFFENSES	04625	S	BUCKNE...	322	1229	26000	
009594...	04/15/2011	*CONOCO GAS STAT...	THEFT	04625	S	BUCKNE...	322	1229	06901	
010250...	04/28/2012	*BUCKNER FOOD MART	BURGLARY	04625	S	BUCKNE...	322	1229	05128	
010487...	04/25/2011	*CONOCO	THEFT	04625	S	BUCKNE...	322	1229	06932	
010496...	04/25/2011	*BUCKNER FOODS	THEFT	04625	S	BUCKNE...	322	1229	06933	
013360...	05/10/2009	*BUCKNER FOODS S...	ROBBERY	04625	S	BUCKNE...	322	1229	03711	
014652... 019308...	05/27/2010 07/22/2011	*BUCKNER FOOD *BUCKNER FOODS	BURGLARY THEFT	04625 04625	S S	BUCKNE... BUCKNE...	322 322	1229 1229	05135 06903	
021648...	08/31/2012	*CONOCO STORE	BURGLARY	04625	S	BUCKNE...	322	1229	05138	
024743...	08/20/2009	*BUCKNER FOOD ST...	THEFT	04625	S	BUCKNE...	322	1229	06934	
026887...	10/28/2012	*EMERGENCY ICE	THEFT	04625	S	BUCKNE...	322	1229	06941	
029254...	10/01/2009	*BUCKNER FOOD MART	THEFT	04625	S	BUCKNE...	322	1229	06934	
033669...	12/27/2011	*BUCKNER FOODS C...	FRAUD	04625	S	BUCKNE...	322	1229	11020	

CPC Action (August 8, 2013)

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a revised site plan and conditions on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard.

Maker: Bagley
Second: Tarpley
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 1 - District 10

Notices: Area: 200 Mailed: 10
Replies: For: 1 Against: 2

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC recommendation

3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance.

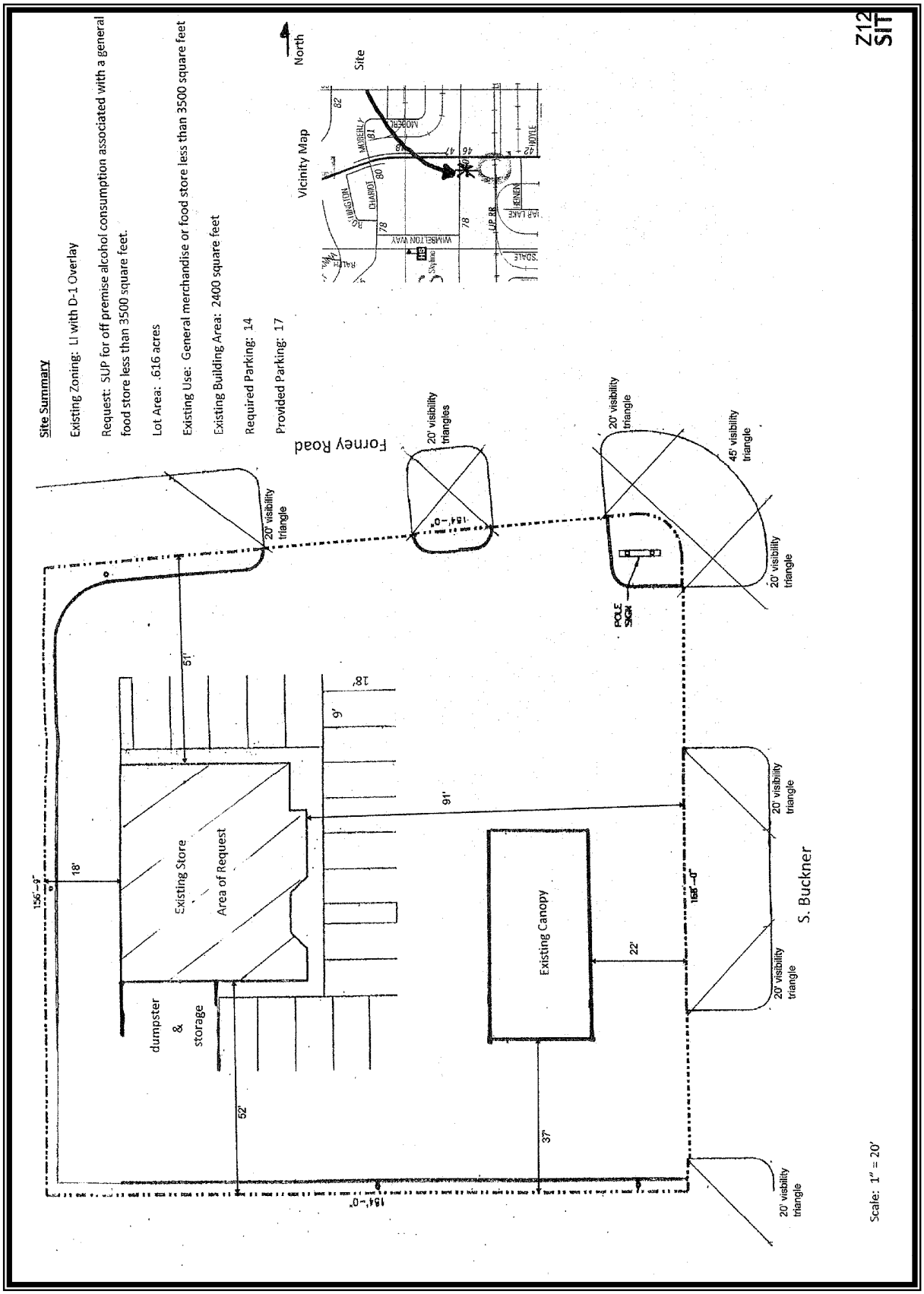
Staff Recommendation

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

5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

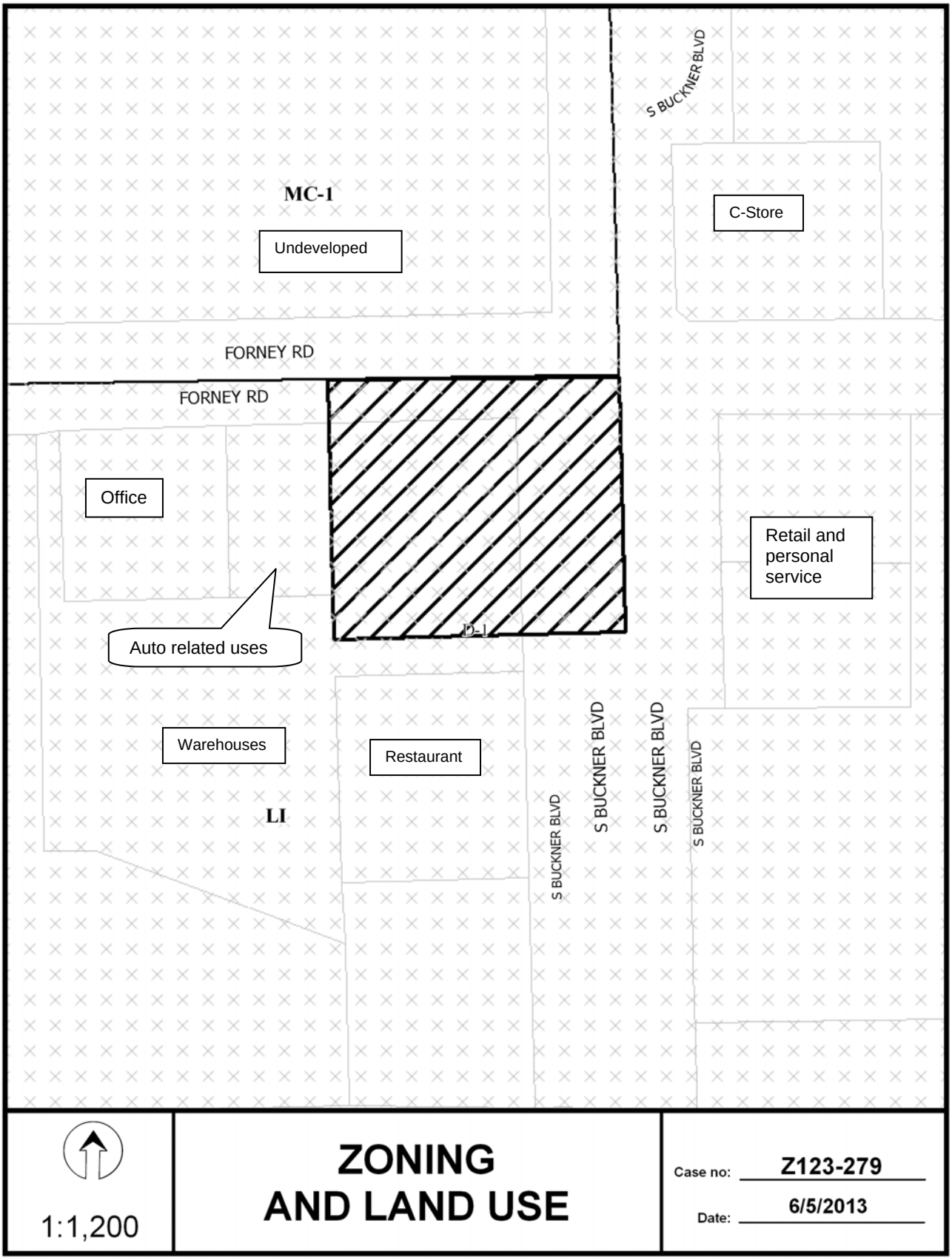
PROPOSED SITE PLAN

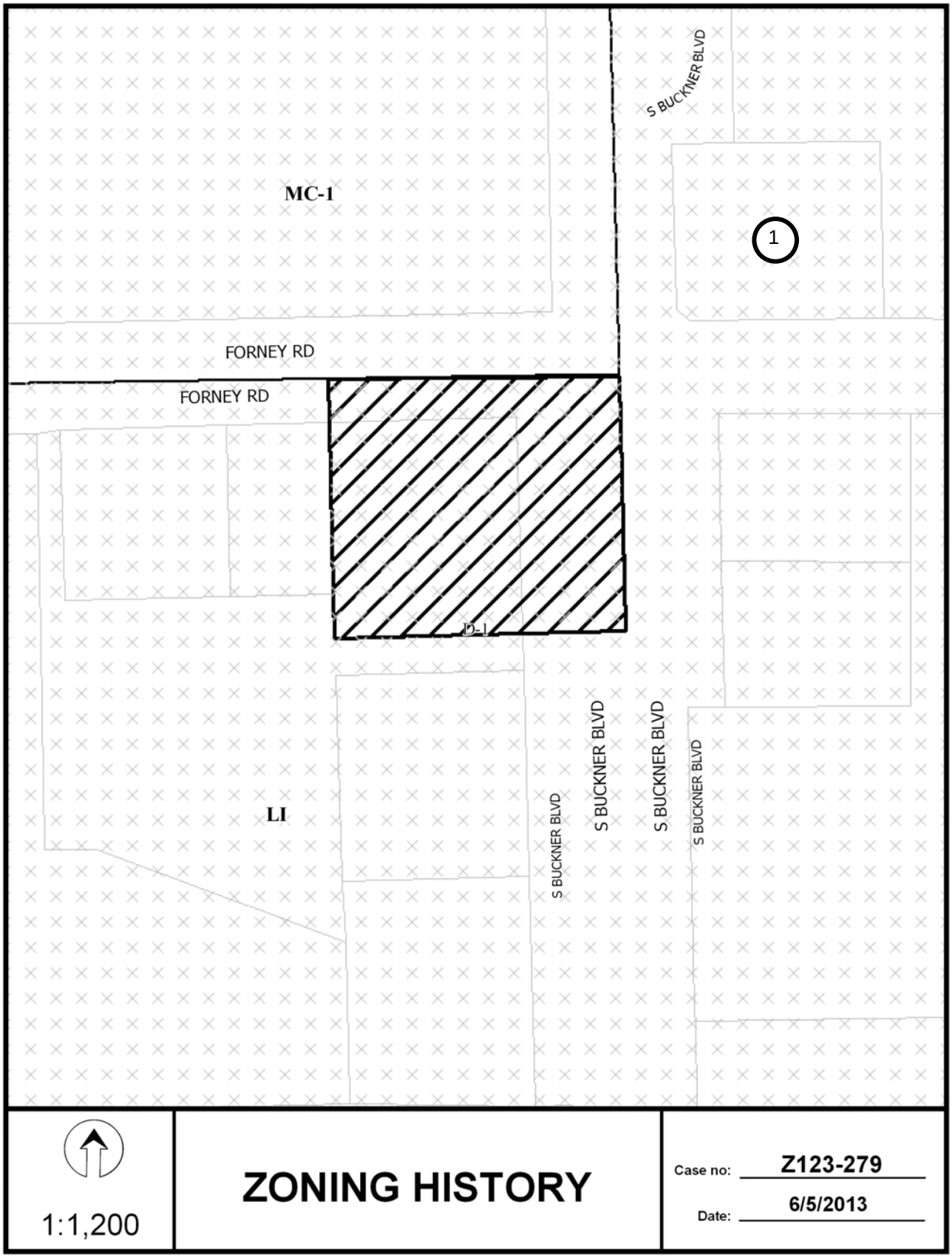


VICINITY MAP

Case no: Z123-279

Date: 6/5/2013


S BUCKNER BLVD
MC-1
Undeveloped
C-Store
FORNEY RD
FORNEY RD
Office
Retail and personal service
D-1
Auto related uses
Warehouses
Restaurant
LI
S BUCKNER BLVD
S BUCKNER BLVD
S BUCKNER BLVD
S BUCKNER BLVD
1:1,200
ZONING AND LAND USE
Case no: Z123-279
Date: 6/5/2013


S BUCKNER BLVD
MC-1
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FORNEY RD
FORNEY RD
D-1
S BUCKNER BLVD
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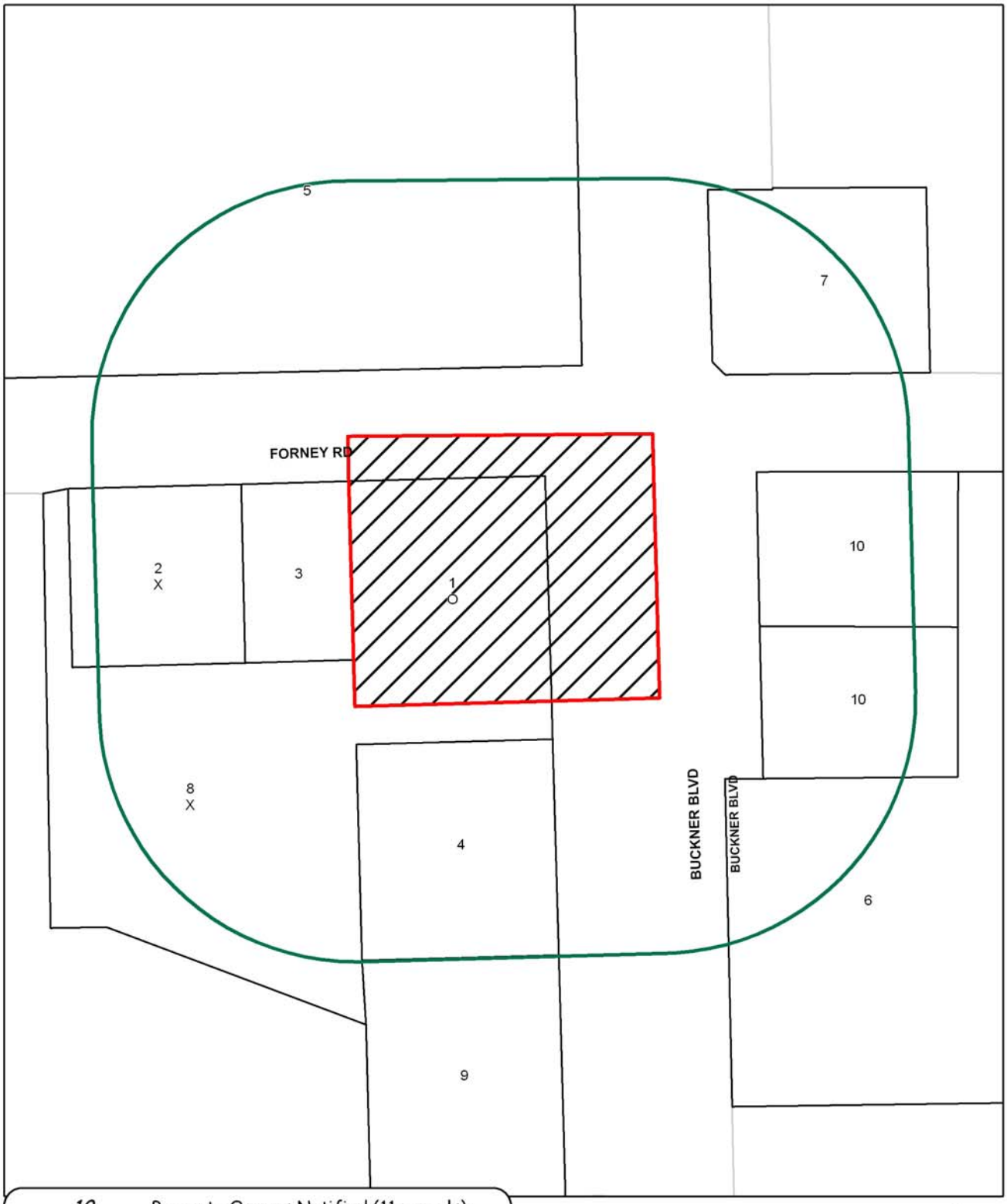
S BUCKNER BLVD
LI
1:1,200
ZONING HISTORY
Case no: Z123-279
Date: 6/5/2013

CPC RESPONSES



10	Property Owners Notified (11 parcels)
1	Replies in Favor (1 parcels)
2	Replies in Opposition (2 parcels)
200'	Area of Notification
8/8/2013	Date

Z123-279
CPC

N
W E
S

1:1,200

Notification List of Property Owners

Z123-279

10 Property Owners Notified ***1 Property Owners in Favor*** ***2 Property Owners Opposed***

Reply	Label #	Address		Owner
O	1	4625	BUCKNER BLVD	BUCKNER FOODS INC
X	2	8020	FORNEY RD	BITTERROOT INC
	3	8050	FORNEY RD	BUDGET AUTO BODYSHOP
	4	4545	BUCKNER BLVD	FULL LIFE OUTREACH CENTER
	5	4700	BUCKNER BLVD	NW REALTY INC
	6	4520	BUCKNER BLVD	4520 BUCKNER LP
	7	4710	BUCKNER BLVD	DEVIN BRICH GROUP DORP
X	8	4617	BUCKNER BLVD	BARA REAL ESTATE PROPERTIES LLC
	9	4509	BUCKNER BLVD	A ADVANTAGE AUTO GROUP INC
	10	4612	BUCKNER BLVD	RICHMOND P CURT

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 35 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned a GR General Retail Subdistrict and an O-2 Office Subdistrict, with deed restrictions on the northern portion of the site currently zoned an O-2 Office Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Fitzhugh Avenue, between Cole Avenue and McKinney Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions, with retention of the existing deed restrictions
Z123-265(RB)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 23, 2013**

ACM: Theresa O'Donnell

FILE NUMBER: Z123-265(RB) **DATE FILED:** April 24, 2013

LOCATION: Northeast Line of Fitzhugh Avenue, between Cole Avenue and McKinney Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 35 U

SIZE OF REQUEST: Approx. 1.8 Acres **CENSUS TRACT:** 7.02

APPLICANT: Trinsic Acquisition Company, LLC

OWNER: Hope Cottage, LLC

REPRESENTATIVE: Tommy Mann

REQUEST: An application for a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned a GR General Retail Subdistrict and an O-2 Office Subdistrict, with deed restrictions on the northern portion of the site currently zoned an O-2 Office Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant is proposing to redevelop the site with 193 multiple family dwelling units. The existing deed restrictions that limit structure height, floor area ratio, and prohibit certain uses will be retained.

CPC RECOMMENDATION: Approval, subject to a development plan, landscape plan, and conditions, with retention of the existing deed restrictions.

STAFF RECOMMENDATION: Approval, subject to a development plan, landscape plan, and conditions, with retention of the existing deed restrictions.

DESIGNATED ZONING CASE

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to a development plan, landscape plan, and conditions with retention of the existing deed restrictions based upon:

1. *Performance impacts upon surrounding property* – As a proposed residential development, impact on adjacent properties (lighting, noise, odor) are not anticipated.

2. *Traffic impact* – The proposed development will create a reduction of vehicle trips/day as compared to typical nonresidential development permitted by the existing zoning.

3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area. Additionally, the request as recommended in the attached conditions complies with the Oak Lawn Special Purpose District and Oak Lawn Plan criteria for redevelopment.

4. The applicant has worked with staff to ensure various provisions (i.e., balcony/open seating areas in the Restricted Area) are provided for to ensure compatibility with adjacent medium-density residential uses.

BACKGROUND INFORMATION:

- The property is developed with a commercial structure and surface parking area.

- The applicant proposes to demolish the existing structure and redevelop the property with 193 multiple family dwelling units.

- The applicant is requesting a PDS for consideration of the following: 1) increase in floor area by 13,676 square feet for the GR Subdistrict portion of the site; 2) reduced front yard setbacks for the GR Subdistrict portion of the site; and 3) permit balconies to encroach (five feet) into a portion of the front yards

- Existing deed restrictions on the northern portion of the property zoned for O-2 Subdistrict Uses limits structure height to 42 feet, limit FAR to 2.0:1, and prohibit certain uses. As staff is providing for these same regulations/restrictions in the attached recommended conditions, the applicant has requested they be retained per discussions with surrounding property owners.

Zoning History: Other than noted above, there has been no recent zoning activity in the immediate area relevant to the request.

Thoroughfare	**Existing & Proposed ROW**
Fitzhugh Avenue	Minor Arterial; 90' & 90' ROW
Cole Avenue	Minor Arterial; 80' ROW
McKinney Avenue	Minor Arterial; 80' ROW

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined it will not impact the surrounding street system.

STAFF ANALYSIS

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.
(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
(7) To promote landscape/streetscape quality and appearance.

The site is developed with a commercial structure and surface parking area. The applicant is proposing to remove all improvements to support a multiple family development.

The applicant has worked with staff to achieve the above stated objectives. With respect to Objective No. 2, it should be noted the proposed development will not provide for retail uses, however the site's Fitzhugh Avenue frontage will link to the nonresidential uses both east and west of the site.

Comprehensive Plan: The request site is located in an area considered Urban Mixed-Use. The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

LAND USE 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:

For orientation purposes, the site currently is zoned for O-2 Subdistrict Uses for the northern portion (approx. 28,000 square feet and noted as the Restricted Area on the attached development plan) while the balance of the site is zoned for GR Subdistrict Uses. See table accompanying table for a comparison of existing/proposed provisions.

The site possesses three street frontages. The surrounding area consists of a mix of uses, with the concentration of low-to-medium density uses immediately north of the site, with various office and retail uses located to the south along both sides of Fitzhugh Avenue. Ben Milam Elementary School is situated at the northeast corner of Fitzhugh Avenue and McKinney Avenue.

The applicant has worked with staff to require certain design criteria is incorporated into the development with sensitivities to the residential character to the north along Cole Avenue and McKinney Avenue. For example, the applicant has agreed to limit balcony/open areas be contained within 36 feet above grade along the northern façade of the northernmost structures. Lastly, a commitment to at grade and above grade private open space will ensure the development possesses a more urban residential feel.

As a result of this analysis, staff supports the applicant's request, subject to the attached plans and recommended conditions, the difference between the applicant and staff being a requirement to maintain the additional setback for structures within the Restricted Area (see development plan) that exceed 36 feet in height.

Off-Street Parking: Off-street parking will be provided as required by PDD No. 193.

Landscaping: The applicant has worked with the city arborist to ensure the attached landscape plan complies with the intent of the landscape requirements of PDD No. 193.

Provision	Existing O-2	Existing GR	Proposed (total area)
F/S/R YARD SETBACKS	25'/10'/15' PLUS FRONT- ½ HT GREATER THAN 36' TO MAX OF 50'; S/R -1' FOR EACH OVER 36' TO MAX OF 50'	10'/10'/25' PLUS FRONT- ½ HT GREATER THAN 36' TO MAX OF 50'; S/R -1' FOR EACH OVER 36' TO MAX OF 50'	10'/10'/10' PLUS ADDL SETBACKS FOR THE RESTRICTED AREA; BALCONIES 5' INTO FRONT YARD, SUBJECT TO 15' CLEAR FROM SIDEWALK
DENSITY	BASED ON LAND AREA/TYPE UNIT: EFF-1 DU/100 SF; 1 BR-125 SF/DU; 2 BR-150 SF/DU; +25 SF/DU GREATER	BASED ON LAND AREA/TYPE UNIT: EFF-1 DU/100 SF; 1 BR-125 SF/DU; 2 BR-150 SF/DU; +25 SF/DU GREATER	CAP DENSITY AT 200 DWELLING UNITS
FLOOR AREA RATIO	2:1 (DEED RESTRICTED) ~56,680 SF	2:1 PLUS 0.5:1 WHEN MF COMPRISES A MINIMUM OF 1:1 RESIDENTIAL ~136,868 SF	2.75:1 ~211,255 SF
STRUCTURE HEIGHT	42' (DEED RESTRICTED)	120'	RESTRICTED AREA-42' BALANCE-85' PLUS 12' FOR MECHANICALS
LOT COVERAGE	75%	80%	75%
LANDSCAPING	PDD 193	PDD 193	SITE SPECIFIC PLAN COMPLIES WITH SPIRIT OF PDD NO. 193
OFF-STREET PARKING	PDD 193	PDD 193	PDD 193
MISCELLANEOUS	N/A	N/A	LIMIT BALCONY/OPEN AREAS ABOVE 36' FOR RESTRICTED AREA, DESIGN CRITERIA, PEDESTRIAN AMENITIES

CPC ACTION
(September 26, 2013)

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for GR General Retail Subdistrict Uses, subject to a revised development plan, landscape plan, and conditions, with retention of the existing deed restrictions on property zoned a GR General Retail Subdistrict and an O-2 Office Subdistrict, with deed restrictions on the northern portion of the site currently zoned an O-2 Office Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Fitzhugh Avenue, between Cole Avenue and McKinney Avenue.

Maker: Ridley
Second: Bernbaum
Result: Carried: 14 to 0

For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 1 - Davis
Vacancy: 0

Notices: Area: 500 Mailed: 427
Replies: For: 5 Against: 128

Speakers: For: Tommy Mann, 500 Winstead Bldg., Dallas, TX, 75270
Frank Stich, 4224 N. Hall St., Dallas, TX, 75219
Anthony Evan,
Against: Robert Goldberg, 4219 McKinney Ave., Dallas, TX, 75205
Barbara Carr, 4239 McKinney Ave., Dallas, TX, 75205
Steven Happel, 4121 McKinney Ave., Dallas, TX, 75204
Steph Compton, 2847 Brooklyn Ave., Dallas, TX, 75211

Officers and Directors

TRINSIC ACQUISITION COMPANY LLC

- Adam Brown, vice president
- Greg Jones, vice president
- Joe Barrett, vice president
- Brian Tusa, president

HOPE COTTAGE, INC.

- Sonyia Hartwell, CEO
- Judy Allen, CFO
- Leslie Clay, chief development officer

CPC RECOMMENDED CONDITIONS

"**DIVISION S- _____.**

PD 193 SUBDISTRICT.

SEC. S-_____.101. LEGISLATIVE HISTORY.

Planned Development Subdistrict ___ for GR General Retail Subdistrict uses within Planned Development District No. 193 ("PD Subdistrict ___") was established by Ordinance No. _____ passed by the Dallas City Council on _____, 2013.

SEC. S-_____.102. PROPERTY LOCATION AND SIZE.

PD 193 Subdistrict ___ is established on property generally located along the northeast line of Fitzhugh Avenue, between Cole Avenue and McKinney Avenue. The size of PD 193 Subdistrict ___ _____ is approximately 1.81 acres.

SEC. S-_____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division, SUBDISTRICT means a subdistrict of PD 193.

(c) RESTRICTED AREA means the northern portion of the site identified on the development plan that prohibits certain uses as well as provides for certain yard/lot/space regulations.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this ordinance are to articles, divisions, or sections in Chapter 51.

(d) This district is considered to be a nonresidential zoning district.

SEC. S-____.104 EXHIBITS.

(a) The following exhibits are incorporated into this division:

(1) Exhibit S-__A: development plan.

(2) Exhibit S-__B: landscape plan.

SEC. S-____.105. DEVELOPMENT PLAN.

(a) Development and use of the Property must comply with the development plan (Exhibit ___) and landscape plan (Exhibit ___). In the event of a conflict between the text of this division and the development plan or landscape plan, the text of this division controls.

SEC. S-____.106. MAIN USES PERMITTED.

(a) Except as otherwise provided herein, the main uses permitted in this district are those main uses permitted in a PD 193 GR General Retail Subdistrict, subject to the same conditions applicable in the GR General Retail Subdistrict, as set out in PD 193. For example, a use permitted in a PD 193 GR General Retail Subdistrict only by specific use permit (SUP) is permitted in this Subdistrict only by SUP, and a use subject to development impact review (DIR) in a PD 193 GR General Retail Subdistrict is subject to DIR in this district, etc.

(b) The following uses are prohibited within the Restricted Area:

(1) Residential Uses.

--Overnight general purpose shelter.

(2) Utility and Service Uses.

--Commercial radio or television transmitting station.

--Sewage treatment plant.

(3) Community Service Uses.

--Halfway house.

(4) Medical Uses.

--Medical or scientific laboratory.

(5) Bar and Restaurant Uses.

--Bar, lounge, or tavern.

--Private club.

--Dance hall.

(6) Motor Vehicle Related Uses.

--Service station.

SEC. S-_____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-_____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot and space regulations in Part I of this article. In the event of a conflict between this section and Part I of this article, this section controls.)

(a) Front, Side and Rear Yards. Except as provided in this subparagraph, minimum front, side, and rear setback is ten feet.

(1) For the Restricted Area, an additional front yard setback must be provided equal to one-half foot for each foot of structure height greater than 36 feet, up to a maximum total setback of 50 feet.

(2) For the Restricted Area, an additional side and rear yard setback must be provided equal to one foot for each foot of structure height greater than 36 feet, up to a maximum total setback of 50 feet.

(3) Except as provided in this subsection, no additional setbacks are required as provided for by Section 51P-193.118(c) and 51P-119(c)(1).

(4) A fence at the northeast corner of the Property, located as shown on the development plan, may be a maximum of six feet in height and may be located within the front yard on McKinney Avenue.

(5) Retaining walls up to a maximum of 6 feet in height may be located in the front yard.

(6) Balconies may encroach into a front yard a maximum of five feet, a minimum 15 feet above the sidewalk, for a maximum of 140 linear feet.

(7) Balconies may encroach into a side yard a maximum of five feet, a minimum 15 feet above the sidewalk, for a maximum of 15 linear feet.

(b) Height. Except as provided in this subsection, maximum structure height is 85 feet.

(1) The following structures may project a maximum of 12 feet above the maximum height and may not exceed 15 percent of the rooftop surface area.

(A) Elevator penthouse or bulkhead.

(B) Mechanical equipment room.

(C) Cooling tower.

(D) Tank designed to hold liquids.

(E) Ornamental cupola or dome.

(F) Skylights.

(G) Clerestory.

(H) Visual screens which surround roof mounted mechanical equipment.

(I) Chimney and vent stacks.

(J) Amateur communications tower.

(K) Parapet wall, limited to a height of four feet.

(2) Maximum structure height in the Restricted Area is 42 feet as measured from grade to the highest point of the structure.

(c) Density. Maximum density is 200 dwelling units.

(d) Floor Area Ratio.

(1) Except as provided in this subparagraph, maximum floor area ratio is 2.75:1.

(2) Maximum floor area ratio for the Restricted Area is 2.0:1.

(e) Lot Coverage. Maximum lot coverage is 75 percent.

(f) Urban Design Requirements.

(1) A minimum five foot wide sidewalks with minimum of a five foot tree planting zone between the back of curb and the sidewalk shall be provided.

(2) A minimum of two of each of the following pedestrian amenities must be provided along for each 300 linear feet of street frontage or fraction thereof:

(A) benches

(B) trash receptacles, and

(C) bicycle racks (at least one five-bike rack must be provided).

(3) Facades.

(A) Street-facing facades must have building articulation with a minimum depth of one foot every 75 feet of length.

(B) A minimum of two different facade materials must be provided on each street facing facade.

(4) Architectural Elements. Architectural elements, such as the following, must be provided at all public entry points:

(A) Architecturally prominent public entrances,

(B) Canopies,

(C) Awnings,

(D) Attached towers, or

(E) Turrets.

SEC. S-_____.109. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, see Part I of this article.

(b) Exterior parking structure facades are those facades on an aboveground parking structure that are visible from a public right-of-way. The exterior parking structure facade must be concealed with a facade that is similar in materials, architecture, and appearance to the facade of the main structure. Openings in the exterior parking structure facade may not exceed 50 percent of the total parking structure facade area. An aboveground exterior parking structure facade which faces a public right-of-way must provide solid screening a minimum 42 inches from the floor level within the parking structure to screen vehicles and vehicle headlights. Openings must be screened with architectural grill work or other decorative visual screening materials that provide ventilation.

SEC. S-_____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI of Chapter 51A, Dallas Development Code, as amended.

SEC. S-_____.111. LANDSCAPING.

Landscaping must be provided as shown on the attached landscape plan.

SEC. S-_____.112. OPEN SPACE.

(a) A minimum of 5,000 square feet of at grade common open space must be provided in the location shown on the development plan.

(b) At grade common open space must be primarily open to the sky but structures that are not fully enclosed such as colonnades, pergolas, and gazebos are allowed.

(c) At least 240 square feet of private open space for each dwelling unit within the restricted area must be provided.

(d) A minimum of 7,350 square feet must be provided as above grade common open space. Above grade open space may be provided through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area.

(e) For purposes of this section, all open space is considered for the exclusive use of occupants of the Property.

SEC. S-_____.113. ADDITIONAL PROVISIONS.

(a) Balconies or open seating areas in the Restricted Area facing north on the northernmost structures are prohibited for any portion of a balcony or open seating area that is greater than 36 feet above grade.

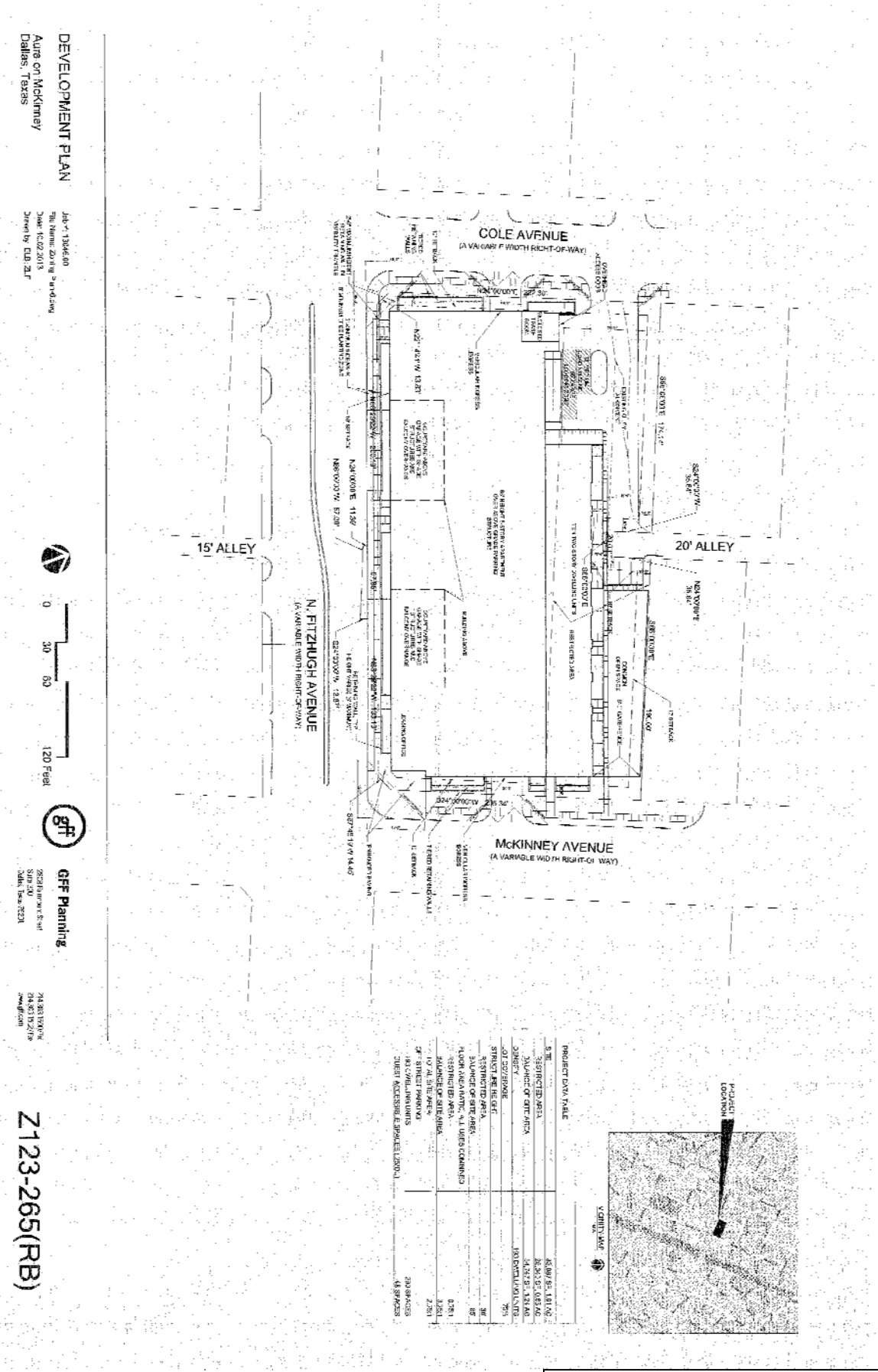
(b) The Property must be properly maintained in a state of good repair and neat appearance.

(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.

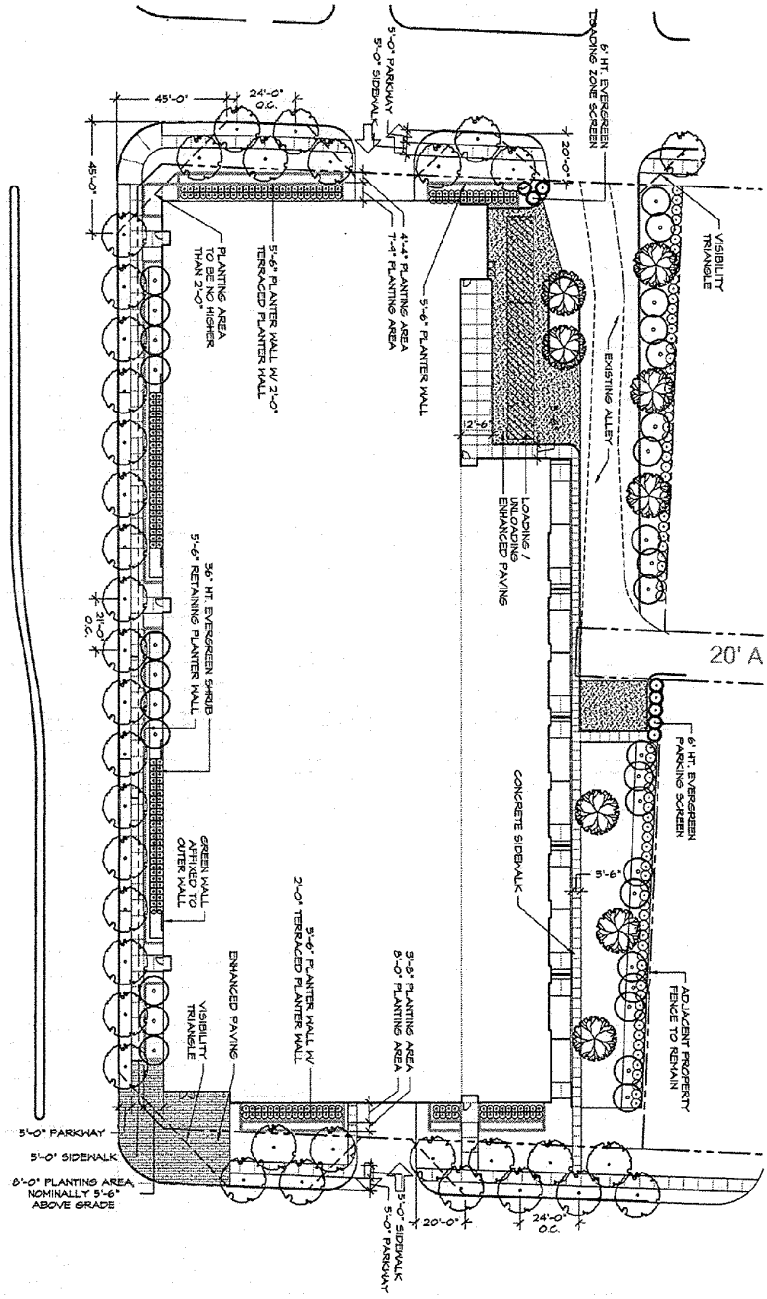
SEC. S-____.114. COMPLIANCE WITH CONDITIONS

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the 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 Subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of thy city, as applicable.



Proposed Development Plan



PROJECT DATA TABLE	
SITE LOCATION	4309 MCKINNEY AVENUE
PROPOSED USE	MULTI-FAMILY
ZONING	PD 193 (SD_)
SITE AREA	1.9145 AC
LOT COVERAGE	75% MAXIMUM

TREE MITIGATION

TREE MITIGATION TO BE IN ACCORDANCE WITH PD 193.

LANDSCAPE TABULATIONS	REQUIRED	PROVIDED
TOTAL SITE AREA		83,396 sf
FRONT YARD AREA	-	8,340 sf
LANDSCAPE SITE AREA (min. 15% of site)	8,340 sf (min. 15% of site)	15,961 sf 19% of site
GENERAL PLANTING AREA (min. 25% of front yard)	2,210 sf (min. 25% of front yard)	5,654 sf (64% of front yard)
SPECIAL PLANTING AREA (17% of front yard)	1,061 sf (17% of front yard)	3,689 sf (42% of front yard)
	530 sf (8% of front yard)	1,100 sf (13% of front yard)

STREET TREES	LOT FRONTAGE (FEET)	VARIANCE (FEET)	REQUIRED TREES	TREES TO BE PROVIDED
COLE AVENUE	219	85	5	4
N. FITZHUGH AVENUE	345	21	15	17
MCKINNEY AVENUE	203	31	7	6

SOIL NOTES:
EACH LARGE TREE WILL BE INSTALLED WITH A MINIMUM SOIL DEPTH OF 40 INCHES (25.91 CF SURFACE AREA - 1,036 CUBIC FEET)

EACH LARGE SHRUB OR SMALL TREE WILL BE INSTALLED WITH A MINIMUM SOIL DEPTH OF 36 INCHES (25 sf OF SURFACE AREA - 625 CUBIC FEET)

IRRIGATION NOTES:
ALL LANDSCAPE AREAS WILL BE IRRIGATED BY A FULLY AUTOMATIC IRRIGATION SYSTEM WHICH WILL BE INSTALLED FOR DRAINAGE TO COMPLY WITH INDUSTRY STANDARDS.

PLANT SCHEDULE

QTY	SYMBOL	CODE	BOTANICAL / COMMON NAME	SIZE	COMMENTS
30			ULMUS CRASSIFOLIA / Cedar Elm PINUS PONDEROSA VARIETY / Ponderosa Pine	4"	MATCHED SPECIMEN PLANTED IN STREET PARKWAY PLANTED IN AREAS ABOVE PODIUM PODIUM
6			QUERCUS VIRGINIANA / Live Oak	6"	
30			NANDINA DOMESTICA 'LITTLE ABY' / Little Abby Nandina LAGERSTROEMIA INDICA / Crape Myrtle ILEX VOMITORIA / Yaupon Holly CORNUS CANADENSIS / Redbud PRUNUS CAROLIANA / Henson Plum	5"	36" HEIGHT, MATCHED SPECIMENS
				6"	8'-10' HEIGHT, MATCHED SPECIMENS
				4"	6-10' HEIGHT, MATCHED SPECIMENS MULTI-STEM, MATCHED PLANTS
				1 gal.	36" HEIGHT, MATCHED SPECIMENS SPACED FULL TO GROUND

960250

DEED RESTRICTIONS

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

I.

