**SEPTEMBER 10, 2014 CITY COUNCIL AGENDA**
**CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated September 10, 2014. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

A.C. Gonzalez
City Manager

8/29/14
Date

Edward Scott
City Controller

8/29/14
Date

RECEIVED
2014 AUG 29 PM 5:00
CITY SECRETARY
DALLAS, TEXAS

# COUNCIL AGENDA

September 10, 2014
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, SEPTEMBER 10, 2014
# 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 - 34 |
| | **ITEMS FOR INDIVIDUAL CONSIDERATION** | |
| No earlier than 9:15 a.m. | | Items 35 - 36 |
| | **PUBLIC HEARINGS AND RELATED ACTIONS** | |
| 1:00 p.m. | | Items 37 - 80 |

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

# AGENDA

# CITY COUNCIL MEETING

# SEPTEMBER 10, 2014

# CITY OF DALLAS

# 1500 MARILLA

# COUNCIL CHAMBERS, CITY HALL

# DALLAS, TEXAS 75201

# 9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the August 27, 2014 City Council Meeting

CONSENT AGENDA

**Business Development & Procurement Services**

2. Authorize an increase to the master agreement with Pitney Bowes, Inc. for meter postage - Not to exceed $3,013,750, from $12,305,000 to $15,318,750 - Financing: Current Funds

**Economic Development**

3. Authorize **(1)** the fourth and final twelve-month renewal option to the contract with the Southern Dallas Development Corporation to administer the Community Development Block Grant (CDBG) Business Revolving Loan Program, for the purpose of servicing and making loans to area businesses and creating and/or retaining jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development (HUD) regulations; and **(2)** any unexpended balances of allocations and program income from prior year's contracts be rolled over to continue the CDBG Business Revolving Loan Program - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

**Economic Development** (Continued)

4. Authorize various amendments to the terms of a $12,825,000 grant agreement with Victory Park UST Joint Venture I, LP, (UST) previously approved by Resolution No. 13-0324, on February 13, 2013 to: **(1)** reduce the parking commitments in the South Parking Garage to accommodate UST's current contract parkers; **(2)** reduce UST's commitment to increase DCAD appraised values on its undeveloped/underdeveloped lots from $100M to $50M and reduce the number of developable tracts to only Blocks D, K and M for this commitment; **(3)** add a contractual commitment to comply with the Sports Arena TIF District's Mixed Income Housing requirements for any residential development on Blocks D, K and M, if the block's increased value is counted towards UST's development commitment; and **(4)** add a city design review requirement for any improvements to Blocks D, G, K and M - Financing: No cost consideration to the City

**Fire**

5. An ordinance amending Chapter 16 of the Dallas City Code, to adopt the 2012 International Fire Code, as amended - Financing: No cost consideration to the City

**Housing/Community Services**

6. Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development (formerly known as Shelter Plus Care) in the amount of $92,528 to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period October 1, 2014 through September 30, 2015; **(2)** a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities, to provide an In-Kind Contributions in the amount of $24,960; and **(3)** execution of the grant agreement - Not to exceed $92,528 - Financing: U.S. Department of Housing and Urban Development Grant Funds

7. Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for rapid re-housing (formerly Transitional Supportive Housing) in the amount of $464,692, to provide tenant-based rental assistance and case management for homeless families and single homeless persons and to provide funding for two staff positions to administer the program for the period October 1, 2014 through September 30, 2015; **(2)** a local cash match in an amount not to exceed $64,893; **(3)** a Memorandum of Understanding between the City of Dallas and Metrocare Services to provide an In-Kind Contributions in the amount of $51,280; and **(4)** execution of the grant agreement - Total not to exceed $580,865 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($464,692), In-Kind Contributions ($51,280) and Current Funds ($64,893) (subject to appropriations)

CONSENT AGENDA (Continued)

**Housing/Community Services** (Continued)

8. Authorize a contract with Metro Dallas Homeless Alliance to provide training and technical support on the Homeless Management and Information System (HMIS) for the period October 1, 2014 through September 30, 2015 - Not to exceed $65,367 - Financing: 2014-15 Emergency Solutions Grant Funds

9. Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing - Financing: No cost consideration to the City

**Office of Financial Services**

10. Ordinances amending Ordinance No. 29146 (FY 2013-14 Operating Budget Appropriation Ordinance) and Ordinance No. 29147 (FY 2013-14 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2013-14 for the capital improvement program and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City

**Office of Management Services**

11. Authorize approval of the FY 2014-2015 Dallas/Fort Worth International Airport Board Annual Budget - Financing: No cost consideration to the City

12. Authorize an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C. for a one year extension to Chesapeake's northern sector drilling requirement - Financing: No cost consideration to the City

**Park & Recreation**

13. Authorize a professional services contract with Newman, Jackson, Bieberstein, Inc. for professional services including survey, landscape architectural design and construction plans and specifications for improvements at Buckner Park located at 4550 Worth Street - Not to exceed $132,348 - Financing: Capital Gifts, Donation and Development Funds

CONSENT AGENDA (Continued)

**Police**

14. Authorize **(1)** the acceptance of the Commercial Auto Theft Interdiction Squad/22 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of $688,107 to provide a specialized proactive automobile theft program, for the period September 1, 2014 through August 31, 2015; **(2)** a local match in the amount of $151,143; **(3)** an In-Kind Contribution in the amount of $462,437; and **(4)** execution of the grant agreement - Total not to exceed $1,301,687 - Financing: Texas Automobile Burglary & Theft Prevention Authority Grant Funds ($688,107), In-Kind Contributions ($462,437) and Current Funds ($151,143) (subject to appropriations)

**Public Works Department**

15. Authorize a professional services contract with Criado & Associates, Inc. for the engineering design of two street and sidewalk improvement projects on Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street and Hughes Lane from Lafayette Way to alley north of Linden Lane and one street reconstruction local project on Spring Grove Avenue from Alpha Road to Coit Road (list attached) - Not to exceed $325,747 - Financing: General Obligation Commercial Paper Funds ($271,988) and Water Utilities Capital Improvement Funds ($53,759)

16. Authorize an increase in the construction contract with Gilbert May, Inc. dba Phillips/May Corporation for mechanical, electrical, audio visual, and interior finish changes to the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed $221,900, from $11,917,810 to $12,139,710 - Financing: 2009 Convention Center Revenue Bonds

**McKinney Avenue Trolley Extension**

**Note**: Item Nos. 17 and 18 must be considered collectively.

17. * Authorize Supplemental Agreement No. 9 to the professional services contract with Huitt-Zollars, Inc. to provide additional engineering services support during construction for the McKinney Avenue Trolley Extension Project - Not to exceed $110,290, from $3,176,592 to $3,286,882 - Financing: General Obligation Commercial Paper Funds

18. * Authorize an increase in the construction contract with Gibson & Associates, Inc. for construction of the McKinney Avenue Trolley Extension Project - Not to exceed $336,202, from $8,885,188 to $9,221,390 - Financing: General Obligation Commercial Paper Funds

CONSENT AGENDA (Continued)

**Street Services**

19. Authorize **(1)** a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for the acquisition of hardware, software and communication equipment for a central computer system for the City's Advanced Traffic Management System (ATMS) upgrade project; **(2)** the establishment of appropriations in the amount of $3,318,877 in the Texas Department of Transportation Grant Fund; and **(3)** a required local match in an amount not to exceed $538,782 including $10,564 to be paid by warrant check at the beginning of the project - Total not to exceed $3,857,659 - Financing: Texas Department of Transportation Grant Funds ($3,318,877) and General Obligation Commercial Paper Funds ($538,782)

**Sustainable Development and Construction**

20. Authorize acquisition from Central 15th, L.P., formerly known as Central-15th, L.L.C., of approximately 28,888 square feet of land located near the intersection of Belt Line and Ravenview Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $235,112 ($231,112 plus closing costs and title expenses not to exceed $4,000) - Financing: Water Utilities Capital Improvement Funds

21. Authorize acquisition from Central 15th, L.P., formerly known as Central-15th, L.L.C., of three tracts of land containing a total of approximately 160,917 square feet located near the intersection of Belt Line and Ravenview Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $669,338 ($657,354, plus closing costs and title expenses not to exceed $11,984) - Financing: Water Utilities Capital Improvement Funds

22. A resolution authorizing the conveyance of an easement containing approximately 639 square feet of land to Oncor Electric Delivery Company, LLC for the purpose of providing services to the Dallas Arboretum parking garage, located near the intersection of Garland Road and Timplemore Drive - Financing: No cost consideration to the City

23. An ordinance granting a Specific Use Permit to relocate a detached non-premise sign to property zoned an MU-3 Mixed Use District along the east line of North Central Expressway, north of Churchill Way - Z134-209 - Financing: No cost consideration to the City

24. An ordinance abandoning aerial space above a portion of North Akard Street to Hunt Dallas Office, L.P., the abutting owner, containing approximately 316 square feet of land, located near the intersection of North Akard Street and Munger Avenue - Revenue: $5,400, plus the $20 ordinance publication fee

CONSENT AGENDA (Continued)

**Sustainable Development and Construction** (Continued)

25. An ordinance abandoning a portion of Gibson Street and a subsurface drive to FM Futsal, Ltd, the abutting owner, containing a total of approximately 35,322 square feet of land, located near the intersection with Cesar Chavez Boulevard, and authorizing the quitclaim - Revenue: $14,106, plus the $20 ordinance publication fee

26. An ordinance abandoning sight alley easements and an alley to Salesmanship Club Youth and Family Centers, Inc., the abutting owner, containing a total of approximately 8,347 square feet of land, located near the intersection of Jefferson Boulevard and Storey Street and authorizing the quitclaim - Revenue: $98,148, plus the $20 ordinance publication fee

**Trinity Watershed Management**

27. Authorize a contract with North Texas Contracting, Inc., lowest responsible bidder of four, for the construction of storm drainage improvements in the West Dallas - Westmoreland Hampton Sump Basin - Not to exceed $6,334,975 - Financing: 2006 Bond Funds

28. Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional drainage, wastewater and concrete foundations for the Mockingbird Lane - Maple Avenue to Forest Park Drainage Improvements Project - Not to exceed $144,425, from $4,887,413 to 5,031,838 - Financing: Public/Private Partnership Funds ($47,000) and 2012 Bond Funds ($97,425)

**Water Utilities**

29. Authorize **(1)** rejection of the single bid received for the Priority 1 & 2 Heating, Ventilation and Air Conditioning Repair and Replacement Project; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

30. Authorize professional services contracts with three consulting firms to provide construction materials testing services for ongoing and upcoming projects at three water treatment plants - Alliance Geotechnical Group, Inc., in the amount of $150,000, Rone Engineering Services, Ltd., in the amount of $100,000, Terracon Consultants, Inc., in the amount of $100,000 - Total not to exceed $350,000 - Financing: Water Utilities Capital Construction Funds

31. Authorize a professional services contract with HDR Engineering, Inc. to provide engineering services for corrosion prevention design for three priority water transmission pipeline locations - Not to exceed $1,644,038 - Financing: Water Utilities Capital Improvement Funds

CONSENT AGENDA (Continued)

**Water Utilities** (Continued)

32. Authorize a contract for construction modifications to the Central Wastewater Treatment Plant White Rock Primary Clarifiers 1 - 6 and the wastewater collection system Five Mile Junction Structure - Archer Western Construction, LLC, lowest responsible bidder of four - Not to exceed $18,316,000 - Financing: Water Utilities Capital Improvement Funds

33. Authorize a contract for the construction of flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of eight - Not to exceed $79,259,374 - Financing: Water Utilities Capital Improvement Funds

34. Authorize Supplemental Agreement No. 3 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant - Not to exceed $6,284,000, from $10,217,885 to $16,501,885 - Financing: Water Utilities Capital Construction Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

35. 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)

DESIGNATED PUBLIC SUBSIDY MATTERS

**Housing/Community Services**

36. Authorize **(1)** an extension of the development loan agreement with Builders of Hope CDC, Prairie Creek Project for acquisition and related acquisition costs of 40 unimproved properties to December 31, 2015; and **(2)** a development loan in the amount of $480,000 for the construction of the final sixteen homes - Financing: 2010-11 Home Investment Partnership Program Grant Funds ($115,235), 2011-12 Home Investment Partnership Program Grant Funds ($270,767), and 2012-13 Home Investment Partnership Program Grant Funds ($93,998)

PUBLIC HEARINGS AND RELATED ACTIONS

**Sustainable Development and Construction**

ZONING CASES - CONSENT

37. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Group Residential Facility and CS Commercial Service District Uses on property zoned a CS Commercial Service District and a P(A) Parking District, on the northeast line of Laughlin Drive and the southwest line of Charles Street, east of Ferguson Road
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z134-233(RB)

38. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Bail bonds office on property within the Mixmaster Riverfront Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the east line of South Riverfront Boulevard, south of Reunion Boulevard
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions
Z134-235(RB)

39. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1817 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District, on the north side of Bruton Road, east of Masters Drive
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions
Z134-246(WE)

40. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a fire station on property in an R-5(A) Single Family Residential Subdistrict of Planned Development District No. 595, at the north corner of Kimble Street and Pennsylvania Avenue
Recommendation of Staff and CPC: Approval for a permanent period, subject to a site plan, landscape plan, and conditions
Z134-251(CG)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Sustainable Development and Construction** (Continued)

ZONING CASES - INDIVIDUAL

41. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1691 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Exposition Avenue, east of Ash Lane
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z134-257(CG)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

42. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1747 for an alcoholic beverage establishment limited to a private-club bar on property zoned an IR Industrial Research District on the northwest corner of Harcourt Street and Stemmons Freeway
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z134-211(WE)
Note: This item was considered by the City Council at a public hearing on August 27, 2014, and was taken under advisement until September 10, 2014, with the public hearing open

DESIGNATED ZONING CASES - INDIVIDUAL

43. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain Residential and Utility and public service uses on property zoned a TH-3(A) Townhouse District, an MF-2(A) Multifamily District, an MF-4(A) Multiple Family District, and a CS Commercial Service District on property generally bounded by the east line of Willomet Avenue between Stafford Avenue and Pollard Street, and the west line of Ormsby Street between the terminus of Seale Street and Pollard Street
Recommendation of Staff and CPC: Approval, subject to a development plan, finished grade section plan and conditions
Z134-145(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Sustainable Development and Construction** (Continued)

DESIGNATED ZONING CASES - INDIVIDUAL (Continued)

44. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an IR Industrial Research District on the east side of Monroe Drive, north of Walnut Hill Lane
Recommendation of Staff: Denial
Recommendation of CPC: Approval for an 18-month period, subject to a site plan, traffic management plan and conditions
Z134-184(MW)

45. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for mixed uses and an ordinance terminating Specific Use Permit No. 566 for a Religious, Charitable, or Philanthropic Nature on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the north corner of Cedar Springs Road and Crestview Drive
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions and approval of the termination of Specific Use Permit No. 566
Z134-225(WE)

46. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multi-family and non-residential uses on property zoned an MC-1 Mixed Commercial District on the north side of Walnut Hill Lane, west of Rambler Road
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z134-234(MW)

47. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the development plan and landscape plan on property in Subarea 1 of Planned Development District No. 585 on the north line of West Kiest Boulevard and west of Spur 408
Recommendation of Staff and CPC: Approval, subject to a development plan and landscape plan
Z134-240(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

BENEFIT ASSESSMENT HEARINGS

**Public Works Department**

48. A benefit assessment hearing to receive comments on street paving, storm drainage, and water and wastewater adjustments for San Leon Avenue from Glencliff Drive to dead-end; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with FNH Construction, LLC, lowest responsible bidder of five - Not to exceed $522,705 - Financing: General Obligation Commercial Paper Funds ($437,555) and Water Utilities Capital Construction Funds ($85,150)

THOROUGHFARE PLAN AMENDMENTS

**Public Works Department**

49. An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Denton Drive from Webb Chapel Extension to the Farmers Branch city limits from a four-lane undivided roadway (M-4-U) within 60 feet of right-of-way to a special three-lane undivided roadway (SPCL 3U) with a bicycle facility within a variable 62 to 80 feet right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

50. An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Mountain Creek Parkway from Eagle Ford Drive to Clark Road from a six-lane divided roadway {M-6-D(A)} within 100 feet of right-of-way to a special four-lane divided roadway (SPCL 4D) with a bicycle facility within 100 feet right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS

**Office of Financial Services**

51. A public hearing to receive comments on the proposed $0.7970/$100 property tax rate for the 2014-15 fiscal year - Financing: No cost consideration to the City

**Park & Recreation**

52. A public hearing to receive comments, and Council action, on the proposed use of a portion of the Five Mile Creek Trail, consisting of approximately 7,518 square feet of land, by Dallas Area Rapid Transit (DART) for a Public Mass Transit Easement to accommodate the South Oak Cliff Corridor SOC-3 Blue Line Extension Project - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

**Economic Development**

**Note**: Item Nos. 53 and 54 must be considered collectively.

**Dallas Downtown Improvement District**

53. * A public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

54. * An ordinance approving and adopting the final Service Plan for 2015 and final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Dallas Downtown Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the Dallas Downtown Improvement District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment providing for city participation in the District in the amount of $612,441; and providing for an effective date - Total amount not to exceed $612,441 - Financing: Current Funds ($407,274) and Convention and Event Services Current Funds ($205,167) (subject to appropriations)

**Note**: Item Nos. 55 and 56 must be considered collectively.

**Deep Ellum Public Improvement District**

55. * A public hearing concerning the proposed levy of assessment for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

56. * An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Deep Ellum Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development** (Continued)

**Klyde Warren Park/Dallas Arts District Public Improvement District**

**Note**: Item Nos. 57 and 58 must be considered collectively.

57. * A public hearing concerning the proposed levy of assessment for the Klyde Warren Park/Dallas Arts District Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

58. * An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Klyde Warren Park/Dallas Arts District Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

**Knox Street Public Improvement District**

**Note**: Item Nos. 59 and 60 must be considered collectively.

59. * A public hearing concerning the proposed levy of assessment for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

60. * An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Knox Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development** (Continued)

**Lake Highlands Public Improvement District**

**Note**: Item Nos. 61 and 62 must be considered collectively.

61. * A public hearing concerning the proposed levy of assessment for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

62. * An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Lake Highlands Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing the collection of the assessment; and providing for an effective date - Financing: No cost consideration to the City

**Oak Lawn-Hi Line Public Improvement District**

**Note**: Item Nos. 63 and 64 must be considered collectively.

63. * A public hearing concerning the proposed levy of assessment for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

64. * An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Oak Lawn-Hi Line Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development** (Continued)

**Note**: Item Nos. 65 and 66 must be considered collectively.

**Prestonwood Public Improvement District**

65. * A public hearing concerning the proposed levy of assessment for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

66. * An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Prestonwood Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date - Financing: No cost consideration to the City

**Note**: Item Nos. 67 and 68 must be considered collectively.

**South Side Public Improvement District**

67. * A public hearing concerning the proposed levy of assessment for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

68. * An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the South Side Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development** (Continued)

**Uptown Public Improvement District**

**Note**: Item Nos. 69 and 70 must be considered collectively.

69. * A public hearing concerning the proposed levy of assessment for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

70. * An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date - Financing: No cost consideration to the City

**University Crossing Improvement District**

**Note**: Item Nos. 71 and 72 must be considered collectively.

71. * A public hearing concerning the proposed levy of assessment for the University Crossing Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

72. * An ordinance approving an adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the University Crossing Public Improvement District (District); closing the hearing and levying assessments for the cost of services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development** (Continued)

**Vickery Meadow Public Improvement District**

**Note**: Item Nos. 73 and 74 must be considered collectively.

73. * A public hearing concerning the proposed levy of assessment for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City

74. * An ordinance approving and adopting the final Service Plan for 2015 and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the for the Vickery Meadow Public Improvement District Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

**Tourism Public Improvement District**

**Note**: Item Nos. 75 and 76 must be considered collectively.

75. * A public hearing concerning the proposed levy of assessment for the Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on hotel property with 100 or more rooms - Financing: No cost consideration to the City

76. * An ordinance approving and adopting the final Service Plan for 2014-15 and final 2014 Assessment Roll for the Tourism Public Improvement District (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to the hotel properties in the District; levying assessments for the cost of services and improvements to be provided in the Tourism Public Improvement District during 2014-15; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

**Economic Development** (Continued)

**Note**: Item Nos. 77 and 78 must be considered collectively.

**Vickery Meadow TIF District**

77. * A public hearing to receive comments on an amendment to Tax Increment Reinvestment Zone Number Nine (Vickery Meadow TIF District) to increase the geographic area of the TIF District to include adjacent properties at 5905 East Northwest Hwy, 5915 East Northwest Hwy, 5929 East Northwest Hwy and 6730 Shady Brook Lane (totaling approximately 5.70 acres) to help facilitate the redevelopment of the former Parker Plaza along with the development of two vacant adjacent properties - Financing: No cost consideration to the City

78. * An ordinance amending Ordinance Nos. 25964 and 26181 to increase the geographic area of the Tax Increment Reinvestment Zone Number Nine (Vickery Meadow TIF District) to include adjacent properties at 5905 East Northwest Hwy, 5915 East Northwest Hwy, 5929 East Northwest Hwy and 6730 Shady Brook Lane (totaling approximately 5.70 acres) to help facilitate the redevelopment of the former Parker Plaza along with the development of two vacant adjacent properties; establishing an effective date; making a finding regarding feasibility; providing a severability clause; and enacting other matters related hereto - Financing: No cost consideration to the City

**Note**: Item Nos. 79 and 80 must be considered collectively.

**Deep Ellum TIF District**

79. * A public hearing to be held on September 10, 2014, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Twelve (Deep Ellum TIF District) to: **(1)** increase geographic area to add traditional core area of Deep Ellum (approximately 51.0 acres) to facilitate the development of the Deep Ellum Crossroads project and encourage further redevelopment of the district; **(2)** increase the budget of the Deep Ellum TIF District from $27,162,083 NPV ($51,706,392 total dollars) to $29,992,935 NPV ($57,641,077 total dollars), an increase of $2,830,852 NPV ($5,934,685 in total estimated collections); and **(3)** make corresponding modifications to the Deep Ellum TIF District map, budget, and Project Plan & Reinvestment Zone Financing Plans - Financing: No cost consideration to the City

80. * An ordinance amending Ordinance No. 26043, previously approved on June 22, 2005, as amended and 26304 previously approved on April 2, 2006, to reflect these amendments - Financing: No cost consideration to the City

**Sidewalk and Street Reconstruction Improvements with Criado & Associates, Inc.**
Agenda Item # 15

| Project | Council District | Amount |
|---|---|---|
| **Sidewalk Improvements** | | |
| Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street | 11 | $ 10,764.22 |
| Hughes Lane from Lafayette Way to alley north of Linden Lane | 11 | $ 20,403.80 |
| **Street Reconstruction Local Improvements** | | |
| Spring Grove Avenue from Alpha Road to Coit Road | 11 | $294,578.29 |

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** September 10, 2014

| ITEM # | OK | IND DEF | DISTRICT | TYPE | DEPT. | DOLLARS | LOCAL | MWBE | DESCRIPTION |
|---|---|---|---|---|---|---|---|---|---|
| 1 | | | All | V | NA | NA | NA | NA | Approval of Minutes of August 27, 2014 City Council Meeting |
| 2 | | | 2 | C | PBD | $3,013,750.00 | 0.00% | 0.00% | Authorize an increase to the master agreement with Pitney Bowes, Inc. for meter postage |
| 3 | | | N/A | C | ECO | NC | NA | NA | Authorize the fourth and final twelve-month renewal option to the contract with the Southern Dallas Development Corporation to administer the Community Development Block Grant (CDBG) Business Revolving Loan Program, for the purpose of servicing and making loans to area businesses and creating and/or retaining jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development (HUD) regulations; and any unexpended balances of allocations and program income from prior year's contracts be rolled over to continue the CDBG Business Revolving Loan Program |
| 4 | | | 2, 6, 14 | C | ECO | NC | NA | NA | Authorize various amendments to the terms of a $12,825,000 grant agreement with Victory Park UST Joint Venture I, LP, (UST) previously approved by Resolution No. 13-0324, on February 13, 2013 to: reduce the parking commitments in the South Parking Garage to accommodate UST's current contract parkers; reduce UST's commitment to increase DCAD appraised values on its undeveloped/underdeveloped lots from $100M to $50M and reduce the number of developable tracts to only Blocks D, K and M for this commitment; add a contractual commitment to comply with the Sports Arena TIF District's Mixed Income Housing requirements for any residential development on Blocks D, K and M, if the block's increased value is counted towards UST's development commitment; and add a city design review requirement for any improvements to Blocks D, G, K and M |
| 5 | | | All | C | FIR | NC | NA | NA | An ordinance amending Chapter 16 of the Dallas City Code, to adopt the 2012 International Fire Code, as amended |
| 6 | | | All | C | HOU | GT | NA | NA | Authorize the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development (formerly known as Shelter Plus Care) in the amount of $92,528 to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period October 1, 2014 through September 30, 2015; a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities, to provide an In-Kind Contributions in the amount of $24,960; and execution of the grant agreement |
| 7 | | | All | C | HOU | $64,893.00 | NA | NA | Authorize the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for rapid re-housing (formerly Transitional Supportive Housing) in the amount of $464,692, to provide tenant-based rental assistance and case management for homeless families and single homeless persons and to provide funding for two staff positions to administer the program for the period October 1, 2014 through September 30, 2015; a local cash match in an amount not to exceed $64,893; a Memorandum of Understanding between the City of Dallas and Metrocare Services to provide an In-Kind Contributions in the amount of $51,280; and execution of the grant agreement |
| 8 | | | All | C | HOU | GT | NA | NA | Authorize a contract with Metro Dallas Homeless Alliance to provide training and technical support on the Homeless Management and Information System (HMIS) for the period October 1, 2014 through September 30, 2015 |
| 9 | | | All | C | HOU | NC | NA | NA | Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing |
| 10 | | | N/A | C | OFS | NC | NA | NA | Ordinances amending Ordinance No. 29146 (FY 2013-14 Operating Budget Appropriation Ordinance) and Ordinance No. 29147 (FY 2013-14 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2013-14 for the capital improvement program and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments |
| 11 | | | Outside | C | MGT, IGS | NC | NA | NA | Authorize approval of the FY 2014-2015 Dallas/Fort Worth International Airport Board Annual Budget |
| 12 | | | Outside | C | MGT, IGS | NC | NA | NA | Authorize an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C. for a one year extension to Chesapeake's northern sector drilling requirement |

**AGENDA DATE** September 10, 2014

| ITEM # | OK | IND DEF | DISTRICT | TYPE | DEPT. | DOLLARS | LOCAL | MWBE | DESCRIPTION |
|---|---|---|---|---|---|---|---|---|---|
| 13 | | | 2 | C | PKR | $132,348.00 | 100.00% | 54.63% | Authorize a professional services contract with Newman, Jackson, Bieberstein, Inc. for professional services including survey, landscape architectural design and construction plans and specifications for improvements at Buckner Park located at 4550 Worth Street |
| 14 | | | All | C | POL | $151,143.00 | NA | NA | Authorize the acceptance of the Commercial Auto Theft Interdiction Squad/22 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of $688,107 to provide a specialized proactive automobile theft program, for the period September 1, 2014 through August 31, 2015; a local match in the amount of $151,143; an In-Kind Contribution in the amount of $462,437; and execution of the grant agreement |
| 15 | | | 11 | C | PBW, WTR | $325,746.31 | 94.00% | 94.00% | Authorize a professional services contract with Criado & Associates, Inc. for the engineering design of two street and sidewalk improvement projects on Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street and Hughes Lane from Lafayette Way to alley north of Linden Lane and one street reconstruction local project on Spring Grove Avenue from Alpha Road to Coit Road |
| 16 | | | 2 | C | PBW, CES | $221,899.69 | 93.13% | 39.76% | Authorize an increase in the construction contract with Gilbert May, Inc. dba Phillips/May Corporation for mechanical, electrical, audio visual, and interior finish changes to the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas |
| 17 | | | 14 | C | PBW | $110,290.00 | 100.00% | 26.56% | Mckinney Avenue Trolley Extension: Authorize Supplemental Agreement No. 9 to the professional services contract with Huitt-Zollars, Inc. to provide additional engineering services support during construction for the McKinney Avenue Trolley Extension Project |
| 18 | | | 14 | C | PBW | $336,202.45 | 70.24% | 36.34% | Mckinney Avenue Trolley Extension: Authorize an increase in the construction contract with Gibson & Associates, Inc. for construction of the McKinney Avenue Trolley Extension Project |
| 19 | | | All | C | STS, PBW | $538,782.34 | NA | NA | Authorize a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for the acquisition of hardware, software and communication equipment for a central computer system for the City's Advanced Traffic Management System (ATMS) upgrade project; the establishment of appropriations in the amount of $3,318,877 in the Texas Department of Transportation Grant Fund; and a required local match in an amount not to exceed $538,782 including $10,564 to be paid by warrant check at the beginning of the project |
| 20 | | | 8 | C | DEV, WTR | $235,112.00 | NA | NA | Authorize acquisition from Central 15th, L.P., formerly known as Central-15th, L.L.C., of approximately 28,888 square feet of land located near the intersection of Belt Line and Ravenview Roads for the Southwest 120/96-inch Water Transmission Pipeline Project |
| 21 | | | 8 | C | DEV, WTR | $669,338.00 | NA | NA | Authorize acquisition from Central 15th, L.P., formerly known as Central-15th, L.L.C., of three tracts of land containing a total of approximately 160,917 square feet located near the intersection of Belt Line and Ravenview Roads for the Southwest 120/96-inch Water Transmission Pipeline Project |
| 22 | | | 9 | C | DEV | NC | NA | NA | A resolution authorizing the conveyance of an easement containing approximately 639 square feet of land to Oncor Electric Delivery Company, LLC for the purpose of providing services to the Dallas Arboretum parking garage, located near the intersection of Garland Road and Timplemore Drive |
| 23 | | | 10 | C | DEV | NC | NA | NA | An ordinance granting a Specific Use Permit to relocate a detached non-premise sign to property zoned an MU-3 Mixed Use District along the east line of North Central Expressway, north of Churchill Way |
| 24 | | | 14 | C | DEV | REV $5,400 | NA | NA | An ordinance abandoning aerial space above a portion of North Akard Street to Hunt Dallas Office, L.P., the abutting owner, containing approximately 316 square feet of land, located near the intersection of North Akard Street and Munger Avenue |
| 25 | | | 2 | C | DEV | REV $14,106 | NA | NA | An ordinance abandoning a portion of Gibson Street and a subsurface drive to FM Futsal, Ltd, the abutting owner, containing a total of approximately 35,322 square feet of land, located near the intersection with Cesar Chavez Boulevard, and authorizing the quitclaim |
| 26 | | | 1 | C | DEV | REV $98,148 | NA | NA | An ordinance abandoning sight alley easements and an alley to Salesmanship Club Youth and Family Centers, Inc., the abutting owner, containing a total of approximately 8,347 square feet of land, located near the intersection of Jefferson Boulevard and Storey Street and authorizing the quitclaim |
| 27 | | | 6 | C | TWM | $6,334,975.00 | 24.14% | 29.33% | Authorize a contract with North Texas Contracting, Inc., lowest responsible bidder of four, for the construction of storm drainage improvements in the West Dallas - Westmoreland Hampton Sump Basin |

**AGENDA DATE** September 10, 2014

| ITEM # | OK | IND DEF | DISTRICT | TYPE | DEPT. | DOLLARS | LOCAL | MWBE | DESCRIPTION |
|---|---|---|---|---|---|---|---|---|---|
| 28 | | | 2 | C | TWM, ECO | $144,425.00 | 100.00% | 25.89% | Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional drainage, wastewater and concrete foundations for the Mockingbird Lane - Maple Avenue to Forest Park Drainage Improvements Project |
| 29 | | | All | C | WTR | NC | NA | NA | Authorize rejection of the single bid received for the Priority 1 & 2 Heating, Ventilation and Air Conditioning Repair and Replacement Project; and the re-advertisement for new bids |
| 30 | | | 6, Outside | C | WTR | $350,000.00 | 91.45% | 50.55% | Authorize professional services contracts with three consulting firms to provide construction materials testing services for ongoing and upcoming projects at three water treatment plants |
| 31 | | | 5, 7, 13, 14 | C | WTR | $1,644,038.00 | 100.00% | 25.80% | Authorize a professional services contract with HDR Engineering, Inc. to provide engineering services for corrosion prevention design for three priority water transmission pipeline locations |
| 32 | | | 4, 8 | C | WTR | $18,316,000.00 | 81.37% | 25.65% | Authorize a contract for construction modifications to the Central Wastewater Treatment Plant White Rock Primary Clarifiers 1 - 6 and the wastewater collection system Five Mile Junction Structure |
| 33 | | | Outside | C | WTR | $79,259,374.00 | 25.49% | 25.35% | Authorize a contract for the construction of flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant |
| 34 | | | Outside | C | WTR | $6,284,000.00 | 94.91% | 29.45% | Authorize Supplemental Agreement No. 3 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant |
| 35 | | | 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) |
| 36 | | | 7 | I | HOU | GT | NA | NA | Authorize an extension of the development loan agreement with Builders of Hope CDC, Prairie Creek Project for acquisition and related acquisition costs of 40 unimproved properties to December 31, 2015; and a development loan for the construction of the final sixteen homes |
| 37 | | | 7 | 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 Group Residential Facility and CS Commercial Service District Uses on property zoned a CS Commercial Service District and a P(A) Parking District, on the northeast line of Laughlin Drive and the southwest line of Charles Street, east of Ferguson Road |
| 38 | | | 6 | PH | DEV | NC | NA | NA | A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Bail bonds office on property within the Mixmaster Riverfront Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the east line of South Riverfront Boulevard, south of Reunion Boulevard |
| 39 | | | 7 | 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. 1817 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District, on the north side of Bruton Road, east of Masters Drive |
| 40 | | | 7 | PH | DEV | NC | NA | NA | A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a fire station on property in an R-5(A) Single Family Residential Subdistrict of Planned Development District No. 595, at the north corner of Kimble Street and Pennsylvania Avenue |
| 41 | | | 7 | 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. 1691 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Exposition Avenue, east of Ash Lane |
| 42 | | | 6 | PH | DEV | NC | NA | NA | A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1747 for an alcoholic beverage establishment limited to a private-club bar on property zoned an IR Industrial Research District on the northwest corner of Harcourt Street and Stemmons Freeway |
| 43 | | | 6 | PH | DEV | NC | NA | NA | A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain Residential and Utility and public service uses on property zoned a TH-3(A) Townhouse District, an MF-2(A) Multifamily District, an MF-4(A) Multiple Family District, and a CS Commercial Service District on property generally bounded by the east line of Willomet Avenue between Stafford Avenue and Pollard Street, and the west line of Ormsby Street between the terminus of Seale Street and Pollard Street |
| 44 | | | 6 | PH | DEV | NC | NA | NA | A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an IR Industrial Research District on the east side of Monroe Drive, north of Walnut Hill Lane |

**AGENDA DATE** September 10, 2014

| ITEM # | OK | IND DEF | DISTRICT | TYPE | DEPT. | DOLLARS | LOCAL | MWBE | DESCRIPTION |
|---|---|---|---|---|---|---|---|---|---|
| 45 | | | 2 | PH | DEV | NC | NA | NA | A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for mixed uses and an ordinance terminating Specific Use Permit No. 566 for a Religious, Charitable, or Philanthropic Nature on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the north corner of Cedar Springs Road and Crestview Drive |
| 46 | | | 13 | PH | DEV | NC | NA | NA | A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multi-family and non-residential uses on property zoned an MC-1 Mixed Commercial District on the north side of Walnut Hill Lane, west of Rambler Road |
| 47 | | | 3 | PH | DEV | NC | NA | NA | A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the development plan and landscape plan on property in Subarea 1 of Planned Development District No. 585 on the north line of West Kiest Boulevard and west of Spur 408 |
| 48 | | | 5 | PH | PBW, WTR | $522,705.00 | 77.71% | 25.16% | A benefit assessment hearing to receive comments on street paving, storm drainage, and water and wastewater adjustments for San Leon Avenue from Glencliff Drive to dead-end; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with FNH Construction, LLC, lowest responsible bidder of five |
| 49 | | | 6 | PH | PBW | NC | NA | NA | An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Denton Drive from Webb Chapel Extension to the Farmers Branch city limits from a four-lane undivided roadway (M-4-U) within 60 feet of right-of-way to a special three-lane undivided roadway (SPCL 3U) with a bicycle facility within a variable 62 to 80 feet right-of-way; and at the close of the hearing, authorize an ordinance implementing the change |
| 50 | | | 3 | PH | PBW | NC | NA | NA | An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Mountain Creek Parkway from Eagle Ford Drive to Clark Road from a six-lane divided roadway {M-6-D(A)} within 100 feet of right-of-way to a special four-lane divided roadway (SPCL 4D) with a bicycle facility within 100 feet right-of-way; and at the close of the hearing, authorize an ordinance implementing the change |
| 51 | | | N/A | PH | OFS | NC | NA | NA | A public hearing to receive comments on the proposed $0.7970/$100 property tax rate for the 2014-15 fiscal year |
| 52 | | | 3 | PH | PKR | NC | NA | NA | A public hearing to receive comments, and Council action, on the proposed use of a portion of the Five Mile Creek Trail, consisting of approximately 7,518 square feet of land, by Dallas Area Rapid Transit (DART) for a Public Mass Transit Easement to accommodate the South Oak Cliff Corridor SOC-3 Blue Line Extension Project |
| 53 | | | 2, 14 | PH | ECO | NC | NA | NA | Dallas Downtown Improvement District: A public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |
| 54 | | | 2, 14 | PH | ECO | $612,441.00 | NA | NA | Dallas Downtown Improvement District: An ordinance approving and adopting the final Service Plan for 2015 and final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Dallas Downtown Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the Dallas Downtown Improvement District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment providing for city participation in the District in the amount of $612,441; and providing for an effective date |
| 55 | | | 2, 7, 14 | PH | ECO | NC | NA | NA | Deep Ellum Public Improvement District: A public hearing concerning the proposed levy of assessment for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |

**AGENDA DATE** September 10, 2014

| ITEM # | OK | IND DEF | DISTRICT | TYPE | DEPT. | DOLLARS | LOCAL | MWBE | DESCRIPTION |
|---|---|---|---|---|---|---|---|---|---|
| 56 | | | 2, 7, 14 | PH | ECO | NC | NA | NA | Deep Ellum Public Improvement District: An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Deep Ellum Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date |
| 57 | | | 14 | PH | ECO | NC | NA | NA | Klyde Warren Park/Dallas Arts District Public Improvement District: A public hearing concerning the proposed levy of assessment for the Klyde Warren Park/Dallas Arts District Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |
| 58 | | | 14 | PH | ECO | NC | NA | NA | Klyde Warren Park/Dallas Arts District Public Improvement District: An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Klyde Warren Park/Dallas Arts District Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date |
| 59 | | | 14 | PH | ECO | NC | NA | NA | Knox Street Public Improvement District: A public hearing concerning the proposed levy of assessment for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |
| 60 | | | 14 | PH | ECO | NC | NA | NA | Knox Street Public Improvement District: An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Knox Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date |
| 61 | | | 9, 10, 13 | PH | ECO | NC | NA | NA | Lake Highlands Public Improvement District: A public hearing concerning the proposed levy of assessment for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |
| 62 | | | 9, 10, 13 | PH | ECO | NC | NA | NA | Lake Highlands Public Improvement District: An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Lake Highlands Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing the collection of the assessment; and providing for an effective date |
| 63 | | | 6 | PH | ECO | NC | NA | NA | Oak Lawn-Hi Line Public Improvement District: A public hearing concerning the proposed levy of assessment for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |

**AGENDA DATE** September 10, 2014

| ITEM # | OK | IND DEF | DISTRICT | TYPE | DEPT. | DOLLARS | LOCAL | MWBE | DESCRIPTION |
|---|---|---|---|---|---|---|---|---|---|
| 64 | | | 6 | PH | ECO | NC | NA | NA | Oak Lawn-Hi Line Public Improvement District: An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Oak Lawn-Hi Line Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date |
| 65 | | | 12 | PH | ECO | NC | NA | NA | Prestonwood Public Improvement District: A public hearing concerning the proposed levy of assessment for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |
| 66 | | | 12 | PH | ECO | NC | NA | NA | Prestonwood Public Improvement District: An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Prestonwood Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date |
| 67 | | | 2 | PH | ECO | NC | NA | NA | South Side Public Improvement District: A public hearing concerning the proposed levy of assessment for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |
| 68 | | | 2 | PH | ECO | NC | NA | NA | South Side Public Improvement District: An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the South Side Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date |
| 69 | | | 14 | PH | ECO | NC | NA | NA | Uptown Public Improvement District: A public hearing concerning the proposed levy of assessment for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |
| 70 | | | 14 | PH | ECO | NC | NA | NA | Uptown Public Improvement District: An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date |
| 71 | | | 14 | PH | ECO | NC | NA | NA | University Crossing Improvement District: A public hearing concerning the proposed levy of assessment for the University Crossing Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |

**AGENDA DATE** September 10, 2014

| ITEM # | OK | IND DEF | DISTRICT | TYPE | DEPT. | DOLLARS | LOCAL | MWBE | DESCRIPTION |
|---|---|---|---|---|---|---|---|---|---|
| 72 | | | 14 | PH | ECO | NC | NA | NA | University Crossing Improvement District: An ordinance approving an adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the University Crossing Public Improvement District (District); closing the hearing and levying assessments for the cost of services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date |
| 73 | | | 13 | PH | ECO | NC | NA | NA | Vickery Meadow Public Improvement District: A public hearing concerning the proposed levy of assessment for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District |
| 74 | | | 13 | PH | ECO | NC | NA | NA | Vickery Meadow Public Improvement District: An ordinance approving and adopting the final Service Plan for 2015 and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the for the Vickery Meadow Public Improvement District Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date |
| 75 | | | 2, 6, 7, 8, 9, 10, 11, 12, 13, 14 | PH | ECO | NC | NA | NA | Tourism Public Improvement District: A public hearing concerning the proposed levy of assessment for the Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on hotel property with 100 or more rooms |
| 76 | | | 2, 6, 7, 8, 9, 10, 11, 12, 13, 14 | PH | ECO | NC | NA | NA | Tourism Public Improvement District: An ordinance approving and adopting the final Service Plan for 2014-15 and final 2014 Assessment Roll for the Tourism Public Improvement District (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to the hotel properties in the District; levying assessments for the cost of services and improvements to be provided in the Tourism Public Improvement District during 2014-15; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date |
| 77 | | | 13 | PH | ECO | NC | NA | NA | Vickery Meadow TIF District: A public hearing to receive comments on an amendment to Tax Increment Reinvestment Zone Number Nine (Vickery Meadow TIF District) to increase the geographic area of the TIF District to include adjacent properties at 5905 East Northwest Hwy, 5915 East Northwest Hwy, 5929 East Northwest Hwy and 6730 Shady Brook Lane (totaling approximately 5.70 acres) to help facilitate the redevelopment of the former Parker Plaza along with the development of two vacant adjacent properties |
| 78 | | | 13 | PH | ECO | NC | NA | NA | Vickery Meadow TIF District: An ordinance amending Ordinance Nos. 25964 and 26181 to increase the geographic area of the Tax Increment Reinvestment Zone Number Nine (Vickery Meadow TIF District) to include adjacent properties at 5905 East Northwest Hwy, 5915 East Northwest Hwy, 5929 East Northwest Hwy and 6730 Shady Brook Lane (totaling approximately 5.70 acres) to help facilitate the redevelopment of the former Parker Plaza along with the development of two vacant adjacent properties; establishing an effective date; making a finding regarding feasibility; providing a severability clause; and enacting other matters related hereto |
| 79 | | | 2, 7, 14 | PH | ECO | NC | NA | NA | Deep Ellum TIF District: A public hearing to be held on September 10, 2014, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Twelve (Deep Ellum TIF District) to: (1) increase geographic area to add traditional core area of Deep Ellum (approximately 51.0 acres) to facilitate the development of the Deep Ellum Crossroads project and encourage further redevelopment of the district; (2) increase the budget of the Deep Ellum TIF District from $27,162,083 NPV ($51,706,392 total dollars) to $29,992,935 NPV ($57,641,077 total dollars), an increase of $2,830,852 NPV ($5,934,685 in total estimated collections); and (3) make corresponding modifications to the Deep Ellum TIF District map, budget, and Project Plan & Reinvestment Zone Financing Plans |

**AGENDA DATE** September 10, 2014

| ITEM # | OK | IND DEF | DISTRICT | TYPE | DEPT. | DOLLARS | LOCAL | MWBE | DESCRIPTION |
|---|---|---|---|---|---|---|---|---|---|
| 80 | | | 2, 7, 14 | PH | ECO | NC | NA | NA | Deep Ellum TIF District: An ordinance amending Ordinance No. 26043, previously approved on June 22, 2005, as amended and 26304 previously approved on April 2, 2006, to reflect these amendments |

**TOTAL $119,267,462.79**

**AGENDA ITEM # 2**

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

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Business Development & Procurement Services

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

**MAPSCO:** 45Q

## SUBJECT

Authorize an increase to the master agreement with Pitney Bowes, Inc. for meter postage – Not to exceed $3,013,750, from $12,305,000 to $15,318,750 – Financing: Current Funds

## BACKGROUND

This increase to the master agreement is necessary to allow the City's Express Business Center (EBC) to continue the metering of postage for outgoing mail. The EBC serves as the City's mail distribution center for incoming and outgoing mail, water utility bills and interoffice mail for over 80 City facilities. Metered postage applies to U.S. mail received by EBC from City departments and is taken to the U.S. Postal Service (USPS) daily.

On June 2013, the City exercised a lease end option to purchase three mail postage processing machines and a mail processing inserter machine at the end of the five year term with Pitney Bowes, Inc. The EBC determined it most advantageous to purchase this equipment at an agreed upon fair market value since the machines have an estimated useful life of eight years. This increase will continue to allow EBC to purchase postage on-line through Pitney Bowes, Inc. as USPS does not lease the postage meters. Pitney Bowes, Inc. offers this postage at no cost or premium above the cost of USPS postage fees. EBC processes approximately 1.3 million citywide mail pieces and 3.3 million water utility bills and notices per year.

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

On January 23, 2008, City Council authorized (1) a sixty-month equipment lease agreement for a mail processing inserter machine; (2) a thirty-six month equipment lease agreement for three mail postage processing machines; and (3) a sixty-month master agreement for postage by Resolution No. 08-0298.

## FISCAL INFORMATION

$3,013,750.00 - Current Funds

## ETHNIC COMPOSITION

Pitney Bowes, Inc.

| | | | |
|---|---|---|---|
| White Male | 8 | White Female | 2 |
| Black Male | 1 | Black Female | 0 |
| Hispanic Male | 3 | Hispanic Female | 0 |
| Other Male | 0 | Other Female | 0 |

## OWNER

**Pitney Bowes, Inc.**

Marc B. LautenBach, President
Michael Monahan, Vice President
Amy C. Corn, Secretary
Debbie Salce, Treasurer

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase to the master agreement with Pitney Bowes, Inc. for meter postage – Not to exceed $3,013,750, from $12,305,000 to $15,318,750 – Financing: Current Funds

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

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## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $0.00 | 0.00% |
| Total non-local contracts | $3,013,750.00 | 100.00% |
| **TOTAL CONTRACT** | $3,013,750.00 | 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% |

September 10, 2014

**WHEREAS,** on January 23, 2008, City Council authorized (1) a sixty-month equipment lease agreement for a mail processing inserter machine; (2) a thirty-six month equipment lease agreement for three mail postage processing machines; and (3) a sixty-month master agreement for postage by Resolution No. 08-0298; and

**WHEREAS,** on August 8, 2014, Administrative Action No. 14-6423 authorized a one-year extension and an increase of funds in an amount not to exceed $50,000.00, increasing the master agreement amount from $12,255,000.00 to $12,305,000.00;

**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 increase the master agreement with Pitney Bowes, Inc. (063151) for meter postage, in an amount not to exceed $3,013,750.00, increasing the master agreement amount from $12,305,000.00 to $15,318,750.00.

**Section 2.** That the City Controller is authorized to disburse funds in an amount not to exceed $3,013,750.00.

**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 # 3**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

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

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 54 H

## SUBJECT

Authorize **(1)** the fourth and final twelve-month renewal option to the contract with the Southern Dallas Development Corporation to administer the Community Development Block Grant (CDBG) Business Revolving Loan Program, for the purpose of servicing and making loans to area businesses and creating and/or retaining jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development (HUD) regulations; and **(2)** any unexpended balances of allocations and program income from prior year's contracts be rolled over to continue the CDBG Business Revolving Loan Program - Financing: No cost consideration to the City

## BACKGROUND

Since 1989, Southern Dallas Development Corporation (SDDC) has provided an estimated 194 business loans from Community Development Block Grant (CDBG) funds in the Dallas community totaling an estimated $19,730,065. These loans have been used to leverage an estimated $41,177,763 in private investment and have created/retained approximately 1,979 jobs.

SDDC administers the CDBG Business Revolving Loan Program (loans to for profit businesses) on behalf of the City. The program provides funding and access to capital for entrepreneurs, and creates and/or retains jobs for low-to-moderate income persons to foster community and economic development and revitalization within the Dallas city limits.

A board of directors that includes three (3) appointments by Dallas City Council members govern SDDC. The CDBG Business Revolving Loan Program is managed under HUD and City approved operating guidelines with rates and terms established by the SDDC Board of Directors.

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

On June 23, 2010, City Council authorized the adoption of the FY 2010-11 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue the management and operation of the CDBG Business Revolving Loan Program by Council Resolution No. 10-1594.

On December 8, 2010, City Council authorized the execution of (1) a one-year contract, with four renewal options, with the SDDC, to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with HUD regulations; and (2) any unexpended balances of program income and allocations from prior contract years be rolled over to continue the Business Revolving Loan Program by Council Resolution No. 10-3056.

On June 22, 2011, City Council authorized the adoption of the FY 2011-12 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue the management and operation of the CDBG Business Revolving Loan Program by Council Resolution No. 11-1679.

On August 24, 2011, City Council authorized the execution of (1) the first of four twelve–month renewal options to the contract with the SDDC to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with HUD regulations; and (2) any unexpended balances of program income and allocations from prior contract years be rolled over to continue the CDBG Business Revolving Loan Program by Council Resolution No. 11-2233.

On June 27, 2012, City Council authorized the adoption of the FY 2012-13 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue the management and operation of the CDBG Business Revolving Loan Program by Council Resolution No. 12-1629.

On August 22, 2012, City Council authorized the execution of (1) the second of four twelve–month renewal options to the contract with the SDDC to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with HUD regulations; and (2) any unexpended balances of program income and allocations from prior contract years be rolled over to continue the CDBG Business Revolving Loan Program by Council Resolution No. 12-2085.

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

On June 26, 2013, City Council authorized the adoption of the FY 2013-2014 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue to provide loans and manage and operate the CDBG Business Revolving Loan Program by Council Resolution No. 13-1142.

On August 14, 2013, City Council authorized the execution of (1) the third of four twelve–month renewal options to the contract with the SDDC to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with HUD regulations; and (2) any unexpended balances of program income and allocations from prior contract years be rolled over to continue the CDBG Business Revolving Loan Program by Council Resolution No. 13-1289.

On June 25, 2014, City Council authorized the adoption of the FY 2014-2015 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue to provide loans and manage and operate the CDBG Business Revolving Loan Program by Council Resolution No. 14-1001.

**FISCAL INFORMATION**

No cost consideration to the City

**OWNER**

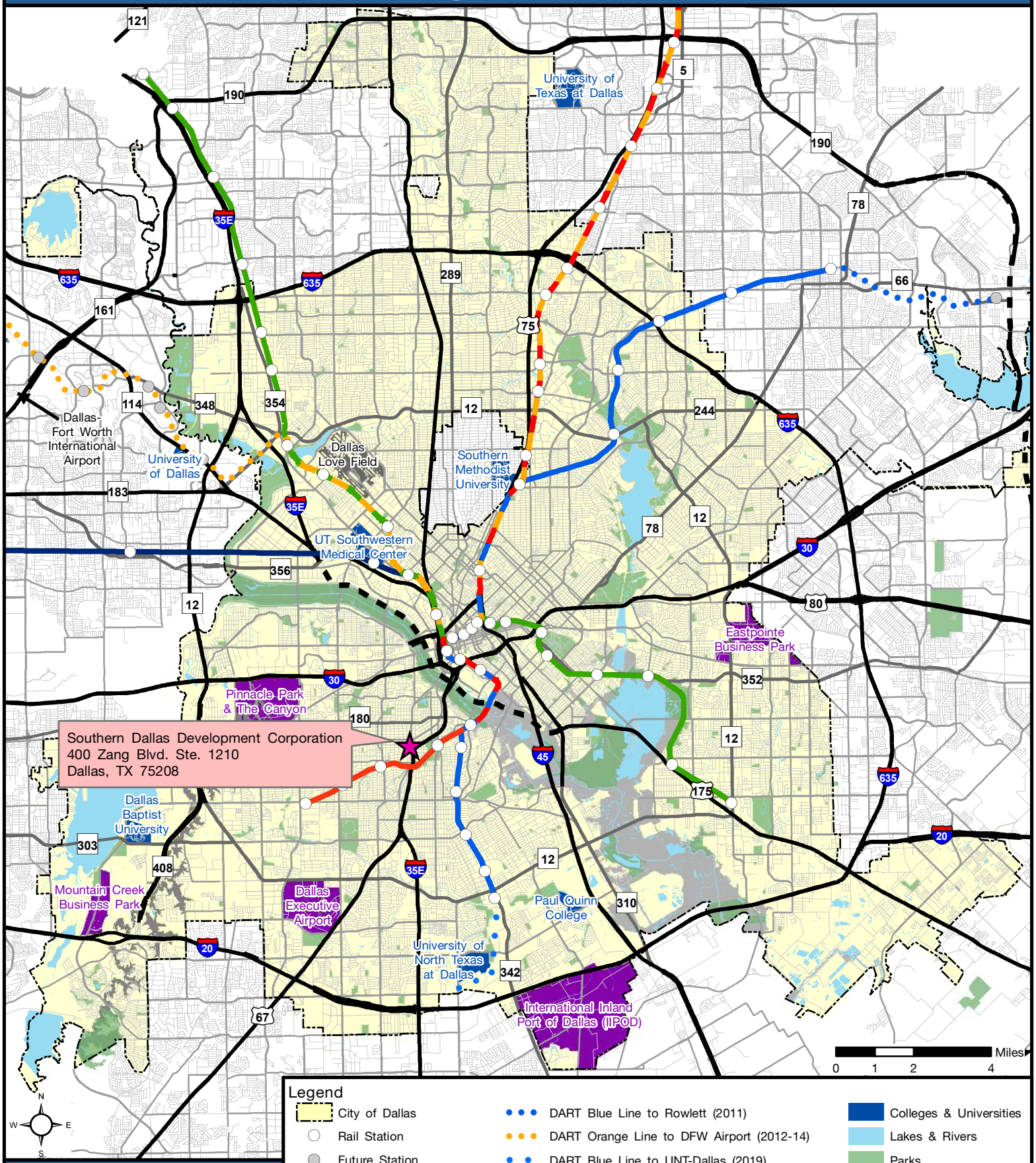
**Southern Dallas Development Corporation**

Terrance Washington, Board Chair

**MAP**

Attached.

# City of Dallas




## Legend

- City of Dallas
- Rail Station
- Future Station
- DART Red Line
- DART Blue Line
- DART Green Line
- DART Orange Line
- Trinity Railway Express
- DART Blue Line to Rowlett (2011)
- DART Orange Line to DFW Airport (2012-14)
- DART Blue Line to UNT-Dallas (2019)
- Freeway or Tollway
- Highway
- Arterial
- Local Road
- Proposed Freeway or Tollway
- Colleges & Universities
- Lakes & Rivers
- Parks
- Escarpment
- Flood Plain
- Airport
- Business Parks

Source: Airports & Proposed Roadways - NCTCOG, 2009; All Other Data - City of Dallas, 2010


DALLAS
**ECONOMIC DEVELOPMENT**

Research & Information Division
214.670.1685
dallas-ecodev.org



Created 11.13.2009, Last Updated 2.28.2011 - COD_new.TCG

**WHEREAS,** on June 23, 2010, City Council adopted the FY 2010-11 Consolidated Plan Budget which included program income estimated at $600,000 to be retained by the sub-recipient to carry out the Community Development Block Grant (CDBG) Business Revolving Loan Program by Resolution No. 10-1594; and

**WHEREAS,** on December 8, 2010, City Council authorized the execution of (1) a one-year contract, with four renewal options, with the Southern Dallas Development Corporation (SDDC), to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for-profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development (HUD) regulations; and (2) any unexpended balances of program income and allocations from prior contract years be rolled over to continue the Business Revolving Loan Program by Resolution No. 10-3056; and

**WHEREAS,** on June 22, 2011, City Council authorized the adoption of the FY 2011-12 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue the management and operation of the CDBG Business Revolving Loan Program by Council Resolution No. 11-1679; and

**WHEREAS,** on August 24, 2011, City Council authorized the execution of the first of four twelve–month renewal options to the contract with the SDDC to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for-profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with HUD regulations; and any unexpended balances of program income and allocations from prior contract years be rolled over to continue the Business Revolving Loan Program by Council Resolution No. 11-2233; and

**WHEREAS,** on June 27, 2012, City Council authorized the adoption of the FY 2012-13 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue the management and operation of the CDBG Business Revolving Loan Program by Council Resolution No. 12-1629; and

**WHEREAS,** on August 22, 2012, City Council authorized the execution of the second of four twelve–month renewal options to the contract with the SDDC to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for-profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with HUD regulations; and any unexpended balances of program income and allocations from prior contract years be rolled over to continue the Business Revolving Loan Program by Council Resolution No. 12-2085; and

September 10, 2014

**WHEREAS,** on June 26, 2013, City Council authorized the adoption of the FY 2013-2014 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue to provide loans and manage and operate the CDBG Business Revolving Loan Program by Council Resolution No. 13-1142; and

**WHEREAS,** on August 14, 2013, City Council authorized the execution of (1) the third of four twelve–month renewal options to the contract with SDDC to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for-profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with HUD regulations; and (2) any unexpended balances of program income and allocations from prior contract years be rolled over to continue the CDBG Business Revolving Loan Program by Council Resolution No. 13-1289; and

**WHEREAS,** on June 25, 2014, City Council authorized the adoption of the FY 2014-2015 Consolidated Plan Budget, which included program income estimated at $600,000 to be retained by SDDC and any unexpended balances from prior years, to continue to provide loans and manage and operate the CDBG Business Revolving Loan Program by Council Resolution No. 14-1001.

**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 (1) the fourth and final twelve-month renewal option to the contract with the Southern Dallas Development Corporation, to administer the CDBG Business Revolving Loan Program, for the purpose of servicing and making loans to for-profit businesses to create and/or retain jobs for low-to-moderate income persons, in accordance with HUD regulations; and (2) any unexpended balances of allocations and program income from prior year's contracts be rolled over to continue the CDBG Business Revolving Loan Program.

**Section 2.** That SDDC will make loans to for-profit businesses within the City of Dallas to create/retain jobs for Low to Moderate Income (LMI) persons.

**Section 3.** That any unexpended balances of allocations and program income from prior year's contracts be retained and rolled over to continue the CDBG Business Revolving Loan Program.

**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 # 4**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2, 6, 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 45 J

## SUBJECT

Authorize various amendments to the terms of a $12,825,000 grant agreement with Victory Park UST Joint Venture I, LP, (UST) previously approved by Resolution No. 13-0324, on February 13, 2013 to: **(1)** reduce the parking commitments in the South Parking Garage to accommodate UST's current contract parkers; **(2)** reduce UST's commitment to increase DCAD appraised values on its undeveloped/underdeveloped lots from $100M to $50M and reduce the number of developable tracts to only Blocks D, K and M for this commitment; **(3)** add a contractual commitment to comply with the Sports Arena TIF District's Mixed Income Housing requirements for any residential development on Blocks D, K and M, if the block's increased value is counted towards UST's development commitment; and **(4)** add a city design review requirement for any improvements to Blocks D, G, K and M – Financing: No cost consideration to the City

## BACKGROUND

On February 13, 2013, City Council approved Resolution No. 13-0324 authorizing a grant agreement with Victory Park UST Joint Venture I, LP, ("UST") to provide American Airlines Center ("AAC") event parking and public transient parking within UST's 629-space garage (the "South Parking Garage") located in Block D at the northwest corner of Victory Park Lane and Museum Way in the Sports Arena TIF District. The grant was to be made in installments of $855,000 annually based on the appraised market rent for the entire garage, for a total incentive not to exceed $12,825,000.

**BACKGROUND** (Continued)

UST is currently under contract with the Anland Companies ("Hillwood") to provide 602 parking spaces on various surface lots for AAC event parking. Block D (consisting of both the garage and a surface lot) is not currently encumbered by the Parking Rights Agreement ("PRA") between Hillwood and the AAC operator, Center Operating Company ("COC"). The purpose of the grant was to incentivize UST to unencumber 425 of the parking spaces from UST's surface lots and to encumber instead UST's South Parking Garage for both AAC event parking and public transient parking so that certain surface parking lots could be released for vertical development. To ensure development on the surface lots released, the grant agreement further required UST to guarantee a minimum increase of $100M in DCAD appraised value between the 2012 and 2020 tax year on undeveloped tracts owned by UST within the Sports Arena TIF District including Blocks D and N, as shown on the attached map.

The proposed changes to the grant agreement are summarized as follows:

1. Not all 425 Arena Parking Spaces will be available in the garage. UST currently has existing office and valet leases for 354 spaces in the South Parking Garage; accordingly, only 359 parking spaces can be reserved during Arena events for AAC event parking within the garage. The shortfall of 66 spaces will be provided on Block D on UST's adjoining surface parking lot ("Block D-surface lot"). Accordingly, the Block D-surface lot will now also be encumbered under the PRA.

2. The guaranteed minimum increase from the 2012 DCAD-appraised value of UST owned development tracts will be reduced from $100M to $50M and the time frame to achieve this increase is now 2014 to 2020. The base year for measuring the added appraised value will now be 2014. UST's commitment to increase DCAD appraised values on its parcels will be limited to Blocks D, K and M which are undeveloped or underdeveloped, as in the case of Block D. The development parcels are shown on the attached Location Map.

   Prior to this amendment, UST has completed construction for one property (Block N) and currently has another parcel under contract for development (Block G). Although these properties will generate approximately $60M in increased property appraised value and approximately $9.3M in TIF increment for the sub-district, Blocks N and G will not count towards UST's amended increased value commitment.

**BACKGROUND** (Continued)

3. To the extent development of Blocks D, K and M are counted towards the $50M commitment and such tracts are developed as a residential or mixed-use residential project, UST shall contractually ensure such residential or mixed-use residential project satisfies the 20% set aside of the units in compliance with the Mixed-Income Housing policy for the Sports Arena TIF District. Failure to comply with such Mixed-Income Housing requirement for residential or mixed-use residential development on any development block counted towards UST's commitment shall result in the total recapture of the TIF grant funds paid under the grant agreement.

4. Design review is now required for any improvements made to any of the remaining undeveloped or underdeveloped blocks (Blocks D, G, K and M).

5. The TIF Grant amount for this project was based on the value of the parking being provided in the South Parking Garage (approximately $5.9M), the increase in sub-district value and the resulting TIF increment (approximately $15M) generated by the development of undeveloped/underdeveloped tracts (Blocks D, K and M) during the remaining term of the sub-district, and not the rent or lease value of the entire garage.

UST must still secure 204 public transient parking spaces in the garage during AAC event times while COC operates the garage and 275 public transient parking spaces during non-event times, 24 hours a day and 7 days a week, excluding AAC event times and 75% of the revenues from the public parking must still be paid to the city.

**ESTIMATED TIF GRANT TERM**

| | |
|---|---|
| Begin Grant Payment | 2014 |
| End Grant Payment | 2028 or expiration of the 1999 Center Operating Company Lease Agreement for the American Airlines Center with any exercised renewal options, whichever termination occurs first |

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

On May 23, 2012, City Council conducted a public hearing and received comments on amendments to the Sports Arena TIF District Project and Reinvestment Zone Financing Plans and authorized an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to (1) add two new sub-districts within the Sports Arena TIF District: (a) Riverfront Gateway Sub-district and (b) West Dallas Sub-district; (2) increase the geographical area of the Sports Arena TIF District to add approximately: (a) 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); (b) 33 acres in the Riverfront Gateway Sub-district; and (c) 89.2 acres in the West Dallas Sub-district; (3) extend the termination date of the Sports Arena TIF District for a 10 year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the Sports Arena TIF District budget from $25,498,568 NPV (approximately $46,961,785 total dollars) to $94,409,005 NPV (approximately $273,599,175 total dollars), an increase of $68,910,437 NPV (approximately $226,637,390 total dollars); (6) create an Economic Development TIF Grant Program within the District and adopt program guidelines; (7) make corresponding modifications to the Sports Arena TIF District map, budget and Project and Reinvestment Zone Financing Plans by Ordinance No. 28672.

On December 19, 2012, the Sports Arena TIF District board of directors reviewed and recommended approval of a grant agreement with Victory Park UST Joint Venture I, LP, pursuant to the Sports Arena TIF District Grant program, to provide public parking in a private garage located at the northwest corner of Victory Park Lane and Museum Way in an amount not to exceed $12,825,000.

On February 13, 2013, City Council authorized a grant agreement with Victory Park UST Joint Venture I, LP, pursuant to the Sports Arena TIF District Grant program, to provide public parking in a private garage located at the northwest corner of Victory Park Lane and Museum Way in the Victory Sub-district of Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) in a total amount not to exceed $12,825,000 from future Victory Sub-district Sports Arena TIF District revenues, in the form of an annual Economic Development TIF Grant not to exceed $855,000 by Resolution Nos. 13-0324 and 13-0325.

On June 26, 2014, the Sports Arena TIF District Board of Directors reviewed and recommended the various amendments to Resolution No. 13-0324 authorizing a grant agreement with Victory Park UST Joint Venture I, LP.

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

On August 18, 2014, the Economic Development Committed reviewed a memo and recommended approval of the proposed amendment to Resolution No. 13-0324 authorizing a grant agreement with Victory Park UST Joint Venture I, LP.

## FISCAL INFORMATION

No cost consideration to the City

## PROJECT COUNCIL DISTRICT

District 2

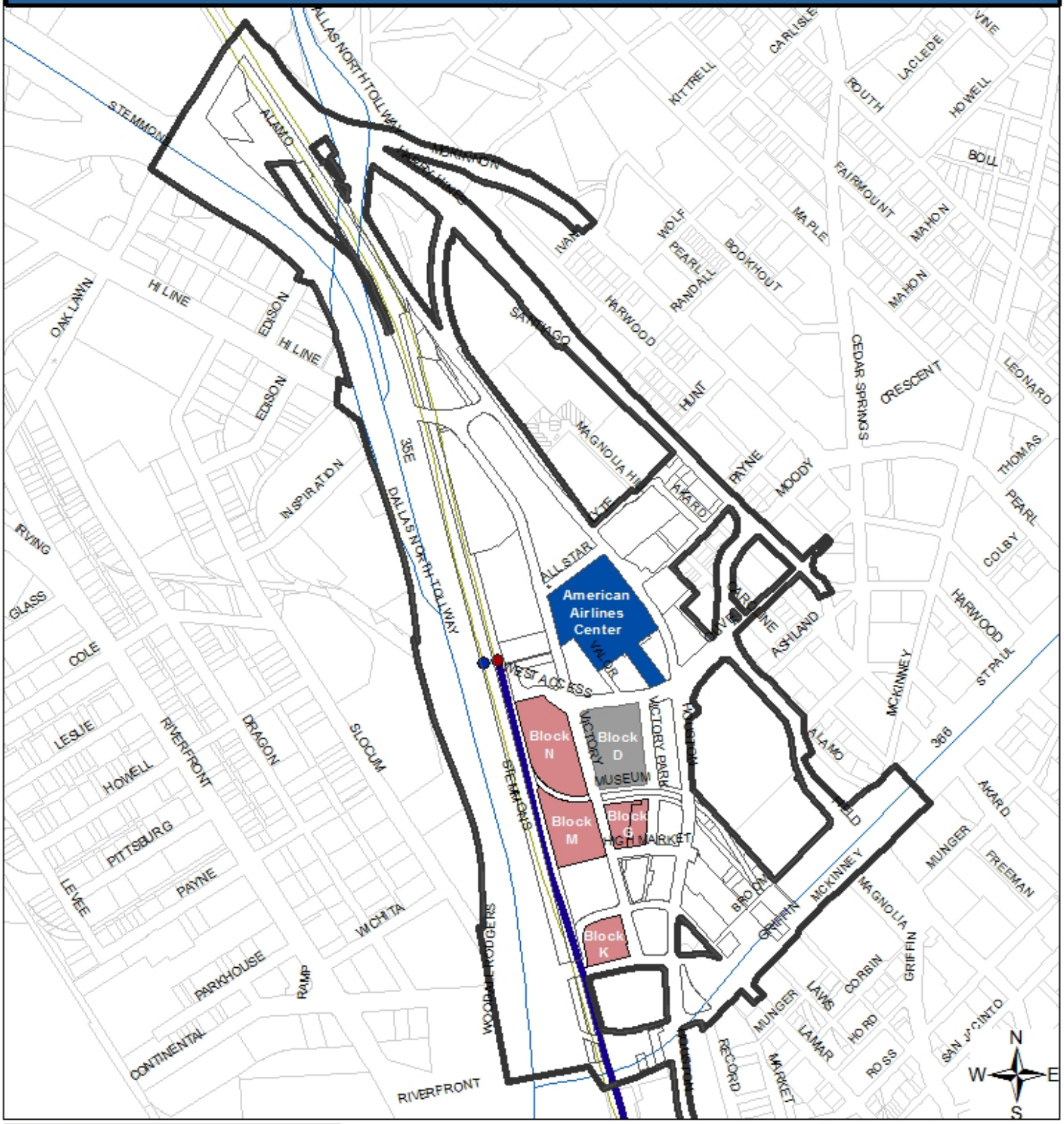
## DEVELOPER

**Victory Park UST Joint Venture I, LP**
Lance Fair, Vice President
3090 Olive Street, Ste. 210
Dallas, TX 75219

## MAP

Attached.

# South Parking Garage
# Sports Arena TIF District - Victory Sub-district




City of Dallas
Office of Economic Development

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

Created 12/2012

**Legend**

Block D - South Parking Garage and Surface Parking Lot

Development Parcels

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

**WHEREAS,** on October 28, 1998, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Seven, City of Dallas, Texas ("Sports Arena TIF District") in accordance with the Tax Increment Financing Act, as amended, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act") to promote development and redevelopment through the use of tax increment financing by Ordinance No. 23688; as amended; and

**WHEREAS,** on August 25, 1999, City Council authorized the Sports Arena Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 24002; as amended; and

**WHEREAS,** on May 23, 2012, City Council conducted a public hearing and received comments on amendments to the Sports Arena TIF District Project and Reinvestment Zone Financing Plans and authorized an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to (1) add two new sub-districts within the Sports Arena TIF District: (a) Riverfront Gateway Sub-district and (b) West Dallas Sub-district; (2) increase the geographical area of the Sports Arena TIF District to add approximately: (a) 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); (b) 33 acres in the Riverfront Gateway Sub-district; and (c) 89.2 acres in the West Dallas Sub-district; (3) extend the termination date of the Sports Arena TIF District for a 10 year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the Sports Arena TIF District budget from $25,498,568 NPV (approximately $46,961,785 total dollars) to $94,409,005 NPV (approximately $273,599,175 total dollars), an increase of $68,910,437 NPV (approximately $226,637,390 total dollars); (6) create an Economic Development TIF Grant Program within the District and adopt program guidelines; (7) make corresponding modifications to the Sports Arena TIF District map, budget and Project and Reinvestment Zone Financing Plans by Ordinance No. 28672; and

**WHEREAS,** on December 19, 2012, the Sports Arena TIF District board of directors reviewed and recommended approval of a grant agreement with Victory Park UST Joint Venture I, LP, pursuant to the Sports Arena TIF District Grant program, to provide public parking in a private garage located at the northwest corner of Victory Park Lane and Museum Way in an amount not to exceed $12,825,000; and

September 10, 2014

**WHEREAS,** on February 13, 2013, City Council authorized a grant agreement with Victory Park UST Joint Venture I, LP, pursuant to the Sports Arena TIF District Grant program, to provide public parking in a private garage located at the northwest corner of Victory Park Lane and Museum Way in the Victory Sub-district of Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) in a total amount not to exceed $12,825,000 from future Victory Sub-district Sports Arena TIF District revenues, in the form of an annual Economic Development TIF Grant not to exceed $855,000 by Resolution Nos. 13-0324 and 13-0325; and

**WHEREAS,** on June 26, 2014, the Sports Arena TIF District Board of Directors reviewed and recommended various amendments to Resolution No. 13-0324 authorizing a grant agreement with Victory Park UST Joint Venture I, LP.

**WHEREAS,** on the Economic Development Committee reviewed a memo and recommended approval of the proposed amendments to Resolution No. 13-0324 authorizing a grant agreement with Victory Park UST Joint Venture I, LP.

**WHEREAS,** in furtherance of the Sports Arena TIF District Project Plan and Reinvestment Zone Financing Plan, as amended and to promote within the Sports Arena TIF District: (1) development and diversification of the economy, (2) elimination of unemployment and underemployment, and (3) development and expansion of commerce, the City desires to provide economic incentives to Victory Park UST Joint Venture I, LP, for the Victory South Parking Garage in the Victory Sub-district of the Sports Arena TIF District; and

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

**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 various amendments to the terms of a $12,825,000 grant agreement with Victory Park UST Joint Venture I, LP, (UST) previously approved by Resolution No. 13-0324, on February 13, 2013 as follows:

**Section 1.** (Continued)

Section 1. That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute a ~~development~~ grant agreement with Victory Park UST Joint Venture I, LP, ('Owner") and the City of Dallas, on behalf of the Sports Arena TIF District for the Victory South Parking Garage project.

Section 2. That the Sports Arena TIF District Board of Directors is authorized to dedicate future Sports Arena TIF District revenues, attributable to the Victory Sub-district in an amount not to exceed $12,825,000, in the form of an annual Economic Development TIF Grant in an amount not to exceed $855,000 for providing public parking in the private Victory South Parking Garage in the Victory Sub-district of the Sports Arena TIF District. ~~The annual TIF Grant amount is based on the appraised market rent of the entire garage.~~

Section 6. That in addition to the conditions set out in the Sections above, the Grant Agreement is hereby expressly made subject to all of the following contingencies which must be provided, performed and/or occur:

A. ~~A minimum of 629 public parking spaces shall be made available, as follows: 425 public parking spaces and 204 public transient parking spaces for all American Airlines Center (AAC) events and general transient parking during non AAC event times~~ A minimum of 359 parking spaces shall be reserved for American Airlines Center (AAC) event parking, with up to an additional 66 unreserved parking spaces available for AAC event parking in the garage or on the adjoining surface lot and 204 parking spaces for public/transient parking during AAC event times. An event time is defined as the period of time commencing 2 hours before an AAC event and continuing until 2 hours after the conclusion of the event;

B. At the AAC/Event Parking operator's discretion, 50 of the 359 spaces reserved for AAC event parking may be provided on the surface parking lot adjacent to the garage;

C. A minimum of 275 parking spaces for public/transient parking during non-event times. A non-event time is defined as 24 hours a day and 7 days a week, excluding AAC event times, as defined above;

D. If during any year, the City is not able to pay the entire TIF Grant payment, Owner may elect to (i) maintain the TIF Grant and defer unpaid amounts without interest until TIF funds become available, or (ii) reduce the number or Public Parking Spaces made available for AAC event and transient parking on a pro-rata basis;

**Section 1.** (Continued)

E. In addition to the other stated conditions, the first TIF Grant payment shall be conditioned on Owner having provided documentation of approval and acceptance by the Center Operating Company and Lender of the ~~425 AAC event~~ parking spaces made available for AAC event parking in the Victory South Parking Garage (or other garages or the adjoining surface lot pursuant to Subparagraph 5.G. below) ~~by the Center Operating Company and Lender~~ as required under the Parking Rights Agreements (PRAs) for the District and that these event parking spaces count towards a total credit of not less than 359 spaces against the minimum parking requirement for the American Airlines Center under the Parking Rights Agreements ~~(the first TIF Grant payment is scheduled to occur on July 31, 2013)~~;

F. Owner shall certify in a written letter to the City by May 31st of each year throughout the term of the TIF Grant that ~~425~~ the parking spaces ~~will be~~ made available for AAC event parking in the Victory South Parking Garage (or other garages pursuant to Subparagraph 5.E. below) and these ~~425~~ event parking spaces count towards a total credit of not less than 359 spaces against the 602 parking space obligation of the Owner. Failure of Owner to submit annual certification letter may result in the loss of the TIF Grant payment for the year. Owner will have a 10 day right to cure a failure to provide written certification after receipt of notice by the City that it did not receive such certification;

G. Owner shall reserve the right to relocate the ~~425~~359 ~~public~~ reserved parking spaces for AAC event parking from the Victory South Parking Garage in accordance with the PRAs to other parking garages which have been developed subsequent to the TIF Grant. Upon relocation, terms of this TIF Grant will survive as long as the relocated spaces continue to count towards the parking space obligation of the Owner under the PRAs;

H. Approval from the Director of the Office of Economic Development (Director) is required prior to relocation of the ~~425~~359 reserved parking spaces and Owner shall provide documentation the relocated spaces continue to count towards the parking space obligation of the Owner under the PRAs;

I. The City will retain 75% of net revenues from transient parking in the Victory South Parking Garage;

**Section 1.** (Continued)

J. Owner must keep full and complete records of parking operations satisfactory to the City, including the development of a parking control system to prevent valet parkers or other contract parkers from using parking spaces to the detriment of the required minimum AAC event parking and transient parking;

K. Owner shall submit a monthly report of AAC event parking and transient parking so long as and to the extent such data has been provided to Owner by AAC;

L. The Victory South Parking Garage shall be managed and operated in cooperation with the owners of the AAC during AAC events and with the Owner at all other times;

M. Without prior commercially reasonable approval from the Director, Owner shall not enter into additional parking agreements with other companies that affect the current 629 parking spaces in the Victory South Parking Garage, including valet companies, so as to ensure parking spaces are available for AAC event and transient parking;

N. Design Review. The Urban Design Peer Review Panel (UDPRP), an independent group of design, engineering, and/or planning professionals selected by the Dallas City Manager, shall review and make recommendations on the preliminary design plans for any improvements on undeveloped property owned by Victory Park UST Joint Venture I, LP, including, in particular, blocks referred to as Block D, Block G, Block K and Block M located within the Sports Arena TIF District and provide their recommendations for the Director's consideration. Grantee commits to use commercially reasonable efforts to submit or cause to be submitted to the Director the following preliminary design plans for UDPRP review:

a. **Site Plan**. The site plan shall show the location of parcel boundaries and site improvements.

b. **Streetscape/Sidewalk Plan**. The sidewalk plan shall show the dimension of the sidewalks adjacent to the private property, location and type of all landscape materials, pedestrian lighting and other streetscape. Sidewalks within the site with high anticipated levels of pedestrian traffic shall be designed to accommodate the traffic. The sidewalks shall have a minimum 12 foot walking zone and a minimum 3 foot landscaping and lighting zone, where possible. Landscaping and pedestrian lights shall be placed in the area closest to the back of curb for the length of the sidewalk.

**Section 1.** (Continued)

c. **Elevations/Materials**. Plans shall show the elevations and building materials for all sides of the building visible from the public right of way, focusing on the ground floor.

d. **Colored Renderings**. Renderings shall show the proposed development and its relationship to the adjacent area.

The Director shall review and approve the preliminary design plans after receiving recommendations from the UDPRP ;

O. Mixed Income Housing Requirement. If Blocks D, K and/or M are developed into a residential or mixed use (with residential space) project and the value of the developed blocks are used to meet the Owner's property value increase requirement for the TIF Grant (as defined in Section 8.), Owner shall contractually ensure such residential or mixed-use residential project satisfies the 20% set aside of the units in compliance with the Mixed-Income Housing policy for the Sports Arena TIF District. Failure to comply with such Mixed-Income Housing requirement for residential or mixed use residential development on any development block counted towards Owner's commitment shall result in the total recapture of the TIF grant funds paid under the grant agreement.

Section 8. That should the ~~2012~~2014 assessed value of undeveloped property owned by Victory Park UST Joint Venture I, LP, including, not increase by ~~$100,000,000~~$50,000,000 from the ~~2012~~2014 tax year to the 2020 tax year, the annual TIF Grant amount of $855,000 shall be reduced by the percentage of which the properties' assessed value did not reach ~~$100,000,000~~ $50,000,000, with a floor TIF Grant amount of $500,000. If the minimum assessed value of the properties is not reached by tax year 2020, adjustments to the base TIF Grant amount of $855,000 shall commence tax year 2021 and the grant amount shall be reevaluated annually.

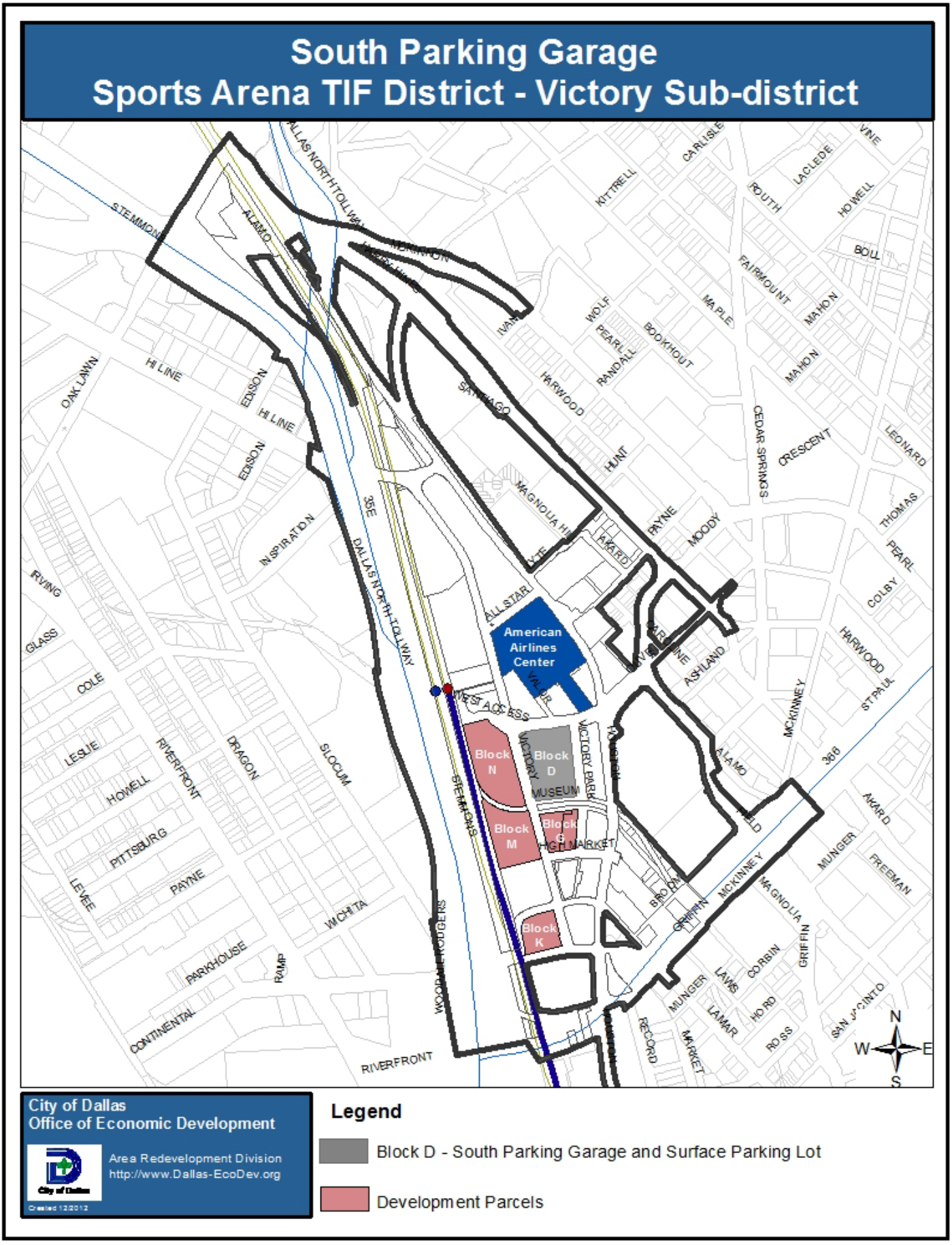
**Section 2.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

**Section 3.** That all other terms and conditions as set forth in Resolution No. 13-0324, shall remain in full force and effect, except as specifically outlined in Section 1 above.

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

**Exhibit A**
**South Parking Garage/Block D Site Map**

**Exhibit B**
**South Parking Garage and Development Blocks Location Map**



**AGENDA ITEM # 5**

**KEY FOCUS AREA:** Public Safety

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Fire

**CMO:** Charles Cato, 670-9194

**MAPSCO:** N/A

## SUBJECT

An ordinance amending Chapter 16 of the Dallas City Code, to adopt the 2012 International Fire Code, as amended - Financing: No cost consideration to the City

## BACKGROUND

Since the consolidation of the three major national code-writing organizations into one group, there has been a trend for cities to adopt the International series of codes. Most major cities in Texas have already adopted the International Codes. The City of Dallas first adopted the 1988 Uniform Fire Code with local amendments as Chapter 16 of the Dallas City Code, effective October 1, 1990. Adoption of this 2012 edition of the International Fire Code will align the Fire Code with the already adopted 2012 Building Code and will bring the City of Dallas up to date with the most current set of construction codes. Moreover, the North Central Texas Council of Governments Executive Committee has recommended the adoption of these codes.

## PRIOR ACTION/REVIEW (Council, Board, Commissions)

On March 12, 2014, the Fire Code Advisory and Appeals Board reviewed and recommended adoption of the 2012 International Fire Code.

On April 4, 2014, the 2012 International Fire Code was submitted to the City Attorney's Office for review and approval.

On July 28, 2014, the 2012 International Fire Code was approved by the City Attorney's Office.

On September 8, 2014, the Public Safety Committee was briefed and recommended the adoption of the 2012 International Fire Code.

## FISCAL INFORMATION

No cost consideration to the City.

7-28-14

ORDINANCE NO. _____

An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code, as amended; adopting with certain changes the 2012 Edition of the International Fire Code of the International Code Council, Inc.; regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, and providing for the issuance of permits for hazardous uses or operations; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Chapter 16, "Dallas Fire Code," of the Dallas City Code, as amended, is amended by adopting the 2012 Edition of the International Fire Code of the International Code Council, Inc. (which is attached as Exhibit A and made a part of this ordinance), with the following amendments:

1. Pages xxi-xxii, "Legislation," are deleted.

2. Subsection 101.1, "Title," of Section 101, "General," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**101.1 Title.** These regulations shall be known as the <u>*Dallas*</u> *Fire Code* [~~of [NAME OF JURISDICTION]~~], hereinafter referred to as 'this code.'"

3. Section 101, "Scope and General Requirements," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended by adding a new Subsection 101.6, "Exceptions," to read as follows:

"**101.6 Exceptions.** For purposes of this code, the term 'exception,' shall be defined and used for criminal prosecution and enforcement as a defense to prosecution."

4. Subsection 102.1, "Construction and design provision," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**102.1 Construction and design provisions.** The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.

2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.

3. Existing structures, facilities and conditions when required in Chapter 11 or in specific sections of this code.

4. Existing structures, facilities and conditions which, in the opinion of the fire code official, constitute a distinct hazard to life or property."

5. Subsection 102.4, "Application of Building Code," of Section 102, "Applicability," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is retitled as Subsection 102.4, "Application of Other Codes," and amended to read as follows:

"**102.4 Application of other [~~building~~] codes.** The design and construction of new structures shall comply with this code and other codes as applicable [~~the *International Building Code*~~], and any *alterations*, additions, changes in use or changes in structures required by this code, which are within the scope of the *Dallas* [~~*International*~~] *Building Code*, shall be made in accordance therewith."

6. Subsection 102.6, "Referenced Codes and Standards," of Section 102, "Applicability," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are *listed* in Chapter 80, and such codes and standards, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to the codes and standards shall be considered to reference the amendments as well. Any reference to NFPA 70 or to the ICC *Electrical Code* means the *Dallas Electrical Code* as adopted. References made to the *International Mechanical Code*, the *International Building Code*, the *International Plumbing Code*, the *International Energy Conservation Code*, the *International Fuel Gas Code*, the *International Existing Building Code*, and the *International Residential Code*, respectively mean the *Dallas Mechanical Code*, the *Dallas Building Code*, the *Dallas Plumbing Code*, the *Dallas Energy Conservation Code*, the *Dallas Fuel Gas Code*, the *Dallas Existing Building Code*, and the *Dallas One- and Two-Family Residential Code*, as amended."

7. Paragraph 102.7.2, "Provisions in Referenced Codes and Standards," of Subsection 102.7, "Referenced Codes and Standards," of Section 102, "Applicability," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**102.7.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code and any adopted amendments, the provisions of this code and any adopted amendments, as applicable, shall take precedence over the provisions in the referenced code or standard."

8. Section 103, "Department of Fire Prevention," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is retitled as Section 103, "Division of Fire Prevention."

9. Subsection 103.1, "General," of Section 103, "Division of Fire Prevention," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**103.1 General.** The division [~~department~~] of fire prevention is established within the jurisdiction under the direction of the fire chief [~~code official~~]. The function of the division [~~department~~] shall be the implementation, administration and enforcement of the provisions of this code."

10. Subsection 103.2, "Appointment," of Section 103, "Division of Fire Prevention," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**103.2 Appointment <u>of fire marshal</u>**. The *fire <u>chief</u> [~~code official~~]* <u>is authorized to designate a member of the fire department to exercise the powers and perform the duties of fire marshal (*fire code official)* as set forth in this code.</u> [~~shall be appointed by the chief appointing authority of the jurisdiction; and t~~] The *fire <u>marshal</u> [~~code official~~]* shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority."

11. Section 103, "Division of Fire Prevention," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended by adding a new Subsection 103.5, "Fire Prevention Division Personnel and Police," to read as follows:

"<u>**103.5 Fire prevention division personnel and police.** The fire chief and members of the fire prevention division have the powers of a police officer in performing their duties under this code. When requested to do so by the fire chief, the chief of police is authorized to assign available police officers as necessary to assist the fire department in enforcing the provisions of this code.</u>"

12. Subsection 104.1, "General," of Section 104, "General Authority and Responsibilities," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**104.1 General.** The fire <u>chief</u> [~~code official~~] is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code. <u>Under the fire chief's direction, the fire department is authorized to enforce all state laws, city ordinances, and executive orders of the jurisdiction.</u>

<u>**104.1.1 Stopping uses, evacuation.** The fire chief is authorized to order an operation or use stopped or the evacuation of any premises, building or portion thereof which does not have a valid certificate of occupancy in accordance with Subsection 102.3 and Section 114.</u>"

13. Subsection 104.2, "Applications and Permits," of Section 104, "General Authority and Responsibilities," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**104.2 Applications and permits.** The fire chief [~~code official~~] is authorized to receive applications, review *construction documents* [~~and issue permits for construction regulated by this code~~], issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code."

14. Paragraph 104.6.1, "Approvals," of Subsection 104.6, "Official Records," of Section 104, "General Authority and Responsibilities," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**104.6.1 Approvals.** A record of approvals and equivalent or alternative methods granted shall be maintained by the *fire code official* and shall be available for public inspection during business hours in accordance with applicable laws."

15. Subsection 104.10, "Fire Investigations," of Section 104, "General Authority and Responsibilities," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**104.10 Fire investigations.** The *fire* [~~code official, the fire~~] department is authorized [~~or other responsible authority shall have the authority~~] to promptly investigate the cause, origin and circumstances of each and every [~~any~~] fire occurring in the jurisdiction involving loss of life, injury to a person, or destruction or damage to property[~~,explosion or other hazardous condition~~]. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law."

16. Subsection 104.11, "Authority at Fires and Other Emergencies," of Section 104, "General Authority and Responsibilities," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**104.11 Authority at fires and other emergencies.** The fire chief or officer of the fire department in charge at the scene of a fire or other emergency involving the protection of life or property or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty. The fire chief is authorized to

investigate the cause, origin, and circumstances of unauthorized releases of hazardous materials. In the exercise of such power, the fire chief is authorized to prohibit any person, vehicle, vessel or thing from approaching the scene and is authorized to remove, or cause to be removed or kept away from the scene, any vehicle, vessel or thing which could impede or interfere with the operations of the fire department and, in the judgment of the fire chief, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof."

17. Section 104, "General Authority and Responsibilities," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended by adding a new Subsection 104.12, "Procedure," to read as follows:

"**104.12 Procedure.** The following procedures apply to fire investigations:

**104.12.1 Written report.** The fire chief shall make a written report of the facts developed by the investigation, including the cause, origin and circumstances of the fire; the extent of property damage or personal injury; the amount of fire insurance carried on the property; the name and address of the carrier; and any other information relevant to the fire.

**104.12.2 Insurance information.** At the request of the fire chief, the carrier or its agent shall immediately furnish information regarding the amount of fire insurance carried on the property, the carrier's name and address and any other information relevant to the fire.

**104.12.3 Inspections.** The fire chief may enter and inspect any building or premises where a fire has occurred or which has been jeopardized by an adjoining fire. The inspection shall be conducted in a reasonable manner as soon after the occurrence of the fire as possible. No person may refuse admittance to the fire chief if the fire chief is identified by a uniform or through exhibition of credentials.

**104.12.4 Hearings.** The fire chief may conduct public or private hearings to aid in an investigation. Hearing process may be served by an officer designated by the fire chief. The fire chief may summon witnesses, require production of written documents, administer oaths and affirmations to witnesses, take or cause to be taken the sworn testimony of witnesses, and prohibit witnesses from communicating with one another until they have been examined. No person summoned may refuse to appear, to produce written documents, or to be sworn.

**104.12.5 Prosecution.** After investigation, if the fire chief believes there is sufficient evidence to charge a person with a crime committed in connection with the fire, the fire chief shall arrest or cause the person to be arrested and charged. The fire chief shall furnish to the prosecuting attorney all available evidence, including the names of witnesses and a transcript of testimony taken at the hearing."

18. Section 105, "Permits," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is retitled as Section 105, "Permits and Fees."

19. Paragraph 105.1.2, "Types of Permits," of Subsection 105.1, "General," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is deleted.

20. Paragraph 105.2.2, "Inspection Authorized," of Subsection 105.2, "Application," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

> "**105.2.2 Inspection authorized.** Before a [~~new operational~~] permit is *approved*, the *fire code official* is authorized to and shall inspect the receptacles, vehicles, buildings, devices, limited access gates, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required."

21. Paragraph 105.2.3, "Time Limitation of Application," of Subsection 105.2, "Application," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is deleted.

22. Paragraph 105.2.4, "Action on Application," of Subsection 105.2, "Application," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

> "**105.2.4 Action on application.** The *fire code official* shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the fire chief [~~code official~~] shall reject such application in writing, stating the reasons therefor. If the *fire code official* is satisfied that the proposed work or operation conforms to the requirements of this code and laws and ordinances applicable thereto, the *fire code official* shall issue a permit therefor as soon as practicable."

23. Subsection 105.3, "Conditions of a Permit," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**105.3 Conditions of a permit.** A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property[~~; or to install equipment utilized in connection with such activities; or to install or modify any *fire protection system* or equipment or any other construction, equipment installation or modification~~] in accordance with the provisions of this code where a permit is required by Section 105.6 or 105.7. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction."

24. Paragraph 105.3.1, "Expiration," of Subsection 105.3, "Conditions of a Permit," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**105.3.1 Expiration.** A[~~n operational~~] permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. [~~Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original *construction documents* for such work, and provided further that such suspension or abandonment has not exceeded one year.~~] Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued."

25. Paragraph 105.3.3, "Occupancy Prohibited before Approval," of Subsection 105.4, "Conditions of a Permit," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended as to read as follows:

"**105.3.3 Occupancy prohibited before approval.** The building or structure shall not be occupied prior to the *fire code official* issuing a permit <u>when required</u> and conducting associated inspections indicating the applicable provisions of this code have been met."

26. Paragraph 105.3.4, "Conditional Permits," of Subsection 105.3, "Conditions of a Permit," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is deleted.

27. Paragraph 105.3.6, "Compliance with Code," of Subsection 105.3, "Conditions of a Permit," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**105.3.6 Compliance with code.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. [~~The issuance of a permit based on *construction documents* and other data shall not prevent the *fire code official* from requiring the correction of errors in the *construction documents* and other data. Any addition to or alteration of *approved construction documents* shall be *approved* in advance by the *fire code official*, as evidenced by the issuance of a new or amended permit.~~]"

28. Subsection 105.6, "Required Operational Permits," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**105.6 Required [~~operational~~] permits.** The *fire code official* is authorized to issue [~~operational~~] permits for the operations set forth in Sections 105.6.1 through 105.6.<u>52</u>[~~47~~].

**105.6.1 Aerosol products.** A[~~n operational~~] permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.

**105.6.2 Amusement buildings.** A[~~n operational~~] permit is required to operate a special amusement building.

**105.6.3 Aviation facilities.** A[~~n operational~~] permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.

**105.6.4 Carnivals and fairs.** A[~~n operational~~] permit is required to conduct a carnival or fair.

**105.6.5 <u>Asphalt (tar) kettles.</u>** <u>A permit is required for the operation of an asphalt (tar) kettle. Additional permits required by other sections of this code include, but are not limited to, hot work and LP-gas.</u> **[~~Cellulose nitrate film.~~** ~~An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.~~]

**105.6.6 Reserved. [~~Combustible dust-producing operations~~. ~~An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.~~]**

**105.6.7 Reserved. [~~Combustible fibers.~~ ~~An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8m$^3$).~~**

~~Exception: A permit is not required for agricultural storage.~~]

**105.6.8 Compressed gases.** A[~~n operational~~] permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts *listed* in Table 105.6.8.

**Exception:** Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.

**TABLE 105.6.8**

**PERMIT AMOUNTS FOR COMPRESSED GASES**

| ***TYPE OF GAS*** | ***AMOUNT (cubic feet at NTP)*** |
|---|---|
| *Corrosive* | 200 |
| *Flammable (except cryogenic fluids and liquefied petroleum gases)* | 200 |
| *Highly toxic* | Any Amount |
| *Inert and simple asphyxiant* | 6,000 |
| *Oxidizing (including oxygen)* | 504 |
| *Pyrophoric* | Any Amount |
| *Toxic* | Any Amount |

For SI: 1 cubic foot = 0.02832 m$^3$.

**105.6.9 Reserved. [~~Covered and open mall buildings.~~ ~~An operational permit is required for:~~**

~~1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.~~

~~2. The display of liquid- or gas-filled equipment in the mall.~~

~~3. The use of open-flame or flame-producing equipment in the mall.~~]

**105.6.10 Cryogenic fluids.** A[~~n operational~~] permit is required to produce, store, transport on site, use, handle or dispense *cryogenic fluids* in excess of the amounts *listed* in Table 105.6.10.

**Exception:** Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

**TABLE 105.6.10**
**PERMIT AMOUNTS FOR CRYOGENIC FLUIDS**

| TYPE OF CRYOGENIC FLUID | INSIDE BUILDING (gallons) | OUTSIDE BUILDING (gallons) |
|---|---|---|
| Flammable | More than 1 | 60 |
| Inert | 60 | 500 |
| Oxidizing (includes oxygen) | 10 | 50 |
| Physical or health hazard not indicated above | Any Amount | Any Amount |

For SI: 1 gallon = 3.785 L.]

**105.6.11 Cutting and welding.** A[~~n operational~~] permit is required to conduct cutting or welding operations within the jurisdiction.

**105.6.12 Dry cleaning.** A[~~n operational~~] permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.

**105.6.13 Reserved.** [~~**Exhibits and trade shows.** An operational permit is required to operate exhibits and trade shows.~~]

**105.6.14 Explosives.** A[~~n operational~~] permit is required for the manufacture, transportation, storage, handling, sale or use of any quantity of *explosive* , *explosive material*, fireworks, or pyrotechnic special effects within the scope of Chapter 56.

**Exception:** Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

**105.6.15 Reserved.** [~~**Fire hydrants and valves.** An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes which are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.~~

~~**Exception:** A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.~~]

**105.6.16 Flammable and combustible liquids.** A[~~n operational~~] permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or *combustible liquids*. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.

2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:

    2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the *fire code official*, would cause an unsafe condition.

    2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.

3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.

4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

**Exception:** Fuel oil and used motor oil used for space heating or water heating.

5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the *approved*, stationary on-site pumps normally used for dispensing purposes.

6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel dispensing stations, refineries, distilleries and similar facilities where flammable and *combustible liquids* are produced, processed, transported, stored, dispensed or used. <u>This includes tanks, lines, monitor wells, and other appurtenances of the tank system.</u>

7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or *combustible* liquid tank.

8. To change the type of contents stored in a flammable or *combustible liquid* tank to a material that poses a greater hazard than that for which the tank was designed and constructed.

9. To manufacture, process, blend or refine flammable or *combustible liquids*.

10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.

11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments.

**105.6.17 Floor or wall finishing.** A[~~n operational~~] permit is required for floor or wall finishing or surfacing operations exceeding 350 square feet (33 $m^2$) using Class I or Class II liquids.

**105.6.18 Fruit and crop ripening.** A[~~n operational~~] permit is required to operate a fruit, or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

**105.6.19 Reserved.** [~~**Fumigation and insecticidal fogging.** An operational permit is required to operate a business of fumigation or insecticidal fogging, and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.~~]

**105.6.20 Hazardous materials.** A[~~n operational~~] permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts *listed* in Table 105.6.20.

**105.6.21 HPM facilities.** A[~~n operational~~] permit is required to store, handle or use hazardous production materials.

**105.6.22 High-piled storage.** A[~~n operational~~] permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 $m^2$).

**105.6.23 Hot work operations.** A[~~n operational~~] permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.

2. Use of portable hot work equipment at construction sites or inside a structure.

[~~**Exception:** Work that is conducted under a construction permit.~~]

3. Fixed-site hot work equipment such as welding booths.

4. Hot work conducted within a [~~wildfire~~] hazardous fire area.

5. Application of roof coverings with the use of an open-flame device.

6. Mobile Welding/Cutting (Hot Works) apparatus. A separate permit is required for each mobile W/C (hot work) vehicle. [~~When *approved*, the *fire code official* shall issue a permit to carry out a Hot Work Program. This program allows *approved*~~

~~personnel to regulate their facility's hot work operations. The *approved* personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees or hot work operations under their supervision.~~]

6.1. The fire department shall inspect each vehicle to ensure the equipment is in good working order and in compliance with the provisions of Chapter 35 before issuing a permit to operate.

6.2. Regulations will be given to the owner/operator of the apparatus. The responsible person will sign for these regulations.

6.3. The owner/operator of the apparatus will ensure compliance with the requirements found in the regulations received.

**105.6.24 Industrial ovens.** A[~~n operational~~] permit is required for operation of industrial ovens regulated by Chapter 30.

**105.6.25 Lumber yards and woodworking plants.** A[~~n operational~~] permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 $ft^3$) (236$m^3$).

**105.6.26 Liquid or-gas-fueled vehicles or equipment in assembly buildings.** A[~~n operational~~] permit is required to display, operate or demonstrate liquid-or gas-fueled vehicles or equipment in assembly buildings.]

**105.6.27 LP-gas.** A[~~n operational~~] permit is required for:

1. Storage and use of LP-gas where the aggregate capacity of containers is more than 100 gallons (379 L) in water capacity.

[~~**Exception:** A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less serving occupancies in Group R-3.~~]

2. The use of [~~Operation of cargo tankers that transport~~] LP-gas for demonstration or portable cooking equipment. See Chapter 61.

**105.6.28 Magnesium.** A[~~n operational~~] permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

**105.6.29 Miscellaneous combustible storage.** A[~~n operational~~] permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 $m^3$) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.

**105.6.30 Open burning.** A[~~n operational~~] permit is required for the kindling or maintaining of an open fire, recreational fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

[**~~Exception:~~** ~~Recreational fires.~~]

**105.6.30.1 Trench burning.** A separate permit is required for each day of trench burning.

**105.6.30.2 Air curtain incinerators/pit burners**. A separate permit is required to operate an air curtain incinerator/pit burner or similar type device that uses an air curtain to burn waste.

**105.6.31 Open flames and torches.** A[~~n operational~~] permit is required to remove paint with a torch; or to use a torch or open-flame device in a [~~wildfire risk~~] fire area.

**105.6.32 Open flames and candles.** A[~~n operational~~] permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments. This permit includes the use of free-standing LP-gas heaters in assembly occupancies.

**105.6.33 Reserved.** [**~~Organic coatings.~~** ~~An operational permit is required for any organic-coating manufacturing operation producing more htan 1 gallon (4 L) of an organic coating in one day.~~]

**105.6.34 Reserved.** [**~~Places of assembly.~~** ~~An operational permit is required to operate a place of assembly.~~]

**105.6.35 Private fire hydrants and water supplies.** An annual [~~operational~~] permit is required for the [~~removal from service,~~] use or operation of private fire hydrants or alternate water supplies.

[**~~Exception:~~** ~~A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.~~]

**105.6.36 Pyrotechnic special effects material.** A[~~n operational~~] permit is required for transportation, use, [~~and~~] handling, storage and display of pyrotechnic special effects material. See Chapter 56.

**105.6.37 Reserved.** [**~~Pyroxylin plastics.~~** ~~An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics, and for the assembly or manufacture of articles involving pyroxylin plastics.~~]

**105.6.38 Refrigeration equipment.** An annual [~~operational~~] permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.

**105.6.39 Reserved.** [~~**Repair garages and motor fuel-dispensing facilities.** An operational permit is required for operation of repair garages, and automotive, marine and fleet motor fuel-dispensing facilities.~~]

**105.6.40 Reserved.** [~~**Rooftop heliports.** An operational permit is required for the operation of a rooftop heliport.~~]

**105.6.41 Spraying or dipping.** A[~~n operational~~] permit is required to conduct a spraying or dipping operation utilizing flammable or *combustible liquids* or the application of combustible powders regulated by Chapter 24.

**105.6.42 Storage of scrap tires and tire byproducts.** A[~~n operational~~] permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 $m^3$) of total volume of scrap tires, and for indoor storage of tires and tire byproducts.

**105.6.43 Temporary membrane structures, tents and canopies.** A[~~n operational~~] permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 399 [~~400~~] square feet (37 $m^2$) or a canopy in excess of 399 square feet (37 $m^2$).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.

2. Fabric canopies open on all sides which comply with all of the following:

   2.1. Individual canopies having a maximum size of 700 square feet (65 $m^2$).

   2.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 $m^2$) total.

   2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

3. Awnings.

4. Tents having an *occupant load* of less than 10 persons.

**105.6.44 Tire-rebuilding plants.** A[~~n operational~~] permit is required for the operation and maintenance of a tire rebuilding plant.

**105.6.45 Waste handling.** A[~~n operational~~] permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.

**105.6.46 Reserved.** [~~**Wood products.** An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 $m^3$).~~]

**105.6.47 Acetylene generator.** A permit is required to operate an acetylene generator. See Chapter 35.

**105.6.48 Commercial cooking fire-extinguishing system.** A permit is required to install an *approved* automatic fire-extinguishing system for commercial cooking systems.

**105.6.49 Calcium carbide storage.** A permit is required to store more than 200 pounds of calcium carbide. See Chapter 35.

**105.6.50 Limited access gates.** An annual permit is required for the operation of limited access gates which obstruct fire apparatus access roads and which open electro-mechanically, using an *approved* Dallas Fire-Rescue Department radio receiver and transmitter.

**105.6.51 Mobile fueling.** A separate permit is required for each mobile refueling apparatus utilized for the purpose of transferring fuel in accordance with this section. A separate permit is required for each site where mobile refueling operations take place in accordance with this section. See Chapter 57.

**105.6.52 State licensed facilities.** An annual permit is required to operate a child care facility, adult day care facility, small assisted living facility, or a residential care facility as defined by the Texas Department of Aging and Disability Services and the Texas Department of Family and Protective Services."

29. Paragraph 105.7.4, "Cryogenic fluids," of Subsection 105.7, "Required Construction Permits," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is deleted.

30. Paragraph 105.7.16, "Temporary Membrane Structures and Tents," of Subsection 105.7, "Required Construction Permits," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**105.7.16 Temporary membrane structures and tents.** A construction permit is required to erect an air-supported temporary membrane structure or a tent having an area in excess of 399 [~~400~~] square feet (37 $m^2$).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.

2. Funeral tents and curtains or extensions attached thereto, when used for funeral services.

3. Tents, fabric canopies, and awnings open on all sides which comply with all of the following:

   3.1. Individual canopies shall have a maximum size of 700 square feet (65 $m^2$).

   3.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 $m^2$) total.

   3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.

4. Tents having an *occupant load* of less than 10 persons."

31. Subsection 105.7, "Required Construction Permits," of Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended by adding a new Subsection 105.7.17, "Smoke Control or Exhaust Systems," and a new Subsection 105.7.18, "Electronic Access Control Systems," to read as follows:

"**105.7.17 Smoke control or exhaust systems.** Construction permits are required for smoke control or exhaust systems as specified in Section 909 and Section 910 respectively. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

**105.7.18 Electronic access control systems.** Construction permits are required for the installation or modification of an electronic access control system, as specified in Section 503 and Section 1008. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit."

32. Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended by adding a new Subsection 105.8, "Fees and Permits Schedule," to read as follows:

"**105.8 Fees and permits schedule.** An applicant for a permit required by Section 105.6 shall pay, upon issuance of the permit, a nonrefundable permit fee in accordance with the following schedule.

| | |
|---|---|
| 1. Acetylene generator, annual | $175.00 |
| 2. Aerosol products, annual | $175.00 |
| 3. Air curtain incinerator/pit burner, daily | $350.00 |
| 4. Amusement building | $135.00 |
| 5. Asphalt (tar) kettles, annual | $ 95.00 |
| 6. Aviation facilities | $150.00 |
| 7. Calcium carbide storage, annual | $175.00 |
| 8. Candle and open flames | $ 95.00 |
| 9. Carnivals and fairs, daily | $160.00 |
| 10. Combustible storage (miscellaneous), annual | $150.00 |
| 11. Commercial cooking fire-extinguishing system | $200.00 |
| 12. Compressed gas filling/storage/use, annual | $ 95.00 |
| 13. Cryogenic fluids, annual | $150.00 |
| 14. Dry cleaning plant, annual | $140.00 |
| 15. *Explosive* /blasting, daily | $260.00 |
| 16. Fireworks/*explosive* storage, daily | $160.00 |
| 17. Fireworks/*explosive* transportation, daily | $190.00 |
| 18. Fireworks display (initial) | $405.00 |
| 19. Fireworks display (subsequent) | $215.00 |
| 20. Flammable and combustible liquids, annual | $125.00 |
| 21. Floor/wall finishing | $135.00 |
| 22. Fruit and crop ripening, annual | $175.00 |
| 23. Hazardous materials, annual | $175.00 |
| 24. Hazardous production material (HPM), annual | $175.00 |
| 25. High pile storage, annual | $160.00 |
| 26. Industrial oven | $175.00 |
| 27. Limited access gates | |
| (1 to 3 gates) | $150.00 |
| (4 to 7 gates) | $205.00 |
| (8 or more gates) | $260.00 |
| 28. Liquid- or gas-fueled vehicles or equipment in assembly buildings, per event: | |
| (1 to 10 vehicles or pieces of equipment) | $ 63.00 |
| (11 to 30 vehicles or pieces of equipment) | $127.00 |
| (31 or more vehicles or pieces of equipment) | $191.00 |
| 29. LP-gas storage/use | $122.00 |
| 30. LP-gas demonstration/portable cooking | $125.00 |
| 31. Lumber yards and woodworking plants, annual | $160.00 |
| 32. Magnesium, annual | $175.00 |
| 33. Mobile fueling | |
| (site survey), annual | $245.00 |
| (vehicle inspection) annual | $100.00 |
| 34. Open burning/recreational fires | $230.00 |
| 35. Private fire hydrant and water supplies, annual | $105.00 |
| 36. Pyrotechnic special effects material, daily: | |

| | |
|---|---|
| Initial performance | $185.00 |
| Subsequent performances | $ 92.00 |
| 37. Refrigeration equipment | $160.00 |
| 38. Scrap tire storage, annual | $160.00 |
| 39. Spray painting/dipping | $135.00 |
| 40. State licensed facilities | |
| (child care facility), annual | $150.00 |
| (residential care facility, annual | $150.00 |
| (small assisted living), annual | $150.00 |
| (adult day care facility), annual | $150.00 |
| 41. Temporary membrane structures and tents, per event | $125.00 |
| 42. Tire-rebuilding plant | $160.00 |
| 43. Torch and open flames | $120.00 |
| 44. Trench burning (per day) | $350.00 |
| 45. Waste handling, annual | $160.00 |
| 46. Welding/cutting/hotworks | $125.00" |

33. Section 105, "Permits and Fees," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended by adding a new Subsection 105.9, "Reinspection Fee," to read as follows:

"**105.9 Reinspection fee.** Reinspection fees shall be in accordance with Sections 105.9.1 and 105.9.2.

**105.9.1 When required.** Whenever a building or premises in the city is inspected by the *fire code official* and a violation of this code is found, the building or premises shall, after the expiration of any time limit for compliance given in a notice or order issued because of the violations, be reinspected by the *fire code official* to determine that the violation has been eliminated. The owner, occupant, operator or other person responsible for the violation shall pay to the city assessor and collector of taxes a fee in accordance with the following schedule for each reinspection that is conducted until the violation is determined to be eliminated

| NUMBER OF REINSPECTIONS | FEE |
|---|---|
| 1ST | $00 |
| 2ND | $100 |
| 3RD AND EACH SUBSEQUENT | $105 |

**Exception:** No fee shall be charged for a reinspection of the following:

1. A Group R-3 or R-4 occupancy, as defined in the *Dallas Building Code*.

2. An individual *dwelling unit* within an apartment house or residential condominium complex, as defined in the *Dallas Building Code*, when the violation is the responsibility of the occupant of the *dwelling unit* and not the

responsibility of the owner or operator of or the person responsible for the building or premises.

3. Activities directly related to construction conducted on a building or premises, or part of the building or premises, pursuant to a valid building permit issued by the building official, including any reinspection that is required before a certificate of occupancy related to the construction activities may be issued for the building or premises.

**105.9.2 Failure to pay.** A person commits an offense if he fails to pay a reinspection fee assessed under Section 105.9.1 to the city assessor and collector of taxes within 60 calendar days after the date of reinspection."

34. Section 108, "Board of Appeals," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**SECTION 108**
**BOARD OF APPEALS**

[~~**108.1 Board of appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The *fire code official* shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *fire code official*.~~]

**108.2 Limitations on authority.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.

[~~**108.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or *fire protection system*s and are not employees of the jurisdiction.~~]

**108.4 Creation and membership.** The fire code advisory and appeals board is created to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code. The fire code advisory and appeals board shall consist of the following nine members who are qualified by experience and training to pass judgment upon pertinent matters:

1. Two registered engineers, one of which is a fire protection engineer.

2. One registered architect.

3. One building contractor having at least five years' experience in the construction of commercial buildings.

4. One insurance investigator having at least five years' experience in the investigation of casualty insurance claims.

5. One person experienced in the practice or technique of handling flammable or combustible liquids.

6. One person experienced in the practice or technique of managing large public assembly functions.

7. Two persons having a record of active participation in community affairs.

**108.5 Ex-officio members.** In addition to the nine board members enumerated in Section 108.4, the building official and fire marshal shall serve as ex-officio members of the board without voting privileges.

**108.6 Appointment and terms.** The city manager shall nominate and the city council shall appoint the nine board members enumerated in Section 108.4 from among the residents of the city. The mayor shall appoint the board chair and the full city council shall appoint the vice-chair. Board members shall serve for two consecutive years beginning September 1 of each odd-numbered year, or until their successors are appointed and qualified. If a vacancy occurs on the board during the pendency of a term, the city manager shall nominate and city council shall appoint a new member to fill the vacancy for the unexpired term. The appointive board members shall serve without compensation.

**108.7 Meetings; quorum.** The board shall adopt reasonable rules for the preparation of amendments to this code and for the conduct of hearings. The board shall convene at the request of the fire chief, the fire marshal, or its chair, with five members constituting a quorum. The board shall keep a record of its proceedings and decisions. The chair shall cause a copy of that record to be filed with the city secretary.

**108.8 Code review and amendment**. The board shall hear requests for amendments to this code and conduct its own regular code review. When the board, by a concurring vote of a majority of its members present, determines that a proposed amendment is appropriate for inclusion in this code, it shall recommend that amendment to the city council for adoption.

**108.9 Appeals**. If a person is aggrieved by a decision of a member of the fire department enforcing this code, the person may file with the fire marshal a written request for a hearing before the board. In the request, the person shall name the fire department member whose decision is being appealed and specify the details of the controverted decision. The fire marshal shall forward a copy of the request to the board chair, who shall convene a public meeting of the board within a reasonable time, not to exceed 30 days, after receipt of the request. After considering the relevant and material evidence, the board, by a concurring vote of a majority of

its members present, shall render a decision sustaining, modifying or reversing the decision appealed. The chair shall cause the board's decision to be reduced to writing and a copy to be filed with the fire marshal and the city secretary. The decision of the board is the final administrative action of the city regarding the controverted decision. A person aggrieved by a decision of the board may, within 30 days after receiving notice of the board's decision, appeal to the District Court of Dallas County. The suit shall be filed against the board as defendant and service of process may be made upon the board by serving the city secretary.

**108.10 Stay of appeal**. During the pendency of the request to the board, the decision appealed from will be stayed unless the fire marshal determines that a stay would create or allow the continuance of a substantial fire hazard threatening the lives or property of persons other than the appellant."

35. Paragraph 109.3.1, "Service," of Subsection 109.3, "Notice of Violation," of Section 109, "Violations," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**109.3.1 Service.** A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by verbal notification, personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both. Orders or notices shall set forth a time limit for compliance dependent upon the hazard and danger created by the violation. Orders or notices which are given verbally shall be confirmed by service in writing as herein provided."

36. Subsection 109.4, "Violation Penalties," of Section 109, "Violations," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**109.4 Violation penalties.** Persons who shall knowingly violate a provision of this code or shall knowingly fail to comply with any of the requirements thereof or who shall knowingly erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a Class C misdemeanor [~~[SPECIFY OFFENSE]~~], punishable by a fine [~~of~~] not to exceed $2,000 [~~more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment~~]. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**109.4.1 Abatement of violation.** In addition to the imposition of the penalties herein described, the *fire code official* is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

**109.4.2 Failure to discontinue.** Any person who shall knowingly continue any operations after having been served with a notice to discontinue operations, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $1,500.

**109.4.3 Agents and employees.** A person who is the agent of the property owner or is an individual employed by the agent or property owner, is in control of the property, and knowingly allows the violation to exist is guilty of an offense if that person fails to provide the property owner's name, street address, and telephone number to the *fire code official*."

37. Subsection 110.2, "Evacuation," of Section 110, "Unsafe Buildings," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**110.2 Evacuation.** The *fire code official* or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure, [~~or~~] premises or vehicle and shall not enter or re-enter until authorized to do so by the *fire code official* or the fire department official in charge of the incident.

**110.2.1 Stopping uses, evacuation.** The *fire code official* is authorized to order an operation or use stopped or the evacuation of any premises, building or vehicle, or portion thereof, which has or is a fire hazard."

38. Subsection 110.4, "Abatement," of Section 110, "Unsafe Buildings," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**110.4 Abatement.** The owner, operator, or occupant of a building or premises deemed unsafe by the *fire code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action. See the procedures specified in Chapter 27, 'Minimum Urban Rehabilitation Standards,' of the *Dallas City Code*."

39. Subsection 111.4, "Failure to Comply," of Section 111, "Stop Work Order," of Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended to read as follows:

"**111.4 Failure to comply.** Any person who shall knowingly continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $1,000 [~~[AMOUNT] dollars~~] or more than $2,000 [~~[AMOUNT] dollars~~]."

40. Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended by adding a new Section 114, "Certificate of Occupancy," to read as follows:

"**SECTION 114**
**CERTIFICATE OF OCCUPANCY**

**114.1 Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure, or portion thereof, shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the *Dallas Building Code* or of other ordinances of the jurisdiction.

**114.2 Certificate issued.** After the building official inspects the building or structure and finds no violations of the provisions of the *Dallas Building Code*, or other laws that are enforced by the division of building inspection, the building official shall issue a certificate of occupancy that contains the following:

1. The address of the structure.

2. The name and address of the owner or tenant.

3. The use and occupancy, in accordance with the provisions of the *Dallas Building Code* or the *Dallas Existing Building Code*, whichever applies.

**114.3 Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

**114.4 Revocation.** The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of the *Dallas Building Code* wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the *Dallas Building Code.*"

41. Chapter 1, "Scope and Administration," of the 2012 International Fire Code is amended by adding a new Section 115, "Registration and Inspection of High Risk Buildings and Occupancies," to read as follows:

"**SECTION 115**
**REGISTRATION AND INSPECTION OF**
**HIGH RISK BUILDINGS AND OCCUPANCIES**

**115.1 Certificate of registration.** A person commits an offense if he knowingly owns, operates or controls a high risk building or occupancy in the city without a valid certificate of registration issued under this section. See Chapter 2 for definitions of high risk building or occupancy.

**115.2 Display of certificate.** A registrant shall present upon request a certificate of registration for examination by the fire chief.

**115.3 Application for registration.** To obtain a certificate of registration, a person shall submit an application to the *fire code official* on a form provided for that purpose. The applicant must be the person who will own, control or operate the high risk building or occupancy. If the applicant owns, controls or operates more than one high risk building or occupancy at the same street address, only one certificate of registration is required for all of the buildings or occupancies at that street address. Only one certificate of registration is required for a single building that has more than one street address. The application shall be verified and contain the following information:

1. The applicant's name, address, telephone number and verified signature.

2. The name, street address and telephone number of the high risk building's owner or occupancy's operator.

3. The name, address and main telephone number, if any, of the high risk building or occupancy.

4. The name, address and telephone number of an emergency contact person that can be contacted 24 hours a day, seven days a week in an emergency.

5. The square forage of the high risk building or occupancy, including the number of stories and the construction date of the building.

6. The type of occupancy or occupancies conducted in the high risk building.

7. A description of any hazardous operations being conducted in the high risk building or occupancy.

8. A description of fire protection features and any unique aspects of the high risk building or occupancy.

9. The number of living units in residential facilities.

10. The number of patient rooms in health care facilities.

11. Such additional information as the *fire code official* deems necessary to the administration and enforcement of this section.

**115.3.1 Multiple buildings or occupancies.** If the application for a certificate of Registration is being made for multiple buildings or occupancies at the same address, the information required in Section 113.3 must be provided for each building or occupancy at that address.

**115.3.2 Notification.** A registrant shall notify the *fire code official* within 10 days after any material change in the information in the application for a certificate of registration for a high risk building or occupancy, including any changes in ownership.

**115.4 Registration fee and inspection charge.** The fee for a certificate of registration for a high risk occupancy is $25, plus an inspection charge in accordance with the following schedule.

| BUILDING TYPE: | FEE: |
|---|---|
| Public Assembly | |
| Under 5,000 square feet | $ 40 |
| 5,000 - 9,999 square feet | $ 80 |
| 10,000 - 59,999 square feet | $120 |
| 60,000 - 99,999 square feet | $160 |
| 100,000 square feet and over | $200 |
| Hazardous Materials | |
| Under 5,000 square feet | $125 |
| 5,000 - 9,999 square feet | $175 |
| 10,000 - 59,999 square feet | $225 |
| 60,000 - 99,999 square feet | $300 |
| 100,000 square feet and over | $350 |
| High-rise Office/Storage/Assembly | |
| Under 200,000 square feet | $200 |
| 200,000 - 600,000 square feet | $400 |
| Over 600,000 square feet | $500 |
| High-rise Residential | |
| Under 250 *dwelling units* | $200 |
| 250 to 600 *dwelling units* | $400 |

| | |
|---|---|
| Over 600 *dwelling units* | $500 |
| | |
| Health Care Facilities | |
| Under 100 patient rooms or individual *dwelling units* | $200 |
| 100-500 patient rooms or individual *dwelling units* | $400 |
| Over 500 patient rooms or individual *dwelling units* | $500 |

**Exceptions:**

1. The inspection charge shall not be assessed for inspecting a building or occupancy that is subject to inspection in order to obtain one of the following operational permits from the fire code official:

   a. Amusement building.

   b. Aviation facilities.

   c. Dry cleaning plant.

   d. Lumber yards and woodworking plants.

   e. State licensed facility (child care, residential care, small assisted living, adult day care).

2. The inspection charge shall not be assessed for any property that is exempt from paying City of Dallas property taxes.

3. The inspection charge shall not be assessed for any property that has a current vacant building certificate of registration from the City of Dallas.

**115.4.1 Multiple buildings or occupancies.** If one certificate of registration is issued for multiple buildings or occupancies located at the same address, the inspection charge will be calculated as follows:

1. For public assembly, high-rise office/storage/assembly, and hazardous materials facilities, the inspection charge will be calculated using the aggregate area in square feet of all the buildings or occupancies.

2. For high-rise residential buildings and healthcare facilities, the inspection charge will be calculated using the aggregate number of living units or patient rooms in all buildings or occupancies.

**115.4.2 Refunds.** If a certificate of registration expires and no inspection was conducted by the *fire code official* during the registration term, then the full inspection charge may be refunded, if the fire chief receives a written request for the refund from the registrant within

90 days after expiration of the certificate of registration. Otherwise, no refund of the inspection charge will be made.

**115.5 Expiration and renewal of registration.** A certificate of registration for high risk buildings and occupancies expires according to the following schedule:

1. Assembly certificates expire one year after the date of issuance.

2. Hazardous materials certificates expire two years after the date of issuance.

3. High rise certificates expire two years after the date of issuance.

4. Health care certificates expire one year after the date of issuance.

**115.5.1 Renewal.** A renewal invoice will automatically be mailed to the applicant 30 days prior to the expiration date of the current certificate of registration. The applicant shall submit the required payment at least 15 days prior to the expiration of the certificate of registration.

**115.6 Non-transferability.** A certificate of registration for a high risk building or occupancy is not transferable.

**115.7 Property inspections.** For the purpose of determining whether violations of this section or any other city ordinance or state or federal law exist, the *fire code official* is authorized at a reasonable time to inspect the interior and exterior of the high risk building or occupancy, if the permission of the owner, operator, or other person in control is given or a search warrant is obtained.

**115.7.1 Frequency.** The *fire code official* shall inspect a high risk building or occupancy at least once during the term of the certificate of registration.

**115.7.2 Registrant responsibilities.** An applicant or registrant shall permit representatives of the *fire code official* to inspect the interior and exterior of a high risk building or occupancy for the purpose of ensuring compliance with the law, at reasonable times upon request. The applicant or registrant commits an offense if he, either personally or through an agent or employee, refuses to permit a lawful inspection of the high risk building or occupancy as required by this subsection.

**115.7.3 Reinspection.** Whenever a high risk building or occupancy is inspected by the *fire code official* and a violation of Section 115 or any other city ordinance or state or federal law applicable to the building is found, the premises will, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, be reinspected by the *fire code official* to determine that the violation has been eliminated. Reinspection fees shall be issued in accordance with Section 105.9.

**115.8 Duty of emergency contact person.** The emergency contact person or person designated by the emergency contact person shall arrive at the property within one hour after notification by the city or emergency response personnel that an emergency condition has occurred on the property."

42. Section 202, "General Definitions," of Chapter 2, "Definitions," of the 2012 International Fire Code is amended by adding or amending the following definitions in alphabetical order:

**AERIAL SHELL.** A pyrotechnic device that functions in the air.

**AIRCRAFT MOTOR FUEL-DISPENSING FACILITY.** That portion of an airport or heliport where flammable or combustible liquids used as aircraft fuel are stored and dispensed from fixed automotive-type dispensing equipment into fuel tanks of an aircraft and shall include all facilities essential thereto.

**AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less-than-24-hour basis to persons who are rendered incapable of self-preservation by the services provided. This group may include the following:

- Dialysis centers

- Sedation dentistry

- Surgery centers

- Colonic centers

- Psychiatric centers

**BINARY *EXPLOSIVE*.** An *explosive* material composed of separate components, each of which is safe for storage and transportation and would not in itself be considered as an *explosive.*

**BREAK (Aerial Shell).** An individual effect from an aerial shell, generally either color or noise. Aerial shells can be single break, having only one effect, or multiple breaks, having two or more effects.

**CERTIFICATE OF REGISTRATION.** A written authority issued under Section 114 of this code to own, operate or control a commercial building within the city.

**COMMERCIAL BUILDING.** Any structure used or intended to be used for any type occupancy, except a single-family dwelling or a duplex dwelling.

**DESIGNATED LANDING AREA.** The area over which aerial shells are fired and into which debris and malfunctioning aerial shells can fall.

**FIRE AREA.** The aggregate floor area enclosed and bounded by *approved fire walls*, *fire barriers*, *exterior walls* or *horizontal assemblies* of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

**FIRE CODE OFFICIAL.** The fire chief, fire marshal or [~~other~~] designated [~~authority~~] uniformed members of the Fire Prevention Division charged with the administration and enforcement of the *Dallas Fire Code* [~~code, or a duly authorized representative~~].

**FIRE DEPARTMENT INLET CONNECTION.** A connection through which the fire department can pump water into a standpipe system or sprinkler system. Each hose connection shall have national standard fire hose coupling screw threads of 7 ½ threads per inch.

**FIRE MARSHAL.** The fire chief who is head of the Fire Prevention Division or uniformed members of the Fire Prevention Division designated by the Fire Marshal who shall be charged with the administration and enforcement of the *Dallas Fire Code*.

**FIRE-RETARDANT WOOD SHAKES AND SHINGLES.** Shakes and shingles that have the meaning given that term in Chapter 15 of the Dallas Building Code, as amended.

**FIRE WATCH.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified [~~individuals~~] standby personnel when required by the fire chief, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

**FIREWORKS.** Any combustible [~~composition~~] or *explosive* composition, or any substance, combination of substances, or device prepared for the purpose of producing a visible or an audible effect [~~for entertainment purposes~~] by combustion, explosion, *deflagration* or *detonation* [~~that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein~~]. Fireworks include toy pistols, toy cannons, toy canes, or toy guns in which *explosives* are used; firecrackers, torpedoes, sky-rockets, Roman candles, sparklers, or other devices of like construction; any device containing an *explosive* or flammable compound; and any tablet or other device containing an *explosive* substance. Fireworks do not include auto flares; paper caps containing an average of $^{25}/_{100}$ of a grain of *explosive* content per cap or less; and toy pistols, toy canes, toy guns, or other devices for use of such caps. Fireworks do not include snaps, party poppers, or noisemakers which use no more than $^{8}/_{1000}$ of a gram of *explosive* compound and do not emit light or smoke when detonated.

**Fireworks, 1.4G.** Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks which comply with the construction, chemical composition and labeling regulations of the DOTn for Fireworks, UN 0336, and the U.S. Consumer Product Safety

Commission as set forth in CPSC 16 CFR Parts 1500 and 1507, are not *explosive materials* for the purpose of this code.

**Fireworks, 1.3G.** Large fireworks devices, which are *explosive materials*, intended for use in fireworks displays and designed to produce audible or visible effects by combustion, *deflagration* or *detonation*. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of *explosive* composition, aerial shells containing more than 40 grams of pyrotechnic composition and other display pieces which exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks are also described as Fireworks, UN 0335 by the DOTn.

**FIXED GROUND PIECE.** A ground display piece having no moveable parts, such as a revolving wheel.

**GROUND PIECE**. A pyrotechnic device that functions on the ground. Ground pieces include fountains, roman candles, wheels and set pieces.

**HEALTH CARE FACILITY.** A facility regulated by the Texas Department of State Health Services and classified as an 1-1 or 1-2 occupancy as defined in the Dallas Building Code.

**HIGH-PILED COMBUSTIBLE STORAGE.** Storage of combustible materials in closely packed piles or combustible materials on pallets, in racks or on shelves where the top of storage is greater than 12 feet (3658 mm) in height. When required by the *fire code official*, *high-piled combustible storage* also includes certain high-hazard commodities, such as rubber tires, Group A plastics, flammable liquids, idle pallets and similar commodities, where the top of storage is greater than 6 feet (1829 mm) in height.

"Any Group S occupancy exceeding 12,000 square feet (1115 $m^2$) that has a clear height in excess of 12 feet (3658 mm), making it possible to be used for storage in excess of 12 feet (3658 mm) in height, shall be considered to be high-piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a *fire protection system* shall be installed as for Class IV commodities to the maximum pile height."

**HIGH RISK BUILDING OR OCCUPANCY.** The following are high risk buildings or occupancies because they are prone to a high loss of life or property in the event of a fire because of a high occupancy load, the nature of the process in use, impairment of the occupants, or limited emergency *exit*ing:

1. high rise buildings;

2. health care facilities with an occupancy classification of 1-1 or 1-2;

3. public assembly type occupancies with an *occupant load* of 50 or more serving food and/or drinks. Examples: movie theaters, concert/theater halls,

EXEMPTION: Locations where firewatches are regularly conducted. (American Airline Center, Gexa)

4. occupancies where hazardous materials are stored or used including, but not limited to, all H occupancies as defined by the Dallas Building Code, all occupancies that dispense liquid or gaseous fuels, all occupancies storing hazardous materials in aboveground or underground tanks, and all occupancies that directly use hazardous production material in research, laboratory or production processes.

Exception: Buildings or occupancies equipped with a standby or emergency power generator with a combustible liquid storage tank that is connected to a fuel oil piping system containing no more than 660 gallons of combustible liquid in a closed system.

**HOT WORK PERMITS.** Permits allowing [~~issued by the responsible person at the facility under the hot work permit program permitting~~] welding or other hot work to be done in locations referred to in Section 3503[~~.3~~] and approved [~~pre-permitted~~] by the *fire code official*.

[**~~HOT WORK PROGRAM.~~** ~~A permitted program, carried out by *approved* facilities designated personnel, allowing them to oversee and issue permits for hot work conducted by their personnel or at their facility. The intent is to have trained, on-site, responsible personnel ensure that required hot work safety measures are taken to prevent fires and fire spread.~~]

***INTERNATIONAL BUILDING CODE*.** Chapter 53 of the *Dallas City Code* also referred to as the *Dallas Building Code* as adopted by this jurisdiction. Any reference to the *International Building Code* shall mean the *Dallas Building Code* as adopted.

**INTERNATIONAL ELECTRICAL CODE.** Chapter 56 of the *Dallas City Code* also referred to as the *Dallas Electrical Code* as adopted by this jurisdiction. Any reference to the *International Electrical Code* shall mean the *Dallas Electrical Code* as adopted.

**INTERNATIONAL ENERGY CONSERVATION CODE.** Chapter 59 of the *Dallas City Code* also referred to as the *Dallas Energy Conservation Code* as adopted by this jurisdiction. Any reference to the *International Energy Conservation Code* shall mean the *Dallas Energy Conservation Code* as adopted.

**INTERNATIONAL EXISTING BUILDING CODE.** Chapter 58 of the *Dallas City Code* also referred to as the *Dallas Existing Building Code* as adopted by this jurisdiction. Any reference to the *International Existing Building Code* shall mean the *Dallas Existing Building Code* as adopted.

**INTERNATIONAL FIRE CODE.** Chapter 16 of the *Dallas City Code* also referred to as the *Dallas Fire Code* as adopted by this jurisdiction. Any reference to the *International Fire Code* shall mean the *Dallas Fire Code* as adopted.

**INTERNATIONAL FUEL GAS CODE.** Chapter 60 of the *Dallas City Code* also referred to as the *Dallas Fuel Gas Code* as adopted by this jurisdiction. Any reference to the *International Fuel Gas Code* shall mean the *Dallas Fuel Gas Code* as adopted.

**INTERNATIONAL MECHANICAL CODE.** Chapter 55 of the *Dallas City Code* also referred to as the *Dallas Mechanical Code* as adopted by this jurisdiction. Any reference to the *International Mechanical Code* shall mean the *Dallas Mechanical Code* as adopted.

**INTERNATIONAL PLUMBING CODE.** Chapter 54 of the *Dallas City Code* also referred to as the *Dallas Plumbing Code* as adopted by this jurisdiction. Any reference to the *International Plumbing Code* shall mean the *Dallas Plumbing Code* as adopted.

**INTERNATIONAL RESIDENTIAL CODE.** Chapter 57 of the *Dallas City Code* also referred to as the *Dallas One- and Two-Family Dwelling Code* as adopted by this jurisdiction. Any reference to the *International Residential Code* shall mean the *Dallas One- and Two-Family Dwelling Code* as adopted.

**KNOWINGLY.** A person acts knowingly, or with knowledge, with respect to the nature of their conduct or to circumstances surrounding their conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of their conduct when the person is aware that the conduct is reasonably certain to cause the result.

**OCCUPANCY CLASSIFICATION.** For the purposes of this code, certain occupancies are defined as follows:

[B] **Assembly Group A.** Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation.

**Small buildings and tenant spaces**. A building or tenant space used for assembly purposes with an *occupant load* of less than 50 persons shall be classified as a Group B occupancy.

**Small assembly spaces.** The following rooms and spaces shall not be classified as assembly occupancies:

1. A room or space used for assembly purposes with an *occupant load* of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.

2. A room or space used for assembly purposes that is less than 750 square feet (70 m2) in area and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.

**Associated with Group E occupancies**. A room or space used for assembly purposes that are associated with a Group E occupancy are not considered separate occupancies.

**Accessory with places of religious worship**. Accessory religious educational rooms and religious auditoriums with *occupant loads* of less than 100 are not considered separate occupancies.

**Assembly Group A-1.** Assembly uses, usually with fixed seating, intended for the production and viewing of performing arts or motion pictures including, but not limited to:

Motion picture theaters
Symphony and concert halls
Television and radio studios admitting an audience
Theaters

**Assembly Group A-2.** Assembly uses intended for food and/or drink consumption including, but not limited to:

Banquet halls
Casinos (gaming areas)
Night clubs
Restaurants, cafeterias and similar dining facilities (including associated commercial kitchens)
Taverns and bars

**Assembly Group A-3.** Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A, including, but not limited to:

Amusement arcades
Art galleries
Bowling alleys
Community halls
Courtrooms
Dance halls (not including food or drink consumption)
Exhibition halls
Funeral parlors
Gymnasiums (without spectator seating)
Indoor swimming pools (without spectator seating)
Indoor tennis courts (without spectator seating)
Lecture halls
Libraries
Museums
Places of religious worship
Pool and billiard parlors
Waiting areas in transportation terminals

**Assembly Group A-4.** Assembly uses intended for viewing of indoor sporting events and activities with spectator seating including, but not limited to:

Arenas
Skating rinks
Swimming pools
Tennis courts

**Assembly Group A-5.** Assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

Amusement park structures
*Bleachers*
Grandstands
Stadiums

**[B] Business Group B**. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following:

Airport traffic control towers
Ambulatory care facilities
Animal hospitals, kennels and pounds
Banks
Barber and beauty shops
Car wash
Civic administration
Clinic-outpatient
Dry cleaning and laundries; pick-up and delivery stations and self-service
Educational occupancies for students above the 12th grade
Electronic data processing
Fire stations
Laboratories; testing and research
Motor vehicle showrooms
Police stations with detention facilities for five or less
Post offices
Print shops
Professional services (architects, attorneys, dentists, physicians, engineers, etc.)
Radio and television stations
Telephone exchanges
Training and skill development not within a school or academic program

**[B] Educational Group E.** Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the $12^{th}$ grade.

**Accessory to places of worship.** Religious educational rooms and religious auditoriums, which are accessory to places of religious worship in accordance with Section 508.3.1 of the *International Building Code* and have *occupant loads* of less than 100, shall be classified as Group A-3 occupancies.

**Group E, day care facilities.** This group includes buildings and structures or portions thereof occupied by more than five children older than 21/2 years of age who receive educational, supervision or *personal care services* for less than 24 hours per day.

**Within places of worship.** Rooms and spaces within places of worship providing such care during religious functions shall be classified as part of the primary occupancy.

**Five or fewer children.** A facility having five or fewer children receiving such care shall be classified as part of the primary occupancy.

**Five or fewer children in a *dwelling unit.*** A facility such as the above within a *dwelling unit* and having five or fewer children receiving such care shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code.*

**[B] Factory Industrial Group F.** Factory Industrial Group F occupancy includes, among others, the use of a building or structure, or a portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as a Group H high-hazard or Group S storage occupancy.

**Factory Industrial F-1 Moderate-hazard occupancy.** Factory industrial uses which are not classified as Factory Industrial F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following:

Aircraft (manufacturing, not to include repair)
Appliances
Athletic equipment
Automobiles and other motor vehicles
Bakeries
Beverages; over 16-percent alcohol content
Bicycles
Boats
Brooms or brushes
Business machines
Cameras and photo equipment
Canvas or similar fabric
Carpets and rugs (includes cleaning)
Clothing
Construction and agricultural machinery
Disinfectants

Dry cleaning and dyeing
Electric generation plants
Electronics
Engines (including rebuilding)
Food processing and commercial kitchens not associated with restaurants, cafeterias and similar dining facilities
Furniture
Hemp products
Jute products
Laundries
Leather products
Machinery
Metals
Millwork (sash and door)
Motion pictures and television filming (without spectators)
Musical instruments
Optical goods
Paper mills or products
Photographic film
Plastic products
Printing or publishing
Refuse incineration
Shoes
Soaps and detergents
Textiles
Tobacco
Trailers
Upholstering
Wood; distillation
Woodworking (cabinet)

**[B] Factory Industrial F-2 Low-hazard Occupancy.** Factory industrial uses involving the fabrication or manufacturing of noncombustible materials which, during finishing, packaging or processing do not involve a significant fire hazard, shall be classified as Group F-2 occupancies and shall include, but not be limited to, the following:

Beverages; up to and including 16-percent alcohol content
Brick and masonry
Ceramic products
Foundries
Glass products
Gypsum
Ice
Metal products (fabrication and assembly)

**High-hazard Group H.** High-hazard Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or *health hazard* in quantities in excess of those allowed in *control areas* complying with Section 5003.8.3, based on the maximum allowable quantity limits for *control areas* set forth in Tables 5003.1.1(1) and 5003.1.1(2). Hazardous occupancies are classified in Groups H-1, H-2, H-3, H-4 and H-5 and shall be in accordance with this code and the requirements of Section 415 of the *International Building Code*. Hazardous materials stored or used on top of roofs or canopies shall be classified as outdoor storage or use and shall comply with this code.

**Exceptions:** The following shall not be classified as Group H, but shall be classified as the occupancy that they most nearly resemble.

1. Buildings and structures occupied for the application of flammable finishes, provided that such buildings or areas conform to the requirements of Chapter 24 of this code and Section 416 of the *International Building Code*.

2. Wholesale and retail sales and storage of flammable and *combustible liquids* in mercantile occupancies conforming to Chapter 57.

3. Closed piping system containing flammable or *combustible liquids* or gases utilized for the operation of machinery or equipment.

4. Cleaning establishments that utilize *combustible liquid* solvents having a *flash point* of 140°F (60°C) or higher in *closed systems* employing equipment *listed* by an *approved* testing agency, provided that this occupancy is separated from all other areas of the building by 1-hour *fire barriers* in accordance with Section 707 of the *International Building Code* or 1-hour *horizontal assemblies* in accordance with Section 711of the *International Building Code*, or both.

5. Cleaning establishments that utilize a liquid solvent having a *flash point* at or above 200°F (93°C).

6. Liquor stores and distributors without bulk storage.

7. Refrigeration systems.

8. The storage or utilization of materials for agricultural purposes on the premises.

9. Stationary batteries utilized for facility emergency power, uninterruptible power supply or telecommunication facilities, provided that the batteries are equipped with safety venting caps and ventilation is provided in accordance with the *International Mechanical Code.*

10. *Corrosives* shall not include personal or household products in their original packaging used in retail display or commonly used building materials.

11. Buildings and structures occupied for aerosol storage shall be classified as Group S-1, provided that such buildings conform to the requirements of Chapter 51.

12. Display and storage of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in quantities not exceeding the *maximum allowable quantity per control area* in Group M or S occupancies complying with Section 5003.8.3.5.

13. The storage of black powder, smokeless propellant and small arms primers in Groups M and R-3 and special industrial explosive devices in Groups B, F, M and S, provided such storage conforms to the quantity limits and requirements of this code.

**High-hazard Group H-1.** Buildings and structures containing materials that pose a *detonation* hazard shall be classified as Group H-1. Such materials shall include, but not be limited to, the following:

Detonable pyrophoric materials

Explosives:

Division 1.1
Division 1.2
Division 1.3
Division 1.4
Division 1.5
Division 1.6

Organic peroxides, unclassified detonable
Oxidizers, Class 4
Unstable (reactive) materials, Class 3 detonable, and Class 4

**Occupancies containing explosives not classified as H-1.** The following occupancies containing explosive materials shall be classified as follows:

1. Division 1.3 explosive materials that are used and maintained in a form where either confinement or configuration will not elevate the hazard from a mass fire hazard to mass explosion hazard shall be allowed in Group H-2 occupancies.

2. Articles, including articles packaged for shipment, that are not regulated as a Division 1.4 explosive under Bureau of Alcohol, Tobacco, Firearms and *Explosives* regulations, or unpackaged articles used in process operations that do not propagate a *detonation* or deflagration between articles shall be allowed in H-3 occupancies.

**High-hazard Group H-2.** Buildings and structures containing materials that pose a *deflagration* hazard or a hazard from accelerated burning shall be classified as Group H-2. Such materials shall include, but not be limited to, the following:

Class I, II or IIIA flammable or *combustible liquids* which are used or stored in normally open containers or systems, or in closed containers or systems pressurized at more than 15 pounds per square inch gauge (103.4 kPa)
*Combustible dusts* where manufactured, generated or used in such a manner that the concentration and conditions create a fire or explosion hazard based on information prepared in accordance with Section 414.1.3 of the *International Building Code*
*Cryogenic fluids*, flammable
Flammable gases
Organic peroxides, Class I
Oxidizers, Class 3, that are used or stored in normally open containers or systems, or in closed containers or systems pressurized at more than 15 pounds per square inch gauge (103.4 kPa)
Pyrophoric liquids, solids and gases, nondetonable
Unstable (reactive) materials, Class 3, nondetonable
Water-reactive materials, Class 3

**High-hazard Group H-3.** Buildings and structures containing materials that readily support combustion or that pose a *physical hazard* shall be classified as Group H-3. Such materials shall include, but not be limited to, the following:

Class I, II or IIIA flammable or *combustible liquids* that are used or stored in normally closed containers or systems pressurized at 15 pounds per square inch gauge (103.4kPa) or less
*Combustible fibers*, other than densely packed baled cotton
Consumer fireworks, 1.4G (Class C, Common)
*Cryogenic fluids*, oxidizing
Flammable solids
Organic peroxides, Class II and III
Oxidizers, Class 2
Oxidizers, Class 3, that are used or stored in normally closed containers or systems pressurized at 15 pounds per square inch gauge (103 kPa) or less
Oxidizing gases
Unstable (reactive) materials, Class 2
Water-reactive materials, Class 2

**High-hazard Group H-4.** Buildings and structures which contain materials that are *health hazards* shall be classified as Group H-4. Such materials shall include, but not be limited to, the following:

*Corrosives*
Highly toxic materials
Toxic materials

**High-hazard Group H-5.** Semiconductor fabrication facilities and comparable research and development areas in which hazardous production materials (HPM) are used and the aggregate quantity of materials is in excess of those listed in Tables 5003.1.1(1) and 5003.1.1(2) shall be classified as Group H-5. Such facilities and areas shall be designed and constructed in accordance with Section 415.10 of the *International Building Code*.

**[B] Institutional Group I.** Institutional Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which care or supervision is provided to persons who are or are not capable of self preservation without physical assistance or in which persons are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institutional occupancies shall be classified as Group I-1, I-2, I-3 or I-4.

**Institutional Group I-1.** This occupancy shall include buildings, structures or parts thereof for more than 16 persons who reside on a 24-hour basis in a supervised environment and receive custodial care. The persons receiving care are capable of self preservation. This group shall include, but not be limited to, the following:

Alcohol and drug centers
Assisted living facilities
Congregate care facilities
Convalescent facilities
Group homes
Half-way houses
Residential board and custodial care facilities
Social rehabilitation facilities

**Five or fewer persons receiving care.** A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or *International Residential Code* Section P2904.

**Six to sixteen persons receiving care.** A facility such as above, housing at least six and not more than 16 persons receiving such care, shall be classified as Group R-4.