The undersigned, THE HOPE COTTAGE ADOPTION CENTER, a Texas corporation (the "Owner") is the owner of the following described property (the "Property"), being in particular Lots 3 and 14, City Block B/1524, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to it by 4209 McKinney Building, LTD, by deed dated March 1, 1978, and recorded in Volume 78043, Page 2245 in the Deed Records of Dallas County and being that same tract of land conveyed to it by Lloyd Enterprises by deed dated August 1, 1983, and recorded in Volume 83160, Page 0720 in the Deed Records of Dallas County and being more particularly describes as follows:

All of Lots 3 and 14 in City Block B/1524, fronting approximately 75 feet on the northwest line of McKinney Avenue, beginning at a point approximately 130.35 feet northeast of the northeast line of Fitzhugh Avenue, and fronting approximately 75 feet on the southeast line of Cole Avenue, beginning at a point approximately 147.31 feet northeast of the northeast line of Fitzhugh avenue, and containing approximately 28,500 square feet of land.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

A. The maximum height of any building is 42 feet . Height means the vertical distance from grade to the highest point of the structure.

B. The maximum floor area ratio is 2.0 square feet of building area to 1.0 square foot of land.

C. The following uses are not permitted on the Property:

1. Residential Uses

-- Overnight general purpose shelter

960250

2. Utility and Service Uses

-- Commercial radio or television transmitting station
-- Sewage treatment plant

3. Community Services Uses

-- Halfway house

4. Medical Uses

-- Medical or scientific laboratory

5. Bar and Restaurant Uses

-- Bar, lounge or tavern
-- Private club
-- Dance hall

6. Motor Vehicle Related Uses

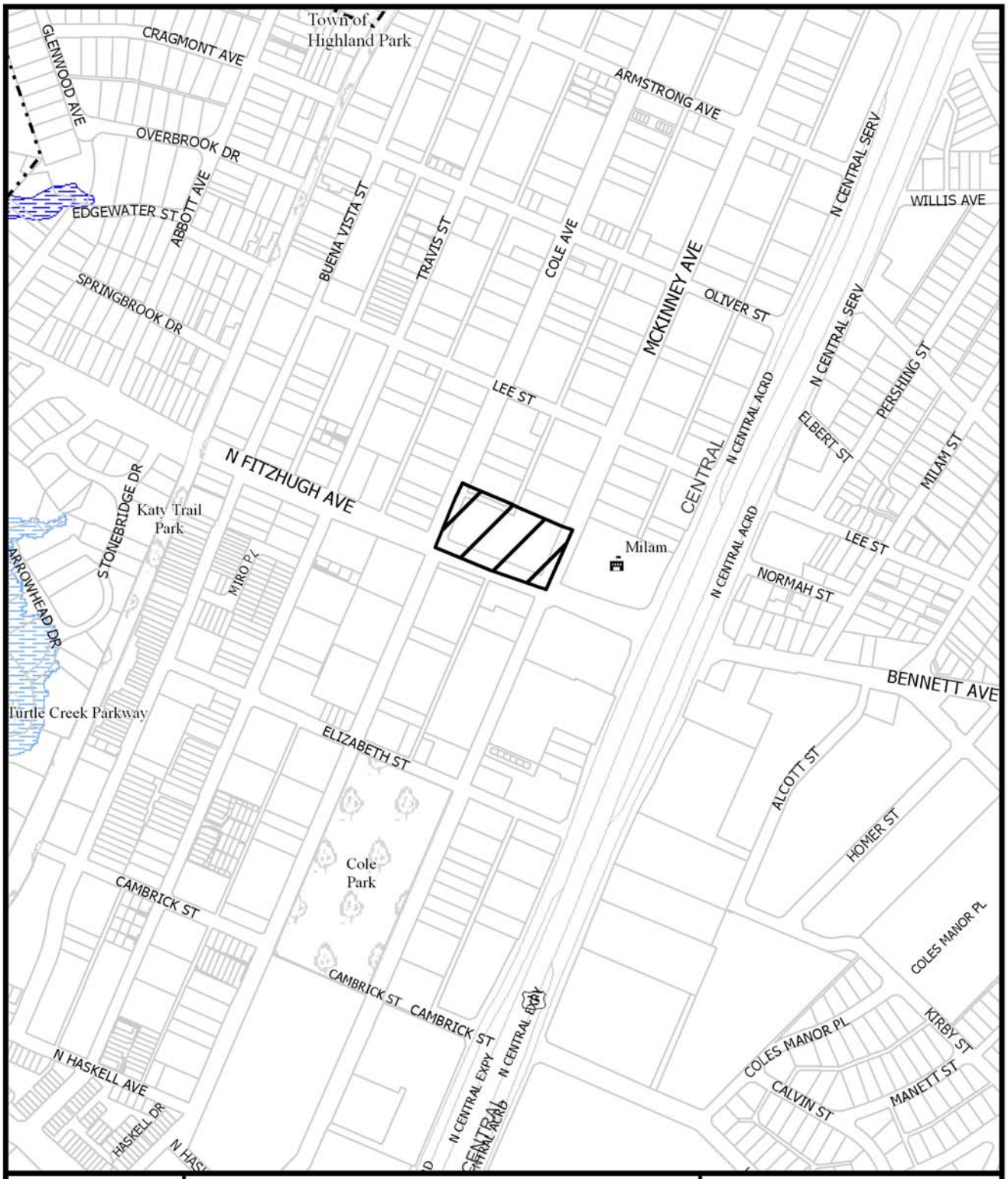
-- Service station

III.

These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for an additional period of ten (10) years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.



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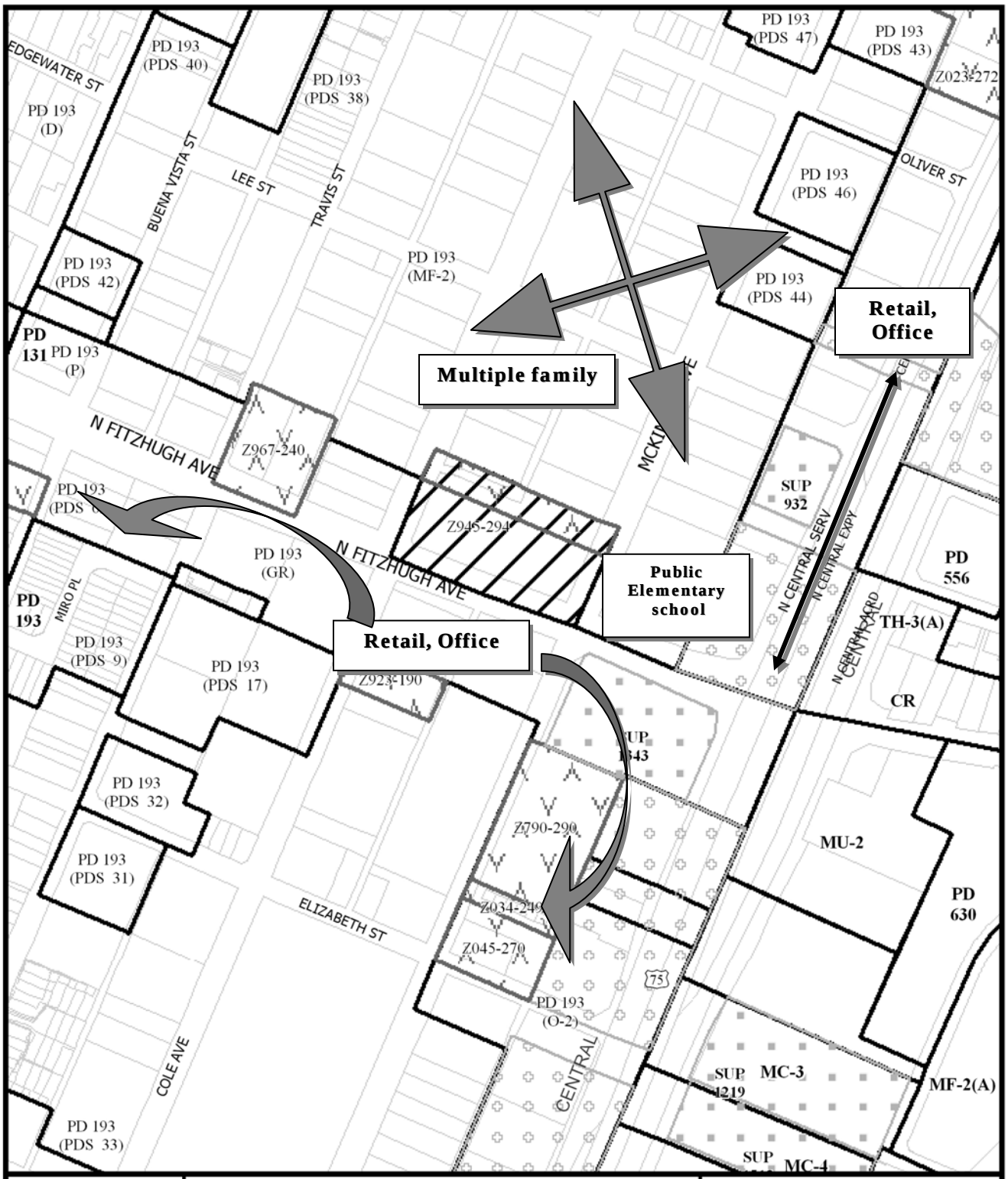
VICINITY MAP

Case no: Z123-265

Date: 5/15/2013



1:3,600

ZONING AND LAND USE

Case no: Z123-265

Date: 5/15/2013

CPC RESPONSES

427	Property Owners Notified (71 parcels)
5	Replies in Favor (5 parcels)
128	Replies in Opposition (5 parcels)
500'	Area of Notification
9/26/2013	Date

Z123-265
CPC

N W E S

1:3,600

9/26/2013

Reply List of Property Owners

Z123-265

427 Property Owners Notified 5 Property Owners in Favor 128 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
O	1	4214	COLE AVE	HOPE COTTAGE INC
O	2	4209	MCKINNEY AVE	HOPE COTTAGE INC
	3	3122	FITZHUGH AVE	TEXACO INC
	4	4131	CENTRAL EXPY	GAEDEKE HOLDINGS II LTD
	5	3121	FITZHUGH AVE	WENINGER JOHN
	6	4136	COLE AVE	4136 COLE LLC
	7	3209	FITZHUGH AVE	LAWS STREET LP
	8	3215	FITZHUGH AVE	CENTER & MILLER CO INC
	9	4145	TRAVIS ST	STILLWATER TRAVIS LP
	10	3333	FITZHUGH AVE	LEVY MAURICE
	11	3314	FITZHUGH AVE	MCCLUNG MELVIN C
	12	4211	TRAVIS ST	BELCHER DONALD S
	13	4203	COLE AVE	GRAND BANK CENTRAL AT
	14	4207	COLE AVE	GRAND BANK CENTRAL
	15	4235	COLE AVE	PIERSOL BYRON G
	16	3219	LEE ST	KNOBLER DONALD G
	17	4246	TRAVIS ST	WILSON JOHN KENNETH
	18	4232	TRAVIS ST	IPENEMA INVESTMENTS LTD
	19	3121	LEE ST	FULKS KENT ET UX VICKI
	20	4246	COLE AVE	HILTON ARMS LC
	21	4234	COLE AVE	KENT PAUL PROP INC
	22	4226	COLE AVE	IPENEMA INVESTMENTS LTD
	23	4200	MCKINNEY AVE	Dallas ISD
	24	4230	MCKINNEY AVE	IVANYI INC
	25	4302	MCKINNEY AVE	AREAC PPTIES INC
	26	4300	COLE AVE	TRINITY CHURCH

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	27	4303	COLE AVE	TBP PK CITIES I LTD
	28	4151	CENTRAL EXPY	LORTON CORPORATION THE
	29	4152	COLE AVE	4152 COLE AVE PTNR LTD
	30	4151	MCKINNEY AVE	4151 MCKINNEY JV
	31	4144	TRAVIS AVE	MINER ROBERT H
	32	4142	TRAVIS AVE	ECOB LEAH & ECOB PHILLIP
	33	4140	TRAVIS AVE	BEER CLINTON J & SARA M
	34	4138	TRAVIS AVE	TRAVIS TOWNHOMES LTD PS
	35	4215	TRAVIS ST	HILLIARD CHELSEA LEIGH
	36	4217	TRAVIS ST	KELLY STEVEN R & EVA
	37	4219	TRAVIS ST	HAJEE OMAR NAVROZ
	38	4225	TRAVIS ST	MURILLO ARMANDO
	39	4223	TRAVIS ST	CHAN LORI A
	40	4221	TRAVIS ST	BYWATERS ASHBURN JR
O	41	3224	FITZHUGH AVE	R&M I ENTERPRISES LLC
O	42	3220	FITZHUGH AVE	O SAE MUN & IN YE
	43	4242	TRAVIS ST	4242 TRAVIS OWNERS ASSO
	44	4242	TRAVIS ST	RISKEY STEVEN
	45	4242	TRAVIS ST	WALDRON MICHAEL J
	46	4242	TRAVIS ST	REVERCHON PARTNERS II LTD
	47	4242	TRAVIS ST	KNOBLER DONALD G
	48	4242	TRAVIS ST	BJORK JEFFREY S
	49	4242	TRAVIS ST	BANFI ELENA
	50	4242	TRAVIS ST	ONGENA JOSHUA P
	51	4242	TRAVIS ST	HUTYRA KATHERINE
	52	4242	TRAVIS ST	KORNGIEBEL CHIAMIN H & ROBERT W
	53	4242	TRAVIS ST	CARDONA JORGE I
	54	4242	TRAVIS ST	WALTER CHRISTOPHER K
	55	4242	TRAVIS ST	DEAL MASON CHANDLER
	56	4245	CENTRAL EXPY	4245 UPTOWN LP
O	57	4303	CENTRAL EXPY	RANDALL B ISENBERG INV

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	58	4122	TRAVIS ST	LAMB KENNETH S
	59	4122	TRAVIS ST	LANDRY CHRISTOPHER J
	60	4122	TRAVIS ST	BENDER BRIAN T
	61	4122	TRAVIS ST	YUAN LIVING TRUST
	62	4122	TRAVIS ST	TELSCHOW ROBERT D
	63	4122	TRAVIS ST	HERRING JAMES E
	64	4122	TRAVIS ST	SANDERS CHRISTOPHER DAVID
	65	4122	TRAVIS ST	PALCHIK BORIS &
	66	4122	TRAVIS ST	CASHAM WILLIAM M
	67	4122	TRAVIS ST	STAMSON GREGORY CLAYTON
	68	4122	TRAVIS ST	CHACON ANDRES J & CLAUDIA M
	69	4122	TRAVIS ST	KRESH JENNIFER
	70	4122	TRAVIS ST	ROBERTS BRETT
	71	4122	TRAVIS ST	STEINMETZ SUZANNE M
	72	4122	TRAVIS ST	GOOD DANIEL J
	73	4122	TRAVIS ST	GONZALEZ STEVEN J
	74	4122	TRAVIS ST	MACALLISTER NOREEN K
	75	4122	TRAVIS ST	LEE JAMES
	76	4122	TRAVIS ST	WHITE ELISA D
	77	4307	MCKINNEY AVE	ARBONA JORGE
	78	4307	MCKINNEY AVE	HAGHAYEGHI MEHRDAD &
	79	4307	MCKINNEY AVE	DONSKEY SUZANNE W
	80	4307	MCKINNEY AVE	DUNCAN NOLAN S
	81	4307	MCKINNEY AVE	DEALANO TOMMY EDWARD
	82	4307	MCKINNEY AVE	ORTMANN DUSTIN H
	83	4307	MCKINNEY AVE	MCELROY MARY & TERRY S JOINT TENANTS WIT
	84	4307	MCKINNEY AVE	ROGERS LESLIE D
	85	4307	MCKINNEY AVE	MARTIN KELLYE J
	86	4307	MCKINNEY AVE	DOTY JASON
	87	4307	MCKINNEY AVE	HOPKINS ELIZABETH M
	88	4307	MCKINNEY AVE	CHANNABASAPPA NANDINI

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	89	4307	MCKINNEY AVE	CLAUNCH JASON & SHELLY A
	90	4307	MCKINNEY AVE	ZIDE JACOB
	91	4225	MCKINNEY AVE	CHEEK RICHARD HEATH
	92	4225	MCKINNEY AVE	HEBARD RICHARD
	93	4225	MCKINNEY AVE	BLAKE HUGO G
	94	4225	MCKINNEY AVE	ORTEGON ANTHONY
	95	4225	MCKINNEY AVE	JASIN PAUL N
	96	4225	MCKINNEY AVE	SPYHALSKI CRAIG A
	97	4225	MCKINNEY AVE	TAYLOR PAUL W
	98	4225	MCKINNEY AVE	SALIM STEPHEN M
	99	4225	MCKINNEY AVE	CAMPUZANO SUSANA
	100	4225	MCKINNEY AVE	HARRISON DAVID C
	101	4225	MCKINNEY AVE	HAMPTON ROBERT E &
	102	4225	MCKINNEY AVE	CARSON JAY
	103	4225	MCKINNEY AVE	WILHITE MOLLY K
	104	4225	MCKINNEY AVE	MU AUSTIN
	105	4225	MCKINNEY AVE	NELSON CRAIG DAVID
	106	4225	MCKINNEY AVE	ALLEN JAMES RONALD
	107	4225	MCKINNEY AVE	BOUGAEVA OLGA
X	108	4121	MCKINNEY AVE	CHAPMAN CARLYLE H &
X	109	4121	MCKINNEY AVE	BROWN MARCUS D
X	110	4121	MCKINNEY AVE	GRIFFIN AMANDA L
X	111	4121	MCKINNEY AVE	SEIDEL DOUGLAS P &
X	112	4121	MCKINNEY AVE	YU BIN & ZHIHONG HU
X	113	4121	MCKINNEY AVE	DIXON RONALD
X	114	4121	MCKINNEY AVE	LOGSDON ANTHONY
X	115	4121	MCKINNEY AVE	MURPHY KATHLEEN M
X	116	4121	MCKINNEY AVE	SISLE WENDY Z
X	117	4121	MCKINNEY AVE	PAXSON SARAH M
X	118	4121	MCKINNEY AVE	CEARLOCK WILLIAM TODD &
X	119	4121	MCKINNEY AVE	CHERIYAN ABRAHAM &

9/26/2013

Reply	*Label #*	*Address*		*Owner*
X	120	4121	MCKINNEY AVE	KNETSCH WILLIAM LEE
X	121	4121	MCKINNEY AVE	BOWIE JAMES P &
X	122	4121	MCKINNEY AVE	MAN JASON S & LIANGPING JIA
X	123	4121	MCKINNEY AVE	PAYNE MARTIN A
X	124	4121	MCKINNEY AVE	BART ANDREA M
X	125	4121	MCKINNEY AVE	VAZQUEZ JESSICA
X	126	4121	MCKINNEY AVE	DONAHUE CRAIG
X	127	4121	MCKINNEY AVE	MURRAY MOLLY M
X	128	4121	MCKINNEY AVE	WEGNER RICHARD
X	129	4121	MCKINNEY AVE	SAAB ANTHONY G &
X	130	4121	MCKINNEY AVE	MOSIER MATTHEW B
X	131	4121	MCKINNEY AVE	OUYANG JAENNETTE &
X	132	4121	MCKINNEY AVE	SEDLIN DAVID
X	133	4121	MCKINNEY AVE	BROWN MATTHEW T
X	134	4121	MCKINNEY AVE	LAWLER LISKEN E
X	135	4121	MCKINNEY AVE	CLARK CHARNELLE DUSAN
X	136	4121	MCKINNEY AVE	DYSON FREDERICK M
X	137	4121	MCKINNEY AVE	CHUNG TAEJIN
X	138	4121	MCKINNEY AVE	CARSON DAWN
X	139	4121	MCKINNEY AVE	CHURCH JULIE A
X	140	4121	MCKINNEY AVE	WRIGHT MICHAEL &
X	141	4121	MCKINNEY AVE	GEORGIA KRISTEN MARY
X	142	4121	MCKINNEY AVE	RUSSO DANIEL
X	143	4121	MCKINNEY AVE	KING DONNIE M &
X	144	4121	MCKINNEY AVE	CHASANOFF STUART J
X	145	4121	MCKINNEY AVE	DREILING ADRIENNE
X	146	4121	MCKINNEY AVE	HOLBERT ELLYN
X	147	4121	MCKINNEY AVE	SIMS JO ANN
X	148	4121	MCKINNEY AVE	NICEWANDER DAVID
X	149	4121	MCKINNEY AVE	ROPER VERONICA
X	150	4121	MCKINNEY AVE	CUSACK PHILLIP J

9/26/2013

Reply	*Label #*	*Address*		*Owner*
X	151	4121	MCKINNEY AVE	FLEMING CHERYL R
X	152	4121	MCKINNEY AVE	ANSINELLI EMELINE &
X	153	4121	MCKINNEY AVE	JEKAUC IGOR
X	154	4121	MCKINNEY AVE	HODGE CHRISTINE
X	155	4121	MCKINNEY AVE	SLAUGHTER JUSTIN
X	156	4121	MCKINNEY AVE	JAREMSKI PAUL & JULIETA
X	157	4121	MCKINNEY AVE	RIVERA SARA & FRANK JAMES
X	158	4121	MCKINNEY AVE	YOUNG DARREN
X	159	4121	MCKINNEY AVE	TOUPS STEPHANIE & JAMES
X	160	4121	MCKINNEY AVE	ANTONIELLO MAISIE & DARREN
X	161	4121	MCKINNEY AVE	SHANAHAN RICHARD
	162	4111	COLE AVE	BARON RICK
	163	4111	COLE AVE	WACHSMANN JASON & MEGAN
	164	4111	COLE AVE	DAVIS WILLIAM W &
	165	4111	COLE AVE	MISUTKA VICTORIA
	166	4111	COLE AVE	MAH JEFFERY L
	167	4111	COLE AVE	LANG CATHLEEN
	168	4111	COLE AVE	VANDECAR ELIZABETH J
	169	4111	COLE AVE	TENNEY EMILY M
	170	4111	COLE AVE	BURTIS TODD D
	171	4111	COLE AVE	BORG SANDY J & JOSEPH D
	172	4111	COLE AVE	KRISCH BRADLEY & K D
	173	4111	COLE AVE	TRAN RITA
	174	4111	COLE AVE	ROBERTSON JULIE A
	175	4111	COLE AVE	LAW HUAYZONG&
	176	4111	COLE AVE	SHUTTLESWORTH SHELLEY D
	177	4111	COLE AVE	GALLAGHER SEAN
	178	4111	COLE AVE	PENDLEY LANCE
	179	4111	COLE AVE	GOULD KEVIN J
	180	4111	COLE AVE	SMITHHART HAYLEY
	181	4111	COLE AVE	BROWN CRAIG & SUSAN

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	182	4111	COLE AVE	JOHNSON LINDSAY B
	183	4111	COLE AVE	BAXTER ANNABELLE
	184	4111	COLE AVE	JACKSON TANYA IVEY
	185	4111	COLE AVE	MORGAN SEAN M
	186	4111	COLE AVE	LOVE KATHRYN A
	187	4111	COLE AVE	VIGEN REBECCA
	188	4111	COLE AVE	HYDE ANDREW WARREN
	189	4111	COLE AVE	SHERER DAVID B
	190	4111	COLE AVE	BONDARENKO KOSTYANTYN V
	191	4111	COLE AVE	CHOI JOHN J
	192	4111	COLE AVE	DAS TONY S
	193	4111	COLE AVE	CAVAZOS ELOY R III
	194	4111	COLE AVE	TRAN CAONHA P
	195	4111	COLE AVE	SOVERN BRITTNEY L
	196	4111	COLE AVE	TWITTY BRAD D &
	197	4111	COLE AVE	JOHNSON CODY
	198	4111	COLE AVE	DILLION TRAVIS
	199	4111	COLE AVE	MURRELL DAVID A
	200	4111	COLE AVE	BARNETT BRANDON
	201	4111	COLE AVE	SCHOTTENHEIMER STEELE
	202	4111	COLE AVE	SHINDLER JAMES C II
	203	4111	COLE AVE	ASCARI NICOLETTA
	204	4111	COLE AVE	MAH JEFFREY
	205	4125	COLE AVE	LE JOHNNY &
	206	4125	COLE AVE	HONEYCUTT LEIGH
	207	4125	COLE AVE	KAPPEL KANDACE
	208	4125	COLE AVE	MCCARTHY MICHAEL J
	209	4125	COLE AVE	CUNNINGHAM JANETTA LAIRD
	210	4125	COLE AVE	KOGER RITA ANNE GRIFFIN
	211	4125	COLE AVE	KILBANE BRYAN C
	212	4125	COLE AVE	BANDT JUSTIN W

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	213	4125	COLE AVE	BLAU ADAM J
	214	4125	COLE AVE	BLEDSOE MATT C IV &
	215	4125	COLE AVE	ADRI AVI A
	216	4125	COLE AVE	PACE MONICA
	217	4125	COLE AVE	DEANS KRISTINA
	218	4125	COLE AVE	CHANG JOHNNY
	219	4125	COLE AVE	RUSSELL JOHN
	220	4125	COLE AVE	SCHAFFER JUDITH A
	221	4125	COLE AVE	PITZER PHILLIP CLARK
	222	4125	COLE AVE	BETTS JESSE
	223	4125	COLE AVE	ZIAKS STUART E &
	224	4125	COLE AVE	DURRUM SARAH E
	225	4125	COLE AVE	METTMAN AMY K
	226	4125	COLE AVE	AUSTIN JOSEPH M &
	227	4125	COLE AVE	FEAVEL DAVID L & MICHELLE A
	228	4125	COLE AVE	LESTER JEFFREY F
	229	4221	COLE AVE	WILLIAMS TAYLOR L & GWENDOLYN E
	230	4221	COLE AVE	MILLERMAN ERIC S
	231	4221	COLE AVE	FORD BRENDA J
	232	4221	COLE AVE	EDLUND CHRISTIANNE
	233	4221	COLE AVE	CROWDER TYLER
	234	4221	COLE AVE	SOFFER STEPHEN M
	235	4221	COLE AVE	TRAN MINH
	236	4221	COLE AVE	GIBBS THOMAS A
	237	4221	COLE AVE	SQUIBB CARL R & JULIE Y
	238	4221	COLE AVE	MARCINSKI DENISE R
	239	4221	COLE AVE	LI ALBERT
	240	4221	COLE AVE	MORAN MATTHEW
	241	4221	COLE AVE	LOVE DAVID & RUTH
	242	4221	COLE AVE	STARK SKIP
	243	4221	COLE AVE	REINHART ACHIM H

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	244	4221	COLE AVE	SHETH POOJA &
	245	4221	COLE AVE	SHELTON THOMAS
	246	4221	COLE AVE	DELARIO MICHAEL J
	247	4221	COLE AVE	SMITH STEVEN K
	248	4223	COLE AVE	COKER STEPHEN K
	249	4223	COLE AVE	CORCRAN JENNIFER
	250	4223	COLE AVE	GENTRY CHARLES EDWARD JR
	251	4223	COLE AVE	MAPPS LINDA LEE
	252	4223	COLE AVE	CASTEEL BRANDON G
X	253	4229	COLE AVE	LE ANNIE
X	254	4229	COLE AVE	YOUNG AMY C
X	255	4229	COLE AVE	FERNANDEZ KATHRYN N
X	256	4229	COLE AVE	COOKE KATHRYN T
X	257	4229	COLE AVE	BOUNDS JEANINE T
X	258	4229	COLE AVE	HSBC MORTGAGE SERVICES INC
X	259	4229	COLE AVE	ROTH JENNIFER M
X	260	4229	COLE AVE	PATTERSON JULIA M
X	261	4229	COLE AVE	ADAMS NANCY D
X	262	4229	COLE AVE	MAIS LESLI M
X	263	4229	COLE AVE	AZANO JONATHAN D
X	264	4229	COLE AVE	HARRIS AUBRY & ANGEILA
X	265	4229	COLE AVE	HERRIN CYRUS D
X	266	4229	COLE AVE	MARTINEZ OSCAR
X	267	4229	COLE AVE	HUFF CHARLES
X	268	4229	COLE AVE	BLOOM ERICA L
X	269	4229	COLE AVE	MILLICAN STEPHANIE DEANNA
	270	4237	COLE AVE	BROWN SUZANNA L
	271	4237	COLE AVE	BILLARD JAMES T
	272	4237	COLE AVE	THIER MARK D
	273	4237	COLE AVE	ADAMS AMY L
	274	4237	COLE AVE	IKELMAN STEFAN KRISTOFER

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	275	4161	MCKINNEY AVE	4161 MCKINNEY AVE LLC
	276	4161	MCKINNEY AVE	DIEB J STEPHEN
	277	4238	MCKINNEY AVE	PATEL NIMESH
	278	4238	MCKINNEY AVE	ANDERSON DONALD & LINDA
	279	4238	MCKINNEY AVE	ALSEDEK STEVEN M
	280	4238	MCKINNEY AVE	ROMAN CAPITAL VENTURES LL
	281	4238	MCKINNEY AVE	ALOLABI MOHAMMAD RAGHID
	282	4238	MCKINNEY AVE	NAVITIMER HOLDINGS TRUST
	283	4232	MCKINNEY AVE	FELL DELAINA
	284	4232	MCKINNEY AVE	BREITHAUPT THERESA
	285	4232	MCKINNEY AVE	GREENE ELIZABETH
	286	4232	MCKINNEY AVE	BURNES ELLEN L
	287	4232	MCKINNEY AVE	SUN PATRICIA
	288	4232	MCKINNEY AVE	CHRISTISON DENISE B
	289	4232	MCKINNEY AVE	ANDREW LORRI J
	290	4232	MCKINNEY AVE	NAVA MARTHA
	291	4232	MCKINNEY AVE	TABAIE MORT & JENNIFER
	292	4232	MCKINNEY AVE	SMITH LEESA L
	293	4232	MCKINNEY AVE	HIGHTOWER GREGORY D &
	294	4301	MCKINNEY AVE	WILLIAMS JEFFREY B
	295	4301	MCKINNEY AVE	JACKSON KENNETH & LUCIANA JACKSON
	296	4301	MCKINNEY AVE	WADDILL RACHEL CLAIRE
	297	4301	MCKINNEY AVE	HAMPTON ROBERT & MARILYN
	298	4301	MCKINNEY AVE	MCCLAIN DENNIS
	299	4301	MCKINNEY AVE	BRIZIUS CHARLES A JR
	300	4230	TRAVIS ST	WREN CHRIS & CRISTI
	301	4230	TRAVIS ST	KATZ MICHAEL W
	302	4230	TRAVIS ST	GARZA VICTOR M
	303	4230	TRAVIS ST	DAVIS BRIAN D
	304	4230	TRAVIS ST	ROONEY PATRICK D
	305	4230	TRAVIS ST	STRONG HILLARY

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	306	4230	TRAVIS ST	GOODMAN JEFFREY
	307	4230	TRAVIS ST	LUHR CHANTAL
	308	4230	TRAVIS ST	STUCKEY TYRE W
	309	4230	TRAVIS ST	CAPALBO ANTHONY A
	310	4230	TRAVIS ST	THILL MICHAEL
	311	4230	TRAVIS ST	GIATAS YOANNA M
X	312	4239	MCKINNEY AVE	LAM PHAT VAN
X	313	4239	MCKINNEY AVE	APELT CAROL ANNE
X	314	4239	MCKINNEY AVE	LAM PHAT VAN
X	315	4239	MCKINNEY AVE	SNOW JIM EDD &
X	316	4239	MCKINNEY AVE	KNOBLER DONALD
X	317	4239	MCKINNEY AVE	KNOBLER DONALD R
X	318	4239	MCKINNEY AVE	BROWN THOMAS L & JULIE A
X	319	4239	MCKINNEY AVE	NELSON JANE A
X	320	4239	MCKINNEY AVE	GOGGANS MARGIE LEIGH
X	321	4239	MCKINNEY AVE	PEDERSEN FRED C
X	322	4239	MCKINNEY AVE	JOHNSON BRUCE A & NANCY
X	323	4239	MCKINNEY AVE	GABLE LEITA ANNE
X	324	4239	MCKINNEY AVE	HOOVER MARY P
X	325	4239	MCKINNEY AVE	MCELROY HOWARD WYNNE
X	326	4239	MCKINNEY AVE	CARR BARBARA A
X	327	4239	MCKINNEY AVE	LISA ALBERTO
X	328	4239	MCKINNEY AVE	COGGINS ROBERT E
X	329	4239	MCKINNEY AVE	SHELTON BENNY M
X	330	4239	MCKINNEY AVE	CHIOK MILAGROS CHANG &
X	331	4239	MCKINNEY AVE	CULBERTSON DAVID E
X	332	4132	COLE AVE	PISPIDIKIS JOHN
X	333	4132	COLE AVE	ELIAS CAROL FUZETI
X	334	4132	COLE AVE	STONE MAREY E
X	335	4132	COLE AVE	KEEVAK MICHAEL L
X	336	4132	COLE AVE	MOUNTAIN BRIAN P

9/26/2013

Reply	*Label #*	*Address*		*Owner*
X	337	4132	COLE AVE	MCCLELLAND JODIE MARIE
X	338	4132	COLE AVE	DAVIS TOBY D
X	339	4132	COLE AVE	PLATT JOEY
X	340	4132	COLE AVE	PARSELL JOYCE
X	341	4132	COLE AVE	NELSON STEPHEN A
X	342	4124	COLE AVE	COLLIER KEVIN MERLE
X	343	4124	COLE AVE	SHOCKNEY MARION M
X	344	4124	COLE AVE	HILSCHER MATTHEW S
X	345	4124	COLE AVE	WINTERS LEONARD MAURICE
X	346	4124	COLE AVE	KNUTSON JEFFREY O
X	347	4124	COLE AVE	JIN YINGQIN E
X	348	4124	COLE AVE	LABRUZZO DARREN
X	349	4124	COLE AVE	SIMPSON SUSAN S
X	350	4124	COLE AVE	HUDDLESTON MARY L
X	351	4124	COLE AVE	ERICKSON KIMBERLY E
X	352	4124	COLE AVE	SORENSON MARK E
X	353	4116	COLE AVE	BOGARD KERRY BRYAN
X	354	4116	COLE AVE	MCLAUGHLIN JONATHON E &
X	355	4116	COLE AVE	LOWER KATHERINE
X	356	4116	COLE AVE	RODRIGUEZ LISA
X	357	4116	COLE AVE	ALMAREZ JOHN TODD
X	358	4116	COLE AVE	EQUITY TRUST CO CUST FBO 81326 IRA &
X	359	4116	COLE AVE	PITRE DELAINA R
X	360	4116	COLE AVE	SALVAGGIO JOHN & MARTHA
X	361	4116	COLE AVE	MACINTYRE KAY LOUISE
X	362	4116	COLE AVE	PISPIDIKIS JOHN ETAL
X	363	4219	MCKINNEY AVE	HORN JEFF J JR
X	364	4219	MCKINNEY AVE	MARLEY STEPHEN
X	365	4219	MCKINNEY AVE	GOLDBERG ROBERT ALAN
X	366	4219	MCKINNEY AVE	CORREA PEDRO R &
X	367	4219	MCKINNEY AVE	VALENZUELA ADRIAN &

9/26/2013

Reply	*Label #*	*Address*		*Owner*
X	368	4219	MCKINNEY AVE	RAHIMPOUR KOUROSH
	369	4300	TRAVIS ST	IPENEMA INVESTMENTS LTD
	370	4300	TRAVIS ST	IPENEMA INVESTMENST LTD
	371	4300	TRAVIS ST	IPENEMA INVESTMENTS LTD
	372	4134	TRAVIS ST	PRIETO RENE
	373	4134	TRAVIS ST	MOFFAT LARA
	374	4134	TRAVIS ST	HOUGHTON JUSTIN K
	375	4134	TRAVIS ST	SCHUCH DON & SANDRA
	376	4134	TRAVIS ST	STEWART JAMIE W
	377	4134	TRAVIS ST	HUDNOR SCOTT
	378	4134	TRAVIS ST	US BANK NATL ASSN
	379	4134	TRAVIS ST	RUMPPE MILES E
	380	4134	TRAVIS ST	PALAVICINI GIOVANIE
	381	4134	TRAVIS ST	NINGCHAROEN NICHOLAS KIT
	382	4134	TRAVIS ST	LANGHOFF JASON
	383	4134	TRAVIS ST	LEFTWICH ASHLEY & CHARLES S
	384	4134	TRAVIS ST	ADAMS THOMAS PHILIP
	385	4134	TRAVIS ST	MCCROREY WILLIAM
	386	4134	TRAVIS ST	PACCHIANO MARCO & NICOLE L
	387	4134	TRAVIS ST	WATSON RYAN M
	388	4134	TRAVIS ST	KRISTINE A CHRISTENSEN LIVING TRUST
	389	4134	TRAVIS ST	TFHSP SERIES T18 LLC
	390	4134	TRAVIS ST	SAGE BRITTANY ANN
	391	4134	TRAVIS ST	WILLIAMS JENNY ANICHINI
	392	4134	TRAVIS ST	ASH ELIZABETH ANN
	393	4134	TRAVIS ST	AITSON PATRICIA
	394	4231	TRAVIS ST	BELCHER ROBERT
	395	4231	TRAVIS ST	YOH AMANDA
	396	4231	TRAVIS ST	PLEDGER JOHN J
	397	4231	TRAVIS ST	GUENTHER ELLEN P
	398	4231	TRAVIS ST	WATANABE YUKIKO

9/26/2013

Reply	*Label #*	*Address*		*Owner*
	399	4231	TRAVIS ST	IGO ANNA &
	400	4231	TRAVIS ST	GREEN KAREN
	401	4231	TRAVIS ST	ADDAMS JAMES & DEBORAH
	402	4231	TRAVIS ST	JENKS MICHAEL T
	403	4231	TRAVIS ST	BANCHEREAU ROMAIN &
	404	4231	TRAVIS ST	PAN JAMES & NGUYEN THUY
	405	4231	TRAVIS ST	HILYARD MURRAY W
	406	4231	TRAVIS ST	POPE DEREK L
	407	4231	TRAVIS ST	FRIEDMAN SUSAN
	408	4231	TRAVIS ST	VELASCO KARLA MARIA
	409	4231	TRAVIS ST	SKELTON AMY BROOKE
	410	4231	TRAVIS ST	HORNER EMILY B
	411	4231	TRAVIS ST	CARRIERO GIANCARLO D
	412	4231	TRAVIS ST	STEGEMOELLER MARTIN F
	413	4231	TRAVIS ST	CHAN MING
	414	4231	TRAVIS ST	STONE WILTON
	415	4231	TRAVIS ST	LIFFMAN CAROL K
	416	4231	TRAVIS ST	HEDGCOCK BART
	417	4231	TRAVIS ST	HARTNETT JAMES JR & ANNE
	418	4231	TRAVIS ST	BURKE SHARON L
	419	4231	TRAVIS ST	WILLIAMS SHANNON M
	420	4231	TRAVIS ST	HOWDY RICHARD P JR
	421	4231	TRAVIS ST	MILES MICHAEL M
	422	4231	TRAVIS ST	PETERSON REBECCA C
	423	4231	TRAVIS ST	MAWK THOMAS D
	424	4231	TRAVIS ST	BUTLER NATALIE M
	425	4231	TRAVIS ST	VILLEGAS SERGIO A
	426	4231	TRAVIS ST	SHIDID DANIEL
	427	4231	TRAVIS ST	WESTBROOK LANCE & TAMARA

AGENDA ITEM # 63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 13

DEPARTMENT: Trinity Watershed Management

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

MAPSCO: 24 X

SUBJECT

A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 1,462 square feet of the current 1.589 acres of land located at 4040 Cochran Chapel, of which 1.258 acres is within the floodplain of Bachman Branch, Fill Permit 13-03 - Financing: No cost consideration to the City

BACKGROUND

This request is to fill approximately 1,462 square feet of the current 1.258 acres of floodplain to be used for a single family residence. The proposed fill is located at 4040 Cochran Chapel within the floodplain of Bachman Branch. The existing home, which has had multiple flood insurance claims, would be removed and a retaining wall constructed within its footprint. The new home would be built on fill behind the retaining wall and would be elevated above the floodplain.

A neighborhood meeting was held at the Bachman Recreation Center, on September 24, 2013. There were six citizens present. Other attendees included two of the applicant's engineers, and three city staff members; there were no objections to the fill permit.

The fill permit application meets all engineering requirements for filling in the floodplain as specified in Part II of the Dallas Development Code, Section 51A-5.105(h). The applicant has not requested a waiver of any criteria. Accordingly, the City Council should approve this application; or, it may pass a resolution to authorize acquisition of the property under the laws of eminent domain and may then deny the application in order to preserve the status quo until acquisition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the city.

OWNER/APPLICANT

Mr. & Mrs. Steven Smith
4040 Cochran Chapel
Dallas, Texas 75209

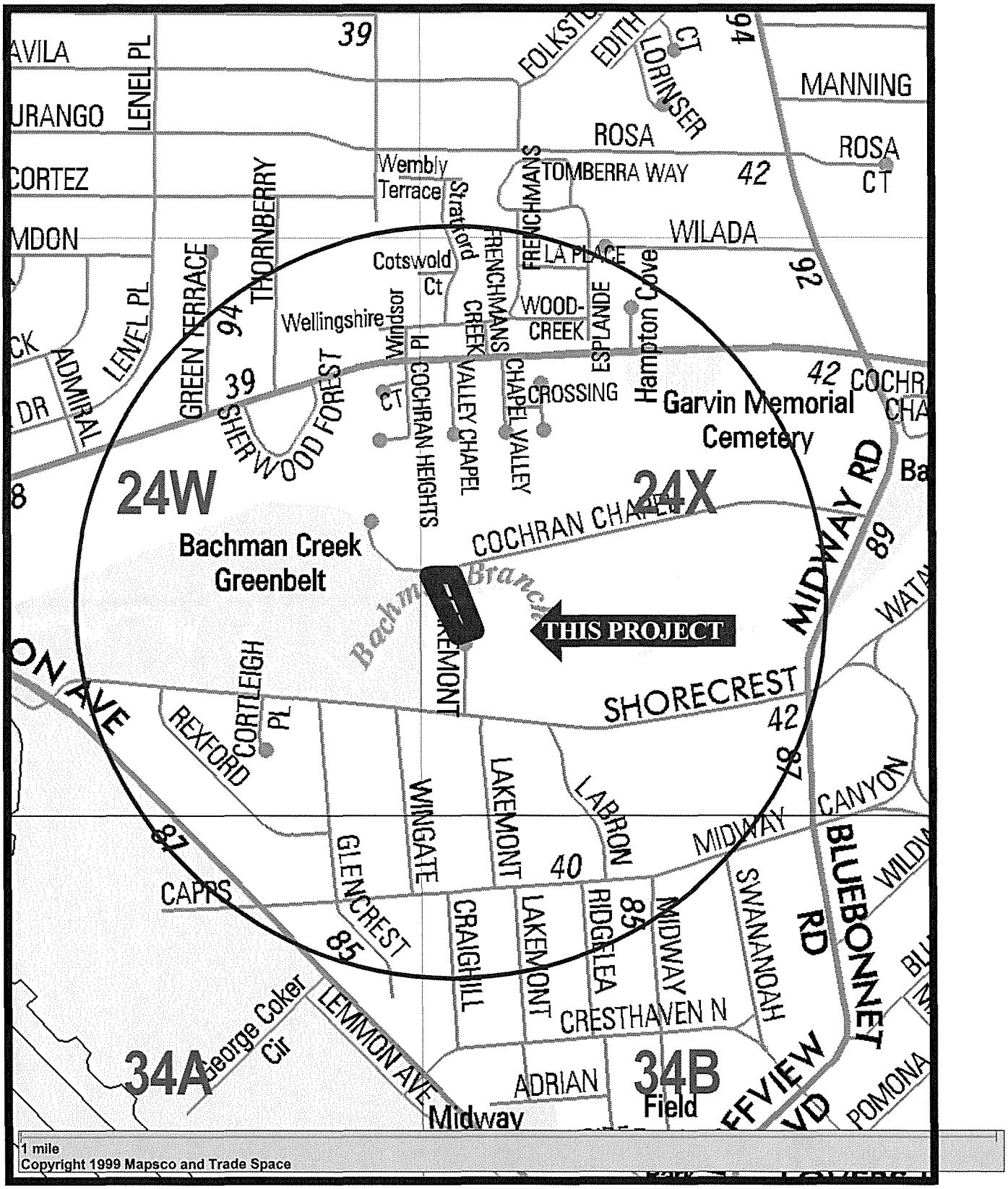
ENGINEER

Jeremy A. Smith, P.E.,
Hennessey Engineers, Inc.
1417 W. Main, Suite 100
Carrollton, Texas 75006

MAP

Attached.

FILL PERMIT 13-03



MAPSCO 24-X

AGENDA ITEM # 64

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 1, 2, 3, 4, 5, 6, 7, 8

DEPARTMENT: Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 33 34 35 36 37 38 42 43 44 45 46 47 48 49 51 52 53 54 55 56 57 58 59 61 62 63 64 65 66 67 68 69 70 71 73 74 75 76

SUBJECT

A public hearing to receive comments on the proposed City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan; and at the close of the public hearing, consideration of approval of the City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City

BACKGROUND

Chapter 379C of the Texas Local Government Code ("Act") requires that the governing body of the municipality that adopts an Urban Land Bank Demonstration Program adopt a plan annually. The plan must include: (1) a list of parcels of real property that may become eligible for sale to the land bank for development of affordable housing on such parcels in the upcoming year, (2) the municipality's plan for affordable housing development on such parcels, (3) a list of the community housing development organizations eligible to participate in the right of first refusal provided by the Act, and (4) the sources and amounts of funding anticipated being available from the municipality for development of affordable housing. A copy of the proposed FY 2013-14 Urban Land Bank Demonstration Program Plan ("Plan") is attached as "Exhibit A" to the resolution.

Before adopting the FY 2013-14 Plan, the City of Dallas must hold a public hearing on the proposed Plan. In accordance with the Act, the City of Dallas provided notice of the hearing to all City-certified Community Housing Development Organizations (CHDOs) and to neighborhood associations identified by the City as serving the neighborhoods in which properties anticipated to be available for sale to the land bank are located.

In addition, the City of Dallas made copies of the proposed Plan available to the taxing entities and to the public beginning August 14, 2013. The proposed Plan is attached to this agenda item as "Exhibit A."

PRIOR ACTION/REVIEW (COUNCIL, BOARDS COMMISSIONS)

On January 28, 2004, the City Council authorized the establishment of the Dallas Housing Acquisition and Development Corporation ("DHADC") as its land bank, authorized amendments to the Articles of Incorporation and By-Laws of the DHADC, and authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458.

On August 14, 2013, the City Council approved the calling of a public hearing for the City of Dallas FY 2013-14 Urban Land Bank Demonstration Program Plan by Resolution No. 13-1298.

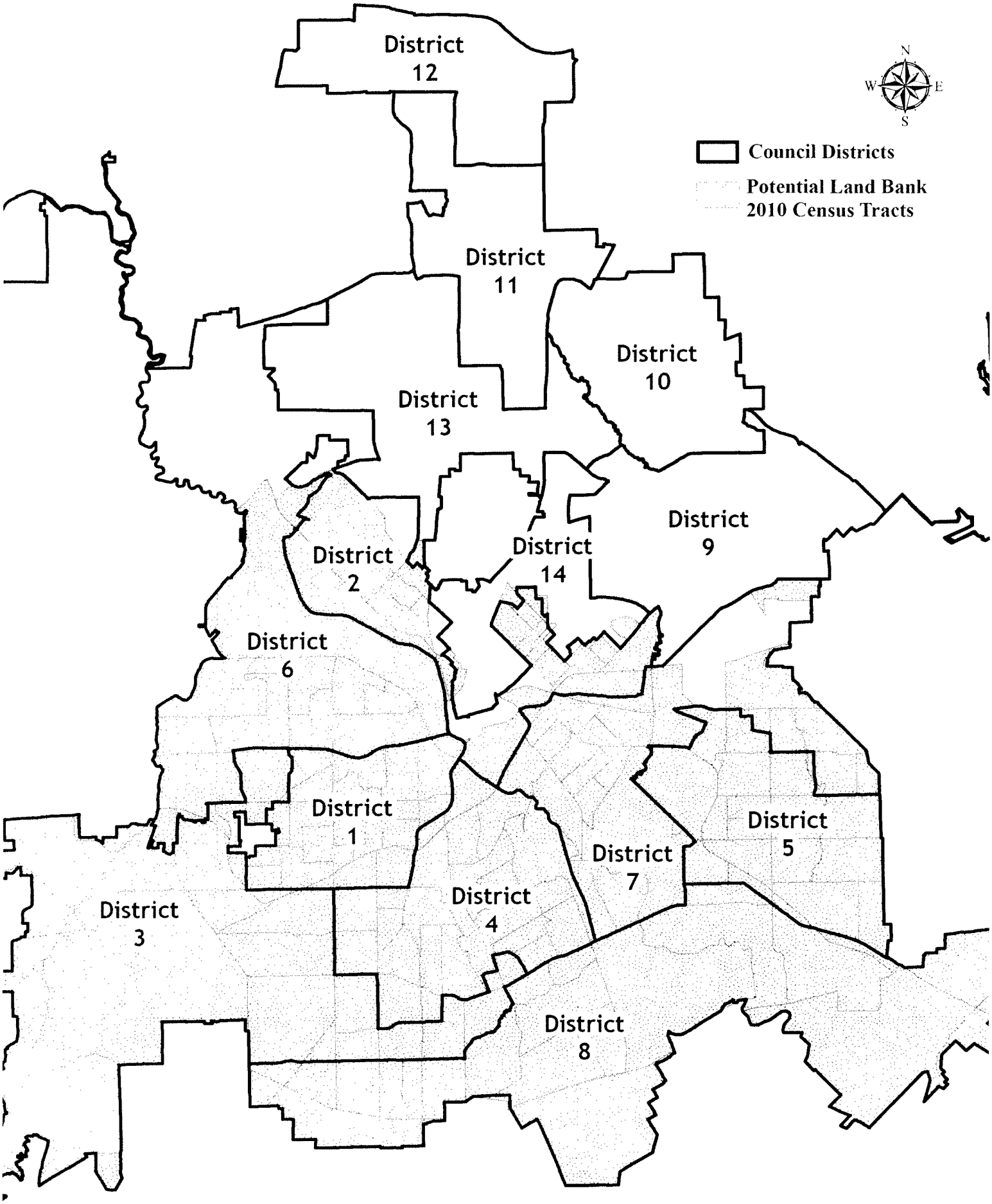
FISCAL INFORMATION

No cost consideration to the City

MAP

Attached

Potential Land Bank Census Tracts
2013-2014



H:\GIS\LandBank\Potential Land Bank Target Area by Council District\LandBank_Target_Council_Districts.mxd

October 23, 2013

WHEREAS, the State Legislature enacted and the Governor signed the Urban Land Bank Demonstration Program Act, Chapter 379C of the Texas Local Government Code ("Act") to enable the foreclosure of unproductive properties and sale to a land bank for the development of affordable housing; and

WHEREAS, on January 28, 2004, the City Council authorized the establishment of the Dallas Housing Acquisition and Development Corporation ("DHADC") as its land bank, authorized amendments to the Articles of Incorporation and By-Laws of the DHADC, and authorized an interlocal contract with the affected taxing jurisdictions for participation in the Dallas Urban Land Bank Demonstration Program by Resolution No. 04-0458; and

WHEREAS, the City of Dallas desires to operate an Urban Land Bank Demonstration Program during the Fiscal Year 2013-14, beginning October 1, 2013; and

WHEREAS, the Act requires that a municipality that has adopted an Urban Land Bank Demonstration Program hold a public hearing and adopt an Urban Land Bank Demonstration Program Plan annually; and

WHEREAS, a public hearing was held on October 23, 2013 for public comment on the proposed FY 2013-14 Urban Land Bank Demonstration Program Plan satisfying the requirements set forth in the Act; **NOW, THEREFORE**,

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

Section 1. That the FY 2013-14 Urban Land Bank Demonstration Program Plan attached as "Exhibit A" is hereby approved.

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.

EXHIBIT A

Urban Land Bank Demonstration Program Plan Fiscal Year 2013-14

City of Dallas

Housing Department
1500 Marilla Street
Room 6DN
Dallas, Texas 75201

October 23, 2013

OVERVIEW

The 2003 Texas Urban Land Bank Demonstration Act, as amended, provides an opportunity for Dallas to address the dual needs of insufficient affordable housing and older neighborhoods at risk. 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 for purposes of affordable housing development.

The governing body of a municipality that adopts an Urban Land Bank Demonstration Program must adopt a plan annually. The plan for fiscal year 2013-14 includes the following elements:

1) A list of the parcels of real property that may become eligible for sale to the land bank during the plan year,

2) An estimate of the total number of tax lawsuits to be filed to acquire land bank properties in the plan year.

3) The proposed sale price of the properties anticipated to be sold to "qualified participating developers" during the plan year.

4) A list of community housing development organizations eligible to participate in the "right of first refusal" for acquisition and development of real property sold to the land bank,

5) The municipality's plan for affordable housing development on those parcels of real property, and

6) The sources and amounts of funding anticipated being available from the municipality for subsidies for development of affordable housing in the municipality, including any money specifically available for housing developed under the program, as approved by the governing body of the municipality at the time the plan is adopted.

The City of Dallas proposes to implement a local Urban Land Bank Demonstration Program and presents this plan for implementation. Before adopting the FY 2013-14 plan, the City of Dallas will hold a public hearing on the proposed plan. The City of Dallas will provide notice of the hearing to all City certified Community Housing Development Organizations (CHDOs) and to neighborhood associations identified by the City as serving the neighborhoods in which properties anticipated to be available for sale to the land bank are located. The City of Dallas will make copies of the proposed plan available to the public not later than the 60th day before the date of the public hearing.

Following the adoption of the FY 2013-14 Urban Land Bank Demonstration Program Plan, the plan will be implemented and the annual performance reports on the plan will be available through the Housing Department no later than November 1, 2014. The performance report for the FY 2012-13 Urban Land Bank Demonstration Program Plan will be available no later than November 1, 2013.

CITY OF DALLAS' FY 2013-14 URBAN LAND BANK DEMONSTRATION PROGRAM PLAN

Parcels of Property

The objective of the City of Dallas' Urban Land Bank Demonstration Program is to acquire unproductive, vacant, and developable lots and lots improved with abandoned, vacant and uninhabitable houses to be "banked" by the Dallas Housing Acquisition and Development Corporation (the "Land Bank") for affordable housing or grocery store development. The acquisition of these lots will enable new single-family homeowner development and rental housing on the lots to house low and moderate income households and stabilize distressed communities. The lots may also contain the rental housing units above a retail/commercial/office development for rent to low and moderate income tenants. This initiative will be implemented by means of the tax foreclosure process for properties with five years or more of delinquent property taxes.

The City has identified parcels of real property that may become available for sale to the Land Bank during the fiscal year beginning October 1, 2013 (see Attachment C). The considerations for parcel identification included vacant residential/commercial properties with at least five years or more of delinquent property taxes (reported from Dallas County). Priority is given to properties located in: 1) neighborhoods designated within the City of Dallas Neighborhood Investment Program, 2) neighborhoods with active Community Housing Development Organization projects, and 3) other neighborhoods identified by the City as being in need of new housing/grocery store development. The parcels listed will follow a process of review to determine suitability for housing development before moving forward to tax foreclosure and possible land banking. This is a list of potential properties for the Land Bank. Up to 100 parcels from Attachment D that were previously referred for tax foreclosure will be resubmitted and at least 100 parcels of property from the attached list will be referred for tax foreclosure by the Land Bank during the 2013-14 fiscal year.

Notwithstanding any other right of first refusal granted under Texas Local Government Code ("Code") Chapter 379C, if the Land Bank determines that a property acquired by the Land Bank is not appropriate for residential development, the Land Bank first shall offer the property for sale to an eligible adjacent property owner for the lower of the fair market value for the property as determined by the appraisal district in which the property is located or the sales price recorded in the annual plan, i.e., the amount for which the property would be sold to a "qualified participating developer", calculated as shown on page 5 of this annual plan. An "eligible adjacent property owner" means a person who owns property located adjacent to property owned by the Land Bank ~~and has owned the adjacent property and continuously occupied that property as a primary residence for the two-year period preceding the date of the sale,~~ and satisfies eligibility requirements adopted by the Land Bank. An adjacent property owner that purchases property under this section may not lease, sell, or transfer that property to another person before the third anniversary of the date the

adjacent property owner purchased that property from the Land Bank, unless the Land Bank adopts a policy permitting the transfer of the property to a family member of the eligible adjacent property owner or occurs as a result of the death of the eligible adjacent property owner.

Additional Use of Land Bank Property

The Land Bank may also sell property to a developer to allow the construction of a grocery store that has at least 6,000 square feet of enclosed space and that offers for sale fresh produce and other food items for home consumption. A developer is not required to be a qualified participating developer but must obtain the City's approval of a development plan for the Land Bank property.

Qualified Participating Developer

In order to be designated as a Qualified Participating Developer under Section 379C.005 of the Code and participate in the Urban Land Bank Demonstration ~~development~~ Program, a developer must: (1) have built one ~~three~~ or more housing units within the three-year period preceding the submission of a proposal to the Land Bank seeking to acquire real property from the Land Bank; (2) have a development plan approved by the City for the Land Bank property; and (3) demonstrate ability to develop, within a three-year period, its inventory of residential lots acquired through City of Dallas operated or assisted programs including proposed Land Bank property to be acquired.

Community Housing Development Organizations

An organization which meets the definition of a Community Housing Development Organization (CHDO), under 24 CFR 92.2 and is certified by the City of Dallas as such, may be a "qualified organization" under Section 379C.011 of the Code. Only "qualified organizations" as defined in the Code may engage in the "right of first refusal" for this program.

A listing of those CHDOs that may be eligible for the "Right of First Refusal" is available as Attachment A. In order to engage in the "right of first refusal" on the acquisition of a property from the Land Bank, the CHDO must also have the following to be considered a "qualified organization":

1. Contain within its designated geographical boundaries of operation, as set forth in its application for certification filed with and approved by the City, a portion of the property that the Land Bank is offering for sale,

2. Built at least three single-family homes or duplexes or one multifamily residential dwelling of four or more units in compliance with all applicable building codes within the preceding two-year period of the date the property becomes available for purchase through the Land Bank and within the organization's designated geographical boundaries of operation, and

3. Built or rehabilitated housing units (within the preceding two-year period) within a one-half mile radius of the offered parcel.

Code Section 379C.011 explains the elements of the "Right of First Refusal" for "qualified organizations." The City of Dallas and Land Bank will apply the following points to this process:

1. Written notice will be provided to the "qualified organizations" for the offering;

2. The time period for "right of first refusal" will be six (6) months from the date of the deed of conveyance of the property to the Land Bank;

3. During this six-month period, the Land Bank may not sell the property to a qualified participating developer other than a qualified organization (If all qualified organizations eligible to exercise the right of first refusal for that property notify the Land Bank that they are declining to exercise their right of first refusal during the 6 month period or if an offer to purchase the property is not received from a qualified organization during the 6 month period, the Land Bank may sell the property to any other qualified developer at the same price that the Land Bank offered the property to the qualified organization);

4. After the period for the "right of first refusal" expires, the subject property will be offered to a "qualified participating developer" as defined in the Code (a "qualified participating developer" is defined as a developer who has built three or more housing units within the three-year period preceding the submission of a proposal to the Land Bank and has a development plan approved by the City for the Land Bank property);

5. At the discretion of the Land Bank and consistent with the City approved development plan, the subject parcel may be held for up to twelve (12) additional months by the Land Bank once an offer has been received and accepted from a "qualified organization or "qualified participating developer";

6. If more than one "qualified organization" expresses an interest in exercising its "right of first refusal," the organization that has designated the most geographically compact area encompassing a portion of the property shall be given priority; and

7. There will be no requirements for the Land Bank to give "right of first refusal" for "qualified organizations" if the subject property has reverted to the Land Bank after going through this entire process.

8. The "right of first refusal" applies only to properties acquired under the State Code for the Urban Land Bank Demonstration Program. There is no "right of first refusal" for properties acquired by the City or its Land Bank through other City programs or initiatives. The CHDO "right of first refusal" is subject

to the "right of first refusal" to an eligible adjacent property owner as provided in Code Section 379C.0106.

City of Dallas Plan for Affordable Housing Development

Based on 2010 census data, the population of the City of Dallas has grown by 9,236 since 2000. The City of Dallas has identified high priority needs in the availability and affordability of housing. One main concern is the low rate of 44.1% for homeownership in Dallas compared to the national average of 66.9%.

In order to achieve a 50% homeownership rate goal, approximately 27,000 single-family units would have to be created. The priority for the City of Dallas is not only to create single-family homes but also to make them affordable. The definition of an affordable homeownership unit is one in which a household with income of 115% or less of area median family income can obtain financing to purchase the home.

The creation of housing for families at 80% or below of median family income is a priority for the City of Dallas and this Urban Land Bank Demonstration Program. Additionally, at least 25% of the Land Bank properties must be deed restricted for sale to households with gross household incomes not greater than 60% of the area median family income adjusted for household size; and not more than 30% of those Land Bank properties may be deed restricted for sale to households with gross household incomes greater than 80% of the area median family income, adjusted for household size. In addition, a lease-purchase option may be used with the understanding that the purchaser must close on the house within twelve months from the date the lease-purchase begins. The tremendous need for housing in Dallas will also allow the City to take advantage of opportunities to leverage private and public funding for mixed income developments.

The City of Dallas intends to continue implementation of the Urban Land Bank Demonstration Program to produce affordable housing. Attachment D identifies the list of 2184 properties the Land Bank has referred for tax foreclosure under the FY 2003-04, FY 2004-05, FY 2005-06, FY 2006-07, FY 2007-08, FY 2008-09, FY 2009-10, FY 2010-11, FY 2011-12 and FY 2012-13 Plans. In the event any properties are removed from Attachment D, an equal number of qualified lots may be substituted. The City of Dallas intends to sell up to 200 properties in FY 2013-14 to "qualified organizations" and "qualified participating developers" for affordable housing development under this program. Subject parcels will first be offered for sale in FY 2013-14 to "qualified organizations" at a price of $5,000.00 ~~$3,500.00~~ for the first 7,500 square feet of land plus $0.667 ~~$0.466~~ for each additional square foot plus any regulatory and contractual costs, including but not limited to environmental testing, maintenance, post foreclosure property taxes and replatting, required for the Land Bank to acquire and sell developable properties. In 2010, the Land Bank acquired 112 lots using Neighborhood Stabilization Program (NSP) funds. These lots were not acquired under the state statute and will fall under the applicable NSP rules and regulations. All properties will be deed restricted. Properties to be developed for homeownership

will remain deed restricted until construction is complete and sale of the affordable unit occurs.
Eligible properties to be developed as rental units on land acquired with 2006 general obligation bond funds will be deed restricted for 15 years for affordability to households with incomes not greater than sixty percent (60%) of area median family income ("AMFI"). Forty percent (40%) of the units would be occupied by households with incomes not greater than fifty percent (50%) of AMFI or twenty percent (20%) of the units would be occupied by households with incomes not greater than thirty percent (30%) of AMFI and as further restricted by statute.

All parcels will be conveyed with a right of reverter so that if the "qualified participating developer" does not apply for a construction permit and close on any construction financing within the three-year period following the date of the conveyance of the property from the Land Bank to the "qualified participating developer," the property will revert to the Land Bank for subsequent resale to another "qualified participating developer" or conveyance to the taxing units who were parties to the judgment for disposition as otherwise allowed under the law. If a property is not sold within four (4) years to a "qualified organization" or a "qualified participating developer," the property will be transferred from the Land Bank to the taxing units who were parties to the judgment for disposition as otherwise allowed under the law. A property may be transferred to the taxing units before completion of the four-year period if the Land Bank determines that the property is not appropriate for residential or grocery store development. The Land Bank may also sell property to a political subdivision or a nonprofit organization before completion of the four-year period.

The DHADC may permit a qualified participating developer to exchange a property purchased from the Land Bank with any other property owned by the developer if the developer agrees to construct on the other property affordable housing for low income households as provided in this plan and state law and the other property is located in a planned development incorporating the property originally purchased from the Land Bank or another location as approved by the Land Bank. The Land Bank shall adjust the Deed Restrictions under Texas Local Government Code Section 379C.010 for each of the properties exchanged by the developer under this section.

The Land Bank may sell two adjacent properties that are owned by the Land Bank to a "qualified participating developer" if at least one of the properties is appropriate for residential development and the developer agrees to replat the two adjacent properties as one property that is appropriate for residential development.

Supportive Funding

Attachment B reflects the sources and amounts for funding anticipated to be available from the City for subsidies for development of affordable housing in the City of Dallas, including money specifically available for housing developed under this program, as approved by the City Council of the City of Dallas at the time of adoption of this plan.

ATTACHMENT A
COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS
RE-CERTIFICATION LIST FOR FY 2012-13
Updated – 10/1/12

CHDO	GEOGRAPHIC BOUNDARIES	DATE CERTIFIED
Builders of Hope CDC 333 N. Stemmons Frwy., Ste. 100 Dallas, Texas 75207 Office (214) 920-9850 Fax (214) 630-5155 Norman Henry, President Theresa Canales, Director of Housing Dee Russell, Operations Manager	West Dallas - Sylvan Avenue on the East; Trinity River on the North; IH-30 on the South; Loop 12 (Walton Walker Blvd.) on the West	12/15/1999
City Wide Community Development Corp. 3730 S. Lancaster Rd., Suite 110 Dallas, Texas 75216 Office (214) 371-0888 Fax (214) 371-0887 Sherman Roberts, President	City-wide	5/21/2007
Cornerstone Community Development Corporation 1819 Martin Luther King Jr. Blvd Dallas, Texas 75215 Office (214) 426-5468 Fax (214) 426-0512 Chris L. Simmons, Executive Director Michael Jones, Director of Development	IH-45 on the East; Lamar on the West; Martin Luther King Jr. Blvd. on the South; IH-30 on the North	09/11/2012
East Dallas Community Organization 4210 Junius St., Suite 5th Floor Dallas, Texas 75246 Office (214) 515-9779 Fax (214) 826-1966 Gerald Carlton, Chief Operating Officer Rick Guerrero, Director of Operations Jesse A. Banda, Homebuyer Consultant	City-wide	10/09/1997
The Golden S.E.E.D.S. Foundation 1128 Sabine St. Dallas, Texas 75203 Office (214) 943-5010 Fax (213) 943-5723 Linda Preston, Executive Director	IH-35 on the West; 8h Street on the South; Corinth Street on the East; Trinity River Levee on the North	10/01/2011

CHDO	GEOGRAPHIC BOUNDARIES	DATE CERTIFIED
South Dallas/Fair Park Innercity Community Development Corporation 4907 Spring Ave. Dallas, Texas 75210 Office (214) 915-9900 Fax (214) 915-9909 Diane Ragsdale, Director/Administrative/Manager LaVette Dudley, Business Development Director	South Dallas/Fair Park including Zip Codes 75210 & 75215 and Census Tracts 27.01, 27.02, 28, 29, 35, 36, 37, 38, 39.01 & 39.02	08/17/1992
SouthFair Community Development Corporation 2610 Martin Luther King Blvd. Dallas, Texas 75215 Office (214) 421-1363 Fax (214) 421-1364 Annie Jones Evans, Executive Director	Martin Luther King Jr. Blvd. on the South; Good-Latimer on the West; Dart Green Line on the North; Robert B. Cullum Blvd. on the East	02/03/1994
2000 Roses Foundation, Inc. 2000 10th Street Dallas, Texas 75208 Office (214) 941-1333 Fax (214) 944-5331 Alonzo Harris, President Kelly R. Wiley, Executive Director	Corinth Street on the East; Trinity River on the North; Loop 12 on the South; Hampton on the West	01/10/2013
Urban League of Greater Dallas and North Central Texas 4315 S. Lancaster Rd. Dallas, Texas 75216 Office (214) 915-4637 Fax (214) 943-5723 Gwendolyn Jones, Executive Director	City-wide	12/20/2011

ATTACHMENT B
ASSISTANCE PROGRAM

City of Dallas Housing Department
Anticipated FY 2013-14 Assistance Programs

The City of Dallas is required to include in its Urban Land Bank Demonstration Program Plan the sources and amounts of funding anticipated to be available from the City for development of affordable housing in Dallas, including any money specifically available for housing developed under the program, as approved by the governing body of the municipality at the time the plan is adopted. This Plan is proposed for City Council adoption on October 23, 2013. The final FY 2013-14 budget for Housing Department Programs will not be adopted before October 23, 2013. Therefore, the program descriptions below include both the actual FY 2011-12, FY 2012-13 and proposed FY 2013-14 budget amounts.

HOME PURCHASE ASSISTANCE

Mortgage Assistance Program

FY 2011-12 Actual	$3,782,473
FY 2012-13 Actual	$2,600,000
FY 2013-14 Proposed	$2,600,000

Provides deferred payment loans to low-income first-time homebuyers for down payment, closing costs and principle reduction up to $25,000 for new construction and up to $10,000 for existing homes. (214-670-3601)

HOUSING DEVELOPMENT ASSISTANCE

Residential Development Acquisition Loan Program

FY 2011-12 Actual	$750,000
FY 2012-13 Actual	$500,000
FY 2013-14 Proposed	None

Provides funds for the acquisition of property for development of housing for low-income households. (214-670-3601)

Community Housing Development Organization Program

FY 2011-12 Actual	$1,700,000
FY 2012-13 Actual	$1,050,000
FY 2013-14 Proposed	$1,000,000

Provides operating assistance grants up to $50,000 and both pre-development and development loans to nonprofit City-certified Community Housing Development Organizations (CHDOs) developing affordable housing for low-income households. Development funding may be used for property acquisition and housing acquisition, rehabilitation and/or new construction. (214-670-3601)

Community Based Development Organization Program

FY 2011-12 Actual	$300,000
FY 2012-13 Actual	$300,000
FY 2013-14 Proposed	None

Provides vertical construction loans to Community Based Development Organizations. (214-670-3601)

Economic Development GO Bond Program for Southern Dallas

FY 2011-12 Actual	None
FY 2012-13 Actual	$50,000,000
FY 2013-14 Proposed	None

Provides funding to promote economic development in the Southern area of the City and transit oriented development throughout the City. The funds can be used for acquisition, demolition, planning, design, construction, as well as, public streets and utilities. This includes providing funding for mixed-income residential in the Southern sector or mixed-use transit oriented development throughout the City. (214-670-3633)

Housing Development Loan Program

FY 2011-12 Actual	$1,372,336
FY 2012-13 Actual	$ 900,000
FY 2013-14 Proposed	$1,714,500

Provides private and non-profit organizations with loans/grants for the development of permanent supportive housing and senior housing including but not limited to pre-development costs, development costs, construction subsidies, relocation costs, demolition costs, acquisition costs, related acquisition costs and rental rehabilitation. (214-670-3601)

Dallas Housing Finance Corporation Multifamily Program

Funding subject to availability of bond proceeds

Provides financing through issuance of tax-exempt mortgage revenue bonds for new construction of multifamily housing for low- and moderate-income households. (214-671-8266)

ATTACHMENT C
FY 2013-14 LAND BANK PLAN

204	E	10TH
401	E	10TH
424	W	10TH
912	E	10TH
1024	E	10TH
1027	E	10TH
1102	E	10TH
1124	E	10TH
1214	E	10TH
1221	E	10TH
1300	E	10TH
1308	E	10TH
1031	E	11TH
1823	E	11TH
2410	E	11TH
722	W	12TH
901	W	12TH
917	E	12TH
911		18TH
2714		1ST
4216		1ST
2304		2ND
2008		3RD
2436		51ST
2611		51ST
2433		52ND
2436		52ND
2522		52ND
2612		52ND
2633		52ND
2641		52ND
2705		52ND
2727		52ND
618	E	5TH
817	E	6TH
918	W	7TH
115	W	8TH
406	E	8TH
513	E	8TH
1922	E	8TH
1930	E	8TH
2934	W	9TH
110	S	ACRES
111	N	ACRES
116	N	ACRES
230	S	ACRES
350	N	ACRES
1439		ADELAIDE
1535		ADELAIDE
1818		ADELAIDE
2814		ARIZONA
2914		ARIZONA
3018		ARIZONA
3907		AGNES
4002		AGNES
1823		ALABAMA
2119		ALABAMA
2200		ALABAMA
2206		ALABAMA
2210		ALABAMA
2214		ALABAMA
2218		ALABAMA
2222		ALABAMA
2226		ALABAMA
2404		ALABAMA
2412		ALABAMA
2423		ALABAMA
2722		ALABAMA
2831		ALABAMA
2835		ALABAMA
2847		ALABAMA
2900		ALABAMA
2919		ALABAMA
2926		ALABAMA
2935		ALABAMA
2939		ALABAMA
3014		ALABAMA
3038		ALABAMA
3042		ALABAMA
3102		ALABAMA
2541		ALAMAIN
2715		ALAMAIN
2723		ALAMAIN
2739		ALAMAIN
2747		ALAMAIN
1514		ALASKA
1631		ALASKA
1706		ALASKA
2006		ALASKA
2402		ALASKA
2720		ALASKA
2730		ALASKA
2914		ALASKA
2927		ALASKA
2931		ALASKA
2946		ALASKA
3036		ALASKA
3123		ALASKA
414		ALBRIGHT
421		ALCALDE
2902		ALEX
2911		ALEX
2927		ALEX
2055		ALHAMBRA
4004		ALSBURY
4311		AZTEC
13		ALTO GARDEN
1325		AMOS
1333		AMOS
1340		AMOS
2212		ANDERSON
2223		ANDERSON
2234		ANDERSON
2239		ANDERSON
2241		ANDERSON
2243		ANDERSON
2302		ANDERSON
2414		ANDERSON
2629		ANDERSON
2710		ANDERSON
1815		ANGELINA
2017		ANGELINA
2024		ANGELINA
2037		ANGELINA
2914		ANGELINA
9414		ANGELUS
9422		ANGELUS
9430		ANGELUS
713		ANGUS
717		ANGUS
1514	E	ANN ARBOR
1522	E	ANN ARBOR
1719	E	ANN ARBOR
2107	E	ANN ARBOR
2143	E	ANN ARBOR
2207	E	ANN ARBOR
2211	E	ANN ARBOR
2215	E	ANN ARBOR
2219	E	ANN ARBOR
2251	E	ANN ARBOR
2323	E	ANN ARBOR
2516	E	ANN ARBOR
654		ANNAROSE
710		ANNAROSE
2111		ANNEX
803		APACHE
3725		ARANSAS
3814		ARANSAS
3826		ARANSAS
3922		ARANSAS
4114		ARANSAS
2117		AREBA
1711		ARIZONA
1918		ARIZONA
2021		ARIZONA
2201		ARIZONA
2209		ARIZONA
2221		ARIZONA
2227		ARIZONA

3031	ARIZONA	4118		BABCOCK	2420		ARIZONA
3035	ARIZONA	1315		BADEN	2430		ARIZONA
3047	ARIZONA	1322		BADEN	2606		ARIZONA
3328	ARIZONA	1330		BADEN	2609		ARIZONA
8218	ARLENE	118	S	BAGLEY	2610		ARIZONA
5511	ARLINGTON PARK	400	N	BAGLEY	2618		ARIZONA
3732	ARMOR	403	N	BAGLEY	2642		ARIZONA
3734	ARMOR	1042	N	BAGLEY	2716		ARIZONA
3736	ARMOR	4019		BAKER	12402		BEAUFORD
3738	ARMOR	3916		BALCH	1409		BEAUMONT
3742	ARMOR	4503		BALDWIN	707	N	BECKLEY
5	ARMY	4727		BALDWIN	719	N	BECKLEY
20	ARMY	4731		BALDWIN	735	N	BECKLEY
21	ARMY	4811		BALDWIN	828	N	BECKLEY
22	ARMY	4819		BALDWIN	918	S	BECKLEY
23	ARMY	4161		BALL	1512	S	BECKLEY
1614	ARROW	710		BANK	2938	S	BECKLEY
4504	ASH	1114		BANK	3042	S	BECKLEY
4526	ASH	1615		BANNOCK	3206	S	BECKLEY
5407	ASH	1635		BANNOCK	3302	S	BECKLEY
9566	ASH CREEK	1641		BANNOCK	8924		BECKLEYCREST
1	ASHWOOD	5135		BARBER	9116		BECKLEYCREST
2	ASHWOOD	2619		BARLOW	9224		BECKLEYVIEW
600	ASPENDALE	2623		BARLOW	9228		BECKLEYVIEW
3208	ATLANTA	2709		BARLOW	209		BECKLEYWOOD
3905	ATLANTA	2717		BARLOW	336		BECKLEYWOOD
3942	ATLANTA	3301		BARNARD	3200	S	BELTLINE
1833	ATLAS	5500		BARREE	2058		BEN HUR
5301	AUDREY	5634		BARREE	2065		BEN HUR
1906	AUTUMN MEADOW	5734		BARREE	2070		BEN HUR
409	AVE A	916		BAYONNE	2122		BEN HUR
415	AVE A	1115		BAYONNE	2158		BEN HUR
1	AVE D	1836		BAYSIDE	2164		BEN HUR
423	AVE E	2019		BAYSIDE	2176		BEN HUR
444	AVE E	605	S	BEACON	2182		BEN HUR
319	AVE F	3313		BEALL	2222		BEN HUR
351	AVE F	3326		BEALL	7041		BENNING
418	AVE F	3327		BEALL	2726		BENROCK
327	AVE G	3330		BEALL	2730		BENROCK
419	AVE H	8119		BEARDEN	2731		BENROCK
516	AVE H	3023		BEAUCHAMP	2806		BENROCK
402	AVE J	3066		BEAUCHAMP	2807		BENROCK
419	AVE L	3300		BEAUCHAMP	2815		BENROCK
405	AVE L	3302		BEAUCHAMP	2823		BENROCK
410	AVE L	3421		BEAUCHAMP	2830		BENROCK
3962	AVOCADO	1534		BEAUFORD	2906		BENROCK
4202	AZTEC	1553		BEAUFORD	2907		BENROCK
4208	AZTEC	1577		BEAUFORD	2918		BENROCK
4212	AZTEC	1643		BEAUFORD	2934		BENROCK
4306	AZTEC	1737		BEAUFORD	2938		BENROCK
5726	BERNAL	1739		BEAUFORD	2946		BENROCK
534	BETHPAGE	1819		BEAUFORD	2947		BENROCK
630	BETHPAGE	1821		BEAUFORD	2954		BENROCK

634	BETHPAGE	1308		BLISS	2955		BENROCK
707	BETHPAGE	1314		BLISS	2963		BENROCK
714	BETHPAGE	1318		BLISS	9350		BERMUDA
2210	BETHURUM	1022		BLUEBERRY	3401		BERNAL
2214	BETHURUM	9025		BLUECREST	3427		BERNAL
2216	BETHURUM	9211		BLUECREST	5518		BERNAL
2210	BETHURUM	5868		BLUFFMAN	5704		BERNAL
2302	BETHURUM	6006		BLUNTER	5708		BERNAL
2743	BETHURUM	6007		BLUNTER	5140		BOURQUIN
845	BETTERTON	6014		BLUNTER	5144		BOURQUIN
903	BETTERTON	402		BOBBIE	5213		BOURQUIN
1015	BETTERTON	416		BOBBIE	5424		BOURQUIN
1101	BETTERTON	417		BOBBIE	2710		BOYNTON
1105	BETTERTON	8329		BOHANNON	2718		BOYNTON
1112	BETTERTON	5635		BON AIR	1044		BRADFIELD
1131	BETTERTON	5643		BON AIR	4507		BRADSHAW
1139	BETTERTON	5647		BON AIR	3216		BRANDON
5414	BEXAR	5663		BON AIR	4814		BRASHEAR
6018	BEXAR	5707		BON AIR	4818		BRASHEAR
6022	BEXAR	5711		BON AIR	4822		BRASHEAR
6812	BEXAR	5714		BON AIR	4930		BRASHEAR
7011	BEXAR	5731		BON AIR	1429		BRIAR CLIFF
7013	BEXAR	5735		BON AIR	1544		BRIAR CLIFF
1711	BICKERS	5739		BON AIR	414		BRIDGES
1719	BICKERS	1240	N	BOND	6816		BRIERFIELD
1823	BICKERS	1252	N	BOND	7005		BRIERFIELD
1930	BICKERS	315		BONNIE VIEW	2814		BRIGHAM
3423	BICKERS	327		BONNIE VIEW	2908		BRIGHAM
3634	BICKERS	332		BONNIE VIEW	2916		BRIGHAM
3642	BICKERS	345		BONNIE VIEW	2920		BRIGHAM
3702	BICKERS	417		BONNIE VIEW	700	S	BRIGHTON
3706	BICKERS	440		BONNIE VIEW	1137	S	BRIGHTON
3724	BICKERS	1529		BONNIE VIEW	8823		BRILEY
3317	BIGLOW	2202		BONNIE VIEW	2330		BRITTON
4002	BIGLOW	2210		BONNIE VIEW	2519		BRITTON
4006	BIGLOW	2214		BONNIE VIEW	2610		BRITTON
4151	BIGLOW	2538		BONNIE VIEW	2631		BRITTON
4155	BIGLOW	3815		BONNIE VIEW	2633		BRITTON
4159	BIGLOW	4114		BONNIE VIEW	2822		BRITTON
4175	BIGLOW	4310		BONNIE VIEW	2914		BRITTON
4207	BIGLOW	4431		BONNIE VIEW	1031		BROADVIEW
4214	BIGLOW	5603		BONNIE VIEW	1116		BROCK
4218	BIGLOW	3508		BOOKER	1120		BROCK
4231	BIGLOW	3515		BOOKER	1121		BROCK
3126	BILL HARROD	3516		BOOKER	1123		BROCK
2615	BIRDSONG	3339		BORGER	4923		BRONX
2401	BIRMINGHAM	3434		BORGER	2119		BROOKHAVEN
2408	BIRMINGHAM	3603		BORGER	2627	W	BROOKLYN
2501	BIRMINGHAM	1219		BOSWELL	2858	W	BROOKLYN
2521	BIRMINGHAM	1220		BOSWELL	823		BROOKWOOD
2825	BIRMINGHAM	6623		BOULDER	912		BROOKWOOD
2901	BIRMINGHAM	2020		BOURBON	917		BROOKWOOD
2909	BIRMINGHAM	5011		BOURQUIN	923		BROOKWOOD

2931		BIRMINGHAM
3020		BIRMINGHAM
3021		BIRMINGHAM
3025		BIRMINGHAM
3034		BIRMINGHAM
3118		BIRMINGHAM
3725		BLACK OAK
1210		BLISS
1214		BLISS
1218		BLISS
1222		BLISS
9529		BROWNWOOD
4015		BRUNDRETTE
4018		BRUNDRETTE
4022		BRUNDRETTE
9999	N	BUCKNER
2418		BUDD
15319		BUDEUDY
15323		BUDEUDY
709		BUICK
2606		BURGER
2610		BURGER
2626		BURGER
2818		BURGER
1004		BURLINGTON
1515		BURLINGTON
2310		BURLINGTON
4516		BURMA
4532		BURMA
4536		BURMA
4540		BURMA
4628		BURMA
4635		BURMA
4640		BURMA
4726		BURMA
4741		BURMA
4744		BURMA
4745		BURMA
4815		BURMA
4830		BURNSIDE
4914		BURNSIDE
5114		BURNSIDE
5154		BURNSIDE
555		BURRELL
561	W	BURRELL
9800		C F HAWN
10100		C F HAWN
13800		C F HAWN
14000		C F HAWN
4510		C.L. VEASEY
4710		C.L. VEASEY
2419		CADILLAC

2020		CALYPSO
2038		CALYPSO
2058		CALYPSO
2612		CAMEL
2627		CAMEL
2630		CAMEL
2631		CAMEL
2634		CAMEL
2706		CAMEL
2708		CAMEL
2710		CAMEL
2732		CAMEL
2736		CAMEL
2741		CAMEL
2743		CAMEL
6218		CANAAN
1505		CANADA
1902		CANADA
3018		CANADA
3511		CANADA
3523		CANADA
3845		CANADA
3931		CANADA
4023		CANADA
4643		CANADA
4007		CANAL
4317		CANAL
4511		CANAL
2840		CANARY
1829		CANELO
213	E	CANTY
1614		CANYON
2012		CANYON
2016		CANYON
7724		CARBONDALE
7728		CARBONDALE
7824		CARBONDALE
8110		CARBONDALE
8450		CARBONDALE
4201		CARDINAL
4205		CARDINAL
4221		CARDINAL
4229		CARDINAL
4310		CARDINAL
4410		CARDINAL
3709		CARL
3802		CARL
4214		CARL
4245		CARL
5800		CARLTON GARRETT
6205		CARLTON GARRETT
6207		CARLTON

929		BROOKWOOD
936		BROOKWOOD
2007		BROWDER
2009		BROWDER
408	E	BROWNLEE
7720		BROWNSVILLE
7721		BROWNSVILLE
7724		BROWNSVILLE
7727		BROWNSVILLE
7732		BROWNSVILLE
7735		BROWNSVILLE
7743		BROWNSVILLE
2806		CARTER
2818		CARTER
5807		CARY
5815		CARY
5817		CARY
10534		CASTLEROCK
3706		CAUTHORN
3824		CAUTHORN
3907		CAUTHORN
2322		CEDAR CREST
2536		CEDAR CREST
3303		CEDAR LAKE
1421		CEDAR OAKS
1427		CEDAR OAKS
5405		CEDAR RIDGE
4571		CEDARDALE
4736		CEDARDALE
4820		CEDARDALE
3711	S	CENTRAL
3713	S	CENTRAL
3717	S	CENTRAL
3741	S	CENTRAL
2103		CHALK HILL
2123		CHALK HILL
2623		CHALK HILL
1204		CHARLOTTE
1205		CHARLOTTE
1302		CHARLOTTE
1332		CHARLOTTE
5910		CHELSEA
5918		CHELSEA
5922		CHELSEA
5934		CHELSEA
5935		CHELSEA
5941		CHELSEA
5945		CHELSEA
6003		CHELSEA
6006		CHELSEA
4346		CHERBOURG
4514		CHERBOURG

2422		CADILLAC
1521		CALDWELL
1530		CALDWELL
1536		CALDWELL
1542		CALDWELL
1554		CALDWELL
1613		CALDWELL
1615		CALDWELL
1618		CALDWELL
3332		CALHOUN
3431		CALHOUN
3502		CALHOUN
3506		CALHOUN
1920		CALYPSO
2008		CALYPSO
323	E	CHERRY POINT
331	E	CHERRY POINT
339	E	CHERRY POINT
2919		CHERRY VALLEY
1335		CHEYENNE
1933		CHEYENNE
1939		CHEYENNE
3102		CHICAGO
3222		CHICAGO
3338		CHICAGO
3610		CHICAGO
3314		CHIHUAHUA
3400		CHIHUAHUA
3429		CHIHUAHUA
3438		CHIHUAHUA
3502		CHIHUAHUA
5308		CHIPPEWA
2723		CHOICE
2723		CHOICE
2402		CHRYSLER
2411		CHRYSLER
2415		CHRYSLER
2518		CHRYSLER
1027		CHURCH
1030		CHURCH
1033		CHURCH
1103		CHURCH
1109		CHURCH
1124		CHURCH
1136		CHURCH
1403		CHURCH
1410		CHURCH
4322		CICERO
9		CIRCLEWOOD
9538		CIRCLEWOOD
2612		CLARENCE
6306		GARRETT CARLTON GARRETT
2617		CARPENTER
2621		CARPENTER
2633		CARPENTER
2707		CARPENTER
3006		CARPENTER
3711		CARPENTER
3715		CARPENTER
3801		CARPENTER
4006		CARPENTER
4211		CARPENTER
4226		CARPENTER
2800		CARTER
944		CLEARFIELD
2563		CLEARVIEW
401		CLEAVES
419		CLEAVES
438		CLEAVES
447		CLEAVES
2705		CLEVELAND
2818		CLEVELAND
3216		CLEVELAND
3512		CLEVELAND
3642		CLEVELAND
4100		CLEVELAND
4521		CLEVELAND
222	S	CLIFF
612	N	CLIFF
616	N	CLIFF
510	S	CLINTON
818	S	CLINTON
1521	N	CLINTON
2036		CLOUDCROFT
7339		CLOVERGLEN
2974		CLOVIS
2987		CLOVIS
2203		CLYMER
2407		CLYMER
2411		CLYMER
2607		CLYMER
3306		CLYMER
3310		CLYMER
24		COLDBROOK
28		COLDBROOK
2247		COLDBROOK
1216		COLEMAN
1220		COLEMAN
1307		COLEMAN
1314		COLEMAN
6917		COLESHIRE
4505		COLLINS
4525		CHERBOURG
4535		CHERBOURG
4549		CHERBOURG
4608		CHERBOURG
4612		CHERBOURG
4627		CHERBOURG
4636		CHERBOURG
4639		CHERBOURG
4643		CHERBOURG
4647		CHERBOURG
238	E	CHERRY POINT
307	E	CHERRY POINT
315	E	CHERRY POINT
3034		COLUMBINE
3040		COLUMBINE
3048		COLUMBINE
1100		COMAL
1102		COMAL
1110		COMAL
1204		COMANCHE
1205		COMANCHE
1208		COMANCHE
1209		COMANCHE
1212		COMANCHE
1213		COMANCHE
1216		COMANCHE
1202		COMPTON
1311		COMPTON
1315		COMPTON
1316		COMPTON
1325		COMPTON
7506		CONCORD
1		CONCORDIA
2403		CONKLIN
2409		CONKLIN
2411		CONKLIN
2614		CONKLIN
1612		CONNER
2046		COOL MIST
2058		COOL MIST
2140		COOL MIST
2147		COOL MIST
2157		COOL MIST
2170		COOL MIST
2191		COOL MIST
2200		COOL MIST
2247		COOL MIST
2364		COOL MIST
3942		COOLIDGE
2704		COOMBS
2712		COOMBS