**Institutional Group I-2.** This occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons who are not capable of self-preservation. This group shall include, but not be limited to, the following:

Foster care facilities
Detoxification facilities
Hospitals
Nursing homes
Psychiatric hospitals

**Five or fewer persons receiving care.** A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

**Institutional Group I-3.** This occupancy shall include buildings and structures which are inhabited by more than five persons who are under restraint or security. An I-3 facility is occupied by persons who are generally incapable of self-preservation due to security measures not under the occupants' control. This group shall include, but not be limited to, the following:

Correctional centers
Detention centers
Jails
Prerelease centers
Prisons
Reformatories
Buildings of Group I-3 shall be classified as one of the occupancy conditions indicated below:

**Condition 1.** This occupancy condition shall include buildings in which free movement is allowed from sleeping areas and other spaces where access or occupancy is permitted to the exterior via *means of egress* without restraint. A Condition 1 facility is permitted to be constructed as Group R.

**Condition 2.** This occupancy condition shall include buildings in which free movement is allowed from sleeping areas and any other occupied smoke compartment to one or more other smoke compartments. Egress to the exterior is impeded by locked *exits*.

**Condition 3.** This occupancy condition shall include buildings in which free movement is allowed within individual smoke compartments, such as within a residential unit comprised of individual sleeping units and group activity spaces, where egress is impeded by remote-controlled release of *means of egress* from such smoke compartment to another smoke compartment.

**Condition 4.** This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Remote-controlled release is provided to permit movement from sleeping units, activity spaces and other occupied areas within the smoke compartment to other smoke compartments.

**Condition 5.** This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Staff-controlled manual release is provided to permit movement from sleeping units, activity spaces and other occupied areas within the smoke compartment to other smoke compartments.

**Institutional Group I-4, day care facilities.** This group shall include buildings and structures occupied by more than five persons of any age who receive custodial care for less than 24 hours by persons other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for. This group shall include, but not be limited to, the following:

Adult day care
Child day care

**Classification as Group E.** A child day care facility that provides care for more than five but no more than 100 children 21/2 years or less of age, where the rooms in which the children are cared for are located on a *level of exit discharge* serving such rooms and each of these child care rooms has an *exit* door directly to the exterior, shall be classified as Group E.

**Within a place of religious worship.** Rooms and spaces within places of religious worship providing such care during religious functions shall be classified as part of the primary occupancy.

**Five or fewer occupants receiving care.** A facility having five or fewer persons receiving custodial care shall be classified as part of the primary occupancy.

**Five or fewer occupants receiving care in a *dwelling unit*.** A facility such as the above within a *dwelling unit* and having five or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code.*

**[B] Mercantile Group M.** Mercantile Group M occupancy includes, among others, buildings and structures or a portion thereof, for the display and sale of merchandise, and involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public. Mercantile occupancies shall include, but not be limited to, the following;

Department stores
Drug stores
Markets
Motor fuel-dispensing facilities
Retail or wholesale stores
Sales rooms

**[B] Residential Group R.** Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *International Residential Code* in accordance with Section 101.2 of the *International Building Code*.

**Residential Group R-l.** R**e**sidential occupancies containing sleeping units where the occupants are primarily transient in nature, including:

*Boarding houses* (transient) with more than 10 occupants
Congregate living facilities (transient) with more than 10 occupants
Hotels (transient)
Motels (transient)

**Residential Group R-2.** Residential occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including:

Apartment houses
*Boarding houses* (nontransient) with more than 16 occupants
Coongregate living facilities (nontransient) with more than 16 occupants
Convents
Dormitories
Fraternities and sororities
Hotels (nontransient)
Live/work units
Monasteries
Motels (nontransient)
Vacation timeshare properties

**Residential Group R-3.** Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Boarding houses (nontransient) with 16 or fewer occupants
Boarding houses (transient) with 10 or fewer occupants
Buildings that do not contain more than two *dwelling units*
Care facilities that provide accommodations for five or fewer persons receiving care
Congregate living facilities (nontransient) with 16 or fewer occupants
Congregate living facilities (transient) with 10 or fewer occupants

**Care facilities within a dwelling.** Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

**Residential Group R-4.** This occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. The persons receiving care are capable of self preservation. This group shall include, but not be limited to, the following:

Alcohol and drug centers
Assisted living facilities
Congregate care facilities
Convalescent facilities
Group homes

Halfway houses
Residential board and custodial care facilities
Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in the *International Building Code***.**

**[B] Storage Group S.** Storage Group S occupancy includes, among others, the use of a building or structure, or a portion thereof, for storage that is not classified as a hazardous occupancy.

**Moderate-hazard storage, Group S-l.** Buildings occupied for storage uses that are not classified as Group S-2, including, but not limited to, storage of the following:

Aerosols, Levels 2 and 3
Aircraft repair hangar (storage and repair)
Bags; cloth, burlap and paper
Bamboos and rattan
Baskets
Belting; canvas and leather
Books and paper in rolls or packs
Boots and shoes
Buttons, including cloth covered, pearl or bone
Cardboard and cardboard boxes
Clothing, woolen wearing apparel
Cordage
Dry boat storage (indoor)
Furniture
Furs
Glues, mucilage, pastes and size
Grains
Horns and combs, other than celluloid
Leather
Linoleum
Lumber
Motor vehicle repair garages complying with the maximum allowable quantities of hazardous materials *listed* in Table 5003.1.1(1) (see Section 406.8 of the *International Building Code)*
Photo engravings
Resilient flooring
Silks
Soaps
Sugar
Tires, bulk storage of
Tobacco, cigars, cigarettes and snuff
Upholstery and mattresses

Wax candles

**Low-hazard storage, Group S-2.** Includes, among others, buildings used for the storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single thickness divisions; or in paper wrappings. Such products may have a negligible amount of plastic trim such as knobs, handles, or film wrapping. Storage uses shall include, but not be limited to, storage of the following:

Asbestos
Beverages up to and including 16-percent alcohol in metal, glass or ceramic containers
Cement in bags
Chalk and crayons
Dairy products in nonwaxed coated paper containers
Dry cell batteries
Electrical coils
Electrical motors
Empty cans
Food products
Foods in noncombustible containers
Fresh fruits and vegetables in nonplastic trays or containers
Frozen foods
Glass
Glass bottles, empty or filled with noncombustible liquids
Gypsum board
Inert pigments
Ivory
Meats
Metal cabinets
Metal desks with plastic tops and trim
Metal parts
Metals
Mirrors
Oil-filled and other types of distribution transformers
Parking garages, open or enclosed
Porcelain and pottery
Stoves
Talc and soapstones
Washers and dryers

**[B] Miscellaneous Group U.** Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following:

Agricultural buildings

Aircraft hangar, accessory to a one- or two-family residence (see Section 412.5 of the *International Building Code*)
Barns
Carports
Fences more than 6 feet (1829 mm) high
Grain silos, accessory to a residential occupancy
Greenhouses
Livestock shelters
Private garages
Retaining walls
Sheds
Stables
Tanks
Towers

**PATH OF EGRESS.** Any exit, exit corridor, intervening room, top of stairway, and all areas open to a stairway or exterior door.

**PYROTECHNIC OPERATOR.** An individual *approved* to be responsible for pyrotechnics, pyrotechnic special effects materials or both.

**REGISTRANT.** An individual who has been issued a certificate of registration for a commercial building under Section 115 of this code.

**REPAIR GARAGE.** A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such minor repairs.

[**RESPONSIBLE PERSON.** A person trained in the safety and fire safety considerations concerned with hot work. Responsible for reviewing the sites prior to issuing permits as part of the hot work permit program and following up as the job progresses.]

**SAFETY CAP.** A paper tube, closed at one end, that is placed over the end of the fuse of an aerial shell to protect it from accidental ignition.

**SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

**SPECIAL AMUSEMENT BUILDING.** A building or portion of a building, that is temporary, permanent or mobile that contains a device or system that conveys passengers or provides a walkway along, around or over a course in any direction as a form of amusement arranged so that the egress path is not readily apparent due to visual or audio distractions or an intentionally confounded egress path, or is not readily available because of the mode of conveyance through the building or structure. The term includes a haunted house, a roller coaster-type ride within a

building, a merry-go-round within a building, a submarine ride, and similar amusements where the occupants are not in the open air.

**STANDBY PERSONNEL.** Qualified fire service personnel, *approved* by the fire chief. When utilized, the number required shall be as directed by the fire chief. Charges for utilization shall be as normally calculated by the jurisdiction.

**TEMPORARY STORAGE(Pyrotechnics).** The storage of pyrotechnic special effects material on site for a period of 72 hours or less.

**UNTREATED WOOD SHAKES OR WOOD SHINGLES.** Wood shakes or wood shingles that are not fire-retardant shakes and shingles.

**WOOD SHAKES.** Tapered or nontapered pieces of durable wood of random widths ranging from 4 inches (102 mm) to 14 inches (356 mm) and of the following four types:

1. **Hand split and resawn:** Tapered with one sawed and one split face; semi-split; tapered with partially sawn and split faces both sides, 15 inches (351 mm), 28 inches (711 mm) or 24 inches (610 mm) in length.

2. **Taper split:** Tapered with both split faces, 24 inches (610 mm) in length.

3. **Straight split:** Nontapered with both split faces, either 28 inches (711 mm) or 24 inches (610 mm) in length.

4. **Tapersawn:** Sawn both sides, edges sawn or split, in lengths 24 inches (610 mm) and longer.

**WOOD SHINGLES.** Tapered pieces of durable wood, sawn both sides, of random widths ranging from 3 inches (76 mm) to 14 inches (356 mm) and in lengths of 16 inches (406 mm), 18 inches (457 mm) or 24 inches (610 mm).

43. Subsection 301.2, "Permits," of Section 301, "General," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**301.2 Permits.** Permits shall be [~~required as set forth~~] in accordance with Section 105.6 [~~for the activities or uses regulated by Sections 306, 307, 308 and 315~~]."

44. Subsection 302.1, "Definitions," of Section 302, "Definitions," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**BONFIRE.**

**FIRE-RETARDANT WOOD SHAKES AND SHINGLES.**

**HI-BOY.**

**HIGH-VOLTAGE TRANSMISSION LINE.**

**OPEN BURNING.**

**PORTABLE OUTDOOR FIREPLACE.**

**POWERED INDUSTRIAL TRUCK.**

**RECREATIONAL FIRE.**

**UNTREATED WOOD SHAKES OR WOOD SHINGLES.**

**WOOD SHAKES.**

**WOOD SHINGLES.**"

45. Subsection 303.2, "Location," of Section 303, "Asphalt Kettles," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended by adding a new Paragraph 303.2.1, "Permit," to read as follows:

"**303.2.1 Permit.** The operator of an asphalt (tar) kettle shall obtain a permit in accordance with Section 105.6 from the *fire code official* before using an asphalt (tar) kettle. A separate permit is required for each location where these activities are being conducted."

46. Paragraph 304.3.1, "Spontaneous Ignition," of Subsection 304.3, "Containers," of Section 304, "Combustible Waste Material," of Chapter 3, "General Requirements" of the 2012 International Fire Code is amended to read as follows:

"**304.3.1 Spontaneous ignition.** Materials susceptible to spontaneous ignition, such as [~~oily~~] rags containing flammable or combustible liquids and similar materials, shall be stored in a *listed* disposal container. Contents of such containers shall be removed and disposed of daily."

47. Section 304, "Combustible Waste Material," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended by adding a new Subsection 304.4, "Commercial Rubbish-Handling Operations," to read as follows:

"**304.4 Commercial rubbish-handling operations.** Occupancies exclusively performing

commercial rubbish handling or recycling shall maintain rubbish or product to be processed or recycled as follows:

1. In approved vaults;

2. In covered metal or metal-lined receptacles or bins; or

3. Completely baled and stacked in an orderly manner in an approved location."

48. Subsection 306.1, "Motion Picture Projection Rooms," of Section 306, "Motion Picture Projection Rooms and Film," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended by adding a new Paragraph 306.1.1, "Fire Extinguishers," to read as follows:

"**306.1.1 Fire extinguishers.** Two approved fire extinguishers with a minimum 10-B:C rating shall be installed and maintained ready for use in projection rooms."

49. Subsection 306.1, "Motion Picture Projection Rooms," of Section 306, "Motion Picture Projection Rooms and Film," of Chapter 3, "General Requiremenets," of the 2012 International Fire Code is amended by adding a new Paragraph 306.1.2, "Smoking," to read as follows:

"**306.1.2 Smoking.** Smoking and other sources of ignition are prohibited within projection rooms in which cellulose nitrate film is allowed. Conspicuous NO SMOKING signs shall be posted in the room."

50. Subsection 307.1.1, "Prohibited Open Burning," of Section 307, "Opening Burning, Recreational Fires and Portable Outdoor Fireplaces," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**307.1.1 Prohibited open burning.** Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous. <u>Open burning that is offensive or objectionable because of smoke emissions shall be prohibited.</u>

**Exception:** Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the *fire code official*."

51. Subsection 307.2, "Permit Required," of Section 307, "Opening Burning, Recreational Fires and Portable Outdoor Fireplaces," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**307.2 Permit required.** A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, open burning, air curtain incinerator operations, pit burning, trench burning or a bonfire. Application for such approval shall only be presented by and permits issued to the *owner* of the land upon which the fire is to be kindled.

Examples of state or local law or regulation referenced elsewhere in this section may include, but not be limited to, the following:

1. Texas Commission on Environmental Quality guidelines and restrictions.

2. State, county or local temporary or permanent bans on open burning.

3. Local written policies as established by the *fire code official*.

**307.2.1 Authorization.** Where required by state or local law or regulations, *open burning* shall only be permitted with prior approval from the Texas Commission on Environmental Quality [~~state or local air and water quality management authority~~], provided that all conditions specified in the authorization are followed

**307.2.2 Time and atmospheric restrictions.** Open burning shall only be performed when time and atmospheric conditions comply with the limits set forth in the open burning permit. Air curtain incinerator, pit burning and trench burning operations are limited to hours specified by the Texas Commission on Environmental Quality."

52. Subsection 307.3, "Extinguishment authority," of Section 307, "Opening Burning, Recreational Fires and Portable Outdoor Fireplaces," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**307.3 Extinguishment authority. [**~~When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the *fire code official* is authorized to order the extinguishment of the open burning operation.~~] The *fire code official* is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation."

53. Subsection 307.4, "Location," of Section 307, "Opening Burning, Recreational Fires and Portable Outdoor Fireplaces," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**307.4 Location.** The location for *open burning* shall not be less than 300 [~~50~~] feet (91 440 [~~15 240~~] mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 [~~50~~] feet (91 440 [~~15 240~~] mm) of any structure.

**Exceptions:**

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.

2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height."

54. Paragraph 307.4.3, Portable outdoor fireplaces," of subsection "Location," of Section 307.4, of Section 307, "Opening Burning, Recreational Fires and Portable Outdoor Fireplaces," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**307.4.3 Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

**Exceptions:**

1. Portable outdoor fireplaces used at one and two-family *dwellings*.

2. Where buildings, balconies and decks are protected by an *approved* automatic sprinkler system."

55. Subsection 307.4, "Location," of Section 307, "Opening Burning, Recreational Fires and Portable Outdoor Fireplaces," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended by adding a new Paragraph 307.4.5, "Trench Burns and Other Air Current Burns," to read as follows:

"**307.4.4 Trench burns and other air current burns.** Trench burns shall be conducted in air

curtain trenches and in accordance with Section 307.2. Operation of air curtain incinerators and pit burners shall be in accordance with Section 307.2 and Section 603."

56. Subsection 307.5, "Attendance," of Section 307, "Open Burning and Recreational Fires," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**307.5 Attendance.** *Open burning*, air curtain incinerators, pit burns, trench burns, bonfires or *recreational fires* shall be constantly attended, and an attendant shall remain on site a minimum of 30 minutes after [~~until~~] the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other *approved* on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization."

57. Subsection 308.1, "General," of Section 308, "Open Flames," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**308.1 General.** Open flame, fire and burning on all premises shall be in accordance with Sections 308.1.1 through 308.4.1 and with other applicable sections of this code. Flame effects before an audience shall comply with NFPA 160 and this code."

58. Paragraph 308.1.1, "Where prohibited," of Section 308.1, "General," of Section 308, "Open Flames," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**308.1.1 Where prohibited.** A person shall not take or utilize an open flame or light in a structure, vessel, boat or other place where highly flammable, combustible or *explosive* material is utilized or stored. Lighting appliances shall be well-secured in a glass globe and wire mesh cage or a similar *approved* device. Unmanned free-floating devices containing an open flame or other heat source, such as but not limited to sky lanterns shall be prohibited."

59. Paragraph 308.1.4, "Open-Flame Cooking Devices," of Subsection 308.1, "General," of Section 308, "Open Flames," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**308.1.4 Open-flame cooking and heating devices.** Charcoal burners and other open-flame cooking and heating devices including outdoor fireplaces, charcoal grills, and other similar devices used for cooking or heating shall not be operated on combustible balconies, decks,

or within 10 feet (3048 mm) of combustible construction.

**Exceptions:**

1. One-and two-family *dwellings.*

2. Where buildings, balconies and decks are protected by an *approved automatic sprinkler system*. LP-gas containers are limited to one container with a water capacity of not greater than 50 pounds (22.68 kg) [nominal 20 pounds (9.08 kg) LP-gas capacity.

3. LP-gas cooking or heating devices having LP-gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity]."

60. Paragraph 308.3.1, "Open-Flame Decorative Devices," of Subsection 308.3, "Open Flames," of Section 308, "Open Flames," of Chapter 3, "General Requirements," of the 2012 International Fire Code is retitled as Paragraph 308.3.1, "Candles and Other Open-Flame Decorative Devices."

61. Paragraph 308.3.2, "Theatrical Performances," of Subsection 308.3, "Open Flames," of Section 308, "Open Flames," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**308.3.2 Theatrical performances.** Where *approved*, open-flame devices used in conjunction with theatrical performances are allowed to be used when adequate safety precautions have been taken in accordance with NFPA 160. Open-flame devices shall be *approved* by the fire chief. The fire chief may require standby personnel."

62. Section 311, "Vacant Premises," of Chapter 3, "General Requirements," of the 2012 International Fire Code is retitled as Section 311, "Vacant and Partially Burned Premises."

63. Subsection 311.1, "General," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**311.1 General.** [~~Temporarily unoccupied~~] B[~~b~~]uildings, structures, premises or portions thereof, including tenant spaces, that are temporarily unoccupied, in the process of being vacated, or partially burned, shall be safeguarded and maintained in accordance with Sections

311.1.1 through 311.5.5."

64. Paragraph 311.2.1, "Security," of Subsection 311.2, "Safeguarding Vacant Premises," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**311.2.1 Security.** Exterior openings and interior openings accessible to other tenants or unauthorized persons shall be maintained securely boarded, locked, [~~blocked~~] or [~~otherwise protected~~] barricaded to prevent entry by unauthorized individuals in accordance with Section L102, 'Specifications for Securing Unsecured Vacant Structures,' of Appendix L. The *fire code official* is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety."

65. Paragraph 311.2.2, "Fire Protection," of Subsection 311.2, "Safeguarding Vacant Premises," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**311.2.2 Fire protection**. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.

Exceptions:

1. When the premises have been cleared of all combustible materials and debris and, in the opinion of the *fire code official*, the type of construction, *fire separation distance* and security of the premises do not create a fire hazard. This exception does not apply to a building that must be registered under Chapter 48B, "Vacant Buildings," of the *Dallas City Code*.

2. Where *approved* by the fire chief, buildings that will not be heated and where *fire protection systems* will be exposed to freezing temperatures, fire alarm and sprinkler systems are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply), provided the building has no contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized persons. This exception does not apply to a building that must be registered under Chapter 48B, "Vacant Buildings," of the *Dallas City Code*."

66. Subsection 311.2, "Safeguarding Vacant Premises," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of the 2012 International

Fire Code is amended by adding a new Subsection 311.2.4, "Forty-eight Hour Notice," to read as follows:

"**311.2.4 Forty-eight hour notice.** The *fire code official* shall immediately notify the operator of an unsecured building to secure the building, and, if the building is not secured within 48 hours after the operator is notified, the *fire code official* may cause the building to be secured at the expense of the operator."

67. Subsection 311.2, "Safeguarding Vacant Premises," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended by adding a new Subsection 311.2.5, "Ninety-day Notice to Repair Partially Burned Building," to read as follows:

"**311.2.5 Ninety-day notice to repair partially burned building.** Persons owning or in charge of a vacant structure that has been partially burned, shall repair the structure to *Dallas City Code* standards or remove the structure from the premises within 90 days of notice by the *fire code official*. If a person is aggrieved by a decision of a member of the fire department enforcing this code, the person may appeal the decision to municipal court if they file a written request for a hearing with the municipal court within 30 days after the date of receiving notice of the *fire code official*'s decision."

68. Subsection 311.3, "Removal of Combustibles," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**311.3 Removal of combustibles.** Persons owning, or in charge or control of, a vacant building or portion thereof, shall remove therefrom all accumulations of combustible materials, flammable or combustible waste or rubbish and partially burned materials and shall securely lock or otherwise secure doors, windows and other openings to prevent entry by unauthorized persons. The premises shall be maintained clear of waste or hazardous materials.

**Exception[s]:**

[~~1.~~] Buildings or portions of buildings undergoing additions, *alterations*, repairs, or change of occupancy in accordance with the *Dallas* [~~*International*~~] *Building Code*, where waste is controlled and removed as required by Section 304.

[~~2. Seasonally occupied buildings.~~]"

69. Subsection 311.5, "Placards," of Section 311, "Vacant and Partially Burned Premises," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**311.5 Placards.** [~~Any~~] The *fire code official* is authorized to require the marking of [~~A~~]any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards [~~shall be marked~~] as required by Sections 311.5.1 through 311.5.5. The *fire code official* shall immediately notify the operator of the unsafe building to apply *approved* placards to the building, and, if placards are not applied within 48 hours after the operator is notified, the *fire code official* may cause placards to be applied to the building at the expense of the operator."

70. Subsection 314.2, "Fixtures and Displays," of Section 314, "Indoor Displays," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**314.2 Fixtures and displays.** Fixtures and displays of goods for sale to the public shall be arranged so as to maintain free, immediate and unobstructed access to *exits* as required by Chapter 10, and to *fire protection system* devices and equipment as required in Chapter 9. Visibility of *fire protection system* devices and unobstructed access to fire protection equipment shall be maintained throughout all display areas."

71. Subsection 314.4, "Vehicles," of Section 314, "Indoor Displays," of Chapter 3, "General Requirements," of the 2012 International Fire Code is amended to read as follows:

"**314.4 Vehicles.** Liquid- or gas-fueled vehicles, boats or other motorcraft shall not be located indoors except as follows:

1. Batteries are disconnected.

2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least). Fuel tank levels shall be inspected and *approved* by the *fire code official* prior to locating the vehicles or equipment indoors.

3. Fuel tanks and fill openings are closed and sealed to prevent tampering.

4. Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.

5. Fuel systems are inspected for leaks.

6. The location of vehicles or equipment does not block or obstruct means of egress.

7. Fuel for the vehicle or equipment is stored in *approved* containers in an *approved* location outside of the building.

8. Fuel spills are cleaned up immediately.

9. Refueling is performed outside of the building at an *approved* site.

10. Keys to all vehicles, boats or other motorcraft are maintained at the display site and available for use by the *fire code official*."

72. Chapter 3, "General Requirements," of the 2012 International Fire Code is amended by adding a new Section 319, "Parade Floats," to read as follows:

"**SECTION 319**
**PARADE FLOATS**

**319.1 Decorative material.** Decorative material on parade floats shall be noncombustible or flame retardant.

**319.2 Fire protection.** Motorized parade floats and towing apparatus shall be provided with a minimum 2-A: 10-B:C rated portable fire extinguisher readily accessible to the operator."

73. Chapter 3, "General Requirements," of the 2012 International Fire Code is amended by adding a new Section 320, "Untreated Wood Shakes and Wood Shingles," to read as follows:

"**SECTION 320**
**UNTREATED WOOD SHAKES AND WOOD SHINGLES**

**320.1 Signs.** A person commits an offense if he knowingly sells or offers for sale untreated wood shakes or wood shingles from any premises in the city without having signs conspicuously posted on the premises in accordance with the following requirements:

1. Each sign shall be posted in the form, number, manner and location *approved* by the *fire code official* such that at least one sign is conspicuous to every person buying or attempting to buy untreated wood shakes or wood shingles. At least one sign shall be posted near each entrance on the premises, and at least one sign shall be posted at each separate display of untreated wood shakes or wood shingles.

2. Each sign shall be constructed of a durable material with an area of not less than 200 square inches (13 $m^2$) and contain clearly legible red letters, at least ¾ inch (19 mm) in

height with at least $^1/_8$-inch (3.2 mm) stroke, on a white background.

3. Each sign shall contain the following or similar language *approved* by the *fire code official*:

**NOTICE**

Use of untreated wood shakes or shingles as roof covering materials in the City of Dallas is a criminal offense punishable by fines up to $2,000 under Chapter 15 of the Dallas Building Code. Records of all purchases of untreated wood shakes and shingles are required by Section 318 of the Dallas Fire Code.

**320.2 Labels.** A person commits an offense if he knowingly sells or offers for sale untreated wood shakes or wood shingles in the city without having each bundle of shakes or shingles conspicuously labeled in accordance with the following requirements:

1. The form, manner and location of each label shall be *approved* by the *fire code official*.

2. Each label shall have an area of not less than 20 square inches (.013 $m^2$) and contain clearly legible black letters on a red background.

3. Each label shall contain the following statement or similar language *approved* by the *fire code official*:

**UNTREATED WOOD SHAKES OR SHINGLES**
Use as roof covering material in the City of Dallas is a criminal offense punishable by fines up to $2,000 under Chapter 15 of the Dallas Building Code.

**320.3 Purchase record required.** A person commits an offense if he knowingly sells untreated wood shakes or wood shingles in the city to any person who does not complete a record of purchase, on a form *approved* by the *fire code official*, which includes the following information:

1. The name, address and telephone number of the purchaser.

2. The distinctive number from the purchaser's driver license, military identification card, passport or personal identification certificate.

3. The date of purchase of the wood shakes or wood shingles.

4. The quantity of wood shakes or wood shingles purchased.

5. The intended use of the wood shakes or wood shingles and each location where the wood shakes or wood shingles will be used.

6. A statement that the purchaser has been informed that the use of untreated wood shakes

and wood shingles as roof covering material in the City of Dallas is a criminal offense under Chapter 15 of the *Dallas Building Code*, and any violator, upon conviction, may be punished by a fine of up to $2,000.

7. The signature of the purchaser.

8. The name of the individual obtaining the record of the purchase transaction.

**320.4 Maintenance and inspection records.** A person who sells or offers for sale untreated wood shakes or wood shingles shall maintain on file the purchase records required under Section 318 for not less than one year after the date of each purchase of untreated wood shakes or wood shingles. The purchase records shall be made available for inspection by the *fire code official*, the building official or any peace officer, upon request, at the seller's place of business during the seller's usual and customary business hours."

74. Subsection 401.1, "Scope," of Section 401, "General," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**401.1 Scope.** Reporting of fires and emergencies, coordination with emergency response forces, emergency plans, and procedures for managing or responding to emergencies shall comply with the provisions of this section.

[**Exception:** Firms that have *approved* on-premises fire-fighting organizations and that are in compliance with *approved* procedures for fire reporting.]"

75. Subsection 401.5, "Making False Report," of Section 401, "General," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**401.5** [**Making**] **F**[**f**]**alse alarms** [**report**]**.** [A person] False alarms shall not be given, signaled, or transmitted or caused or permitted to be given, signaled or transmitted in any manner [a false alarm]."

76. Section 403, "Public Assemblages and Events," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is retitled as Section 403, "Public Assemblages, Other Occupied Buildings and Events."

77. Subsection 403.1, "Fire Watch Personnel," of Section 403, "Public Assemblages, Other Occupied Buildings and Events," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**403.1 Standby** [~~**Fire watch**~~] **personnel.** When, in the opinion of the *fire code official*, it is essential for public safety in a place of assembly or any other occupied building [~~place where people congregate~~], because of the number of persons, failure of life safety systems or the nature of the performance, exhibition, display, contest or activity, the *owner*, agent or lessee shall employ standby [~~provide one or more fire watch~~] personnel[~~,~~] as defined in Section 202 [~~required and *approved*,~~] to remain on duty during the times such places are occupied [~~open to the public, or when such activity is being conducted~~].

**403.1.1 Duties.** Standby [~~Fire watch~~] personnel shall keep diligent watch for fires, obstructions to means of egress and other hazards during the time such place is occupied [~~open to the public or such activity is being conducted~~] and take prompt measures for remediation of hazards, extinguishment of fires that occur and assist in the evacuation of the public from the structures."

78. Subsection 403.3, "Crowd Managers," of Section 403, "Public Assemblages, Other Occupied Buildings and Events," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**403.3 Crowd managers**. Trained crowd managers shall be provided and on-site for facilities or events where more than 1,000 persons congregate. The minimum number of crowd managers shall be established at a ratio of one crowd manager to every 250 persons. Where *approved* by the *fire code official*, the ratio of crowd managers shall be permitted to be reduced by up to 50% where the facility is equipped throughout with an *approved automatic sprinkler system* or based upon the nature of the event and the fire protection provided.

**403.3.1 Training.** Training for crowd managers shall be *approved* and shall be based upon a valid job task analysis.

**403.3.2 Duties.** The duties of crowd managers shall include:

a. An inspection of the area of responsibility to identify and address any egress barriers;

b. An inspection of the area of responsibility to identify and mitigate any fire hazards;

c. Ensure compliance with all permit conditions, including those governing pyrotechnics and other special effects;

d. To direct and assist the event attendees in evacuation during an emergency;

e. Assist emergency response personnel if requested;

f. Other duties outlined by the *Fire code official*; and

g. Other duties outlined in the Emergency Plan."

79. Subsection 404.2, "Where Required," of Section 404, "Fire Safety and Evacuation Plans," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**404.2 Where required.** An *approved* fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

1. Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an *occupant load* less than 2,000.

2. Group B buildings having an *occupant load* of 500 or more persons or more than 100 persons above or below the lowest *level of exit discharge*.

3. Group E. The operator of a premises housing an educational institution shall prepare an emergency evacuation plan for review and approval by the *fire code official*, post the evacuation plan in a conspicuous location in each classroom, and instruct all supervisory personnel and all students in the evacuation procedures.

4. Group F buildings having an *occupant load* of 500 or more persons or more than 100 persons above or below the lowest *level of exit discharge*.

5. Group H.

6. Group I.

7. Group R-1.

8. Group R-2 college and university buildings.

9. Group R-4.

10. High-rise buildings. Fire safety and evacuation plans for high-rise buildings shall be in accordance with Section L103 of Appendix L.

11. Group M buildings having an *occupant load* of 500 or more persons or more than 100 persons above or below the lowest *level of exit discharge*.

12. Covered malls exceeding 50,000 square feet (4645 $m^2$) in aggregate floor area.

13. Open mall buildings exceeding 50,000 square feet 4645 $m^2$) in aggregate floor area within perimeter line.

14. Underground buildings.

15. Buildings with an atrium and having an occupancy in Group A, E or M."

80. Paragraph 404.3.2, "Fire Safety Plans," of Subsection 404.3, "Contents," of Section 404, "Fire Safety and Evacuation Plans," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**404.3.2 Fire safety plans.** Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.

2. The life safety strategy and procedures for notifying, relocating, or evacuating occupants, including occupants who need assistance.

3. Site plans indicating the following:

    3.1. The occupancy assembly point.

    3.2. The locations of fire hydrants.

    3.3. The normal routes of fire department vehicle access.

4. Floor plans identifying the locations of the following:

    4.1. Exits.

    4.2. Primary evacuation routes.

    4.3. Secondary evacuation routes.

    4.4. Accessible egress routes.

    4.5. Areas of refuge.

    4.6. Exterior areas for assisted rescue.

    4.7. Manual fire alarm boxes.

4.8. Portable fire extinguishers.

4.9. Fire extinguishing system controls [~~Occupant-use hose stations~~].

4.10. Fire alarm annunciators and controls.

5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.

6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.

7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources."

81. Table 405.2, "Fire and Evacuation Drill Frequency and Participation," of Subsection 405.2, "Frequency," of Section 405, "Emergency Evacuation Drills," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**TABLE 405.2**
**FIRE AND EVACUATION DRILL**
**FREQUENCY AND PARTICIPATION**

| **GROUP OR OCCUPANCY** | **FREQUENCY** | **PARTICIPATION** |
|---|---|---|
| Group A | Quarterly | Employees |
| Group B[c] | Annually | Employees |
| Group E | Monthly[a] | All occupants |
| Group F | Quarterly [~~Annually~~] | Employees |
| Group I | Quarterly on each shift | Employees[b] |
| Group R-1 | Quarterly on each shift | Employees |
| Group R-2[d] | Four annually | All occupants |
| Group R-4 | Quarterly on each shift | Employees[b] |
| High-rise buildings | Quarterly [~~Annually~~] | All occupants [~~Employees~~] |

a. The frequency shall be allowed to be modified in accordance with Section 408.3.2.

b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the promises in accordance with Section 408.10.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.

c. Group B buildings having an *occupant load* of 500 or more persons or more than 100 persons above or below the lowest level of *exit* discharge.

d. Applicable to Group R-2 college and university buildings in accordance with Section 408.3.

82. Subsection 405.2, "Frequency," of Section 405, "Emergency Evacuation Drills," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended by adding a new Paragraph 405.2.1, "Drills Required by the Fire Chief," to read as follows:

"**405.2.1 Drills required by the fire chief.** The *fire code official* may require a fire drill at any time."

83. Subsection 408.1, "General," of Section 408, "Use and Occupancy-Related Requirements," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended by adding a new Paragraph 408.1.1, "Warning Signs," to read as follows:

"**408.1.1 Warning signs.** The operator of premises housing a hotel, motel, boarding house, lodging house, tenement house, convalescent home, hospital, child care facility or similar place of abode shall provide, post and maintain warning signs in each *dwelling unit* which bear the prohibition of Section 408 of this division in its entirety and which states as follows: ANY PERSON WHO CAUSES THE ACCIDENTAL BURNING OF ANY PART OF THIS BUILDING OR ITS CONTENTS IS SUBJECT TO A FINE OF $2,000. CITY OF DALLAS FIRE CODE."

84. Paragraph 408.8.1, "Evacuation Diagrams," of Subsection 408.8, "Group R-1 Occupancies," of Section 408, "Use and Occupancy-Related Requirements," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**408.8.1 Evacuation diagrams.** A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door from each hotel or motel sleeping unit and shall include the following:

1. A description of the fire alarm system and an explanation of its operation (including the meaning of signals).

2. A map showing all emergency *exit* locations and how they are designated.

3. Information on how to report a fire or other emergency to the Dallas Fire-Rescue Department and/or building management.

4. A warning not to use elevators in case of fire.

5. General instructions as to self-protective measures a person should take if trapped in a room by fire or smoke."

85. Paragraph 408.11.3, "Maintenance," of Subsection 408.11, "Covered and Open Mall Buildings," of Section 408, "Use and Occupancy-Related Requirements," of Chapter 4, "Emergency Planning and Preparedness," of the 2012 International Fire Code is amended to read as follows:

"**408.11.3 Maintenance.** Unoccupied tenant spaces shall be:

1. Kept free from the storage of any combustible or hazardous materials.

2. Separated from the remainder of the building by partitions of at least 0.5-inch-thick (12.7 mm) gypsum board or an *approved* equivalent to the underside of the ceiling of the adjoining tenant spaces.

3. Without doors or other access openings other than one door that shall be kept key locked in the closed position except during that time when opened for inspection.

4. Kept free from combustible waste and be broom-swept clean."

86. Subsection 501.3, "Construction Documents," of Section 501, "General," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended to read as follows:

"**501.3 Construction documents.** *Construction documents* for proposed fire apparatus access, location of *fire lanes*, [~~security gates across fire apparatus access and *construction documents* and hydraulic calculations for~~] fire hydrant systems and limited access gates which obstruct fire apparatus access roads (in accordance with Section L104, 'Limited Access Gates' of Appendix L) shall be submitted to the fire department for review and approval prior to construction.

**501.3.1 Plan review fees.** Plans for fire apparatus access roads (in accordance with Section 503 and Appendix D) shall be accompanied by a nonrefundable $75 review fee. This shall apply to new and existing construction.

**Exception:** No plan review fee shall be charged when the plans are directly related to construction conducted on a building or premises pursuant to a valid building permit issued by the building official.

Plans for limited access gates which obstruct fire apparatus access roads (in accordance with Section L104, 'Limited Access Gates' of Appendix L) shall be accompanied by a nonrefundable $75 review fee. This plan review fee shall apply to new and existing construction."

87. Section 503, "Fire Apparatus Access Roads," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended to read as follows:

"**SECTION 503**
**FIRE APPARATUS ACCESS ROADS**

**503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.4[~~3~~].

**503.1.1 Buildings and facilities.** *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility. Group R-3 and Group U occupancies shall have a fire apparatus access road within 200 feet (60 960 mm) of any portion of the exterior wall of the first story of the building as measured by an *approved* route. Fire apparatus access roads shall be required within 50 feet (15 240 mm) of any fire department connections. Provisions of this section may be modified by the fire chief. Refer to Section 912 for additional requirements for access to fire department connections and Section 504.1 for personnel access to buildings.

**Exception:** The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

**503.1.2 Additional access.** The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

**503.1.3 High-piled storage.** Fire department vehicle access to buildings used for *high-piled*

*combustible storage* shall comply with the applicable provisions of Chapter 32.

**503.1.4 Construction, alteration or demolition.** Fire department vehicle access to buildings under construction, alteration or demolition shall comply with the applicable provisions of Section 3310.1.

**503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

**Exceptions:**

1. Group R-3 and Group U occupancy fire apparatus access roads that are less than 100 feet (30 480 mm) in length are permitted to have an unobstructed width of not less than 12 feet (3658 mm) when *approved* by the fire chief.

2. Individual entry and *exit* lanes with a minimum width of 12 feet (3658 mm) each, separated by an island no wider than 20 feet (6096 mm).

**503.2.2 Authority.** The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be of concrete or asphalt [~~surfaced~~] so as to provide all-weather driving capabilities. All other driving surfaces shall receive approval by the fire chief before installation.

**503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.

**503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an *approved* area for turning around fire apparatus in accordance with Appendix D, 'Fire Apparatus Access Roads.'

**503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the *fire code official*. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, *approved* barriers, *approved* signs or both shall be installed and maintained when

required by the *fire code official*.

**503.2.7 Grade.** The maximum vertical grade for all [~~of the~~] fire apparatus access roads is 10 percent for concrete roads and 8 percent for asphalt roads. The maximum cross grade for all [~~shall be within the limits established by the~~] fire [~~code official based on the fire department's~~] apparatus access roads is 2 percent.

**503.2.8 Angles of approach and departure.** The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus.

**503.3 Marking.** *Approved* striping, or when allowed [~~Where required~~] by the *fire code official*, [~~*approved*~~] signs, or both [~~other *approved* notices or markings that include the words NO PARKING – FIRE LANE~~] shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

1. Striping – Fire apparatus access roads shall be marked by painted lines of red traffic paint 6 inches (152 mm) in width to show the boundaries of the lane. The words NO PARKING - FIRE LANE or FIRE LANE - NO PARKING shall appear in 4-inch (102 mm) white letters at 25-foot (7620 mm) intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

2. Signs – Signs shall read NO PARKING - FIRE LANE or FIRE LANE - NO PARKING and shall be 12 inches (305 mm) wide and 18 inches (457 mm) high. Signs shall be painted on a white background with letters and borders in red, using not less than 2-inch (51 mm) lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be 6 feet, 6 inches (1981 mm) above finished grade. Signs shall be spaced not more than 50 feet (15 240 mm) apart. Signs may be installed on permanent buildings or walls or as *approved* by the fire chief. Signs shall be posted on both sides of the fire apparatus road.

**Exception:** Group R-3 and Group U occupancy fire apparatus access roads are not required to be marked when *approved* by the fire chief.

**503.3.1 Unapproved markings.** No person shall mark, post or otherwise identify any road or other passageway that is not a fire apparatus access road as a fire lane or in a manner that creates confusion as to whether the road or a passageway is a fire lane.

**503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1, and any area marked as a fire lane as described in Section 503.3, shall be maintained at all times. The operator of the premises shall be responsible for removal of obstructions in a fire lane.

**503.4.1 Traffic calming devices.** Traffic calming devices shall be prohibited unless *approved* by the *fire code official*.

**503.4.2 Noncompliance.** Any unauthorized vehicle in a fire lane is:

1. Subject to removal by the operator of the premises, with the expense of removal and storage to be borne by the registered owner of the vehicle;

2. Subject to citation, as well as removal, by the fire chief or a police officer; and

3. Prima facie evidence that the person in whose name the vehicle is registered is guilty of a violation of the parking provisions of this section.

**503.5 Required gates or barricades.** The *fire code official* is authorized to require the installation and maintenance of gates or other *approved* barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

**503.5.1 Secured gates and barricades.** When required, gates and barricades shall be secured in an *approved* manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the *fire code official*.

**Exception:** The restriction on use shall not apply to public officers acting within the scope of duty.

**503.6 Limited access** [~~**Security**~~] **gates.** The installation of limited access [~~security~~] gates across a fire apparatus access road shall be *approved* by the fire chief. Where limited access [~~security~~] gates are installed, they shall have an *approved* means of emergency operation in accordance with Section L104, 'Limited Access Gates,' of Appendix L. The limited access [~~security~~] gates and the emergency operation shall be maintained operational at all times in accordance with Section L104, 'Limited Access Gates,' of Appendix L." Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200."

88. Subsection 504.3, "Stairway Access to Roof," of Section 504, "Access to Building Openings and Roofs," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended by adding a new Paragraph 504.3.1, "Locks," to read as follows:

"**504.3.1 Locks.** Doors providing roof access shall remain unlocked at all times or be provided with an *approved* locking device."

89. Section 506, "Key Boxes," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended to read as follows:

"**SECTION 506**
**KEY BOXES**

**506.1 Where required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type *listed* in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*. Interior key boxes are required in all buildings having floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of the fire department access. Exterior key boxes are required in the following types of buildings:

1. Big box/super center stores 50,000 sq. feet or larger (Examples: Home Depot, Lowe's, Best Buy, Wal-Mart, Target),

2. Apartment buildings,

3. Schools,

4. Fire stations, and

5. Multi-story commercial buildings.

Where immediate access is necessary for life-saving or fire fighting purposes, the *fire code official* is authorized to require a key box to be installed.

**Exception:** The owner shall have the option to place a key box on the exterior of the building with the approval of the *fire code official*. The *fire code official* may allow installation of an *approved* key switch in lieu of an exterior key box.

**506.1.1 Locks.** An *approved* lock shall be installed on gates or similar barriers when required by the *fire code official*.

[~~**506.1.2 Key boxes for nonstandardized fire service elevator keys.** Key boxes provided for nonstandardized fire service elevator keys shall comply with Section 506.1 and all of the following:~~

~~1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and *approved* by the *fire code official*.~~

~~2. The front cover shall be permanently labeled with the words "Fire Department Use~~

~~Only Elevator Keys."~~

~~3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.~~

~~4. The key box shall be mounted 5 feet 6 inches (1676 mm) above the finished floor to the right side of the elevator bank.~~

~~5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted when authorized by the *fire code official*.~~

~~6. In buildings with two or more elevator banks, a single key box shall be permitted to be used when such elevator banks are separated by not more than 30 feet (9144mm). Additional key boxes shall be provided for each individual elevator or elevator bank separated by more than 30 feet (9144 mm).~~

~~**Exception:** A single key box shall be permitted to be located adjacent to a *fire command center* or the nonstandard fire service elevator key shall be permitted to be secured in a key box used for other purposes and located in accordance with Section 506.1.~~]

**506.2 Key box maintenance.** The operator of the building shall immediately notify the *fire code official* and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

**506.3 Construction.** Key boxes shall be constructed of not less than ¼-inch steel plate, contain a high-security lock and utilize the keys which conform to the fire department key code.

**506.4 Installation.** Interior key boxes shall be installed within 12 feet (3658 mm) of the emergency elevator, visible from the entrance to the emergency elevator, and not more than 5 feet 6 inches (1676 mm) above the main entrance level of the building. Exterior key boxes shall be installed within 12 feet (3658 mm) of the main building entrance, visible from the direction of entry, and not more than 5 feet 6 inches (1676 mm) and not less than 42 inches (1067 mm) above the main entrance level of the building. The *fire code official* may approve alternate locations.

**Exception:** An *approved* key switch may be used in lieu of an exterior key box.

**506.5 Contents.** Exterior key boxes shall contain keys to gain access to the building as required by the *fire code official*. Interior key boxes shall contain designated keys essential to emergency operations, including but not limited to the following. There shall be 3 separate sets of appropriately labeled keys maintained in the interior key box. The key sets shall include the following:

1. Elevator keys capable of accessing all floors in the building.

2. Stairway keys.

3. Fire control station keys.

4. Alarm system keys.

5. Key fobs.

6. Access cards.

**506.6 Key set arrangements.** 3 sets of building emergency access keys as described below shall be provided for Fire Department use in the key box for all high-rise buildings.

**506.6.1 Keys.** Each key shall be labeled using the appropriate color coded plastic laminate identification tag attaching the key by a 7/8-inch (13 mm) split key ring. A quick release key holder with one button operation that has 1-inch (25 mm) split rings on each end shall be used. A key tag legend card shall be provided and maintained in the interior key box. The legend card shall be printed in at least an18 font or equivalent lettering and shall describe all the required keys, their functions and the respective key tag colors.

**506.6.2 Emergency access keys for high-rise buildings.** On one end of the quick release key holder, a 2-inch (50 mm) split ring will be attached to the 1-inch (25mm) split ring that has the following building access keys. Emergency access keys for all high-rise buildings shall have a 7/8-inch (13 mm) split key ring through it attaching the key to the appropriate colored plastic laminate identification tag labeled as follows:

1. Stairway key(s) with white tag(s).

2. Roof Access key(s) with white tag(s).

3. Mechanical/Electrical room key(s) with white tag(s).

4. Special access key(s) with white tag(s).

5. Sprinkler/Standpipe key(s) with blue tag(s).

**506.6.3 Elevator access keys.** The other end of the quick release holder another 2-inch (50mm) split ring shall be attached to the 1-inch (25mm) split ring. On this 2-inch (50 mm) split ring only the following elevator keys shall be attached (if applicable). Elevator keys shall have a 7/8-inch (13 mm) split key ring through it attaching the key to the appropriate colored plastic laminate identification tag labeled as follows:

1. Fire service – Phase 1 and Phase 2 with red tags.

2. Elevator car door(s) with red tag(s).

3. Elevator inspection on/off with yellow tag.

4. Elevator stop/run with orange tag.

5. Elevator car access panel with orange tag.

6. Elevator car emergency power selector with green tag.

7. Independent service keys shall not be attached to any of the above key sets. The key shall be labeled with a black tag."

90. Subsection 507.2, "Type of Water Supply," of Section 507, "Fire Protection Water Supplies," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended to read as follows:

"**507.2 Type of water supply.** A water supply shall consist of city water mains. The *fire code official* may approve alternate forms of water supply such as reservoirs, pressure tanks, elevated tanks[~~, water mains~~] or other fixed systems capable of providing the required fire flow.

**507.2.1 Private fire service mains.** Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

**507.2.1.1 Installation**. Private fire hydrants shall comply with the Dallas Water Utilities Addendum to COG 2.14. The hydrants shall be provided with one 4-inch (102 mm) nominal I.D. outlet with threads complying with File No. 684A-9 and two 2½-inch (64 mm) nominal I.D. outlets with 7½-inch (191 mm) national standard fire hose coupling screw threads per inch.

**507.2.2 Water tanks.** Water tanks for private fire protection shall be installed in accordance with NFPA 22."

91. Subsection 507.3, "Fire Flow," of Section 507, "Fire Protection Water Supplies," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended to read as follows:

"**507.3 Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be in accordance with Appendix B, 'Fire-Flow Requirements for Buildings.' [~~determined by an *approved* method.~~]"

92. Subsection 507.5, "Fire Hydrant Systems," of Section 507, "Fire Protection Water Supplies," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended to read as follows:

"**507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.8[~~6~~] and Appendix C, 'Fire Hydrant Locations and Distribution.'''

93. Paragraph 507.5.1, "Where Required," of Subsection 507.5, "Fire Hydrant Systems," of Section 507, "Fire Protection Water Supplies," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended to read as follows:

"**507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*. A street or block more than 800 feet (244 m) in length shall have at least one fire hydrant located on it, even if covered by other fire hydrants.

**Exceptions:**

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).

2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

3. Buildings or facilities of noncombustible construction less than 500 square feet (46.45 $m^2$).

**507.5.1.1 Hydrant for standpipe systems.** Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 400 [~~100~~] feet (122 m) [(~~30 m~~)] of the fire department connections.

**Exception:** The distance shall be permitted to exceed 400 [~~100~~] feet (122 m) [(~~30 m~~)] where approved by the fire code official."

94. Subsection 507.5, "Fire Hydrant Systems," of Section 507, "Fire Protection Water Supplies," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended by adding a new Paragraph 507.5.7, "Hydrant Color Coding," to read as follows:

"**507.5.7 Hydrant color coding.** All fire hydrants shall be color coded to indicate the size of the water supply main. Each hydrant shall have at least 4 inches (102 mm) of each dome color coded as follows:

1. Red for 4-inch (102 mm) mains.

2. Silver for 6-inch (152 mm) mains.

3. Blue for 8-inch (203 mm) mains.

4. Yellow for 10-inch (254 mm) or larger mains.

5. Public hydrant barrels shall be silver. Private hydrant barrels shall be kelly green."

95. Subsection 507.5, "Fire Hydrant Systems," of Section 507, "Fire Protection Water Supplies," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended by adding a new Paragraph 507.5.8, "Location," to read as follows:

"**507.5.8 Location.** Fire hydrants shall be located a minimum of 2½ feet (762 mm) and a maximum of 7½ feet (2286 mm) from the edge of fire apparatus access roads."

96. Section 508, "Fire Command Center," of Chapter 5, "Fire Service Features," of the 2012 International Fire Code is amended to read as follows:

"**SECTION 508**
**FIRE COMMAND CENTER**

"**508.1 General.** Where required by other sections of this code and in all buildings classified as high-rise buildings by the <u>*Dallas*</u> [~~*International*~~] *Building Code,* a *fire command center* for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.5.

**508.1.1 Location and access.** The location and accessibility of the *fire command center* shall be *approved* by the fire chief.

**508.1.2 Separation.** The *fire command center* shall be separated from the remainder of the building by not less than a 1-hour *fire barrier* constructed in accordance with Section 707 of the <u>*Dallas*</u> [~~*International*~~] Building Code or *horizontal assembly* constructed in accordance with Section 711 of the <u>*Dallas*</u> [~~*International*~~] Building Code, or both.

**508.1.3 Size**. The fire command center shall be a minimum of 200 square feet ($19m^2$) in area with a minimum dimension of 10 feet (3048 mm).

**508.1.4 Layout approval.** A layout of the *fire command center* and all features required by this section to be contained therein shall be submitted for approval prior to installation.

**508.1.5 Required features.** The *fire command center* shall comply with NFPA 72 and shall contain the following features:

1. The emergency voice/alarm communication system control unit.

2. The fire department communications system, when approved by the *fire code official*.

3. Fire detection and alarm system annunciator.

4. Annunciator unit visually indicating the location of the elevators and whether they are operational.

5. Status indicators and controls for air-distribution systems <u>if mechanical air-handling equipment is used for smoke removal purposes in accordance with Section 403.4.6 of the Dallas Building Code</u>.

6. The fire-fighter's control panel required by Section 909.16 for smoke control systems installed in the building.

7. Controls for unlocking *stairway* doors simultaneously.

8. Sprinkler valve and water-flow detector display panels.

9. Emergency and standby power status indicators.

10. A telephone for fire department use with controlled access to the public telephone system.

11. Fire pump status indicators.

12. Schematic building plans indicating the typical floor plan and detailing the building core, *means of egress*, *fire protection systems*, fire-fighting equipment and fire department access, and the location of *fire walls*, *fire barriers*, *fire partitions*, *smoke barriers* and smoke partitions.

13. An *approved* Building Information Card that contains, but is not limited to, the following information:

    13.1. General building information that includes: property name, address, the number of floors in the building (above and below grade), use and occupancy classification (for mixed uses, identify the different types of occupancies on each floor), estimated building population (i.e., day, night, weekend);

13.2. Building emergency contact information that includes: a list of the building's emergency contacts (e.g., building manager, building engineer, etc.) and their respective work phone number, cell phone number, and e-mail address;

13.3. Building construction information that includes: the type of building construction (e.g., floors, walls, columns, and roof assembly);

13.4. *Exit* stair information that includes: number of *exit stairs* in the building, each *exit stair* designation and floors served, location where each *exit stair* discharges, *exit stairs* that are pressurized, *exit stairs* provided with emergency lighting, each *exit stair* that allows reentry, *exit stairs* providing roof access; elevator information that includes: number of elevator banks, elevator bank designation, elevator car numbers and respective floors that they serve, location of elevator machine rooms, location of sky lobby, location of freight elevator banks;

13.5. Building services and system information that includes: location of mechanical rooms, location of building management system, location and capacity of all fuel oil tanks, location of emergency generator, location of natural gas service;

13.6. *Fire protection system* information that includes: locations of standpipes, location of fire pump room, location of fire department connections, floors protected by *automatic* sprinklers, location of differe0nt types of *automatic sprinkler systems* installed (e.g., dry, wet, pre-action, etc.); and

13.7. Hazardous material information that includes: location of hazardous material, quantity of hazardous material.

14. Work table.

15. Generator supervision devices, manual start and transfer features.

16. Public address system, where specifically required by other sections of this code.

17. Elevator fire recall switch in accordance with ASME A17.1.

18. Elevator emergency or standby power selector switch(es), where emergency or standby power is provided."

97. Section 509, "Fire Protection and Utility Equipment Identification and Access" of Chapter 5, "Fire Service Features", of the 2012 International Fire Code is amended by adding a new Subsection 509.1.2, "Sign Requirements," as follows:

"**509.1.2 Sign requirements.** Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as approved by the *fire code official*. The letters shall be of a color that contrasts with the background."

98. Subparagraph 603.3.2.1, "Quantity Limits", of Paragraph 603.3.2, "Fuel Oil Storage Inside Buildings," of Subsection 603.3, "Fuel Oil Storage Systems," of Section 603, "Fuel-Fired Appliances", of Chapter 6, "Building Services And Systems", of the 2012 International Fire Code is amended as follows:

"**603.3.2.1 Quantity limits.** One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all such tanks shall not exceed 660 gallons (2498 L).

**Exception:** The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11 356 L) in accordance with all requirements of Chapter 57. [~~of Class II or III liquid for storage in protected above-ground tanks complying with Section 5704.2.9.7, when all of the following conditions are met:~~

~~1. The entire 3,000-gallon (11 356 L) quantity shall be stored in protected above ground tanks;~~

~~2. The 3,000-gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks; and~~

~~3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1.~~]"

99. Section 604, "Emergency and Standby Power Systems" of Chapter 6, "Building Services And Systems", of the 2012 International Fire Code is amended as follows:

"**SECTION 604**
**EMERGENCY AND STANDBY POWER SYSTEMS**

"**604.1 Installation.** Emergency and standby power systems required by this code or the *International Building Code* shall be installed in accordance with this code, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.

**604.1.1 Stationary generators.** Stationary emergency and standby power generators required by this code shall be *listed* in accordance with UL 2200.

**604.1.2 Critical Operations Power Systems (COPS).** For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

**604.2 Where required.** Emergency and standby power systems shall be provided where required by Sections 604.2.1 through [~~604.2.18.4~~] 604.2.24 or elsewhere identified in this code or any other referenced code.

**604.2.1 Emergency voice/alarm communications systems. [~~Group A occupancies.~~]** Emergency power shall be provided for emergency voice/alarm communications systems in [~~Group A~~] the following occupancies, or as specified elsewhere in this code, in accordance with Section 907.5.2.2.5 [~~907.2.1.1~~]:

1. Covered and Open Malls, Section 604.2.13.
2. Group A occupancies, Sections 907.2.1.1 and 907.5.2.2.4.
3. Special Amusement buildings, Section 907.2.12.3.
4. High rise buildings, Section 907.2.13.
5. Atriums, Section 907.2.14.
6. Deep Underground buildings, Section 907.2.19.

**604.2.2 Smoke control systems.** Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, in accordance with Section 909.11:

1. Covered mall building, *International Building Code*, Section 404.5.
2. Atriums, *International Building Code*, Section 404.7.
3. Underground buildings, *International Building Code*, Section 405.5.
4. Group I-3, *International Building Code*, Section 408.9.
5. Stages, *International Building Code*, Section 410.3.7.2.
6. Special Amusement buildings (as applicable to Group A's), *International Building Code*, Section 411.1.
7. Smoke protected seating, Section 1028.6.2.1.

**604.2.3 Exit signs.** Emergency power shall be provided for *exit* signs in accordance with Section 1011.6.3.

**604.2.4 Means of egress illumination.** Emergency power shall be provided for *means of egress* illumination in accordance with Section 1006.3.

**604.2.5 Accessible means of egress elevators.** Standby power shall be provided for elevators that are part of an accessible *means of egress* in accordance with Section 1007.4.

**604.2.6 Accessible means of egress platform lifts.** Standby power in accordance with this section or ASME A18.1 shall be provided for platform lifts that are part of an accessible *means of egress* in accordance with Section 1007.5.

**604.2.7 Horizontal sliding doors.** Standby power shall be provided for horizontal sliding doors in accordance with Section 1008.1.4.3.

**604.2.8 Semiconductor fabrication facilities.** Emergency power shall be provided for semiconductor fabrication facilities in accordance with Section 2703.15.

**604.2.9 Membrane structures.** Emergency power shall be provided for *exit* signs in temporary tents and membrane structures in accordance with Section 3103.12.6.1. Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with the *International Building Code*.

**604.2.10 Hazardous materials.** Emergency or standby power shall be provided in occupancies with hazardous materials in accordance with Sections 5004.7 and 5005.1.5.

**604.2.11 Highly toxic and toxic materials.** Emergency power shall be provided for occupancies with highly toxic or toxic materials in accordance with Sections 6004.2.2.8 and 6004.3.4.2.

**604.2.12 Organic peroxides.** Standby power shall be provided for occupancies with organic peroxides in accordance with Section 6204.1.11.

**604.2.13 Covered and open mall buildings.** Covered mall buildings exceeding 50,000 square feet (4645 m2) and open mall buildings exceeding 50,000 square feet (4645 m2) within the established perimeter line shall be provided with standby power systems that are capable of operating the emergency voice/alarm communication system.

**604.2.14 High-rise buildings.** Standby power, light and emergency systems in high-rise buildings shall comply with the requirements of Sections 604.2.14.1 through 604.2.14.3.

**604.2.14.1 Standby power.** A standby power system shall be provided. Where the standby system is a generator set inside a building, the system shall be located in a separate room enclosed with 2-hour *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or *horizontal assemblies* constructed in

accordance with Section 711 of the *International Building Code*, or both. System supervision with manual start and transfer features shall be provided at the *fire command center*.

**604.2.14.1.1 Fuel supply.** An on-premises fuel supply, sufficient for not less than 2-hour full-demand operation of the system, shall be provided.

**Exception:** When *approved*, the system shall be allowed to be supplied by natural gas pipelines.

**604.2.14.1.2 Capacity.** The standby system shall have a capacity and rating that supplies all equipment required to be operational at the same time. The generating capacity is not required to be sized to operate all of the connected electrical equipment simultaneously.

**604.2.14.1.3 Connected facilities.** Power and lighting facilities for the *fire command center* and elevators specified in Sections 403.4.8.2 and 403.6 of the *International Building Code*, as applicable, shall be transferable to the standby source. Standby power shall be provided for at least one elevator to serve all floors and be transferable to any elevator.

**604.2.14.2 Separate circuits and luminaires.** Separate lighting circuits and luminaires shall be required to provide sufficient light with an intensity of not less than 1 footcandle (11 lux) measured at floor level in all *means of egress corridors*, *stairways*, smokeproof enclosures, elevator cars and lobbies, and other areas that are clearly a part of the escape route.

**604.2.14.2.1 Other circuits.** Circuits supplying lighting for the *fire command center* and mechanical equipment rooms shall be transferable to the standby source.

**604.2.14.3 Emergency systems.** Exit signs, exit illumination as required by Chapter 10, electrically powered fire pumps required to maintain pressure, and elevator car lighting are classified as emergency systems and shall operate within 10 seconds of failure of the normal power supply and shall be capable of being Transferred to the standby source.

**Exception:** *Exit* sign, *exit* and *means of egress* illumination are permitted to be powered by a standby source in buildings of Group F and S occupancies.

**604.2.15 Underground buildings.** Emergency and standby power systems in underground buildings covered in Chapter 4 of the International Building Code shall comply with Sections 604.2.15.1 and 604.2.15.2.

**604.2.15.1 Standby power.** A standby power system complying with this section and NFPA 70 shall be provided for standby power loads as specified in Section 604.2.15.1.1.

**[B] 604.2.15.1.1 Standby power loads.** The following loads are classified as standby power loads:

1. Smoke control system.

2. Ventilation and automatic fire detection equipment for smokeproof enclosures.

3. Fire pumps.

4. Standby power shall be provided for elevators in accordance with Section 3003 of the *International Building Code*.

**604.2.15.1.2 Pickup time.** The standby power system shall pick up its connected loads within 60 seconds of failure of the normal power supply.

**604.2.15.2 Emergency power.** An emergency power system complying with this code and NFPA 70 shall be provided for emergency power loads as specified in Section 604.2.15.2.1.

**[B] 604.2.15.2.1 Emergency power loads.** The following loads are classified as emergency power loads:

1. Emergency voice/alarm communication systems.

2. Fire alarm systems.

3. Automatic fire detection systems.

4. Elevator car lighting.

5. *Means of egress* lighting and *exit* sign illumination as required by Chapter 10.

**604.2.16 Group I-3 occupancies.** Power-operated sliding doors or power-operated locks for swinging doors in Group I-3 occupancies shall be operable by a manual release mechanism at the door, and either emergency power or a remote mechanical operating release shall be provided.

**Exception:** Emergency power is not required in facilities where provisions for remote locking and unlocking of occupied rooms in Occupancy Condition 4 are not required as set forth in the *International Building Code*.

**604.2.17 Airport traffic control towers.** A standby power system shall be provided in airport traffic control towers more than 65 feet (19 812 mm) in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.

2. Elevator operating equipment.

3. Fire alarm and smoke detection systems.

**604.2.18 Elevators.** In buildings and structures where standby power is required or furnished to operate an elevator, the operation shall be in accordance with Sections 604.2.18.1 through 604.2.18.4.

**604.2.18.1 Manual transfer.** Standby power shall be manually transferable to all elevators in each bank.

**604.2.18.2 One elevator.** Where only one elevator is installed, the elevator shall automatically transfer to standby power within 60 seconds after failure of normal power.

**604.2.18.3 Two or more elevators.** Where two or more elevators are controlled by a common operating system, all elevators shall automatically transfer to standby power within 60 seconds after failure of normal power where the standby power source is of sufficient capacity to operate all elevators at the same time. Where the standby power source is not of sufficient capacity to operate all elevators at the same time, all elevators shall transfer to standby power in sequence, return to the designated landing and disconnect from the standby power source. After all elevators have been returned to the designated level, at least one elevator shall remain operable from the standby power source.

**604.2.18.4 Machine room ventilation.** Where standby power is connected to elevators, the machine room ventilation or air conditioning shall be connected to the standby power source.

**604.2.19 Smokeproof enclosures and Stair Pressurization Alternative.** Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.6.2.

**604.2.20 Elevator pressurization.** Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

**604.2.21 Elimination of Smoke Dampers in Shaft Penetrations.** Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

**604.2.22 Common exhaust systems for clothes dryers.** Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code* Section 504.8, item 7.

**604.2.23 Hydrogen Cutoff Rooms.** Standby power shall be provided for mechanical ventilation and gas detection systems of Hydrogen Cutoff Rooms in accordance with the *International Building Code*, Section 421.8.

**604.2.24 Means of Egress Illumination in Existing Buildings.** Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 and 1104.5.1 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)

**604.3 Energy time duration**. Unless a time limit is specified by the fire code official, in this chapter or elsewhere in this code, or in any other referenced code or standard, the emergency and standby power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

**Exception:** Where the system is supplied with natural gas from a utility provider and is approved.

**604.4[3] Maintenance.** Emergency and standby power systems shall be maintained in accordance with NFPA 110 and NFPA 111 such that the system is capable of supplying service within the time specified for the type and duration required.

**604.4[3].1 Schedule.** Inspection, testing and maintenance of emergency and standby power systems shall be in accordance with an *approved* schedule established upon completion and approval of the system installation.

**604.4[3].2 Written record.** Written records of the inspection, testing and maintenance of emergency and standby power systems shall include the date of service, name of the servicing technician, a summary of conditions noted and a detailed description of any and what corrective action was taken. Such records shall be kept on the premises served by the emergency or standby power system and be available for inspection by the *fire code official*.

**604.4[3].3 Switch maintenance.** Emergency and standby power system transfer switches shall be included in the inspection, testing and maintenance schedule required by Section 604.3.1. Transfer switches shall be maintained free from accumulated dust and dirt. Inspection shall include examination of the transfer switch contacts for evidence of deterioration. When evidence of contact deterioration is detected, the contacts shall be replaced in accordance with the transfer switch manufacturer's instructions.

**604.5[4] Operational inspection and testing.** Emergency power systems, including all appurtenant components shall be inspected and tested under load in accordance with NFPA 110 and NFPA 111.

**Exception:** Where the emergency power system is used for standby power or peak load shaving, such use shall be recorded and shall be allowed to be substituted for scheduled testing of the generator set, provided that appropriate records are maintained.

**604.5[4].1 Transfer switch test.** The test of the transfer switch shall consist of electrically operating the transfer switch from the normal position to the alternate position and then return to the normal position.

**604.6[~~5~~] Emergency lighting equipment.** Emergency lighting shall be inspected and tested in accordance with Sections 604.5.1 through 604.5.2.1.

**604.6[~~5~~].1 Activation test.** An activation test of the emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.

**604.6[~~5~~].1.1 Activation test record.** Records shall be maintained on the premises for a minimum of three years and submitted to the *fire code official* upon request. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

**604.6[~~5~~].2 Power test.** For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of 90 minutes and shall remain sufficiently illuminated for the duration of the test.

**604.6[~~5~~].2.1 Power test record.** Records shall be maintained on the premises for a minimum of three years and submitted to the *fire code official* upon request. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

**604.7[~~6~~] Supervision of maintenance and testing.** Routine maintenance, inspection and operational testing shall be overseen by a properly instructed individual."

100. Subsection 605.10, "Portable, Electric Space Heaters," of Section 605, "Electrical Equipment, Wiring and Hazards," of Chapter 6, "Building Services and Systems," of the 2012 International Fire Code is amended to read as follows:

"**605.10 Portable, electric space heaters.** Where not prohibited by other sections of this code, portable, electric space heaters shall be permitted to be used in all occupancies other than Group I-2 and in accordance with Sections 605.10.1 through 605.10.4. Owners of the portable, electric space heaters shall be responsible for compliance.

**Exception:** The use of portable, electric space heaters in which the heating element cannot exceed a temperature of 212°F (100°C) shall be permitted in nonsleeping staff and employee areas in Group I-2 occupancies.

**605.10.1 Listed and labeled.** Only *listed* and *labeled* portable, electric space heaters shall be used.

**605.10.2 Power supply.** Portable, electric space heaters shall be plugged directly into an *approved* receptacle.

**605.10.3 Extension cords.** Portable, electric space heaters shall not be plugged into extension cords.

**605.10.4 Prohibited areas.** Portable, electric space heaters shall not be operated within 3 feet (914 mm) of any combustible materials. Portable, electric space heaters shall be operated only in locations for which they are *listed*."

101. Section 607, "Elevator Operation, Maintenance and Fire Service Keys" of Chapter 6, "Building Services And Systems", of the 2012 International Fire Code is amended as follows:

"**SECTION 607**
**ELEVATOR OPERATION, MAINTENTANCE AND FIRE SERVICE KEYS**

**607.1 Emergency operation**. Existing elevators with a travel distance of 25 feet (7620 mm) or more shall comply with the requirements in Chapter 11. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1.

**[B] 607.2 Emergency signs**. An *approved* pictorial sign of a standardized design shall be posted adjacent to each elevator call station on all floors instructing occupants to use the *exit* stairways and not to use the elevators in case of fire. The sign shall read: IN FIRE EMERGENCY, DO NOT USE ELEVATOR. USE *EXIT* STAIRS. Existing *approved* signs that read ELEVATORS MAY NOT BE USED IN CASE OF FIRE – USE STAIRWELLS WHICH ARE MARKED AS EXITS installed prior to the adoption of this code shall be permitted.

**Exceptions:**

1. The emergency sign shall not be required for elevators that are part of an accessible *means of egress* complying with Section 1007.4.

2. The emergency sign shall not be required for elevators that are used for occupant self-evacuation in accordance with Section 3008 of the *International Building Code*.

**607.3 Fire service access elevator lobbies.** Where fire service access elevators are required by Section 3007 of the *International Building Code*, fire service access elevator lobbies shall be maintained free of storage and furniture.

**607.4 Elevator key location**. Keys for the elevator car doors and fire-fighter service keys shall be kept in an *approved* location for immediate use by the fire department.

**607.5 Standardized fire service elevator keys.** Buildings with elevators equipped with Phase I emergency recall, Phase II emergency in-car operation, or a fire service access elevator shall be

equipped to operate with a standardized fire service elevator key *approved* by the *fire code official*.

[~~**Exception:** The owner shall be permitted to place the building's nonstandardized fire service elevator keys in a key box installed in accordance with Section 506.1.2.~~]

**607.5.1 Requirements for standardized fire service elevator keys**. Standardized fire service elevator keys shall comply with all of the following:

1. All fire service elevator keys within the jurisdiction shall be uniform and specific for the jurisdiction. Keys shall be cut to a uniform key code.

2. Fire service elevator keys shall be of a patent-protected design to prevent unauthorized duplication.

3. Fire service elevator keys shall be factory restricted by the manufacturer to prevent the unauthorized distribution of key blanks. No uncut key blanks shall be permitted to leave the factory.

4. Fire service elevator keys subject to these rules shall be engraved with the words "DO NOT DUPLICATE."

"**607.5.2 Access to standardized fire service keys.** Access to standardized fire service elevator keys shall be restricted to the following:

1. [~~Elevator owners or their authorized agents.~~

~~2. Elevator contractors.~~

~~3. Elevator inspectors of the jurisdiction.~~

~~4.~~] *Fire code officials* of the jurisdiction.

2.[~~5.~~] The fire department and other emergency response agencies designated by the *fire code official*.

102. Section 607, "Elevator Operation Maintenance and Fire Service Keys," of Chapter 6, "Building Services and Systems", of the 2012 International Fire Code is amended by adding a new Section 607.6, " Key Boxes for Nonstandardized Fire Service Elevator Keys," and Section 607.7, "Inspections," to read as follows:

"6**07.6 Key boxes for nonstandardized fire service elevator keys.** Key boxes provided for nonstandardized fire service elevator keys shall comply with Section 506.1 and all of the following:

1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and *approved* by the *fire code official*.

2. The front cover shall be permanently labeled with the words "Fire Department Use Only – Elevator Keys."

3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.

4. The key box shall be mounted 5 feet 6 inches (1676 mm) above the finished floor to the right side of the elevator bank.

5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted only when authorized by the *fire code official*.

6. In buildings with two or more elevator banks, a single key box shall be permitted to be used when such elevator banks are separated by not more than 30 feet (9144 mm). Additional key boxes shall be provided for each individual elevator or elevator bank separated by more than 30 feet (9144 mm).

**Exception:** A single key box shall be permitted to be located adjacent to a *fire command center* or the nonstandard fire service elevator key shall be permitted to be secured in a key box used for other purposes and located in accordance with Section 506.1.

**607.7 Inspections**. New and existing elevator equipment shall be inspected and tested annually by inspectors licensed by the State of Texas to determine its safety and compliance with ASME A17.1 and ASME A17.3. The building owner shall display the current Certificate of Compliance in an *approved* location."

103. Subsection 704.1, "Enclosure," of Section 704, "Floor Openings and Shafts," of Chapter 7, "Fire-Resistance-Rated Construction," of the 2012 International Fire Code is amended to read as follows:

"**704.1 Enclosure.** Interior vertical shafts, including but not limited to *stairways*, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 11. New floor openings in existing buildings shall comply with the *International Building Code.*"

104. Subparagraph 807.4.3.2, "Artwork," of Paragraph 807.4.3, "Group E," of Subsection 807.4, "Occupancy-Based Requirements," of Section 807, "Decorative Materials Other Than Decorative Vegetation in New and Existing Buildings," of Chapter 8, "Interior Finish, Decorative Materials and Furnishings," of the 2012 International Fire Code is amended to read as follows:

"**807.4.3.2 Artwork.** Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area and on walls of classrooms to not more than 50 percent of each wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

**Exception:** Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area."

105. Subparagraph 807.4.4.2, "Artwork," of Paragraph 807.4.4, "Group I-4, Day Care Facilities," of Subsection 807.4, "Occupancy-Based Requirements," of Section 807, "Decorative Materials Other Than Decorative Vegetation in New and Existing Buildings," of Chapter 8, "Interior Finish, Decorative Materials and Furnishings," of the 2012 International Fire Code is amended to read as follows:

"**807.4.4.2 Artwork.** Artwork and teaching materials shall be limited on walls of *corridors* to not more than 20 percent of the wall area and on walls of classrooms to not more than 50 percent of each wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

**Exception:** Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

106. Paragraph 901.2.1, "Statement of Compliance," of Subsection 901.2 "Construction Documents," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.2.1 Statement of compliance**. Before requesting final approval of the installation ~~where required by the *fire code official*~~, the installing contractor shall furnish a written statement to the *fire code official* that the subject *fire protection system* or partial system has been installed in accordance with *approved* plans and has been tested in accordance with the manufacturer's specifications and the appropriate installation standard. Any deviations from the design standards shall be noted and copies of the approvals for such deviations shall be attached to the written statement."

107. Subsection 901.3, "Permits," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.3 Permits.** Permits shall be required as set forth in Section 105.6 and 105.7.

**901.3.1 Plans.** Complete plans and specifications for fire alarm systems; fire-extinguishing systems, including automatic sprinklers and wet and dry standpipes; halon systems and other special types of automatic fire-extinguishing systems; basement pipe inlets; and other *fire protection system*s and appurtenances thereto shall be submitted to the fire protection engineers of the Building Inspection department for review and approval prior to system installation. Plans and specifications for fire alarm systems shall include, but not be limited to, a floor plan; location of all alarm-initiating and alarm-signaling devices; alarm control- and trouble-signaling equipment; annunciation; power connection; battery calculations; conductor type and sizes; voltage drop calculations; and manufacturer, model numbers and listing information for all equipment, devices and materials. All submitted plans shall also meet the requirements as specified by the adopted NFPA standards and this code. The provisions of this Code shall govern in the event of conflicts and /or differences between this chapter and the NFPA standards.

**901.3.2 Plan review fees.** Plan review fees for fire alarm systems shall be in accordance with the *Dallas Building Code*."

108. Paragraph 901.4.1, "Required Fire Protection Systems," of Subsection 901.4, "Installation," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.4.1 Required fire protection systems.** Fire protection systems required by this code or the *Dallas* [~~*International*~~] *Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code and nationally recognized standards."

109. Paragraph 901.4.2, "Nonrequired Fire Protection Systems," of Subsection 901.4, "Installation," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.4.2 Nonrequired fire protection systems.** Any fire protection system [~~or portion thereof~~] not required by this code or the *Dallas* [~~*International*~~] *Building Code* shall be allowed to be furnished for [~~partial or complete~~] protection provided such installed system meets the requirements of this code and the *Dallas* [~~*International*~~] *Building Code*."

110. Paragraph 901.4.3, "Fire Areas," of Subsection 901.4, "Installation," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.4.3 Fire areas.** Where buildings, or portions thereof, are divided into *fire areas* so as not to exceed the limits established for requiring a *fire protection system* in accordance with this chapter, such *fire areas* shall be separated by *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or *horizontal assemblies* constructed in accordance with Section 711 of the *International Building Code*, or both, having a fire-resistance Rating of not less than that determined in accordance with Section 707.3.10[~~9~~] of the *International Building Code*."

111. Paragraph 901.4.6, "Pump and Riser Room Size," of Subsection 901.4, "Installation," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.4.6 Pump and riser room size.** Fire pump and *automatic sprinkler system* riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be [~~sufficient~~] not less than 36 inches (762mm) in width, 36 inches (762mm) in depth, and 78 inches (1981mm) in height to allow inspection, service, repair or replacement without removing such elements or permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and *automatic sprinkler syste*m riser rooms shall be provided with a door(s) and an unobstructed passageway large enough to allow removal of the largest piece of equipment."

112. Subsection 901.5, "Installation Acceptance Testing," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.5 Installation acceptance testing.** Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other *fire protection systems* and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as *approved* by the *fire code official*. *The fire code official* shall witness [~~be notified before~~] any required acceptance testing. A retest fee shall be charged for retesting *fire protection system*s when the testing of the system fails after the contractor has submitted to the *fire code official* a pre-test certification certifying that the system has been pre-tested and is in an *approved* condition. The retest fee shall be $500.00."

113. Subsection 901.6, "Inspection, Testing and Maintenance," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.6 Inspection, testing and maintenance.** In accordance with Section 311.2.2, f[~~F~~]ire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired *fire protection systems* and equipment shall be inspected, tested and maintained or removed with approval of the fire code official."

114. Paragraph 901.6.1, "Standards," of Subsection 901.6, "Inspection, Testing and Maintenance," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding Subparagraph 901.6.1.1, "Standpipe Testing," to read as follows:

"**901.6.1.1 Standpipe testing.** Building owners/managers shall utilize a licensed fire protection contractor to test and certify standpipe systems. In addition to the testing and maintenance requirements of NFPA 25 applying to standpipe systems, the following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the fire department connection (FDC) and the standpipe shall be hydrostatically tested for all FDCs on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the contractor shall connect hose from a fire hydrant or portable pumping system (as *approved* by the *fire code official*) to each FDC, and flow water (at an *approved* rate and pressure) through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Verify that check valves function properly and that there are no closed control valves on the system.

3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25.

4. If the FDC is not already provided with *approved* caps, the contractor shall install such caps for all FDCs.

5. Upon successful completion of standpipe test, the contractor shall place an appropriate service tag as per the State of Texas provisions.

6. The contractor shall follow the procedures as required by the State of Texas with regard to appropriate tags denoting noncompliance, impairment or any deficiencies noted during the testing, including the required notification of the local authority having jurisdiction.

7. Additionally, records of the testing shall be maintained by the owner and contractor, as required by the State of Texas and NFPA 25.

8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*."

115. Subsection 901.7, "Systems Out of Service," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.7 Systems out of service.** Where a required *fire protection system* is out of service, or in the event of an excessive number of accidental activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or *standby personnel* [~~an *approved* fire watch~~] shall be provided for all occupants left unprotected [~~by the shut down~~] until the *fire protection system* has been returned

to service.

Where utilized, *standby personnel* [~~fire watches~~] shall be provided with at least one *approved* means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires."

116. Paragraph 901.7.6, "Restoring Systems to Service," of Subsection 901.7, "Systems Out of Service," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.7.6 Restoring systems to service.** When impaired equipment is restored to normal working order, the impairment coordinator shall verify that all of the following procedures have been implemented:

1. Necessary inspections and tests have been conducted in the presence of the *fire code official*, if required, to verify that affected systems are operational.

2. Supervisors have been advised that protection is restored.

3. The fire department has been advised that protection is restored.

4. The building *owner*/manager, insurance carrier, alarm company, and other involved parties have been advised that protection is restored.

5. All [~~The~~] impairment tags have [~~has~~] been removed."

117. Subsection 901.9, "Termination of Monitoring of Service," of Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**901.9 Discontinuation or change of [~~Termination of monitoring~~] service.** [~~For fire alarm systems required to be monitored by this code, n~~]Notice shall be made to the *fire code official* whenever contracted alarm [~~monitoring~~] services for monitoring of any fire alarm system are terminated for any reason, or a change in alarm monitoring provider occurs. Notice shall be made in writing to the *fire code official* by the [~~monitoring service provider~~] building owner or alarm service provider prior to the service being terminated."

118. Section 901, "General," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Subsection 901.11, "Environmental concerns" to read as follows:

"**901.11 Auxiliary equipment**. Auxiliary equipment installed to meet the manufacturer's recommended requirements or the installation standards, shall be monitored for circuit integrity. This includes heating devices and air compressors."

119. Subsection 903.1, "General," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Paragraph 903.1.2, "Separation," to read as follows:

"**903.1.2 Separation.** Areas of buildings protected by automatic sprinklers shall be separated from unsprinklered areas by fire barriers complying with Section 706 of the *Dallas Building Code* having a minimum fire-resistance rating of 2 hours."

120. Subsection 903.2, "Where Required," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**903.2 Where required.** *Approved automatic sprinkler system*s in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating 'ELEVATOR MACHINERY – NO STORAGE ALLOWED.'

[~~**Exception:** Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by fire barriers consisting of not less than 1 hour fire-barrier constructed in accordance with Section 707 of the *International Building Code* or not less than 2 hour horizontal assemblies constructed in accordance with Section 711 of the *International Building Code*, or both.~~]"

121. Subparagraph 903.2.8.1, "Group R-3 or R-4 Congregate Residences," of Paragraph 903.2.8, "Group R," of Subsection 903.2, "Where Required," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding new Items 903.2.8.1.1 and 903.2.8.1.2, "Group R-3," to read as follows:

"**903.2.8.1.1 Group R-3.** An automatic sprinkler system shall be installed in accordance with *NFPA 13, 13R and/*or 13D when required by this code.

**903.2.8.1.1.1 Additional required suppression systems**. An approved automatic sprinkler system shall be installed throughout the building in dwellings in which the total unsprinklered building area exceeds 7,500 square feet (697 $m^2$).

**Exceptions:**

1. Dwellings that are separated into fire areas no greater than 7,500 square feet (697 $m^2$) by the use of 2-hour rated fire walls. Horizontal assemblies shall not be used to satisfy this requirement.

2. The floor area of an existing nonsprinklered dwelling greater than 7,500 square feet (697 $m^2$) and not housing a Group H occupancy may be increased by not more than 1,000 square feet (93 $m^2$). Not more than one increase in floor area shall be permitted under this exception.

**903.2.8.1.2 Draftstop requirements.** Draftstopping shall be installed in attics and concealed roof spaces, such that any horizontal area does not exceed 3,000 square feet (278.7 $m^2$).

**Exception:** Draftstopping is not required in dwellings equipped throughout with an automatic sprinkler system, provided that automatic sprinklers are also installed in the combustible concealed spaces."

122. Paragraph 903.2.9, "Group S-1," of Subsection 903.2, "Where Required," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Subparagraph 903.2.9.3, "Self-Service Storage Facility," to read as follows:

"**903.2.9.3 Self-service storage facility.** An *automatic sprinkler system* shall be installed throughout all self-service storage facilities.

**Exception:** One-story self-service storage facilities that have no interior *corridors,* with a 1-hour fire barrier separation wall installed between every storage compartment."

123. Subparagraph 903.2.11.3, "Buildings 55 Feet or More in Height," of Paragraph 903.2.11, "Specific Buildings Areas and Hazards," of Subsection 903.2, "Where Required," of

Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**903.2.11.3 Buildings 55 feet or more in height.** An *automatic sprinkler system* shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the *Dallas Building Code*, [~~having an *occupant load* of 30 or more~~] that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

**Exception[s]:**

[~~1. Airport control towers.~~

~~2.~~] Open parking structures in compliance with Section 406.5 of the *Dallas Building Code*.

[~~3. Occupancies in Group F-2.~~]"

124. Paragraph 903.2.11, "Specific Buildings Areas and Hazards," of Subsection 903.2, "Where Required," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Subparagraph 903.2.11.7, "High-Piled Combustible Storage," to read as follows:

"**903.2.11.7 High-piled combustible storage.** For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply."

125. Paragraph 903.2.11, "Specific Buildings Areas and Hazards," of Subsection 903.2, "Where Required," of Section 903, "Automatic sprinkler systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Subparagraph 903.2.11.8, "Spray Booths and Rooms," to read as follows:

"**903.2.11.8 Spray booths and rooms.** New spray booths and spraying rooms shall be protected by an *approved* automatic fire-extinguishing system."

126. Paragraph 903.3.1, "Standards," of Subsection 903.3, "Installation Requirements," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**903.3.1 Standards.** Sprinkler systems shall be designed and installed in accordance with Sections 903.3.1.1, 903.3.1.2 or 903.3.1.3 and other chapters of this code, as applicable.

**903.3.1.1 NFPA 13 sprinkler systems.** Where the provisions of this code require that a building or portion thereof be equipped throughout with an *automatic sprinkler system* in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1.

**903.3.1.1.1 Exempt locations.** When *approved* by the *fire code official*, a[~~A~~]utomatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.

2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when *approved* by the *fire code official*.

3. Generator and transformer rooms under the direct control of a public utility separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

4. [~~In rooms or areas that are of noncombustible construction with wholly noncombustible contents.~~

~~5. Fire service access e~~] Elevator machine rooms, [~~and~~] machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.

[~~6. Machine rooms and machinery spaces associated with occupant evacuation elevators designed in accordance with Section 3008 of the International Building Code.~~]

**903.3.1.1.2 Residential systems.** Residential sprinkler systems installed in accordance with Sections 903.3.1.2 and 903.3.1.3 shall be recognized for the purposes of exceptions or reductions, commonly referred to as 'trade-offs', permitted by other requirements of this code.

**903.3.1.2 NFPA 13R sprinkler systems.** *Automatic sprinkler system*s in Group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R. However, for the purposes of exceptions or reductions permitted by other requirements of this code, see Section 903.3.1.1.2.

**903.3.1.2.1 Balconies and decks.** Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect suck areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

**903.3.1.3 NFPA 13D sprinkler systems.** *Automatic sprinkler systems* installed in one and two-family *dwellings*, Group R-3 and Group R-4 congregate living facilities and *townhouses* shall be installed throughout in accordance with NFPA 13D or in accordance with state law. Refer also to Section 903.3.1.1.2 for additional requirements.

127. Paragraph 903.3.5, "Water Supplies," of Subsection 903.3, "Installation Requirements," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire protection systems," of the 2012 International Fire Code is amended to read as follows:

"**903.3.5 Water supplies.** Water supplies for *automatic sprinkler system*s shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the *Dallas* [~~*International*~~] *Plumbing Code*. Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every *fire protection system* shall be designed with a 10 psi (69 Pa) safety factor. Refer to Section 507 for additional design requirements."

128. Item 903.3.5.1.2 , "Residential Combination Services," of Subparagraph 903.3.5.1, "Domestic Services," of Paragraph 903.3.5, "Water Supplies," of Subsection 903.3, "Installation Requirements," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 Dallas International Fire Code is amended to read as follows:

"**903.3.5.1.2 [~~Residential c~~]Combination services.** A single, combination water supply shall be allowed provided that the domestic demand is added to the sprinkler demand as required by NFPA 13, 13R, and 13D. Combination services 4 inches and larger shall be subject to acceptance tests as contained in the installation standards. Such tests shall be witnessed and approved by the fire code official."

129. Paragraph 903.3.6, "Hose Threads," of Subsection 903.3, "Installation Requirements," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**903.3.6 Hose threads.** Fire hose threads and fittings used in connection with *automatic sprinkler system*s shall be as prescribed by the *fire code official*. Fire hose threads used in connection with fire-extinguishing systems shall be 2½-inch (64 mm) outlets and shall have 7½ national standard fire hose coupling screw threads per inch."

130. Paragraph 903.3.7, "Fire Department Connections," of Subsection 903.3, "Installation Requirements," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**903.3.7 Fire department connections.** The location of fire department connections shall be in accordance with Section 912 [~~*approved* by~~ ~~the *fire code official*~~]."

131. Subsection 903.4, "Sprinkler System Supervision and Alarms," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**903.4 Sprinkler system supervision and alarms.** All valves on the building side of the water meter controlling the water supply for *automatic sprinkler system*s, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a *listed* fire alarm control unit.

**Exceptions:**

1. *Automatic sprinkler system*s protecting one- and two-family *dwellings*.
2. Limited area systems serving fewer than 20 sprinklers.
3. *Automatic sprinkler system*s installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the *automatic sprinkler system,* and a separate shutoff valve for the *automatic sprinkler system* is not provided
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering."

132. Paragraph 903.4.2, "Alarms," of Subsection 903.4, "Sprinkler System Supervision and Alarms," of Section 903, "Automatic Sprinkler Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**903.4.2 Alarms.** An approved [~~audible~~] device [~~located on the exterior of the building in an approved location~~] shall be connected to every [~~each~~] automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system."

133. Subsection 904.1, "General," of Section 904, "Alternative Automatic Fire-Extinguishing Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Paragraph 904.1.2, "Separation," to read as follows:

"**904.1.2 Separation.** Areas of buildings protected by an automatic fire- extinguishing system shall be separated from unprotected areas by fire barriers complying with Section707 of the *Dallas Building Code* having a minimum fire-resistance rating of 2 hours.

**Exception**: Special application, spray booth and kitchen hood suppression systems."

134. Paragraph 904.11.5, "Portable Fire Extinguishers for Commercial Cooking Equipment," of Subsection 904.11, "Commercial Cooking Systems," of Section 904, "Alternative Automatic Fire-Extinguishing Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**904.11.5 Portable fire extinguishers for commercial cooking equipment.** Portable fire extinguishers shall be provided within a 30-foot (9144 mm) travel distance of commercial type cooking equipment. Cooking equipment involving solid fuels or vegetable or animal

oils and fats shall be protected by a Class K rated portable extinguisher in accordance with Section 904.11.5.1 or 904.11.5.2, as applicable.

**Exception:** Existing 40 BC fire extinguishers installed prior to the adoption of this code that are serviceable and maintained shall be permitted."

135. Subsection 905.2, "Installation Standard," of Section 905, "Standpipe Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**905.2 Installation standard.** Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig (69 kPa) and a maximum of 40 psig (276 kPa) air pressure with a high/low alarm."

136. Paragraph 905.3.2, "Group A," of Subsection 905.3, "Required Installations," of Section 905, "Standpipe Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**905.3.2 Group A.** Class I automatic wet standpipes shall be provided in nonsprinklered Group A buildings having an *occupant load* exceeding 1,000 persons.

[~~**Exceptions:**~~

~~1. Open-air seating spaces without enclosed spaces.~~

~~2. Class I automatic dry and semiautomatic dry standpipes or manual wet standpipes are allowed in buildings that are not high rise buildings.~~]"

137. Subsection 905.4, "Location of Class I Standpipe Hose Connections," of Section 905, "Standpipe Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**905.4 Location of Class I standpipe hose connections.** Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required *stairway*, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at an intermediate floor level landing between floors, unless otherwise *approved* by the *fire code official*.

2. On each side of the wall adjacent to the *exit* opening of a horizontal *exit*.

**Exception:** Where floor areas adjacent to a horizontal *exit* are reachable from *exit* stairway hose connections by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30480 mm) of hose, a hose connection shall not be required at the horizontal *exit*.

3. In every *exit* passageway, at the entrance from the *exit* passageway to other areas of a building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an *exit* passageway or *exit corridor* to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.

5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way [~~a~~] hose connection [~~shall be~~] located to serve the roof or at the highest landing of a stairway with stair access to the roof provided in accordance with Section 1009.16.

6. Where the most remote portion of a nonsprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the *fire code official* is authorized to require that additional hose connections be provided in *approved* locations.

7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at 200 foot intervals along major corridors thereafter, or as otherwise approved by the *fire code official*."

138. Subsection 905.4, "Location of Class I Standpipe Hose Connections," of Section 905, "Standpipe Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Paragraph 905.4.3, "Additional Requirements," to read as follows:

"**905.4.3. Additional requirements**. All Class I standpipes shall be:

1. filled with water at all times; or

2. supervised with a minimum of 10 psig (69 kPa) air pressure with a high/low alarm."

139. Subsection 905.9, "Valve Supervision," of Section 905, "Standpipe Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**905.9 Valve supervision.** Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

**Exceptions:**

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

2. Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds but not exceeding 90 seconds. All control valves in the sprinkler and standpipe systems, except for fire department hose connection valves, shall be electrically supervised to initiate a supervisory signal at the central station upon tampering."

140. Table 906.3(1), "Fire Extinguishers for Class A Fire Hazards," of Subsection 906.3, "Size and Distribution," of Section 906, "Portable Fire Extinguishers," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended as follows:

"**TABLE 906.3(1)**
**FIRE EXTINGUISHERS FOR CLASS A FIRE HAZARDS**

| | **LIGHT (Low) HAZARD OCCUPANCY** | **ORDINARY (Moderate) HAZARD OCCUPANCY** | **EXTRA (High) HAZARD OCCUPANCY** |
|---|---|---|---|
| Minimum rated single extinguisher | 2-A[€] | 2-A | 4-A[a] |
| Maximum floor area per unit of A | 3,000 square feet | 1,500 square feet | 1,000 square feet |
| Maximum floor area for extinguisher[b] | 11,250 square feet | 11,250 square feet | 11,250 square feet |
| Maximum travel distance to extinguisher | 75 feet | 75 feet | 75 feet |

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m2, 1 gallon = 3.785 L.

a. Two 21/2-gallon water-type extinguishers shall be deemed the equivalent of one 4-A rated extinguisher.

b. Annex E.3.3 of NFPA 10 provides more details concerning application of the maximum floor area criteria.

[~~c. Two water-type extinguishers each with a 1-A rating shall be deemed the equivalent of one 2-A rated extinguisher for Light (Low) Hazard Occupancies.~~]"

141. Paragraph 907.1.3, "Equipment," of Subsection 907.1, "General," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.1.3 Equipment.** Systems and components shall be *listed* and *approved* for the purpose for which they are installed. Where such systems are installed, they shall be designed, installed and maintained in accordance with this code and the applicable National Fire Protection Association standards.

**907.1.3.1 Prohibited equipment.** Smoke generating devices activated by a burglar alarm, motion detector, tamper alarm or other type of intruder alarms are prohibited in all buildings in the city of Dallas."

142. Subsection 907.1, "General," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Paragraph 907.1.4, "Design Standards," to read as follows:

"**907.1.4 Design standards.** All new or replaced fire alarm systems, including fire alarm control panel replacements, shall comply with the requirements of Section 907 and shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

**Exception:** Existing systems need not comply unless the total building or fire alarm system remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30 percent of the building area. When cumulative building remodel or expansion exceeds 50 percent of the building area, all existing systems shall comply within 18 months of permit application. The owner/operator of the facility shall maintain documentation of amount of fire alarm system remodel or expansion. The documentation shall be submitted with each fire alarm system plans submittal and/or upon request from the fire code official."

143. Subsection 907.1, "General," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Paragraph 907.1.5, "Area Separation Walls/Fire Walls," to read as follows:

"**907.1.5 Area separation walls/fire walls.** Area separation walls/fire walls shall not be used to reduce or eliminate fire alarm requirements.

**Exception:** Adjacent spaces shall be considered separate areas for fire alarm purposes if separated by minimum fire-rated construction as required in the *Dallas Building Code* to define separate buildings. Separating walls shall not have openings that permit occupant communication between the spaces."

144. Paragraph 907.2.1, "Group A," of Subsection 907.2, "Where Required—New Buildings and Structures," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.2.1 Group A.** A manual fire alarm system and automatic fire detection in paths of egress that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies [~~where the~~] having an *occupant load* [~~due to the assembly occupancy is~~] of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.9 of the *International Building Code* shall be considered as a single occupancy for purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, automatic fire detection in paths of egress, and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

Activation of fire alarm notification appliances shall:

1. cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and

2. stop any conflicting or confusing sounds and visual distractions."

145. Paragraph 907.2.2, "Group B," of Subsection 907.2, "Where Required—New Buildings and Structures," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.2.2 Group B.** A manual fire alarm system, and automatic fire detection system in paths of egress, shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B *occupant load* of all floors is 500 or more.

2. The Group B *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.

3. The *fire area* contains an ambulatory care facility.

**Exception:** Manual fire alarm boxes and automatic fire detection in paths of egress are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow."

146. Paragraph 907.2.3, "Group E," of Subsection 907.2, "Where Required—New Buildings and Structures," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.2.3 Group E.** A manual fire alarm system and automatic fire detection in paths of egress that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. Group E daycare occupancies shall have a smoke detector in all areas used by children. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. Unless separated by a minimum of 100 feet (30 480 mm) of open space, all buildings, whether portable buildings or the main building, will be considered one building for fire alarm *occupant load* consideration and interconnection of alarm systems.

**Exceptions:**

1. A manual fire alarm system with automatic fire detection in paths of egress shall not be required in Group E educational and day care occupancies with an *occupant load* of 30 or less when provided with an *approved automatic sprinkler system*.

2. [~~Manual fire alarm boxes and automatic fire detection are not required in Group E occupancies where all the following apply:~~

~~2.1. Interior corridors are protected by smoke detectors with alarm verification.~~

~~2.2. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other *approved* detection devices.~~

~~2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other *approved* detection devices.]~~

~~3~~] Manual fire alarm boxes and fire detection in paths of egress shall not be required in Group E occupancies where the building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, the emergency voice/alarm communication system will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

3. Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms (for care of more than five children 2½ or less years of age, see Section 907.2.6).

**907.2.3.1 Exterior alarm-signaling device.** A minimum of one alarm-signaling device shall be mounted on the exterior of the building in all common use/gathering areas."

147. Paragraph 907.2.7, "Group M," of Subsection 907.2, "Where Required—New Buildings and Structures," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.2.7 Group M.** A manual fire alarm system and automatic fire detection in paths of egress that activate[~~s~~] the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M *occupant load* of all floors is 500 or more persons.

2. The Group M *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.

**Exceptions:**

1. A manual fire alarm system is not required in covered or open mall buildings complying with Section 402 of the *Dallas* [~~*International*~~*] Building Code.*

2. Manual fire alarm boxes and automatic fire detection in paths of egress are not required where the building is equipped throughout with an *automatic sprinkle system* installed in accordance with Section 903.3.1.1 and the occupant

notification appliances will automatically activate throughout the notification zones upon sprinkler water flow.

**907.2.7.1 Occupant notification.** During times that the building is occupied, the initiation of a signal from a manual fire alarm box, [~~or from~~] a water flow switch, or automatic fire detection system shall not be required to activate the alarm notification appliances when an alarm signal is activated at a constantly attended location from which evacuation instructions shall be initiated over an emergency voice/alarm communication system installed in accordance with Section 907.5.2.2."

148. Paragraph 907.2.11, "Single- and Multiple-Station Smoke Alarms," of Subsection 907.2, "Where Required—New Buildings and Structures," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.2.11 Single- and multiple-station smoke alarms.** *Listed* single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.4 and NFPA 72. System smoke detectors may be allowed in lieu of single- or multiple-station smoke detectors provided they are equipped with integral notification and report to the fire alarm panel as supervisory alarms."

149. Paragraph 907.2.13, "High-Rise Buildings," of Subsection 907.2, "Where Required—New Buildings and Structures," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.2.13 High-rise buildings.** [~~High-rise~~] B[~~b~~]uildings with a floor used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection/ fire alarm system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

**Exceptions:**

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the *Dallas* [~~*International*~~] *Building Code*.

2. Open parking garages in accordance with Section 406.5 of the *Dallas* [~~*International*~~] *Building Code*.

3. Open air portions of b[~~B~~]uildings with an occupancy in Group A-5 in accordance with Section 303.[~~1~~]6 of the *International Building Code*; however, this exception does not apply to enclosed concourses or accessory uses areas, including but not limited to sky boxes, restaurants and similarly enclosed areas.

4. Low-hazard special occupancies in accordance with Section 503.1.1 of the *Dallas* [~~*International*~~] *Building Code*.

5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the *Dallas* [~~*International*~~] *Building Code*.

6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and occupant notification shall be broadcast by the emergency voice/alarm communication system.

**907.2.13.1 Automatic smoke detection.** Automatic smoke detection in high-rise buildings shall be in accordance with Sections 907.2.13.1.1 and 907.2.13.1.2.

**907.2.13.1.1 Area smoke detection.** Area smoke detectors shall be provided in accordance with this section. Smoke detectors shall be connected to an automatic fire alarm system. The activation of any detector required by this section shall activate the emergency voice/alarm communication system in accordance with Section 907.5.2.2. In addition to smoke detectors required by Sections 907.2.1 through 907.2.10, smoke detectors shall be located as follows:

1. In each mechanical equipment, electrical, transformer, telephone equipment or similar room which is not provided with sprinkler protection.

2. In each elevator machine room and in elevator lobbies.

3. In all interior corridors serving as a means of egress for an *occupant load* of 10 or more in Group R-1 and R-2 occupancies.

**[M] 907.2.13.1.2 Duct smoke detection.** Duct smoke detectors complying with Section 907.3.1 shall be located [~~as follows:~~]

[~~1.~~] In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm)(0.94 m3/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet per NFPA 72. The actuation of any such detector shall shut down the affected air-handling units or operate dampers to prevent the recirculation of smoke. Controls allowing the manual restarting of air-handling equipment during an alarm condition shall be provided.

[~~2. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each Return air riser carrying not more than 5,000 cfm (2.4 $m^3$/s) and serving not more than 10 air inlet openings.~~]

**907.2.13.2 Fire department communication system.** Where a wired communication system is *approved* in lieu of an emergency responder radio coverage system in accordance with Section 510, the wired fire department communication system shall be designed and installed in accordance with NFPA 72 and shall operate between a *fire command center* complying with Section 508, elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge and inside enclosed *exit stairways*. The fire department communication device shall be provided at each floor level within the enclosed *exit stairway*."

150. Subsection 907.4.2, "Manual Fire Alarm Boxes," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.4.2 Manual fire alarm boxes.** Where a manual fire alarm system is required by another section of this code,it shall be activated by fire alarm boxes installed in accordance with Sections 907.4.2.1 through 907.4.2.5. Manual alarm actuating devices shall be an *approved* double action type.

**907.4.2.1 Location.** Manual fire alarm boxes shall be located not more than 5 feet (1524 mm) from the entrance to each *exit*. Additional manual fire alarm boxes shall be located so that travel distance to the nearest box does not exceed 200 feet (60 960 mm).

**907.4.2.2 Height.** The height of the manual fire alarm boxes shall be a minimum of 42 inches (1067 mm) and a maximum of 48 inches (1372 mm) measured vertically, from the floor level to the activating handle or lever of the box.

**907.4.2.3 Color.** Manual fire alarm boxes shall be red in color.

**Exception:** Other colors may be acceptable if red does not provide a contrast with the surrounding background, when approved by the *fire code official*.

**907.4.2.4 Signs.** Where *approved* fire alarm systems are not monitored by a supervising station, an *approved* permanent sign shall be installed adjacent to each manual fire alarm box that reads: WHEN ALARM SOUNDS—CALL FIRE DEPARTMENT.

**Exception:** Where the manufacturer has permanently provided this information on the manual fire alarm box.

**907.4.2.5 Protective covers.** The *fire code official* is authorized to require the installation of *listed* manual fire alarm box protective covers to prevent malicious false alarms or provide the manual fire alarm box with protection from physical damage. The protective cover shall be transparent or red in color with a transparent face to permit visibility of the manual fire alarm box. Each cover shall include proper operating instructions. A protective cover that emits a local alarm signal shall not be installed unless *approved* by the fire code official. Protective covers shall not project more than that permitted by Section 1003.3.3

**907.4.2.6 Unobstructed and unobscured.** Manual fire alarm boxes shall be accessible, unobstructed, unobscured and visible at all times.

**907.4.2.7 Type.** Manual alarm initiating devices shall be an approved double action type."

151. Paragraph 907.5.2.2, "Emergency Voice/Alarm Communication Systems," of Subsection 907.2, "Where Required—New Buildings and Structures," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.5.2.2 Emergency voice/alarm communication systems.** Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler waterflow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving *approved* information and directions for a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404. In high-rise buildings, the system shall operate on a minimum of the alarming floor, the floor above and the floor below and identify on an annunciator the zone or address from which the alarm signal originated. Speakers shall be provided throughout the building by paging zones. As a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. *Exit stairways*.
3. Each floor.
4. *Areas of refuge* as defined in Chapter 2.

**Exception:** In Group I-1 and I-2 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

**907.5.2.2.1 Manual override.** A manual override for emergency voice

communication shall be provided on a selective and all-call basis for all paging zones.

**907.5.2.2.2 Live voice messages.** The emergency voice/alarm communication system shall also have the capability to broadcast live voice messages through paging zones on a selective and all-call basis.

**907.5.2.2.3 Alternate uses.** The emergency voice/alarm communication system shall be allowed to be used for other announcements, provided the manual fire alarm use takes precedence over any other use.

**907.5.2.2.4 Emergency voice/alarm communication captions.** Where stadiums, arenas and grandstands are required to caption audible public announcements in accordance with Section 1108.2.7.3 of the *International Building Code*, the emergency/voice alarm communication system shall also be captioned. Prerecorded or live emergency captions shall be from an *approved* location constantly attended by personnel trained to respond to an emergency.

**907.5.2.2.5 Emergency power.** Emergency voice/alarm communications systems shall be provided with an *approved* emergency power source."

152. Paragraph 907.5.2.3, "Visible Alarms," of Subsection 907.10, "Alarm Notification Appliances," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire protection systems," of the 2012 International Fire Code is amended to read as follows:

"**907.5.2.3 Visible alarms.** Visible alarm notification appliances shall be provided in accordance with Sections 907.5.2.3.1 through 907.5.2.3.4. Visual alarm notification appliances shall be provided where an existing fire alarm system is upgraded, altered or where a new fire alarm system is installed.

**Exceptions:**

1. Visible alarm notification appliances are not required in storage areas of Group S occupancies [~~*alterations*, except where an existing fire alarm system is upgraded or replaced, or a new fire alarm system is installed~~].

2. Visible alarm notification appliances shall not be required in *exits* as defined in Chapter 2.

3. Visible alarm notification appliances shall not be required in elevator cars."

153. Subsection 907.6.1, "Wiring," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is

amended to read as follows:

"**907.6.1 Wiring.** Wiring shall comply with the requirements of NFPA 70 and NFPA 72. Wireless protection systems utilizing radio-frequency transmitting devices shall comply with the special requirements for supervision of low-power wireless systems in NFPA 72.

**907.6.1.1 Installation.** All fire alarm systems shall be installed in such a manner that the failure of any single alarm initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All initiating circuit conductors shall be Class "A" wired with a minimum of six feet separation between supply and return circuit conductors. All fire alarm systems shall be wired as follows: IDC – Class A style – D; SLC – Class A style 6; NAC – Class B style Y. Provide a minimum 6-foot (1829 mm) separation between supply and return loops in all Class A wired circuits.

**Exception:** The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the addressable device is located within 10 feet of the suppression system device.

**907.6.1.2 Support.** Fire alarm system wiring and cables shall be independently supported using guide wires and anchors that are attached to the building structure.

**Exception:** Independent support wires may be attached to the ceiling grid for stabilization only.

**907.6.1.3 Identification.** All fire alarm system guide wires shall be painted red or labeled "Fire Alarm Only". All fire alarm wiring junction boxes shall be labeled "Fire Alarm Use". All fire alarm circuits shall be identified at terminal and junction boxes.

**907.6.1.4 Inspection.** All fire alarm system wiring installations shall be inspected by the fire code official for compliance with the requirements of this code, NFPA 70 and NFPA 72."

154. Subsection 907.6.5, "Monitoring," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.6.5 Monitoring.** Fire alarm systems required by this chapter, other chapters of this code, or by the *Dallas* [~~*International*~~*] Building Code* shall be monitored by an *approved* central station, remote supervising station or proprietary supervising station as defined in [~~accordance with~~] NFPA 72, or a local alarm which gives audible and visual signals at a constantly attended location. A constantly attended location is defined as being occupied by two or more persons whose responsibility it is to monitor the fire alarm system.

**Exception:** Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.

2. Smoke detectors in Group I-3 occupancies.

3. *Automatic sprinkler system*s in one- and two-family dwellings.

**907.6.5.1 Automatic telephone-dialing devices.** Automatic telephone-dialing devices used to transmit an emergency alarm shall not be connected to any fire department telephone number unless *approved* by the fire chief.

**907.6.5.2 Termination of monitoring service.** Termination of fire alarm monitoring services shall be in accordance with Section 901.9.

**907.6.5.3 Communication requirements.** All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition."

155. Subsection 907.7, "Acceptance Tests and Completion," of Section 907, "Fire Alarm and Detection Systems," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**907.7 Acceptance tests and completion.** Upon completion of the installation, the fire alarm system and all fire alarm components shall be tested and *approved* in accordance with NFPA 72 and Section 901.5."

156. Subsection 910.1, "General," of Section 910, "Smoke and Heat Removal," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**910.1 General.** Where required by this code or otherwise installed, smoke and heat vents or mechanical smoke exhaust systems and draft curtains shall conform to the requirements of this section.

**Exceptions:**

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an *approved automatic sprinkler system*.

2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, [~~automatic~~] only manual smoke and heat vents or manually activated, engineered mechanical smoke exhaust systems shall [~~not~~] be required within these areas. Automatic smoke and heat vents are prohibited."

157. Subsection 910.2, "Where Required," of Section 910, "Smoke and Heat Vents," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**910.2 Where required.** Smoke and heat vents shall be installed in the roofs of buildings or portions thereof occupied for the uses set forth in Sections 910.2.1 through 910.2.3.

**Exception:** In occupied portions of a building where the upper surface of the story is not a roof assembly, mechanical smoke exhaust in accordance 910.4 shall be an acceptable alternative. Smoke and heat vents shall not be required in buildings protected throughout by an approved automatic sprinkler system. Any smoke and heat vents installed as a substitute for a requirement, a reduction of a requirement, or an increase in the limits of other requirements of the *Dallas Building Code*, are considered a required system.

**910.2.1 Group F-1 or S-1.** Buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than 50,000 square feet (4645 m2) of undivided area.

**Exception:** Group S-1 aircraft repair hangars.

**910.2.2 High-piled combustible storage.** Buildings and portions thereof containing high-piled combustible stock or rack storage in any occupancy group when required by Section 3206.7.

**910.2.3 Group H.** Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 $m^2$) in single floor area.

   **Exception:** Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

   **Exception:** Buildings of noncombustible construction containing only noncombustible materials.

**910.2.4 Exit access travel distance increase.** Buildings and portions thereof used as a Group R-1 or S-1 occupancy where the maximum exit access travel distance is increased in accordance with Section 1016.2.2."

158. Table 910.3, "Requirements for Draft Curtains and Smoke and Heat Vents" of Section 910 "Smoke and Heat Removal" of Chapter 9, "Fire Protection Systems" of the 2012 International Fire Code is amended to read as follows:

"**TABLE 910.3**

**REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS[a]**

| OCCUPANCY GROUP AND COMMODITY CLASSIFICATION | DESIGNATED STORAGE HEIGHT (feet) | MINIMUM DRAFT CURTAIN DEPTH (feet) | MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet) | VENT-AREA-TO FLOOR-AREA RATIO[c] | MAXIMUM SPACING OF VENT CENTERS (feet) | MAXIMUM DISTANCE FROM VENTS TO WALL OR DRAFT CURTAIN[b] (feet) |
|---|---|---|---|---|---|---|
| Group F-1, H, and S-1 | — | $0.2 \times H^{d}$ but $\geq 4$ | 50,000 | 1:100 | 120 | 60 |
| High-piled storage (see Section 910.2.2) Class I-IV Commodities (Option 1) | $\leq 20$ | 6 | 10,000 | 1:100 | 100 | 60 |
| | $> 20 \leq 40$ | 6 | 8,000 | 1:75 | 100 | 55 |
| High-piled storage (see Section 910.2.2) Class I-IV Commodities (Option 2) | $\leq 20$ | 4 | 3,000 | 1:75 | 100 | 55 |
| | $> 20 \leq 40$ | 4 | 3,000 | 1:50 | 100 | 50 |
| High-piled storage (see Section 910.2.2) High-hazard Commodities (Option 1) | $\leq 20$ | 6 | 6,000 | 1:50 | 100 | 50 |
| | $> 20 \leq 30$ | 6 | 6,000 | 1:40 | 90 | 45 |
| High-piled storage (see Section 910.2.2) High-hazard | $\leq 20$ | 4 | 4,000 | 1:50 | 100 | 50 |
| | $> 20 \leq 30$ | 4 | 2,000 | 1:30 | 75 | 40 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Commodities (Option 2) | | | | | | |

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m2.

a. Additional requirements for rack storage heights in excess of those indicated shall be in accordance with Chapter 23. For solid-piled storage heights in excess of those indicated, an approved engineered design shall be used.

b. Vents adjacent to walls or draft curtains shall be located within a horizontal distance not greater than the maximum distance specified in this column as measured perpendicular to the wall or draft curtain that forms the perimeter of the draft curtained area.

c. Where draft curtains are not required, the vent area to floor area ratio shall be calculated based on a minimum draft curtain depth of 6 feet (Option 1).

d. "H" is the height of the vent, in feet, above the floor."

159. Subsection 910.3, "Design and Installation" of Section 910 "Smoke and Heat Removal" of Chapter 9, "Fire Protection Systems" of the 2012 International Fire Code is amended to read as follows:

"**910.3 Design and installation.** The design and installation of smoke and heat vents and draft curtains shall be as specified in Sections 910.3.1 through 910.3.5.2 and Table 910.3.

**910.3.1 Design.** Smoke and heat vents shall be *listed and labeled* to indicate compliance with UL 793.

**910.3.2 Vent operation.** Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

**910.3.2.1 Gravity-operated drop out vents.** Automatic smoke and heat vents containing heat-sensitive glazing designed to shrink and drop out of the vent opening when exposed to fire shall fully open within 5 minutes after the vent cavity is exposed to a simulated fire represented by a time-temperature gradient that reaches an air temperature of 500°F (260°C) within 5 minutes.

**910.3.2.2 Sprinklered buildings.** Where installed in buildings equipped with an approved automatic sprinkler system without Early Suppression Fast Response (ESFR) sprinkler heads, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

**910.3.2.3 Nonsprinklered buildings.** Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically

by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

**Exception:** Gravity-operated drop out vents complying with Section 910.3.2.1.

**910.3.3 Vent dimensions.** The effective venting area shall not be less than 16 square feet (1.5 $m^2$) with no dimension less than 4 feet (1219 mm), excluding ribs or gutters having a total width not exceeding 6 inches (152 mm).

**910.3.4 Vent locations.** Smoke and heat vents shall be located 20 feet (6096 mm) or more from adjacent *lot lines* and *fire walls* and 10 feet (3048 mm) or more from *fire barriers.* Vents shall be uniformly located within the roof in the areas of the building where the vents are required to be installed by Section 910.2, with consideration given toroof pitch, draft curtain location, sprinkler location and structural members.

**910.3.5 Draft curtains.** Where required by Table 910.3, draft curtains shall be installed on the underside of the roof in accordance with this section.

**Exception:** Where areas of buildings are equipped with ESFR sprinklers, draft curtains shall not be provided within these areas. Draft curtains shall only be provided at the separation between the ESFR sprinklers and the non-ESFR sprinklers.

**910.3.5.1 Construction.** Draft curtains shall be constructed of sheet metal, lath and plaster, gypsum board or other *approved* materials that provide equivalent performance to resist the passage of smoke. Joints and connections shall be smoke tight.

**910.3.5.2 Location and depth.** The location and minimum depth of draft curtains shall be in accordance with Table 910.3."

160. Subsection 912.2, "Location," of Section 912, "Fire Department Connections," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**912.2 Location.** With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. Fire apparatus access roads shall be required within 50 feet (15 240 mm) of any fire department hose connections. [~~The location of~~] A fire department hose connection[~~s~~] shall be located within 400 feet (122 m) of a fire hydrant [~~*approved by the fire chief*~~].

**912.2.1 Visible location.** Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise *approved* by the *fire code official* [~~fire chief~~].

**912.2.2 Existing buildings.** On existing buildings, wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters 'FDC' at least 6 inches (152 mm) high and words in letters at least 2 inches (51 mm) high or an arrow to indicate the location. All such signs shall be subject to the approval of the *fire code official*.

**912.2.3 Remote and free-standing fire department connections.** Free-standing fire department connections shall be internally and externally galvanized, permanently marked with the address being served, or portion thereof, and provided with approved locking caps/covers. Means to service the drain/check valve shall be provided."

161. Section 912, "Fire Department Connections," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Subsection 912.7, "Fire Department Hose Connections," to read as follows:

"**912.7 Fire department hose connections.** Fire department hose connections, as specified by NFPA 14, shall consist of *approved* two-way or four-way inlet Siamese connections, based on the calculated fire-flow requirements of the system served using hydraulic calculations or 250 gallons per minute (15.77 L/S) per inlet. All connections shall have hose threads compatible with those specified in Section 912.8."

162. Section 912, "Fire Department Connections," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Subsection 912.8, "Hose Threads," to read as follows:

"**912.8 Hose threads.** Fire hose threads used in conjunction with fire-extinguishing systems shall be as follows:

1. 2½-inch (64 mm) outlets shall have 7½ national standard fire hose coupling screw threads per inch.

2. Class II or III standpipe systems shall have 1-inch (25 mm) outlets with 11½ American standard taper pipe threads per inch."

163. Subsection 913.1, "General," of Section 913, "Fire Pumps," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**913.1 General.** Where provided, fire pumps shall be installed in accordance with this section, the Dallas Building Code, and NFPA 20. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not

less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

**Exception:** When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by Section 506.1."

164. Subsection 913.4, "Valve Supervision," of Section 913, "Fire Pumps," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended to read as follows:

"**913.4 Valve supervision.** Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods.

1. Central-station, proprietary, or remote-station signaling service.

2. Local signaling service that will cause the sounding of an audible signal at a constantly attended location.

3. Locking valves open, when approved by the *fire code official*.

4. Sealing of valves and *approved* weekly recorded inspection where valves are located within fenced enclosures under the control of the *owner*, when approved by the fire code official."

165. Section 913, "Fire Pumps," of Chapter 9, "Fire Protection Systems," of the 2012 International Fire Code is amended by adding a new Subsection 913.6, "Pump Supervision," to read as follows:

"**913.6 Pump supervision.** Where the pump room is not constantly attended, the fire pump shall transmit a supervisory signal to indicate loss of power, phase reversal, and pump running conditions in accordance with NFPA 20."

166. Subsection 1003.1, "Applicability", of Section 1003, "General Means of Egress", of Chapter 10, "Means of Egress", of the 2012 International Fire Code is amended to read as follows:

"**[B] 1003.1 Applicability.** The general requirements specified in Sections 1003 through 1013 shall apply to all three elements of the *means of egress* system, in addition to those Specific

requirements for the *exit access*, the *exit* and the *exit discharge* detailed elsewhere in this chapter. If there is a conflict between the text of this chapter and the Dallas Building Code, the Dallas Building code controls."

167. Paragraph 1004.1.2, "Areas without Fixed Seating", of Subsection 1004.1, "Design Occupant Load," of Section 1004, "Occupant Load", of Chapter 10, "Means of Egress", of the 2012 International Fire Code is amended to read as follows:

"**[B] 1004.1.2 Areas without fixed seating.** The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.2. For areas without fixed seating, the *occupant load* shall not be less than that number determined by dividing the floor area under consideration by the *occupant load* factor assigned to the function of the space as set forth in Table 1004.1.2. Where an intended function is not listed in Table 1004.1.2, the *building* [~~*fire*~~] *code official* shall establish a function based on a listed function that most nearly resembles the intended function.

~~**[Exception:** Where *approved* by the *fire code official*, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design *occupant load*.~~]"

168. Subsection 1004.3, "Posting of Occupant Load," of Section 1004, "Occupant Load," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1004.3 Posting of occupant load**. Every room or space that is an assembly occupancy shall have the *occupant load* of the room or space posted in a conspicuous place, near the main *exit* or *exit access doorway* from the room or space. Posted signs shall be of an *approved* legible permanent design and shall be maintained by the owner or authorized agent. At all times the owner or authorized agent shall keep a count of the number of occupants."

169. Subsection 1004.5, "Outdoor Areas," of Section 1004, "Occupant Load," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B] 1004.5 Outdoor areas.** Yards, patios, courts and similar outdoor areas accessible to and usable by the building occupants shall be provided with *means of egress* as required by this chapter. The *occupant load* of such outdoor areas shall be assigned by the *building* [~~*fire*~~] *code official* in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas

passes through the building, *means of egress* requirements for the building shall be based on the sum of the *occupant loads* of the building plus the outdoor areas.

**Exceptions:**

1. Outdoor areas used exclusively for service of the building need only have one *means of egress*.

2. The occupant load of the outdoor area need not be added to the building's total occupant load if: [~~Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.~~]

   2.1 The outdoor areas are located at grade and associated with Group R-3 and individual dwelling units of Group R-2. Means of egress must be provided from the outdoor area in accordance with this chapter.

   2.2 The outdoor areas are not located at grade and associated with Group R-3 and individual dwelling units of Group R-2 and the outdoor occupies not more than 10 percent of the area of the dwelling unit of a nonsprinklered building or not less than 20 percent of the area of the dwelling unit of a building provided throughout with an approved automatic sprinkler system. Means of egress must be provided from the outdoor area in accordance with this chapter."

170. Subsection 1007.1, "Accessible Means of Egress Required," of Section 1007, "Accessible Means of Egress," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B] 1007.1 Accessible means of egress required.** *Accessible means of egress* shall comply with this section. *Accessible* spaces shall be provided with not less than one *accessible means of egress*. Where more than one *means of egress* are required by Section 1015.1 or 1021.1 from any *accessible* space, each *accessible* portion of the space shall be served by not less than two *accessible means of egress*.

**Exceptions:**

1. *Accessible means of egress* are not required in alterations to existing buildings.

2. One *accessible means of egress* is required from an *accessible mezzanine* level in accordance with Section 1007.3, 1007.4 or 1007.5.

3. In assembly areas with sloped or stepped *aisles*, one *accessible means of egress* is permitted where the common path of travel is *accessible* and meets the requirements in Section 1028.8.

4. Accessible means of egress may satisfy this section if designed in accordance with Article 9102, "Architectural Barriers," of Vernon's Texas Civil Statutes and the "Texas Accessibility Standards of the Architectural Barriers Act," adopted by the Texas Commission of Licensing and Regulation and built in accordance with State certified plans, including any variances or waivers granted by the State."

171. Subsection 1007.5, "Platform Lifts," of Section 1007, "Accessible Means of Egress," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B] 1007.5 Platform lifts.** Platform (wheelchair) lifts shall not serve as part of an accessible *means of egress*, except where allowed as part of a required accessible route in Section 1109.8[~~7~~], Items 1 through 10 [~~9~~], of the *International Building Code*. Standby power shall be provided in accordance with Section 604.2.6 for platform lifts permitted to serve as part of a *means of egress*.

**[B] 1007.5.1 Openness.** Platform lifts on an accessible *means of egress* shall not be installed in a fully enclosed hoistway."

172. Subsection 1008.1, "Doors," of Section 1008, "Doors, Gates and Turnstiles," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1008.1 Doors.** *Means of egress* doors shall meet the requirements of the section. Doors serving a *means of egress* system shall meet the requirements of this section and Section 1020.2. Doors provided for egress purposes in numbers greater than required by this code shall meet the requirements of this section.

Security devices affecting *means of egress* shall be subject to approval by the *fire code official*. See Section 1028.2.

*Means of egress* doors shall be readily distinguishable from the adjacent construction and finishes such that the doors are easily recognizable as doors. Mirrors or similar reflecting materials shall not be used on *means of egress* doors. *Means of egress* doors shall not be concealed by curtains, drapes, decorations or similar materials."

173. Subparagraph 1008.1.9.4, "Bolt Locks," of Paragraph 1008.1.9, "Door Operations," of Subsection 1008.1, "Doors," of Section 1008, "Doors, Gates and Turnstiles," of

Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B] 1008.1.9.4 Bolt locks.** Manually operated flush bolts or surface bolts are not permitted.

**Exceptions:**

1. On doors not required for egress in individual dwelling units or sleeping units.

2. Where a pair of doors serves a storage or equipment room, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf.

3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.

4. Where a pair of doors serves a Group A, B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.

5. Where a pair of doors serves patient care rooms in Group I-2 occupancies, self-latching edge or surface-mounted bolts are permitted on the inactive leaf provided that the inactive leaf is not needed to meet egress width requirements and the inactive leaf contains no doorknobs, panic bars or similar operating hardware."

174. Subparagraph 1008.1.9.9, "Electronically Locked Egress Doors," of Paragraph 1008.1.9, "Door Operations," of Subsection 1008.1, "Doors," of Section 1008, "Doors, Gates and Turnstiles," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is deleted and replaced with a new Subparagraph 1008.1.9.9, "Electromagnetically Locked Egress Doors/Electronic Locking Devices," to read as follows:

"**1008.1.9.9 Electromagnetically Locked Egress Doors/Electronic Locking Devices.** Doors in all occupancies are permitted to be equipped with *approved, listed*, electronic locks which shall be installed in accordance with this section if the building is protected throughout by a fire alarm system or smoke detection system or with UL 268 smoke

detectors installed on each interior side of all doors provided with electronic locks.

**Exception:** Electronic strikes or electronic mortise locks that do not impede egress are not subject to these requirements.

**1008.1.9.9.1 Ability to *exit*.** Regardless of the location of the device or the level of security desired, the ability to *exit* at the option of the individual, not the controlling authority, shall always be provided.

**Exceptions:**

1. Locations for occupants needing self protection because of reduced mental capacities such as mental hospitals of Alzheimer care as further specified in Section 1008.1.9.9.4.

2. Locations where national security interest are present with approval of the building official.

3. Modified arrangements may be made for hospital nursery wards with approval of the building official.

(Note: For interior locations such as elevator lobbies, access includes passage into and through the tenant space being secured to provide access to the stairway. If access through the secured area is not desired, another exiting method such as providing a public *corridor* to the stairway should be utilized.)

**1008.1.9.9.2 General.** Electronic locking devices installed in such a manner that the method of unrestricted exiting relies upon electricity or electronics instead of mechanical means shall comply with the provisions as set forth herein. General guidelines for such installation shall be as follows:

1. Entrance doors in buildings with an occupancy in Group A, B, E or M shall not be secured from the egress side during periods that the building is open to the general public.

2. Access to *exits*, even in non-fire situations, shall be available to all individuals, even those individuals that are considered as unauthorized. Manually activated release mechanisms shall be made available. For specific provisions and exceptions, see Section 1008.1.9.9.4.

3. For emergency situations, buildings shall be provided with an automatic release mechanism as specified in Section 1008.1.9.9.5.

4. Once released, the door shall swing freely as a push/pull door. For specific provisions and exceptions, see Section 1008.1.9.9.6.

5. Request to exit buttons, break glass boxes and emergency pull boxes, with their required signs, shall be installed in accordance with Sections 1008.1.9.9.4 and 1008.1.9.9.7.

6. All devices used in a fire rated/fire door situation shall be *approved* for such use.

**1008.1.9.9.3 Permits and inspections.** A separate permit is required to install electronic security devices. Permits will be issued as SE permits and the fee will be based on the value of work. Delayed egress locks meeting the criteria set forth in Section 1008.1.9.7 will not require separate permits. Electronic security devices must be *approved* by the building official and must be functionally tested by the *fire code official*.

**1008.1.9.9.4 Access to exits/manual release mechanisms.** Passage through the secured door shall be provided.

(Note: Under usual circumstances, passage by individuals on the inside, going to the outside, is made available. Controls are usually installed to prevent unauthorized entry. Examples of such installations are the lobby entrance doors where exiting is by pushing the exit button.)

Normal passage shall be provided with the use of an *approved* button installed in accordance with Section 1008.1.9.9.7.

**Exception:** The release method for each door in a means of egress from a Group A, except for the main exit of a Group A occupancy in compliance with Section 1008.1.9.3, Item 2, and the release method for each door in a means of egress from a Group E occupancy having an occupant load of 50 or more and any Group H occupancy shall be provided by panic hardware.

Other acceptable normal release methods may include options as follows:

1. Pushing on or making contact with an *approved* electronic release bar. Such bars shall be installed such that they will fail in the released position should the electrical connection with the bar be lost.

2. Use of an *approved* motion detector. Upon detection of an approach, the device will unlatch. When using a motion detector, a release button in accordance with Section 1008.1.9.9.7 is still required to be installed in case of failure or inaccurate detection of the motion device.

When access to the *exits* requires passage through the device, manual release mechanisms shall be made available.

(Note: Examples of installations that must provide a manual override method are

as follows:

1. Elevator lobbies on full floor tenants. Access to the *exit* stairs is controlled and the *exit* path is through the device and tenant space. A manual override system must be installed to permit access to the stairs.

2. Warehouses/factories where employees are required to enter and *exit* through one point. Use of other building *exits* is undesired and controlled. A manual override system must still be installed at the controlled *exits*.

3. Secured systems where employee ingress/egress is monitored at all secured doors. A manual override system must still be installed at each door.

4. Occupancies like jewelry stores where the desire is to buzz entry and *exit*. Buzzing entry is acceptable. Buzzing *exit* may be used but a manual override system must still be installed at the door.)

When passage of individuals is undesired, unless other *approved exits* are available, access at the option of the individual shall be provided. Acceptable release methods may include options as follows:

1. An emergency pull box or a break glass emergency box may be located adjacent to the door to activate the release in an emergency. Choice of box shall be *approved* by the fire chief so as not to be confused with any other alarm boxes. An *approved* sign shall be adjacent to the box with the appropriate message such as 'Pull to Open Door' or 'Break Glass to Open Door.'

2. When *approved* by the building official, a release button will not be required for buildings provided with an *approved automatic sprinkler system* throughout with monitored twenty-four-hour security personnel on site, if a means for two-way communication with security such as intercom or telephone is provided in an *approved* location. Controls shall be provided at the security station for unlatching the electronic device. The two-way communication system shall be wired through a supervised circuit as defined in the *Dallas Fire Code*.

3. In I occupancies provided with an *approved automatic sprinkler system* throughout, the release button will not be required provided a control for releasing the device is provided at a nurse station and a deactivation method, e.g. a keyed control, a control pad, or card reader, is provided at the door and staff is supplied with the appropriate tool or knowledge to operate the release mechanism.

**1008.1.9.9.5 Automatic release mechanisms.** Electronic locking devices shall have

automatic releasing that complies with the following:

1. Automatically release upon activation of the smoke detection or fire alarm system, if provided. The control devices shall remain unlocked until the system has been reset.

2. When the area of concern has a sprinkler system, automatically release upon activation of a water flow alarm or trouble signal. The control devices shall remain unlocked until the system is reset.

3. Automatically release upon loss of electrical power to the building, electronic device, or the fire alarm system. Locking mechanisms shall not be provided with emergency backup power such as generators or batteries.

4. Automatically release upon activation of a manual release mechanism as specified in Section 1008.1.9.9.4 and as further specified in Section 1008.1.9.9.7.

Manual resetting of the devices is not required. Automatically resetting of the devices may be done by zones.

**1008.1.9.9.5.1 Zone control.** Deactivation of devices may be zone controlled as follows:

1. All devices on the same floor as the source of activation in fully sprinklered buildings.

2. All devices on the same floor as the source of activation of the smoke detection system plus one floor below and all floors above in unsprinklered buildings.

(Note: When security is still desired after the automatic release of the system, or when positive latching is necessary for fire door installation, it is still possible to maintain security provided the appropriate combination of devices is installed. As an example, use of panic hardware or doorknobs that provide mechanical *exit*ing at all times, but do not function from the exterior unless electronically activated, will still provide a secured door. It will provide the required manual *exit*ing but entry by card or code is not available until the system resets.

No such provision can be used when passage through the device is necessary for access to the *exit*. As an example, when the elevator lobby is secured from the *exit* stairs by a full floor tenant, upon automatic activation those devices shall release and access be provided through the tenant space to the stairs. A manual locking system cannot be installed to insure security.)

**1008.1.9.9.6 Door swing freely/single *exit* motion.** Doors shall swing freely when

the device is released.

(Note: It is required that the *exit* motion require only one activity. With normal doors one activity is pushing the mechanical panic bar or turning the mechanical doorknob. With an electronic device, one motion is pushing the button; therefore, pushing the button and pushing a panic bar or turning a doorknob would be two activities. An acceptable alternative is to use a motion detector (push button is still required). The motion detector will release the device upon approach and turning the doorknob is now just one activity. The push button is only necessary should the motion device fail. Another option is to use an electronic panic bar. One motion, pushing the bar, is for *exit*ing but entry is controlled. Or, use of an electronic doorknob where *exit*ing is always mechanical but the entry side does not engage without electronic activation.)

**Exception:** When doors are required to have positive latching, the building official and fire chief shall determine:

1. If a double motion to *exit*, i.e. the release of the electronic device then the operation of a door knob or push bar, is an acceptable *exit* means;

2. If the latch should be designed to fail in the secure position; or

3. Whether to deny the usage of the locks.

**1008.1.9.9.7 Request to exit buttons/break glass boxes/emergency pull boxes.** Exit buttons, break glass boxes and emergency pull boxes shall be installed as follows:

1. **Button:** The release button shall be red in color and at least a 2-inch (50.8 mm) Mushroom switch or 2-inch (50.8 mm) Square Lexan Palm button.

2. **Location:** The button, break glass box or emergency pull box shall be located 40 inches (1016 mm) to 48 inches (1219 mm) vertically above the floor and within 5 feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device.

3. **Sign:** An *approved* sign shall be adjacent to the button, break glass box or emergency pull box with the words 'Push to *Exit*' or 'Pull to *Exit*' as applicable. Sign lettering shall be white on a red background and at least 1 inch (25 mm) in height and shall have a stroke of not less than $^{1}/_{8}$ inch (3.2 mm).

4. **Activation:** When operated, the manual unlocking device shall result in direct interruption of power to the device, independent of the access control system electronics, and the device shall remain unlocked for a minimum of 30 seconds. It shall not be required that the release mechanism be constantly held, such as holding down the button, to get out.

(Note: When buzzing someone out, holding down the button is acceptable; however, the manual release device installed at the door, even those required in the occupancy using buzzing, shall not require constant holding down to *exit*.)

5. **Time delay:** Exit devices in accordance with this section shall not possess a time delay option."

175. Subparagraph 1008.1.9.11, "Stairway Doors," of Paragraph 1008.1.9, "Door Operations," of Subsection 1008.1, "Doors," of Section 1008, "Doors, Gates and Turnstiles," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1008.1.9.11 Stairway doors.** Interior stairway means of egress doors shall be openable from both sides without the use of a key or special knowledge or effort.

**Exceptions:**

1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.

2. This section shall not apply to doors arranged in accordance with Section 403.5.3 of the *Dallas [~~International~~] Building Code*.

3. In stairways serving structures other than a high-rise building [~~not more than four stories~~], doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

4. *Stairway* exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group B, F, M and S occupancies where the only interior access to the tenant space is from a single *exit stair* where permitted in Section 1021.2.

5. *Stairway* exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group R-2 occupancies where the only interior access to the *dwelling unit* is from a single *exit stair* where permitted in Section 1021.2."

176. Subsection 1009.7, "Stair Treads and Risers," of Section 1009, "Stairways," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B] 1009.7 Stair treads and risers.** Stair treads and risers shall comply with Sections 1009.7.1 through 1009.7.5.3.

**[B] 1009.7.1 Dimension reference surfaces.** For the purpose of this section, all dimensions are exclusive of carpets, rugs or runners.

**[B] 1009.7.2 Riser height and tread depth.** Stair riser heights shall be 7 inches (178 mm) maximum and 4 inches (102 mm) minimum. The riser height shall be measured vertically between the *nosings* of adjacent treads. Rectangular tread depths shall be 11 inches (279 mm) minimum measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's *nosing*. *Winder* treads shall have a minimum tread depth of 11 inches (279 mm) between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline and a minimum tread depth of 10 inches (254 mm) within the clear width of the stair.

**Exceptions:**

1. *Alternating tread devices* in accordance with Section 1009.13.

2. Ship ladders in accordance with Section 1009.14.

3. *Spiral stairways* in accordance with Section 1009.12.

4. *Aisle stairs* in assembly seating areas where the stair pitch or slope is set, for sightline reasons, by the slope of the adjacent seating area in accordance with Section 1028.11.2.

5. In Group R-3 occupancies; within *dwelling units* in Group R-2 occupancies; and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual *dwelling units* in Group R-2 occupancies; the maximum riser height shall be 73/4 inches (197 mm); the minimum tread depth shall be 10 inches (254 mm); the minimum *winder* tread depth at the walkline shall be 10 inches (254 mm); and the minimum *winder* tread depth shall be 6 inches (152 mm). A *nosing* projection not less than 3/4 inch (19.1 mm) but not more than 11/4 inches (32 mm) shall be provided on *stairways* with solid risers where the tread depth is less than 11 inches (279 mm).

6. See Section 3404.1 of the *International Building Code* for the replacement of existing *stairways*.

7. In Group I-3 facilities, stairways providing access to guard towers, observation stations and control rooms, not more than 250 square feet (23 m2) in area, shall be permitted to have a maximum riser height of 8 inches (203 mm) and a minimum tread depth of 9 inches (229 mm).

8. Private curved stairways used as convenience stairways may be provided with a minimum width of run of not less than 10 inches (254 mm) measured 6 inches (152.4 mm) from the interior radius and a maximum width of run of not more than 18 inches (457.2 mm) measured 6 inches (152.4 mm) from the exterior radius."

177. Subsection 1009.11, "Curved Stairways," of Section 1009, "Stairways," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1009.11 Curved stairways.** Curved stairways with winder treads shall have treads and risers in accordance with Section 1009.7 and the smallest radius shall not be less than twice the required width of the stairway.

**Exceptions:**

1. The radius restriction shall not apply to curved stairways for occupancies in Group R-3, and within individual *dwelling units* in occupancies in Group R-2.

2. Private circular stairways may be used as convenience stairways, provided the width of the stairway shall not be less than 44 inches (1711.6 mm) with the interior radius not less than 44 inches (1711.6 mm). In all cases, the stairway shall comply with the structural provisions and Chapter 6 of the *Dallas Building Code*."

178. Subsection 1010.1, "Scope," of Section 1010, "Ramps," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1010.1 Scope.** The provisions of this section shall apply to ramps used as a component of a means of egress.

**Exceptions:**

1. Other than ramps that are part of the accessible routes providing access in accordance with Sections 1108.2 through 1108.2.4 and 1108.2.6 of the *Dallas* [~~*International*~~] *Building Code*, ramped aisles within assembly rooms or spaces shall conform with the provisions in Section 1028.11.

2. Curb ramps shall comply with ICC A117.1 or with Section 1101.2 of the *Dallas*

*Building Code*.

3. Vehicle ramps in parking garages for pedestrian *exit* access shall not be required to comply with Sections 1010.4 through 1010.10 when they are not an accessible route serving accessible parking spaces, other required accessible elements or part of an accessible means of egress."

179. Subsection 1014.2, "Egress Through Intervening Spaces," of Section 1014, "Exit Access," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1014.2 Egress through intervening spaces.** Egress through intervening spaces shall comply with this section.

1. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas are accessory to the area served; are not a high-hazard occupancy and provide a discernible path of egress travel to an *exit*.

   **Exception:** *Means of egress* are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy when the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.

2. An *exit access* shall not pass through a room that can be locked to prevent egress.

3. *Means of egress* from *dwelling units* or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.

4. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

   **Exceptions:**

   1. *Means of egress* are not prohibited through a kitchen area serving adjoining rooms constituting part of the same *dwelling unit* or sleeping unit.

   2. *Means of egress* are not prohibited through stockrooms in Group M occupancies when all of the following are met:

      2.1. The stock is of the same hazard classification as that found in the main retail area;

      2.2. Not more than 50 percent of the *exit* access is through the stockroom;

      2.3. The stockroom is not subject to locking from the egress side; and

2.4. There is a demarcated, minimum 44-inch-wide (1118 mm) aisle defined by full or partial-height fixed walls or similar construction that will maintain the required width and lead directly from the retail area to the *exit* without obstructions.

3. In a building protected throughout by an approved automatic sprinkler system, one exit may pass through a kitchen or storeroom provided:

3.1. The *exit* door shall be visible upon entering the kitchen or storeroom and shall be clearly marked and identifiable as an *exit*; and

3.2. The required *exit* width through the kitchen or storeroom shall be permanently marked and maintained clear and unobstructed."

180. Table 1014.3, "Common Path of Egress Travel," of Section 1014, "*Exit* Access," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B] TABLE 1014.3**
**COMMON PATH OF EGRESS TRAVEL[g]**

| **OCCUPANCY** | **WITHOUT SPRINKLER SYSTEM (feet)** | | **WITH SPRINKLER SYSTEM (feet)** |
|---|---|---|---|
| | **Occupant Load** | | |
| | **≤ 30** | **> 30** | |
| B, S[d] | 100 | 75 | 100[a] |
| U | 100 | 75 | 75[a] |
| F | 75 | 75 | 100[a] |
| H-1, H-2, H-3 | Not Permitted | Not Permitted | 25[a] |
| R-2 | 75 | 75 | 125[b] |
| R-3[e] | 75 | 75 | 125[b] |
| I-3 | 100 | 100 | 100[a] |

| | | | |
|---|---|---|---|
| All others[c,f] | 75 | 75 | 75[a] |

For SI: 1 foot = 304.8 mm.

a. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

b. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2. See Section 903 for occupancies where automatic sprinkler systems are permitted in accordance with Section 903.3.1.2.

c. For a room or space used for assembly purposes having fixed seating, see Section 1028.8.

d. The length of a common path of egress travel in a Group S-2 open parking garage shall not be more than 100 feet (30 480 mm).

e. The length of a common path of egress travel in a Group R-3 occupancy located in a mixed occupancy building.

f. For the distance limitation in Group I-2, see Section 407.4 of the *International Building Code*.

g. Not applicable to a dwelling as defined in Section 202."

181. Paragraph 1015.2.1, "Two Exits or Exit Access Doorways", of Subsection 1015.2 "Exit or Exit Access Doorway Arrangement," of Section 1015, "Exit and Exit Access Doorways," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B] 1015.2.1 Two exits or exit access doorways.** Where two *exits* or *exit access doorways* are required from any portion of the *exit* access, the *exit* doors or *exit* access doorways shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between *exit* doors or *exit access doorways*. Interlocking or scissor stairs shall be counted as one *exit* stairway.

**Exceptions:**

1. Where interior *exit stairways* are interconnected by a 1-hour fire-resistance-rated *corridor* conforming to the requirements of Section 1018, the required *exit* separation shall be measured along the shortest direct line of travel within the *corridor*.

2. Where a building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2, the separation distance of the *exit* doors or *exit access doorways* shall not be less than one-fourth [~~third~~] of the length of the maximum overall diagonal dimension of the area served.

3. Interlocking stairs are permitted to be counted as two exits if all of the following conditions are met:

3.1. The building is not a high-rise as defined in Section 202;

3.2. The distance between exit doors complies with Section 1015.2;

3.3. The building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2;

3.4. Each stairway is separated from each other and from the remainder of the building by construction having a fire-resistance rating of not less than 2 hours with no openings or penetrations between the stairways other than hose for standpipes and *automatic sprinkler system*s. The separation between the stairways is permitted to be constructed as a single wall; and

3.5. Each exit meets all of the requirements in Section 1022, except as otherwise noted in the exception."

182. Section 1015, "Exit and Exit Access Doorways," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended by adding Subsection 1015.7, "Electrical Rooms", to read as follows:

"**1015.7 Electrical Rooms**. For electrical rooms, special exiting requirements may apply. See Article 110.26(c) of the National Electrical Code."

183. Table 1016.2, "Exit Access Travel Distance," of Subsection 1016.2, "Limitations," of Section 1016, "Exit Access Travel Distance," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**Table 1016.2**
**EXIT ACCESS TRAVEL DISTANCE[a]**

| OCCUPANCY | WITHOUT SPRINKLER SYSTEM (feet) | WITH SPRINKLER SYSTEM (feet) |
|---|---|---|
| A, E, [~~F-1,~~] M, R[~~, S-1~~] | 200 | 250[b] |
| I-1 | Not Permitted | 250[c] |
| B, F-1, S-1 | 200 | 300[c] |
| F-2, S-2, U | 300 | 400[b] |
| H-1 | Not Permitted | 75[c] |
| H-2 | Not Permitted | 100[c] |
| H-3 | Not Permitted | 150[c] |
| H-4 | Not Permitted | 175[c] |
| H-5 | Not Permitted | 200[c] |
| I-2, I-3, I-4 | Not Permitted | 200[c] |

For SI: 1 foot = 304.8 mm.

a. See the following sections for modifications to exit access travel distance requirements:

Section 402.8 of the *Dallas* [~~*International*~~] *Building Code*: For the distance limitation in malls.
Section 404.9 of the *Dallas* [~~*International*~~] *Building Code*: For the distance limitation through an atrium space.
Section 407.4 of the *International Building Code*: For the distance limitation in Group I-2.
Sections 408.6.1 and 408.8.1 of the *International Building Code*: For the distance limitations in Group I-3.
Section 411.4 of the *International Building Code*: For the distance limitation in special amusement buildings.
Section 1015.4: For the distance limitation in refrigeration machinery rooms.
Section 1015.5: For the distance limitation in refrigerated rooms and spaces.
Section 1021.2: For buildings with one exit.
Section 1028.7: For increased limitation in assembly seating.
Section 1028.7: For increased limitation for assembly open-air seating.
Section 3103.4 of the *International Building Code*: For temporary structures.
Section 3104.9 of the *International Building Code*: For pedestrian walkways.

b. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2. See Section 903 for occupancies where automatic sprinkler systems are permitted in accordance with Section 903.3.1.2.

c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1."

184. Subsection 1016.2, "Limitations," of Section 1016, "Exit Access Travel Distance," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended by adding paragraph 1016.2.2, "Group F-1 and S-1 Increase," to read as follows:

"**1016.2.2 Group F-1 and S-1 increase.** The maximum exit access travel distance shall be 400 feet (122 m) in Group F-1 or S-1 occupancies where all of the following are met:

1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height;

2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7315 mm); and

3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1."

190. Subsection 1018.1, "Construction," of Section 1018, "Corridors," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1018.1 Construction.** *Corridors* shall be fire-resistance rated in accordance with Table 1018.1(1). The *corridor* walls required to be fire-resistance rated shall comply with Section 708 of the *Dallas* [~~*International*~~] *Building Code* for fire partitions.

**Exceptions:**

1. A fire-resistance rating is not required for *corridors* in an occupancy in Group E where each room that is used for instruction has at least one door directly to the exterior and rooms for assembly purposes have at least one-half of the required means of egress doors opening directly to the exterior. Exterior doors specified in this exception are required to be at ground level.

2. A fire-resistance rating is not required for *corridors* contained within a dwelling or sleeping unit in an occupancy in Group R.

3. A fire-resistance rating is not required for *corridors* in open parking garages.

4. A fire-resistance rating is not required for *corridors* in an occupancy in Group B which is a space requiring only a single means of egress complying with Section 1015.1.

5. *Corridors* adjacent to the exterior walls of buildings shall be permitted to have unprotected openings on unrated exterior walls where unrated walls are permitted by Table 602 of the *International Building Code* and unprotected openings are permitted by Table 705.8 of the *International Building Code.*

6. *Corridor* walls and ceilings need not be of fire-resistive construction within the applicable single tenant space as *listed* in Table 1018.1(2) in the *Dallas Building Code* when the space is equipped with an *approved* automatic smoke detection system within the *corridor*. The actuation of any detector shall activate alarms

audible in all areas served by the *corridor*. The smoke detection system shall be connected to the building's fire alarm system where such a system is provided."

185. Table 1018.1, "Corridor Fire-Resistance Rating," of Subsection 1018.1, "Construction," of Section 1018, "Corridors," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**TABLE 1018.1(1)**
**CORRIDOR FIRE-RESISTANCE RATING**

| **OCCUPANCY** | **OCCUPANT LOAD SERVED BY CORRIDOR** | **REQUIRED FIRE-RESISTANCE RATING (hours)** | |
|---|---|---|---|
| | | **Without sprinkler system** | **With sprinkler system[c]** |
| H-1, H-2, H-3 | All | Not Permitted | 1 |
| H-4, H-5 | Greater than 30 | Not Permitted | 1 |
| A, B, E, F, M, S, U | Greater than 30 | 1 | 0 |
| R[d] | Greater than 10 | 1 | 0.5 |
| I-2[a], I-4 | All | Not Permitted | 0 |
| I-1, I-3 | All | Not Permitted | 1[b] |

a. For requirements for occupancies in Group I-2, see Sections 407.2 and 407.3 of the *Dallas* [~~*International*~~] *Building Code*.

b. For a reduction in the fire-resistance rating for occupancies in Group I-3, see Section 408.8 of the *Dallas* [~~*International*~~] *Building Code*.

c. Buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.

d. In Group R, Divisions 2 and 4 equipped throughout with an *automatic sprinkler system* in accordance with Sections 903.3.1.1 or 903.3.1.2, standard ½-inch gypsum wallboard may be substituted for Type X gypsum wallboard in construction of the *corridor*. *Corridor* openings shall be protected with *approved* self-closing 1¾-inch solid-core wood door installations or *approved* equivalent. See Section 717 in the *Dallas Building Code* for requirements on fire and smoke dampers."