2616		CLARENCE
2630		CLARENCE
2737		CLARENCE
911	W	CLARENDON
915	W	CLARENDON
1316	E	CLARENDON
1403	E	CLARENDON
914		CLAUDE
1009		CLAUDE
1102		CLAUDE
1104		CLAUDE
1201		CLAUDE
1204		CLAUDE
1209		CLAUDE
1222		CLAUDE
1229		CLAUDE
1432		CLAUDIA
810		CLEARFIELD
1630		CORINTH
1910		CORINTH
1912		CORINTH
7440		CORONADO
3341		CORONET
4515		CORREGIDOR
4516		CORREGIDOR
4519		CORREGIDOR
4520		CORREGIDOR
4523		CORREGIDOR
4524		CORREGIDOR
4525		CORREGIDOR
4538		CORREGIDOR
4552		CORREGIDOR
4553		CORREGIDOR
4556		CORREGIDOR
4559		CORREGIDOR
4603		CORREGIDOR
4604		CORREGIDOR
4607		CORREGIDOR
4623		CORREGIDOR
4627		CORREGIDOR
4631		CORREGIDOR
4639		CORREGIDOR
4643		CORREGIDOR
4644		CORREGIDOR
4647		CORREGIDOR
4648		CORREGIDOR
10436		CORY
8926		COTTONVALLEY
9008		COTTONVALLEY
2718		COUNCIL
2518		CRADDOCK
3615		CRANE
3623		CRANE
4818		COLLINS
4904		COLLINS
2815		COLONIAL
3600		COLONIAL
3613		COLONIAL
3717		COLONIAL
4522		COLONIAL
4600		COLONIAL
4902		COLONIAL
4904		COLONIAL
4919		COLONIAL
5003		COLONIAL
5012		COLONIAL
5019		COLONIAL
5031		COLONIAL
5218		COLONIAL
5323		COLONIAL
202	N	COLSON
3020		COLUMBINE
2404		CROSSMAN
2415		CROSSMAN
2603		CROSSMAN
3105		CROSSMAN
3438		CROSSMAN
9643		CROWNFIELD
9649		CROWNFIELD
4303		CROZIER
4524		CROZIER
4934		CROZIER
115		CUNEY
119		CUNEY
2018		CUSTER
2123		CUSTER
2127		CUSTER
2130		CUSTER
2202		CUSTER
2214		CUSTER
2511		CUSTER
2623		CUSTER
2656		CUSTER
1317		DACKI
3231		DAHLIA
917		DALE
22		DALVIEW
1250		DALVIEW
1254		DALVIEW
1258		DALVIEW
1307		DALVIEW
1315		DALVIEW
1319		DALVIEW
1428		DALVIEW
1435		DALVIEW
353		DANIELDALE
2716		COOMBS
2210		COOPER
2216		COOPER
3918		COPELAND
4003		COPELAND
4005		COPELAND
4114		COPELAND
4322		COPELAND
4323		COPELAND
4335		COPELAND
224	S	CORINTH
621	S	CORINTH
800	S	CORINTH
1331		CORINTH
632	N	DENLEY
1410	S	DENLEY
1438	S	DENLEY
1732	S	DENLEY
2416	S	DENLEY
2719	S	DENLEY
2907	S	DENLEY
4019	S	DENLEY
4021	S	DENLEY
4502	S	DENLEY
4506	S	DENLEY
4718	S	DENLEY
2104		DENMARK
2116		DENMARK
2122		DENMARK
2171		DENMARK
2317		DENMARK
1831		DENNISON
1966		DENNISON
3330		DETONTE
3919		DIAMOND
4000		DIAMOND
1303		DICEMAN
1418		DICEMAN
1424		DICEMAN
1429		DICEMAN
3714		DILDOCK
7830		DOAK
1026		DODD
4701		DOLPHIN
4705		DOLPHIN
2935		DON
2939		DON
2712		DONALD
2716		DONALD
8943		DONNYBROOK
11626		DORCHESTER
2608		DORRIS
2716		DORRIS

3629		CRANE
3639		CRANE
3716		CRANE
1		CRANFILL
4419		CRANFILL
4508		CRANFILL
4517		CRANFILL
4525		CRANFILL
800	N	CRAWFORD
8471		CREEKWOOD
3835		CREPE MYRTLE
2523		CREST
502		CRETE
1		CRIMNSON
3670		CRIPPLE CREEK
2311		CROSS
2710		CROSS
523		DU BOIS
2031		DUDLEY
810		DULUTH
1110		DULUTH
1826		DULUTH
1915		DULUTH
1926		DULUTH
3512		DUNBAR
8529		DUNLAP
8730		DUNLAP
2613		DURHAM
2626		DURHAM
2628		DURHAM
706	N	DWIGHT
1024		DWIGHT
2334	N	DYSON
2400		DYSON
2523		DYSON
812		EADS
816		EADS
818		EADS
2937		EAGLE
2961		EAGLE
4729		EAST SIDE
4932		EAST SIDE
2724		EASTER
2806		EASTER
4114		EASTER
4114		EASTER
4150		EASTER
4162		EASTER
4166		EASTER
4204		EASTER
4218		EASTER
4219		EASTER
4246		EASTER

365		DANIELDALE
431		DANIELDALE
803		DANIELDALE
3634		DARIEN
2225		DATHE
2241		DATHE
2403		DATHE
2411		DATHE
2610		DATHE
2611		DATHE
2822		DAWSON
3804		DE MAGGIO
1611		DEAN
7		DEEP GREEN
3506		DEL REY
3534		DEL REY
3811		DELHI
3922		DELHI
2510		DELL VIEW
100	S	DENLEY
419	N	DENLEY
421	N	DENLEY
505	N	DENLEY
527	N	DENLEY
9999		EDD
1222		EDGEFIELD
317		EDGEMONT
914		EDGEMONT
1316	S	EDGEMONT
1322		EDGEMONT
1421		EDGEMONT
1627		EDGEMONT
3117		EDGEWOOD
3502		EDGEWOOD
2829		EISENHOWER
3203		EISENHOWER
3000		EL BENITO
3506		EL BENITO
2961		EL TOVAR
2969		EL TOVAR
2973		EL TOVAR
6413		ELAM
6419		ELAM
6520		ELAM
8314		ELAM
623		ELI
1400		ELK CREEK
1410		ELK CREEK
1425		ELK CREEK
1507		ELK CREEK
730		ELKHART
619		ELLA
638		ELLA

2718		DORRIS
2902		DORRIS
2909		DORRIS
2914		DORRIS
2930		DORRIS
220		DOWDY FERRY
512		DOWDY FERRY
708		DOWDY FERRY
710		DOWDY FERRY
1344		DOWDY FERRY
2028		DOWDY FERRY
2111		DOWDY FERRY
1726		DRISKELL
11570		DRUMMOND
319		DU BOIS
407		DU BOIS
734		ELWAYNE
746		ELWAYNE
747		ELWAYNE
770		ELWAYNE
759		EMBERWOOD
547		EMBREY
559		EMBREY
1303		EMILY
1307		ENGLEWOOD
4021		ESMALDA
4048		ESMALDA
4107		ESMALDA
6519		ETHEL
1735		EUGENE
1743		EUGENE
2226		EUGENE
2228		EUGENE
2235		EUGENE
2306		EUGENE
6120		EVERGLADE
604	N	EWING
1202	S	EWING
1214	S	EWING
1216	S	EWING
1631	S	EWING
1827	S	EWING
2015	S	EWING
2315	S	EWING
2324	S	EWING
2505	S	EWING
2617	S	EWING
2625	S	EWING
2704	S	EWING
2731	S	EWING
4407	S	EWING
1318		EXETER
1346		EXETER

1915	EBBTIDE	738		ELLA	1349		EXETER
2106	EBBTIDE	746		ELLA	1414		EXETER
5018	ECHO	1207		ELLENWOOD	1423		EXETER
5027	ECHO	915		ELMDALE	1502		EXETER
2054	ECHO LAKE	107		ELMORE	1550		EXETER
2147	ECHO LAKE	231	E	ELMORE	2322		EXETER
2170	ECHO LAKE	338	W	ELMORE	2522		EXETER
2182	ECHO LAKE	1507	E	ELMORE	2538		EXETER
2188	ECHO LAKE	1542	E	ELMORE	2626		EXETER
2194	ECHO LAKE	1618	E	ELMORE	2631		EXETER
2204	ECHO LAKE	1622	E	ELMORE	2743		EXETER
2217	ECHO LAKE	1743	E	ELMORE	2510		EXLINE
2323	ECHO LAKE	1711	W	ELMWOOD	2514		EXLINE
2050	EDD	659		ELSBERRY	2534		EXLINE
2058	EDD	726		ELSBETH	2535		EXLINE
2111	EDD	653		ELSTON	2540		EXLINE
2147	EDD	711		ELSTON	2722		EXLINE
2341	EDD	3012		ELVA	1520	S	FITZHUGH
2347	EDD	3108		ELVA	1625	S	FITZHUGH
3041	EDD	3110		ELVA	1627	S	FITZHUGH
2726	EXLINE	3202		ELVA	3311	S	FITZHUGH
2730	EXLINE	522		ELWAYNE	3706	S	FITZHUGH
2734	EXLINE	548		ELWAYNE	4222	S	FITZHUGH
2735	EXLINE	610		ELWAYNE	1014	S	FIVE MILE
526	EZEKIAL	631		ELWAYNE	1022	W	FIVE MILE
540	EZEKIAL	650		ELWAYNE	1531	W	FLEETWOOD
610	EZEKIAL	659		ELWAYNE	1630		FLEETWOOD
618	EZEKIAL	706		ELWAYNE	304		FLEMING
722	EZEKIAL	2720		FATIMA	312		FLEMING
731	EZEKIAL	2722		FATIMA	1218		FLETCHER
734	EZEKIAL	2723		FATIMA	1300		FLETCHER
746	EZEKIAL	2724		FATIMA	1308		FLETCHER
747	EZEKIAL	2737		FATIMA	1325		FLETCHER
750	EZEKIAL	521		FAULK	1330		FLETCHER
754	EZEKIAL	531		FAULK	1302		FOLEY
7817	FAIRPORT	1411		FAYETTE	1310		FOLEY
7909	FAIRPORT	4629		FELLOWS	2423		FONVILLE
8123	FAIRPORT	4724		FELLOWS	12800		FOOTHILL
5306	FANNIE	4728		FELLOWS	1335		FORDHAM
5410	FANNIE	4732		FELLOWS	1526		FORDHAM
5524	FANNIE	4736		FELLOWS	1746		FORDHAM
5608	FANNIE	4752		FELLOWS	2110		FORDHAM
2812	FARRAGUT	4816		FELLOWS	2218		FORDHAM
2823	FARRAGUT	4820		FELLOWS	2246		FORDHAM
2825	FARRAGUT	4836		FELLOWS	2522		FORDHAM
2844	FARRAGUT	4844		FELLOWS	2729		FORDHAM
2845	FARRAGUT	2414		FELTON	2733		FORDHAM
2861	FARRAGUT	806		FERNWOOD	2751		FORDHAM
2870	FARRAGUT	1527		FERNWOOD	2819		FORDHAM
2311	FATIMA	1835		FERNWOOD	2826		FORDHAM
2319	FATIMA	2521		FERNWOOD	2839		FORDHAM
2323	FATIMA	2526		FERNWOOD	3217		FORDHAM
2328	FATIMA	2603		FERNWOOD	3223		FORDHAM

2336	FATIMA	2639	FERNWOOD	3300		FORDHAM
2339	FATIMA	2719	FERNWOOD	2923		FOREMAN
2350	FATIMA	3001	FERNWOOD	3423		FORNEY
2354	FATIMA	3217	FERNWOOD	3427		FORNEY
2358	FATIMA	3922	FERNWOOD	3511		FORNEY
2362	FATIMA	3930	FERNWOOD	1900		FORT WORTH
2363	FATIMA	2612	FERRIS	114		FRANCES
2366	FATIMA	2620	FERRIS	210	N	FRANCES
2367	FATIMA	301	FIDELIS	215	N	FRANCES
2371	FATIMA	8820	FILES	218	N	FRANCES
2375	FATIMA	8919	FILES	218	N	FRANCES
2407	FATIMA	4008	FINIS	315	S	FRANCES
2420	FATIMA	4011	FINIS	2726		FRANK
2523	FATIMA	2402	FINKLEA	3510		FRANK
2639	FATIMA	2406	FINKLEA	3607		FRANK
2709	FATIMA	2410	FINKLEA	3714		FRANK
2714	FATIMA	2414	FINKLEA	3807		FRANK
2717	FATIMA	2418	FINKLEA	4010		FRANK
2718	FATIMA	2430	FINKLEA	4117		FRANK
2719	FATIMA	4500	FIRESIDE	2339		GOOCH
4328	FRANK	9305	FIRESIDE	2346		GOOCH
4414	FRANK	9309	FIRESIDE	2403		GOOCH
4504	FRANK	1	FISH	2420		GOOCH
4535	FRANK	2708	FISH TRAP	2503		GOOCH
4602	FRANK	2714	FISH TRAP	2701		GOOCH
4611	FRANK	5124	FITCHBURG	2809		GOOCH
2726	FRAZIER	5512	FITCHBURG	2814		GOOCH
2739	FRAZIER	1315	FITZHUGH	2820		GOOCH
1321	FRIENDSHIP	1618	GARZA	2825		GOOCH
1321	FRIENDSHIP	1630	GARZA	2412		GOOD LATIMER
4838	FRIO	1634	GARZA	2425	S	GOOD LATIMER
1000	FRONT	1730	GARZA	2715		GOODWILL
1219	FRONT	1733	GARZA	2723		GOODWILL
2817	FROST	1735	GARZA	1900		GOULD
2850	FROST	1742	GARZA	2608		GOULD
2858	FROST	1823	GARZA	2700		GOULD
2859	FROST	2231	GARZA	9700		GRADY
2870	FROST	2900	GAY	10706		GRADY
2874	FROST	2909	GAY	2703		GRAFTON
9351	FROSTWOOD	2910	GAY	608		GRAHAM
4014	FUREY	2914	GAY	702		GRAHAM
4015	FUREY	1238	GEORGIA	710		GRAHAM
4031	FUREY	1410	GEORGIA	1502		GRAND
4109	FUREY	1514	GEORGIA	1507		GRAND
4127	FUREY	1537	GEORGIA	1910		GRAND
4130	FUREY	2723	GERTRUDE	2524		GRAND
4131	FUREY	2522	GHENT	2534		GRAND
2651	GADBERRY	2555	GHENT	2723		GRAND
1910	GALLAGHER	2401	GIBBS WILLIAMS	4309		GRAND
1950	GALLAGHER	2445	GIBBS WILLIAMS	1101	E	GRANT
3404	GALLAGHER	2521	GIBBS WILLIAMS	1231		GRANT
3510	GALLAGHER	3526	GIBSONDELL	1307		GRANT
3710	GALLAGHER	4513	GINGER	3017		GRAYSON

5215		GALLAGHER	4539		GINGER	1		GREAT TRINITY FOREST
2207		GALLATIN	2434		GIVENDALE	804		GREEN CASTLE
2231		GARDEN	2502		GIVENDALE	804		GREEN CASTLE
2254		GARDEN	2506		GIVENDALE	9999		GREENGROVE
2403		GARDEN	2510		GIVENDALE	13101		GREENGROVE
2425		GARDEN	9		GLADEWATER	13305		GREENGROVE
13600		GARDEN GROVE	4116		GLADEWATER	214		GREENHAVEN
13826		GARDEN GROVE	4126		GLADEWATER	234		GREENHAVEN
4600		GARLAND	4154		GLADEWATER	1611		GREENLAWN
4818		GARLAND	4170		GLADEWATER	1615		GREENLAWN
4822		GARLAND	4227		GLADEWATER	1619		GREENLAWN
5409		GARLAND	4247		GLADEWATER	2218		GREER
4516		GARRISON	4327		GLADEWATER	2325		GREER
4520		GARRISON	1415		GLEN	3126		GREGG
4601		GARRISON	5722		GLEN FOREST	3128		GREGG
4609		GARRISON	2519		GLENFIELD	3141		GREGG
4618		GARRISON	2524		GLENFIELD	620		GRIFFITH
4710		GARRISON	2711		GLENFIELD	1626		GRINNELL
4711		GARRISON	2719		GLENFIELD	1630		GRINNELL
4712		GARRISON	9		GLIDDEN	10404		GROVE OAKS
4713		GARRISON	19		GLIDDEN	2811		GUYMON
1529		GARZA	20		GLIDDEN	3426		HIGHLAND WOODS
3325		HALLETT	1331		GLIDDEN	3430		HIGHLAND WOODS
3333		HALLETT	1338		GLIDDEN	3436		HIGHLAND WOODS
3507		HALLETT	2919		GLOYD	3440		HIGHLAND WOODS
3515		HALLETT	2945		GLOYD	3444		HIGHLAND WOODS
3306		HAMILTON	2310		GOOCH	3504		HIGHLAND WOODS
3706		HAMILTON	2315		GOOCH	3505		HIGHLAND WOODS
3726		HAMILTON	2333		GOOCH	3510		HIGHLAND WOODS
3815		HAMILTON	1644	S	HASKELL	3511		HIGHLAND WOODS
3909		HAMILTON	3212	S	HASKELL	3516		HIGHLAND WOODS
3925		HAMILTON	2310	S	HASLETT	3517		HIGHLAND WOODS
4105		HAMILTON	2711		HASTINGS	3521		HIGHLAND WOODS
4414		HAMILTON	1632		HATCHER	3525		HIGHLAND WOODS
4510		HAMILTON	1705		HATCHER	3526		HIGHLAND WOODS
1858		HAMLET	2600		HATCHER	3529		HIGHLAND WOODS
3303		HAMPTON	2819		HATCHER	3533		HIGHLAND WOODS
3601		HANCOCK	3112		HATCHER	3536		HIGHLAND WOODS
3617	S	HANCOCK	3801		HATCHER	3537		HIGHLAND WOODS
3906		HANCOCK	3814		HATCHER	940		HILLBURN
3910		HANCOCK	533		HATTON	1227		HILLBURN
3926		HANCOCK	538		HATTON	1231		HILLBURN
2301		HARDING	772		HAVENWOOD	9999		HILLBURN
1522		HARLANDALE	929		HAVENWOOD	227		HILLVALE
1735		HARLANDALE	4412		HAVERTY	917	E	HOBSON
2314		HARLANDALE	728		HAYMARKET	1010		HOBSON
2318		HARLANDALE	1019		HAYMARKET	1115	E	HOBSON
2431		HARLANDALE	1019		HAYMARKET	1144	E	HOBSON
2923		HARLANDALE	2021		HAYMARKET	5019		HOHEN
3135		HARLANDALE	2045		HAYMARKET	5023		HOHEN
4033		HAMMERLY	2071		HAYMARKET	841		HOLCOMB
3105		HARMON	2101		HAYMARKET	846		HOLCOMB

3108		HARMON
3130		HARMON
1538		HARRIS
1550		HARRIS
1579		HARRIS
2605		HARRISON
2609		HARRISON
2611		HARRISON
2819		HARSTON
2823		HARSTON
401		HART
407		HART
409		HART
411		HART
444		HART
457		HART
608		HARTSDALE
9800		HARWELL
3308		HARWOOD
3409	S	HARWOOD
3513	S	HARWOOD
3521	S	HARWOOD
4926	S	HARWOOD
3833		HOLMES
1722		HOMELAND
3642		HOMELAND
3642		HOMELAND
3730		HOMELAND
9429		HOMEPLACE
35		HONEYSUCKLE
8317		HONEYSUCKLE
8321		HONEYSUCKLE
8327		HONEYSUCKLE
8331		HONEYSUCKLE
8521		HONEYSUCKLE
8607		HONEYSUCKLE
8611		HONEYSUCKLE
2222		HOOPER
2435		HOOPER
2615		HOOPER
2618		HOOPER
2629		HOOPER
18		HORIZON HILLS
19		HORIZON HILLS
2		HORTENSE
1334		HORTENSE
1342		HORTENSE
1506		HORTENSE
1510		HORTENSE
1511		HORTENSE
5406		HOUSTON SCHOOL
1306		HUDSPETH
2161		HAYMARKET
7610		HAZEL
2003		HEARNE
2714		HECTOR
2720		HECTOR
4430		HEDGDON
4511		HEDGDON
538		HELENA
542		HELENA
602		HELENA
611		HELENA
619		HELENA
731		HELENA
734		HELENA
747		HELENA
402		HENDERSON
1311	S	HENDRICKS
1327		HENDRICKS
1401		HENDRICKS
1419		HENDRICKS
1631		HERALD
1635		HERALD
1638		HERALD
5726		HIAWATHA
5732		HIAWATHA
523		HIGH
718		HIGHFALL
1960		HIGHLAND
3420		HIGHLAND WOODS
3421		HIGHLAND WOODS
1930		HUNTINGDON
2002		HUNTINGDON
1401		HUTCHINS
1403		HUTCHINS
1404		HUTCHINS
1503		HUTCHINS
1810		IDAHO
1918		IDAHO
2018		IDAHO
2222		IDAHO
2223		IDAHO
2323		IDAHO
2630		IDAHO
3110		IDAHO
4023		IDAHO
4228		IDAHO
4407		IDAHO
1121	E	ILLINOIS
2716		ILLINOIS
2720	E	ILLINOIS
2100	E	INADALE
3105		INDIANOLA
851		HOLCOMB
930		HOLCOMB
942		HOLCOMB
950		HOLCOMB
1032	E	HOLCOMB
1224		HOLCOMB
1224		HOLCOMB
7459		HOLLY HILL
2703		HOLMES
2715		HOLMES
2820		HOLMES
2824		HOLMES
2913		HOLMES
3012		HOLMES
3105		HOLMES
3522		HOLMES
3720		HOLMES
3734		HOLMES
3821		HOLMES
3826		HOLMES
3830		HOLMES
2430		JEFF
3347		JEFFERSON
1601	W	JEFFRIES
2410		JEFFRIES
2414		JEFFRIES
2501		JEFFRIES
2505		JEFFRIES
2517		JEFFRIES
2629		JEFFRIES
2741		JENNINGS
2747		JENNINGS
2753		JENNINGS
2759		JENNINGS
3117		JESSIE BELL
2406		JEWELL
2402		JIM
137	N	JIM MILLER
307	S	JIM MILLER
1021		JIM MILLER
4708	N	JIM MILLER
8107	N	JOHN
8111		JOHN
8115		JOHN
8116		JOHN
5739		JOHNSON
5921		JOHNSON
9999		JOHNSON
604		JONELLE
627		JONELLE
632		JONELLE
648		JONELLE

1422	HUDSPETH	1927		INGERSOLL	660		JONELLE
1611	HUDSPETH	1934		INGERSOLL	711		JONELLE
1710	HUDSPETH	1935		INGERSOLL	715		JONELLE
1714	HUDSPETH	1938		INGERSOLL	746		JONELLE
2135	HUDSPETH	1939		INGERSOLL	4731		JONES
2159	HUDSPETH	2622		INGERSOLL	2224		JORDAN
2706	HUDSPETH	2434		INGERSOLL	2234		JORDAN
2708	HUDSPETH	3402		INGERSOLL	2235		JORDAN
2710	HUDSPETH	3615		INGERSOLL	2019		JORDAN VALLEY
2733	HUDSPETH	3722		INGERSOLL	2104		JORDAN VALLEY
2735	HUDSPETH	4010		INGERSOLL	429		JOSEPHINE
2820	HUDSPETH	4026		INGERSOLL	503		JOSEPHINE
4702	HUEY	1503		IOWA	519		JOSEPHINE
4712	HUEY	111		IRA	3610		JULIUS SCHEPPS
4718	HUEY	118	N	IRA	3614		JULIUS SCHEPPS
4806	HUEY	10899	N	IRIS	315		JUSTIN
4807	HUEY	2507		IROQUOIS	2418	N	KAHN
7740	HULL	2622		IROQUOIS	2115		KATHLEEN
7904	HULL	2807		IROQUOIS	2125		KATHLEEN
7935	HULL	3520		IROQUOIS	2141		KATHLEEN
7944	HULL	2015		IVANHOE	2407		KATHLEEN
7958	HULL	4010		IVANHOE	2655		KATHLEEN
8024	HUME	4022		IVANHOE	4720		KOLLOCH
3746	HUMPHREY	5035		IVY	4726		KOLLOCH
4404	HUMPHREY	5041		IVY	944		JADEWOOD
2736	KAVASAR	5103		IVY	3526		JAMAICA
2807	KAVASAR	5156		IVY	4018		JAMAICA
2814	KAVASAR	1702		J B JACKSON	4202		JAMAICA
2818	KAVASAR	1916		J B JACKSON	2517		KOOL
2831	KAVASAR	1917		J B JACKSON	2611		KOOL
2906	KAVASAR	1921		J B JACKSON	2622		KOOL
2918	KAVASAR	4352		JAMAICA	2626		KOOL
2919	KAVASAR	4518		JAMAICA	2631		KOOL
2935	KAVASAR	4606		JAMAICA	2635		KOOL
2936	KAVASAR	6616		JEANE	2708		KOOL
2939	KAVASAR	2430		JEFF	2717		KOOL
2942	KAVASAR	3511		KEYRIDGE	2719		KOOL
2952	KAVASAR	3515		KEYRIDGE	2726		KOOL
2962	KAVASAR	1409	E	KIEST	2740		KOOL
2963	KAVASAR	1700	E	KIEST	1928		KRAFT
9999	KAVASAR	1713	E	KIEST	2006		KRAFT
2728	KEELER	1805	E	KIEST	2012		KRAFT
2732	KEELER	2720	E	KIEST	2024		KRAFT
5300	KEENLAND	2503	E	KILBURN	2031		KRAFT
2732	KELLER	2606		KILBURN	302		KRAMER
2419	KEMP	2615		KILBURN	322	N	KRAMER
2457	KEMP	2846		KILBURN	3420	N	KRISTEN
2462	KEMP	4833		KILDARE	3819		KYNARD
2466	KEMP	4914		KILDARE	3304		KYSER
1	KEMROCK	4926		KILDARE	6810		LACY
11	KEMROCK	4935		KILDARE	6816		LACY
6015	KEMROCK	4943		KILDARE	4122		LADALE
6030	KEMROCK	1231		KILLOUGH	3411		LADD

6039	KEMROCK	1329		KILLOUGH	2720		LAGOW
6043	KEMROCK	1339		KILLOUGH	2820		LAGOW
6107	KEMROCK	1427		KILLOUGH	2902		LAGOW
6109	KEMROCK	1505		KILLOUGH	2906		LAGOW
6121	KEMROCK	1545		KILLOUGH	8322		LAKE ANNA
6125	KEMROCK	3819		KIMBALLDALE	421		LAKE CLIFF
6131	KEMROCK	2606		KIMSEY	7420		LAKE JUNE
6216	KEMROCK	2810		KINGBRIDGE	9501		LAKE JUNE
6222	KEMROCK	1038		KINGS	2118		LAKEVIEW
6311	KEMROCK	2200		KINGS	2724	S	LAMAR
6411	KEMROCK	8325		KINGSFIELD	22		LANARK
6419	KEMROCK	8345		KINGSFIELD	2434		LANARK
6427	KEMROCK	8353		KINGSFIELD	619	S	LANCASTER
6434	KEMROCK	3617		KINGSFORD	4226		LANCASTER
6454	KEMROCK	1507		KINGSLEY	6318	N	LANCASTER
6505	KEMROCK	1511		KINGSLEY	6322	S	LANCASTER
6511	KEMROCK	1815		KINGSLEY	6326	S	LANCASTER
2811	KENESAW	2522		KINGSTON	6620	S	LANCASTER
3509	KENILWORTH	2503		KIRKLEY	7422	S	LANCASTER
3723	KENILWORTH	2517		KIRKLEY	13122	S	LAND
700	KESSLER LAKE	1317		KIRNWOOD	202		LANDIS
700	KESSLER LAKE	1800		KIRNWOOD	208		LANDIS
3418	KEYRIDGE	2627		KIRVEN	215		LANDIS
3422	KEYRIDGE	8111		KISKA	218		LANDIS
4220	LANDRUM	8112		KISKA	227		LANDIS
4222	LANDRUM	9030		KISSELL	4202		LANDRUM
4224	LANDRUM	5806		KITTY	4206		LANDRUM
4227	LANDRUM	12		KIWANIS	4210		LANDRUM
4233	LANDRUM	11800		KLEBERG	2412		LENWAY
4300	LANDRUM	12239		KLEBERG	2601		LENWAY
4304	LANDRUM	12611		KLEBERG	1922		LEROY
4309	LANDRUM	2438		KNIGHT	2042		LEROY
4317	LANDRUM	3733		KOLLOCH	2904		LEWISTON
4402	LANDRUM	3742		KOLLOCH	1619		LIFE
9212	LANEYVALE	3907		KOLLOCH	1619		LIFE
9219	LANEYVALE	4308		KOLLOCH	2023		LIFE
9426	LANEYVALE	4609		KOLLOCH	1816		LINCOLN
2507	LANGDON	546	E	LAURELAND	7436		LINDA
8502	LAPANTO	2422		LAWRENCE	7507		LINDA
2202	LAPSLEY	2503		LAWRENCE	5035		LINDER
2626	LAPSLEY	2601		LAWRENCE	4702		LINDSLEY
3123	LAPSLEY	2628		LAWRENCE	5319		LINDSLEY
3203	LAPSLEY	2710		LAWRENCE	2816		LINFIELD
3207	LAPSLEY	2711		LAWRENCE	3023		LINFIELD
3211	LAPSLEY	336		LAWSON	3514		LINFIELD
3215	LAPSLEY	3818		LE FORGE	3518		LINFIELD
3219	LAPSLEY	3902		LE FORGE	4816		LINFIELD
3302	LAPSLEY	1905		LEACREST	4532		LIVE OAK
3306	LAPSLEY	2000		LEACREST	2631		LOBDELL
3310	LAPSLEY	2132		LEACREST	2638		LOBDELL
3314	LAPSLEY	6315		LEANA	3300		LOCKETT
3315	LAPSLEY	6413		LEANA	3523		LOCKETT
3318	LAPSLEY	1819		LEATH	3527		LOCKETT

3319	LAPSLEY	2035		LEATH	6806		LOCKHEED
3322	LAPSLEY	2711		LEBROCK	2739		LOCUST
3323	LAPSLEY	2718		LEBROCK	2266		LOLITA
3326	LAPSLEY	2719		LEBROCK	2740		LOLITA
3327	LAPSLEY	2720		LEBROCK	2914		LOLITA
3330	LAPSLEY	2724		LEBROCK	2915		LOLITA
3331	LAPSLEY	2728		LEBROCK	850		LONG ACRE
3334	LAPSLEY	2733		LEBROCK	319		LONGRIDGE
3335	LAPSLEY	2736		LEBROCK	1220		LONSDALE
3338	LAPSLEY	2737		LEBROCK	1233		LONSDALE
3339	LAPSLEY	2745		LEBROCK	1		LOOP 12
3342	LAPSLEY	2749		LEBROCK	13		LOOP 12
3345	LAPSLEY	2807		LEBROCK	14		LOOP 12
3346	LAPSLEY	2815		LEBROCK	15		LOOP 12
3349	LAPSLEY	2822		LEBROCK	7455		LOOP 12
3350	LAPSLEY	2823		LEBROCK	1617	S	LORIS
3354	LAPSLEY	2826		LEBROCK	1300		LOTUS
3356	LAPSLEY	2827		LEBROCK	1302		LOTUS
4727	LARUE	2838		LEBROCK	1309		LOTUS
910	LASALLE	2843		LEBROCK	1311		LOTUS
3015	LATIMER	2854		LEBROCK	1313		LOTUS
3414	LATIMER	2855		LEBROCK	2214		LOTUS
3504	LATIMER	1048		LEDBETTER	2226		LOTUS
3521	LATIMER	1915	E	LEDBETTER	210	E	LOUISIANA
3730	LATIMER	2003	E	LEDBETTER	224	E	LOUISIANA
3922	LATIMER	2007	E	LEDBETTER	300	W	LOUISIANA
10	LAURELAND	2346	E	LEDBETTER	319	W	LOUISIANA
3716	LOVINGOOD	2615	E	LEDBETTER	1423	E	LOUISIANA
3810	LOVINGOOD	3307	E	LEDBETTER	1616		LOUISIANA
2302	LOWERY	3311	E	LEDBETTER	7012	W	LOVETT
2308	LOWERY	3427	E	LEDBETTER	507		MARLBOROUGH
2331	LOWERY	3540	E	LEDBETTER	902	S	MARLBOROUGH
2406	LOWERY	5538	S	LEEWOOD	5001	S	MARNE
2605	LOWERY	4417		LELAND	5007		MARNE
6623	LUCY	4918		LELAND	5026		MARNE
6627	LUCY	3823		LEMAY	5039		MARNE
4504	LUZON	3903		LEMAY	825	S	MARSALIS
4531	LUZON	3915		LEMAY	1331		MARSALIS
4540	LUZON	13328		LENOSA	1342	S	MARSALIS
4623	LUZON	1708		LENWAY	1703	S	MARSALIS
4640	LUZON	1710		LENWAY	1903	S	MARSALIS
4644	LUZON	2730		MARBURG	2002	S	MARSALIS
4647	LUZON	2731		MARBURG	2415	S	MARSALIS
1410	LYNN HAVEN	2735		MARBURG	2818	S	MARSALIS
2426	LYOLA	2738		MARBURG	2823	S	MARSALIS
2433	LYOLA	2739		MARBURG	2830	S	MARSALIS
2441	LYOLA	3001		MARBURG	2911	S	MARSALIS
2716	LYOLA	3010		MARBURG	2915	S	MARSALIS
2726	LYOLA	4538		MARCELL	2923	S	MARSALIS
2804	LYOLA	3301		MARCOLE	2935	S	MARSALIS
2808	LYOLA	3307		MARCOLE	3107	S	MARSALIS
2814	LYOLA	3311		MARCOLE	4915	S	MARSALIS
2821	LYOLA	3312		MARCOLE	3709		MARSHALL

2838		LYOLA
2845		LYOLA
2849		LYOLA
2853		LYOLA
2854		LYOLA
2141		MACK
2249		MACON
2338		MACON
2622		MACON
2633		MACON
2731		MACON
8233		MADDOX
2139		MAIL
2143		MAIL
245		MAIN
266	W	MAIN
2014		MAIN
3014	S	MALLORY
3122		MALLORY
2703		MANILA
6718		MANITOBA
1610		MARBURG
2231		MARBURG
2318		MARBURG
2539		MARBURG
2618		MARBURG
2727		MARBURG
1729		MCBROOM
1729		MCBROOM
1834		MCBROOM
1906		MCBROOM
1939		MCBROOM
2012		MCBROOM
2029		MCBROOM
3402		MCBROOM
3610		MCBROOM
3615		MCBROOM
3618		MCBROOM
3630		MCBROOM
3705		MCBROOM
3723		MCBROOM
3734		MCBROOM
3143		MCDERMOTT
739		MCDOWELL
1509		MCKEE
1315		MCKENZIE
1325		MCKENZIE
1332		MCKENZIE
1334		MCKENZIE
1336		MCKENZIE
1338		MCKENZIE
1428		MCKENZIE
3315		MARCOLE
3316		MARCOLE
3319		MARCOLE
3320		MARCOLE
3323		MARCOLE
3324		MARCOLE
3327		MARCOLE
3328		MARCOLE
3331		MARCOLE
3332		MARCOLE
3335		MARCOLE
3342		MARCOLE
2802		MARDER
1212		MARFA
1236		MARFA
1242		MARFA
1247		MARFA
1415		MARFA
1502		MARFA
1514		MARFA
1527		MARFA
18		MARGEWOOD
20		MARGEWOOD
5714		MARGEWOOD
2900		MARIDEEN
2934		MARIDEEN
2938		MARIDEEN
8619		MARIGOLD
8701		MARIGOLD
9		MARINE
10		MARINE
2431		MARJORIE
2515		MARJORIE
2521		MARJORIE
2747		MARJORIE
2804		MARJORIE
3021		MARJORIE
3115		MARJORIE
140		MARKS
150		MARKS
208		MARKS
9120		METZ
9211		METZ
4825		MEXICANA
4911		MEXICANA
4934		MEXICANA
5015		MEXICANA
2423		MEYERS
2506		MEYERS
2515		MEYERS
2526		MEYERS
2609		MEYERS
4002		MARSHALL
4103		MARSHALL
4220		MARSHALL
4302		MARSHALL
4315		MARSHALL
2633		MARTIN LUTHER KING JR
5700		MARTINEZ
515		MARTINIQUE
811		MARTINIQUE
3402		MARVIN D LOVE
7446		MARY DAN
1704		MARY ELLEN
1726		MARYLAND
2418		MARYLAND
2419		MARYLAND
2635		MARYLAND
2915		MARYLAND
4129		MARYLAND
200		MASTERS
322	S	MASTERS
1608	N	MATAGORDA
1608		MATAGORDA
3315		MAYBETH
3806		MAYBETH
3930		MAYBETH
1509		MAYWOOD
1515		MAYWOOD
1413		MCBROOM
1414		MCBROOM
1721		MCBROOM
2415		MOFFATT
2422		MOFFATT
2431		MOFFATT
2656		MOJAVE
2724		MOJAVE
2839		MOJAVE
2906		MOJAVE
2921		MOJAVE
4542		MOLER
345		MONTANA
1122	E	MONTCLAIR
1220	S	MONTCLAIR
2021	S	MONTCLAIR
4003		MONTIE
4311		MONTIE
106	N	MOORE
110	S	MOORE
114	S	MOORE
118	S	MOORE
122	S	MOORE
333	N	MOORE
338	N	MOORE

3018		MCNEIL
3333		MCNEIL
2800		MEADOW
2816		MEADOW
2820		MEADOW
3410		MEADOW
4618		MEADOW
2742		MEADOW DAWN
428		MELBA
4220		MEMORY LANE
4234		MEMORY LANE
4400		MEMORY LANE
4414		MEMORY LANE
4520		MEMORY LANE
1600		MENTOR
1610		MENTOR
2405		MERLIN
2406		MERLIN
2435		MERLIN
206		MERRIFIELD
5535		MESA
4230	S	MESA GLEN
2237		METROPOLITAN
3514		METROPOLITAN
3526		METROPOLITAN
3803		METROPOLITAN
3809		METROPOLITAN
3905		METROPOLITAN
3926		METROPOLITAN
4015		METROPOLITAN
4213		METROPOLITAN
4301		METROPOLITAN
4507		METROPOLITAN
4522		METROPOLITAN
4602		METROPOLITAN
1506		MORRIS
1512		MORRIS
1925		MORRIS
1929		MORRIS
2011		MORRIS
2017		MORRIS
2020		MORRIS
2030		MORRIS
3500		MORRIS
3506		MORRIS
3510		MORRIS
3542		MORRIS
3602		MORRIS
3639		MORRIS
3701		MORRIS
3722		MORRIS
3741		MORRIS
1222		MOUNTAIN LAKE

2612		MEYERS
2641		MEYERS
3314		MEYERS
3630		MEYERS
1251		MICHIGAN
1610		MICHIGAN
1632		MICHIGAN
1735		MICHIGAN
2642		MICHIGAN
2710		MICHIGAN
2926		MICHIGAN
2938		MICHIGAN
3011		MICHIGAN
3051		MICHIGAN
3055		MICHIGAN
3302		MICHIGAN
4715		MILITARY
4727		MILITARY
4819		MILITARY
5625		MILLAR
623		MILLARD
808		MILLARD
813		MILLARD
825		MILLARD
2807		MILLBROOK
3502		MINGO
3510		MINGO
3531		MINGO
3539		MINGO
3547		MINGO
1143		MISSOURI
1143		MISSOURI
2718	E	MITCHELL
2728		MITCHELL
2106		MOFFATT
2110		MOFFATT
2111		MOFFATT
2222		MOFFATT
2235		MOFFATT
2242		MOFFATT
2246		MOFFATT
2302		MOFFATT
2303		MOFFATT
2314		MOFFATT
2319		MOFFATT
2327		MOFFATT
7934		NASSAU
8002	S	NASSAU
3343	S	NAVAJO
3314		NAVARO
3116		NAVARO
3321		NAVARO
3226		NAVARO

340	N	MOORE
402	N	MOORE
420	N	MOORE
423	N	MOORE
424	N	MOORE
426	N	MOORE
427	N	MOORE
428	N	MOORE
506	N	MOORE
507	N	MOORE
508	N	MOORE
509	N	MOORE
511	N	MOORE
513	N	MOORE
515	N	MOORE
602	N	MOORE
607	N	MOORE
2554	N	MORGAN
2728		MORGAN
3046		MORGAN
3115		MORGAN
3210		MORGAN
2738		MORNING
2811		MORNING
3902		MORNING SPRINGS
1018		MOROCCO
1210	N	MOROCCO
1250	N	MOROCCO
1420	N	MORRELL
1735		MORRELL
1802		MORRELL
1516		MORRIS
1912		MORRIS
1925		MORRIS
5521		NOMAS
5703		NOMAS
5707		NOMAS
5711		NOMAS
5715		NOMAS
5719		NOMAS
5723		NOMAS
4705		NOME
4711		NOME
4716		NOME
4720		NOME
4723		NOME
4736		NOME
4744		NOME
4748		NOME
4812		NOME
4820		NOME
4832		NOME
4836		NOME

1405		MOUNTAIN LAKE	3503		NAVARO	4843		NOME
1		MOUNTAIN SHORES	5		NAVY	4851		NOME
2		MOUNTAIN SHORES	15		NAVY	4123		NORCO
3		MOUNTAIN SHORES	221		NAVY	1201		NORTH
4		MOUNTAIN SHORES	1909		NEAL	1207		NORTH
5		MOUNTAIN SHORES	111		NECHES	1215		NORTH
16		MOUNTAIN SHORES	654		NEELY	1310		NORTH
3616		MT EVEREST	631	W	NEOMI	239		NORTH SHORE
3726		MT RANIER	722		NEOMI	851		OAK FOREST
3623		MT ROYAL	726		NEOMI	714		OAK PARK
804		MUNCIE	731		NEOMI	2328		OAK PLAZA
908		MUNCIE	9999		NEW BEDFORD	2404		OAK PLAZA
910		MUNCIE	9325		NEWHALL	2419		OAK PLAZA
913		MUNCIE	9407		NEWHALL	2364		OAKDALE
1812		MUNCIE	3115		NICHOLSON	2370		OAKDALE
1911		MUNCIE	5		NO NAME	2428		OAKDALE
1927		MUNCIE	8		NO NAME	2510		OAKDALE
119		MURDEAUX	363		NO NAME	2514		OAKDALE
547		MURDOCK	999		NO NAME	2519		OAKDALE
605		MURDOCK	1219		NO NAME	2521		OAKDALE
609		MURDOCK	3515		NO NAME	2542		OAKDALE
720		MURDOCK	5839		NO NAME	2543		OAKDALE
824		MURDOCK	6036		NO NAME	2547		OAKDALE
1624	N	MURDOCK	6500		NO NAME	1306		OAKLEY
3511		MYRTLE	6524		NO NAME	1308		OAKLEY
6310		MYRTLE	6532		NO NAME	1406		OAKLEY
6318		MYRTLE	6534		NO NAME	1506		OAKLEY
123		NACHITA	9011		NO NAME	9999		OAKWOOD
2810		NAMUR	1224		NOAH	4		ODESSA
2825	S	NAMUR	1100		NOKOMIS	3421		ODESSA
3145		NANDINA	1131		NOLTE	4103		ODESSA
3244		NANDINA	1415		NOMAS	8621		ODOM
9999		NANTUCKET VILLAGE	1525		NOMAS	114		OHIO
10311		NANTUCKET VILLAGE	1735		NOMAS	119	W	OHIO
2446		NAOMA	1842		NOMAS	3533		PENELOPE
2506		NAOMA	1846		NOMAS	3603		PENELOPE
318	E	OHIO	1955		NOMAS	3606		PENELOPE
1238	W	OHIO	1966		NOMAS	3702		PENELOPE
1242	E	OHIO	3316		NOMAS	3704		PENELOPE
1567	E	OHIO	3320		NOMAS	3707		PENELOPE
219	W	OKLAUNION	3326		NOMAS	3719		PENELOPE
3708		OPAL	3407		NOMAS	3815		PENELOPE
3923		OPAL	3431		NOMAS	3819		PENELOPE
4234		OPAL	3529		NOMAS	3922		PENELOPE
829		OSLO	3615		NOMAS	1313		PENNSYLVANIA
1427		OVERTON	3630		NOMAS	1325		PENNSYLVANIA
1607	E	OVERTON	3715		NOMAS	1415		PENNSYLVANIA
1618	E	OVERTON	3720		NOMAS	2414		PENNSYLVANIA
1623	E	OVERTON	5518		NOMAS	2504		PENNSYLVANIA
1651	E	OVERTON	721		PARKVIEW	2525		PENNSYLVANIA
2307	E	OVERTON	509		PARKWOOD	2710		PENNSYLVANIA
2730	E	OVERTON	516		PARKWOOD	2722		PENNSYLVANIA
2803	E	OVERTON	605		PARKWOOD	2812		PENNSYLVANIA

2835	E	OVERTON	611	PARKWOOD	2822	PENNSYLVANIA
1418		OWEGA	617	PARKWOOD	2834	PENNSYLVANIA
1442		OWEGA	623	PARKWOOD	2908	PENNSYLVANIA
1446		OWEGA	629	PARKWOOD	3105	PENNSYLVANIA
1510		OWEGA	740	PARKWOOD	3110	PENNSYLVANIA
4818		OWENWOOD	1211	PARLAY	3117	PENNSYLVANIA
4838		OWENWOOD	1212	PARLAY	3423	PEORIA
1179		OXBOW	1215	PARLAY	3717	PEORIA
1183		OXBOW	1216	PARLAY	3738	PEORIA
4907		PACIFIC	1219	PARLAY	3838	PEORIA
704		PACKARD	1222	PARLAY	3842	PEORIA
705		PACKARD	1223	PARLAY	2	PERSIMMON
713		PACKARD	2724	PARNELL	2906	PERSIMMON
717		PACKARD	2732	PARNELL	2918	PERSIMMON
721		PACKARD	2901	PARNELL	2937	PERSIMMON
1011	S	PACKARD	2708	PARSONS	3038	PERSIMMON
417		PAGE	2712	PARSONS	3045	PERSIMMON
4022	W	PALACIOS	3343	PARVIA	3049	PERSIMMON
2322		PALL MALL	5168	PATONIA	3053	PERSIMMON
2620		PALL MALL	1307	PEABODY	3129	PERSIMMON
2656		PALL MALL	1319	PEABODY	3156	PERSIMMON
2660		PALL MALL	1325	PEABODY	3203	PERSIMMON
2715		PALL MALL	1812	PEABODY	4520	PHILIP
2719		PALL MALL	2311	PEABODY	4524	PHILIP
2723		PALL MALL	2408	PEABODY	1600	PINE
2750		PALL MALL	2413	PEABODY	1725	PINE
2808		PALL MALL	2509	PEABODY	2232	PINE
2814		PALL MALL	2524	PEABODY	2506	PINE
2815		PALL MALL	2525	PEABODY	3319	PINE
2820		PALL MALL	2529	PEABODY	3335	PINE
2824		PALL MALL	2610	PEABODY	3622	PINE
557		PALMETTO	2612	PEABODY	3639	PINE
3155		PALO ALTO	1637	PEAR	3642	PINE
9302		PARAMOUNT	1712	PEAR	3710	PINE
9502		PARAMOUNT	2819	PEARY	3714	PINE
1805		PARK ROW	2823	PEARY	4002	PINE
1819		PARK ROW	2859	PEARY	2002	PLAINCREEK
2532		PARK ROW	2875	PEARY	2010	PLAINCREEK
2723		PARK ROW	999	PEBBLE VALLEY	2016	PLAINCREEK
6903		PARKDALE	401	PECAN	8334	PLAINVIEW
6927		PARKDALE	402	PECAN	5637	PUEBLO
6938		PARKDALE	407	PECAN	5638	PUEBLO
5008		PARKLAND	408	PECAN	5641	PUEBLO
8344		PLAINVIEW	413	PECAN	5642	PUEBLO
8351		PLAINVIEW	416	PECAN	5645	PUEBLO
8401		PLAINVIEW	423	PECAN	5646	PUEBLO
8430		PLAINVIEW	431	PECAN	5649	PUEBLO
604		PLEASANT	606	PEMBERTON HILL	5650	PUEBLO
1038		PLEASANT	648	PEMBERTON HILL	5654	PUEBLO
1813		PLEASANT	1031	PEMBERTON HILL	5658	PUEBLO
2267		PLEASANT	3533	PENELOPE	5702	PUEBLO
2271		PLEASANT	800	PONTIAC	5703	PUEBLO
2851		PLEASANT	801	PONTIAC	5706	PUEBLO

3105		PLEASANT	903	PONTIAC	5707	PUEBLO
134		PLEASANT MEADOWS	1023	PONTIAC	5802	PUEBLO
204		PLEASANT MEADOWS	1624	POPLAR	5805	PUEBLO
612		PLEASANT VISTA	1715	POPLAR	5806	PUEBLO
613		PLEASANT VISTA	2207	POPLAR	5809	PUEBLO
619		PLEASANT WOODS	2307	POPLAR	5810	PUEBLO
627		PLEASANT WOODS	2206	PORTERFIELD	5813	PUEBLO
1420	N	PLUM	2210	PORTERFIELD	5814	PUEBLO
5734	N	PLUM DALE	2213	PORTERFIELD	5817	PUEBLO
5739		PLUM DALE	2214	PORTERFIELD	5818	PUEBLO
5744		PLUM DALE	2218	PORTERFIELD	5821	PUEBLO
5800		PLUM DALE	2221	PORTERFIELD	5822	PUEBLO
5801		PLUM DALE	800	PRAIRIE CREEK	5825	PUEBLO
5818		PLUM DALE	1	PRAIRIE FLOWER	5826	PUEBLO
5906		PLUM DALE	900009	PRATER	5829	PUEBLO
5908		PLUM DALE	1432	PRESIDIO	5830	PUEBLO
6018		PLUM DALE	1613	PRESIDIO	5900	PUEBLO
6022		PLUM DALE	1651	PRESIDIO	3107	PUGET
6023		PLUM DALE	2727	PROSPERITY	1201	PURITAN
6031		PLUM DALE	2753	PROSPERITY	1205	PURITAN
6035		PLUM DALE	2761	PROSPERITY	1208	PURITAN
6039		PLUM DALE	2763	PROSPERITY	1209	PURITAN
6043		PLUM DALE	2769	PROSPERITY	1212	PURITAN
6047		PLUM DALE	2781	PROSPERITY	8724	QUINN
6051		PLUM DALE	2801	PROSPERITY	9039	QUINN
6055		PLUM DALE	2802	PROSPERITY	6606	RACINE
6059		PLUM DALE	2910	PROSPERITY	4219	RAMONA
6067		PLUM DALE	2918	PROSPERITY	15	RAMSEY
6071		PLUM DALE	2931	PROSPERITY	1609	RAMSEY
6072		PLUM DALE	3018	PROSPERITY	1931	RAMSEY
800		PLYMOUTH	3019	PROSPERITY	2019	RAMSEY
4114		POINSETTIA	1403	PUEBLO	2431	RAMSEY
4105	S	POINTER	1515	PUEBLO	2614	RAMSEY
925		POLK	1903	PUEBLO	2615	RAMSEY
9330		POLK	1922	PUEBLO	2716	RAMSEY
9408	S	POLK	1933	PUEBLO	2742	RAMSEY
1818	S	POLLARD	3318	PUEBLO	2743	RAMSEY
1842		POLLARD	3329	PUEBLO	2819	RAMSEY
1919	S	POLLARD	3423	PUEBLO	3038	RAMSEY
3924		POLLY	3434	PUEBLO	2611	SANTA FE
3933		POLLY	3521	PUEBLO	4934	SANTA FE
3425		PONDROM	3525	PUEBLO	6221	SARAH LEE
3509		PONDROM	3541	PUEBLO	6227	SARAH LEE
708		PONTIAC	3543	PUEBLO	2731	SCAMMEL
3051		RAMSEY	3552	PUEBLO	15	SCARSDALE
3106		RAMSEY	3622	PUEBLO	3902	SCHOFIELD
5700		RANCHERO	3623	PUEBLO	3918	SCHOFIELD
2519		RANDOLPH	3624	PUEBLO	3607	SCHUSTER
2551		RANDOLPH	3626	PUEBLO	2323	SCOTLAND
4020		RANGER	3700	PUEBLO	2414	SCOTLAND
4024		RANGER	5618	PUEBLO	2754	SCOTLAND
1411		RANIER	5622	PUEBLO	2329	SCOTT

110		RAVINIA
202		RAVINIA
502	S	RAYENELL
563	S	RAYENELL
607		RAYENELL
623		RAYENELL
643		RAYENELL
650		RAYENELL
766		RAYENELL
802		RAYENELL
821		RAYENELL
2538		RAYMOND
319		RED WING
334		RED WING
7012		REDBUD
7202		REDBUD
4625		REIGER
4825		REIGER
5533		REIGER
1200		RENNER
1315		RENNER
3107		REYNOLDS
3119		REYNOLDS
3239		REYNOLDS
3306		RICH ACRES
3312		RICH ACRES
2623		RIPPLE
2627		RIPPLE
2631		RIPPLE
2637		RIPPLE
2641		RIPPLE
2919		RIPPLE
2935		RIPPLE
718		RIVERWOOD
2506		ROBERT B CULLUM
2734		ROBERTA
2803		ROBERTA
2807		ROBERTA
2811		ROBERTA
3516		ROBERTS
4006		ROBERTS
4010		ROBERTS
4014		ROBERTS
2711		ROCHESTER
2711		ROCHESTER
2718		ROCHESTER
2910		ROCHESTER
2915		ROCHESTER
2922		ROCHESTER
1716		SHAW
1846		SHAW
1910		SHAW
1917		SHAW

5626		PUEBLO
5630		PUEBLO
5633		PUEBLO
5634		PUEBLO
2711		ROCHESTER
2718		ROCHESTER
3002		ROCHESTER
3016		ROCHESTER
10726		ROCKINGHAM
709		ROCKWOOD
713		ROCKWOOD
717		ROCKWOOD
725		ROCKWOOD
2731		ROGERS
2227		ROMINE
2526		ROMINE
2530		ROMINE
3409		ROSELAND
4407		ROSELAND
5		ROSEMONT
7512		ROSEMONT
5120		ROSINE
8003		ROTHINGTON
8005		ROTHINGTON
1401		ROWAN
1424		ROWAN
5700		ROYAL
2100		ROYAL OAKS
2200		ROYAL OAKS
10110		ROYCE
10117		ROYCE
4334		RUSK
4411		RUSK
4414		RUSK
3702		RUSKIN
3709		RUSKIN
3724		RUSKIN
3238		RUTLEDGE
3238		RUTLEDGE
3300		RUTLEDGE
3315		RUTLEDGE
3322		RUTLEDGE
3323		RUTLEDGE
3327		RUTLEDGE
3441		RUTZ
8143		RYLIE
10708		RYLIE CREST
506		SABINE
1020		SABINE
1031		SABINE
7920		SAIPAN
3100		SAMUELL
7534		SAN JOSE

4401		SCYENE
4403		SCYENE
7225		SCYENE
7331		SCYENE
7339		SCYENE
7800		SCYENE
8000		SCYENE
131		SEAGOVILLE
134		SEAGOVILLE
141	N	SEAGOVILLE
235	N	SEAGOVILLE
340		SEAGOVILLE
9622		SEAGOVILLE
10115		SEAGOVILLE
14100		SEAGOVILLE
2845	S	SEATON
2924		SEATON
4427		SEAY
6516		SEBRING
6546		SEBRING
8906		SEDGEMOOR
9310		SEDGEMOOR
1508		SEEGAR
1516		SEEVERS
1615		SEEVERS
1723		SEEVERS
1912		SEEVERS
1918		SEEVERS
2118		SEEVERS
2502		SEEVERS
2518		SEEVERS
2522		SEEVERS
2624		SEEVERS
2714		SEEVERS
2930		SEEVERS
3054		SEEVERS
4111		SHADRACK
2512		SHARON
2758		SHARON
6145		SPORTSMANS
6151		SPORTSMANS
6155		SPORTSMANS
6165		SPORTSMANS
6171		SPORTSMANS
6181		SPORTSMANS
6211		SPORTSMANS
6221		SPORTSMANS
6231		SPORTSMANS
6241		SPORTSMANS
3303		SPRING
3304		SPRING
3319		SPRING
3331		SPRING

1964		SHAW
1968		SHAW
2028		SHAW
7		SHAYNA
1222		SHEFFIELD
1402		SHEFFIELD
1408		SHEFFIELD
3436		SHELDON
3444		SHELDON
3932		SHELLEY
2113		SHELLHORSE
2123		SHELLHORSE
2130		SHELLHORSE
2140		SHELLHORSE
2206		SHELLHORSE
2212		SHELLHORSE
2218		SHELLHORSE
23		SHEPHERD
1711		SHORE
1715		SHORE
1719	E	SHORE
1619		SICILY
1702	E	SICILY
3527		SIDNEY
3527		SIDNEY
3533		SIDNEY
3601		SIDNEY
3607		SIDNEY
3926		SIDNEY
2614		SILKWOOD
2618		SILKWOOD
2620		SILKWOOD
2718		SILKWOOD
2726		SILKWOOD
2730		SILKWOOD
2811		SILKWOOD
2819		SILKWOOD
4635		SILVER
4655		SILVER
4800		SILVER
4806		SILVER
4807		SILVER
4820		SILVER
9406		SILVER FALLS
4020		SILVERHILL
2411		SIMPSON STUART
2417		SIMPSON STUART
2955		SIMPSON STUART
5711		SINGLETON
14000		SKYFROST
14300		SKYFROST
14515		SKYFROST
8746		SLAY
2812		SANDERSON
1518		SANGER
1808		SANGER
1822		SANGER
2703		SANTA CRUZ
1514		SMOKE TREE
1703		SMOKE TREE
1707		SMOKE TREE
1711		SMOKE TREE
1717		SMOKE TREE
1852		SMOKE TREE
1903		SMOKE TREE
1940		SMOKE TREE
1948		SMOKE TREE
3760		SOFT WIND
3623		SOFTCLOUD
4534		SOLAR
4535		SOLAR
4542		SOLAR
4543		SOLAR
4550		SOLAR
4553		SOLAR
4557		SOLAR
4600		SOLAR
4603		SOLAR
4624		SOLAR
4019		SOLOMAN
4102		SOLOMAN
4135		SOLOMAN
3703		SONORA
3935		SONORA
1802		SOUTH
1804		SOUTH
1901		SOUTH
2516		SOUTH
2524		SOUTH
2934		SOUTH
222		SOUTH SHORE
625		SOUTHEAST
1717		SOUTHERLAND
2319		SOUTHLAND
2623		SOUTHLAND
2631		SOUTHLAND
2838		SOUTHLAND
405		SPARKS
418		SPARKS
433		SPARKS
442		SPARKS
505		SPARKS
6530		SPEIGHT
3810		SPENCE
3818		SPENCE
3905		SPENCE
3524		SPRING
3804		SPRING
3808		SPRING
3900		SPRING
4326		SPRING
4334		SPRING
4335		SPRING
3021		SPRINGVIEW
3026		SPRINGVIEW
3211		SPRINGVIEW
3327		SPRINGVIEW
3337		SPRINGVIEW
3347		SPRINGVIEW
3350		SPRINGVIEW
3361		SPRINGVIEW
2865		SPRUCE VALLEY
348	S	ST AUGUSTINE
1101		ST AUGUSTINE
1337		ST AUGUSTINE
1619	S	ST AUGUSTINE
1925	S	ST AUGUSTINE
2237	N	ST AUGUSTINE
2945	S	ST AUGUSTINE
2411		ST CLAIR
2415	S	ST CLAIR
2416		ST CLAIR
2425		ST CLAIR
2434		ST CLAIR
2437		ST CLAIR
2439		ST CLAIR
407		ST MARY
3914		STANLEY SMITH
3919		STANLEY SMITH
6625		STARKEY
2315		STARKS
2331		STARKS
2336		STARKS
2412		STARKS
2424		STARKS
2425		STARKS
3321		TOKAY
3324		TOKAY
3325		TOKAY
3328		TOKAY
3329		TOKAY
3332		TOKAY
3333		TOKAY
3336		TOKAY
3337		TOKAY
3341		TOKAY
3342		TOKAY
3345		TOKAY
3346		TOKAY

8752		SLAY	4006		SPENCE	3349		TOKAY
2331		STARKS	6105		SPORTSMANS	3352		TOKAY
2441		STARKS	6111		SPORTSMANS	12		TOLUCA
2510		STARKS	6115		SPORTSMANS	1710		TOLUCA
2511		STARKS	6121		SPORTSMANS	1720		TOLUCA
2538		STARKS	6125		SPORTSMANS	1731		TORONTO
2707		STARKS	6131		SPORTSMANS	1835		TORONTO
319		STARR	6135		SPORTSMANS	1836		TORONTO
1315		STELLA	6141		SPORTSMANS	1848		TORONTO
1406		STELLA	2407		TALLYHO	1950		TORONTO
1451		STELLA	2410		TALLYHO	2009		TORONTO
4		STILLWELL	2411		TALLYHO	3402		TORONTO
5		STILLWELL	2415		TALLYHO	3403		TORONTO
1425		STIRLING	2419		TALLYHO	3407		TORONTO
4611		STOKES	2430		TALLYHO	3519		TORONTO
4616		STOKES	2435		TALLYHO	3548		TORONTO
4640		STOKES	503		TAMA	3618		TORONTO
4646		STOKES	524		TAMA	3632		TORONTO
4648		STOKES	100		TAMALPAIS	3719		TORONTO
4708		STOKES	99999		TAMALPAIS	5803		TORONTO
4716		STOKES	2603		TANNER	6030		TRACY
4719		STOKES	2636		TANNER	6034		TRACY
4720		STOKES	2643		TANNER	6102		TRACY
4723		STOKES	812		TARRYALL	6214		TRACY
4729		STOKES	818		TARRYALL	6314		TRACY
4735		STOKES	925		TARRYALL	6316		TRACY
4743		STOKES	101		TATUM	6342		TRACY
4748		STOKES	703		TATUM	9711		TRAVIS
4751		STOKES	6907	S	TAYLOE	9715		TRAVIS
4752		STOKES	8773	N	TEAGARDEN	9719		TRAVIS
4803		STOKES	6309		TEAGUE	9723		TRAVIS
4804		STOKES	6311		TEAGUE	9727		TRAVIS
8123		STONEHURST	6317		TEAGUE	9731		TRAVIS
1741		STONEMAN	6418		TEAGUE	4709		TREMONT
1402		STRICKLAND	6419		TEAGUE	3300		TRINITY GATE
1404		STRICKLAND	6510		TEAGUE	3400		TRINITY GATE
4500		STROBEL	6530		TEAGUE	7903		TROJAN
4907		STROBEL	3906		TELEPHONE	7912		TROJAN
4919		STROBEL	1302		TEMPEST	7928		TROJAN
4		STRONG	1306		TEMPEST	7931		TROJAN
2416		SUE	1454		TEMPEST	7936		TROJAN
8116		SUETELLE	2940		TERMINAL	7955		TROJAN
1861		SUMMIT	116		TERRACE	7959		TROJAN
3814		SUNNYVALE	239		TERRACE	7960		TROJAN
237		SUNSET	3431		TERRELL	1009		WAVERLY
2807		SUTTON	3535		TERRELL	1703		WAVERLY
2806		SWANSON	4801		TERRY	373	N	WEAVER
2819		SUTTON	5102		TERRY	3122	S	WEISENBERGER
3354		SYLVAN	5232		TERRY	3519		WEISENBERGER
4244		SYLVESTER	5232		TERRY	3916		WEISENBERGER
2404		SYLVIA	2049		THEDFORD	2521		WELLS
2432		SYLVIA	909		THELMA	2527		WELLS
2517		SYLVIA	3209		THOMAS	2531		WELLS

2517		SYLVIA
2210		TALLYHO
2214		TALLYHO
2403		TALLYHO
2813		TROY
2819		TROY
2823		TROY
1708		TRUNK
4011		TRUNK
4042		TUMALO
21		TURFWAY
3107		TUSKEGEE
3112		TUSKEGEE
3114		TUSKEGEE
3208		TUSKEGEE
3217		TUSKEGEE
3224		TUSKEGEE
3226		TUSKEGEE
3228		TUSKEGEE
1110		TYLER
2526		TYLER
9	S	UNKNOWN
3107	S	URBAN
3115		URBAN
2611		VALENTINE
2726		VALENTINE
2802		VALENTINE
2811		VALENTINE
2814		VALENTINE
2822		VALENTINE
2907		VALENTINE
2926		VALENTINE
3027		VALENTINE
3041		VALENTINE
1301		VALLEY
1303		VALLEY
1306		VALLEY
1307		VALLEY
1314		VALLEY
1316		VALLEY
1335		VALLEY
40		VALLEY MILLS
42		VALLEY MILLS
45		VALLEY MILLS
47		VALLEY MILLS
9652		VALLEY MILLS
820		VAN BUREN
5611		VAN WINKLE
3716	N	VANDERVOORT
3914		VANDERVOORT
3129		VANNERSON
3141		VANNERSON
7342		VECINO
2431		THROCKMORTON
218	N	TILLERY
802	N	TILLERY
1116		TILLERY
1120		TILLERY
3502	S	TIOGA
3312	N	TOKAY
3316		TOKAY
3317		TOKAY
3320		TOKAY
9999		VIDA
13000		VIDA
2726		VILBIG
3106		VILBIG
3110		VILBIG
3118		VILBIG
3205		VILBIG
3401		VILBIG
3510		VILBIG
3705		VILBIG
3722		VILBIG
3831		VINEYARD
3922		VINEYARD
4006		VINEYARD
4011		VINEYARD
1335		WACO
1415		WACO
1522		WACO
1611		WACO
1614		WACO
8822		WADLINGTON
5006		WADSWORTH
4503		WAHOO
4515		WAHOO
4519		WAHOO
4523		WAHOO
4535		WAHOO
3808		WALDRON
3918		WALDRON
4039		WALKER
907		WALKWAY
1012		WALKWAY
1621		WALMSLEY
1715		WARREN
2409		WARREN
2413		WARREN
2614		WARREN
2617		WARREN
2625		WARREN
2631		WARREN
2701		WARREN
3021		WARREN
1627		WARSAW
2533		WELLS
3217		WENDELKIN
3317		WENDELKIN
3401		WENDELKIN
3417		WENDELKIN
3624		WENDELKIN
3741		WENDELKIN
8103		WES HODGES
8107		WES HODGES
8111		WES HODGES
8119		WES HODGES
8120		WES HODGES
8123		WES HODGES
8124		WES HODGES
8127		WES HODGES
8128		WES HODGES
8131		WES HODGES
8132		WES HODGES
24		WESTERHAM
25		WESTERHAM
33		WESTERHAM
34		WESTERHAM
35		WESTERHAM
36		WESTERHAM
4105		WESTMORELAND
1294		WHISPERING
1	N	WHISPERING OAKS
1507		WHITAKER
8916		WHITEHALL
9216		WHITEHALL
9222		WHITEHALL
9428		WHITEHALL
2837		WHITEWOOD
1110		WHITLEY
1000		WILD BRICK
3806		WILDER
2234		WILHURT
2235		WILHURT
2243		WILHURT
2246		WILHURT
2247		WILHURT
2251		WILHURT
2314		WILHURT
2318		WILHURT
2414		WILHURT
2507		WILHURT
2515		WILHURT
2607		WILHURT
2631		WILHURT
8357		YUKON
8360		YUKON
708		ZANG
4705		ZEALAND

114	VENTURA	1337		WASCO	4745	ZEALAND
2	VERDE	1345		WASCO	4807	ZEALAND
4	VERDE	1346		WASCO	4812	ZEALAND
4610	VERDUN	1349		WASCO	4816	ZEALAND
5029	VETERANS	1365		WASCO	4820	ZEALAND
4213	VICTOR	1438		WASCO	4828	ZEALAND
4616	VICTOR	5043		WATSON	3331	ZELMA
2747	WILHURT	5102		WATSON		
2921	WILHURT	235	S	WAVERLY		
2926	WILHURT	902	S	WAVERLY		
3400	WILHURT	905		WOODACRE		
3529	WILHURT	508		WOODBINE		
9025	WILLOUGHBY	559		WOODBINE		
9031	WILLOUGHBY	623		WOODBINE		
5522	WILSON	26		WOODED GATE		
5526	WILSON	603	E	WOODIN		
5530	WILSON	822	E	WOODIN		
5534	WILSON	907	E	WOODIN		
5703	WILSON	915	E	WOODIN		
5707	WILSON	1125		WOODIN		
5711	WILSON	1227		WOODIN		
5805	WILSON	1229	E	WOODIN		
5809	WILSON	1531	E	WOODIN		
5813	WILSON	1615	E	WOODIN		
5903	WILSON	1619	E	WOODIN		
5907	WILSON	1623	E	WOODIN		
5919	WILSON	1627	E	WOODIN		
6105	WIN ONLY	9999	E	WOODLEAF		
6106	WIN ONLY	5316	E	WOODSBORO		
6110	WIN ONLY	1931		WOODY		
6111	WIN ONLY	500		WORTH		
6115	WIN ONLY	9011		WORTH		
6116	WIN ONLY	5115		WYNELL		
6121	WIN ONLY	5117		WYNELL		
6122	WIN ONLY	5119		WYNELL		
6125	WIN ONLY	4511		YANCY		
6130	WIN ONLY	4531		YANCY		
6131	WIN ONLY	4536		YANCY		
6131	WIN ONLY	4543		YANCY		
6135	WIN ONLY	4544		YANCY		
6140	WIN ONLY	4548		YANCY		
6141	WIN ONLY	4709		YANCY		
6146	WIN ONLY	4739		YANCY		
6150	WIN ONLY	4749		YANCY		
6156	WIN ONLY	4754		YANCY		
6160	WIN ONLY	4758		YANCY		
6161	WIN ONLY	4766		YANCY		
6164	WIN ONLY	4808		YANCY		
6165	WIN ONLY	4226		YORK		
6170	WIN ONLY	434		YOUNGSTOWN		
6171	WIN ONLY	525		YOUNGSTOWN		
1	WINNETKA	8316		YUKON		
1614	WINNETKA	8320		YUKON		

1618	N	WINNETKA
2411	N	WINNETKA
2509	N	WINNETKA
904	N	WINSTON
4835	N	WISTERIA
820		WIXOM
830		WIXOM

8324	YUKON
8325	YUKON
8328	YUKON
8332	YUKON
8338	YUKON
8339	YUKON
8343	YUKON
8344	YUKON
8350	YUKON

ATTACHMENT D
2184 POTENTIAL LAND BANK LOTS SUBMITTED
FY 2003-04 TO FY 2012-13

4210		1 ST AVE	1838		ANGELINA	441	AVE A
4215		1 ST AVE	1855		ANGELINA	1703	AVE B
4226		1 ST AVE	1922		ANGELINA	1721	AVE B
329	E	10 TH	1941		ANGELINA	1727	AVE B
405	E	10 TH	1955		ANGELINA	1731	AVE B
627	W	10 TH	1962		ANGELINA	1742	AVE B
2714		1ST	1966		ANGELINA	1806	AVE B
1709		4 TH	1967		ANGELINA	324	AVE E
1916		4 TH	1974		ANGELINA	355	AVE E
618	E	5 TH	2005		ANGELINA	402	AVE E
2436		51 ST	2017		ANGELINA	414	AVE E
2506		51 ST	2024		ANGELINA	419	AVE E
2627		52ND	2027		ANGELINA	426	AVE E
3217		52ND	2028		ANGELINA	435	AVE E
2516		56TH	2032		ANGELINA	444	AVE E
316	E	6 TH	2037		ANGELINA	418	AVE F
401	E	8 TH	2059		ANGELINA	323	AVE G
521	E	8 TH	1503		ANN ARBOR	607	AVE G
424	W	9 TH	1514		ANN ARBOR	418	AVE H
701	W	9 TH	1522		ANN ARBOR	419	AVE H
731	W	9 TH	1955		ANN ARBOR	516	AVE H
1439		ADELAIDE	1959		ANN ARBOR	523	AVE H
3907		AGNES	1961		ANN ARBOR	402	AVE J
4002		AGNES	1965		ANN ARBOR	402	AVE J
2722		ALABAMA	2107		ANN ARBOR	403	AVE J
2847		ALABAMA	2251		ANN ARBOR	431	AVE J
2900		ALABAMA	2528		ANN ARBOR	316	AVE L
2926		ALABAMA	2723		ANN ARBOR	323	AVE L
2935		ALABAMA	2773		ANN ARBOR	506	AVE L
2939		ALABAMA	2219	E	ANN ARBOR	510	AVE L
3038		ALABAMA	3827		ARANSAS	518	AVE L
3042		ALABAMA	4103		ARANSAS	4202	AZTEC
1514		ALASKA	4114		ARANSAS	4202	AZTEC
1631		ALASKA	2111		ARDEN	4249	AZTEC
2006		ALASKA	2119		AREBA	3914	BALCH
2720		ALASKA	2609		ARIZONA	4422	BALDWIN
2927		ALASKA	2914		ARIZONA	4423	BALDWIN
3036		ALASKA	3047		ARIZONA	4507	BALDWIN
1631		ALASKA	4510		ASH	4518	BALDWIN
403		ALBRIGHT	5407		ASH	4701	BALDWIN
405		ALBRIGHT	3604		ATLANTA	4707	BALDWIN
410		ALBRIGHT	3604		ATLANTA	4712	BALDWIN
414		ALBRIGHT	3619		ATLANTA	4715	BALDWIN
415		ALBRIGHT	5301		AUDREY	4723	BALDWIN
2221		ANDERSON	229		AVE A	4735	BALDWIN
2245		ANDERSON	315		AVE A	4803	BALDWIN
2402		ANDERSON	323		AVE A	4806	BALDWIN
2663		ANDERSON	331		AVE A	4823	BALDWIN
2715		ANDERSON	426		AVE A	4863	BALDWIN
1815		ANGELINA	427		AVE A	4869	BALDWIN
1832		ANGELINA	430		AVE A	4134	BALL
1834		ANGELINA	431		AVE A	4161	BALL

1118		BALLARD	2313	BETHURUM	5662	BON AIR
1401		BANK	2336	BETHURUM	315	BONNIE VIEW
1420		BANK	903	BETTERTON	345	BONNIE VIEW
1429		BANK	6520	BEXAR	349	BONNIE VIEW
1641		BANNOCK	6526	BEXAR	405	BONNIE VIEW
1407		BARRY	6702	BEXAR	406	BONNIE VIEW
1437		BARRY	6812	BEXAR	426	BONNIE VIEW
1449		BARRY	3642	BICKERS	431	BONNIE VIEW
1501		BARRY	1518	BICKERS	434	BONNIE VIEW
4844		BARTLETT	1526	BICKERS	438	BONNIE VIEW
805		BAYONNE	1531	BICKERS	443	BONNIE VIEW
811		BAYONNE	1606	BICKERS	1011	BONNIE VIEW
818		BAYONNE	1615	BICKERS	1235	BONNIE VIEW
916		BAYONNE	1623	BICKERS	3508	BOOKER
1610		BAYSIDE	1626	BICKERS	3515	BOOKER
1619		BAYSIDE	1719	BICKERS	3426	BORGER
1623		BAYSIDE	1822	BICKERS	3607	BORGER
1702		BAYSIDE	1831	BICKERS	3623	BORGER
1711		BAYSIDE	1906	BICKERS	3627	BORGER
1715		BAYSIDE	1910	BICKERS	5011	BOURQUIN
1834		BAYSIDE	1918	BICKERS	5104	BOURQUIN
1836		BAYSIDE	1930	BICKERS	5424	BOURQUIN
1843		BAYSIDE	1956	BICKERS	4711	BOWLING
1847		BAYSIDE	3634	BICKERS	3320	BRANTLEY
1909		BAYSIDE	3638	BICKERS	4826	BRASHEAR
1911		BAYSIDE	3642	BICKERS	2702	BRIGHAM
1918		BAYSIDE	3702	BICKERS	2708	BRIGHAM
2019		BAYSIDE	3734	BICKERS	2806	BRIGHAM
3326		BEALL	3738	BICKERS	2807	BRIGHAM
3330		BEALL	4002	BIGLOW	2838	BRIGHAM
3435		BEALL	4155	BIGLOW	2906	BRIGHAM
3023		BEAUCHAMP	3317	BIGLOW	2918	BRIGHAM
3067		BEAUCHAMP	3907	BIGLOW	2924	BRIGHAM
724	N	BECKLEY	4151	BIGLOW	1137	BRIGHTON
728	N	BECKLEY	4159	BIGLOW	2610	BRITTON
3712		BEDFORD	4175	BIGLOW	2633	BRITTON
3427		BERNAL	4207	BIGLOW	2114	BRITTON
3439		BERNAL	4208	BIGLOW	2416	BRITTON
4302		BERTRAND	4231	BIGLOW	2519	BRITTON
4306		BERTRAND	2408	BIRMINGHAM	2522	BRITTON
4318		BERTRAND	2521	BIRMINGHAM	2526	BRITTON
4322		BERTRAND	2825	BIRMINGHAM	2715	BRITTON
4322		BERTRAND	2931	BIRMINGHAM	2814	BRITTON
3508		BERTRAND	3020	BIRMINGHAM	2822	BRITTON
3520		BERTRAND	3025	BIRMINGHAM	2903	BRITTON
3614		BERTRAND	3836	BLACK OAK	3106	BRITTON
3723		BERTRAND	5868	BLUFFMAN	1120	BROCK
634		BETHPAGE	400	BOBBIE	118	BROOKLYN, E.
2208		BETHURUM	403	BOBBIE	122	BROOKLYN, E.
2218		BETHURUM	406	BOBBIE	7720	BROWNSVILLE
2311		BETHURUM	412	BOBBIE	7724	BROWNSVILLE
2313		BETHURUM	417	BOBBIE	7727	BROWNSVILLE
7736		BROWNSVILLE	4322	CANAL	3718	CAUTHORN

7807	BROWNSVILLE	4328	CANAL	1321	CEDAR HAVEN
7820	BROWNSVILLE	4338	CANAL	2707	CHARBA
4018	BRUNDRETTE	4611	CANAL	2711	CHARBA
2313	BUDD	4615	CANAL	4514	CHERBOURG
2418	BUDD	2016	CANYON	4514	CHERBOURG
2711	BURGER	2016	CANYON	4534	CHERBOURG
4726	BURMA	2018	CANYON	4514	CHERBOURG
4635	BURMA	5127	CARDIFF	4515	CHERBOURG
4635	BURMA	4201	CARDINAL	4525	CHERBOURG
4704	BURMA	4205	CARDINAL	4534	CHERBOURG
4914	BURNSIDE	4221	CARDINAL	4538	CHERBOURG
4710	C.L. VEASEY	4221	CARDINAL	4545	CHERBOURG
1521	CALDWELL	3204	CARL	4549	CHERBOURG
1530	CALDWELL	3208	CARL	4608	CHERBOURG
1542	CALDWELL	3605	CARL	4631	CHERBOURG
1554	CALDWELL	3607	CARL	4636	CHERBOURG
1536	CALDWELL	3614	CARL	4639	CHERBOURG
1217	CALDWELL	3709	CARL	4640	CHERBOURG
1231	CALDWELL	3724	CARL	3610	CHICAGO
1403	CALDWELL	3802	CARL	3523	CHIHUAHUA
1419	CALDWELL	3814	CARL	5426	CHIPPEWA
1423	CALDWELL	4211	CARL	2723	CHOICE
1425	CALDWELL	4214	CARL	2724	CHOICE
1534	CALDWELL	4215	CARL	1030	CHURCH
1536	CALDWELL	4215	CARL	1103	CHURCH
1614	CALDWELL	4218	CARL	1109	CHURCH
1614	CALDWELL	4230	CARL	1124	CHURCH
1814	CALYPSO	4245	CARL	1403	CHURCH
2022	CALYPSO	4245	CARL	939	CHURCH
2054	CALYPSO	3006	CARPENTER	1415	CHURCH
2058	CALYPSO	2719	CARPENTER	4322	CICERO
2510	CAMEL	2731	CARPENTER	2700	CLARENCE
2611	CAMEL	2819	CARPENTER	2704	CLARENCE
2614	CAMEL	3205	CARPENTER	919	CLAUDE
2732	CAMEL	3303	CARPENTER	1010	CLAUDE
2736	CAMEL	3531	CARPENTER	1201	CLAUDE
6218	CANAAN	3715	CARPENTER	1217	CLAUDE
6906	CANAAN	4007	CARPENTER	1314	CLAUDE
6910	CANAAN	4211	CARPENTER	1339	CLAUDE
1615	CANADA	4229	CARPENTER	1422	CLAUDE
1622	CANADA	4233	CARPENTER	401	CLEAVES
1923	CANADA	1446	CARSON	402	CLEAVES
1923	CANADA	1506	CARSON	412	CLEAVES
3343	CANADA	1527	CARSON	435	CLEAVES
3611	CANADA	2806	CARTER	437	CLEAVES
3837	CANADA	2810	CARTER	439	CLEAVES
4317	CANAL	2818	CARTER	2705	CLEVELAND
4007	CANAL	2818	CARTER	2818	CLEVELAND
4215	CANAL	2818	CASEY	2706	CLEVELAND
4235	CANAL	3510	CAUTHORN	2712	CLEVELAND
4319	CANAL	3614	CAUTHORN	3216	CLEVELAND
3224	CLEVELAND	618	CORINTH	2810	DATHE
3512	CLEVELAND	3329	CORONET	3804	DE MAGGIO

3605	CLEVELAND	4559	CORREGIDOR	3804		DE MAGGIO
3634	CLEVELAND	4523	CORREGIDOR	3808		DE MAGGIO
3310	CLYMER	4524	CORREGIDOR	3811		DE MAGGIO
1307	COLEMAN	4538	CORREGIDOR	6283		DENHAM
1212	COLEMAN	4539	CORREGIDOR	1408		DENLEY
4505	COLLINS	4540	CORREGIDOR	1412		DENLEY
4708	COLLINS	4548	CORREGIDOR	1414		DENLEY
3717	COLONIAL	4551	CORREGIDOR	1502		DENLEY
2731	COLONIAL	4632	CORREGIDOR	1508		DENLEY
2807	COLONIAL	4636	CORREGIDOR	1527		DENLEY
2815	COLONIAL	4644	CORREGIDOR	2416	S	DENLEY
3613	COLONIAL	4817	CORRIGAN	2907	S	DENLEY
3815	COLONIAL	2710	COUNCIL	4502	S	DENLEY
4102	COLONIAL	2710	COUNCIL	4506	S	DENLEY
4106	COLONIAL	2718	COUNCIL	421	N	DENLEY
4109	COLONIAL	2723	COUNCIL	425	N	DENLEY
4114	COLONIAL	2729	COUNCIL	427	N	DENLEY
4224	COLONIAL	2731	COUNCIL	505	N	DENLEY
4318	COLONIAL	4525	CRANFILL	527	N	DENLEY
4410	COLONIAL	2319	CREST	527	N	DENLEY
4422	COLONIAL	2523	CREST	603	N	DENLEY
4522	COLONIAL	518	CRETE	607	N	DENLEY
4902	COLONIAL	535	CRETE	610	N	DENLEY
4919	COLONIAL	539	CRETE	614	N	DENLEY
5012	COLONIAL	2710	CROSS	628	N	DENLEY
5031	COLONIAL	2603	CROSSMAN	4718	S	DENLEY
1118	COMPTON	2615	CROSSMAN	2404	S	DENLEY
1228	COMPTON	3404	CROSSMAN	2629	S	DENLEY
1231	COMPTON	4524	CROZIER	2930	S	DENLEY
1232	COMPTON	4934	CROZIER	3011	S	DENLEY
1522	COMPTON	4922	CROZIER	3910	S	DENLEY
1530	COMPTON	4930	CROZIER	3930	S	DENLEY
2411	CONKLIN	4934	CROZIER	4021	S	DENLEY
2614	CONKLIN	216	CUMBERLAND	4030	S	DENLEY
3907	COOLIDGE	2018	CUSTER	4101	S	DENLEY
3918	COOLIDGE	2022	CUSTER	4215	S	DENLEY
3938	COOLIDGE	2031	CUSTER	4403	S	DENLEY
3943	COOLIDGE	2202	CUSTER	4515	S	DENLEY
4006	COOLIDGE	2402	CUSTER	4631	S	DENLEY
2214	COOPER	2502	CUSTER	1703		DENNISON
3819	COPELAND	2543	CUSTER	1729		DENNISON
3910	COPELAND	2607	CUSTER	1813		DENNISON
3918	COPELAND	2623	CUSTER	1822		DENNISON
3918	COPELAND	2623	CUSTER	1823		DENNISON
3918	COPELAND	2627	CUSTER	1831		DENNISON
4003	COPELAND	2656	CUSTER	1831		DENNISON
4114	COPELAND	3231	DAHLIA	1911		DENNISON
4227	COPELAND	3634	DARIEN	1954		DENNISON
4302	COPELAND	2238	DATHE	1962		DENNISON
615	CORINTH	2326	DATHE	1966		DENNISON
2014	DENNISON	1547	E OHIO	2610		EXETER
2023	DENNISON	2437	EASLEY	2614		EXETER
2029	DENNISON	2441	EASLEY	2626		EXETER