186. Subsection 1018.1, "Construction," of Section 1018, "Corridors," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended by adding Table 1018.1(2), Corridor Fire-Resistance Rating of Single Tenant Space", to read as follows:

"**TABLE 1018.1(2)**
**CORRIDOR FIRE-RESISTANCE RATING OF SINGLE TENANT SPACE**

| CATEGORY | NATURE OF OCCUPANCY SERVED BY CORRIDOR | REQUIRED FIRE-RESISTANCE RATING (hours) | |
|---|---|---|---|
| | | Without smoke detectors | With smoke detectors |
| I | Uses and occupancies except those listed in Categories II and III | 1 | 0 |
| II | Buildings and other structures that represent a substantial hazard to human life in the event of failure, including but not limited to:<br>• Buildings and other structures whose primary occupancy is public assembly with an occupant load greater than 300.<br>• Buildings and other structures containing elementary school, secondary school or day care facilities with an occupant load greater than 250.<br>• Buildings and other structures containing adult education facilities, such as colleges and universities, with an occupant load greater than 500.<br>• Group I-2 occupancies with an occupant load of 50 or more resident care recipients but not having surgery or emergency treatment facilities.<br>• Group I-3 occupancies.<br>• Any other occupancy with an occupant load greater than 5,000.<br>• Power-generating stations, water treatment facilities for potable water, waste water treatment facilities and other public utility facilities not included in Risk Category III.<br>• Buildings and other structures not included in Risk Category III containing quantities of toxic or *explosive materials* that:<br>Exceed maximum allowable quantities per control area as given in Table 307.1(1) or 307.1(2) or per outdoor control area in accordance with the International Fire Code; and<br>Are sufficient to pose a threat to the public if released. | 1 | 1 |
| III | Buildings and other structures designated as essential facilities, including but not limited to:<br>• Group I-2 occupancies having surgery or emergency treatment | 1 | 1 |

| | | | |
|---|---|---|---|
| | facilities.<br>• Fire, rescue, ambulance and police stations and emergency vehicle garages.<br>• Designated earthquake, hurricane or other emergency shelters.<br>• Designated emergency preparedness, communications and operations centers and other facilities required for emergency response.<br>• Power-generating stations and other public utility facilities required as emergency backup facilities for Risk Category III structures.<br>• Buildings and other structures containing quantities of highly toxic materials that:<br>Exceed maximum allowable quantities per control area as given in Table 307.1(2) or per outdoor control area in accordance with the International Fire Code; and<br>Are sufficient to pose a threat to the public if released.<br>• Aviation control towers, air traffic control centers and emergency aircraft hangars.<br>• Buildings and other structures having critical national defense functions.<br>• Water storage facilities and pump structures required to maintain water pressure for fire suppression. | | |

a. For requirements for occupancies in Group I-2, see Section 407.2 of the Dallas Building Code.

b For requirements for occupancies in Group I-3, see Section 408.8 of the Dallas Building Code."

187. Subsection 1018.4, "Dead Ends," of Section 1018, "Corridors," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1018.4 Dead ends.** Where more than one *exit* or *exit* access doorway is required, the *exit* access shall be arranged such that there are no dead ends in *corridors* more than 20 feet (6096 mm) in length.

**Exceptions:**

1. In occupancies in Group I-3 of Occupancy Condition 2, 3 or 4 (see Section 308.5), the dead end in a *corridor* shall not exceed 50 feet (15 240 mm).

2. In occupancies in Groups B, E, F, I-1, M, R-1, R-2, R-4, S and U, where the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, the length of dead-end *corridors* shall not exceed 50 feet (15 240 mm).

3. A dead-end *corridor* shall not be limited in length where the length of the dead-end *corridor* is less than 2.5 times the least width of the dead-end *corridor*.

4. In a Group I, Division 2 occupancy building used as a hospital or nursing home and equipped throughout with an *approved automatic sprinkler system*, the maximum dead-end distance shall not exceed 30 feet (9144 mm)."

188. Subsection 1026.6, "Exterior Stairway and Ramp Protection," of Section 1026, "Exterior Exit Stairways and Ramps," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B]1026.6 Exterior stairway and ramp protection.** Exterior exit stairways and ramps shall be separated from the interior of the building as required in Section 1022.2. Openings shall be limited to those necessary for egress from normally occupied spaces.

**Exceptions:**

1. Separation from the interior of the building is not required for occupancies, other than those in Group R-1 or R-2, in buildings that are no more than two stories above grade plane where a level of exit discharge serving such occupancies is the first story above grade plane.

2. Separation from the interior of the building is not required where the exterior stairway or ramp is served by an exterior ramp or balcony that connects two remote exterior stairways or other approved exits with a perimeter that is not less than 50 percent open. To be considered open, the opening shall be a minimum of 50 percent of the height of the enclosing wall, with the top of the openings no less than 7 feet (2134 mm) above the top of the balcony.

3. Separation from the open-ended corridors [~~interior~~] of the building is not required for an exterior stairway or ramp located in a building or structure that is permitted to have unenclosed exit access stairways in accordance with Section 1009.3.

4. Separation from the interior of the building is not required for exterior stairways or ramps connected to open-ended corridors, provided that Items 4.1 through 4.5 are met:

4.1. The building, including corridors, stairways or ramps, shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

4.2. The open-ended corridors comply with Section 1018.

4.3. The open-ended corridors are connected on each end to an exterior exit stairway or ramp complying with Section 1026.

4.4. The exterior walls and openings adjacent to the exterior exit stairway or ramp comply with Section 1022.7.

4.5. At any location in an open-ended corridor where a change of direction exceeding 45 degrees (0.79 rad) occurs, a clear opening of not less than 35 square feet (3.3 m2) or an exterior stairway or ramp shall be provided. Where clear openings are provided, they shall be located so as to minimize the accumulation of smoke or toxic gases."

189. Subsection 1028.1, "General", of Section 1028, "Assembly", of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**[B] 1028.1 General.** A room or space used for assembly purposes which contains seats, tables, displays, equipment or other material shall comply with this section.

**1028.1.1 Bleachers.** Bleachers, grandstands and folding and telescopic seating, that are not building elements, shall comply with ICC 300.

~~**[1028.1.1.1 Spaces under grandstands and bleachers.** When spaces under grandstands or bleachers are used for purposes other than ticket booths less than 100 square feet (9.29 m2) and toilet rooms, such spaces shall be separated by fire barriers complying with Section 707 and horizontal assemblies complying with Section 711 with not less than 1-hour fire-resistance-rated construction.~~]"

190. Subsection 1029.1, "General", of Section 1029, "Emergency Escape and Rescue", of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1029.1 General.** In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Groups R and I-1 [~~R-2~~] occupancies [~~in accordance with Tables 1021.2(1) and 1021.2(2) and Group R-3 occupancies~~]. Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with this section. Where basements contain one or more sleeping rooms, emergency escape and rescue openings shall be required in each

sleeping room, but shall not be required in adjoining areas of the basement. Such openings shall open directly into a public way or to a yard or court that opens to a public way.

**Exceptions:**

1. Basements with a ceiling height of less than 80 inches (2032 mm) shall not be required to have emergency escape and rescue openings.

2. Emergency escape and rescue openings are not required from basements or sleeping rooms that have an exit door or exit access door that opens directly into a public way or to a yard, court or exterior exit balcony that opens to a public way.

3. Basements without habitable spaces and having no more than 200 square feet (18.6 m2) in floor area shall not be required to have emergency escape and rescue openings.

4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2."

191. Subsection 1030.2, "Reliability", of Section 1030, "Maintenance of Means of Egress," of Chapter 10, "Means of Egress," of the 2012 International Fire Code is amended to read as follows:

"**1030.2 Reliability.** Required *exit accesses, exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency [~~when the building area served by the means of egress is occupied~~]. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress."

192. Section 1101, "General," of Chapter 11, Construction Requirements for Existing Buildings", of the 2012 International Fire Code is amended by adding Subsection 1101.5, Installation Acceptance Testing of Fire And Life Safety System Components for Existing Buildings", to read as follows:

"**1101.5 Installation acceptance resting of fire and life safety system components for existing buildings.** The installation, upgrades, or repairs to fire and life safety systems in existing buildings and appurtenances there to shall be subject to acceptance testing and shall be maintained as approved by the fire code official. The fire code official shall witness any required acceptance testing. A retest fee shall be charged for retesting fire and life safety system components when the testing of the system fails. The retest fee is $500.00."

193. Subsection 1103.3, "Elevator Operation" of Section 1103, "Fire Safety Requirements for Existing Buildings", of Chapter 11, Construction Requirements for Existing Buildings", of the 2012 International Fire Code is amended to read as follows:

"**1103.3 Elevator operation.** Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. Emergency signage must be provided as required by Section 607.2."

194. Subsection 1103.5, "Sprinkler Systems" of Section 1103, "Fire Safety Requirements for Existing Buildings", of Chapter 11, Construction Requirements for Existing Buildings", of the 2012 International Fire Code is amended by adding a new Paragraph 1103.5.3, "Spray Booths and Rooms," to read as follows:

"**1103.5.3 Spray booths and rooms.** Existing spray booths and spraying rooms shall be protected by an *approved* automatic fire-extinguishing system."

195. Subsection 1103.7, "Fire Alarm Systems" of Section 1103, "Fire Safety Requirements for Existing Buildings", of Chapter 11, Construction Requirements for Existing Buildings", of the 2012 International Fire Code is amended by adding new Paragraphs 1103.7.8, "Group A", 1103.7.9, "Group B," and 1103.7.10, "Group M," to read as follows:

"**1103.7.8 Group A.** A fire alarm system shall be installed in existing Group A occupancies in accordance with Section 907.2.1.

**Exception:** Group A-5 occupancies.

**1103.7.9 Group B.** A fire alarm system shall be installed in existing Group B occupancies in accordance with Section 907.2.2.

**1103.7.10 Group M.** A fire alarm system shall be installed in existing Group M occupancies in accordance with Section 907.2.7."

196. Section 1103, "Fire Safety Requirements for Existing Buildings", of Chapter 11, Construction Requirements for Existing Buildings", of the 2012 International Fire Code is amended by adding new Subsection 1103.10, "Alarm Notification", to read as follows:

"**1103.10 Alarm Notification.** When provided, visual alarm notification appliances shall be installed throughout all contiguous spaces (tenant space, lease space, or other definable boundaries) as approved by the fire code official."

197. Paragraph 2006.4.4, "Operators," of Subsection 2006.4, "Operation, Maintenance and Use of Aircraft-Fueling Vehicles," of Section 2006, "Aircraft Fueling," of Chapter 20, "Aviation Facilities," of the 2012 International Fire Code is amended to read as follows:

"**2006.4.4 Operators.** Aircraft-fueling vehicles [~~that are operated by a person, firm or corporation other than the permittee or the permittee's authorized employee~~] shall be provided with a legible sign visible from outside the vehicle showing the name of the person, firm or corporation operating such unit."

198. Subparagraph 2006.5.2.3, "Funnels," of Paragraph 2006.5.2, "Electrical Bonding," of Subsection 2006.5, "Fueling and Defueling," of Section 2006, "Aircraft Fueling," of Chapter 20, "Aviation Facilities," of the 2012 International Fire Code is amended to read as follows:

"**2006.5.2.3 Funnels.** Where required, metal funnels are allowed to be used during fueling operations. Direct contact between the fueling receptacle, the funnel and the fueling nozzle shall be maintained during the fueling operation. Only metal funnels shall be used."

199. Paragraph 2006.5.3, "Training," of Subsection 2006.5, "Fueling and Defueling," of Section 2006, "Aircraft Fueling," of Chapter 20, "Aviation Facilities," of the 2012 International Fire Code is amended to read as follows:

"**2006.5.3 Training.** Aircraft-fueling vehicles shall be attended and operated only by persons instructed in methods of proper use and operation and who are qualified to use such fueling vehicles in accordance with minimum safety requirements. Qualified operators shall carry on their person an identification card issued by their employer certifying their qualifications."

200. Subsection 2006.8, "Loading and Unloading," of Section 2006, "Aircraft Fueling," of Chapter 20, "Aviation Facilities," of the 2012 International Fire Code is amended to read as follows:

"**2006.8 Loading and unloading.** Aircraft-fueling vehicles shall be loaded only at an *approved* loading rack. Such loading racks shall be in accordance with Section 5706.5.1.12.

**Exceptions:**

1. Aircraft-refueling units may be loaded from the fuel tanks of an aircraft during defueling operations.

2. Fuel transfer between tank vehicles is allowed to be performed in accordance with Section 5706.6 when the operation is at least 200 feet (60 960 mm) from an aircraft and at least 50 feet (15 240 mm) from any structure.

The fuel cargo of such units shall be unloaded only by *approved* transfer apparatus into the fuel tanks of aircraft[~~,~~] or underground storage tanks [~~or *approved* gravity storage tanks~~]."

201. Subsection 2007.4, "Exits," of Section 2007, "Helistops and Heliports," of Chapter 20, "Aviation Facilities," of the 2012 International Fire Code is amended to read as follows:

"**2007.4 *Exits*.** *Exits* and stairways shall be maintained in accordance with Section 412.7 of the *Dallas* [~~*International*~~] *Building Code*. Means of egress and stairways from heliports and helistops shall be maintained in accordance with Chapter 10. Landing areas located on buildings or structures shall have two or more means of egress. For landing platforms or roof areas less than 60 feet (18 288 mm) in length or less than 2,000 square feet (186 $m^2$) in area, the second means of egress is allowed to be a fire escape or ladder leading to the floor below."

202. Subsection 2107.3, "Solvent Storage Tanks," of Section 2107, "Dry Cleaning Systems," of Chapter 21, "Dry Cleaning," of the 2012 International Fire Code is amended to read as follows:

"**2107.3 Solvent storage tanks.** Solvent storage tanks for Class II, IIIA and IIIB liquids shall conform to the requirements of Chapter 57 [~~and be located underground or outside, above ground~~.

~~**Exception:** As provided in NFPA 32 for indoor storage or treatment tanks~~]."

203. Subsection 2301.1, "Scope," of Section 2301, "General," of Chapter 23, "Motor Fuel-Dispensing Facilities and Repair Garages," of the 2012 International Fire Code is amended to read as follows:

"**2301.1 Scope.** Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, aircraft motor fuel-dispensing facilities and repair garages shall be in accordance with this chapter and the Dallas [~~International~~] *Building Code*, Dallas [~~International~~] *Fuel Gas Code* and the Dallas [~~International~~] *Mechanical Code*. Such operations shall include both those that are accessible to the public and private operations. Flammable and combustible liquids, compressed natural gas, hydrogen and liquefied petroleum gas shall also be in accordance with Chapters 57, 58 and 61."

204. Subsection 2301.3, "Construction Documents," of Section 2301, "General," of Chapter 23, "Motor Fuel-Dispensing Facilities and Repair Garages," of the 2012 International Fire Code is deleted.

205. Section 2301, "General," of Chapter 23, "Motor Fuel-Dispensing Facilities and Repair Garages," of the 2012 International Fire Code is amended by adding a new Subsection 2301.7, "Plans and Specifications," to read as follows:

"**2301.7 Plans and specifications**. Plans and specifications shall be submitted for review and approval prior to the installation or construction of a motor vehicle fuel-dispensing station. A site plan shall be submitted which illustrates the location of flammable liquid, LP-gas, compressed natural gas (CNG), or hydrogen storage vessels, and their spatial relation to each other, property lines and building openings. Both above-ground and underground storage vessels shall be shown on plans. For each type of station, plans and specifications shall include, but not be limited to, the following:

1. **Flammable and combustible liquids**: the type and design of underground and above-ground liquid storage tanks; the location and design of the fuel dispensers and dispenser nozzles; the design and specifications for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and venting components.

2. **Liquefied petroleum gas**: equipment and components as required in NFPA 58; the location and design of the LP-gas dispensers and dispenser nozzles; the design, specifications and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components.

3. **Compressed natural gas**: when provided, the location of CNG compressors; the location and design of CNG dispensers and vehicle fueling connections; the design, specification and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specification for fuel storage and pressure-relief components.

4. **Hydrogen:** when provided, the location of equipment used for generation of hydrogen; the location of hydrogen compressors; the location and design of hydrogen dispensers and vehicle fueling connections; the design, specification and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specification for fuel storage and pressure-relief components."

206. Paragraph 2308.3.1, "Location on Property," of Subsection 2308.3, "Location of Dispensing Operations and Equipment," of Section 2308, "Compressed Natural Gas Motor Fuel-Dispensing Facilities," of Chapter 23, "Motor Fuel-Dispensing Facilities and Repair Garages," of the 2012 International Fire Code is amended to read as follows:

"**2308.3.1 Location on property**. In addition to the requirements of Section 2303.1, compression, storage and dispensing equipment not located in vaults complying with Chapter 53 shall be installed as follows:

1. Not beneath power lines.

2. Ten feet (3048 mm) or more from the nearest building or *lot line* that could be built on, public street, sidewalk, or source of ignition.

   **Exception:** Dispensing equipment need not be separated from canopies that are constructed in accordance with the <u>*Dallas*</u> [~~*International*~~] *Building Code* and that provide weather protection for the dispensing equipment.

3. Twenty-five feet (7620 mm) or more from the nearest rail of any railroad track and 50 feet (15 240 mm) or more from the nearest rail of any railroad main track or any railroad or transit line where power for train propulsion is provided by an outside electrical source such as third rail or overhead catenary.

4. Fifty feet (15 240 mm) or more from the vertical plane below the nearest overhead wire of a trolley bus line.

5. <u>Storage of CNG is prohibited in heavily populated or congested areas unless *approved* by the *fire code official*</u>."

207. Subparagraph 2311.2.3.2, "Disposal of Oily Waste," of Paragraph 2311.2.3, "Drainage and Disposal of Liquids and Oil-Soaked Waste," of Subsection 2311.2, "Storage and Use of Flammable and Combustible Liquids," of Section 2311, "Repair Garages," of Chapter 23, "Motor Fuel-Dispensing Facilities and Repair Garages," of the 2012 International Fire Code is amended to read as follows:

> "**2311.2.3.2 Disposal of oily waste.** *Approved*, s[~~S~~]elf-closing metal cans with tight-fitting lids shall be used for oily waste."

208. Subsection 2311.2, "Storage and Use of Flammable and Combustible Liquids," of Section 2311, "Repair Garages," of Chapter 23, "Motor Fuel-Dispensing Facilities and Repair Garages," of the 2012 International Fire Code is amended by adding a new Paragraph 2311.2.5, "Spontaneous Ignition," to read as follows:

> "**2311.2.5 Spontaneous ignition**. Materials susceptible to spontaneous ignition, such as rags containing flammable or combustible liquids and similar materials, shall be stored in a *listed* disposal container."

209. Subsection 2404.2, "Location of Spray-Finishing Operations," of Section 2404, "Spray Finishing," of Chapter 24, "Flammable Finishes," of the 2012 International Fire Code is amended by adding a new Paragraph 2404.2.1, "Prohibited Locations," to read as follows:

> "**2404.2.1 Prohibited locations.** Outside spraying or spray-finishing operations in basements or subbasements are prohibited except when *approved* by the fire chief."

210. Subsection 2404.4, "Fire Protection," of Section 2404, "Spray Finishing," of Chapter 24, "Flammable Finishes," of the 2012 International Fire Code is amended to read as follows:

> "**2404.4 Fire protection.** New and existing s[~~S~~]pray booths and spray rooms shall be protected by an *approved* automatic fire-extinguishing system complying with Chapter 9. Protection shall also extend to exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used."

211. Subsection 2410.4, "Ignition Sources," of Section 2410, "Floor Surfacing and Finishing Operations," of Chapter 24, "Flammable Finishes," of the 2012 International Fire Code is amended to read as follows:

"**2410.4 Ignition sources.** The power shall be shut down to all electrical sources of ignition within the flammable vapor area, unless those devices are classified for use in Class I, Division 1 hazardous locations. Open-flame devices and electrical equipment not classified for Class I locations, as defined in the *Dallas Electrical Code*, shall not be operated during or within four hours of the application of flammable or combustible liquids."

212. Section 2504, "Sources of Ignition," of Chapter 25, "Fruit and Crop Ripening," of the 2012 International Fire Code is amended by adding a new Subsection 2504.6, "Smoking," to read as follows:

"**2504.6 Smoking**. NO SMOKING signs shall be posted at every entrance, and smoking shall be prohibited in ripening rooms in accordance with Section 310."

213. Subparagraph 2703.10.1.2, "Combustible Tools," of Paragraph 2703.10.1, "Workstations and Tools," of Subsection 2703.10, "Automatic Sprinkler System," of Section 2703, "General Safety Provisions," of Chapter 27, "Semiconductor Fabrication Facilities," of the 2012 International Fire Code is amended to read as follows:

"**2703.10.1.2 Combustible tools.** Where the horizontal surface of a combustible tool is obstructed from ceiling sprinkler discharge, automatic sprinkler protection that covers the horizontal surface of the tool shall be provided.

**Exceptions:**

1. An automatic, electrically supervised, gaseous fire-extinguishing local surface application system shall be allowed as an alternative to sprinklers. Gaseous-extinguishing systems shall be actuated by infrared (IR) or ultraviolet/infrared (UV/IR) optical detectors.

2. Tools constructed of materials that are *listed* as Class 1 or Class 2 in accordance with UL 2360 or *approved* for use without internal fire extinguishing system protection."

214. Paragraph 2703.12.3, "Alarm Signals," of Subsection 2703.12, "Emergency Alarm System," of Section 2703, "General Safety Provisions," of Chapter 27, "Semiconductor Fabrication Facilities," of the 2012 International Fire Code is amended to read as follows:

"**2703.12.3 Alarm signals.** Activation of the emergency alarm system shall sound a local alarm and transmit a signal to the *emergency control station*. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where the hazard is detected. The audible alarm shall be distinct from all other alarms."

215. Paragraph 2703.15.1, "Required Electrical Systems," of Subsection 2703.15, "Emergency Power System," of Section 2703, "General Safety Provisions," of Chapter 27, "Semiconductor Fabrication Facilities," of the 2012 International Fire Code is amended to read as follows:

"**2703.15.1 Required electrical systems.** Emergency power shall be provided for electrically operated equipment and connected control circuits for the following systems:

1. HPM exhaust ventilation systems.
2. HPM gas cabinet ventilation systems.
3. HPM exhausted enclosure ventilation systems.
4. HPM gas room ventilation systems.
5. HPM gas detection systems.
6. Emergency alarm systems.
7. Manual fire alarm systems.
8. Automatic extinguishing [~~sprinkler~~] system monitoring and alarm systems.
9. Automatic alarm and detection systems for pyrophoric liquids and Class 3 water-reactive liquids required in Section 2705.2.3.4.
10. Flow alarm switches for pyrophoric liquids and Class 3 water-reactive liquids cabinet exhaust ventilation systems required in Section 2705.2.3.4.
11. Electrically operated systems required elsewhere in this code or in the *Dallas* [~~*International*~~] *Building Code* applicable to the use, storage or handling of HPM."

216. Chapter 31, "Tents and Other Membrane Structures," of the 2012 International Fire Code is retitled as Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls."

217. Section 3103, "Temporary Tents and Membrane Structures", of Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls", of the 2012 International Fire Code is retitled as Section 3103, "Temporary Tents, Canopies and Membrane Structures".

218. Subsection 3103.2, "Approval Required," of Section 3103, "Temporary Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls," of the 2012 International Fire Code is amended to read as follows:

"**3103.2 Approval required.** Tents, [~~and~~] membrane structures, and canopies having an area in excess of 399 [~~400~~] square feet (37 $m^2$) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official*. Site plans shall be submitted at least 15 days prior to the event for review and approval by the *fire code official.*

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.

2. Fabric canopies and t[~~T~~]ents open on all sides which comply with all of the following:

   2.1. Individual canopies and tents having a maximum size of 700 square feet (65 $m^2$).

   2.2. The aggregate area of multiple canopies or tents placed side by side without a fire break clearance of 12 feet (3658 mm) not exceeding 700 square feet (65 $m^2$) total.

   2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other canopies or tents.

3. Awnings.

4. Tents or canopies having an *occupant load* of less than 10 persons."

219. Paragraph 3103.8.2, "Location," of Subsection 3103.8, "Access, Location and Parking," of Section 3103, "Temporary Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls," of the 2012 International Fire Code is amended by adding a new Subparagraph 3103.8.2.1, "Parking," to read as follows:

"**3103.8.2.1 Parking.** Parking shall be provided in accordance with the *Dallas Development Code*."

220. Section 3104, "Temporary and Permanent Tents and Membrane Structures", of Chapter 31, "Tents, Canopies and Other Membrane Structures," of the 2012 International Fire Code is retitled as Section 3104, "Temporary and Permanent Tents, Canopies and Membrane Structures."

221. Subsection 3104.2, "Flame Propagation Performance Treatment," of Section 3104, "Temporary and Permanent Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Membrane Structures and Exhibition Halls," of the 2012 International Fire Code is amended to read as follows:

"**3104.2 Flame propagation performance treatment.** Before a permit is granted, the *owner* or agent shall file with the *fire code official* a certificate executed by an *approved* testing laboratory certifying that the tents, canopies and membrane structures and their appurtenances; sidewalls, drops and tarpaulins; floor coverings, bunting and combustible decorative materials and effects, including sawdust when used on floors or passageways, are composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an *approved* manner and meet the flame propagation performance criteria of NFPA 701, and that such flame propagation performance criteria are effective for the period specified by the permit."

222. Subsection 3104.4, "Certification," of Section 3104, "Temporary and Permanent Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Other Membrane

Structures and Exhibition Halls," of the 2012 International Fire Code is amended to read as follows:

"**3104.4 Certification.** An affidavit or affirmation shall be submitted to the fire code official and a copy retained on the premises on which the tent, canopy or air-supported structure is located. The affidavit shall attest to the following information relative to the flame propagation performance criteria of the fabric:

1. Names and address of the *owners* of the tent, canopy or air-supported structure.
2. Date the fabric was last treated with flame-retardant solution.
3. Trade name or kind of chemical used in treatment.
4. Name of person or firm treating the material.
5. Name of testing agency and test standard by which the fabric was tested."

223. Subsection 3104.5, "Combustible Materials," of Section 3104, "Temporary and Permanent Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls," of the 2012 International Fire Code is amended to read as follows:

"**3104.5 Combustible materials.** Hay, straw, shavings or similar combustible materials shall not be located within any tent, canopy or membrane structure containing an assembly occupancy, except the materials necessary for the daily feeding and care of animals. Sawdust and shavings utilized for a public performance or exhibit shall not be prohibited provided the sawdust and shavings are kept damp. Combustible materials shall not be permitted under stands or seats at any time.

**Exception:** Hay, straw and similar combustible materials treated with a flame retardant in an *approved* manner when *approved* by the fire chief."

224. Subsection 3104.6, "Smoking," of Section 3104, "Temporary and Permanent Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls," of the 2012 International Fire Code is amended to read as follows:

"**3104.6 Smoking.** Smoking shall not be permitted in tents, canopies [~~or~~] membrane structures, or in adjacent areas where hay, straw, sawdust or other combustible materials are stored or used. *Approved* "No Smoking" signs shall be conspicuously posted in accordance with Section 310."

225. Subsection 3104.7, "Open or Exposed Flame," of Section 3104, "Temporary and Permanent Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls," of the 2012 International Fire Code is amended to read as follows:

"**3104.7 Open or exposed flame.** Open flame or other devices emitting flame, fire or heat or any flammable or *combustible liquids*, gas, charcoal or other cooking device or any other unapproved devices shall not be permitted inside or located within 20 feet (6096 mm) of the tent, canopy or membrane structures while open to the public unless *approved* by the fire code official. When *approved*, cooking devices shall be located so there is a separation of 4 feet (1219 mm) between the flame and the tent, canopy or membrane structure material."

226. Paragraph 3104.15.5, "Cooking Tents," of Subsection 3104.15, "Heating and Cooking Equipment," of Section 3104, "Temporary and Permanent Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls," of the 2012 International Fire Code is amended to read as follows:

"**3104.15.5 Cooking tents.** Tents with sidewalks or drops where cooking is performed shall be separated from other tents, canopies or membrane structures by a minimum of 20 feet (6096 mm). Cooking equipment shall be located so there is a separation of 4 feet (1219 mm) between the flame and the tent, canopy or membrane structure material."

227.. Subsection 3104.16, "LP-Gas," of Section 3104, "Temporary and Permanent Tents, Canopies and Membrane Structures," of Chapter 31, "Tents, Canopies, Other Membrane Structures and Exhibition Halls," of the 2012 International Fire Code is amended by adding a new Paragraph 3104.16.4, "Places of Exhibition," to read as follows:

"**3104.16.4 Places of exhibition.** The operator of and exhibitors at premises used as a place of exhibition may use LP-gas inside a structure if:

1. The use is *approved* by the *fire code official* in writing; or

2. The use satisfies the requirements of Chapter 61 of this code and, when applied inside

Fair Park, satisfies the requirements of Section 32-19 of the *Dallas City Code*.

**3104.16.4.1 Capacity.** When used inside structures, LP-gas containers shall not exceed a water capacity greater than 12 pounds (5 kg).”

228. Paragraph 3104.17.3, “Refueling,” of Subsection 3104.17, “Flammable and Combustible Liquids,” of Section 3104, “Temporary and Permanent Tents, Canopies and Membrane Structures,” of Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2012 International Fire Code is amended to read as follows:

“**3104.17.3 Refueling.** Refueling shall be performed in an *approved* location not less than 20 feet (6096 mm) from tents, canopies or membrane structures. Fuel tanks shall be of adequate capacity to permit uninterrupted operation during normal operating hours. Refueling in a place of assembly shall be conducted only when the equipment is not in use and shall be *approved* by the *fire code official*.”

229. Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2012 International Fire Code is amended by adding a new Section 3105, “Exhibition Halls,” to read as follows:

“**SECTION 3105**
**EXHIBITION HALLS**

**3105.1 General.** No display or exhibit shall be installed or operated in a manner that would interfere in any way with access to any required *exit* or with visibility of any required *exit* or any required *exit* sign, nor shall any display block access to fire-fighting equipment.

**3105.1.1 Lessee notification.** The operator of premises used as a place of exhibition shall notify each lessee and the person in charge of the lessee’s proposed exhibition of the requirements of this section at the time the lease is made.

**3105.1.2 Description and plans.** Two copies of accurately-scaled floor plans are required to be submitted to the *fire code official* for approval at least 15 days prior to the move-in of any exhibit. No exhibition shall occupy any facility without approved plans. The plans shall include a detailed description of the nature of the exhibit and the following information:

1. Exhibit layout.
2. Aisles.
3. Exits.

4. Exhibits.

5. Show decorator's booth.

6. Location and nature of the fire-extinguishing equipment.

7. Dates of show preparation.

8. Dates when open to public or trade.

**3105.1.3 Compliance with plans.** The exhibit shall be constructed, operated and maintained in accordance with this code and the *approved* plans.

**3105.2 Structures within structures.** The operator of a premises used as a place of exhibition where a structure is to be erected within another structure as a display shall submit to the fire chief two copies of accurately scaled plans and two lists of materials to be used in the construction.

**3105.3 Storage of combustible containers.** Combustible materials not on display, including combustible packing crates used to ship exhibitors' supplies and products, shall be stored:

1. In a location separated from the exhibit area by a 1-hour fire-resistive barrier;

2. In an area protected by an *automatic sprinkler system*; or

3. Otherwise isolated and secured in a manner adequate to provide safety from fire.

**3105.4 Liquefied petroleum gas inside structures.** The operator of and exhibitors at premises used as a place of exhibition may use LP-gas inside a structure if:

1. The use is *approved* by the fire chief in writing; or

2. The use satisfies the requirements of Chapter 61 and, when applied inside Fair Park, satisfies the requirements of Section 32-19 of the *Dallas City Code*.

3. When allowed, a single container shall not exceed a water capacity of 12 pounds (5 kg).

**3105.5 Flammable and combustible liquids and compressed flammable gas prohibited.** Flammable and combustible liquids, compressed flammable gas and other similar hazardous materials are prohibited within a place of exhibition.

**Exception**: The *fire code official* may permit limited use of the above prohibited materials under special circumstances.

**3105.6 Smoking and open flames.** The operator of premises used as a place of exhibition shall

do the following:

1. Conspicuously post and maintain signs stating NO SMOKING in areas designated by the *fire code official*.

2. Provide and maintain noncombustible ashtrays in areas where smoking is not prohibited by the *fire code official*.

3. Prohibit the use of open flames, burning or smoke-emitting materials as part of an act, display or show without approval of the *fire code official*.

**3105.7 Combustible waste.** The operator of premises used as a place of exhibition shall do the following:

1. Provide and maintain *approved* containers for the collection and storage of combustible waste.

2. Collect combustible waste as it accumulates.

3. Remove the contents of waste containers at least once each day.

**3105.8 Cooking appliances.** The operator of and exhibitors at premises used as a place of exhibition may use cooking appliances if the appliances are:

1. Equipped with ventilating hoods or other equipment when required by the fire chief;

2. Installed in a manner satisfying the requirements of the *Dallas Plumbing Code* and *Dallas Mechanical Code*; and

3. Separated from combustible materials by an unobstructed spatial separation adequate to maintain surface temperature of adjacent combustibles below 160°F (71°C) or by metal or another *approved* guard adequate to maintain the same heat control.

**3105.9 Gas fired heating units.** The operator of premises used as a place of exhibition shall prohibit the use of gas-fired heating units unless specifically *approved* by the mechanical or plumbing inspector and the *fire code official*.

**3105.10 Sawdust and shavings.** The operator of premises used as a place of exhibition shall keep sawdust and shavings flameproofed.

**3105.11 Hay and straw.** The operator of premises used as a place of exhibition shall store and maintain hay and straw in a manner *approved* by the *fire code official*.

**3105.12 Flameproof materials.** The operator of a premises used as a place of exhibition shall prevent:

1. The use of tents, awnings, curtains, drapes, decorations and similar items; or

2. The hanging of materials, merchandise, signs and similar items over or in booth enclosures.

**Exception:** Noncombustible or flameproof items may be used or hung.

**3105.13 Vehicles.** Liquid- or gas-fueled vehicles, boats or other motorcraft shall not be located indoors unless:

1. Batteries are disconnected.

2. Fuel in fuel tanks does not exceed the lesser of one-quarter tank or 5 gallons (19 L). Fuel tank levels shall be inspected and *approved* by the *fire code official* prior to locating the vehicles or equipment indoors.

3. Fuel tanks and fill openings are closed and sealed to prevent tampering.

4. Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.

5. Fuel systems are inspected for leaks.

6. The location of vehicles or equipment does not block or obstruct means of egress.

7. Fuel for the vehicle or equipment is stored in *approved* containers in an *approved* location outside of the building.

8. Fuel spills are cleaned up immediately.

9. Refueling is performed outside of the building at an *approved* site.

10. Keys to all vehicles, boats or other motorcraft are maintained at the display site and available for use by the *fire code official*."

230. Footnote J, of Table 3206.2, "General Fire Protection and Life Safety Requirements", of Section 3206, "General Fire Protection and Life Safety Features," of Chapter 32, "High-Piled Combustible Storage," of the 2012 International Fire Code is amended to read as follows:

"j. [~~Not required when storage areas are protected by~~] Where areas of buildings are equipped with early suppression fast-response (ESFR) [~~sprinkler systems installed in accordance~~

~~with NFPA 13~~] sprinklers, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas."

231. Subsection 3206.7, "Smoke and Heat Removal," of Section 3206, "General Fire Protection and Life Safety Features," of Chapter 32, "High-Piled Combustible Storage," of the 2012 International Fire Code is amended to read as follows:

"**3206.7 Smoke and heat removal.** Where smoke and heat removal are required by Table 3206.2, smoke and heat vents shall be provided in accordance with Section 910. Where draft curtains are required by Table 3206.2, they shall be provided in accordance with Section 910.3.5.

**Exception:** Not required in fully sprinklered buildings."

232. Subsection 3207.2, "Fire Protection," of Section 3207, "Solid-Piled and Shelf Storage," of Chapter 32, "High-Piled Combustible Storage," of the 2012 International Fire Code is amended to read as follows:

"**3207.2 Fire protection.** Where automatic sprinklers are required by Table 3206.2, an *approved automatic sprinkler system* shall be installed throughout the building or to 2 [~~1~~]-hour fire barrier constructed in accordance with section 707 of the *Dallas* [~~*International*~~] *Building Code*. Openings in such fire barriers shall be protected by opening protective assemblies having a 1.5-hour *fire protection rating*. The design and installation of the *automatic sprinkler system* and other applicable fire protection shall be in accordance with the *Dallas* [~~*International*~~] *Building Code* and NFPA 13."

233. Subsection 3208.2, "Fire Protection," of Section 3208, "Rack Storage," of Chapter 32, "High-Piled Combustible Storage," of the 2012 International Fire Code is amended to read as follows:

"**3208.2 Fire protection.** Where automatic sprinklers are required by Table 3206.2, an *approved automatic sprinkler system* shall be installed throughout the building or to 2 [~~1~~]-hour fire barrier walls constructed in accordance with Section 707 of the *Dallas* [~~*International*~~] *Building Code*. Openings in such walls shall be protected by opening protective assemblies having 1.5-hour fire protection ratings. The design and installation of the *automatic sprinkler system* and other applicable fire protection shall be in accordance with Section 903.3.1.1, the *Dallas* [~~*International*~~] *Building Code*."

234. Subsection 3304.4, "Spontaneous Ignition," of Section 3304, "Precautions Against Fire," of Chapter 33, "Fire Safety During Construction and Demolition," of the 2012 International Fire Code is amended to read as follows:

"**3304.4 Spontaneous ignition.** Materials susceptible to spontaneous ignition, such as [~~oily~~] rags containing flammable or combustible liquids and similar materials, shall be stored in a *listed* disposal container."

235. Subsection 3308.5, "Hot Work Operations," of Section 3308, "Owner's Responsibility for Fire Protection," of Chapter 33, "Fire Safety During Construction and Demolition," of the 2012 International Fire Code is amended to read as follows:

"**3308.5 Hot work operations.** The fire prevention program superintendent shall be responsible for supervising the [~~permit system for~~] hot work operations in accordance with Chapter 35."

236. Subsection 3310.1, "Required Access," of Section 3310, "Access for Fire Fighting," of Chapter 33, "Fire Safety During Construction and Demolition," of the 2012 International Fire Code is amended to read as follows:

"**3310.1 Required access.** *Approved* vehicle access for fire fighting shall be provided to all construction or demolition sites as required in Chapter 5. Vehicle access shall be provided to within [~~100~~] 50 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, they shall be approved by the fire code official prior to the time of which construction has progressed beyond completion of the foundation of the structure. Construction material shall not block access to buildings, hydrants or fire appliances. Wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign."

237. Subsection 3311.1, "Stairways Required," of Section 3311, "Means of Egress," of Chapter 33, "Fire Safety During Construction and Demolition," of the 2012 International Fire Code is amended to read as follows:

"**3311.1 Stairways required.** Where a building has been constructed to a *building height* greater than 35 [~~of 50~~] feet (10 668 [~~15 240~~] mm) or three [~~four~~] stories, or where an existing building exceeding 35 [~~50~~] feet (10 668 [~~15 240~~] mm) in *building height* is altered, at least one

temporary lighted *stairway* shall be provided unless one or more of the permanent *stairways* are erected as the construction progresses."

238. Subsection 3313.1, "Where Required," of Section 3313, "Standpipes," of Chapter 33, "Fire Safety During Construction and Demolition," of the 2012 International Fire Code is amended to read as follows:

"**3313.1 Where required.** Buildings four or more stories in height shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than 35 [~~40~~] feet (10 668 [~~12 192~~] mm) in height above the lowest level of fire department access. Such standpipe shall be provided with 2½ inch fire department hose outlet connections with 7½ inch national standard fire hose coupling screw threads per inch, at accessible locations adjacent to usable stairs. Such standpipes, wet or dry with 10psi air pressure, shall be monitored for damage by pressure switch and audible alarm. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring."

239. Subsection 3407.3, "Locking," of Section 3407, "Fencing," of Chapter 34, "Tire Rebuilding and Tire Storage," of the 2012 International Fire Code is amended to read as follows:

"**3407.3 Locking.** All gates to the storage yard must comply with Section 503 and shall be locked when the storage yard is not staffed."

240. Section 3409, "Indoor Storage Arrangement," of Chapter 34, "Tire Rebuilding and Tire Storage," of the 2012 International Fire Code is amended to read as follows:

"**SECTION 3409**
**INDOOR STORAGE ARRANGEMENT**

**3409.1 Pile dimensions less than 6 feet in height.** Where tires are stored on-tread, the dimension of the pile in the direction of the wheel hole shall not be more than 50 feet (15 240 mm). Tires stored adjacent to or along one wall shall not extend more than 25 feet (7620 mm) from that wall. Other piles shall not be more than 50 feet (15 240 mm) in width.

**3409.2 Pile dimensions 6 feet or greater in height**. Where tires are stored in piles 6 feet (1829 mm) or greater in height, storage shall comply with Chapter 32."

241. Subsection 3501.2, "Permits," of Section 3501, "General," of Chapter 35, "Welding and Other Hot Work," of the 2012 International Fire Code is amended to read as follows:

"**3501.2 Permits.** Permits shall be required as set forth in Section 105.6. A separate permit is required for each separate activity and location where these activities are being conducted. A permit expires one year from the date of issuance."

242. Subsection 3502.1, "Definitions," of Section 3502, "Definitions," of Chapter 35, "Welding and Other Hot Work," of the 2012 International Fire Code is amended to read as follows:

"**3502.1 Definitions.** The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

**HOT WORK.**

**HOT WORK AREA.**

**HOT WORK EQUIPMENT.**

**HOT WORK PERMITS.**

**[~~HOT WORK PROGRAM.~~**

**~~RESPONSIBLE PERSON.~~]**

**TORCH-APPLIED ROOF SYSTEM.**"

243. Subsection 3503.3, "Hot Work Program Permit," of Section 3503, "General Requirements," of Chapter 35, "Welding and Other Hot Work," of the 2012 International Fire Code is deleted.

244. Paragraph 3504.1.2, "Openings," of Subsection 3504.1, "Protection of Combustibles," of Section 3504, "Fire Safety Requirements," of Chapter 35, "Welding and Other Hot Work," of the 2012 International Fire Code is amended to read as follows:

"**3504.1.2 Openings.** Openings or cracks in walls, floors, ducts or shafts within the hot work area shall be tightly covered to prevent the passage of sparks to adjacent combustible areas, or shielded by metal fire-resistant guards, or curtains shall be provided to prevent passage of sparks or slag. Where hot work is performed above locations where persons are likely to pass, noncombustible shields shall be used for protection from sparks and hot metal or oxide."

245. Paragraph 3504.2.1, "When Required," of Subsection 3504.2, "Fire Watch," of Section 3504, "Fire Safety Requirements," of Chapter 35, "Welding and Other Hot Work," of the 2012 International Fire Code is amended to read as follows:

"**3504.2.1 When required.** A fire watch shall be provided during hot work activities and shall continue for a minimum of 30 minutes after the conclusion of the work. The *fire code official*[~~, or the responsible manager under a hot work program,~~] is authorized to extend the fire watch based on the hazards or work being performed.

**Exception:** Where the hot work area has no fire hazards or combustible exposures."

246. Subsection 3504.3, "Area Reviews," of Section 3504, "Fire Safety Requirements," of Chapter 35, "Welding and Other Hot Work," of the 2012 International Fire Code is amended to read as follows:

"**3504.3 Area reviews.** Before hot work is permitted and at least once per day while the permit is in effect, the area shall be inspected by the individual responsible for the [~~authorizing~~] hot work operations to ensure that it is a fire safe area. [~~Information shown on the permit shall be verified prior to signing the permit in accordance with Section 105.6.~~]"

247. Subsection 3505.5, "Remote Locations," of Section 3505, "Gas Welding and Cutting," of Chapter 35, "Welding and Other Hot Work," of the 2012 International Fire Code is amended to read as follows:

"**3505.5 Remote locations.** Oxygen and fuel-gas cylinders and acetylene generators shall be located away from the hot work area to prevent such cylinders or generators from being heated by radiation from heated materials, sparks or slag, or misdirection of the torch flame. Portable oxygen/fuel gas welding equipment located inside of buildings shall be stored in a well-ventilated, dry location at least 20 feet (6096 mm) from combustible material and away from elevators, stairs, gangways or means of egress."

248. Subsection 3506.4, "Emergency Disconnect," of Section 3506, "Electric Arc Hot Work," of Chapter 35, "Welding and Other Hot Work," of the 2012 International Fire Code is amended to read as follows:

"**3506.4 Emergency disconnect.** A switch or circuit breaker shall be provided so that fixed electric welders and control equipment can be disconnected from the supply circuit. The disconnect shall be installed in accordance with NFPA 70. The disconnect shall be marked

EMERGENCY DISCONNECT and shall be visible from the equipment."

249. Subsection 5001.5, "Permits," of Section 5001, "General," of Chapter 50, "Hazardous Materials—General Provisions," of the 2012 International Fire Code is amended by adding a new Paragraph 5001.5.3, "Plan Review," to read as follows:

"**5001.5.3 Plan review.** Plans detailing outdoor storage, dispensing, use and handling of hazardous materials shall be submitted for review and approval to the fire chief. Plans shall include, but not be limited to, the following:

1. Amounts of hazardous materials involved.
2. Material safety data sheets on all materials involved.
3. Location on property.
4. Property lines.
5. Buildings and structures.
6. Fire apparatus access roads.
7. Fire hydrants.
8. Manufacturer's specifications on all equipment involved (tanks, dispensers, pumps, etc.).
9. Process description.

**5001.5.3.1 Plan review fees.** Plans for hazardous materials shall be accompanied by a nonrefundable $75 review fee."

250. Subsection 5003.12, "Outdoor Control Areas," of Section 5003, "General Requirements," of Chapter 50, "Hazardous Materials—General Provisions," of the 2012 International Fire Code is amended to read as follows:

"**5003.12 Outdoor control areas.** Outdoor control areas for hazardous materials in amounts not exceeding the maximum allowable quantity per outdoor control area shall be in accordance with the following:

1. Outdoor control area shall be kept free from weeds, debris and common combustible materials not necessary to the storage. The area surrounding an outdoor control area shall

be kept clear of such materials for a minimum of 15 feet (4572 mm).

2. Outdoor control areas shall be located not closer than 20 feet (6096 mm) from a lot line that can be built upon, public street, public alley or public way.

**Exceptions:**

1. For solid and liquid hazardous materials, a 2-hour fire-resistance-rated wall without openings extending not less than 30 inches (762mm) above and to the sides of the storage area shall be allowed in lieu of such distance.

2. For compressed gas hazardous materials, unless otherwise specified, the Minimum required distances shall not apply when *fire barriers* without openings or penetrations having a minimum *fire-resistance rating* of 2 hours interrupt the line of sight between the storage and the exposure. The configuration of the *fire barrier* shall be designed to allow natural ventilation to prevent the accumulation of hazardous gas concentrations.

3. Where a property exceeds 10,000 square feet (929 m2), a group of two outdoor *control areas* is allowed when *approved* and when each *control area* is separated by a minimum distance of 50 feet (15 240 mm).

4. Where a property exceeds 35,000 square feet (3252 m2), additional groups of outdoor *control areas* are allowed when approved and when each group is separated by a minimum distance of 300 feet (91 440 mm).

5. Outdoor storage of hazardous materials shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5."

251. Paragraph 5005.4.4, "Dispensing, Use and Handling," of Subsection 5005.4, "Handling," of Section 5005, "Use, Dispensing and Handling," of Chapter 50, "Hazardous Materials—General Provisions," of the 2012 International Fire Code is amended to read as follows:

"**5005.4.4 Dispensing, use and handling.** Where hazardous materials having a hazard ranking of 3 or 4 in accordance with NFPA 704 are transported through *corridors*, interior *exit stairways* or *ramps* or *exit passageways*, there shall be an emergency telephone system, a local manual alarm station or an *approved* alarm-initiating device at not more than 150-foot (45 720 mm) intervals and at each *exit* and *exit* access doorway throughout the transport route. The signal shall be relayed to an *approved* central, proprietary or remote station service or constantly attended on-site location and shall also initiate a local visual and audible alarm. The alarm shall provide warning both inside and outside the area where the hazard is detected. The audible alarm shall be distinct from all other alarms."

252. Chapter 50, "Hazardous Materials—General Provisions," of the 2012 International Fire Code is amended by adding a new Section 5006, "Prohibited Hazardous Materials Area," to read as follows:

"**SECTION 5006**
**PROHIBITED HAZARDOUS MATERIALS AREA**

**5006.1 General.** No person shall transport hazardous materials within the city unless the person's destination or point of departure is a Dallas terminal or other location within the city.

**5006.2 *Approved* route**. The prohibition of Section 5006.1 shall not apply if the hazardous materials are transported on the following:

1. Lyndon B. Johnson Freeway (Interstate Highway 635) and connecting segments of Interstate Highway 20, Spur 408, Walton Walker Boulevard (Loop 12) and Stemmons Freeway (Interstate Highway 35 East).

2. A state or federal highway directly connecting the route described in Section 5006.3 outward to the city limits.

**5006.3 Prohibited hazardous materials areas**. No person shall transport hazardous materials requiring U.S. Department of Transportation hazardous materials warning placards on the following streets and public highways and segments of streets and public highways:

1. R.L. Thornton Freeway (Interstate Highway 30) from Stemmons Freeway (Interstate Highway 35 East) to Malcolm X Boulevard.

2. Julius Schepps Freeway (Interstate Highway 45) from Lamar Street to Central Expressway (Interstate Highway 345) elevated bypass.

3. Central Expressway (Interstate Highway 345) elevated bypass from Julius Schepps Freeway (Interstate Highway 45) to Bryan Street.

4. Woodall Rodgers Freeway (Spur 366), all portions within the city limits.

5. Underground tunnel systems."

253. Subsection 5104.4, "Storage in Aerosol Warehouses," of Section 5104, "Inside Storage of Aerosol Products," of Chapter 51, "Aerosols," of the 2012 International Fire Code is amended by adding a new Paragraph 5104.4.5, "Access," to read as follows:

"**5104.4.5 Access**. Fire department access roadways and access doors shall comply with Section 503."

254. Subsection 5306.2, "Interior Supply Location," of Section 5306, "Medical Gas Systems," of Chapter 53, "Compressed Gases," of the 2012 International Fire Code is amended to read as follows:

"**5306.2 Interior supply location.** Medical gases shall be stored in areas dedicated to the storage of such gases without other storage or uses. Where containers of medical gases in quantities greater than the exempt [~~permit~~] amount are located inside buildings, they shall be in a 1-hour exterior room, a 1-hour interior room or a gas cabinet in accordance with Section 5306.2.1, 5306.2.2 or 5306.2.3, respectively. Rooms or areas where medical gases are stored or used in quantities exceeding the *maximum allowable quantity per control area* as set forth in Section 5003.1 shall be in accordance with the *International Building Code* for high-hazard Group H occupancies."

255. Subsection 5601.1, "Scope," of Section 5601, "General," of Chapter 56, "Explosives and Fireworks," of the 2012 International Fire Code is amended to read as follows:

"**5601.1 Scope.** The provisions of this chapter shall govern the possession, manufacture, storage, handling, transportation, sale and use of *explosives*, *explosive materials*, fireworks and small arms ammunition.

**Exceptions:**

1. The Armed Forces of the United States, Coast Guard or National Guard.

2. *Explosives* in forms prescribed by the official United States Pharmacopoeia.

3. The possession, storage, transportation and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.

4. The possession, storage, transportation and use of not more than 1 pound (0.454 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption.

5. The transportation and use of *explosive materials* by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.

6. Special industrial *explosive* devices which in the aggregate contain less than 50 pounds (23 kg) of *explosive materials*.

7. The possession, storage, transportation and use of blank industrial-power load cartridges when packaged in accordance with DOTn packaging regulations.

8. Transportation in accordance with DOTn 49 CFR Parts 100-185.

9. Items preempted by federal regulations."

256. Paragraph 5601.1.3, "Fireworks," of Subsection 5601.1, "Scope," of Section 5601, "General," of Chapter 56, "Explosives and Fireworks," of the 2012 International Fire Code is amended to read as follows:

"**5601.1.3 Fireworks.** The possession, manufacture, storage, sale, handling, transportation and use of fireworks are prohibited.

**Exceptions:**

1. The display, storage, transportation [~~Storage~~] and handling of fireworks when *approved* and permitted as provided [~~allowed~~] in Section 5604.

2. [~~Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~

~~3~~].The use of fireworks for approved fireworks displays as allowed in Section 5608.

[~~4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations provided such fireworks comply with CPSC 16 CFR, Parts 1500 and 1507, and DOTn 49 CFR, Parts 100-185, for consumer fireworks.~~]"

257. Section 5608, "Fireworks Display," of Chapter 56, "*Explosives* and Fireworks," of the 2012 International Fire Code is and amended to read as follows:

"**SECTION 5608**
**FIREWORKS DISPLAY AND PYROTECHNIC SPECIAL EFFECTS MATERIAL**

**5608.1 General.** [~~Outdoor fireworks displays, use of pyrotechnics before a proximate audience~~] The display, transportation and temporary storage of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall be in accordance [~~comply~~] with Section 5608, [~~Sections 5608.2 through 5608.10~~] NFPA 1123 or NFPA 1126, Chapter 2154 of the *Texas Occupations Code*, and the *Texas Fireworks Rules*.

**5608.1.1 Jurisdiction.** This chapter applies within:

1. The corporate limits of the city of Dallas; and

2. The area immediately adjacent and contiguous to the Dallas city limits and extending outside the city limits for a distance of 5,000 feet (1520 m), unless such area is within the corporate limits of another city.

**5608.1.2 Public nuisance and seizure.** The presence of fireworks within the jurisdiction of the city of Dallas in violation of this chapter is declared to be a common and public nuisance. The *fire code official* shall seize, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this chapter and cause the fireworks to be safely destroyed. It is not necessary to obtain injunctive relief as a prerequisite to seizure and destruction of illegal fireworks.

**5608.2 Permits** [~~**application**~~]**.** Permits are required to conduct fireworks and pyrotechnic displays in accordance with Section 105.6. The permit application shall be submitted to the fire code official for approval at least 15 days prior to the scheduled date of the display. Prior to issuing permits for fireworks display, plans for the display, inspections of the display site, and demonstrations of the display operations shall be *approved*. A plan establishing procedures to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from, a mortar or fails to function over the fallout area or other malfunctions shall be provided to the *fire code official*.

**5608.2.1 Outdoor displays.** In addition to the requirements of Section 403, permit applications for outdoor fireworks displays using Division 1.3G fireworks shall include: [~~a diagram of the location at which the display will be conducted, including the site from which fireworks will be discharged; the location of buildings, highways, overhead obstructions and utilities; and the lines behind which the audience will be restrained.~~]

1. Site plans prepared by the display operator, sponsor or both.

2. A site diagram of the display site drawn to scale which shall include identifying significant ground features, public rights of way, significant buildings or structures, overhead obstructions, location of nearby trees, telegraph or telephone lines, parking areas and spectator viewing areas at which the display will be conducted. The site diagram shall also include the site from which fireworks will be discharged and the lines behind which the audience will be restrained.

3. The location of fireworks storage areas.

4. The fallout area, including dimensions.

5. A north arrow.

6. Likely wind direction.

7. The location of significant roadways and utilities including access and control points.

8. Traffic plans indicating the flow of vehicles into and out of the site before and after the display.

9. The location of emergency vehicle staging areas and access routes. At the time of permit application, the *fire code official* shall be consulted regarding requirements for standby fire apparatus.

10. Diagrams illustrating the general arrangement and size of mortars and the location of shell storage at the discharge site. The diagrams should include the location of the electrical firing unit.

11. The Texas Department of Insurance application for permit and site certification and a copy of the state permit once *approved* by the Texas Department of Insurance.

12. A certificate of insurance as required in Section 5608.5.2.2.

13. A list of the amount and type of fireworks to be used.

14. A copy of the transportation route from the Dallas city limits to the display site.

15. A copy of the pyrotechnic operator's state license and picture identification.

**5608.2.2 Use of pyrotechnics before a proximate audience.** Where the separation distances required by Section 5608[~~.4~~] and NFPA 1123 are unavailable or cannot be secured, fireworks displays shall be conducted in accordance with NFPA 1126 for *proximate audiences*. Permits are required to conduct a special effects display in accordance with Section 105.6. The permit [~~A~~]application[~~s~~]for use of pyrotechnics before a *proximate audience* shall [~~include plans indicating the required clearances for spectators and conbustibles, crowd control measures, smoke control measures and requirements for standby personnel and equipment when provision of such personnel or equipment is required by the fire code official~~] be made not less than 15 days prior to the scheduled date of the display. In addition to the requirements of Section 403, permit applications for special effects pyrotechnic material using Division 1.4G fireworks shall include:

1. The name of the person, group or organization sponsoring the production.

2. The date and time of day of the production.

3. The exact location of the production.

4. The name of the pyrotechnic operator.

5. The number, names and ages of all assistants who are to be present.

6. The qualifications of the pyrotechnic operator.

7. The pyrotechnic experience of the operator.

8. Confirmation of any applicable state and federal licenses held by the operator or assistants.

9. Evidence of the permitee's insurance carrier or financial responsibility.

10. The number and type of pyrotechnic devices and materials to be used, the operator's experience with those devices and effects, and a definition of the general responsibility of the assistants.

11. A diagram of the grounds of the facilities where the production is to be held. This diagram shall show the point at which the pyrotechnic devices are to be fired, the fallout radius for each pyrotechnic device used in the performance, and the lines behind which the audience shall be restrained.

12. The point of on-site assembly of pyrotechnic devices.

13. The manner and place of storage of the pyrotechnic materials and devices.

14. The material safety data sheet (MSDS) for the pyrotechnic materials to be used.

15. Certification that the set, scenery and rigging materials are inherently flame retardant or have been treated to achieve flame retardancy.

16. Certification that all materials worn by performers in the fallout area during use of pyrotechnic effects shall be inherently flame retardant or have been treated to achieve flame retardancy.

**5608.2.2.1 Pyrotechnics demonstration.** The fire code official shall approve a walk-through and a representative demonstration of the pyrotechnics. The demonstration shall be scheduled with sufficient time allowed to reset/reload the pyrotechnics before the arrival of the audience.

**Exception:** The fire code official shall be permitted to waive this requirement based upon past history, prior knowledge and other factors, provided the authority is confident that the discharge of pyrotechnics can be conducted safely.

**5608.2.3 Pyrotechnic special effects material.** A display permit is required to use pyrotechnic special effects material in accordance with Section 105.6. A permit for use shall be granted only to a pyrotechnic operator licensed by the State of Texas.

**5608.2.4 Transportation and storage.** A permit is required for the transportation and storage of fireworks in accordance with Section 105.6.

**5608.2.5 Manufacturing.** The manufacturing of fireworks is prohibited except under special permits as required by local and state regulations.

**5608.2.6 Refusal to issue permit [~~*Approved* displays~~].** The *fire code official* [~~*Approved* displays~~] shall refuse to approve issuance of a permit if the applicant: [~~include only the *approved* Division 1.3G, Division 1.4G, and Division 1.4S fireworks, shall be handled by an *approved* competent operator, and the fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.~~]

1. Intentionally makes a false statement as to a material matter in the permit application;

2. Is a fugitive from justice;

3. Is under a felony indictment;

4. Has been finally convicted of a felony offense within the 5-year period immediately preceding the filing of the application;

5. Has been finally convicted of a misdemeanor violation of an *explosive* law or regulation within the 2-year period immediately preceding the filing of the application;

6. Held a permit issued under this chapter which was revoked within the 1-year period immediately preceding the filing of the application;

7. Has been adjudicated a mental defective; is an unlawful user of, or is addicted to, a controlled substance or dangerous drug; or suffers from any other handicap, infirmity, defect or condition which might reasonably diminish competency to safely conduct the proposed activity or would create an unreasonable risk of injury to life or property in the performance of the proposed activity;

8. Submits an application which indicates that the proposed display will not comply with the provisions of this chapter; or

9. Proposes a display which will create an unreasonable risk of injury to life or property in the performance of the proposed activity.

**5608.3 Approved fireworks displays.** *Approved* fireworks displays shall include only the a*pproved* fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles, 1.4G, which shall be handled by an *approved*, competent operator. The *approved* fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.

**5608.3.1 Violations**. A person who knowingly violates a provision of this chapter shall be fined not less than $200 nor more than $2000 for each offense.

**5608.3.2 Separate offenses.** A person who knowingly violates a provision of this chapter is guilty of a separate offense for:

1. Each separate package of fireworks, if the fireworks are packaged separately; and

2. Each day or part of a day during which the violation is committed, continued or permitted.

**5608.4 Clearance.** Spectators, spectator parking areas, and *dwellings*, buildings or structures shall not be located within the display site.

**Exceptions:**

1. This provision shall not apply to pyrotechnic special effects and fireworks displays using Division 1.4G materials before a *proximate audience* in accordance with NFPA 1126.

2. This provision shall not apply to unoccupied *dwellings*, buildings and structures with the approval of the building *owner* and the *fire code official*.

**5608.5 Storage, use and handling of fireworks** [~~**at display site**~~]**.** [~~The~~] S[~~s~~]torage, use and handling of fireworks [~~at the display site~~] shall comply with [~~the requirements of this~~] S[~~s~~]ections 5604 and 5608, Chapter 2154 of the *Texas Occupations Code*, and the *Texas Fireworks Rules* [~~NFPA 1123 or NFPA 1126~~].

**Exceptions:**

1. The use of fireworks by railroads or other transportation agencies for signaling or illumination.

2. The sale or use of blank cartridges for theatrics, signaling or ceremonial purposes.

3. The use of fireworks by the United States Armed Forces.

**5608.5.1 Prohibition** [~~**Supervision and weather protection**~~]**.** It shall be unlawful for any person to possess, use, manufacture, sell, offer for sale, give away, transport or discharge [~~Beginning as soon as~~] fireworks of any description [~~have been delivered to the display site, they shall not be left unattended~~].

**Exception:** The use of fireworks for display is allowed as set forth in Section 5608.

**5608.5.2 Display requirements.** [~~**Weather protection**~~]**.** Fireworks displays shall be in accordance with Sections 5608.5.2.1 through 5608.5.2.9.7.9. Only Division 1.4G fireworks (class C common) and Division 1.3G fireworks (special fireworks) are allowed to be used. When Division 1.3G fireworks are used, see Section 5604 [~~kept dry after delivery to the~~

~~display site~~].

**5608.5.2.1 Pyrotechnic operator.** Fireworks display operations shall be under the direct supervision of a pyrotechnic operator. The pyrotechnic operator shall be responsible for all aspects of a display related to pyrotechnics.

**5608.5.2.2 Bond.** The permittee shall furnish a bond or certificate of insurance in an amount deemed adequate by the *fire code official* for the payment of damages which could be caused either to a person or persons or to property by reason of the permitted display and arising from acts of the permittee, agents, employees or subcontractors.

**5608.5.2.3 Mortars for aerial shell displays.** Mortars for aerial shell displays shall be in accordance with Sections 5608.5.2.3.1 through 5608.5.2.3.12.

**5608.5.2.3.1 Site criteria.** Mortars for aerial displays shall be separated from spectator viewing areas, vehicles and buildings as set forth in Table 5608.5.2.3.

**Exception:** The *fire code official* is authorized to modify separation distance requirements based on characteristics of specific sites.

The designated landing area shall be an *approved* large, clear, open area. Spectators, vehicles and combustible materials shall not be allowed within the designated landing area. The designated landing area shall not be within 100 feet (30 480 mm) of tents, canopies and membrane structures.

**5608.5.2.3.2 Construction.** Mortars shall be *approved* for use with the aerial shells to be fired. Mortars shall be constructed of heavy cardboard, paper or metal other than cast iron.

**5608.5.2.3.3 Inspection.** Prior to placement, mortars shall be inspected for defects such as dents, bent ends, damaged interiors and damaged plugs. Mortars found to be defective shall not be used.

**5608.5.2.3.4 Positioning.** Mortars shall be positioned so that aerial shells are directed over the designated landing area and away from ground pieces. Mortars shall not be angled toward spectator viewing areas.

The trajectory of aerial shells shall be arranged such that a minimum clearance of 25 feet (7620 mm) is maintained from potential obstructions.

Seamed metal mortars shall be placed such that the seam of a mortar faces to the side rather than to the top or bottom.

**5608.5.2.3.5 Securing.** Mortars shall be buried to a depth of not less than two-thirds of their length, either in the ground or in aboveground troughs or drums. In soft ground, wood not less than 2 inches (50.8 mm) nominal thickness or rock slabs shall

be placed beneath mortars which will be used more than once to prevent their sinking or being driven into the ground during firing.

**Exception:** *Approved*, securely positioned mortar racks are allowed for the firing of single-break shells 6 inches (152 mm) or less in diameter.

**5608.5.2.3.6 Mortar separation.** Mortars that are buried in the ground, in troughs or in drums shall be separated from adjacent mortars by a distance equal to or greater than the diameter of the mortar.

**Exception:** For electrically fired displays, or displays where all shells are loaded into mortars prior to the show, there is no requirement for separation of shells according to size or their designation as salutes.

**5608.5.2.3.7 Moisture protection.** In damp ground, a weather-resistant bag shall be placed under the bottoms of mortars prior to placement in the ground to protect mortars from moisture. Weather-resistant bags shall be placed over the open end of mortars in damp weather to keep moisture from accumulating on the inside surface of mortars.

**5608.5.2.3.8 Ground burst protection.** Sand bags, dirt boxes or other suitable protection shall be placed around mortars on the up-range side to protect the operator from ground bursts.

**5608.5.2.3.9 Convolute and spiral wound paper mortars.** Paper mortars constructed of convolute wound paper shall be *approved* for the size aerial shells being discharged having a maximum double break.

Spiral wound paper mortars shall not be used for greater than 3-inch (76.2 mm) diameter aerial shells with a maximum double break.

**5608.5.2.3.10 Grouping mortars.** Mortars of the same diameter, which are to be reloaded during a display, shall be grouped together such that various sizes are not intermixed. Groups shall be separated.

**5608.5.2.3.11 Loose gravel and rocks.** Loose gravel, rocks and other loose solid objects shall be removed from the area around mortars to prevent such materials from being thrown from ground bursts during firing.

**5608.5.2.3.12 Cleaning tool.** When mortars are to be fired more than once during a display, a cleaning tool shall be available for the cleaning of debris from mortars as necessary. For metal mortars, the tool shall be nonsparking.

***TABLE 5608.5.2.3***
***MINIMUM MORTAR SEPARATION DISTANCES***

| MORTAR DIAMETER (INCHES) | MINIMUM SEPARATION FROM SPECTATOR VIEWING AREAS, VEHICLES AND BUILDINGS (feet) |
|---|---|
| X25.4 for mm | X 0.3048 for m |
| less than 3 | 140 |
| 3 | 210 |
| 4 | 280 |
| 5 | 350 |
| 6 | 420 |
| 7 | 490 |
| 8 | 560 |
| 10 | 700 |
| 12 | 840 |
| greater than 12 | Approved |

**5608.5.2.4 Ground pieces.** Ground pieces shall be in accordance with Sections 5608.5.2.4.1 through 5608.5.2.4.3.

**5608.5.2.4.1 Location.** Ground pieces shall be located not less than 150 feet (45 720 mm) from spectators and vehicles; not less than 100 feet (30 480 mm) from tents, canopies or membrane structures; not less than 100 feet (30 480 mm) from mortars; and outside of the designated landing area.

**Exceptions:**

1. Fixed ground pieces are allowed not less than 75 feet (22 860 mm) from spectators and vehicles.

2. Electrically fired ground pieces are allowed in the designated landing area.

**5608.5.2.4.2 Combustibles.** The area beneath ground pieces shall be free of dry grass and combustibles.

**5608.5.2.4.3 Securing.** Poles for ground pieces shall be securely placed and braced.

**5608.5.2.5 Electrical firing units.** Electrical firing units shall be in accordance with Sections 5608.5.2.5.1 through 5608.5.2.5.6.

**5608.5.2.5.1 Wiring.** Electrical wiring associated with an electrical firing unit shall be prevented from contacting metal objects in contact with the ground.

**5608.5.2.5.2 Power supply.** AC-powered electrical firing units shall be isolated from the power source using an isolation transformer.

**5608.5.2.5.3 Security.** Electrical firing units shall require a key-operated switch or other similar device to prevent unauthorized operation.

**Exception:** Hand-held electrical firing units connected to fireworks only during a display.

**5608.5.2.5.4 Manually activated firing units.** Manually activated electrical firing units shall require two or more distinct actions to apply electric current to an electric match.

**5608.5.2.5.5 Automatic-firing units.** Automatic-sequencing-type electrical firing units shall include a momentary contact switch which shall be held to cause application of current to an electric match and which will immediately disconnect current to all electric matches upon release.

**5608.5.2.5.6 Testing of firing circuits.** The pyrotechnic operator shall ensure that personnel are kept at a safe distance from fireworks which are connected to electrical firing units during testing. Electrical firing units with integral test circuits shall be designed to limit the maximum current output during a test to 0.05 ampere or to 20 percent of the no-fire current of electric matches, whichever is less. Multitesters shall not be used for testing unless the maximum current output has been measured and determined not to exceed the current output limits for integral test circuits.

**5608.5.2.6 Supervision.** Beginning as soon as fireworks have been delivered to the display site, they shall not be left unattended.

**5608.5.2.7 Weather protection.** Fireworks shall be kept dry after delivery to the display site.

**5608.5.2.8 Display operation**. Display operation shall be in accordance with Sections 5608.5.2.8.1 through 5608.5.2.8.6.7.

**5608.5.2.8.1 Fire protection.** When required by the *fire code official*, the pyrotechnic operator shall provide two or more portable fire extinguishers of the proper classification and size for the discharge area and shall be readily accessible while the pyrotechnics are being loaded, fired or prepared for firing. The pyrotechnic operator shall arrange for standby fire apparatus for protection down range when required by the *fire code official*.

**5608.5.2.8.2 Monitors.** The pyrotechnic operator shall employ monitors whose sole duty shall be the enforcement of crowd control around the display area. Unauthorized persons shall not be allowed to enter the discharge site until the site has been inspected after the display by the pyrotechnic operator.

**5608.5.2.8.3 Barriers.** The *fire code official* is authorized to require rope barriers, fences, signs or other devices to be installed around the display area to aid in crowd control.

**5608.5.2.8.4 Illumination.** Display operators shall use only flashlights or electric lighting for illumination.

**5608.5.2.8.5 Smoking and open flames.** Smoking and use of open flames are prohibited in the aerial shell storage area. NO SMOKING OR OPEN FLAME signs shall be conspicuously posted.

**5608.5.2.8.6 Aerial shells.** Aerial shell operations shall be in accordance with Sections 5608.5.2.9.7.1 through 5608.5.2.9.7.9.

**5608.5.2.8.6.1 Ready boxes.** Ready boxes shall be located not less than 25 feet (7620 mm) in an upwind direction from mortars.

**5608.5.2.8.6.2 Transporting and loading.** Aerial shells shall be carried to mortars by the shell body. For the purpose of loading mortars, aerial shells shall be held by the thick portion of the fuse and carefully lowered into mortars.

**5608.5.2.8.6.3 Proper fit.** Aerial shells shall be checked for proper fit in mortars prior to discharge. The pyrotechnic operator shall inspect all aerial shells to be certain that they are properly seated in mortars prior to firing. Aerial shells that do not fit properly shall not be fired.

**5608.5.2.8.6.4 Safety cap.** The safety cap protecting a fuse shall not be removed until immediately before an aerial shell is to be fired.

**5608.5.2.8.6.5 Ignition.** Aerial shells shall be ignited by lighting the tips of fuses with a fuse, torch, portfire, electrical ignition source or similar device. Operators shall not place any part of their bodies over the throat of a mortar. All aerial shells greater than 6 inches (152 mm) in diameter shall be fired using electrical ignition, or other means of remote ignition that place the shooter and assistants at least 75 feet (23 m) away from the mortar or behind a sturdy barricade at the time of ignition of the lift charge.

**Exception:** Shells that are nominally 7 inches (178 mm) or 8 inches (203 mm) in diameter shall be permitted to be ignited manually provided that the mortars are buried at least three-quarters of their length in the ground and the shooter has been provided with alternative means of protection.

**5608.5.2.8.6.6 Trajectory.** The first aerial shell fired shall be carefully observed to determine that its trajectory will carry it into the intended firing range and that the aerial shell will function over and debris will drop into the designated landing area. Mortars shall be reangled or reset if necessary at any time during the display to properly maintain trajectories over the designated landing area.

**5608.5.2.8.6.7 Record.** The pyrotechnic operator shall keep a record of aerial shells that fail to ignite or fail to function.

[**5608.5.4 Sorting and separation.** After delivery to the display site and prior to the display, all shells shall be separated according to size and their designation as salutes.

**Exception:** For electrically fired displays, or displays where all shells are loaded into mortars prior to the show, there is no requirement for separation of shells according to size or their designation as salutes

**5608.5.5 Ready boxes.** Display fireworks (Division 1.3G) that will be temporarily stored at the site during the fireworks display shall be stored in ready boxes located upwind and at least 25 feet (7620 mm) from the mortar placement and separated according to size and their designation as salutes.

**Exception:** For electrically fired displays, or displays where all shells are loaded into mortars prior to the show, there is no requirement for separation of shells according to size, their designation as salutes, or for the use of ready boxes.]

**5608.6 Pyrotechnic special effects material** [**Installation of mortars**]**.** Temporary storage, use and handling of pyrotechnic special effects material used in motion picture, television, theatrical and group entertainment productions shall be in accordance with Sections 5608.6.1 through 5608.6.7.3. Permanent storage of pyrotechnic special effects material shall be in accordance with Section 5604 [Mortars for firing fireworks shells shall be installed in accordance with NFPA 1123 and shall be positioned so that shells are propelled away from spectators and over the fallout area. Under no circumstances shall mortars be angled toward the spectator viewing area. Prior to placement, mortars shall be inspected for defects, such as dents, bent ends, damaged interiors and damaged plugs. Defective mortars shall not be used].

**5608.6.1 Classification of materials.** Pyrotechnic special effects material shall be classified in accordance with U.S. Department of Transportation regulations and procedures.

**Exception:** Pyrotechnic special effects material which is manufactured on-site and which is in storage or use need not be classified.

**5608.6.2 Construction of magazines.** Magazines used for the storage of pyrotechnic special effects material shall be constructed in accordance with Section 5604.6.

**5608.6.3 Storage.** Storage of fireworks and pyrotechnic special effects material shall be in accordance with Sections 5608.6.3.1 through 5608.6.3.6.

**5608.6.3.1 Fireworks 1.4G.** Fireworks and all *explosive* material including Division 1.4G fireworks (class C common fireworks) shall be stored in accordance with the requirements for *Explosives* in Section 5604 and Table 5604.3.

**5608.6.3.2 Other pyrotechnic special effects material**. Storage of pyrotechnic special effects material other than Division 1.4G fireworks (class C common fireworks) shall be in accordance with the requirements of Section 5604. Containers of *explosive materials*

shall be closed when stored. For amounts and requirements for indoor and outdoor storage see Section 5604.

**5608.6.3.3 Storage against walls.** *Explosive materials* within a magazine shall not be placed directly against interior walls and shall not interfere with ventilation. To prevent contact of stored *explosive materials* with walls, a nonsparking lattice-work or other nonsparking material is allowed to be used.

**5608.6.3.4 Marking of containers.** Containers of *explosive materials* shall be stored such that identifying marks are visible. Stocks of *explosive materials* shall be stored so they can be easily counted and checked upon inspection.

**5608.6.3.5 Unpacking and repacking containers.** Containers of *explosive materials* shall not be unpacked or repacked inside a magazine or within 50 feet (15 240 mm) of a magazine, and shall not be unpacked or repacked close to other *explosive materials*.

**Exception:** Unpacking and repacking of fiberboard and other nonmetallic containers.

**5608.6.3.6 Tools.** Tools used for opening or closing containers of *explosive materials* shall be of non-sparking materials. A wood wedge and a fiber, rubber or wooden mallet shall be used for opening or closing wood containers of *explosive materials*. Metal tools, other than non-sparking transfer conveyors, shall not be stored in magazines containing high *Explosives*.

**Exception:** Metal slitters are allowed to be used for opening fiberboard containers.

**5608.6.4 Smoking and open flames.** Smoking, matches, flame-producing devices, open flames, firearms and firearms cartridges shall not be permitted inside of or within 50 feet (15 240 mm) of magazines. Where low *Explosives* are stored in magazines, spark-producing tools shall not be used. Such magazines shall be bonded and grounded.

**5608.6.5 Housekeeping.** Housekeeping shall be in accordance with Section 5604.8.1.

**5608.6.6 Pyrotechnic operators.** A pyrotechnic operator shall obtain required permits and be responsible for notifying the *fire code official* prior to using the pyrotechnic special effects material. The pyrotechnic operator shall have the authority and responsibility for the storage, use and handling of the pyrotechnic special effects material. The authority of the pyrotechnic operator shall not be assumed by anyone and shall be superseded only by the *fire code official*.

**5608.6.7 Use of pyrotechnic special effects material.** Use of pyrotechnic special effects material shall be in accordance with Sections 5608.6.7.1 through 5608.6.7.3.

**5608.6.7.1 General precautions.**

**5608.6.7.1.1 Demonstration and approval**. When required by the *fire code official*, a test shall be conducted to demonstrate the safe use of pyrotechnic special effects material prior to normal use. The use of pyrotechnic special effects material shall be *approved* by the *fire code official* and the pyrotechnic operator in charge.

**5608.6.7.1.2 Preparation.** The company or producer shall allocate sufficient time to the pyrotechnic operator to prepare for the transportation, packing, storing and daily securing, and to dispose of or otherwise handle pyrotechnic special effects material in a safe manner.

**5608.6.7.1.3 Separation distances for audiences.** Each pyrotechnic device fired during a performance shall be separated from the audience by at least 15 feet (5 m) but not by less than twice the fallout radius of the device.

**Exception:** Where otherwise *approved* by the authority having jurisdiction.

Concussion mortars shall be separated from the audience by a minimum of25 feet (8 m). There shall be no glowing or flaming particles within 10 feet (3 m) of the audience.

**5608.6.7.1.4 Crowd control.** Onlookers shall be kept at a safe distance from the area where the pyrotechnic special effects material is discharged and so restrained until the area is cleared.

**5608.6.7.1.5 Smoke control.** When pyrotechnic special effects material is fired within a building, the quantity of smoke developed shall not obscure the visibility of *exit* signs or paths of egress travel.

The maximum density of smoke shall be *approved*, and the pyrotechnic operator shall ensure that the maximum density is not exceeded.

When required by the *fire code official*, provisions shall be made to confine smoke generated by pyrotechnic special effects material to an *approved* area and to remove such smoke from the building.

**5608.6.7.2 Binary *Explosives*.** When binary *explosives* are used, the compounding and firing shall be performed by a pyrotechnic operator. Firing shall be subject to the conditions described in the permit.

**5608.6.7.3 Surplus materials.** Surplus materials shall be properly stored until they can be disposed of in a safe manner.

**5608.7 Standby personnel and equipment** [~~**Handling**~~]**.** When necessary for the preservation of life or property, the *fire code official* is authorized to require the attendance of standby personnel and fire equipment. Where the use of certain indoor pyrotechnics requires smoke detectors to be bypassed or air-handling systems to be disengaged, the fire department shall be notified and a representative shall be present. The individual responsible for the life safety systems of the

building shall return those systems to normal operating conditions as soon as the likelihood of false alarms from the pyrotechnics has passed. [~~Aerial shells shall be carried to mortars by the shell body. For the purpose of loading mortars, aerial shells shall be held by the thick portion of the fuse and carefully loaded into mortars.~~]

**5608.8 Fireworks display supervision.** Whenever in the opinion of the *fire code official* or the pyrotechnic operator a hazardous condition exists, such as there is a lack of crowd control or that the crowd is in danger, the fireworks display shall be discontinued immediately until such time as the dangerous situation is corrected. If at any time high winds or wet weather creates a danger, the display shall be postponed until weather conditions are acceptable to the *fire code official*.

**5608.9 Post-fireworks display inspection.** After the fireworks display, the firing crew shall conduct an inspection of the fallout area for the purpose of locating unexploded aerial shells or live components. This inspection shall be conducted before public access to the site shall be allowed. Such shells shall not be handled within 15 minutes of their firing. Where fireworks are displayed at night and it is not possible to inspect the site thoroughly, the operator or designated assistant shall inspect the entire site at first light.

A report identifying any shells that fail to ignite in, or discharge from, a mortar or fail to function over the fallout area or otherwise malfunction, shall be filed with the *fire code official*.

**5608.10 Disposal.** Any shells found during the inspection required in Section 5608.9 shall not be handled until at least 15 minutes have elapsed from the time the shells were fired. The fireworks shall then be doused with water and allowed to remain for at least 5 additional minutes before being placed in a plastic bucket or fiberboard box. The disposal instructions of the manufacturer as provided by the fireworks supplier shall then be followed in disposing of the fireworks in accordance with Section 5604.10."

258. Subsection 5701.4, "Permits," of Section 5701, "General," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5701.4 Permits.** Permits shall be required as set forth in Sections 105.6, [~~and~~] 105.7, and 5706."

259. Section 5701, "General," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended by adding a new Subsection 5701.6, "Construction documents," to read as follows:

"**5701.6 Construction documents.** Plans detailing indoor or outdoor storage (above or below grade), dispensing, use and handling of flammable and combustible liquids shall be submitted for review and approval to the *fire code official*. Plans shall include, but not be limited to, the

following:

1. Amounts of flammable or combustible liquid involved.
2. Material safety data sheets of all flammable or combustible liquid involved.
3. Room construction, dimensions, ventilation, sprinkler design, etc.
4. Secondary containment.
5. Piping specifications (vents, ports, etc.).
6. Location on property.
7. Property lines.
8. Buildings and structures.
9. Fire apparatus access roads.
10. Fire hydrants.
11. Manufacturer's specifications on all equipment involved (tanks, dispensers, pumps, etc.).

**5701.6.1 Plan review fees**. Plans for tanks shall be accompanied by a nonrefundable review fee of $150.00."

260. Subsection 5703.2, "Fire Protection," of Section 5703, "General Requirements," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended by adding a new Paragraph 5703.2.2, "Access," to read as follows:

"**5703.2.2 Access.** Fire apparatus access roads for storage, use, dispensing, mixing and handling of flammable and combustible liquids shall be in accordance with Chapter 5."

261. Subsection 5703.4, "Spill Control and Secondary Containment," of Section 5703, "General Requirements," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5703.4 Spill control and secondary containment.** Where the maximum allowable quantity per control area is exceeded, and when required by Section 5004.2, rooms, buildings or areas used for storage, dispensing, use, mixing, or handling of flammable and combustible [~~Class I, II and~~

~~III-A~~] liquids shall be provided with spill control and secondary containment in accordance with Section 5004.2."

262. Subsection 5703.6, "Piping Systems," of Section 5703, "General Requirements," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5703.6 Piping systems.** Piping systems, and their component parts, for flammable and *combustible liquids* shall be in accordance with Sections 5703.6.1 through 5703.6.11. An *approved* method of secondary containment shall be provided for underground tank and piping systems."

263. Item 5704.2.7.5.1, "Connections Below Liquid Level," of Subparagraph 5704.2.7.5, "Tank Openings Other Than Vents," of Paragraph 5704.2.7, "Design, Construction and General Installation Requirements for Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

> "**5704.2.7.5.1 Connections below liquid level.** Connections for tank openings below the liquid level shall be liquid tight. See Section 5703.6.7 for additional requirements."

264. Subparagraph 5704.2.9.5, "Above-Ground Tanks Inside of Buildings", of Paragraph 5704.2.9, "Above-Ground Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage", of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

> "**5704.2.9.5 Above-ground tanks inside of buildings.** Above-ground tanks inside of buildings shall comply with Sections 5704.2.9.5.1 [~~and 5704.2.9.5.2~~] through 5704.2.9.5.3.
>
> **5704.2.9.5.1 Overfill prevention.** Above-ground tanks storing Class I, II and IIIA liquids inside buildings shall be equipped with a device or other means to prevent overflow into the building including, but not limited to: a float valve; a preset meter on the fill line; a valve actuated by the weight of the tank's contents; a low-head pump that is incapable of producing overflow; or a liquid-tight overflow pipe at least one pipe size larger than the fill pipe and discharging by gravity back to the outside

source of liquid or to an *approved* location. Tanks containing Class IIIB liquids and connected to fuel-burning equipment shall be provided with a means to prevent overflow into buildings in accordance with Section 5704.2.7.5.8.

**5704.2.9.5.2 Fill pipe connections.** Fill pipe connections for tanks storing Class I, II and IIIA Liquids and Class IIIB liquids connected to fuel-burning equipment shall be in accordance with Section 5704.2.9.7.7.

**5704.2.9.5.3 Combustible liquid storage tanks inside of buildings.** The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;

2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks;

3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1; and

4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an *approved* closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade."

265. Paragraph 5704.2.11, "Underground Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5704.2.11 Underground tanks.** Underground storage of flammable and *combustible liquids* in tanks shall comply with Section 5704.2 and Sections 5704.2.11.1 through 5704.2.11.5.4[~~2~~]."

266. Subparagraph 5704.2.11.3, "Depth and Cover," of Paragraph 5704.2.11, "Underground Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of

Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5704.2.11.3 Depth and cover.** Excavation for underground storage tanks shall be made with due care to avoid undermining of foundations of existing structures. Underground tanks shall be set on firm foundations and surrounded with at least 6 inches (152 mm) of noncorrosive inert material, such as clean sand or gravel well tamped in place or in accordance with the manufacturer's installation instructions. Tanks shall be covered with a minimum of 2 feet (610 mm) of earth or shall be covered by not less than 1 foot (305 mm) of earth, on top of which shall be placed a slab of reinforced concrete not less than 4 inches (102 mm) thick.

When underground tanks are, or are likely to be, subjected to traffic, they shall be protected against damage from vehicles passing over them by at least 3 feet (914 mm) of earth cover, or 18 inches (457 mm) of well-tamped earth plus 6 inches (152 mm) of reinforced concrete, or 8 inches (203 mm) of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection, it shall extend at least 1 foot (305 mm) horizontally beyond the outline of the tank in all directions.

For tanks built in accordance with Section 5704.2.7, the burial depth and the height of the vent line shall be such that the static head imposed at the bottom of the tank will not exceed 10 psig (69 kPa) if the fill or vent pipe is filled with liquid.

If the depth of cover exceeds 7 feet (2157 mm) or the manufacturer's specifications, reinforcements shall be provided in accordance with the tank manufacturer's recommendations.

Nonmetallic underground tanks shall be installed in accordance with the manufacturer's instructions. The minimum depth of cover shall be as specified above."

267. Subparagraph 5704.2.11.5, "Leak Prevention," of Paragraph 5704.2.11, "Underground Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5704.2.11.5 Leak prevention.** Leak prevention for underground tanks shall comply with Sections 5704.2.11.5.1 through [~~and~~] 5704.2.11.5.4[~~2~~].

**5704.2.11.5.1 Inventory control.** Daily inventory records shall be maintained for underground storage tank systems.

**5704.2.11.5.2 Leak detection.** Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section

5704.2.11.5.3.

**5704.2.11.5.3 Observation wells.** *Approved* sampling tubes of a minimum of 4 inches (102 mm) in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches (305 mm) below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of four sumps. Sampling tubes shall be placed in the product line excavation within 10 feet (3048 mm) of the tank excavation and one every 50 feet (15 240 mm) routed along product lines towards the dispensers. A minimum of two sampling tubes are required.

**5704.2.11.5.4 Secondary containment.** An *approved* method of secondary containment shall be provided for underground tank and piping systems."

268. Subparagraph 5704.2.12.1, "Acceptance Testing," of Paragraph 5704.2.12, "Testing," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5704.2.12.1 Acceptance testing.** Prior to being placed into service, tanks shall be tested for tightness in the presence of the *fire code official* in accordance with Section 21.5 of NFPA 30."

269. Item 5704.2.13.1.4, "Tanks Abandoned in Place," of Subparagraph 304.2.13.1, "Underground tanks," of Paragraph 5704.2.13, "Abandonment and Status of Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5704.2.13.1.4 Tanks abandoned in place**. Tanks abandoned in place shall be as follows:

1. Flammable and *combustible liquids* shall be removed from the tank and connected piping.

2. The suction, inlet, gauge, vapor return and vapor lines shall be disconnected.

3. The tank shall be filled completely with an *approved* inert solid material.

4. Remaining underground piping shall be capped or plugged.

5. A record of tank size, location and date of abandonment shall be retained.

6. All exterior above-grade fill piping shall be permanently removed when tanks are abandoned or removed.

7. Abandonment of tanks shall be in the presence of the *fire code official*."

270. Subparagraph 5704.2.14.1, "Removal," of Paragraph 5704.2.14, "Removal and Disposal of Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5704.2.14.1 Removal.** Removal of above-ground and underground tanks shall be in accordance with all of the following:

1. Flammable and *combustible liquids* shall be removed from the tank and connected piping.

2. Piping at tank openings that is not to be used further shall be disconnected.

3. Piping shall be removed from the ground.

   **Exception:** Piping is allowed to be abandoned in place where the *fire code official* determines that removal is not practical. Abandoned piping shall be capped and safeguarded as required by the *fire code official*.

4. Tank openings shall be capped or plugged, leaving a 1/8-inch to 1/4-inch diameter (3.2 mm to 6.4 mm) opening for pressure equalization.

5. Tanks shall be purged of vapor and inerted prior to removal.

6. All exterior above-grade fill and vent piping shall be permanently removed.

   **Exception:** Piping associated with bulk plants, terminal facilities and refineries.

7. Removal of tanks shall be in the presence of the *fire code official*."

271. Paragraph 5706.5.4, "Dispensing From Tank Vehicles and Tank Cars," of Subsection 5706.5, "Bulk Transfer and Process Transfer Operations," of Section 5706, "Special

Operations," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5706.5.4 Dispensing from tank vehicles and tank cars.** Dispensing from tank vehicles and tank cars into the fuel tanks of motor vehicles shall be prohibited unless allowed by and conducted in accordance with Sections 5706.5.4.1 through 5706.5.4.5. A permit shall be issued for each site where mobile dispensing of Class II or Class III liquids into the fuel tanks of motor vehicles occurs in accordance with this chapter."

272. Subparagraph 5706.5.4.3, "Aircraft Fueling," of Paragraph 5706.5.4, "Dispensing From Tank Vehicles and Tank Cars," of Subsection 5706.5, "Bulk Transfer and Process Transfer Operations," of Section 5706, "Special Operations," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5706.5.4.3 Aircraft fueling.** Transfer of liquids from tank vehicles to the fuel tanks of aircraft shall be in accordance with Chapter 20. Mobile fuel dispensing vehicles are prohibited from dispensing flammable or combustible liquids into the fuel tanks of aircraft on non-airport property.

**Exception:** Requests for temporary dispensing of flammable or combustible liquids into the fuel tanks of aircraft on non-airport property will be reviewed on an individual basis. If *approved* by the fire chief, *standby personnel* shall be required. Aircraft engines shall be shut off during the dispensing operation. Additionally, the fire chief may require a standby fire engine with fire personnel during the temporary operation. Charges for *standby personnel* shall be as normally calculated by the fire department."

273. Subparagraph 5706.5.4.5, "Commercial, Industrial, Governmental or Manufacturing," of Paragraph 5706.5.4, "Dispensing From Tank Vehicles and Tank Cars," of Subsection 5706.5, "Bulk Transfer and Process Transfer Operations," of Section 5706, "Special Operations," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5706.5.4.5 Commercial, industrial, governmental or manufacturing.** Mobile fuel dispensing vehicles may not dispense Class I flammable liquids into the fuel tanks of motor vehicles. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted, provided such dispensing

operations are conducted in accordance with the following:

1. Dispensing shall occur only at sites that have been issued a permit to conduct mobile fueling.

2. The *owner* of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill and carry out appropriate mitigation measures, and describes the process to dispose properly of contaminated materials.

3. A detailed site plan shall be submitted with each application for a permit. The site plan shall indicate: all buildings, structures and appurtenances on site and their use or function; all uses adjacent to the lot lines of the site; the locations of all storm drain openings, adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and the scale of the site plan. Provisions shall be made to prevent liquids spilled during dispensing operations from flowing into buildings or off-site. Acceptable methods include, but shall not be limited to, grading driveways, raising doorsills or other *approved* means.

4. The *fire code official* is allowed to impose limits on the times and days during which mobile fueling operations is allowed to take place, and specific locations on a site where fueling is permitted.

5. Mobile fueling operations shall be conducted in areas not accessible to the public or shall be limited to times when the public is not present.

6. Mobile fueling shall not take place within 15 feet (4572 mm) of buildings, property lines, combustible storage or storm drains.

   **Exceptions:**

   1. The distance to storm drains shall not apply where an *approved* storm drain cover or an *approved* equivalent that will prevent any fuel from reaching the drain is in place prior to fueling or a fueling hose being placed within 15 feet (4572 mm) of the drain. Where placement of a storm drain cover will cause the accumulation of excessive water or difficulty in conducting the fueling, such cover shall not be used and the fueling shall not take place within 15 feet (4572 mm) of a drain.

   2. The distance to storm drains shall not apply for drains that direct influent to *approved* oil interceptor.

7. The tank vehicle shall comply with the requirements of NFPA 385 and local, state and federal requirements. The tank vehicle's specific functions shall include that

of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.

8. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the tank vehicle or the point of fueling shall be prominently posted on three sides of the vehicle including the back and both sides.

9. A portable fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.

10. The dispensing nozzles and hoses shall be of an *approved* and *listed* type.

11. The dispensing hose shall not be extended from the reel more than 100 feet (30 480 mm) in length.

12. Absorbent materials, nonwater-absorbent pads, a 10-foot-long (3048 mm) containment boom, an *approved* container with lid and a nonmetallic shovel shall be provided to mitigate a minimum 5-gallon (19 L) fuel spill.

13. Tank vehicles shall be equipped with a "fuel limit" switch such as a count-back switch, to limit the amount of a single fueling operation to a maximum of 500 gallons (1893 L) before resetting the limit switch.

    **Exception:** Tank vehicles where the operator carries and can utilize a remote emergency shutoff device which, when activated, immediately causes flow of fuel from the tank vehicle to cease.

14. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill. Training records shall be maintained by the dispensing company and shall be made available to the *fire code official* upon request.

15. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.

16. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.

17. Fuel dispensing shall be prohibited within 25 feet (7620 mm) of any source of ignition.

18. The engines of vehicles being fueled shall be shut off during dispensing operations.

19. Nighttime fueling operations shall only take place in adequately lighted areas.

20. The tank vehicle shall be positioned with respect to vehicles being fueled to prevent traffic from driving over the delivery hose.

21. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.

22. Motor vehicle fuel tanks shall not be topped off.

23. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the tank vehicle.

24. The *fire code official* and other appropriate authorities shall be notified when a Reportable spill or unauthorized discharge occurs.

25. Operators shall place a drip pan or an absorbent pillow under each fuel fill opening prior to and during dispensing operations. Drip pans shall be liquid-tight. The pan or absorbent pillow shall have a capacity of not less than 3 gallons (11.36 L). Spills retained in the drip pan or absorbent pillow need not be reported. Operators, when fueling, shall have on their person an absorbent pad capable of capturing diesel fuel overfills. Except during fueling, the nozzle shall face upward and an absorbent pad shall be kept under the nozzle to catch drips. Contaminated absorbent pads or pillows shall be disposed of regularly in accordance with local, state and federal requirements.

26. Requests for temporary dispensing of Class I flammable liquids will be reviewed on an individual basis. If *approved* by the fire chief, a permit will be required for the dispensing of Class I flammable liquids. The permit will specify the location, dates and times which have been *approved* for the temporary operation. Additionally, the fire chief may require standby personnel and a standby fire engine with fire personnel during the temporary operation. Charges for standby personnel shall be as normally calculated by the fire department.

27. A permit shall be issued for each fuel dispensing vehicle that dispenses Class II or Class III liquids in accordance with this chapter. The fire department shall inspect each vehicle to ensure that the equipment is in good working order and in compliance with the provisions of this chapter before issuing a permit to operate."

274. Subsection 5706.7, "Refineries," of Section 5706, "Special Operations," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5706.7 Refineries.** Plants and portions of plants in which flammable liquids are produced on a scale from crude petroleum, natural gasoline or other hydrocarbon sources shall be in

accordance with Sections 5706.7.1 through 5706.7.3. Petroleum-processing plants and facilities or portions of plants or facilities in which flammable or combustible liquids are handled, treated or produced on a commercial scale from crude petroleum, natural gasoline, or other hydrocarbon sources shall also be in accordance with API 651, API 653, API 752, API 1615, API 2001, API 2003, API 2009, API 2015, API 2016, API 2023, API 2201 and API 2350."

275. Paragraph 5706.7.3, "Storage of Heated Petroleum Products," of Subsection 5706.7, "Refineries," of Section 5706, "Special Operations," of Chapter 57, "Flammable and Combustible Liquids," of the 2012 International Fire Code is amended to read as follows:

"**5706.7.3 Storage of heated petroleum products.** Where petroleum-derived asphalts and residues are stored in heated tanks at refineries and bulk storage facilities or in tank vehicles, such products shall be in accordance with API 2016 and API 2023."

276. Subsection 5804.2, "Outdoor Storage," of Section 5804, "Storage," of Chapter 58, "Flammable Gases and Flammable Cryogenic Fluids," of the 2012 International Fire Code is amended by adding a new Paragraph 5804.2.1, "Access," to read as follows:

"**5804.2.1 Access.** Outdoor storage of flammable gas shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5."

277. Subsection 5904.2, "Outdoor Storage," of Section 5904, "Storage," of Chapter 59, "Flammable Solids," of the 2012 International Fire Code is amended by adding a new Paragraph 5904.2.3, "Access," to read as follows:

"**5904.2.3 Access**. Outdoor storage of flammable solids shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5."

278. Subsection 5906.3, "Storage of Pigs, Ingots and Billets," of Section 5906, "Magnesium," of Chapter 59, "Flammable Solids," of the 2012 International Fire Code is amended by adding a new Paragraph 5906.3.3, "Access," to read as follows:

"**5906.3.3 Access**. Outdoor storage of magnesium pigs, ingots and billets shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5."

279. Subparagraph 6004.2.2.9, "Automatic Fire Detection System—Highly Toxic Compressed Gases," of Paragraph 6004.2.2, "General Indoor Requirements," of Subsection

6004.2, "Indoor Storage and Use," of Section 6004, "Highly Toxic and Toxic Compressed Gases," of Chapter 60, "Highly Toxic and Toxic Materials," of the 2012 International Fire Code is amended to read as follows:

"**6004.2.2.9 Automatic fire detection system—highly toxic compressed gases.** An *approved* supervised automatic fire detection system shall be installed in rooms or areas where highly toxic *compressed gases* are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907."

280. Section 6101, "General," of Chapter 61, "Liquefied Petroleum Gases," of the 2012 International Fire Code is amended to read as follows:

"**SECTION 6101**
**GENERAL**

**6101.1 Scope.** Storage, handling and transportation of liquefied petroleum gas (LP-gas) and the installation of LP-gas equipment pertinent to systems for such uses shall comply with this chapter, [~~and~~] NFPA 58 and NFPA 160. Properties of LP-gases shall be determined in accordance with Appendix B of NFPA 58 and NFPA 160. Storage and use of LP-gas inside Fair Park shall be in accordance with Section 32-19 of the *Dallas City Code*.

**6101.2 Permits.** Permits shall be required as set forth in Sections 105.6 and 105.7.

Distributors shall not fill an LP-gas container for which a permit is required unless a permit for installation has been issued for that location by the *fire code official*.

**6101.2.1 Permit duration.** A permit expires on the earliest of the following dates:

1. On the expiration date shown on the permit.
2. When the permitee completes the permitted activity.
3. When the permitee abandons the permitted activity.
4. If the permitee is an employee conducting the permitted activity within the course and scope of employment, when the employer's permit expires or is revoked, whichever occurs first.

**6101.2.2 Demonstration or portable cooking permits.** A permit to use LP-gas for demonstration or portable cooking purposes that are temporary in nature, including but not limited to convention and promotional uses, may be issued for a period not to exceed 10 days, and, upon expiration, may be renewed by the *fire code official* upon application and the

payment of all required permit fees. The *fire code official* may issue an annual permit for portable cooking purposes that are long term and continuous in nature and performed at a fixed location, including, but not limited to, street vending uses. The annual permit expires one year from the date of issuance and may be renewed by the *fire code official* upon application and the payment of all required permit fees. See Section 105.6 for additional permits required.

**6101.3 Construction documents.** Where a single LP-gas container is more than 2,000 gallons (7570 L) in water capacity or the aggregate capacity of LP-gas containers is more than 4,000 gallons (15 140 L), the installer shall submit *construction documents* for such installation.

Plans detailing indoor or outdoor storage (above or below grade), dispensing, use and handling of LP-gas shall be submitted for review and approval to the *building official*. Plans shall include, but not be limited to, the following:

1. Amounts of LP-gas involved.
2. Material safety data sheets of all LP-gas involved.
3. Room construction, dimensions, ventilation, sprinkler design, etc.
4. Secondary containment.
5. Piping specifications (vents, ports, etc.).
6. Location on property.
7. Property lines.
8. Buildings and structures.
9. Fire apparatus access roads.
10. Fire hydrants.
11. Manufacturer's specifications on all equipment involved (tanks, dispensers, pumps, etc.).

**6101.4 LP-gas equipment.** All LP-gas devices shall be *listed* for their intended use."

281. Subparagraph 6103.2.1.5, "Demonstration Uses," of Paragraph 6103.2.1, "Portable Containers," of Subsection 6103.2, "Use of LP-Gas Containers in Buildings," of Section 6103, "Installation of Equipment," of Chapter 61, "Liquefied Petroleum Gases," of the 2012 International Fire Code is amended to read as follows:

"**6103.2.1.5 Demonstration uses.** Portable LP-gas containers are allowed to be used temporarily for demonstrations and public exhibitions. Such containers shall not exceed a water capacity of 12 pounds (5 kg). Where more than one such container is present in the same room, each container shall be separated from other containers by a distance of not less than 20 feet (6096 mm). Portable LP-gas containers inside exhibition halls shall also comply with Section 3105."

282. Paragraph 6103.2.1, "Portable Containers," of Subsection 6103.2, "Use of LP-Gas Containers in Buildings," of Section 6103, "Installation of Equipment," of Chapter 61, "Liquefied Petroleum Gases," of the 2012 International Fire Code is amended by adding a new Subparagraph 6103.2.1.8, "Jewelry Repair, Dental Labs and Similar Occupancies," to read as follows:

"**6103.2.1.8 Jewelry repair, dental labs and similar occupancies.** Where natural gas service is not available, portable LP-gas containers are allowed to be used to supply *approved* torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet (6096 mm). A hot work permit is required."

283. Subsection 6104.2, "Maximum Capacity Within Established Limits," of Section 6104, "Location of LP-Gas Containers," of Chapter 61, "Liquefied Petroleum Gases," of the 2012 International Fire Code is amended to read as follows:

"**6104.2 Maximum capacity within established limits.** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) [~~(see Section 3 of the Sample Ordinance for Adoption of the *International Fire Code* on page v)~~].

**Exceptions:**

1. In particular installations, this capacity limit shall be determined by the *fire code official*, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed containers, degree of fire protection to be provided and capabilities of the local fire department.

2. Except as permitted in Sections 308 and 6104.3.3, LP-gas containers are not permitted in residential areas."

284. Subsection 6104.3, "Container Location," of Section 6104, "Location of LP-Gas Containers," of Chapter 61, "Liquefied Petroleum Gases," of the 2012 International Fire Code is amended by adding a new Paragraph 6104.3.3, "Spas, Pool Heaters and Other Listed Devices," to read as follows:

"**6104.3.3 Spas, pool heaters and other listed devices.** Where natural gas service is not available, LP-gas containers are allowed to be used to supply spa and pool heaters or other *listed* devices. Such containers shall not exceed 250-gallon (946 L) water capacity per lot. See Table 6104.3 for location of containers."

**Exception:** Lots where LP-gas can be off-loaded wholly on the property where the tank is located; may install 500 gallon above ground or 1,000 gallon underground containers."

285. Subsection 6304.2, "Outdoor Storage," of Section 6304, "Storage," of Chapter 63, "Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids" of the 2012 International Fire Code is amended by adding a new Paragraph 6304.2.5, "Access," to read as follows:

"**6304.2.5 Access.** Outdoor storage for oxidizers shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5."

286. The API Standards of Chapter 80, "Referenced Standards," of the 2012 International Fire Code are amended to read as follows:

"**API** American Petroleum Institute
1220 L Street, Northwest
Washington, DC 20005

| Standard reference number | Title | Referenced in code section number |
|---|---|---|
| Spec 12P—(1995) (Reaffirmed 2000) | Specification for Fiberglass Reinforced Plastic Tanks | 5704.2.13.1.5 |
| RP 651—(1997) | Cathodic Protection of Aboveground Petroleum Storage Tanks | 5706.7, 5706.7.1 |
| Std 653—(2001) | Tank Inspection, Repair, Alteration and Reconstruction | 5706.7 |
| RP 752—(2003) | Management of Hazards Associated with Location of Process Plant Buildings, CMA Managers Guide | 5706.7 |
| RP 1604—(1996) | Closure of Underground Petroleum Storage Tanks | 5704.2.13 |
| RP 1615—(1996) | Installation of Underground Petroleum Storage Systems | 5704.2.13.1.5, 5706.7 |
| Std 2000—(1998) | Venting Atmosphere and Low Pressure Storage Tanks: Nonrefrigerated and Refrigerated | 5704.2.7.3.2, 5704.2.7.3.6 |
| RP 2001—(2005) | Fire Protection in Refineries, 8th Edition | 5706.7 |
| RP 2003—(1998) | Protection Against Ignitions Arising out of Static, Lightening, and Stray Currents | 5706.7 |
| Publ 2009—(2002) | Safe Welding and Cutting Practices in Refineries, Gas Plants and Petrochemical Plants | 5706.7 |
| Std 2015—(2001) | Safe Entry and Clearing of Petroleum Storage Tanks | 5706.7, 5706.7.2 |
| RP 2016—(2001) | Guide for Entry and Cleaning of Petroleum Storage Tanks | 5706.7, 5706.7.3 |

| | | |
|---|---|---|
| RP 2023-- (2001) | Guide for Safe Storage and Handling of Heated Petroleum-derived Asphalt Products and Crude-oil Residue | 5706.7, 5706.7.3 |
| Publ 2028—(2002) | Flame Arrestors in Piping Systems | 5704.2.7.3.2 |
| Publ 2201—(2003) | Procedures for Welding or Hot Tapping on Equipment in Service | 5706.7 |
| RP 2350–(2005) | Overfill Protection for Storage Tanks in Petroleum Facilities, 3rd Edition | 5704.2.7.5.8, 5706.4.6, 5706.7" |

287. The CGR Standard of Chapter 80, "Referenced Standards," of the 2012 International Fire Code is amended to read as follows:

"**CGR** Coast Guard Regulations
c/o Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402-9325

| Standard reference number | Title | Referenced in code section number |
|---|---|---|
| 46 CFR Parts 30, 32, 35 & 39—2001[1999] | Shipping | 5706.8" |

288. The NFPA Standards of Chapter 80, "Referenced Standards," of the 2012 International Fire Code are amended to read as follows:

"**NFPA** National Fire Protection Association
Batterymarch Park
Quincy, MA 02269

| Standard Reference number | Title | Referenced in code section number |
|---|---|---|
| 10—13[0] | Portable Fire Extinguisher | Table 901.6.1, 906.2, 906.3, Table 906.3(1), Table 906.3(2), 906.3.2, 906.3.4, 3006.3, I101.1 |
| 11—10 | Low-, Medium- and High-expansion Foam | 904.7, 5704.2.9.2.2 |
| 12—11 | Carbon Dioxide Extinguishing Systems | Table 901.6.1, 904.8, 904.11 |
| 12A—09 | Halon 1301 Fire Extinguishing Systems | Table 901.6.1, 904.9 |
| 13—13[0] | Installation of Sprinkler Systems | 903.3.1.1, 903.3.2, 903.3.5.1.1, 903.3.5.2, 904.11, 905.3.4, 907.6.3, 1009.3, 3201.1, 3204.2, Table 3206.2, 3206.9, 3207.2, 3207.2.1, 3208.2.2, 3208.2.2.1, 3208.4, 3210.1, 3401.1, 5104.1, 5106.5.7, 5704.3.3.9, Table 5704.3.6.3(7), 5704.3.7.5.1, 5704.3.8.4 |
| 13D—13[0] | Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured Homes | 903.3.1.3, 903.3.5.1.1 |
| 13R—13[0] | Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height | 903.3.1.2, 903.3.5.1.1, 903.3.5.1.2, 903.4 |
| 14—13[0] | Installation of Standpipe and Hose Systems | 905.2, 905.3.4, 905.4.2, 905.6.2, 905.8 |
| 15—12 | Water Spray Fixed Systems for Fire Protection | 5704.2.9.2.3 |
| 16—11 | Installation of Foam-water Sprinkler and Foam-water Spray Systems | 904.7, 904.11 |
| 17—13[09] | Dry Chemical Extinguishing Systems | Table 901.6.1, 904.6, 904.11 |
| 17A—13[09] | Wet Chemical Extinguishing Systems | Table 901.6.1, 904.5, 904.11 |
| 20—13[0] | Installation of Stationary Pumps for Fire Protection | 913.1, 913.2, 913.5.1 |
| 22—13[08] | Water Tanks for Private Fire Protection | 507.2.2 |
| 24—13[0] | Installation of Private Fire Service Mains and Their Appurtenances | 507.2.1, 2809.5 |
| 25—11 | Inspection, Testing and Maintenance of Water-based Fire Protection Systems | 507.5.3, Table 901.6.1, 904.7.1, 912.6, 913.5, I101.1 |
| 30—12 | Flammable and Combustible Liquids Code | 5703.6.2, 5703.6.2.1, 5704.2.7, 5704.2.7.1, 5704.2.7.2, 5704.2.7.3.2, 5704.2.7.3.6, 5704.2.7.4, 5704.2.7.6, 5704.2.7.7, 5704.2.7.8, 5704.2.7.9, 5704.2.9.3, |

5704.2.9.4, 5704.2.9.6.1.1, 5704.2.9.6.1.2, 5704.2.9.6.1.3, 5704.2.9.6.1.4, 5704.2.9.6.1.5, 5704.2.9.6.2, 5704.2.9.7.4, 5704.2.10.2, 5704.2.11.4, 5704.2.11.5.2, 5704.2.12.1, 5704.3.1, 5704.3.6, Table 5704.3.6.3(1), Table 5704.3.6.3(2), Table 5704.3.6.3(3), 5704.3.7.2.3, 5704.3.8.4, 5706.8.3

30A—12 Code for Motor Fuel-dispensing Facilities and Repair Garages……....2301.4, 2301.5, 2301.6, 2306.6.3, 2310.1

30B—11 Manufacture and Storage of Aerosol Products…….5101.1, 5103.1, 5104.1, Table 5104.3.1, Table 5104.3.2, Table 5104.3.2.2, 5104.4.1, 5104.5.2, 5104.6, 5106.2.3, 5106.3.2, Table 5106.4, 5106.5.1, 5106.5.6, 5107.1

31—11 Installation of Oil-burning Equipment……603.1.7, 603.3.1, 603.3.3

32—11 Dry Cleaning Plants……2107.1, 2107.3

33—11 Spray Application Using Flammable or Combustible Materials……...2404.3.2

34—11 Dipping and Coating Processes Using Flammable or Combustible Liquids……2405.3, 2405.4.1.1

35—11 Manufacture of Organic Coatings……....2901.3, 2905.4

40—11 Storage and Handling of Cellulose Nitrate Film……...306.2

51—13[~~07~~] Design and Installation of Oxygen-fuel Gas Systems for Welding, Cutting and Allied Processes……....3501.5, 3507.1, 3509.1

51A—12[~~1~~] Acetylene Cylinder Charging Plants……..3508.1

52—13[~~0~~] Vehicular Fuel System Code……..5301.1

55—13[~~0~~] Standard for the Storage, Use and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationery Containers Cylinders and Tanks……..2309.2.1, 5501.1, 5801.1, 6301.1

58—11 Liquefied Petroleum Gas Code…… 603.4.2.1.1, 6101.1, 6103.1, 6103.2.1, 6103.2.1.2, 6103.2.1.7, 6103.2.2, 6104.1, 6104.3.2, 6104.4, 6106.2, 6106.3, 6107.2, 6108.1, 6108.2, 6109.11.2, 6111.3

59A—13[~~09~~] Production, Storage and Handling of Liquefied Natural Gas (LNG)……5301.1, 5501.1

61—13[~~08~~] Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities……...Table 2204.1

69—08 Explosion Prevention Systems……911.1, 911.3, Table 2204.1

70—11 National Electrical Code…….603.1.3, 603.1.7, 603.5.2, 604.2.15.1, 605.3, 605.4, 605.9, 605.11, 606.16, 610.5, 904.3.1, 907.6.1, 909.11, 909.12.1, 909.16.3, 1208.2, 2006.3.4, 2104.2.3, Table 2204.1, 2305.4, 2308.8.1.2.4, 2309.2.3, 2311.3.1, 2311.8.1.2.4, 2403.2.1, 2403.2.1.1, 2403.2.1.4, 2403.2.5, 2403.12.6.1, 2404.9.4, 2404.15.7, 2504.5, 2603.2.1, 2606.4, 2703.7.1, 2703.7.2, 2703.7.3, 2803.4, 2904.1, 3304.7, 5003.7.3, 5303.7.6, 5303.8, 5303.16.11, 5303.16.14, 5503.6, 5503.6.2, 5703.1, Table 5703.1.1, 5703.1.3, 5704.2.8.12, 5704.2.8.17, 5706.2.8, 5803.1.5, 5803.1.5.1,5807.1.10, 5906.5.5, 5906.5.6, 6004.2.2.8, 6109.15.1

72—13[~~0~~] National Fire Alarm Code……..508.1.5, Table 901.6.1, 903.4.1, 904.3.5, 907.2, 907.2.6, 907.2.9.3, 907.2.11,907.2.13.2, 907.3, 907.3.3, 907.3.4, 907.5.2.1.2, 907.5.2.2, 907.6, 907.6.1, 907.6.2, 907.6.5, 907.7, 907.7.1, 907.7.2, 907.8, 907.8.2, 907.8.5, I101.1

~~80~~—13[~~0~~] Fire Doors and Other Opening Protectives……...703.1.3, 1008.1.4.3

85—11 Boiler and Combustion System Hazards Code……Table 2204.1

86—11 Ovens and Furnaces……3001.1

92B—09 Smoke Management Systems in Malls, Atria and Large Spaces……..909.8

99—12[~~0~~] Health Care Facilities……..5306.4

101—12 Life Safety Code……1028.6.2

105—13[~~0~~] Installation of Smoke Door Assemblies and Other Opening Protectives……..703.1.2

110—13[~~0~~] Emergency and Standby Power Systems……...604.1, 604.3, 604.4, 913.5.2, 913.5.3

111—13[~~0~~] Stored Electrical Energy Emergency and Standby Power Systems……..604.1, 604.3, 604.4

120—10 Coal Preparation Plants……Table 2204.1

160—11 Flame Effects Before an Audience……308.3.2

170—12[~~09~~] Standard for Fire Safety and Emergency Symbols……1024.2.6.1

~~204~~—12[~~07~~] Standard for Smoke and Heat Venting……..Table 901.6.1, 910.5

211—13[~~0~~] Chimneys, Fireplaces, Vents and Solid Fuel-burning Appliances……603.2

241—13[~~09~~] Safeguarding Construction, Alteration and Demolition Operations……3301.1

253—11 Standard Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source……804.3.1, 804.3.2, 804.4

260—13[~~09~~] Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture…….805.1.1.1, 805.2.1.1, 805.3.1.1, 805.4.1.1

261—13[09] Method of Test for Determining Resistance of Mock-up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes……805.2.1.1, 805.3.1.1, 805.4.1.1
265—11 Method of Fire Tests for Evaluating Room Fire Growth Contribution of Textile Wall Coverings in Full Height Panels and Walls……..803.5.1, 803.5.1.1, 803.5.1.2, 803.5.2, 803.6
286—11 Standard Method of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth…….803.1, 803.1.2, 803.1.2.1, 803.5.1, 803.5.2, 803.6
289—13[09] Standard Method of Fire Test for Individual Fuel Packages……806.2, 807.4.2.1, 808.3
303—11 Fire Protection Standard for Marinas and Boatyards……..905.3.7, 3603.5, 3603.6, 3604.2
318—12[09] Standard for the Protection of Semiconductor Fabrication Facilities……2703.16
385—12[07] Tank Vehicles for Flammable and Combustible Liquids……5706.5.4.5, 5706.6, 5706.6.1
407—12 Aircraft Fuel Servicing……..2006.2, 2006.3
409—11[0] Aircraft Hangars……..914.8.2, Table 914.8.2, 914.8.2.1, 914.8.5
~~[430—10 Storage of Liquid and Solid Oxidizers……6304.1.4]~~
484—12 Combustible Metals……..Table 2204.1
~~[490—10 Storage of Ammonium Nitrate……..5601.1.5]~~
495—13[0] Explosive Materials Code……..202, 911.1, 911.4, 5601.1.1, 5601.1.5, 5604.2, 5604.6.2, 5604.6.3, 5604.7.1, 5605.1, 5606.1, 5606.5.2.1, 5606.5.2.3, 5607.1, 5607.9, 5607.11, 3307.15
498—13[0 ] Safe Havens and Interchange Lots for Vehicles Transporting Explosives……5601.1.2
505—13[0] Powered Industrial Trucks, Including Type Designations, Areas of Use, Maintenance and Operation……..5003.7.3
654—13[1] Prevention of Fire and Dust Explosions from the Manufacturing[,] [~~Processing and Handling of~~]Combustible Particulate Solids……Table 2204.1
655—12 Prevention of Sulfur Fires and Explosions……...Table 2204.1
664—12 [~~Prevention of~~]Fires and Explosions in Wood Processing and Woodworking Facilities..Table 2204.1, 2805.3
701—10 Methods of Fire Tests for Flame-propagation of Textiles and Films……806.2, 807.1, 807.1.2, 807.2, 807.4.2.2, 2603.5, 3104.2
703—12 Fire Retardant Treated Wood and Fire-Retardant Coatings for Building Materials……803.4
704—12 Identification of the Hazards of Materials for Emergency Response……606.7, 202, 3104.2, 5003.2.2.1, 5003.2.2.2, 5003.5, 5003.10.2, 5005.1.10, 5005.2.1.1, 5005.4.4, 5503.4.1, 5704.2.3.2, F101.1, F101.2
720—12[05] Carbon Monoxide Detection and Warning Equipment……908.7, 908.7.1, 1103.9
750—10 Water Mist Fire Protection Systems……..Table 901.6.1
790—12[04] Standard Test Methods for Fire Tests of Roof Coverings……...317.2
1122—13[08] Code for Model Rocketry……5601.1.4
1123—10 Fireworks Display……...202, 5604.2, 5608.1, 5608.2.2, 5608.5, 5608.6
1124—13[2] Manufacture, Transportation, Storage and Retail Sales of Fireworks and Pyrotechnic Articles……202, 5604.2, 5605.1, 5605.3, 5605.4, 5605.5
1125—12 Manufacture of Model Rocket and High Power Rocket Motors……5601.1.4
1126—11 Use of Pyrotechnics Before a Proximate Audience……..5604.2, 5605.1, 5608.1, 5608.2.2, 5608.4, 5608.5
1127—[08]13 High Power Rocketry……..5601.1.4
1142—12 Water Supply for Suburban and Rural Fire Fighting……B103.3
2001—12[1] Clean Agent Fire Extinguishing Systems……Table 901.6.1, 904.10"

289. Appendix A, "Board of Appeals," of the 2012 International Fire Code is not adopted.

290. Appendices B, C, E, F, G, H, I, and J of the 2012 International Fire Code are adopted.

291. Appendix D, "Fire Apparatus Access Roads," of the 2012 International Fire Code is adopted with the following amendments:

A. Subsection D103.2, "Grade," of Section D103, "Minimum Specifications," is amended to read as follows:

"**D103.2 Grade.** See Section 503.2.7 [~~Fire apparatus access roads shall not exceed 10 percent in grade~~].

[**~~Exception:~~** ~~Grades steeper than 10 percent as *approved* by the fire chief.~~]"

B. Subsection D103.5, "Fire Apparatus Access Road Gates," of Section D103, "Minimum Specifications," is amended to read as follows:

"**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with Section L104, 'Limited Access Gates,' of Appendix L. [~~all of the following criteria:~~

1. ~~The minimum gate width shall be 20 feet (6096 mm).~~
2. ~~Gates shall be of the swinging or sliding type.~~
3. ~~Construction of gates shall be of materials that allow manual operation by one person.~~
4. ~~Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.~~
5. ~~Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved* by the *fire code official*.~~
6. ~~Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.~~
7. ~~Locking device specifications shall be submitted for approval by the *fire code official*.~~
8. ~~Electric gate operators, where provided, shall be *listed* in accordance with UL 325.~~
9. ~~Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.~~]"

C. Subsection D103.6, "Signs," of Section D103, "Minimum Specifications," is amended to read as follows:

"**D103.6 Signs.** See Section 503.3 [~~Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING – FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.~~

~~**D103.6.1 Roads 20 to 26 feet in width.** Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.~~

~~**D103.6.2 Roads more than 26 feet in width.** Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.~~]"

D. Figure D103.6, "Fire Lane Signs," of Subsection D103.6, "Signs," of Section D103, "Minimum Specifications," is deleted.

E. Subsection D104.1, "Buildings Exceeding Three Stories or 30 Feet in Height," of Section D104, "Commercial and Industrial Developments," is deleted.

F. Subsection D104.2, "Buildings Exceeding 62,000 Square Feet in Area," of Section D104, "Commercial and Industrial Developments," is deleted.

G. Section D105, "Aerial Fire Apparatus Access Roads," is deleted.

H. Section D107, "One- or Two-Family Residential Developments," is deleted.

292. The 2012 International Fire Code is amended by adding a new Appendix K, "Unit Conversion Tables," to read as follows:

"**APPENDIX K**
**UNIT CONVERSION TABLES**

**SI SYMBOLS AND PREFIXES**

| **BASE UNITS** | | |
|---|---|---|
| **Quantity** | **Unit** | **Symbol** |
| Length | Meter | m |
| Mass | Kilogram | kg |
| Time | Second | s |
| Electric current | Ampere | A |

| | | |
|---|---|---|
| Thermodynamic temperature | Kelvin | K |
| Amount of substance | Mole | mol |
| Luminous intensity | Candela | cd |

| **SI SUPPLEMENTARY UNITS** | | |
|---|---|---|
| **Quantity** | **Unit** | **Symbol** |
| Plane angle | Radian | rad |
| Solid angle | Steradian | sr |

| **SI PREFIXES** | | |
|---|---|---|
| **Multiplication Factor** | **Prefix** | **Symbol** |
| 1 000 000 000 000 000 000 = $10^{18}$ | exa | E |
| 1 000 000 000 000 000 = $10^{15}$ | peta | P |
| 1 000 000 000 000 = $10^{12}$ | teta | T |
| 1 000 000 000 = $10^{9}$ | giga | G |
| 1 000 000 = $10^{6}$ | mega | M |
| 1 000 = $10^{3}$ | kilo | k |
| 100 = $10^{2}$ | hecto | h |
| 10 = $10^{1}$ | deka | da |
| 0.1 = $10^{-1}$ | deci | d |
| 0.01 = $10^{-2}$ | centi | c |
| 0.001 = $10^{-3}$ | milli | m |
| 0.000 001 = $10^{-6}$ | micro | μ |
| 0.000 000 001 = $10^{-9}$ | nano | n |
| 0.000 000 000 001 = $10^{-12}$ | pico | p |
| 0.000 000 000 000 001 = $10^{-15}$ | femto | f |
| 0.000 000 000 000 000 001 = $10^{-18}$ | atto | a |

| **SI DERIVED UNIT WITH SPECIAL NAMES** | | | |
|---|---|---|---|
| **Quantity** | **Unit** | **Symbol** | **Formula** |
| Frequency (of a periodic phenomenon) | hertz | Hz | l/s |
| Force | newton | N | $Kg \cdot m/s^2$ |
| Pressure, stress | pascal | Pa | $N/m^2$ |
| Energy, work, quantity of heat | joule | J | $N \cdot m$ |
| Power, radiant flux | watt | W | J/s |
| Quantity of electricity, electric charge | coulomb | C | $A \cdot s$ |
| Electric potential, potential difference electromotive force | volt | V | W/A |
| Capacitance | farad | F | C/V |
| Electric resistance | ohm | Ω | V/A |
| Conductance | siemens | S | A/V |
| Magnetic flux | weber | Wb | $V \cdot s$ |
| Magnetic flux density | tesla | T | $Wb/m^2$ |

| | | | |
|---|---|---|---|
| Inductance | henry | H | Wb/A |
| Luminous flux | lumen | lm | cd·sr |
| Illuminance | lux | lx | $lm/m^2$ |
| Activity (of radionuclides) | becquerel | Bq | l/s |
| Absorbed dose | gray | Gy | J/kg |

| **CONVERSION FACTORS** | | |
|---|---|---|
| **To convert** | **to** | **multiply by** |
| **LENGTH** | | |
| 1 mile (U.S. statute) | km | 1.609 344 |
| 1 yd | m | 0.9144 |
| 1 ft | m | 0.3048 |
| | mm | 304.8 |
| 1 in | mm | 25.4 |
| **AREA** | | |
| 1 $mile^2$ (U.S. statute) | $km^2$ | 2.589 998 |
| 1 acre (U.S. survey) | ha | 0.404 6873 |
| | $m^2$ | 4046.873 |
| 1 $yd^2$ | $m^2$ | 0.836 1274 |
| 1 $ft^2$ | $m^2$ | 0.092 903 04 |
| 1 $in^2$ | $mm^2$ | 645.16 |
| **VOLUME, MODULUS OF SECTION** | | |
| 1 acre ft | $m^3$ | 1233.489 |
| 1 $yd^3$ | $m^3$ | 0.764 5549 |
| 100 board ft | $m^3$ | 0.235 9737 |
| 1 $ft^3$ | $m^3$ | 0.028 316 85 |
| | L($dm^3$) | 28.3168 |
| 1 $in^3$ | $mm^3$ | 16 387.06 |
| | mL ($cm^3$) | 16.3871 |
| 1 barrel (42 U.S. gallons) | $m^3$ | 0.158 9873 |
| **(FLUID) CAPACITY** | | |
| 1 gal (U.S. liquid)* | L** | 3.785 412 |
| 1 qt (U.S. liquid) | mL | 946.3529 |
| 1 pt (U.S. liquid) | mL | 473.1765 |
| 1 fl oz (U.S.) | mL | 29.5735 |
| 1 gal (U.S. liquid) | $m^3$ | 0.003 785 412 |
| *1 gal (UK) approx 1.2 gal (U.S.) 1 liter approx 0.001 cubic meters | | |
| **SECOND MOMENT OF AREA** | | |
| 1 $in^4$ | $mm^4$ | 416 231 4 |

| | | |
|---|---|---|
| | $m^4$ | 416 231 4 X $10^{-7}$ |
| **PLANE ANGLE** | | |
| 1˚ (degree) | rad | 0.017 453 29 |
| | mrad | 17.453 29 |
| 1’ (minute) | urad | 290.8882 |
| 1” (second) | urad | 4.848 137 |
| **VELOCITY, SPEED** | | |
| 1 ft/s | m/s | 0.3048 |
| 1 mile/h | km/h | 1.609 344 |
| | m/s | 0.477 04 |
| **VOLUME RATE OF FLOW** | | |
| 1 $ft^3$/s | $m^3$/s | 0.028 316 85 |
| 1 $ft^3$/min | L/s | 0.471 9474 |
| 1 gal/min | L/s | 0.063 0902 |
| 1 gal/min | $m^3$/min | 0.0038 |
| 1 gal/h | mL/s | 1.051 50 |
| 1 million gal/d | L/s | 43.8126 |
| 1 acre ft/s | $m^3$/s | 1233.49 |
| **TEMPERATURE INTERVAL** | | |
| 1˚F | ˚C or K | 0.555 556 |
| | | 5/9˚C = 5/9K |
| **EQUIVALENT TEMPERATURE ($t_{°C} = T_K$-273.15)** | | |
| $t_{°F}$ | $T_{°C}$ | $t_{°F}$=9/5$t_{°C}$+32 |
| **MASS** | | |
| 1 ton (short***) | metric ton | 0.907 185 |
| | kg | 907.1847 |
| 1lb | kg | 0.453 5924 |
| 1 oz | g | 28.349 52 |
| ***1 long ton (2,240 lb) | Kg | 1016.047 |
| **MASS PER UNIT AREA** | | |
| 1lb/$ft^2$ | kg/$m^2$ | 4.882 428 |
| 1 oz/$yd^2$ | g/$m^2$ | 33.905 75 |
| 1 oz/$ft^2$ | g/$m^2$ | 305.1517 |
| **DENSITY (MASS PER UNIT VOLUME)** | | |
| 1 lb/$ft^3$ | kg/$m^3$ | 16.01846 |
| 1 lb/$yd^3$ | kg/$m^3$ | 0.593 2764 |
| 1 ton/$yd^3$ | t/$m^3$ | 1.186 553 |
| **FORCE** | | |
| 1 tonf (ton-force) | kN | 8.896 44 |
| 1 kip (1,000 lbf) | kN | 4.448 22 |
| 1 lbf (pound-force) | N | 4.448 22 |
| **MOMENT OF FORCE, TORQUE** | | |
| 1 lbf˙ft | N˙m | 1.355 818 |
| 1 lbf˙in | N˙m | 0.112 9848 |
| 1 tonf˙ft | kN˙m | 2.711 64 |
| 1 kip˙ft | kN˙m | 1.355 82 |

| FORCE PER UNIT LENGTH | | |
|---|---|---|
| 1 lbf/ft | N/m | 14.5939 |
| 1 lbf/in | N/m | 175.1268 |
| 1 tonf/ft | kN/m | 29.1878 |

| PRESSURE, STRESS, MODULUS OF ELASTICITY (FORCE PER UNIT AREA) (1Pa = 1 N/m$^2$) | | |
|---|---|---|
| 1 tonf/in$^2$ | MPa | 13.7895 |
| 1 tonf/ft$^2$ | kPa | 95.7605 |
| 1 kip/in$^2$ | MPa | 6.894 757 |
| 1 lbf/in$^2$ | kPa | 6.894 757 |
| 1 lbf/ft$^2$ | Pa | 47.8803 |
| Atmosphere | kPa | 101.3250 |
| 1 inch mercury | kPa | 3.376 85 |
| 1 foot (water column at 32˚F) | kPa | 2.988 98 |
| **WORK, ENERGY, HEAT (1J = 1N˙m = 1W˙s)** | | |
| 1 kWh (550 ft˙lbf/s) | MJ | 3.6 |
| 1 Btu (Int. Table) | kJ | 1.055 056 |
| | J | 1055.056 |
| 1 ft˙lbf | J | 1.355 818 |
| **COEFFICIENT OF HEAT TRANSFER** | | |
| 1 Btu(ft$^2$˙h˙˚F) | W/(m$^2$˙K) | 5.678 263 |
| **THERMAL CONDUCTIVITY** | | |
| 1 Btu/(ft˙h˙˚F) | W/(m˙K) | 1.730 735 |
| **ILLUMINANCE** | | |
| 1 lm/ft$^2$ (footcandle) | lx (lux) | 10.763 91 |
| **LUMINANCE** | | |
| 1 cd/ft$^2$ | cd/m$^2$ | 10.7639 |
| 1 foot lambert | cd/m$^2$ | 3.426 259 |
| 1 lambert | kcd/m$^2$ | 3.183 099” |

293. The 2012 International Fire Code is amended by adding a new Appendix L, “Miscellaneous Dallas Fire-Rescue Department Standards,” to read as follows:

“**APPENDIX L**
**MISCELLANEOUS DALLAS FIRE-RESCUE DEPARTMENT STANDARDS**

**SECTION L101**
**GENERAL**

**L101.1 General.** The following standards of the Dallas Fire-Rescue Department are codified as a supplement to the *Dallas Fire Code*.

## SECTION L102
## SPECIFICATIONS FOR SECURING UNSECURED VACANT STRUCTURES

**L102.1 General.** The diagrams and/or specifications in this standard delineate the *approved* methods for properly securing windows, doors and oversized openings of an unsecured vacant structure. All first floor openings shall be secured. Openings above the first floor shall be secured if they are subject to unauthorized entry or vandalism. All open vacant structures shall comply with these standards. Enforcement is accomplished pursuant to the *Dallas Fire Code*.

**L102.2 First notification to secure a structure.** Upon receipt of a first notification to secure an unsecured vacant structure, the operator shall secure the structure within 48 hours. Doors and windows which are not in disrepair can be locked and shall be considered secured. All other openings shall be adequately secured to prevent unauthorized entry.

**L102.3 Second notification to secure a structure.** Should a second notification to secure a structure be necessary within one year of the initial notification, all openings shall be secured as specified in Section L102.4.

**L102.4 Specifications and materials.** Specifications and materials are outlined in this section (see attached diagrams and specifications).

**L102.4.1 Specifications and materials for securing windows**. The following specifications and materials are to be used in securing windows.

½-inch (12.7-mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides secured on exterior side.

8 penny cement coated, hot dipped zinc or galvanized nails.[a]

2 inch (50.8 mm) steel washer.

¼-inch (6.4 mm) steel plate 6 inch square (0.00387 $m^2$) for use as a washer.

2-inch X 4-inch (50 mm by 101.6 mm) pine board cut to provide an overlap of 2 inches (50.8 mm) on both sides.[b]

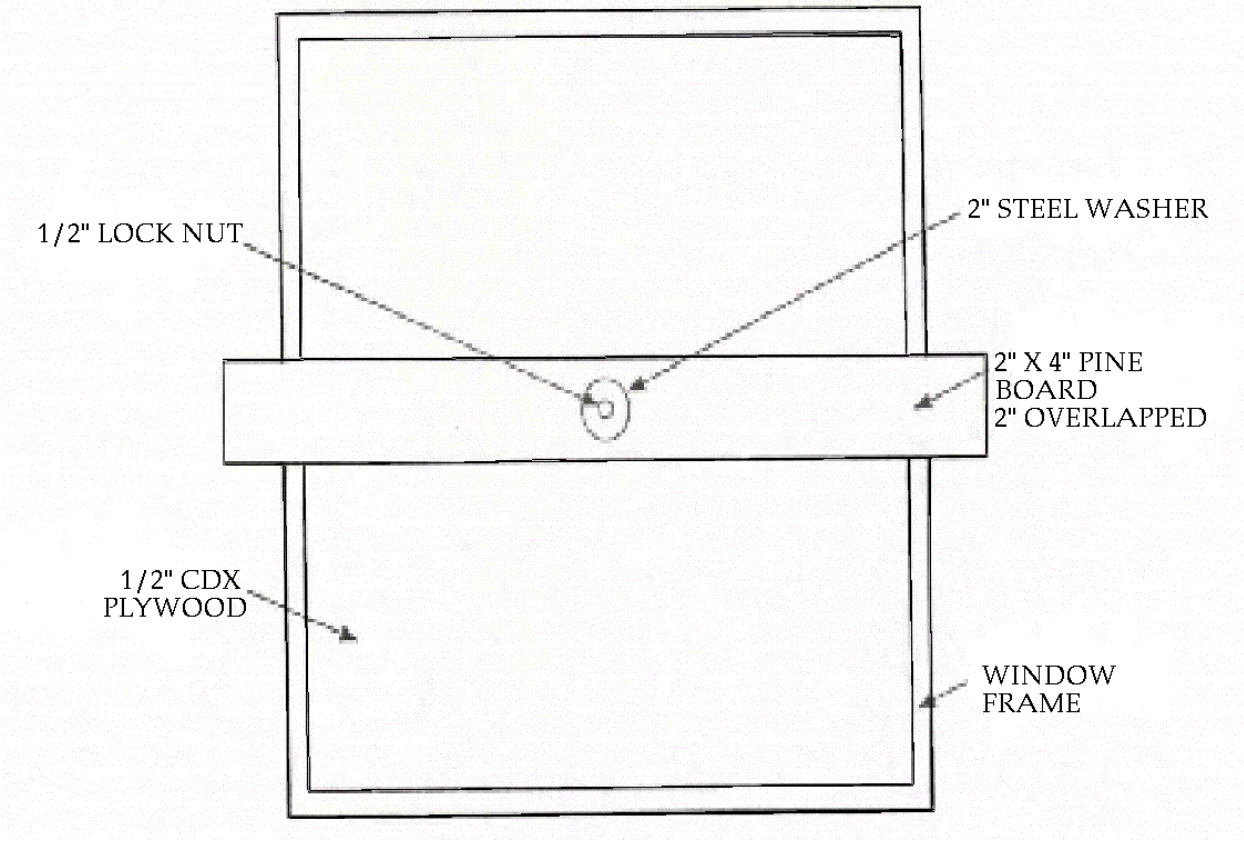
½-inch (12.7 mm) carriage bolt and ½-inch (12.7 mm) lock nut.

a. If applicable, 1½-inch (38.1 mm) masonry nails or # 8 1¼-inch (31.8 mm) sheet metal screws shall be used. All nails and screws on all installations may not exceed a maximum spacing of 12 inches (304.8 mm).

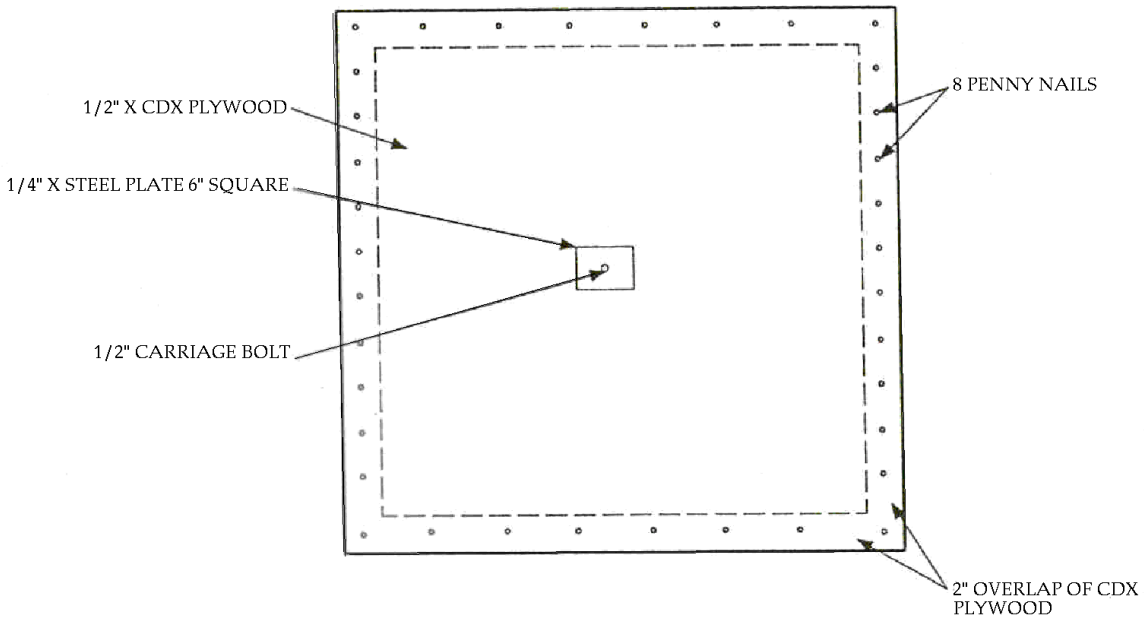
b. 2-inch X 4-inch (50.8 mm by 101.6 mm) pine board assembly should be centered if possible. Window shall have to be raised if not broken.

Casement, other window types which open outward, and picture windows with glass intact are exempt from the 2-inch X 4-inch (50 mm by 101.6 mm) pine board assembly requirement. However, they shall still be boarded from the exterior. Nails or screws may not exceed a maximum spacing of 6 inches (152.4 mm).

SECURING WINDOWS
INTERIOR VIEW DIAGRAM NO.1

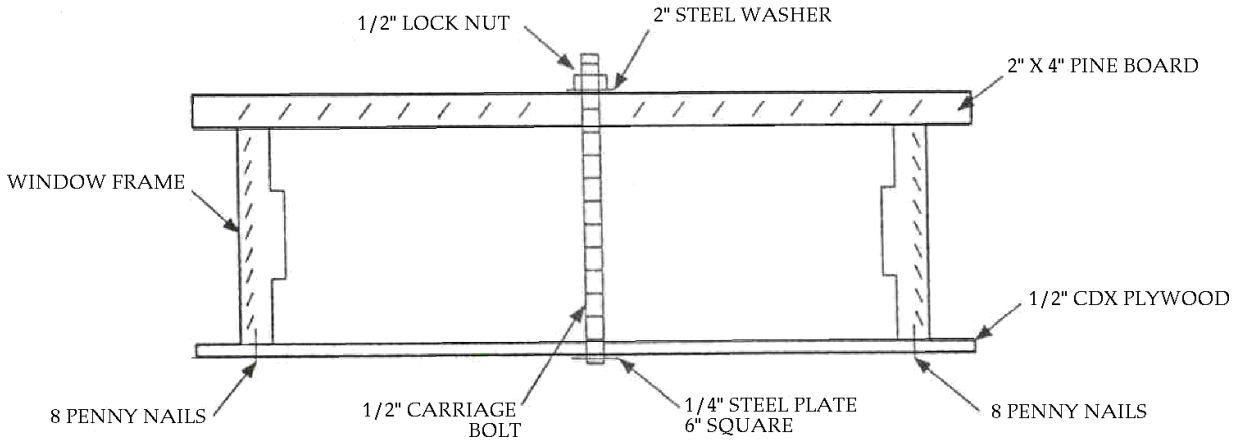


EXTERIOR VIEW DIAGRAM NO. 1A




Dotted line denotes hidden view

SECURING WINDOWS
TOP VIEW CROSS SECTION DIAGRAM NO. 1B



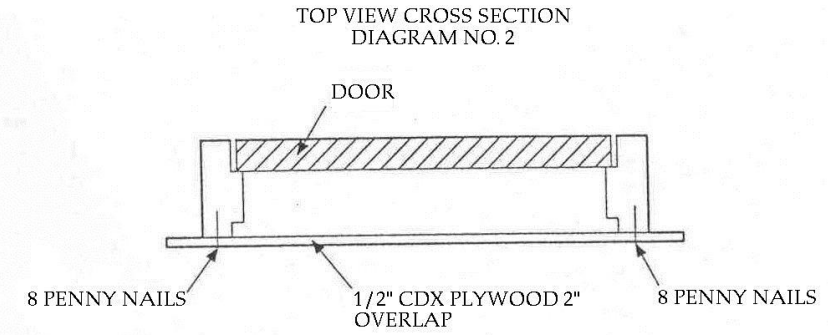

**L102.4.2 Specifications and materials for securing doors**. The following specifications and materials are to be used in securing doors.

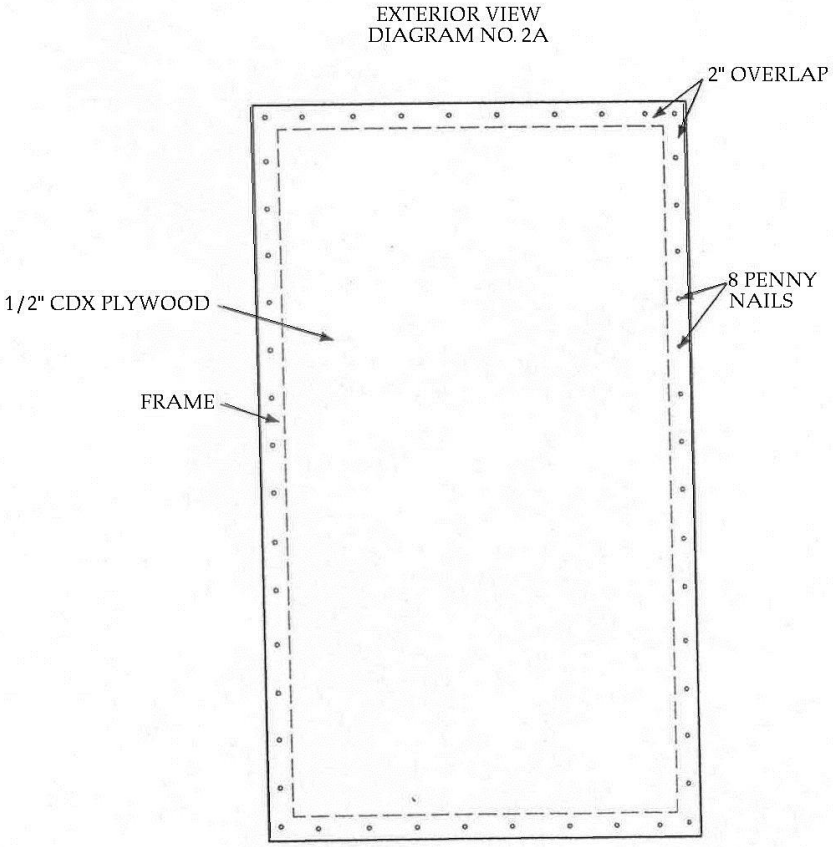
½-inch (12.7 mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides.

8 penny cement coated, hot dipped zinc or galvanized nails.[a]

All doors are to be secured on the exterior side.

a. If applicable 1½-inch (38.1 mm) masonry nails or # 8 1¼-inch (31.75 mm) sheet metal screws shall be used. All nails and screws on installations may not exceed a maximum spacing of 6 inches (152.4 mm).




**L102.4.3 Specifications and materials for securing oversized openings**. The following specifications and materials are to be used for securing oversized openings.

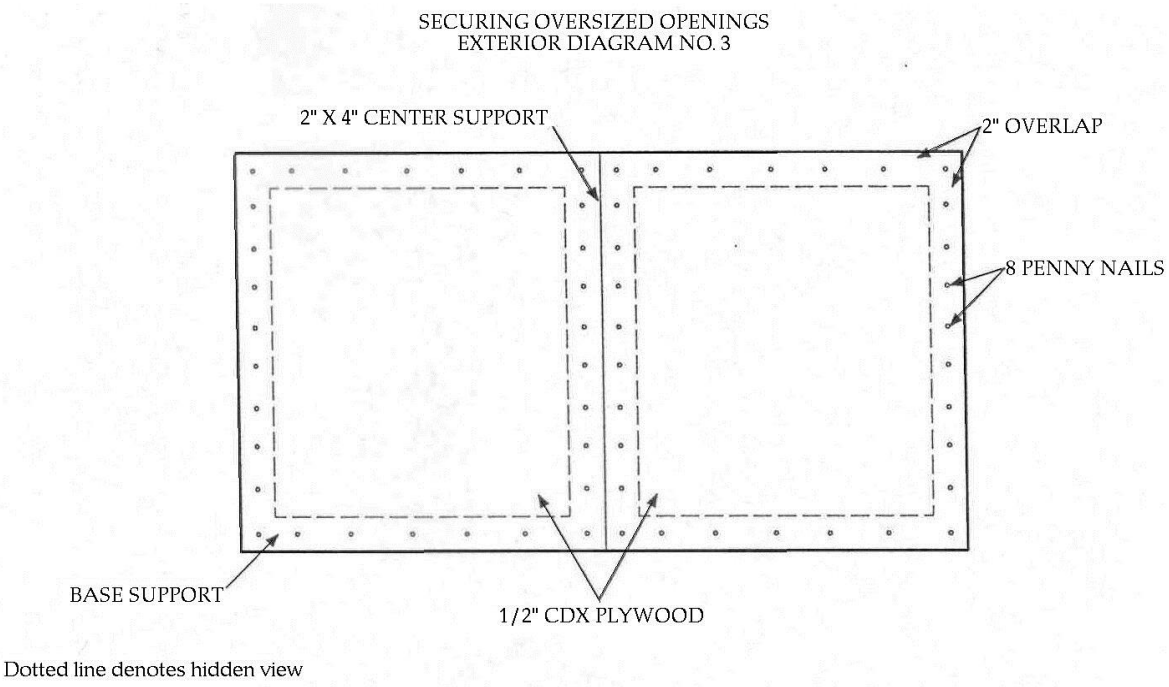
½-inch (12.7 mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides.

2-inch X 4-inch (50.8 mm by 101.6 mm) pine board center support.[a]

8 penny cement coated, hot dipped zinc or galvanized nails.[b]

a. 2-inch X 4-inch (50.8 mm by 101.6 mm) center support shall be substantially anchored to prevent the separation of the adjoining sections of plywood [plywood clip couplers may not be used in lieu of 2-inch X 4-inch (50.8 mm by 101.6 mm) pine board].

b. If applicable, 1½-inch (38.1 mm) masonry nails or #8 1¼-inch (31.75 mm) sheet metal screws shall be used. All nails and screws on all installations may not exceed a maximum spacing of 6 inches (152.4 mm).