3310	DETONTE	4930		ECHO	2515	EXLINE
3315	DETONTE	5015		ECHO	2534	EXLINE
3322	DETONTE	5018		ECHO	2603	EXLINE
3330	DETONTE	5107		ECHO	2607	EXLINE
3411	DETONTE	5118		ECHO	2622	EXLINE
4709	DOLPHIN	1400		EDGEMONT	2722	EXLINE
4815	DOLPHIN	1627		EDGEMONT	2725	EXLINE
4819	DOLPHIN	3218		EL BENITO	2726	EXLINE
2623	DONALD	3218		EL BENITO	2730	EXLINE
2627	DONALD	3227		EL BENITO	2731	EXLINE
2714	DORRIS	6419		ELAM	2734	EXLINE
2813	DORRIS	4311		ELECTRA	526	EZEKIAL
2825	DORRIS	4503		ELECTRA	618	EZEKIAL
2902	DORRIS	638		ELLA	731	EZEKIAL
2909	DORRIS	738		ELLA	746	EZEKIAL
2909	DORRIS	1542	E	ELMORE	747	EZEKIAL
2914	DORRIS	1507	E	ELMORE	750	EZEKIAL
2918	DORRIS	659		ELSBERRY	754	EZEKIAL
2922	DORRIS	522		ELWAYNE	1339	FAIRVIEW
3017	DORRIS	610		ELWAYNE	1510	FAIRVIEW
3023	DORRIS	650		ELWAYNE	5410	FANNIE
3026	DORRIS	734		ELWAYNE	5403	FANNIE
3028	DORRIS	1323		EMILY	5406	FANNIE
3029	DORRIS	2226		EUGENE	5524	FANNIE
3030	DORRIS	2228		EUGENE	2810	FARRAGUT
1406	DOYLE	2235		EUGENE	2315	FATIMA
1409	DOYLE	1216	S	EWING	2323	FATIMA
1419	DOYLE	4407	S	EWING	2403	FATIMA
1502	DOYLE	609	N	EWING	2639	FATIMA
1503	DOYLE	619	N	EWING	424	FAULK
1506	DOYLE	906	N	EWING	508	FAULK
1507	DOYLE	2324	S	EWING	532	FAULK
1510	DOYLE	1502		EXETER	540	FAULK
1515	DOYLE	2522		EXETER	544	FAULK
1521	DOYLE	2538		EXETER	545	FAULK
1525	DOYLE	2631		EXETER	1407	FAYETTE
319	DU BOIS	2743		EXETER	1415	FAYETTE
1826	DULUTH	1318		EXETER	4728	FELLOWS
1926	DULUTH	1349		EXETER	4533	FELLOWS
1110	DULUTH	1414		EXETER	4752	FELLOWS
1910	DULUTH	1423		EXETER	4812	FELLOWS
1912	DULUTH	2314		EXETER	4816	FELLOWS
1915	DULUTH	2319		EXETER	4820	FELLOWS
3634	DUNBAR	2322		EXETER	4820	FELLOWS
3738	DUNBAR	2327		EXETER	4832	FELLOWS
2400	DYSON	2510		EXETER	2415	FELTON
2218	DYSON	2530		EXETER	728	FERNWOOD
2311	DYSON	2538		EXETER	2521	FERNWOOD
1539	E OHIO	2602		EXETER	2638	FERNWOOD
2709	FERNWOOD	4002		FUREY	2526	GHENT
2712	FERNWOOD	4010		FUREY	2542	GHENT
2719	FERNWOOD	4015		FUREY	2622	GHENT
2900	FERNWOOD	4103		FUREY	4116	GLADEWATER

3001		FERNWOOD	4109	FUREY	4154	GLADEWATER
3217		FERNWOOD	4130	FUREY	4126	GLADWATER
301		FIDELIS	1723	GALLAGHER	4170	GLADWATER
3706	S	FITZHUGH	1823	GALLAGHER	4227	GLADWATER
1311	S	FITZHUGH	1835	GALLAGHER	5722	GLEN FOREST
1331	S	FITZHUGH	1843	GALLAGHER	1306	GLIDDEN
1625	S	FITZHUGH	1908	GALLAGHER	1327	GLIDDEN
1527		FLEETWOOD	1911	GALLAGHER	3206	GOLDSPIER
1625		FLEETWOOD	1913	GALLAGHER	3211	GOLDSPIER
1634		FLEETWOOD	1955	GALLAGHER	2701	GOOCH
1336		FLETCHER	1961	GALLAGHER	2825	GOOCH
1322		FOLEY	1967	GALLAGHER	2715	GOODWILL
1526		FORDHAM	3710	GALLAGHER	2723	GOODWILL
1531		FORDHAM	3739	GALLAGHER	2700	GOULD
1554		FORDHAM	1107	GALLOWAY	2710	GOULD
1555		FORDHAM	2231	GARDEN	2712	GOULD
2110		FORDHAM	2223	GARDEN	2716	GOULD
2118		FORDHAM	2238	GARDEN	2724	GOULD
2246		FORDHAM	2246	GARDEN	2727	GOULD
2302		FORDHAM	2403	GARDEN	2733	GOULD
2406		FORDHAM	2407	GARDEN	2703	GRAFTON
2806		FORDHAM	2424	GARDEN	608	GRAHAM
2807		FORDHAM	2425	GARDEN	702	GRAHAM
1223		FORESTER	4529	GARDEN	710	GRAHAM
3607		FRANK	4531	GARDEN	608	GRAHAM
4414		FRANK	4611	GARDEN	702	GRAHAM
3510		FRANK	5409	GARLAND	710	GRAHAM
3604		FRANK	4516	GARRISON	1822	GRAND
3714		FRANK	4513	GARRISON	2524	GRAND
4117		FRANK	4602	GARRISON	1215	GRANT
4303		FRANK	1730	GARZA	1309	GRANT
4314		FRANK	1523	GARZA	1313	GRANT
4326		FRANK	1525	GARZA	1326	GRANT
4343		FRANK	1529	GARZA	1345	GRANT
4343		FRANK	1618	GARZA	1361	GRANT
4347		FRANK	1635	GARZA	3224	GUNTER
4409		FRANK	1719	GARZA	4538	GURLEY
4415		FRANK	1723	GARZA	3306	HAMILTON
4418		FRANK	1739	GARZA	3702	HAMILTON
4431		FRANK	1751	GARZA	3706	HAMILTON
4435		FRANK	1815	GARZA	3726	HAMILTON
4602		FRANK	2911	GAY	3912	HAMILTON
4726		FRANK	1238	GEORGIA	3925	HAMILTON
2719		FRAZIER	1410	GEORGIA	4105	HAMILTON
2726		FRAZIER	1537	GEORGIA	4105	HAMILTON
2915		FRAZIER	2711	GERTRUDE	4226	HAMILTON
4127		FUREY	2515	GHENT	4309	HAMILTON
3507		FUREY	2519	GHENT	4314	HAMILTON
4343		HAMILTON	1331	HENDRICKS	2535	HOOPER
4403		HAMILTON	1352	HENDRICKS	2555	HOOPER
4410		HAMILTON	1405	HENDRICKS	2563	HOOPER
4418		HAMILTON	1612	HERALD	2607	HOOPER
3123		HAMMERLY	1621	HERALD	2615	HOOPER

3408		HAMMERLY	3819	HERRLING	2622		HOOPER
4013		HAMMERLY	602	HIGH	1306		HUDSPETH
4017		HAMMERLY	3536	HIGHLAND WOODS	1314		HUDSPETH
4033		HAMMERLY	1115	HOBSON E.	1323		HUDSPETH
4123		HAMMERLY	3016	HOLMES	1326		HUDSPETH
4143		HAMMERLY	2703	HOLMES	1415		HUDSPETH
3601		HANCOCK	2708	HOLMES	1438		HUDSPETH
3811		HANCOCK	2716	HOLMES	1527		HUDSPETH
3926		HANCOCK	2814	HOLMES	1606		HUDSPETH
2327		HARDING	2820	HOLMES	1607		HUDSPETH
2340		HARDING	2824	HOLMES	1642		HUDSPETH
2344		HARDING	2828	HOLMES	1710		HUDSPETH
2414		HARDING	2902	HOLMES	2003		HUDSPETH
1423		HARLANDALE	2913	HOLMES	2135		HUDSPETH
1907		HARLANDALE	3221	HOLMES	2159		HUDSPETH
2314		HARLANDALE	3412	HOLMES	7904		HULL
2431		HARLANDALE	3522	HOLMES	7905		HULL
2915		HARLANDALE	3526	HOLMES	7911		HULL
3014		HARLANDALE	3734	HOLMES	3607		HUMPHREY
3328		HARLANDALE	3833	HOLMES	3727		HUMPHREY
3714		HARLINGEN	1722	HOMELAND	3731		HUMPHREY
3803		HARLINGEN	1510	HOMELAND	3735		HUMPHREY
3130		HARMON	1527	HOMELAND	3746		HUMPHREY
3130		HARMON	1631	HOMELAND	1930		HUNTINGDON
3130		HARMON	1716	HOMELAND	2002		HUNTINGDON
2122		HARRELL	1722	HOMELAND	2006		HUNTINGDON
401		HART	1811	HOMELAND	2006		HUNTINGDON
407		HART	1815	HOMELAND	832		HUTCHINS
409		HART	1831	HOMELAND	836		HUTCHINS
413		HART	1835	HOMELAND	910		HUTCHINS
445		HART	1850	HOMELAND	1230		HUTCHINS
449		HART	1854	HOMELAND	4527		IMPERIAL
452		HART	1918	HOMELAND	4622		IMPERIAL
455		HART	1927	HOMELAND	4630		IMPERIAL
3521	S	HARWOOD	3702	HOMELAND	1938		INGERSOLL
3513	S	HARWOOD	2230	HOOPER	2622		INGERSOLL
3212	S	HASKELL	2246	HOOPER	4010		INGERSOLL
3311	S	HASKELL	2403	HOOPER	1503		IOWA
2701		HASTINGS	2431	HOOPER	2622		IROQUOIS
2718		HASTINGS	2434	HOOPER	2807		IROQUOIS
2727		HASTINGS	2439	HOOPER	4003		IVANHOE
2506		HATCHER	2445	HOOPER	4014		IVANHOE
3515		HATCHER	2510	HOOPER	4018		IVANHOE
2703		HECTOR	2514	HOOPER	4026		IVANHOE
2715		HECTOR	2530	HOOPER	7915		IVORY
542		HELENA	2531	HOOPER	7924		IVORY
734		HELENA	2532	HOOPER	7927		IVORY
7944		IVORY	6019	KEMROCK	601	N	LANCASTER
1917		J.B. JACKSON	6434	KEMROCK	609	N	LANCASTER
3526		JAMAICA	6435	KEMROCK	618	N	LANCASTER
3711		JAMAICA	6505	KEMROCK	4304		LANDRUM
3715		JAMAICA	6511	KEMROCK	4220		LANDRUM
3803		JAMAICA	3509	KENILWORTH	4301		LANDRUM

3807		JAMAICA	3623		KENILWORTH	4309	LANDRUM
4114		JAMAICA	3706		KENILWORTH	4317	LANDRUM
4343		JAMAICA	3723		KENILWORTH	2626	LAPSLEY
4346		JAMAICA	3916		KENILWORTH	3513	LATIMER
4352		JAMAICA	3432		KEYRIDGE	3922	LATIMER
4352		JAMAICA	3504		KEYRIDGE	2422	LAWRENCE
4406		JAMAICA	3508		KEYRIDGE	2711	LAWRENCE
4427		JAMAICA	3515		KEYRIDGE	2218	LAWRENCE
4431		JAMAICA	3516		KEYRIDGE	2227	LAWRENCE
4518		JAMAICA	1306		KIEST	2227	LAWRENCE
4526		JAMAICA	2606		KILBURN	2318	LAWRENCE
4705		JAMAICA	2607		KILBURN	2410	LAWRENCE
1323	E	JEFFERSON	2623		KILBURN	2446	LAWRENCE
2401		JEFFRIES	2639		KILBURN	2454	LAWRENCE
2405		JEFFRIES	2836		KILBURN	2503	LAWRENCE
2414		JEFFRIES	4833		KILDARE	2530	LAWRENCE
2426		JEFFRIES	4914		KILDARE	2700	LAWRENCE
2431		JEFFRIES	4926		KILDARE	2710	LAWRENCE
2502		JEFFRIES	4943		KILDARE	2719	LAWRENCE
2505		JEFFRIES	1507		KINGSLEY	2806	LE CLERC
2506		JEFFRIES	1511		KINGSLEY	2810	LE CLERC
2514		JEFFRIES	2522		KINGSTON	2818	LE CLERC
2517		JEFFRIES	1610		KINMORE	2822	LE CLERC
2518		JEFFRIES	1632		KINMORE	1905	LEACREST
2602		JEFFRIES	2517		KIRKLEY	2000	LEACREST
2636		JEFFRIES	7919		KISKA	6610	LEANA
3406		JEFFRIES	4310		KOLLOCH	1819	LEATH
2406		JEWELL	2517		KOOL	1846	LEATH
604		JONELLE	2631		KOOL	1847	LEATH
627		JONELLE	1826		KRAFT	2003	LEATH
648		JONELLE	1834		KRAFT	2006	LEATH
4614		JONES	1842		KRAFT	2034	LEATH
4731		JONES	1933		KRAFT	2046	LEATH
2215		JORDAN	1938		KRAFT	2050	LEATH
2224		JORDAN	2031		KRAFT	2605	LEDBETTER
2225		JORDAN	318		KRAMER	4502	LELAND
2125		KATHLEEN	322		KRAMER	4506	LELAND
2115		KATHLEEN	3819		KYNARD	4911	LELAND
2141		KATHLEEN	3432		LADD	4918	LELAND
2407		KATHLEEN	2720		LAGOW	1610	LIFE
2607		KATHLEEN	2403		LAGOW	1619	LIFE
2716		KEELER	2628		LAGOW	1923	LIFE
2728		KEELER	421		LAKE CLIFF	1935	LIFE
2732		KEELER	826		LAMBERT	1941	LIFE
2732		KEELER	2118		LAMONT	1949	LIFE
2732		KEELER	421	N	LANCASTER	1967	LIFE
5002		LINDER	5041	S	MALCOLM X	4250	MARYLAND
5006		LINDER	3122		MALLORY	1407	MAYWOOD
4702		LINDSLEY	3429		MALLORY	1610	MAYWOOD
4718		LINDSLEY	2319		MARBURG	3615	MCBROOM
2820		LINFIELD	2524		MARBURG	3610	MCBROOM
2739		LOCUST	2539		MARBURG	3630	MCBROOM
2210		LOCUST	2706		MARBURG	3734	MCBROOM

2214		LOCUST	2735		MARBURG	1715	MCBROOM
2214		LOCUST	3010		MARBURG	1729	MCBROOM
2226		LOCUST	3010		MARBURG	1835	MCBROOM
1423	E	LOUISIANA	2802		MARDER	1838	MCBROOM
1203	E	LOUISIANA	2618		MARDER	1930	MCBROOM
1226	E	LOUISIANA	1242		MARFA	1934	MCBROOM
1415	E	LOUISIANA	1247		MARFA	1948	MCBROOM
1426	E	LOUISIANA	1313		MARFA	1956	MCBROOM
2334		LOWERY	1415		MARFA	2015	MCBROOM
2509		LOWERY	1419		MARFA	2016	MCBROOM
2510		LOWERY	1503		MARFA	2017	MCBROOM
4531		LUZON	1530		MARFA	2022	MCBROOM
4540		LUZON	1531		MARFA	2027	MCBROOM
4535		LUZON	1610		MARFA	2028	MCBROOM
4611		LUZON	1634		MARFA	3402	MCBROOM
1325		LYNN HAVEN	1642		MARFA	3430	MCBROOM
1410		LYNN HAVEN	2134		MARFA	3431	MCBROOM
2441		LYOLA	2603		MARJORIE	3615	MCBROOM
2633		MACON	2736		MARJORIE	3618	MCBROOM
2225		MACON	2747		MARJORIE	3630	MCBROOM
2254		MACON	2747		MARJORIE	3705	MCBROOM
2310		MACON	2981		MARJORIE	3723	MCBROOM
2310		MACON	507	S	MARLBOROUGH	3723	MCBROOM
2337		MACON	5006		MARNE	3723	MCBROOM
2338		MACON	5012		MARNE	3724	MCBROOM
2338		MACON	5021		MARNE	3734	MCBROOM
2451		MACON	5027		MARNE	1210	MCKENZIE
2455		MACON	5034		MARNE	1304	MCKENZIE
2459		MACON	5039		MARNE	1336	MCKENZIE
2518		MACON	5102		MARNE	1410	MCKENZIE
2637		MACON	3709		MARSHALL	1414	MCKENZIE
2641		MACON	3919		MARSHALL	2816	MEADOW
2702		MACON	4002		MARSHALL	2820	MEADOW
2718		MACON	4103		MARSHALL	3604	MEADOW
2731		MACON	4302		MARSHALL	3622	MEADOW
2732		MACON	4302		MARSHALL	3624	MEADOW
2807		MACON	4334		MARSHALL	4921	MEADOW VIEW
2810		MACON	4335		MARSHALL	1610	MENTOR
2826		MACON	4338		MARSHALL	1610	MENTOR
2833		MACON	4136		MART	1734	MENTOR
2835		MACON	515		MARTINIQUE	2405	MERLIN
2837		MACON	811		MARTINIQUE	2418	MERLIN
5007		MALCOLM X	1704		MARY ELLEN	2510	MERLIN
5023		MALCOLM X	3921		MARYLAND	2514	MERLIN
5031	S	MALCOLM X	4030		MARYLAND	2518	MERLIN
3514		METROPOLITAN	1403		MONTAGUE	1922	MUNCIE
3926		METROPOLITAN	2017	N	MONTCLAIR	1923	MUNCIE
4602		METROPOLITAN	4018		MONTIE	5814	MUNICIPAL
2237		METROPOLITAN	4022		MONTIE	5902	MUNICIPAL
2240		METROPOLITAN	4311		MONTIE	5908	MUNICIPAL
3142		METROPOLITAN	329		MOORE	5914	MUNICIPAL
3614		METROPOLITAN	333		MOORE	6205	MUNICIPAL
3615		METROPOLITAN	406		MOORE	6207	MUNICIPAL

3622		METROPOLITAN	410		MOORE	6212	MUNICIPAL
3715		METROPOLITAN	413		MOORE	6307	MUNICIPAL
3715		METROPOLITAN	424		MOORE	6310	MUNICIPAL
3803		METROPOLITAN	501		MOORE	4316	MYRTLE
3803		METROPOLITAN	503		MOORE	6318	MYRTLE
3905		METROPOLITAN	508		MOORE	4507	N OTTAWA
4000		METROPOLITAN	523		MOORE	2446	NAOMA
4011		METROPOLITAN	603		MOORE	3116	NAVARO
4106		METROPOLITAN	612		MOORE	3226	NAVARO
4223		METROPOLITAN	613		MOORE	3226	NAVARO
4415		METROPOLITAN	614		MOORE	3234	NAVARO
4422		METROPOLITAN	734		MOORE	3406	NAVARO
4427		METROPOLITAN	743		MOORE	731	NEOMI
4515		METROPOLITAN	607	N	MOORE	1	NO NAME
4517		METROPOLITAN	2738		MORNING	1525	NOMAS
4523		METROPOLITAN	1722		MORRELL	3615	NOMAS
4606		METROPOLITAN	1726		MORRELL	3715	NOMAS
4618		METROPOLITAN	1925		MORRIS	531	NOMAS
2414		MEYERS	1929		MORRIS	1418	NOMAS
2422		MEYERS	2011		MORRIS	1710	NOMAS
2423		MEYERS	2017		MORRIS	1714	NOMAS
2505		MEYERS	3542		MORRIS	1730	NOMAS
2506		MEYERS	3639		MORRIS	1816	NOMAS
2509		MEYERS	3701		MORRIS	1970	NOMAS
2522		MEYERS	1506		MORRIS	2010	NOMAS
2602		MEYERS	1512		MORRIS	2014	NOMAS
2612		MEYERS	1710		MORRIS	2021	NOMAS
2641		MEYERS	1714		MORRIS	3316	NOMAS
3523		MEYERS	1838		MORRIS	3321	NOMAS
3055		MICHIGAN	1847		MORRIS	3321	NOMAS
1143		MISSOURI	1901		MORRIS	3324	NOMAS
1643	E	MISSOURI	1912		MORRIS	3431	NOMAS
2728		MITCHELL	1920		MORRIS	3528	NOMAS
2111		MOFFATT	2020		MORRIS	3529	NOMAS
2222		MOFFATT	2026		MORRIS	3715	NOMAS
2235		MOFFATT	3420		MORRIS	3718	NOMAS
2431		MOFFATT	3606		MORRIS	4705	NOME
2211		MOFFATT	3610		MORRIS	4744	NOME
2226		MOFFATT	3701		MORRIS	4711	NOME
2230		MOFFATT	3741		MORRIS	4723	NOME
2303		MOFFATT	3741		MORRIS	4836	NOME
2322		MOFFATT	4731		MORRIS	4843	NOME
2410		MOFFATT	4853		MORRIS	4748	NOME
2427		MOFFATT	1809		MUNCIE	1326	OAKLEY
1330		OAKLEY	4910		PARRY	4515	PHILIP
1406		OAKLEY	2611		PARSONS	4523	PHILIP
3021		OBENCHAIN	2703		PARSONS	4530	PHILIP
3713		ODESSA	2712		PARSONS	4531	PHILIP
3719		ODESSA	2715		PARSONS	4603	PHILIP
4103		ODESSA	2723		PARSONS	4717	PHILIP
4103		ODESSA	9999		PARSONS	4911	PHILIP
4142		ODESSA	2708		PARSONS	5119	PHILIP
1242		OHIO E.	3333		PARVIA	3319	PINE

3708		OPAL	1812	PEABODY	3710	PINE
3710		OPAL	1307	PEABODY	1617	PINE
3714		OPAL	1313	PEABODY	2233	PINE
3723		OPAL	1325	PEABODY	2522	PINE
3801		OPAL	1404	PEABODY	3218	PINE
3810		OPAL	1709	PEABODY	3335	PINE
3816		OPAL	2300	PEABODY	3335	PINE
3822		OPAL	2408	PEABODY	3635	PINE
3831		OPAL	2413	PEABODY	3642	PINE
4117		OPAL	2525	PEABODY	3714	PINE
4207		OPAL	2529	PEABODY	3714	PINE
4214		OPAL	1637	PEAR	3802	PINE
4243		OPAL	1713	PEAR	3802	PINE
1623		OVERTON	400	PECAN	3817	PINE
2307		OVERTON	402	PECAN	3902	PINE
2730		OVERTON	410	PECAN	3906	PINE
2835		OVERTON	411	PECAN	4002	PINE
3418		OVERTON	413	PECAN	4010	PINE
1618	E	OVERTON	416	PECAN	5918	PLUM DALE
1418		OWEGA	606	PEMBERTON	6043	PLUM DALE
1442		OWEGA	3533	PENELOPE	6047	PLUM DALE
1510		OWEGA	3603	PENELOPE	4116	PLUTO
4617		OWENWOOD	3602	PENELOPE	3915	POLLY
4705		OWENWOOD	3627	PENELOPE	3919	POLLY
4818		OWENWOOD	3631	PENELOPE	3927	POLLY
4822		OWENWOOD	3718	PENELOPE	3425	PONDROM
1414		PADGITT	3815	PENELOPE	1619	POPLAR
1534		PADGITT	3819	PENELOPE	1717	POPLAR
3612		PALACIOS	3922	PENELOPE	1610	PRESIDIO
3719		PALACIOS	4337	PENELOPE	1651	PRESIDIO
4003		PALACIOS	2525	PENNSYLVANIA	2763	PROSPERITY
2652		PALL MALL	1308	PENNSYLVANIA	2759	PROSPERITY
2656		PALL MALL	1313	PENNSYLVANIA	2771	PROSPERITY
2719		PALL MALL	1317	PENNSYLVANIA	2802	PROSPERITY
2723		PALL MALL	1317	PENNSYLVANIA	3022	PROSPERITY
2723		PARK ROW	1325	PENNSYLVANIA	3706	PROSPERITY
2708		PARNELL	2710	PENNSYLVANIA	3710	PROSPERITY
2722		PARNELL	2722	PENNSYLVANIA	3700	PUEBLO
2724		PARNELL	2812	PENNSYLVANIA	1933	PUEBLO
2820		PARNELL	2822	PENNSYLVANIA	3329	PUEBLO
3510		PARNELL	2836	PENNSYLVANIA	3521	PUEBLO
4831		PARRY	3105	PENNSYLVANIA	3623	PUEBLO
4907		PARRY	4508	PHILIP	1403	PUEBLO
1403		PUEBLO	730	RIDGE	2754	SCOTLAND
1414		PUEBLO	1221	RING	2203	SCOTLAND
1414		PUEBLO	2640	RIPPLE	2211	SCOTLAND
1515		PUEBLO	3501	ROBERTS	2410	SCOTLAND
1515		PUEBLO	3516	ROBERTS	2775	SCOTLAND
1720		PUEBLO	3927	ROBERTS	2341	SCOTT
1726		PUEBLO	4003	ROBERTS	2343	SCOTT
1815		PUEBLO	4006	ROBERTS	2930	SEATON
1818		PUEBLO	4010	ROBERTS	1331	SELKIRK
1822		PUEBLO	4014	ROBERTS	1702	SHAW

1903	PUEBLO	2711	ROCHESTER	1707	SHAW
1947	PUEBLO	2718	ROCHESTER	1811	SHAW
1973	PUEBLO	2617	ROCHESTER	1818	SHAW
2024	PUEBLO	2803	ROCHESTER	1826	SHAW
3423	PUEBLO	2815	ROCHESTER	1917	SHAW
3521	PUEBLO	2827	ROCHESTER	1927	SHAW
3525	PUEBLO	2910	ROCHESTER	1940	SHAW
3623	PUEBLO	2915	ROCHESTER	1942	SHAW
3626	PUEBLO	2918	ROCHESTER	1943	SHAW
4727	PUEBLO	2932	ROCHESTER	1976	SHAW
3112	PUGET	3000	ROCHESTER	1964	SHAW
3116	PUGET	3002	ROCHESTER	2013	SHAW
3118	PUGET	3006	ROCHESTER	2020	SHAW
3535	PUGET	3014	ROCHESTER	2124	SHELLHORSE
4011	PUGET	612	ROCKWOOD	2130	SHELLHORSE
4802	RAMONA	709	ROCKWOOD	2140	SHELLHORSE
2453	RANDOLPH	713	ROCKWOOD	1619	SICILY
2519	RANDOLPH	717	ROCKWOOD	1623	SICILY
2531	RANDOLPH	725	ROCKWOOD	1627	SICILY
2551	RANDOLPH	2715	ROGERS	1631	SICILY
4016	RANGER	2719	ROGERS	1707	SICILY
563	RAYNELL	2731	ROGERS	3517	SIDNEY
607	RAYNELL	5120	ROSINE	3521	SIDNEY
650	RAYNELL	5132	ROSINE	3529	SIDNEY
2835	REED	1423	ROWAN	3533	SIDNEY
2923	REED	1448	ROWAN	3603	SIDNEY
3014	REED	1520	ROWAN	3621	SIDNEY
3018	REED	1530	ROWAN	3622	SIDNEY
3022	REED	3709	RUSKIN	1002	SIGNET
3215	REED	3238	RUTLEDGE	1006	SIGNET
3220	REED	3300	RUTLEDGE	2726	SILKWOOD
3228	REED	3314	RUTLEDGE	2730	SILKWOOD
3231	REED	3315	RUTLEDGE	2614	SILKWOOD
3327	REED	3323	RUTLEDGE	2618	SILKWOOD
3335	REED	3122	RUTZ	2620	SILKWOOD
3600	REESE	3524	RUTZ	2727	SILKWOOD
3706	REESE	2515	SAMOA	2727	SILKWOOD
1403	RENNER	2517	SAMOA	2802	SILKWOOD
1505	RENNER	2519	SAMOA	2802	SILKWOOD
3239	REYNOLDS	5424	SANTA FE	2814	SILKWOOD
2906	REYNOLDS	4807	SAPPHIRE	2819	SILKWOOD
3006	REYNOLDS	4811	SAPPHIRE	2820	SILKWOOD
2906	SILKWOOD	3905	SPRING	1223	STRICKLAND
2922	SILKWOOD	4304	SPRING	1418	STRICKLAND
4600	SILVER	4326	SPRING	4915	STROBEL
4604	SILVER	4334	SPRING	2427	SUE
4605	SILVER	4335	SPRING	2703	SWANSON
4609	SILVER	4603	SPRING GARDEN	2728	SWANSON
4612	SILVER	2714	SPRINGDALE	2432	SYLVIA
4631	SILVER	3361	SPRINGVIEW	4720	TACOMA
4701	SILVER	3027	SPRINGVIEW	2429	TALCO
4800	SILVER	3103	SPRINGVIEW	10	TAMA
4806	SILVER	3347	SPRINGVIEW	2643	TANNER

4807	SILVER	3350	SPRINGVIEW	6214	TEAGUE
4812	SILVER	3360	SPRINGVIEW	6510	TEAGUE
4831	SILVER	3367	SPRINGVIEW	3535	TERRELL
4835	SILVER	2421	ST CLAIR	4801	TERRY
4838	SILVER	2506	ST CLAIR	5102	TERRY
2403	SKYLARK	2521	ST CLAIR	5102	TERRY
4542	SOLAR	3814	STANLEY SMITH	5232	TERRY
4002	SOLOMAN	3820	STANLEY SMITH	5420	TERRY
4006	SOLOMAN	2331	STARKS	3230	TOPEKA
4019	SOLOMAN	2538	STARKS	3234	TOPEKA
4102	SOLOMAN	2344	STARKS	1950	TORONTO
4135	SOLOMAN	2404	STARKS	1718	TORONTO
4013	SONNY	2410	STARKS	1731	TORONTO
3703	SONORA	2412	STARKS	1733	TORONTO
3835	SONORA	2415	STARKS	1737	TORONTO
3843	SONORA	2430	STARKS	1741	TORONTO
3934	SONORA	2441	STARKS	1804	TORONTO
3935	SONORA	2441	STARKS	1818	TORONTO
3116	SOUTH	2543	STARKS	1839	TORONTO
1526	SOUTHERLAND	2555	STARKS	1950	TORONTO
2623	SOUTHLAND	2559	STARKS	2009	TORONTO
2646	SOUTHLAND	2563	STARKS	2009	TORONTO
2714	SOUTHLAND	2627	STARKS	2014	TORONTO
2826	SOUTHLAND	2702	STARKS	2014	TORONTO
405	SPARKS	319	STARR	2026	TORONTO
441	SPARKS	1439	STELLA	3332	TORONTO
442	SPARKS	1627	STELLA	3402	TORONTO
443	SPARKS	2522	STEPHENSON	3402	TORONTO
615	SPARKS	2529	STEPHENSON	3403	TORONTO
617	SPARKS	2544	STEPHENSON	3407	TORONTO
622	SPARKS	2714	STEPHENSON	3411	TORONTO
624	SPARKS	1444	STIRLING	3415	TORONTO
3818	SPENCE	4611	STOKES	3423	TORONTO
3707	SPENCE	4720	STOKES	3519	TORONTO
3809	SPENCE	4723	STOKES	3548	TORONTO
3835	SPENCE	1728	STONEMAN	3561	TORONTO
3905	SPENCE	1741	STONEMAN	3618	TORONTO
4006	SPENCE	605	STOREY S.	3619	TORONTO
3303	SPRING	2450	STOVALL	3624	TORONTO
3304	SPRING	1035	STRICKLAND	3628	TORONTO
3331	SPRING	1038	STRICKLAND	3711	TORONTO
3719	TORONTO	2	VILBIG	2246	WILHURT
3719	TORONTO	1730	VILBIG	2314	WILHURT
3725	TORONTO	3106	VILBIG	2318	WILHURT
7903	TROJAN	3203	VILBIG	2747	WILHURT
7955	TROJAN	3220	VILBIG	2235	WILHURT
7912	TROJAN	3401	VILBIG	2243	WILHURT
7928	TROJAN	3502	VILBIG	2247	WILHURT
7931	TROJAN	3510	VILBIG	2314	WILHURT
7936	TROJAN	3514	VILBIG	2318	WILHURT
7955	TROJAN	3540	VILBIG	2326	WILHURT
7960	TROJAN	3614	VILBIG	2410	WILHURT
2813	TROY	3705	VILBIG	2414	WILHURT

2813	TROY	3714	VILBIG	2418		WILHURT
1818	TRUNK	3722	VILBIG	2535		WILHURT
1822	TRUNK	3722	VILBIG	2603		WILHURT
4011	TRUNK	3721	VINEYARD	2606		WILHURT
4015	TUMALO	3806	VINEYARD	2619		WILHURT
3131	TUSKEGEE	3826	VINEYARD	2635		WILHURT
2811	VALENTINE	3906	VINEYARD	3611	N	WINNETKA
3027	VALENTINE	2015	VOLGA	511		WOODBINE
2611	VALENTINE	2130	VOLGA	515		WOODBINE
2619	VALENTINE	1438	WACO	520		WOODBINE
2625	VALENTINE	1706	WACO	530		WOODBINE
2722	VALENTINE	1727	WACO	555		WOODBINE
2726	VALENTINE	3809	WALDRON	635		WOODBINE
2727	VALENTINE	2625	WARREN	709		WOODBINE
2810	VALENTINE	2631	WARREN	1615	E	WOODIN
2813	VALENTINE	3004	WARREN	1226	E	WOODIN
2814	VALENTINE	5127	WATSON	1239	E	WOODIN
2814	VALENTINE	5131	WATSON	1554	E	WOODIN
2814	VALENTINE	5139	WATSON	1619	E	WOODIN
2822	VALENTINE	1338	WAWEENOC	3510		YORK
2825	VALENTINE	3322	WEISENBERGER	3518		YORK
2907	VALENTINE	3813	WEISENBERGER	3531		YORK
2914	VALENTINE	4016	WEISENBERGER	3615		YORK
2926	VALENTINE	4026	WEISENBERGER	3618		YORK
3015	VALENTINE	2517	WELLS	3622		YORK
3027	VALENTINE	2519	WELLS	3624		YORK
3035	VALENTINE	2521	WELLS	3719		YORK
3041	VALENTINE	2527	WELLS	3807		YORK
3720	VANDERVOORT	2527	WELLS	4226		YORK
3806	VANDERVOORT	2531	WELLS	4807		ZEALAND
3810	VANDERVOORT	2533	WELLS	4705		ZEALAND
3917	VANDERVOORT	3417	WENDELKIN	4737		ZEALAND
3923	VANDERVOORT	3514	WENDELKIN	4741		ZEALAND
4635	VERDUN	3518	WENDELKIN	4742		ZEALAND
1126	VERMONT	3636	WENDELKIN	4745		ZEALAND
1226	VERMONT	3722	WENDELKIN	4812		ZEALAND
1230	VERMONT	1503	WHITAKER	4812		ZEALAND
5029	VETERANS	1538	WHITAKER	4816		ZEALAND
5029	VETERANS	2251	WILHURT	4820		ZEALAND
5143	VETERANS	2234	WILHURT	4824		ZEALAND

AGENDA ITEM # 65

KEY FOCUS AREA:	Clean, Healthy Environment
AGENDA DATE:	October 23, 2013
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Office Of Environmental Quality Office of Management Services
CMO:	Jill A. Jordan, P.E., 670-5299 Jeanne Chipperfield, 670-7804
MAPSCO:	45L

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by 2218 Bryan Street Ltd. located near the intersection of Bryan and North Pearl Streets and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to 2218 Bryan Street Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the Designated Property is underlain by shallow groundwater that is encountered at depths between 24 and 30 feet below ground surface (bgs) and extends to the top of the Austin Chalk Limestone encountered at a depth of approximately 50 feet bgs. The thickness of the Austin Chalk in the area is approximately 500 feet. The Austin Chalk is considered a regional aquitard and is composed primarily of light gray limestone chalk and marl. The direction of groundwater flow beneath the Designated Property is predominantly to the southwest. This groundwater has been affected by tetrachloroethene (PCE) at concentrations above groundwater ingestion standards. The probable offsite source of PCE is historical dry cleaner and auto repair facilities that operated adjacent to the property. The probable onsite sources include a former auto repair facility on the southeast boundary of the property that operated from 1950 through 1970, a former air conditioning and service facility located on the southwestern boundary of the property that operated from 1961 to 1971, and a former 6,000-gallon heating oil tank that was located at the northwestern boundary of the property and was removed in 1995. All offsite and onsite source areas have been removed and operations have ceased.

BACKGROUND (Continued)

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in August 2012. The site is designated as VCP Facility ID No. 2517.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting was held on October 15, 2013 to receive comments and concerns. Notices of the meeting were sent to 1140 property owners within 2,500 feet of the property and 111 private well owners within 5 miles of the property. No other municipalities are located within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Bryan and North Pearl Streets, including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program. Currently the designated property is vacant property known as the "Old Dallas High School" site and vacant land owned by the City of Dallas. The anticipated future use of the property includes a new multi-family development that will incorporate the existing historical high school building.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

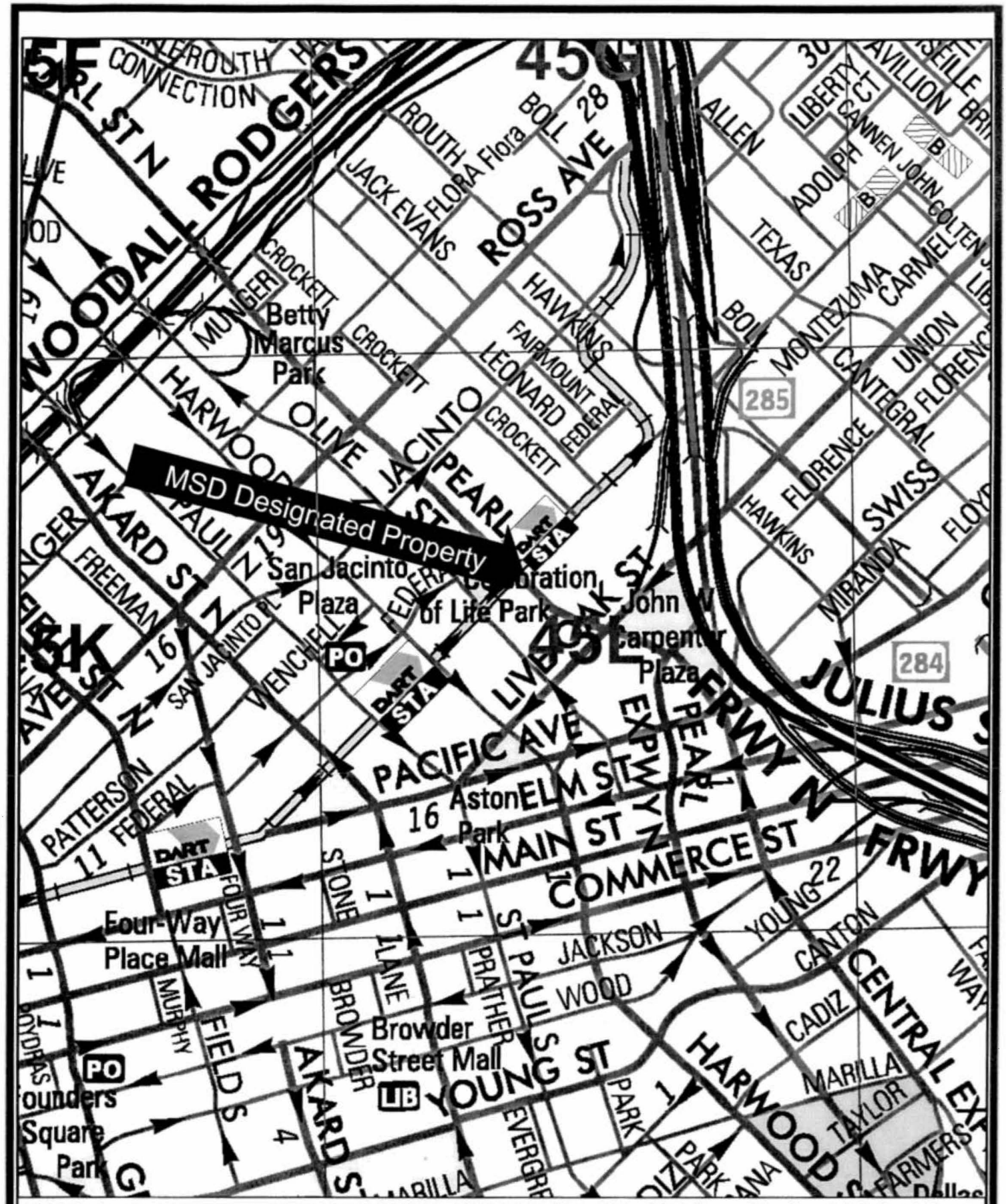
OWNER

2218 Bryan Street, Ltd.

D-F Fund 2218 Bryan Street, LLC, General Partner
R.Y. Properties, Inc.
Robert Yu, President

MAPS

Attached



MSD Designated Property - Old Dallas High School - 2218 Bryan Street (aka 2214 Bryan Street) and 538 Pearl Street, Dallas, Texas 75201

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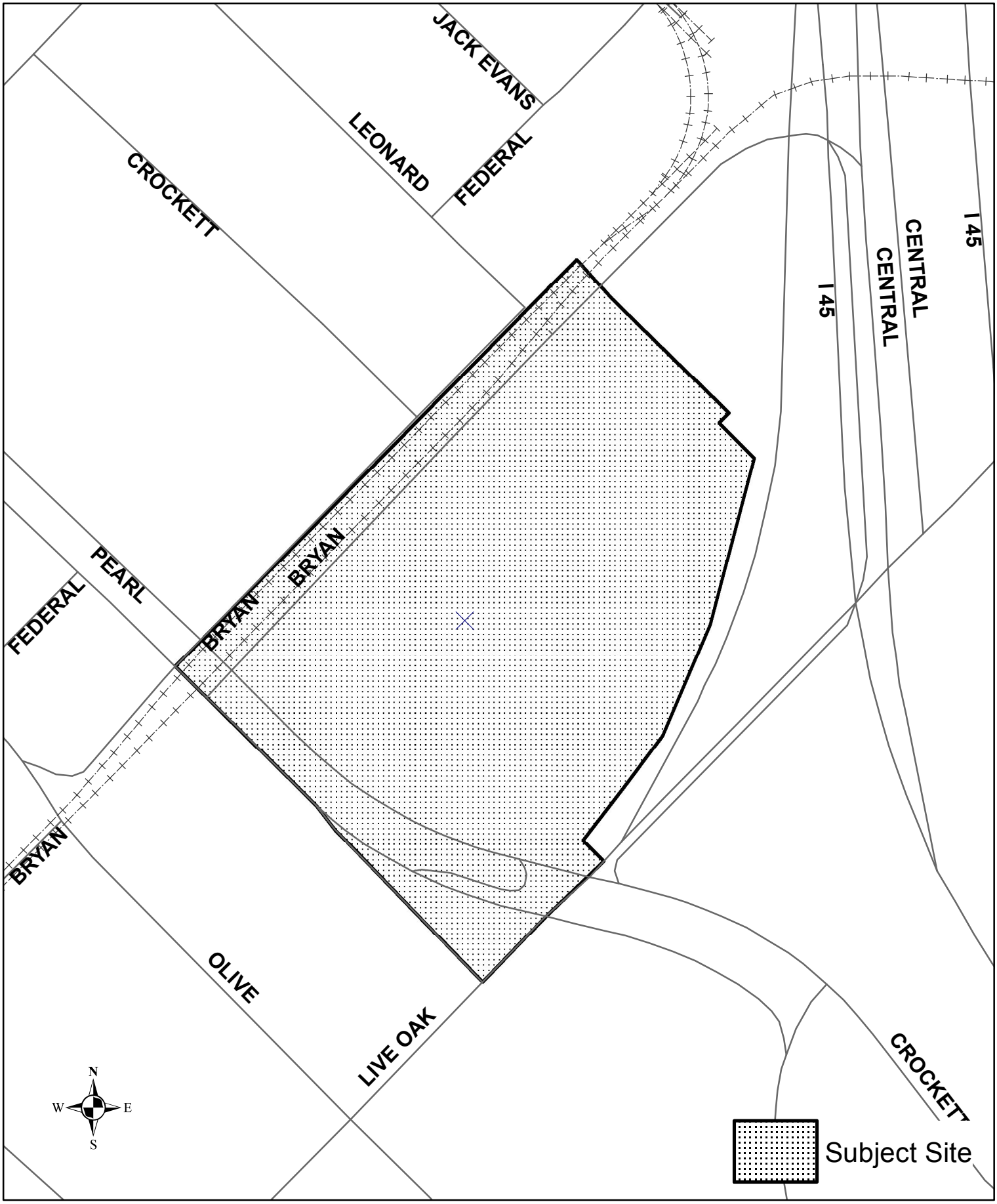
MAPSCO 45L

0 Mi 0.13 Mi 0.25 Mi

Scale 1 : 8 166


JACK EVANS
LEONARD
FEDERAL
CROCKETT
I 45
CENTRAL
CENTRAL
I 45
PEARL
FEDERAL
BRYAN
BRYAN
BRYAN
OLIVE
LIVE OAK
CROCKETT
N
W
E
S
Subject Site

10-3-13

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 2218 Bryan (aka 2214 Bryan Street) and 538 Pearl Street and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned Voluntary Cleanup Program No. 2517 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than October 23, 2015.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than October 23, 2015. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, Interim City Attorney

By_____
Assistant City Attorney

Passed _____

Field Notes Describing a 419,178 Square Foot (9.623 Acre) Tract
To Acquire a Municipal Setting Designation
Situated in City Blocks 259, 264, 1/312 and 2/312
Being Adjacent to City Blocks 253, 254, 255, 258 and 260
And Adjacent to Lot 7A, Block 316, Americas Tower Addition
And Lot 3, Block 263, Burk's Subdivision
From 2218 Bryan Street, Ltd. and the City of Dallas, Texas
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