**L102.4.4 Specifications for securing a structure using fencing materials**. In instances where a structure cannot be secured in accordance with the standards previously provided in this section, a fence may be used. Structures of this nature include, but are not limited to, buildings burned or dilapidated to the point that the windows and/or doors cannot be used to secure the building. The use of fencing shall require prior approval by the fire chief, and meet these specifications:

6-foot (1828.8 mm) chain link fence posts are to be anchored in concrete or a comparable *approved* material.

Gates of like materials.

Padlocks.

Three strands of barb wire or razor wire along top of fence and gate.

One strand of 7-gauge spring wire tightly woven and secured along the base of the fence.

Fence shall secure the perimeter of the structure(s) to prevent unauthorized entry.

## SECTION L103
## GENERAL FIRE SAFETY REQUIREMENTS FOR HIGH-RISE BUILDINGS

**L103.1 Fire safety plan.** The operator of a high-rise building is required to submit a fire safety plan to the fire chief for review and approval. Copies of the fire safety plan shall be distributed to all tenants and employees of the building.

**L103.2 Fire safety personnel assignments**. The following fire safety personnel are required in high-rise buildings:

**L103.2.1 Fire safety director.** The fire safety director shall:

1. Be responsible for the fire safety plan and its implementation.

2. Select qualified building service employees for a fire brigade and ensure proper training.

3. Appoint fire wardens and ensure proper training.

4. In the event of fire, ensure the fire department is immediately notified and that evacuation procedures are initiated.

5. Ensure that all life safety systems are maintained, including:

    5.1. Fire alarm system.

    5.2. Automatic fire extinguishing systems.

    5.3. Elevator recall system.

    5.4 Fire pump, emergency generator and lighting.

6. Ensure fire drills are conducted quarterly and keep written records.

**L103.2.2 Fire warden**. A fire warden shall be designated for each floor.

**L103.2.2.1 Knowledge of fire warden.** The fire wardens shall be familiar with:

1. The fire safety plan.

2. Location of *exits*.

3. The fire alarm system.

4. Portable fire extinguishing equipment.

**L103.2.2.2 Duties of fire warden in the event of fire.** In the event of a fire, fire wardens shall:

1. Execute the fire safety plan.

2. Close all doors while notifying floor occupants.

3. Direct the evacuation of the fire floor, as appropriate, to three floors below the fire or outside the building.

4. Assign a responsible person to any person who is physically challenged and in need of assistance.

5. Prevent the use of elevators.

6. Notify the fire safety director of any persons who require assistance or persons not accounted for.

**L103.2.3 Fire brigade.** Key building personnel shall be organized into a trained fire brigade that may include engineering, security and management personnel who shall carry out the following tasks in the event of fire.

1. When safe to do so, respond to the fire location, report on the situation and sound alarm if necessary, assist in evacuation and extinguish the fire if possible.

2. Check fire pump and emergency generator for proper operation.

3. Adjust the HVAC so that smoke is not spread throughout the building.

4. Ensure all elevators are brought to the ground floor.

**L103.3 Fire safety plan.** The following items shall be included in a high-rise building's fire safety plan:

**L103.3.1 Emergency phone numbers**. The following phone numbers are required:

1. Fire/ambulance/police: 9-1-1.

2. Management and fire safety director.

3. Security.

**L103.3.2 Procedures.**[a] The following procedures shall be included in a high-rise building's fire safety plan:

1. RESCUE: Remove anyone from the immediate danger area.

2. CONFINE: Close the door to the room of origin to help contain the smoke and fire in that area.

3. ALERT:

    3.1. Activate the alarm.

    3.2. Call building management and give your name, the nature of the emergency and the floor number and suite.

    3.3. Call the Dallas Fire-Rescue Department 9-1-1 and give your name; the nature of the emergency; and the building name, street address, floor and suite number.

4. FIGHT: If the fire is small and confined to one object (such as a trash can), attempt to fight the fire if the proper type of extinguisher is available, the person is familiar with extinguisher operation, and there are two ways out.

    a. NOTE: Alternate wording may be used when *approved* by the fire chief.

**L103.3.3 Fire alarm system.** A high-rise building safety plan shall:

1. Explain how the alarm system is activated:

    1.1. Manual pull stations;

    1.2. Smoke detectors/heat detectors; or

    1.3. Water flow/tamper alarms on the sprinkler system.

2. Explain what is activated in an alarm condition and give examples:

    2.1. Horns or bells, either throughout the building, on the fire floor, two floors above, one floor below, or on the fire floor only;

    2.2. Elevators recalled to the ground floor;

    2.3. Heating, ventilating, and air-conditioning systems (HVAC) on the fire floor turned off. Exhaust fans are activated to remove smoke in the building.

    2.4. Pressurized stairwells, if applicable.

    2.5 Automatically unlocks stairwell doors from the stairwell side to permit re-entry onto other floors if smoke is encountered in the stairwell.

If stairwell re-entry is only available on every fifth floor, signs shall be posted indicating reentry points.

**L103.3.4 Evacuation procedures**. When the fire alarm is activated, use the closest stairwell to evacuate:

1. To three floors below the fire floor or to the ground floor and *exit* the building if so instructed.

2. If the closest stairwell is blocked by fire or smoke, evacuate by an alternate stairwell.

3. If all stairwells are blocked by fire or smoke, return to an office or room and close the doors. Call the fire department (number for outside line) 9-1-1, and building management (management office number) and notify them of your location. Seal doorway openings and air-conditioning vents with towels, clothing, etc. Stay low, below the smoke, and use a wet towel to cover your mouth and nose. Break windows only as a last resort.

**L103.4 Emergency plan.** An emergency plan shall be provided for fire-fighter use in the control room and shall include an emergency plan layout showing:

1. Means of egress from each floor.

2. Doors through which entry to safe floor areas may be made from the stairwell.

3. Where present, the location of:

   3.1. Emergency power for the fire alarm system.

   3.2. Fire-extinguishing systems.

   3.3. Smoke removal system.

   3.4. Public address system.

   3.5. Two-way communication system.

   3.6. Fire control station.

   3.7. Heat, smoke and flame detectors.

   3.8. Elevators having manual override controls.

**L103.5 General requirements for high-rise buildings.** High-rise buildings shall meet the following requirements.

**L103.5.1 Elevator warning signs.** The operator of the premises shall post and maintain in each elevator lobby, on all floors, a sign which has the words IN FIRE EMERGENCY, DO NOT USE ELEVATOR. USE *EXIT* STAIRS. Existing *approved* signs that read ELEVATORS MAY NOT BE USED IN CASE OF FIRE – USE STAIRWELLS WHICH ARE MARKED AS *EXITS* installed prior to the adoption of this code shall be permitted. Sign shall be marked:

1. In letters at least ½ inch (12.7 mm) high and on a contrasting background.

2. With a floor evacuation diagram oriented from each posted location showing the location of at least two of the nearest stairs.

**L103.5.2 Information sign.** The operator of the premises shall post and maintain at the main elevator lobby a sign, which has the words, 'Fire Emergency Plan Available for Review from the Management Office' of letters at least ½ inch (12.7 mm) high and on a contrasting background.

## SECTION L104
## LIMITED ACCESS GATES

**L104.1 General.** Limited access gates which obstruct fire department access roads (fire lanes) shall be installed and maintained in accordance with the provisions of this section.

**L104.1.1 Submit building plans prior to installation.** Submit two sets of plans drawn to scale for plan review and approval prior to installation. See the 'Limited Access Gate Requirements' handout for information required for plan designs.

**L104.1.2 Building permit required.** A building permit is required to install fencing over 6 feet (1828.8 mm) high.

**L104.1.3 Electrical permit required.** An electrical permit is required for all electrical work.

**L104.1.4 Limited access gates.** An annual permit is required for the operation and maintenance of limited access gates which obstruct fire apparatus access roads and which open electro-mechanically, using an *approved* Dallas Fire-Rescue Department radio receiver and transmitter.

**L104.2 Design.** Limited access gates which obstruct fire department access roads shall:

1. Be set back a minimum of 20 feet (6096 mm) from public access roadways.

2. Open electro-mechanically using an *approved* Dallas Fire-Rescue Department radio receiver and transmitter when installed at residential occupancies (to include apartments, hotels/motels, gated residential communities, etc.), institutional occupancies, and other locations when, in the opinion of the fire chief, life safety needs must be addressed. When

*approved* by the fire chief, general business occupancies may utilize manual Knox entry equipment, such as a Knox padlock and chain.

2.1. Each Dallas Fire-Rescue Department radio receiver shall comply with the following design criteria:

2.1.1. Consist of a six channel modular receiver having 400+ MHz frequency. Each digital channel module shall be preset to a specified digital code designated by the fire chief;

2.1.2. Be equipped with one external, weather-tight, antenna assembly;

2.1.3. Be equipped with a flasher unit and external lamp assembly with a red globe and guard to be mounted separate from the enclosure. This shall be wired to 115 volts and clearly visible from the entry side of the gate;

2.1.4. Be located so that it can receive a clear signal from the transmitter when activated from inside responding emergency vehicles from a distance of 100 feet (30 480 mm);

2.1.5. Shall override all other opening systems;

2.1.6. Be protected from weather and physical damage; and

2.1.7. When activated, the gate shall open at a minimum speed of 1 foot per second and remain open until closed by the fire department.

3. Gate designs that involve installing gates within close proximity of each other shall be relayed so that both gates will open when activated. One Dallas Fire-Rescue Department transmitter and compatible radio receiver may be used to achieve this requirement.

4. A manual back-up system shall be provided for all electro-mechanical gates. It shall be accessible on the entry side of the gate, using the Knox padlock that conforms to the Dallas Fire-Rescue Department Knox security key that is used at all other locations.

4.1. A fail-safe manual back-up system shall be installed to allow access through the gate in the event of operational failure.

4.2. On swing gates and barrier arms, this manual system shall be designed:

4.2.1. To be clearly visible and easily accessible from the entry side of the gate.

4.2.2. To open manually by one person removing the Knox padlock and/or pin that is secured in the arm.

4.3. On slide gates this manual system shall be designed:

4.3.1. To be clearly visible and easily accessible from the entry side of the gate.

4.3.2. To be mounted within 10 feet (3048 mm) of the gate and open manually by one person utilizing an *approved* single manual release device.

5. Commercial locations not required to install radio receivers shall utilize *approved* manual Knox entry equipment, such as a Knox padlock and chain.

**L104.3 Weatherproof box required.** The manual release device as required in Item 4 of Section L104.2 shall be protected from weather and physical damage in a weatherproof box which is:

1. Red in color.

2. At least 5 inches high, 5 inches wide and 1½ inches deep (127 mm high, 12.7 mm wide and 38.1 mm deep).

3. Clearly labeled 'Fire Dept.' in white block letters 1 inch (25.4 mm) tall with a ¼-inch (6.35 mm) stroke.

4. Located within 10 feet (3048 mm) of the gate.

5. Clearly visible and easily accessible.

6. Designed to accept the Knox padlock that conforms to the Dallas Fire-Rescue Department Knox security key when used with the manual release device.

**L104.4 Pedestrian walkway gates.** Limited access gates may be installed across pedestrian walkways provided they swing in the direction of egress travel. Gates serving as part of a required means of egress shall also comply with Chapter 10. Gates obstructing fire department access required in Section 503 shall comply with the following designs:

1. Electronic locking devices installed on pedestrian walkway gates shall have a manually operated weatherproof Knox key switch and be compatible with the Dallas Fire-Rescue Department Knox security key. In the event of a power failure or other failure of the electro-mechanical system, a fail-safe system shall automatically unlock the gate to allow free entry and *exit*.

2. Pedestrian walkway gates using Simplex-style door knob locks shall conform with the attached fire department access window diagrams. Fire department access windows shall have a required minimum dimension of 9 inches by 12 inches (228.6 mm by 304.8 mm) and include a hasp for the Dallas Fire Department Knox padlock that is compatible with the Dallas Fire-Rescue Department Knox security key.

**L104.5 Maintenance.** The gate opening systems shall be serviced on a regular basis and maintained in an *approved* operating condition.

1. The mechanical and electrical components shall be serviced on a regular basis and maintained in an *approved* operating condition.

2. A power supply shall be maintained to electronic components at all times.

**L104.6 Performance test required.**

1. A performance test shall be conducted annually to verify proper operation of equipment.

2. Upon failure of the performance test, the security gate system shall be disabled and maintained in the open position until repaired and tested by the *fire code official*.

**L104.7 Illegal secondary obstructions to limited access gates.**

1. Barrier arms in front of access gates are not allowed.

2. Magnetic locking devices interconnected to Dallas Fire-Rescue Department radio receivers on limited access gates are prohibited."

294. All chapters of the 2012 International Fire Code adopted by this ordinance are subchapters of Chapter 16 of the Dallas City Code, as amended.

295. All references in the 2012 International Fire Code to the building code, plumbing code, mechanical code, electrical code, residential code, existing building code, energy conservation code, and the fuel gas code refer, respectively to Chapters 53, 54, 55, 56, 57, 58, 59, and 60 of the Dallas City Code.

SECTION 2. Any errata corrections of the 2012 International Fire Code published by the International Fire Code Institute are considered as part of this code.

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the effective date of this ordinance will be discharged or affected by this ordinance. Prosecutions and suits for such offenses, liabilities, penalties, and forfeitures may be instituted, and causes of action pending on the effective date of

this ordinance may proceed, as if the former laws applicable at the time the offense, liability, penalty, or forfeiture was committed or incurred had not been amended, repealed, reenacted, or superseded, and all former laws will continue in effect for these purposes.

SECTION 4. That Chapter 16 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any existing structure, system, development project, or registration that is not required to come into compliance with a requirement of this ordinance will be governed by the requirement as it existed in the former law last applicable to the structure, system, development project, or registration, and all former laws will continue in effect for this purpose.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect on October 10, 2014 in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By_____
Assistant City Attorney

Passed_____

**AGENDA ITEM # 6**

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

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services

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

**MAPSCO:** N/A

## SUBJECT

Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development (formerly known as Shelter Plus Care) in the amount of $92,528 to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period October 1, 2014 through September 30, 2015; **(2)** a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities, to provide an In-Kind Contributions in the amount of $24,960; and **(3)** execution of the grant agreement - Not to exceed $92,528 - Financing: U.S. Department of Housing and Urban Development Grant Funds

## BACKGROUND

The City of Dallas Housing/Community Services Department will continue using Shelter Plus Care Grant Funds (Grant No. TX0050L6T001306 and CFDA No. 14.267) to provide housing to homeless veterans. As grantee, the City of Dallas has applied for and has been awarded Shelter Plus Care Grants totaling $1,213,296 for the past fourteen years, for sponsored-based rental assistance to provide housing assistance to homeless veterans with disabilities who are disabled by chronic mental illness and/or substance abuse.

Accordingly, the City of Dallas and the U.S. Department of Housing and Urban Development (HUD) entered into a Shelter Plus Care Agreement dated October 1, 2000 for rental assistance, and subsequently sub-contracted to Operation Relief Center, Inc. (ORC). ORC is a 501(c) (3) nonprofit, community-based organization that evolved from the social outreach program. The Center is located at 2010 Grand Avenue. The agency was incorporated in 1991 and has been providing services to the needy for the past 23 years.

**BACKGROUND** (Continued)

Under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009, all eligible funding costs, except leasing, must be matched with no less than a 25 percent cash match or In-Kind Contribution. The total match for this grant equals $23,132. ORC will provide $24,960 In-Kind Contributions for the grant, which exceeds the minimum requirement.

Under the grant agreement, the program will provide full or partial rental payments for ten veterans. Rental payments will be made at the Fair Market Rent (FMR) rate. Clients with income are required to pay 30% of their adjusted income for rent.

The Shelter Plus Care program requires that social or rehabilitative services be provided to all persons for whom rental payments are made. These services are provided by community agencies and the Veterans Administration.

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

Authorized the acceptance of grant funds to provide sponsor-based rental assistance for homeless veterans with disabilities on May 13, 2009, by Resolution No. 09-1171.

Authorized the acceptance of grant funds to provide sponsor-based rental assistance for homeless veterans with disabilities on April 28, 2010, by Resolution No. 10-1051.

Authorized the acceptance of grant funds to provide sponsor-based rental assistance for homeless veterans with disabilities on June 22, 2011, by Resolution No. 11-1669.

Authorized the acceptance of grant funds to provide sponsor-based rental assistance for homeless veterans with disabilities on April 25, 2012, by Resolution No. 12-1180.

Authorized the acceptance of grant funds to provide sponsor-based rental assistance for homeless veterans with disabilities on August 14, 2013, by Resolution No. 13-1295.

**FISCAL INFORMATION**

$92,528 - U.S. Department of Housing and Urban Development Grant Funds
$24,960 - In-Kind Contributions

**WHEREAS,** there is a need to assist homeless veterans by providing sponsor-based rental assistance, in conjunction with support services; and

**WHEREAS,** the U.S. Department of Housing and Urban Development (HUD) provides Shelter Plus Care Grant funds to assist veterans with sponsor-based rental assistance; and

**WHEREAS,** under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009, all eligible funding costs except leasing cost must be matched with no less than a 25 percent cash match or In-Kind Contributions; and

**WHEREAS,** Operation Relief Center, Inc. will provide $24,960 in cash match; and

**WHEREAS,** HUD approved the City of Dallas' renewal application for Shelter Plus Care funds totaling $92,528; **NOW, THEREFORE,**

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

**Section 1.** That following approval as to form by the City Attorney, the City Manager is hereby authorized to: **(1)** accept a Continuum of Care Grant from the U.S. Department of Housing and Urban Development (formerly known as Shelter Plus Care) in the amount of $92,528 to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period October 1, 2014 through September 30, 2015; **(2)** approve a contract between the City of Dallas and Operation Relief Center, Inc. to provide sponsor-based rental assistance to homeless veterans with disabilities, to provide an In-Kind Contributions in the amount of $24,960; and **(3)** execute any and all agreements and other documents required by this grant.

**Section 2.** That the City Controller is hereby authorized to receive and deposit grant funds in Fund F430, Dept. HOU, Unit 1547 Revenue Source Code 6506, in an amount not to exceed $92,528.

**Section 3.** That the City Manager is hereby authorized to establish appropriations in Fund F430, Dept. HOU, Unit 1547, Object Code 3099, in an amount not to exceed $92,528.

**Section 4.** That the City Controller is hereby authorized to disburse grant funds from Fund F430, Dept. HOU, Unit 1547, Object Code 3099, Encumbrance No. CTGH184663 in an amount not to exceed $92,528.

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

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

**Section 7.** That 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:** Clean, Healthy Environment

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services

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

**MAPSCO:** N/A

## SUBJECT

Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for rapid re-housing (formerly Transitional Supportive Housing) in the amount of $464,692, to provide tenant-based rental assistance and case management for homeless families and single homeless persons and to provide funding for two staff positions to administer the program for the period October 1, 2014 through September 30, 2015; **(2)** a local cash match in an amount not to exceed $64,893; **(3)** a Memorandum of Understanding between the City of Dallas and Metrocare Services to provide an In-Kind Contributions in the amount of $51,280; and **(4)** execution of the grant agreement - Total not to exceed $580,865 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($464,692), In-Kind Contributions ($51,280) and Current Funds ($64,893) (subject to appropriations)

## BACKGROUND

Rapid Re-housing (RRH) (Grant No. TX0085L6T001306 and CFDA No. 14.267) are used to provide rental assistance and case management to homeless families and single homeless individuals. Under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009, all eligible funding costs accepted must be matched with no less than a 25 percent cash match or In-Kind Contribution. The total match for this grant equals $116,173 (of which $64,893 is a cash match and $51,280 is In-Kind Contributions). Under the grant agreement, the program will pay rent and utilities for thirty-one (31) one-bedroom and six (6) two-bedroom scattered site units. Clients will select the location in which they choose to reside based on their individual needs.

**BACKGROUND** (Continued)

The City of Dallas is converting its transitional housing program to a RRH model, that assists individuals and families who are homeless, move as quickly as possible into permanent housing and achieve stability in that housing through a combination of rental assistance and supportive services. Communities have demonstrated and research has shown that RRH is a valuable strategy for quickly transitioning individuals and families from shelters into permanent housing. Rental payments will be made directly to the apartment complexes based on the rent reasonableness in relation to comparable units.

Under RRH, rental assistance can be provided on a short-term basis (up to 3 months) or medium (3 to 24 months) dependent on the client's need. Quarterly assessments are conducted on program participants to determine their progress towards meeting their goals of becoming self-sufficient. RRH is considered permanent housing program under U.S. Department of Housing and Urban Development guidelines.

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

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for transitional housing on June 22, 2011, by Resolution No. 11-1671.

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on June 22, 2011, by Resolution No. 11-1672.

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for transitional housing on April 25, 2012, by Resolution No. 12-1182.

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on April 25, 2012, by Resolution No. 12-1183.

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for homeless families and single homeless persons on August 14, 2013, by Resolution No. 13-1297.

**FISCAL INFORMATION**

$464,692 - U.S. Department of Housing and Urban Development Grant Funds
$ 64,893 - Current Funds (subject to appropriations)
$ 51,280 - In-Kind Contributions

**WHEREAS,** there is a need to assist homeless persons by providing rental assistance in conjunction with support services; and

**WHEREAS,** the U.S. Department of Housing and Urban Development (HUD) provides funds to assist the homeless with rental assistance; and

**WHEREAS,** under the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009, all eligible funding costs except leasing cost must be matched with no less than a 25 percent cash match or In-Kind Contributions; and

**WHEREAS,** the total match for this grant equals $116,173 cash match ($64,893 in Current Funds and $51,280 In-Kind Contributions); and

**WHEREAS,** the City of Dallas was awarded $464,692 to provide rental assistance under Rapid Re-housing (RRH) to quickly transition homeless individuals and families from shelters into permanent housing; and

**WHEREAS,** Communities have demonstrated and research has shown that RRH is a valuable strategy for quickly transitioning individuals and families from shelters into permanent housing; and

**WHEREAS,** the City of Dallas is converting its transitional housing program into a RRH model for permanent housing;

**NOW, THEREFORE,**

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

**Section 1.** That following approval as to form by the City Attorney, the City Manager is hereby authorized to: **(1)** accept a Continuum of Care Grant from the U.S. Department of Housing and Urban Development (TX0085L6T001306) for rapid re-housing (formerly Transitional Supportive Housing) in the amount of $464,692 to provide tenant-based rental assistance and case management for homeless families and single homeless persons and to provide funding for two staff positions to administer the program for the period October 1, 2014 through September 30, 2015; **(2)** a local cash match in an amount not to exceed $64,893; **(3)** a Memorandum of Understanding between the City of Dallas and Metrocare Services to provide an In-Kind Contributions in the amount of $51,280; and **(4)** execute any and all agreements and other documents required by the grant.

**Section 2.** That the City Controller is hereby authorized to receive and deposit grant funds in Fund F432, Dept. HOU, Unit 1572, Revenue Source 6506, in an amount not to exceed $464,692.

**Section 3.** That the City Manager is hereby authorized to establish appropriations in Fund F432, Dept. HOU, Unit 1572, in an amount not to exceed $464,692.

**Section 4.** That the City Controller is hereby authorized to disburse grant funds from Fund F432, Dept. HOU, Unit 1572 in an amount not to exceed $464,692, according to the attached Schedule.

**Section 5.** That the City Controller is hereby authorized to disburse a local match from Fund 0001, Dept. HOU, Unit 4308, in an amount not to exceed $64,893 (subject to appropriations), according to the attached Schedule.

**Section 6.** That the City Manager is hereby authorized to reimburse to HUD any expenditures identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**Section 7.** That the City Manager shall keep the appropriate City Council Committee informed of all final HUD monitoring reports not later than 30 days after the receipt of the report.

**Section 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.

**Continuum of Care Grant**
**Rapid Re-Housing Tenant-Based Rental Assistance**
**F432, Dept. HOU, Unit 1572, Revenue Source Code 6506**
**October 1, 2014 through September 30, 2015**

| Object Code | Description | Amount |
|---|---|---|
| 1101 | Salary | $120,812 |
| 1301 | Pension | 4,710 |
| 1303 | Benefits | 4,200 |
| 1306 | FICA | 650 |
| 3330 | Rent | $334,320 |
| | **Total** | **$464,692** |

**Matching Funds**

**Fund 0001, Dept. HOU, Unit 4308**

| Object Code | Description | Amount |
|---|---|---|
| 1101 | Salary | $64,893 |

**In-Kind Contributions**

| Description | Amount |
|---|---|
| Metrocare Services/Miscellaneous Services | $51,280 |

**AGENDA ITEM # 8**

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

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services

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

**MAPSCO:** N/A

## SUBJECT

Authorize a contract with Metro Dallas Homeless Alliance to provide training and technical support on the Homeless Management and Information System (HMIS) for the period October 1, 2014 through September 30, 2015 - Not to exceed $65,367 - Financing: 2014-15 Emergency Solutions Grant Funds

## BACKGROUND

On December 5, 2011, U.S. Department of Housing and Urban Development (HUD) released the interim rule for the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act): Emergency Solutions Grant Program and Consolidated Plan Conforming Amendments, which replaced the Emergency Shelter Grant program and mandates recipients/subrecipients to participate in Homeless Management Information System (HMIS).

On June 25, 2014, City Council approved the FY 2014-15 Consolidated Plan Budget by Resolution No. 14-1001, which included the Emergency Solutions Grant.

The McKinney-Vento Act requires for the first time that projects receiving funding under Emergency Solutions Grant (ESG) Program participate in a Homeless Management Information System (HMIS). The information system is designated by the Continuum of Care (CoC) to comply with U.S. Department of Housing and Urban Development (HUD) data collection, management, and reporting standards and used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at risk of homelessness. Metro Dallas Homeless Alliance is the local administrator of HMIS for the local CoC and sole provider of HMIS as designated by HUD.

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

On October 10, 2012, City Council authorized a contract with Metro Dallas Homeless Alliance to provide operations training, maintenance of the software and computer system and technical support with respect to the Homeless Management and Information System, by Resolution No. 12-2518.

On February 27, 2013, City Council authorized a Supplemental Agreement No. 1 to the contract with Metro Dallas Homeless Alliance to add additional funding to provide operations training, maintenance of the software and computer system and technical support with respect to the Homeless Management and Information System, by Resolution No. 13-0404.

On September 25, 2013, City Council authorized a contract with Metro Dallas Homeless Alliance to provide training and technical support with respect to the Homeless Management and Information System, by Resolution No. 13-1681.

On June 25, 2014, City Council approved the FY 2014-15 Consolidated Plan Budget for the U. S. Department of Housing and Urban Development (HUD) Grant Funds. Included in the FY 2014-15 Consolidated Plan Budget is Emergency Solutions Grant (ESG) fund (Grant No. S-14-MC-48-0001) in the amount of $1,130,946, by Resolution No. 14-1001.

## FISCAL INFORMATION

$65,367 - 2014-15 Emergency Solutions Grant Funds

September 10, 2014

**WHEREAS,** on December 5, 2011, HUD released the interim rule for the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act): Emergency Solutions Grant Program and Consolidated Plan Conforming Amendments, which replaced the Emergency Shelter Grant program and mandates recipients/subrecipients to participate in Homeless Management Information System (HMIS); and

**WHEREAS,** on June 25, 2014, City Council approved the FY 2014-15 Consolidated Plan Budget by Resolution No. 14-1001, which included the Emergency Solutions Grant; and

**WHEREAS,** funding for HMIS data collection was included in budget allocations; and

**WHEREAS,** grantees/sub-grantees are required to use HMIS in the applicable Dallas Continuum of Care (CoC); and

**WHEREAS,** Metro Dallas Homeless Alliance is the local administrator of HMIS for the CoC and the sole provider of HMIS;

**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 contract with Metro Dallas Homeless Alliance to provide training and technical support on the Homeless Management and Information System (HMIS) for the period October 1, 2014 through September 30, 2015, and execute any and all documents required by the contract.

**Section 2.** That the City Controller is hereby authorized to disburse funds from Fund ES14, Dept. HOU, Unit 478G, Object Code 3099, Encumbrance Number CTGH184664, Vendor No. 517577 in an amount not to exceed $65,367.

**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 # 9**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services

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

**MAPSCO:** N/A

## SUBJECT

Authorize an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Dallas Housing Acquisition and Development Corporation's (Land Bank) acquisition of unimproved tax foreclosed properties for sale to qualified developers for the development of affordable housing - Financing: No cost consideration to the City

## BACKGROUND

This action will authorize the City Manager to execute an Interlocal Cooperation Contract for the Urban Land Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Land Bank's acquisition of unimproved, tax-foreclosed properties for sale to qualified developers for the development of affordable housing in accordance with Chapter 379C of the Texas Local Government Code (Code).

The term of the contract will begin on October 1, 2014 and end on September 30, 2015.

Under the contract, the City may refer to the County up to 300 parcels of real property intended for acquisition by the Land Bank for filing of a tax lawsuit prior to March 31, 2015. The City or the Land Bank must give written notice to all parties to the contract of the specific addresses of parcels intended for acquisition by the Land Bank prior to referring said parcels to the County for filing of a tax lawsuit and prior to the sale of a property to the Land Bank after a judgment is obtained. Each party will have the right to withhold its consent to the filing of lawsuit on a parcel or sale of a particular parcel to the Land Bank.

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

On January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation as its Land Bank and authorized an Interlocal Contract for an Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District (Interlocal Contract).

On August 28, 2013, by Resolution No. 13-1437, the City Council authorized an Interlocal Contract to allow the City to refer up to 300 additional parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2014 and to extend the term to September 30, 2014.

## FISCAL INFORMATION

No cost consideration to the City

**WHEREAS,** the City has an interest in preserving and increasing the tax base and creating affordable housing for low-income households to provide necessary decent, safe, and sanitary housing for such households; and

**WHEREAS,** on January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation (Land Bank) as its land bank for the purpose of acquiring, holding, and transferring unimproved, tax-foreclosed, real property for the development of affordable housing in accordance with Chapter 379C of the Texas Local Government Code (Code); and

**WHEREAS,** the City Council desires to enter into an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to facilitate the Land Bank's acquisition of unimproved, tax-foreclosed properties for sale to qualified developers for the development of affordable housing in accordance with the Code;

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute an Interlocal Cooperation Contract for the Urban Land Bank Demonstration Program with Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District, which will include the following provisions:

a. The term of the contract will begin on October 1, 2014 and end on September 30, 2015.

b. The City will be allowed to refer to the County up to 300 parcels of real property intended for acquisition by the Land Bank for filing of a tax lawsuit prior to March 31, 2015.

c. The City or the Land Bank must give written notice to all parties to the contract of the specific addresses of parcels intended for acquisition by the Land Bank prior to referring said parcels to the County for filing of a tax lawsuit and prior to the sale of a property to the Land Bank after a judgment is obtained. Each party will have the right to withhold its consent to the filing of lawsuit on a parcel or sale of a particular parcel to the Land Bank.

**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 # 10**

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

**AGENDA DATE:** September 10, 2014

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

**DEPARTMENT:** Office of Financial Services

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

**MAPSCO:** N/A

## SUBJECT

Ordinances amending Ordinance No. 29146 (FY 2013-14 Operating Budget Appropriation Ordinance) and Ordinance No. 29147 (FY 2013-14 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2013-14 for the capital improvement program and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments – Financing: No cost consideration to the City

## BACKGROUND

On September 18, 2013, the City Council passed Ordinance Nos. 29146 and 29147, which adopted the operating budget and capital budget appropriation ordinances for fiscal year 2013-14. Management has closely monitored revenues and expenses throughout the fiscal year and adjusted spending to ensure there are revenues (or available fund balance) to cover projected costs. In order to avoid exceeding authorized appropriations, adjustments to budgets are needed in various departments that are forecast to be exceeded and to capital improvement funds.

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

Council approved the FY 2013-14 operating budget and capital budget appropriation ordinances on September 18, 2013, by Resolution No. 13-1646 and Ordinance Nos. 29146 and 29147.

Budget, Finance & Audit Committee was briefed on September 8, 2014.

## FISCAL INFORMATION

No cost consideration to the City

8/28/2014

ORDINANCE NO. _____

An ordinance amending Ordinance No. 29146 (2013-2014 FY Operating Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for fiscal year 2013-14 for the maintenance and operation of various departments and activities and to authorize the city manager to implement those adjustments; providing a saving clause; and proving an effective date.

WHEREAS, on September 18, 2013, the city council passed Ordinance No. 29146, which adopted the operating budget appropriation ordinance for fiscal year 2013-2014; and

WHEREAS, shortages and excesses in various department and activity appropriations have created a need to adjust those appropriations; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 4, of the Dallas City Charter to transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose to any other department, division, or purpose, upon the written recommendation of the city manager; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 5, of the Dallas City Charter to appropriate, from time to time, excess revenues of the city to such uses as will not conflict with any uses for which such revenues specifically accrued; Now, therefore,

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

SECTION 1. That Section 1 of Ordinance No. 29146 (2013-2014 FY Operating Budget Appropriation Ordinance), passed by the city council on September 18, 2013, is amended by making adjustments to fund appropriations for fiscal year 2013-14 for maintenance and operation of various departments and activities, to read as follows:

"SECTION 1. That for the purpose of providing the funds to be expended in the budget for the fiscal year beginning October 1, 2013 and ending September 30, 2014, the available revenues of the city of Dallas are hereby appropriated for the maintenance and operation of the various city departments and activities as follows:

| **DEPARTMENTS AND ACTIVITIES** | **PROPOSED 2013-14** |
|---|---|
| Building Services | 25,709,329 [~~23,261,226~~] |
| Business Development and Procurement Services | 2,654,466 |
| City Attorney's Office | 14,455,624 [~~13,920,124~~] |
| City Auditor's Office | 2,391,124 |
| City Manager's Office | 1,595,962 [~~1,558,962~~] |
| City Secretary's Office | 1,847,647 [~~1,782,647~~] |
| Civil Service | 2,125,772 |
| Code Compliance | 33,720,277 |
| City Controller's Office | 4,471,352 |
| Court and Detention Services | 11,325,340 [~~11,400,340~~] |
| Elections | 1,096,074 |
| Fire | 221,717,768 [~~219,029,468~~] |
| Housing/Community Services | 11,372,504 [~~10,882,504~~] |
| Human Resources | 4,120,612 [~~4,079,802~~] |
| Independent Audit | 919,253 |
| Jail Contract - Lew Sterrett | 8,713,637 |
| Judiciary | 3,527,767 |
| Library | 22,370,198 |
| Mayor and Council | 3,910,700 |
| Non-Departmental | 38,455,424 [~~41,935,424~~] |
| Office of Cultural Affairs | 16,916,038 |
| Office of Economic Development | 1,122,279 |
| Office of Financial Services | 2,825,978 [~~2,885,978~~] |
| Office of Management Services | 5,567,818 [~~5,967,818~~] |
| Park and Recreation | 78,764,401 [~~78,614,401~~] |
| Police | 428,943,375 [~~426,401,375~~] |
| Public Works | 7,120,506 |
| Sanitation Services | 74,797,205 [~~74,399,205~~] |
| Street Lighting | 18,201,341 [~~19,201,341~~] |
| Street Services | 61,742,328 |
| Sustainable Development and Construction | 1,612,747 [~~1,787,747~~] |
| Trinity Watershed Management | 641,387 [~~661,387~~] |
| Contingency Reserve | 3,248,103 [~~400,000~~] |
| Salary and Benefits Reserve | 1,045,390 [~~2,340,000~~] |
| Liability/Claims Fund | 11,531,029 [~~5,088,372~~] |

| | |
|---|---|
| **GENERAL FUND TOTAL** | ***$1,130,580,755 [~~$1,118,399,892~~]** |

| **GRANT FUNDS** | **PROPOSED 2013-14** |
|---|---|
| City Secretary's Office | |
| Majestic Icon of Dallas (F386) | 3,000 [~~2,700~~] |
| Storage Furniture for Dallas Municipal Archives (F402) | 8,000 |
| Public Works | |
| TCEQ 103 Air Monitoring Contract (F401) | 67,587 |
| TCEQ 105 Air Monitoring Contract (F388) | 183,895 |
| TCEQ Air Pollution Compliance Contract (S259) | 525,117 |
| TCEQ Rockwall Operating Contract (S261) | 20,812 |
| TCEQ Whole Air Sampling Contract (F393) | 422,360 |
| **GRANT FUNDS TOTAL** | **$1,230,771 [~~$1,230,471~~]** |

| **TRUST FUNDS** | **PROPOSED 2013-14** |
|---|---|
| Communication and Information Services | |
| Information Technology Equipment (0897) | 500,921 |
| Convention and Event Services | |
| Convention Center Hotel Tax Rebate Fund (0756) | 9,066,200 |
| Public Market Fund (0003) | 930,000 |
| Equipment and Building Services | |
| Fitness Center Fund (0323) | 197,565 |
| Housing/Community Services | |
| Alvin E. Moore Trust (0309) | 17,000 |
| Deerfield Housing Fund (0605) | 450,000 |
| Energy Emergency Assist Fund (0312) | 66,300 |
| MLK Center Trust (0305) | 52,877 |
| West Dallas Multipurpose Trust (0T04) | 3,570 |
| Judiciary | |
| Juvenile Case Manager Fund (0396) | 309,863 |

**** An increase to $1,120,747,995 was previously approved by Resolution No. 13-1995.***

| | |
|---|---|
| Library | |
| Central Library Gifts and Donations (0214) | 80,978 |
| Kahn Fund (0208) | 228,483 |
| Meadows Fund (0734) | 10,854 |
| Parrill Estate Fund (0716) | 3,004 |
| Office of Economic Development | |
| Dallas Housing Finance Corporation (0068) | 134,125 |
| New Market Tax Credit (0065) | 20,237 |
| Office of Management Services | |
| WOWie Awards Fund (0794) | 10,000 |
| Park and Recreation | |
| Athletic Field Maintenance (0349) | 336,187 |
| Craddock Park Trust (0340) | 43,876 |
| Dallas Zoo Education Fund (0358) | 141,359 |
| Fair Park Special Maintenance (0329) | 311,519 |
| Ford Found Innovative Program (0T14) | 102,740 |
| Golf Improvement Trust (0332) | 1,904,250 |
| Grauwyler Memorial E. Trust (0331) | 5,699 |
| Martin Weiss Endowment Fund (0333) | 10,459 |
| Outdoor Programs (0469) | 116,000 |
| Park Improvement Fund (0355) | 33,084 |
| Southern Skates (0327) | 127,040 |
| PKR Program Fund Tracking (0395) | 1,303,018 |
| White Rock Endowment Fund (0354) | 7,557 |
| W.W. Samuell Park Trust (0330) | 581,128 |
| Police | |
| Confiscated Monies - Federal (0412) | 2,652,368 |
| Confiscated Monies – State (0411) | 1,641,615 |
| Law Enforcement Officer Standard Education (0S1N) | 229,962 |
| Various Police Task Forces (0T69) | 956,530 [~~853,183~~] |
| Street Services | |
| Freeway Traffic Signals (0670) | 315,638 |
| Sustainable Development and Construction | |
| NAS Redevelopment Fund (0022) | 700,134 |
| **TRUST FUNDS TOTAL** | **$23,602,140 [~~$22,485,493~~]** |
| **GRAND AND TRUST FUNDS GRAND TOTAL** | **$24,832,911 [~~$23,715,964~~]** |

| **ENTERPRISE/INTERNAL SERVICE/OTHER FUNDS** | **PROPOSED 2013-14** |
|---|---|
| Aviation | 66,852,583 [~~61,184,205~~] |
| Communication and Information Services: | |
| Information Technology | 55,826,585 |
| Radio Services | 5,632,773 |
| Convention and Event Services | 75,606,836 [~~65,306,836~~] |
| Employee Benefits | 1,338,724 |
| Equipment Services | 54,466,477 [~~54,211,753~~] |
| Express Business Center | 3,811,690 |
| Risk Management | 2,441,059 |
| Storm Water Drainage Management | 55,011,250 |
| Sustainable Development and Construction | 25,262,223 |
| Water Utilities | 595,314,797 |
| WRR - Municipal Radio | 2,379,435 |
| 911 System Operations | 19,758,165 |
| **ENTERPRISE/INTERNAL SERVICE/ OTHER FUNDS TOTAL** | **$963,702,597 [~~$947,479,495~~]**" |

SECTION 2. That Section 3 of Ordinance No. 29146 (2013-2014 FY Operating Budget Appropriation Ordinance), passed by the city council on September 18, 2013, is amended by making adjustments to fund appropriations for fiscal year 2013-14 for maintenance and operation of various departments and activities, to read as follows:

"SECTION 3. That the city manager is hereby authorized, upon written notice to the city controller, to make the following adjustments:

(1) Reduce the allowed expenditures of departments or activities if, in the judgment of the city manager, actual or probable receipts are less than the amount estimated and appropriated for expenditures.

(2) Transfer appropriations budgeted for one account classification or activity to another within any individual department or activity listed in Section 1.

(3) Transfer internal service fund equity from unanticipated excesses to contributing funds.

(4) Transfer appropriations from the Salary and Benefit Reserve to any individual department or activity listed in Section 1, to be used for salaries and benefits.

(5) Transfer funds, not to exceed $20,221,639, from the Convention Center Operating Fund 0080, Department CCT, Unit 7840, Object 3870 to the 2009 Convention Center Debt Service Fund 0980, Department CCT, Unit P505, Revenue Source 9219 for the payment of debt service on Series 2009 Revenue Refunding and Improvement Bonds for improvements to the Dallas Civic Center Convention Complex.

(6) Transfer funds, not to exceed $11,531,029 [~~$5,088,372~~], from the General Fund 0001, Department BMS, Unit 1996, Object 3621 to the Liability Reserve Fund 0192, Department ORM, Unit 3890, Revenue Source 8525 for payment of small and large claims against the city.

(7) Transfer funds, not to exceed $250,000, from the Municipal Radio Fund 0140, Department OCA, Unit 1068, Object 3690 to the Arts Endowment Fund 0371, Department OCA, Unit 6732, Revenue Source 9201 to support the arts.

(8) Transfer funds, not to exceed $10,200,000, to the General Fund 0001, Department BMS, Unit 1995, Revenue Source 9201 from the Sports Arena Lease Fund 0A71, Department CCT, Unit 8851, Object 3690 to support general fund operations.

(9) Transfer funds, not to exceed $22,970,000, from the Water Utilities Operating Fund 0100, Department DWU, Unit 7015, Object 3690 in the amounts not to exceed $10,600,000 to the Public/Private Partnership Fund 0352, Department ECO, Unit P151, Revenue Source 8219 and $12,370,000 to the

General Fund 0001, Department BMS, Unit 1991, Revenue Source 9201, as payment in lieu of taxes by the water utilities department to support economic initiatives of the city.

(10) Transfer funds, not to exceed $1,000,000, from the General Fund 0001, Department SAN, Unit 3581, Object 3690 to the Sanitation Capital Improvement Fund 0593, Department SAN, Unit P309, Revenue Source 9201 for capital improvements for the McCommas Bluff Landfill.

(11) Transfer funds, not to exceed $500,000, from the Information Technology Operating Fund 0198, Department DSV, Unit 1667, Object 3690 to the Information Technology Equipment Fund 0897, Department DSV, Unit 3717, Revenue Source 9201 for information technology servers, storage, and related software and hardware.

(12) Transfer funds, not to exceed $930,000, from Public Market Fund 0003, Department CCT, Unit 8027, Object 3690 to the Farmer's Market Area Infrastructure Fund 0632, Department ECO, Unit 1737, Revenue Source 9201 for future improvements to the Farmer's Market Area.

(13) Transfer and administer gifts and bequests to the city in accordance with the terms and conditions accompanying the gifts or bequests and, for this purpose, the appropriation of donated amounts is hereby made."

SECTION 3. That the city manager is hereby authorized, upon written notice to the city controller, to transfer funds to make the adjustments to appropriations set forth in this ordinance.

SECTION 4. That it is the intent of the city council, by passage of this ordinance, to appropriate the funds for the city departments and activities. No office or position is created by the appropriation.

SECTION 5. That Ordinance No. 29146 will remain in full force and effect, save and except as amended by this ordinance.

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

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

8/28/2014

ORDINANCE NO. _____

An ordinance amending Ordinance No. 29147 (2013-2014 FY Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for fiscal year 2013-14 for public improvements to be financed from bond funds and other revenues of the City of Dallas and to authorize the city manager to implement those adjustments; providing a saving clause; and providing an effective date.

WHEREAS, on September 18, 2013, the city council passed Ordinance No. 29147, which adopted the capital budget appropriation ordinance for fiscal year 2013-2014; and

WHEREAS, shortages and excesses in various project appropriations have created a need to adjust those appropriations and to establish new appropriations; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 4, of the Dallas City Charter to transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose to any other department, division, or purpose, upon the written recommendation of the city manager; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 5, of the Dallas City Charter to appropriate, from time to time, excess revenues of the city to such uses as will not conflict with any uses for which such revenues specifically accrued; Now, therefore,

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

SECTION 1. That Section 2 of Ordinance No. 29147 (2013-2014 FY Capital Budget Appropriation Ordinance), passed by the city council on September 18, 2013, is amended by

making adjustments to fund appropriations for fiscal year 2013-14 for public improvements to be financed from bond funds and other revenues of the City of Dallas, to read as follows:

"SECTION 2. (a) That the following amounts are hereby appropriated from the funds indicated for the projects listed in the FY 2013-14 Capital Budget:

**CAPITAL FUNDS**

| | |
|---|---|
| From the Aviation Capital Construction Fund (0131) | 10,679,724 [~~5,125,843~~] |
| From the Capital Assessment Fund (L003) | 621,542 |
| From the Capital Construction Fund (0671) | 5,180,000 |
| From the Capital Gifts and Donations Fund (0530) | 937,460 |
| From the Cedars Tax Increment Financing District Fund (0033) | 411,347 |
| From the Cityplace Tax Increment Financing District Fund (0030) | 101,726 |
| From the City Center Tax Increment Financing District Fund (0035) | 2,635,115 |
| From the City Hall, City Service and Maintenance Facilities Fund (2T60) | 6,783,659 |
| From the Convention Center Capital Construction Fund (0082) | 2,000,000 |
| From the Cultural Arts Facilities Fund (2T49) | 9,019 |
| From the Cypress Waters Tax Increment Financing District Fund (0066) | 70,448 |
| From the Davis Garden Tax Increment Financing District Fund (0060) | 213,529 |
| From the Deep Ellum Tax Increment Financing District Fund (0056) | 494,842 |

| | |
|---|---|
| From the Design District Tax Increment Financing District Fund (0050) | 2,378,290 |
| From the Downtown Connection Tax Increment Financing District Fund (0044) | 13,595,118 |
| From the Economic Development and Housing Development Programs Fund (2U52) | 13,750,000 |
| From the Economic Development and Housing Development Programs Fund (2U53) | 7,000,000 |
| From the Farmers Market Tax Increment Financing District Fund (0036) | 928,572 |
| From the Farmers Market Improvements Fund (1T40) | 3,488,042* |
| From the Flood Protection and Storm Drainage Facilities Improvement Fund (2U23) | $93,372,426 [~~91,962,225~~] |
| From the Fort Worth Avenue Tax Increment Financing District Fund (0058) | 270,587 |
| From the General Capital Reserve Fund (0625) | 8,477,109 |
| From the Land Acquisition under the Land Bank Program for the Development of Low and Moderate Single Family Homes Fund (2T10) | 750,000 |
| From the Library Facilities Improvement Fund (2T42) | 2,984,184 |
| From the Major and Citywide Park and Recreation Facilities Fund (3R00) | 864 |
| From the Major and Citywide Park and Recreation Facilities Fund (4R00) | 453 |
| From the Major and Citywide Park and Recreation Facilities Fund (5R00) | 1,469 |

**** An increase to $1,912,322 was previously approved by Resolution No. 14-1019.***

| | |
|---|---|
| From the Major and Citywide Park and Recreation Facilities Fund (5R05) | 63,464 |
| From the Major and Citywide Park and Recreation Facilities Fund (6R00) | 3,619 |
| From the Major and Citywide Park and Recreation Facilities Fund (6R05) | 179,132 |
| From the Maple/Mockingbird Tax Increment Financing District Fund (0064) | 468,206 |
| From the Neighborhood Park, Playground, and Recreational Facilities Improvement Fund (0M05) | 64 |
| From the Neighborhood Park, Playground, and Recreational Facilities Improvement Fund (0N05) | 136 |
| From the Oak Cliff Gateway Tax Increment Financing District Fund (0034) | 1,431,709 |
| From the Park and Recreation Facilities Fund (2T00) | 5,600,771 [~~2,112,729~~]** |
| From the Park and Recreation Facilities Fund (6T00) | 1,420 |
| From the Park and Recreation Facilities Fund (7T00) | 43,129 |
| From the Park and Recreation Facilities Fund (8T00) | 50,247 |
| From the Park and Recreation Facilities Fund (9T00) | 958,565 |
| From the Park, Playground, Recreation and Community Facilities Improvement Fund (0P00) | 514 |
| From the Park, Playground, Recreation and Community Facilities Improvement Fund (1P00) | 480 |
| From the Park, Playground, Recreation and Community Facilities Improvement Fund (8P00) | 1,149 |
| From the Park, Playground, Recreation and Community Facilities Improvement Fund (9P00) | 8,186 |
| From the Public/Private Partnership Fund (0352) | 10,600,000 |

***** An increase to $3,448,042 was previously approved by Resolution No. 14-0452.***

| | |
|---|---|
| From the Public Safety Facilities including Police Facilities, Fire Facilities, and Emergency Warning Systems Fund (2T33) | 4,345,600 |
| From the Skillman Corridor Tax Increment Financing District Fund (0052) | 1,182,075 |
| From the Southwestern Medical Tax Increment Financing District Fund (0046) | 655,580 |
| From the Sports Arena Tax Increment Financing District Fund (0038) | 3,442,548 |
| From the State-Thomas Tax Increment Financing District Fund (0032) | 86,363 |
| From the Storm Water Drainage Management Capital Construction Fund (0063) | 11,527,935 [~~9,027,935~~] |
| From the Street and Transportation Improvement Fund (2T22) | 67,318,104*** |
| From the Street and Transportation Improvement Fund (2U22) | 40,030,272 |
| From the Transit Oriented Development Tax Increment Financing District Fund (0062) | 780,507 |
| From the Trinity River Corridor Project Fund (2P14) | 18,092,847 |
| From the Vickery Meadow Tax Increment Financing District Fund (0048) | 1,471,663 |
| From the Wastewater Capital Construction Fund (0103) | 12,130,000 |
| From the Wastewater Capital Improvement Fund (0116) | 42,200,000 |
| From the Wastewater Capital Improvement Fund (1180) | 19,000,000 |

****** A decrease to $1,912,322 was previously approved by Resolution No. 14-1019. This ordinance restores the appropriation to the amount approved by Ordinance 29147.***

| | |
|---|---|
| From the Wastewater Capital Improvement Fund (2116) | 20,535,000 |
| From the Water and Wastewater Public Art Fund (0121) | 233,000 |
| From the Water Capital Construction Fund (0102) | 25,449,000 |
| From the Water Capital Improvement Fund (0115) | 26,287,000 [~~126,287,000~~] |
| From the Water Capital Improvement Fund (1170) | 51,278,000 |
| From the Water Capital Improvement Fund (2115) | $100,000,000 |
| From the Woodall Rodgers Development Fund (WR06) | 29,137 |
| From the 2014 Master Lease - Equipment Fund (ML14) | 28,062,526 |
| From the 1995 General Obligation Bond Refunding Fund (0L99) | 107,914 |
| From the 1995 General Obligation Bond Refunding Fund (0M99) | 36,794 |
| From the 1995 General Obligation Bond Refunding Fund (0N99) | 347,866 |
| From the 1995 General Obligation Bond Refunding Fund (0Y99) | 129 |
| From the 1997 Certificates of Obligation Arbitrage Rebate Fund (0557) | 75 |
| From the 1998 General Obligation Bond Arbitrage Rebate Fund (8P99) | 254,710 |
| From the 1999 General Obligation Bond Arbitrage Rebate Fund (9P99) | 337,560 |

| | |
|---|---|
| From the 2000 Certificates of Obligation Arbitrage Rebate Fund (0537) | 95,809 |
| From the 2000 General Obligation Bond Arbitrage Rebate Fund (0P99) | 41,266 |
| From the 2005 Certificates of Obligation Arbitrage Rebate Fund (0596) | 16,385 |
| From the 2010 General Obligation Pension Bond Refunding Fund (0630) | 24,716 |
| From the 2010 General Obligation Bond Refunding Fund (0631) | 238,038 |
| From the 2012 General Obligation Bond Refunding Fund (0634) | 92,946 |
| From the 2013 General Obligation Bond Refunding Fund (0674) | 185,123 |
| From the Equipment Acquisition Note Arbitrage Rebate Fund (0518) | 1,672 |
| From the Equipment Acquisition Note Arbitrage Rebate Fund (0527) | 22,008 |
| From the Equipment Acquisition Note Arbitrage Rebate Fund (0546) | 13,461 |
| From the Equipment Acquisition Note Arbitrage Rebate Fund (0548) | 72 |
| From the Equipment Acquisition Note Arbitrage Rebate Fund (0594) | 21 |
| From the Equipment Acquisition Note Arbitrage Rebate Fund (0597) | 132,366 |
| **CAPITAL FUNDS TOTAL** | **$672,632,404 [~~$654,243,307~~]** |

(b) That the following amounts are hereby appropriated from the funds indicated for payment of the FY 2013-14 Debt Service Budget:

**DEBT SERVICE FUNDS**

| | |
|---|---|
| From the General Obligation Debt Service Fund (0981) | 234,511,248 |
| **DEBT SERVICE FUNDS TOTAL** | **$234,511,248** |

(c) That these appropriations and all previous appropriated funds for these projects remain in force until each project is completed or terminated.

(d) That the appropriations listed in Subsections (a) and (b) may be increased by city council resolution upon the recommendation of the city manager."

SECTION 2. That Section 4 of Ordinance No. 29147 (2013-2014 FY Capital Budget Appropriation Ordinance), passed by the city council on September 18, 2013, is amended by making adjustments to fund appropriations for fiscal year 2013-14 for public improvements to be financed from bond funds and other revenues of the City of Dallas, to read as follows:

"SECTION 4. That the city manager is authorized upon written notice to the city controller to make the following adjustments:

(1) Transfer amounts from one project appropriation to another within the same fund, provided that the total appropriation for each fund is not exceeded by this action.

(2) Decrease appropriation of any fund described in Section 2 to reduce expenditures within the fund when, in the judgment of the city manager, actual or probable receipts are less than the amount estimated and appropriated for expenditures.

(3) Transfer funds, not to exceed $1,485,000, to the General Fund 0001, in the amounts of $30,000 from the Cityplace Tax Increment Financing District Fund 0030; $15,000 from the State-Thomas Tax Increment Financing

District Fund 0032; $75,000 from the Cedars Tax Increment Financing District Fund 0033; $55,000 from the Oak Cliff Gateway Tax Increment Financing District Fund 0034; $120,000 from the City Center Tax Increment Financing District Fund 0035; $100,000 from the Farmers Market Tax Increment Financing District Fund 0036; $120,000 from the Sports Arena Tax Increment Financing District Fund 0038; $225,000 from the Downtown Connection Tax Increment Financing District Fund 0044; $50,000 from the Southwestern Medical Tax Increment Financing District Fund 0046; $75,000 from the Vickery Meadow Tax Increment Financing District Fund 0048; $75,000 from the Design District Tax Increment Financing District Fund 0050; $75,000 from the Skillman Corridor Tax Increment Financing District Fund 0052; $50,000 from the Deep Ellum Tax Increment Financing District Fund 0056; $100,000 from the Fort Worth Avenue Tax Increment Financing District Fund 0058; $100,000 from the Davis Garden Tax Increment Financing District Fund 0060; $100,000 from the Transit Oriented Development Tax Increment Financing District Fund 0062; $50,000 from the Maple/Mockingbird Tax Increment Financing District Fund 0064; and $70,000 from the Cypress Waters Tax Increment Financing District Fund 0066, for reimbursement of tax increment financing administration costs.

(4) Transfer funds, not to exceed $100,000, to the General Fund 0001, in the amounts of $75,000 from the Neighborhood Park, Playground, and Recreational Facilities Improvement Fund 6R05 and $25,000 from the Park and Recreation Facilities Fund 8T00, for reimbursement as needed for engineering,

project coordination, inspection, survey, and other activities associated with the implementation of the 2003 and 2006 bond programs.

(5) Transfer funds, not to exceed $660,901, to the General Fund 0001, from the Trinity River Corridor Project Fund 6P14, for reimbursement as needed for engineering, project coordination, inspection, survey, and other activities associated with the implementation of the 1998 bond program.

(6) Transfer funds, not to exceed $54,812,000 [~~$37,812,000~~] from the Water Utilities Operating Fund 0100, in the amounts of $33,949,000 [~~$25,449,000~~] to the Water Capital Construction Fund 0102; $20,630,000 [~~$12,130,000~~] to the Wastewater Capital Construction Fund 0103; and $233,000 to the Water and Wastewater Public Art Fund 0121, for projects listed in the FY 2013-14 Capital Budget.

(7) Transfer funds, not to exceed $4,962,497, to the General Obligation Debt Service Fund 0981 from the Storm Water Drainage Management Operating Fund 0061 for payment of the 2004 and 2005 Certificates of Obligation for compliance with the municipal separate sewer system (MS4) permit, and the 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2007A, 2008, 2010, and 2012 general obligation bonds for flood protection and storm drainage facilities.

(8) Transfer funds, not to exceed $7,500,000 [~~$5,000,000~~], from the Storm Water Drainage Management Operating Fund 0061 to the Storm Water Drainage Management Capital Construction Fund 0063, for projects listed in the FY 2013-14 Capital Budget.

(9) Transfer funds, not to exceed $3,404,093, to the General Obligation Debt Service Fund 0981 from the General Fund 0001 for payment of the 2010 Equipment Acquisition Notes and the 2010 Certificates of Obligation for sanitation collection and fleet replacement and for payment of the 2003 General Obligation Bonds for flood protection and storm drainage facilities for the McCommas Bluff Landfill.

(10) Transfer funds, not to exceed $1,174,782, to the General Obligation Debt Service Fund 0981 from the Information Technology Operating Fund 0198 for payment of the 2010 Certificates of Obligation for technology enhancements.

(11) Transfer funds, not to exceed $90,459, to the General Obligation Debt Service Fund 0981 from the Fleet Services Fund 0196 for payment of the 2010 Certificates of Obligation for fleet replacement.

(12) Transfer funds, not to exceed $922,103, to the General Obligation Debt Service Fund 0981 from the Courts Technology Fund 0401 for payment of the 2010 Equipment Acquisition Notes for the court case management system.

(13) Transfer funds, not to exceed $3,297,109, to the General Fund 0001 from the General Capital Reserve Fund 0625 for the purpose of general fund operating and maintenance costs.

(14) Transfer funds, not to exceed $5,180,000, to the Capital Construction Fund 0671 from the General Capital Reserve Fund 0625 for the purpose of capital improvements to and maintenance and repair of city facilities.

(15) Transfer funds, not to exceed $10,679,724 [~~$5,125,843~~], from the Aviation Operating Fund 0130 to the Aviation Capital Construction Fund 0131 for projects listed in the FY 2013-14 Capital Budget.

(16) Transfer funds, not to exceed $1,493,276, to the General Obligation Debt Service Fund 0981 from the Convention Center Operating Fund 0080 for payment of the 2008 Certificates of Obligation for the acquisition of land for the convention center hotel development project.

(17) Transfer funds, not to exceed $3,150,000, from the Convention Center Operating Fund 0080 to the Convention Center Capital Construction Fund 0082 for projects listed in the FY 2013-14 Capital Budget.

(18) Transfer funds, not to exceed $31,625,955.10, to the General Obligation Debt Service Fund 0981 from any general government, internal service, or enterprise fund incurring civilian payroll costs based on the pro-rata allocation of the actual civilian payroll costs incurred during fiscal year 2013-14 for payment of debt service on the Pension Obligation Bonds Series 600, 601, and 632."

(19) Transfer funds, not to exceed $1,515,896, to the General Obligation Debt Service Fund 0981 from unspent proceeds related to the cost of issuance of General Obligation Bonds Series 631, 632, 637, and 638B from Funds 0634, 0674, 0630, and 0631 and from the unspent balances of Arbitrage Rebate Funds 056B, 0594, 0518, 0546, 0596, 0548, 0527, 0P99, 0537, 0597, 8P99, 0L99, 0557, 0Y99, 0M99, 9P99, and 0N99."

SECTION 3. That the city manager is hereby authorized, upon written notice to the city controller, to transfer funds to make the adjustments to appropriations set forth in this ordinance.

SECTION 4. That Ordinance No. 29147 will remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

**AGENDA ITEM # 11**

| | |
|---|---|
| **KEY FOCUS AREA:** | Economic Vibrancy |
| **AGENDA DATE:** | September 10, 2014 |
| **COUNCIL DISTRICT(S):** | Outside City Limits |
| **DEPARTMENT:** | Office of Management Services<br>Intergovernmental Services |
| **CMO:** | A. C. Gonzalez, 670-3302<br>Jeanne Chipperfield, 670-7804 |
| **MAPSCO:** | N/A |

## SUBJECT

Authorize approval of the FY 2014-2015 Dallas/Fort Worth International Airport Board Annual Budget - Financing: No cost consideration to the City

## BACKGROUND

In accordance with the contract and agreement between the owner cities of Dallas and Fort Worth, The Dallas/Fort Worth International Board is required to submit its annual budget to the owner cities by August 15th for approval by September 30th of each year.

## PRIOR ACTIONS/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Dallas/Fort Worth International Board submitted its budget to the Dallas City Secretary's office for approval on August 14, 2014.

The Dallas City Council is scheduled to be briefed on September 3, 2014.

## FISCAL INFORMATION

No cost consideration to the City.

September 10, 2014

**WHEREAS**, the Dallas/Fort Worth International Airport ("the Airport") serves the aviation needs of the owner cities of Dallas and Fort Worth; and

**WHEREAS**, the Dallas/Fort Worth International Airport Board ("the Board") presented the 2014-2015 Annual Budget to the City Council of the City of Dallas for its approval in accordance with the Contract and Agreement between the cities of Dallas and Fort Worth, dated April 15, 1968, as amended, which established the Board as the operating Board of Directors for the Airport;

**Now, Therefore,**

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

**SECTION 1.** That the City Council hereby approves the 2014-2015 Dallas/Fort Worth International Airport Board Annual Budget, attached hereto as **Exhibit A**.

**SECTION 2.** That the approvals and authorization contained in this resolution are further conditioned upon similar approvals by the City Council of the City of Fort Worth.

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

DALLAS/FORT WORTH
INTERNATIONAL AIRPORT

# EXHIBIT A
# FY 2015 ADOPTED BUDGET

Finance Department
P.O. Box 619428
DFW Airport, Texas 75261-9428

# INTRODUCTION

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## DFW's Vision Statement

"DFW International Airport - Connecting the World"

## Board of Directors

**Lillie M. Biggins**
Board Chair
Fort Worth

**Sam Coats**
Vice Chair
Dallas

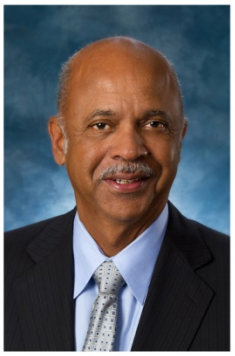
**Francisco Hernandez**
Secretary
Fort Worth

**Mayor**
**Mike Rawlings**
Dallas

**Mayor**
**Betsy Price**
Fort Worth

**William Meadows**
Fort Worth

**Regina Montoya**
Dallas



**Curtis E. Ransom**
Dallas

**Forrest Smith**
Dallas

**William Tsao**
Dallas

**Bernice J. Washington**
Dallas

**Mayor**
**Beth Van Duyne**
Irving

## DFW's Mission Statement

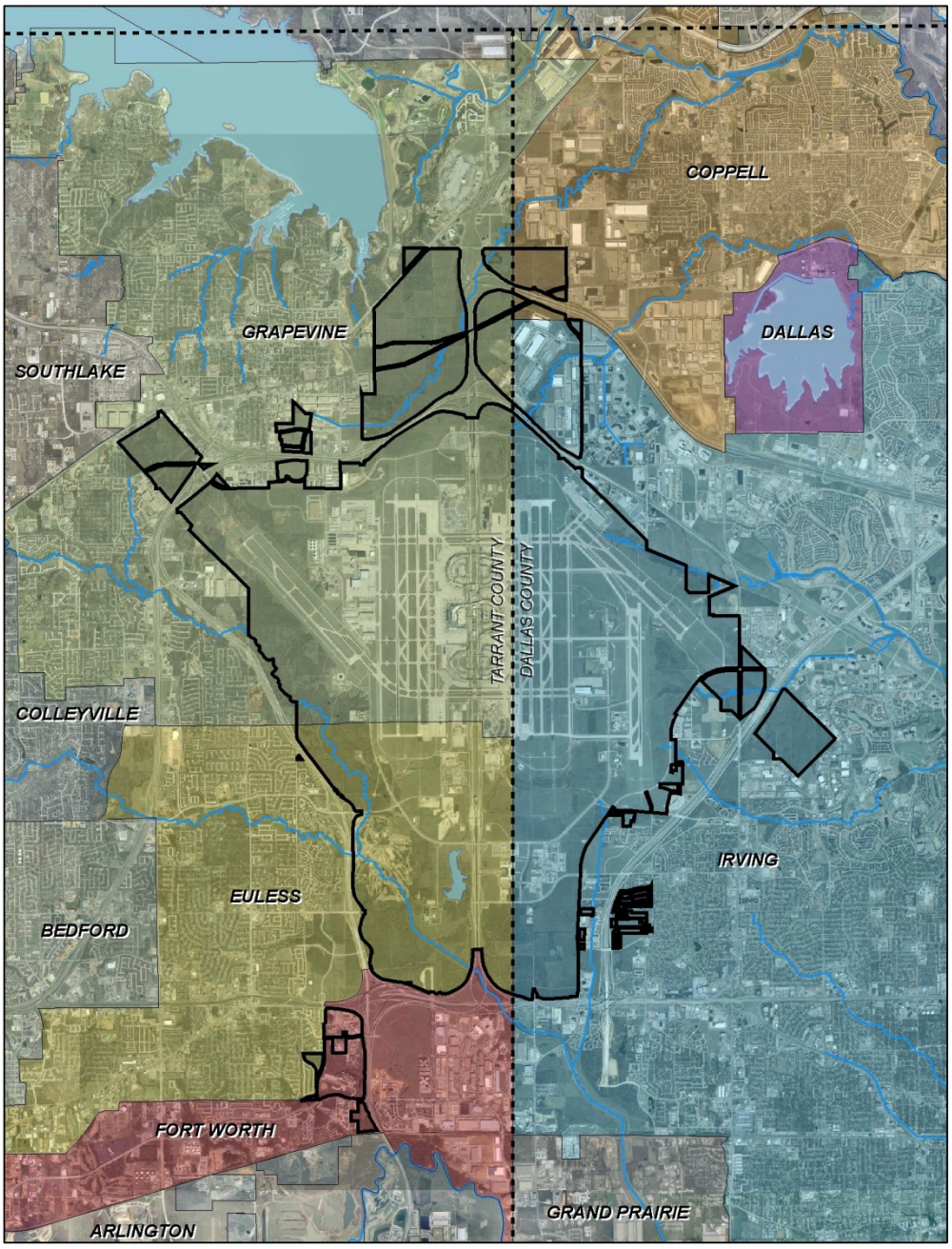
DFW International Airport will provide
our customers outstanding facilities and services,
expanding global access and economic benefits to those we serve.

## DFW's Primary Business Goal

Grow the core business of domestic and international passenger
and cargo airline service.

## Airport Background

The Dallas/Fort Worth International Airport (the "Airport" or "DFW") was created by a "Contract and Agreement" between the cities of Dallas, Texas, and Fort Worth, Texas ("the Cities") on April 15, 1968 for the purpose of developing and operating an airport as a joint venture between the Cities. Although owned by Dallas and Fort Worth, DFW is located within the boundaries of the Cities of Grapevine, Coppell, Irving, Euless, and Fort Worth; and within Dallas and Tarrant Counties.




Source: DFW Airport Information Technology Services/GIS Group

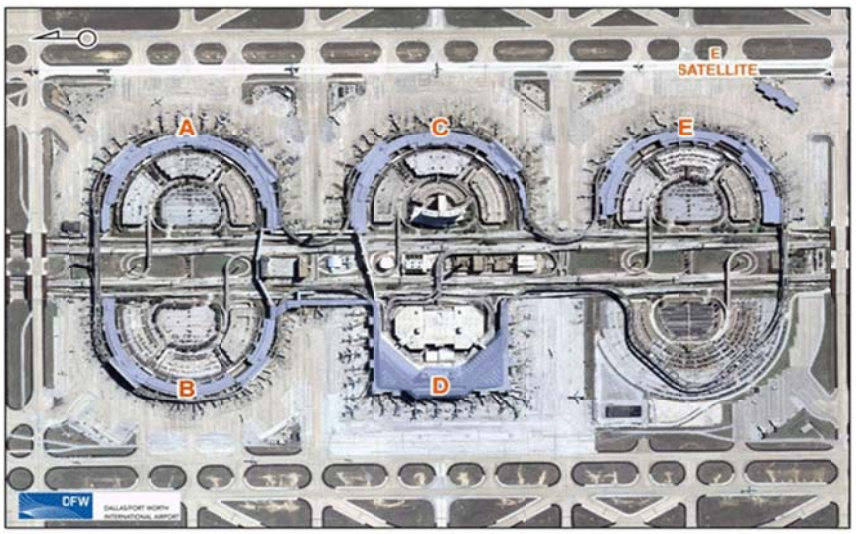
DFW is a located within a four-hour flight time of 95% of the U.S. population and currently ranks third among the world's busiest airports in terms of operations and eighth in terms of passengers. Its central location is the focal point of one of the nation's largest intermodal hubs, connecting air, rail, and interstate highway systems. DFW currently operates daily passenger flights to 203 destinations worldwide, including 147 nonstop domestic destinations and 56 nonstop international destinations. There are 23 passenger carriers and 18 cargo carriers serving DFW. The Airport is recognized as a premier inland cargo hub, served by major international cargo carriers. According to a study conducted by The University of Texas in Denton (UNT), DFW is the primary economic engine for North Texas, driving $31 billion of economic impact, supporting 143,000 jobs, and generating $9.0 billion in payroll annually.

## DFW Infrastructure

**Airfield** – DFW has more airfield operational capacity than any airport in the United States with 7 runways: 5 north/south parallels and 2 diagonals. Four of DFW's runways are 13,400 feet in length. DFW is focused on the future and preparing to handle next generation aircraft, including the Airbus A380. Per FAA benchmark studies, the Airport's designated hourly capacity arrival/departure flow is approximately 186-193 aircraft operations per hour under reduced instrument flight conditions and approximately 270-279 aircraft operations per hour under optimum visual flight conditions, a condition that prevails approximately 94% of the time. DFW estimates it is using close to 60% of its aircraft operation capacity at this time

**Terminals** – DFW has 5 terminals (A, B, C, D, and E) totaling 6.3 million square feet of building space, including 165 aircraft boarding gates(10 of the gates are newly constructed gates at Terminal B), 337 ticketing positions with supporting self-service kiosks, and 15 security checkpoints. As of June 30, 2014, 17 of the gates were closed for renovation as part of the Terminal Renewal and Improvement Program (TRIP). Collectively, the airlines averaged 6.7 turns per active gate for the first six months of FY 2014.

## DFW Terminal Complex




American Airlines operates domestic service and international departures in Terminals A and C, and both domestic and international service in Terminal D. Envoy Aviation Group f/k/a American Eagle ("Envoy") operates domestic and international service in Terminals B and D.

All other domestic flights and certain Canadian pre-cleared flights operate from Terminal E. All international flights requiring U. S. Customs and Immigration clearance operates from DFW's Terminal D and B. Terminal D has 2.2 million of square feet and 27 gates. All terminal gate leases expire September 30, 2020 per the terms of the Airline Lease and Use Agreement which became effective on October 1, 2010. DFW's Federal Inspection Service (FIS) facilities are located in Terminal D. The Airport's FIS facility is approximately 406,000 square feet with 36 inspection booths, 54 automated passport control kiosks, and 8 baggage carousels.

DFW is responsible for all of the janitorial and facility maintenance in Terminals B, D and E, and baggage maintenance in Terminals B and E. Most of the maintenance and janitorial functions are contracted out to third parties. Costs associated with maintenance of these facilities are included in DFW's operating budget. American Airlines is responsible for the majority of the facilities maintenance, custodial services, and all of the jet bridge and baggage maintenance in Terminals A and C. In Terminal D, American Airlines maintain their preferentially leased jet bridges and the entire baggage system for the terminal. The cost of these maintenance activities are paid directly by American Airlines and not included in DFW's budget or financial statements.

**Transit System** – DFW's people mover system (Skylink) transports passengers and employees between terminals on the secure side. DFW operates 16 to 24 fully automated cars on Skylink during normal operations. Skylink cars circle the 5 terminals in 2 directions, and trains arrive an average of every 2 minutes at each terminal. There are 2 Skylink stations in each terminal. The average customer ride is about 5 minutes. DFW also uses buses to transport passengers and employees between terminals on the non-secure side, as well as to the Grand Hyatt Hotel, parking lots and the Rental Car Center (RAC). DFW uses 29 buses to shuttle passengers between the terminals and Grand Hyatt (Terminal Link); 62 buses between remote and express parking lots and the terminals; 5 buses for various DFW activities and service between the Trinity Railway Express Centerpoint station and the terminals; 32 buses between employee parking lots and the terminals; and 54 buses between the terminals and the RAC.

**Airport Operations Center/Emergency Operations Center (AOC/EOC)** – The Airport Operations Center/Emergency Operations Center (AOC/EOC) and DPS 911 Dispatch Center serves as a single point of contact to centralize communications for DFW's passengers, guests, tenants, employees, and contractors with the emphasis Communication, Collaboration and Coordination (C3). This includes the 9-1-1 call management of police, fire and emergency medical response teams and 3-1-1 non-emergency services. The AOC/EOC/911 facility is the fusion/correlation center that provides Executive Management and aviation stakeholders with the situational awareness needed to efficiently and quickly manage Airport Board resources and partner with aviation stakeholders when responding not only to routine/daily infrastructure deficiencies, but also irregular operations and emergency incidents. The combined facility handles an average of 31,600 calls per month and generates an average of 3,160 work orders per month.

## DFW Controlling Documents

In addition to the Contract and Agreement between the Cities, DFW is governed by several other key documents, including the 30th Supplemental Bond Ordinance which modified the original 1968 Concurrent Bond Ordinance (collectively called the Bond Ordinances); and the Use Agreements between DFW and the Signatory Airlines. Collectively, these agreements are called the Controlling Documents.

The Controlling Documents define how DFW manages its business affairs. DFW does not collect any local tax revenue to fund its operations. The Controlling Documents require that Gross Revenues of the Airport be deposited into the "102 Revenue and Expense Fund" (102 Fund). Gross Revenues are defined as all Airport revenues and receipts except: bond proceeds; Passenger Facility Charge (PFC) proceeds used to fund capital projects (rather than for debt service); interest earned on unspent bonds; proceeds in the Capital Accounts; PFC receipts; grant proceeds used to fund capital projects; and sale of land or mineral rights, including natural gas royalties.

## Strategic Plan

DFW updated its Strategic Plan in FY 2012 keeping the same overall structure as its previous Plan, but with some change in strategic focus on:

- The initiation of the 8-year, $2.1 billion Terminal Renewal and Improvement Program (TRIP) to renovate and modernize our 4 older terminals.
- The impact of global airline alliances on airline and airport competition, and DFW's increased focus on becoming the most preferred "Super Global Hub" in the world.
- A 10–year Airline Use Agreement that redefines DFW's business model and relationship with the airlines.
- An increased emphasis on becoming a "business partner' with airlines and contractors to provide superior services to DFW's passenger guests.
- An expanded definition of DFW's primary customer groups beyond the passenger to include airlines and tenants.
- A critical shift in focus - that all DFW's employees either directly or indirectly support our customers.
- A financial plan that establishes DFW's financial targets through FY 2020, to be updated annually.

The Strategic Plan is a critical document that includes DFW's Vision and Mission Statements and identifies the critical strategies to achieve DFW's Primary Business Goal of growing the core business of domestic and international passenger and cargo airline service. DFW takes a balanced approach to its Strategic Plan. Management focuses its Key Drivers/Results of being cost competitive, satisfying the customer, and achieving operational excellence, through engaged employees. A copy of DFW's full Strategic Plan is available at www.dfwairport.com. A schematic of the DFW Strategic Plan follows:

## Airline Use Agreement Rate Model

The Use Agreement is a hybrid model, whereby the Signatory Airlines pay landing fees and terminal rentals based on the net cost to provide those services, and DFW retains a portion of the net revenues from non-airline business units (e.g., parking) in the DFW Cost Center (DFW CC). The following chart is a summary of the current Airline Use Agreement rate model:

**Operating Revenue and Expense Fund (the "102 Fund)**

**Airline Cost Centers**

| Airfield | Terminal |
|---|---|
| Expenses | Expenses |
| Direct Costs | Direct Costs |
| DPS and Overhead Allocations | DPS and Overhead Allocations |
| Debt Service (net of PFCs) | Debt Service (net of PFCs) |
| Less: Misc Airfield Revenues | Less: Misc. Terminal Rentals |
| General Aviation | Federal Inspection Fees |
| Fueling Facility Lease | Turn Fees; TSA Rentals |
| | Concessions Reimbursements |
| +/- Transfers/Adjustments | +/- Transfers/Adjustments |
| - Lower Threshold Adjustment | + DFW Terminal Contribution |
| + Upper Threshold Adjustment | + Annual Capital Transfer |
| +/- True-Up Adjustment | +/- True-Up Adjustment |
| Net Cost = Landing Fees (KPI) | Net Cost = Terminal Rentals (KPI) |

Airline Cost & Airline Cost per Enplanement (KPI)

**DFW Cost Centers**

| DFW |
|---|
| DFW Revenues (Business Units) |
| Parking, Concessions, RAC, |
| Commercial Development, |
| Employee Transp., Taxis, Utilities, and Interest Income |
| Less: Expenses |
| Direct Costs |
| DPS and Overhead Allocations |
| Debt Service (net of PFCs) |
| - Transfers/Other |
| - Skylink Costs |
| - DFW Terminal Contribution |
| KPI = DFW Cost Center Net Revenues |
| +/- Threshold Adjustments |
| +/- True-Up Adjustment |
| Net Revenues to the DFW Capital Account (KPI) |

**Capital Accounts (Capital Improvement Fund)**

| Joint Capital Account | Coverage Account | DFW Capital Account |
|---|---|---|
| + Natural Gas Royalties<br>+ Sale of Land Proceeds<br>- Annual Capital Transfer to the Terminal Cost Center | Funded from existing coverage, plus coverage from New Debt Service from all three cost centers as debt service increases | Funded annually from DFW CC. Contributions must be higher than "Lower Threshold" and cannot exceed the "Upper Threshold." |

**Airline Cost Centers** – The Airline Cost Centers are cost recovery in nature, such that the amount charged to the airlines equals the cost to provide services, after certain adjustments. Landing fees and terminal rental rates are based on the net cost to operate and maintain the airfield and terminals, respectively. DFW charges the direct operating and maintenance costs for the airfield and terminals, plus allocated Department of Public Safety (DPS) and overhead costs, plus debt service, net of Passenger Facility Charges (PFCs), to each cost center; then, subtracts ancillary revenues generated in these cost centers; and credits or charges certain transfers and/or adjustments (see True-Up Adjustments below). The budgeted landing fee rate

is determined by dividing the net cost of the airfield by estimated landed weights. The budgeted average terminal rental rate is determined by dividing the net cost of the terminal cost center divided by leasable square footage. The Use Agreement requires the Airport to charge an equalized terminal rental rate for all 5 terminals.

The amount paid by the airlines for landing fees and terminal rent fees less airline incentive payments equals airline cost, which is an airport industry Key Performance Indicator (KPI). Another common industry KPI is passenger airline cost per enplaned passenger or CPE. This KPI for passenger airlines is calculated by dividing the amount paid by passenger airlines for landing fees and terminal rent fees less airline incentive payments (i.e., collectively, airline cost) by the number of enplanements.

**DFW Cost Center** – All non-airline business units, plus interest income, are included in the DFW Cost Center. The DFW Cost Center is also responsible for all costs associated with the Skylink people mover system per the terms of the Use Agreement. The net revenues from this cost center are transferred to the DFW Capital Account providing the net revenues are not lower than the Lower Threshold or not higher than the Upper Threshold. If either of these occur, then a Threshold or True-Up Adjustment is required. One of DFW's most important KPIs is Net Revenues from the DFW Cost Center. This KPI measures the net revenues generated by DFW's non-airline business units, after adjusting for the cost of Skylink, and drives the amount of cash flow that can be transferred to the DFW Capital Account each year.

**Joint Capital Account** - Funds in the Joint Capital Account (JCA) require DFW and airline approval before money can be spent. The JCA is funded from the proceeds from natural gas royalties and the sale of land, plus interest income on the account. Supplemental funding for projects paid from the JCA comes from grants and the issuance of debt. Per the terms of the Use Agreement, an Annual Capital Transfer (described below) is made from the JCA to the Terminal Cost Center to lower airline cost through FY 2017.

**Coverage Account** – The Airport established the Coverage Account as part of the new Use Agreement in order to implement rolling coverage. It was initially funded from coverage collected in FY 2010 (the last year of the old Use Agreement). Each year, the Coverage Account is rolled into the 102 Fund as a source of revenue, and then transferred back into the Coverage Account as excess revenue at the end of the year. The Coverage Account must equal 25% of aggregate debt service each year. If new debt is issued, each cost center must generate the incremental coverage required to fund 25% of the new debt service. These incremental coverage amounts are collected in the 102 Fund through rates and charges during the fiscal year.

**DFW Capital Account** – This is DFW's discretionary account and is funded primarily from the Net Revenues of the DFW Cost Center, plus interest income. Supplemental funding for projects paid from the DFW Capital Account comes from grants and the issuance of debt. Funds in this account may be used for any legal purpose without prior airline approval.

**Threshold Adjustments** – The Use Agreement established a Lower Threshold and an Upper Threshold for Net Revenues from the DFW Cost Center to limit the amount transferred annually to the DFW Capital Account. If DFW Cost Center Net Revenues are budgeted to be less than the Lower Threshold ($43.4 million in FY 2015), an incremental charge (i.e., a Lower Threshold Adjustment) is collected through landing fees in an amount sufficient to achieve the Lower Threshold amount. Conversely, if DFW Cost Center Net Revenues are budgeted to be greater than the Upper Threshold ($64.9 million in FY 2015), then 75% of the excess is credited to the

Airfield Cost Center as an Upper Threshold Adjustment. This reduces budgeted landing fees. The remaining 25% may be retained in the DFW Cost Center and transferred to the DFW Capital Account at the end of the fiscal year. The benefit of the Lower Threshold Adjustment is that it guarantees that DFW will have a minimum level of cash to transfer to the DFW Capital Account so that DFW can replace assets on a timely basis. Conversely, the Upper Threshold limits the Airport's ability to generate significantly more net revenues and serves to reduce airlines' costs as non-airline revenues increase. It also places a limit on DFW's ability to significantly increase its coverage ratios. The Threshold Amounts are adjusted annually for inflation.

**True-Up Adjustments** – At the end of each fiscal year, DFW performs a reconciliation or true-up, such that revenues collected equal the actual net cost to operate and maintain the airfield and the terminals. Any difference becomes a True-Up Adjustment and is either charged or credited to that cost center in the next fiscal year. The True-Up Adjustments for the Airline Cost Centers are applied back to that cost center the following year beginning in January. DFW Cost Center True-Up Adjustments are applied against landing fees beginning in the following January.

**Annual Capital Transfer** – Per the terms of the Use Agreement, an annual transfer is made from the Joint Capital Account to the Terminal Cost Center to reduce the cost of the terminals to the airlines for a period of 7 years. This transfer was $28 million in FY 2011 (first year of the new Use Agreement) and will be $12 million in FY 2015. The transfer will be reduced by $4 million each year through FY 2017 when it will be eliminated.

**DFW Terminal Contribution** – Per the terms of the Use Agreement, an annual transfer is made from the DFW Cost Center to the Terminal Cost Center to pay for DFW's share of common use and leasable, but unleased space, in Terminals D and E. This amount is $6.4 million in FY 2015.

## DFW's Fund Structure

Although DFW uses the word "fund" to describe the designation of the source and prospective use of proceeds, DFW is an Enterprise Fund and does not utilize traditional fund accounting commonly used by government organizations. The following table summarizes the primary funds used by DFW:

| Number | Fund Description | Primary Use |
|---|---|---|
| 101 | Fixed Assets and Long Term Debt | Capital Assets/Debt |
| 102 | Operating Revenues and Expenses | Operations |
| 252 | Passenger Facility Charges (PFC) | Capital/Debt Service |
| 320s/330s | Joint Capital Account and Bond Funds | Capital/Bond Proceeds |
| 340s | DFW Capital Account | Capital |
| 500-600s | Debt Service and Sinking Funds | Principal and Interest |
| 907/910 | Public Facility Improvement Corporation (PFIC) | Rental Car Facility/Grand Hyatt Hotel |

DFW's financial statements are issued in conformance with Generally Accepted Accounting Principles (GAAP) and include all of DFW's funds, whereas the Annual Budget focuses on revenues and expenses included in the 102 Fund. DFW manages its day-to-day operations primarily through the 102 Fund in accordance with the Controlling Documents.

## Basis of Budgeting

The 102 Fund Budget is commonly called the Operating Budget, but contains elements that are not expenses under GAAP such as debt service, reserve requirements, and certain expenditures that may be capitalized under GAAP.

Capital expenditures are funded through the issuance of Joint Revenue Bonds, grants, PFCs, or through the DFW or Joint Capital Accounts. From a process standpoint, the Board of Directors approves the Operating Revenue and Expense budget. The Board reviews the capital budget during the Annual Budget process and when it reviews the Financial Plan. The Board does approve all contracts associated with capital projects.

## FY 2015 Budget Comparisons to Other Periods

**FY 2014 Budget** – During FY 2014 the Board approved the use of $5.4 million of contingency budgeted outside of the rate base. The FY 2014 Budget as adjusted by contingency is summarized in the following table. Any reference to the FY 2014 Budget in this budget document relates to the FY 2014 Budget, as adjusted by the approved contingency.

| | Millions |
|---|---|
| FY 2014 Approved Budget | $651.3 |
| Approved Changes (and Dates) | |
| Overtime for U.S. Customs & Border Protection (November 7, 2013) | 2.4 |
| Runway Markings (June 5, 2014) | 0.6 |
| Roadway pavement repairs (June 5, 2014) | 0.5 |
| Terrazzo Floor Rejuvenation (June 5, 2014) | 0.5 |
| Incremental Scanning/Shredding Services (June 5, 2014) | 0.2 |
| Roadway Markings and reflective devices (June 5, 2014) | 0.1 |
| Guardrail repairs (June 5, 2014) | 0.1 |
| Machine cleaning of escalator steps pilot (June 5, 2014) | 0.0 |
| Operating Reserve (November 7, 2013) | 0.6 |
| Operating Reserve (June 5, 2014) | 0.5 |
| FY 2014 Budget with approved contingency | $656.7 |

**FY 2014 Outlook** – DFW employs continuous forecasting techniques to project revenues and expenses for the full 12 months of the fiscal year (called the Outlook). Most of the tables and charts in this budget document include FY 2014 Outlook comparisons to provide the best basis for comparison (rather than comparing to the FY 2014 Budget). The detailed Outlook in this Budget Book was developed in a bottoms-up process such that every account was reforecast. This was completed in April 2014.

**Financial Plan** – DFW issued its first 10-year Financial Plan in December 2010 and this plan is updated annually with the latest update in February 2014. This Plan was the basis for the negotiation of the Use Agreement with the airlines and has been linked to DFW's Strategic Plan to establish long-term goals for the KPIs shown in yellow in the DFW Business Model discussed above (Airline Cost, CPE, and Net Revenues from DFW Cost Center). Management's long term goal is to achieve or exceed the targets for these KPIs since this was the basis for the Airline

Use Agreement. Accordingly, comparisons to the Financial Plan for Fiscal Year 2015 are included in this Budget Book. A complete copy of the 2015 Financial Plan is available at www.dfwairport.com.

**Presentation of Amounts and Prior Years Actuals** – The FY 2015 Budget is presented in tables and charts that are rounded to millions and thousands. Some columns and charts may not appear to add-up or foot due to rounding differences. Certain prior year amounts have been reclassified to reflect the FY 2015 presentation.

## Budget Schedule

DFW's fiscal year begins October 1. The FY 2015 Expense Budget was compiled by the various DFW departments in May and then reviewed and modified by Staff in May and June. Presentations were made to representatives of the Signatory Airlines on May 20, and June 04, 2014, with follow-up information provided. A preview of the FY 2015 Budget was presented to the Finance Committee on June 03, 2014. The final recommended Budget was presented to and approved by the Board on July 03, 2014. The FY 2015 Budget must be submitted to the City Managers of Dallas and Fort Worth by August 15, 2014, with approval of the two City Councils by September 30, 2014.

# EXECUTIVE SUMMARY

## FY 2015 Key Performance Indicators

The following table compares the Key Performance Indicators (KPIs) of the FY 2015 Budget with the FY 2014 Outlook and the FY 2014 Financial Plan for FY 2015 (shown as FY 2015 Financial Plan in tables). Each KPI is discussed further below.

| Key Performance Indicators | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs. FY14OL | Increase (Decrease) FY15B vs. FY15FP |
|---|---|---|---|---|---|
| Total 102 Expenditure Budget (Ms) | $646.4 | $736.3 | $724.7 | $78.3 | ($11.6) |
| Airline Costs (Ms) | $260.1 | $322.5 | $315.4 | $55.3 | ($7.1) |
| Airline Cost Per Enplanement (CPE) | $7.76 | $9.66 | $9.29 | $1.53 | ($0.37) |
| DFW Cost Center Net Revenues (Ms) | $96.5 | $88.7 | $103.2 | $6.7 | $14.5 |
| Total Passengers (Ms) | 61.5 | 61.8 | 62.6 | 1.1 | 0.8 |
| Total Landed Weights (Bs) | 39.4 | 38.8 | 40.1 | 0.7 | 1.3 |

## FY 2015 Budget Comparisons and Walkforward

The following table compares the Annual 102 Fund Budget (FY 2015 Budget) with the FY 2014 Outlook, the FY 2014 Budget, and FY 2015 Financial Plan. The Budget is comprised of operating expenses and debt service. The FY 2015 Budget is $724.7 million, a $78.3 million (12.1%) increase over the FY 2014 Outlook, but $11.6 million (1.6%) less than projected for FY 2015 in the latest Financial Plan. Consistent with prior years, the Budget request also includes an amount of contingency outside the rate base. This contingency may only be accessed with Board approval. The major increases in the FY 2015 Budget as compared to the FY 2014 Outlook result from debt service related to the Terminal Renewal and Improvement Program and an incremental $5.9 million for customer service enhancements. Excluding these two items, the FY 2015 budget is increasing only 2.0%.

| Annual Budget (Millions) | FY14 Budget | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs FY14OL | Increase (Decrease) FY15B vs FY15FP |
|---|---|---|---|---|---|---|
| Operating Expenses | $374.2 | $372.7 | $387.0 | $391.4 | $18.7 | $4.4 |
| Gross Debt Service | 282.5 | 273.7 | 349.3 | 333.3 | 59.6 | (16.0) |
| Total 102 Fund Expenditures | $656.7 | $646.4 | $736.3 | $724.7 | $78.3 | ($11.6) |
| Contingency O/S Rate Base | | | | 10.0 | | |
| Total Budget w/ Contingency | | | | $734.7 | | |

During the budget process, the planned activity for FY 2015 is reviewed and aligned with DFW's overall Strategic Plan. Below are some assumptions that were used in preparing the FY 2015 Budget.

**Grow the Core Business** Total passenger traffic is budgeted to be 62.6 million (a record), a 0.7 million (1.8%) increase over the FY 2014 Outlook. This compares to a projected 1% increase in the Financial Plan. This growth is lower than recent years' growth of 2 to 3 percent due to the expected impact of the expiration of the Wright Amendment at Love Field. DFW expects a 0.6% decrease in origin and destination passengers, but growth in connecting and international passengers. AA began service to Hong Kong and Shanghai in June 2014. In addition, Emirates and Qantas will upgage aircraft to A380s and Qatar Airways and Etihad Airways will begin new service to the Middle East. Connecting passengers should increase due to American Airlines decision to re-peak its flight operations during the fiscal year.

Landed weights are also increasing year over year due to new international service and American Airlines replacing older, lighter MD80 aircraft with newer, heavier Boeing 737-800 airplanes.

**Customer Service Enhancements** Continued efforts are being made to improve the overall customer experience both from a passenger and airline perspective. An incremental $5.9 million ($4.7 million plus the 25% operating reserve) of customer service enhancements has been budgeted including: $1.1 million for guest assistance services for wheelchair assistance; $1.0 million for cleaning terrazzo floors and escalators; $0.4 million for parking enhancements such as new parking guidance systems; $0.3 million for baggage handling system improvements; and $1.9 million for increased deicing services, hardstanding services, foul weather maintenance equipment and other airfield projects. Since these costs were not assumed in the Financial Plan; DFW plans a $6.3 million debt restructuring ($5 million plus 25% coverage) to pay for the incremental costs.

**Cost Competiveness** Management seeks to reduce costs and identify efficiencies each year. The FY 2015 Budget reflects cost efficiencies of $2.1 million resulting from savings in asset management, ITS, and materials and supplies, plus $1.0 million savings in pension costs due to improved investment returns. In addition there was $3.4 million of one-time costs incurred in FY 2014 that are not included in the FY 2015 Budget.

**Terminal Renewal and Improvement Program (TRIP)** The TRIP began in the FY 2011 and has phased construction through FY 2019. For FY 2015, 4 sections of 3 terminals, along with associated parking garages, will open at various times during the fiscal year. At the same time, other sections will be closed to start construction. This requires DFW to make significant efforts to maintain customer service and constrains DFW's ability to grow terminal parking and concessions revenues. This phased approach also requires additional maintenance and technology support efforts. As renovated sections of terminals and garages open, DFW begins to pay debt service on the facilities ($59.6 million more in FY 2015 than the FY 2014); however debt service is $16.0 million lower than the Financial Plan as the result of slightly delayed openings and restructuring of existing debt ($6.3 million including coverage).

The major changes between the FY 2015 Budget and the FY 2014 Outlook and how they impact the DFW Cost Center and the Airline Cost Centers are summarized in the following table. Operating expenses increased $18.7 million (5.0%) from the FY 2014 Outlook, of which, $11.7 million relates to the Airline Cost Centers and $7.0 million relates to the DFW Cost Center.

Explanations of the change in the walkforward are discussed in the Operating Expenses section.

| Budget Category (in millions) | Total | DFW | Airline |
|---|---|---|---|
| **FY 2014 Outlook** | **$372.7** | **$144.0** | **$228.7** |
| **Merit & salary annualization** | **4.8** | **2.0** | **2.8** |
| **Fixed contract increases** | | | |
| Utilities & fuels | 2.2 | 0.9 | 1.4 |
| Fixed contract increases | 1.2 | 1.2 | 0.0 |
| Health care | 0.4 | 0.1 | 0.3 |
| Property insurance premiums | 0.3 | (0.0) | 0.3 |
| **Total fixed contract increases** | **4.2** | **2.2** | **2.0** |
| **Airline/customer enhancements** | | | |
| Airline service improvements | 1.4 | 0.1 | 1.2 |
| Guest Assistance services | 1.1 | 0.0 | 1.1 |
| Terrazzo & escalator cleaning | 1.0 | 0.0 | 1.0 |
| Hardstanding | 0.8 | 0.0 | 0.8 |
| Parking Technology | 0.4 | 0.4 | 0.0 |
| **Total airline/customer enhancements** | **4.7** | **0.5** | **4.2** |
| **New facilities/TRIP Increases** | **2.9** | **0.6** | **2.3** |
| **Accounting policy change increases** | **2.7** | **1.1** | **1.6** |
| **New asset management/ops projects** | **2.1** | **0.3** | **1.8** |
| **Miscellaneous increases** | | | |
| Other contracts | 0.7 | 0.1 | 0.6 |
| Disaster decovery & continuity consulting | 0.2 | 0.0 | 0.2 |
| Other, net | 0.7 | 0.8 | (0.1) |
| **Total Miscellaneous Increases** | **1.6** | **1.0** | **0.7** |
| **Operating expense increases** | **23.0** | **7.6** | **15.4** |
| **Contingency & reserves** | | | |
| Restore contingency | 1.5 | 0.5 | 1.0 |
| Adjust operating reserve | 0.7 | 0.6 | 0.1 |
| **Total contingency & reserves** | **2.2** | **1.1** | **1.1** |
| **Net increases before cost reductions** | **25.2** | **8.7** | **16.5** |
| **Cost reductions and efficencies** | | | |
| December winter storm | (2.2) | (0.1) | (2.1) |
| One time projects in 2014 | (1.2) | (0.3) | (0.9) |
| ETAM operational efficiencies | (1.0) | (0.3) | (0.7) |
| Pension & OPEB reductions | (1.0) | (0.5) | (0.5) |
| ITS efficiencies | (0.6) | (0.3) | (0.4) |
| Supplies & equipment reductions | (0.5) | (0.2) | (0.3) |
| **Total cost reductions** | **(6.5)** | **(1.7)** | **(4.8)** |
| **Net increase** | **18.7** | **7.0** | **11.7** |
| **FY 2015 Budget** | **$391.4** | **$151.0** | **$240.4** |

## 102 Fund Exposures

The FY 2015 Budget includes two specific exposure items that could result in DFW not obtaining its revenue budget targets. The total exposure for FY 2015 is estimated at $5.5 million.

| Revenues | |
|---|---|
| Concessions Advertising Not Under Contract | $3.5 |
| Parking Revenues | 2.0 |
| Total Revenue Exposures | 5.5 |

In prior years, the budget did not include revenues for business that was not under contract at the time the budget was developed. The FY 2015 budget includes $3.5 million of advertising revenues that are not currently under contract. If these contracts do not materialize, DFW will be challenged to achieve its concessions revenue budget. In addition, the parking revenues budget carries an exposure of an estimated $2 million. It is not clear if the Airport will be able to achieve its planned parking revenue growth given the limited parking capacity due to TRIP construction. However, management was aggressive with its projections.

There continues to be operating expense exposures for DFW due to unexpected events. During FY 2014, DFW incurred over $2 million in weather related costs to accommodate passengers and maintain operations. These costs were not specifically budgeted and there are no specific costs in our FY 2015 Budget to cover unexpected expenses. If the CEO Contingency of $2 million is not sufficient to cover unexpected exposures, management may request that the Board approve the use of the $10 million of contingency outside the rate base.

## FY 2015 Debt Service Budget Exposure from Capital Projects

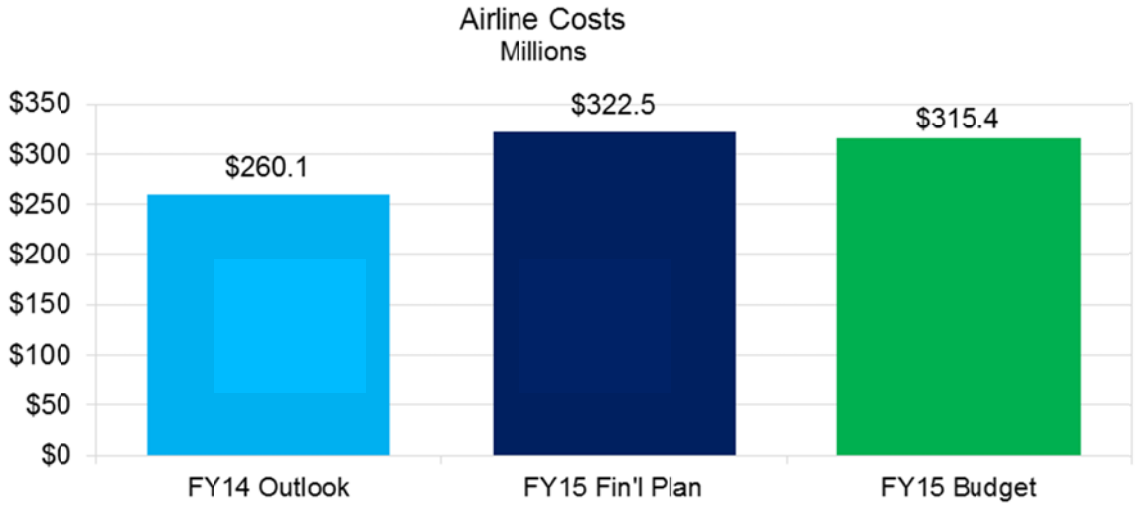
The FY 2015 Budget includes debt service exposure based on assumed completion dates of capital projects (i.e., date of beneficial occupancy or DBO). Once a project DBOs, DFW begins to pay debt service on that project. If the actual DBO date is earlier, DFW will pay more debt service than budgeted. If the actual DBO date is later, DFW will pay less debt service. The following table includes the major capital projects expected to DBO in FY 2015 and the monthly debt service that commences with each project.

| Capital Project | Budgeted DBO | Monthly Debt Service (000s)* |
|---|---|---|
| W. Airfield Dr. | Oct-14 | $95 |
| Terminal B Section C | Oct-14 | 986 |
| Terminal E Section C | Nov-14 | 1,163 |
| Terminal A Section B | Dec-14 | 1,018 |
| Terminal E Roadway Expansion | Mar-15 | 335 |
| Terminal B Section A | May-15 | 827 |
| Elevated Water Tank | May-15 | 59 |
| Terminal A Garage Section C | Jul-15 | 435 |

*Includes Coverage

## Total Airline Cost

Airline cost represents the fees paid to DFW by the passenger and air cargo carriers, primarily for landing fees and terminal rents. Cost per enplanement (discussed below) is based solely on passenger airline cost. The FY 2015 Airline Cost Budget is $315.4 million, $7.1 million (2.2%) less (better) than the FY 2015 Financial Plan primarily due to lower debt service costs that were anticipated in the Financial Plan.

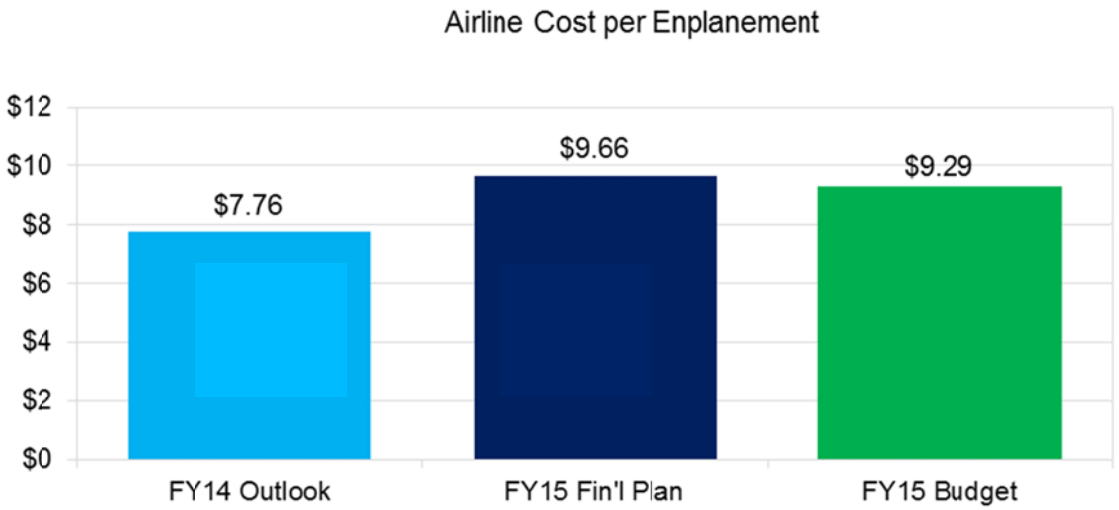



Below is a walkforward of airline cost from the FY 2014 Outlook to the FY 2015 Budget. Approximately 89% of the increase is related to debt service and fixed Use Agreement items. Variances are explained in the Airlince Cost Centers section.

| Airline Cost Walkforward | Millions |
|---|---|
| FY 2014 Outlook | $260.1 |
| Debt & Use Agreement Items | |
| Debt Service (net of PFCs) | 44.9 |
| Joint Capital Contribution | 4.0 |
| Threshold Adjustment | 0.5 |
| Total Debt and Use Agreement | 49.3 |
| Net Operating Expenses | |
| Increased Operating Costs, net | 11.7 |
| Terminal Contribution Increase | (0.3) |
| Threshold Adjustment Increase | (4.5) |
| Other Non-Airline Revenues Increases | (0.9) |
| Total Net Operating Expenses | 6.0 |
| Total Increase | $55.3 |
| FY 2015 Budget | $315.4 |

## Passenger Airline Cost per Enplanement (CPE)

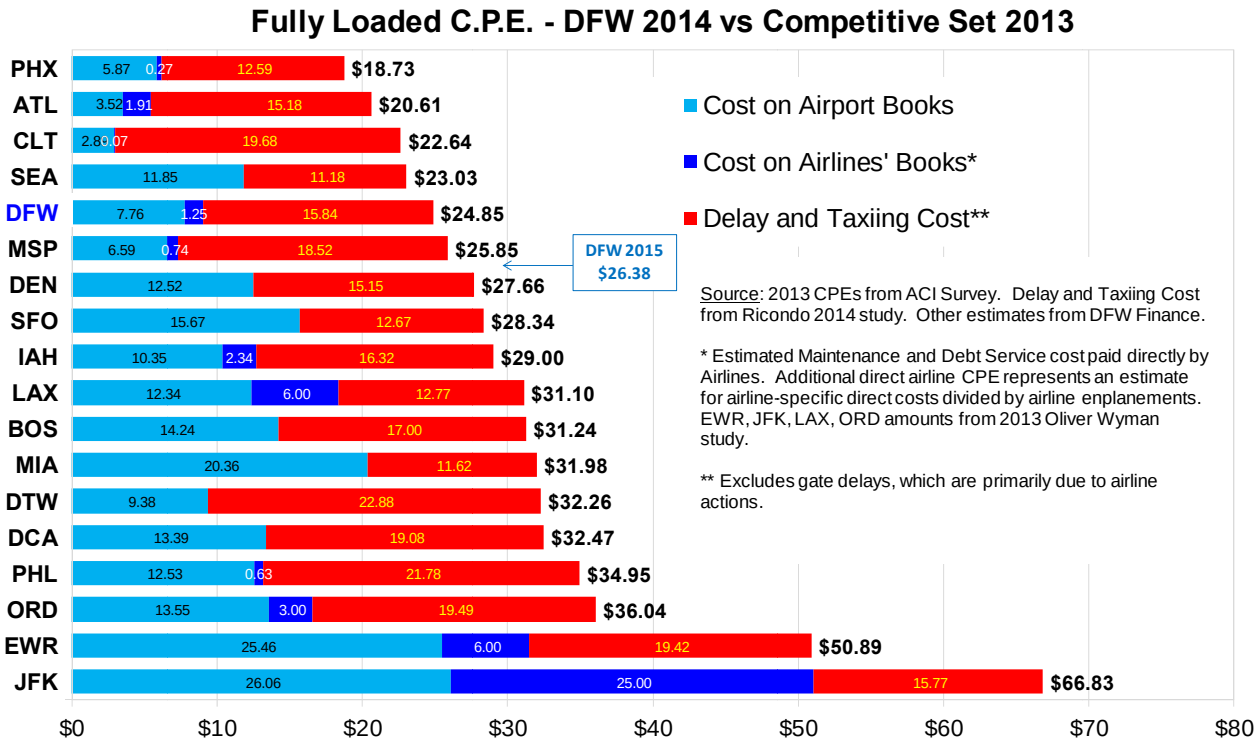
**CPE Trending at DFW** – CPE is defined as total passenger airline cost (i.e., revenue paid to DFW) divided by the number of enplaned passengers. CPE is a common measure used by the airline industry. The denominator is enplaned passengers and is used because it is a key revenue/cost driver for an airline. However, this is not the case for an airport. Airport costs are based on the facilities and runways maintained. Notwithstanding this issue, DFW (and the industry) use this indicator as a performance measure.




The FY 2015 CPE of $9.29 represents an increase of $1.53 (19.7%) from the FY 2014 Outlook. From the walkforward above, the increase is driven primarily by debt service and fixed Use Agreement adjustments. The FY 2015 CPE of $9.29 is $0.37 (3.8%) less (better) than the 2015 Financial Plan primarily due to lower debt service.

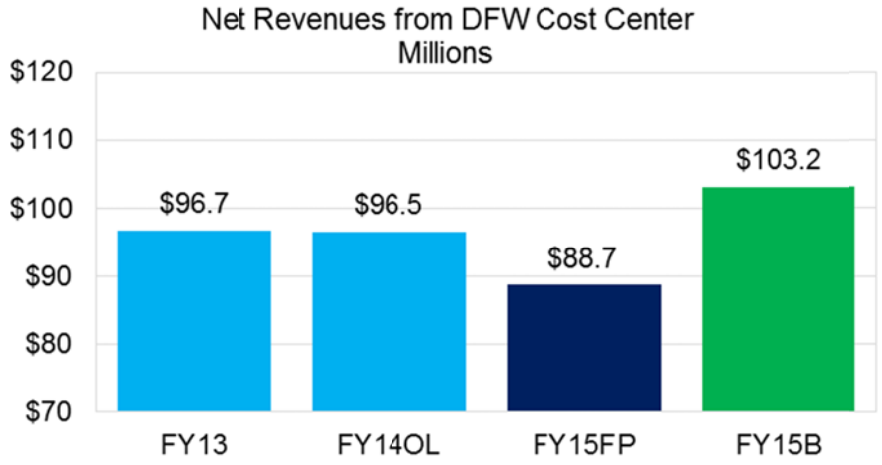
**CPE Benchmarked to Other Airports** – DFW's goal is to have a competitive CPE, preferable in the first quartile by the end of TRIP. The following chart benchmarks DFW's fully loaded CPE with the fully loaded CPE projections for DFW's competitive set of 17 large U.S. hub airports using the latest data available from ACI surveys from FY 2013. Fully loaded cost is the most meaningful comparison because it includes most of the costs incurred by airlines to operate at an airport, including what they pay the airport (light blue), what they pay directly for terminal maintenance and terminal debt service (dark blue), and an estimate of what costs the airlines incur for delay and taxiing (red).

DFW's cost structure is projected to continue to increase through the completion of TRIP due to higher debt services costs. The chart highlights that DFW's FY 2014 results were the fifth lowest CPE and remains in the first third for large hub airports. DFW is well-positioned from a cost standpoint compared to AA's hubs and the US Airways hub airports. The chart also shows that DFW's FY 2015 Budget compares favorably with the other airports' results from FY 2013. Management expects the airport to return to the first quartile by 2020 as other airport costs rise in association with their capital plans.




## Net Revenues from DFW Cost Center

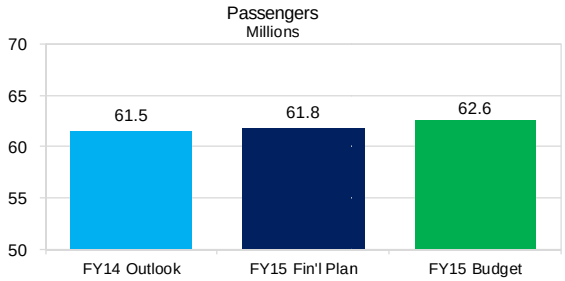
The chart compares net revenues from the DFW Cost Center. The FY 2015 net revenues budget is $103.2 million, a $6.7 million (6.9%) increase from the FY 2014 Outlook. The increase is primarily attributable to increased parking and concessions revenues. The growth over the Financial Plan is due to the higher concessions revenues and lower debt service compared to the Financial Plan. Almost $10 million of the parking increase results from a proposed increase in parking rates including a $1 increase for TollTag transactions between 30 minutes - 2 hours, a $1 increase between 2 – 4 hours, and $2 increase for parking over 4 hours in the central terminal area. See the DFW Cost Center section for more detail.



## Passengers

The FY 2015 Budget for passengers is 62.6 million, a 1.1 million (1.5%) increase over the FY 2014 Outlook primarily due to increased international traffic through larger aircrafts and new service. It is anticipated that the merger of AA and US Airways will result in continued expansion at DFW, evidenced by new service to Shanghai and Hong Kong. The budget of 62.6 million is 0.8 million (1.3%) higher than the Financial Plan.

Passenger statistics can be divided into several categories as shown in the following table. Originating passengers begin their trip at DFW. Destination passengers live elsewhere and fly to DFW for work or pleasure. People who travel through DFW to get to their final destination are connecting passengers. Enplanements represent all passengers boarding a plane at DFW.




| | | | | Increase (Decrease) | |
|---|---|---|---|---|---|
| Passengers (Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | FY15B vs FY14OL | FY15B vs. FY15FP |
| Originating | 13.9 | 13.9 | 13.8 | (0.1) | (0.1) |
| Destination | 12.8 | 12.7 | 12.7 | (0.1) | (0.1) |
| Connecting | 34.9 | 35.2 | 36.0 | 1.1 | 0.8 |
| Total Passengers | 61.5 | 61.8 | 62.6 | 0.9 | 0.5 |
| Enplanements | 30.8 | 30.9 | 31.3 | 0.5 | 0.4 |

Changes in these passenger metrics are important because they are the key revenue drivers for parking (originating passengers), concessions (enplanements), and rental car (destination passengers) revenues. See further discussion in the DFW Cost Center section.

## Revenues Overview

The following table summarizes 102 Fund revenues by cost center.

| Millions | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs. FY14OL | Increase (Decrease) FY15B vs. FY15FP |
|---|---|---|---|---|---|
| Revenues | | | | | |
| Airfield Cost Center | $143.8 | $151.1 | $146.8 | $3.0 | ($4.3) |
| Terminal Cost Center | 180.3 | 222.0 | 233.5 | 53.2 | 11.5 |
| DFW Cost Center | 289.8 | 312.0 | 312.3 | 22.5 | 0.3 |
| PFCs/CFCs/Other | 129.0 | 139.9 | 135.3 | 6.3 | (4.6) |
| Total Revenues | 742.9 | 825.0 | 827.9 | 85.0 | 2.9 |

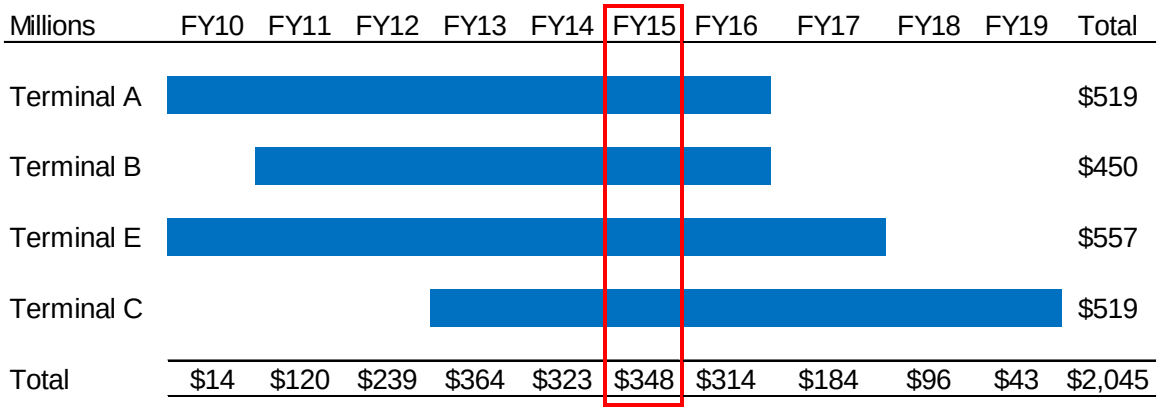
Budgeted terminal and DFW Cost Center revenues for FY 2015 are higher than the FY 2014 Outlook primarily due to increased costs and debt service in these cost centers. In addition, terminal revenues are higher than what was assumed in the FY 2015 Financial Plan primarily because of higher turn fee revenues and increase costs. Airfield cost center revenues are lower than the FY 2015 Financial Plan due to increase in net revenues from DFW Cost Center reducing the landing fee revenue. Budgeted DFW revenues for FY 2015 are higher than the FY 2014 Outlook primarily due to increases in parking and concessions revenues. See more detailed information in the Airline Cost Center and DFW Cost Center sections of this document.

Budgeted Passenger Facility Charge (PFC) and Customer Facility Charge (CFC) revenues are used to pay eligible debt service. PFC/CFC/Other revenues are higher than the FY 2014 Outlook due to revenues paid by the DFW Capital Account in FY 2015 for a portion of debt service associated with the DFW cost center. PFC/CFC/Other revenues are lower than the FY 2015 Financial Plan due to lower eligible debt service compared to the Plan. See more discussion on debt service and use of PFCs/CFCs in the Operating Expense Summary.

## Capital Programs and Debt Financing

DFW has 2 capital accounts, the Joint Capital Account which normally requires both DFW and airline approval to access funds, and the DFW Capital Account which DFW may use at its sole discretion. The Joint Capital Account receives funds from natural gas royalties, grants, debt proceeds, and interest income on the available cash balances. The DFW Capital Account is funded from net revenues from the DFW Cost Center, grants, debt proceeds (for commercial development) and interest income.

The largest component of DFW's capital program is the Terminal Renewal and Improvement Program (TRIP) in the Joint Capital Account. The TRIP is currently budgeted at $2.0 billion over the next 5 years (see chart). As of the June 2014, DFW has awarded $1.2 billion in contracts for TRIP. The TRIP is preapproved as part of the Use Agreement. Also included in the Joint Capital Account is $667 million of various other projects which DFW has received airline majority in interest (MII) approval. Additionally, DFW has a large number of capital projects currently underway and funded from the DFW Capital Account. DFW's capital program is discussed in more detail in the Capital section and in the Financial Plan.




DFW management has entered into discussions with Signatory Airlines to rebaseline the TRIP budget and schedule for all four terminals. In addition, AA has requested as part of this process that DFW estimate the incremental schedule and cost impact of two potential scope additions: (1) building back the "high Terminal C gates" (gates C35-C39) currently planned to be demolished as part of TRIP; and (2) the construction of a new Terminal C parking garage to replace the existing garage.

The rebaseline process is currently expected to be complete in mid-summer 2014. Then the Signatory Airlines will evaluate the total cost and decide if the potential additions should be included in the program, and/or if other scope can be reduced. At the conclusion of this process, DFW will request Signatory Airline approval of a new baseline TRIP budget and schedule for the four terminals. The current target date for completion of this process is July 31, 2014.

No additional debt funding is anticipated for Terminals A, B and E in FY 2015. Future funding for the rebaseline effort and Terminal C will most likely occur in future periods.

The FY 2015 Budget reflects an updated TRIP schedule resulting in relatively minor changes to in-service dates of terminal sections from the Financial Plan. As explained in other sections in the Budget Book, an updated TRIP schedule is expected to result in less debt service and concession revenue for FY 2015 than was estimated for FY 2015 in the Financial Plan.

**Natural Gas Revenues** – The Use Agreement requires natural gas royalties to be deposited into the Joint Capital Account. Estimated natural gas royalty revenues for FY 2015 are $6.8 million, which is approximately the same amount DFW is forecasted to receive in FY 2014.

AIRLINE COST CENTERS SECTION TAB

## Airline Cost Centers

There are two airline cost centers, the airfield and the terminal. The airlines pay DFW landing fees to cover the net cost of the airfield and terminal rents to cover the net cost to operate and maintain the terminals. Federal Aviation Administration (FAA) regulations prohibit an airport from making a profit on aviation activities. Consequently, the landing fees and terminal rentals must be set to cover the anticipated net cost to provide the services only. At the end of each fiscal year, DFW performs a reconciliation or true-up of actual costs paid and revenues received. If there is a variance (i.e., if revenues collected exceed or are lower than the actual cost), then the Airport provides a credit or adds an incremental charge in the following fiscal year to settle the difference. DFW anticipated a better than budget performance in FY 2014. Accordingly, the FY 2014 Outlook includes a current year rate reduction of $7.5 million and a $2.5 million true-up credit.

## Airfield Cost Center

The following table compares Airfield Cost Center revenues and expenditures for the FY 2014 Outlook, the FY 2014 Financial Plan for FY 2015 (referred to as FY 15 Financial Plan in the tables), and the FY 2015 Budget. Note that revenues equal expenses in this cost center in all periods. Revenue variances to the FY 2014 Outlook are explained below. See the Operating Expenses section for expenditure variances.

| | | | | Increase (Decrease) | |
|---|---|---|---|---|---|
| Airfield CC (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | FY15B vs. FY14OL | FY15B vs. FY15FP |
| Revenues | | | | | |
| Landing Fees | $109.3 | $124.1 | $107.6 | ($1.7) | ($16.4) |
| Transfer from DFW CC | 24.1 | 16.9 | 28.7 | 4.5 | 11.8 |
| Other | 10.3 | 10.2 | 10.5 | 0.2 | 0.3 |
| Total Revenues | 143.8 | 151.2 | 146.8 | 3.0 | (4.4) |
| Expenditures | | | | | |
| Operating Expenses | 77.6 | 76.1 | 75.3 | (2.3) | (0.8) |
| Net Debt Service | 66.2 | 75.1 | 71.5 | 5.3 | (3.6) |
| Total Expenditures | 143.8 | 151.2 | 146.8 | 3.0 | (4.4) |
| Net Airfield Revenue | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |

The Airfield is a residual cost center with landing fees as the balancer. The following table compares Airfield Cost Center revenues and expenditures for the FY 2014 Outlook, the Financial Plan, and the FY 2015 Budget showing the landing fee revenues necessary to cover budgeted net airfield costs.

| Airfield CC (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs. FY14OL | Increase (Decrease) FY15B vs. FY15FP |
|---|---|---|---|---|---|
| Expenditures | | | | | |
| Operating Expenses | $77.6 | $76.1 | $75.3 | ($2.3) | ($0.8) |
| Net Debt Service | 66.2 | 75.1 | 71.5 | 5.3 | (3.6) |
| Total Expenditures | 143.8 | 151.2 | 146.8 | 3.0 | (4.4) |
| Revenues | | | | | |
| Aircraft Parking | 0.2 | 0.1 | 0.2 | (0.0) | 0.0 |
| Corporate Aviation | 2.0 | 2.0 | 2.1 | 0.1 | 0.1 |
| Fuel Facility | 5.6 | 5.8 | 5.6 | (0.0) | (0.2) |
| DPS | 2.6 | 2.4 | 2.7 | 0.1 | 0.3 |
| Other | (0.0) | 0.0 | (0.1) | (0.0) | (0.1) |
| Transfer from DFW Cost Center | 24.1 | 16.9 | 28.7 | 4.5 | 11.8 |
| Revenues before Landing Fees | 34.5 | 27.1 | 39.2 | 4.7 | 12.1 |
| Landing Fees | $109.3 | $124.1 | $107.6 | ($1.7) | ($16.4) |

**Landing Fee Revenues**

The FY 2015 landing fees budget is $107.6 million, a decrease of $1.7 million (1.6%) from the FY 2014 Outlook primarily due to the decreases in operating expenses charged to the airfield and an increase in the transfer from the DFW Cost Center, partially offset by increases in debt service. Landing Fees are $16.4M (13.2%) less than the Financial Plan due to higher than anticipated DFWCC net revenues which subsidize this cost center.

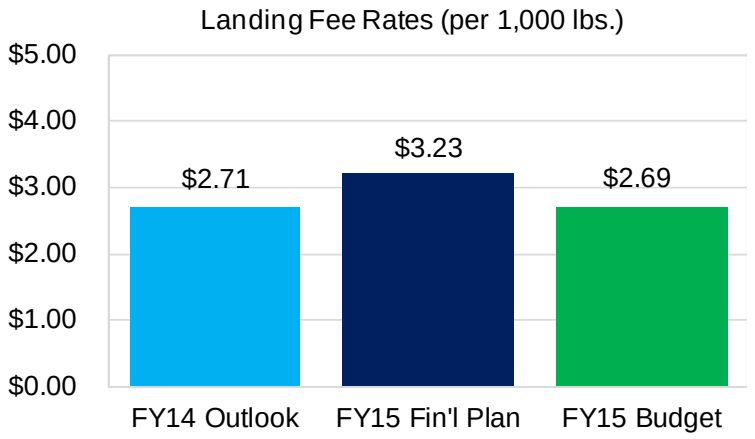
**Other Airfield Revenues**

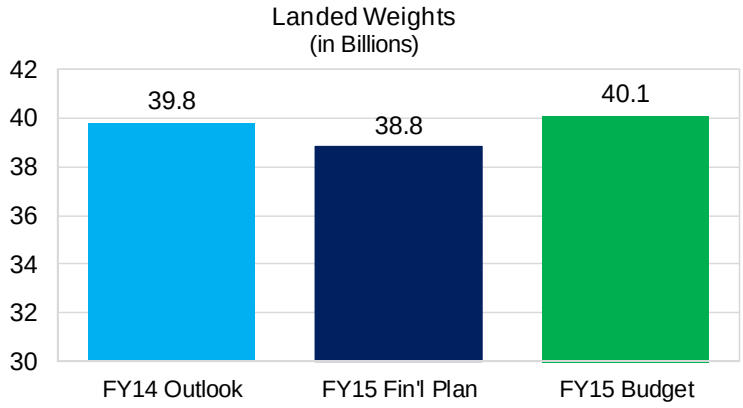
Other airfield revenues include threshold adjustments transferred from the DFW Cost Center, Corporate Aviation (CA) fees, the fuel farm fees paid by the airlines to cover debt service and overhead of the fuel farm, and DPS revenues. FY 2015 Transfer from DFW Cost Center increased compared to the FY 2014 Outlook due higher net revenues in the DFW Cost Center.

**Landing Fees and Landed Weights**

The charts compare landing fees and landed weights for the FY 2014 Outlook, the FY 2015 Financial Plan, and the FY 2015 Budget. The landing fee rate is assessed per 1,000 pounds of maximum approved landed weight for each specific aircraft as certified by the FAA. Changes in landed weights will not affect total landing fees because DFW must charge the airlines collectively for the cost to operate the airfield. Thus, an increase in landed weights will lower the average landing fee rate, and a decrease in landed weights will cause the landing fee rate to increase.

Signatory landing fees are budgeted at $2.69 in FY 2015, a $0.02 (0.01%) decrease from the FY 2014 Outlook. This will generate sufficient revenue to pay for budgeted airfield costs. Landing fees are lower than the FY 2015 Financial Plan by $0.54 (16.7%) due to higher DFWCC transfers and higher landed weights.




**Cargo**

DFW is recognized by the industry as one of the top cargo airports in the world. The Airport's prime location allows assorted cargo to reach millions of U.S. customers by road, while also reaching several continents by plane in a matter of hours. 98% of the U.S. population can be More than 50 million consumers can be reached by truck within 24 hours and reached via truck within 48 hours or less. Approximately 8.2% of all landing fees are budgeted to come from cargo aircraft for the FY 2015 Budget.

## Terminal Cost Center

The following table compares Terminal Cost Center revenues and expenditures for the FY 2014 Outlook, the Financial Plan, and the FY 2015 Budget. Note that revenues equal expenses in this cost center in all periods. Revenue variances between the FY 2015 Budget and the FY 2014 Outlook are explained below. See the Operating Expense section for expenditure variations.

| Terminal CC (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs. FY14OL | Increase (Decrease) FY15B vs. FY15FP |
|---|---|---|---|---|---|
| Revenues | | | | | |
| Operating Revenue | | | | | |
| Terminal Leases | $116.4 | $159.9 | $166.8 | $50.4 | $6.8 |
| FIS Fees | 20.9 | 20.8 | 21.2 | 0.3 | 0.4 |
| Turn Fees & Office Rents | 13.3 | 16.0 | 19.6 | 6.3 | 3.6 |
| Other | 13.6 | 13.3 | 13.9 | 0.3 | 0.6 |
| Total Operating Revenue | 164.3 | 210.0 | 221.5 | 57.2 | 11.5 |
| Transfers | | | | | |
| DFW Terminal Contribution | 6.1 | 10.8 | 6.4 | 0.3 | (4.5) |
| Joint Capital Transfer | 16.0 | 12.0 | 12.0 | (4.0) | 0.0 |
| Total Transfers | 22.1 | 22.8 | 18.4 | (3.7) | (4.5) |
| Total Revenues | 186.3 | 232.8 | 239.9 | 53.5 | 7.1 |
| Expenditures | | | | | |
| Operating Expenses | 151.1 | 159.3 | 165.1 | 14.0 | 5.9 |
| Net Debt Service | 35.2 | 73.6 | 74.7 | 39.6 | 1.2 |
| Total Expenditures | 186.3 | 232.8 | 239.9 | 53.5 | 7.1 |
| Net Terminal Revenue | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |

The Terminal is a residual cost center with terminal leases as the balancer. The table on the following page compares Terminal Cost Center revenues and expenditures for the FY 2014 Outlook, the FY 2015 Financial Plan, and the FY 2015 Budget showing the terminal lease revenues necessary to cover budgeted net terminal costs.

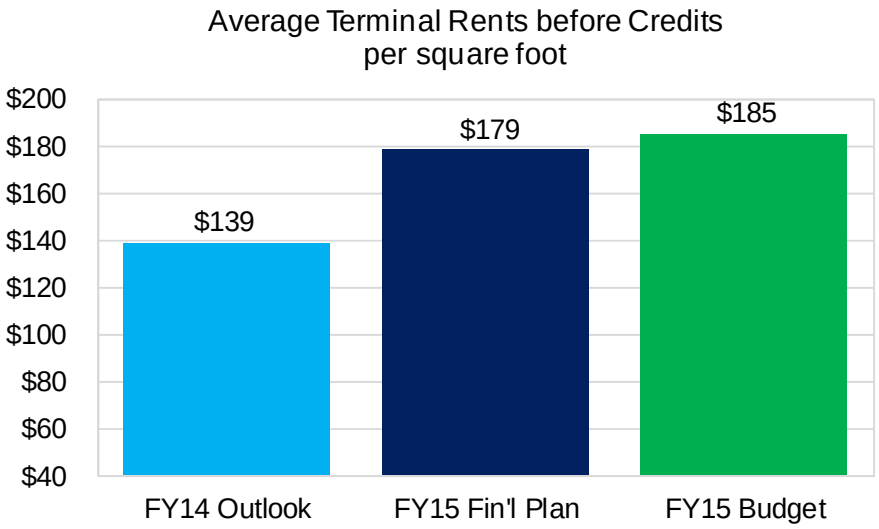
| Terminal CC (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs. FY14OL | Increase (Decrease) FY15B vs. FY15FP |
|---|---|---|---|---|---|
| Expenditures | | | | | |
| Operating Expenses | $151.1 | $159.3 | $165.1 | $14.0 | $5.9 |
| Net Debt Service | 35.2 | 73.6 | 74.7 | 39.6 | 1.2 |
| Total Expenditures | 186.3 | 232.8 | 239.9 | 53.5 | 7.1 |
| Revenues | | | | | |
| Operating Revenue | | | | | |
| FIS Fees | 20.9 | 20.8 | 21.2 | 0.3 | 0.4 |
| Turn Fees & Office Rents | 13.3 | 16.0 | 19.6 | 6.3 | 3.6 |
| Other | 13.6 | 13.3 | 13.9 | 0.3 | 0.6 |
| Operating Revenues | 47.9 | 50.0 | 54.7 | 6.8 | 4.7 |
| Transfers | | | | | |
| DFW Terminal Contribution | 6.1 | 10.8 | 6.4 | 0.3 | (4.5) |
| Joint Capital Transfer | 16.0 | 12.0 | 12.0 | (4.0) | 0.0 |
| Total Transfers | 22.1 | 22.8 | 18.4 | (3.7) | (4.5) |
| Revenues before Leases | 69.9 | 72.9 | 73.1 | 3.1 | 0.2 |
| Terminal Leases Needed | $116.4 | $159.9 | $166.8 | $50.4 | $6.8 |

**Terminal Leases**

The FY 2015 terminal lease budget is $166.8 million, a $50.4 million (43.3%) increase from the FY 2014 Outlook due primarily to increases in net debt service charged to the terminals, operating costs, and a reduced Joint Capital Transfer. Terminal lease fees are charged to airlines based on the budgeted direct and allocated costs to operate the terminals. Total terminal operations and maintenance cost, including HVAC and other utilities for all 5 terminals, are divided by leasable square feet to calculate an average lease rate per square foot. American Airlines pays directly for the maintenance costs of Terminals A and C. These costs are added into the numerator of this formula to get the fully loaded average rate. American Airlines receives rent credit for their costs. The amount of the rent credit was negotiated as part of the Use Agreement ($39.0 million in FY 2015).

**Average Terminal Rents before Credits**

The chart below compares average terminal rents before credits for the FY 2014 Outlook, the FY 2015 Financial Plan, and the FY 2015 Budget. The increase in the FY 2015 Budget compared to the FY 2014 Outlook is due to increases in net debt service charged to the terminals, increases in costs, and a reduction of $4 million in the transfer credit from the Joint Capital Account compared to FY 2014 as described in the Use Agreement.




**Federal Inspection Services (FIS) Fees**

Costs are allocated to the FIS based on its percent share of terminal square footage. The FIS budget for FY 2015 is $21.2 million, a $0.3 million (1.3%) increase from the FY 2014 Outlook. The FY 2015 rate is based upon terminal costs reduced new debt service in the Terminal Cost Center. The rate for FIS per international passenger clearing customs at DFW is expected to be $6.78, compared to a rate of $6.95 in FY 2014. International FIS passengers are expected to be 3.13 million in FY 2015 compared to 2.84 million in FY 2014.

**Turn Fees and Office Rents**

The turn fees and office rents budget for FY 2015 is $19.6 million, a $6.3 million (47.5%) increase from the FY 2014 Outlook. The significant increase is the result of larger aircraft (e.g., A380 aircraft) and increased air service being provided by international carriers. Turn fees are paid by airlines for common use gates in Terminals D and E in lieu of permanently renting space. Per the terms of the Use Agreement, turn fees rates must increase at the same percentage as terminal rates.

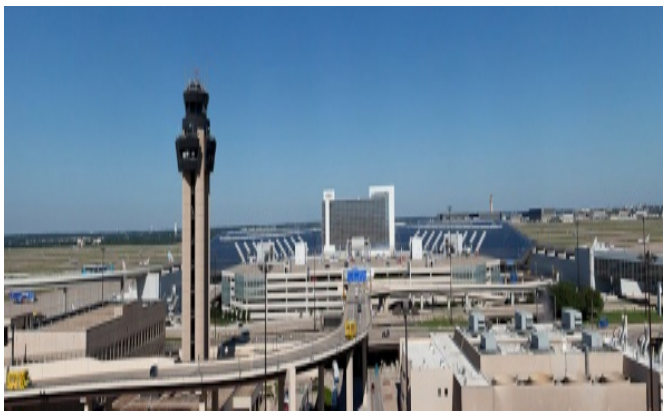
**Other Terminal Revenues**

The other terminal revenues budget for FY 2015 is $13.9 million, a $0.3 million (1.9%) increase from the FY 2014 Outlook. Other terminal revenues include TSA rents, concessions O & M reimbursements, catering fees, and allocable miscellaneous DPS revenues. Concessionaires are required to reimburse the Airport (for Terminals B, D and E) and American Airlines (for Terminals A and C) for the allocated maintenance cost per square foot of the terminals. The increase in the FY 2015 Budget compared to the FY 2014 Outlook is due to higher non-airline terminal related revenues.

**Transfers - Joint Capital Account Transfer**

Per the terms of the Use Agreement, an annual transfer is made from the Joint Capital Account to the Terminal Cost Center to subsidize terminal rates. The annual transfer was $28 million in FY 2011 and will be reduced by $4 million each year until it is phased-out completely in FY 2018. Accordingly, the FY 2015 amount is $12 million.

### Transfers - DFW Terminal Contribution



Per the terms of the Use Agreement, DFW pays for a portion of the terminal cost. This amount is based on DFW's proportionate share of expenses for common use and vacant space in the terminals. From a cost center standpoint, this contribution is shown as a source of cash in the Terminal Cost Center and a use of cash for the DFW Cost Center. DFW can reduce its contribution to the Terminal Cost Center by leasing more space to other airlines or tenants and by reducing costs in the terminals. The DFW terminal contribution is $6.4 million, a $0.3 million (6.1%) increase from the FY 2014 Outlook.

## Summary of Airline Costs

The following table compares the summary of airline costs for the FY 2014 Outlook, the FY 2015 Financial Plan, and the FY 2015 Budget on a Use Agreement and GAAP (Generally Accepted Accounting Principles) basis. The difference between the Use Agreement basis and the GAAP basis is primarily related to prior year true-ups. These true-ups are reflected as a reduction/addition in airline cost for the Use Agreement in the year that the airlines receive/pay for the true-up; however for GAAP, these true-ups are reflected in the year earned. Payments to the airlines for the Air Service Incentive Program (ASIP) are made from the DFW Capital Account and are accounted as rebates to the airlines. These payments are not part of the 102 Fund however.

| | | | | Increase (Decrease) | |
|---|---|---|---|---|---|
| Airline Revenue/Costs (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | FY15B vs. FY14OL | FY15B vs. FY15FP |
| Landing Fees | $109.3 | $124.1 | $107.6 | ($1.7) | ($16.4) |
| Terminal Leases | 116.3 | 159.9 | 166.8 | 50.4 | 6.8 |
| FIS Fees | 20.9 | 20.8 | 21.2 | 0.3 | 0.4 |
| Turn Fees & Terminal Office Rents | 13.3 | 16.0 | 19.6 | 6.3 | 3.6 |
| Aircraft Parking | 0.2 | 1.7 | 0.2 | (0.0) | (1.6) |
| Sub-total Airline Revenue/Cost | 260.1 | 322.5 | 315.4 | 55.4 | (7.1) |
| Less: ASIP | (12.1) | (13.9) | (16.3) | (4.2) | (2.4) |
| Total Airline Cost/Revenue post ASIP | 247.9 | 308.6 | 299.1 | 51.1 | (9.6) |

## Cost Per Enplanement (CPE) Calculation

The following table shows the passenger airline cost per enplanement calculation and compares the CPE for the FY 2014 Outlook, the FY 2015 Financial Plan, and the FY 2015 Budget. This KPI only includes passenger-related airline revenues (i.e., costs) and excludes cargo and general aviation revenues.

| | | | | Increase (Decrease) | |
|---|---|---|---|---|---|
| Cost Per Enplanement (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | FY15B vs. FY14OL | FY15B vs. FY15FP |
| Passenger Airline Enplanements[1] | 30.8 | 30.9 | 31.3 | 0.5 | 0.4 |
| Passenger Airline Cost per Enplanement | | | | | |
| Airline Cost/Revenue | $260.1 | $322.5 | $315.4 | $55.4 | ($7.1) |
| Less: Cargo and GA Landing Fees | (9.3) | (10.0) | (9.1) | 0.2 | 0.9 |
| Sub-total PAX Airline Revenue | 250.8 | 312.5 | 306.3 | 55.6 | (6.2) |
| Less ASIP - Passenger Airlines | (12.1) | (13.9) | (15.8) | (3.6) | (1.9) |
| Total PAX Airline Revenue post ASIP | 238.6 | 298.6 | 290.6 | 52.0 | (8.1) |
| Cost per Enplanement (CPE)[2] | $7.76 | $9.66 | $9.29 | $1.90 | ($0.37) |

[1]General Aviation enplanements are excluded from CPE calculation

[2]Actual rates, not in millions

DFW CENTERS SECTION TAB

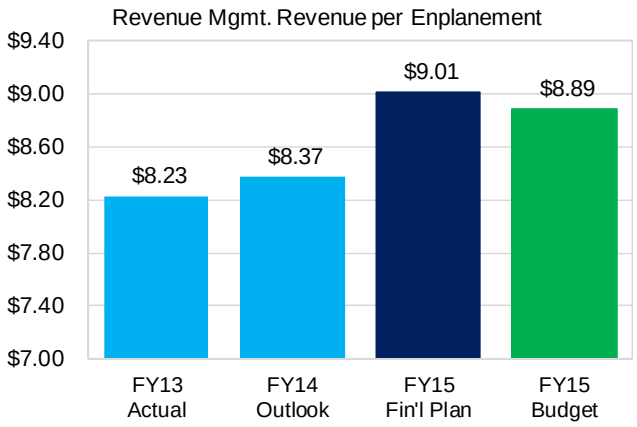
## DFW Cost Center Revenues and Expenses

The table below compares the FY 2014 Outlook, the FY 2015 estimates contained in the FY 2014 Financial Plan (called the FY 2015 Financial Plan in the tables), and the FY 2015 Budget for the DFW Cost Center. Net revenues from the DFW Cost Center are transferred to the DFW Capital Account at the end of the fiscal year. For FY 2015, 75% of net revenues in excess of $64.9 million are transferred to the Airfield Cost Center as a "threshold adjustment." Revenue variances are discussed in the rest of this section. Expenditure variances are covered in the Operating Expenses section.

| | | | | Increase (Decrease) | |
|---|---|---|---|---|---|
| DFW Cost Center (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | FY15B vs. FY14OL | FY15B vs. FY15FP |
| Revenues | | | | | |
| Revenue Management Revenues | | | | | |
| Parking | $121.1 | $136.1 | $136.0 | $14.9 | ($0.1) |
| Concessions | 67.9 | 74.5 | 72.6 | 4.8 | (1.9) |
| Rental Car (RAC) | 31.6 | 31.6 | 31.9 | 0.2 | 0.3 |
| Commercial Development | 37.1 | 36.5 | 37.6 | 0.5 | 1.1 |
| Total Revenue Mgmt Revs | 257.7 | 278.7 | 278.1 | 20.4 | (0.6) |
| Employee Transportation | 13.6 | 13.2 | 14.4 | 0.8 | 1.2 |
| Taxis and Limos | 8.7 | 8.8 | 9.1 | 0.4 | 0.3 |
| Utilities & Miscellaneous | 6.9 | 7.3 | 6.8 | (0.1) | (0.5) |
| DPS Allocation | 1.3 | 1.2 | 1.3 | 0.1 | 0.2 |
| Interest Income | 1.7 | 2.9 | 2.6 | 0.9 | (0.3) |
| Total Revenues | 289.8 | 312.0 | 312.3 | 22.5 | 0.4 |
| Expenditures | | | | | |
| Operating Expenses | 112.3 | 119.4 | 118.4 | 6.1 | (1.0) |
| Net Debt Service | 37.5 | 60.8 | 45.6 | 8.1 | (15.2) |
| Total Expenditures and Debt Service | 149.8 | 180.2 | 164.0 | 14.2 | (16.2) |
| Gross Margin - DFW Cost Center | 140.0 | 131.7 | 148.3 | 8.3 | 16.6 |
| Less: Terminal Contributions | 6.1 | 10.8 | 6.4 | 0.3 | (4.5) |
| Less: Skylink | 37.5 | 32.2 | 38.8 | 1.3 | 6.6 |
| DFW Cost Center Net Revenues | 96.5 | 88.7 | 103.2 | 6.7 | 14.5 |
| Less: Transfer to Airfield Cost Center | 24.1 | 16.8 | 28.7 | 4.5 | 11.8 |
| Transfer to the DFW Capital Account | $72.3 | $71.9 | $74.5 | $2.2 | $2.6 |

## Revenue Management Revenues

DFW's Revenue Management Division manages 4 business units that strive to maximize net revenues (parking, concessions, rental car, and commercial development). The chart to the right compares Revenue Management Revenue per Enplanement. The FY 2015 Budget is $0.52 higher than the FY 2014 Outlook because of parking rate increases and growth in Concession revenues. The reduction from the Financial Plan is due primarily to slower than expected opening of new concession outlets due to an updated TRIP schedule. More information is included in the business unit write-ups that follow.




## Parking Business Unit

**Background** – The Parking Business Unit (PBU) is DFW's most significant source of non-airline revenue. Customers are charged parking fees based on the length of stay and the parking facility used. The table below highlights DFW's parking products, spaces and parking rates.

**DFW Parking Space and Rate Summary**

| Parking Products | No. of Parking Spaces | Spaces Closed for Renovation | Spaces Available | Post TRIP Renovation Spaces[1] | FY 2015 Daily Parking Rate[2] |
|---|---|---|---|---|---|
| Terminal Lots | | | | | $20 toll tag; $22 cash or credit card |
| A (3 structures) | 4,914 | - | 4,914 | 7,700 | (reflects a $2 increase) |
| B (3 structures) | 3,524 | (860) | 2,664 | 3,524 | |
| C (4 structures) | 5,781 | - | 5,781 | 5,781 | |
| D (1 structure) | 7,796 | - | 7,796 | 7,796 | |
| E (3 structures) | 4,050 | - | 4,050 | 5,685 | |
| Infield (uncovered) | 2,449 | (618) | 1,831 | 1,605 | |
| Total Terminals | 28,514 | (1,478) | 27,036 | 32,091 | |
| Express Lots | 8,466 | - | 8,466 | 8,466 | $11 uncovered; $13 covered |
| Remote Lots | 4,871 | - | 4,871 | 4,871 | $9 uncovered |
| Intra-day | n/a | n/a | n/a | n/a | $6 to $9 (up to 6 hours) |
| Valet | n/a | n/a | n/a | n/a | $27 (uses existing parking facilities) |
| Meeter-Greeter | n/a | n/a | n/a | n/a | $3 (30 minutes-2 hours) |
| Pass-throughs/Drop-off | n/a | n/a | n/a | n/a | $1 toll tag; $2 cash (0-30 minutes) |
| Total Public Spaces | 41,851 | (1,478) | 40,373 | 45,428 | |
| Employee Parking | 8,784 | - | 8,784 | 8,784 | |

(1) Included in FY 2014 Financial Plan

(2) Includes sales tax.

The Airport is unique from an airport parking perspective because the Airport has parking plazas on the north and south ends of International Parkway (i.e., the entrances to the Airport), so that all customers and visitors must go through the plazas to access the Airport. In addition, many patrons drive through the Airport while traveling from north to south or south to north. These patrons pay a $1 pass-through/drop-off fee if they have a toll tag and $2 if paying with cash or credit card for the first 30 minutes. Intra-Day fees graduate to $9 with daily rates beginning at 6 hours. Any stay over 6 hours is considered one full day.

DFW collects a privilege fee of 10% (of sales) from off-airport parking and valet providers. The Airport contracts directly with a third party to provide a DFW branded valet service. The PBU is also responsible for busing customers from the parking lots to the terminals (Express and Remote products) and between the terminals (Terminal Link).

The chart below shows the Proposed Vehicle Parking Fees for FY 2015.

Proposed Vehicle Parking Fees[2]

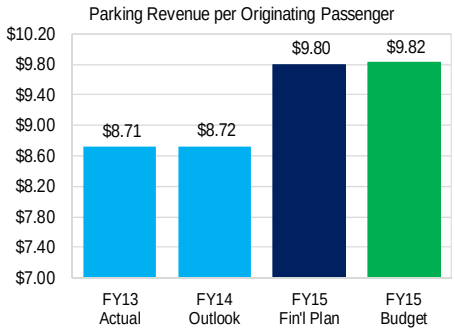
| Duration | Terminal [1] | Express Covered | Express Uncovered | Remote |
|---|---|---|---|---|
| 0 min - 30 min with Tolltag | $1 | $2 | $2 | $1 |
| 0 min - 30 min | $2 | $2 | $2 | $1 |
| 30 min - 2 hours | $3[3] | $2 | $2 | $1 |
| 2 - 4 hours | $6[3] | $3 | $3 | $2 |
| 4 - 6 hours | $9 | $4 | $4 | $3 |
| 6 - 24 hours with Toll Tag | $20 | $13 | $11 | $9 |
| 6 - 24 hours | $22 | $13 | $11 | $9 |

(1) Including DFW Business Center

(2) All Parking fees, excluding valet parking, include sales tax. The sales tax is based on applicable tax jurisdiction.

(3) Reflects a $1 increase

**FY 2015 Budget** – The FY 2015 parking revenue budget is $136.0 million, a $14.9 million (12.3%) increase from the FY 2014 Outlook. This reflects a $1 increase for TollTag transactions between 30 minutes - 2 hours, $1 increase between 2 – 4 hours, and $2 increase for parking over 4 hours in the central terminal area. The proposed rate increases are expected to generate incremental revenues of $9.8 million. The remaining revenues of $5.1 million are based on market growth assumption of 4.2%. Management believes this to be an aggressive budget with up to $2 million at risk. The FY 2015 Budget is $0.1 million (0.1%) lower than the Financial Plan projection.




**Parking Revenue per Originating Passenger**

The primary drivers for parking revenues are originating passengers, parking prices, and average length of stay. The goal is to maximize revenue per originating passenger. The increase in parking revenue per originating passenger for the FY 2015 Budget versus the FY 2014 Outlook is due to rate increases and management's expectation of growth in the market for DFW's improved parking products.