GIS Approved

DESCRIPTION, of a 9.623 acre tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas and being part of unplatted property in Blocks 259, 264, 1/312 and 2/312, Official Numbers of the City of Dallas, Texas; said tract being all of that certain tract of land described in Special Warranty Deed to 2218 Bryan Street, Ltd. recorded in Volume 98003, Page 3812 of the Deed Records of Dallas County, Texas; part of that certain tract of land described in Warranty Deed to the City of Dallas, Texas recorded in Volume 70206, Page 1648 of said Deed Records; part of that certain tract of land described in Warranty Deed to the City of Dallas, Texas recorded in Volume 70217, Page 143 of said Deed Records and part of those certain tracts of land described as "Tract 1" and "Tract 2" in Confirmation Warranty Deed to the City of Dallas, Texas recorded in Volume 72034, Page 12 of said Deed Records; said tract also being part of Live Oak Street (a variable width public right-of-way), part of Pearl Street (a variable width public right-of-way) and part of Bryan Street (a variable width public right-of-way); said 9.623 acre tract being more particularly described as follows (bearing system for this survey is based on a bearing of North 45 degrees, 08 minutes, 48 seconds East for a southeast right-of-way line of Bryan Street according to the said Special Warranty Deed to 2218 Bryan Street, Ltd. recorded in said Volume 98003, Page 3812 of the said Deed Records):

COMMENCING, at a PK nail found at the intersection of the said southeast line of Bryan Street (at this point a 70-foot wide right-of-way) and the northeast right-of-way line of Olive Street (a variable width right-of-way); said point being the westernmost corner of that certain tract of unplatted land situated in Block 254 and described as "Tract IV" in Special Warranty Deed to W2007 MVP Dallas, LLC recorded in Instrument No. 20080044377 of the Official Public Records of Dallas County, Texas;

THENCE, North 44 degrees, 51 minutes, 03 seconds East, along the said southeast line of Bryan Street and the northwest line of said "Tract IV", a distance of 212.17 feet to the POINT OF BEGINNING; said point being at the intersection of the said southeast line of Bryan Street and the southwest right-of-way line of said Pearl Street; said point also being the northernmost corner of said "Tract IV";

THENCE, North 45 degrees, 02 minutes, 02 seconds West, departing the said southeast line of Bryan Street and into and across the said Bryan Street right-of-way, along the projected southwest line of Pearl Street, a distance of 70.00 feet to an angle point at the intersection of the northwest right-of-way line of said Bryan Street and the said southwest line of Pearl Street; said point being the easternmost corner of that certain tract of unplatted land situated in Block 253 and described in Special Warranty Deed to the City of Dallas, Texas recorded in Volume 80100, Page 231 of said Deed Records;

Field Notes Describing a 419,178 Square Foot (9.623 Acre) Tract
To Acquire a Municipal Setting Designation
Situated in City Blocks 259, 264, 1/312 and 2/312
Being Adjacent to City Blocks 253, 254, 255, 258 and 260
And Adjacent to Lot 7A, Block 316, Americas Tower Addition
And Lot 3, Block 263, Burk's Subdivision
From 2218 Bryan Street, Ltd. and the City of Dallas, Texas
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

GIS Approved

THENCE, North 45 degrees, 31 minutes, 57 seconds West, along the said southwest line of Pearl Street and a northeast line of the last said City of Dallas tract, a distance of 19.50 feet to a point for corner;

THENCE, North 45 degrees, 19 minutes, 40 seconds East, departing the said southwest line of Pearl Street and into and across the said Pearl Street right-of-way along the projected northwest right-of-way line of Bryan Street, at a distance of 106.14 feet passing a "+" cut in concrete found at the east end of a right-of-way corner clip at the intersection of the said northwest line of Bryan Street and the northeast right-of-way line of said Pearl Street and the southeast corner of that certain tract of unplatted land situated in Block 258 and described in Special Warranty Deed to Trizec Plaza of the Americas Limited Partnership recorded in Volume 2004099, Page 6675 of said Official Public Records; continuing along the said northwest line of Bryan Street and the southeast line of said Trizec Plaza tract, at a distance of 461.65 feet passing a "+" cut in concrete found at the south end of a right-of-way corner clip at the intersection of the said northwest line of Bryan Street and the southwest right-of-way line of Crockett Street (a variable width right-of-way) and the southernmost east corner of said Trizec Plaza tract; continuing into and across the said Crockett Street right-of-way and along the said projected northwest line of Bryan Street, at a distance of 514.94 feet passing a "+" cut in concrete found at the east end of a right-of-way corner clip at the intersection of the said northwest line of Bryan Street and the northeast right-of-way line of said Crockett Street and the southernmost east corner of Lot 7A, Block 316, Americas Tower Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 83004, Page 891 of said Deed Records; continuing along the said northwest line of Bryan Street and the southeast line of said Lot 7A, at a distance of 652.78 feet passing a "+" cut in concrete found at the south end of a right-of-way corner clip at the intersection of the said northwest line of Bryan Street and the southwest right-of-way line of Leonard Street (a variable width right-of-way) and the southernmost east corner of said Lot 7A; then continuing into and across the said Leonard Street right-of-way and along the said projected northwest line of Bryan Street in all a total distance of 712.32 feet to a point for corner in the northeast right-of-way line of said Leonard Street and the southwest line of Lot 3, Block 263, Burk's Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume W, Page 800 of said Deed Records; said point being an angle point in the said northwest line of Bryan Street and South 44 degrees, 55 minutes, 32 seconds East, a distance of 21.20 feet from a "+" cut in concrete found at the southernmost corner of that certain tract of land described as DART Parcel No. CBD-4-XS1 in Special Warranty Deed to Spire Development Holdings, LLC recorded in Instrument No. 201100251898 of said Official Public Records;

THENCE, South 44 degrees, 55 minutes, 32 seconds East, along an offset in the said northwest line of Bryan Street and the southwest line of said Lot 3, a distance of 18.67 feet to a point for corner; said point being an angle point in the said northwest line of Bryan Street and the southernmost corner of said Lot 3;

Field Notes Describing a 419,178 Square Foot (9.623 Acre) Tract
To Acquire a Municipal Setting Designation
Situated in City Blocks 259, 264, 1/312 and 2/312
Being Adjacent to City Blocks 253, 254, 255, 258 and 260
And Adjacent to Lot 7A, Block 316, Americas Tower Addition
And Lot 3, Block 263, Burk's Subdivision
From 2218 Bryan Street, Ltd. and the City of Dallas, Texas
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

GIS Approved

THENCE, North 45 degrees, 08 minutes, 48 seconds East, continuing along the said northwest line of Bryan Street and the southeast line of said Lot 3, a distance of 64.33 feet to a point for corner;

THENCE, South 44 degrees, 51 minutes, 12 seconds East, departing the said northwest line of Bryan Street and the said southeast line of Lot 3 and into and across the said Bryan Street right-of-way, a distance of 70.00 feet to a metal fence post found for corner in the southeast right-of-way line of said Bryan Street; said point being the northernmost corner of said 2218 Bryan Street, Ltd. tract and the westernmost corner of that certain tract of unplatted land in Block 264 described in Warranty Deed with Vendor's Lien to Eugene Quentan, Jr. and Peter W. Baldwin recorded in Volume 68189, Page 918 of said Deed Records;

THENCE, South 45 degrees, 18 minutes, 14 seconds East, departing the said southeast line of Bryan Street and along the northeast line of said 2218 Bryan Street, Ltd. tract and the southwest line of the said Quentan/Baldwin tract, a distance of 216.33 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner; said point being an east corner of said 2218 Bryan Street, Ltd. tract and a reentrant corner of the said Quentan/Baldwin tract;

THENCE, South 44 degrees, 51 minutes, 46 seconds West, along a southeast line of the said 2218 Bryan Street, Ltd. tract and a northwest line of the said Quentan/Baldwin tract, at a distance of 3.40 feet passing a west corner of said Quentan/Baldwin tract and a north corner of that certain tract of land described in Deed to the State of Texas dated February 15, 1967, then continuing along a northwest line of said State of Texas tract in all a total distance of 18.85 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner; said point being a reentrant corner of the said 2218 Bryan Street, Ltd. tract and a west corner of said State of Texas tract;

THENCE, South 45 degrees, 00 minutes, 14 seconds East, along a northeast line of said 2218 Bryan Street, Ltd. tract and a southwest line of said State of Texas tract, a distance of 65.51 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner; said point being the easternmost corner of the said 2218 Bryan Street, Ltd. tract, the northernmost corner of that certain tract of land described in Controlled Access Highway Facility Deed to the State of Texas recorded in Volume 69239, Page 1729 of said Deed Records and the beginning of a non-tangent curve to the right;

THENCE, departing the said southwest line of the first referenced State of Texas tract and along the easterly and southeast line of the said 2218 Bryan Street, Ltd. tract and the westerly and northwest line of the second referenced State of Texas tract, the following three (3) calls:

Field Notes Describing a 419,178 Square Foot (9.623 Acre) Tract
To Acquire a Municipal Setting Designation
Situated in City Blocks 259, 264, 1/312 and 2/312
Being Adjacent to City Blocks 253, 254, 255, 258 and 260
And Adjacent to Lot 7A, Block 316, Americas Tower Addition
And Lot 3, Block 263, Burk's Subdivision
From 2218 Bryan Street, Ltd. and the City of Dallas, Texas
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

GIS Approved

In a southerly direction, along said curve to the right, having a central angle of 14 degrees, 02 minutes, 07 seconds, a radius of 933.93 feet, a chord bearing and distance of South 15 degrees, 23 minutes, 45 seconds West, 228.20 feet, an arc distance of 228.78 feet to a Texas Department of Transportation aluminum disk found at the end of said curve;

South 23 degrees, 20 minutes, 04 seconds West, (non-tangent to the last said curve) a distance of 159.56 feet to a concrete monument found at the beginning of a non-tangent curve to the right;

In a southwesterly direction, along said curve to the right, having a central angle of 09 degrees, 40 minutes, 29 seconds, a radius of 944.93 feet, a chord bearing and distance of South 36 degrees, 58 minutes, 15 seconds West, 159.37 feet, an arc distance of 159.56 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner in the northwest right-of-way line of Live Oak Street (a variable width right-of-way); said point being the southernmost corner of the second referenced State of Texas tract;

THENCE, South 44 degrees, 52 minutes, 10 seconds East, departing the said southeast line of the 2218 Bryan Street, Ltd. tract and the said northwest line of Live Oak Street and into and across the said Live Oak Street right-of-way, a distance of 69.39 feet to a point for corner; said point being in the projected southeast right-of-way line of Live Oak Street and South 45 degrees, 07 minutes, 50 seconds West, a distance of 5.12 feet from a PK nail with washer stamped "CITY OF DALLAS" found at the intersection of the south right-of-way line of said Live Oak Street and the northeast right-of-way line of said Pearl Street;

THENCE, South 45 degrees, 07 minutes, 50 seconds West, along the said projected southeast line of Live Oak Street, at a distance of 132.82 feet passing a PK nail with washer stamped "CITY OF DALLAS" found at the intersection of the southeast right-of-way line of Live Oak Street and the southwest right-of-way line of said Pearl Street and the northernmost corner of that certain tract of unplatted land in Block 255 and Block 260 described as "Tract C" in Special Warranty Deed and Assignment to the Dallas Area Rapid Transit recorded in Volume 94214, Page 6583 of said Deed Records; continuing along the said southeast line of Live Oak Street and the northwest line of said Dallas Area Rapid Transit tract, at a distance of 157.57 feet passing a PK nail with washer stamped "CITY OF DALLAS" found; then continuing in all a total distance of 263.40 feet to a point for corner;

Field Notes Describing a 419,178 Square Foot (9.623 Acre) Tract
To Acquire a Municipal Setting Designation
Situated in City Blocks 259, 264, 1/312 and 2/312
Being Adjacent to City Blocks 253, 254, 255, 258 and 260
And Adjacent to Lot 7A, Block 316, Americas Tower Addition
And Lot 3, Block 263, Burk's Subdivision
From 2218 Bryan Street, Ltd. and the City of Dallas, Texas
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

GIS Approved

THENCE, North 44 degrees, 44 minutes, 57 seconds West, departing the said southeast line of Live Oak Street and the said northwest line of the Dallas Area Rapid Transit tract, and into and across the said Live Oak Street right-of-way, a distance of 70.04 feet to a metal "L" stamped "PROPERTY LINE" in concrete found at an angle point; said point being at the intersection of the said northwest line of Live Oak Street and the said southwest line of Pearl Street and the easternmost corner of the said W2007 MVP Dallas, LLC, "Tract IV";

THENCE, North 43 degrees, 53 minutes, 27 seconds West, along the said southwest line of Pearl Street and the northeast line of the said "Tract IV", a distance of 478.03 feet to the POINT OF BEGINNING;

CONTAINING, 419,178 square feet or 9.623 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 tract of land described.

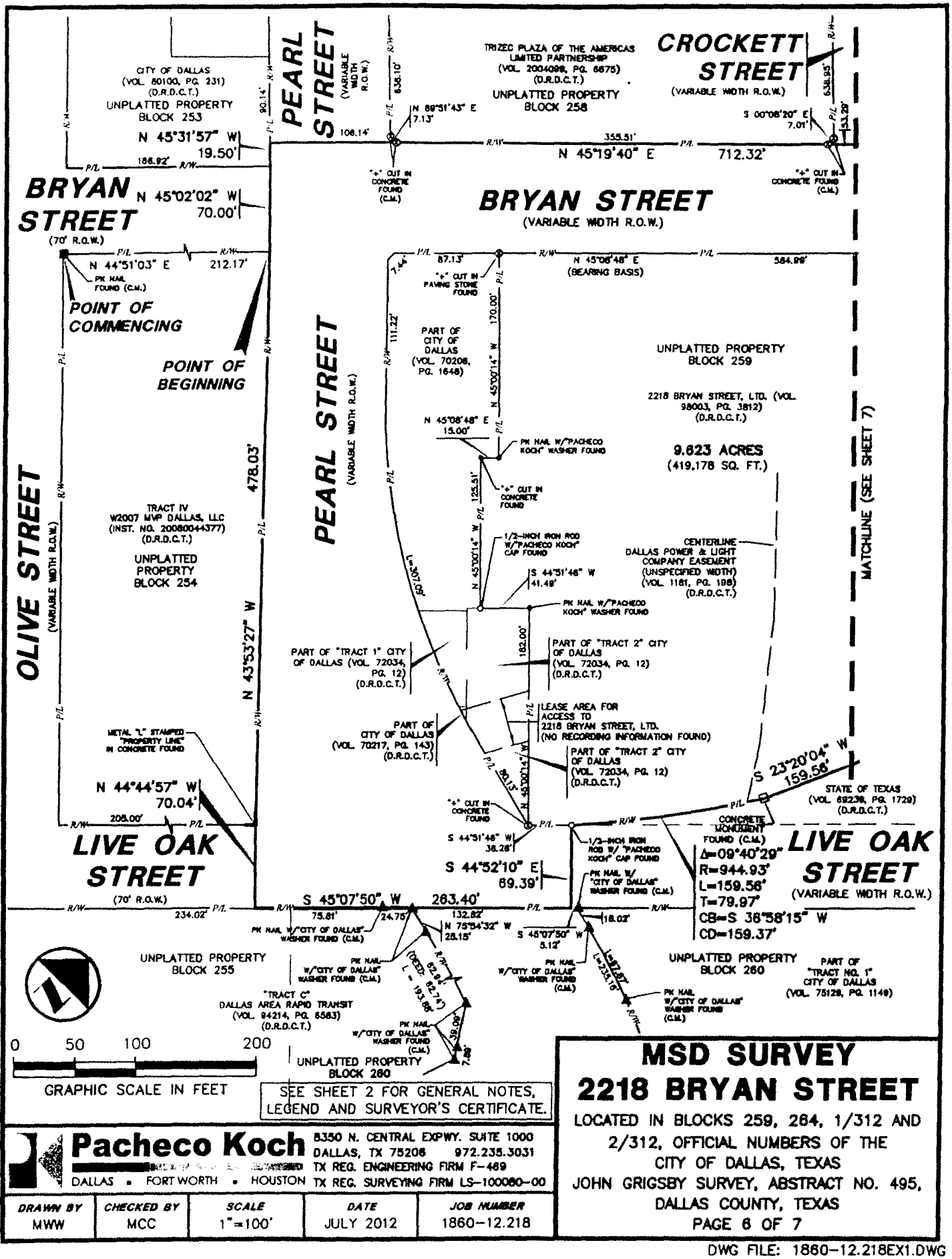
07/23/2012

STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

Michael C. Clover Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers, Inc.
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00

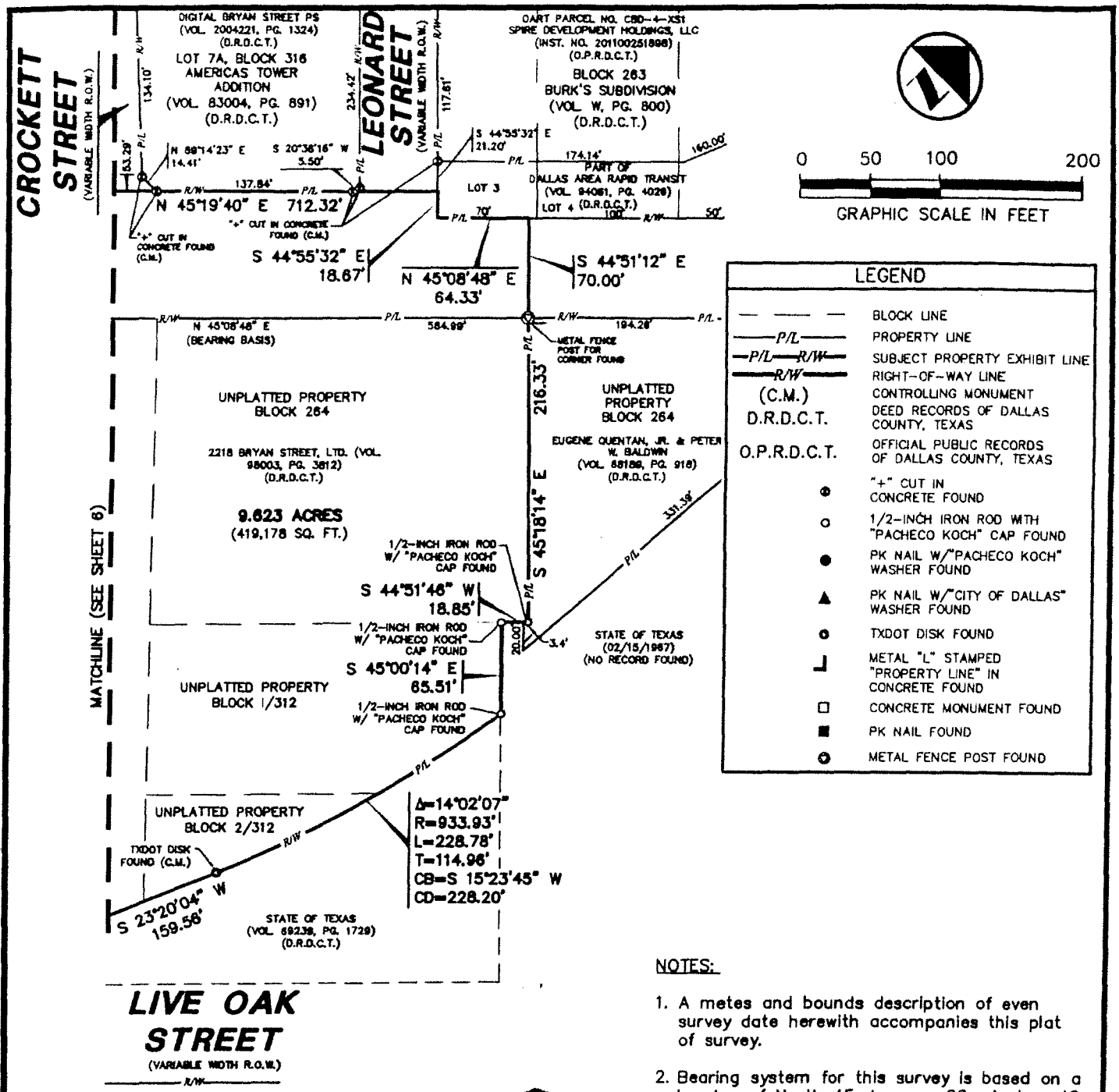
msd.doc
1860-12.218 mcc/mww

Exhibit A



No. OEQ0026 Old Dallas High School MSD – 2218 Bryan Street (aka 2214 Bryan Street) and 538 Pearl Street

Exhibit A



NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 08 minutes, 48 seconds East for a southeast right-of-way line of Bryan Street according to the Special Warranty Deed to 2218 Bryan Street, Ltd. recorded in Volume 98003, Page 3812 of the Deed Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the tract of land described.

STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

Michael C. Clover
Registered Professional
Land Surveyor No. 5525

Date 07/23/2012

Pacheco Koch
DALLAS • FORT WORTH • HOUSTON
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100060-00

MSD SURVEY
2218 BRYAN STREET

LOCATED IN BLOCKS 259, 264, 1/312 AND 2/312, OFFICIAL NUMBERS OF THE CITY OF DALLAS, TEXAS
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, DALLAS COUNTY, TEXAS
PAGE 7 OF 7

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
MWW	MCC	1"=100'	JULY 2012	1860-12.218

DWG FILE: 1860-12.218EX1.DWG

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No. OEQ0026 Old Dallas High School MSD – 2218 Bryan Street (aka 2214 Bryan Street) and 538 Pearl Street

AGENDA ITEM # 66

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 7

DEPARTMENT: Office Of Environmental Quality
Office of Management Services

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

MAPSCO: 46K L

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Sullivan Asset Management Inc. located near the intersection of South Haskell and Gurley Avenues and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Sullivan Asset Management, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the Designated Property is underlain by shallow groundwater that is encountered at a depth of approximately 34 feet below ground surface (bgs) and extends to the top of the Austin Chalk limestone confining unit at approximately 55 to 70 feet bgs. The direction of groundwater flow beneath the Designated Property is toward the southeast. The groundwater beneath portions of the property has been affected by tetrachloroethylene (PCE), trichloroethylene (TCE), cis-1,2-dichloroethylene (cis-1,2-DCE), vinyl chloride (VC), benzene, arsenic, and lead at concentrations above groundwater ingestion standards. The suspected source of PCE, TCE, cis-1,2-DCE, and VC is historical offsite dry cleaners that operated between the 1940s and 1960s adjacent to the property. The historical source of benzene is from a former filling station and auto repair shops located in and adjacent to the northwest corner of the property that appear to have operated between the 1920s and late 1950s. The suspected sources of arsenic and lead are long term industrial uses at the property including former foundry and painting operations located in the southwest portion of the property, urban fill and air deposition of metals in soil that can affect groundwater, and naturally occurring sediment in groundwater.

BACKGROUND (Continued)

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in May 2012. The site is designated as VCP Facility ID No. 2492.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting was held October 7, 2013 to receive comments and concerns. Notices of the meeting were sent to 848 property owners within 2,500 feet of the property and 76 private well owners within 5 miles of the property. No other municipalities are located within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of South Haskell and Gurley Avenues including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program. Currently the designated property is occupied by Triple S Dynamics, a conveyor system manufacturing facility. Current operations consist of machining (cutting, grinding, and welding), assembly, inspection, and testing. The anticipated future use of the property is intended to remain industrial with continued operations by Triple S Dynamics; which, has operated continuously at the main operational parcel since 1888 (previously Sutton, Steele, & Steele).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

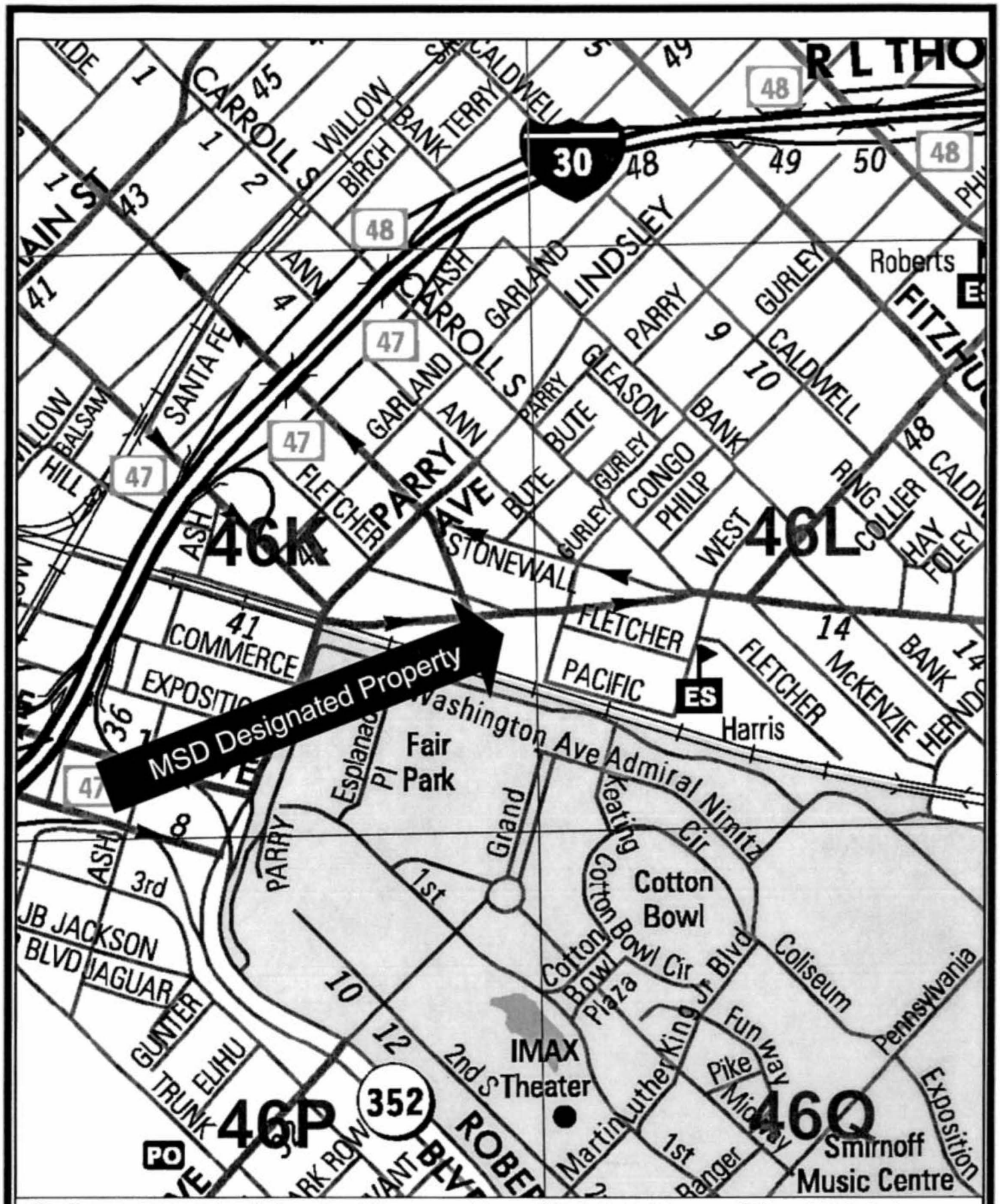
OWNER

Sullivan Asset Management, Inc.

Jeffrey Sullivan, Vice President

MAPS

Attached



MSD Designated Property - Sullivan Asset Management, Inc. - 1031 S. Haskell Avenue, 4215 and 4220 Gurley Avenue and 1100 S. Pacific Avenue

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MAPSCO 46K L

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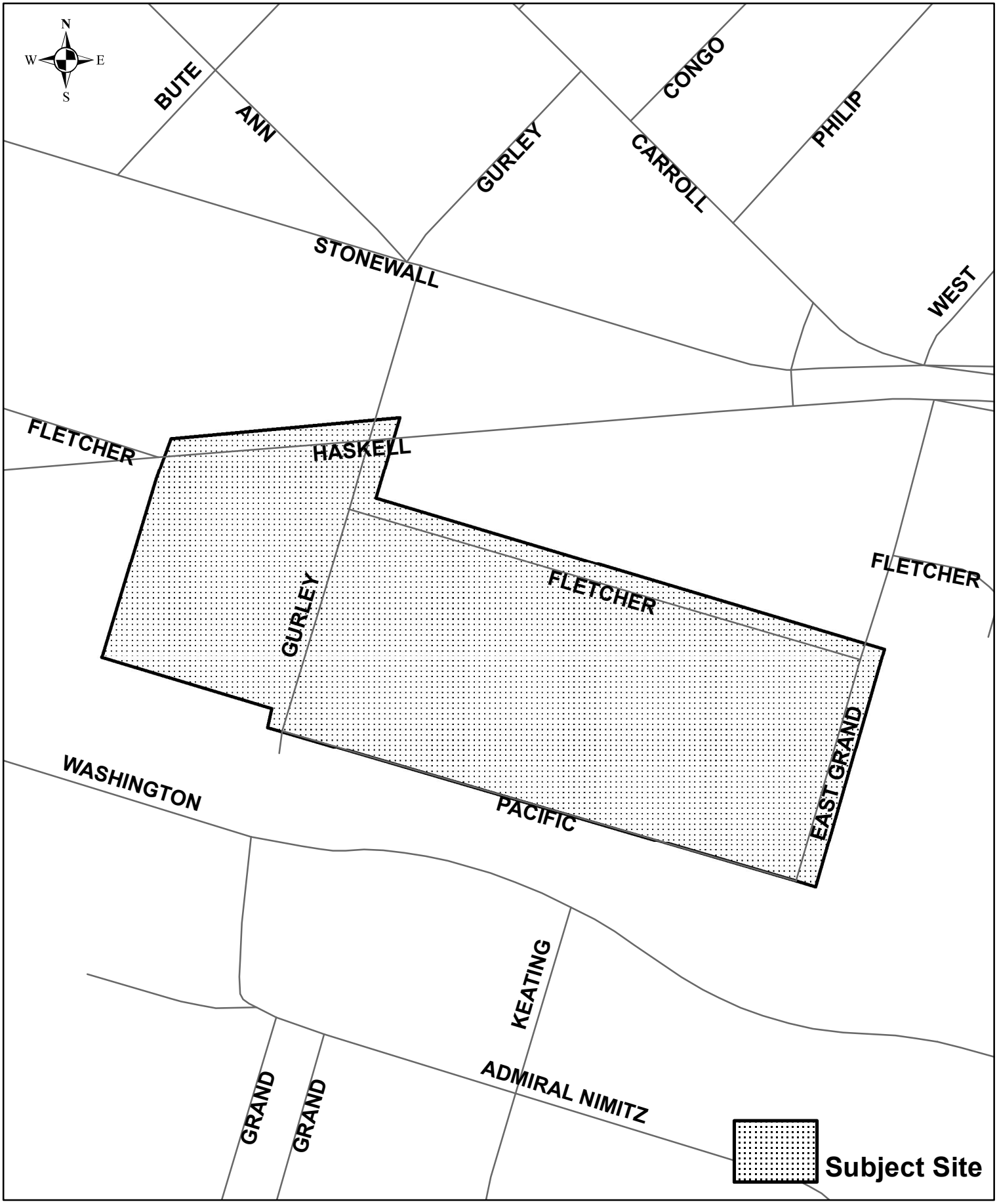
Scale 1 : 8 166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GURLEY
FLETCHER
FLETCHER
EAST GRAND
WASHINGTON
PACIFIC
KEATING
ADMIRAL NIMITZ
GRAND
GRAND
Subject Site

10-3-13

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 1031 South Haskell Avenue, 4215 and 4220 Gurley Avenue, and 1100 South Pacific and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying

drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned Voluntary Cleanup Program No. 2492 must receive a certificate of completion from the Texas Commission on Environmental Quality by no later than October 23, 2015.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than October 23, 2015. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, Interim City Attorney

By_____
Assistant City Attorney

Passed _____

MUNICIPAL SETTING DESIGNATION SURVEY
J.M. BROWDER'S PROVIDENCE ADDITION

GIS Approved

CITY OF DALLAS BLOCK NO. 26/1268 & 27/1269, DALLAS COUNTY, TEXAS

Being a 337,317 square feet (7.74 acre) tract of land situated in City of Dallas Block No. 27/1269 and 26/1268, being all of Lots 1 through 26, Block 27/1269 of the J.M. Browder's Providence Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 150, Page 402 of the Map Records of Dallas County, Texas, being that same tract of land conveyed to Sutton Steele & Steele, Inc. a corporation by deed recorded in Volume 75159, Page 2342 of the Deed Records of Dallas County, Texas, together with all of Lot 7-A, Block 26/1268 of the Sullivan's Subdivision DR.J.M. Browder's Providence Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 73245, Page 864 of the Map Records of Dallas County, Texas, together with Certificate of Correction recorded in Volume 73249, Page 737 of the Deed Records of Dallas County, Texas, being that same tract of land conveyed to Sutton Steele & Steele by deeds recorded in Volume 69195, Page 463 and conveyed to Triple/S Dynamic by deed recorded in Volume 73141, Page 1117 and to Sutton Steele & Steele by deed recorded in Volume 73182, Page 1330 of the Deed Records of Dallas County, Texas together with the adjoining portions of East Grand Avenue (50 foot public right-of-way), Fletcher Avenue (50 foot public right-of-way), Gurley Avenue (50 foot public right-of-way), S. Haskell Avenue (variable width public right-of-way) and Pacific Avenue (25 foot public right-of-way), and all together being more particularly described by metes and bounds as follows:

Beginning at a 1 inch iron pipe found for corner at the intersection of the Southeast right-of-way line of said East Grand Avenue and the Southwest right-of-way line of said Pacific Avenue, said point being in the Northeast line of a tract of land conveyed to Dallas Area Rapid Transit (D.A.R.T.) by deed recorded in Volume 88083, Page 4905 of the Deed Records of Dallas County, Texas, same being the South corner of herein described tract;

Thence North 73 Degrees 26 Minutes 29 Seconds West, along the Southwest right-of-way line of said Pacific Avenue and along the Northeast line of said D.A.R.T. tract, a distance of 756.00 feet to a point for corner at the intersection of the Southwest right-of-way line of said Pacific Avenue and the Northwest right-of-way line of said Gurley Avenue, said point being the most southerly West corner of herein described tract;

Thence North 16 Degrees 33 Minutes 31 Seconds East, departing the Southwest right-of-way line of said Pacific Avenue, along the Northwest right-of-way line or said Gurley Avenue, a distance of 25.00 feet to a 5/8 inch iron rod found for corner at the intersection of the Northeast right-of-way line of said Pacific Avenue and the Northwest right-of-way line of said Gurley Avenue, said point being the South corner of said Lot 7-A, Block 26/1268;

Thence North 73 Degrees 26 Minutes 29 Seconds West, continuing along the Northeast line of said D.A.R.T. tract and along the Southwest line of said Lot 7-A, a distance of 233.85 feet to a point for corner, said point being the West corner of a 20 foot alley, same being the South corner of a tract of land conveyed to State Fair of Texas by deed recorded in Volume 2001126, Page 910 of the Deed Records of Dallas County, Texas and being the most northerly West corner of herein described tract;

TEXAS HERITAGE
SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

JOB NO: 1200138-1
DATE: 02/28/2012
SCALE: 1"=120'
PAGE 1 OF 3

STATE OF TEXAS
REGISTERED
GARY E. JOHNSON
5299
PROFESSIONAL
LAND SURVEYOR

MUNICIPAL SETTING DESIGNATION SURVEY
J.M. BROWDER'S PROVIDENCE ADDITION
CITY OF DALLAS BLOCK NO. 26/1268 & 27/1269, DALLAS COUNTY, TEXAS

GIS Approved

Thence North 16 Degrees 33 Minutes 31 Seconds East, along the Northwest right-of-way line of said alley, a distance of 306.29 feet to a point for corner in the Northeast right-of-way line of said S. Haskell Avenue and in the Southwest line of Block 23/1267 of said J.M. Browder's Providence Addition, said point being the North corner of herein described tract;

Thence South 73 Degrees 16 Minutes 48 Seconds East, along the Northeast right-of-way line of said S. Haskell Avenue, a distance of 5.40 feet to a point for corner;

Thence North 85 Degrees 24 Minutes 51 Seconds East, continuing along the North right-of-way line of said S. Haskell Avenue, a distance of 298.55 feet to a 1/2 inch iron rod found for corner at the intersection of the North right-of-way line of said S. Haskell Avenue and the Southeast right-of-way line of said Gurley Avenue;

Thence South 16 Degrees 33 Minutes 31 Seconds West, along the Southeast right-of-way line of said Gurley Avenue, a distance of 107.97 feet to a 1/2 inch iron rod found for corner at the intersection of the Southeast right-of-way line of said Gurley Avenue and the Northeast right-of-way line of said Fletcher Avenue, said point being the West corner of Block 24/1269 of said J.M. Browder's Providence Addition;

Thence South 73 Degrees 26 Minutes 29 Seconds East, along the Northeast right-of-way line of said Fletcher Avenue, a distance of 406.00 feet to a point for corner;

Thence North 16 Degrees 33 Minutes 31 Seconds East, a distance of 3.00 feet to a point for corner, said point being the West corner of Lot 22-A, Block 24/1270 of the D.E. Barton Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 85084, Page 2639 of the Map Records of Dallas County, Texas;

Thence South 73 Degrees 26 Minutes 29 Seconds East, continuing along the Northeast right-of-way line of said Fletcher Avenue, a distance of 150.00 feet to a point for corner, said point being the South corner of said Lot 22-A;

Thence South 16 Degrees 33 Minutes 31 Seconds West, a distance of 3.00 feet to a point for corner;

Thence South 73 Degrees 26 Minutes 29 Seconds East, continuing along the Northeast right-of-way line of said Fletcher Avenue, a distance of 150.00 feet to a point for corner at the intersection of the Northeast right-of-way line of said Fletcher Avenue and the Southeast right-of-way line of said East Grand Avenue, said point being the East corner of herein described tract;

Thence South 16 Degrees 33 Minutes 31 Seconds West, along the Southeast right-of-way line of said East Grand Avenue, a distance of 331.00 feet to the POINT OF BEGINNING and containing 337,317 square feet or 7.74 acres of land.

TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

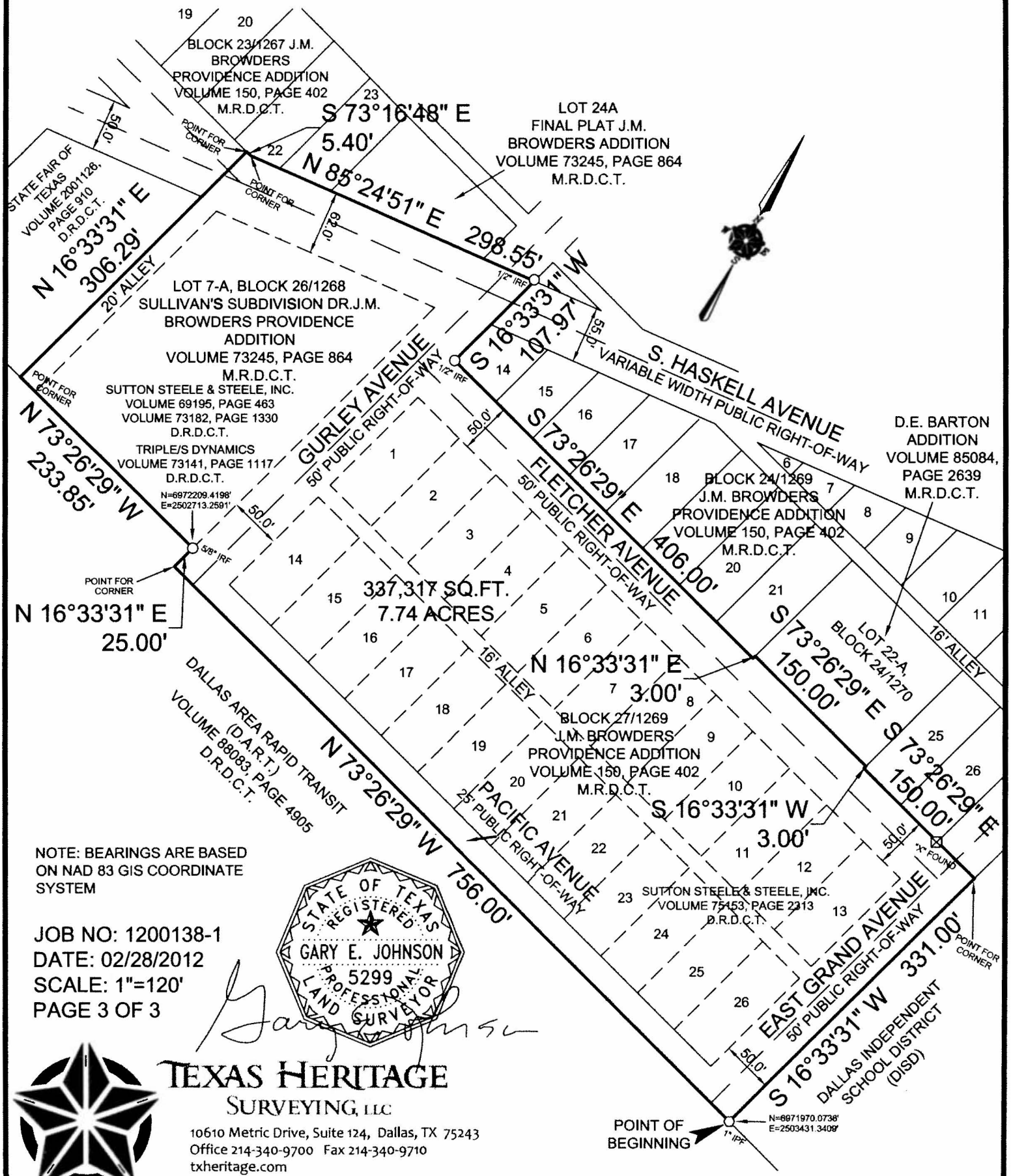
JOB NO: 1200138-1
DATE: 02/28/2012
SCALE: 1"=120'
PAGE 2 OF 3

STATE OF TEXAS REGISTERED GARY E. JOHNSON 5299 PROFESSIONAL LAND SURVEYOR

Exhibit A

MUNICIPAL SETTING DESIGNATION SURVEY
J.M. BROWDER'S PROVIDENCE ADDITION
CITY OF DALLAS BLOCK NO. 26/1268 & 27/1269, DALLAS COUNTY, TEXAS

GIS Approved



NOTE: BEARINGS ARE BASED ON NAD 83 GIS COORDINATE SYSTEM

JOB NO: 1200138-1
DATE: 02/28/2012
SCALE: 1"=120'
PAGE 3 OF 3

STATE OF TEXAS REGISTERED GARY E. JOHNSON 5299 PROFESSIONAL LAND SURVEYOR

TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com

No. OEQ0022 Sullivan Asset Management inc. MSD – 1031 South Haskell Avenue, 4215 and 4220 Gurley Avenue, and 1100 South Pacific Avenue

AGENDA ITEM # 67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 1

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 44 Z

SUBJECT

A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from James Hogg Elementary, a public school, required by Section 6-4 of the Dallas City Code to allow a mixed beverage permit with a food and beverage certificate for a proposed restaurant without drive-in or drive-through service on property on the northwest corner of North Beckley Avenue and Eldorado Avenue – Financing: No cost consideration to the City

BACKGROUND

Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code allows Council to grant a variance from the usual spacing required between an alcohol business and a protected use. The usual spacing requirement is 300 feet along the property lines of the street fronts and from front door to front door, and in a direct line across intersections.

The standard for approval of the variance is that:

A. the application is for (i) a wine and beer retailer's permit pursuant to Chapter 25 of the Texas Alcoholic Beverage Code; (ii) a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code; or (iii) a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate;

B. the application is for (i) a general merchandise or food store use with 10,000 square feet or more of floor area or (ii) a restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code;

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

BACKGROUND (Continued)

D. enforcement of the spacing requirements in this particular instance:
   - (i) is not in the best interest of the public;
   - (ii) constitutes waste or inefficient use of land or other resources;
   - (iii) creates an undue hardship on an applicant for an alcohol permit;
   - (iv) does not serve its intended purpose;
   - (v) is effective or necessary; or
   - (vi) for any other reason that the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

An application for a waiver of the spacing requirements was submitted on August 11, 2013, by Spiral Diner. James S. Hogg Elementary School is located to the northwest and is the school that creates the need for the variance.