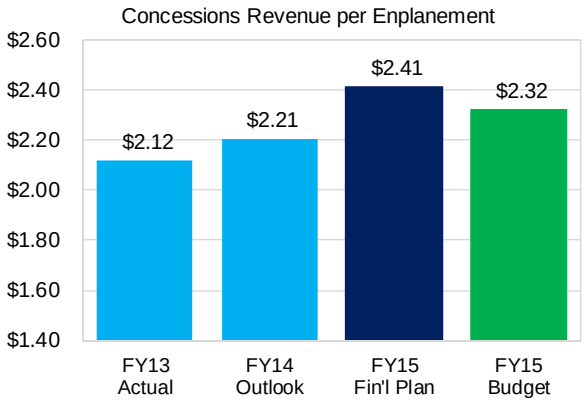
## Concessions Business Unit

**Background** – Terminal concessions primarily consist of food and beverage, retail and duty free, advertising, and various customer services/amenities. Concessions agreements generally are for a term of 5 to 10 years and include a Minimum Annual Guarantee (MAG) and percentage rent. As of May 31, 2014, the Airport had 207 total locations and 137 packages. Approximately 87% of packages are currently paying percentage rent. Concessions revenues also include contracts for sponsorships, advertising, and communications services which generally have periodic or one-time payments that may be amortized over the life of the contract. Concessions' goal is to optimize retail, services, and food and beverage options for customers to increase revenue per enplanement; and to grow new revenue streams from sponsorships, communications, and advertising not tied directly to enplanements.

Concession offerings have continued to evolve to better align with customer preferences through the TRIP and Terminal D Master Plan efforts. In FY 2014, DFW awarded the first phase of Terminal D locations, resulting in the award of 13 Terminal D locations and 3 Terminal B locations to support the Terminal B Stinger and B-D Connector facilities. The next phase, with an anticipated release of Fall 2014, will include locations in Terminal B, D, and E.

**FY 2015 Budget** – The FY 2015 concessions budget is $72.6 million, a $4.8 million (7.0%) increase from the FY 2014 Outlook due to the net impact of increasing enplanements and the opening of new concessions. During FY 2015, although three sections will open after TRIP, there also will be one section of Terminals A, B, and E each closed for TRIP. DFW concession openings and closings due to TRIP and new concepts in Terminal D will result in a net of five incremental new locations opening. Concession revenues have an exposure of $3.5 million due to an assumption that advertising contracts will be renewed in FY 2015.

**Concessions Revenue per Enplanement –** This is the Concession Business Unit's most significant KPI because it measures the amount of revenue earned by DFW from terminal concessions per enplaned passengers. This is also a standard metric used by the airport industry. The $0.11 increase in concessions revenue per enplanement in FY 2015 as compared to the FY 2014 Outlook is primarily related to the opening of new concessions in Terminal A, B and E that will provide new concession offerings to passengers. Revenue per enplanement is lower than the Financial Plan because of slower than anticipated openings of new Concession concepts resulting from a revised TRIP schedule.



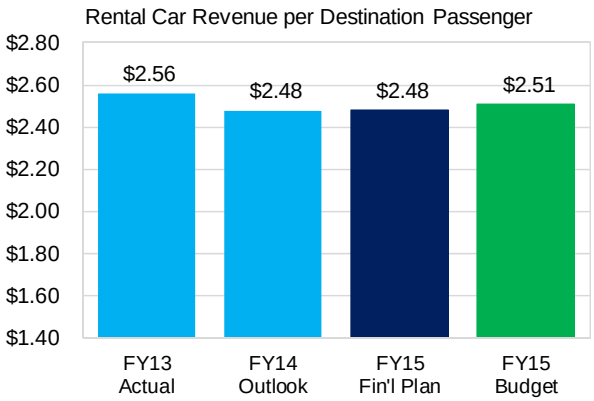
## Rental Car Center (RAC) Business Unit

**Background** – The RAC covers 155 acres and includes a common building with individual counters and back office space for each rental car company. The facility also includes a parking garage for ready and return car spaces, a bus maintenance facility, overflow surface parking areas and individual rental company service sites including car wash racks, maintenance bays and fueling systems. The Airport collects ground lease, percentage rent (10% of sales), and O&M expenses from the rental car companies. The ground lease rate increases 3% each year. There are 7 rental car companies with 11 brands operating from the RAC, providing a total available inventory of approximately 25,000 cars. The largest 3 rental car companies and their market share are Hertz (30%), Avis/Budget (25%), and Enterprise/Vanguard (28%). There are no major off–airport rental car operations competing with the Airport.

DFW management has very little control over rental car company activities. It assists the RAC companies where possible and maintains the RAC facility to high standards. Most RAC patrons are business travelers. RAC sales and DFW revenues tend to follow the economy. DFW revenues can rise or fall based on the number of DFW destination passengers, the percentage of destination passengers renting cars, the average stay per renter, and the average daily price charged for the cars.

**FY 2015 Budget** – The FY 2015 rental car revenue budget is $31.9 million, a $0.2 million (0.7%) increase from the FY 2014 Outlook due to increases in average daily rate projected for FY 2015. The FY 2015 Budget is $0.3 million better than the projection in the FY2015 Financial Plan due to the impact of lower transaction days assumed in the Plan. All other factors are assumed to stay constant with the FY 2014 Outlook because management has no control over these factors.

**RAC Revenues per Destination Passenger**
This KPI measures the amount of percentage rent paid by the rental car companies to DFW divided by destination passengers (i.e., passengers from other cities that fly to DFW for business or pleasure). The FY 2015 Budget for RAC revenues per destination passenger is projected to be 1.2% higher than the FY 2014 Outlook primarily due to an estimated increase in average daily rate.



## Commercial Development Business Unit

**Background** – The Airport has a total land mass of 17,207 acres. As of June 30, 2014, 2,029 acres have been commercially developed. Management estimates that approximately 4,090 acres of additional land is available for future development. A commercial development land use plan has been completed and approved by the Board. Management has also had a consultant prepare a detailed feasibility study of the full cost and benefits of the different development areas identified in the land use plan. The Airport focuses primarily on developing land that has airport synergy such as logistics and warehousing. Any land lease over 40 years requires the approvals of the Cities of Dallas and Fort Worth.

Commercial development revenues include ground leases, foreign trade zone tariff and facility rents generated from non-terminal Airport facilities, and property and surface use fees primarily from natural gas drilling. Multi-year lease agreements are negotiated with tenants on a square foot or acre basis. Some facilities such as the Hyatt Regency Hotel and Bear Creek Golf Course also have percentage rent components.

DFW is currently in the construction process for the new Southgate Plaza project that will include the new DFW Airport Headquarters, restaurants, a USPS Customer Service Facility, a Hyatt Place Hotel, as well as pad-ready sites for future Office and Hospitality developments. The Common Infrastructure to support current and future leasing phases at Founders Plaza center is underway and slated to be complete in FY 2014. Other future development opportunities include land around the new DART station on the southeast side of the Airport and several industrial, office, and mixed use commercial sites on the north and south sides of the Airport.

The key drivers for commercial development revenues are acres developed and the average ground rental rate. Approximately 40% of the ground lease revenue is based on negotiated rates and 60% on the airport services ground rental rate. The airport services ground rental rate per acre increases with inflation and will be $27,059 in FY 2015.

**FY 2015 Budget** – The FY 2015 commercial development revenue budget is $37.6 million, a $0.5 million (1.3%) increase from the FY 2014 Outlook. FY 2015 reflects an increase of $1.9 million in new ground lease rents and a decrease of $1.7 million of one-time revenue received from DART related proceeds and fees.

## Other DFW Revenues and Expenses

The fees charged in this category are established to recover costs (except interest income). Certain categories like taxi fees are regulated such that DFW is supposed to charge break even prices. Due to the new cost allocation methodologies contained in the Use Agreement, a few of these cost centers are not fully recovering their costs. Where there are significant differences, management has elected to manage to a break-even over a number of years to keep price increases reasonable. There are no year-end reconciliations or true-ups in these cost centers.

**Employee Transportation –** DFW charges fees to employees for providing transportation from the parking lots to the terminals. Many times the companies or airlines pay these fees for their employees. The FY 2015 Budget is $14.4 million, a $0.8 million (5.6%) increase from the FY 2014 Outlook due to rate increases to cover incremental employee bussing costs and shifts in cost center allocations.

**Taxi, Limo and Shuttle Fees –** These fees are paid by taxis, limos, shuttles and other shared-ride transportation companies that require airport access to drop-off and pick-up passengers. The FY 2015 Budget is $9.1 million, a $0.4 million (4.9%) increase from the FY 2014 Outlook due to anticipated growth in ground transportations especially limousine service.

**Utilities & Miscellaneous –** This revenue category represents fees charged to non-airline users of utilities, HVAC, trash removal, water, and certain permit and accounting fees. Utility charges to users are based on the cost to provide the services. The FY 2015 Budget is $6.7 million, a $0.1 million (1.3%) decrease from the FY 2014 Outlook due to decrease in permit fees.

**DPS Revenues –** The department of public Safety (DPS) receives reimbursements from the TSA for certain services, and for badging and fire training services. The FY 2015 Budget is $6.4 million, a $0.3 million (4.9%) increase from the FY 2014 Outlook primarily due to increased fire training center revenues. DPS revenues are allocated to the cost centers on the same basis as DPS expenses.

**Interest Income –** Interest income includes interest earned on investments from the Operating Revenue and Expense Fund, the 3 month Operating Reserve, and Debt Service Reserve Fund, and the Rolling Coverage Account. The FY 2015 interest income budget is $2.6 million, a $0.9 million (56.2%) increase from the FY 2014 Outlook due higher interest rates. The FY 2015 Budget is a $0.3 million (10.2%) decrease from FY 2015 in the FY 2014 Financial Plan due to slightly lower interest rates (0.25% in the Financial Plan versus 0.20% in the Budget).

**Skylink** – Expenses related to Skylink are covered in the DFW Cost Center so that bonds related to Skylink can remain non-AMT. The FY 2015 Budget is $22.7 million, a $0.2 million (0.9%) increase from the FY 2014 Outlook due to CPI related contract increases.

**Terminal Contributions –** Per the terms of the Use Agreement, DFW pays terminal cost based on common use space and its share of vacant leasable space. The FY 2015 Budget is $6.4 million, a $0.4 million (6.1%) increase from the FY 2014 Outlook.

EXPENSES

## FY 2015 Expense Budget by Major Cost Driver

The FY 2015 Budget is $724.7 million, an increase of $78.3 million (12.1%) from the FY 2014 Outlook and an increase from the FY 2014 Budget of $68.0 million (10.4%). However, the Budget is under the Financial Plan projection for FY 2015 by $11.6 million (1.6%).

A walkforward between the FY 2014 Outlook and the FY 2015 Budget follows:

| Annual Budget (Millions) | FY14 Budget | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs FY14OL | Increase (Decrease) FY15B vs FY15FP |
|---|---|---|---|---|---|---|
| Operating Expenses | $374.2 | $372.7 | $387.0 | $391.4 | $18.7 | $4.4 |
| Gross Debt Service | 282.5 | 273.7 | 349.3 | 333.3 | 59.6 | (16.0) |
| Total 102 Fund Expenditures | $656.7 | $646.4 | $736.3 | $724.7 | $78.3 | ($11.6) |
| Contingency O/S Rate Base | | | | 10.0 | | |
| Total Budget w/ Contingency | | | | $734.7 | | |

## Operating Expense Budget Walkforward

| Operating Expenses (in millions) | Total | DFW | Airline |
|---|---|---|---|
| FY 2014 Outlook | $372.7 | $144.0 | $228.7 |
| Merit & salary annualizaton | 4.8 | 2.0 | 2.8 |
| Fixed contract increases | 4.2 | 2.2 | 2.0 |
| Airline/customer service enhancements | 4.7 | 0.5 | 4.2 |
| New facilities/TRIP | 2.9 | 0.6 | 2.3 |
| Accounting policy changes | 2.7 | 1.1 | 1.6 |
| New asset management/ops projects | 2.1 | 0.3 | 1.8 |
| Miscellaneous increases | 1.6 | 1.0 | 0.7 |
| Operating expense increases | 23.0 | 7.6 | 15.4 |
| Contingency & reserves | | | |
| Restore contingency | 1.5 | 0.5 | 1.0 |
| Adjust operating reserve | 0.7 | 0.6 | 0.1 |
| Net increases before cost efficiencies | 25.2 | 8.7 | 16.5 |
| Cost reductions and efficiencies | (6.5) | (1.7) | (4.8) |
| Net increase | 18.7 | 7.0 | 11.7 |
| FY 2015 Expense Budget | $391.4 | $151.0 | $240.4 |

## Detailed Operating Expense Budget Walkforward

| | Budget Category (in millions) | Total | DFW | Airline |
|---|---|---|---|---|
| | **FY 2014 Outlook** | **$372.7** | **$144.0** | **$228.7** |
| **A** | **Merit & salary annualization** | **4.8** | **2.0** | **2.8** |
| | **Fixed contract increases** | | | |
| **B** | Utilities & fuels | 2.2 | 0.9 | 1.4 |
| **C** | Fixed contract increases | 1.2 | 1.2 | 0.0 |
| **D** | Health care | 0.4 | 0.1 | 0.3 |
| **E** | Property insurance premiums | 0.3 | (0.0) | 0.3 |
| | **Total fixed contract increases** | **4.2** | **2.2** | **2.0** |
| | **Airline/customer enhancements** | | | |
| **F** | Airline service improvements | 1.4 | 0.1 | 1.2 |
| **G** | Guest Assistance services | 1.1 | 0.0 | 1.1 |
| **H** | Terrazzo & escalator cleaning | 1.0 | 0.0 | 1.0 |
| **I** | Hardstanding | 0.8 | 0.0 | 0.8 |
| **J** | Parking Technology | 0.4 | 0.4 | 0.0 |
| | **Total airline/customer enhancements** | **4.7** | **0.5** | **4.2** |
| **K** | **New facilities/TRIP Increases** | **2.9** | **0.6** | **2.3** |
| **L** | **Accounting policy change increases** | **2.7** | **1.1** | **1.6** |
| **M** | **New asset management/ops projects** | **2.1** | **0.3** | **1.8** |
| | **Miscellaneous increases** | | | |
| **N** | Other contracts | 0.7 | 0.1 | 0.6 |
| **O** | Disaster decovery & continuity consulting | 0.2 | 0.0 | 0.2 |
| **P** | Other, net | 0.7 | 0.8 | (0.1) |
| | **Total Miscellaneous Increases** | **1.6** | **1.0** | **0.7** |
| | **Operating expense increases** | **23.0** | **7.6** | **15.4** |
| | **Contingency & reserves** | | | |
| **Q** | Restore contingency | 1.5 | 0.5 | 1.0 |
| **R** | Adjust operating reserve | 0.7 | 0.6 | 0.1 |
| | **Total contingency & reserves** | **2.2** | **1.1** | **1.1** |
| | **Net increases before cost reductions** | **25.2** | **8.7** | **16.5** |
| | **Cost reductions and efficencies** | | | |
| **S** | December winter storm | (2.2) | (0.1) | (2.1) |
| **T** | One time projects in 2014 | (1.2) | (0.3) | (0.9) |
| **U** | ETAM operational efficiencies | (1.0) | (0.3) | (0.7) |
| **V** | Pension & OPEB reductions | (1.0) | (0.5) | (0.5) |
| **W** | ITS efficiencies | (0.6) | (0.3) | (0.4) |
| **X** | Supplies & equipment reductions | (0.5) | (0.2) | (0.3) |
| | **Total cost reductions** | **(6.5)** | **(1.7)** | **(4.8)** |
| | **Net increase** | **18.7** | **7.0** | **11.7** |
| | **FY 2015 Budget** | **$391.4** | **$151.0** | **$240.4** |

Note: The reference letters in the previous table are cross-referenced to the variance explanations in the Expense Comparison by Summary Account discussed further in this section.

**A. Merit & Salary Annualization** **$4.8 million**

This amount represents the cost impact of a 3% merit pool for nine months in FY 2015 (beginning the first pay period in January); the annualization of last year's merit increase (for the first quarter of the fiscal year); annualization of last year's vacant positions that had funding deferred for three months; and changes in the "vacancy factor" from an average of 5.0% in FY 2014 to an average 5.5% in FY 2015. The change in vacancy factor is based on experience in FY 2014.

**B. Utilities & Fuels** **$2.2 million**

The increase in Utilities and Fuels is driven by increased commodities costs, increased consumption for new facilities, and new taxes. Electric rates are locked in through March 2015 and are expected to increase approximately 6.9% for the last six months of FY 2015. Gas rates are locked in through September 2014 and are expected to increase approximately 7.5%. New facilities impacting FY 2015 include the B-D Connector, the B North Stinger, the DART Rail Station, and the new consolidated headquarters building, offset by reductions in the North and South Towers and the old administrative building.

**C. Fixed Contract Increases** **$1.2 million**

Busing contracts for Employee, terminal link, and express are projected to increase $0.7 million due to inflation and increased bus utilization with the move of employees from Terminal D to employee parking lots; and Skylink maintenance & inspections will increase $0.5 million due to inflation and the every-other-year cycle of inspections.

**D. Health Care** **$0.4 million**

Health care costs, which include medical benefits, long term disability, short term disability and life insurance are increasing $0.4 million due to medical inflation. The low rate increase of 3.3% for FY 2015 is attributable to the benefits of DFW's wellness program, plan design changes, and the linkage of medical premiums to wellness participation.

**E. Property Insurance Premiums** **$0.3 million**

Property insurance costs will increase in FY 2015 due to past claims experience and increased value of buildings, primarily due to TRIP improvements in the terminals and new parking garages. The valuation of DFW's assets has increased $598 million for FY 2015.

**F. Airline Service Improvements** **$1.4 million**

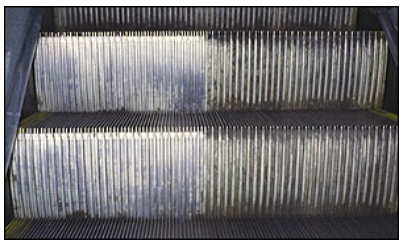
This increase represents additional funds for deicing ($0.5 million), new foul weather equipment maintenance ($0.1 million); incremental baggage handling maintenance ($0.3 million), and other airfield improvements ($0.5 million). Last year, DFW cut its deicing budget below historic levels. The FY 2015 Budget restores the budget. DFW added new equipment over the past few years to handle bad weather days. The FY 2015 budget assumes a full year of maintenance cost. Additional funding has also been added to cover incremental baggage handling maintenance for Terminal E to maintain proper performance levels until the system can be replaced during TRIP.

**G. Guest Assistance Services** **$1.1 million**

The guest assistant services budget has been increased $1.1 million primarily to provide more wheelchair assistance in for international passengers in Terminal D (non-American Airlines). This is necessary to serve the increased of number of international passengers and an aging population that requires more assistance.

**H. Terrazzo Floor Restoration & Escalator Cleaning** **$1.0 million**

The incremental funding will allow DFW to enhance the customer experience in Terminal D by restoring the terrazzo floor to its original condition and thoroughly cleaning the grooves in the escalator steps which have become unsightly and filthy. Neither of these activities has been done in the 8 years since Terminal D has opened. This work will be completed in the evening and will become an ongoing maintenance activity in the future.



**I. Hardstand Operations** **$0.8 million**

Due to a lack of international gates in Terminal D during peak arrival times, DFW will have to hardstand additional operations in 2015. Costs include maintenance on equipment such as Cobuses, mobile passenger jet bridges, portable water carts, pre-conditioned air units and ground power units, contract personnel to drive the buses, and fuel for the buses and equipment.

**J. Parking Technology Enhancements** **$0.4 million**

DFW has enhanced the customer experience in the parking garages by installing parking guidance systems in the new sections of the Terminal A garage and in the Terminal D garage (this summer) that allows guests to easily find parking spaces. The incremental amount of $0.4 million will fund the increased maintenance costs for this system.

**K. TRIP/New Facility Increases** **$2.9 million**

DFW has installed as enabling projects new communication rooms and IT systems (e.g., Voice Evacuation, CCTV) in all the older terminals as part of TRIP, including Terminal C; and the Terminal B-North Stinger was opened in FY 2014. The incremental cost for ITS maintenance and support of these systems, and the custodial services for the stinger are projected at $1.1 million. In addition, internet bandwidth is being expanded in the new headquarters building to provide faster download speed. This is projected to cost an additional $0.4 million.

**L. Accounting Policy Changes** **$2.7 million**

In prior years, certain expenses were charged to capital accounts rather than the 102 Operating Fund. For GAAP purposed, these costs were expensed. The net result of this policy was to increase the need to issue debt. As part of the FY 2014 Financial Plan process, it was decided that these costs should be funded from the 102 Fund in the future reducing the need to issue more debt. Those expenses included salary and benefits of employees working on TRIP ($1.2

million), ADE overhead ($1.1 million) and certain natural gas costs ($0.4 million) and certain planning studies.

**M. New Asset Management and Operations Projects** **$2.1 million**

There are numerous one-time Asset Management and Operations Department in the FY 2015 budget including $0.6 million of terminal projects; $0.4 million for Energy Plaza assessments, $0.3 million for Fire Station #3 waterproofing, $0.1 million for fence repair; $0.1 million for Skylink employee parking lot pavement; $0.1 million for Airport Operations Center reporting and communication software; $0.1 million for Airfield lighting study; and $0.1 million for radios.

**N. Other Contract Increases** **$0.7 million**

This category includes numerous small contract increases including rodent/pest control, international waste, art maintenance, noise compatibility, environmental contracts, Public Affairs contracts, Legal contracts, and employee medical clinic contract, resulting in an increase of $0.7 million.

**O. Disaster Recovery & Continuity Consulting** **$0.2 million**

In response to an audit recommendation, the budget in FY 2015 reflects an increase of $0.2 million for a new disaster recovery and business continuity consultant.

**P. Other** **$0.7 million**

This category includes the net increases and decreases from many small projects. Increases for overtime, new positions, employee incentive program, and other are offset by decreases in travel, training, and the Customs and Border Protection overtime reimbursement program.

**Q. Restore CEO Contingency** **$1.5 million**

DFW budgets have historically contained a CEO contingency ranging from $2.5 million to $1.75 million. The CEO contingency is included in the rate base and may be used by the CEO without Board approval. It is recommended that the CEO contingency be $2 million in FY 2015. This increase represents the portion of the CEO contingency that has been used in FY 2014.

**R. Adjust Operating Reserve** **$0.7 million**

DFW is required to have a 90-day cash reserve for operating expenses. The budget in FY 2015 reflects a $0.7 million increase in the Operating Reserve because of budgeted expense changes. In FY 2015, the actual reserve needs to be increased by $4.7 million due to a net cost increase of $18.7 million. In a budget to budget comparison, the resulting Operating Reserve increase is $0.7 million.

**S. December Winter Storm** **($2.2) million**

The DFW Metroplex experienced a severe winter storm in December 2013. The impact was increased expenses for deicing, foul weather equipment, supplies and overtime. These one-time expenses have not been budgeted in FY 2015 and are reflected as a cost reduction.

**T. One Time Projects** **($1.2) million**

The FY 2014 Budget funded various projects and studies that will not recur in FY 2015, such as certain airfield projects, special events, and other one-time projects. Management tracks one-time projects during the year and does not budget for them in the following fiscal year, requiring new work to be justified. Accordingly, this amount is reflected as a budget reduction.

**U. Energy, Transportation, & Asset Mgmt. Operational Efficiencies** **($1.0) million**

Energy, Transportation, & Asset Management has committed to identify and implement operational efficiencies in FY 2015 resulting in cost efficiencies of $1.0 million. In order to achieve these efficiencies, areas being evaluated are facilities maintenance, parts and materials management, landscaping, and other maintenance projects.

**V. Pension/OPEB** **($1.0) million**

The funding requirements for the defined benefit retirement plan and other post-employment benefits (OPEB) are actuarially determined for DFW each year. The FY 2015 contribution for the defined benefit plans has decreased $1.0 million due primarily to a better investment returns over the past five years.

**W. ITS Efficiencies** **($0.6) million**

Information Technology Services consulting contracts were reduced to fund six new permanent positions. These new positions will increase efficiencies and better utilize ITS resources.

**X. Supplies and Equipment** **($0.5) million**

This category includes savings related to a variety of supplies and equipment resulting in a FY 2015 decrease of $0.5 million. Savings are related to repairable supplies ($0.2M), general supplies ($0.1M), equipment ($0.1M), and various other savings ($0.1M).

## Operating Budget by Category

The following tables compare the FY 2014 Outlook with the FY 2015 Budget by expense category. Variance explanations by major cost driver follow in the walkforward.

| Operating Budget (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs. FY14OL | Increase (Decrease) FY15B vs. FY15 F Plan |
|---|---|---|---|---|---|
| Salaries & Wages | $118.2 | $123.1 | $125.6 | $7.3 | $2.4 |
| Benefits | 61.9 | 64.0 | 62.1 | 0.2 | (1.8) |
| Contract Services | 130.7 | 134.6 | 135.9 | 5.2 | 1.4 |
| Utilities | 25.0 | 25.9 | 26.8 | 1.8 | 0.9 |
| Equipment & Supplies | 15.6 | 16.4 | 17.3 | 1.7 | 1.0 |
| Insurance | 5.8 | 6.0 | 6.0 | 0.3 | 0.0 |
| Fuels | 4.5 | 3.9 | 5.0 | 0.5 | 1.1 |
| General, Admin & Other | 7.1 | 7.2 | 6.7 | (0.4) | (0.5) |
| Contingency | 0.5 | 2.5 | 2.0 | 1.5 | (0.5) |
| Subtotal | 369.4 | 383.5 | 387.4 | 18.0 | 3.9 |
| Operating Reserve | 3.3 | 3.5 | 4.0 | 0.7 | 0.5 |
| Total Budget | $372.7 | $387.1 | $391.4 | $18.7 | $4.4 |

| | **Budget Walkforward (millions)** | Sals | Bens | Conts | Util | Supp | Ins | Fuels | G & A | Cont | Op Res | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | FY 2014 Outlook | 118.2 | 61.9 | 130.7 | 25.0 | 15.6 | 5.8 | 4.5 | 7.1 | 0.5 | 3.3 | 372.7 |
| | Expense Increases | | | | | | | | | | | |
| A | Merit & Salary Annualization | 4.6 | 0.2 | | | | | | | | | 4.8 |
| B | Utilities & Fuels | | | | 1.8 | | | 0.5 | | | | 2.2 |
| C | Fixed Contract Increases | | | 1.2 | | | | | | | | 1.2 |
| D | Health Care | | 0.4 | | | | | | | | | 0.4 |
| E | Property Insurance Premiums | | | | | | 0.3 | | | | | 0.3 |
| F | Airline Service Improvements | | | | | 1.4 | | | | | | 1.4 |
| G | Guest Assistance Services | | | 1.1 | | | | | | | | 1.1 |
| H | Terrazzo & Escalator Cleaning | | | 1.0 | | | | | | | | 1.0 |
| I | Hardstand | | | 0.8 | | | | | | | | 0.8 |
| J | Parking Technology | | | 0.4 | | | | | | | | 0.4 |
| K | New Facilities/TRIP Increases | | | 1.9 | | 1.0 | | | | | | 2.9 |
| L | Accounting Policy Change Increases | 1.0 | 0.6 | 1.1 | | | | | | | | 2.7 |
| M | New Asset Management/Ops projects | | | 1.7 | | 0.4 | | | | | | 2.1 |
| N | Other Contracts | | | 0.7 | | | | | | | | 0.7 |
| O | Disaster Recovery & Continuity Consulting | | | 0.2 | | | | | | | | 0.2 |
| P | Other | 1.8 | | (0.7) | | | | | (0.4) | | | 0.7 |
| Q | Restore Contingency | | | | | | | | | 1.5 | | 1.5 |
| R | Adjust Operating Reserve | | | | | | | | | | 0.7 | 0.7 |
| | Net Increases before Cost Reductions | 7.4 | 1.2 | 9.5 | 1.8 | 2.7 | 0.3 | 0.5 | (0.4) | 1.5 | 0.7 | 25.2 |
| | Cost Reductions | | | | | | | | | | | |
| S | December Winter Storm | (0.1) | | (1.7) | | (0.4) | | | | | | (2.2) |
| T | One Time Projects in FY 2014 | | | (1.2) | | | | | | | | (1.2) |
| U | ETAM Operational Efficiencies | | | (0.8) | | (0.2) | | | | | | (1.0) |
| V | Pension & OPEB | | (1.0) | | | | | | | | | (1.0) |
| W | ITS efficiencies | | | (0.6) | | | | | | | | (0.6) |
| X | Supplies & Equipment | | | | | (0.5) | | | | | | (0.5) |
| | Total Cost Reductions | (0.1) | (1.0) | (4.4) | 0.0 | (1.1) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | (6.5) |
| | Net Increase | 7.3 | 0.2 | 5.1 | 1.8 | 1.6 | 0.3 | 0.5 | (0.4) | 1.5 | 0.7 | 18.7 |
| | FY 2015 proposed budget | 125.6 | 62.1 | 135.9 | 26.8 | 17.3 | 6.0 | 5.0 | 6.7 | 2.0 | 4.0 | 391.4 |

### Salaries and Wages

The FY 2015 salaries and wages budget is $125.6 million, a $7.3 million (6.2%) increase from the FY 2014 Outlook of $118.2 million due to a 3.0% merit pool ($3.0 million), new positions ($1.1 million), accounting policy changes ($1.0 million), annualization of FY 2014 merit increase ($0.9 million), and net vacancy factor and other changes ($1.3 million).

### Benefits

The FY 2015 benefits budget is $62.1 million, a $0.2 million (0.3%) increase from the FY 2014 Outlook of $61.9 million. This is the net result of decreased pension/OPEB contributions ($1.0 million), health care increases ($0.4 million); accounting policy change ($0.6 million), and social security and other net increases ($0.2 million).

### Contract Services

The FY 2015 contract services budget is $135.9 million, a $5.2 million (4.0%) increase from the FY 2014 Outlook of $130.7 million due to cost reductions and efficiency savings related to the December winter storm ($1.7 million), ETAM operational efficiencies ($0.8 million), ITS efficiencies ($0.6 million) and reductions in one-time projects ($1.2 million) such as assessments, airfield paint removal, etc. These savings are offset by increases in contracts ($1.2 million) such as terminal link, employee and express busing, and Skylink operations and inspections, customer enhancement increases for guest assistant services ($1.1 million), terrazzo floor rejuvenation and escalator step cleaning ($1.0 million), hardstand operations ($0.8 million), and parking customer enhancements ($0.4 million), new facilities and TRIP related custodial and maintenance increases ($1.9 million), ADE overhead increases due to accounting policy change ($1.1 million), increases for new asset management and operations projects ($1.7 million), and other contract increases ($0.3 million).

### Equipment and Supplies

The FY 2015 equipment and supplies budget is $17.3 million, a $1.7 million (10.7%) increase from the FY 2014 Outlook of $15.6 million primarily due to cost reductions and efficiency savings related to the December winter storm ($0.4 million), general and repairable supplies, and equipment ($0.5 million), and ETAM operational efficiencies ($0.2 million). These savings are offset by increases in baggage handling maintenance, uniforms, injection pavement foam, asphalt hot mix, and deicing supplies ($1.4 million); equipment and supplies for new facilities and TRIP ($1.0 million), and various new Asset Management and Operations projects ($.4 million).

### Utilities

The FY 2015 utilities budget is $26.8 million, a $1.8 million (7.1%) increase from the FY 2014 Outlook of $25.0 million due to increases in electricity ($0.5 million); water and sewer ($0.6 million); and communications costs ($0.7 million).

### Fuels

The FY 2015 fuels budget is $5.0 million, a $0.5 million (10.1%) increase from the FY 2014 Outlook of $4.5 million primarily due to CNG/propane rate increases.

### Insurance

The FY 2015 insurance budget is $6.0 million, a $0.3 million (5.0%) increase from the FY 2014 Outlook of $5.8 million primarily due to increased premiums based on claims experience and the value of DFW's assets, due to TRIP improvements and the new parking garages.

### General and Administrative (G&A)

The FY 2015 general and administrative budget is $6.7 million, a $0.4 million (5.4%) decrease from the FY 2014 Outlook of $7.1 million due to lower travel expenses and decreases in Board sponsorships and memberships.

### Contingency

The FY 2015 Budget includes $2.0 million of contingency inside the rate base to be spent at the CEO's discretion for projects and unforeseen events that come up during the fiscal year.

### Operating Reserve

DFW is required to have a 90-day cash reserve for operating expenses. This is the amount necessary to fund the reserve.

## Contingency Outside of Rate Base

Beginning in FY 2010, DFW began to add contingency outside of the rate base to the budget. This is done so that the airlines do not have to pay for the contingency during the year in the rate base, but provides management with flexibility should costs rise unexpectedly and an incentive to budget costs more accurately. This allows management to make investments in the DFW cost center or to pursue marketing initiatives if incremental revenues are generated. Management must obtain Board of Directors' approval prior to using this contingency. Contingency outside the rate base is recommended to be $10.0 million for FY 2015, consistent with the FY 2014 amount.

## Net Debt Service Budget

The FY 2015 net debt service budget is $198.0 million, a $53.4 million (36.9%) increase from the FY 2014 Outlook and an $11.3 million (5.4%) decrease from the FY 2015 Financial Plan as shown in the table below.

| Debt Service (in Millions) | FY14 Outlook | FY15 Fin'l Plan | FY15 Budget | Increase (Decrease) FY15B vs. FY14OL | Increase (Decrease) FY15B vs. FY15FP |
|---|---|---|---|---|---|
| Debt Service and Coverage | | | | | |
| Pre-TRIP Debt Service | $219.3 | $234.4 | $229.8 | $10.5 | ($4.7) |
| TRIP Debt Service[1] | 36.4 | 88.8 | 82.1 | 45.8 | (6.6) |
| PFIC Related Debt Service[2] | 18.2 | 18.1 | 18.1 | (0.1) | 0.0 |
| DFWCA Debt Service[3] | 0.0 | 8.0 | 3.5 | 3.5 | (4.5) |
| Less Interest Income | (0.2) | 0.0 | (0.2) | 0.0 | (0.2) |
| Gross Debt Service and Coverage | $273.7 | $349.3 | $333.3 | $59.6 | ($15.9) |
| Offsets to Debt Service | | | | | |
| PFCs for Pre-TRIP Debt Service | 110.8 | 113.8 | 113.7 | 2.9 | (0.1) |
| PFIC Transfers[2] | 18.2 | 18.1 | 18.1 | (0.1) | (0.0) |
| DFWCA Transfers[3] | 0.0 | 8.0 | 3.5 | 3.5 | (4.5) |
| Total Offsets | 129.0 | 139.9 | 135.3 | 6.3 | (4.6) |
| Net Debt Service Paid by Rate Base | $144.7 | $209.4 | $198.0 | $53.4 | ($11.3) |

[1]Shown net of Capitalized Interest
[2]RAC and Grand Hyatt Hotel
[3]Consolidated Headquarters

The Net Debt Service increase of $53.4 million over the FY 2014 Outlook is primarily due to the increase in TRIP debt service. Pre-TRIP debt service is scheduled to gradually increase through FY 2017 as agreed upon in the Use Agreement. It is lower than the Financial Plan however due to additional debt restructuring to offset the increase in customer service enhancements.

The increase in TRIP debt service is a result of completion of terminal projects in FY 2014 and FY 2015. TRIP debt service is not PFC eligible.

PFIC Debt Service relates to debt associated with the RAC and Grand Hyatt Hotel. This debt service is funded from the PFIC so that the debt service does not impact the rate base. Similarly, DFW Capital Account debt service is related to the consolidated headquarters. This is funded with transfers from the DFW Capital Account so it does not impact the rate base.

## Positions

The following table summarizes the total number of operating and capital positions assumed in the FY 2015 Budget. Operating positions are paid out of the 102 Fund. Salaries of capital positions are capitalized and paid from the capital accounts. A summary of positions by department is included at the end of the Department section.

| Positions | FY14 Budget | FY14 Changes | FY15 Budget |
|---|---|---|---|
| Operating | 1,797 | 19 | 1,816 |
| Capital | 112 | (6) | 106 |
| Total | 1,909 | 13 | 1,922 |

The change in the number of positions consists of the addition of thirteen positions as detailed in the table below and the movement of six positions from Capital to Operating as a result of the change in accounting policy. The additional positions in Finance and ITS are offset by reductions in temporary staffing and ITS consulting.

| Department | Number | Position |
|---|---|---|
| Executive Office | 1 | EVP of Airport Development and Planning |
| Finance | 2 | Finance Parking Revenue Specialists |
| ITS | 1 | Senior Storage Administrator |
| ITS | 1 | Sr. IT Infrastructure Specialist |
| ITS | 1 | APPIAN Analyst |
| ITS | 1 | ETL Analyst |
| ITS | 1 | Systems Integration Developer (AODB) |
| ITS | 1 | Field Service Technician |
| ETAM | 2 | Maintenance Worker III, Pavement |
| ETAM | 2 | Signs and Marking Technician |

DEPARTMENTS

## Department Overview and Walkforwards

DFW is organized into Divisions, which are comprised of Departments. Each Division page includes a summary of the Division's major functions and a walkforward of the FY 2015 Budget by major cost driver. The following table is a budget comparison by Department, in thousands.

| | FY14 Outlook | FY15 Budget | Increase (Decrease) FY15B vs FY14OL |
|---|---|---|---|
| Energy, Transportation & Asset Mgmt. | $125,927 | $130,145 | 4,218 |
| Public Safety | 63,725 | 64,805 | 1,080 |
| Operations | 11,018 | 11,572 | 554 |
| Environmental Affairs Department | 5,049 | 5,397 | 348 |
| Planning Department | 2,419 | 2,251 | (168) |
| **Operations** | 208,138 | 214,171 | 6,033 |
| | | | |
| Parking | 46,613 | 48,408 | 1,795 |
| Concessions | 3,260 | 3,267 | 7 |
| Commercial Development | 2,244 | 2,169 | (75) |
| Customer Services Department | 12,457 | 14,280 | 1,823 |
| Marketing Services Department | 9,201 | 9,326 | 125 |
| **Revenue Management** | 73,774 | 77,450 | 3,676 |
| | | | |
| Human Resources | 6,570 | 6,614 | 44 |
| Procurement & Mat'l Mgmnt | 4,461 | 4,420 | (41) |
| Business Diversity & Development | 1,338 | 1,380 | 42 |
| Risk Management | 9,290 | 9,849 | 559 |
| Public Affairs | 5,035 | 5,034 | (2) |
| **Administration & Diversity** | 26,694 | 27,296 | 603 |
| | | | |
| Information Technology | 35,363 | 39,117 | 3,753 |
| Finance | 6,816 | 6,748 | (68) |
| Treasury | 1,292 | 1,280 | (12) |
| Air Service Development | 2,277 | 2,202 | (75) |
| Aviation Real Estate | 1,428 | 1,348 | (80) |
| Governmental Relations | 1,193 | 1,095 | (97) |
| **CFO/Airline Business & Technology** | 48,369 | 51,791 | 3,422 |
| | | | |
| Airport Development and Engineering | 958 | 2,191 | 1,232 |
| Legal | 2,556 | 2,634 | 78 |
| Audit Services | 2,258 | 2,542 | 284 |
| Executive Office | 4,229 | 4,971 | 742 |
| Contingency | 330 | 2,000 | 1,670 |
| Non Departmental | 5,383 | 6,365 | 982 |
| **Total Operating Expenses** | $372,689 | $391,410 | $18,721 |

## Expense Budget Walkforward

| | Budget Category (in millions) | Total | DFW | Airline |
|---|---|---|---|---|
| | **FY 2014 Outlook** | **$372.7** | **$144.0** | **$228.7** |
| **A** | **Merit & salary annualization** | **4.8** | **2.0** | **2.8** |
| | **Fixed contract increases** | | | |
| **B** | Utilities & fuels | 2.2 | 0.9 | 1.4 |
| **C** | Fixed contract increases | 1.2 | 1.2 | 0.0 |
| **D** | Health care | 0.4 | 0.1 | 0.3 |
| **E** | Property insurance premiums | 0.3 | (0.0) | 0.3 |
| | **Total fixed contract increases** | **4.2** | **2.2** | **2.0** |
| | **Airline/customer enhancements** | | | |
| **F** | Airline service improvements | 1.4 | 0.1 | 1.2 |
| **G** | Guest Assistance services | 1.1 | 0.0 | 1.1 |
| **H** | Terrazzo & escalator cleaning | 1.0 | 0.0 | 1.0 |
| **I** | Hardstanding | 0.8 | 0.0 | 0.8 |
| **J** | Parking Technology | 0.4 | 0.4 | 0.0 |
| | **Total airline/customer enhancements** | **4.7** | **0.5** | **4.2** |
| **K** | **New facilities/TRIP Increases** | **2.9** | **0.6** | **2.3** |
| **L** | **Accounting policy change increases** | **2.7** | **1.1** | **1.6** |
| **M** | **New asset management/ops projects** | **2.1** | **0.3** | **1.8** |
| | **Miscellaneous increases** | | | |
| **N** | Other contracts | 0.7 | 0.1 | 0.6 |
| **O** | Disaster decovery & continuity consulting | 0.2 | 0.0 | 0.2 |
| **P** | Other, net | 0.7 | 0.8 | (0.1) |
| | **Total Miscellaneous Increases** | **1.6** | **1.0** | **0.7** |
| | **Operating expense increases** | **23.0** | **7.6** | **15.4** |
| | **Contingency & reserves** | | | |
| **Q** | Restore contingency | 1.5 | 0.5 | 1.0 |
| **R** | Adjust operating reserve | 0.7 | 0.6 | 0.1 |
| | **Total contingency & reserves** | **2.2** | **1.1** | **1.1** |
| | **Net increases before cost reductions** | **25.2** | **8.7** | **16.5** |
| | **Cost reductions and efficencies** | | | |
| **S** | December winter storm | (2.2) | (0.1) | (2.1) |
| **T** | One time projects in 2014 | (1.2) | (0.3) | (0.9) |
| **U** | ETAM operational efficiencies | (1.0) | (0.3) | (0.7) |
| **V** | Pension & OPEB reductions | (1.0) | (0.5) | (0.5) |
| **W** | ITS efficiencies | (0.6) | (0.3) | (0.4) |
| **X** | Supplies & equipment reductions | (0.5) | (0.2) | (0.3) |
| | **Total cost reductions** | **(6.5)** | **(1.7)** | **(4.8)** |
| | **Net increase** | **18.7** | **7.0** | **11.7** |
| | **FY 2015 Budget** | **$391.4** | **$151.0** | **$240.4** |

## Operations Division

### Energy, Transportation and Asset Management (ETAM)

ETAM manages DFW's physical infrastructure assets and services to include energy management, thermal energy production and distribution, potable water and sanitary sewer system operation, pretreatment plant operation, spent aircraft deicing fluid collection, storage system operation, Skylink system operation and vehicle fleet maintenance. Services include facilities maintenance, commissioning/retro-commissioning of physical assets, infrastructure/facility management, solid waste management, and customer support.

### Department of Public Safety (DPS)

The Department of Public Safety ensures the protection of life and property through the effective and efficient delivery of professional public safety services to the airport community to include Police, Fire and Special Services.

### Airport Operations

Airport Operations is responsible for managing airside and landside operations, ground transportation, Corporate Aviation and technical training. Airport Operations ensures the continuous availability of aviation support services and facilities for efficient and safe operations.

### Environmental Affairs

Environmental Affairs implements comprehensive environmental compliance programs throughout DFW Airport, which includes support to the National Environmental Policy Act and the Federal Aviation Administration; regulatory and technical guidance to DFW departments, tenants, and contractors engaging in activities subject to environmental laws, regulations, rules, and enforcement agency policy; and management of a compliance-focused Environmental Management System and 21 core compliance programs as well as the Noise Compatibility Office.

### Planning

Planning is responsible for directing and coordinating the overall planning activities of DFW including facilities, airfield, and transportation/roadway planning, and for directing DFW's signage program.

## Budget Comparison and Walkforward

**Operations Division**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| Asset Management | $125,927 | $130,145 |
| Public Safety | 63,725 | 64,805 |
| Operations | 11,018 | 11,572 |
| Environmental Affairs | 5,049 | 5,397 |
| Planning | 2,419 | 2,251 |
| Total Operations Division | 208,138 | 214,171 |
| | | |
| Salaries & Wages | 65,122 | 68,214 |
| Benefits | 34,075 | 33,591 |
| Contract Services | 68,318 | 69,445 |
| Equipment & Supplies | 16,354 | 17,464 |
| Utilities | 23,102 | 24,216 |
| Administrative | 1,167 | 1,241 |
| Total Operations Division | $208,138 | $214,171 |

| Walkforward from FY 2014 Outlook | | Reference |
|---|---|---|
| FY 2014 Outlook | $208,138 | |
| Salaries and Wages | 3,091 | A, L, |
| Benefits | (484) | D, L , V |
| Contract Services | 1,128 | C, H, K, M, S, T,U |
| Equipment & Supplies | 1,110 | F, K, S, T, X |
| Utilities | 1,114 | B |
| Administrative | 74 | P |
| Total Proposed FY 2015 Budget | $214,171 | |

## Revenue Management Division

### Customer Service

The Customer Service Department oversees the Ambassador Volunteer Program and Terminal Management. All areas of Customer Service focus on meeting public demands, safety, security, and guest relations to allow for improved satisfaction and operational efficiency.

### Marketing Services

Marketing Services is responsible for developing and executing DFW's trade and consumer marketing plans in order to drive increased revenues and new airline business and for ensuring that a consistent brand image is portrayed to every one of DFW's audiences.

### Parking Operations

Parking Operations consists of Operations, Customer Relations, Ground Transportation Service, and Busing. Parking Operations is responsible for parking products, pricing, service delivery and reporting, handling customer feedback, monitoring electronic parking transactions, billing, and providing transportation services to DFW Remote Lots, Trinity Railway Express, Terminal Link, Express Parking and the Employee Shuttle.

### Concessions

The Concessions Department is responsible for the management and administration of all passenger-related concessions and associated revenues within the airport terminals, Rental Car Center (RAC), telecommunications, and selected airport properties outside the terminals.

### Commercial Development

The Commercial Development Department plans, develops, markets and leases airline hangars, air-cargo and logistics facilities, hotels, gas/convenience stores, and commercially available land at DFW. Commercial Development also evaluates and implements business opportunities that diversify DFW's revenue stream.

## Budget Comparison and Walkforward

**Revenue Management Division**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| Customer Service | $12,457 | $14,280 |
| Marketing Services | 9,201 | 9,326 |
| Parking | 46,613 | 48,408 |
| Concessions | 3,260 | 3,267 |
| Commercial Development | 2,244 | 2,169 |
| Total Revenue Mgmt Division | 73,774 | 77,450 |
| | | |
| Salaries & Wages | 20,510 | 21,629 |
| Benefits | 11,661 | 12,035 |
| Contract Services | 38,367 | 41,230 |
| Equipment & Supplies | 1,900 | 1,666 |
| Utilities | 1 | 4 |
| Administrative | 1,336 | 886 |
| Total Revenue Mgmt Division | $73,774 | $77,450 |

| Walkforward from FY 2014 Outlook | | Reference |
|---|---|---|
| FY 2014 Outlook | $73,774 | |
| Salaries & Wages | 1,119 | A, L |
| Benefits | 374 | D, L, V |
| Contract Services | 2,863 | C, G, I, N, |
| Equipment & Supplies | (234) | S, X |
| Utilities | 3 | B |
| Administrative | (449) | P |
| Total FY 2015 Proposed Budget | $77,450 | |

## Administration and Diversity Division

### Business Diversity and Development

The Business Diversity & Development Department (BDDD) is responsible for administering the Board's Disadvantaged and Minority/Women-owned Business Enterprise Programs. BDDD has the overall responsibility to administer, monitor and enforce the DBE and M/WBE policies, standards and procedures.

### Human Resources

Human Resources' (HR) primary functions are to develop and implement programs to enhance the effectiveness of the workforce. HR is responsible for consulting and advising management on employee relations issues, including employee corrective action, complaints, and grievances; assisting employees with concerns; and developing and administering policies and procedures to ensure compliance with federal and state regulations. HR also has responsibility for coordinating the recruitment and staffing activities of DFW. HR also manages and provides strategic direction for DFW Airport's internal communication and diversity programs. HR is responsible for writing and managing the content, messaging, and distribution of all employee communications, in order to educate employees on key DFW Airport initiatives, and create communication vehicles to inform staff of business news and recognize the efforts of DFW Airport employees.

### Procurement & Materials Management

Procurement & Materials Management (PMM) provides DFW-wide centralized procurement, materials management, and reprographic services. PMM manages professional services contracts/procurements and P-card program, and prepares Official Board Actions (OBAs) for Board meetings. The Central Warehouse provides central receipt, financial and physical management of inventory, management of excess and obsolete property, and provides DFW-wide mail service. Print Services provides centralized reproduction, printing, and binding services for departments within the Airport.

### Risk Management

Risk Management identifies, analyzes and evaluates exposures, intervenes with loss prevention measures that reduce costs, and ensures compliance with applicable laws and regulations. Areas of general administration include liability claims management, safety training, management of self-funded, fully insured, and partial claims programs involving property and casualty liability, general liability, errors and omissions, employment liability, fiduciary/fidelity exposures, contractual review/interpretation, breach of contract, auto liability, driver safety and workers' compensation liability, and short/long term disability. Risk Management also oversees both the DFW health and wellness program, LiveWell, and the newly created Integrated Disability Management program.

### Public Affairs

The Public Affairs Department is responsible for community and media relations for DFW Airport. In this role, the Department is responsible for media responsiveness, crisis communications and issues management as well as leading and articulating DFW's communications agenda. The Department is responsible for relationship-management with

external audiences, including local and international chambers of commerce, business-to-business communications, and advocacy for airline route decisions. The Department also leads special events planning, dignitary visits and protocol, and DFW and aviation education community and leadership initiatives in its role as lead department for most external communications.

The Board and Owner City Relations Department is responsible for relations related to the DFW's Board of Directors, the owner and host cities, and local governments. The Department also leads the day-to-day operations related to the monthly Board meeting process.

## Budget Comparison and Walkforward

**Administration and Diversity Division**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| Business Diversity & Development | $1,338 | $1,380 |
| Human Resources | 6,570 | 6,614 |
| Procurement & Materials Mgt | 4,461 | 4,420 |
| Risk Mgt | 9,290 | 9,849 |
| Public Affairs | 5,035 | 5,034 |
| Total Admin & Diversity Division | $26,694 | $27,296 |
| | | |
| Salaries & Wages | 8,245 | 8,859 |
| Benefits | 4,927 | 5,076 |
| Contract Services | 4,227 | 3,961 |
| Equipment & Supplies | 576 | 549 |
| Insurance | 5,754 | 6,044 |
| Administrative | 2,965 | 2,807 |
| Total Admin & Diversity Division | $26,694 | $27,296 |

| Walkforward from FY 2014 Outlook | | Reference |
|---|---|---|
| FY 2014 Outlook | $26,694 | |
| Salaries and Wages | 614 | A, L |
| Benefits | 149 | D, L, V |
| Contract Services | (266) | P |
| Equipment & Supplies | (27) | X |
| Insurance | 290 | E |
| Administrative | (158) | P |
| Total FY 2015 Proposed Budget | $27,296 | |

## CFO/Airline Business and Technology Division

### Information Technology Services

Information Technology Services (ITS) is responsible for delivering technology solutions to DFW and is divided into 4 sections. Enterprise Systems is responsible for the development and maintenance of technology solutions for DFW human resources, procurement, fixed asset, parking, data architecture, and public safety systems. Systems Operations is responsible for the development, implementation, maintenance, and administration of the voice and data communications infrastructure, desktop and server computing environments, and data base administration. Business Solutions is responsible for the development and implementation of executive decision support systems, records management, CADD/GIS, web development, and the implementation of work-flow technologies. Terminal Systems is responsible for the development and maintenance of life safety systems, security systems, and passenger service systems.

### Finance

Finance is comprised of 3 groups: Accounting, Financial Planning, and Capital Planning & Accounting. Accounting is responsible for financial reporting, general ledger accounting, internal controls, revenue collections, accounts payable, accounts receivable, payroll, and fixed assets. Financial Planning is responsible for developing and monitoring DFW's Operating Budget and Outlook for revenues and expenses. This group is also responsible for establishing DFW's rates, fees and charges, and performing departmental financial analysis. In addition, Financial Planning analyzes DFW's business units to determine profitability, implementation of activity based costing, project analysis, process improvement and management methodologies for proper allocations of revenues and expenses. Capital Planning and Accounting is responsible for developing and monitoring DFW's Capital Budget and forecast. In 2014, the construction accounting and reporting function (6 positions) was transferred from Airport Development and Engineering to Finance.

### Treasury/Cash Management

Treasury/Cash Management is responsible for providing strategic financial management for the Airport. This includes overseeing debt issuance/management, cash management, banking relations, DFW investments, retirement fund investments, and grants and PFC administration.

### Aviation Real Estate

Aviation Real Estate serves as the liaison between the Airport and the tenants of all passenger terminals and aviation-related facilities, including air cargo and hangars. Through permits and leases, Aviation Real Estate manages the contractual relationship with the tenants. The department is also responsible for aviation facilities' strategic planning, with the goal of maximizing efficiency within the terminals and other aviation facilities.

### Air Service Development

Air Service Development is responsible for developing and implementing both the comprehensive air service strategy as well as the marketing programs designed to attract new entrants, domestic and international carriers to DFW. In addition, Air Service Development

encourages existing DFW carriers to both enter into new markets as well as to increase service in markets which are already served. Increases in air service either through new entrant carriers, or via existing carriers provide substantial economic benefit for the Dallas/Fort Worth Metroplex.

Air Service Development focuses on both domestic and international passenger and cargo airlines, respectively. This section is responsible for formulating strategic plans that include targeting top target markets and airlines, monitoring airline business trends, targeting potential airline services, and presenting business case presentations for target airlines to review. Through the business case presentations, Air Service Development promotes DFW by highlighting its numerous advantages and world-class facilities, and provides analytical demonstrations of the viability of the DFW market for new airlines and new service.

**Governmental Relations**

The Government Relations Department directs the government affairs function at the airport; provides strategic expertise to airport staff and board members related to state and federal governmental issues; and serves as a point of contact for congressional and legislative representatives and staff, and state and federal agencies. The work involves monitoring and interpreting legislative and regulatory action at all levels, keeping executive staff informed of impact to DFW Airport and/or the aviation industry, and leading the Airport's educational and advocacy advocates to state and federal government entities.

## Budget Comparison and Walkforward

**CFO/Airline Business & Technology**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| ITS | $35,363 | $39,117 |
| Finance | 6,816 | 6,748 |
| Treasury | 1,292 | 1,280 |
| Air Service Development | 2,277 | 2,202 |
| Aviation Real Estate | 1,428 | 1,348 |
| Governmental Relations | 1,193 | 1,095 |
| Total CFO Division | 48,369 | 51,791 |
| | | |
| Salaries & Wages | 18,246 | 19,589 |
| Benefits | 8,751 | 8,855 |
| Contract Services | 17,065 | 17,109 |
| Equipment & Supplies | 1,270 | 2,565 |
| Utilities | 1,921 | 2,584 |
| Administrative | 1,116 | 1,087 |
| Total CFO Division | $48,369 | $51,791 |
| | | |
| Walkforward from FY 2014 Outlook | | Reference |
| FY 2014 Outlook | $48,369 | |
| Salaries and Wages | 1,344 | A, L |
| Benefits | 104 | D, L, V |
| Contract Services | 45 | J, W |
| Equipment & Supplies | 1,295 | F, K |
| Utilities | 663 | B |
| Administrative | (29) | P |
| Total FY 2015 Proposed Budget | $51,791 | |

## Airport Development and Engineering (ADE)

Airport Development has overall responsibility for the efficient, economical design and construction of facility development and major rehabilitation projects at DFW. Airport development also provides technical support services and/or personnel to other departments at DFW as needed in fulfilling DFW's mission. With the exception of overhead and Airport Development's Code Compliance activities, all costs are funded by the 301 fund, not the 102 fund.

### Budget Comparison and Walkforward

**Airport Development and Engineering**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| Salaries & Wages | $564 | $651 |
| Benefits | 351 | 421 |
| Contract Services | 40 | 1,118 |
| Equipment & Supplies | 1 | 0 |
| Utilities | 1 | 0 |
| Administrative | 1 | 0 |
| Total Airport Development | $958 | $2,191 |

| Walkforward from 2014 Outlook | | Reference |
|---|---|---|
| FY 2014 Outlook | $958 | |
| Salaries & Wages | 87 | A |
| Benefits | 70 | D, V |
| Contract Services | 1,078 | L |
| Equipment & Supplies | (1) | X |
| Administrative | (1) | P |
| Total FY 2015 Proposed Budget | $2,191 | |

## Legal

The Legal Department is responsible for providing advice and counsel to the Airport Board and Staff and for overseeing the prosecution and defense of litigation involving DFW Airport. Legal Department attorneys are provided by the Dallas and Fort Worth City Attorney's Offices in accordance with the 1968 Contract and Agreement.

### Budget Comparison and Walkforward

**Legal**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| Salaries & Wages | 220 | 212 |
| Benefits | 124 | 127 |
| Contract Services | 2,188 | 2,257 |
| Equipment & Supplies | 7 | 7 |
| Administrative | 17 | 31 |
| Total Legal | $2,556 | $2,634 |

| Walkforward from 2014 Outlook | | Reference |
|---|---|---|
| FY 2014 Outlook | $2,556 | |
| Salaries & Wages | (8) | A |
| Benefits | 3 | D, V |
| Contract Services | 68 | N |
| Administrative | 14 | P |
| Total FY 2015 Proposed Budget | $2,634 | |

## Audit Services

The Department of Audit Services is an independent appraisal function that reviews and evaluates DFW activities as a service to the Board of Directors and management. The Department of Audit Services reports directly to the Board of Directors through the Finance/Audit Committee. The Department performs work contributing to the safeguarding of assets; economical and efficient use of resources; accomplishment of established objectives and goals; compliance with laws, regulations, and DFW policies; and the reliability and integrity of information used by decision-makers.

### Budget Comparison and Walkforward

**Audit Services**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| Salaries & Wages | 1,339 | 1,509 |
| Benefits | 569 | 627 |
| Contract Services | 302 | 344 |
| Equipment & Supplies | 15 | 18 |
| Administrative | 33 | 44 |
| Total Audit Services | $2,258 | $2,542 |

| Walkforward from 2014 Outlook | | Reference |
|---|---|---|
| FY 2014 Outlook | $2,258 | |
| Salaries & Wages | 170 | A |
| Benefits | 58 | D, V |
| Contract Services | 42 | N |
| Equipment & Supplies | 3 | F |
| Administrative | 11 | P |
| Total FY 2015 Proposed Budget | $2,542 | |

## Executive Office

The Chief Executive Officer, as the chief administrator and executive officer of the DFW Airport Board, recommends policies to the Board of Directors for the planning, constructing, maintaining, operating and regulating of DFW. The Chief Executive Officer, along with the Executive Staff (6 Executive Vice Presidents and support staff), oversees the implementation of adopted policies and is responsible for conducting monthly and special meetings with the Board of Directors. This budget also includes salaries and wages of support staff for the CEO and Executive Staff.

### Budget Comparison and Walkforward

**Executive Office**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| Salaries & Wages | 2,377 | 2,766 |
| Benefits | 1,022 | 1,156 |
| Contract Services | 241 | 451 |
| Equipment & Supplies | 30 | 21 |
| Administrative | 889 | 2,577 |
| Total Executive Office | $4,559 | $6,971 |

| Walkforward from 2014 Outlook | | Reference |
|---|---|---|
| FY 2014 Outlook | $4,559 | |
| Salaries & Wages | 389 | A |
| Benefits | 135 | D, V |
| Contract Services | 210 | O |
| Equipment & Supplies | (9) | X |
| Administrative | 1,688 | P, Q |
| Total FY 2015 Proposed Budget | $6,971 | |

## Total Airport Non-Departmental

The Total Airport Non-Departmental budget reflects the change in Operating Reserve, payroll accruals, incentive compensation, and salary and benefits savings that are recognized at a Board-wide, rather than a departmental, level..

### Budget Comparison and Walkforward

**DFW Non-Departmental**
(in thousands)

| | FY14 Outlook | FY15 Budget |
|---|---|---|
| Salaries & Wages | 1,625 | 2,133 |
| Benefits | 441 | 231 |
| Contract Services | 2 | 0 |
| Operating Reserve | 3,315 | 4,001 |
| Total Non-Departmental | $5,383 | $6,365 |

| Walkforward from 2014 Outlook | | Reference |
|---|---|---|
| FY 2014 Outlook | $5,383 | |
| Salaries & Wages | 508 | A |
| Benefits | (210) | D, V |
| Contract Services | (2) | P |
| Operating Reserve | 686 | R |
| Total FY 2015 Proposed Budget | $6,365 | |

## Position Walkforward

| Division/Department/Section | FY14 Budget | Transfers | Changes | FY 15 Budget |
|---|---|---|---|---|
| Executive Office | 12 | 1 | 1 | 14 |
| Legal | 5 | (0.5) | | 4.5 |
| Audit Services | 15 | | | 15 |
| Airport Development and Engineering | 98 | (6) | | 92 |
| Administration & Diversity | | | | |
| Human Resources | 36 | | | 36 |
| Procurement & Materials Mgmt | 40 | | | 40 |
| Risk Management | 19 | | | 19 |
| Business Development & Diversity | 10 | | | 10 |
| Public Affairs | 15 | | | 15 |
| Total Admin & Diversity | 120 | 0 | 0 | 120 |
| CFO, Airline Business and Technology | | | | |
| Aviation Real Estate | 8 | | | 8 |
| Finance | 54 | 5.5 | 2 | 61.5 |
| Treasury Management | 8 | | | 8 |
| Air Service Development | 9 | | | 9 |
| Information Technology Services | 144 | | 6 | 150 |
| Governmental Relations | 2 | | | 2 |
| Total CFO, Airline Business and Technology | 225 | 6 | 8 | 239 |
| Revenue Management | | | | |
| Customer Service | 47 | | | 47 |
| Marketing Services | 19 | | | 19 |
| Commercial Development | 16 | (1) | | 15 |
| Parking Operations | 298 | | | 298 |
| Concessions | 23 | 1 | | 24 |
| Total Revenue Management | 403 | 0 | 0 | 403 |
| Operations | | | | |
| Airport Operations | 118 | | | 118 |
| Department of Public Safety | 562 | | | 562 |
| Energy, Transportaiton & Asset Management | 309 | | 4 | 313 |
| Environmental Affairs | 28 | | | 28 |
| Planning | 14 | | | 14 |
| Total Operations | 1,031 | 0 | 4 | 1,035 |
| Total DFW | 1,909 | 0 | 13 | 1,922 |

CAPITAL

## Capital Budget

DFW has 2 capital accounts in its Construction and Improvement Fund: the DFW Capital Account and the Joint Capital Account. The DFW Capital Account is DFW's discretionary account. It may be used for any legal purpose and does not require airline approval. DFW uses this fund for renewals and replacements and other discretionary projects. Funding for the DFW Capital Account is transferred from the net revenues from the DFW Cost Center, interest income, grants, and bond proceeds for commercial development projects.

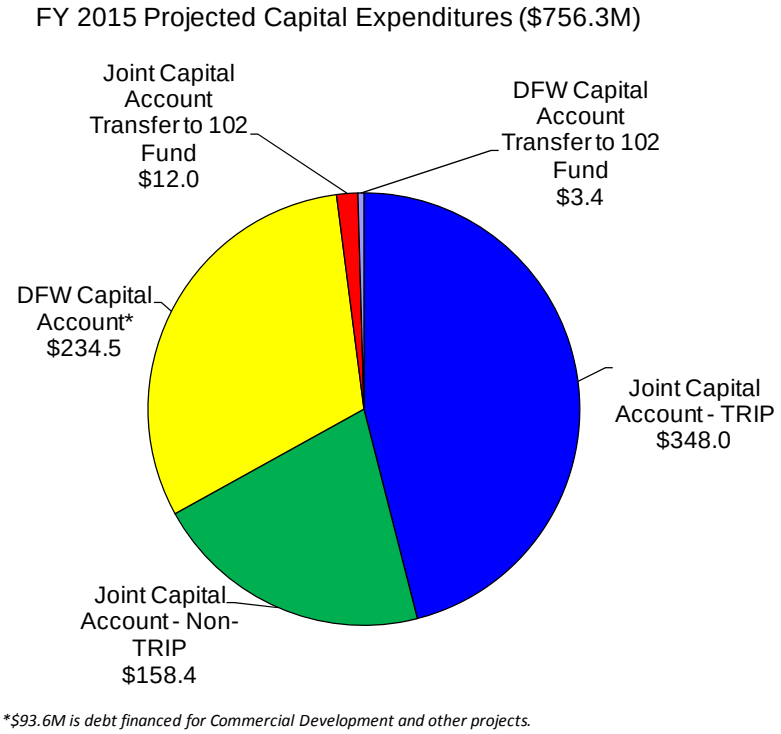
The Joint Capital Account requires airline approval for money to be spent. Since the FY 2011 Use Agreement, DFW has received airline approval for $2.04 billion of bond funding for the Terminal Renewal and Improvement Program (TRIP), which includes $123 million of additional approved scope beyond the original $1.92 billion program budget. Additionally, $668 million of non-TRIP project approvals, including $220 million for other "pre-approved" projects related to Airfield, Roadway/Rail, Utilities, Parking, and various other projects, $126 million for terminal gate expansion projects, $197.6 million for a new parking garage at Terminal A, and various other projects, for a total of $2.71 billion of approved projects (see table for details on following page – "*MII Approvals Since New Use Agreement*"). Funding for this account comes from bond proceeds, natural gas royalties, sale of land proceeds, grants, and interest income. The Use Agreement provides for a Joint Capital Account Transfer of $12 million in FY 2015 to the Terminal Cost Center to subsidize terminal rentals. This transfer will be reduced by $4 million each year until it is totally phased out in FY 2018.

The TRIP program is currently undergoing a "re-baseline" initiative in light of cost and schedule pressure experienced on the initial phases of the program. The re-baseline activities entails a comprehensive evaluation of both a lessons-learned on already completed TRIP terminal sections, as well as extensive stakeholder reviews of go-forward scope and cost reforecasting. Additionally, as part of this re-baseline, the airlines have request the Airport estimate the incremental schedule and cost impacts of two potential scope additions: (1) Build back of the "high Terminal C gates" (gates C35-C39) currently planned to be demolished as part of TRIP which currently has a Rough Order Magnitude (ROM) estimate of $100 million; and (2) Construction of a new Terminal C parking garage to replace the existing garage, ROM estimated at approximately $220 million. These estimates are preliminary and subject to change. The final re-baseline cost and schedule was not yet finalized at the time of this writing and therefore, none of these incremental costs are included in the following table and charts. The final re-baseline budget and schedule is planned to be finalized in mid-July 2014.

Since the TRIP schedule impacts the annual debt service expense and revenue budgets, the FY 2015 expense budget was adjusted in anticipation of relatively minor slides in the opening dates of the remaining terminal sections scheduled to be completed during FY 2015. These anticipated delays resulted in slightly less FY 2015 TRIP debt service and terminal concessions revenue than was previously estimated for FY 2015 in the FY 2014 Financial Plan.

## Projected Capital – Uses of Cash by Capital Account

DFW projects to spend approximately $756.5 million on capital expenditures in FY 2015 as summarized in the following chart.




The following table summarizes total projected capital expenditures for projects to be in progress during FY 2015.

| | | | Active Projects in FY 2015 | | | | |
|---|---|---|---|---|---|---|---|
| Capital Budget (Millions) | Actual FY 2013 | Forecast FY 2014 | Prior Years | Projected FY 2015 | Future Years | Total Budget | |
| DFW Capital Account | 75.0 | 181.0 | 159.0 | 234.5 | 474.3 | 867.9 | |
| Joint Capital Acccount | | | | | | | |
| TRIP | 364.0 | 323.5 | 1,060.0 | 348.0 | 636.9 | 2,044.9 | * |
| Non-TRIP | 157.0 | 216.0 | 165.1 | 158.4 | 210.5 | 533.9 | |
| Transfers to 102 | 20.0 | 16.0 | 36.0 | 15.4 | 12.0 | 112.0 | |
| Total Capital | $616.0 | $736.5 | $1,420.1 | $756.3 | $1,333.7 | $3,558.7 | |

* TRIP approved budget subject to increase as part of re-baselining.

The following table summarizes the airline MII approvals that DFW Airport has received thus far, including those projects in the new Use Agreement.

**MII Approvals Since New Use Agreement**

| Item# | Project Name | $'s in Millions TRIP | Non-TRIP | Total |
|---|---|---|---|---|
| **MII Approvals In New Use Agreement:** | | | | |
| 1 | TRIP (base scope) | $1,922.0 | | $1,922.0 |
| 2 | $220M Pre-Approved Capital Projects | | 220.0 | 220.0 |
| 3 | Term D South Extension (4 add'l gates) | | 80.0 | 80.0 |
| 4 | Term D North Extension (B/D Connector - B1, B2, B3) | | 10.0 | 10.0 |
| 5 | Term B North Stinger (10 new gates) add'l MII approval | | 0.0 | 0.0 |
| | Total Use Agreement MII Approved Projects | $1,922.0 | $310.0 | $2,232.0 |
| **MII Approvals Subsequent to New Use Agreement:** | | | | |
| 6 | TRIP (cost/scope increase to base - Term B BHS) | $17.5 | | $17.5 |
| 7 | TRIP Programming & Schematic Design Cost (excluded from TRIP budget) | | 32.0 | 32.0 |
| 8 | TRIP: Terminal A, B, C, & E Window Replacement | 40.0 | | 40.0 |
| 9 | Funding of Design costs for add'l Add/Alt projects | | 2.0 | 2.0 |
| 10 | TRIP: Natural Gas Lines (Term B, C, & E only) | 3.9 | | 3.9 |
| 11 | N. Express Covered Parking Expansion (1,000 spaces) Ph 1 * | | 14.0 | 14.0 |
| 12 | Term D North Extension (B/D Connector - B1, B2, B3) Budget Increase | | 11.0 | 11.0 |
| 13 | Less: $20M taken from Term D South Ext (Item #3) for B-North Stinger | | ($20.0) | (20.0) |
| 14 | Term B North Stinger (10 new gates) add'l MII approval | | 40.0 | 40.0 |
| 15 | Aircraft Operation Area (AOA) Snow/Ice Removal Equipment | | 9.5 | 9.5 |
| 16 | Skylink Bond Issuance | | 1.0 | 1.0 |
| 17 | Terminal A Parking Garage Reconstruction (All sections) | | 176.7 | 176.7 |
| 18 | 1W Parking Expansion for Employee Parking * | | 0.0 | 0.0 |
| 19 | Aircraft Design Group VI Gating Solutions (Design Only) | | 0.5 | 0.5 |
| 20 | FY11 ADE Overhead (JCA cash funded) | | 2.7 | 2.7 |
| 21 | FY11 Natural Gas Reimbusables (JCA cash funded) | | 1.7 | 1.7 |
| 22 | FY12 ADE Overhead (JCA cash funded) | | 2.7 | 2.7 |
| 23 | FY12 Natural Gas Reimbusables (JCA cash funded) | | 1.5 | 1.5 |
| 24 | FY13 - FY20 Natural Gas Reimbursables (annual NTE $1.4M) (JCA cash funded) | | 11.2 | 11.2 |
| 25 | Terminal Electric Vault Replacement | 9.2 | | 9.2 |
| 26 | Snow & Ice Facility Modifications | | 0.9 | 0.9 |
| 27 | N.Express Public Covered Parking Expansion (phase 2) | | 5.5 | 5.5 |
| 28 | TRIP Annual Transition Costs (NTE $2M/yr through 2017) | 14.0 | | 14.0 |
| 29 | Terminal A Concession Loading Dock | 4.0 | | 4.0 |
| 30 | D Hardstand Equip for International Ops | | 1.9 | 1.9 |
| 31 | CTA Strategy Study (Phase 1 & 2) | | 2.0 | 2.0 |
| 32 | FY13 - FY20 ADE Overhead ($3.5M annual NTE through FY20) | | 28.0 | 28.0 |
| 33 | DPS Station #1 Rehab/Expansion (partial design only) | | 1.0 | 1.0 |
| 34 | Reimb TRIP Contingency for Term A & B | 11.2 | | 11.2 |
| 35 | Automated Passport Control (APC) Phase 1 for U.S. Citizens | | 1.7 | 1.7 |
| 36 | AA Terminal (A, B, & C) Branding/Cust Service elements | 14.0 | | 14.0 |
| 37 | Design B/D Sterile Corridor Extension | | 2.8 | 2.8 |
| 38 | AA Reimb for TRIP Self-Perform Work | 5.5 | | 5.5 |
| 39 | Design - Term E Roadway Improvements | | 2.9 | 2.9 |
| 40 | TRIP Contracting Capacity - Terminal A | | 0.0 | 0.0 |
| 41 | Terminal A Parking Garage - Additional funds | | 20.9 | 20.9 |
| 42 | Project re-allocation w/i Categories $220M Pre-approved & Taxiway "L" | | 0.0 | 0.0 |
| 43 | ADG VI (A-380) Jetbridge & Associated Terminal Modifications at D15/16 | | 3.8 | 3.8 |
| 44 | TRIP - Terminal A Concessions Storage | 2.3 | | 2.3 |
| 45 | TRIP - Passenger Information Centers | 1.2 | | 1.2 |
| | **MII APPROVALS SINCE NEW USE AGREEMENT** | **$122.9** | **$357.9** | **$480.8** |
| | **TOTAL MII APPROVALS INCLUDING NEW USE AGREEMENT PROJECTS** | **$2,044.9** | **$667.9** | **$2,712.8** |
| **Other MII funding approvals unrelated to Capital Projects:** | | | | |
| 46 | RAC/Facility Improvement Corp (FIC) Bond Refunding | | | $112.0 |
| | **MII APPROVALS - OTHER** | | | **$112.0** |
| | **TOTAL MII APPROVALS - CAPITAL PROJECTS + OTHER** | | | **$2,824.8** |

The following table shows cash flow projections, gross of grant reimbursements, for the DFW capital projects. New projects (projects not included in FY 2014 capex spend) are highlighted in blue and are subject to change.

| **DFW CAPITAL ACCOUNT (In Millions)** Project Name | Prior Years | FY15 | Future Years |
|---|---|---|---|
| Term E Parking Garage (section C) | 7.7 | 44.2 | 12.8 |
| Southgate: DFW Consolidated HQ | 30.7 | 23.7 | .0 |
| Air Service Incentive Plan (ASIP) | .0 | 19.9 | 43.1 |
| Other Discretionary (Annual) | .0 | 10.0 | 120.0 |
| Term E Parking Garage (section B) | .0 | 7.0 | 57.0 |
| Rehabilitate Airfield Pavements FY13 | 1.2 | 9.3 | 5.5 |
| Rehab Airfield Pavements FY14 | 1.5 | 6.6 | 3.9 |
| Terminal "D" Annual Capital Renewal | 3.5 | 5.6 | 53.7 |
| Rehab Airfield Pavements FY12 | 8.1 | 5.4 | .9 |
| Replace Remote Buses | .0 | 5.0 | 24.7 |
| Replace Employee Buses | 2.0 | 4.8 | 3.6 |
| ARFF Truck Replacement | 8.4 | 3.6 | .0 |
| Rehabilitate Airfield Lighting Systems FY14 | 1.1 | 3.4 | .8 |
| Term D Common Use VIP Club #1 | 1.2 | 3.4 | .2 |
| Coppell Freeway Commercial DD#3 | .0 | 3.3 | 3.3 |
| Skylink Renewal Program - Skylink Car Overhaul | .0 | 3.3 | 9.2 |
| NW Logistics (Ph II) DD#4 | .0 | 3.1 | 2.0 |
| Replace Terminal Link Vans | 2.5 | 2.6 | 6.3 |
| Term D Parking Guidance System (PGS) | 2.2 | 2.4 | .0 |
| Rehab Airfield Lighting Systems FY13 | 5.5 | 2.3 | .0 |
| Rehabilitate Airfield Lighting Systems FY15 | .3 | 2.3 | 2.7 |
| ITS System Operations FY2013 Refresh | 1.0 | 2.3 | .9 |
| Southgate: Infrastructure | 13.3 | 2.3 | .0 |
| IT Bus Solutions: Replace Computer-Aided Dispatch (CAD) | .2 | 2.1 | 1.9 |
| Walnut Hill Industrial (Ph I) DD#13 | .0 | 2.0 | 4.5 |
| Rehabilitate Airfield Pavements FY15 | .0 | 1.9 | 12.0 |
| Southgate: USPS (Post Office) | .0 | 1.8 | .3 |
| Replace Heavy Equipment | 1.6 | 1.6 | 7.0 |
| Founders Plaza Ph I & II | 6.1 | 1.5 | .0 |
| Beltline Transit Oriented Development (TOD) | .0 | 1.5 | 1.5 |
| IT Terminal Sys: FY13 Arinc Multi-System Upgrade | .7 | 1.4 | .0 |
| Replace Express Vans | 4.4 | 1.4 | 17.0 |
| Skylink Renewal Program - Auto Train Control (ATC) | 3.8 | 1.4 | 4.1 |
| Term E PGS (section B & C) | .0 | 1.3 | 3.0 |
| Mid-Cities Bridge | 2.4 | 1.3 | .0 |
| IT Terminal Sys: Term D BHS Refresh/Upgrade | .0 | 1.3 | 9.5 |
| Rehabilitate Industrial Wastewater (IW) System | .0 | 1.3 | .3 |
| Bus Ramp Infrastructure | 3.0 | 1.2 | .7 |
| Landside Roadway Slope Stability and Erosion Repair | .7 | 1.1 | .7 |
| IT Term Sys Group Relocation | .0 | 1.0 | 1.0 |
| Term D Concessions Master Plan | .0 | 1.0 | 1.0 |
| Bear Creek - DFW (Ph I) DD#12 | .0 | 1.0 | .0 |
| Skylink Renewal Program - Skylink Station Rehabilitation | .0 | 1.0 | 2.0 |
| **Projects <1M** | 46.0 | 30.7 | 57.3 |
| **TOTAL DFW CAPITAL ACCOUNT** | $159.0 | $234.5 | $474.3 |
| **ADD: TRANSFER TO 102 (for FY 2015 Debt Service for Airport Headquarters)** | | $3.4 | |
| **TOTAL USES OF DFW CAPITAL ACCOUNT** | $159.0 | $237.9 | $474.3 |

The following projects will be funded from the Joint Capital Account during FY 2015. Spend amounts are gross of grant reimbursements. New projects (projects not included in FY 2014 capex spend) are highlighted in blue and are subject to change.

| **JOINT CAPITAL ACCOUNT (In Millions)** Project Name | Prior Years | FY15 | Future Years |
|---|---|---|---|
| Terminal Renewal and Improvement Program (TRIP) | $1,060.0 | $348.0 | $636.9 |
| **TOTAL JOINT CAPITAL ACCOUNT (TRIP)** | $1,060.0 | $348.0 | $636.9 |
| **Non-TRIP:** | | | |
| Term A Garage/Roadway (section C) | 4.8 | 51.5 | $0.0 |
| T/W "Lima" Reconstruction | 6.7 | 24.5 | $22.7 |
| Term E Roadway Improvements (section B/C) | 2.5 | 21.2 | $9.8 |
| Rehabilitate Landside Roads & Bridges Ph 2 | 1.8 | 8.0 | $0.0 |
| W. Airfield Drive | 10.9 | 7.0 | $0.0 |
| Elevated Water Tower (2.5 MG) | 5.5 | 6.1 | $0.0 |
| Term D South: Ramp Expansion (Phase 1) | .0 | 6.1 | $19.9 |
| ITS Radio System Expansion | 2.2 | 4.0 | $6.2 |
| DPS Station #1 Reconstruction/Expansion | .8 | 3.9 | $21.1 |
| ADG VI: A-380 Jetbridge @ D11/12 | .1 | 3.8 | $0.4 |
| Rehab & Reconfigure Water Pump Stations | .3 | 2.5 | $3.7 |
| Term B High Gate Electrification/PCA | .0 | 2.1 | $0.0 |
| ADG VI: A-380 Jetbridge @ D15/16 | 2.3 | 2.0 | $0.0 |
| Term D South: Gate expansion | .0 | 1.8 | $162.8 |
| Term B/D FIS Corridor Extension into B4 - B9B | 1.2 | 1.6 | $39.9 |
| Rehabilitate Landside Roads & Bridges Ph 3a | .0 | 1.5 | $0.0 |
| Term D South: Term D Mods | .0 | 1.3 | $32.2 |
| Replace E. Airfield Dr Sanitary Sewer Lift Station | .8 | 1.3 | $0.0 |
| Term D South: D5 Bus Gate | .0 | 1.2 | $6.8 |
| Concessions Loading Docks Term E- section A | .0 | 1.2 | $4.1 |
| Rehab Open Storm Channels FY14/15 | .0 | 1.1 | $1.0 |
| Access Control Mgt Sys (ACMS) | .0 | 1.0 | $1.9 |
| Spill Prevent Counter Controls (SPCC) | .5 | 1.0 | $0.0 |
| **Projects <1M** | 10.8 | 2.7 | 15.4 |
| **TOTAL JOINT CAPITAL ACCOUNT (NON-TRIP)** | $51.2 | $158.4 | $347.9 |
| **TOTAL JOINT CAPITAL ACCOUNT** | $1,111.2 | $506.4 | $984.8 |
| **ADD: USE AGREEMENT CAPITAL TRANSFER TO 102** | | $12.0 | |
| **TOTAL USES OF JOINT CAPITAL ACCOUNT** | $1,111.2 | $518.4 | $984.8 |

## Capital Project Approval Process

In FY 2010, DFW management developed a 10-year capital plan as the basis for negotiating the Use Agreement. The FY 2015 projects from the list on the prior page were derived from that plan. Most of the new projects are officially in a "planning status." When the project manager is ready to initiate the project, a detailed capital worksheet is prepared including alternatives, and presented to the Capital Committee for review and approval. Executive Management approval is required for projects over prescribed limits. Projects on this list may be modified or eliminated if planning assumptions on costs and benefits do not materialize upon more detailed analysis. It is possible that new projects may arise during the fiscal year due to the dynamic nature of an airport. This "just-in-time" capital planning process provides flexibility to manage the process most effectively. From a process standpoint, the Board of Directors does not approve an overall capital budget. Instead, the Board reviews projects to be funded with bond proceeds before the bonds are sold and reviews individual capital projects as contracts for those projects are brought to the Board for approval.

### Major Capital Project Descriptions

There are several major capital initiatives included in the FY 2015 Capital Budget including:

- Terminal Renewal and Improvement Program (TRIP) – As DFW's domestic terminals approach end of useful life, a major rehabilitation/ redevelopment program is underway for Terminals A, B, C and E. The current approved budget is $2.04 billion, subject to change with the TRIP re-baseline initiative. The first terminal section, Terminal A – Section A, was completed in March 2013 with the second phase scheduled for completion in the spring of FY 2015. Construction is currently underway for Terminal B – Section C, and Terminal E – Section C, both of which are also anticipated to be completed in the Fall of FY 2014. Total program completion is scheduled for 2018. Approximately $348 million is anticipated to be spent during FY 2015.

- Parking Expansion – Parking capacity at Terminal A will be expanded by approximately 52% through the reconstruction of a new more efficient parking facility with approximately 7,600 spaces to replace the prior parking structure and implement roadway improvements. This garage is being constructed in 3 phases, lasting approximately 1 year per phase. Section A/phase 1 of this new parking garage, along with the associated roadway improvements opened in March 2013. Section B/phase 2 opened in May 2014. Section C/phase 3 is scheduled to open in the Summer of 2015. Also, a reconstruction of Terminal E – section B and C is planned which will increase parking capacity by 51%, as well as improve the associated roadways to alleviate traffic congestion in front of Terminal E. Approximately $104 million is anticipated to be spent during FY 2015 on these new parking projects.

- Terminal Gate Expansion – Additional gate capacity is planned in Terminals D, D-South, and B to meet increased forecasted gate demand. Projects include Programming and Schematic Design (PSD) for future potential gate expansion south of Terminal D which was pre-approved in the Use Agreement. Forecasted gate demands and the eventual gate expansion are currently being analyzed as part of a holistic Central Terminal Area

study to identify the timing, configuration, and location of future gate expansion. Current and near-term forecasted international flights are also requiring interim hardstand operations until additional contact gates can be constructed. Additionally, DFW Airport is anticipating the need to accommodate new large aircraft (A-380) from foreign flag carriers at Terminal D and cargo carriers in west cargo. Construction at gate D15/D16 for an A-380 jetbridge and associated terminal modifications are underway to accommodate both Emirates and Qantas which have signed a Letter of Intent to service DFW Airport with this new large aircraft. Additionally, design is anticipated to begin shortly for another A-380 jetbridge at gate D11/12 to support forecasted demand. Approximately $5.8 million is anticipated to be spent during FY 2015.

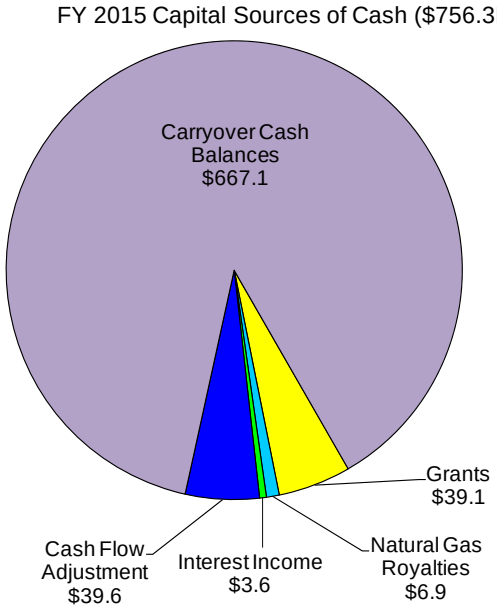
- Taxiway "L" Reconstruction – As part of DFW's ongoing airfield pavements rehabilitation program, a $51 million project ($20.4 million net of AIP grants) is planned to reconstruct a major east side taxiway which has reached the end of useful life. Design is complete using 75% AIP grant funding and construction is scheduled to begin during FY 2014. Approximately $24.5 million ($7.3 million net of grants) is anticipated to be spent during FY 2015.

- Roadway Improvements – Landside roadway improvements are being made to West Airfield Drive and Mid-Cites Boulevard to widen from 2 lanes to 4 lanes to accommodate increased traffic, particularly for current West Cargo tenants. Completed in June 2014, the Mid-Cities roadway project included construction of a bridge over Bear Creek to eliminate roadway closures during flood events. Additionally, various landside roadway improvements are planned at numerous locations throughout the Airport to rehabilitate roadway sections which are reaching the end of useful life. Approximately $40.1 million is anticipated to be spent during FY 2015.

- Commercial Development and Other – Several locations are planned for Commercial Development, including Founders' Plaza off SH114/SH121 to include 2 car dealerships, Coppell Industrial off I-635, and Southgate at the southern portion of DFW Airport adjacent to the RAC. The Southgate development includes construction of a DFW Airport consolidated Corporate Headquarters, including a parking garage, as well as a Hyatt Place Hotel, Post Office, and 3 restaurants. Approximately $40.2 million is anticipated to be spent during FY 2015.

## Capital Projects - Sources of Cash

DFW's capital programs are funded from a variety of sources as shown in the following chart.




The following table highlights the walkforward of DFW's capital funds.

Airport Capital Funds Walkforward
(In Millions)

| Capital Walkforward | Joint Capital | DFW Capital | Total |
|---|---|---|---|
| Beginning Cash (10/1/14) | $1,615.6 | $235.9 | $1,851.4 |
| Sources of Funds: | | | |
| Grants | $18.8 | 20.3 | 39.1 |
| Debt | - | - | - |
| Natural Gas Royalties | 6.9 | - | 6.9 |
| Interest Income | 3.6 | 0.3 | 3.6 |
| Total Sources | $29.3 | $20.3 | $49.6 |
| Less: | | | |
| Capital Uses | ($506.4) | (234.5) | (740.9) |
| Cash Flow Adjustment | $39.6 | - | 39.6 |
| DFW Capital Account Transfer to 102 | - | (3.4) | (3.4) |
| Joint Capital Account Transfer to 102 | (12.0) | - | (12.0) |
| Total Uses | (478.8) | (237.9) | (716.7) |
| Total Ending Cash Balance | $1,166.0 | $18.3 | $1,184.3 |
| Add: Cash From DFW Cost Center * | - | 72.3 | 72.3 |
| Ending Cash (9/30/15) | $1,166.0 | $90.6 | $1,256.6 |

** FY14 O&M DFW Cost Center Outlook to be received in DFW Capital Acct in first Quarter FY15*

**AGENDA ITEM # 12**

| | |
|---|---|
| **KEY FOCUS AREA:** | Economic Vibrancy |
| **AGENDA DATE:** | September 10, 2014 |
| **COUNCIL DISTRICT(S):** | Outside City Limits |
| **DEPARTMENT:** | Office of Management Services<br>Intergovernmental Services |
| **CMO:** | A. C. Gonzalez, 670-3302<br>Jeanne Chipperfield, 670-7804 |
| **MAPSCO:** | N/A |

## SUBJECT

Authorize an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C. for a one year extension to Chesapeake's northern sector drilling requirement – Financing: No cost consideration to the City

## BACKGROUND

The Dallas/Fort Worth International Airport Board requests that the cities of Dallas and Fort Worth authorize an amendment to the mineral lease between the City of Dallas, City of Fort Worth, the DFW International Airport Board, and Chesapeake Exploration, L.L.C. (Chesapeake) to allow a one year extension to Chesapeake's northern sector drilling requirement.

The current lease requires Chesapeake to drill 6 new wells by 2014, and 8 new wells in 2015. The amendment to the lease would extend the drilling requirements by another year, thus allowing for 6 new wells by 2015, and 8 new wells by 2016.

If the price of natural gas does not improve in 2015, the DFW Airport Board may consider an additional one year extension; however it is not obligated to do so.

## PRIOR ACTIONS/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Dallas City Council approved the mineral lease between the City of Dallas, City of Fort Worth, the Dallas/Fort Worth International Board and Chesapeake Exploration, LLC on August 16, 2006, by Resolution No. 06-2127.

**PRIOR ACTIONS/REVIEW (COUNCIL, BOARDS, COMMISSIONS)** (Continued)

The Dallas City Council authorized an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration LLC, that is necessary to effect a partial settlement of dispute that arose under the Lease, on April 11, 2012, by Resolution No. 12-1035.

The Dallas City Council approved an amendment to the lease to allow for a one year extension on drilling new wells due to the depressed price of natural gas on October 10, 2012, by Resolution No. 12-2561.

The Dallas City Council approved an amendment to the lease to allow for a one year extension on drilling new wells due to the depressed price of natural gas on February 27, 2013, by Resolution No. 13-0409.

The Dallas/Fort Worth International Airport Board recommended the cities of Dallas and Fort Worth approve an amendment to the lease to allow for a one year extension to the northern sector drilling commitment on July 3, 2014 due to the depressed price of natural gas.

**FISCAL INFORMATION**

No cost consideration to the City

September 10, 2014

**WHEREAS,** the Cities of Dallas and Fort Worth, together with the Dallas/Fort Worth International Airport Board ("Board") entered into a Mineral Lease ("Lease") with Chesapeake Exploration, L.L.C., for property located on Dallas/Fort Worth International Airport; and,

**WHEREAS,** on October 10, 2012 the City Council of the City of Dallas approved an amendment to the Lease to extend Chesapeake Exploration, L.L.C.'s drilling commitment by another year due to depressed gas prices; and,

**WHEREAS,** on February 27, 2013 the City Council of the City of Dallas approved an amendment to the Lease to extend Chesapeake Exploration, L.L.C.'s drilling commitment by another year due to depressed gas prices; and,

**WHEREAS,** on July 3, 2014 the Dallas/Fort Worth International Board recommend amendment to the Lease to extend Chesapeake Exploration L.L.C.'s drilling by another year due to the depressed gas prices;

**NOW, THEREFORE,**

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

**SECTION 1.** The City Manager is hereby authorized to execute an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C. for a one year extension to Chesapeake's northern sector drilling requirement, requiring that Chesapeake drill six (6) wells, by December 31, 2015 and the remaining eight (8) wells by December 31, 2016.

**SECTION 2.** That the approvals and authorization contained in this resolution are further conditioned upon similar approvals by the City Council of the City of Fort Worth.

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

**AGENDA ITEM # 13**

**KEY FOCUS AREA:** Culture, Arts, Recreation, & Education

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Park & Recreation

**CMO:** Willis Winters, 670-4071

**MAPSCO:** 46-F

## SUBJECT

Authorize a professional services contract with Newman, Jackson, Bieberstein, Inc. for professional services including survey, landscape architectural design and construction plans and specifications for improvements at Buckner Park located at 4550 Worth Street - Not to exceed $132,348 - Financing: Capital Gifts, Donation and Development Funds

## BACKGROUND

Newman, Jackson, Bieberstein, Inc. will provide for professional services including survey, landscape architectural design and construction plans and specifications for improvements at Buckner Park.

## ESTIMATED SCHEDULE OF PROJECT

| | |
|---|---|
| Begin Design | October 2014 |
| Complete Design | August 2015 |
| Begin Construction | February 2016 |
| Complete Construction | February 2017 |

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

The Park and Recreation Board authorized award of the professional services contract on August 21, 2014.

## FISCAL INFORMATION

Capital Gifts, Donation and Development Funds - $132,348

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

Newman, Jackson, Bieberstein, Inc.

| | | | |
|---|---|---|---|
| White Male | 3 | White Female | 5 |
| Black Male | 0 | Black Female | 0 |
| Hispanic Male | 0 | Hispanic Female | 0 |
| Other Male | 0 | Other Female | 0 |

## OWNER

**Newman, Jackson, Bieberstein, Inc.**

H. Rowland Jackson, Partner/President
Karl Von Bieberstein, Partner/Vice President/Secretary/Treasurer

## MAP

Attached

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Newman, Jackson, Bieberstein, Inc. for professional services including survey, landscape architectural design and construction plans and specifications for improvements at Buckner Park located at 4550 Worth Street - Not to exceed $132,348 - Financing: Capital Gifts, Donation and Development Funds

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

PROJECT CATEGORY: Architecture & Engineering

---

## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $132,348.00 | 100.00% |
| Total non-local contracts | $0.00 | 0.00% |
| **TOTAL CONTRACT** | $132,348.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

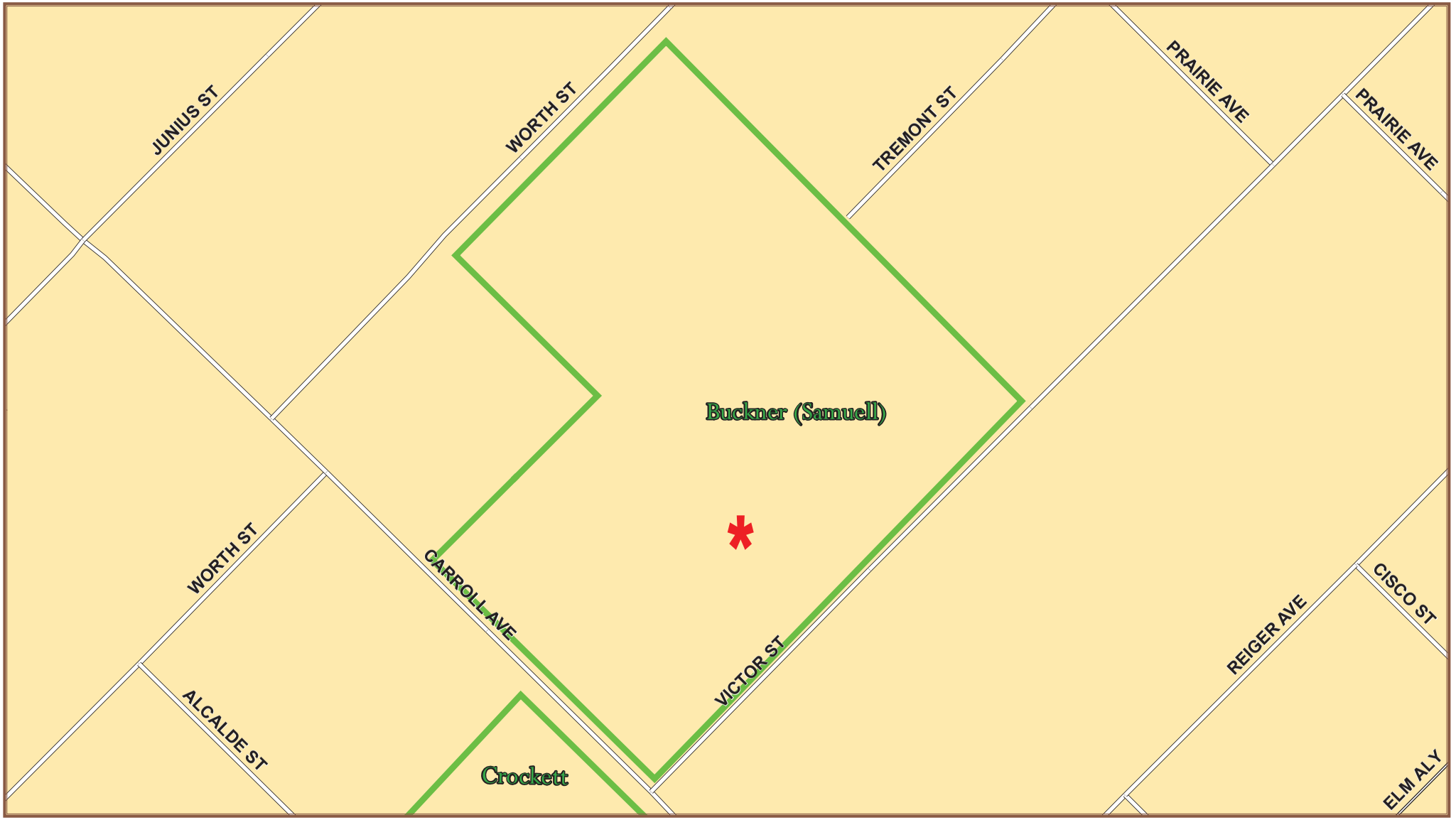
| Local | Certification | Amount | Percent |
|---|---|---|---|
| Urban Engineers Group, Inc. | HFDB62721Y0715 | $36,808.00 | 27.81% |
| Pacheco Koch Consulting Engineers, Inc. | HMDB58816Y0914 | $24,000.00 | 18.13% |
| B & H Engineers, Inc. | NMMB60064Y0215 | $6,700.00 | 5.06% |
| GME Consulting Services, Inc. | WFWB62694N0716 | $4,795.00 | 3.62% |
| **Total Minority - Local** | | $72,303.00 | 54.63% |

### 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 | $60,808.00 | 45.95% | $60,808.00 | 45.95% |
| Asian American | $0.00 | 0.00% | $0.00 | 0.00% |
| Native American | $6,700.00 | 5.06% | $6,700.00 | 5.06% |
| WBE | $4,795.00 | 3.62% | $4,795.00 | 3.62% |
| Total | $72,303.00 | 54.63% | $72,303.00 | 54.63% |




0 60 120 240 360 Feet

N W E S

August 21, 2014

# Buckner Park
# (4550 Worth Street)

Mapsco
46 F

District
2

September 10, 2014

**WHEREAS,** it is necessary to hire a firm to provide for professional services including survey, landscape architectural design and construction plans and specifications for improvements at Buckner Park located at 4550 Worth Street, and the firm of Newman, Jackson, Bieberstein, Inc. has presented a proposal dated July 31, 2014 to provide these services for a fee in an amount not to exceed $132,348.

**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 professional services contract with Newman, Jackson, Bieberstein, Inc. for professional services including survey, landscape architectural design and construction plans and specifications for improvements at Buckner Park, in an amount not to exceed $132,348.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Newman, Jackson, Bieberstein, Inc., after approval as to form by the City Attorney.

**SECTION 3.** That the City Controller is hereby authorized to pay the amount of $132,348 to Newman, Jackson, Bieberstein, Inc. from Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit K129, Object 4112, Activity COPK, Program PK98N723, CT-PKR14019465, Commodity 92500, Vendor 092467.

**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 # 14**

**KEY FOCUS AREA:** Public Safety

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Police

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** N/A

## SUBJECT

Authorize **(1)** the acceptance of the Commercial Auto Theft Interdiction Squad/22 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of $688,107 to provide a specialized proactive automobile theft program, for the period September 1, 2014 through August 31, 2015; **(2)** a local match in the amount of $151,143; **(3)** an In-Kind Contribution in the amount of $462,437; and **(4)** execution of the grant agreement - Total not to exceed $1,301,687 - Financing: Texas Automobile Burglary & Theft Prevention Authority Grant Funds ($688,107), In-Kind Contributions ($462,437) and Current Funds ($151,143) (subject to appropriations)

## BACKGROUND

This grant funds a specialized proactive investigative unit comprised of one Sergeant, five Senior Corporals, and one Office Assistant, currently housed at the City's Auto Theft Salvage Unit of the Dallas Police Department and one Police Research Specialist, along with one Sergeant housed at the Jack Evans Police Headquarters. The grant funds primarily personnel, along with some equipment, supplies, and training. The grant will continue to target commercial auto theft offenders who profit from vehicles stolen each year in Dallas, including salvage yards, chop shops, wrecker services, used car dealers, and large organized auto theft rings.

The Texas Automobile Burglary Theft & Prevention Authority specifically requires governing body approval for the acceptance of the grant. If accepted this grant will require matching cash funds of $151,143.00 and will be incorporated into the FY2014-2015 General Fund Budget.

## BACKGROUND (Continued)

In-kind contributions in the amount of $462,437.00, have been identified in the form of salaried officers assigned to this unit. The in-kind match is made up of the following components: four detective officers at 75 to 100% percent of their time working on CATIS grant activities. In addition, the CATIS grant provides funding for one administrative sergeant, one operations sergeant, five to six senior corporals, one office assistant, and one police research specialist. With the acceptance of this grant the provision of the cash match and the in-kind contribution will be required for the execution of this grant.

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

Authorized application for Commercial Auto Theft Interdiction Squad/10 grant on May 22, 2002, by Resolution No. 02-1623.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/10 grant on August 14, 2002, by Resolution No. 02-2247.

Authorized application for Commercial Auto Theft Interdiction Squad/11 grant on May 14, 2003, by Resolution No. 03-1381.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/11 grant on August 27, 2003, by Resolution No. 03-2316.

Authorized application for Commercial Auto Theft Interdiction Squad/12 grant on May 26, 2004, by Resolution No. 04-1731.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/12 grant on August 25, 2004, by Resolution No. 04-2438.

Authorized application for Commercial Auto Theft Interdiction Squad/13 grant on May 11, 2005, by Resolution No. 05-1476.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/13 grant on August 10, 2005, by Resolution No. 05-2209.

Authorized application for Commercial Auto Theft Interdiction Squad/14 grant on April 26, 2006, by Resolution No. 06-1218.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/14 grant on August 26 2006, by Resolution No. 06-2235.

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

Authorized application for Commercial Auto Theft Interdiction Squad/15 grant on April 25, 2007, by Resolution No. 07-1293.

Authorized revised application for Commercial Auto Theft Interdiction Squad/15 grant on June 27, 2007, by Resolution No. 07-1979.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/15 grant on August 8, 2007, by Resolution No. 06-2235.

Authorized application for Commercial Auto Theft Interdiction Squad/16 grant on April 23, 2008, by Resolution No. 08-1277.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/16 grant on August 27, 2008, by Resolution No. 08-2265.

Authorized application for Commercial Auto Theft Interdiction Squad/17 grant on April 22, 2009, by Resolution No. 09-1071.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/17 grant on August 26, 2009, by Resolution No. 09-2093.

Authorized application for Commercial Auto Theft Interdiction Squad/18 grant on May 12, 2010, by Resolution No. 10-1209.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/18 grant on August 25, 2010, by Resolution No. 10-2135.

Authorized application for Commercial Auto Theft Interdiction Squad/19 grant on April 27, 2011, by Resolution No. 11-1126.

Authorized acceptance of Commercial Auto Theft Interdiction Squad/20 grant on August 22, 2012, by Resolution No. 12-2097.

Authorized acceptance for Commercial Auto Theft Interdiction Squad/21 grant on August 28, 2013, by Resolution No. 13-1446.

Briefed by Public Safety on August 25, 2014.

## FISCAL INFORMATION

$688,107.00 - Texas Automobile Burglary & Theft Prevention Authority Grant Funds
$151,143.00 - Current Funds (subject to appropriations)
$462,437.00 - In-Kind Contribution

September 10, 2014

**WHEREAS,** the Texas Automobile Burglary & Theft Prevention Authority (ABTPA) has made funds available for law enforcement projects during the 2014-15 fiscal year; and

**WHEREAS,** such funding was awarded to the City of Dallas on July 25, 2014; and

**WHEREAS,** it is in the best interest of the City of Dallas to accept such funding.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to accept the Commercial Auto Theft Interdiction Squad/22 grant, 2015-T01-CITY of-00013, in an amount not to exceed $688,107 for the period September 1, 2014 through August 31, 2015 and to execute the grant agreement.

**Section 2.** That the City Controller is hereby authorized to receive and deposit grant funds in an amount not to exceed $688,107, in Fund S274, Department DPD, Unit 1573, Revenue Source 6516.

**Section 3.** That the City Manager is hereby authorized to establish appropriations in the Commercial Auto Theft Interdiction Squad/21 fund in the amount of $688,107 in Fund S274 Department DPD, Unit 1573, in accordance to the attached Schedule A.

**Section 4.** That the City Controller is hereby authorized to disburse grant funds from Fund S274, Department DPD, Unit 1573, in accordance to the attached Schedule A, in an amount not to exceed $688,107.

**Section 5.** That the City Controller is hereby authorized to disburse a local match from Fund 0001, Department DPD, Unit 2161, in an amount not to exceed $151,143 (subject to appropriations), in accordance to the attached Schedule A.

**Section 6.** That the City Manager is authorized to provide an In-Kind Contribution in the amount of $462,437.

**Section 7.** The City Manager is hereby authorized to reimburse to the Texas Automobile Burglary & Theft Prevention Authority any expenditures identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after reimbursement.

**Section 8.** That the City Manager shall keep the appropriate City Council Committee informed of all final Texas Automobile Burglary & Theft Prevention Agency monitoring reports not later than 30 days after the receipt of the report.

**Section 9.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**Commercial Auto Theft Interdiction Squad Grant**
**Fund S274**

**Unit 1573**

| Object | Description | Grant Award S274 | Cash Match 0001/2161 | In-Kind 0001/2161 |
|---|---|---|---|---|
| 1101 | Salaries, Civilian - Transfer Office Assistant II (D), Transfer Police Research Specialist (38,748+36,672) | 75,420 | | |
| 1102 | Salaries, Uniform - Transfer 6 existing positions and 2 Sergeants from Unit 1499 | 559,733 | | |
| 1202 | Overtime, Uniform | | | |
| 1301 | Pension, Civilian | - | | |
| 1302 | Pension, Sworn | | 151,143 | |
| 1304 | Health Insurance | | | |
| 1306 | FICA/Medicare | - | | |
| 2183 | Fuel Expenses | | | |
| 3051 | Telephone Equipment Charges | 13,200 | | |
| 3060 | Equipment Rental 9 vehicles (Outside City) Damage Cost 100.00 monthly per vehicle plus 600.00 | | | |
| 3099 | Misc. Special Services, Covert Funds & Bait Car yearly license fees | | | |
| 3130 | Copy Machine Rental, Lease Maintenance | 4,560 | | |
| 3361 | Professional Development (Travel)registration fees | 15,274 | | |
| 3420 | Communications Equipment Rental (Pagers, computer air card, radios) | 4,320 | | |
| | **Grant Total** | **$688,107** | **$ 151,143** | **$ 462,437** |
| | | | | |
| | **Program Total** | **$839,250** | | |
| | | | | |

**AGENDA ITEM # 15**

| | |
|---|---|
| **KEY FOCUS AREA:** | Economic Vibrancy |
| **AGENDA DATE:** | September 10, 2014 |
| **COUNCIL DISTRICT(S):** | 11 |
| **DEPARTMENT:** | Public Works Department<br>Water Utilities |
| **CMO:** | Jill A. Jordan, P.E., 670-5299<br>Forest E. Turner, 670-3390 |
| **MAPSCO:** | 15C U 16J K N |

## SUBJECT

Authorize a professional services contract with Criado & Associates, Inc. for the engineering design of two street and sidewalk improvement projects on Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street and Hughes Lane from Lafayette Way to alley north of Linden Lane and one street reconstruction local project on Spring Grove Avenue from Alpha Road to Coit Road (list attached) - Not to exceed $325,747 - Financing: General Obligation Commercial Paper Funds ($271,988) and Water Utilities Capital Improvement Funds ($53,759)

## BACKGROUND

Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street, Hughes Lane from Lafayette Way to alley north of Linden Lane and Spring Grove Avenue from Alpha Road to Coit Road were selected as candidates for sidewalk improvement and street reconstruction local projects in the 2012 Bond Program. This action will authorize a professional services contract for the engineering design of these projects.

The sidewalk improvement project limits on Cypress Hills Drive are from La Cosa Drive to south of Liberty Hill Street and Hughes Lane from Lafayette Way to alley north of Linden Lane. The street reconstruction local project limits on Spring Grove Avenue are from Alpha Road to Coit Road and will include new concrete sidewalks, ramps at intersections, retaining wall, replacing the existing pavement street with new reinforced concrete pavement, curb and gutter, storm drainage, water and wastewater improvements. The design cost for each project is listed below. The consulting firm, Criado & Associates, Inc. was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

**BACKGROUND** (Continued)

| Project | Council District | Amount |
|---|---|---|
| Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street | 11 | $ 10,764.22 |
| Hughes Lane from Lafayette Way to alley north of Linden Lane | 11 | $ 20,403.80 |
| Spring Grove Avenue from Alpha Road to Coit Road | 11 | $294,578.29 |

**ESTIMATED SCHEDULE OF PROJECT**

| | |
|---|---|
| Begin Design | October 2014 |
| Complete Design | October 2015 |
| Begin Construction | January 2016 |
| Complete Construction | December 2016 |

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

This item has no prior action.

**FISCAL INFORMATION**

2012 Bond Program (General Obligation Commercial Paper Funds) - $271,987.31
Water Utilities Capital Improvement Funds - $53,759.00

**Sidewalk Improvements**

Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street

| | |
|---|---|
| Design - PBW | $ 10,764.22 |
| Construction | $ 96,726.30 (est.) |
| Total | $107,490.52 (est.) |

Hughes Lane from Lafayette Way to alley north of Linden Lane

| | |
|---|---|
| Design - PBW | $ 20,403.80 |
| Construction | $147,193.63 (est.) |
| Total | $167,597.43 (est.) |

**FISCAL INFORMATION** (Continued)

**Street Reconstruction Local**

Spring Grove Avenue from Alpha Road to Coit Road

| | |
|---|---|
| Design - PBW | $ 240,819.29 |
| Design - WTR | $ 53,759.00 |
| Construction | $2,460,676.40 (est.) |
| Total | $2,755,254.69 (est.) |

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Criado & Associates, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 1 | Hispanic Male | 4 |
| African-American Female | 1 | African-American Male | 0 |
| Other Female | 0 | Other Male | 0 |
| White Female | 0 | White Male | 11 |

**OWNER**

**Criado & Associates, Inc.**

Cristina Criado, P.E., Owner

**MAP(S)**

Attached.

**Sidewalk and Street Reconstruction Improvements with Criado & Associates, Inc.**

| Project | Council District | Amount |
|---|---|---|
| **Sidewalk Improvements** | | |
| Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street | 11 | $ 10,764.22 |
| Hughes Lane from Lafayette Way to alley north of Linden Lane | 11 | $ 20,403.80 |
| **Street Reconstruction Local Improvements** | | |
| Spring Grove Avenue from Alpha Road to Coit Road | 11 | $294,578.29 |

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Criado & Associates, Inc. for the engineering design of two street and sidewalk improvement projects on Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street and Hughes Lane from Lafayette Way to alley north of Linden Lane and one street reconstruction local project on Spring Grove Avenue from Alpha Road to Coit Road (list attached) - Not to exceed $325,747 - Financing: General Obligation Commercial Paper Funds ($271,988) and Water Utilities Capital Improvement Funds ($53,759)

Criado & 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 | $306,201.53 | 94.00% |
| Total non-local contracts | $19,544.79 | 6.00% |
| **TOTAL CONTRACT** | $325,746.32 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

| Local | Certification | Amount | Percent |
|---|---|---|---|
| EJES, Inc. | BMDB58455Y0814 | $17,004.00 | 5.55% |
| Criado & Associates, Inc. | HFDB57963Y0714 | $222,614.93 | 72.70% |
| Pacheco Koch Consulting Engineering | HMDB58816Y0914 | $33,291.30 | 10.87% |
| Civil Associates | PMDB61556Y0415 | $33,291.30 | 10.87% |
| **Total Minority - Local** | | $306,201.53 | 100.00% |

### Non-Local Contractors / Sub-Contractors

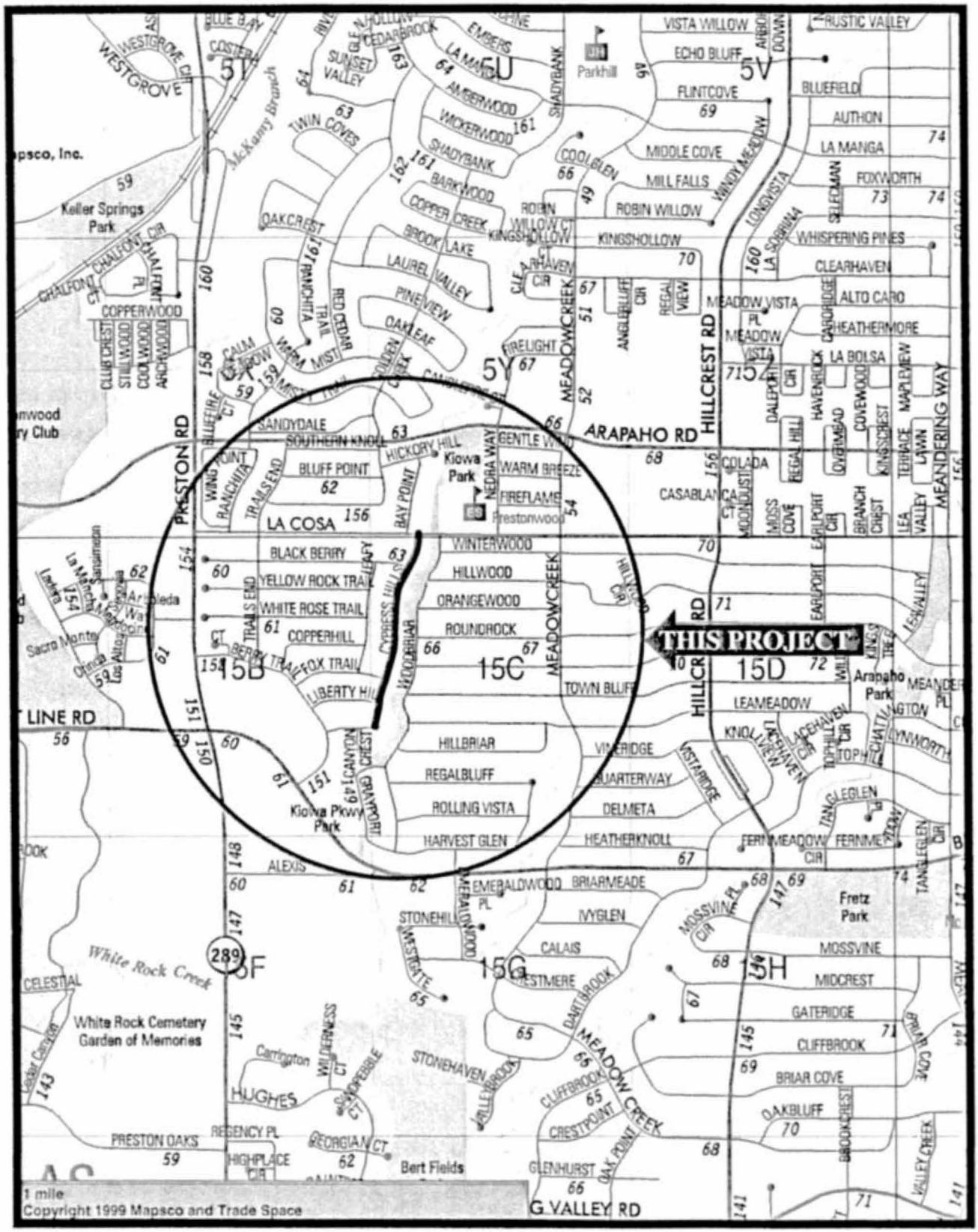
None

## TOTAL M/WBE CONTRACT PARTICIPATION

| | Local | Percent | Local & Non-Local | Percent |
|---|---|---|---|---|
| African American | $17,004.00 | 5.55% | $17,004.00 | 5.22% |
| Hispanic American | $255,906.23 | 83.57% | $255,906.23 | 78.56% |
| Asian American | $33,291.30 | 10.87% | $33,291.30 | 10.22% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $0.00 | 0.00% | $0.00 | 0.00% |
| Total | $306,201.53 | 100.00% | $306,201.53 | 94.00% |

# SIDEWALK IMPROVEMENTS

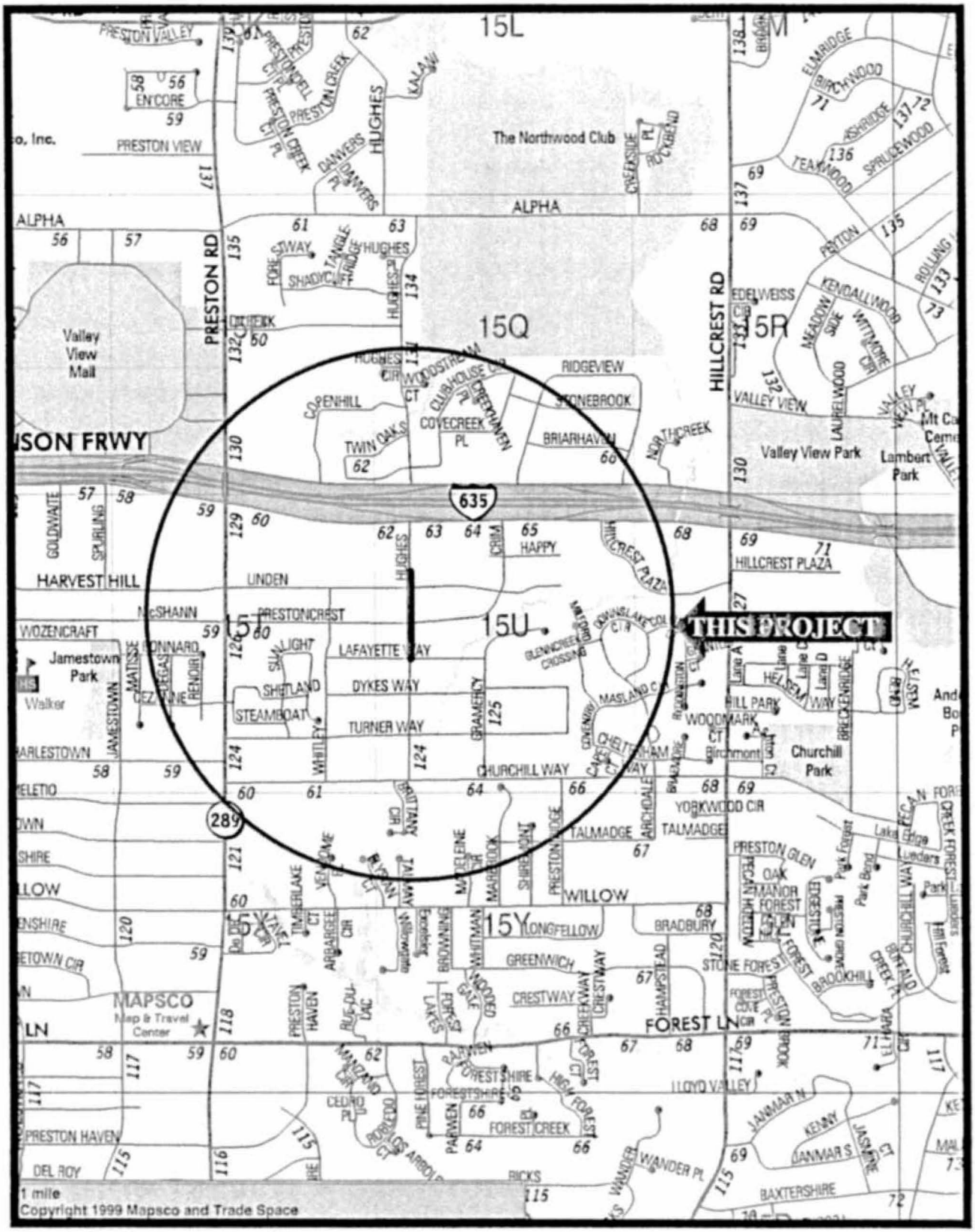
## CYPRESS HILLS DRIVE FROM LA COSA DRIVE TO SOUTH OF LIBERTY HILL STREET (EAST SIDE)




**MAPSCO 15C**

# SIDEWALK IMPROVEMENTS

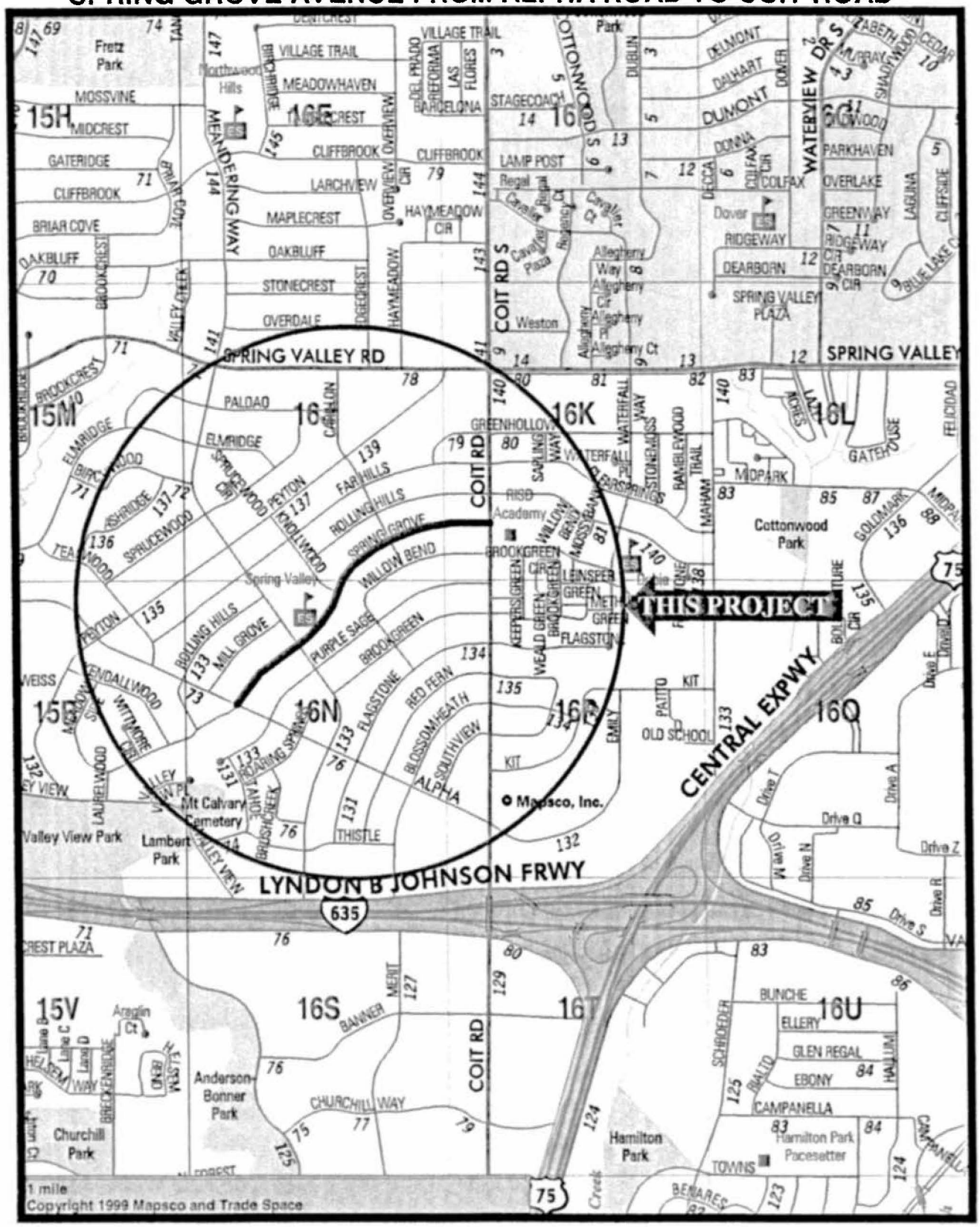
## HUGHES LANE FROM LAFAYETTE WAY TO THE ALLEY NORTH OF LINDEN LANE




**MAPSCO 15U**

# STREET RECONSTRUCTION

## SPRING GROVE AVENUE FROM ALPHA ROAD TO COIT ROAD




**MAPSCO 16J,K, & N**

**WHEREAS,** Criado & Associates, Inc. was selected to provide the engineering design of two street and sidewalk improvement projects on Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street and Hughes Lane from Lafayette Way to alley north of Linden Lane and one street reconstruction project on Spring Grove Avenue from Alpha Road to Coit Road.

**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 Criado & Associates, Inc. for the engineering design of two street and sidewalk improvement projects on Cypress Hills Drive from La Cosa Drive to south of Liberty Hill Street and Hughes Lane from Lafayette Way to alley north of Linden Lane and one street reconstruction project on Spring Grove Avenue from Alpha Road to Coit Road in an amount not to exceed $325,746.31, after it has been approved as to form by the City Attorney.

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

| | |
|---|---|
| Street and Transportation Improvements Fund<br>Fund 2U22, Dept. PBW, Unit S410, Act. SIDI<br>Obj. 4111, Program #PB12S410, CT PBW12S410L1<br>Vendor #503801, in an amount not to exceed | $ 10,764.22 |
| Street and Transportation Improvements Fund<br>Fund 2U22, Dept. PBW, Unit S413, Act. SIDI<br>Obj. 4111, Program #PB12S413, CT PBW12S410L1<br>Vendor #503801, in an amount not to exceed | $ 20,403.80 |
| Street and Transportation Improvements Fund<br>Fund 2U22, Dept. PBW, Unit S443, Act. SREC<br>Obj. 4111, Program #PB12S443, CT PBW12S410L1<br>Vendor #503801, in an amount not to exceed | $240,819.29 |
| Water Capital Improvement Fund<br>Fund 2115, Dept. DWU, Unit PW42<br>Obj. 4111, Program #715013, CT PBW715013CP<br>Vendor #503801, in an amount not to exceed | $ 32,718.00 |

| | |
|---|---|
| Wastewater Capital Improvement Fund | |
| Fund 2116, Dept. DWU, Unit PS42 | |
| Obj. 4111, Program #715014, CT PBW715014CP | |
| Vendor #503801, in an amount not to exceed | $ 21,041.00 |
| | |
| Total in an amount not to exceed | $325,746.31 |

**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 # 16**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2

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

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

**MAPSCO:** 45P

## SUBJECT

Authorize an increase in the construction contract with Gilbert May, Inc. dba Phillips/May Corporation for mechanical, electrical, audio visual, and interior finish changes to the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed $221,900, from $11,917,810 to $12,139,710 - Financing: 2009 Convention Center Revenue Bonds

## BACKGROUND

A construction contract with Gilbert May, Inc. dba Phillips/May Corp. to furnish materials and labor for the construction of interior finishes for C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas was authorized by Resolution No. 13-1763 on October 8, 2013.

This action will authorize Change Order No. 2 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with this action are audio/visual cabling, electrical, alarm strobes, dimmers, mechanical, supply grills, fixtures, and miscellaneous interior finish items.

## ESTIMATED SCHEDULE OF PROJECT

| | |
|---|---|
| Began Design | February 2012 |
| Completed Design | June 2013 |
| Began Construction | October 2013 |
| Complete Construction | February 2015 |

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

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

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

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

Authorized Supplemental Agreement No. 3 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior improvements for Lobby A and A/B Pre-function areas for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on December 14, 2011, by Resolution No. 11-3257.

Authorized Supplemental Agreement No. 4 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior design, roof inspections, drainage system video investigation, and construction administration services for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on February 22, 2012, by Resolution No. 12-0564.

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

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

## FISCAL INFORMATION

2009 Convention Center Revenue Bonds - $221,899.69

| | |
|---|---|
| Design | $ 1,242,660.00 |
| Construction | $11,879,291.00 |
| Change Order No. 1 | $ 38,518.93 |
| Change Order No. 2 (this action) | $ 221,899.69 |
| Total Project Cost | $13,382,369.62 |

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

Gilbert May, Inc. dba Phillips/May Corp.

| | | | |
|---|---|---|---|
| Hispanic Female | 8 | Hispanic Male | 42 |
| African-American Female | 0 | African-American Male | 4 |
| White Female | 7 | White Male | 48 |
| Other Female | 0 | Other Male | 1 |

## OWNER(S)

**Gilbert May, Inc. dba Phillips/May Corp.**

Gilbert May, President
Chris Escobedo, Managing Director

## MAP

Attached.

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with Gilbert May, Inc. dba Phillips/May Corporation for mechanical, electrical, audio visual, and interior finish changes to the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed $221,900, from $11,917,810 to $12,139,710 - Financing: 2009 Convention Center Revenue Bonds

Gilbert May, Inc. dba Phillips/May Corporation is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

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

| | Amount | Percent |
|---|---|---|
| Local contracts | $206,663.69 | 93.13% |
| Non-local contracts | $15,236.00 | 6.87% |
| **TOTAL THIS ACTION** | $221,899.69 | 100.00% |

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

**Local Contractors / Sub-Contractors**

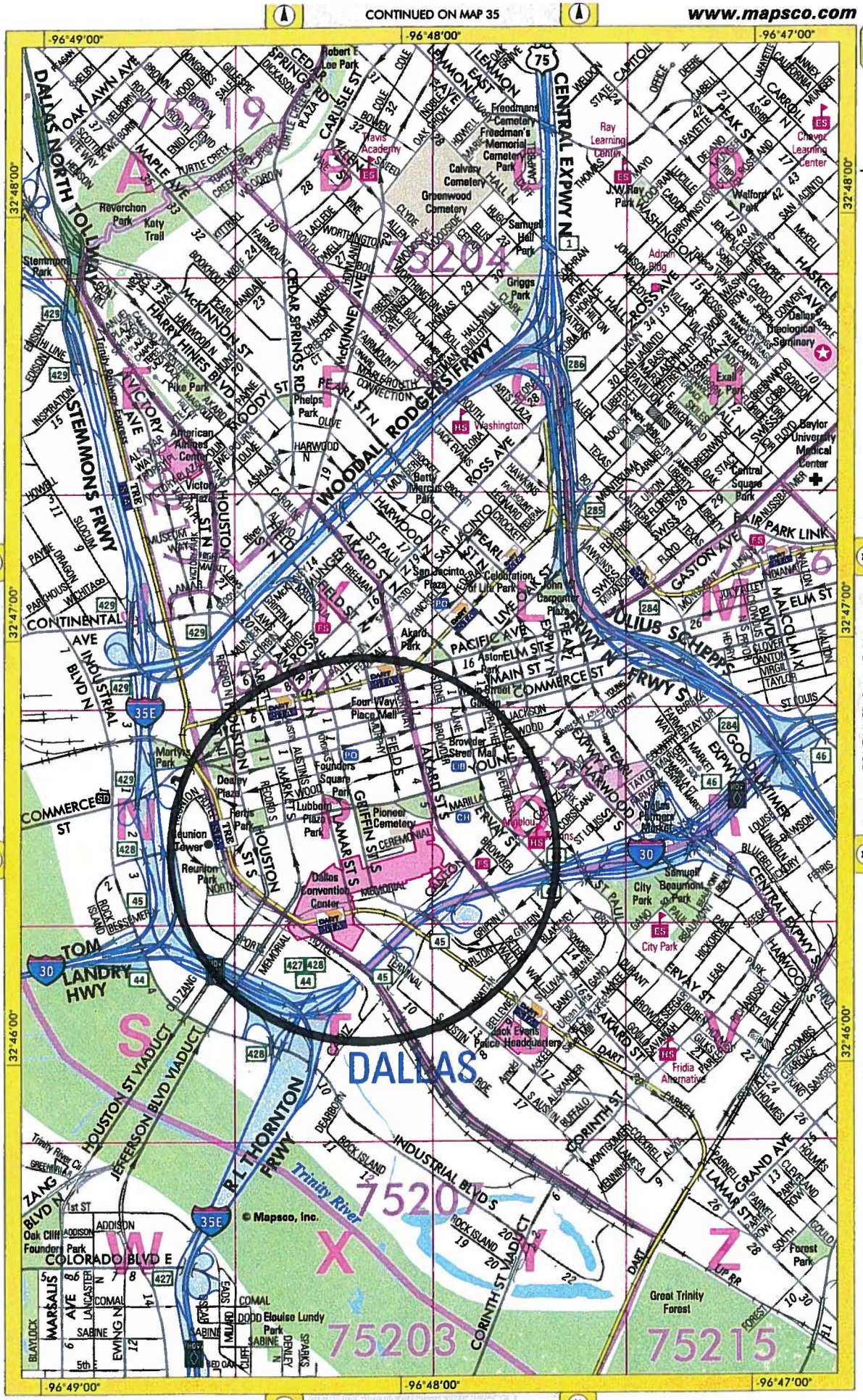
| Local | Certification | Amount | Percent |
|---|---|---|---|
| Gentzler Electric | HMDB09449N0615 | $38,731.00 | 18.74% |
| Gilbert May, Inc. dba Phillips/May Corp. | HMMB59343Y1114 | $22,231.20 | 10.76% |
| Innovation Mechanical, LLC | HMDB58834N0914 | $12,826.00 | 6.21% |
| **Total Minority - Local** | | $73,788.20 | 35.70% |

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

| Non-local | Certification | Amount | Percent |
|---|---|---|---|
| TBS Specialties | WFWB62168N0616 | $606.00 | 3.98% |
| **Total Minority - Non-local** | | $606.00 | 3.98% |

**TOTAL M/WBE PARTICIPATION**

| | This Action | | Participation to Date | |
|---|---|---|---|---|
| | Amount | Percent | Amount | Percent |
| African American | $0.00 | 0.00% | $0.00 | 0.00% |
| Hispanic American | $73,788.20 | 33.25% | $4,680,765.18 | 38.56% |
| Asian American | $0.00 | 0.00% | $0.00 | 0.00% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $606.00 | 0.27% | $145,628.00 | 1.20% |
| Total | $74,394.20 | 33.53% | $4,826,393.18 | 39.76% |




For Central Business District map coverage see pages 10 and 11

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

**WHEREAS,** on August 25, 2010, Resolution No. 10-2142 authorized Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed $54,625, increasing the contract from $2,616,466 to $2,671,091; and,

**WHEREAS,** on June 22, 2011, Resolution No. 11-1709 authorized Supplemental Agreement No. 2 to the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed $1,437,740, increasing the contract from $2,671,091 to $4,108,831; and,

**WHEREAS,** on December 14, 2011, Resolution No. 11-3257 authorized Supplemental Agreement No. 3 to the professional services contract with HKS, Inc. for architectural, engineering, and interior design services to include interior improvements for Lobby A and A/B Pre-function areas for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed $142,270, increasing the contract from $4,108,831 to $4,251,551; and,

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

**WHEREAS,** on April 25, 2012, Resolution No. 12-1195 authorized Supplemental Agreement No. 5 to the professional services contract with HKS, Inc. for architectural, engineering, and construction administration services for digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar Streetscape Conceptual Design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed $245,266, from $5,468,611 to $5,713,877; and,

September 10, 2014

**WHEREAS,** on November 5, 2012, Administrative Action No. 12-2814 authorized Supplemental Agreement No. 6 to the professional services contract with HKS, Inc. for additional architectural, engineering and construction administration services for alterations of existing Elevator No. 7, additional rigging points in C Lobby and lounge spaces, design of digital signage systems for the Hall C Ballroom, Hall C Meeting Rooms, Lower Hall D Meeting Rooms and HVAC revisions in the Concourse C, C Ballroom and Lobby A for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed $46,500, from $5,713,877 to $5,760,377; and,

**WHEREAS,** on January 23, 2013, Resolution No. 13-0181 authorized Supplemental Agreement No. 7 to the professional services contract with HKS, Inc. for architectural and engineering services for a lightning protection study, roof replacement, Area C furniture and restroom improvements for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed $488,445, from $5,760,377 to $6,248,822; and,

**WHEREAS,** on October 8, 2013, Resolution No. 13-1763 authorized a contract with Gilbert May, Inc. dba Phillips May Corp. for the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas, not to exceed $11,879,291; and,

**WHEREAS,** on July 8, 2014, Administrative Change Order No. 14-1108 authorized Change Order No. 1 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include Facilities Performance Associates for Environmental Investigation and abating rust encountered on C-100 Meeting Room's operable partitions in an amount not to exceed $38,518.98, from $11,879,291.00 to $11,917,809.98; and,

**WHEREAS,** it is now desirable to authorize Change Order No. 2 to the construction contract with Gilbert May, Inc. dba Phillips/May, Corp. for the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed $221,899.69, from $11,917,809.98 to $12,139,709.67.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute Change Order No. 2 to the construction contract with Gilbert May, Inc. dba Phillips/May Corp. for mechanical, electrical, audio visual and interior finish changes to the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed $221,899.69, from $11,917,809.98 to $12,139,709.67, after it has been approved as to form by the City Attorney.

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

2009 Convention Center Revenue Bonds
Fund 0568, Dept. CCT, Unit P505, Act. CCIM
Obj. 4310, Program #PBC00038, CT PBWC00038L1
Vendor # VS0000039750 in an amount not to exceed $221,899.69

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

**AGENDA ITEMS # 17,18**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Public Works Department

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

**MAPSCO:** 45F K L

## SUBJECT

**McKinney Avenue Trolley Extension**

* Authorize Supplemental Agreement No. 9 to the professional services contract with Huitt-Zollars, Inc. to provide additional engineering services support during construction for the McKinney Avenue Trolley Extension Project - Not to exceed $110,290, from $3,176,592 to $3,286,882 - Financing: General Obligation Commercial Paper Funds
* Authorize an increase in the construction contract with Gibson & Associates, Inc. for construction of the McKinney Avenue Trolley Extension Project - Not to exceed $336,202, from $8,885,188 to $9,221,390 - Financing: General Obligation Commercial Paper Funds

## BACKGROUND

The construction of the McKinney Avenue Trolley Extension Project began in August 2010. Additional compensation is needed for Huitt-Zollars, Inc. for continuation of design support for additional shop drawing reviews, RFI responses, and to coordinate test and inspection of the new traction power substation (TPSS). This action will also authorize Change Order No. 7 to the contractor Gibson & Associates, Inc. for the adjustments in contract items for overruns and underruns through construction completion.

During construction, additional barricades, changeable message signs, and temporary traffic controls were needed to address the traffic concerns by the Uptown businesses and commuters due to the necessary closure at the intersection of McKinney Avenue and Olive Street for the installation of special track work and switches. High early strength concrete was also used to expedite the curing time. This Change Order No. 7 will allow for the adjustment of these items.

## BACKGROUND (Continued)

The McKinney Avenue Trolley Extension Project includes construction of streetcar track on the west side of Olive Street to connect the existing streetcar track at McKinney Street to a southern terminus south of Federal Street, near the DART Transit Mall. This project was designed to accommodate the vintage trolley fleet as well as a modern streetcar system that will be operated by Dallas Area Rapid Transit (DART).

Total project costs of publicly-funded items including design, construction and DWU's utility improvements are estimated to be $12,508,270.70. The City of Dallas is responsible for $10,842,473.27 of which $1,710,958.81 is for DWU's water and wastewater improvements. The Texas Department of Transportation is responsible for funding the remaining project costs of $1,665,797.43.

## ESTIMATED SCHEDULE OF PROJECT

| | |
|---|---|
| Began Design | February 2007 |
| Completed Design | April 2010 |
| Began Construction | December 2010 |
| Complete Construction | October 2014 |

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

Authorized endorsement of the Statewide Transportation Enhancement Program First Call for Projects on September 22, 1993, by Resolution No. 93-3503.

Authorized endorsement of the Statewide Transportation Enhancement Program Second Call for Projects on August 10, 1994, by Resolution No. 94-2872.

Authorized an Interlocal Agreement with the Texas Department of Transportation on December 13, 1995, by Resolution No. 95-4088.

Authorized a professional services contract with Huitt-Zollars, Inc. on September 25, 1996, by Resolution No. 96-3034.

Authorized Supplemental Agreement No. 1 to the contract with Huitt-Zollars, Inc. on June 10, 1998, by Resolution No. 98-1711.

Authorized Supplemental Agreement No. 3 to the contract with Huitt-Zollars, Inc. on June 28, 2000, by Resolution No. 00-2025.

Authorized a reimbursement agreement for the north extension of the McKinney Avenue Trolley with TXU on August 23, 2000, by Resolution No. 00-2568.

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

Authorized a reimbursement agreement for the north extension of the McKinney Avenue Trolley with Southwestern Bell Telephone on September 27, 2000, by Resolution No. 00-3006.

Authorized a development agreement for the north extension of the McKinney Avenue Trolley with Oak Creek Partners, Ltd. on October 11, 2000, by Resolution No. 00-3084.

Authorized a construction contract for the north extension of the McKinney Avenue Trolley with Texas-Sterling Construction, Inc. on December 13, 2000, by Resolution No. 00-3802.

Authorized an increase in the construction contract for the north extension of the McKinney Avenue Trolley with Texas-Sterling Construction, Inc. on September 10, 2003, by Resolution No. 03-2434.

Authorized support and continued development of the McKinney Avenue Trolley Extension on January 11, 2006, by Resolution No. 06-0114.

Authorized Supplemental Agreement No. 4 to the contract with Huitt-Zollars, Inc. on February 14, 2007, by Resolution No. 07-0477.

Authorized Supplemental Agreement No. 5 to the contract with Huitt-Zollars, Inc. on June 25, 2008, by Resolution No. 08-1901.

Authorized Supplemental Agreement No. 7 to the contract with Huitt-Zollars, Inc. on April 22, 2009, by Resolution No. 09-1078.

Authorized construction contract with Gibson & Associates, Inc. on August 25, 2010, by Resolution No. 10-2140.

Authorized a Multiple Use Agreement with Texas Department of Transportation on August 25, 2010, by Resolution No. 10-2141.

Authorized a Supplemental Agreement No. 8 to the contract with Huitt Zollars, Inc. on December 14, 2011, by Resolution 11-3261.

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

Authorized an increase in the construction contract with Gibson & Associates, Inc. on December 14, 2011, by Resolution No. 11-3262.

Authorized Change Order No. 4 to the contract with Gibson and Associates, Inc, on June 12, 2013, by Resolution No. 13-0968.

Authorized a Participation Agreement with the Downtown Improvement District on June 12, 2013 by Resolution No. 13-0969.

## FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - $446,492.45

| | |
|---|---|
| Design | $ 857,400.00 |
| Supplemental Agreement 1 | $ 117,400.00 |
| Supplemental Agreement 2 | $ 14,900.00 |
| Supplemental Agreement 3 | $ 59,800.00 |
| Supplemental Agreement 4 | $ 551,483.00 |
| Supplemental Agreement 5 | $1,147,211.00 |
| Supplemental Agreement 6 | $ 20,567.44 |
| Supplemental Agreement 7 | $ 21,080.00 |
| Supplemental Agreement 8 | $ 386,750.00 |
| Supplemental Agreement 9 (this action) | $ 110,290.00 |
| Total Projected Cost | $3,286,881.44 |

| | |
|---|---|
| Construction | |
| Paving & Drainage - PBW | $6,692,386.52 |
| Water and Wastewater - DWU | $1,710,958.81 |
| Change Order No. 1 | $ 0.00 |
| Change Order No. 2 | $ 263,431.81 |
| Change Order No. 3 | $ 0.00 |
| Change Order No. 4 | $ 158,635.00 |
| Change Order No. 5 | $ 47,013.11 |
| Change Order No. 6 | $ 12,762.00 |
| Change Order No. 7 (this action) | $ 336,202.45 |
| Total Projected Cost | $9,221,389.70 |

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

Huitt-Zollars, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 7 | Hispanic Male | 8 |
| African-American Female | 2 | African-American Male | 2 |
| Other Female | 1 | Other Male | 4 |
| White Female | 28 | White Male | 48 |

Gibson & Associates, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 0 | Hispanic Male | 52 |
| African-American Female | 1 | African-American Male | 0 |
| Other Female | 0 | Other Male | 2 |
| White Female | 3 | White Male | 20 |

## OWNER

**Huitt-Zollars, Inc.**

Bob Zollars, President

**Gibson and Associates, Inc.**

William J. Gibson, President

## MAP

Attached.

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 9 to the professional services contract with Huitt-Zollars, Inc. to provide additional engineering services support during construction for the McKinney Avenue Trolley Extension Project - Not to exceed $110,290, from $3,176,592 to $3,286,882 - Financing: General Obligation Commercial Paper Funds

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

---

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

| | Amount | Percent |
|---|---|---|
| Local contracts | $110,290.00 | 100.00% |
| Non-local contracts | $0.00 | 0.00% |
| **TOTAL THIS ACTION** | $110,290.00 | 100.00% |

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

**Local Contractors / Sub-Contractors**

None

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

None

**TOTAL M/WBE PARTICIPATION**

| | This Action | | Participation to Date | |
|---|---|---|---|---|
| | Amount | Percent | Amount | Percent |
| African American | $0.00 | 0.00% | $87,399.00 | 2.66% |
| Hispanic American | $0.00 | 0.00% | $727,993.57 | 22.15% |
| Asian American | $0.00 | 0.00% | $44,415.00 | 1.35% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $0.00 | 0.00% | $13,200.00 | 0.40% |
| Total | $0.00 | 0.00% | $873,007.57 | 26.56% |

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with Gibson & Associates, Inc. for construction of the McKinney Avenue Trolley Extension Project - Not to exceed $336,202, from $8,885,188 to $9,221,390 - Financing: General Obligation Commercial Paper Funds

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

PROJECT CATEGORY: Construction

---

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

| | Amount | Percent |
|---|---|---|
| Local contracts | $236,153.90 | 70.24% |
| Non-local contracts | $100,048.55 | 29.76% |
| **TOTAL THIS ACTION** | $336,202.45 | 100.00% |

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

### Local Contractors / Sub-Contractors

None

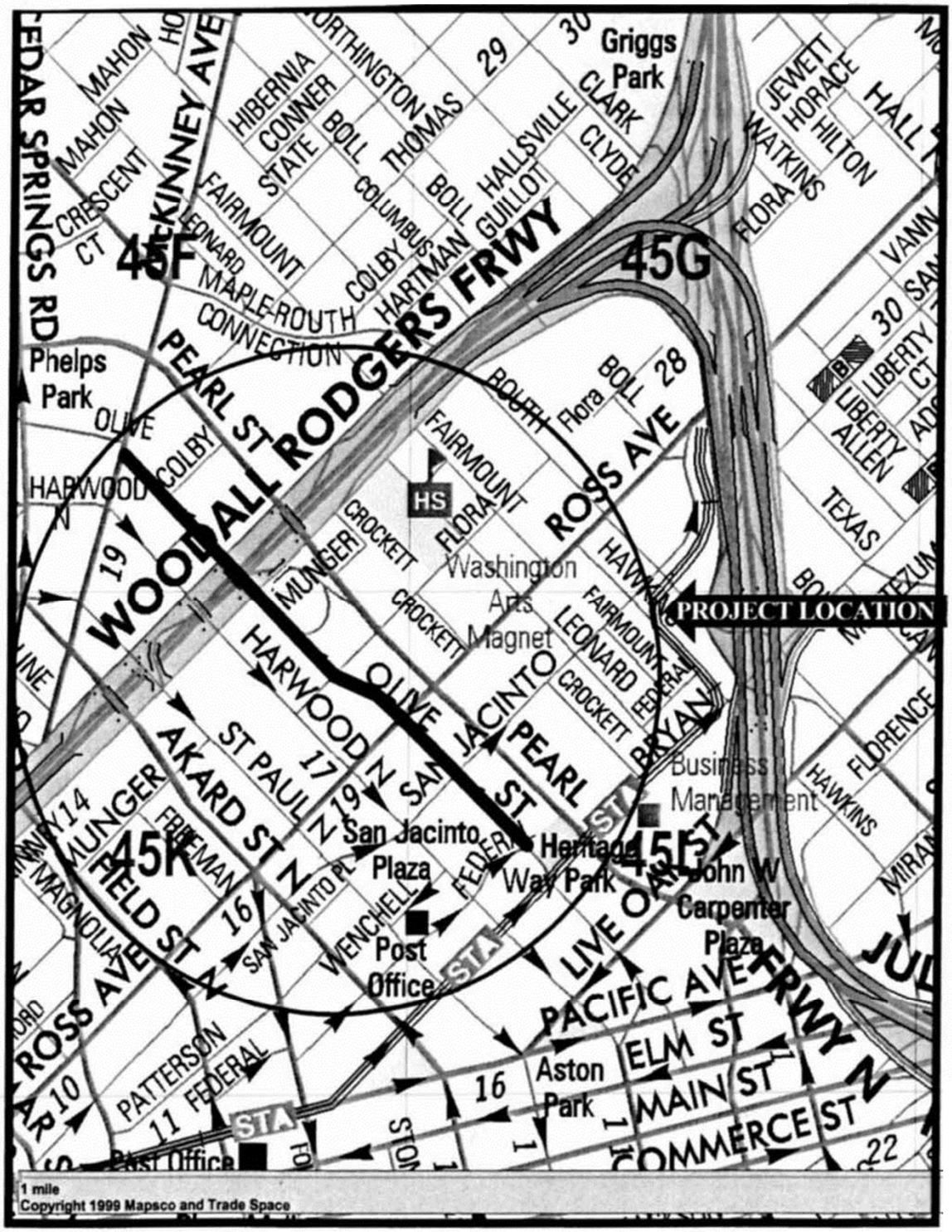
### Non-Local Contractors / Sub-Contractors

| Non-local | Certification | Amount | Percent |
|---|---|---|---|
| River City Railroad Trolly & Transit | BMDB58174Y0714 | $211,549.06 | 211.45% |
| Consultants | HMMB58526N0814 | $2,512.81 | 2.51% |
| Hardscape Specialties, Inc. | HMDB60153Y0215 | $1,649.41 | 1.65% |
| Road Master Striping, LLC | | | |
| **Total Minority - Non-local** | | $215,711.28 | 215.61% |

## TOTAL M/WBE PARTICIPATION

| | This Action | | Participation to Date | |
|---|---|---|---|---|
| | Amount | Percent | Amount | Percent |
| African American | $211,549.06 | 62.92% | $2,087,260.63 | 22.63% |
| Hispanic American | $4,162.22 | 1.24% | $1,264,011.52 | 13.71% |
| 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 | $215,711.28 | 64.16% | $3,351,272.15 | 36.34% |

# McKinney Avenue Trolley Extension




**MAPSCO 45 F, K, L**

**WHEREAS,** the City of Dallas nominated the McKinney Avenue Trolley Extension Project for participation in the Statewide Transportation Enhancement Program on September 22, 1993, by Resolution No. 93-3503, and August 10, 1994, by Resolution No. 94-2872 and agreed to provide the required local matching funds; and,

**WHEREAS,** on December 13, 1995, Resolution No. 95-4088 authorized an Interlocal Agreement with the Texas Department of Transportation for the design of the extension of the McKinney Avenue Trolley to the West End Historic District and to the City Place area; and,

**WHEREAS,** on September 25, 1996, Resolution No. 96-3034 authorized a professional services contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the extension of the McKinney Avenue Trolley to the West End Historic District and to the City Place area in the amount of $857,400.00; and,

**WHEREAS,** on June 10, 1998, Resolution No. 98-1711 authorized Supplemental Agreement No. 1 to the contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the McKinney Avenue Trolley Extension Project in the amount of $117,400, increasing the contract from $857,400 to $974,800; and,

**WHEREAS,** on October 20, 1999, Administrative Action No. 99-3220 authorized Supplemental Agreement No. 2 to the contract with Huitt-Zollars, Inc. for the design of antique poles to be used on the McKinney Avenue Trolley Extension Project in the amount of $14,900, increasing the contract from $974,800 to $989,700; and,

**WHEREAS,** on June 28, 2000, Resolution No. 00-2025 authorized Supplemental Agreement No. 3 to the contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the McKinney Avenue Trolley Extension Project in the amount of $59,800, increasing the contract from $989,700 to $1,049,500; and,

**WHEREAS,** design was completed and a construction contract was awarded and completed for the trolley's north extension to City Place; and,

**WHEREAS,** design was substantially completed for the trolley's downtown extension prior to being placed on hold because of funding and utility issues; and,

**WHEREAS,** an alternate route for the downtown extension was identified, and the City of Dallas, McKinney Avenue Transit Authority, DART, and the Texas Department of Transportation proceeded with this alternative; and,

**WHEREAS,** on February 14, 2007, Resolution No. 07-0477 authorized Supplemental Agreement No. 4 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for paving and drainage improvements for the McKinney Avenue Trolley Extension Project in the amount of $551,483, increasing the contract from $1,049,500 to $1,600,983; and,

**WHEREAS,** on June 25, 2008, Resolution No. 08-1901 authorized Supplemental Agreement No. 5 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for the final design of paving, drainage, and water and wastewater main improvements for the McKinney Avenue Trolley Extension Project in the amount of $1,147,211, increasing the contract from $1,600,983 to $2,748,194.67; and,

**WHEREAS,** on December 10, 2008 Administrative Action No. 09-0657 authorized Supplemental Agreement No. 6 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for water and sanitary sewer replacements for the McKinney Avenue Trolley Extension Project in the amount of $20,567.44, increasing the contract from $2,748,194 to $2,768,761.44; and,

**WHEREAS,** on April 22, 2009, Resolution No. 09-1078 authorized Supplemental Agreement No. 7 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for the final design of storm drainage facilities for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $21,080.00, increasing the contract from $2,768,761.44 to $2,789,841.44; and,

**WHEREAS,** on August 25, 2010, Resolution No. 10-2140 authorized a contract with Gibson and Associates, Inc. for the construction of the McKinney Avenue Trolley Olive Street Extension Project in an amount not to exceed $8,403,345.33; and,

**WHEREAS,** on August 25, 2010, Resolution No. 10-2141 authorized a Multiple Use Agreement with Texas Department of Transportation to allow for construction of streetcar tracks within their right-of-way for the McKinney Avenue Trolley Olive Street Extension Project; and,

**WHEREAS,** on September 14, 2011, Administrative Action No. 11-2349 authorized Change Order No. 1 to the contract with Gibson and Associates, Inc. for revised scope associated with shortened project limits and revised track section for the McKinney Avenue Trolley Olive Street Extension Project; and,

**WHEREAS**, the Texas Department of Transportation's federal-funding criteria includes “Buy America” provisions that require the purchase of domestically-manufactured steel for construction of the McKinney Avenue Trolley Olive Street Extension Project; and,

**WHEREAS,** on December 14, 2011, Resolution No. 11-3261 authorized Supplemental Agreement No. 8 to the contract with Huitt-Zollars, Inc. to provide additional engineering services related to federal mandated track modifications for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $386,750.00, increasing the contract from $2,789,841.44 to $3,176,591.44; and,

**WHEREAS,** on December 14, 2011, Resolution No. 11-3262 authorized Change Order No. 2 to the contract with Gibson and Associates, Inc. for the construction of federal mandated track modifications for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $263,431.81, increasing the contract from $8,403,345.33 to $8,666,777.14; and,

**WHEREAS,** on April 17, 2013, Administrative Action No. 13-5484 authorized Change Order No. 3 to the construction contract with Gibson and Associates, Inc. for additional traffic control measures, landscaping along Olive Street and a new joint use overhead catenary system pole for the McKinney Avenue Streetcar Olive Extension Project; and,

**WHEREAS,** on June 12, 2013, Resolution No. 13-0968 authorized Change Order No. 4 to the contract with Gibson and Associates, Inc. for the construction of granite pavers at trolley stops and additional items for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $158,635.00, increasing the contract from $8,666,777.14 to $8,825,412.14; and,

**WHEREAS**, on June 12, 2013, Resolution No. 13-0969 authorized a participation agreement with the Downtown Improvement District for the construction of granite pavers at trolley stops and additional items for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $158,635.00; and,

**WHEREAS,** on August 29, 2013, Administrative Action No. 13-6197 authorized Change Order No. 5 to the contract with Gibson and Associates, Inc. for an additional item for expediting the work schedule to complete the special track installation at the intersection of McKinney Avenue and Olive Street in the amount not to exceed $47,013.11, increasing the contract from $8,825,412.14 to $8,872,425.25; and,

**WHEREAS,** on May 22, 2014, Administrative Action No. 14-0714 authorized Change Order No. 6 to the contract with Gibson and Associates, Inc. for additional features added to the special trackwork to minimize the noise produced by the trolley car wheels at the intersection of McKinney and Olive Street in the amount not to exceed $12,762.00, increasing the contract from $8,872,425.25 to 8,885,187.25; and,

September 10, 2014

**WHEREAS,** it is now necessary to authorize Supplemental Agreement No. 9 to the professional services contract with Huitt-Zollars, Inc. to provide additional engineering services support during construction for the McKinney Avenue Trolley Extension Project in the amount of $110,290.00, increasing the contract from $3,176,591.44 to $3,286,881.44; and,

**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. 9 to the professional services contract with Huitt-Zollars, Inc. to provide additional engineering services support during construction for the McKinney Avenue Trolley Extension Project in the amount of $110,290.00, increasing the contract from $3,176,591.44 to $3,286,881.44, after it has been approved as to form by the City Attorney.

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

Street and Transportation Improvements Fund
Fund 2T22, Dept. PBW, Unit. U220, Act. INGV
Obj. 4111, Program #PB06U220, CT PBW95L114K1
Vendor #090025, in an amount not to exceed $110,290.00

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

**WHEREAS,** the City of Dallas nominated the McKinney Avenue Trolley Extension Project for participation in the Statewide Transportation Enhancement Program on September 22, 1993, by Resolution No. 93-3503, and August 10, 1994, by Resolution No. 94-2872 and agreed to provide the required local matching funds; and,

**WHEREAS,** on December 13, 1995, Resolution No. 95-4088 authorized an Interlocal Agreement with the Texas Department of Transportation for the design of the extension of the McKinney Avenue Trolley to the West End Historic District and to the City Place area; and,

**WHEREAS,** on September 25, 1996, Resolution No. 96-3034 authorized a professional services contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the extension of the McKinney Avenue Trolley to the West End Historic District and to the City Place area in the amount of $857,400.00; and,

**WHEREAS,** on June 10, 1998, Resolution No. 98-1711 authorized Supplemental Agreement No. 1 to the contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the McKinney Avenue Trolley Extension Project in the amount of $117,400, increasing the contract from $857,400 to $974,800; and,

**WHEREAS,** on October 20, 1999, Administrative Action No. 99-3220 authorized Supplemental Agreement No. 2 to the contract with Huitt-Zollars, Inc. for the design of antique poles to be used on the McKinney Avenue Trolley Extension Project in the amount of $14,900, increasing the contract from $974,800 to $989,700; and,

**WHEREAS,** on June 28, 2000, Resolution No. 00-2025 authorized Supplemental Agreement No. 3 to the contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the McKinney Avenue Trolley Extension Project in the amount of $59,800, increasing the contract from $989,700 to $1,049,500; and,

**WHEREAS,** design was completed and a construction contract was awarded and completed for the trolley's north extension to City Place; and,

**WHEREAS,** design was substantially completed for the trolley's downtown extension prior to being placed on hold because of funding and utility issues; and,

**WHEREAS,** an alternate route for the downtown extension was identified, and the City of Dallas, McKinney Avenue Transit Authority, DART, and the Texas Department of Transportation proceeded with this alternative; and,

**WHEREAS,** on February 14, 2007, Resolution No. 07-0477 authorized Supplemental Agreement No. 4 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for paving and drainage improvements for the McKinney Avenue Trolley Extension Project in the amount of $551,483, increasing the contract from $1,049,500 to $1,600,983; and,

**WHEREAS,** on June 25, 2008, Resolution No. 08-1901 authorized Supplemental Agreement No. 5 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for the final design of paving, drainage, and water and wastewater main improvements for the McKinney Avenue Trolley Extension Project in the amount of $1,147,211, increasing the contract from $1,600,983 to $2,748,194.67; and,

**WHEREAS,** on December 10, 2008 Administrative Action No. 09-0657 authorized Supplemental Agreement No. 6 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for water and sanitary sewer replacements for the McKinney Avenue Trolley Extension Project in the amount of $20,567.44, increasing the contract from $2,748,194 to $2,768,761.44; and,

**WHEREAS,** on April 22, 2009, Resolution No. 09-1078 authorized Supplemental Agreement No. 7 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for the final design of storm drainage facilities for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $21,080.00, increasing the contract from $2,768,761.44 to $2,789,841.44; and,

**WHEREAS,** on August 25, 2010, Resolution No. 10-2140 authorized a contract with Gibson and Associates, Inc. for the construction of the McKinney Avenue Trolley Olive Street Extension Project in an amount not to exceed $8,403,345.33; and,

**WHEREAS,** on August 25, 2010, Resolution No. 10-2141 authorized a Multiple Use Agreement with Texas Department of Transportation to allow for construction of streetcar tracks within their right-of-way for the McKinney Avenue Trolley Olive Street Extension Project; and,

**WHEREAS,** on September 14, 2011, Administrative Action No. 11-2349 authorized Change Order No. 1 to the contract with Gibson and Associates, Inc. for revised scope associated with shortened project limits and revised track section for the McKinney Avenue Trolley Olive Street Extension Project; and,

**WHEREAS**, the Texas Department of Transportation's federal-funding criteria includes “Buy America” provisions that require the purchase of domestically-manufactured steel for construction of the McKinney Avenue Trolley Olive Street Extension Project; and,

**WHEREAS,** on December 14, 2011, Resolution No. 11-3261 authorized Supplemental Agreement No. 8 to the contract with Huitt-Zollars, Inc. to provide additional engineering services related to federal mandated track modifications for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $386,750.00, increasing the contract from $2,789,841.44 to $3,176,591.44; and,

**WHEREAS,** on December 14, 2011, Resolution No. 11-3262 authorized Change Order No. 2 to the contract with Gibson and Associates, Inc. for the construction of federal mandated track modifications for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $263,431.81, increasing the contract from $8,403,345.33 to $8,666,777.14; and,

**WHEREAS,** on April 17, 2013, Administrative Action No. 13-5484 authorized Change Order No. 3 to the construction contract with Gibson and Associates, Inc. for additional traffic control measures, landscaping along Olive Street and a new joint use overhead catenary system pole for the McKinney Avenue Streetcar Olive Extension Project; and,

**WHEREAS,** on June 12, 2013, Resolution No. 13-0968 authorized Change Order No. 4 to the contract with Gibson and Associates, Inc. for the construction of granite pavers at trolley stops and additional items for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $158,635.00, increasing the contract from $8,666,777.14 to $8,825,412.14; and,

**WHEREAS**, on June 12, 2013, Resolution No. 13-0969 authorized a participation agreement with the Downtown Improvement District for the construction of granite pavers at trolley stops and additional items for the McKinney Avenue Trolley Olive Street Extension Project in the amount of $158,635.00; and,

**WHEREAS,** on August 29, 2013, Administrative Action No. 13-6197 authorized Change Order No. 5 to the contract with Gibson and Associates, Inc. for an additional item for expediting the work schedule to complete the special track installation at the intersection of McKinney Avenue and Olive Street in the amount not to exceed $47,013.11, increasing the contract from $8,825,412.14 to $8,872,425.25; and,

**WHEREAS,** on May 22, 2014, Administrative Action No. 14-0714 authorized Change Order No. 6 to the contract with Gibson and Associates, Inc. for additional features added to the special trackwork to minimize the noise produced by the trolley car wheels at the intersection of McKinney and Olive Street in the amount not to exceed $12,762.00, increasing the contract from $8,872,425.25 to 8,885,187.25; and,

**WHEREAS,** it is now necessary to authorize Change Order No. 7 to the contract with Gibson and Associates, Inc. for construction of the McKinney Avenue Trolley Extension Project in the amount of $336,202.45, increasing the contract from $8,885,187.25 to $9,221,389.70; and,

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute Change Order No. 7 to the contract with Gibson And Associates, Inc. for the construction of the McKinney Avenue Trolley Extension Project in the amount of 336,202.45, increasing the contract from $8,885,187.25 to $9,221,389.70, after it has been approved as to form by the City Attorney.

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

| | |
|---|---|
| Street and Transportation Improvements Fund | |
| Fund 2T22, Dept. PBW, Unit. U220, Act. INGV | |
| Obj. 4510, Program #PB06U220, CT PBW06U220K1 | |
| Vendor #230445, in an amount not to exceed | $336,202.45 |

**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 # 19**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Street Services
Public Works Department

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

**MAPSCO:** Citywide

## SUBJECT

Authorize **(1)** a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for the acquisition of hardware, software and communication equipment for a central computer system for the City's Advanced Traffic Management System (ATMS) upgrade project; **(2)** the establishment of appropriations in the amount of $3,318,877 in the Texas Department of Transportation Grant Fund; and **(3)** a required local match in an amount not to exceed $538,782 including $10,564 to be paid by warrant check at the beginning of the project – Total not to exceed $3,857,659 - Financing: Texas Department of Transportation Grant Funds ($3,318,877) and General Obligation Commercial Paper Funds ($538,782)

## BACKGROUND

As part of the North Central Texas Council of Governments (NCTCOG) Transportation Improvement Plan, the City of Dallas has been awarded a Federal/State grant to fund a portion of the ATMS upgrade project, specifically the central computer system.

The total value of this funding agreement is $3,847,094. The City will be required to pay matching funds of $538,782 to receive Federal/State grant funds in the amount of $3,318,877. The City must issue a warrant check at the beginning of the project to the Texas Department of Transportation (TxDOT) in the amount of $10,564.34 to reimburse for expenses associated with processing the grant.

This project will upgrade the City of Dallas central computer system that controls traffic signals city-wide. The existing 20 year old computer system has reached the end of its serviceable life. This system developed in the 1980s is no longer supported by the manufacturer.

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

This item has no prior action.

## ESTIMATED SCHEDULE OF PROJECT

| | |
|---|---|
| Begin construction | September 2014 |
| Complete construction | December 2016 |

## FISCAL INFORMATION

Texas Department of Transportation Grant Funds - $3,318,877
2006 Bond Program (General Obligation Commercial Paper Funds) - $538,782.34

September 10, 2014

**WHEREAS,** the City of Dallas desires to enter into an agreement with the Texas Department of Transportation (TxDOT) for the acquisition of hardware, software and communication equipment for a central computer system for the City's Advanced Traffic Management System (ATMS) upgrade project; and,

**WHEREAS,** The Federal portion of the grant is $3,318,877, and the City of Dallas matching portion of the grant is $538,782.14 for a total in an amount not to exceed $3,857,659.14.

**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 execute a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT), Agreement number CSJ# 0918-47-094 & 095, CFDA 20.205, which will be in effect until the project is complete or until either side terminates the agreement for cause, to provide for the acquisition of hardware, software, and communication equipment for a central computer system for the City's Advanced Traffic Management System upgrade project.

**Section 2.** That the City Controller is hereby authorized to receive and deposit all reimbursements from TxDOT pertaining to this project in an amount not to exceed $3,318,877 In Fund F8FH, Dept. STS, Unit 88FH, Revenue Source 6506.

**Section 3.** That the City Manager is hereby authorized to establish an appropriation in the amount of $3,318,877 in Fund F8FH, Dept. STS, Unit 88FH, Act. THRG Obj. 4735, Major Program TxDOT, Program TP88FH14.

**Section 4.** That the City Controller is hereby authorized to disburse funds from Fund F8FH, Dept. STS, Unit 88FH, Act. THRG, Obj. 4735, Major Program TxDOT, Program TP88FH14, in an amount not to exceed $3,318,877.

**Section 5.** That the City Controller is hereby authorized to issue a warrant check to TxDOT in the amount of $10,564.34, Vendor # 020318, in accordance with the terms and conditions of the agreement from Fund 2T22, Dept. PBW, Unit R090, Obj. 4599, Act. THRG, Program PB03R090.

**Section 6.** That the City Controller is hereby authorized to disburse funds from Fund 2T22, Dept. PBW, Unit R090, Obj. 4735, Act. THRG, Program PB03R090 in an amount not to exceed $528,217.80 for the local match.

**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 # 20**

| | |
|---|---|
| **KEY FOCUS AREA:** | Economic Vibrancy |
| **AGENDA DATE:** | September 10, 2014 |
| **COUNCIL DISTRICT(S):** | 8 |
| **DEPARTMENT:** | Sustainable Development and Construction<br>Water Utilities |
| **CMO:** | Ryan S. Evans, 671-9837<br>Forest E. Turner, 670-3390 |
| **MAPSCO:** | 70A |

## SUBJECT

Authorize acquisition from Central 15th, L.P., formerly known as Central-15th, L.L.C., of approximately 28,888 square feet of land located near the intersection of Belt Line and Ravenview Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $235,112 ($231,112 plus closing costs and title expenses not to exceed $4,000) – Financing: Water Utilities Capital Improvement Funds

## BACKGROUND

This item authorizes the acquisition of a tract of land containing approximately 28,888 square feet of land located near the intersection of Belt Line and Ravenview Roads 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 - $235,112 ($231,112, plus closing costs and title expenses not to exceed $4,000)

## OWNER

**Central 15th, L.P., formerly known as Central-15th, L.L.C.**

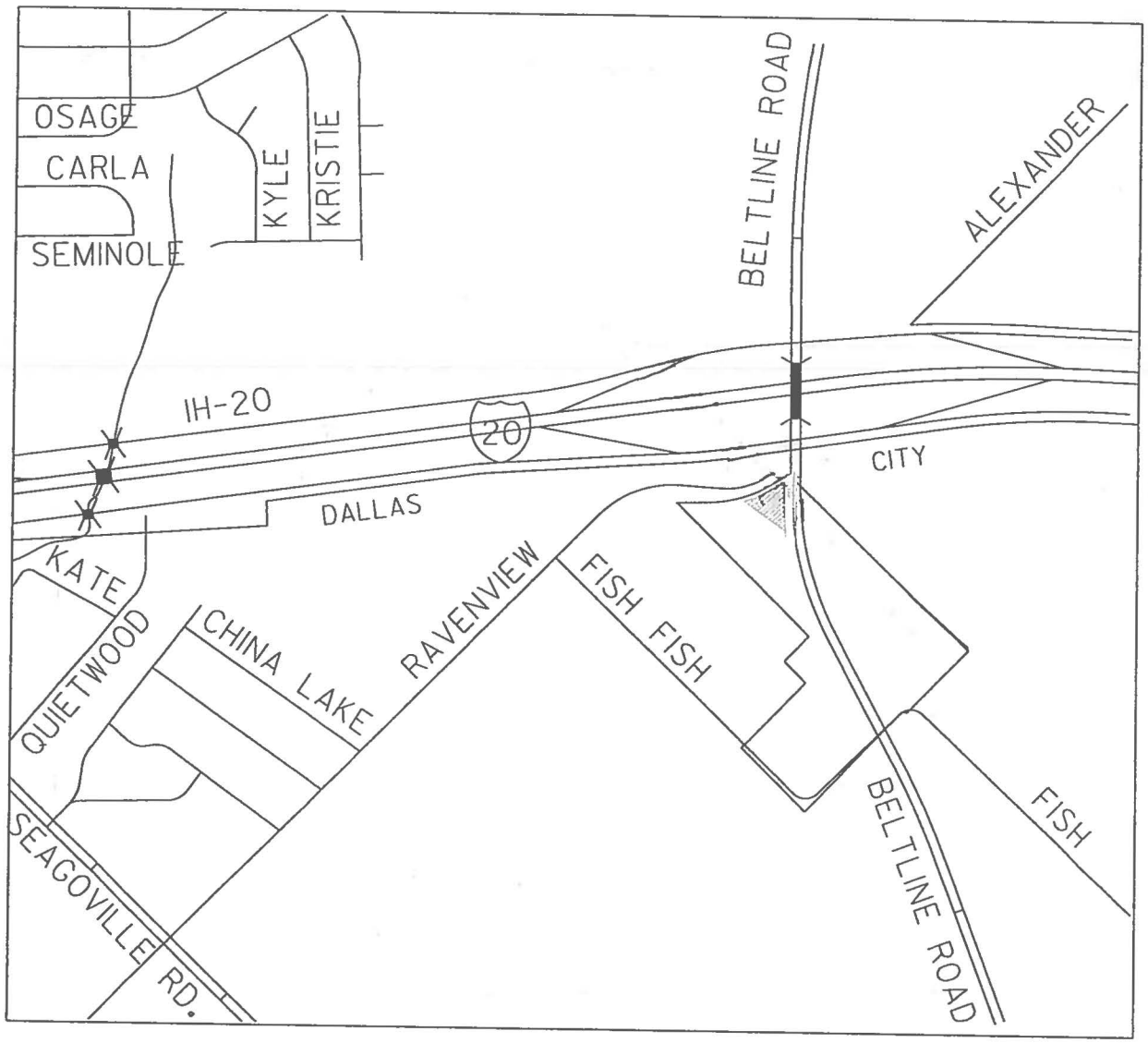
CCBT Enterprises, General Partner

Sidney Thomason, Managing Member

Charles E. Cotten, Managing Member

## MAP

Attached


N
OSAGE
CARLA
SEMINOLE
KYLE
KRISTIE
BELTLINE ROAD
ALEXANDER
IH-20
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DALLAS
CITY
KATE
QUIETWOOD
CHINA LAKE
RAVENVIEW
FISH FISH
BELTLINE ROAD
FISH
SEAGOVILLE RD.

Subject:

September 10, 2014

**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 28,888 square feet of land located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

“PROJECT”: Southwest 120/96-inch Water Transmission Pipeline Project

“USE”: The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, 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”: Central 15th, L.P., formerly known as Central-15th, L.L.C., 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": $231,112

"CLOSING COSTS AND TITLE EXPENSES": Not to Exceed $4,000

“AUTHORIZED AMOUNT”: $235,112

**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. 0115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4210, Encumbrance No. CT-DWU706623CPDK. 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, City Attorney**

**BY** Roxanne Diamond
**Assistant City Attorney**

EXHIBIT A

**PARCEL E-49**
**CITY OF DALLAS RIGHT-OF-WAY**
**0.6632 ACRE TRACT**
**CITY OF DALLAS BLOCK NO. 8837,**
**ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Robert Kleberg Survey, Abstract Number 716, Official City of Dallas Block Number 8837, City of Dallas, Dallas County, Texas, and being a part of that tract of land described in Special Warranty Deed to Central 15th LLC as recorded in Volume 2002068, Page 04875 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") on the most northerly line of said Central 15th LLC tract, said point also being at the intersection of the southerly right-of-way line of Ravenview Road with the westerly line of Belt Line Road (a variable permanent easement) as described in Agreed Judgment recorded in Volume 91143, Page 2137, D.R.D.C.T.;

THENCE South 48 degrees 57 minutes 00 seconds East, departing said southerly right-of-way line and along said westerly line of Belt Line Road, a distance of 17.78 feet to a 1/2-inch set iron rod with cap for corner, said point also being the beginning of a curve to the left having a radius of 2,596.48 and whose chord bears South 04 degrees 53 minutes 53 seconds East, a distance of 254.27 feet;

THENCE Southerly, continuing along said westerly line and along said curve to the left, through a central angle of 05 degrees 36 minutes 47 seconds, for an arc distance of 254.37 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 57 degrees 09 minutes 40 seconds West, departing said westerly line, over and across said Central 15th LLC tract a distance of 287.57 feet to a 1/2-inch set iron rod with cap for corner in the north line of said Central 15th LLC tract, said point also being in the aforementioned southerly right-of-way line of Ravenview Road, said point also being the beginning of a curve to the left having a radius of 746.20 feet, and whose chord bears North 62 degrees 09 minutes 24 seconds East, a distance of 233.53 feet;

THENCE Northeasterly, along said southerly right-of-way line and along said curve to the left, through a central angle of 18 degrees 00 minutes 20 seconds, for an arc distance of 234.50 feet to the POINT OF BEGINNING AND CONTAINING 28,888 square feet or 0.6632 acre of land, more or less.

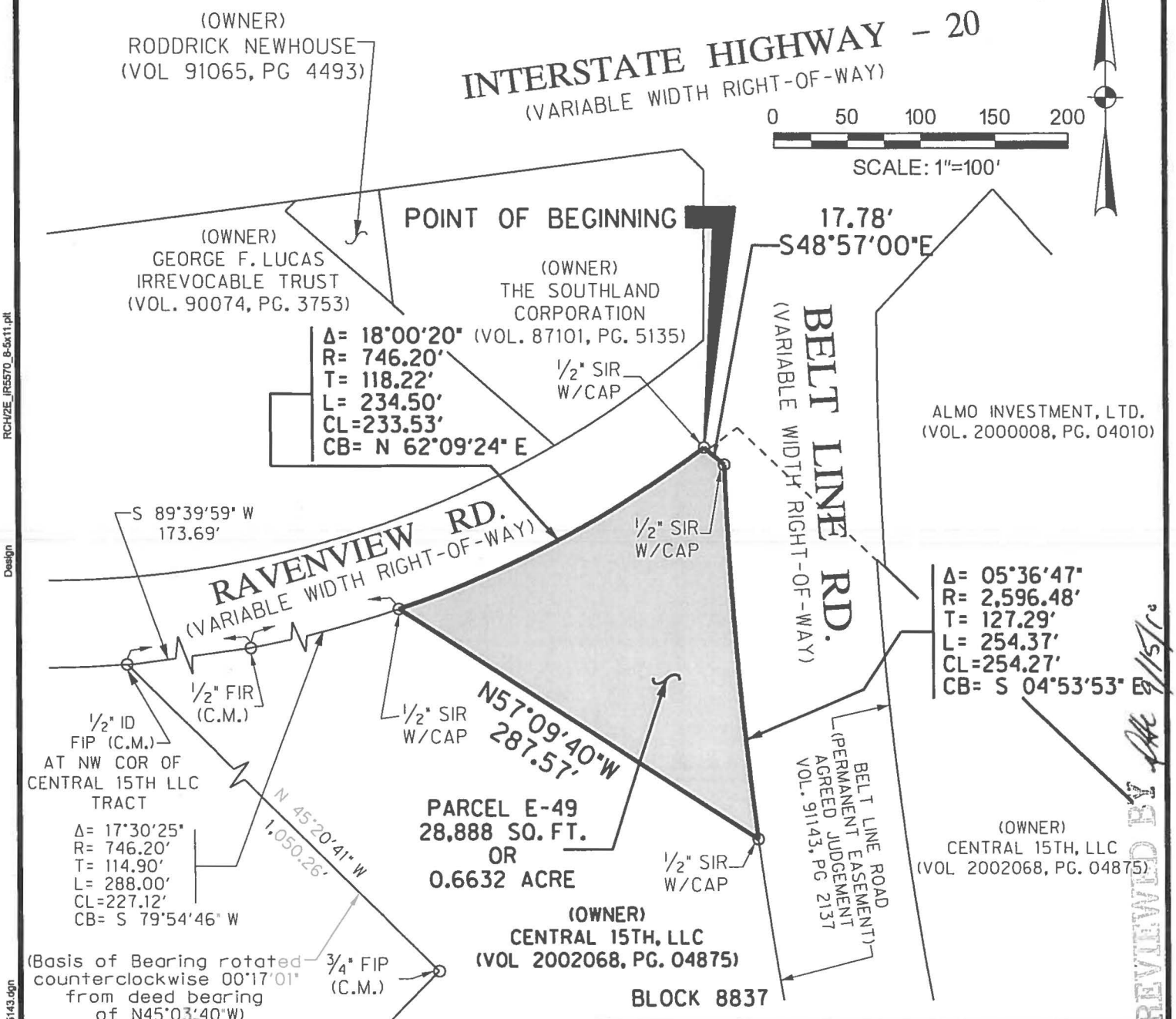
The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

REVIEWED BY [illegible] 9/15/10

STATE OF TEXAS
ANDREW J. SHAFER
5017
REGISTERED
PROFESSIONAL LAND SURVEYOR

Andrew J. Shafer Sept 8, 2010

# ROBERT KLEBERG SURVEY, ABSTRACT NO. 716 EXHIBIT A




REVIEWED BY [signature] 9/15/10

NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

2. Metes and Bounds description of tract shown hereon was prepared of even date.

STATE OF TEXAS
ANDREW J. SHAFER
5017
REGISTERED
PROFESSIONAL LAND SURVEYOR

Andrew J. Shafer
Sept 8, 2010

LEGEND

| | |
|---|---|
| 1/2" SIR | 1/2-INCH SET IRON ROD WITH YELLOW |
| W/CAP | PLASTIC CAP STAMPED "HALFF" |
| (C.M.) | CONTROL MONUMENT |

PARCEL E-49
CITY OF DALLAS RIGHT-OF-WAY
0.6632 ACRE TRACT
CITY OF DALLAS BLOCK NO. 8837,
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716,
CITY OF DALLAS, DALLAS COUNTY, TEXAS


HALFF
1201 N. BOWSER ROAD RICHARSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095


DATE:
AVO.: 25143



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EXHIBIT B

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

# WARRANTY DEED

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

That Central 15th, L.P., a Texas limited partnership formerly known as Central-15th, L.L.C., a Texas limited liability company (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 TWO HUNDRED THIRTY-ONE THOUSAND ONE HUNDRED TWELVE AND NO/100 DOLLARS ($231,112.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: "None"

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

EXECUTED this _____ day of _____, _____.

(SIGNATURES APPEAR ON NEXT PAGE)

EXHIBIT B

By: Central 15th, L.P.,
a Texas limited partnership

By: CCBT Enterprises, L.L.C.,
a Texas limited liability company its general partner

By: _____
Name: Charles E. Cotten
Title: Managing Member

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____ by Charles E. Cotten, Managing Member of CCBT Enterprises, L.L.C., a Texas limited liability company general partner of Central 15th, L.P., a Texas limited partnership, on behalf of said limited 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: Mark A. Proctor

Warranty Deed Log No. 36434 / City Block 8837

**AGENDA ITEM # 21**

| | |
|---|---|
| **KEY FOCUS AREA:** | Economic Vibrancy |
| **AGENDA DATE:** | September 10, 2014 |
| **COUNCIL DISTRICT(S):** | 8 |
| **DEPARTMENT:** | Sustainable Development and Construction<br>Water Utilities |
| **CMO:** | Ryan S. Evans, 671-9837<br>Forest E. Turner, 670-3390 |
| **MAPSCO:** | 70B |

## SUBJECT

Authorize acquisition from Central 15th, L.P., formerly known as Central-15th, L.L.C., of three tracts of land containing a total of approximately 160,917 square feet located near the intersection of Belt Line and Ravenview Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed $669,338 ($657,354, plus closing costs and title expenses not to exceed $11,984) – Financing: Water Utilities Capital Improvement Funds

## BACKGROUND

This item authorizes the acquisition of three tracts of land containing a total of approximately 160,917 square feet located near the intersection of Belt Line and Ravenview Roads 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 - $669,338 ($657,354, plus closing costs and title expenses not to exceed $11,984)

## OWNER

**Central 15th, L.P., formerly known as Central-15th, L.L.C.**

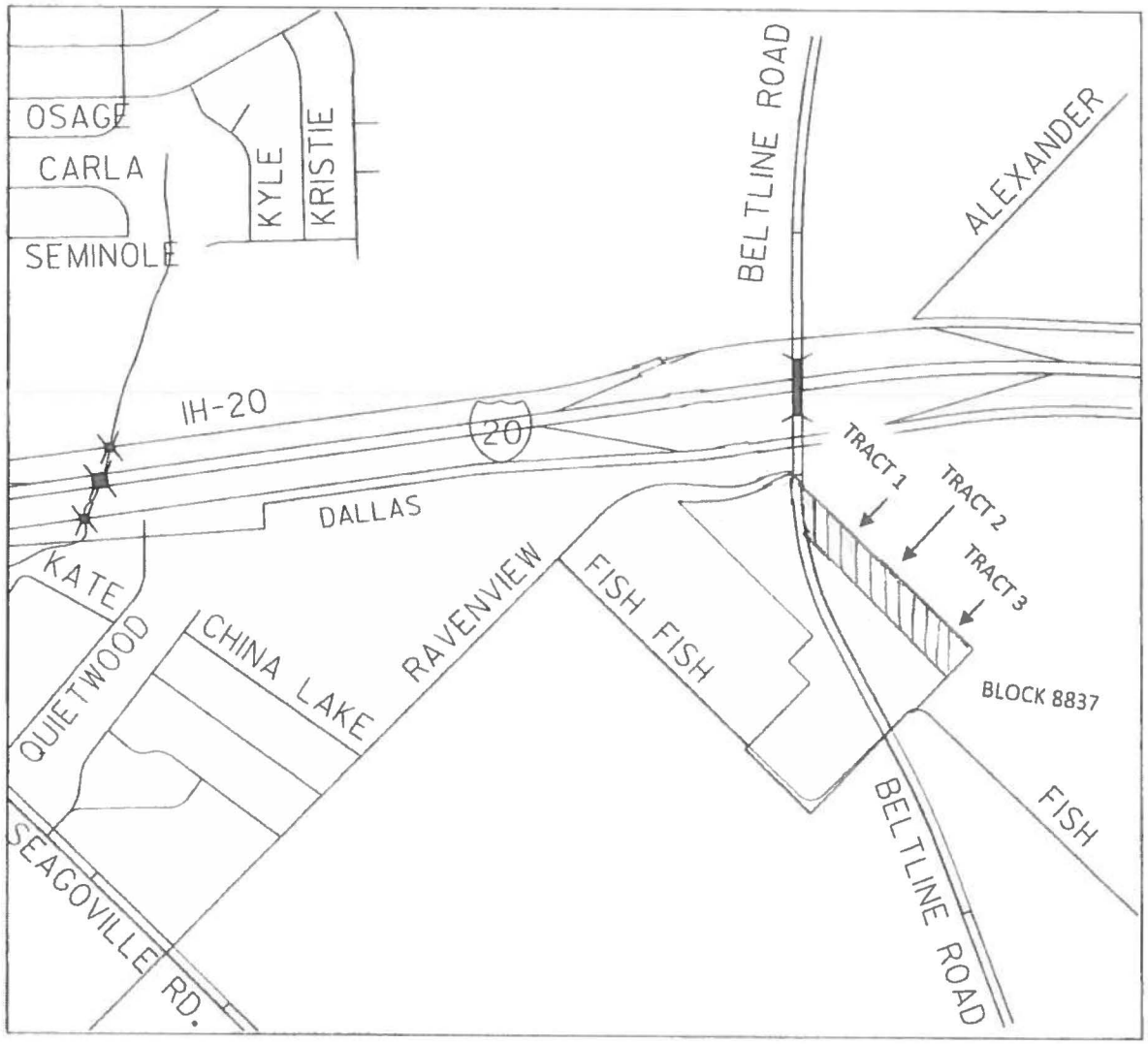
CCBT Enterprises, General Partner

Sidney Thomason, Managing Member

Charles E. Cotten, Managing Member

## MAP

Attached




SUBJECT:

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September 10, 2014

**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": Three tracts of land containing a total of approximately 160,917 square feet located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

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

"USE": The construction, installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE 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": Central 15th, L.P., formerly known as Central-15th, L.L.C., 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": $657,354

"CLOSING COSTS AND TITLE EXPENSES": Not to Exceed $11,984

"AUTHORIZED AMOUNT": $669,338

**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. 0115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4210, Encumbrance No. CT-DWU706623CPDM ($208,560), Encumbrance No. CT-DWU706623CPDN ($138,336) and Encumbrance No. CT-DWU706623CPDL ($322,442). 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, City Attorney**

**BY** Roxanne Diamond
**Assistant City Attorney**

EXHIBIT A

TRACT 1

**PARCEL E-55**
**CITY OF DALLAS RIGHT-OF-WAY**
**1.749 ACRE TRACT**
**CITY OF DALLAS BLOCK NO. 8837,**
**ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Robert Kleberg Survey, Abstract Number 716, Official City of Dallas Block Number 8837, City of Dallas, Dallas County, Texas, and being a part of that tract of land described in Special Warranty Deed to Central 15th LLC as recorded in Volume 2002068, Page 04875 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2-inch found iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") in northeast line of said Central 15th LLC tract, being at the intersection of said northeast line with the easterly right-of-way line of Belt Line Road (a variable width permanent easement) as described in Agreed Judgment recorded in Volume 91143, Page 2137, D.R.D.C.T.;

THENCE South 46 degrees 19 minutes 50 seconds East, departing said easterly line and along said northeast line, a distance of 587.99 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 44 degrees 14 minutes 59 seconds West, departing said northeast line, over and across said Central 15th LLC tract, a distance of 150.01 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 46 degrees 19 minutes 50 seconds West, continuing over and across said Central 15th LLC tract, a distance of 288.37 feet to a 1/2-inch found iron rod with cap for corner;

THENCE North 57 degrees 09 minutes 40 seconds West, continuing over and across said Central 15th LLC tract, a distance of 96.92 feet to a 1/2-inch found iron rod with cap for corner on said easterly line of Belt Line Road, and said point being the beginning of a curve to the right having a radius of 2,496.48 feet, and whose chord bears North 06 degrees 40 minutes 17 seconds West, a distance of 263.56 feet;

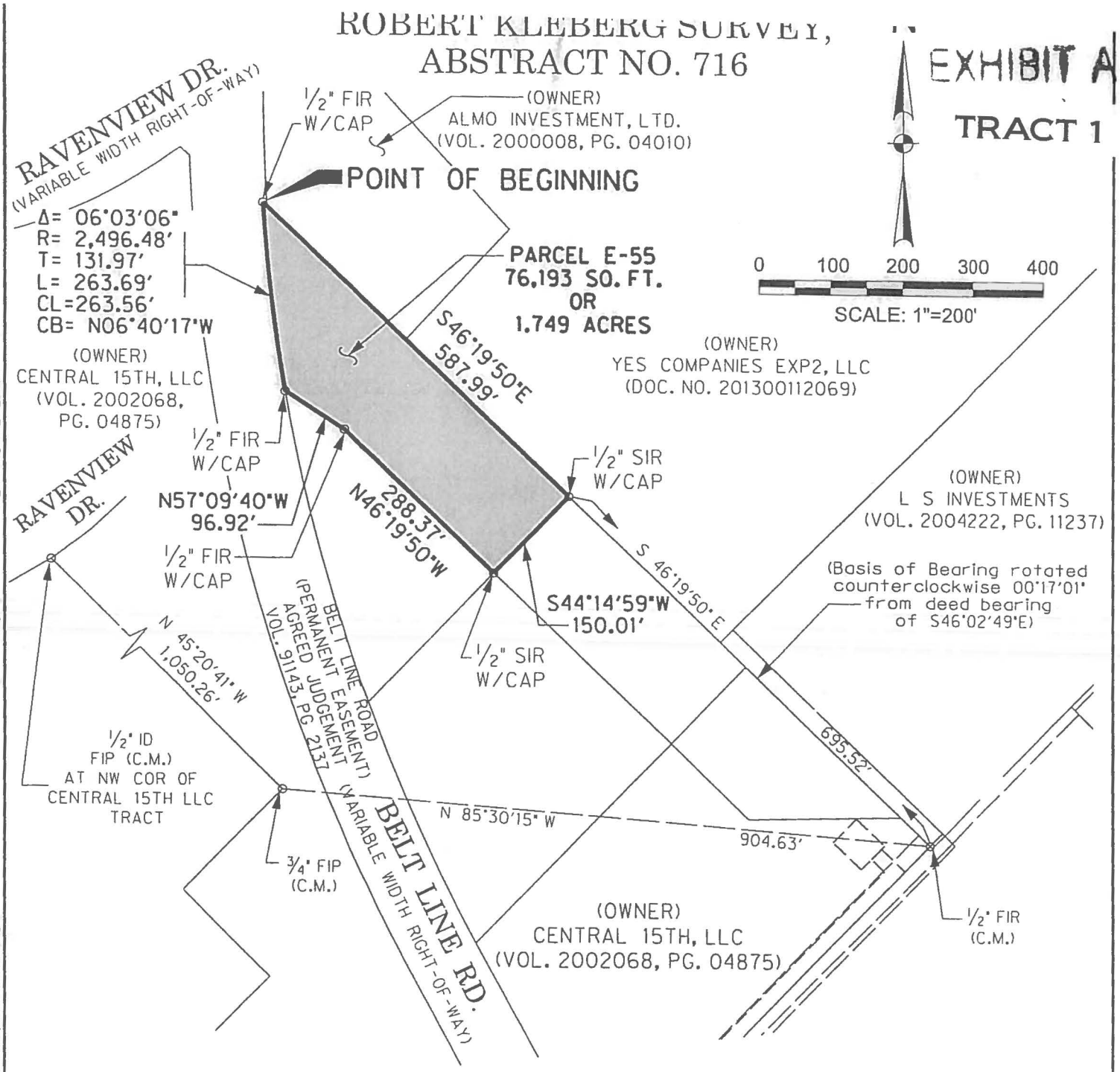
THENCE Northerly, along said easterly line and along said curve to the right, through a central angle of 06 degrees 03 minutes 06 seconds, for an arc distance of 263.69 feet to the POINT OF BEGINNING AND CONTAINING 76,193 square feet or 1.749 acres of land, more or less.

FIELD NOTES APPROVED 12/24/13

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

STATE OF TEXAS
ANDREW J SHAFER
5017
REGISTERED
PROFESSIONAL LAND SURVEYOR

Andrew J Shafer Dec. 13, 2013




NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

2. Metes and Bounds description of even date accompanies this survey exhibit.

STATE OF TEXAS
ANDREW L. SHAFER
6017
REGISTERED PROFESSIONAL LAND SURVEYOR

Andrew L. Shafer
Dec. 13, 2013

LEGEND

| | |
|---|---|
| 1/2" SIR W/CAP | 1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" |
| (C.M.) | CONTROL MONUMENT |

PARCEL E-55
CITY OF DALLAS RIGHT-OF-WAY
1.749 ACRE TRACT
CITY OF DALLAS BLOCK NO. 8837,
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: DECEMBER, 2013
AVO.: 25143


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EXHIBIT A

TRACT 2

**PARCEL E-73**
**CITY OF DALLAS RIGHT-OF-WAY**
**1.171 ACRE TRACT**
**CITY OF DALLAS BLOCK NO. 8837,**
**ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Robert Kleberg Survey, Abstract Number 716, Official City of Dallas Block Number 8837, City of Dallas, Dallas County, Texas, and being a part of that tract of land described in Special Warranty Deed to Central 15th LLC as recorded in Volume 2002068, Page 04875 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") in northeast line of said Central 15th LLC tract, being at the intersection of said northeast line with the easterly right-of-way line of Belt Line Road (a variable width permanent easement) as described in Agreed Judgment recorded in Volume 91143, Page 2137, D.R.D.C.T.;

THENCE South 46 degrees 19 minutes 50 seconds East, departing said easterly line and along said northeast line, a distance of 587.99 feet to a 1/2-inch set iron rod with cap for the POINT OF BEGINNING;

THENCE South 46 degrees 19 minutes 50 seconds East, continuing along said northeast line, a distance of 340.11 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 44 degrees 15 minutes 13 seconds West, departing said northeast line, over and across said Central 15th LLC tract, a distance of 150.01 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 46 degrees 19 minutes 50 seconds West, continuing over and across said Central 15th LLC tract, a distance of 340.10 feet to a 1/2-inch set iron rod with cap for corner;

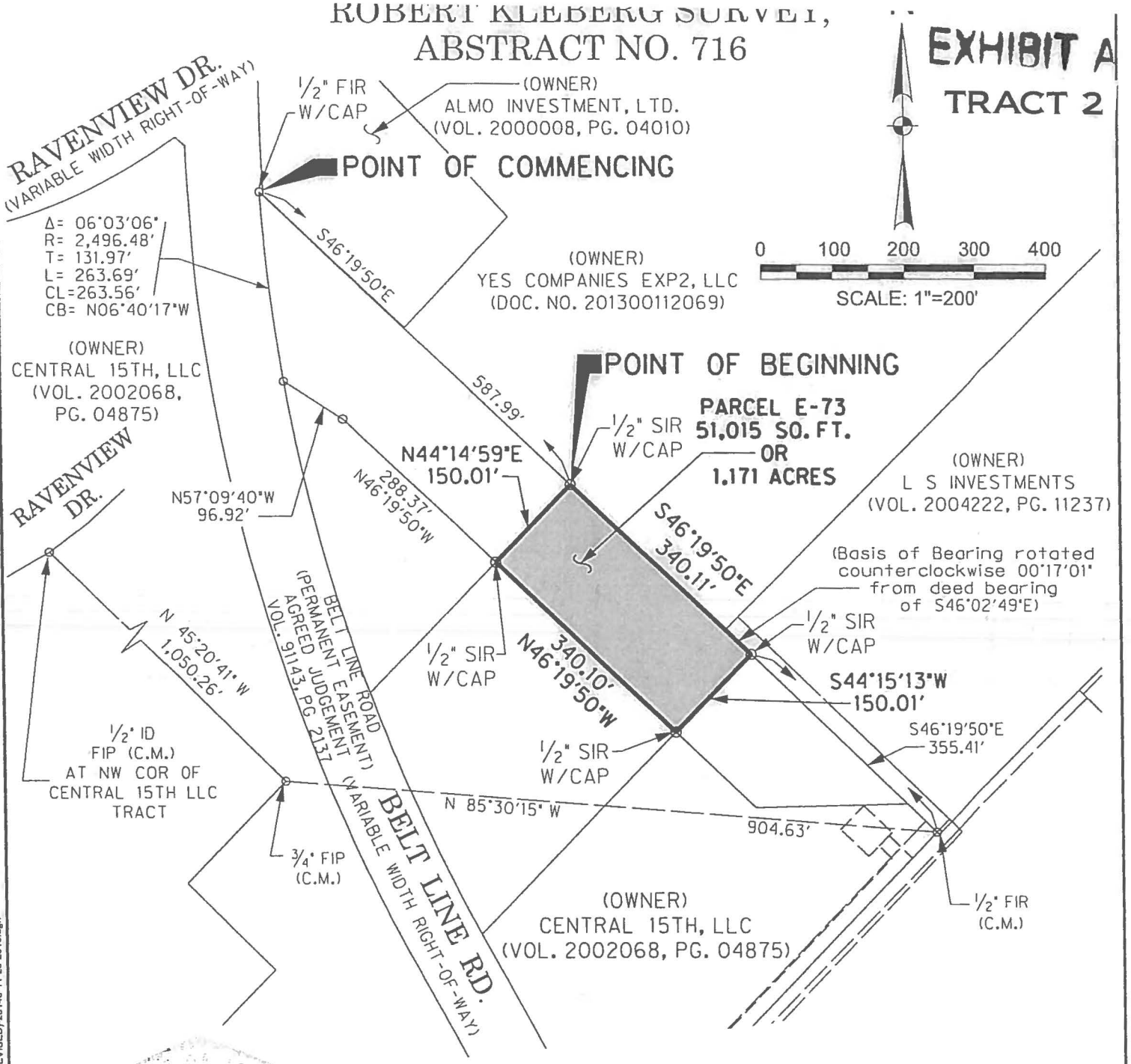
THENCE North 44 degrees 14 minutes 59 seconds East, continuing over and across said Central 15th LLC tract, a distance of 150.01 feet to the POINT OF BEGINNING AND CONTAINING 51,015 square feet or 1.171 acres of land, more or less.

FIELD NOTES APPROVED: Dec. 17/2013

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

ANDREW J. SHAFER

Andrew J. Shafer
Dec. 13, 2013




NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

2. Metes and Bounds description of even date accompanies this survey exhibit.

Andrew Ethel
Dec. 13, 2013

LEGEND

| | |
|---|---|
| 1/2" SIR W/CAP | 1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" |
| (C.M.) | CONTROL MONUMENT |

PARCEL E-73
CITY OF DALLAS RIGHT-OF-WAY
1.171 ACRE TRACT
CITY OF DALLAS BLOCK NO. 8837,
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: DECEMBER, 2013
AVO.: 25143



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EXHIBIT A

TRACT 3

**PARCEL E-80**
**CITY OF DALLAS RIGHT-OF-WAY**
**0.7738 ACRE TRACT**
**CITY OF DALLAS BLOCK NO. 8837,**
**ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a tract of land situated in the Robert Kleberg Survey, Abstract Number 716, Official City of Dallas Block Number 8837, City of Dallas, Dallas County, Texas, and being a part of that tract of land described in Special Warranty Deed to Central 15th LLC as recorded in Volume 2002068, Page 04875 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") in northeast line of said Central 15th LLC tract, being at the intersection of said northeast line with the easterly right-of-way line of Belt Line Road (a variable width permanent easement) as described in Agreed Judgment recorded in Volume 91143, Page 2137, D.R.D.C.T.;

THENCE South 46 degrees 19 minutes 50 seconds East, departing said easterly line and along said northeast line, a distance of 928.10 feet to a 1/2-inch set iron rod with cap for the POINT OF BEGINNING;

THENCE South 46 degrees 19 minutes 50 seconds East, continuing along said northeast line, a distance of 298.96 feet to a 1/2-inch found iron rod with cap for corner;

THENCE South 88 degrees 40 minutes 10 seconds West, departing said northeast line, over and across said Central 15th LLC tract, a distance of 212.13 feet to a 1/2-inch found iron rod with cap for corner;

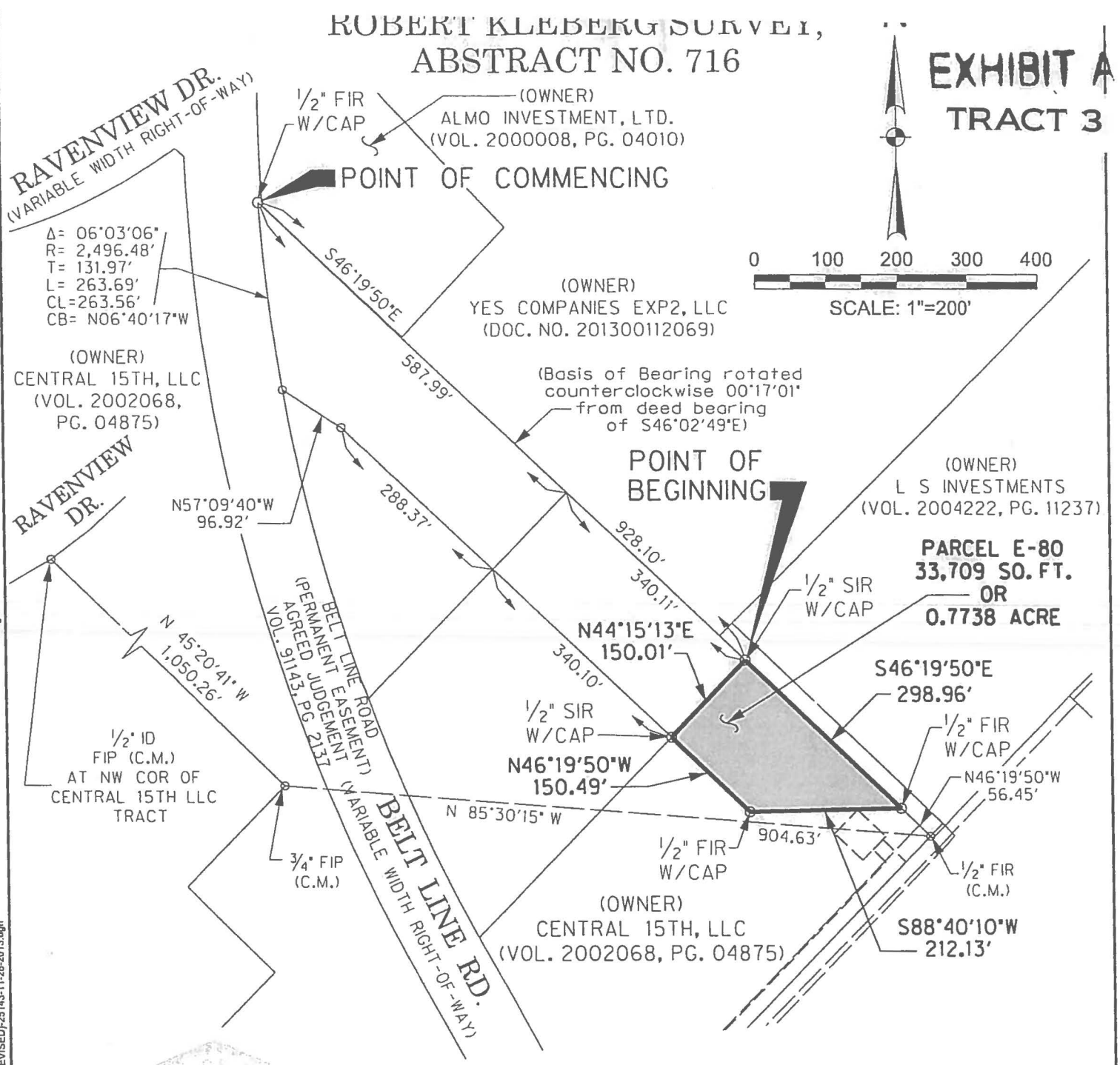
THENCE North 46 degrees 19 minutes 50 seconds West, continuing over and across said Central 15th LLC tract, a distance of 150.49 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 44 degrees 15 minutes 13 seconds East, continuing over and across said Central 15 LLC tract, a distance of 150.01 feet to the POINT OF BEGINNING AND CONTAINING 33,709 square feet or 0.7738 acres of land, more or less.

FIELD NOTES APPROVED

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

Andrew Thole
Dec. 13, 2013




Andrew Hall
Dec. 13, 2013

NOTES:

1. The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

2. Metes and Bounds description of even date accompanies this survey exhibit.

PARCEL E-80
CITY OF DALLAS RIGHT-OF-WAY
0.7738 ACRE TRACT
CITY OF DALLAS BLOCK NO. 8837,
ROBERT KLEBERG SURVEY, ABSTRACT NUMBER 716,
CITY OF DALLAS, DALLAS COUNTY, TEXAS

LEGEND

| | |
|---|---|
| 1/2" SIR W/CAP | 1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" |
| (C.M.) | CONTROL MONUMENT |

HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: DECEMBER, 2013
AVO.: 25143


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EXHIBIT B

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

# WARRANTY DEED

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

That Central 15th, L.P., a Texas limited partnership formerly known as Central-15th, L.L.C., a Texas limited liability company (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 SIX HUNDRED FIFTY-SEVEN THOUSAND THREE HUNDRED FITY-FOUR AND NO/100 DOLLARS ($657,354.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: "None"

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

EXECUTED this _____ day of _____, _____.

(SIGNATURES APPEAR ON NEXT PAGE)

EXHIBIT B

By: Central 15th, L.P.,
a Texas limited partnership

By: CCBT Enterprises, L.L.C.,
a Texas limited liability company its general partner

By: _____
Name: Charles E. Cotten
Title: Managing Member

* * * * * * * * * * * * * * * * * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____ by Charles E. Cotten, Managing Member of CCBT Enterprises, L.L.C., a Texas limited liability company general partner of Central 15th, L.P., a Texas limited partnership, on behalf of said limited 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: Mark A. Proctor

Warranty Deed Log No. 36435 / City Block 8837

**AGENDA ITEM # 22**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 9

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 37R

## SUBJECT

A resolution authorizing the conveyance of an easement containing approximately 639 square feet of land to Oncor Electric Delivery Company, LLC for the purpose of providing services to the Dallas Arboretum parking garage, located near the intersection of Garland Road and Timplemore Drive - Financing: No cost consideration to the City

## BACKGROUND

This item authorizes the conveyance of an easement to Oncor Electric Delivery Company, LLC located on City-owned property near the intersection of Garland Road and Timplemore Drive. This easement will be used for the purpose of providing services to the Dallas Arboretum parking garage. The operation, construction, repair and full maintenance of this project shall be at no cost to the City of Dallas.

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

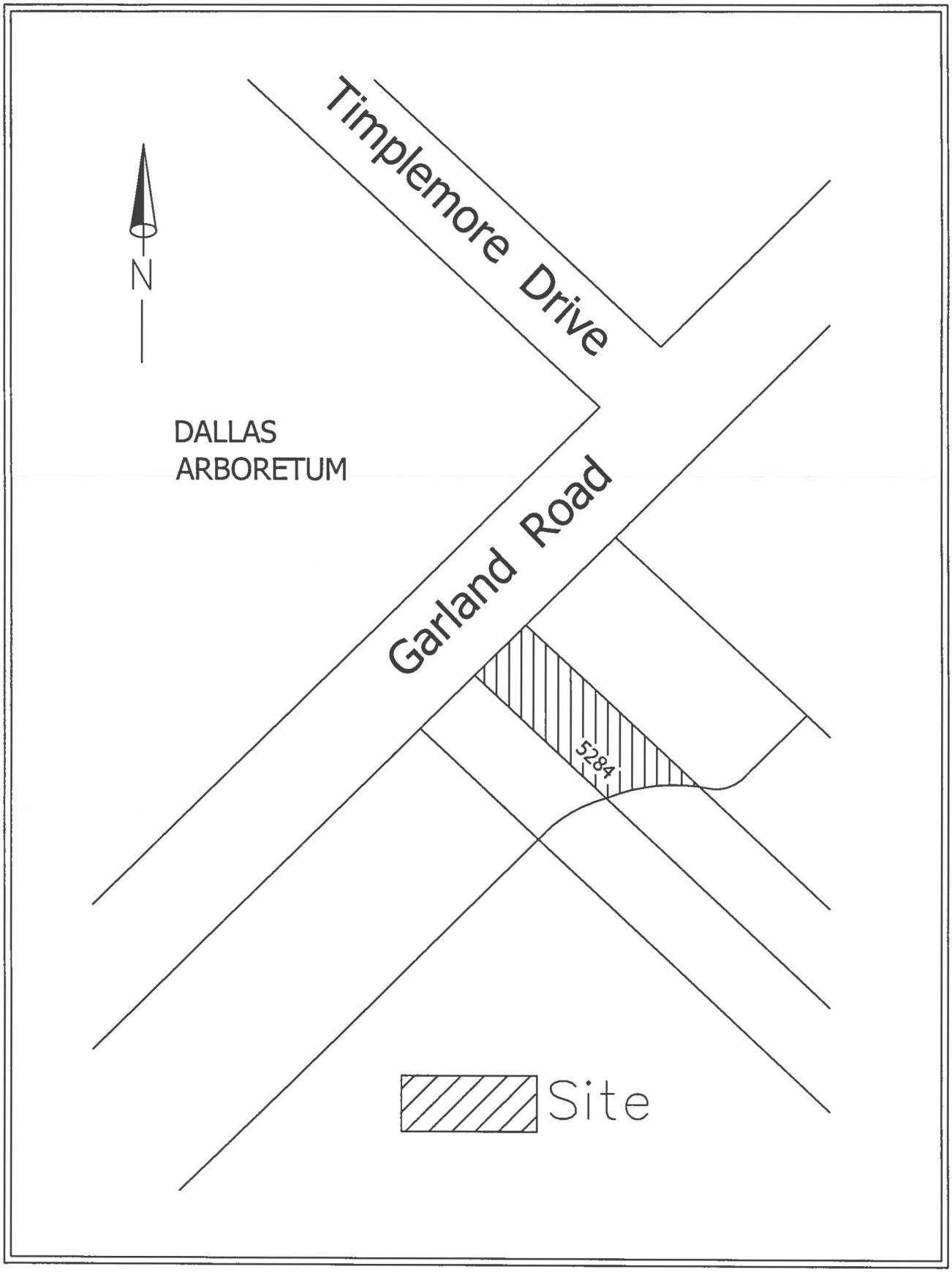
This item has no prior action.

## FISCAL INFORMATION

No cost consideration to the City

## MAP

Attached


Timplemore Drive
N
DALLAS
ARBORETUM
Garland Road
5284
Site

September 10, 2014

**WHEREAS,** the City of Dallas owns certain land in City Block 6/5284, City of Dallas, Dallas County, Texas which is used for the Dallas Arboretum parking garage; and

**WHEREAS,** Oncor Electric Delivery Company, LLC has requested an easement and right-of-way containing approximately 639 square feet of land, and being more fully described in Exhibit "A", attached hereto and incorporated herein for all purposes, for the construction, maintenance and use of power lines and electric transformer facilities to service the Dallas Arboretum parking garage; and

**WHEREAS,** the City of Dallas needs and desires said utility service to the Dallas Arboretum and will be benefited by the granting of this easement and right-of-way;

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is authorized to execute and deliver to Oncor Electric Delivery Company, LLC an easement and right-of-way to be attested by the City Secretary upon approval as to form by the City Attorney for the construction, maintenance and use of power lines and electric transformer facilities as to the approximately 639 square feet of land more fully described in Exhibit "A", attached hereto and incorporated herein for all purposes to service the Dallas Arboretum parking garage.

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

**APPROVED AS TO FORM:**
**Warren M. S. Ernst, City Attorney**

**BY:** Roxanne Diamond
**Assistant City Attorney**

## EXHIBIT "A"

## ONCOR ELECTRIC
## DELIVERY COMPANY, LLC EASEMENT

Part of Lot 1A, Block 6/5284, Dallas Arboretum Addition
Richard Scurry Survey, Abstract No. 1382
*City of Dallas, Dallas County, Texas*

DESCRIPTION, of a 639 square foot (0.015 acre) tract of land situated in the Richard Scurry Survey, Abstract No. 1382, Dallas County, Texas; said tract being part of Lot 1A, Block 6/5284, Dallas Arboretum Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201200245747 of the Official Public Records of Dallas County, Texas; said tract also being part of that certain tract of land described in Warranty Deed to the City of Dallas, Texas recorded in Instrument No. 201300237677 of said Official Public Records; said 639 square foot tract being more particularly described as follows (bearing system for this survey is based on a bearing of North 45 degrees, 28 minutes, 02 seconds West for a southwest line of said Lot 1A according to said plat of the Dallas Arboretum Addition):

BEGINNING, at a 1/2-inch iron rod with "PACHECO KOCH" cap found at the westernmost south corner of said Lot 1A and the easternmost corner of that certain tract of land described in Special Warranty Deed to Tamale Partners, Ltd. recorded in Instrument No. 201100295906 of said Official Public Records; said point being in the northerly line of that certain tract of land "for alley purposes" described in Warranty Deed to the City of Dallas, Texas recorded in Volume 2958, Page 400 of the Deed Records of Dallas County, Texas;

THENCE, departing the north line of the said alley and into and across said Lot 1A, the following seven (7) calls:

North 15 degrees, 03 minutes, 44 seconds West, a distance of 17.82 feet to a point for corner;

North 44 degrees, 56 minutes, 16 seconds East, a distance of 2.89 feet to a point for corner;

North 45 degrees, 03 minutes, 44 seconds West, a distance of 5.00 feet to a point for corner;

North 44 degrees, 56 minutes, 16 seconds East, a distance of 25.00 feet to a point for corner;

South 45 degrees, 03 minutes, 44 seconds East, a distance of 20.00 feet to a point for corner;

South 44 degrees, 56 minutes, 16 seconds West, a distance of 25.00 feet to a point for corner;

South 15 degrees, 03 minutes, 44 seconds East, a distance of 5.75 feet to a point for corner in the north line of said alley and the westernmost south line of said Lot 1A; said point being in a non-tangent curve to the left;

FIELD NOTES APPROVED: 6/3/14

**EXHIBIT "A"**
**ONCOR ELECTRIC DELIVERY**
**COMPANY, LLC EASEMENT**
(Continued)

THENCE, along the north line of said alley, the said south line of Lot 1A and said curve to the left, having a central angle of 04 degrees, 57 minutes, 52 seconds, a radius of 115.60 feet, a chord bearing and distance of South 71 degrees, 58 minutes, 42 seconds West, 10.01 feet, an arc distance of 10.02 feet to a point the POINT OF BEGINNING;

CONTAINING, 639 square feet or 0.015 acres of land, more or less.

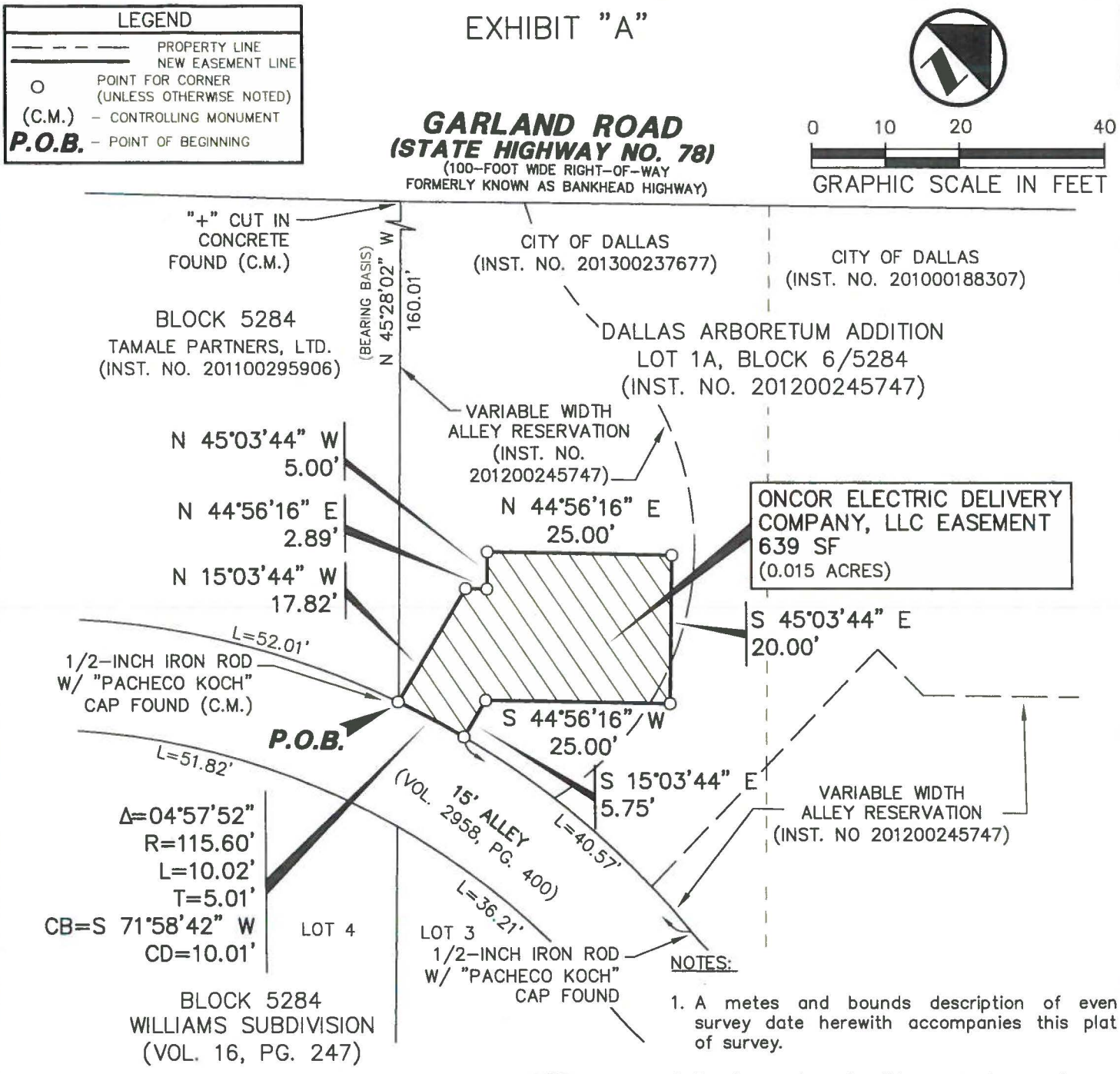
*(A survey plat of even survey date herewith accompanies this description.)*

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.

Michael C. Clover 05/06/2014
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
Revised: 05/08/2014

1214-13.241ONCOR.doc
1214-13.241ONCOR.dwg acd

# 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, 28 minutes, 02 seconds West for a southwest line of Lot 1A, Block 6/5284 according to the plat of Dallas Arboretum Addition, an addition to the City of Dallas, Texas recorded in Instrument No. 201200245747 of the Official Public 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 easement tract described.

STATE OF TEXAS REGISTERED MICHAEL C. CLOVER 5225 PROFESSIONAL LAND SURVEYOR

Michael C. Clover 05/06/2014
Registered Professional Revised: 05/08/2014
Land Surveyor No. 5225

**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 |
|---|---|---|---|---|
| ACD | MCC | 1"=20' | MAY 2014 | 1214-13.241 |

# ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT

PART OF LOT 1A, BLOCK 6/5284,
DALLAS ARBORETUM ADDITION
BEING OUT OF THE
RICHARD SCURRY SURVEY,
ABSTRACT NO. 1382,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

DWG FILE: 1214-13.241ONCOR-1.DWG

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ADEITZ

**AGENDA ITEM # 23**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 10

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 16 T

## SUBJECT

An ordinance granting a Specific Use Permit to relocate a detached non-premise sign to property zoned an MU-3 Mixed Use District along the east line of North Central Expressway, north of Churchill Way - Z134-209 - Financing: No cost consideration to the City

## BACKGROUND

The City Council, on August 13, 2014, approved a Specific Use Permit for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions to relocate a detached non-premise sign to property zoned an MU-3 Mixed Use District along the east line of North Central Expressway, north of Churchill Way and asked that the ordinance be brought back on a later date.

## PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

On July 10, 2014, the City Plan Commission recommended denial without prejudice of a Specific Use Permit to relocate a detached non-premise sign to property zoned an MU-3 Mixed Use District along the east line of North Central Expressway, north of Churchill Way.

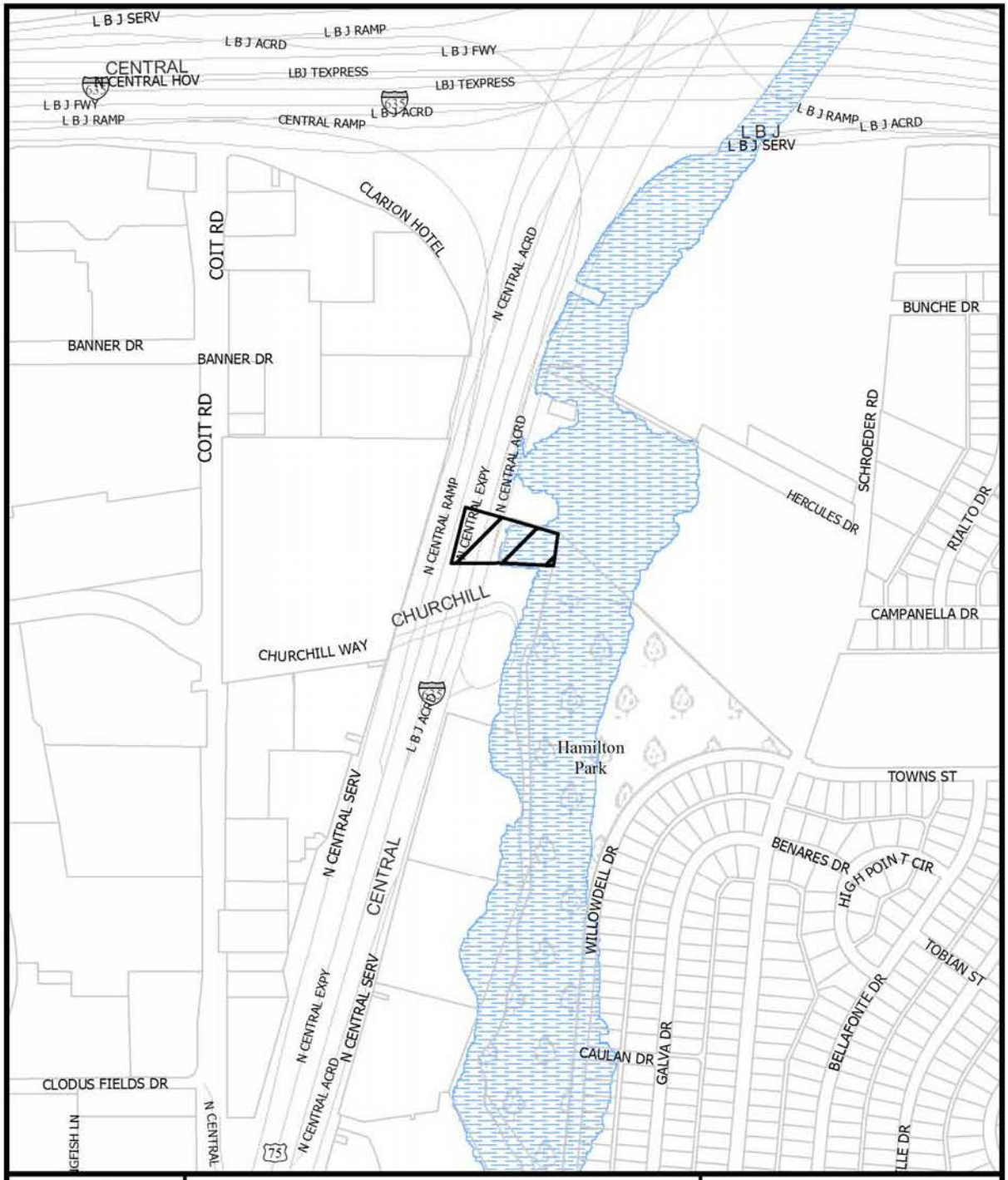
The City Council, on August 13, 2014, approved a Specific Use Permit for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions to relocate a detached non-premise sign to property zoned an MU-3 Mixed Use District along the east line of North Central Expressway, north of Churchill Way and asked that the ordinance be brought back on a later date.

## FISCAL INFORMATION

No cost consideration to the City.

**MAP**

Attached.




1:6,000

# VICINITY MAP

Case no: Z134-209

Date: 6/3/2014

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, AUGUST 13, 2014**

**ACM: Theresa O'Donnell**

| | | | |
|---|---|---|---|
| **FILE NUMBER:** | Z134-209(CG) | **DATE FILED:** | April 1, 2014 |
| **LOCATION:** | East line of North Central Expressway, north of Churchill Way | | |
| **COUNCIL DISTRICT:** | 10 | **MAPSCO:** | 16-T |
| **SIZE OF REQUEST:** | ± 0.663 acres | **CENSUS TRACT:** | 78.04 |

**APPLICANT/ OWNER:** The Perry Company

**REPRESENTATIVE:** Santos Martinez, Masterplan

**REQUEST:** An application for a Specific Use Permit to relocate a detached non-premise sign on property zoned MU-3 Mixed Use District.

**SUMMARY:** The purpose of this request is to relocate an existing two-face, 672-square-foot non-premise sign (billboard) with a height of 42.5 feet from its current location on North Stemmons Freeway to property located on the east side of North Central Expressway next to the city park and Cottonwood Creek Trail. The sign is being relocated due to construction by the Texas Department of Transportation's roadway expansion along Stemmons Freeway. A special use permit is required because: 1) it is a non-premise sign located within 660 feet of an expressway (North Central Expressway), which makes it a Highway Beautification Act (HBA) sign; and 2) the proposed location of the sign is within 300 feet of a residential district to the east.

**CITY PLAN COMMSSION RECOMMENDATION:** **Denial,** without prejudice

**STAFF RECOMMENDATION:** **Denial**

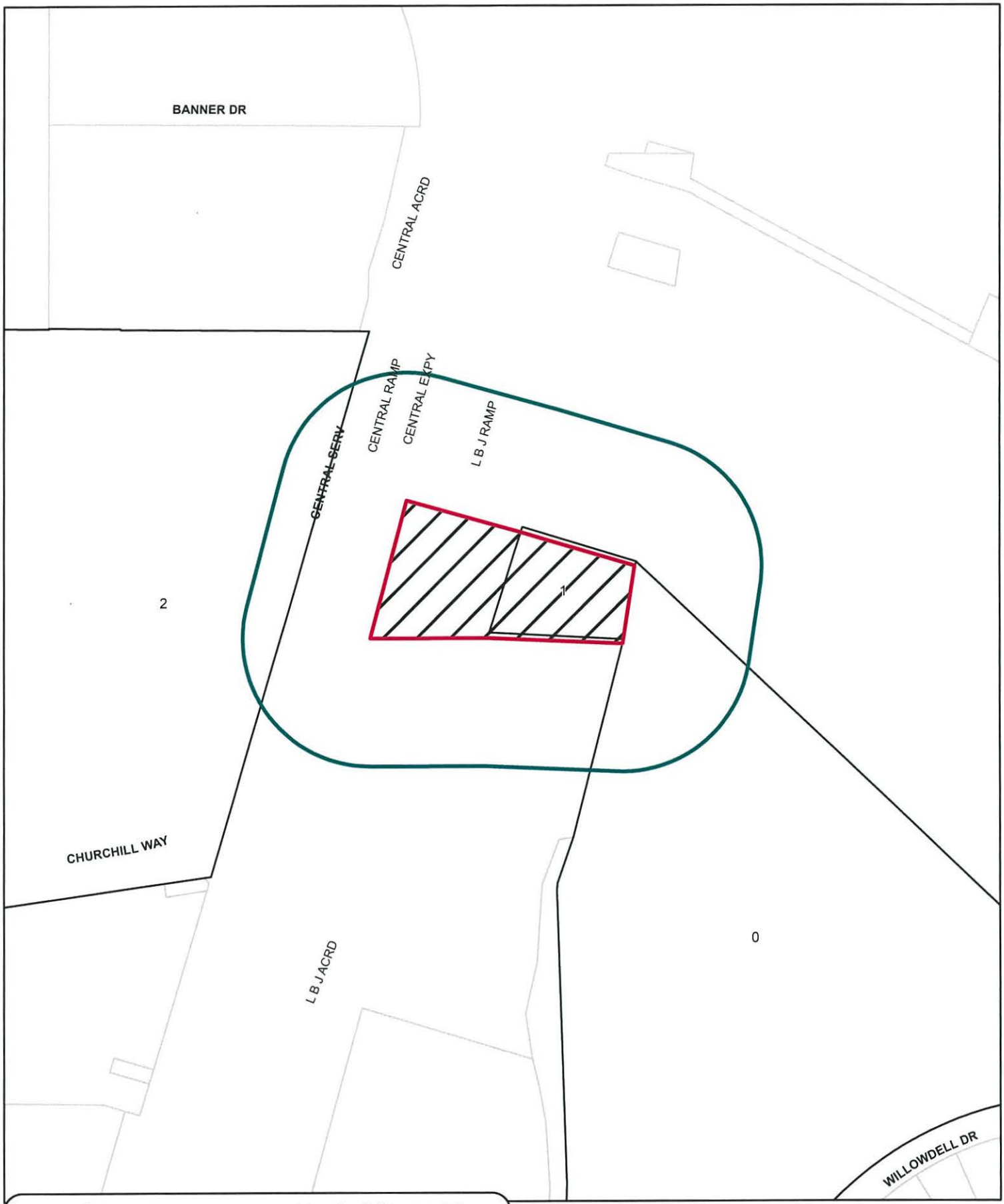
**The Perry Company, Ltd.**

List of Officers

Barbara Perry Ralston, Partner

Linda Perry Cooper, Partner

Susan Perry Thompson, Partner




| | |
|---|---|
| 2 | Property Owners Notified (3 parcels) |
| 0 | Replies in Favor (0 parcels) |
| 0 | Replies in Opposition (0 parcels) |
| 200' | Area of Notification |
| 8/13/2014 | Date |

**Z134-209**

**CC**

N
W E
S

1:2,400

*08/12/2014*

# *Reply List of Property Owners*

## *Z134-209*

***2 Property Owners Notified*** ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 1 | 12520 | CENTRAL EXPY | PERRY CO THE |
| | 2 | 12550 | COIT RD | TEXAS STATE OF |

**AGENDA ITEM # 24**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 45K

## SUBJECT

An ordinance abandoning aerial space above a portion of North Akard Street to Hunt Dallas Office, L.P., the abutting owner, containing approximately 316 square feet of land, located near the intersection of North Akard Street and Munger Avenue – Revenue: $5,400, plus the $20 ordinance publication fee

## BACKGROUND

This item authorizes the abandonment of aerial space above a portion of North Akard Street to Hunt Dallas Office, L.P., the abutting owner. The abandonment area will be included with the property of the abutting owner for a planned building extension which will partially overhang the right-of-way.

The abandonment fee is based on an independent appraisal.

Notices were sent to 5 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

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

This item has no prior action.

## FISCAL INFORMATION

Revenue: $5,400, plus the $20 ordinance publication fee

**OWNER**

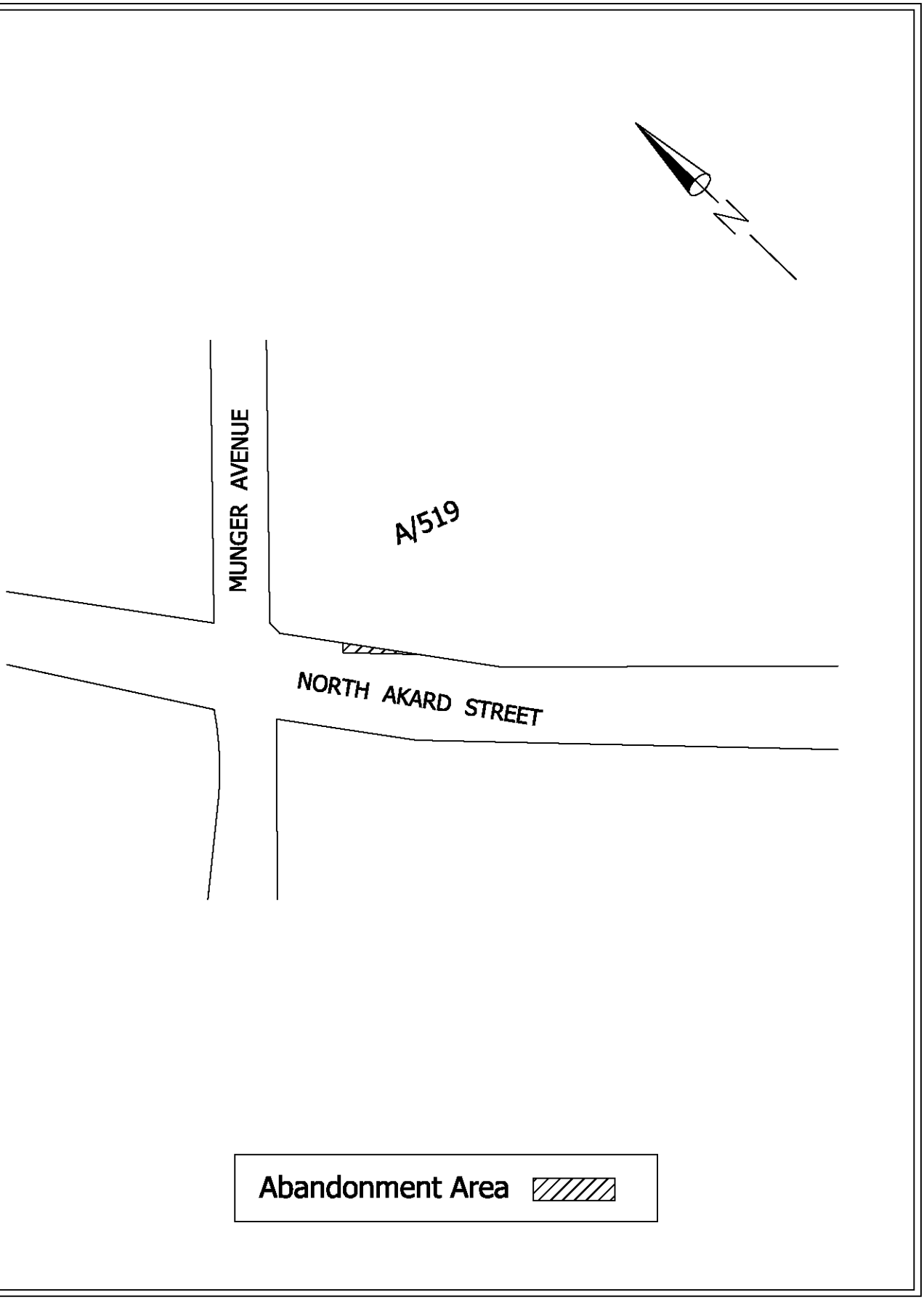
**Hunt Dallas Office, L.P.**

Hunt Dallas Office GP, L.L.C., General Partner

Thomas E. Meurer, Manager

**MAP**

Attached


N
MUNGER AVENUE
A/519
NORTH AKARD STREET
Abandonment Area

**ORDINANCE NO. _____**

An ordinance providing for the abandonment of certain aerial rights over a portion of North Akard Street located adjacent to City Block A/519 in the City of Dallas and County of Dallas, Texas, subject to a reverter; providing for the quitclaim thereof to Hunt Dallas Office, L.P.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date.

**ooo0ooo**

**WHEREAS,** the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Hunt Dallas Office, L.P., a Delaware limited partnership, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter interest, the hereinafter described tract of space, and is of the opinion that, subject to the terms conditions and reverter herein provided, said aerial rights over a portion of North Akard Street, beginning at an elevation of 456.79 feet above mean sea level and extending to an elevation of 497.17 feet above mean sea level are not currently needed for public use, and same should be abandoned 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 public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms conditions and reverter, hereinafter more fully set forth; **Now, Therefore,**

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

**SECTION 1.** That the aerial rights over a portion of North Akard Street, beginning at an elevation of 456.79 feet above mean sea level and extending to an elevation of 497.17 feet above mean sea level over the tract of land described in Exhibit A, which is attached hereto and made a part hereof, be and the same is abandoned, vacated and

closed insofar as the right, title and easement of the public are concerned; subject, however, to the reverter and the conditions hereinafter more fully set out.

**SECTION 2.** That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents QUITCLAIM unto the said **GRANTEE**, subject to the conditions, reservations and exceptions hereinafter made and with the reverter interest herein stated, all its right, title and interest in and to the aerial rights over a portion of North Akard Street, beginning at an elevation of 456.79 feet above mean sea level and extending to an elevation of 497.17 feet above mean sea level over the tract of land hereinabove described in Exhibit A. Provided however, that if the building extension to be constructed, situated on and adjacent to the area to be abandoned (i) is not built within 18 months of the effective date of this ordinance or (ii) if constructed, the building extension is ever: (a) partially demolished, removed or damaged and is not promptly thereafter repaired or rebuilt within 180 days; (b) substantially or totally demolished, removed or damaged; or (c) abandoned in whole or in part by **GRANTEE**, its successors and assigns, then this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City; and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

**SECTION 3.** That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, 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 provided for herein is made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

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

**SECTION 7.** That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

**SECTION 8.** That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold the City of Dallas whole and harmless against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive, Environmental Response, Compensation Liability Act, 42

U.S.C. Section 9601 et seq., as amended, (b) any "hazardous substances": under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

**SECTION 9.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas.

**SECTION 10.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the 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: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, subject to a reverter interest, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney.

The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one 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**
**City Attorney**

**BY**_____
**Assistant City Attorney**

**DAVID COSSUM**
**Director of Department of Sustainable Development and Construction**

**BY**_____
**Assistant Director**

**Passed**_____.

EXHIBIT A

**AERIAL RIGHTS ABANDONMENT**
**PART OF**
**AKARD STREET**
**ADJACENT TO**
**LOT 1, BLOCK A/519 HUNT OIL**
**BETWEEN THE ELEVATIONS OF 456.79 FEET**
**AND 497.17 FEET ABOVE MEAN SEA LEVEL**
**OR BETWEEN 18.44 FEET AND 58.82 FEET**
**ABOVE THE TOP OF CURB**
**JOHN GRIGSBY SURVEY, ABSTRACT NO. 495**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Being a 316 square foot tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, being a part of Akard Street (a 76' right-of-way at this point) described in a deed to the City of Dallas, recorded in Volume 18, Page 343, Commissioners Court Records, Dallas County, Texas and laying adjacent to Lot 1, Block A/519, Hunt Oil, an addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in Instrument Number 20080101403, Official Public Records, Dallas County, Texas, as described in a deed to Hunt Dallas Office, L.P., recorded in Instrument Number 200600175237, Official Public Records, Dallas County, Texas and being between the elevations of 456.79 feet and 497.17 feet above mean sea level or between 18.44 feet and 58.82 feet above the top of curb and being more particularly described as follows:

**COMMENCING** at a chiseled "X" in concrete found for corner at the westerly corner of a 10' X 10' Street Right-of-Way Dedication recorded in Instrument Number 20080101403, Official Public Records, Dallas County, Texas;

**THENCE** South 36° 18' 38" East, along the projected northeasterly line of said Akard Street, passing at a distance of 10.00 feet the intersection of the northeasterly line of said Akard Street and the cut-off line between the northeasterly line of said Akard Street and the southeasterly line of Munger Avenue (variable width right-of-way), said point being a westerly corner of said Lot 1, and continuing for a total distance of 80.37 feet to a chiseled "X" in concrete set for the **POINT OF BEGINNING**;

**THENCE** South 36° 18' 38" East, continuing along the northeasterly line of said Akard Street, a distance of 61.71 feet to a chiseled "X" in concrete set for corner, from which a chiseled "X" in concrete found bears South 36° 18' 38" East, a distance of 63.26 feet for the most southerly corner of said Lot 1 and the most an exterior ell corner of Lot 2 of said addition;

**THENCE** North 45° 59' 18" West, over and across said Akard Street, a distance of 60.83 feet to a chiseled "X" in concrete set for corner;

(For SPRG use only)
Reviewed By: JL
Date: 7-30-14
SPRG NO.: 2936

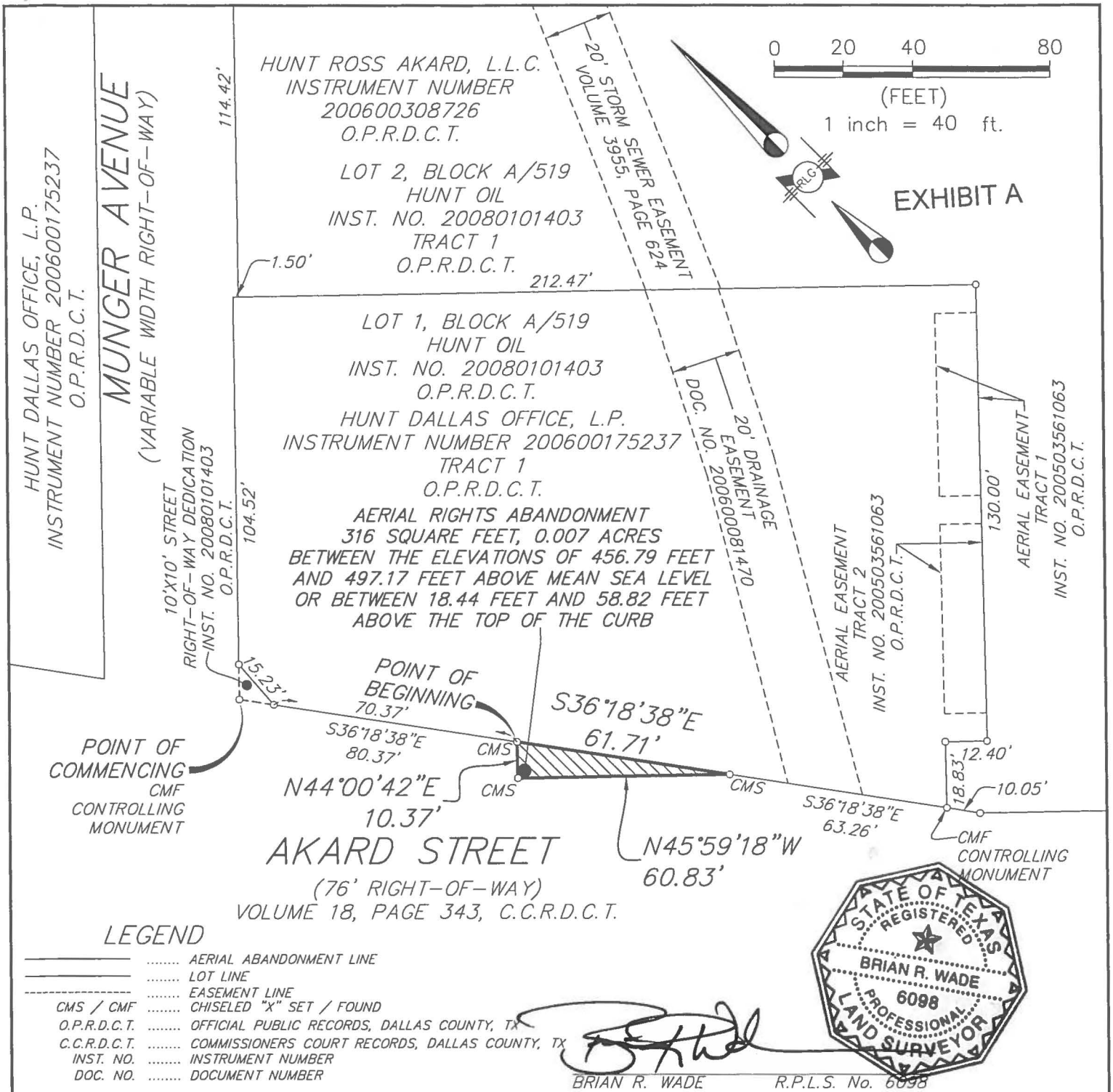
**AERIAL RIGHTS ABANDONMENT** EXHIBIT A
**PART OF**
**AKARD STREET**
**ADJACENT TO**
**LOT 1, BLOCK A/519 HUNT OIL**
**BETWEEN THE ELEVATIONS OF 456.79 FEET**
**AND 497.17 FEET ABOVE MEAN SEA LEVEL**
**OR BETWEEN 18.44 FEET AND 58.82 FEET**
**ABOVE THE TOP OF CURB**
**JOHN GRIGSBY SURVEY, ABSTRACT NO. 495**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**THENCE** North 44° 00' 42" East, a distance of 10.37 feet to the **POINT OF BEGINNING** and containing 316 square feet or 0.007 acres more or less.

BASIS OF BEARINGS: Bearings are based on a call of North 36° 18' 38" West, along the southwest line of Lot 1, Block A/519, Hunt Oil, an addition to the City of Dallas, according to the plat recorded in Instrument Number 20080101403, Official Public Records, Dallas County, Texas, as monumented on the ground.

Brian R. Wade R.P.L.S. No. 6098
05/20/2014

(For SPRG use only)
Reviewed By: JL
Date: 7-30-14
SPRG NO.: 2936




## LEGEND

| | |
|---|---|
| ——— | ..... AERIAL ABANDONMENT LINE |
| ——— | ..... LOT LINE |
| - - - - - - - - | ..... EASEMENT LINE |
| CMS / CMF | ..... CHISELED "X" SET / FOUND |
| O.P.R.D.C.T. | ..... OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TX |
| C.C.R.D.C.T. | ..... COMMISSIONERS COURT RECORDS, DALLAS COUNTY, TX |
| INST. NO. | ..... INSTRUMENT NUMBER |
| DOC. NO. | ..... DOCUMENT NUMBER |

STATE OF TEXAS
REGISTERED
BRIAN R. WADE
6098
PROFESSIONAL
LAND SURVEYOR

BRIAN R. WADE R.P.L.S. No. 6098
05-20-2014

BASIS OF BEARINGS: BEARINGS ARE BASED ON A CALL OF NORTH 36° 18' 38" WEST, ALONG THE SOUTHWEST LINE OF LOT 1, BLOCK A/519, HUNT OIL, AN ADDITION TO THE CITY OF DALLAS, ACCORDING TO THE PLAT RECORDED IN INSTRUMENT NUMBER 20080101403, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AS MONUMENTED ON THE GROUND.

CONTROLLING MONUMENTS: AS SHOWN

RAYMOND L. GOODSON JR., INC.
5445 LA SIERRA, STE 300, LB 17
DALLAS, TX. 75231-4138
214-739-8100, rlg@rlginc.com
TEXAS PE REG #F-493, TBPLS REG #100341-00

# AERIAL RIGHTS ABANDONMENT

PART OF

## AKARD STREET

ADJACENT TO

LOT 1, BLOCK A/519 HUNT OIL
BETWEEN THE ELEVATIONS OF 456.79 FEET
AND 497.17 FEET ABOVE MEAN SEA LEVEL
OR BETWEEN 18.44 FEET AND 58.82 FEET
ABOVE THE TOP OF CURB
JOHN GRIGSBY SURVEY, ABSTRACT No. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JL
Date: 7-30-14
SPRG NO.: 2936

| | | | | | |
|---|---|---|---|---|---|
| SCALE | 1" = 40' | DATE | 04-18-2014 | SHEET | 3 OF 3 |
| JOB NO. | 14018 | E-FILE | 14018AA.dwg | DWG NO. | 25,967X |

**AGENDA ITEM # 25**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 45R

## SUBJECT

An ordinance abandoning a portion of Gibson Street and a subsurface drive to FM Futsal, Ltd, the abutting owner, containing a total of approximately 35,322 square feet of land, located near the intersection with Cesar Chavez Boulevard, and authorizing the quitclaim - Revenue: $14,106, plus the $20 ordinance publication fee

## BACKGROUND

This item authorizes the abandonment of a portion of Gibson Street and a subsurface drive to FM Futsal, Ltd, the abutting owner. The area will be included with the property of the abutting owner for the development of a community garden and athletic/futsal fields. The abandonment fee is based on an independent appraisal.

Notices were sent to 13 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

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

This item has no prior action.

## FISCAL INFORMATION

Revenue: $14,106, plus the $20 ordinance publication fee

**OWNER**

**FM Futsal, Ltd**

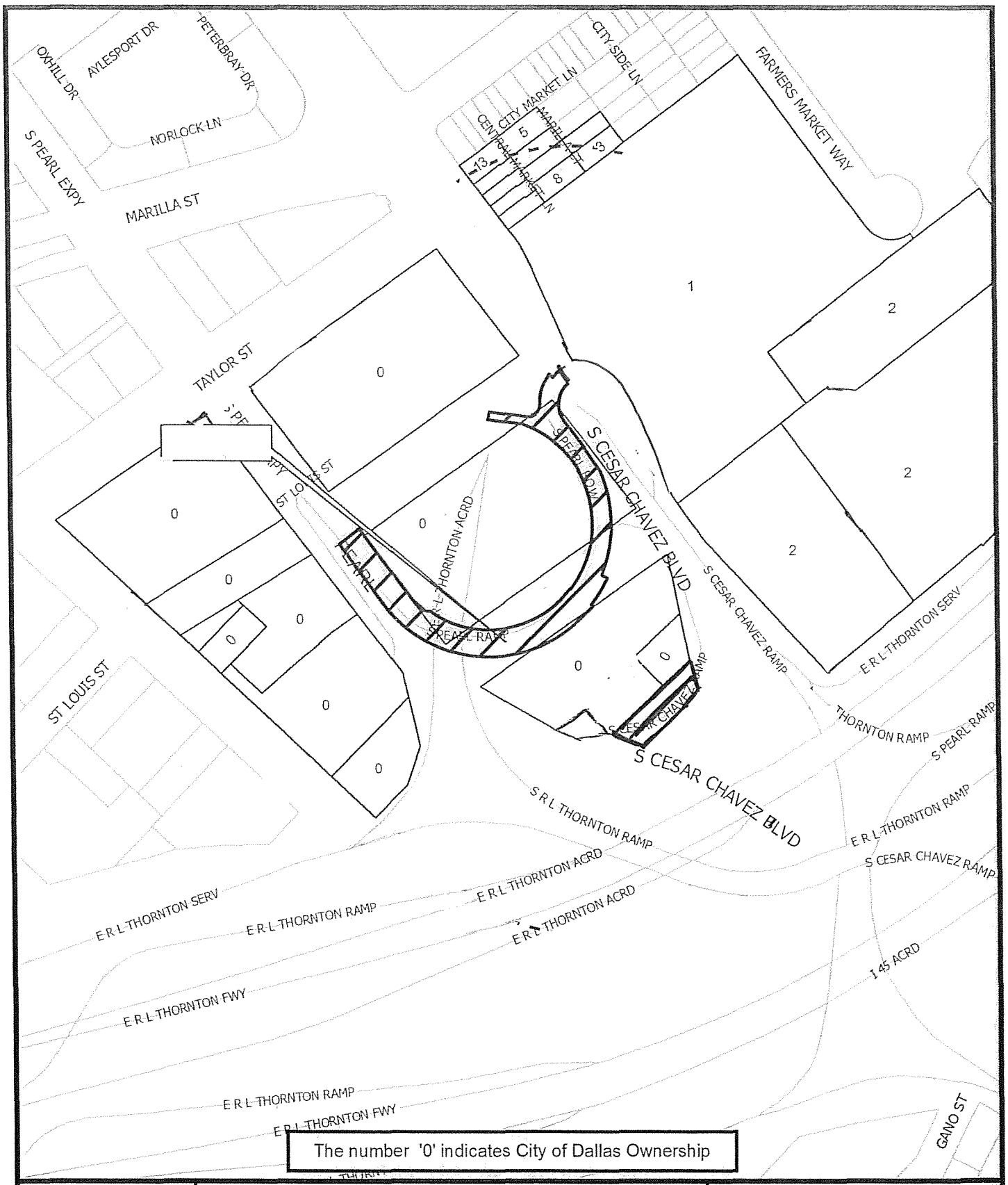
Brian Bergerse, Trustee

Leslie Stevens, Trustee

Bergensen Family, Trust Beneficiaries

**MAP**

Attached




The number '0' indicates City of Dallas Ownership

# STREET ABANDONMENT

**ORDINANCE NO. _____**

An ordinance providing for the abandonment of a portion of Gibson Street and a subsurface drive located adjacent to City Blocks 13/146 and 12/147, in the City of Dallas and County of Dallas Texas; providing for the quitclaim thereof to FM Futsal, Ltd; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of FM Futsal, Ltd, a Texas limited partnership, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said right-of-way and subsurface drive is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

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

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

**SECTION 2.** That for and in monetary consideration of the sum of **FOURTEEN THOUSAND ONE HUNDRED SIX AND NO/100 DOLLARS ($14,106.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9 , 10, and 11, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

**SECTION 7.** That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

**SECTION 8.** That as a condition of this abandonment and as 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 as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

**SECTION 10.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

**SECTION 11.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the passage of this ordinance, coordinate with the City's Trinity Watershed Management Department for the City's removal of the existing pumps and ancillary equipment in the area described in Exhibit A.

**SECTION 12.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

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

**APPROVED AS TO FORM:**
**WARREN M. S. ERNST**
**City Attorney**

**BY** _____
**Assistant City Attorney**

**DAVID COSSUM**
**Director of Department of Sustainable Development and Construction**

**BY** _____
**Assistant Director**

**Passed** _____.

# EXHIBIT A-TRACT 1

CITY BLOCK 13/146 and 12/147
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURFACE/SUBSURFACE ABANDONMENT

BEING a tract of land with a surface area of 30,508 square feet (0.70037 acre), and having a volumetric component established by the elevations below, situated within the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, said tract being a portion of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11, Block 12/147 of Revised Map of Railroad Addition, an addition to the City of Dallas, as recorded in Volume 4, Page 350 Map Records, Dallas County, Texas (M.R.D.C.T.) as conveyed to the City of Dallas by deed recorded in Volume 76129, Page 1532 and Volume 3901, Page 123 Deed Records, Dallas County, Texas (D.R.D.C.T.) and Lots 1, 2, 3, 13, 14, 26, 27 & 28, Block 13/146 of said Revised Railroad Addition as conveyed to the City of Dallas by deed recorded in Volume 4050, Page 512 D.R.D.C.T. and also being a portion of South Pearl Street (an 80 foot right-of-way), Paris Street (an 80 foot right-of-way) as closed and vacated by Ordinance No. 16231 and abandoned by Ordinance No. 11472, a 20 foot alley as closed and vacated by Ordinance No 19866, St. Louis Street (an 80 foot right-of-way) formerly known as Runnells as closed and vacated by Ordinance No. 16231 and South Cesar Chavez Boulevard (a variable width right-of-way) also known as South Central Expressway and formerly known as Preston Street and being further described as follows:

BEGINNING at a capped iron found (with an upper elevation of 452.2 feet, and a lower elevation of 447.5 feet) 1.28 feet southwest and perpendicular to the northeast line of said S. Pearl Street, said "X" being South 35°01'53" East and 75.74 feet from an "X" cut found;

THENCE South 35°16'59" East, a distance of 52.96 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner (with an upper elevation of 452.3 feet, and a lower elevation of 442.4);

THENCE South 36°35'38" East, a distance of 85.33 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner (with an upper elevation of 452.3 feet, and a lower elevation of 433.8 feet);

THENCE South 47°39'45" East, a distance of 24.49 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner in aforementioned Lot 4, Block 13/146;

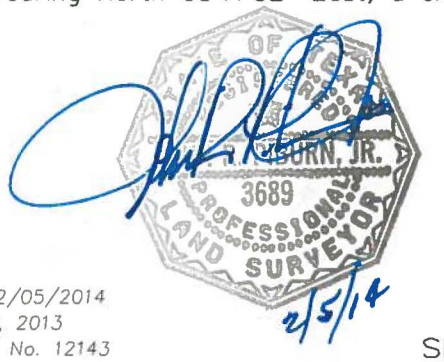
THENCE South 84°57'46" East, a distance of 8.47 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner;

THENCE South 53°46'38" East, a distance of 11.34 feet to a "V" set for corner (with an upper elevation of 445.3 feet, and a lower elevation of 431.0 feet) and the beginning of a curve to the left with a radius of 160.50 feet, a chord bearing North 83°41'03" East and a chord length of 195.86 feet;

THENCE along said curve, passing a low elevation of 429.0 feet at 48.3 feet and continuing for a total distance of 210.66 feet through a central angle of 75°12'05" to an "X" cut set for corner;

THENCE North 41°06'14" East, a distance of 20.90 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner (with an upper elevation of 450.2 feet, and a lower elevation of 442.7 feet);

THENCE South 49°17'36" East, a distance of 1.03 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner and the beginning of a curve to the left with a radius of 170.00 feet, a chord bearing North 05°11'32" East, a chord length of 183.76 feet;




Basis of Bearings is the southwest line (S 36°00'00" E), of Preston Street, known as South Cesar Chavez Boulevard, as shown on Revised Map of Railroad Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 4, Page 350, M.R.D.C.T.

FIELD NOTES APPROVED: 3/12/14

Rev. 02/05/2014
June 3, 2013
Project No. 12143



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# EXHIBIT A-TRACT 1

CITY BLOCK 13/146 and 12/147
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURFACE/SUBSURFACE ABANDONMENT

THENCE along said curve 194.13 feet through a central angle of 65°25'46" to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner in aforementioned Lot 1, Block 13/146;

THENCE North 55°30'27" East, a distance of 0.82 feet to an "X" set for corner (with an upper elevation of 450.2 feet, and a lower elevation of 446.2 feet) and the beginning of a curve to the left with a radius of 165.00 feet, a chord bearing North 50°05'45" West, and a chord length of 111.96 feet;

THENCE along said curve 114.23 feet through a central angle of 39°40'00" to a 1/2 inch iron rod with orange "PIBURN PARTNERS" cap set for corner (with an upper elevation of 450.3 feet, and a lower elevation of 439.9 feet) in aforementioned Lot 26, Block 13/146;

THENCE North 47°17'17" East, a distance of 15.47 feet to a 1/2 inch iron rod with orange "PIBURN PARTNERS" cap set for corner (with an upper elevation of 450.2 feet, and a lower elevation of 440.0 feet) and the beginning of a curve to the left with a radius of 17.50 feet, a chord bearing North 59°31'00" East, and a chord length of 16.61 feet;

THENCE along said curve 17.30 feet through a central angle of 56°38'47" to a 1/2 inch iron rod with orange "PIBURN PARTNERS" cap set for corner (with an upper elevation of 450.2 feet, and a lower elevation of 439.4 feet) and the beginning of a curve to the left with a radius of 25.00 feet, a chord bearing North 14°59'12" East, and a chord length of 13.96 feet;

THENCE along said curve 14.14 feet through a central angle of 32°24'49" to a 1/2 inch iron rod with orange "PIBURN PARTNERS" cap set for corner (with an upper elevation of 450.3 feet, and a lower elevation of 438.2 feet) and the beginning of a curve to the right with a radius of 61.00 feet, a chord bearing North 15°46'12" East, and a chord length of 35.65 feet;

THENCE along said curve 36.18 feet through a central angle of 33°58'49" to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner (with an upper elevation of 449.6 feet, and a lower elevation of 436.9 feet);

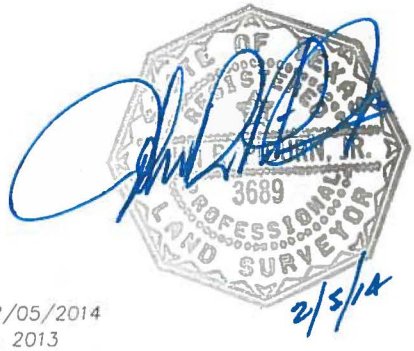
THENCE North 32°55'24" East, a distance of 10.59 feet to an "X" cut set for corner;

THENCE South 50°45'24" East, a distance of 29.71 feet to an "X" cut set for corner (with an upper elevation of 449.5 feet, and a lower elevation of 436.7) and the beginning of a curve to the left with a radius of 43.50 feet, a chord bearing South 03°53'17" West, and a chord length of 50.79 feet;

THENCE along said curve 54.24 feet through a central angle of 71°26'41" to an "X" cut set for corner (with an upper elevation of 450.2 feet, and a lower elevation of 440.1 feet);

THENCE South 36°07'37" East, a distance of 54.39 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner (with an upper elevation of 450.2 feet, and a lower elevation of 444.9 feet);

THENCE South 56°25'09" West, a distance of 1.25 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner;

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# EXHIBIT A-TRACT 1

CITY BLOCK 13/146 and 12/147
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURFACE/SUBSURFACE ABANDONMENT

THENCE South 33°34'51" East, a distance of 43.64 feet to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner (with an elevation of 446.7 feet), said "X" being North 33°58'17" West and 48.41 feet from an "X" cut found for corner in the northwest line of aforementioned closed and vacated Paris Street, said "X" set also being the beginning of a curve to the right with a radius of 200.00 feet a chord bearing South 00°43'34" West, and a chord length of 156.64 feet;

THENCE along said curve 160.94 feet through a central angle of 46°06'24" to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner (with an elevation of 445.0 feet) and the beginning of a curve to the left with a radius of 3.00 feet, a chord bearing South 18°37'53" East, and a chord length of 4.05 feet;

THENCE along said curve 4.44 feet through a central angle of 84°49'18" to an "X" set for corner in aforementioned Lot 2, Block 12/147;

THENCE South 61°02'32" East, a distance of 7.37 feet to an "X" set for corner and the beginning of a curve to the right with a radius of 247.00 feet, a chord bearing South 32°05'54" West, and a chord length of 47.87 feet;

THENCE along said curve 47.95 feet through a central angle of 11°07'22" to a 1/2 inch iron rod with orange "PIBURN PARTNERS" cap set for corner in aforementioned Lot 4, Block 12/147;

THENCE South 52°16'56" East, a distance of 2.83 feet to a 1/2 inch iron rod with orange "PIBURN PARTNERS" cap set for corner (with an upper elevation of 450.2 feet, and a lower elevation of 442.7 feet);

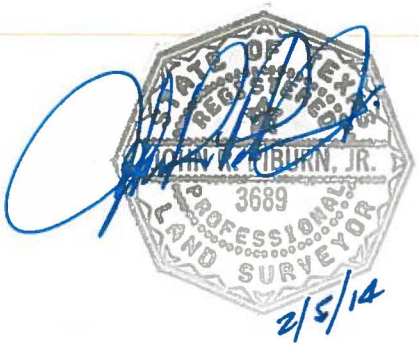
THENCE South 44°14'15" West, a distance of 20.93 feet to a 1/2 inch iron rod with orange "PIBURN PARTNERS" cap set for corner in aforementioned Lot 5, Block 12/147 and the beginning of a curve to the right with a radius of 202.00 feet, a chord bearing South 75°43'39" West, and a chord length of 211.03 feet;

THENCE along said curve 222.04 feet through a central angle of 62°58'47" to an "X" cut set for corner (with an upper elevation of 445.9 feet, and a lower elevation of 429.8 feet) and the beginning of a curve to the right with a radius of 198.00 feet, a chord bearing North 55°54'07" West, and a chord length of 121.67 feet;

THENCE along said curve 123.67 feet through a central angle of 35°47'12" to a 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner (with an upper elevation of 452.3 feet, and a lower elevation of 434.6 feet);

THENCE North 35°27'30" West, a distance of 123.69 feet to an "X" cut set for corner (with an upper elevation of 452.2 feet, and a lower elevation of 447.5 feet);

THENCE North 54°09'15" East, a distance of 39.29 feet to the POINT OF BEGINNING and containing 30,508 square feet (0.70037 acres) of surface area, more or less.

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Rev. 02/05/2014
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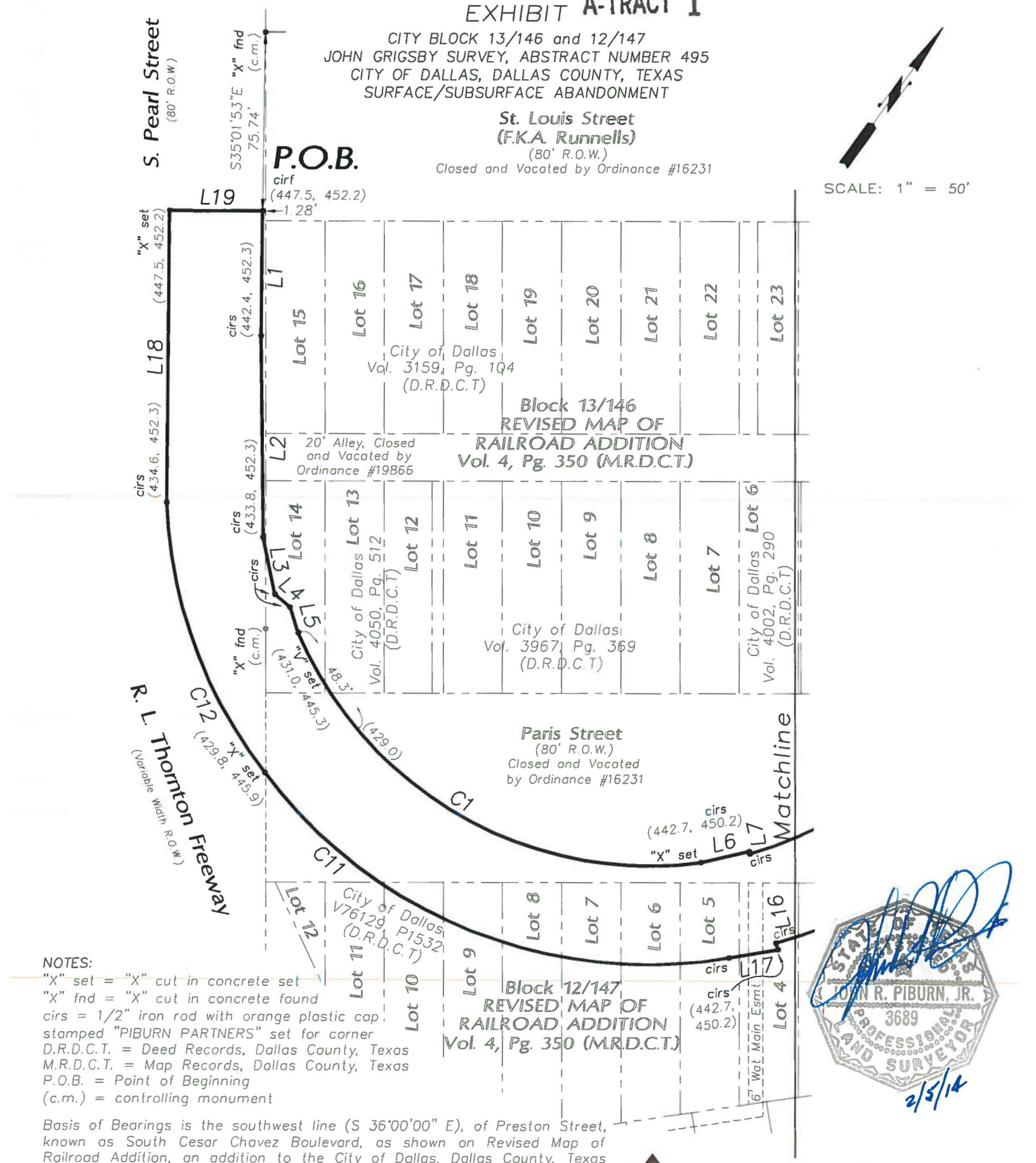
# EXHIBIT A-TRACT 1

CITY BLOCK 13/146 and 12/147
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURFACE/SUBSURFACE ABANDONMENT




NOTES:
"X" set = "X" cut in concrete set
"X" fnd = "X" cut in concrete found
cirs = 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner
D.R.D.C.T. = Deed Records, Dallas County, Texas
M.R.D.C.T. = Map Records, Dallas County, Texas
P.O.B. = Point of Beginning
(c.m.) = controlling monument

Basis of Bearings is the southwest line (S 36°00'00" E), of Preston Street, known as South Cesar Chavez Boulevard, as shown on Revised Map of Railroad Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 4, Page 350, M.R.D.C.T.

STATE OF TEXAS
JOHN R. PIBURN, JR.
3689
REGISTERED PROFESSIONAL LAND SURVEYOR
2/5/14

Rev. 02/05/2014
June 3, 2013
Project No. 12143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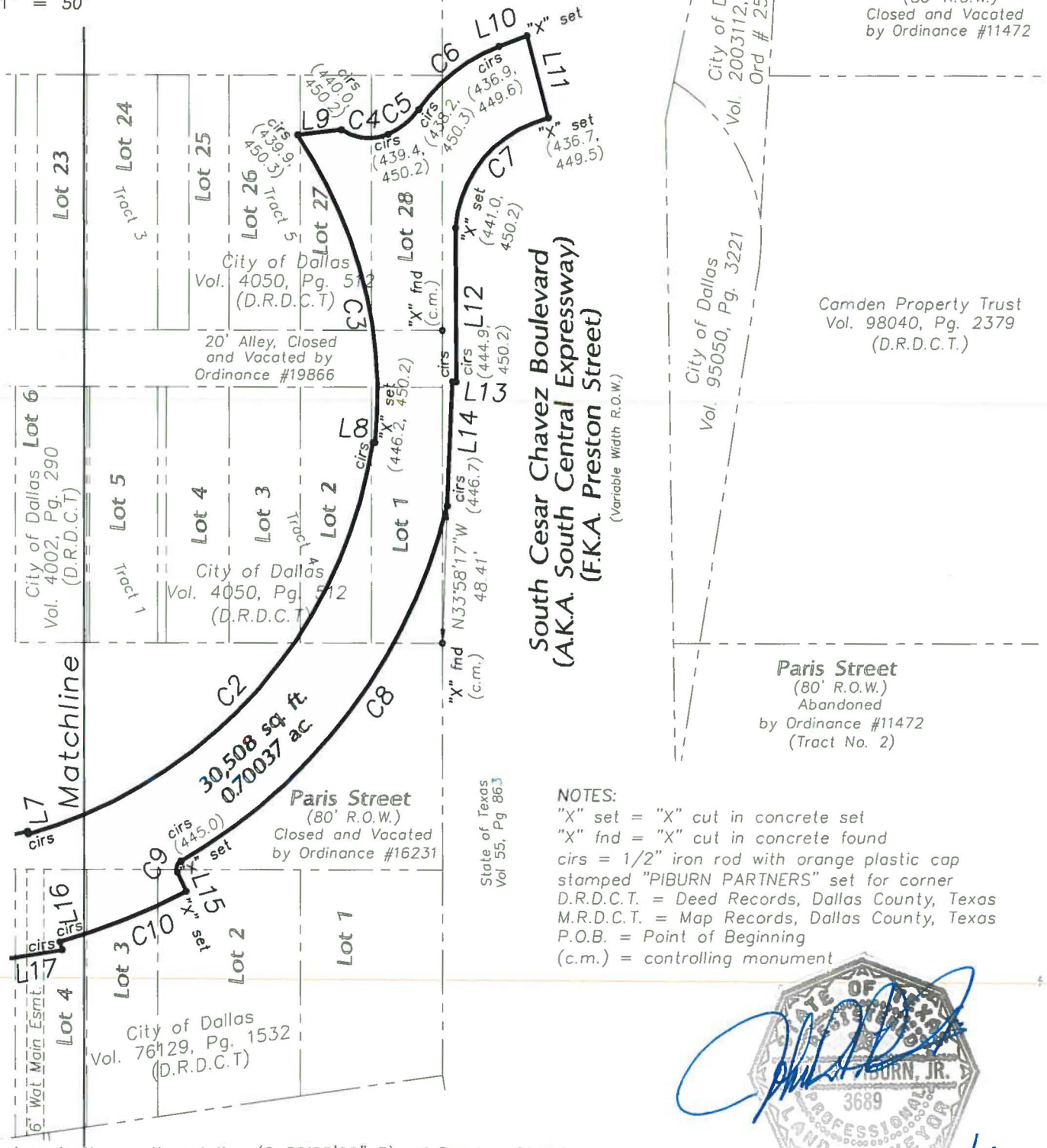
# EXHIBIT A-TRACT 1

CITY BLOCK 13/146 and 12/147
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURFACE/SUBSURFACE ABANDONMENT

SCALE: 1" = 50'




NOTES:
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STATE OF TEXAS
JOHN H. PIBURN, JR.
3689
REGISTERED PROFESSIONAL LAND SURVEYOR

2/5/14

Basis of Bearings is the southwest line (S 36°00'00" E), of Preston Street, known as South Cesar Chavez Boulevard, as shown on Revised Map of Railroad Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 4, Page 350, M.R.D.C.T.

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# EXHIBIT A-TRACT 1

CITY BLOCK 13/146 and 12/147
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURFACE/SUBSURFACE ABANDONMENT

| Line | Bearing | Distance |
|---|---|---|
| L1 | S35°16'59"E | 52.96' |
| L2 | S36°35'38"E | 85.33' |
| L3 | S47°39'45"E | 24.49' |
| L4 | S84°57'46"E | 8.47' |
| L5 | S53°46'38"E | 11.34' |
| L6 | N41°06'14"E | 20.90' |
| L7 | S49°17'36"E | 1.03' |
| L8 | N55°30'27"E | 0.82' |
| L9 | N47°17'17"E | 15.47' |
| L10 | N32°55'24"E | 10.59' |
| L11 | S50°45'24"E | 29.71' |
| L12 | S36°07'37"E | 54.39' |
| L13 | S56°25'09"W | 1.25' |
| L14 | S33°34'51"E | 43.64' |
| L15 | S61°02'32"E | 7.37' |
| L16 | S52°16'56"E | 2.83' |
| L17 | S44°14'15"W | 20.93' |
| L18 | N35°27'30"W | 123.69' |
| L19 | N54°09'15"E | 39.29' |

| Curve | Δ | Radius | Length | Chord Bearing | Ch.Length |
|---|---|---|---|---|---|
| C1 | 75°12'05" | 160.50' | 210.66' | N83°41'03"E | 195.86' |
| C2 | 65°25'46" | 170.00' | 194.13' | N05°11'32"E | 183.76' |
| C3 | 39°40'00" | 165.00' | 114.23' | N50°05'45"W | 111.96' |
| C4 | 56°38'47" | 17.50' | 17.30' | N59°31'00"E | 16.61' |
| C5 | 32°24'49" | 25.00' | 14.14' | N14°59'12"E | 13.96' |
| C6 | 33°58'49" | 61.00' | 36.18' | N15°46'12"E | 35.65' |
| C7 | 71°26'41" | 43.50' | 54.24' | S03°53'17"W | 50.79' |
| C8 | 46°06'24" | 200.00' | 160.94' | S00°43'34"W | 156.64' |
| C9 | 84°49'18" | 3.00' | 4.44' | S18°37'53"E | 4.05' |
| C10 | 11°07'22" | 247.00' | 47.95' | S32°05'54"W | 47.87' |
| C11 | 62°58'47" | 202.00' | 222.04' | S75°43'39"W | 211.03' |
| C12 | 35°47'12" | 198.00' | 123.67' | N55°54'07"W | 121.67' |

JOHN R. PIBURN, JR. 3689 REGISTERED PROFESSIONAL LAND SURVEYOR

2/5/14

Rev. 02/05/2014
June 3, 2013
Project No. 12143



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EXHIBIT A-TRACT 2

# ABANDONMENT

A PORTION OF GIBSON STREET
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**BEING** a 4,814 square feet (0.110 acre) tract of land situated within the John Grigsby Survey, Abstract Number 495, City of Dallas, Dallas County, Texas, same being a portion of Gibson Street, formerly known as Lane Street, as recorded in Volume 59, Page 402, Deed Records, Dallas County, Texas (D.R.D.C.T.) and being more particularly described as follows:

**BEGINNING** at an "X" cut in concrete set in the northwest right-of-way line of said Gibson Street, same being the southeast line of a tract conveyed to the City of Dallas by deed recorded in Volume 76129, Page 1532 (D.R.D.C.T.), said "X" being approximately 108 feet northeast of the northeast line of S. Pearl Street (an 80 foot right-of-way);

**THENCE** N 45°34'13" E along the northwest line of said Gibson Street and the southeast line of said City of Dallas tract, as described in Volume 76129, Page 1532 and continuing along the southeast line of a tract conveyed to the City of Dallas by deed recorded in Volume 76195, Page 1928 (D.R.D.C.T.), a total distance of 157.44 feet to an "X" cut in concrete set for corner;

**THENCE** S 10°11'11" E, a distance of 42.34 feet to an "X" cut in concrete set for corner in southeast line of said Gibson Street;

**THENCE** S 45°34'13" W along the southeast line of said Gibson Street, a distance of 116.46 feet to an "X" cut in concrete set for corner, said "X" being the beginning of a curve to the right with radius of 232.50 feet, a chord bearing N 70°32'30" W and a chord length of 38.98 feet;

**THENCE** along said curve with a central angle of 09°37'01" and an arc length of 39.02 feet to the **POINT OF BEGINNING** and containing 4,814 square feet or 0.110 acres of land, more or less.

JOHN R. PIBURN, JR. 3689 PROFESSIONAL LAND SURVEYOR
5/21/2013

FIELD NOTES APPROVED:
5/23/13

Basis of Bearings is the southwest line (S 36°00'00" E), of Preston Street, known as South Cesar Chavez Boulevard, as shown on Revised Map of Railroad Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 4, Page 350, M.R.D.C.T.

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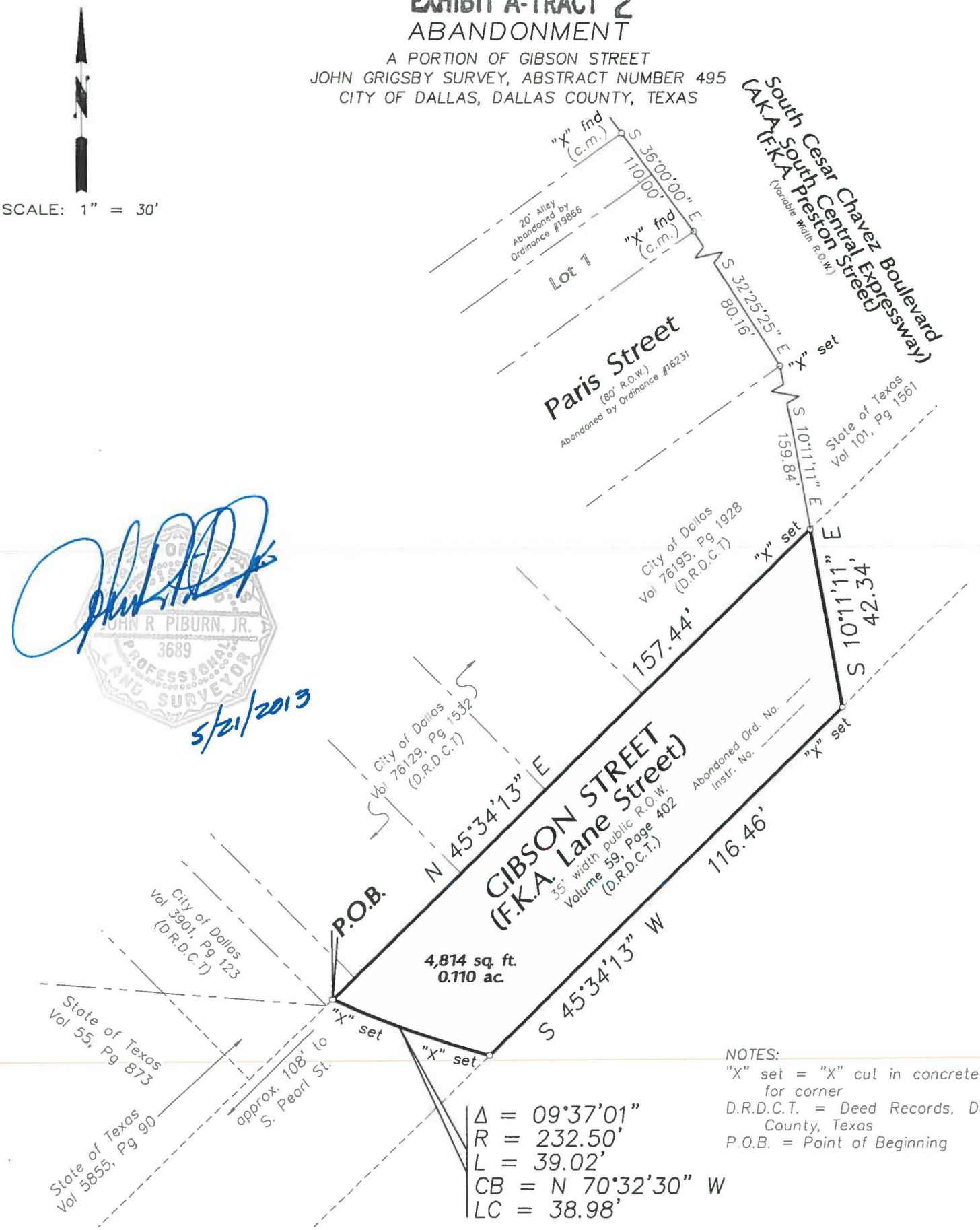
May 20, 2013
Project No. 12143

# EXHIBIT A-TRACT 2
## ABANDONMENT

A PORTION OF GIBSON STREET
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SCALE: 1" = 30'




JOHN R PIBURN, JR. 3689 PROFESSIONAL LAND SURVEYOR
5/21/2013

NOTES:
"X" set = "X" cut in concrete set for corner
D.R.D.C.T. = Deed Records, Dallas County, Texas
P.O.B. = Point of Beginning

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May 20, 2013
Project No. 12143



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# EXHIBIT B

## ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

**AGENDA ITEM # 26**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 1

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 54H

## SUBJECT

An ordinance abandoning sight alley easements and an alley to Salesmanship Club Youth and Family Centers, Inc., the abutting owner, containing a total of approximately 8,347 square feet of land, located near the intersection of Jefferson Boulevard and Storey Street and authorizing the quitclaim – Revenue: $98,148, plus the $20 ordinance publication fee

## BACKGROUND

This item authorizes the abandonment of sight alley easements and an alley to Salesmanship Club Youth and Family Centers, Inc., the abutting owner. The abandonment areas will be included with the property of the abutting owner for the development of additional parking.

The abandonment fee is based upon an independent appraisal.

Notices were sent to 17 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

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

This item has no prior action.

## FISCAL INFORMATION

Revenue: $98,148, plus the $20 ordinance publication fee

**OWNER**

**Salesmanship Club Youth and Family Centers, Inc.**

Alan D. Friedman, President

**MAP**

Attached

N
NINTH STREET
NINTH STREET
STOREY STREET
3129
BECKLEY AVENUE
CUMBERLAND STREET
TENTH STREET
3129
JEFFERSON BOULEVARD
SUNSET STREET
Abandonment Areas
Alley
Easements

**ORDINANCE NO. _____**

An ordinance providing for the abandonment of sight alley easements and an alley located in City Block 134/3129 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Salesmanship Club Youth and Family Centers, Inc.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

**ooo0ooo**

**WHEREAS**, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Salesmanship Club Youth and Family Centers, Inc., a Texas non-profit corporation, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said sight alley easements and alley are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

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

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

**SECTION 2.** That for and in monetary consideration of the sum **NINETY-EIGHT THOUSAND ONE HUNDRED FORTY-EIGHT AND NO/100 DOLLARS ($98,148.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, and 10, the

City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

**SECTION 7.** That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

**SECTION 8.** That as a condition of this abandonment and as 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 as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned areas are located after its approval by the City Plan Commission of the City of Dallas.

**SECTION 10.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the passage of this ordinance, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

**SECTION 11.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment areas are located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the areas abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 12.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

**APPROVED AS TO FORM:**
**WARREN M. S. ERNST**
**City Attorney**

**BY** _____
**Assistant City Attorney**

**DAVID COSSUM**
**Director of Department of Sustainable Development and Construction**

**BY** _____
**for Assistant Director**

**Passed** _____.

EXHIBIT A-TRACT 1

**EXHIBIT**
**20' ALLEY ABANDONMENT**
**BLOCK 134/3129**
**DALLAS LAND AND LOAN COMPANY ADDITION No. ONE**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Being a 8,011 square feet tract or parcel of land situated in the William H. Hord Survey, Abstract No. 560, City of Dallas, Dallas County, Texas, being a 20 foot alley in Block 134/3129 as dedicated in DallasLand and Loan Company Addition No. One, an addition to the City of Dallas according to the plat recorded in Volume 93, Page 277, Deed Records, Dallas County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found for corner at the intersection of the northeast line of Cumberland Street (60 foot right-of-way) and the northwest line of said 20 foot alley, said rod being the south corner of Lot 1A, Block 134/3129, Salesmanship Club of Dallas Addition, an addition to the City of Dallas according to the plat recorded in Volume 97238, Page 22, Deed Records, Dallas County, Texas;

**THENCE** North 58° 54' 00" East along the common line between said Lot 1A and said 20 foot alley a distance of 400.55 feet to a chiseled "X" in concrete found for corner at the intersection of the northwest line of said 20 foot alley and the southwest line of Storey Street (60 foot right-of-way);

**THENCE** South 30° 57' 06" East a distance of 20.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at the intersection of the southeast line of said 20 foot alley and the southwest line of said Storey Street, said rod being the north corner of Lot 5, Block 134/3129 of said Dallas Land and Loan Company Addition No. One;

**THENCE** South 58° 54' 00" West along the common line between said 20 foot alley and said Lot 5, Lot 6A, Block 134/3129 of said Salesmanship Club of Dallas Addition, Lot 7, Block 134/3129 of said Dallas Land and Loan Company Addition No. One and Lot 8A, Block 134/3129 of said Salesmanship Club of Dallas Addition a distance of 400.54 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at the intersection of the southeast line of said 20 foot alley and the northeast line of said Cumberland Street, said rod being the west corner of said Lot 8A;

**THENCE** North 30° 58' 49" West a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 8,011 square feet or 0.184 acres, more or less.

REVIEWED BY
JL 1-23-14
SAR 2737

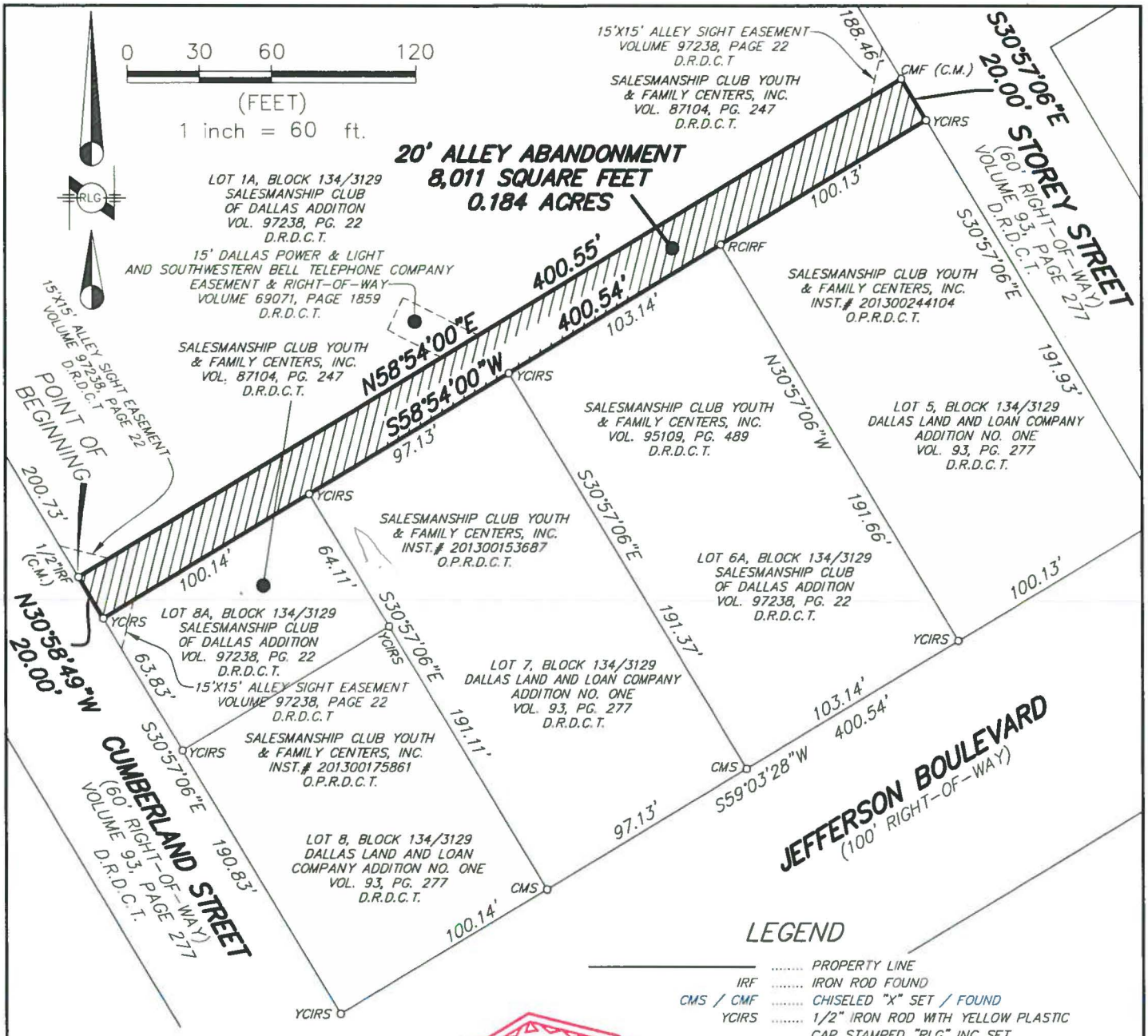
BASIS OF BEARINGS: THE SOUTHEAST LINE (S58°54'00"W) OF LOT 1A, BLOCK 134/3129, SALESMANSHIP CLUB OF DALLAS ADDITION, VOLUME 97238, PAGE 22, DEED RECORDS, DALLAS COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
G. RICHARD BUSBY
4111
PROFESSIONAL
LAND SURVEYOR

8/6/2013

**SHEET 1 OF 2**
**25,840X**

# EXHIBIT A-TRACT 1




## LEGEND

| | |
|---|---|
| ——— | ..... PROPERTY LINE |
| IRF | ..... IRON ROD FOUND |
| CMS / CMF | ..... CHISELED "X" SET / FOUND |
| YCIRS | ..... 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RLG" INC SET |
| RCIRF | ..... IRON ROD WITH RED PLASTIC CAP STAMPED "BURY+PITTMAN" FOUND |
| M.R.D.C.T. | ..... MAP RECORDS, DALLAS COUNTY, TX |
| D.R.D.C.T. | ..... DEED RECORDS, DALLAS COUNTY, TX |
| O.P.R.D.C.T. | ..... OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TX |
| C.M. | ..... CONTROLLING MONUMENT |

BASIS OF BEARINGS: THE SOUTHEAST LINE (S58°54'00"W) OF LOT 1A, BLOCK 134/3129, SALESMANSHIP CLUB OF DALLAS ADDITION, VOLUME 97238, PAGE 22, D.R.D.C.T.

CONTROLLING MONUMENTS: AS SHOWN

STATE OF TEXAS
REGISTERED
G. RICHARD BUSBY
4111
PROFESSIONAL
SURVEYOR

8/6/2013


RAYMOND L. GOODSON JR., INC.
5445 LA SIERRA, STE 300, LB 17
DALLAS, TX. 75231-4138
214-739-8100
rlg@rlginc.com
TEXAS PE REC #F-493
TBPLS REC #100341-00


# EXHIBIT
# 20' ALLEY ABANDONMENT
# BLOCK 134/3129

## DALLAS LAND AND LOAN COMPANY ADDITION No. ONE
## CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JL
Date: 1-23-14
SPRG NO.: 2737

| | | | | | |
|---|---|---|---|---|---|
| SCALE | 1" = 60' | DATE | 8/6/2013 | SHEET | 2 OF 2 |
| JOB NO. | 13038 | E-FILE | 13038.dwg | DWG NO. | 25,840X |

# EXHIBIT A-TRACT 2

**15'X15' SIGHT ALLEY EASEMENT ABANDONMENT**
**BLOCK 134/3129**
**SALESMANSHIP CLUB OF DALLAS ADDITION**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

Being three 112 square foot tracts of land situated in the William H. Hord Survey, Abstract No. 560, City of Dallas, Dallas County, Texas, and being three 15' x 15' Alley Sight Easements in Block 134/3129 as dedicated by Salesmanship Club of Dallas Addition, an addition to the City of Dallas according to the plat recorded in Volume 97238, Page 22, Deed Records, Dallas County, Texas, said Alley Sight Easements being adjacent to a 20 foot alley in Block 134/3129 as created in Dallas Land and Loan Company Addition No. One, an addition to the City of Dallas according to the plat recorded in Volume 93, Page 277, Deed Records, Dallas County, Texas, and being part of those tracts of land conveyed to Salesmanship Club Youth and Family Centers, Inc. by deed recorded in Volume 87104, Page 247, Deed Records, Dallas County, Texas and being more particularly described as follows:

**TRACT I**

**BEGINNING** at a 1/2" iron rod found for corner at the intersection of the northeast line of Cumberland Street (60 foot right-of-way) and the northwest line of said 20 foot alley, said rod being the south corner of Lot 1A, Block 134/3129 of said Salesmanship Club of Dallas Addition;

**THENCE** North 30° 57' 06" Westalong the northeast line of said CumberlandStreet a distance of 15.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner;

**THENCE** South 76° 01' 33" East departing the northeast line of said Cumberland Street a distance of 21.19 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner on the northwest line of said 20 foot alley;

**THENCE** South 58° 54' 00" West along the northwest line of said 20 foot alley a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 112 square feet, more or less.

**TRACT II**

**BEGINNING** at a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at the intersection of the northeast line of Cumberland Street (60 foot right-of-way) and the southeast line of said 20 foot alley, said rod being the west corner of Lot 8A, Block 134/3129 of said Salesmanship Club of Dallas Addition;

**THENCE** North 58° 54' 00" East along the southeast line of said 20 foot alley a distance of 15.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner;

**THENCE** South 13° 58' 27" West, departing the southeast line of said 20 foot alley, a distance of 21.24 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner on the northeast line of said Cumberland Street;

**THENCE** North 30° 57' 06" West a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 112 square feet, more or less.

(For SPRG use only)
Reviewed By: JL
Date: 1-23-14
SPRG NO.: 2793

# EXHIBIT A-TRACT 2

**15'X15' SIGHT ALLEY EASEMENT ABANDONMENT**
**BLOCK 134/3129**
**SALESMANSHIP CLUB OF DALLAS ADDITION**
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**TRACT III**

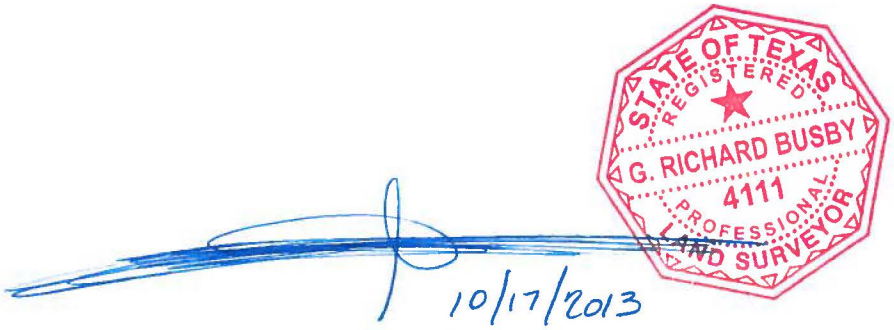
**BEGINNING** at a chiseled "X" found for corner at the intersection of the southwest line of Storey Street (60 foot-right-of-way) and the southeast line of said 20 foot alley, said "X" being the east corner of Lot 1A, Block 134/3129 of said Salesmanship Club of Dallas;

**THENCE** South 58° 54' 00" West along the northwest line of said 20 foot alley a distance of 15.00 feet to a chiseled "X" set for corner;

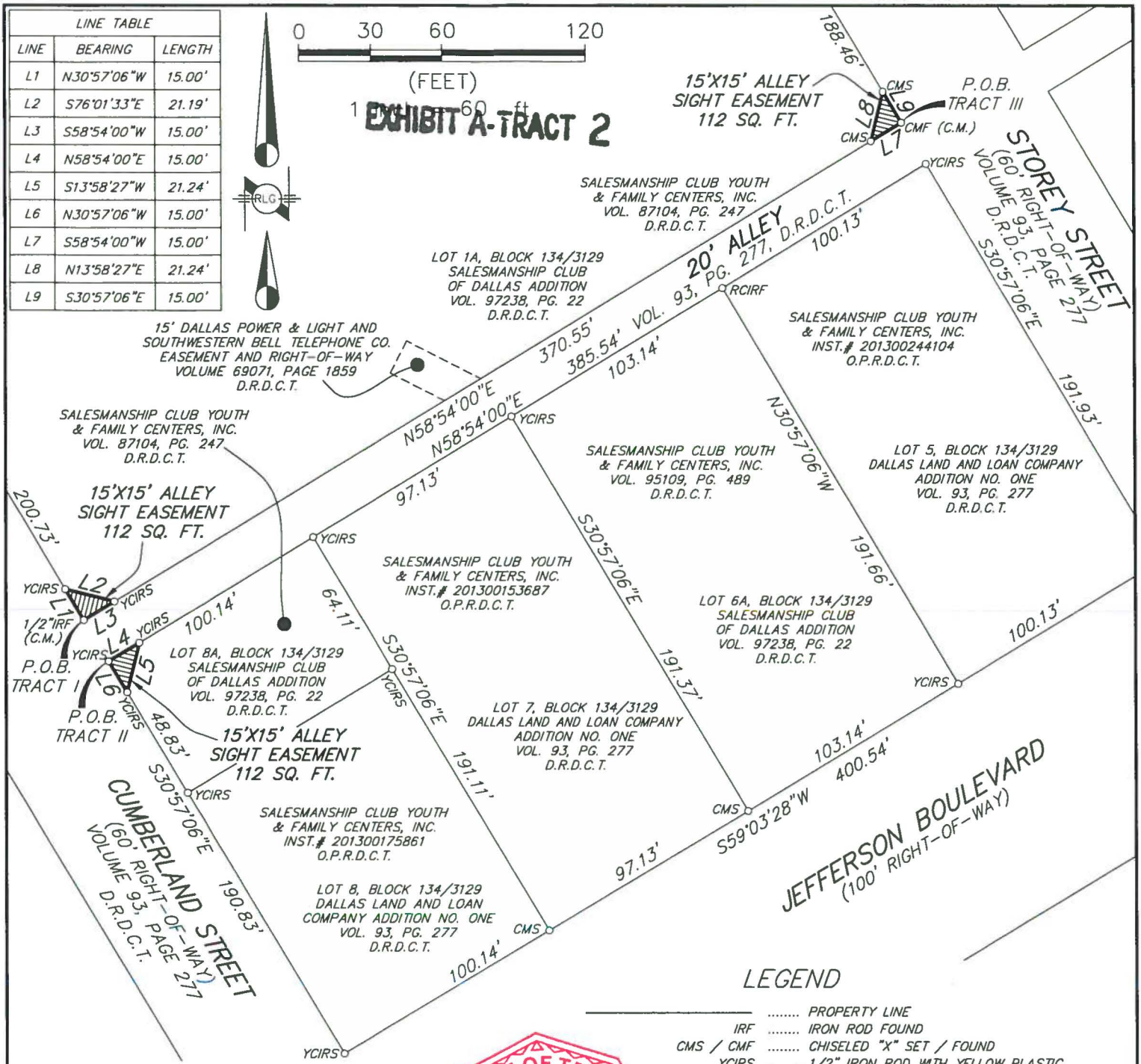
**THENCE** North 13° 58' 27" East, departing the northwest line of said 20 foot alley, a distance of 21.24 feet to a chiseled "X" set for corner on the southwest line of said Storey Street;

**THENCE**South 30° 57' 06" East along the southwest line of said Storey Street a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 112 square feet, more or less.