The applicant has submitted the following information regarding a statement of why the variance meets the standard of approval:

(1) "The front door of the restaurant faces south and cannot be seen from the front door of the protected use which faces northwest. That is, students entering or leaving the front door of protected use are not able to see the front door of the restaurant. The restaurant has operated at its location since 2008 without any incident adversely affecting public health, safety, or welfare of the students. The percent of alcoholic beverage (wine and beer) sales to total food sales for the restaurant is anticipated to be less than 5% per year. The restaurant's primary business is making and serving healthful vegetarian foods and wine and beer would be a complement to such foods."

The site is approximately 7,000 square feet with a standalone restaurant and is located in Subdistrict D within Planned Development District No. 468. There is a street intersection (Ballard and Elsbeth), several intervening properties, and an alley that separates the school from the subject site. Therefore, staff can support this request.

This item requires two seconds to pass.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2009, the City Council approved an amendment to Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code to allow a process for a variance to the spacing requirements between a business selling alcohol and a public or private school.

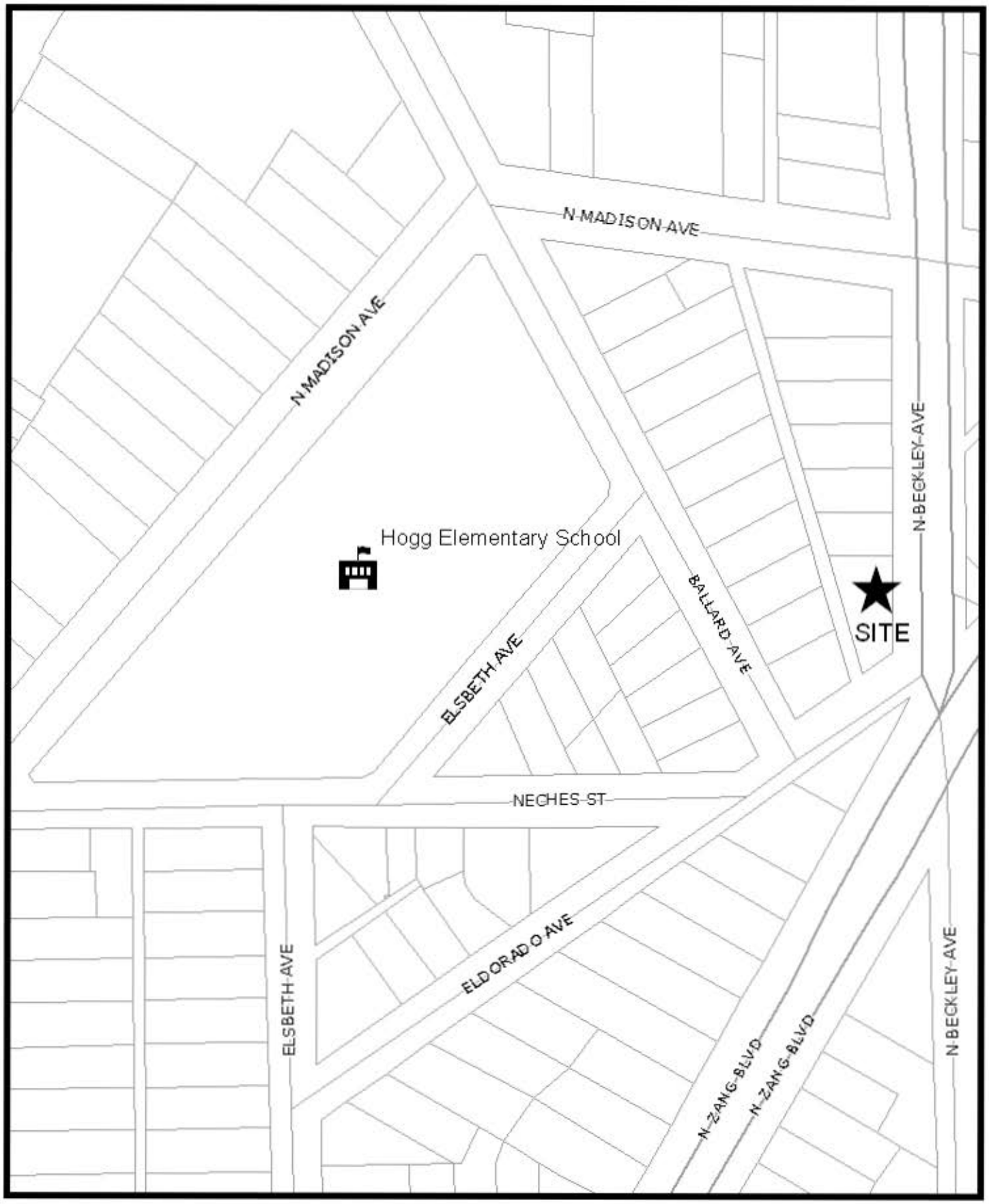
On October 26, 2011, and September 26, 2012, the City Council further amended Section 6-4 of Chapter 6.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.



AV123-012

1:1,800

★ Approximate location of business requesting alcohol variance

Public school

NOTE: Total Distance = 1,299.30 (Door to School Door)

NOTE: Total Distance = 503.12' (Door to School Property Line)

NOTE: Distance from Property Line to Property Line = 268.03'

BLOCK 20/3342

MADISON AVENUE (80' R.O.W.)

BALLARD AVENUE (60' R.O.W.)

N 27°47'24" W 333.09'

N

JAMES S. HOGG ELEMENTARY SCHOOL

LOT 1A BLOCK A/3362

MATCH LINE – Sheet 2

MATCH LINE – Sheet 1

Property Line

N 26°57'07" W 53.66'

N 42°02'42" W 7.49'

268.03' (Directly to School Property Line)

ELSBETH STREET

BLOCK 17/3339

ALLEY

1/2" I.R.F.

BLOCK 17/3339

"X" Fnd.

3' Walk

N. BECKLEY AVENUE (60' R.O.W.)

"X" Fnd.

Property Line

"X" Fnd.

BLOCK 17/3339

Property Line

1101 N. Beckley Ave. Spiral Diner & Bakery

Building

(2) 3' Wide Doors

"X" Fnd.

Place of Commencing

N 27°46'04" W 292.52'

BLOCK C/3362

Crow's Ft. Found

S 56°05'25" W 38.92'

Place of Beginning Description No. 1 & Description No. 2

"X" Fnd.

S 56°05'25" W 153.11'

ELDORADO STREET (60' R.O.W.)

BLOCK J/3374

ZANG BLVD.

NECHES STREET

BLOCK K/3361

Scale 1" = 60'

Date 8/22/2013

Job 13-510

Drawn by Lynn L.

AMERICAN CONGRESS ON SURVEYING AND MAPPING 1941 MEMBER

Texas Society of Professional Surveyors

STATE OF TEXAS REGISTERED BEN D. RYCHLIK #1830 PROFESSIONAL LAND SURVEYOR

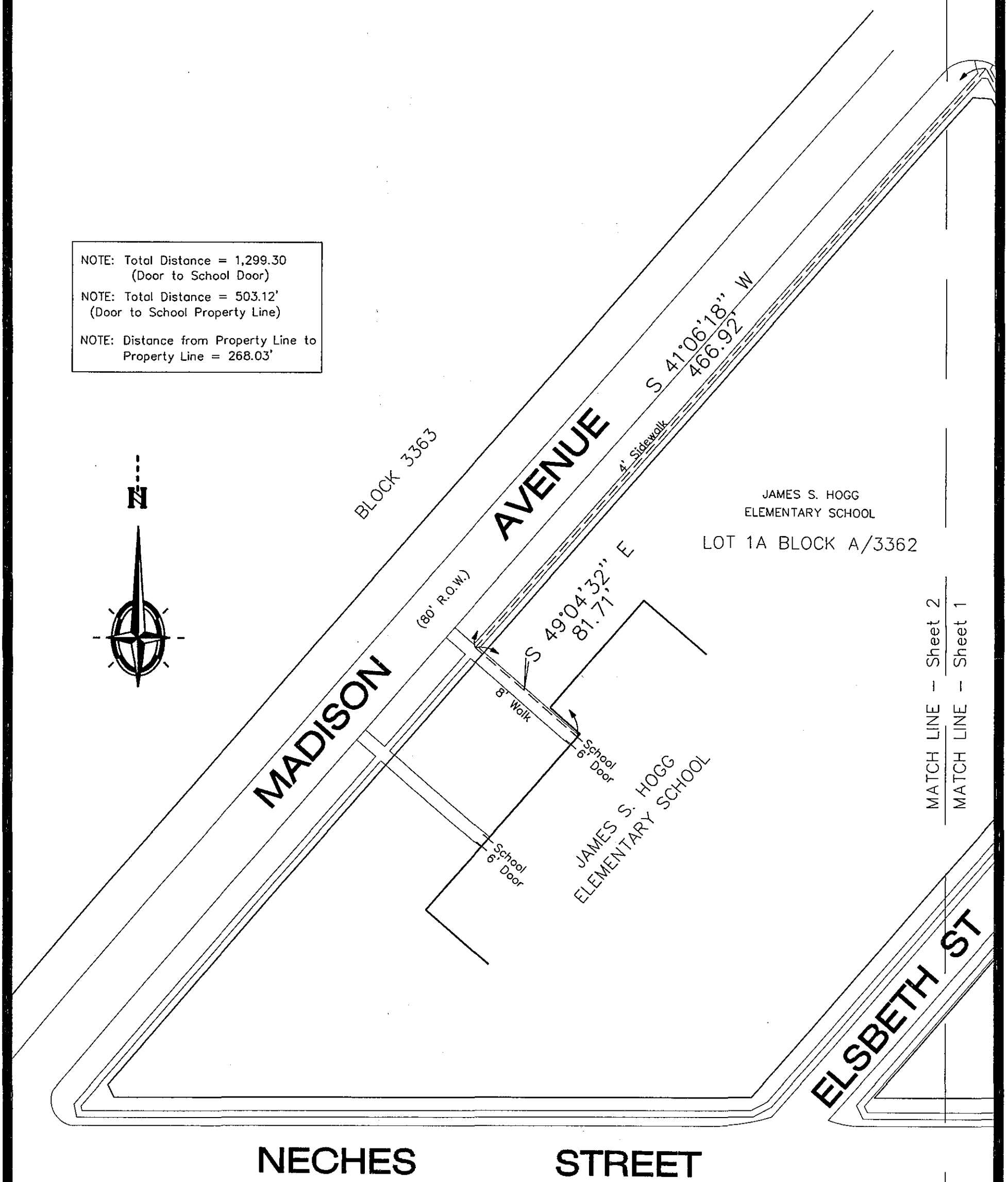
SURVEYING ASSOCIATES
1018 S. Beckley, Dallas, Tx. 75203
Phone: (214) 948-3324
Fax: (214) 946-7540

SHEET 1 OF 2

NOTE: Total Distance = 1,299.30
(Door to School Door)

NOTE: Total Distance = 503.12'
(Door to School Property Line)

NOTE: Distance from Property Line to
Property Line = 268.03'



Scale 1" = 60'
Date 8/22/2013
Job 13-510
Drawn by Lynn L.

AMERICAN CONGRESS ON SURVEYING AND MAPPING 1941 MEMBER

Texas Society of Professional Surveyors

STATE OF TEXAS REGISTERED BEN D. RYCHLIK #1630 PROFESSIONAL LAND SURVEYOR

SURVEYING ASSOCIATES
1018 S. Beckley, Dallas, Tx. 75203
Phone: (214) 948-3324
Fax: (214) 946-7540

AV123-012

SPIRAL
DINER & BAKERY

September 11, 2013

Theresa O'Donnell
Department of Sustainable Development and Construction
320 E. Jefferson
Dallas, TX 75203

RECEIVED BY
SEP 11 2013
Current Planning

Re: Variance Application for Spiral Diner and Bakery

Location of Property:	Spiral Diner and Bakery 1101 N. Beckley Avenue Dallas, TX 75203 214-948-4747 or 972-978-1942
Owner of Property:	Beckley Properties LTD 1207 Eldorado Avenue Dallas, TX 75208
Protected Use Address:	James S. Hogg Elementary 1144 N. Madison Dallas, TX 75208
Applicant for Alcohol Permit:	Dallas SD&B LLC 1101 N. Beckley Avenue Dallas, TX 75203
Type of Alcohol Permit:	Wine and Beer Retailer's Permit Food and Beverage Certificate

As managing member of Dallas SD&B LLC, the owner of Spiral Diner and Bakery (the restaurant), I hereby apply for a variance from the distance requirements for alcohol permits under the provisions of Dallas City Ordinance #28444, which amends Section 6-4 of Chapter 6 of the Dallas City Code.

The restaurant business is applying for a Wine and Beer On premise Retailer's Permit with Food and Beverage Certificate, pursuant to the revised Chapter 25 of the Texas Alcoholic Beverage Code, but its location is less than 300 feet from the James S. Hogg Elementary public school (the protected use), as confirmed by surveys showing the location and distances of the restaurant where alcohol will be sold, the front door of the restaurant, the location of the protected use, and the front door of the protected use.

A variance meets the Standard for Approval under Subparagraph (5) (E) because enforcement of the spacing requirement in this case: (iv) does not serve its intended purpose, and (v) is not effective or necessary. The front door of the restaurant faces south and cannot be seen from the front door of the protected use which faces northwest. That is, students entering or leaving the front door of protected use

are not able to see the front door of the restaurant. The restaurant has operated at its location since 2008 without any incident adversely affecting public health, safety, or welfare of the students. The percent of alcoholic beverage (wine and beer) sales to total food sales for the restaurant is anticipated to be less than 5% per year. The restaurant's primary business is making and serving healthful vegetarian foods and wine and beer would be a complement to such foods.

I am asking that you grant us a variance from the distance requirements for a protected use. We will continue to focus on serving great food to our patrons and look forward to growing our business in this great North Oak Cliff neighborhood.

Sincerely,

Spiral Diner and Bakery

Sara Tomerlin

Sara R. Tomerlin, Owner

October 23, 2013

WHEREAS, Subsection 6-4(g) of the Dallas City Code authorizes the City Council to grant variances from the alcohol spacing requirements prescribed by Subsection 6-4(a) of the Dallas City Code; and

WHEREAS, Spiral Diner has submitted an application for mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate and is requesting a variance to the alcohol spacing requirements for property on the northwest corner of North Beckley Avenue and Eldorado Avenue, south from James Hogg Elementary, a public school; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds that enforcement of the alcohol spacing requirements in this particular instance:

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

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

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

(4) does not serve its intended purpose; and

(5) is not effective or necessary; and

WHEREAS, the City Council desires to grant the alcohol spacing variance; **Now, Therefore,**

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

Section 1. That the variance to the alcohol spacing requirements for Spiral Diner, located on property on the northwest corner of North Beckley Avenue and Eldorado Avenue (AKA Lot 17 of Block 17/3339), south from James Hogg Elementary, a public school, is granted, subject to the following conditions:

(1) This alcohol spacing variance is valid only for a mixed beverage permit for on-premise consumption pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate.

(2) This alcohol spacing variance is valid only for a restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code.

(3) Alcoholic beverages may not be sold by drive-in or drive-through service.

(4) This alcohol spacing variance is valid for subsequent renewals of the alcohol permit.

(5) This alcohol spacing variance may not be transferred to another location or to another alcohol permit holder.

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

AGENDA ITEM # 68

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 43 M

SUBJECT

A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from L.G. Pinkston High School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [Minyard Food Store] on property on the northwest corner of North Hampton Road and Singleton Boulevard – Financing: No cost consideration to the City

BACKGROUND

Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code allows Council to grant a variance from the usual spacing required between an alcohol business and a protected use. The usual spacing requirement is 300 feet along the property lines of the street fronts and from front door to front door, and in a direct line across intersections.

The standard for approval of the variance is that:

A. the application is for (i) a wine and beer retailer's permit pursuant to Chapter 25 of the Texas Alcoholic Beverage Code; (ii) a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code; or (iii) a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate;

B. the application is for (i) a general merchandise or food store use with 10,000 square feet or more of floor area or (ii) a restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code;

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

BACKGROUND (Continued)

D. enforcement of the spacing requirements in this particular instance:
   - (i) is not in the best interest of the public;
   - (ii) constitutes waste or inefficient use of land or other resources;
   - (iii) creates an undue hardship on an applicant for an alcohol permit;
   - (iv) does not serve its intended purpose;
   - (v) is effective or necessary; or
   - (vi) for any other reason that the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

An application for a waiver of the spacing requirements was submitted on August 20, 2013, by Minyards Food Store. L.G. Pinkston High School is located to the north and is the school that creates the need for the variance.

The applicant has submitted the following information regarding a statement of why the variance meets the standard of approval:

(1) "The property is zoned for Community Retail uses and is located at the intersection of two major thoroughfares. The property is over 13 acres and has been developed with over 100,000 square feet of retail, restaurant, and other commercial uses. The Minyards Food Store seeking the variance request is the largest full service grocery store (36,680 square feet) located between the Trinity River, Walton Walker Boulevard, and Interstate 30. According to current records from the Census Bureau, there are over 24,000 residents that live in this area. The protected use sits on a 16 acre lot that includes a football practice field, track, and baseball fields. The protected use and the shopping center share a common property line. This creates an undue hardship on the applicant's ability to provide services for area residents as they are allowed to at their other locations."

The site is approximately 13 acres, developed with a multi-tenant shopping center and is zoned a CR Community Retail District. The site is located at the intersection of two major thoroughfares (Hampton Road and Singleton Boulevard). Due to the location on two major thoroughfares, staff can support this request.

This item requires two seconds to pass.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2009, the City Council approved an amendment to Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code to allow a process for a variance to the spacing requirements between a business selling alcohol and a public or private school.

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

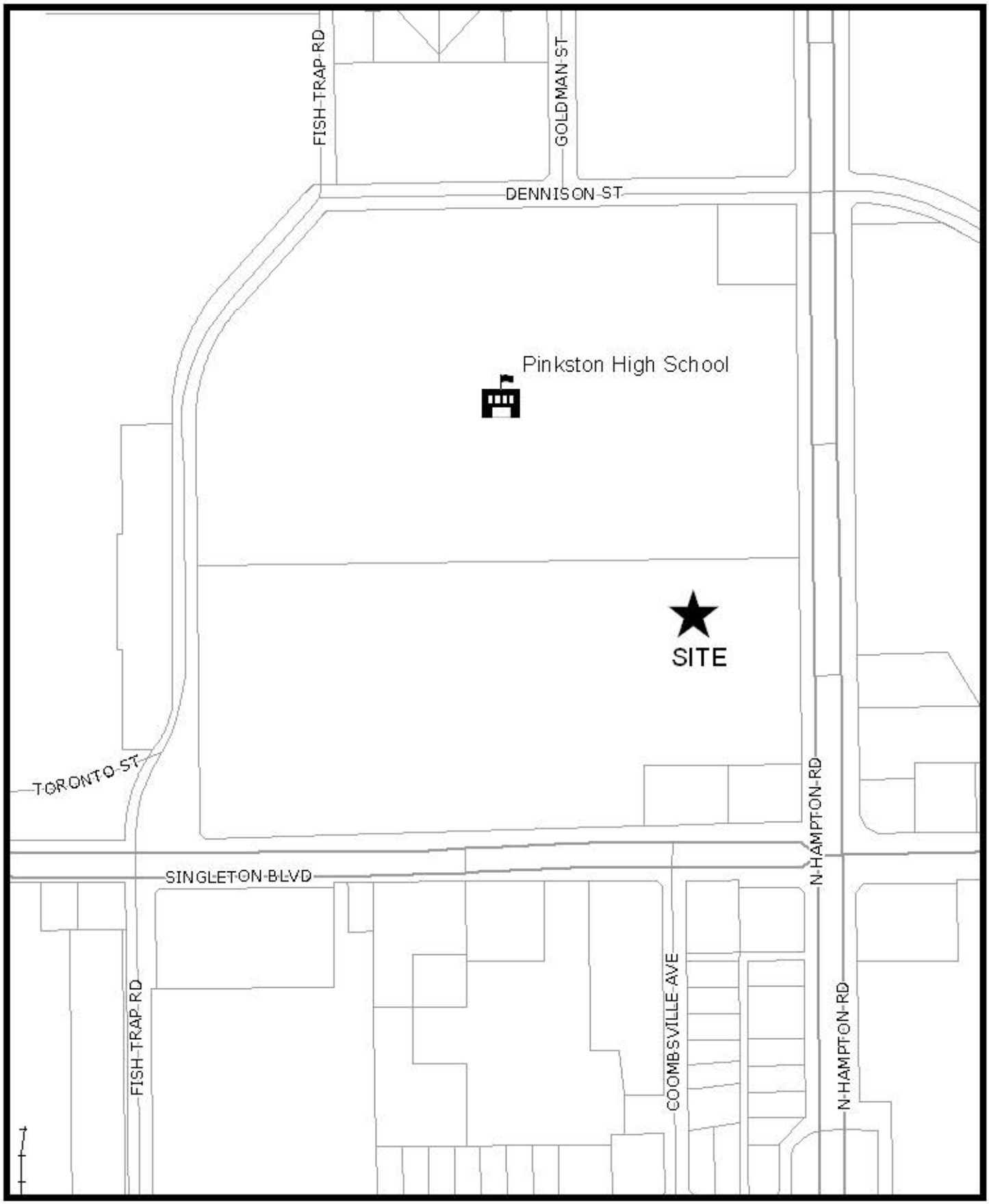
On October 26, 2011, and September 26, 2012, the City Council further amended Section 6-4 of Chapter 6.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.



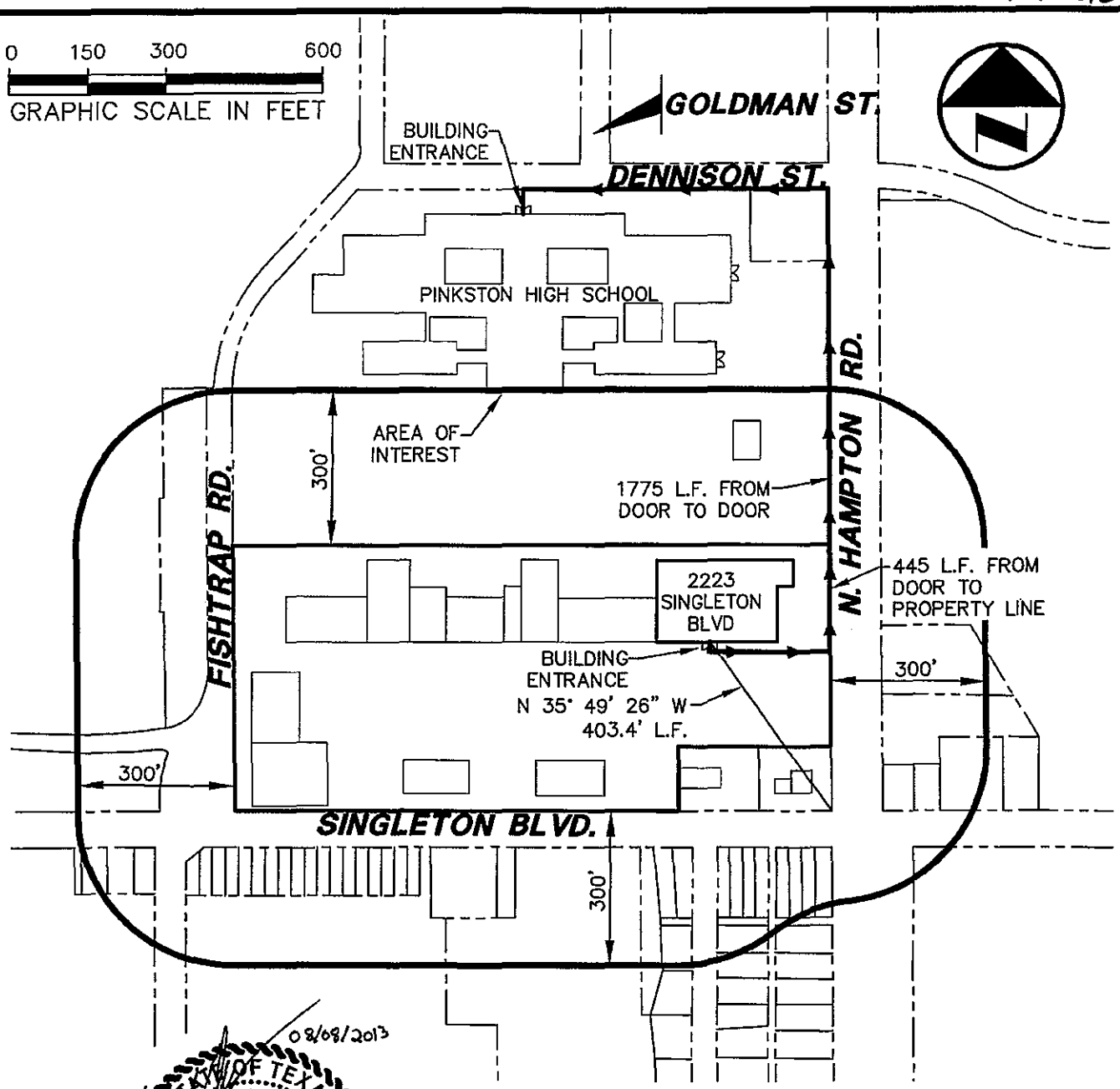
AV123-011

1:3,000

★ Approximate location of business requesting alcohol variance

Public school

AV123-011



08/08/2013

STATE OF TEXAS
KYLE F. WHITIS
101330
LICENSED
PROFESSIONAL ENGINEER

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY KYLE F. WHITIS, P.E. 101330 ON 08/08/2013. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

NOTES:

1. I have conducted (or caused to be conducted) a physical inspection of the area and a diligent search of public records to determine if the place of business is located near any protected uses. The survey map shows that the place of business where alcoholic beverages will be sold meets the location requirements in Dallas City Code Section 6-4.
2. Distances shown are based on City of Dallas GIS aerial information and are not the result of an on the ground survey.
3. Results from online resources and field observations, as shown, do not indicate that a protected use is located within the required minimum distances as determined by the City of Dallas measurement methods upon date of signature.

Pacheco Koch
DALLAS ▪ FORT WORTH ▪ HOUSTON
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
KFW	KFW	1"=300'	08/08/2013	3156-10.311

TABC ALCOHOL PERMIT EXHIBIT

MINYARDS, 2223 SINGLETON BLVD.,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DWG FILE: 2223 SINGLETON.DWG

M:\DWG-31\3156-10.311\DWG\FIESTA #72 - 2223 SINGLETON\2223 SINGLETON.DWG
08/08/2013 - 2:46PM
KWHITIS

Masterplan
Land Use Consultants

AV 123-011

August 20, 2013

RECEIVED BY
AUG 20 2013
Current Planning

Mr. David Cossum
Interim Director
Department of Sustainable Development and Construction
City of Dallas
1500 Marilla, Room 5DS
Dallas, Texas 75201

RE: Variance for general merchandise store greater than 10,000 square feet selling beer and wine for off-premise consumption located at 2223 Singleton.

Dear Mr. Cossum:

As the authorized representative for Minyard Food Store, we submit this letter as an official application for a variance to the distance restrictions for alcohol sales pursuant to Chapter 6-4(g) of the Dallas City Code.

(A) The name of the owner of the property where the alcohol business is located is Lakewest Revitalization Foundation, Inc.

(B) The applicant for the alcohol permit at this location is Minyard Food Store, 1430 Valwood Pkwy, Suite 125, Carrollton, TX 75006.

(C) The alcohol permit sought for this location is for a wine and beer retailers off-premise permit pursuant to the Texas Alcohol Beverage Code Chapter 26.

(D) The protected use that creates the need for a variance is L.G. Pinkston High School, 2200 Dennison Street, Dallas, Texas 75212.

(E) A certified survey that identifies the distance from the main entrance of the Minyard Food Store to the front door of L.G. Pinkston High School exceeds 1770 feet.

(F) The property is zoned for Community Retail uses and is located at the intersection of two major thoroughfares. The property is over 13 acres and has been developed with over 100,000 square feet of retail, restaurant, and other commercial uses. The Minyards Food Store seeking the variance request is the largest full service grocery store (36,680 square feet) located between the Trinity River, Walton Walker Boulevard, and Interstate 30. According to current records from the Census Bureau, there are over 24,000 residents that live in this area. The protected use sits on a 16 acre lot that includes a football practice field, track, and baseball fields. The protected use and the shopping center share a common property line. This creates an undue hardship on the applicant's ability to provide services for area residents as they are allowed to at their other locations.

AV123-011

We have included a TABC field survey, existing site plan for this general merchandise use greater than 10,000 square feet, and the filing fee for this request.

Please feel free to contact our offices if you need any additional information regarding this application.

Santos T. Martinez
Authorized representative for
Minyard Food Store

October 23, 2013

WHEREAS, Subsection 6-4(g) of the Dallas City Code authorizes the City Council to grant variances from the alcohol spacing requirements prescribed by Subsection 6-4(a) of the Dallas City Code; and

WHEREAS, Minyards Food Store has submitted an application for a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code, and is requesting a variance to the alcohol spacing requirements for property on the northwest corner of North Hampton Road and Singleton Boulevard, south from L.G. Pinkston High School, a public school; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds that enforcement of the alcohol spacing requirements in this particular instance:

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

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

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

(4) does not serve its intended purpose; and

(5) is not effective or necessary; and

WHEREAS, the City Council desires to grant the alcohol spacing variance; **Now, Therefore,**

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

Section 1. That the variance to the alcohol spacing requirements for Minyards Food Store, located on property on the northwest corner of North Hampton Road and Singleton Boulevard (AKA 2223 Singleton Boulevard), south from L.G. Pinkston High School, a public school, is granted, subject to the following conditions:

(1) This alcohol spacing variance is valid only for a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code.

(2) This alcohol spacing variance is valid only for a general merchandise or food store with 10,000 square feet or more of floor area.

(3) Alcoholic beverages may not be sold by drive-in or drive-through service.

(4) This alcohol spacing variance is valid for subsequent renewals of the alcohol permit.is alcohol spacing variance is valid for subsequent renewals of the alcohol permit.

(5) This alcohol spacing variance may not be transferred to another location or to another alcohol permit holder.

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

AGENDA ITEM # 69

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 23, 2013

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 14 W

SUBJECT

A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Thomas C. Marsh Middle School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [CVS Corp.] on property on the southwest corner of Forest Lane and Cox Lane – Financing: No cost consideration to the City

BACKGROUND

Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code allows Council to grant a variance from the usual spacing required between an alcohol business and a protected use. The usual spacing requirement is 300 feet along the property lines of the street fronts and from front door to front door, and in a direct line across intersections.

The standard for approval of the variance is that:

A. the application is for (i) a wine and beer retailer's permit pursuant to Chapter 25 of the Texas Alcoholic Beverage Code; (ii) a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code; or (iii) a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate;

B. the application is for (i) a general merchandise or food store use with 10,000 square feet or more of floor area or (ii) a restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code;

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

BACKGROUND (Continued)

D. enforcement of the spacing requirements in this particular instance:
   (i) is not in the best interest of the public;
   (ii) constitutes waste or inefficient use of land or other resources;
   (iii) creates an undue hardship on an applicant for an alcohol permit;
   (iv) does not serve its intended purpose;
   (v) is effective or necessary; or
   (vi) for any other reason that the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

An application for a waiver of the spacing requirements was submitted on August 20, 2013, by CVS Corporation. Thomas C. Marsh Middle School is located to the northeast and is the school that creates the need for the variance.

The applicant has submitted the following information regarding a statement of why the variance meets the standard of approval:

(1) "The property is zoned for Community Retail uses and is located along a major thoroughfare. The property is platted as a separate lot from the shopping center located to the south. The applicant maintains a use that is almost 11,000 square feet. The protected use sits on a 20 acre lot that includes a practice field, and baseball fields. The protected use unfairly encumbers this applicant since it is separated only by the major thoroughfare. The shopping centers to the north and south can maintain the required spacing requirements for their tenants that seek to sell alcoholic beverages. This creates an undue hardship on the applicant's ability to provide services for area residents as they are allowed to at their other locations."

The site is approximately 1.15 acres with a standalone general merchandise store and is zoned a CR Community Retail District. The site is located on a major thoroughfare (Forest Lane). Due to the request site being located across a major thoroughfare from the protected use, staff can support this request.

This item requires two seconds to pass.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2009, the City Council approved an amendment to Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code to allow a process for a variance to the spacing requirements between a business selling alcohol and a public or private school.

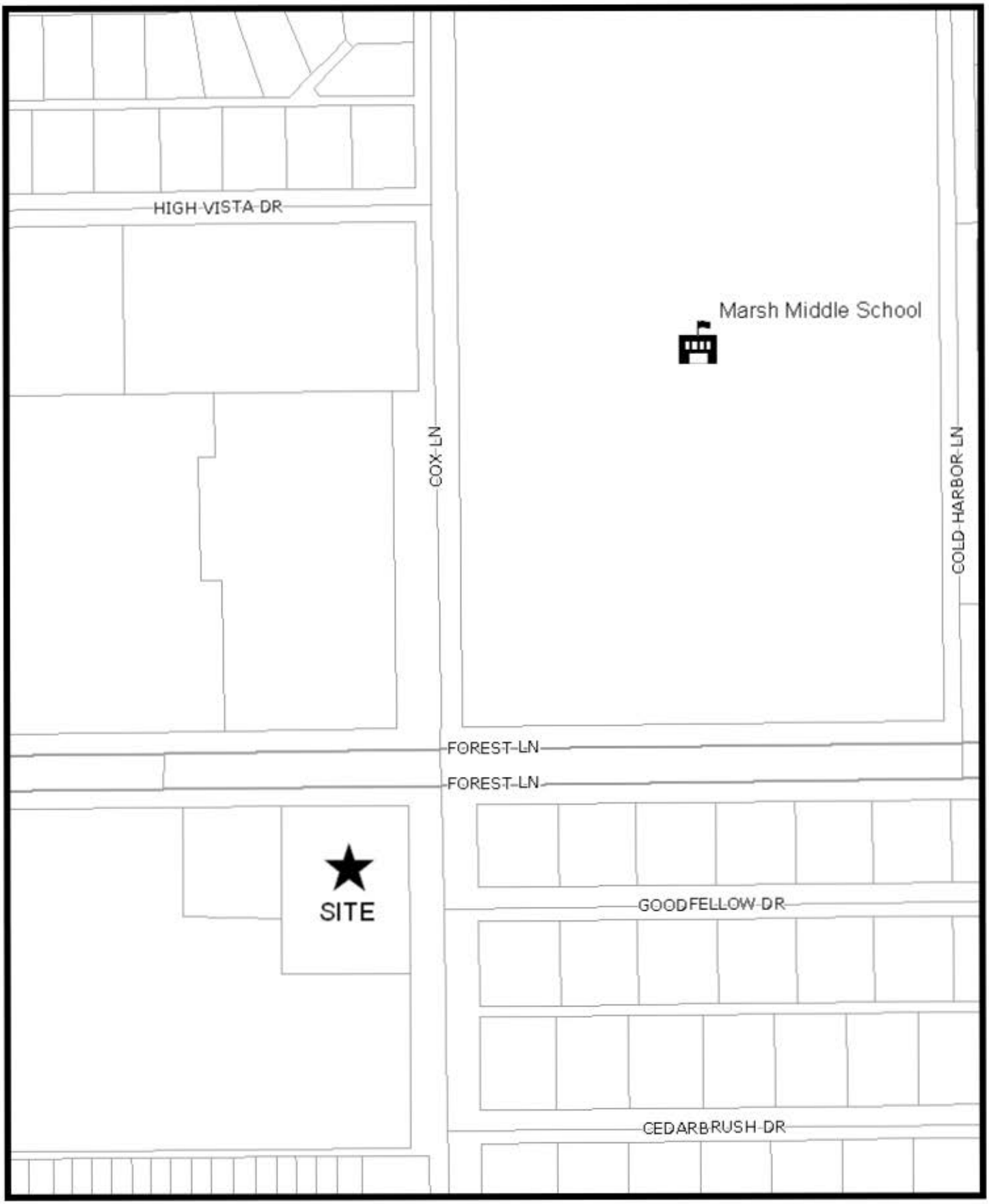
On October 26, 2011, and September 26, 2012, the City Council further amended Section 6-4 of Chapter 6.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.



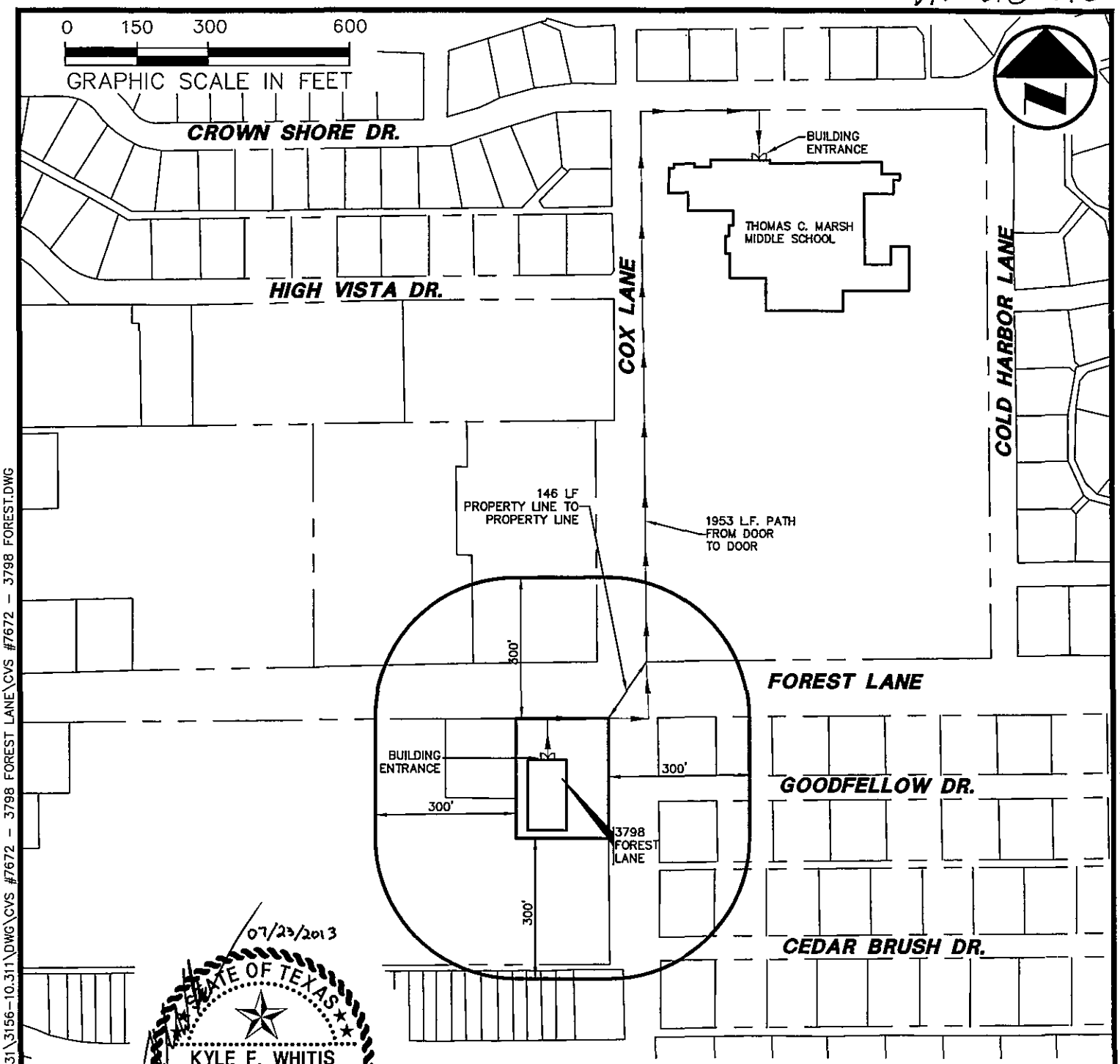
AV123-010

1:2,400

★ Approximate location of business requesting alcohol variance

Public school

AV123-010



07/23/2013

STATE OF TEXAS
KYLE F. WHITIS
101330
LICENSED
PROFESSIONAL ENGINEER

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY KYLE F. WHITIS, P.E. 101330 ON 07/23/2013. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

NOTES:

1. I have conducted (or caused to be conducted) a physical inspection of the area and a diligent search of public records to determine if the place of business is located near any protected uses. The survey map shows that the place of business where alcoholic beverages will be sold meets the location requirements in Dallas City Code Section 6-4.
2. Distances shown are based on City of Dallas GIS aerial information and are not the result of an on the ground survey.
3. Results from online resources and field observations, as shown, do not indicate that a protected use is located within the required minimum distances as determined by the City of Dallas measurement methods upon date of signature.

Pacheco Koch
DALLAS • FORT WORTH • HOUSTON
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-00

TABC ALCOHOL PERMIT EXHIBIT

CVS #7672, 3798 FOREST LANE,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
AJC	KFW	1"=300'	07/23/2013	3156-10.311

DWG FILE: CVS #7672 - 3798 FOREST.DWG

M:\DWG-31\3156-10.311\DWG\CVS #7672 - 3798 FOREST LANE\CVS #7672 - 3798 FOREST.DWG
07/23/2013 - 7:52AM
KWHITIS

Masterplan
Land Use Consultants

AV 123-010

August 15, 2013

RECEIVED BY
AUG 20 2013
Current Planning

Mr. David Cossum
Interim Director
Department of Sustainable Development and Construction
City of Dallas
1500 Marilla, Room 5DS
Dallas, Texas 75201

RE: Variance for general merchandise store greater than 10,000 square feet selling beer and wine for off-premise consumption located at 3798 Forest Lane.

Dear Mr. Cossum:

As the authorized representative for CVS, we submit this letter as an official application for a variance to the distance restrictions for alcohol sales pursuant to Chapter 6-4(g) of the Dallas City Code.

(A) The name of the owner of the property where the alcohol business is located is Forest and Marsh Lanes Shopping Center, LTD., Park Forest Properties, Inc.

(B) The applicant for the alcohol permit at this location is CVS Corporation, 1 CVS Drive, Woonsocket, RI 02895

(C) The alcohol permit sought for this location is for a wine and beer retailers off-premise permit pursuant to the Texas Alcohol Beverage Code Chapter 26.

(D) The protected use that creates the need for a variance is Thomas C. Marsh Middle School, 3838 Crown Shore Drive, Dallas, Tx. 75244

(E) A certified survey that identifies the distance from the main entrance of the CVS to the front door of Thomas C. Marsh Middle School exceeds 1900 feet.

(F) The property is zoned for Community Retail uses and is located along a major thoroughfare. The property is platted as a separate lot from the shopping center located to the south. The applicant maintains a use that is almost 11,000 square feet. The protected use sits on a 20 acre lot that includes a practice field, and baseball fields. The protected use unfairly encumbers this applicant since it is separated only by the major thoroughfare. The shopping centers to the north and south can maintain the required spacing requirements for their tenants that seek to sell alcoholic beverages. This creates an undue hardship on the applicant's ability to provide services for area residents as they are allowed to at their other locations.

AV123-010

We have included a TABC field survey, existing site plan for this general merchandise use greater than 10,000 square feet, and the filing fee for this request.

Please feel free to contact our offices if you need any additional information regarding this application.

Santos T. Martinez
Authorized representative for
CVS

October 23, 2013

WHEREAS, Subsection 6-4(g) of the Dallas City Code authorizes the City Council to grant variances from the alcohol spacing requirements prescribed by Subsection 6-4(a) of the Dallas City Code; and

WHEREAS, CVS Corporation has submitted an application for a wine and beer retailer' s off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code, and is requesting a variance to the alcohol spacing requirements for property on the southwest corner of Forest Lane and Cox Lane, southwest of Thomas C. Marsh Middle School, a public school; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds that enforcement of the alcohol spacing requirements in this particular instance:

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

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

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

(4) does not serve its intended purpose; and

(5) is not effective or necessary; and

WHEREAS, the City Council desires to grant the alcohol spacing variance; **Now, Therefore,**

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

Section 1. That the variance to the alcohol spacing requirements for CVS Corporation, located on property on the southwest corner of Forest Lane and Cox Lane (AKA Lot 1 of Block A/6444), southwest of Thomas C. Marsh Middle School, a public school, is granted, subject to the following conditions:

(1) This alcohol spacing variance is valid only for a wine and beer retailer's off-premise permit pursuant to Chapter 26 of the Texas Alcoholic Beverage Code.

(2) This alcohol spacing variance is valid only for a general merchandise or food store with 10,000 square feet or more of floor area.

(3) Alcoholic beverages may not be sold by drive-in or drive-through service.

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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.