BASIS OF BEARINGS: THE SOUTHEAST LINE (S58°54'00"W) OF LOT 1A, BLOCK 134/3129, SALESMANSHIP CLUB OF DALLAS ADDITION, VOLUME 97238, PAGE 22, DEED RECORDS, DALLAS COUNTY, TEXAS




(For SPRG use only)
Reviewed By: JL
Date: 1-23-14
SPRG NO.: 2793




## LEGEND

| | |
|---|---|
| ——— | ..... PROPERTY LINE |
| IRF | ..... IRON ROD FOUND |
| CMS / CMF | ..... CHISELED "X" SET / FOUND |
| YCIRS | ..... 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RLG" INC SET |
| RCIRF | ..... IRON ROD WITH RED PLASTIC CAP STAMPED "BURY+PITTMAN" FOUND |
| M.R.D.C.T. | ..... MAP RECORDS, DALLAS COUNTY, TX |
| D.R.D.C.T. | ..... DEED RECORDS, DALLAS COUNTY, TX |
| O.P.R.D.C.T. | ..... OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TX |
| C.M. | ..... CONTROLLING MONUMENT |
| P.O.B. | ..... POINT OF BEGINNING |

BASIS OF BEARINGS: THE SOUTHEAST LINE (S58°54'00"W) OF LOT 1A, BLOCK 134/3129, SALESMANSHIP CLUB OF DALLAS ADDITION, VOLUME 97238, PAGE 22, D.R.D.C.T.

CONTROLLING MONUMENTS: AS SHOWN

STATE OF TEXAS
REGISTERED
G. RICHARD BUSBY
4111
PROFESSIONAL
LAND SURVEYOR

10/17/2013


RAYMOND L. GOODSON JR., INC.
5445 LA SIERRA, STE 300, LB 17
DALLAS, TX. 75231-4138
214-739-8100
rlg@rlginc.com
TEXAS PE REG #F-493
TBPLS REG #100341-00


(For SPRG use only)
Reviewed By: JL
Date: 1-23-14
SPRG NO.: 2793

# 15'X15' SIGHT ALLEY EASEMENT ABANDONMENT
## BLOCK 134/3129
### DALLAS LAND AND LOAN COMPANY ADDITION No. ONE
### CITY OF DALLAS, DALLAS COUNTY, TEXAS

| SCALE | 1" = 60' | DATE | 10/16/2013 | SHEET | 3 OF 3 |
|---|---|---|---|---|---|
| JOB NO. | 13038 | E-FILE | 13038ex.dwg | DWG NO. | 25,895X |

# EXHIBIT B

## ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

**AGENDA ITEM # 27**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Trinity Watershed Management

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

**MAPSCO:** 43K 43P 43Q 43R

## SUBJECT

Authorize a contract with North Texas Contracting, Inc., lowest responsible bidder of four, for the construction of storm drainage improvements in the West Dallas - Westmoreland Hampton Sump Basin - Not to exceed $6,334,975 - Financing: 2006 Bond Funds

## BACKGROUND

The 1991 West Dallas Master Drainage Study identified storm drainage improvements for several streets in the West Dallas area south and west of the Trinity River in order to reduce flooding along the streets. Westmoreland Road, Singleton Boulevard, West Commerce Street, and Fishtrap Road were included in the plan for storm drainage improvements. The 2006 Bond Program included funding for the design and construction of the storm drainage improvements on these streets.

This action authorizes a contract with North Texas Contracting, Inc., to construct 100-year underground storm drainage improvements in Westmoreland Road from Singleton Boulevard to Bernal Drive, Singleton Boulevard from Westmoreland to Fishtrap Road, West Commerce Street from Postal Way to Lone Star Drive and Fishtrap Road from Akron Street to Singleton Boulevard. The contract includes associated pavement replacement including integral gutter and curbs and barrier-free ramps.

## ESTIMATED SCHEDULE OF PROJECT

| | |
|---|---|
| Began Design | October 2009 |
| Completed Design | June 2014 |
| Begin Construction | October 2014 |
| Complete Construction | November 2015 |

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

Authorized a professional services contract for engineering design services on October 14, 2009, by Resolution No. 09-2533.

## FISCAL INFORMATION

2006 Bond Funds - $6,334,975.00

| | |
|---|---|
| Design | $ 724,814.00 |
| Construction | $6,334,975.00 |
| Total Project Cost | $7,059,789.00 |

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

North Texas Contracting, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 4 | Hispanic Male | 264 |
| African-American Female | 0 | African-American Male | 2 |
| Other Female | 0 | Other Male | 0 |
| White Female | 3 | White Male | 47 |

## BID INFORMATION

The following bids with quotes were received and opened on July 10, 2014:

*Denotes successful bidder(s)

| BIDDERS | BID AMOUNT |
|---|---|
| * North Texas Contracting, Inc.<br>4999 Keller Haslet Rd.,<br>Fort Worth, Texas 76244 | $6,334,975.00 |
| Ark Contracting Services | $6,623,995.00 |
| Camino Construction, L.P. | $6,976,661.25 |
| Spiess Construction Co., Inc. | $7,912,621.00 |

**OWNER**

**North Texas Contracting, Inc.**

Zach Fusilier, Vice President

**MAP**

Attached.

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with North Texas Contracting, Inc., lowest responsible bidder of four, for the construction of storm drainage improvements in the West Dallas - Westmoreland Hampton Sump Basin - Not to exceed $6,334,975 - Financing: 2006 Bond Funds

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

PROJECT CATEGORY: Construction

---

## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $1,529,426.58 | 24.14% |
| Total non-local contracts | $4,805,548.42 | 75.86% |
| **TOTAL CONTRACT** | $6,334,975.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

| Local | Certification | Amount | Percent |
|---|---|---|---|
| Duran Industries, Inc. | HMDB59600Y1014 | $1,137,451.58 | 74.37% |
| J.E. Guzman Construction, Inc. | HMMB61477N0415 | $326,475.00 | 21.35% |
| Axis Contracting, Inc. | WFDB61910Y0515 | $65,500.00 | 4.28% |
| **Total Minority - Local** | | $1,529,426.58 | 100.00% |

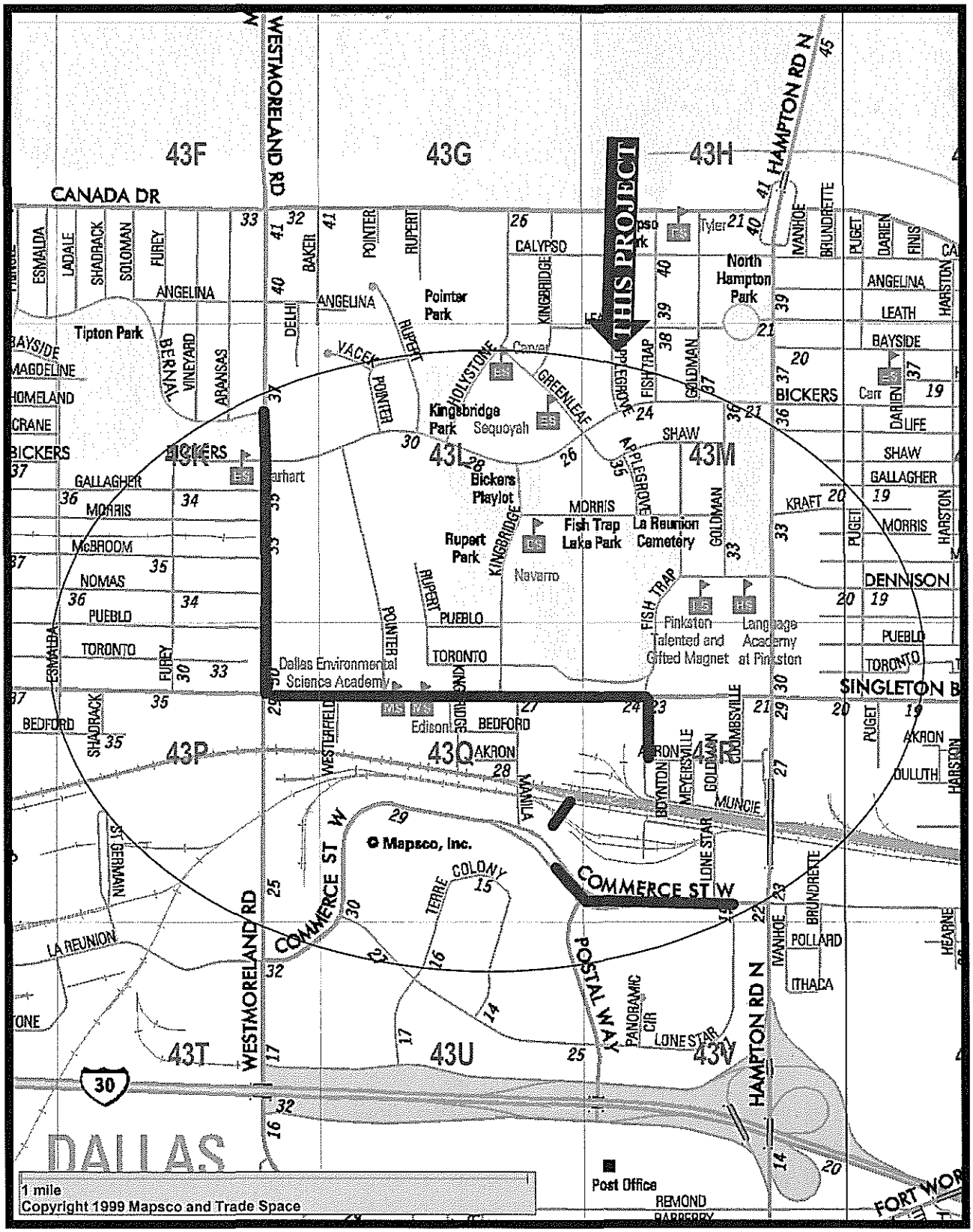
### Non-Local Contractors / Sub-Contractors

| Non-local | Certification | Amount | Percent |
|---|---|---|---|
| Brenda Price Trucking | WFDB62055Y0615 | $200,000.00 | 4.16% |
| LB Transportation Operations, LLC | WFWB59550N1214 | $105,000.00 | 2.18% |
| G.J. Seeding, LLC | WFWB61254N0415 | $23,450.00 | 0.49% |
| **Total Minority - Non-local** | | $328,450.00 | 6.83% |

## TOTAL M/WBE CONTRACT PARTICIPATION

| | Local | Percent | Local & Non-Local | Percent |
|---|---|---|---|---|
| African American | $0.00 | 0.00% | $0.00 | 0.00% |
| Hispanic American | $1,463,926.58 | 95.72% | $1,463,926.58 | 23.11% |
| Asian American | $0.00 | 0.00% | $0.00 | 0.00% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $65,500.00 | 4.28% | $393,950.00 | 6.22% |
| Total | $1,529,426.58 | 100.00% | $1,857,876.58 | 29.33% |

# Westmoreland Drainage




# MAPSCO 43 - K, P, Q, R

September 10, 2014

**WHEREAS,** on October 14, 2009, Resolution No. 09-2533 authorized a professional engineering services contract with Freese and Nichols, Inc. for the preparation of construction plans for storm drainage improvements in the West Dallas - Westmoreland Hampton Sump Basin; and,

**WHEREAS,** bids were received on July 10, 2014, for the construction of storm drainage improvements in the West Dallas - Westmoreland Hampton Sump Basin:

| **BIDDERS** | **BID AMOUNT** |
|---|---|
| *North Texas Contracting, Inc.<br>4999 Keller Haslet Rd.,<br>Fort Worth, Texas 76244 | $6,334,975.00 |
| Ark Contracting Services | $6,623,995.00 |
| Camino Construction, L.P. | $6,976,661.25 |
| Spiess Construction Co., Inc. | $7,912,621.00 |

**Now, Therefore,**

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

**Section 1.** That North Texas Contracting, Inc. is hereby awarded the contract for the construction of storm drainage improvements in the West Dallas - Westmoreland Hampton Sump Basin in an amount not to exceed $6,334,975, this being the lowest responsive bid received as indicated by the tabulation of bids.

**Section 2.** That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

**Section 3.** That the City Controller is hereby authorized to distribute funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facilities Fund
Fund 1T23, Department TWM, Unit T542, Act. SDRS
Obj. 4540, Program #PB06T542, CT #PBW06T542L1
Vendor #514455, in an amount not to exceed $6,334,975.00

**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 # 28**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Trinity Watershed Management
Office of Economic Development

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

**MAPSCO:** 34N

## SUBJECT

Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional drainage, wastewater and concrete foundations for the Mockingbird Lane - Maple Avenue to Forest Park Drainage Improvements Project – Not to exceed $144,425, from $4,887,413 to 5,031,838 – Financing: Public/Private Partnership Funds ($47,000) and 2012 Bond Funds ($97,425)

## BACKGROUND

The Mockingbird Lane from Maple Avenue to Forest Park Project is funded by the 2006 Bond Program, 2012 Bond Program, Water Utilities Capital Improvements Funds and Public/Private Partnership Funds to alleviate street flooding in the area. The project also includes landscape improvements and the relocation of water and wastewater mains. A construction contract with RKM Utility Services, Inc. for the Mockingbird Lane - Maple Avenue to Forest Park Project was authorized by City Council on December 11, 2013.

This action authorizes Change Order No.1 with RKM Utility Services, Inc., for additional work including relocation of conflicting water, wastewater and stormwater drainage pipes, excavation and disposal of trash from a buried illegal dumpsite, creek bank stabilization, traffic signage and street lighting enhancements.

## ESTIMATED SCHEDULE OF PROJECT

| | |
|---|---|
| Began Design | March 2013 |
| Completed Design | October 2013 |
| Began Construction | March 2014 |
| Complete Construction | May 2015 |

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

Authorized Fill Permit 07-03 on November 28, 2007, by Resolution No. 07-3528.

Authorized a professional services contract for engineering services on February 13, 2013, by Resolution No. 13-0321.

Authorized a construction contract with RKM Utility Services, Inc. for the construction of the Mockingbird Lane from Maple Avenue to Forest Park Flood & Storm Drainage Improvements on December 11, 2013, by Resolution No. 13-2088.

## FISCAL INFORMATION

Public/Private Partnership Funds - $47,000.00
2012 Bond Funds - $97,425.00

| | |
|---|---|
| Design | $ 139,600.00 |
| Supplemental Agreement No. 1 | $ 1,870.75 |
| Total Design | $ 141,470.75 |
| | |
| Construction | |
| Storm Drainage Funds | $3,701,505.00 |
| Economic Development | $1,111,781.00 |
| Wastewater (DWU) | $ 74,127.00 |
| Change Order No. 1 (this action) | $ 144,425.00 |
| Total Construction Cost | $5,031,838.00 |
| | |
| Total Project Cost | $5,173,308.75 |

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

RKM Utility Services, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 4 | Hispanic Male | 243 |
| African-American Female | 0 | African-American Male | 35 |
| Other Female | 0 | Other Male | 0 |
| White Female | 1 | White Male | 42 |

**OWNER**

**RKM Utility Services, Inc.**

Ryan Dowdy, President

**MAP**

Attached

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional drainage, wastewater and concrete foundations for the Mockingbird Lane - Maple Avenue to Forest Park Drainage Improvements Project – Not to exceed $144,425, from $4,887,413 to 5,031,838 – Financing: Public/Private Partnership Funds ($47,000) and 2012 Bond Funds ($97,425)

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

PROJECT CATEGORY: Construction

---

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

| | Amount | Percent |
|---|---|---|
| Local contracts | $144,425.00 | 100.00% |
| Non-local contracts | $0.00 | 0.00% |
| **TOTAL THIS ACTION** | $144,425.00 | 100.00% |

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

**Local Contractors / Sub-Contractors**

None

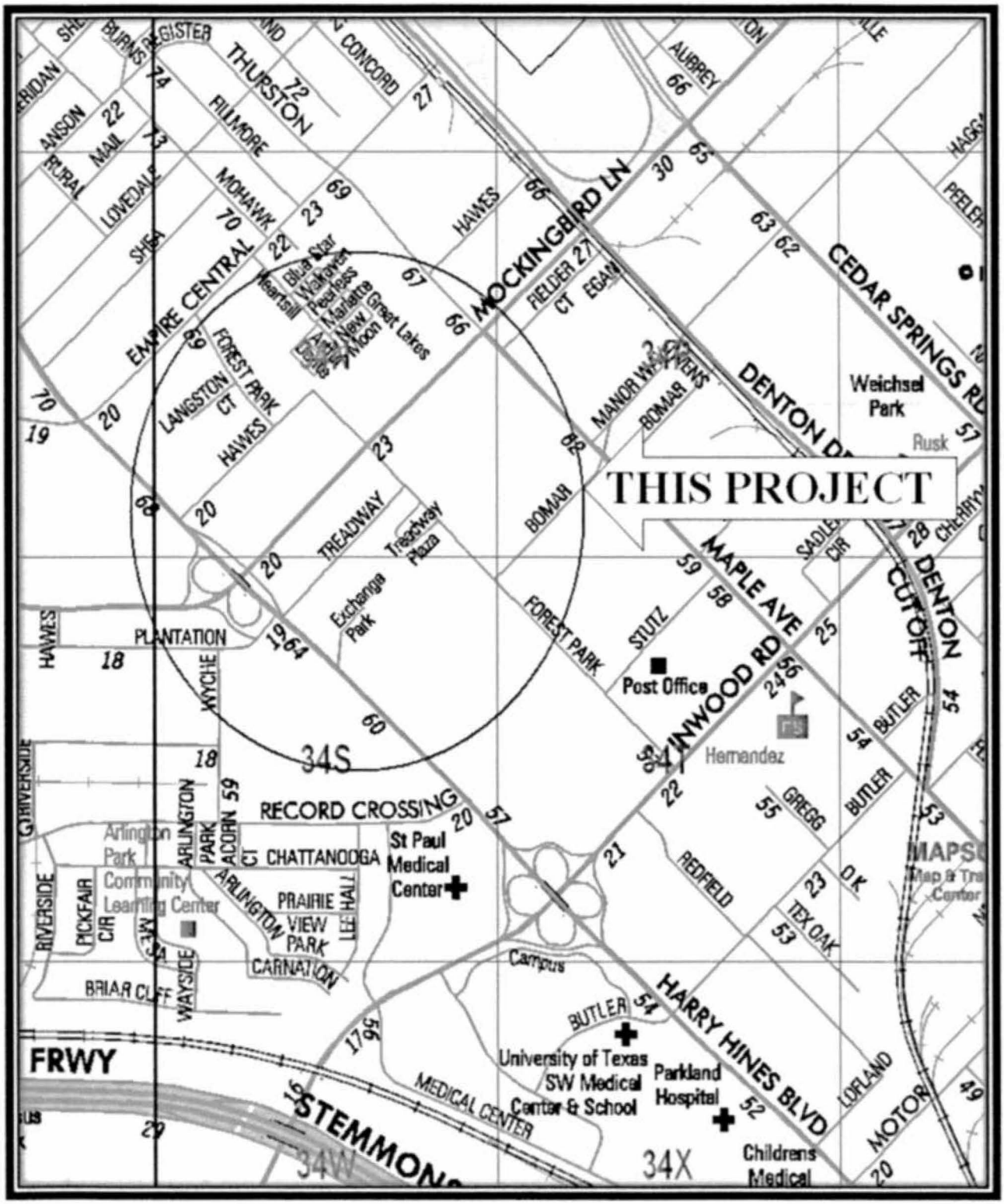
**Non-Local Contractors / Sub-Contractors**

None

**TOTAL M/WBE PARTICIPATION**

| | This Action | | Participation to Date | |
|---|---|---|---|---|
| | Amount | Percent | Amount | Percent |
| African American | $0.00 | 0.00% | $0.00 | 0.00% |
| Hispanic American | $0.00 | 0.00% | $0.00 | 0.00% |
| Asian American | $0.00 | 0.00% | $0.00 | 0.00% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $0.00 | 0.00% | $1,302,500.00 | 25.89% |
| Total | $0.00 | 0.00% | $1,302,500.00 | 25.89% |

# Mockingbird-Maple Flood Management Project




# MAPSCO 34N

September 10, 2014

**WHEREAS,** on November 28, 2007, Resolution No. 07-3528 authorized Fill Permit 07-03 for the Forest Park/Mockingbird Retail Development; and

**WHEREAS,** the private development project is anticipated to bring in approximately 250 jobs; and

**WHEREAS,** on February 13, 2013, Resolution No. 13-0321 authorized a professional services contract for engineering services with URS Corporation in an amount not to exceed $139,600.00; and

**WHEREAS,** on November 5, 2013, Administrative Action No. 13-1248 authorized an increase to the professional services contract with URS Corporation for additional services for stormwater drainage and wastewater improvements in an amount not to exceed $1,870.75, increasing the contract from $139,600.00 to $141,470.75; and

**WHEREAS,** on December 11, 2013, Resolution No. 13-2088 authorized a construction contract with RKM Utility Services, Inc. for construction services for the Mockingbird Ln from Maple Avenue to Forest Park Flood & Storm Drainage Improvements in the amount of $4,887,413.00; and

**WHEREAS,** it is now necessary to authorize Change Order No.1 to the contract with RKM Utility Services, Inc. for additional drainage, wastewater and concrete foundations for the Mockingbird Lane - Maple Avenue to Forest Park Drainage Improvements Project in an amount not to exceed $144,425.00, increasing the contract from $4,887,413.00 to $5,031,838.00.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute Change Order No. 1 to the contract with RKM Utility Services, Inc. for additional drainage, wastewater and concrete foundations for the Mockingbird Lane - Maple Avenue to Forest Park Drainage Improvements Project in an amount not to exceed $144,425.00, increasing the contact from $4,887,413.00 to $5,031,838.00.

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

| | |
|---|---|
| Public/Private Partnership | |
| Fund 0352, Dept. ECO, Unit 9953, Activity PPPF | |
| Object 4540, Program No. TW12S767, CT TWM12S767C1 | |
| Vendor No. VS0000026242, in an amount not to exceed | $ 47,000.00 |
| | |
| Flood Protection and Storm Drainage Facilities | |
| Fund 1U23, Dept. TWM, Unit S767, Activity FLDM | |
| Object 4540, Program No. TW12S767, CT TWM12S767C1 | |
| Vendor No. VS0000026242, in an amount not to exceed | $ 97,425.00 |
| | |
| Total not to exceed | $144,425.00 |

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

**AGENDA ITEM # 29**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Water Utilities

**CMO:** Forest E. Turner, 670-3390

**MAPSCO:** Various

## SUBJECT

Authorize **(1)** rejection of the single bid received for the Priority 1 & 2 Heating, Ventilation and Air Conditioning Repair and Replacement Project; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City

## BACKGROUND

This item will authorize rejection of the single bid for the Priority 1 & 2 Heating, Ventilation and Air Conditioning Repair and Replacement Project. On July 24, 2014, one bid was submitted by DMI Corp, this bid is being considered non-responsive due to their submission of an incomplete proposal.

In the best interest of the City of Dallas, Dallas Water Utilities is recommending rejection of the one bid received and the re-advertisement of the project at a later date.

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

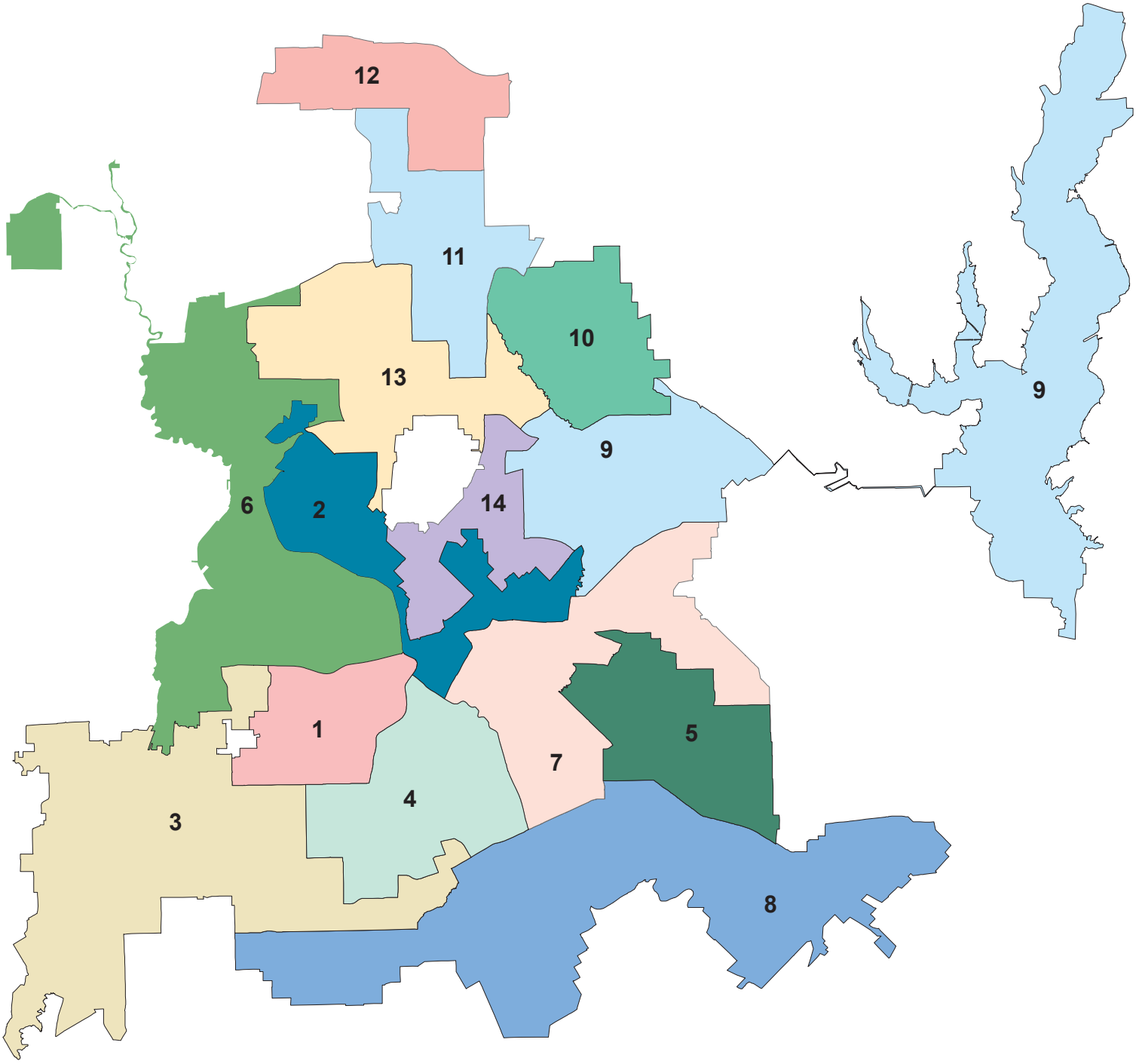
Authorized a professional services contract with Conley Group to provide architectural and engineering services to perform condition assessment of the roof and Heating, Ventilation and Air Conditioning systems at Dallas Water Utilities' 230 facilities, on June 27, 2012, by Resolution No. 12-1668.

## FISCAL INFORMATION

No cost consideration to the City.

## MAP

Attached




**Dallas Water Utilities**
**Contract No. 14-005/006**
**Priority 1 & 2 HVAC Repair and Replacement Project**

September 10, 2014

**WHEREAS,** on July 24, 2014, one bid was received for the Priority 1 & 2 Heating, Ventilation and Air Conditioning Repair and Replacement Project; and,

**WHEREAS,** the one bidder, DMI Corp, submitted an incomplete proposal; and,

**WHEREAS,** it has been determined that it is in the best interest of the City of Dallas to reject the one bid 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 # 30**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 6, Outside City Limits

**DEPARTMENT:** Water Utilities

**CMO:** Forest E. Turner, 670-3390

**MAPSCO:** 2 T 33 C G 50 A N S T

## SUBJECT

Authorize professional services contracts with three consulting firms to provide construction materials testing services for ongoing and upcoming projects at three water treatment plants - Alliance Geotechnical Group, Inc., in the amount of $150,000, Rone Engineering Services, Ltd., in the amount of $100,000, Terracon Consultants, Inc., in the amount of $100,000 - Total not to exceed $350,000 - Financing: Water Utilities Capital Construction Funds

## BACKGROUND

This action consists of construction materials testing services for construction projects at the Bachman Water Treatment Plant, the Elm Fork Water Treatment Plant and the Eastside Water Treatment Plant. Construction materials testing is required to ensure the installation meets project requirements and specifications. Testing services include soil, base and aggregate testing, in-place density and compaction testing, concrete strength and property testing, and structural steel nondestructive testing.

On February 21, 2013, the Public Works Department solicited a Request for Proposals for Professional Engineering, Surveying, and Consulting Services BDZ1318. From this list of qualified vendors a total of three firms were selected to perform the on-call construction materials testing services based on their submitted qualifications and past performance. The testing contracts will cover a period of two years and provide necessary testing services for the current and upcoming construction projects at the water treatment plants. The total value of construction contracts for which these materials testing services will be performed is more than $190,000,000.

## ESTIMATED SCHEDULE OF PROJECTS

Begin Testing November 2014
Complete Testing October 2016

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

This item has no prior action.

## FISCAL INFORMATION

$350,000.00 - Water Utilities Capital Construction Funds

| Council District | Amount |
|---|---|
| 6 | $100,000.00 |
| Outside City Limits | $250,000.00 |
| Total | $350,000.00 |

Alliance Geotechnical Group, Inc.
Contract No. 14-407E - $150,000.00

Rone Engineering Services, Ltd.
Contract No. 14-409E - $100,000.00

Terracon Consultants, Inc.
Contract No. 15-007E - $100,000.00

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

Alliance Geotechnical Group, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 2 | Hispanic Male | 8 |
| Black Female | 0 | Black Male | 8 |
| Other Female | 0 | Other Male | 2 |
| White Female | 12 | White Male | 46 |

**ETHNIC COMPOSITION** (Continued)

Rone Engineering Services, Ltd.

| | | | |
|---|---|---|---|
| Hispanic Female | 2 | Hispanic Male | 8 |
| Black Female | 2 | Black Male | 9 |
| Other Female | 0 | Other Male | 4 |
| White Female | 11 | White Male | 66 |

Terracon Consultants, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 3 | Hispanic Male | 11 |
| Black Female | 3 | Black Male | 6 |
| Other Female | 1 | Other Male | 12 |
| White Female | 19 | White Male | 64 |

**OWNERS**

**Alliance Geotechnical Group, Inc.**

Robert P. Nance, President

**Rone Engineering Services, Ltd.**

Richard Leigh, President

**Terracon Consultants, Inc.**

David R. Gaboury, President

**MAPS**

Attached

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with three consulting firms to provide construction materials testing services for ongoing and upcoming projects at three water treatment plants - Alliance Geotechnical Group, Inc., in the amount of $150,000, Rone Engineering Services, Ltd., in the amount of $100,000, Terracon Consultants, Inc., in the amount of $100,000 - Total not to exceed $350,000 - Financing: Water Utilities Capital Construction Funds

Alliance Geotechnical Group, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultant.

PROJECT CATEGORY: Architecture & Engineering

---

## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $111,510.00 | 74.34% |
| Total non-local contracts | $38,490.00 | 25.66% |
| **TOTAL CONTRACT** | $150,000.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

| Local | Certification | Amount | Percent |
|---|---|---|---|
| Alliance Geotechnical Group, Inc. | BMDB59500Y1214 | $111,510.00 | 100.00% |
| **Total Minority - Local** | | $111,510.00 | 100.00% |

### Non-Local Contractors / Sub-Contractors

| Non-local | Certification | Amount | Percent |
|---|---|---|---|
| Integrated Testing & Engineering Company of DFW | IMDB57949Y0714 | $38,490.00 | 100.00% |
| **Total Minority - Non-local** | | $38,490.00 | 100.00% |

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY



## TOTAL M/WBE CONTRACT PARTICIPATION

| | Local | Percent | Local & Non-Local | Percent |
|---|---|---|---|---|
| African American | $111,510.00 | 100.00% | $111,510.00 | 74.34% |
| Hispanic American | $0.00 | 0.00% | $0.00 | 0.00% |
| Asian American | $0.00 | 0.00% | $38,490.00 | 25.66% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $0.00 | 0.00% | $0.00 | 0.00% |
| Total | $111,510.00 | 100.00% | $150,000.00 | 100.00% |

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with three consulting firms to provide construction materials testing services for ongoing and upcoming projects at three water treatment plants - Alliance Geotechnical Group, Inc., in the amount of $150,000, Rone Engineering Services, Ltd., in the amount of $100,000, Terracon Consultants, Inc., in the amount of $100,000 - Total not to exceed $350,000 - Financing: Water Utilities Capital Construction Funds

Rone Engineering Services, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants.

PROJECT CATEGORY: Architecture & Engineering

---

## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $100,000.00 | 100.00% |
| Total non-local contracts | $0.00 | 0.00% |
| **TOTAL CONTRACT** | $100,000.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

| Local | Certification | Amount | Percent |
|---|---|---|---|
| JRB Engineering, LLC | HMDB58925Y1014 | $25,660.00 | 25.66% |
| **Total Minority - Local** | | $25,660.00 | 25.66% |

### 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 | $25,660.00 | 25.66% | $25,660.00 | 25.66% |
| 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 | $25,660.00 | 25.66% | $25,660.00 | 25.66% |

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with three consulting firms to provide construction materials testing services for ongoing and upcoming projects at three water treatment plants - Alliance Geotechnical Group, Inc., in the amount of $150,000, Rone Engineering Services, Ltd., in the amount of $100,000, Terracon Consultants, Inc., in the amount of $100,000 - Total not to exceed $350,000 - Financing: Water Utilities Capital Construction Funds

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

PROJECT CATEGORY: Architecture & Engineering

---

## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $100,000.00 | 100.00% |
| Total non-local contracts | $0.00 | 0.00% |
| **TOTAL CONTRACT** | $100,000.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

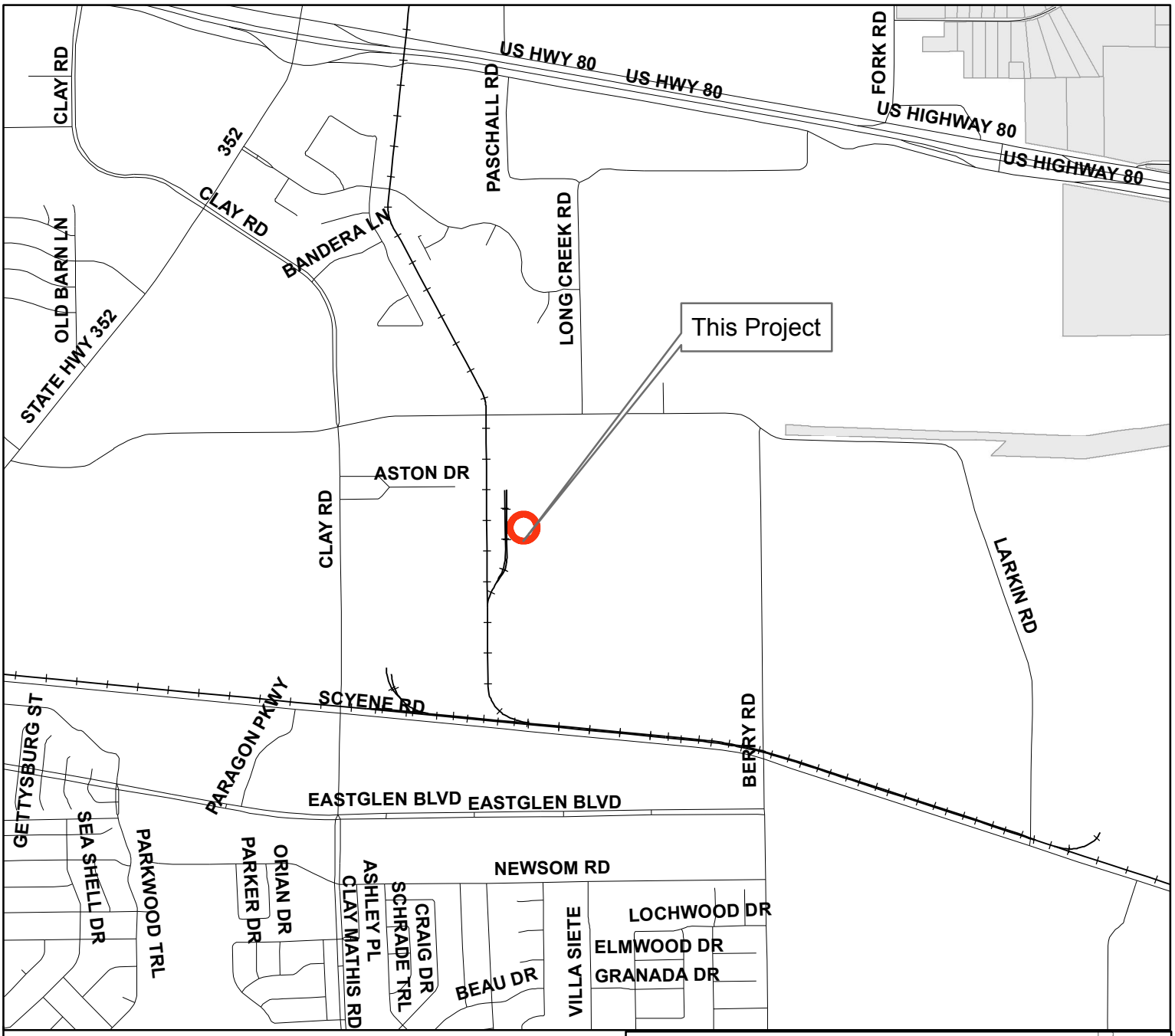
| Local | Certification | Amount | Percent |
|---|---|---|---|
| B&A Lab, Inc. dba XENCO Laboratories | HMMB59377Y1114 | $4,000.00 | 4.00% |
| Globe Engineers, Inc. | WFDB59431Y1114 | $22,000.00 | 22.00% |
| **Total Minority - Local** | | $26,000.00 | 26.00% |

### Non-Local Contractors / Sub-Contractors

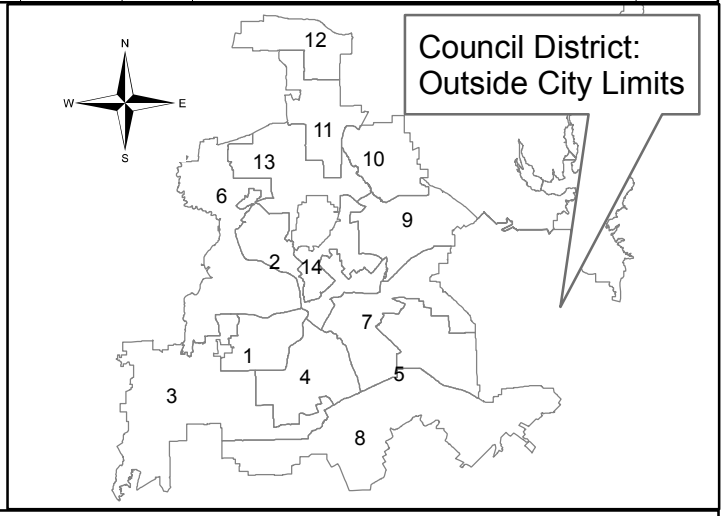
None

## TOTAL M/WBE CONTRACT PARTICIPATION

| | Local | Percent | Local & Non-Local | Percent |
|---|---|---|---|---|
| African American | $0.00 | 0.00% | $0.00 | 0.00% |
| Hispanic American | $4,000.00 | 4.00% | $4,000.00 | 4.00% |
| Asian American | $0.00 | 0.00% | $0.00 | 0.00% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $22,000.00 | 22.00% | $22,000.00 | 22.00% |
| Total | $26,000.00 | 26.00% | $26,000.00 | 26.00% |

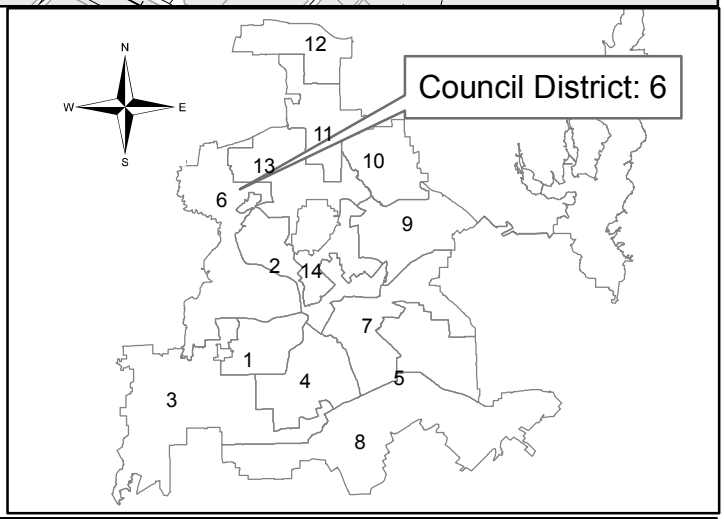



Mapsco: 50A N, S, T

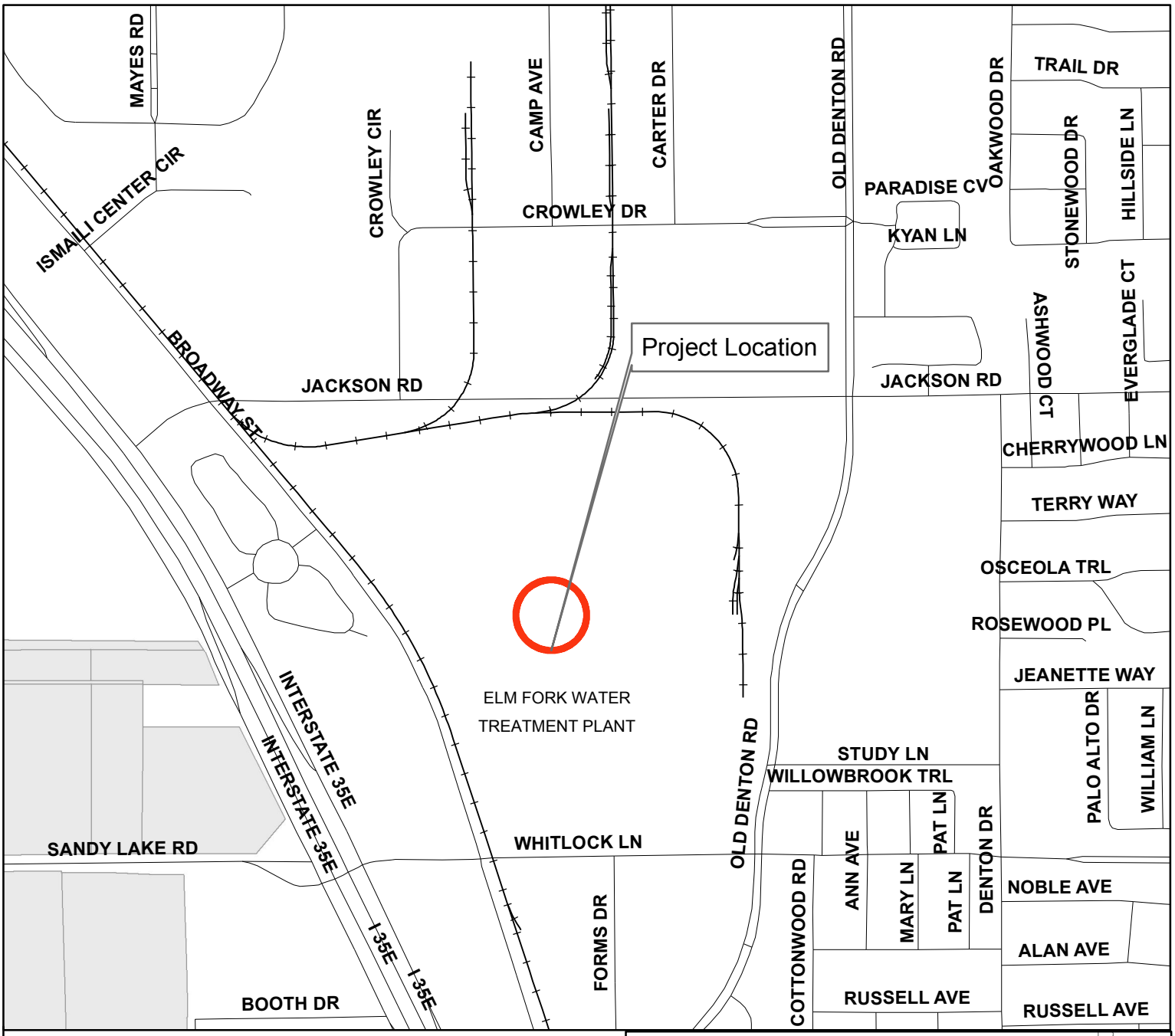



**Dallas Water Utilities**
**Contract No. 14-407E**
**Eastside Water Treatment Plant**
**Construction Materials Testing Services**

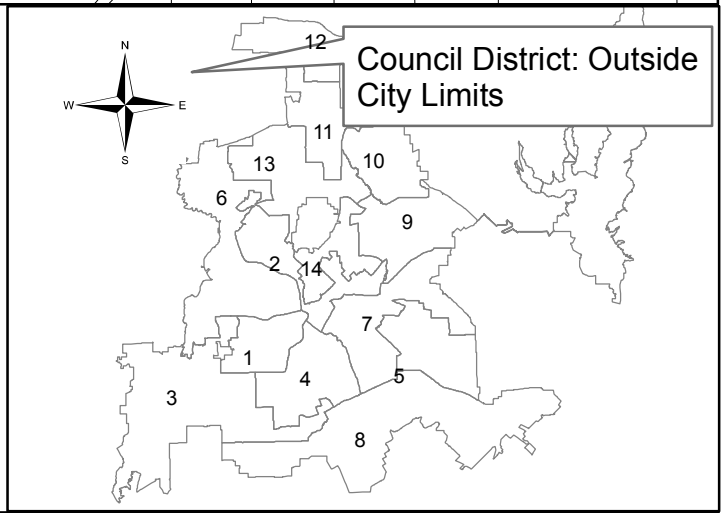
Mapsco 33 C, G




**Dallas Water Utilities**
**Contract No. 14-409E**
**Bachman Water Treatment Plant**
**Construction Materials Testing Services**




Mapsco: 2 T




Dallas Water Utilities
Contract No. 15-007E
Elm Fork Water Treatment Plant
Construction Materials Testing Services

September 10, 2014

**WHEREAS,** these projects consist of providing construction materials testing services during the construction of improvements at three water treatment plants; and,

**WHEREAS,** construction materials testing services are required by the City during construction to ensure the installation meets project requirements and specifications; and,

**WHEREAS,** three engineering firms have submitted acceptable proposals to provide these engineering services.

**Now, Therefore,**

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

**Section 1.** That the proposals submitted by three consultants in the amount of $350,000.00 be approved and the consultants be authorized to perform the required construction materials testing services.

**Section 2.** That the City Manager is hereby authorized to execute the contracts after they have been approved as to form by the City Attorney.

**Section 3.** That the City Controller is hereby authorized to pay the amount of $350,000.00 from the Water Construction Fund as follows:

**a**. Alliance Geotechnical Group, Inc., 3228 Halifax Street, Dallas, Texas 75247 to provide construction materials testing services during the construction of improvements at the Eastside Water Treatment Plant:

| FUND | DEPT | UNIT | OBJ | PRO | ENCUMBRANCE | VENDOR |
|---|---|---|---|---|---|---|
| 0102 | DWU | CW32 | 3097 | 714407 | CT-DWU714407EN | 338366 |

(Contract No. 14-407E) - $150,000.00

**b**. Rone Engineering Services, Ltd., 8908 Ambassador Row, Dallas, Texas 75247 to provide construction materials testing services during the construction of improvements at the Bachman Water Treatment Plant:

| FUND | DEPT | UNIT | OBJ | PRO | ENCUMBRANCE | VENDOR |
|---|---|---|---|---|---|---|
| 0102 | DWU | CW30 | 3097 | 714409 | CT-DWU714409EN | 089164 |

(Contract No. 14-409E) - $100,000.00

**c.** Terracon Consultants, Inc., 8901 Carpenter Freeway, Suite 100, Dallas, Texas 75247 to provide construction materials testing services during the construction of improvements at the Elm Fork Water Treatment Plant:

| FUND | DEPT | UNIT | OBJ | PRO | ENCUMBRANCE | VENDOR |
|---|---|---|---|---|---|---|
| 0102 | DWU | CW31 | 3097 | 715007X | CT-DWU715007EN | 341409 |

(Contract No. 15-007E) - $100,000.00

**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 # 31**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 5, 7, 13, 14

**DEPARTMENT:** Water Utilities

**CMO:** Forest E. Turner, 670-3390

**MAPSCO:** Various

## SUBJECT

Authorize a professional services contract with HDR Engineering, Inc. to provide engineering services for corrosion prevention design for three priority water transmission pipeline locations - Not to exceed $1,644,038 - Financing: Water Utilities Capital Improvement Funds

## BACKGROUND

This action consists of engineering services required for the study, design, and construction services for developing cathodic protection systems for large-diameter water mains at three locations.

Since 2003, Dallas Water Utilities has been proactive with its corrosion prevention program by systematically inspecting and evaluating its large-diameter concrete cylinder pipelines to reduce the risk of catastrophic failure to its critical water transmission mains. All concrete water mains are susceptible to galvanic corrosion, which require very specialized engineering to mitigate and prevent corrosion.

This action includes an extensive evaluation of the pipelines' operating history, monitoring of corrosion testing stations, performing electrical and chemical tests on the pipes and surrounding soil, testing soil and groundwater samples, performing physical pipe inspections, and preparing a report with life cycle cost estimates of alternative corrosion protection system strategies. If required, the consultant will provide design of a cathodic protection system and provide services during the bid process, submittal document reviews, construction inspection, technical support, and training for operating the system(s).

This proactive approach will reduce service interruptions to customers, reduce the risk of catastrophic failure to the pipelines, and extend the service life of the City's water transmission main assets.

## ESTIMATED SCHEDULE OF PROJECT

Begin Design October 2014
Complete Design April 2016

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

This item has no prior action.

## FISCAL INFORMATION

$1,644,038.00 - Water Utilities Capital Improvement Funds

| Council District | Amount |
|---|---|
| 5 | $ 158,017.00 |
| 7 | $ 822,500.00 |
| 13 | $ 409,431.00 |
| 14 | $ 254,090.00 |
| Total | $1,644,038.00 |

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

HDR Engineering, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 9 | Hispanic Male | 15 |
| Black Female | 4 | Black Male | 4 |
| Other Female | 3 | Other Male | 15 |
| White Female | 60 | White Male | 145 |

## OWNER

**HDR Engineering, Inc.**

George A. Little, Chairman and Chief Executive Officer

## MAPS

Attached

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with HDR Engineering, Inc. to provide engineering services for corrosion prevention design for three priority water transmission pipeline locations - Not to exceed $1,644,038 - Financing: Water Utilities Capital Improvement Funds

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

PROJECT CATEGORY: Architecture & Engineering

---

## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $1,644,038.00 | 100.00% |
| Total non-local contracts | $0.00 | 0.00% |
| **TOTAL CONTRACT** | $1,644,038.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

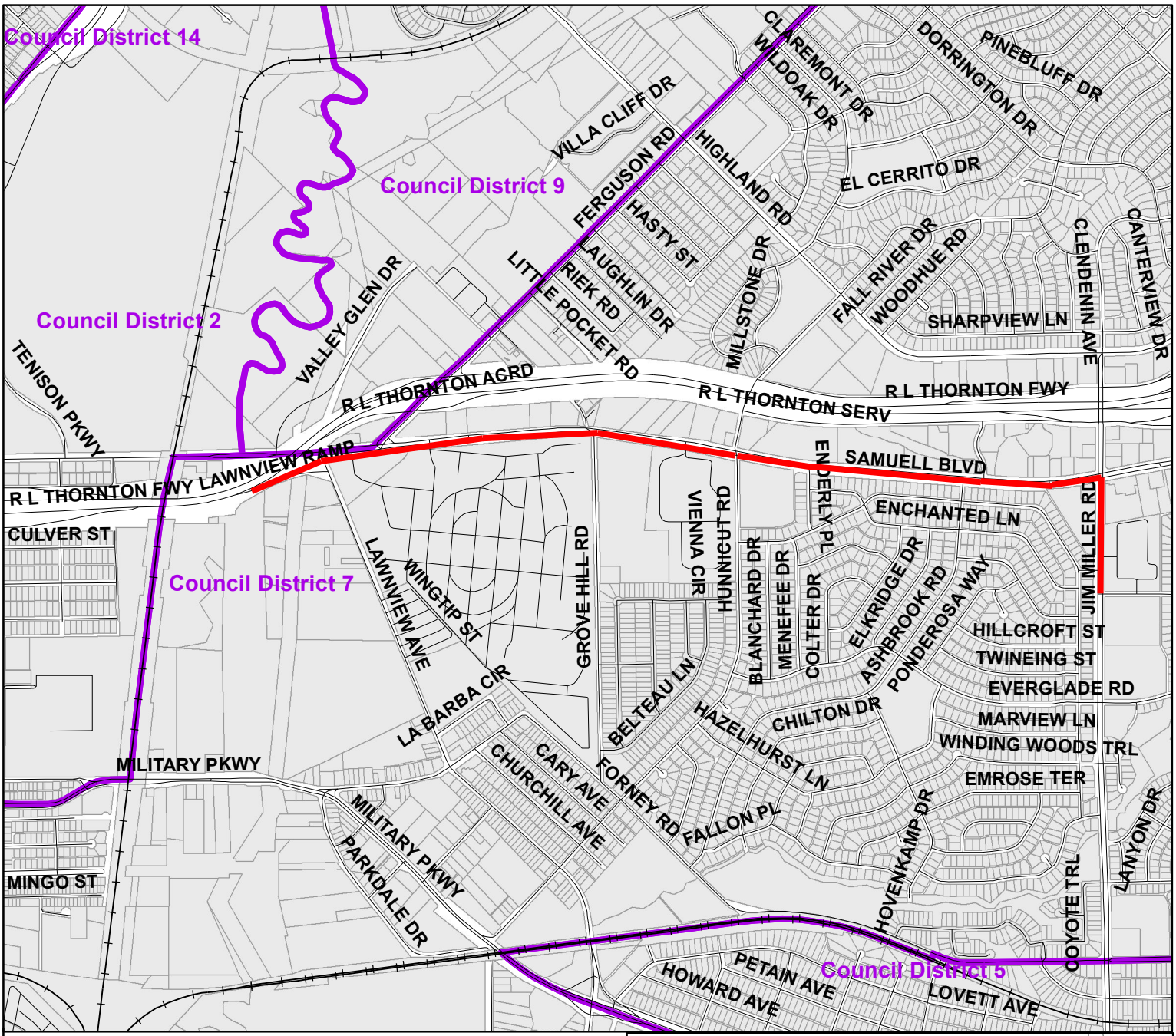
| Local | Certification | Amount | Percent |
|---|---|---|---|
| Arredondo, Zepeta & Brunz, LLC | HMDB62209Y0615 | $253,715.00 | 15.43% |
| Dal-Tech Engineering, Inc. | WFWB59510Y1214 | $150,012.00 | 9.12% |
| Word Wizards | WFDB61493Y0415 | $20,490.00 | 1.25% |
| **Total Minority - Local** | | $424,217.00 | 25.80% |

### Non-Local Contractors / Sub-Contractors

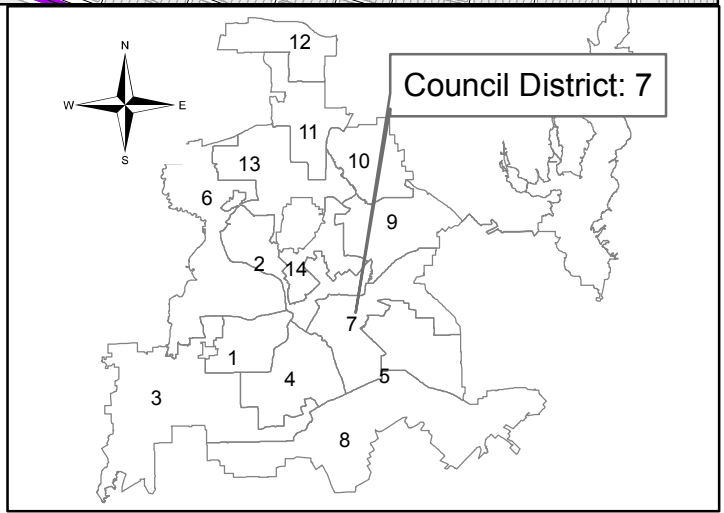
None

## TOTAL M/WBE CONTRACT PARTICIPATION

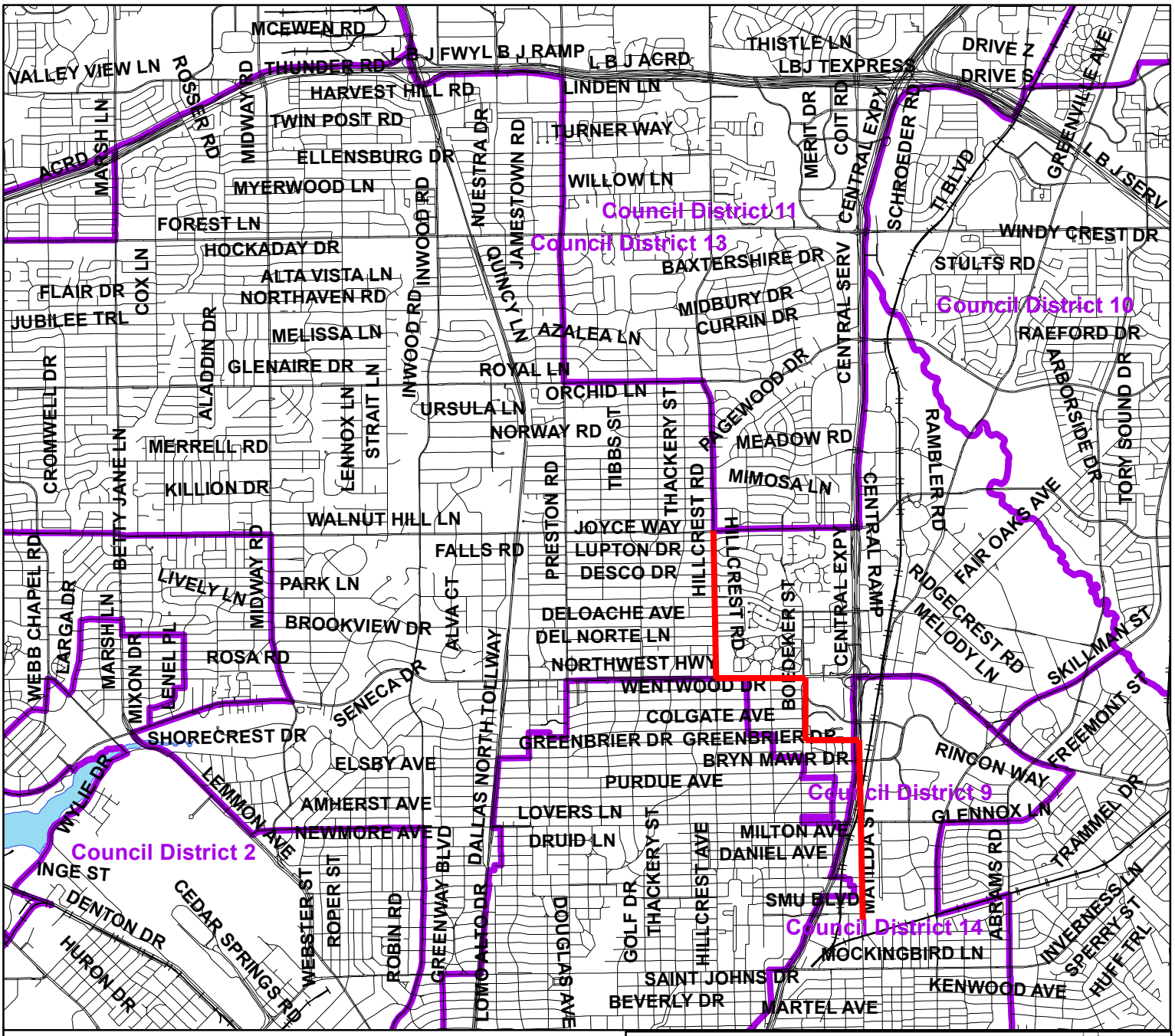
| | Local | Percent | Local & Non-Local | Percent |
|---|---|---|---|---|
| African American | $0.00 | 0.00% | $0.00 | 0.00% |
| Hispanic American | $253,715.00 | 15.43% | $253,715.00 | 15.43% |
| Asian American | $0.00 | 0.00% | $0.00 | 0.00% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $170,502.00 | 10.37% | $170,502.00 | 10.37% |
| Total | $424,217.00 | 25.80% | $424,217.00 | 25.80% |



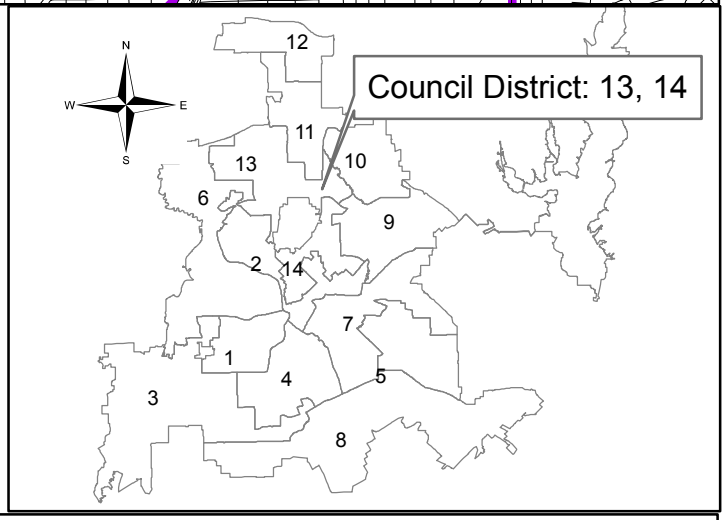

Mapsco: Various



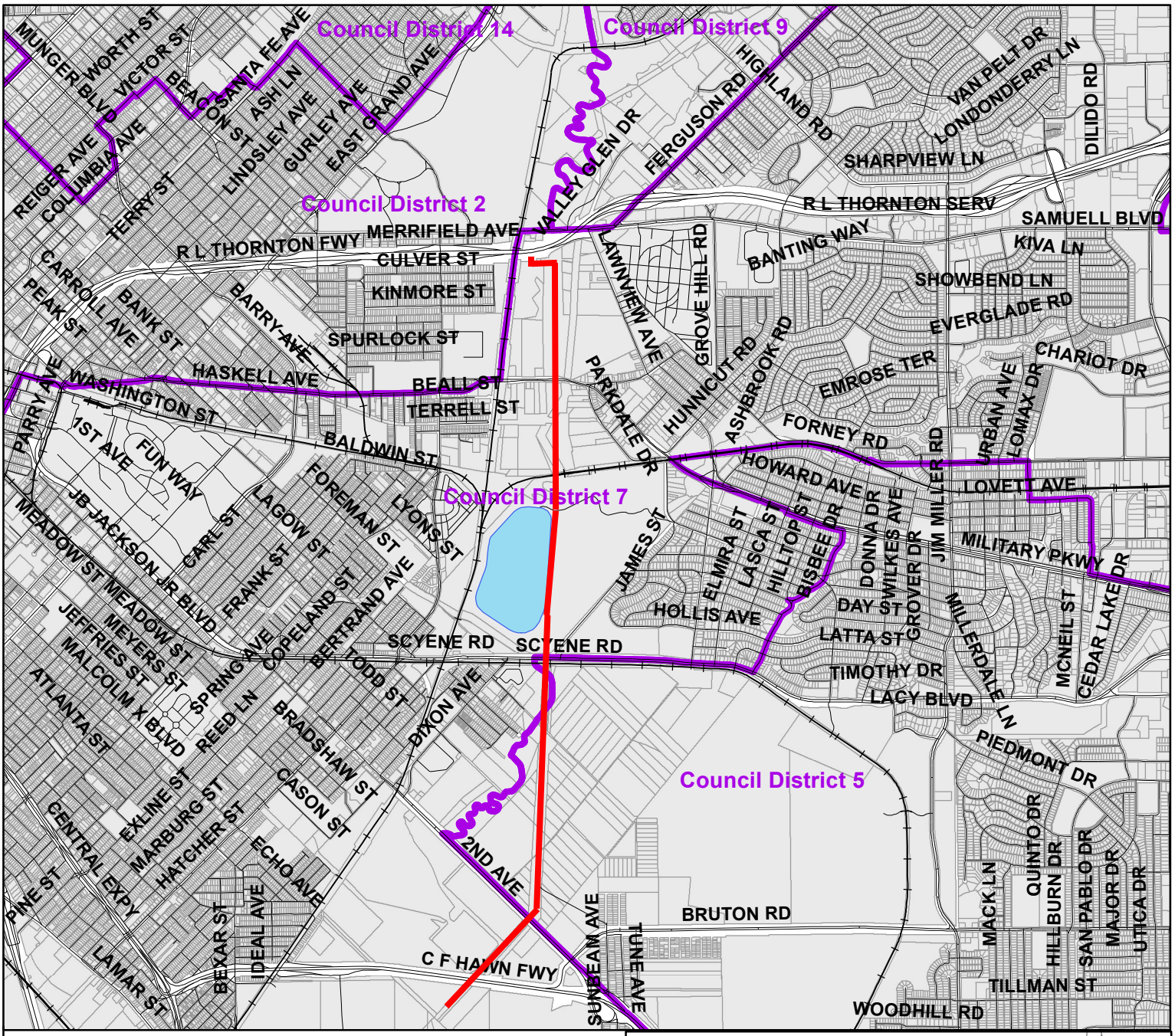

**Dallas Water Utilities**
**Contract No. 14-155E**
**Corrosion Prevention Studies and Design Improvements**



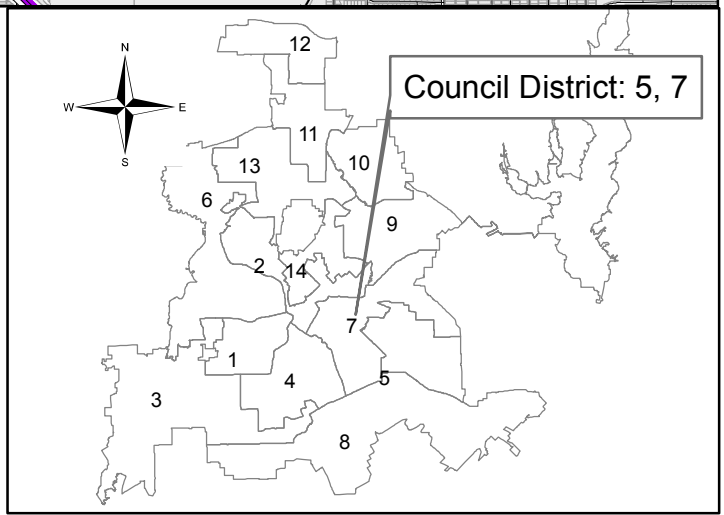

Mapsco: Various




**Dallas Water Utilities**
**Contract No. 14-155E**
**Corrosion Prevention Studies and Design Improvements**




Mapsco: Various




**Dallas Water Utilities**
**Contract No. 14-155E**
**Corrosion Prevention Studies and Design Improvements**

September 10, 2014

**WHEREAS,** aging concrete cylinder water mains are susceptible to corrosion resulting in reduced service levels, extensive maintenance, and/or premature replacement; and,

**WHEREAS,** this project consists of the investigation, study, design, and construction services necessary to implement corrosion prevention systems along ten miles of concrete cylinder water mains; and,

**WHEREAS,** HDR Engineering, Inc., 17111 Preston Road, Suite 200, Dallas, Texas 75248, has submitted an acceptable proposal to provide these engineering services.

**Now, Therefore,**

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

**Section 1.** That the proposal submitted by HDR Engineering, Inc. in the amount of $1,644,038.00 be approved and the consultant be authorized to perform the required engineering services.

**Section 2.** That the City Manager is hereby authorized to enter into a contract with HDR Engineering, Inc., to provide engineering services for corrosion prevention design for three priority water transmission pipeline locations, after having approval of the contract documents by the City Attorney.

**Section 3.** That the City Controller is hereby authorized to pay the amount of $1,644,038.00 from the Water Capital Improvement Fund as follows:

| FUND | DEPT | UNIT | OBJ | PRO | ENCUMBRANCE | VENDOR |
|---|---|---|---|---|---|---|
| 1170 | DWU | PW40 | 4111 | 714155 | CT-DWU714155CP | 181219 |

HDR Engineering, Inc. - (Contract No. 14-155E) - $1,644,038.00

**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 # 32**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 4, 8

**DEPARTMENT:** Water Utilities

**CMO:** Forest E. Turner, 670-3390

**MAPSCO:** 56 J 66 H

## SUBJECT

Authorize a contract for construction modifications to the Central Wastewater Treatment Plant White Rock Primary Clarifiers 1 - 6 and the wastewater collection system Five Mile Junction Structure - Archer Western Construction, LLC, lowest responsible bidder of four - Not to exceed $18,316,000 - Financing: Water Utilities Capital Improvement Funds

## BACKGROUND

This action will authorize the construction improvements to rehabilitate the existing White Rock Primary Clarifiers 1-6 at the Central Wastewater Treatment Plant. These clarifiers were constructed in the early 1960s and have experienced severe structural and mechanical deterioration due to the harsh environment at the plant. By repairing the structural components and updating the mechanical components with newer technology, the City will be able to defer the significant cost of building new clarifiers to maintain treatment capacity.

This action also includes authorization of construction improvements to the Five Mile Junction Structure located within the City's wastewater collection system. This structure was built in 1975 and is a key diversion structure for controlling wastewater flows between the Central Wastewater Treatment Plant and the Southside Wastewater Treatment Plant. Due to the harsh environment in which the structure operates, severe corrosion has lead to exposed rebar and aggregate throughout. These structural modifications will extend the service life of the facility and reduce the potential for structural collapse, which would result in sanitary sewer overflows.

**BACKGROUND** (Continued)

Archer Western Construction, LLC contractual activities in the past three years:

| | PBW | DWU | PKR |
|---|---|---|---|
| Projects Authorized | 0 | 6 | 0 |
| Change Orders | 0 | 0 | 1 |
| Projects Requiring Liquidated Damages | 0 | 0 | 0 |
| Projects Completed by Bonding Company | 0 | 10 | 0 |

**ESTIMATED SCHEDULE OF PROJECT**

| | |
|---|---|
| Began Design | March 2012 |
| Completed Design | May 2014 |
| Begin Construction | November 2014 |
| Complete Construction | November 2016 |

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

Authorized a professional services contract with Jacobs Engineering Group Inc. to provide engineering services for the rehabilitation of the Central Wastewater Treatment Plant White Rock Primary Clarifiers 1 - 6 and the wastewater collection system Five Mile Junction Structure on January 25, 2012, by Resolution No. 12-0304.

**FISCAL INFORMATION**

$18,316,000.00 - Water Utilities Capital Improvement Funds

| | |
|---|---|
| Design | $ 2,710,285.70 |
| Construction (this action) | $18,316,000.00 |
| Total Project Cost | $21,026,285.70 |

| Council District | Amount |
|---|---|
| 4 | $ 1,510,000.00 |
| 8 | $16,806,000.00 |
| Total | $18,316,000.00 |

**M/WBE INFORMATION**

See attached.

## ETHNIC COMPOSITION

Archer Western Construction, LLC

| | | | |
|---|---|---|---|
| Hispanic Female | 9 | Hispanic Male | 183 |
| Black Female | 5 | Black Male | 28 |
| Other Female | 0 | Other Male | 18 |
| White Female | 16 | White Male | 194 |

## BID INFORMATION

The following bids with quotes were opened on July 17, 2014:

*Denotes successful bidder

| Bidders | Bid Amount |
|---|---|
| *Archer Western Construction, LLC<br>1411 Greenway Drive<br>Irving, Texas 75038 | $18,316,000.00 |
| Pepper-Lawson Waterworks, LLC | $19,981,000.00 |
| Webber, LLC-Cadagua US LLC JV | $20,570,000.00 |
| Overland Contracting Inc. | $24,415,715.00 |

## OWNER

**Archer Western Construction, LLC**

Daniel P. Walsh, President

## MAP

Attached

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for construction modifications to the Central Wastewater Treatment Plant White Rock Primary Clarifiers 1 - 6 and the wastewater collection system Five Mile Junction Structure - Archer Western Construction, LLC, lowest responsible bidder of four - Not to exceed $18,316,000 - Financing: Water Utilities Capital Improvement Funds

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

PROJECT CATEGORY: Construction

---

## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $14,903,626.00 | 81.37% |
| Total non-local contracts | $3,412,374.00 | 18.63% |
| **TOTAL CONTRACT** | $18,316,000.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

| Local | Certification | Amount | Percent |
|---|---|---|---|
| Clemons Trucking Company | BFDB59087Y1014 | $27,952.00 | 0.19% |
| Odessa Pumps & Equipment, Inc. | HFSMS013680615 | $74,838.33 | 0.50% |
| Soto's Steel Inc. | HMDFW101561214 | $86,411.00 | 0.58% |
| Father & Son's Masonry & Stucco, Inc. | HMMB60306N0215 | $82,900.00 | 0.56% |
| Garland Heating & Air Conditioning Co. Inc. | HMMB60045Y0215 | $15,490.00 | 0.10% |
| The James C. Paris Company, Inc. | NMDB60761Y0315 | $2,171,752.50 | 14.57% |
| The James C. Paris Company, Inc. | NMDB60761Y0315 | $1,343,300.00 | 9.01% |
| **Total Minority - Local** | | $3,802,643.83 | 25.51% |

### Non-Local Contractors / Sub-Contractors

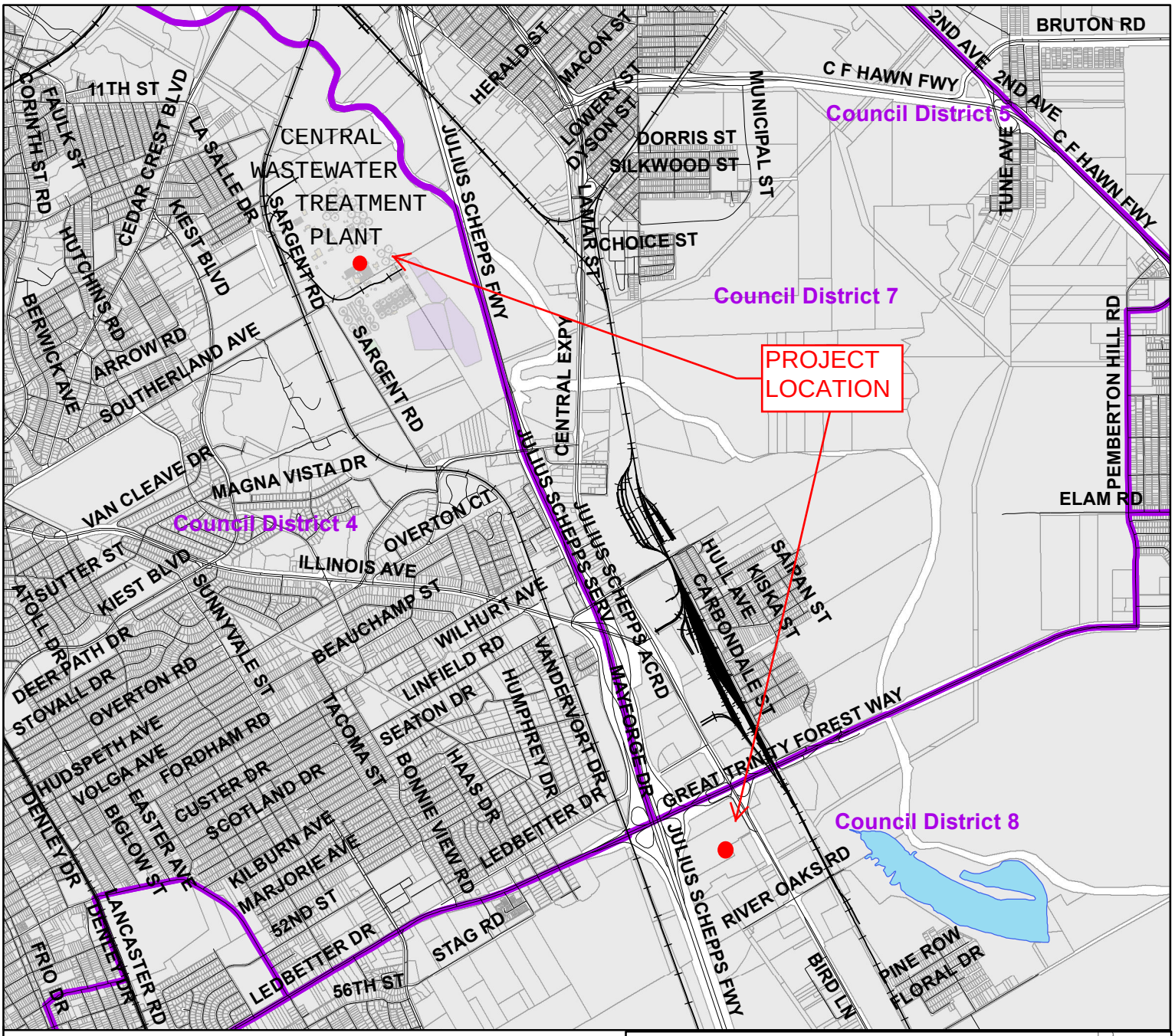
| Non-local | Certification | Amount | Percent |
|---|---|---|---|
| JML Distribution, LLC | WFDB59924Y0155 | $590,000.00 | 17.29% |
| J.D. & Bodine, Inc. | WFWB62141N0616 | $305,285.00 | 8.95% |
| **Total Minority - Non-local** | | $895,285.00 | 26.24% |

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

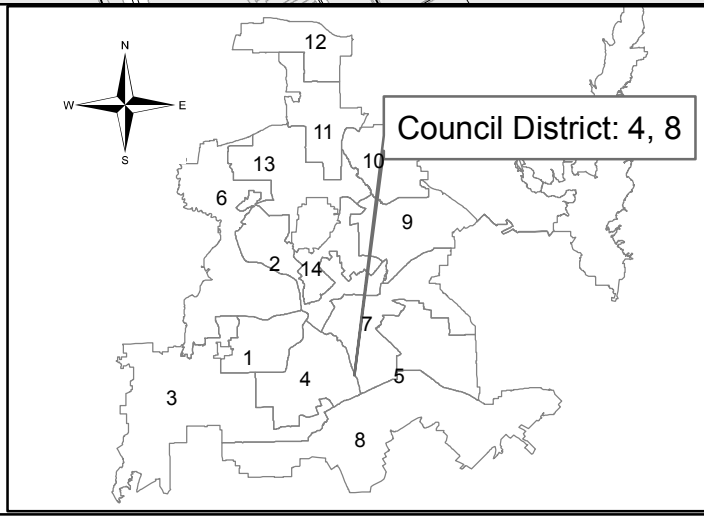


## TOTAL M/WBE CONTRACT PARTICIPATION

| | Local | Percent | Local & Non-Local | Percent |
|---|---|---|---|---|
| African American | $27,952.00 | 0.19% | $27,952.00 | 0.15% |
| Hispanic American | $259,639.33 | 1.74% | $259,639.33 | 1.42% |
| Asian American | $0.00 | 0.00% | $0.00 | 0.00% |
| Native American | $3,515,052.50 | 23.59% | $3,515,052.50 | 19.19% |
| WBE | $0.00 | 0.00% | $895,285.00 | 4.89% |
| Total | $3,802,643.83 | 25.51% | $4,697,928.83 | 25.65% |




Mapsco: 56 J, 66 H




**Dallas Water Utilities**
**Contract No. 13-202**
**Central Wastewater Treatment Plant White Rock Primary Clarifiers 1-6 and Five Mile Junction Structure Modifications**

September 10, 2014

**WHEREAS,** bids were received on July 17, 2014 for construction modifications to the Central Wastewater Treatment Plant White Rock Primary Clarifiers 1 - 6 and the wastewater collection system Five Mile Junction Structure, Contract No. 13-202, listed as follows:

| **BIDDERS** | **BID AMOUNT** |
|---|---|
| Archer Western Construction, LLC | $18,316,000.00 |
| Pepper-Lawson Waterworks, LLC | $19,981,000.00 |
| Webber, LLC-Cadagua US LLC JV | $20,570,000.00 |
| Overland Contracting Inc. | $24,415,715.00 |

**WHEREAS,** the bid submitted by Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, in the amount of $18,316,000.00, is the lowest and best of all bids received.

**Now, Therefore,**

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

**Section 1.** That the bid submitted by Archer Western Construction, LLC, in the amount of $18,316,000.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 13-202, be accepted.

**Section 2.** That the City Manager is hereby authorized to execute a contract with Archer Western Construction, LLC, for construction modifications to the Central Wastewater Treatment Plant White Rock Primary Clarifiers 1 - 6 and the wastewater collection system Five Mile Junction Structure, after having approval of the contract documents by the City Attorney.

**Section 3.** That the City Controller is hereby authorized to pay the amount of $18,316,000.00 from the Wastewater Capital Improvement Fund as follows:

| FUND | DEPT | UNIT | OBJ | PRO | ENCUMBRANCE | VENDOR |
|---|---|---|---|---|---|---|
| 2116 | DWU | PS30 | 4330 | 713202 | CT-DWU713202CP | VS0000064407 |

Archer Western Construction, LLC - (Contract No. 13-202) - $18,316,000.00

**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 # 33**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** Outside City Limits

**DEPARTMENT:** Water Utilities

**CMO:** Forest E. Turner, 670-3390

**MAPSCO:** 50A N S T

## SUBJECT

Authorize a contract for the construction of flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of eight - Not to exceed $79,259,374 - Financing: Water Utilities Capital Improvement Funds

## BACKGROUND

The Eastside Water Treatment Plant flocculation and sedimentation basin improvements include modifications to Stages I, II and III flocculation and sedimentation basins as part of the transition to the new treatment strategy recommended in the Water Quality Study final report. In addition, the improvements will address structural foundation problems associated with the current installation and implement changes to bring the basins in compliance with current Texas Commission on Environmental Quality (TCEQ) regulations. The modifications include demolition of the basin floors and installation of a pier supported structural foundation for the new basin floor and walls. The flocculation area will be extended to increase flocculation time to meet TCEQ regulations and improve operation as demonstrated by pilot studies conducted on previous contracts. Other hydraulic, electrical, instrumentation, site work, and plant and yard piping modifications are required to accommodate the new process. These changes are necessary to meet the TCEQ design requirements for flocculation time and surface overflow rate. In addition, these modifications are part of the implementation of the enhanced organic removal strategy, which will help stabilize Dallas' water with the long-term goal to reduce corrosion in the distribution system.

**BACKGROUND** (Continued)

The Eastside Water Treatment Plant was originally constructed in the 1960s and expanded to 440 million gallons per day (MGD) capacity in three stages. In 2005, a series of related construction projects increased the treatment capacity to 540 MGD as recommended by the 2000 Long Range Water Supply Plan. Additional filter capacity will be added in the future to complete the expansion when an additional transmission pipeline is completed from Eastside to the southwest area of Dallas. Currently the Eastside Water Treatment Plant supplies approximately half of the treated water delivered to the City of Dallas customers and customer cities. This project is the second of up to four planned projects needed to implement the improvements recommended in the 2006 Water Quality Study. These water quality projects are intended to stabilize the water and provide improved operational controls to meet the regulations while treating water from three different source water lakes.

Oscar Renda Contracting, Inc. contractual activities in the past three years:

| | PBW | DWU | PKR |
|---|---|---|---|
| Projects Authorized | 0 | 1 | 0 |
| Change Orders | 0 | 2 | 0 |
| Projects Requiring Liquidated Damages | 0 | 0 | 0 |
| Projects Completed by Bonding Company | 0 | 0 | 0 |

**ESTIMATED SCHEDULE OF PROJECT**

| | |
|---|---|
| Began Design | November 2012 |
| Completed Design | May 2014 |
| Begin Construction | November 2014 |
| Complete Construction | July 2019 |

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

Authorized a professional services contract with Black & Veatch Corporation to provide engineering services for the Eastside Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1639.

Authorized Supplemental Agreement No. 1 to the professional services contract with Black & Veatch Corporation for additional engineering design services for the Eastside Water Treatment Plant water quality improvements on June 22, 2011, by Resolution No. 11-1737.

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

Authorized Supplemental Agreement No. 2 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant on October 24, 2012, by Resolution No. 12-2673.

## FISCAL INFORMATION

$79,259,374.00 - Water Utilities Capital Improvement Funds

| | |
|---|---|
| Design | $ 2,047,315.00 |
| Supplemental Agreement No. 1 | $ 3,995,000.00 |
| Supplemental Agreement No. 2 | $ 4,175,570.00 |
| Construction (this action) | $79,259,374.00 |
| Total Project Cost | $89,477,259.00 |

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

Oscar Renda Contracting, Inc.

| | | | |
|---|---|---|---|
| Hispanic Female | 6 | Hispanic Male | 218 |
| Black Female | 1 | Black Male | 2 |
| Other Female | 0 | Other Male | 1 |
| White Female | 11 | White Male | 70 |

**BID INFORMATION**

The following bids with quotes were opened on June 26, 2014:

*Denotes successful bidder

| Bidders | Bid Amount |
|---|---|
| *Oscar Renda Contracting, Inc.<br>608 Henrietta Creek Road<br>Roanoke, Texas 76262 | $79,259,374.00 |
| BAR Constructors, Inc. | $79,710,629.00 |
| PCEO, Inc. | $79,995,000.00 |
| Archer Western Construction, LLC | $81,972,000.00 |
| PCL Construction, Inc. | $86,175,257.00 |
| Webber, LLC | $86,415,370.00 |
| Balfour Beatty Infrastructure, Inc. | $89,900,000.00 |
| MWH Constructors, Inc. | $90,312,000.00 |

**OWNER**

**Oscar Renda Contracting, Inc.**

Oscar Renda, President

**MAP**

Attached

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant - Oscar Renda Contracting, Inc., lowest responsible bidder of eight - Not to exceed $79,259,374 - Financing: Water Utilities Capital Improvement Funds

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

---

## LOCAL/NON-LOCAL CONTRACT SUMMARY

| | Amount | Percent |
|---|---|---|
| Total local contracts | $20,201,000.00 | 25.49% |
| Total non-local contracts | $59,058,374.00 | 74.51% |
| **TOTAL CONTRACT** | $79,259,374.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

| Local | Certification | Amount | Percent |
|---|---|---|---|
| Romero Steel | HMMB58355N0814 | $12,500,000.00 | 61.88% |
| Bluebonnet Waste Control, Inc. | HMMB59341N1114 | $15,000.00 | 0.07% |
| JML Distribution, LLC | WFDB59924Y0115 | $2,700,000.00 | 13.37% |
| Ram Tool & Supply Company, Inc. | WFWB61372N0416 | $1,600,000.00 | 7.92% |
| **Total Minority - Local** | | $16,815,000.00 | 83.24% |

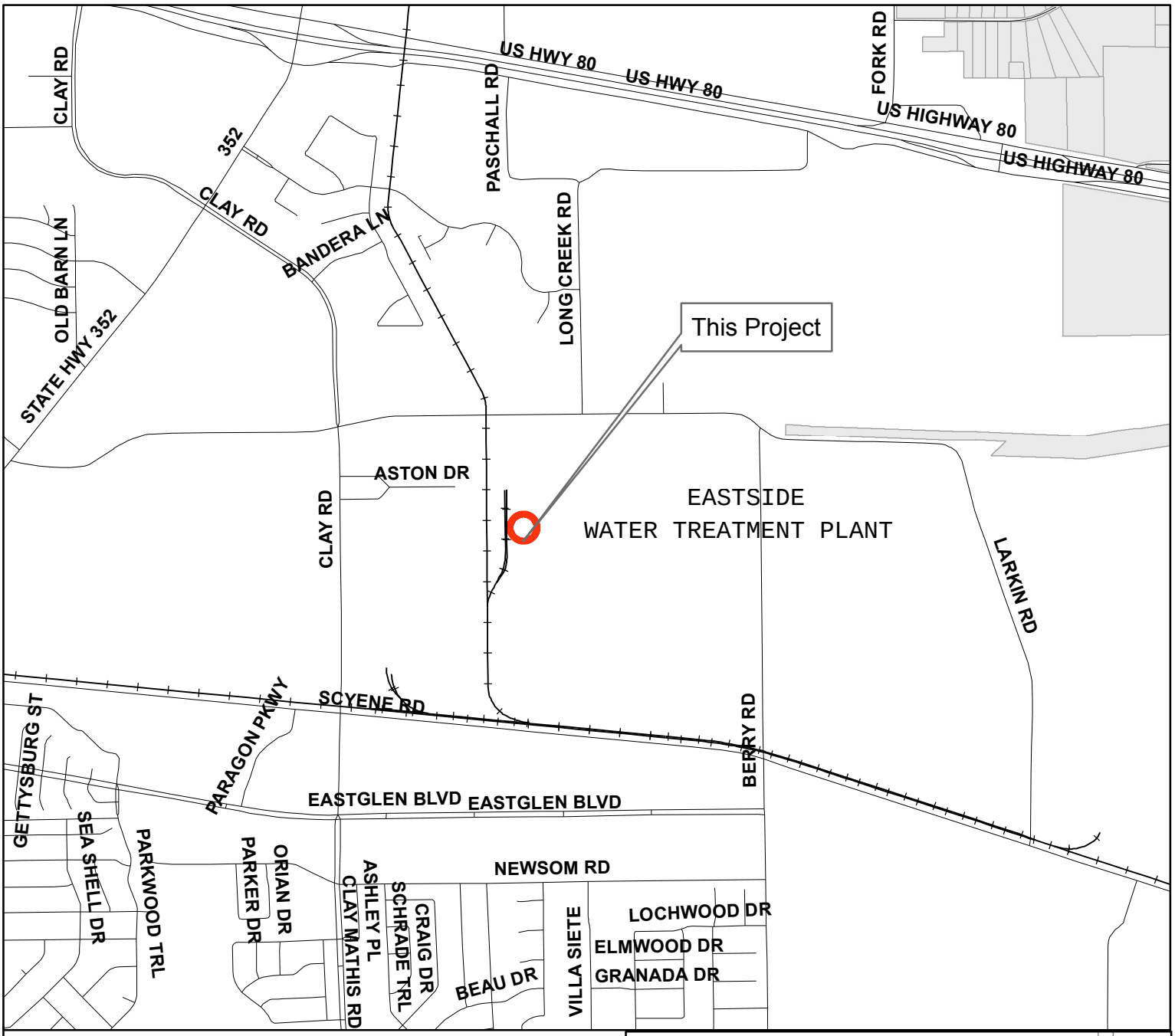
### Non-Local Contractors / Sub-Contractors

| Non-local | Certification | Amount | Percent |
|---|---|---|---|
| Partnering For Success, Inc. | HFMB61772Y0516 | $10,000.00 | 0.02% |
| Luis Moreno Trucking | HMDB58835Y0914 | $690,000.00 | 1.17% |
| Ricochet Fuel Distributors, Inc. | WFWB59997Y0115 | $1,550,000.00 | 2.62% |
| LKT & Associates, LLC | WFDB58958Y1014 | $1,000,000.00 | 1.69% |
| Brock Environmental Services, LLC | WFWB61711Y0516 | $15,000.00 | 0.03% |
| A.N.A. Consultants, LLC | WFDB62067Y0615 | $10,000.00 | 0.02% |
| **Total Minority - Non-local** | | $3,275,000.00 | 5.55% |

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY


## TOTAL M/WBE CONTRACT PARTICIPATION

| | Local | Percent | Local & Non-Local | Percent |
|---|---|---|---|---|
| African American | $0.00 | 0.00% | $0.00 | 0.00% |
| Hispanic American | $12,515,000.00 | 61.95% | $13,215,000.00 | 16.67% |
| Asian American | $0.00 | 0.00% | $0.00 | 0.00% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $4,300,000.00 | 21.29% | $6,875,000.00 | 8.67% |
| Total | $16,815,000.00 | 83.24% | $20,090,000.00 | 25.35% |

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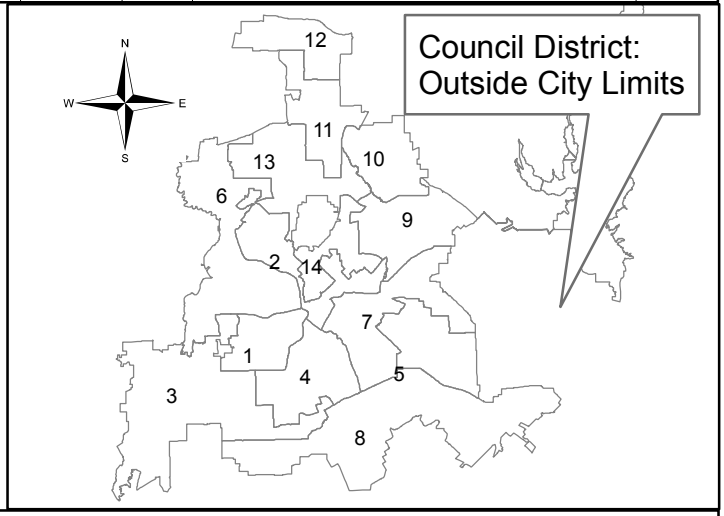


**Dallas Water Utilities**
**Contract No. 14-305**
**Eastside Water Treatment Plant**
**Flocculation and Sedimentation Basin Improvements**

September 10, 2014

**WHEREAS,** bids were received on June 26, 2014 for the construction of flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant, Contract No. 14-305, listed as follows:

| **BIDDERS** | **BID AMOUNT** |
|---|---|
| Oscar Renda Contracting, Inc. | $79,259,374.00 |
| BAR Constructors, Inc. | $79,710,629.00 |
| PCEO, Inc. | $79,995,000.00 |
| Archer Western Construction, LLC | $81,972,000.00 |
| PCL Construction, Inc. | $86,175,257.00 |
| Webber, LLC | $86,415,370.00 |
| Balfour Beatty Infrastructure, Inc. | $89,900,000.00 |
| MWH Constructors, Inc. | $90,312,000.00 |

**WHEREAS,** the bid submitted by Oscar Renda Contracting, Inc., 608 Henrietta Creek Road, Roanoke, Texas 76262, in the amount of $79,259,374.00, is the lowest and best of all bids received.

**Now, Therefore,**

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

**Section 1.** That the bid submitted by Oscar Renda Contracting, Inc., in the amount of $79,259,374.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 14-305, be accepted.

**Section 2.** That the City Manager is hereby authorized to execute a contract with Oscar Renda Contracting, Inc., for the construction of flocculation and sedimentation basin improvements at the Eastside Water Treatment Plant, after having approval of the contract documents by the City Attorney.

**Section 3.** That the City Controller is hereby authorized to pay the amount of $79,259,374.00 from the Water Capital Improvement Fund as follows:

| FUND | DEPT | UNIT | OBJ | PRO | ENCUMBRANCE | VENDOR |
|---|---|---|---|---|---|---|
| 2115 | DWU | PW32 | 4320 | 714305 | CT-DWU714305CP | 244607 |

Oscar Renda Contracting, Inc. - (Contract No. 14-305) - $79,259,374.00

**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 # 34**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** Outside City Limits

**DEPARTMENT:** Water Utilities

**CMO:** Forest E. Turner, 670-3390

**MAPSCO:** 50A N S T

## SUBJECT

Authorize Supplemental Agreement No. 3 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant - Not to exceed $6,284,000, from $10,217,885 to $16,501,885 - Financing: Water Utilities Capital Construction Funds

## BACKGROUND

In June 2006, Dallas Water Utilities initiated a two-part study to investigate the cause of water quality concerns, including rust colored water and inconsistent water quality in parts of the water system. The study and requisite testing confirmed that the treated water chemically changes as it moves through the water distribution system. Recommendations to stabilize the water include process changes, design, construction and implementation of improvements at all three water treatment plants to improve water quality and deliver stable treated water.

Three engineering firms, one firm for each water treatment plant, were selected based on qualifications to perform engineering and design services. It was anticipated that each firm would be awarded planned supplemental agreements as work progresses to ensure a targeted approach to design.

This action will award Supplemental Agreement No. 3 to provide engineering design and bid phase services for the next planned water quality improvement recommendations at the Eastside Water Treatment plant. Design and bid phase services are for the biological filtration, which include a non-chlorinated backwash pumping station, ammonia motive water softening system, post-clearwell ammonia feed system, as well as chemical storage and feed facilities for the engineered biofiltration.

**BACKGROUND** (Continued)

This phase of design also includes the conceptual design for residuals handling to refine waste stream volumes and rates, evaluation of the hydraulic conveyance capacity of the waste system, and development of conceptual facility plans and a sequencing schedule.

The evaluations include geotechnical investigations, residuals sampling and testing, and site surveys for current conditions. Additionally, there are special services included for full-scale post-filtration chlorine and ammonia feed testing, chemical feed system design of associated chemicals, and Programmable Logic Controller and Supervisory Control and Data Acquisition System programming services. These services will be as directed by the City, as required to ensure that the improvements operate as intended.

Also included in this action is the first 18 months of construction phase services needed for the concurrently awarded flocculation and sedimentation basin improvements project. A future award will provide services for the remainder of that 56 month contract.

## ESTIMATED SCHEDULE OF PROJECT

| | |
|---|---|
| Begin Design | November 2014 |
| Complete Design | January 2016 |
| Begin Construction | January 2016 |
| Complete Construction | July 2018 |

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

Authorized a professional services contract with Black & Veatch Corporation to provide engineering services for the Eastside Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1639.

Authorized Supplemental Agreement No. 1 to the professional services contract with Black & Veatch Corporation for additional engineering design services for the Eastside Water Treatment Plant water quality improvements on June 22, 2011, by Resolution No. 11-1737.

Authorized Supplemental Agreement No. 2 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant on October 24, 2012, by Resolution No. 12-2673.

## FISCAL INFORMATION

$6,284,000.00 - Water Utilities Capital Construction Funds

| | |
|---|---|
| Design | $ 2,047,315.00 |
| Supplemental Agreement No. 1 | $ 3,995,000.00 |
| Supplemental Agreement No. 2 | $ 4,175,570.00 |
| Supplemental Agreement No. 3 (this action) | $ 6,284,000.00 |
| Total Project Cost | $16,501,885.00 |

## M/WBE INFORMATION

See attached.

## ETHNIC COMPOSITION

Black & Veatch Corporation

| | | | |
|---|---|---|---|
| Hispanic Female | 1 | Hispanic Male | 5 |
| Black Female | 2 | Black Male | 1 |
| Other Female | 0 | Other Male | 1 |
| White Female | 7 | White Male | 22 |

## OWNER

**Black & Veatch Corporation**

Steve Edwards, President

## MAP

Attached

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 3 to the professional services contract with Black & Veatch Corporation for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant - Not to exceed $6,284,000, from $10,217,885 to $16,501,885 - Financing: Water Utilities Capital Construction Funds

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

PROJECT CATEGORY: Architecture & Engineering

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

| | Amount | Percent |
|---|---|---|
| Local contracts | $5,964,420.00 | 94.91% |
| Non-local contracts | $319,580.00 | 5.09% |
| **TOTAL THIS ACTION** | $6,284,000.00 | 100.00% |

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

**Local Contractors / Sub-Contractors**

| Local | Certification | Amount | Percent |
|---|---|---|---|
| BDS Technologies, Inc. | BMDB61024Y0315 | $197,770.00 | 3.32% |
| Alliance Geotechnical Group, Inc. | BMDB59500Y1214 | $160,050.00 | 2.68% |
| JQ Infrastructure, LLC | IMDB62600Y0715 | $358,725.00 | 6.01% |
| Gupta & Associates, Inc. | PMMB62419Y0716 | $518,022.00 | 8.69% |
| Texas Design Professionals, LLC | WFWB61968N0516 | $261,878.00 | 4.39% |
| **Total Minority - Local** | | $1,496,445.00 | 25.09% |

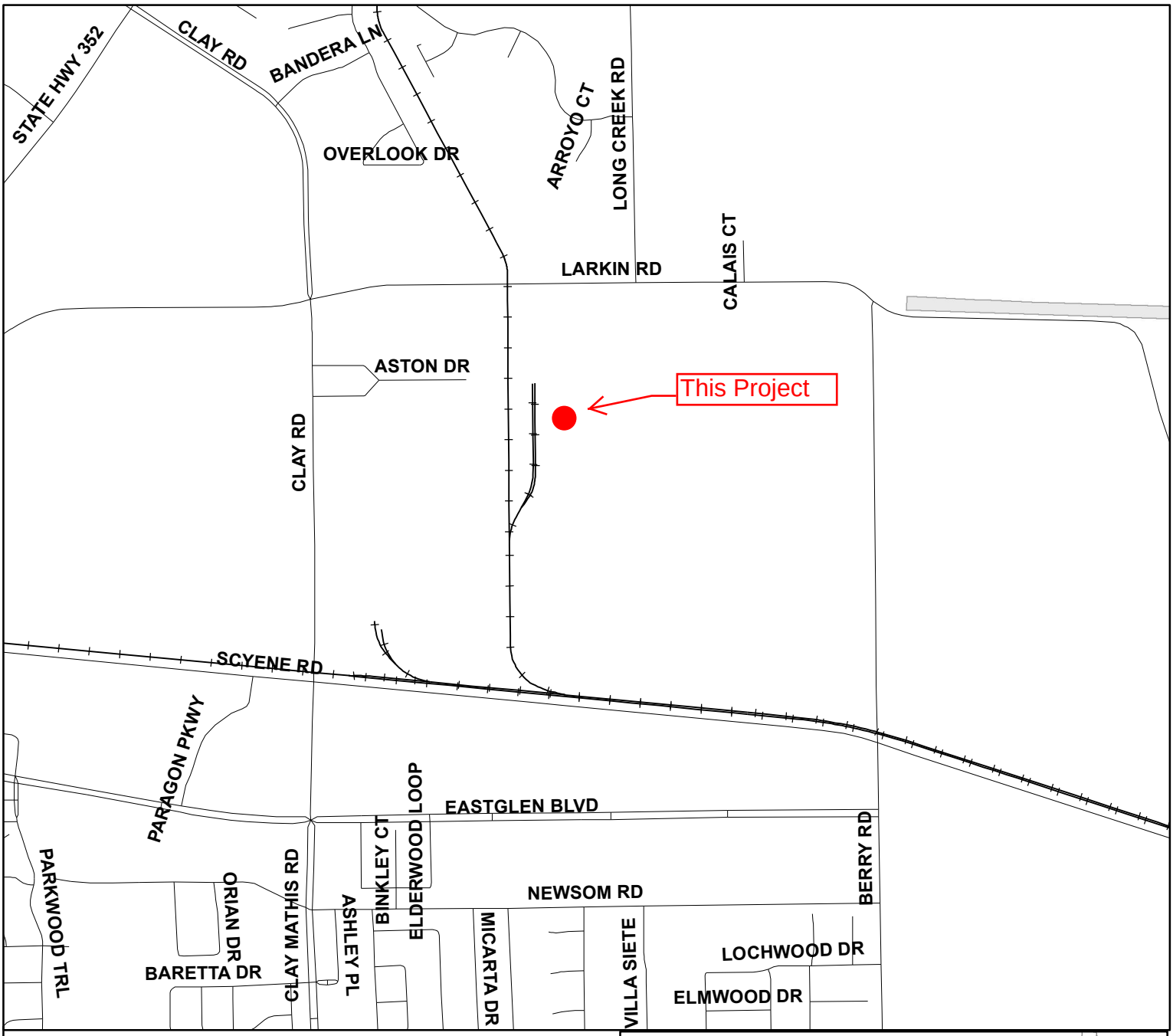
**Non-Local Contractors / Sub-Contractors**

| Non-local | Certification | Amount | Percent |
|---|---|---|---|
| DFWCZ, LLC | HMDFW113981014 | $64,850.00 | 20.29% |
| Inventive Concepts, Inc. | WFDB61435Y0415 | $254,730.00 | 79.71% |
| **Total Minority - Non-local** | | $319,580.00 | 100.00% |

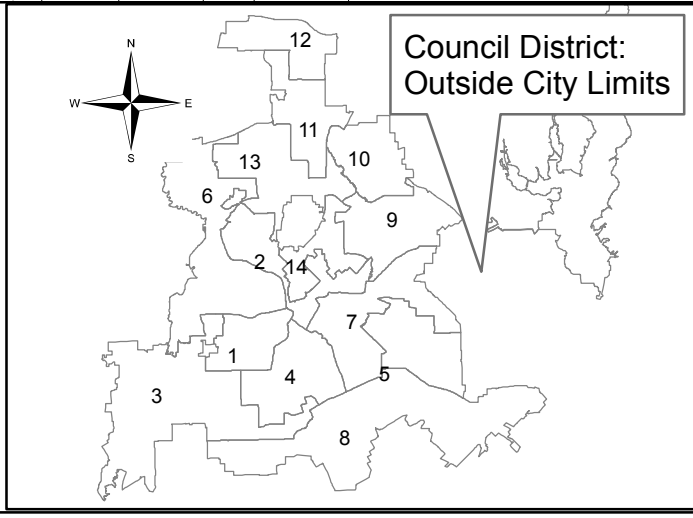
# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY
## Page 2

**TOTAL M/WBE PARTICIPATION**

| | This Action | | Participation to Date | |
|---|---|---|---|---|
| | Amount | Percent | Amount | Percent |
| African American | $357,820.00 | 5.69% | $502,830.00 | 3.05% |
| Hispanic American | $64,850.00 | 1.03% | $132,181.76 | 0.80% |
| Asian American | $876,747.00 | 13.95% | $2,692,965.00 | 16.32% |
| Native American | $0.00 | 0.00% | $0.00 | 0.00% |
| WBE | $516,608.00 | 8.22% | $1,531,095.00 | 9.28% |
| Total | $1,816,025.00 | 28.90% | $4,859,071.76 | 29.45% |




Mapsco: 50A N, S,T




**Dallas Water Utilities**
**Contract No. 10-031E, Supplemental Agreement No. 3**
**Eastside Water Treatment Plant**
**Water Quality Improvements**

September 10, 2014

**WHEREAS,** on June 23, 2010, the City Council awarded Contract No. 10-031E in the amount of $2,047,315.00, by Resolution No.10-1639, to Black & Veatch Corporation, to provide engineering services for the Eastside Water Treatment Plant water quality improvements; and,

**WHEREAS,** on June 22, 2011, the City Council awarded Supplemental Agreement No. 1, in the amount of $3,995,000.00, by Resolution No. 11-1737, to Black & Veatch Corporation, for additional engineering design services for the Eastside Water Treatment Plant water quality improvements; and,

**WHEREAS,** on October 24, 2012, the City Council awarded Supplemental Agreement No. 2, in the amount of $4,175,570.00, by Resolution No. 12-2673, to Black & Veatch Corporation, for additional engineering design, bid phase, and construction phase services for water quality improvements at the Eastside Water Treatment Plant; and,

**WHEREAS,** additional engineering services related to water quality improvements at the Eastside Water Treatment Plant are required; and,

**WHEREAS,** Black & Veatch Corporation, 5400 441 LBJ Freeway, Suite 975, Dallas, Texas 75240, has submitted an acceptable proposal to provide these engineering services; and,

**WHEREAS,** Dallas Water Utilities recommends that Contract No. 10-031E be increased by $6,284,000.00, from $10,217,885.00 to $16,501,885.00.

**Now, Therefore,**

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

**Section 1.** That the proposed Supplemental Agreement No. 3 be accepted and that Contract No. 10-031E with Black & Veatch Corporation, be revised accordingly.

**Section 2.** That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

**Section 3.** That the City Controller is hereby authorized to pay the amount of $6,284,000.00 from the Water Construction Fund as follows:

| FUND | DEPT | UNIT | OBJ | PRO | ENCUMBRANCE | VENDOR |
|---|---|---|---|---|---|---|
| 0102 | DWU | CW32 | 4111 | 710031 | CT-DWU710031CP | 089539 |

Black & Veatch Corporation - (Contract No. 10-031E) - $6,284,000.00

**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 # 36**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Housing/Community Services

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

**MAPSCO:** 48V

## SUBJECT

Authorize **(1)** an extension of the development loan agreement with Builders of Hope CDC, Prairie Creek Project for acquisition and related acquisition costs of 40 unimproved properties to December 31, 2015; and **(2)** a development loan in the amount of $480,000 for the construction of the final sixteen homes – Financing: 2010-11 Home Investment Partnership Program Grant Funds ($115,235), 2011-12 Home Investment Partnership Program Grant Funds ($270,767), and 2012-13 Home Investment Partnership Program Grant Funds ($93,998)

## BACKGROUND

In January 2009, Builders of Hope CDC (BOH) and the City of Dallas entered into a loan agreement for funding for the Prairie Creek Project for $500,000 to acquire 40 unimproved properties for the construction of single-family homes available to low-to-moderate income families located at Military Parkway and Prairie Creek.

Pursuant to the CHDO Program Statement for June 27, 2001, Council Resolution No. 01-2049, the City of Dallas Housing Director was authorized to approve development funding for projects with fewer than 100 units. The Prairie Creek Project was approved by this method. As of the notice from the City Manager dated February 28, 2014 requiring more transparency, this and similar projects must now be presented for City Council approval.

As of July 31, 2014, BOH has built and sold 24 single family homes to low-moderate income families at or below 80% AMFI. Sixteen homes remain to be built. The total cost of construction per unit is $150,000 for 1539 square foot home at $97 per square foot. The recent sales are valued at $120,000. BOH has obtained private financing for a portion of the construction costs with Inwood Bank and has requested a $480,000 development loan from the City. The City funds will be used to pay $30,000 per unit for a portion of the total development costs including soft costs and developer fees.

## BACKGROUND (continued)

The loan terms will be zero percent interest with a maturity date of December 31, 2015. BOH will be forgiven a prorated portion of the loan as homes are sold with a repayment of $6,625 to the City. Homebuyers will assume a 15 year resale restriction.

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

On June 27, 2001, the City Council approved the CHDO Loan Program Statement that authorized the Housing Director to approve development funding for projects with fewer than 100 units, by Resolution No. 01-2049.

On June 23, 2010, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2010-11 federal funds which included the HOME Investment Partnership Funds for Housing Development Loan Program, by Resolution No. 10-1594.

On June 27, 2012, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2012-13 federal funds which included the HOME Investment Partnership Funds for Housing Development Loan Program, by Resolution No. 12-1629.

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 for Housing Development Loan Program, by Resolution No. 13-1142.

On November 27, 2013, the City Council Housing Committee was briefed on the organization and this project.

## FISCAL INFORMATION

2010-11 Home Investment Partnership Program Grant Funds - $115,235
2011-12 Home Investment Partnership Program Grant Funds - $270,767
2012-13 Home Investment Partnership Program Grant Funds - $93,998

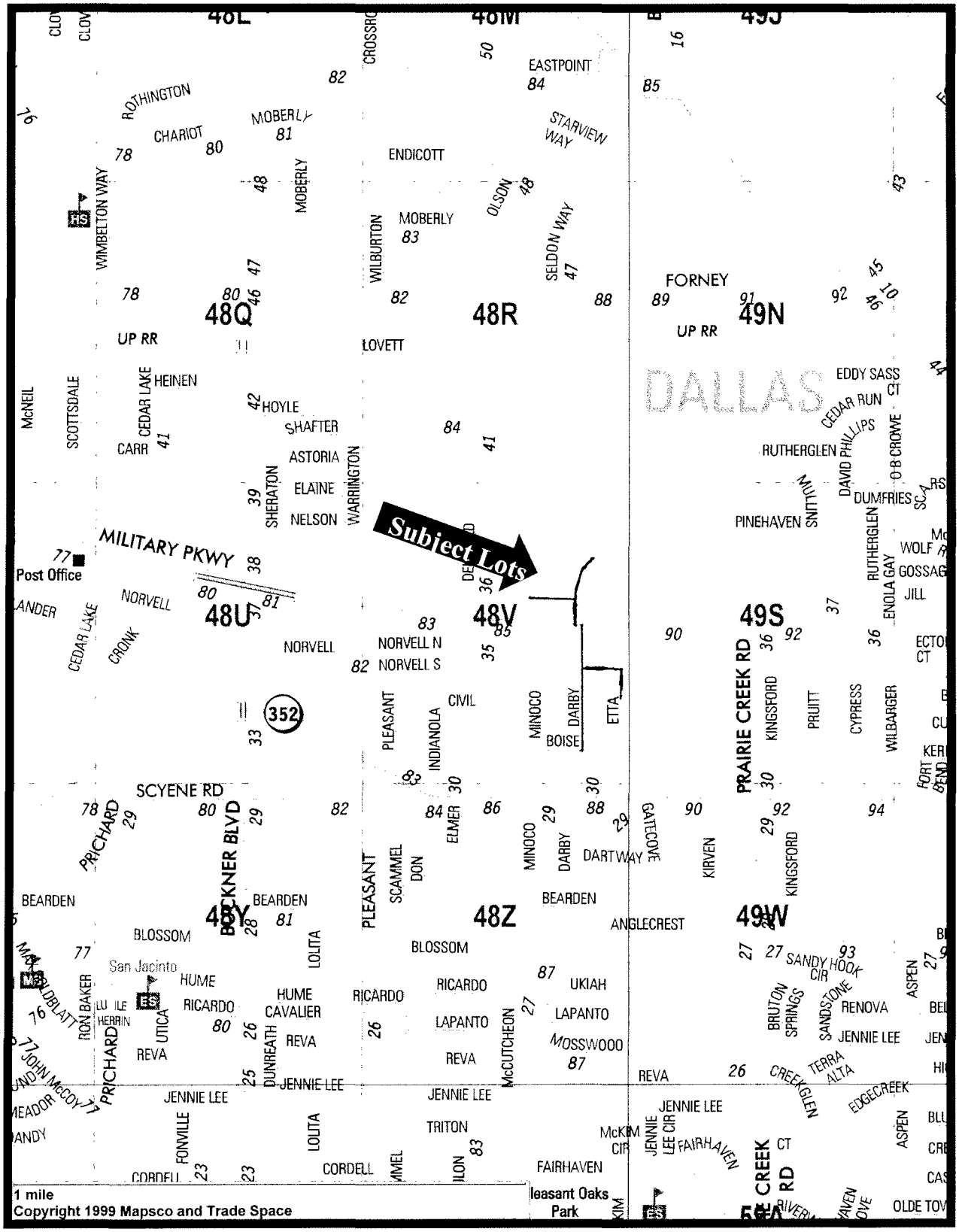
## OWNER

### Builders of Hope CDC

Norman Henry, President

## MAP(S)

Attached



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Subject Lots
DALLAS
MILITARY PKWY
Post Office
SCYENE RD
BUCKNER BLVD
PRAIRIE CREEK RD
FORNEY
UP RR
EASTPOINT
ROTHINGTON
CHARIOT
MOBERLY
ENDICOTT
STARVIEW WAY
WIMBELTON WAY
WILBURTON
OLSON
SELDON WAY
LOVETT
HEINEN
HOYLE
SHAFTER
ASTORIA
ELAINE
NELSON
SHERATON
WARRINGTON
CARR
CEDAR LAKE
SCOTTSDALE
McNEIL
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INDIANOLA
MINOCO
DARBY
BOISE
ETTA
ELMER
DARTWAY
GATECOVE
KIRVEN
KINGSFORD
PRUITT
CYPRESS
WILBARGER
ENOLA GAY
RUTHERGLEN
PINEHAVEN
DUMFRIES
DAVID PHILLIPS
O B CROWE
CEDAR RUN
EDDY SASS CT
WOLF
GOSSAG
JILL
ECTO CT
BEARDEN
BLOSSOM
San Jacinto
HUME
RICARDO
HUME CAVALIER
REVA
DUNREATH
LOLITA
UTICA
RON BAKER
LU ILE HERRIN
JENNIE LEE
FONVILLE
CORDELL
TRITON
McCUTCHEON
LAPANTO
UKIAH
MOSSWOOD
ANGLECREST
SCAMMEL
DON
BRUTON SPRINGS
SANDSTONE
SANDY HOOK CIR
RENOVA
TERRA ALTA
CREEKGLEN
EDGECREEK
ASPEN
McKIM CIR
FAIRHAVEN
CREEK RD
OLDE TOV
1 mile
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**MAPSCO 48V**

September 10, 2014

**WHEREAS,** on June 27, 2001, the City Council approved the CHDO Loan Program Statement that authorized the Housing Director to approve development funding for projects with fewer than 100 units, by Resolution No. 01-2049; and

**WHEREAS,** on June 23, 2010, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2010-11 federal funds which included the HOME Investment Partnership Funds for Housing Development Loan Program, by Resolution No. 10-1594; and

**WHEREAS,** on June 27, 2012, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2012-13 federal funds which included the HOME Investment Partnership Funds for Housing Development Loan Program by Resolution No. 12-1629; and

**WHEREAS**, 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 for Housing Development Loan Program, by Resolution No. 13-1142; and

**WHEREAS,** Builders of Hope CDC has requested an extension of time to the development loan agreement to allow them to continue their efforts to construct the final 16 units and complete the sale of the units to low-to-moderate income families at or below 80% AMFI; **NOW, THEREFORE,**

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

**Section 1.** That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to amend the development loan agreement with Builders of Hope CDC to: (1) extend the current development loan agreement to December 31, 2015; and (2) provide a development loan in the amount of $480,000 for the construction of the final sixteen homes.

**Section 2.** The terms of the agreement include:

(a) Borrower must execute a Notes Payable and Deed Restrictions.
(b) Borrower must complete and sell the remaining homes to low-to-moderate income families whose incomes are 80% or less of area median family income by the maturity date.
(c) Borrower will be released from liability on the Note at the same time the low-to-moderate income family closes the purchase of the home.
(d) Properties will be deed restricted for affordability at 80% or less of Area Median Family Income for sale and resale to eligible homebuyers for a period of fifteen years.

**Section 3.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a subordination of lien to a lender who is providing construction financing on the property.

**Section 4.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the 40 properties upon compliance with the loan terms and deed restrictions.

**Section 5.** 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 as follows:

Builders of Hope CDC Vendor # 337558

| FUND | DEPT | UNIT | OBJ | CT | AMOUNT |
|---|---|---|---|---|---|
| HM10 | HOU | 463C | 3015 | HOU463CK129 | $115,235 |
| HM11 | HOU | 745D | 3015 | HOU463CK129 | $270,767 |
| HM12 | HOU | 893E | 3015 | HOU463CK129 | $93,998 |

**Section 6.** That the City Controller is hereby authorized to modify receivable balance sheet account (033F) and an allowance for uncollectible debt (022D) in funds HM10, HM11, and HM12 for the amount of the loan.

**Section 7.** That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available HOME funds and there will be no liability or obligation on the City until final contract documents are approved, executed, and final closing completed.

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

**AGENDA ITEM # 37**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 47 C

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Group Residential Facility and CS Commercial Service District Uses on property zoned a CS Commercial Service District and a P(A) Parking District, on the northeast line of Laughlin Drive and the southwest line of Charles Street, east of Ferguson Road

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions

Z134-233(RB)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-233(RB) **DATE FILED:** April 6, 2014

**LOCATION:** Northeast Line of Laughlin Drive and Southwest Line of Charles Street, East of Ferguson Road

**COUNCIL DISTRICT:** 7 **MAPSCO:** 47-C

**SIZE OF REQUEST:** Approx. 1.13 Acres **CENSUS TRACT:** 122.04

**APPLICANT:** Directions

**REPRESENTATIVE:** Rob Baldwin

**OWNER:** Wade Henderson

**REQUEST:** An application for a Planned Development District for a Group Residential Facility and CS Commercial Service District Uses on property zoned a CS Commercial Service District and a P(A) Parking District.

**SUMMARY:** The applicant is requesting a Planned Development District in order to utilize the existing improvements for a 100-bed group residential facility.

**CPC RECOMMENDATION:** Approval, subject to a development plan and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a development plan and conditions.

**GUIDING CRIETERIA FOR RECOMMENDATION:**

Staff recommends approval of the request, subject to a development plan and conditions, based upon:

1. *Performance impacts upon surrounding property* –The site will be developed with a similar use as has existed in the community, with development standards consistent with those previously existing on the property. Continuing a residentially themed use will ensure commercial uses will not further encroach towards the residential uses to the east.

2. *Traffic impact* – The request will not negatively impact the surrounding street system.

3. *Comprehensive Plan or Area Plan Conformance* – The proposed development is in compliance with the Comprehensive Plan.

4. *Justification for PDD Planned Development District Zoning as opposed to a straight zoning district* – The existing CS District does not permit residential uses. Additionally, the applicant wishes to retain existing uses. A PDD permits the flexibility in development with consideration of adjacent uses. Certain nonresidential uses are recommended to be prohibited (i.e., adjacency to residential) while requiring buffering of an existing off-street parking area. A PDD permits such while requiring development per an approved plan, neither of which are required by existing zoning.

**BACKGROUND INFORMATION:**

- The site is developed with a vacant residential structure and surface parking, previously utilized as a convalescent home.

- The surface parking lot along the Laughlin Drive frontage is zoned a P(A) District.

- The applicant will utilize the existing improvements for a group residential facility and is requesting consideration of a PDD to permit a group residential use, while considering both lots as one for off-street parking interpretations.

**Zoning History:** There have been no zoning requests in the area within the past five years.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's request and determined it will not negatively impact the surrounding street system.

| Street | Designation; Existing & Proposed ROW |
|---|---|
| Laughlin Drive | Local; 40' ROW |
| Charles Street | Local; 40' ROW |

**Comprehensive Plan:** The request site is located in an area considered a Commercial Center or Corridor. 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.

**Land Use Compatibility:** The request site consists of a vacant structure and abutting parking area [P()A) District fronting on Laughlin Drive] previously operated as a convalescent home. The applicant proposes to utilize the existing structure to provide for a 100-bed group residential facility.

The predominant land use in the immediate area east of Ferguson Road, which is developed with retail and commercial uses, depends on the site's frontage: 1) the area north and east of the site's frontage along Charles Road is retail and commercial, with a few legally nonconforming single family homes; while 2) the area to the south and east of the site's frontage along Laughlin Drive is predominantly low-density residential [this area is zoned an MF-2(A) District and possesses single family, duplex, and multifamily structures].

The attached conditions reflect the result of discussions between the staff and applicant. It should be noted that while the applicant wishes to retain the existing CS District zoning, certain uses have been prohibited that in the opinion of staff, will ensure any redevelopment of the site with one or more of these nonresidential uses will maintain a measure of compatibility in terms of impact on these residents.

Lastly, the surface parking area [currently a P(A) District) along Laughlin Drive is void of any streetscape along the street frontage. The applicant has agreed to provide planting materials to soften the presence of this parking area within the residential character along the eastern portion of the street, as provided for in the attached conditions.

**CPC ACTION**

(August 7, 2014)

**Motion:** It was moved to recommend **approval** of a Planned Development District for a Group Residential Facility and CS Commercial Service District Uses, subject to a revised development plan and revised conditions to include provisions for decorative fencing, off-street parking screening on Laughlin Drive and additional prohibited uses (dated 8/14/14) on property zoned a CS Commercial Service District and a P(A) Parking District, on the northeast line of Laughlin Drive and the southwest line of Charles Street, east of Ferguson Road.

Maker: Bagley
Second: Abtahi
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Ridley, Abtahi

Against: 0
Absent: 3 - Shidid, Anantasomboon, Murphy
Vacancy: 0

**Notices:** Area: 500 Mailed: 60
**Replies:** For: 9 Against: 4

**Speakers**: None

# DIRECTIONS

# ORGANIZATIONAL LEADERSHIP

## BOARD OF DIRECTORS

**Charles Kennedy**
Directions, Board Chair
970-274-3222

**Jack Zogg**
Zogg Insurance Services
972-503-3565

**Jim Epperson**
President, AT&T, Retired
512-968-1000

**Judge Margaret Keliher**
Executive Director
Texas Business for Clean Air Foundation
214-922-1199

## ADVISORY COMMITTEE

**Charles Kennedy**
Directions, Board Chair
970-274-3222

**Jack Zogg**
Zogg Insurance Services
972-503-3565

**Robert Bagwell**
Urban Partners
214-459-3954

**Alfie Wishart**
Terranova Integrative Health Care
Systems LLC
214-923-5093

**Julien Devereux, PhD**
Texas Growth Center
469-644-3975

**Myers Raymer**
Recovery Industry Professional
972-221-2235

**John Leonard**
The Retreat, Marketing Director
952-476-0566

**Jim Epperson**
President, AT&T, Retired
512-968-1000

**Daniel Burds**
Peregrine Group, Inc.
214-693-0167

**CPC RECOMMENDED CONDITIONS**
**"ARTICLE _____**
**PD _____**

**SEC. 51P-_____.101. LEGISLATIVE HISTORY.**

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

**SEC. 51P-_____.102. PROPERTY LOCATION AND SIZE.**

PD _____ is established on property located on the northeast line of Laughlin Drive and the southwest line of Charles Street, east of Ferguson Road. The size of PD _____is approximately 1.13 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 nonresidential zoning district.

**SEC. 51P-__.104. DEVELOPMENT PLAN.**

Development and use of the Property must comply with the attached development plan. In the event of a conflict between the provisions of this section and the development plan, the provisions of this section control.

**SEC. 51P-__.105 MAIN USES PERMITTED**.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the CS Commercial Service District, subject to the same conditions applicable in the CS Commercial Service District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the CS Commercial Service District by specific use permit (SUP) only is permitted in this planned development district by SUP. A use subject to development impact review (DIR) in the CS Commercial Service District is subject to DIR in this planned development district, etc.

(b) The following use is permitted.

-- Group residential facility.

(c) The following uses are prohibited.

(1) Commercial uses.

-- Bus or rail transit vehicle maintenance or storage facility.
-- Commercial cleaning or laundry plant.
-- Job or lithographic printing.
-- Labor hall.
-- Machine or welding shop.
-- Machinery, heavy equipment, or truck sales and services.
-- Medical or scientific laboratory.
-- Tool or equipment rental.
-- Vehicle or engine repair or maintenance.

(2) Industrial uses.

-- Industrial (inside) light manufacturing.
-- Overnight general purpose shelter.

(3) Institutional uses.

-- Cemetery or mausoleum.
-- Halfway house.
-- Overnight general purpose shelter.

(4) Lodging uses.

-- Hotel or motel.
-- Extended stay hotel or motel.
-- Lodging or boarding house.
-- Overnight general purpose shelter.

(5) Miscellaneous uses.

-- Attached non-premise sign.
-- Carnival or circus (temporary).

(6) Recreation uses.

-- Temporary construction or sales office.

(7) Recreation uses.

-- Private recreation center, club, or area.

(8) Retail and personal service uses.

-- Animal shelter or clinic with outdoor run.

-- Animal shelter or clinic without outdoor run.
-- Auto service center.
-- Alcoholic beverage establishment.
-- Car wash.
-- Commercial amusement (inside).
-- Commercial amusement (outside).
-- Commercial motor vehicle parking lot.
-- Commercial parking lot or garage.
-- Drive-in theater.
-- General merchandise or food store greater than 3,500 square feet.
-- General merchandise or food store 100,000 square feet or more.
-- Home improvement center, lumber, brick, or building materials sales yard.
-- Liquor store.
-- Motor vehicle fueling station.
-- Outside sales.
-- Pawn shop.
-- Restaurant with drive-in or drive-through service.
-- Swap or buy shop.
-- Taxidermist.
-- Vehicle display, sales, and service.

(9) Transportation uses.

-- Commercial bus station and terminal.
-- Transit passenger station or transfer center.
-- Building mover's temporary storage yard.

(10) Wholesale, distribution, and storage uses.

-- Auto auction.
-- Building mover's temporary storage yard.
-- Petroleum product storage and wholesale.
-- Railroad passenger station.
-- Recycling buy-back center.
-- Recycling collection center.
-- Sand, gravel, or earth sales and storage.
-- Trade center.
-- Vehicle storage lot.

**SEC. 51P-__.106 ACCESSORY USES**.

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

**SEC. 51P-__.107. YARD, LOT AND SPACE REGULATIONS**. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls).

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the CS Commercial Service District apply.

(b) Density: For a group residential facility, maximum number of beds is 100.

**SEC. 51P-__.108. OFF-STREET PARKING AND LOADING.**

(a) 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) For off-street parking, the Property is considered one lot.

**SEC. 51P-__.109. ENVIRONMENTAL PERFORMANCE STANDARDS**.

See Article VI.

**SEC. 51P-__.110. LANDSCAPING.**

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

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

(c) Parking Area 1. Prior to the issuance of a certificate of occupancy for a group residential facility, the following must be provided:

(1) A minimum six foot-tall decorative wrought iron fence must be provided in the location as shown on the development plan.

(2) Landscaping must consist of evergreen plant materials, each a minimum of three feet tall at time of planting and capable of obtaining a solid appearance along the entire face of the fence within three years of planting.

(3) A minimum of two small trees must be provided for every 50 feet of street frontage except for visibility triangles and driveways and must be planted within 35 feet of the back of curb along Lauglin Drive.

(4) All plant materials used as screening must be irrigated by an automatic irrigation system to comply with industry standards.

(4) This subsection may be considered as complying with a design standard as required by Article X.

**SEC. 51P-____.111. SIGNS.**

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

**SEC. 51P- ____.112. ADDITIONAL PROVISIONS.**

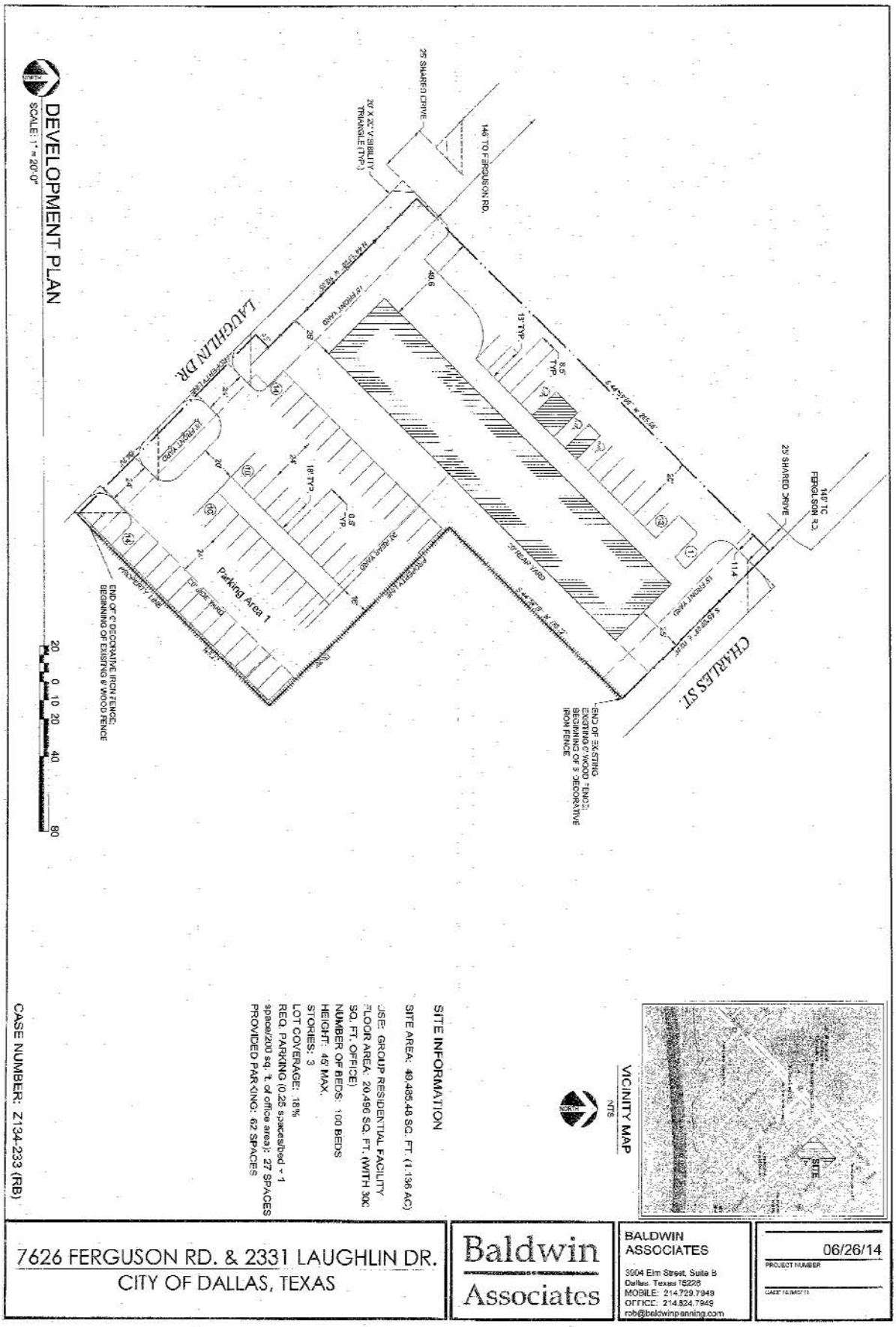
(a) The Property must be properly maintained in a state of good repair and neat appearance.

(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-____.113. COMPLIANCE WITH CONDITIONS.**

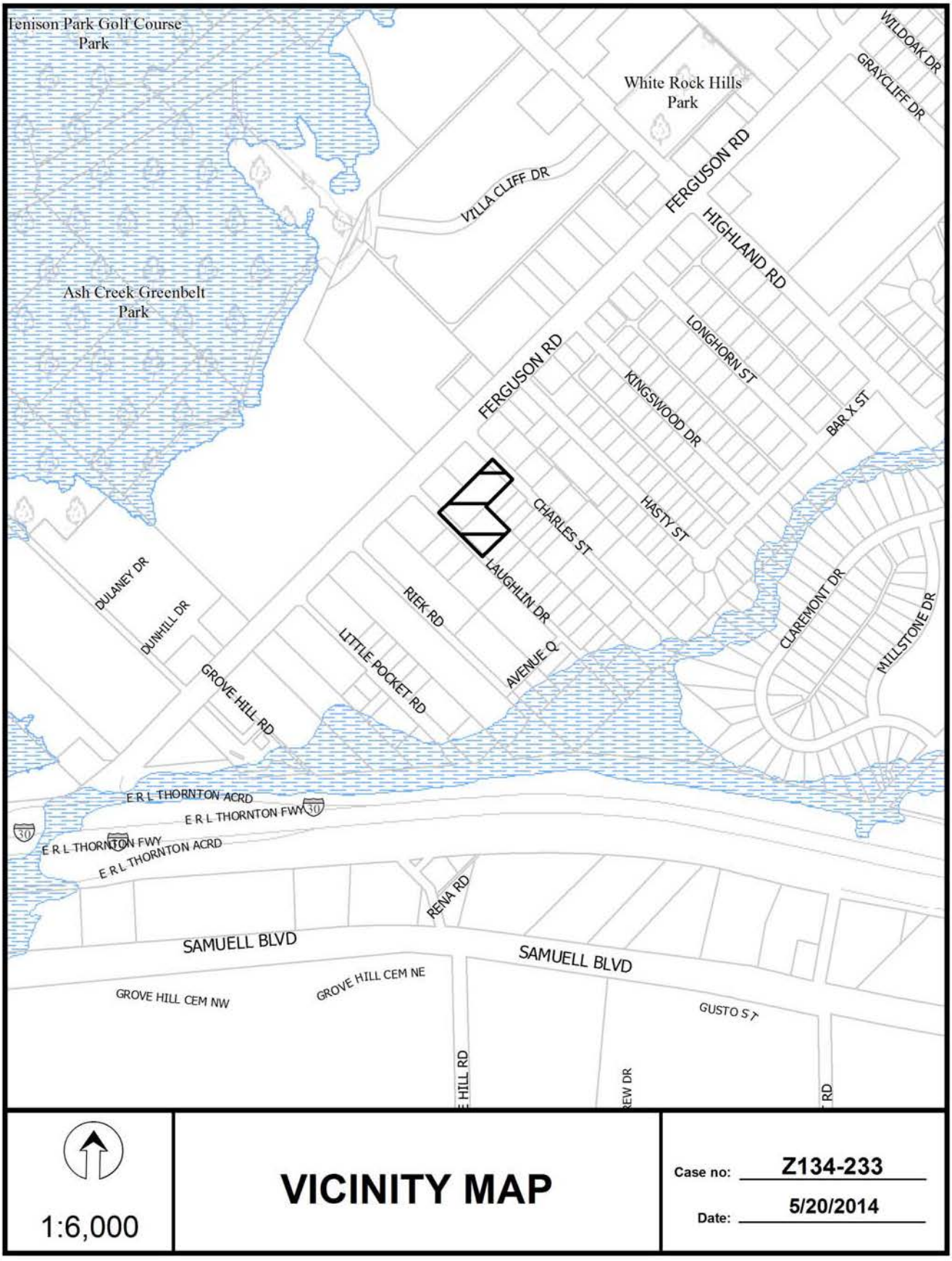
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

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






**Proposed Development Plan**

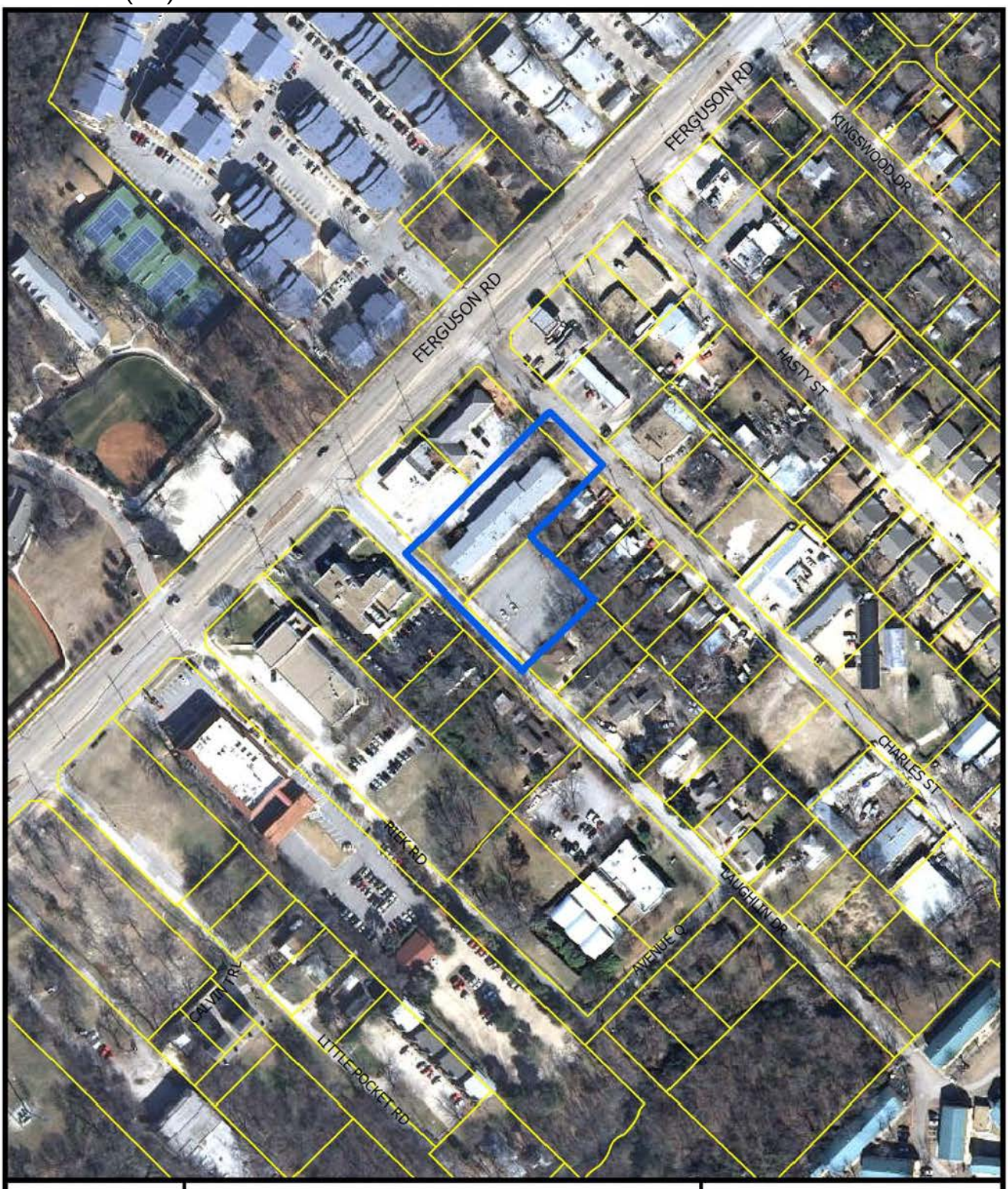



1:6,000

# VICINITY MAP

Case no: Z134-233

Date: 5/20/2014

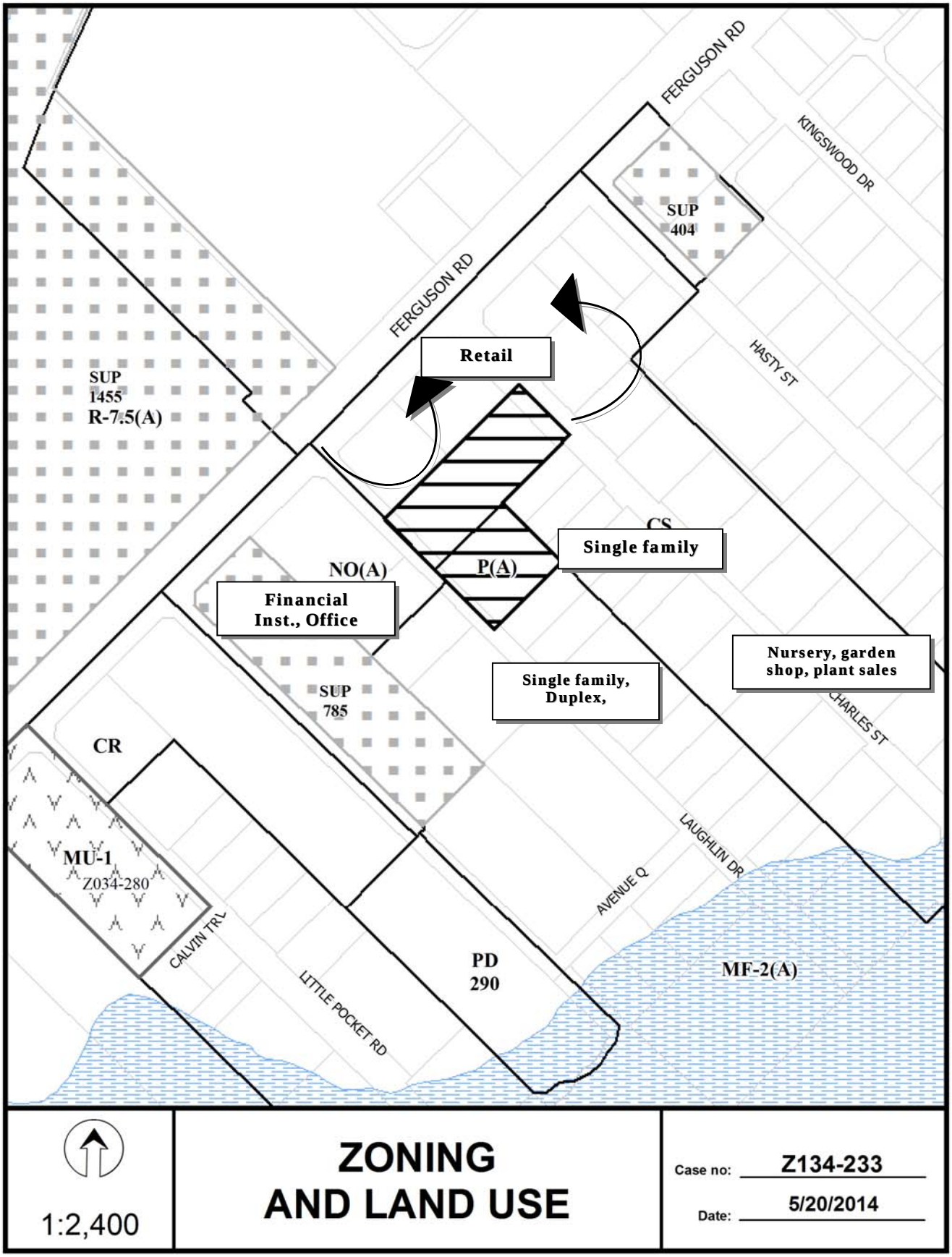



1:2,400

# AERIAL MAP

Case no: Z134-233

Date: 5/20/2014


FERGUSON RD
KINGSWOOD DR
SUP
404
FERGUSON RD
HASTY ST
SUP
1455
R-7.5(A)
Retail
CS
Single family
NO(A)
P(A)
Financial
Inst., Office
Nursery, garden
shop, plant sales
Single family,
Duplex,
SUP
785
CHARLES ST
CR
LAUGHLIN DR
AVENUE Q
MU-1
Z034-280
CALVIN TRL
PD
290
MF-2(A)
LITTLE POCKET RD
1:2,400
ZONING
AND LAND USE
Case no: Z134-233
Date: 5/20/2014

# CPC RESPONSES

| | |
|---|---|
| 60 | Property Owners Notified (71 parcels) |
| 9 | Replies in Favor (11 parcels) |
| 4 | Replies in Opposition (4 parcels) |
| 500' | Area of Notification |
| 8/7/2014 | Date |

Z134-233
CPC

N
W E
S

1:2,400

***08/11/2014***

# *Reply List of Property Owners*

## *Z134-233*

***60 Property Owners Notified 9 Property Owners in Favor 4 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| O | 1 | 2331 | LAUGHLIN DR | HENDERSON WADE |
| | 2 | 7703 | FERGUSON RD | REED CHARLES E |
| | 3 | 7715 | FERGUSON RD | SCOGGINS AUDREY |
| | 4 | 7621 | FERGUSON RD | MONTERRA REDEVELOPMENT LLC |
| | 5 | 7803 | FERGUSON RD | CASA SAN LUIS APARTMENTS LLC |
| | 6 | 7400 | FERGUSON RD | CITY EMPLOYEES CREDIT |
| | 7 | 2329 | LITTLE POCKET RD | MECHE ZENO |
| | 8 | 2339 | LITTLE POCKET RD | MEZA MARIA V |
| X | 9 | 2345 | LITTLE POCKET RD | MA PARTNERS 3 |
| O | 10 | 2361 | RIEK RD | CREATIVE ARTS CENTER OF |
| | 11 | 7508 | FERGUSON RD | ENSERCH FED CRED UNION |
| | 12 | 7474 | FERGUSON RD | CITY EMPLOYEES CREDIT |
| | 13 | 7606 | FERGUSON RD | ARELLANO MIGUEL |
| O | 14 | 2360 | LAUGHLIN DR | CREATIVE ARTS CENTER OF |
| | 15 | 2338 | LAUGHLIN DR | MCCOSKEY ROBERT B & JOY D |
| | 16 | 2365 | LAUGHLIN DR | J & K ROACH INVESTMENTS LLC |
| | 17 | 7518 | FERGUSON RD | SEFCU FEDERAL CREDIT UNION |
| O | 18 | 2330 | LAUGHLIN DR | FERGUSON ROSALIND |
| O | 19 | 2335 | LAUGHLIN DR | BARNES SUSAN |
| | 20 | 2339 | LAUGHLIN DR | NHS GENERAL CONTRACTING LLC |
| | 21 | 2359 | LAUGHLIN DR | RATHBUN LANCE HUDSON |
| | 22 | 2355 | LAUGHLIN DR | RIVERO RAFAEL & AYDEE |
| | 23 | 2402 | LAUGHLIN DR | US MORTGAGE CO INC |
| | 24 | 7620 | FERGUSON RD | CHRISTIAN STRONGHOLD |
| | 25 | 2319 | CHARLES ST | GAMEZ TOM EDWARD LIFE EST |
| | 26 | 7708 | FERGUSON RD | DONOHO INVESTMENT CO |

***08/11/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 27 | 2322 | CHARLES ST | YANEZ JOEL & |
| | 28 | 2346 | CHARLES ST | BANISTER ILONKA |
| | 29 | 2360 | CHARLES ST | BARRETT NORMA E |
| X | 30 | 2326 | CHARLES ST | HUTSON JERRY W |
| | 31 | 2341 | CHARLES ST | DOWNTOWN REALTY LLC |
| | 32 | 2323 | CHARLES ST | HENSON JACK L & FRANCES |
| | 33 | 2323 | CHARLES ST | HENSON JACK L |
| O | 34 | 2330 | CHARLES ST | DAVISON PROPERTIES |
| O | 35 | 2334 | CHARLES ST | DAVISON CHARLES A |
| O | 36 | 2338 | CHARLES ST | DAVISON CHARLES |
| | 37 | 2343 | CHARLES ST | GREEN ACQUISITION LC |
| | 38 | 2318 | CHARLES ST | JJT PROPERTIES |
| | 39 | 7726 | FERGUSON RD | LOPEZ DE LIRA ENTERPRISES |
| | 40 | 7730 | FERGUSON RD | LOPEZ DE LIRA ENTERPRISES |
| | 41 | 2319 | HASTY ST | VANEGAS LINO & ELVIRA |
| | 42 | 2325 | HASTY ST | RODRIGUEZ JUANA & |
| | 43 | 2331 | HASTY ST | BAUM GLENDA GAYNELLE & |
| | 44 | 2337 | HASTY ST | CADENA TERRY |
| | 45 | 2343 | HASTY ST | HOWARD ANN MARIE |
| | 46 | 7716 | FERGUSON RD | RL & JM PPTIES LLC |
| | 47 | 2316 | HASTY ST | VILLANUEVA DANIEL & SUSAN |
| X | 48 | 2338 | HASTY ST | HUNTER JEFFREY & SUSANNE |
| | 49 | 2344 | HASTY ST | HERNANDEZ-PEREZ JOSE PABLO |
| | 50 | 7802 | FERGUSON RD | LAWRENCE MARIA N |
| | 51 | 2316 | KINGSWOOD DR | BERMUDEZ JOAQUIN & SANDRA |
| | 52 | 2324 | KINGSWOOD DR | ARTHUR CLAUDE JR |
| | 53 | 2328 | KINGSWOOD DR | PALMER JOAN STOVALL |
| O | 54 | 7401 | FERGUSON RD | LPS DEVELOPMENT CORP |
| | 55 | 2331 | CHARLES ST | CUSTOM VISION OPTICAL INC |
| | 56 | 2347 | HASTY ST | PHEA FREDA |
| | 57 | 2348 | HASTY ST | SOGAH KOMI & |

***08/11/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 58 | 2352 | HASTY ST | AVILA SAUL |
| X | 59 | 2356 | HASTY ST | RODRIGUEZ LUIS & |
| | 60 | 2360 | HASTY ST | BANDA SANTIAGO |

**AGENDA ITEM # 38**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 45 N

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Bail bonds office on property within the Mixmaster Riverfront Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the east line of South Riverfront Boulevard, south of Reunion Boulevard

Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions

Z134-235(RB)

**HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

| | | | |
|---|---|---|---|
| **FILE NUMBER:** | Z134-235(RB) | **DATE FILED:** | April 18, 2014 |
| **LOCATION:** | East line of South Riverfront Boulevard, south of Reunion Boulevard | | |
| **COUNCIL DISTRICT:** | 6 | **MAPSCO:** | 45-N |
| **SIZE OF REQUEST:** | Approx. 34,075 Sq. Ft. | **CENSUS TRACT:** | 100 |

**APPLICANT:** Matthew Toback

**REPRESENTATIVE:** Santos Martinez

**OWNER:** Leo E. Rieke Revocable Trust

**REQUEST:** An application for a Specific Use Permit for a Bail bonds office on property within the Mixmaster Riverfront Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District.

**SUMMARY:** The applicant is proposing to operate a bail bonds office within the vacant 1,103-square-foot building.

**CPC RECOMMENDATION:** Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions.

**STAFF RECOMMENDATION:** Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions.

**GUIDING CRITERIA FOR RECOMMENATION:**

Staff recommends approval of the request, subject a site plan and conditions, based upon:

1. *Compatibility with surrounding uses and community facilities* – The request will utilize existing improvements with off-street parking improvements greater than required. The proposed use is consistent with similar office-related uses along the thoroughfare with no residential adjacency that could be impacted by nonresidential uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use neither contributes to nor enhances the welfare of adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is not anticipated to be a detriment to the public health, safety, or general welfare.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – A certificate of occupancy will be required prior to use of the property for the intended use. No variances or special exceptions are requested.

**BACKGROUND INFORMATION:**

- The site is developed with a vacant office structure (1,103 square feet) with an expanded off-street parking area and an outdoor private amenity area.

- The applicant is requesting an SUP in order to operate a bail bonds office within the existing building.

**Zoning History:**

| File No. | Request, Disposition, and Date |
|---|---|
| 1. Z090-229 | An SUP for a Bail bonds office. On March 9, 2011 City Council approved the request for a three-year period with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions. |
| 2. Z090-230 | An SUP for a Bail bonds office. On April 13, 2011 City Council approved the request for a three-year |

| | |
|---|---|
| | period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions. |
| 3. Z101-355 | An SUP for a Bail bonds office. On February 12, 2012, City Council approved the request for a two-year period with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions. |

| **Thoroughfare** | **Designation; Existing & Proposed ROW** |
|---|---|
| Riverfront Boulevard | Principal Arterial; 130' & 130' ROW |

**Traffic:** The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system.

**Comprehensive Plan:** The site is located within an area identified as a Commercial Corridor. 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.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The request site is developed with a vacant 1,103 square foot office structure, a significant off-street parking area, and outdoor private amenity area. The applicant proposes to operate a bail bonds office within the building. Per PDD No. 784, the requested use requires an SUP when located more than 500 feet from a detention facility. The site is situated approximately 1,700 feet south of the Lew Sterrett Justice Center (Riverfront Boulevard and Commerce Street).

Surrounding land use consists of a mix of nonresidential uses in all directions, while the uses to the south are separated from the site by the elevated portion of westbound access to IH 30. As noted in the Zoning History section, three bail bonds offices have been granted SUP's by the City Council, although one site has been vacated at this time (Reunion Boulevard, east of Riverfront Boulevard). It should be noted there are numerous bail bonds offices on properties concentrated along Riverfront Boulevard.

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 City of Dallas launched the Complete Streets Initiative in June, 2011 to improve the way we design and build streets. The vision of the Dallas Complete Streets Initiative is to build streets that are safe and comfortable for everyone: young or old, wheelchair or walker users, motorists, bicyclists, bus, and train riders alike. With respect to this site, Riverfront Boulevard from IH 30 to Reunion Boulevard is planned for construction to begin in October, 2014, with completion within 24 months. The portion of Riverfront Boulevard capturing the applicant's site is designed for a five-foot parkway, a five-foot sidewalk, and a 5.5-foot cycletrack.

In context with this initiative, the applicant has agreed to provide a landscape buffer along the site's frontage. As noted in the attached conditions, the applicant will be required to provide this prior to the issuance of a certificate of occupancy for the use.

Staff has determined the applicant's request, subject to the attached site plan and conditions, complies with the intent of the requirements for a specific use permit.

**Off-Street Parking:** Based on existing floor area of 1,103 square feet, the applicant's request requires three off-street parking spaces, with 42 spaces being provided.

**Landscaping:** The site is void of landscape materials with the exception of an alignment of trees in the northeast corner of the site. The applicant is not proposing additional floor area or nonpermeable surface area that would require additional landscaping. In working with staff to begin efforts bringing forward the vision for landscaping the main corridors throughout the PDD, via the Complete Streets initiative, the applicant has agreed to provide the above-referenced streetscape improvements.

**CPC ACTION**
(August 7, 2014)

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a Bail bonds office for a three-year period, with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions on property within the Mixmaster Riverfront Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the east line of South Riverfront Boulevard, south of Reunion Boulevard.

Maker: Bagley
Second: Abtahi
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Ridley, Abtahi

Against: 0
Absent: 3 - Shidid, Anantasomboon, Murphy
Vacancy: 0

**Notices:** Area: 200 Mailed: 11
**Replies:** For: 0 Against: 0

**Speakers**: For (Did not speak): Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Against: None

**CPC RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A BAIL BONDS OFFICE**

1. USE: The only use authorized by this specific use permit is a bail bonds office.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

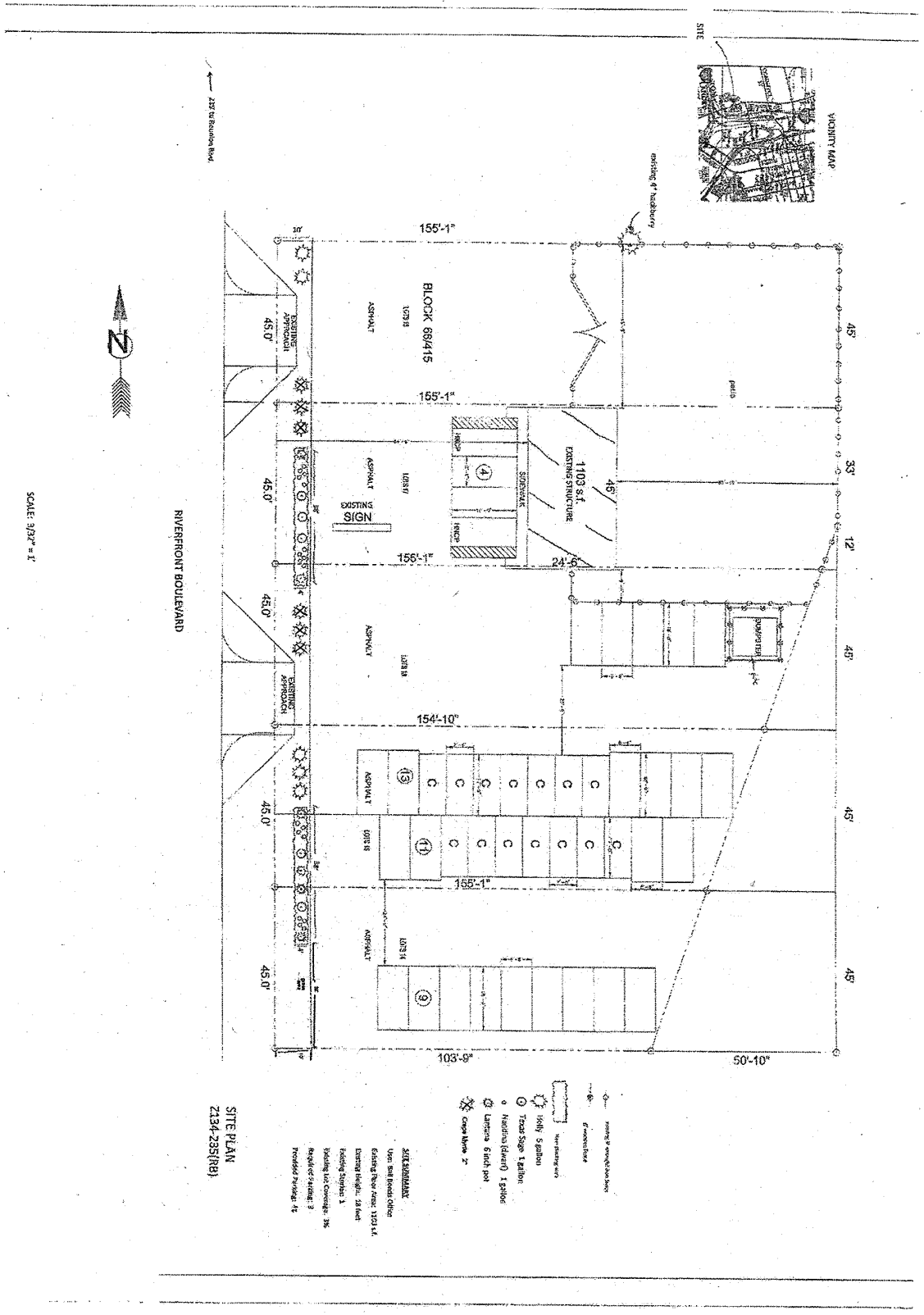
3. TIME LIMIT: This specific use permit expires on (three-years from the passage of the ordinance), but is eligible for automatic renewal for additional three-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. LANDSCAPING: Prior to the issuance of a certificate of occupancy, landscaping must be provided as shown on the attached site plan. Landscaping must be maintained in a healthy, growing condition.

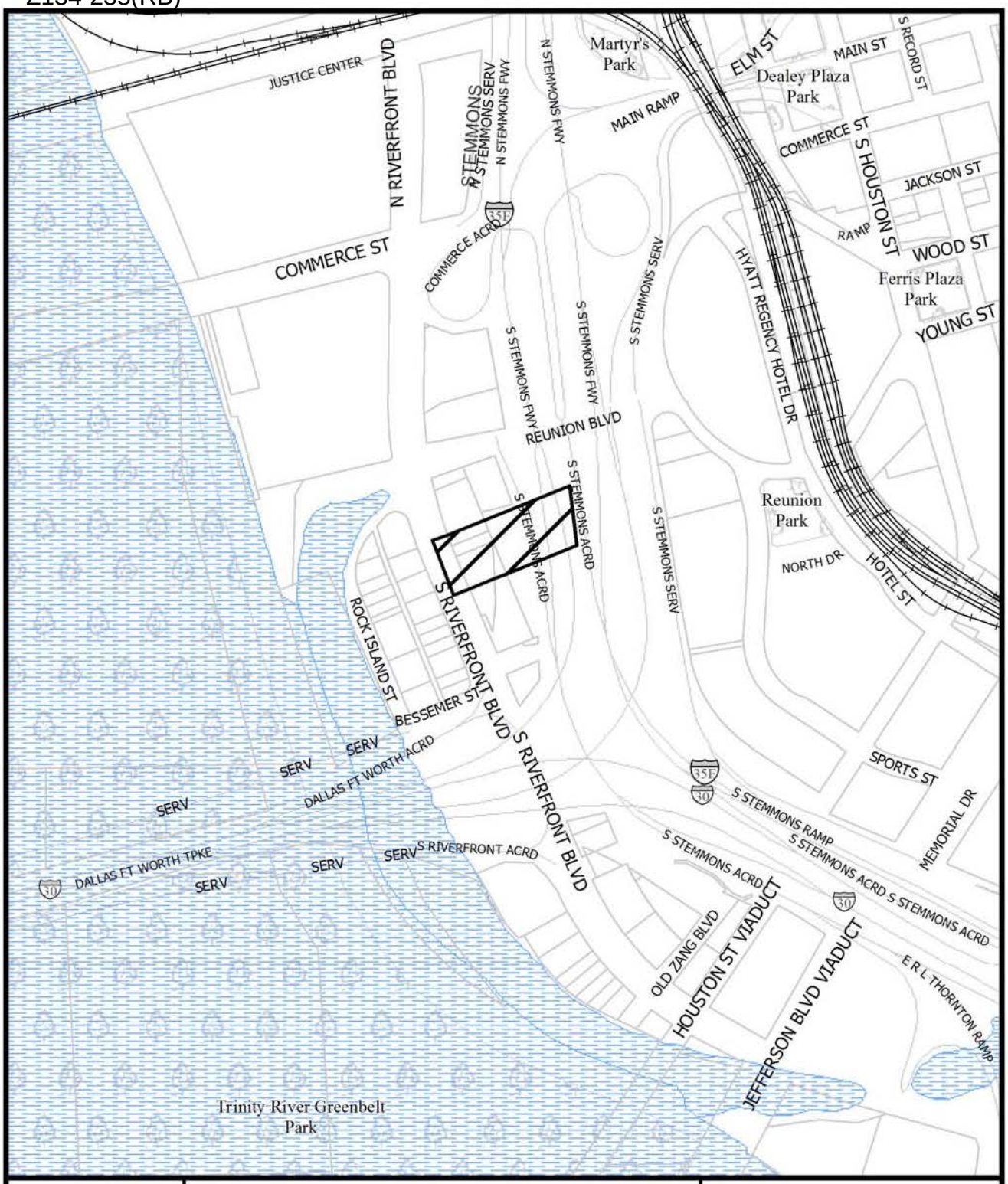
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

7. 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

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# VICINITY MAP

Case no: Z134-235

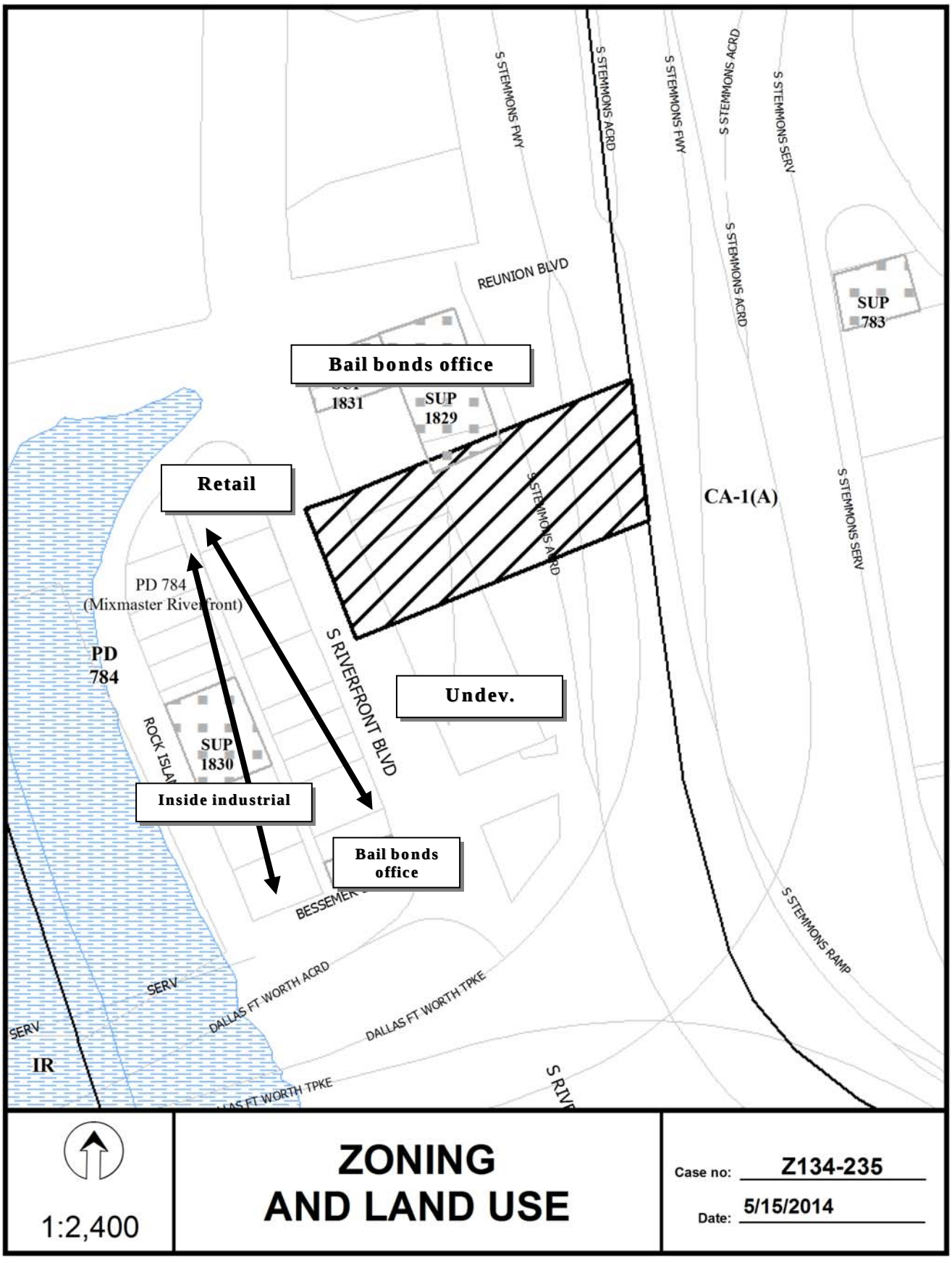
Date: 5/15/2014

1:2,400

# AERIAL MAP

Case no: Z134-235

Date: 5/15/2014


S STEMMONS FWY
S STEMMONS ACRD
S STEMMONS FWY
S STEMMONS ACRD
S STEMMONS SERV
REUNION BLVD
SUP 783
Bail bonds office
1831
SUP 1829
Retail
S STEMMONS ACRD
CA-1(A)
S STEMMONS SERV
PD 784
(Mixmaster Riverfront)
PD 784
S RIVERFRONT BLVD
Undev.
ROCK ISLA
SUP 1830
Inside industrial
Bail bonds office
BESSEMER
S STEMMONS RAMP
SERV
DALLAS FT WORTH ACRD
DALLAS FT WORTH TPKE
SERV
IR
DALLAS FT WORTH TPKE
S RIV
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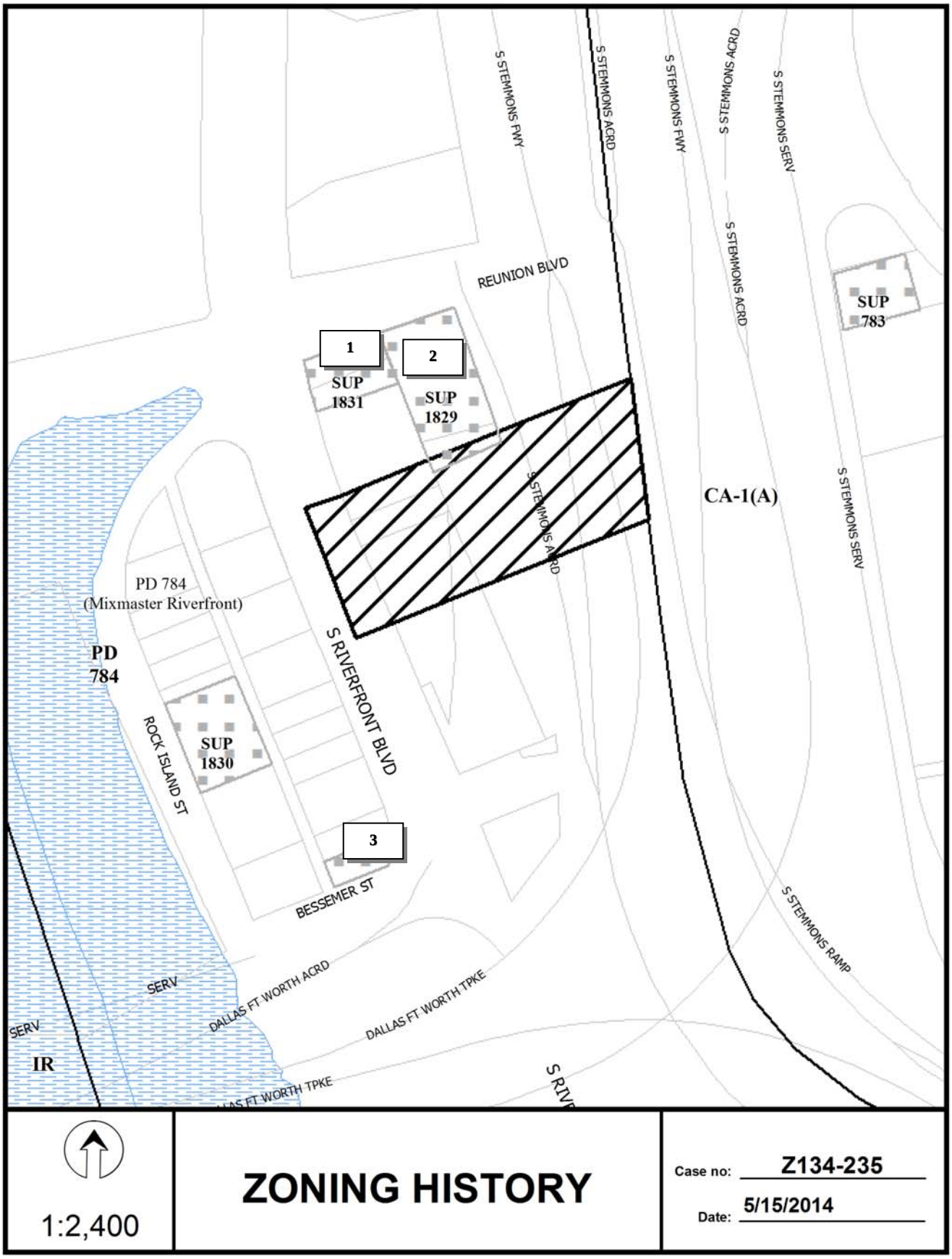
ZONING
AND LAND USE
Case no: Z134-235
Date: 5/15/2014



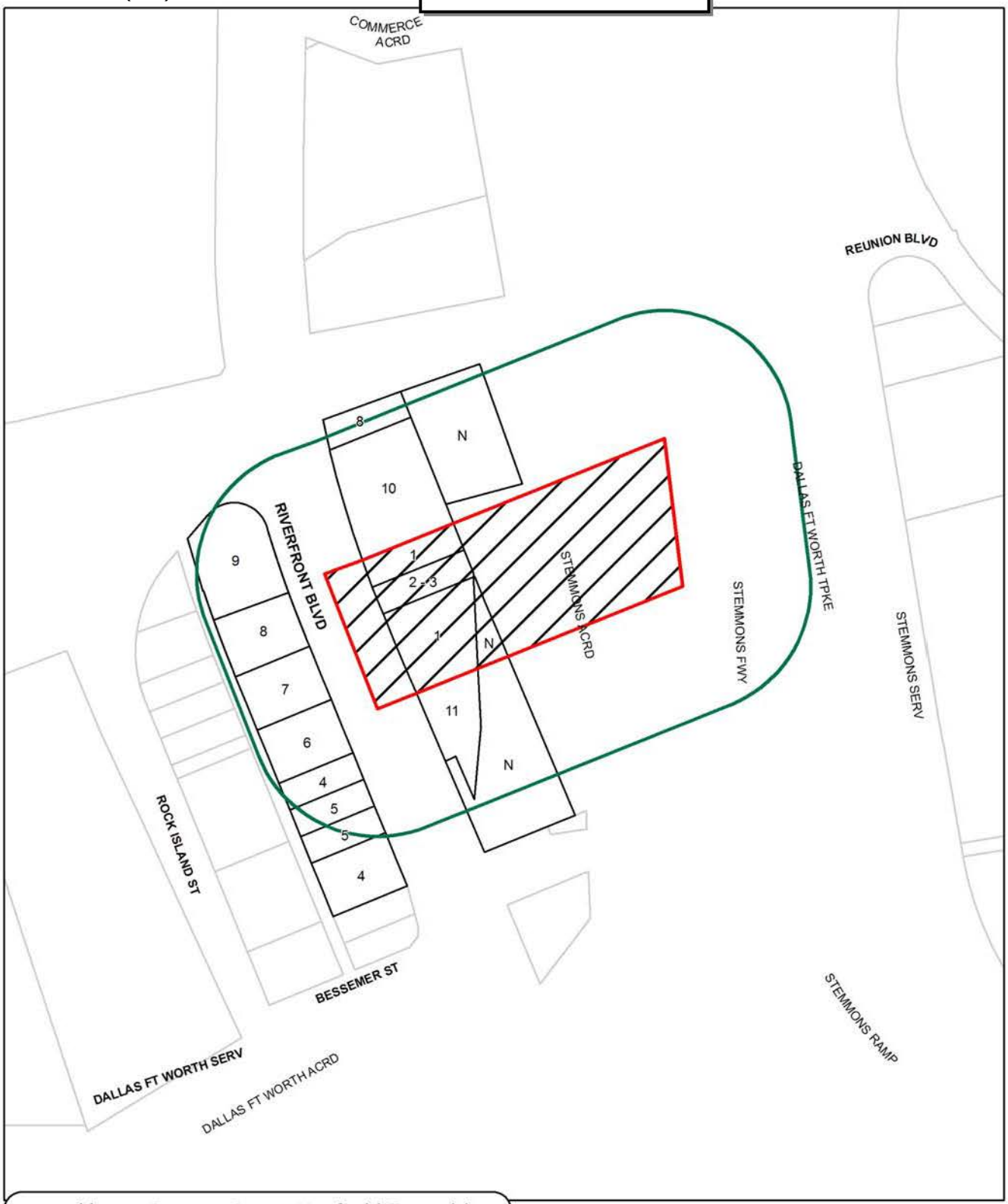

1:2,400

# ZONING HISTORY

Case no: Z134-235

Date: 5/15/2014

**CPC RESPONSES**




| | |
|---|---|
| 11 | Property Owners Notified (17 parcels) |
| 0 | Replies in Favor (0 parcels) |
| 0 | Replies in Opposition (0 parcels) |
| 200' | Area of Notification |
| 8/7/2014 | Date |

**Z134-235**
**CPC**

N
W E
S

1:2,400

***08/11/2014***

# *Reply List of Property Owners*

## *Z134-235*

***11 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 1 | 350 | RIVERFRONT BLVD | RIEKE LUCY CHRISTINE TR |
| | 2 | 330 | RIVERFRONT BLVD | RIEKE LUCY CHRISTINE TR |
| | 3 | 330 | RIVERFRONT BLVD | RIEKE LUCY CHRISTINE TR & |
| | 4 | 351 | RIVERFRONT BLVD | LAKHANI MEHMOOD & |
| | 5 | 345 | RIVERFRONT BLVD | LAKHANI MEHMOOD |
| | 6 | 331 | RIVERFRONT BLVD | CHPD LP |
| | 7 | 323 | RIVERFRONT BLVD | LAMS FAMILY LTD |
| | 8 | 317 | RIVERFRONT BLVD | JIFFY PROPERTIES LP |
| | 9 | 311 | RIVERFRONT BLVD | JIFFY PPTIES LP |
| | 10 | 314 | RIVERFRONT BLVD | OZNICK LAUREN LYNN & |
| | 11 | 362 | RIVERFRONT BLVD | SANTIAGO GP LLC |

**AGENDA ITEM # 39**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 59 D

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1817 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District, on the north side of Bruton Road, east of Masters Drive

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

Z134-246(WE)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-246(WE) **DATE FILED:** April 28, 2014

**LOCATION:** North side of Bruton Road, east of Masters Drive

**COUNCIL DISTRICT:** 7 **MAPSCO:** 59-D

**SIZE OF REQUEST:** Approx. 6.024 acres **CENSUS TRACT:** 176.05

**APPLICANT / OWNER:** Vicente Delgado

**REPRESENTATIVE:** Johnny Pecina

**REQUEST:** An application for an amendment to Specific Use Permit No. 1817 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 for an expansion to the existing charter school. The open enrollment charter school is operating within a 7,960 square foot church facility. The applicant is requesting an amendment to construct two separate facilities totaling 2,272 square feet on the western portion of the site to accommodate classroom space. The Charter school will relocate the classrooms to utilize the existing space in the church. The number of classrooms will remain at 15 classrooms and will continue to serve students from pre-kindergarten through sixth grade.

**CPC RECOMMENDATION:** **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions

**STAFF RECOMMENDATION:** **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions

**GUIDING CRITERIA FOR RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The expansion of the building area on this site will not affect the compatibility of the school with the surrounding area.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed amendment to increase the building area will neither contribute to nor be a detriment to adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The use is not anticipated to be a detriment to the public welfare. The proposed Specific Use Permit conditions are an additional layer of regulatory requirements the owner will have to comply with when operating the school.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

**BACKGROUND INFORMATION:**

- On November 10, 2010, the City Council approved Specific Use Permit for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions.

- The land uses surrounding the request site are primarily single family. There are deed restrictions on the adjacent property, east of the request site, which limits the development to single family or duplex uses. In addition, the restrictions establish a minimum lot coverage of 4,000 square feet.

**Land Use:**

| | Zoning | Land Use |
|---|---|---|
| **Site** | R-7.5(A) | Church, Charter School |
| **North** | TH-2(A) | Single Family |
| **South** | R-7.5(A) | Single Family |
| **East** | TH-2(A) w/dr | Single Family, Undeveloped |
| **West** | R-7.5(A) | Single Family |

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

Neighborhood Building Block. The proposed development is in compliance with the *forwardDallas! Comprehensive Plan.*

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

**STAFF ANALYSIS:**

**Land Use Compatibility:**

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

**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 |
| | | | | | | | |

**Landscaping:** Landscaping of any development will be in accordance Article X, as amended.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---|---|---|---|
| Bruton Road | Principal Arterial | 100 ft. | 100 ft. |

**Traffic:** The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system. The applicant has submitted a Traffic

Management Plan for the open enrollment charter school and will become a part of the Specific Use Permit conditions.

**Parking**: The requirement for off-street parking for the school is derived by two criterions: 1) the number of classrooms, and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The total number of proposed classrooms determines the number of required parking spaces. The Dallas Development Code requirement for off-street parking for a school is as follows:

- one and one half space for each kindergarten/elementary school classroom;
- three and one-half spaces for each junior high/middle school classroom; and

The Building Inspections Department has requested the applicant provide additional off-street parking spaces on site to accommodate the increase in building area. The number of off-street parking spaces will increase by 21 spaces, from 83 spaces to 104 spaces. In addition, a parking agreement will be filed with the Building Official between the applicant and church.

**CPC Action** (August 7, 2014)

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1817 for an open enrollment charter school for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions on property zoned an R-7.5(A) Single Family District, on the north side of Bruton Road, east of Masters Drive.

Maker: Bagley
Second: Shellene
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Ridley, Abtahi

Against: 0
Absent: 3 - Shidid, Anantasomboon, Murphy
Vacancy: 0

**Notices:** Area: 400 Mailed: 61
**Replies:** For: 3 Against: 4

**Speakers**: For: None
Against: Richard Sheridan, 11301 Dennis Rd., Dallas, TX, 75229

## LIST OF OFFICERS

- Darrell Pilcher President
- Floyd Pineda Vice-President
- Sarah Elizondo Secretary
- Gamaliel Solares Board Member
- Yolanda Mata Board Member

**EXISTING SUP CONDITIONS**
Approved November 10, 2010

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 November 10, 2015, 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. CLASSROOMS: The maximum number of classrooms is 15.

5. DROP-OFF/PICK-UP: Drop-off and pick-up areas for students must be provided in the locations shown on the attached site plan.

6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 4:30 p.m., Monday through Friday, except for school-related administrative meetings.

7. INGRESS/ EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.

8. PARKING: Parking must be provided in the locations shown on the attached site plan.

9. TRAFFIC MANAGEMENT PLAN:

A. In general. The operation of an open enrollment charter school must comply with the attached traffic management plan.

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 must be submitted to the Director by November 1, 2012. After the initial traffic study, the 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; and

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).

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.

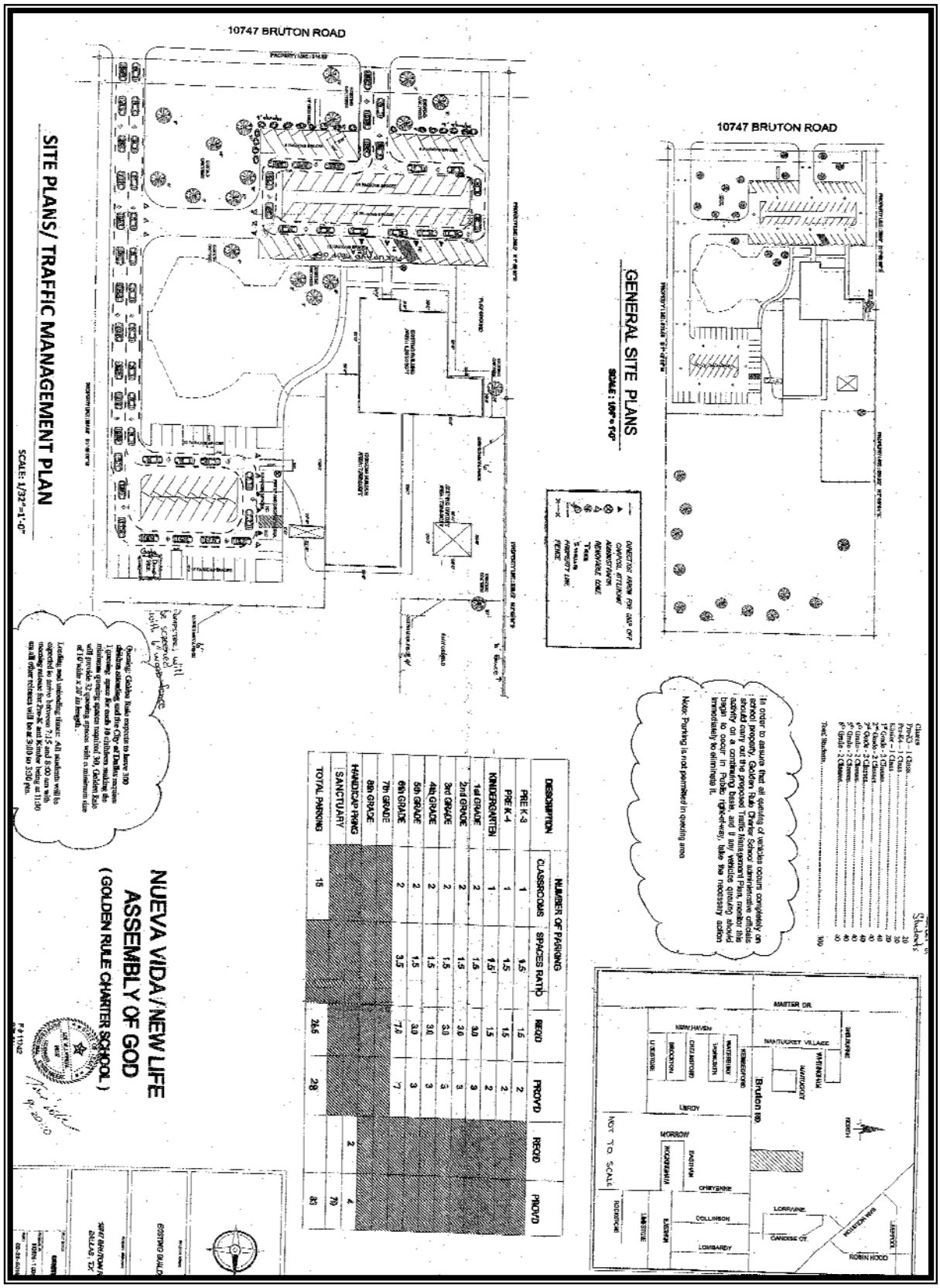
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

## PROPOSED SUP CONDITIONS

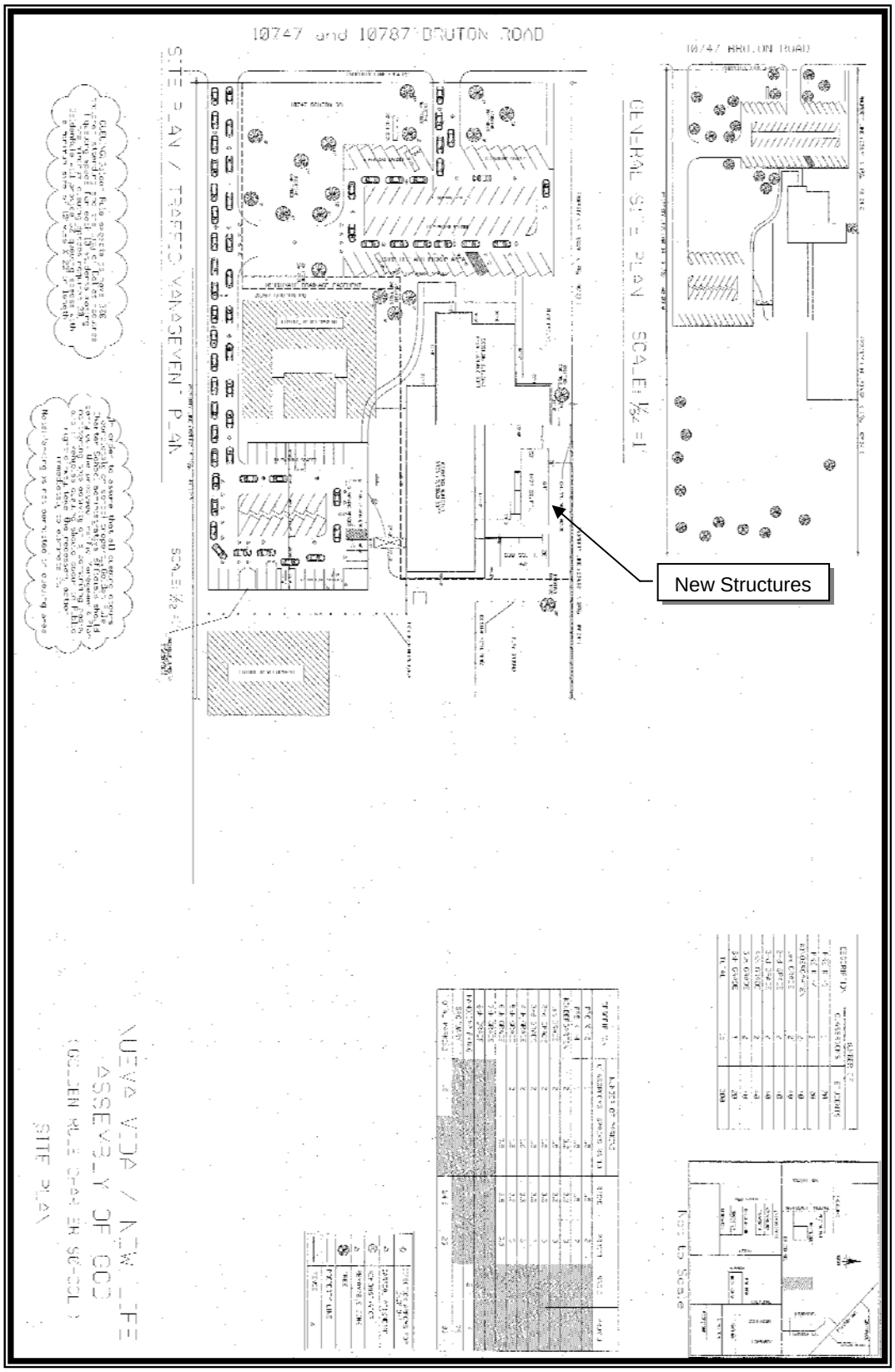
3. TIME LIMIT: This specific use permit expires on [~~November 10, 2015~~], (five-years from the passage of the ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)

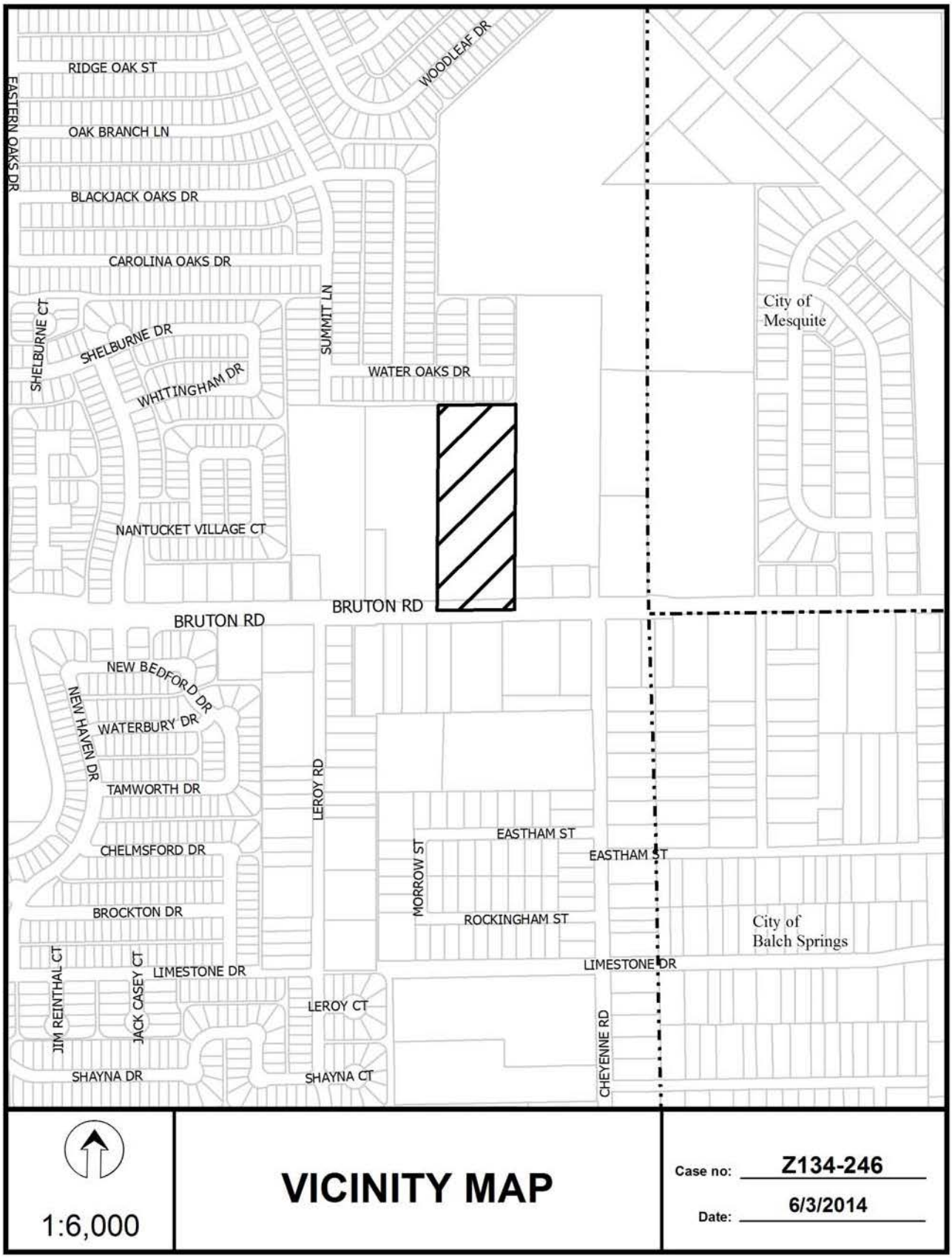
Z134-246(WE)

# EXISTING SITE PLAN/ TRAFFIC MANAGEMENT PLAN



**PROPOSED SITE PLAN/**
**TRAFFIC MANAGEMENT PLAN**

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EASTERN OAKS DR
OAK BRANCH LN
BLACKJACK OAKS DR
CAROLINA OAKS DR
SHELBURNE CT
SHELBURNE DR
WHITTINGHAM DR
SUMMIT LN
WOODLEAF DR
WATER OAKS DR
City of Mesquite
NANTUCKET VILLAGE CT
BRUTON RD
BRUTON RD
NEW BEDFORD DR
NEW HAVEN DR
WATERBURY DR
TAMWORTH DR
LEROY RD
CHELMSFORD DR
EASTHAM ST
EASTHAM ST
MORROW ST
BROCKTON DR
ROCKINGHAM ST
City of Balch Springs
LIMESTONE DR
LIMESTONE DR
JIM REINTHAL CT
JACK CASEY CT
LEROY CT
CHEYENNE RD
SHAYNA DR
SHAYNA CT
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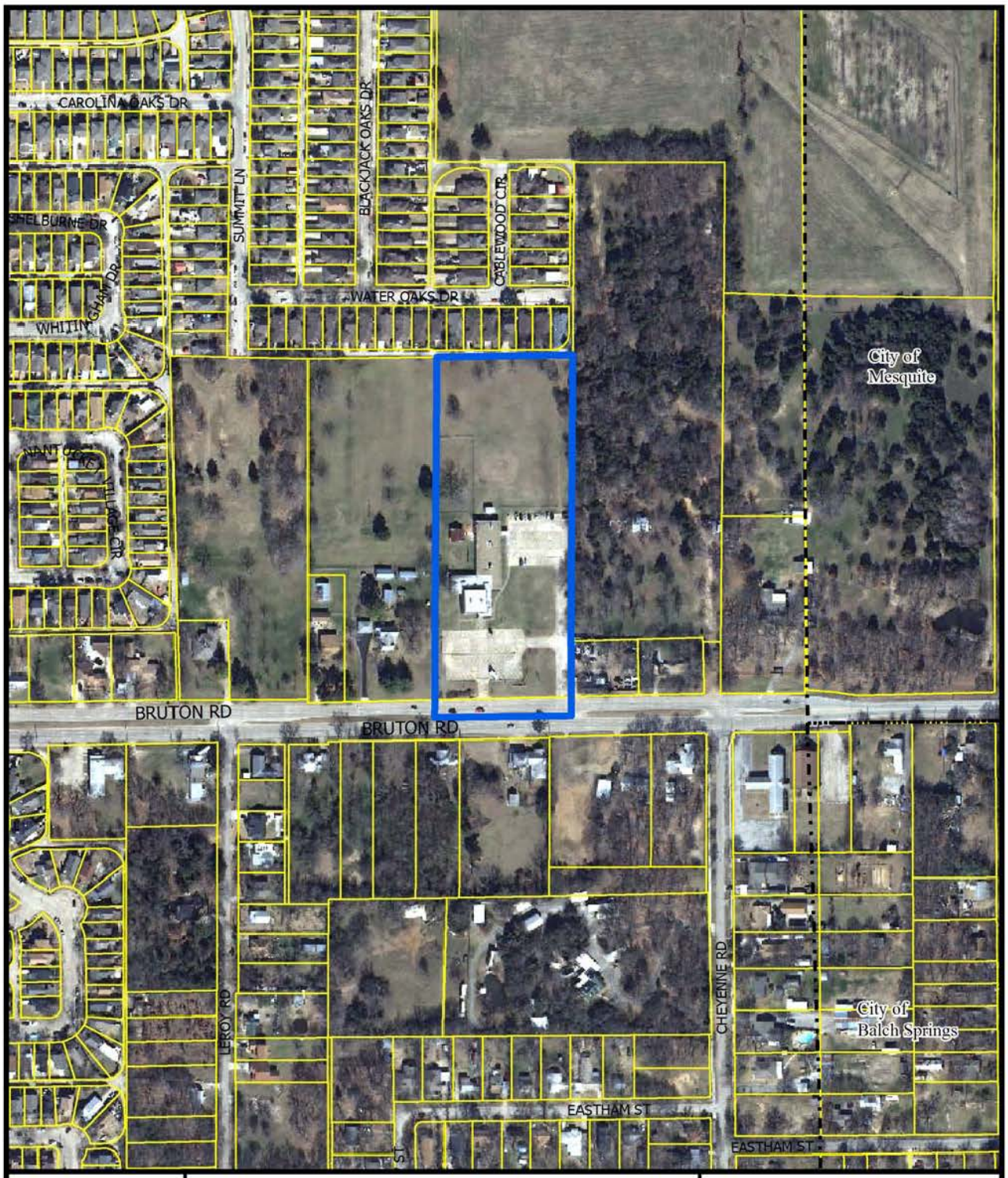
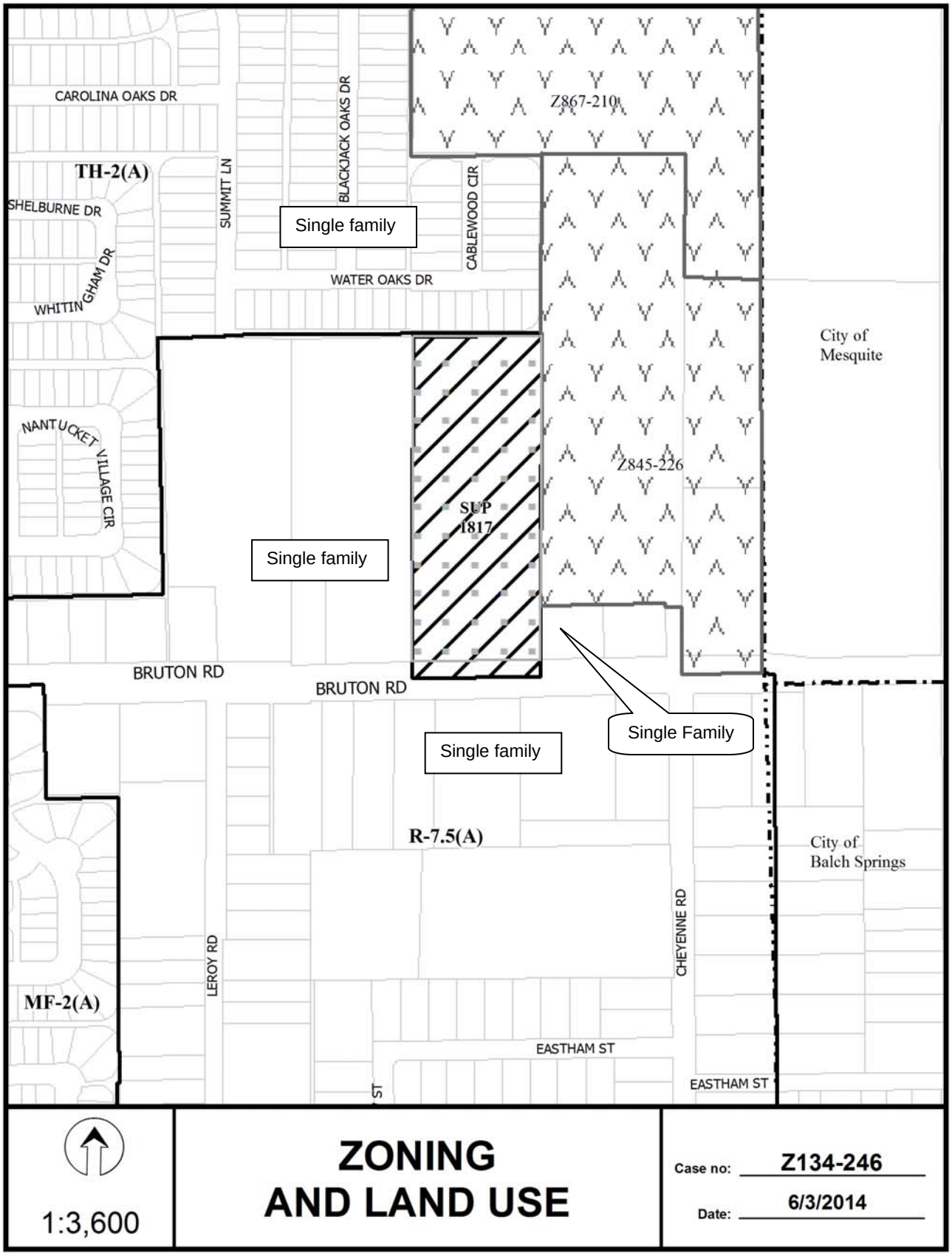
VICINITY MAP
Case no: Z134-246
Date: 6/3/2014


CAROLINA OAKS DR
SUMMIT LN
BLACKJACK OAKS DR
CABLEWOOD CIR
SHELBURNE DR
WHITTINGHAM DR
WATER OAKS DR
City of Mesquite
NANTUCKET
VILLAGE CIR
BRUTON RD
BRUTON RD
LEROY RD
CHEYENNE RD
City of Balch Springs
EASTHAM ST
EASTHAM ST
1:3,600
AERIAL MAP
Case no: Z134-246
Date: 6/3/2014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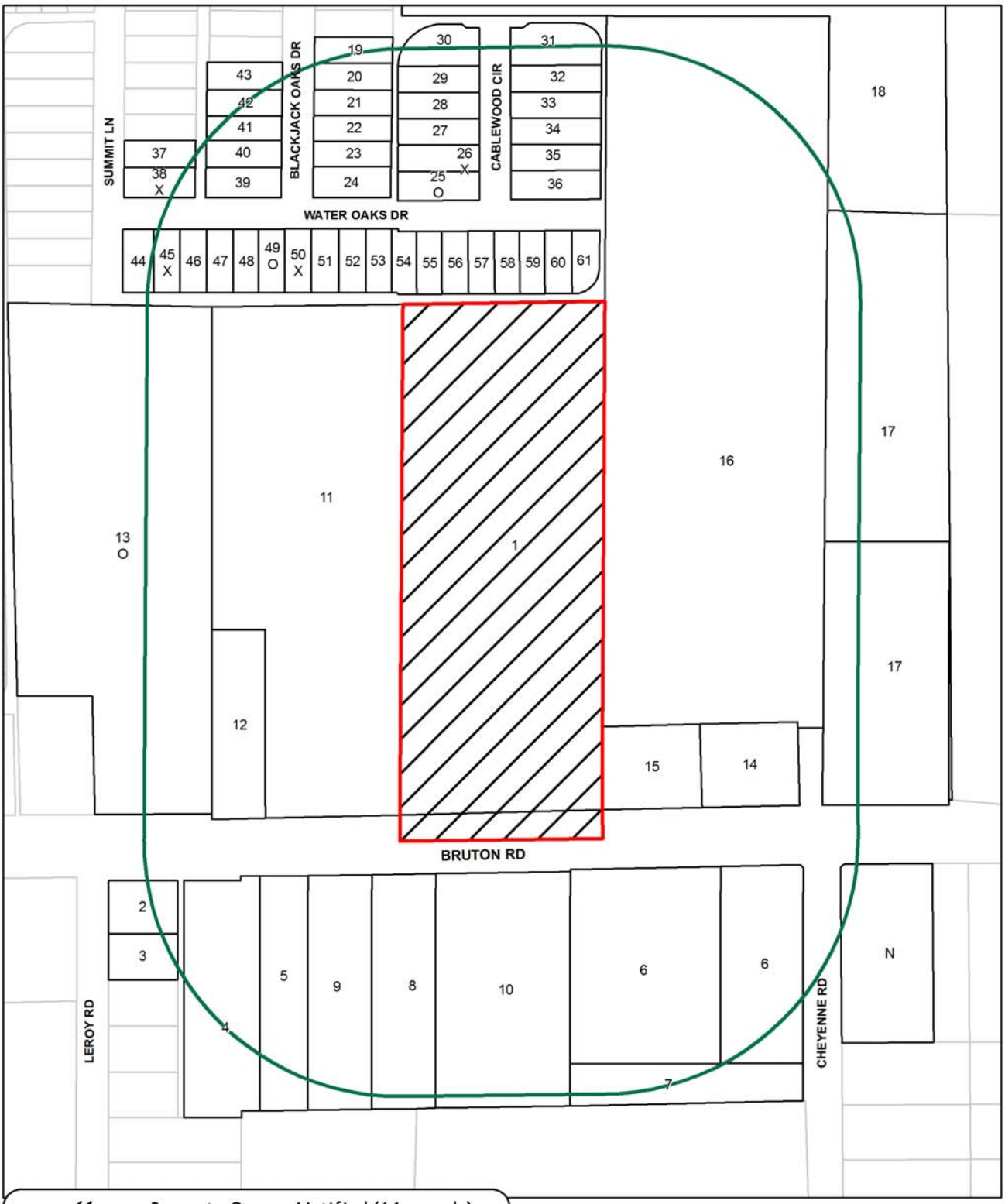
BLACKJACK OAKS DR
Z867-210
TH-2(A)
SUMMIT LN
SHELBURNE DR
Single family
CABLEWOOD CIR
WHITTINGHAM DR
WATER OAKS DR
City of Mesquite
NANTUCKET VILLAGE CIR
Z845-226
SUP 1817
Single family
BRUTON RD
BRUTON RD
Single Family
Single family
R-7.5(A)
City of Balch Springs
CHEYENNE RD
LEROY RD
MF-2(A)
EASTHAM ST
EASTHAM ST
ST
1:3,600
ZONING AND LAND USE
Case no: Z134-246
Date: 6/3/2014

## CPC RESPONSES



# *Notification List of Property Owners*

## *Z134-246*

***61 Property Owners Notified 3 Property Owners in Favor 4 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 1 | 10747 | BRUTON RD | NUEVA VIDA NEW LIFE ASSEMBLY INC |
| | 2 | 2048 | LEROY RD | TURNER THERESA A |
| | 3 | 2042 | LEROY RD | HILL CHARLES RAY ESTATE |
| | 4 | 10612 | BRUTON RD | SAENZ ADALBERTO |
| | 5 | 10618 | BRUTON RD | GALLEGOS COSME G & |
| | 6 | 10822 | BRUTON RD | MACIEL GUADALUPE & PABLO |
| | 7 | 10822 | BRUTON RD | CARBAJAL AUGUSTINE & VERONICA |
| | 8 | 10708 | BRUTON RD | RODRIGUEZ JOSE JUAN |
| | 9 | 10622 | BRUTON RD | FLORES JOSE B & |
| | 10 | 10726 | BRUTON RD | LAZARO MARTHA |
| | 11 | 10631 | BRUTON RD | ROBERTSON NORMAN L & |
| | 12 | 10625 | BRUTON RD | HOLMES JOHNNY & ALICE G |
| O | 13 | 10601 | BRUTON RD | RICO MARCO A & SARITA |
| | 14 | 10825 | BRUTON RD | ELCA INVESTMENTS INC |
| | 15 | 10807 | BRUTON RD | JENNINGS ALISHA |
| | 16 | 10807 | BRUTON RD | TRISTAN PETRA |
| | 17 | 10901 | BRUTON RD | RODRIGUEZ DAGOBERTO & |
| | 18 | 2501 | SAM HOUSTON RD | MESQUITE CITY OF |
| | 19 | 10556 | BLACKJACK OAKS DR | GUIDO JUSTO P& DINORA J |
| | 20 | 10560 | BLACKJACK OAKS DR | GIPSON EMMA LUTY |
| | 21 | 10564 | BLACKJACK OAKS DR | CHEN GINNY |
| | 22 | 10568 | BLACKJACK OAKS DR | MIMS ALICE M |
| | 23 | 10572 | BLACKJACK OAKS DR | REYES GUELLERMO & MARIANA |
| | 24 | 10576 | BLACKJACK OAKS DR | MILLER SHERA P |
| O | 25 | 2303 | CABLEWOOD CIR | PEREA REFUGIO S |
| X | 26 | 2307 | CABLEWOOD CIR | DOMINGUEZ BERTOLDO & |

***08/15/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 27 | 2311 | CABLEWOOD CIR | ESTRADA DEMETRIO |
| | 28 | 2315 | CABLEWOOD CIR | RODRIGUEZ MERECEDES |
| | 29 | 2319 | CABLEWOOD CIR | WATTS MICHAEL D |
| | 30 | 2323 | CABLEWOOD CIR | WASHINGTON ANNETTE J |
| | 31 | 2324 | CABLEWOOD CIR | CROSS ABIGALE |
| | 32 | 2320 | CABLEWOOD CIR | MONCIBAIS MARTA |
| | 33 | 2316 | CABLEWOOD CIR | MENDOZA LORENZO |
| | 34 | 2312 | CABLEWOOD CIR | PEREZ ANTONIO |
| | 35 | 2308 | CABLEWOOD CIR | SOWELL D E |
| | 36 | 2304 | CABLEWOOD CIR | ALEGRIA MAX A & SANDRA E |
| | 37 | 2308 | SUMMIT LN | DUNCAN ODELL |
| X | 38 | 2304 | SUMMIT LN | RIZO FOSTER MORALES & |
| | 39 | 10575 | BLACKJACK OAKS DR | WILSON MARION E & |
| | 40 | 10571 | BLACKJACK OAKS DR | WOODRUFF CLAUDIA WHITE |
| | 41 | 10567 | BLACKJACK OAKS DR | HALL DORRIS JEAN |
| | 42 | 10563 | BLACKJACK OAKS DR | LUCIO JUAN & |
| | 43 | 10559 | BLACKJACK OAKS DR | KELLY MILTON CARDELL |
| | 44 | 10704 | WATER OAKS DR | MUNIZ MARIA GUADALUPE |
| X | 45 | 10708 | WATER OAKS DR | PARKER CARLA |
| | 46 | 10712 | WATER OAKS DR | EUCEDA INVESTMENT CORP |
| | 47 | 10716 | WATER OAKS DR | MENDOZA PABLO JR |
| | 48 | 10720 | WATER OAKS DR | MACKENZIE SUE PROPERTIES |
| O | 49 | 10724 | WATER OAKS DR | PATTON CHESTER R & DOLLY |
| X | 50 | 10728 | WATER OAKS DR | SHAW JOHN HENRY SR & |
| | 51 | 10732 | WATER OAKS DR | MARBAN FRANCISCO J & |
| | 52 | 10736 | WATER OAKS DR | NEIMETZ RANDOLPH S |
| | 53 | 10740 | WATER OAKS DR | GAMBLE BRUCE L |
| | 54 | 10744 | WATER OAKS DR | GUTIERREZ ABIGAIL & |
| | 55 | 10748 | WATER OAKS DR | HEBRON DELORES MAE & |
| | 56 | 10752 | WATER OAKS DR | COOPER ANGELA |
| | 57 | 10756 | WATER OAKS DR | OKAFOR FRANCIS T |

***08/15/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 58 | 10804 | WATER OAKS DR | CORLEY ROBERT |
| | 59 | 10808 | WATER OAKS DR | BATTLE TRAVIS J |
| | 60 | 10812 | WATER OAKS DR | MOORE SARAH J |
| | 61 | 10816 | WATER OAKS DR | REEVES MAE JEWELL |

**AGENDA ITEM # 40**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 46 S; W

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a fire station on property in an R-5(A) Single Family Residential Subdistrict of Planned Development District No. 595, at the north corner of Kimble Street and Pennsylvania Avenue

Recommendation of Staff and CPC: Approval for a permanent period, subject to a site plan, landscape plan, and conditions

Z134-251(CG)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-251(CG) **DATE FILED:** May 2, 2014

**LOCATION:** North corner of Kimble Street and Pennsylvania Avenue

**COUNCIL DISTRICT:** 7 **MAPSCO:** 46-S, 46-W

**SIZE OF REQUEST:** 1.5 acres **CENSUS TRACT:** 203.00

**APPLICANT/OWNER:** City of Dallas

**REPRESENTATIVE:** Elizabeth Brant

**REQUEST:** An application for a Specific Use Permit for a fire station on property in an R-5(A) Single Family Residential Subdistrict of Planned Development District No. 595.

**SUMMARY:** The applicant is requesting a Specific Use Permit to construct the new City of Dallas Fire Station No. 6. The structure proposed is one-story, 12,200 square feet. The proposed station would have four bays, consisting of 16 beds to accommodate fire personnel.

**CPC RECOMMENDATION:** **Approval** for a permanent period, subject to a site plan, landscape plan, and conditions.

**STAFF RECOMMENDATION:** **Approval** for a permanent period, subject to a site plan, landscape plan, and conditions.

**GUIDING CRITERIA FOR RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – Land use surrounding the subject site is predominantly residential with scattered vacant lots, single family and multifamily uses. Given the close proximity to the S.M. Wright Freeway, the fire station is appropriate at this location.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – With freeway access, the neighboring commercial uses to the north and senior living facility to the south benefit with a public service use that will contribute, enhance and promote the welfare of the area**.**

3. *Not a detriment to the public health, safety, or general welfare* – There is no indication that the fire station, with immediate access to a major thoroughfare, would be detrimental to the public health, safety, or general welfare.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The property has four street frontages that include Edgewood and Kimble Streets and Pennsylvania and Peabody Avenues. The proposed development will comply with the setbacks of zoning regulations and standards for this district except for fence height. An appeal will be made to the Board of Adjustment for a special exception to the fence height.

**Zoning History:**

1. Z101-277(DC) On December 12, 2012, the City Council approved an ordinance changing the zoning classification on Tracts 1 – 3 in the South Dallas/Fair Park Planned Development District No. 595 from CC Community Commercial Subdistrict, MF-2(A) Multifamily Subdistrict, and a NC Neighborhood Commercial Subdistrict to an FWMU-3 Walkable Mixed Use Subdistrict, placing an SH Shopfront Overlay on a portion of the property.

**Thoroughfares/Streets:**

| Thoroughfares/Street | Type | Existing ROW |
|---|---|---|
| Pennsylvania Avenue | Collector | 50 feet |

**Land Use:**

| | Zoning | Land Use |
|---|---|---|
| **Site** | PDD 595, R-5(A) | Vacant lots |
| **North** | PDD 595 | Residential, scattered vacant lots |
| **East** | PDD 595 | Residential, multifamily, church and scattered vacant lots |
| **South** | PDD 595, SUP 399 | Residential home for the aged |
| **West** | PDD 595 | Undeveloped |

**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 within the Residential Neighborhoods Building Block. The Residential 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. This Building Block primarily supports single-family neighborhoods. However, certain land uses are appropriate along edges and at key intersections. Therefore, the Comprehensive Plan Guide states that the Land Use Element establishes the Vision Illustration and Building Blocks as a general guide for desired development and area-specific issues.

**LAND USE ELEMENT**

Policy 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

**INFRASTRUCTURE ELEMENT**

Policy 7.1.5 Provide public infrastructure to support neighborhoods.

7.1.5.2 Encourage neighborhood-serving office, retail, or other nonresidential uses to locate primarily on significant roads or at key intersections.

**Land Use Compatibility:** The approximately 1.2 acre request site consists of vacant lots, and lies within the Residential R-5(A) subdistrict of Planned Development District 595. The surrounding land uses are predominantly residential with single family and

multifamily uses to the north, east and south. Commercial, residential, institutional uses and vacant parcels are also dispersed within that boundary, with freeway frontage to the west.

Upon approval of the zoning change request, 20 lots will be re-platted into a single lot to construct the new fire station. The property has frontages on Edgewood and Kimble Streets and Pennsylvania and Peabody Avenues. The site plan shown to the City Plan Commission reflected a 10 foot setback on Edgewood Street. The Building Inspection Department confirmed that the setback along Edgewood Street is a 20-foot front yard setback. The site plan was revised to show a 20-ft-front yard setback on Edgewood Street to comply with zoning district regulations. The proposed development will comply with the setbacks of zoning regulations and standards for this district except for fence height. An appeal will be made to the Board of Adjustment for a special exception to the fence height.

With immediate freeway access, the proposed fire station is a public service use that will not detrimentally impact the area. Staff is recommending approval.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

**Development Standards:**

| DISTRICT | SETBACKS | | FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|---|---|---|---|---|---|---|---|
| | Front | Side/Rear | | | | | |
| PDD 595 Single Family | 20’ | 5’ | No max. dwelling unit density | 30’ | 45% | Min. Lot: 5,000 sq. ft. | Single family |
| Other permitted structures | 20’ | 10’ | N/A | 20’ | 25% | N/A | N/A |

**Landscaping:** Landscaping attached landscape plan has been reviewed by the City’s Arborist and provided to meet the intent of Article X.

**Parking:** The Dallas Development Code requires 5 spaces plus one additional space per bed. Given the proposed 16 beds, 22 spaces are required plus 1 handicapped parking spaces for a total of 23 off-street parking spaces as shown on the attached site plan.

**CPC ACTION:**
(August 7, 2014)

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a fire station for a permanent period, subject to a revised site plan to show 20 foot building line, landscape plan, and conditions on property in an R-5(A) Single Family Residential Subdistrict of Planned Development District No. 595, generally at the north corner of Kimble Street and Pennsylvania Avenue.

Maker: Bagley
Second: Abtahi
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Ridley, Abtahi

Against: 0
Absent: 3 - Shidid, Anantasomboon, Murphy
Vacancy: 0

**Notices:** Area: 300 Mailed: 40
**Replies:** For: 2 Against: 0

**Speakers**: None

## PROPOSED SPECIFIC USE PERMIT CONDITIONS

1. USE: The only use authorized by this specific use permit is a police or fire station use limited to a fire station.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit has no expiration date.

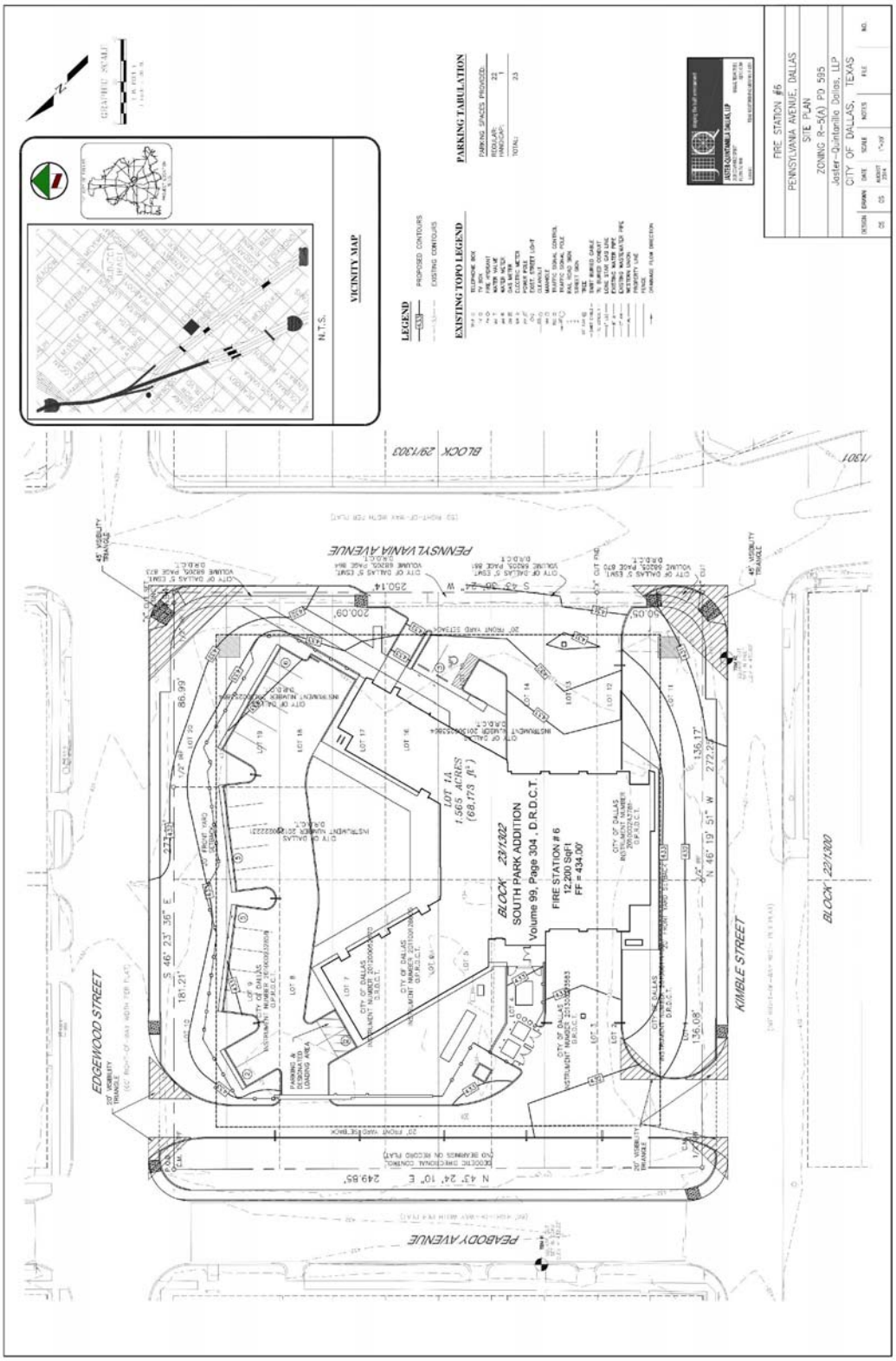
4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.

5. INGRESS AND EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

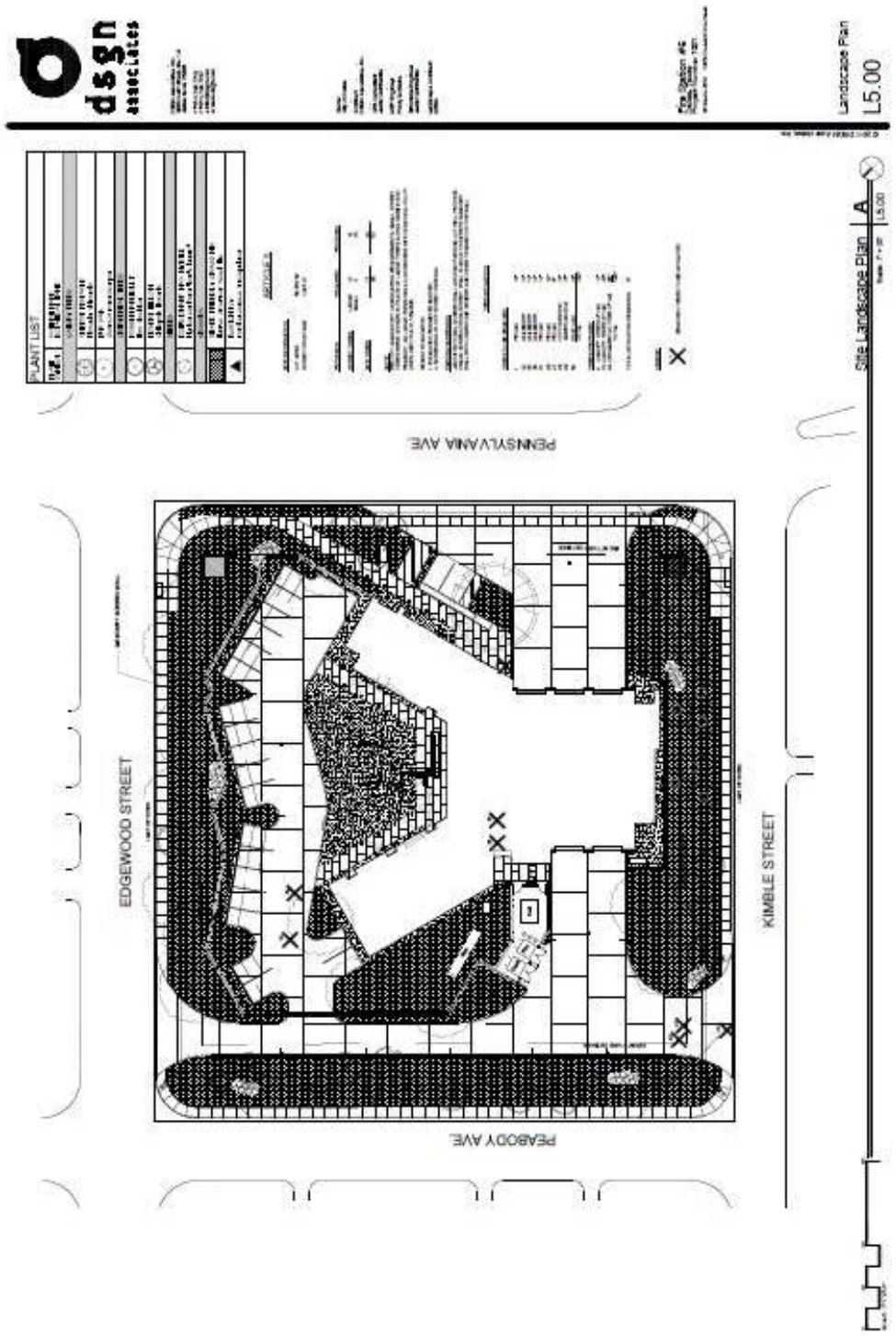
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

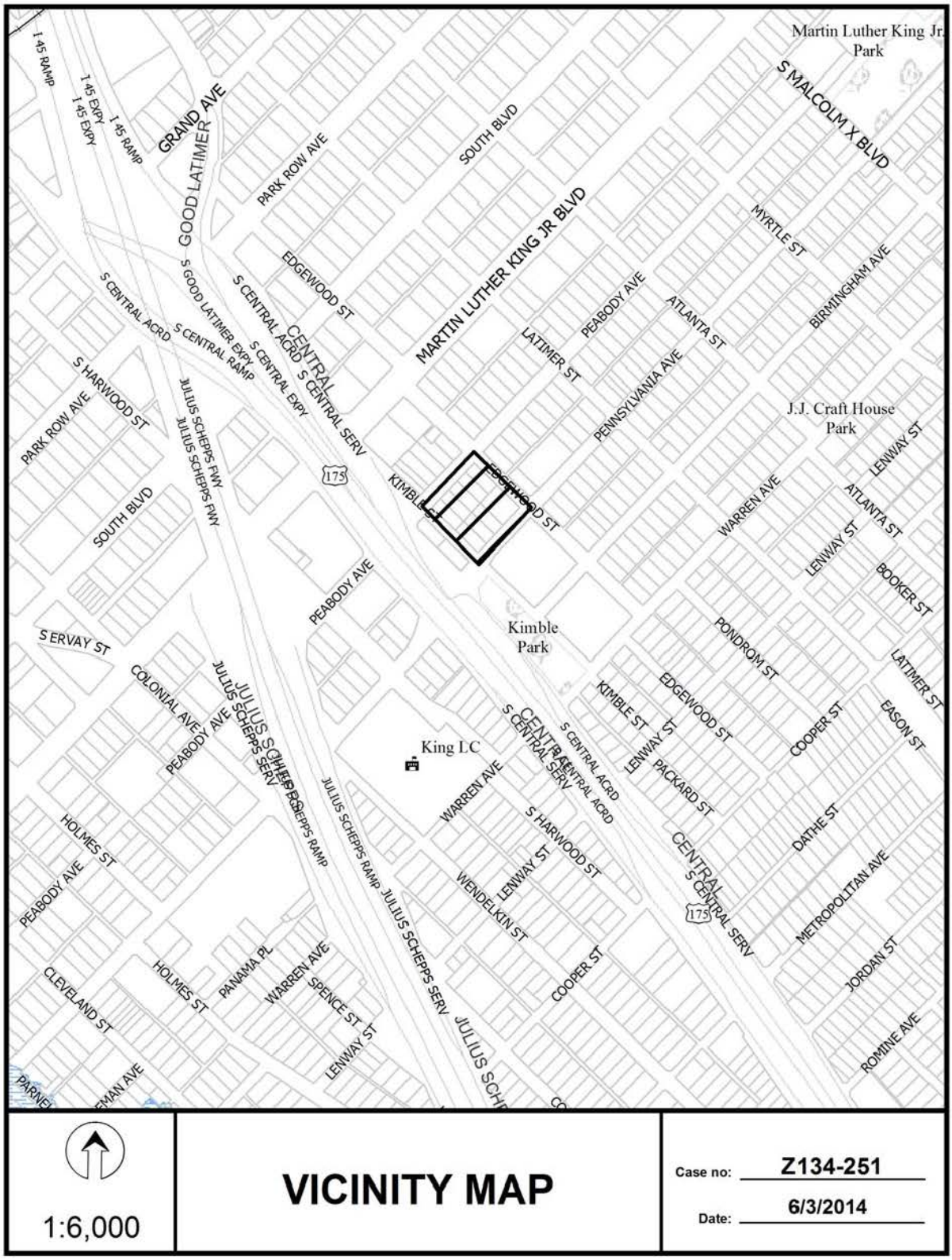
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

## PROPOSED SITE PLAN



## PROPOSED LANDSCAPE PLAN



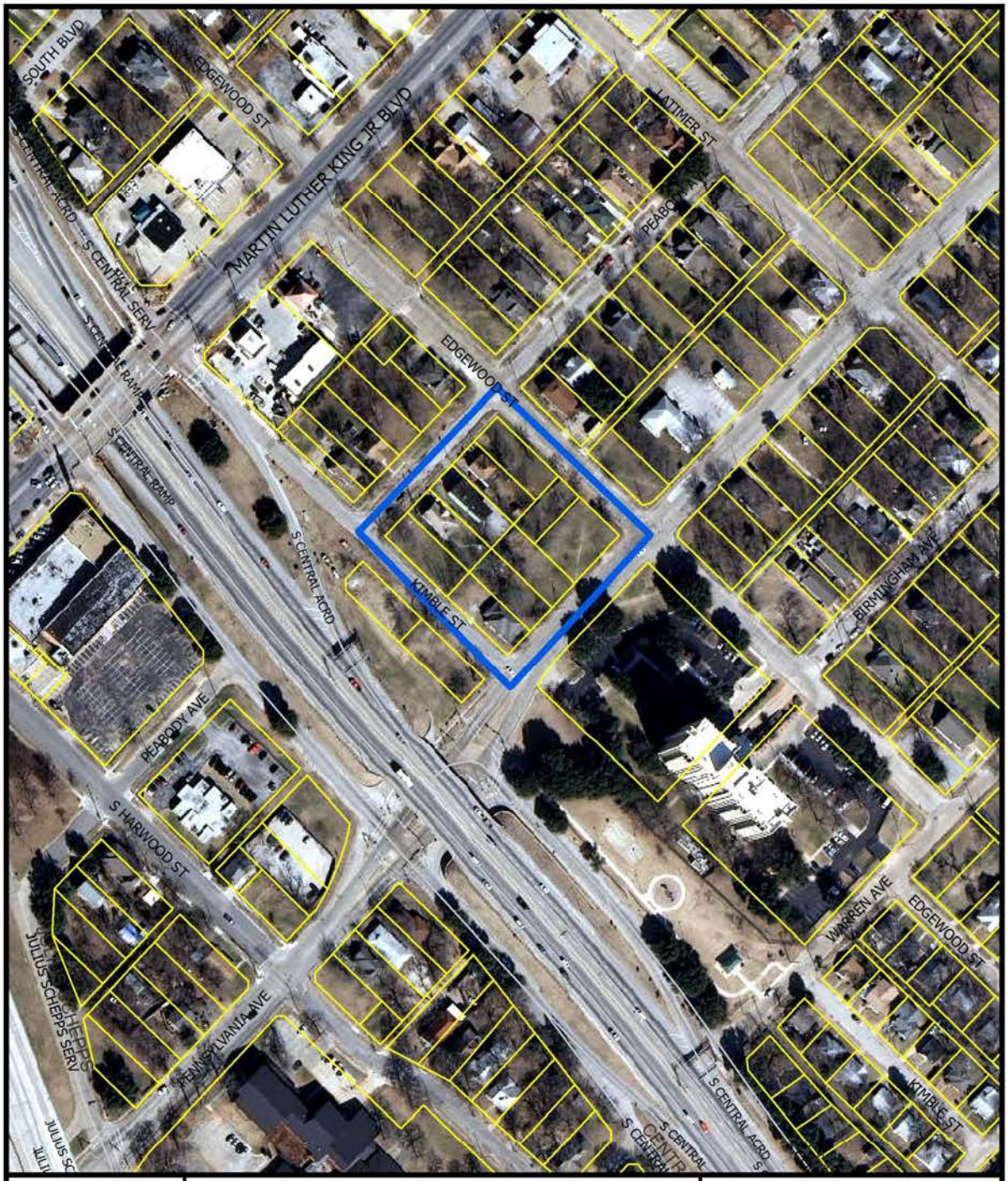



1:6,000

# VICINITY MAP

Case no: Z134-251

Date: 6/3/2014

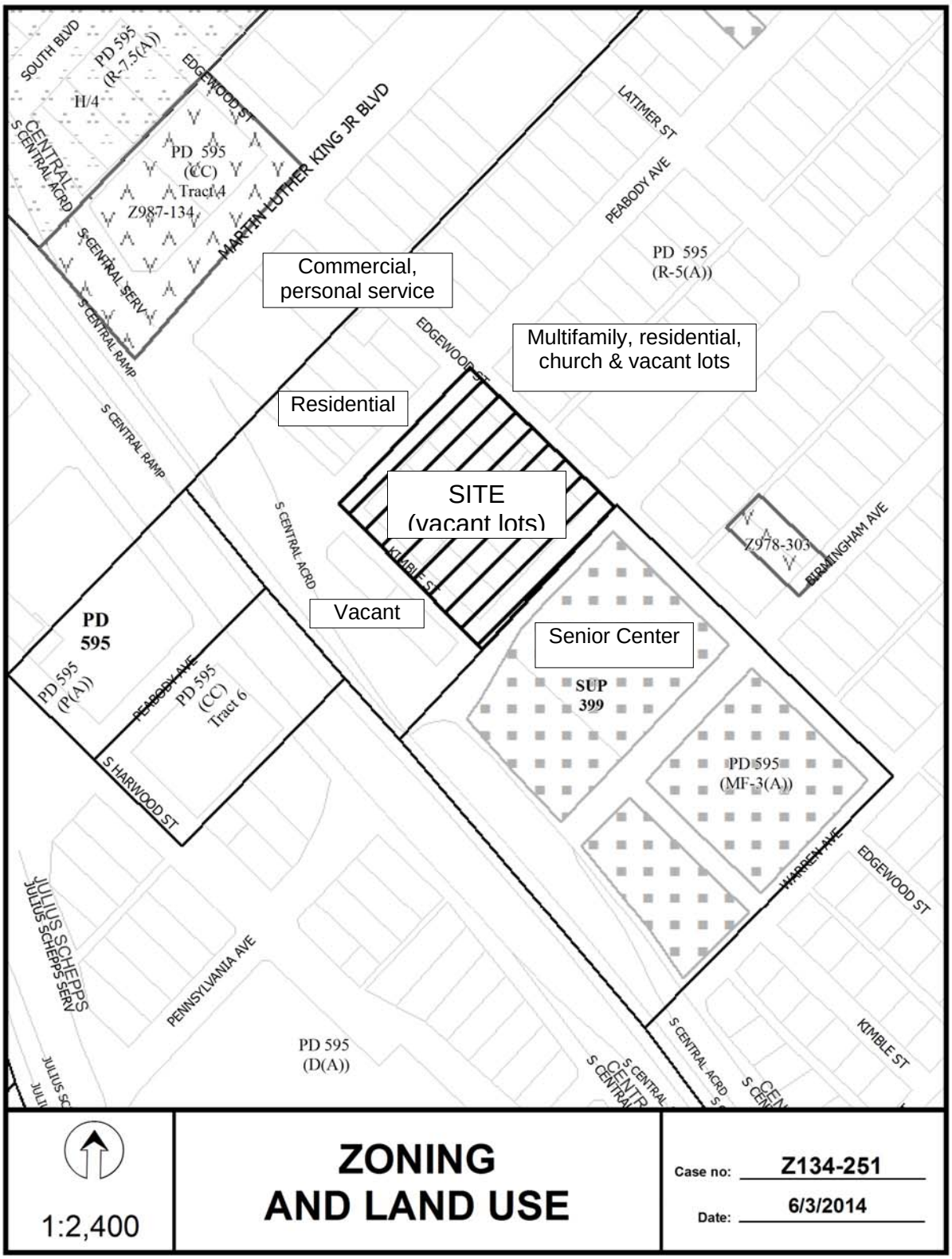


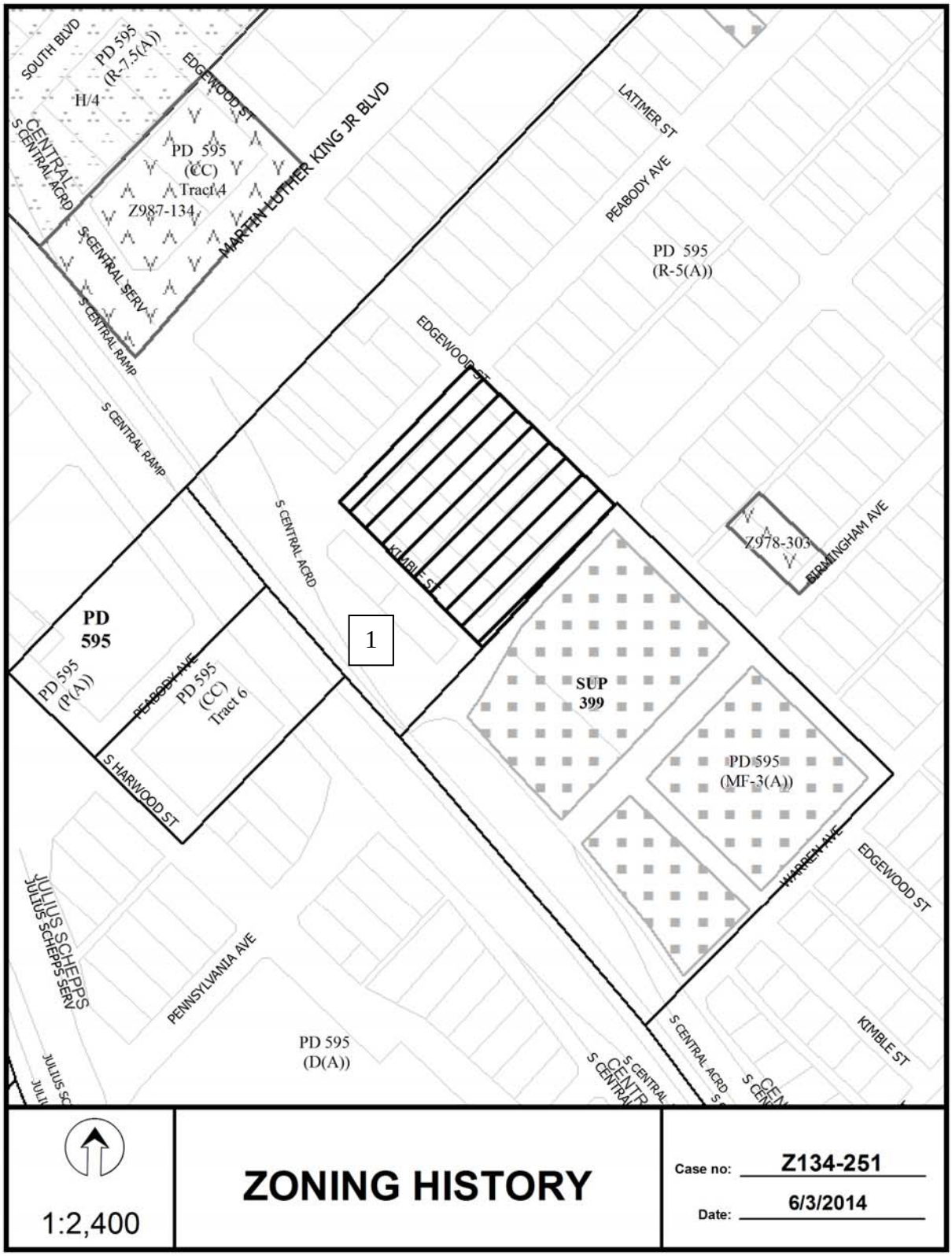

1:2,400

# AERIAL MAP

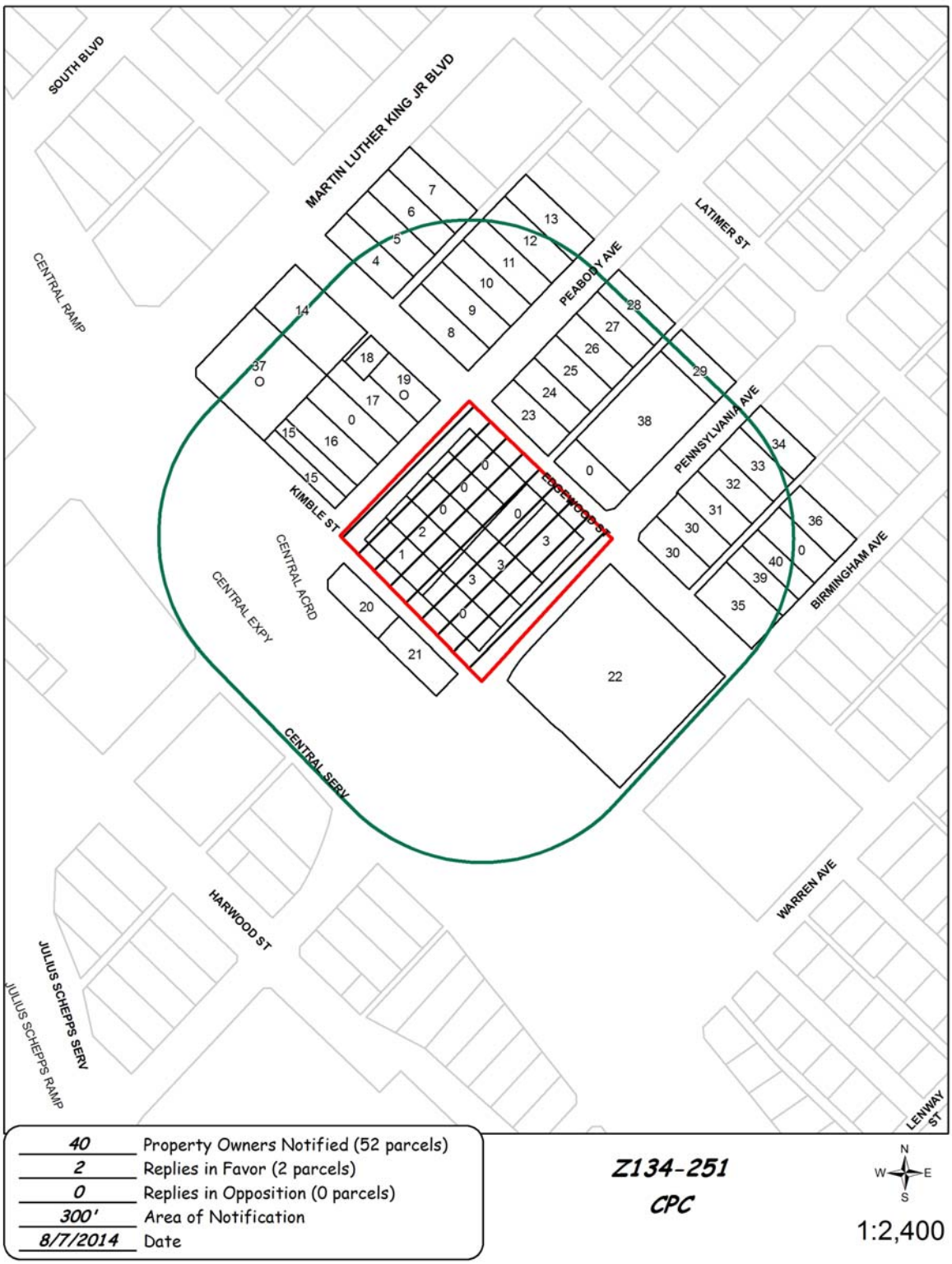
Case no: Z134-251

Date: 6/3/2014


Commercial, personal service
Multifamily, residential, church & vacant lots
Residential
SITE (vacant lots)
Vacant
Senior Center
SUP 399
PD 595 (R-7.5(A))
PD 595 (CC) Tract 4
Z987-134
PD 595 (R-5(A))
PD 595 (P(A))
PD 595 (CC) Tract 6
PD 595 (MF-3(A))
PD 595 (D(A))
Z978-303
MARTIN LUTHER KING JR BLVD
EDGEWOOD ST
LATIMER ST
PEABODY AVE
S CENTRAL RAMP
S CENTRAL ACRD
KIMBLE ST
S HARWOOD ST
PENNSYLVANIA AVE
JULIUS SCHEPPS SERV
BIRMINGHAM AVE
WARREN AVE
1:2,400
ZONING AND LAND USE
Case no: Z134-251
Date: 6/3/2014


SOUTH BLVD
PD 595 (R-7.5(A))
H/4
EDGEWOOD ST
CENTRAL
S CENTRAL ACRD
PD 595 (CC) Tract 4
Z987-134
MARTIN LUTHER KING JR BLVD
S CENTRAL SERV
S CENTRAL RAMP
LATIMER ST
PEABODY AVE
PD 595 (R-5(A))
EDGEWOOD ST
S CENTRAL RAMP
S CENTRAL ACRD
KIMBLE ST
Z978-303
BIRMINGHAM AVE
1
PD 595
PD 595 (P(A))
PEABODY AVE
PD 595 (CC) Tract 6
S HARWOOD ST
SUP 399
PD 595 (MF-3(A))
WARREN AVE
EDGEWOOD ST
JULIUS SCHEPPS
JULIUS SCHEPPS SERV
PENNSYLVANIA AVE
PD 595 (D(A))
S CENTRAL ACRD
KIMBLE ST
1:2,400
ZONING HISTORY
Case no: Z134-251
Date: 6/3/2014

## CPC RESPONSES



***08/11/2014***

# *Reply List of Property Owners*

## *Z134-251*

***40 Property Owners Notified*** ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

| *Reply* | *Label #* | | *Address* | *Owner* |
|---|---|---|---|---|
| | 1 | 2300 | PEABODY AVE | BLAIR ARNOLD WILLIAM |
| | 2 | 2306 | PEABODY AVE | CAMPBELL VALRIE ESTATE OF |
| | 3 | 2305 | PENNSYLVANIA AVE | ALPHA KEY ALLIANCE |
| | 4 | 2400 | MARTIN LUTHER KING JR BLVD | MITCHELL JAMES C |
| | 5 | 2404 | MARTIN LUTHER KING JR BLVD | MITCHELL JAMES C |
| | 6 | 2408 | MARTIN LUTHER KING JR BLVD | SHARP MARY JEANNE |
| | 7 | 2412 | MARTIN LUTHER KING JR BLVD | SHANNON KENDELL RASHEED |
| | 8 | 2401 | PEABODY AVE | MITCHELL JAMES C |
| | 9 | 2405 | PEABODY AVE | MASON STEVE ESTATE OF |
| | 10 | 2411 | PEABODY AVE | COLE STEPHANIE G |
| | 11 | 2413 | PEABODY AVE | LACY BOBBYE JEAN |
| | 12 | 2419 | PEABODY AVE | MEDINA ABELINO LEIJA |
| | 13 | 2421 | PEABODY AVE | KOONCTE ROBERT |
| | 14 | 2320 | MARTIN LUTHER KING JR BLVD | KHUSAL DOLAT M |
| | 15 | 3014 | KIMBLE ST | VILLA GABRIEL & REBECCA |
| | 16 | 2305 | PEABODY AVE | MARSH JOHNNY |
| | 17 | 2313 | PEABODY AVE | SOUTH DALLAS FAIR PARK |
| | 18 | 3015 | EDGEWOOD ST | PHILLIPS SEABORN |
| O | 19 | 2317 | PEABODY AVE | BUGGS ESTER L |
| | 20 | 2204 | PEABODY AVE | CLAYTON LUCINDA VENTURE |
| | 21 | 2209 | PENNSYLVANIA AVE | DESOTO IAM COMPANIES |
| | 22 | 3333 | EDGEWOOD ST | DALLAS HOUSING AUTHORITY |
| | 23 | 2402 | PEABODY AVE | BEASLEY ROSE L |

| | | | | |
|---|---|---|---|---|
| | 24 | 2406 | PEABODY AVE | MLE PARTNERS LLC |
| | 25 | 2408 | PEABODY AVE | DAVIS BILLY ET AL |
| | 26 | 2412 | PEABODY AVE | BROWN FELISHA |
| | 27 | 2416 | PEABODY AVE | JACKSON ROBERT D |
| | 28 | 2422 | PEABODY AVE | SKINNER LEIGHTON & |
| | 29 | 2421 | PENNSYLVANIA AVE | ANDERSON CECIL E |
| | 30 | 2400 | PENNSYLVANIA AVE | DALLAS CITY OF & ETAL |
| | 31 | 2408 | PENNSYLVANIA AVE | EDNEY LODIE |
| | 32 | 2414 | PENNSYLVANIA AVE | HILTON HEAD FINANCE LLC |
| | 33 | 2416 | PENNSYLVANIA AVE | DAVIS LEONARD REECE |
| | 34 | 2420 | PENNSYLVANIA AVE | JOHNSON KATIE FRANCES P |
| | 35 | 2401 | BIRMINGHAM AVE | DARBY PATRICIA ANN |
| | 36 | 2417 | BIRMINGHAM AVE | LEONARD SANDRA THAMES |
| O | 37 | 2310 | MARTIN LUTHER KING JR BLVD | CNB REAL ESTATE LLC |
| | 38 | 2409 | PENNSYLVANIA AVE | PRAISE TEMPLE |
| | 39 | 2409 | BIRMINGHAM AVE | ADAMS TIA |
| | 40 | 2411 | BIRMINGHAM AVE | CRAIG JAMES |

**AGENDA ITEM # 41**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 46 K

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1691 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Exposition Avenue, east of Ash Lane
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z134-257(CG)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-257(CG) **DATE FILED:** May 7, 2014

**LOCATION:** South side of Exposition Avenue, east of Ash Lane

**COUNCIL DISTRICT:** 7 **MAPSCO:** 46-K

**SIZE OF REQUEST:** ±3,550 square feet **CENSUS TRACT:** 203.00

**APPLICANT/REPRESENTATIVE:** Timothy L. Austin

**OWNER:** John S. Roberts

**REQUEST:** An application to renew Specific Use Permit No. 1691 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

**SUMMARY:** The applicant is requesting the renewal of SUP No. 1691 to operate a bar, lounge, or tavern use [Sandaga 813]. A one-story structure and uncovered patio area are located on the ±6,500-square foot request site. The bar comprises ±3,550 square feet of floor area and the patio comprises ±2,950 square feet.

**CPC RECOMMENDATION:** **Approval** for a three-year period, subject to conditions.

**STAFF RECOMMENDATION:** **Approval** for a three-year period, subject to conditions.

**GUIDING CRITERIA FOR RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing use is compatible with the adjacent warehouse, parking, bars, restaurant, and personal service uses. The use should not impact the surrounding uses negatively from a land use perspective. The primary uses in PDD No. 269 consists of mix of alcoholic beverage establishments, restaurant, personal service and office uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use has had neither a positive nor negative contribution to the welfare of adjacent properties. The SUP has conditions that appear to mitigate any potential negative impacts.

3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

**BACKGROUND INFORMATION:**

- Since December 12, 2007, Specific Use Permit renewal requests have been granted at this location, for a bar, lounge or tavern use.

- The SUP expired on May 14, 2014. The applicant is requesting renewal for a 3-year period.

**Zoning History:**

1. Z101-172(MW) On May 25, 2011, the City Council approved renewal of SUP 1691 for a bar, lounge or tavern.
   [SUP expires 5/25/2014.]

2. Z101-287(MG) On October 10, 2011, the City Council approved SUP 1910 for a bar, lounge or tavern.
   [SUP expires 10/10/2016.]

3. Z134-189(OTH) On June 11, 2014, the City Council approved renewal of SUP 1692 for a bar, lounge or tavern. [SUP expires 6/11/2017.]

4. Z123-267(CG) On May 28, 2014, the City Council approved amendments to certain use regulations and development standards within Planned Development District No. 269, the Deep Ellum/East Side District.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type | Existing ROW |
|---|---|---|
| Exposition Avenue | Collector | 80 feet |

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined it will not significantly impact the surrounding street system.

**Land Use:**

| | Zoning | Land Use |
|---|---|---|
| **Site** | PDD 269 | Bar, lounge or tavern |
| **North** | PDD 269 | Mixed use (office and residential) |
| **East** | PDD 269 | Retail and personal service |
| **South** | PDD 269 | Surface parking |
| **West** | PDD 269 | Surface parking |

**COMPREHENSIVE PLAN:** The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request, and it identifies the request site as being in an Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a

vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

**STAFF ANALYSIS:**

**Land Use Compatibility:**

The applicant is requesting renewal of SUP No. 1691 to continue operation of the existing bar.

The request site is surrounded by mixed use (office and residential) to the north, retail and personal service uses to the east, and surface parking to the south and west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

**Parking:**

PDD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for a bar, lounge or tavern located within an original building. Otherwise, one space for each 100 square feet of floor area is required. Since the 3,550-square foot bar is located in an original building, the applicant is only required to provide parking for 1,050 square feet of floor area, which equates to 11 spaces.

It is noted that a significant number of metered on-street parking spaces and surface parking lots are located immediately adjacent to and south of the subject site.

A parking agreement at 712 2nd Avenue is in place to provide the 11 required off-street parking spaces.

**Dallas Police Department:** A copy of the police report of the offenses is provided below for the SUP permit period of May 25, 2011 to May 25, 2014.

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 |
|---|---|---|---|---|---|---|---|---|---|---|
| 0039213-A | 02/16/2013 | MELONE,JANET | THEFT | 00813 | | EXPOSITIONAVE | 153 | 2082 | 06952 | |
| 0122118-Z | 05/18/2012 | SCARBOROUGH, TREY | AUTO THEFT-UUMV | 00813 | | EXPOSITIONAVE | 153 | 2082 | 07221 | |
| 0297064-Z | 12/01/2012 | YOUNG,CAROLYN | THEFT | 00813 | | EXPOSITIONAVE | 153 | 2082 | 06961 | |

**CPC Action:**
(August 7, 2014)

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1691 for a bar, lounge, or tavern for a three-year period, subject to conditions on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Exposition Avenue, east of Ash Lane.

Maker: Bagley
Second: Abtahi
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Ridley, Abtahi

Against: 0
Absent: 3 - Shidid, Anantasomboon, Murphy
Vacancy: 0

**Notices:** Area: 200 Mailed: 14
**Replies:** For: 0 Against: 2

**Speakers**: None

## Existing SUP No. 1691 Conditions

1. USE: The only use authorized by this specific use permit a bar, lounge, or tavern.

2. SITE PLAN: Use and development of the property must comply with the attached site plan.

3. TIME PERIOD: This specific use permit automatically terminates on (three years from passage of the ordinance).

4. FLOOR AREA:

   A. The maximum floor area is 3,550 square feet in the location shown on the attached site plan.

   B. The maximum area for the uncovered patio is 2,950 square feet in the location shown on the attached site plan.

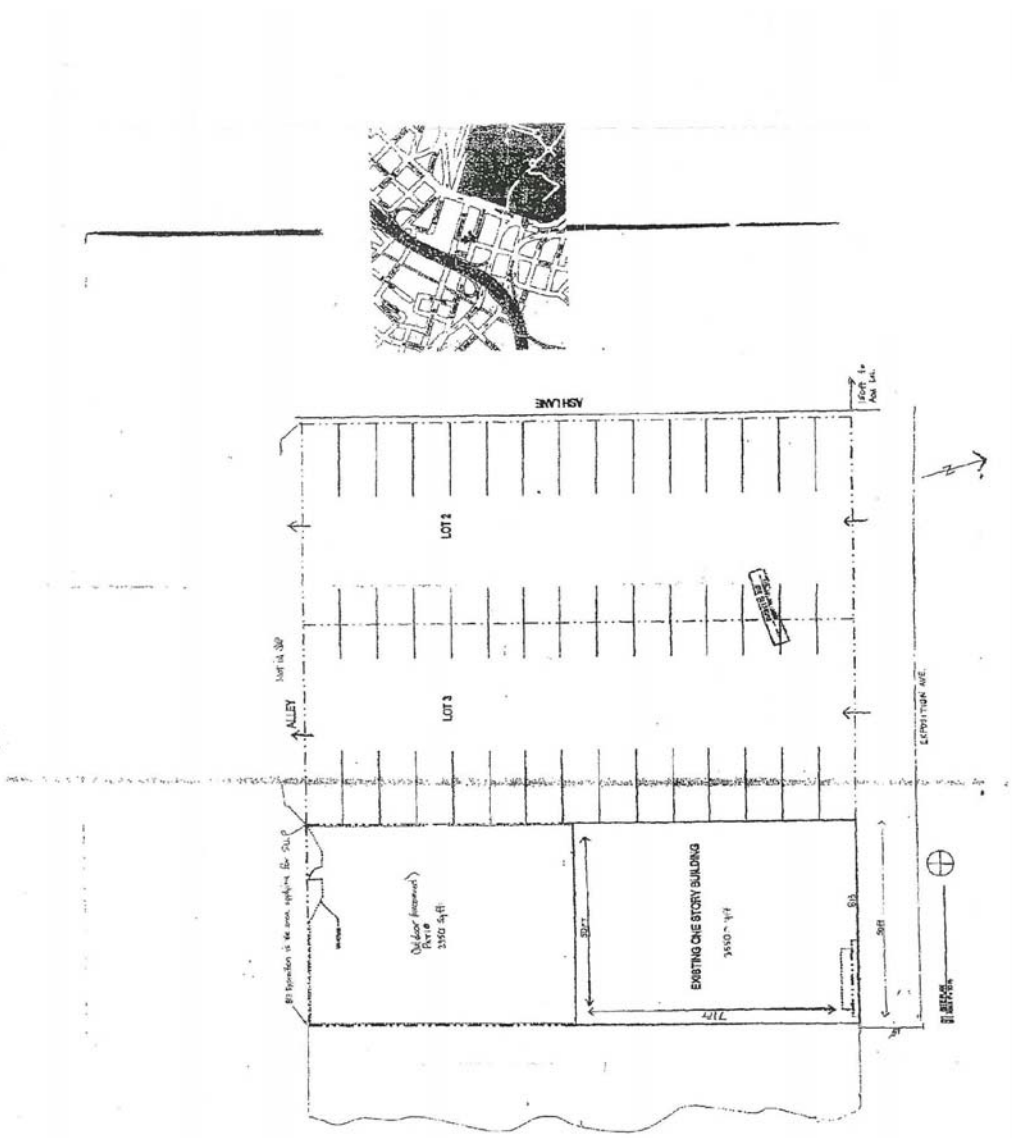
5. HOURS OF OPERATION: The bar, lounge or tavern may only operate between 12:00 p.m. (noon) and 1:00 a.m. (the next day), Monday through Wednesday and between 8:00 p.m. and 2:00 a.m. (the next day), Thursday through Sunday.

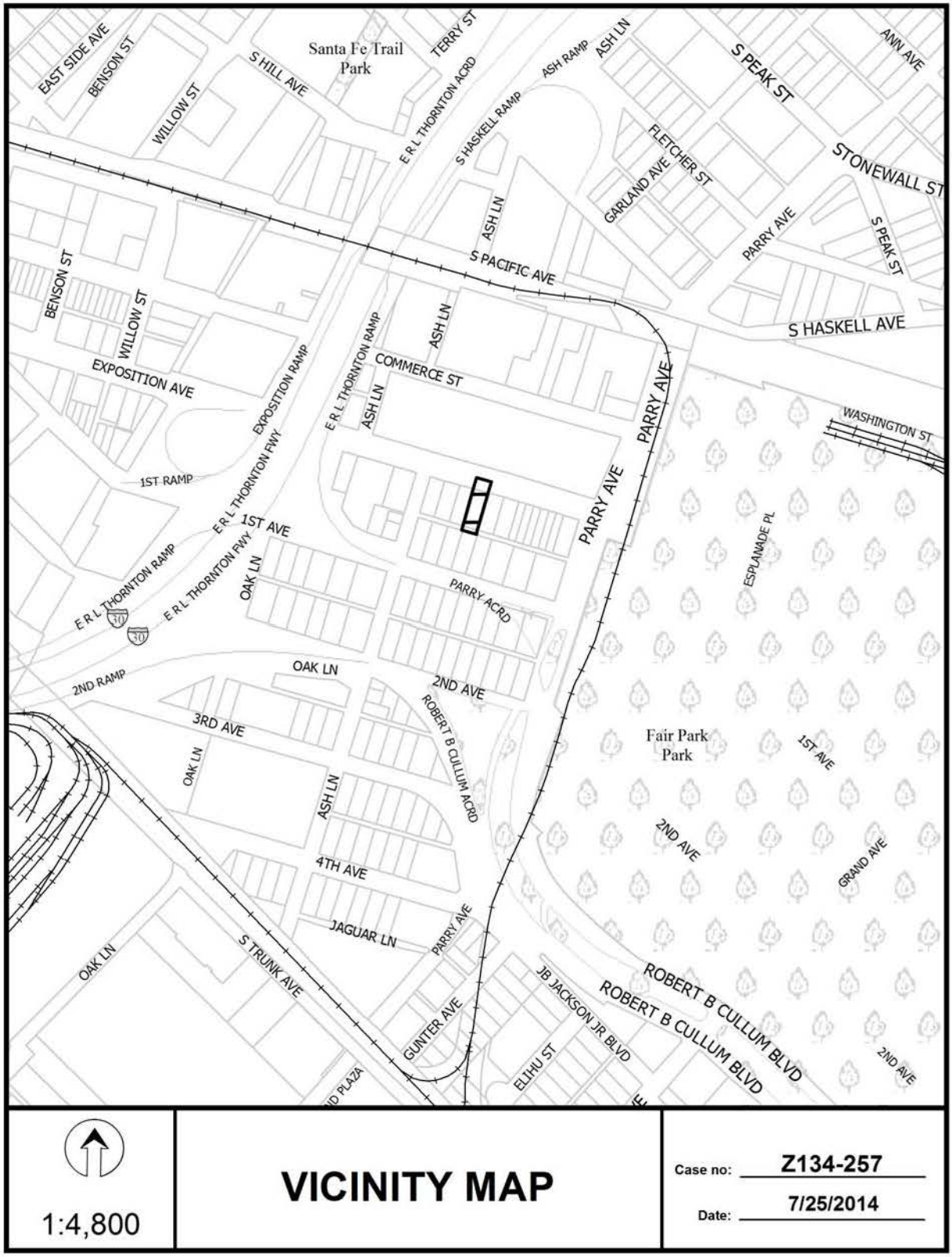
6. OFF-STREET PARKING: Parking must be provided in accordance with the remote and special parking requirements of Planned Development District No. 269 (the Deep Ellum/Near East Side District). Delta credits, as defined in Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirement.

7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

## Existing Site Plan






1:4,800

# VICINITY MAP

Case no: Z134-257

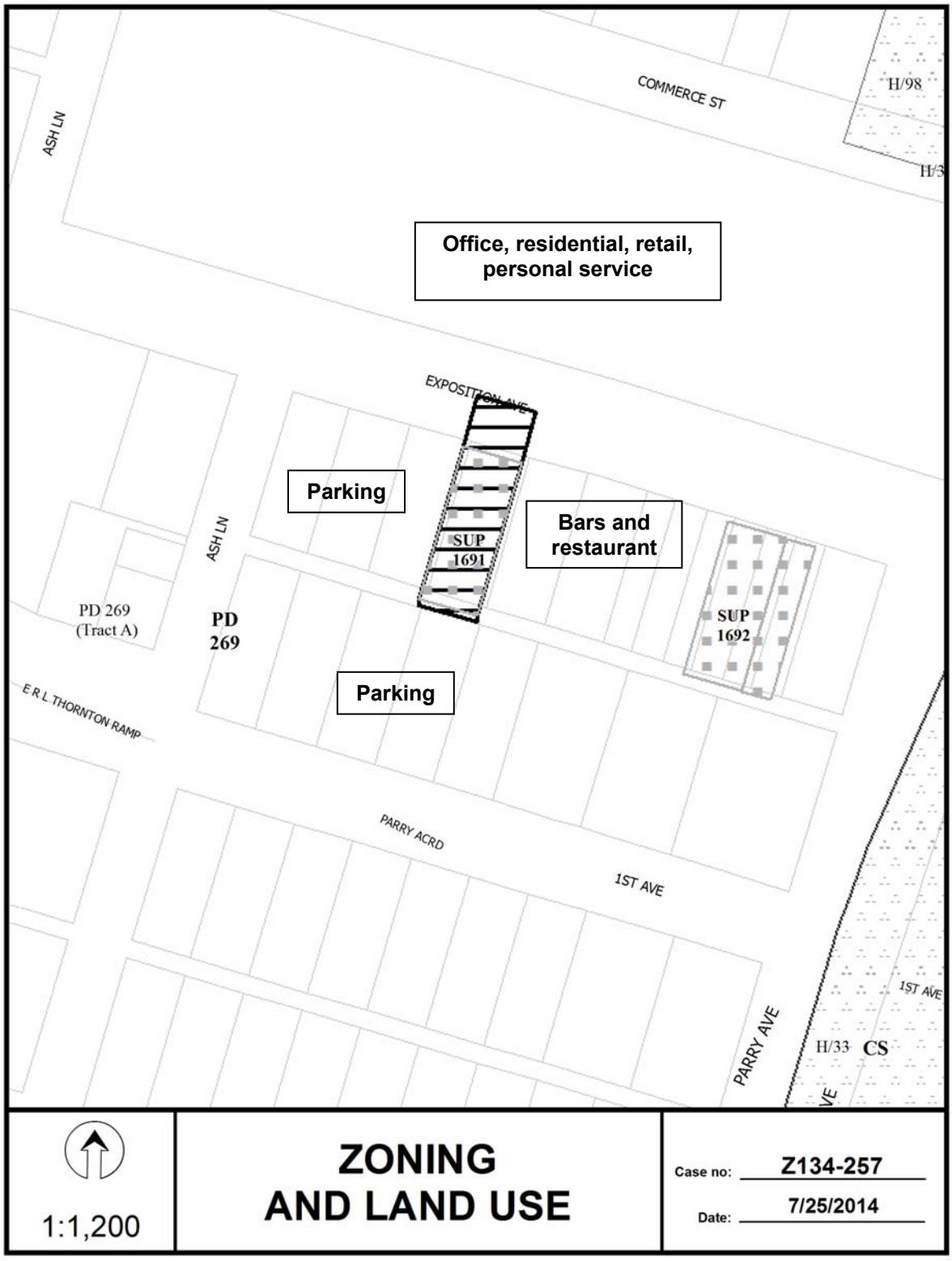
Date: 7/25/2014

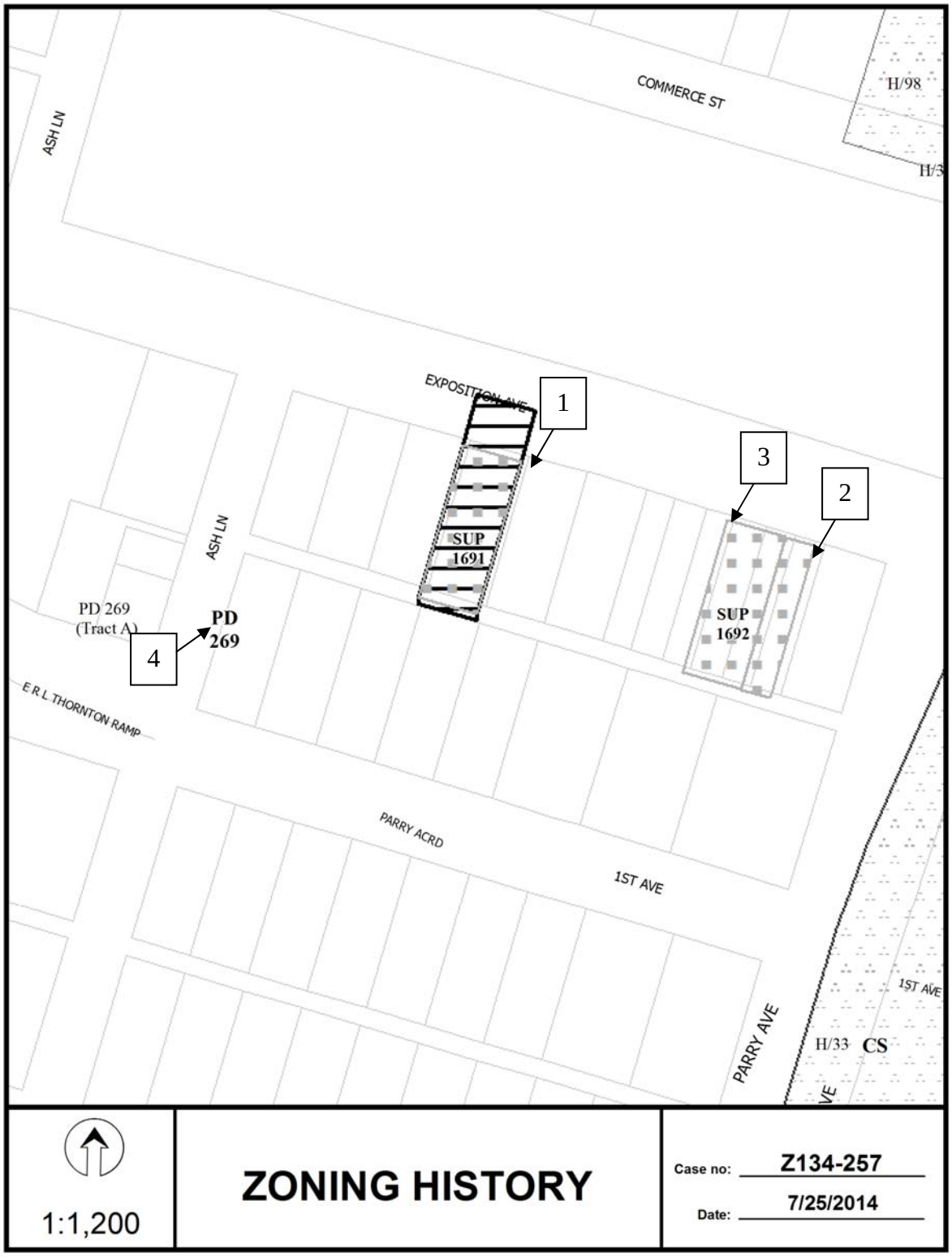
1:1,200

**AERIAL MAP**

Case no: Z134-257

Date: 7/25/2014


COMMERCE ST
H/98
ASH LN
Office, residential, retail, personal service
EXPOSITION AVE
Parking
ASH LN
SUP 1691
Bars and restaurant
SUP 1692
PD 269 (Tract A)
PD 269
Parking
E R L THORNTON RAMP
PARRY ACRD
1ST AVE
PARRY AVE
1ST AVE
H/33
CS
1:1,200
ZONING AND LAND USE
Case no: Z134-257
Date: 7/25/2014


COMMERCE ST
H/98
ASH LN
EXPOSITION AVE
1
3
2
SUP
1691
SUP
1692
ASH LN
PD 269
(Tract A)
4
PD
269
E R L THORNTON RAMP
PARRY ACRD
1ST AVE
PARRY AVE
1ST AVE
H/33
CS
1:1,200
ZONING HISTORY
Case no: Z134-257
Date: 7/25/2014

## CPC RESPONSES

*08/11/2014*

# *Reply List of Property Owners*

## *Z134-257*

***14 Property Owners Notified*** ***0 Property Owners in Favor*** ***2 Property Owners Opposed***

| *Reply* | *Label #* | | *Address* | *Owner* |
|---|---|---|---|---|
| | 1 | 805 | EXPOSITION AVE | EXPO PARK PARTNERS LTD & |
| | 2 | 811 | EXPOSITION AVE | ROBERTS JOHN STEVEN |
| | 3 | 729 | EXPOSITION AVE | BERT CONCESSIONS INC |
| | 4 | 3609 | ASH LN | JEFFEXPO LTD |
| X | 5 | 801 | EXPOSITION AVE | GIBSON DAVID H |
| | 6 | 821 | EXPOSITION AVE | MCNEILL ROBERT K |
| | 7 | 827 | EXPOSITION AVE | GREENE PATRICK |
| | 8 | 829 | EXPOSITION AVE | HAYS BURL A |
| | 9 | 820 | 1ST AVE | JAMES WILLIAM PRITCHETT REVOCABLE LIVING TRUST |
| | 10 | 816 | 1ST AVE | JAMES W PRICHETT REVOCABLE LIVING TRUST |
| | 11 | 812 | 1ST AVE | BELCLAIRE REALTY LTD |
| | 12 | 808 | 1ST AVE | MOXIE INVESTMENTS LTD |
| | 13 | 804 | 1ST AVE | PARK LINK LTD |
| X | 14 | 4115 | COMMERCE ST | BLOCK 811 LTD |

**AGENDA ITEM # 42**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Sustainable Development and Construction

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

**MAPSCO:** 22 D; H

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1747 for an alcoholic beverage establishment limited to a private-club bar on property zoned an IR Industrial Research District on the northwest corner of Harcourt Street and Stemmons Freeway

Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions

Z134-211(WE)

Note: This item was considered by the City Council at a public hearing on August 27, 2014, and was taken under advisement until September 10, 2014, with the public hearing open

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-211(WE) **DATE FILED:** April 4, 2014

**LOCATION:** Harcourt Street and Stemmons Freeway, northwest corner

**COUNCIL DISTRICT:** 6 **MAPSCO:** 22-D & H

**SIZE OF REQUEST:** Approx. 2.9 acres **CENSUS TRACT:** 99.00

**APPLICANT:** Gyu Chul Yang

**OWNER:** US Central Plaza Investment, LP

**REPRESENTATIVE:** Susie Yu

**REQUEST:** An application for renewal of Specific Use Permit No. 1747 for an alcoholic beverage establishment limited to a private-club bar on property zoned an IR Industrial Research District.

**SUMMARY:** The applicant proposes to continue the operation of a ±4,000-square-foot karaoke bar with alcoholic beverage service.

**CPC RECOMMENDATION:** Approval for a three-year period, subject to conditions.

**STAFF RECOMMENDATION:** Approval for a three-year period, subject to conditions.

## GUIDING CRITERIA FOR RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing alcoholic beverage establishment use limited to a private club-bar is compatible and conforms to the adjacent retail and personal service uses. Even though there is a church in close proximity to the request sit, the church exceed he distance requirement of 300 feet of an alcoholic beverage establishment. The use should not impact the surrounding uses negatively from a land use perspective.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use has had neither a positive nor negative contribution to the welfare of adjacent properties. The SUP has conditions that associated with the use to mitigate any potential negative impacts.

3. *Not a detriment to the public health, safety, or general welfare* – The use is not anticipated to be a detriment to the public welfare. The proposed Specific Use Permit conditions are an additional layer of regulatory requirements the owner will have to comply with when operating the business.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards

## BACKGROUND INFORMATION:

- The applicant proposes to continue the operation of karaoke bar in a ±4,000-square-foot suite within the shopping center. The karaoke aspect of the private-club bar is considered a commercial amusement (inside) and is allowed by right in the IR Industrial Research District. The sale or service of alcoholic beverages for on-premise consumption associated with the commercial amusement (inside) requires a Specific Use Permit for a private-club bar.

- The ±2.9-acre property is developed as a shopping center which consists of two (2) buildings, both of which have two (2) stories and are oriented towards Stemmons Freeway.

- On April 22, 2009, the City Council approved this Specific Use Permit No. 1747 for an alcoholic beverage establishment use limited to a private-club bar for a two-year period.

- On June 22, 2011, the City Council approved a renewal of this Specific Use Permit No. 1747 for an alcoholic beverage establishment use limited to a private-club bar for a three-year period.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---|---|---|---|
| Emerald Street | Local | 60 ft. | 60 ft. |

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the existing does not have a negative impact on the surrounding street system.

**Land Use:**

| | Zoning | Land Use |
|---|---|---|
| **Site** | IR, SUP No. 1747 | Retail & Personal Service |
| **North** | IR | Church, Electrical substation |
| **South** | IR | Vehicle sales |
| **East** | IR | Freeway |
| **West** | IR | Park |

**COMPREHENSIVE PLAN:** The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site is in a Business Center or Corridor Building Block.

The request site lies within a Business Center or Corridor Building Block. This Building Block represents major employment or shopping destinations outside of Downtown. Business Centers are usually at major intersections or along Highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads.

The request site is located within an existing retail development and is adjacent to a major arterial. The site is within an IR Industrial Research District where the development is a mix of institutional uses, retail and office uses. There is also a park, west of the site, across Emerald Street. The request site complies with the Business Center or Corridor Building Block.

## STAFF ANALYSIS:

### Land Use Compatibility:

A private-club bar means an establishment holding a private club permit under Chapter 32 or 33 of the Texas Alcoholic Beverage Code that derives 35 percent or more of its gross revenue from the sale or service of alcoholic beverages for on-premise consumption and that is located within a dry area as defined in Title 6 (Local Option Elections) of the Texas Alcoholic Beverage Code. Private-club bar does not include a fraternal or veterans organization, as defined in the Texas Alcoholic Beverage Code, holding a private club permit under Chapter 32 or 33 of the Texas Alcoholic Beverage Code. Private-club bar does not include the holder of a food and beverage certificate, as defined in the Texas Alcoholic Beverage Code.

The request site is surrounded by a church and electrical substation the north; Stemmons Freeway and a mini-warehouse to the east; vehicle sales to the south and a park to the west.

Chapter 6 of the Dallas City Code, states that no person may sell alcoholic beverages if the place of business is within 300 feet of a church; the distance is measured from front door to front door along right-of-way lines. The front entrance of the private-club bar is well over 300 feet from the front entrance of the church.

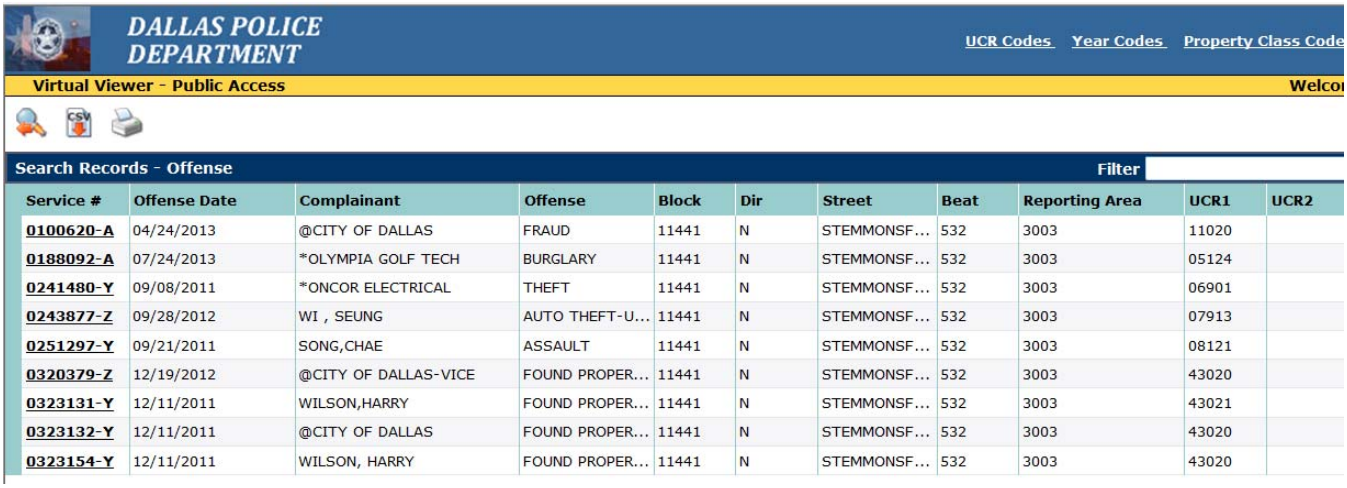
The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

### Development Standards:

| DISTRICT | SETBACKS | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|---|---|---|---|---|---|---|---|
| | Front | Side/Rear | | | | | |
| IR<br>Industrial research | 15’ | 30’ adjacent to residential OTHER: No Min. | 2.0 FAR overall<br>0.75 office/ retail<br>0.5 retail | 200’<br>15 stories | 80% | Proximity Slope Visual Intrusion | Industrial, wholesale distribution & storage, supporting office & retail |

**Dallas Police Department:** A copy of a police report showing the number of offenses on the request site after renewing the SUP in 2011 is provided below. Staff did not provided any reports prior to the SUP renewal because the site was issued an SUP renewal on June 22, 2011. The original SUP was approved on April 22, 2009.

**Offences prior to a Specific Use Permit – June 22, 2011 to June 27, 2014**



DALLAS POLICE DEPARTMENT

UCR Codes | Year Codes | Property Class Code

Virtual Viewer - Public Access

Search Records - Offense

Filter

| Service # | Offense Date | Complainant | Offense | Block | Dir | Street | Beat | Reporting Area | UCR1 | UCR2 |
|---|---|---|---|---|---|---|---|---|---|---|
| 0100620-A | 04/24/2013 | @CITY OF DALLAS | FRAUD | 11441 | N | STEMMONSF... | 532 | 3003 | 11020 | |
| 0188092-A | 07/24/2013 | *OLYMPIA GOLF TECH | BURGLARY | 11441 | N | STEMMONSF... | 532 | 3003 | 05124 | |
| 0241480-Y | 09/08/2011 | *ONCOR ELECTRICAL | THEFT | 11441 | N | STEMMONSF... | 532 | 3003 | 06901 | |
| 0243877-Z | 09/28/2012 | WI , SEUNG | AUTO THEFT-U... | 11441 | N | STEMMONSF... | 532 | 3003 | 07913 | |
| 0251297-Y | 09/21/2011 | SONG,CHAE | ASSAULT | 11441 | N | STEMMONSF... | 532 | 3003 | 08121 | |
| 0320379-Z | 12/19/2012 | @CITY OF DALLAS-VICE | FOUND PROPER... | 11441 | N | STEMMONSF... | 532 | 3003 | 43020 | |
| 0323131-Y | 12/11/2011 | WILSON,HARRY | FOUND PROPER... | 11441 | N | STEMMONSF... | 532 | 3003 | 43021 | |
| 0323132-Y | 12/11/2011 | @CITY OF DALLAS | FOUND PROPER... | 11441 | N | STEMMONSF... | 532 | 3003 | 43020 | |
| 0323154-Y | 12/11/2011 | WILSON, HARRY | FOUND PROPER... | 11441 | N | STEMMONSF... | 532 | 3003 | 43020 | |

**CPC Action** (July 24, 2014)

**Motion:** It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1747 for an alcoholic beverage establishment limited to a private-club bar for a three-year period, subject to conditions on property zoned an IR Industrial Research District on the northeast corner of Harcourt Street and Stemmons Freeway.

Maker: Anantasomboon
Second: Ridley
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Culbreath, Shidid, Anantasomboon, Bagley, Lavallaisaa, Tarpley, Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 0
Absent: 2 - Rodgers, Shellene
Vacancy: 0

**Notices:** Area: 300 Mailed: 18
**Replies:** For: 1 Against: 1

**Speakers**: None

**LIST OF OFFICERS**
**US Central Plaza investment, LP**

- Bo Y. Kim General Partner

**LIST OF OFFICERS**
**Min & B, Inc.**

- Guy C. Yang President / Director / Secretary

## CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment use limited to a private-club bar.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan/landscape plan.

3. TIME LIMIT: This specific use permit expires on [~~April 22, 2011~~], (three-year period from the passage of this ordinance).

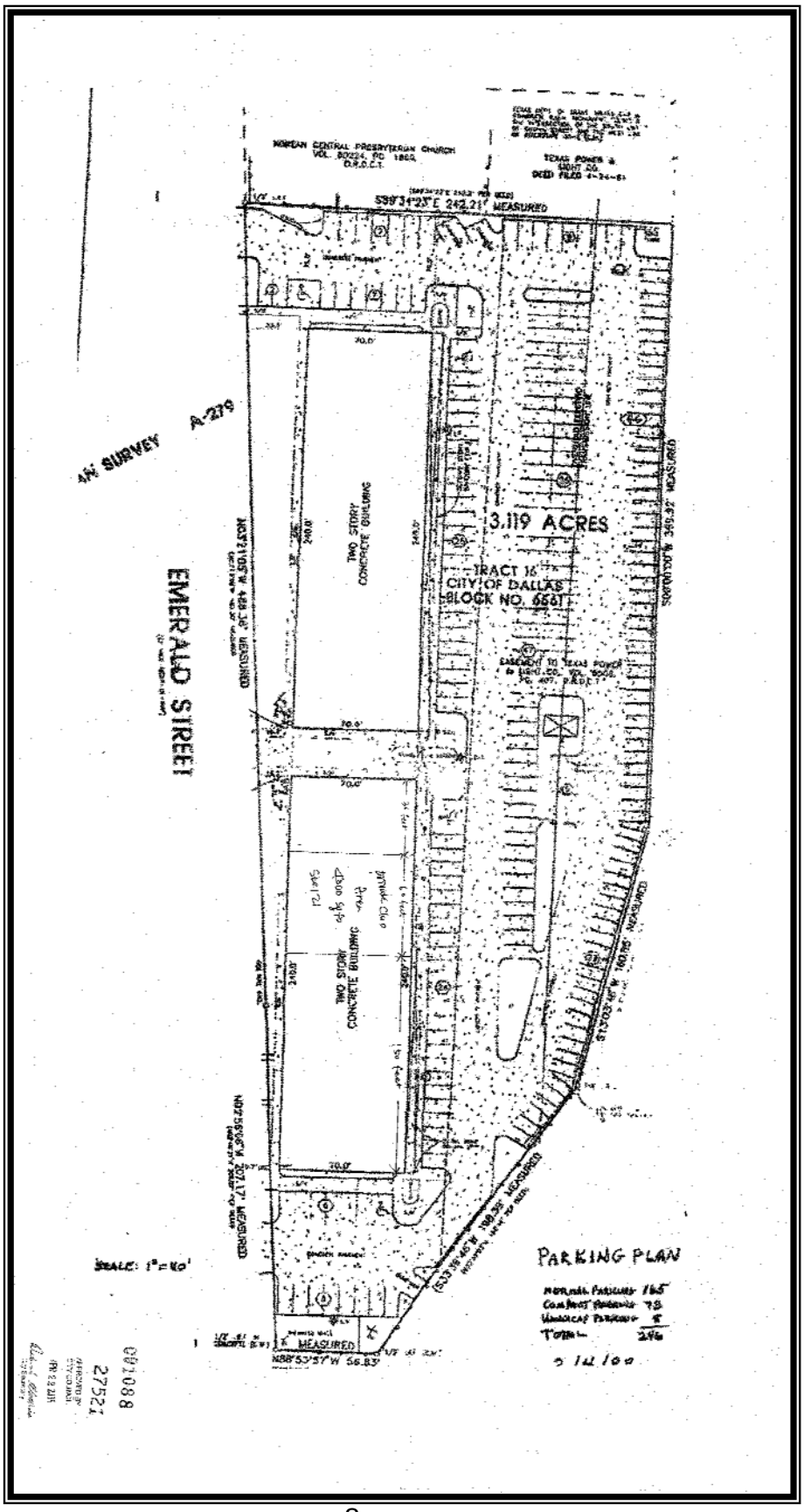
4. FLOOR AREA: The maximum floor area is 4,000 square feet in the location shown on the attached site plan.

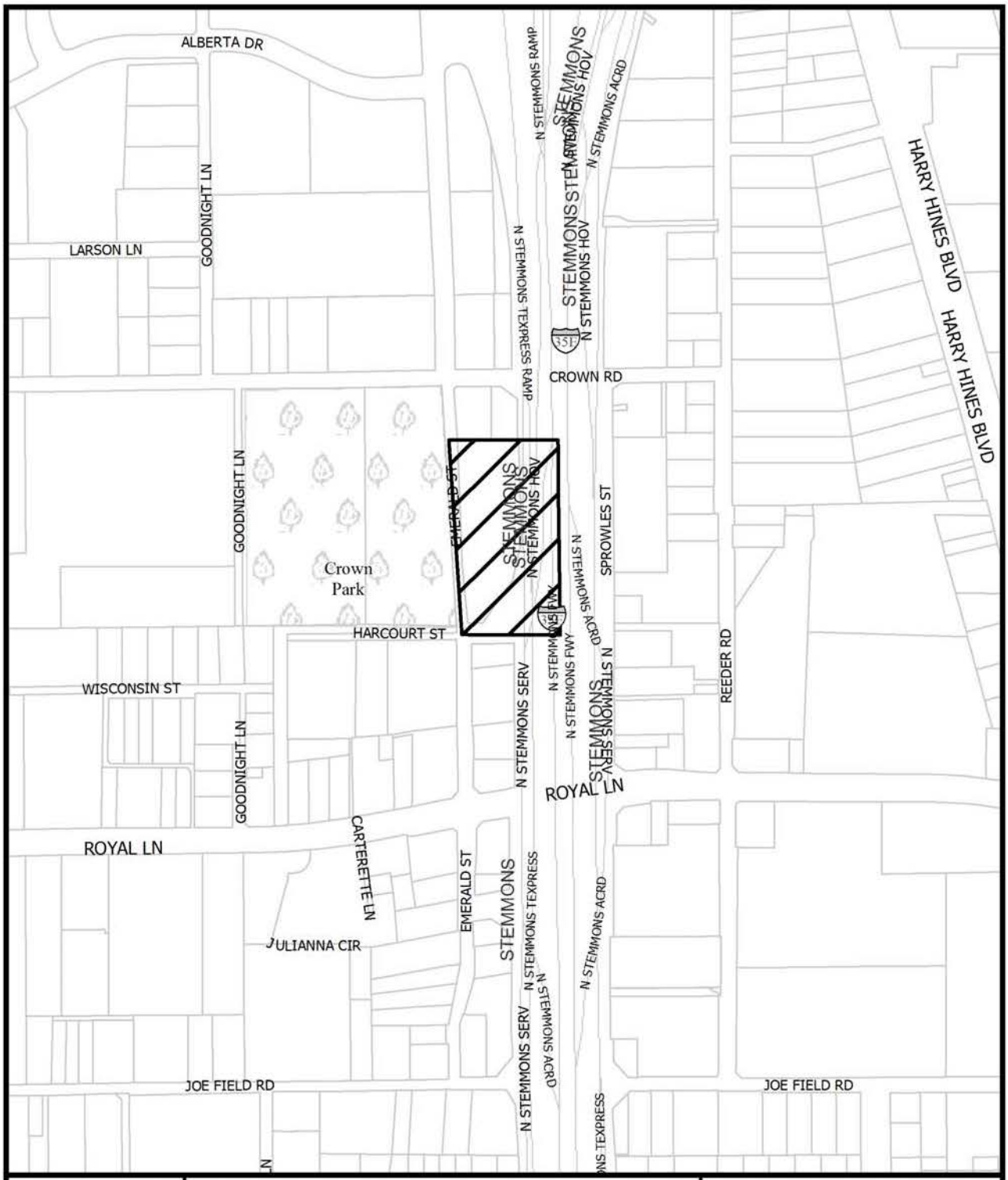
5. HOURS OF OPERATION: The alcoholic beverage establishment use limited to a private-club bar may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Sunday.

6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

7. 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



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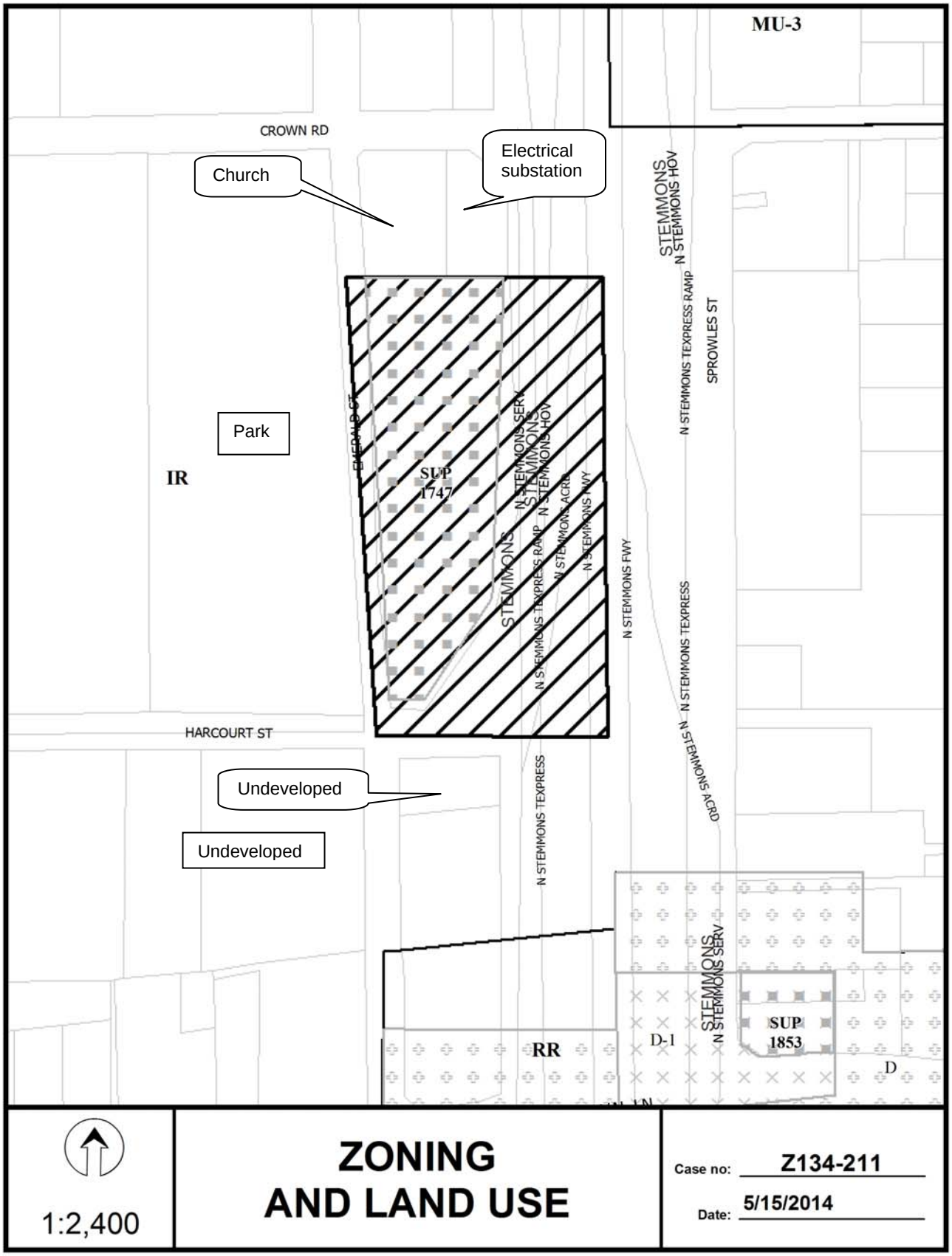
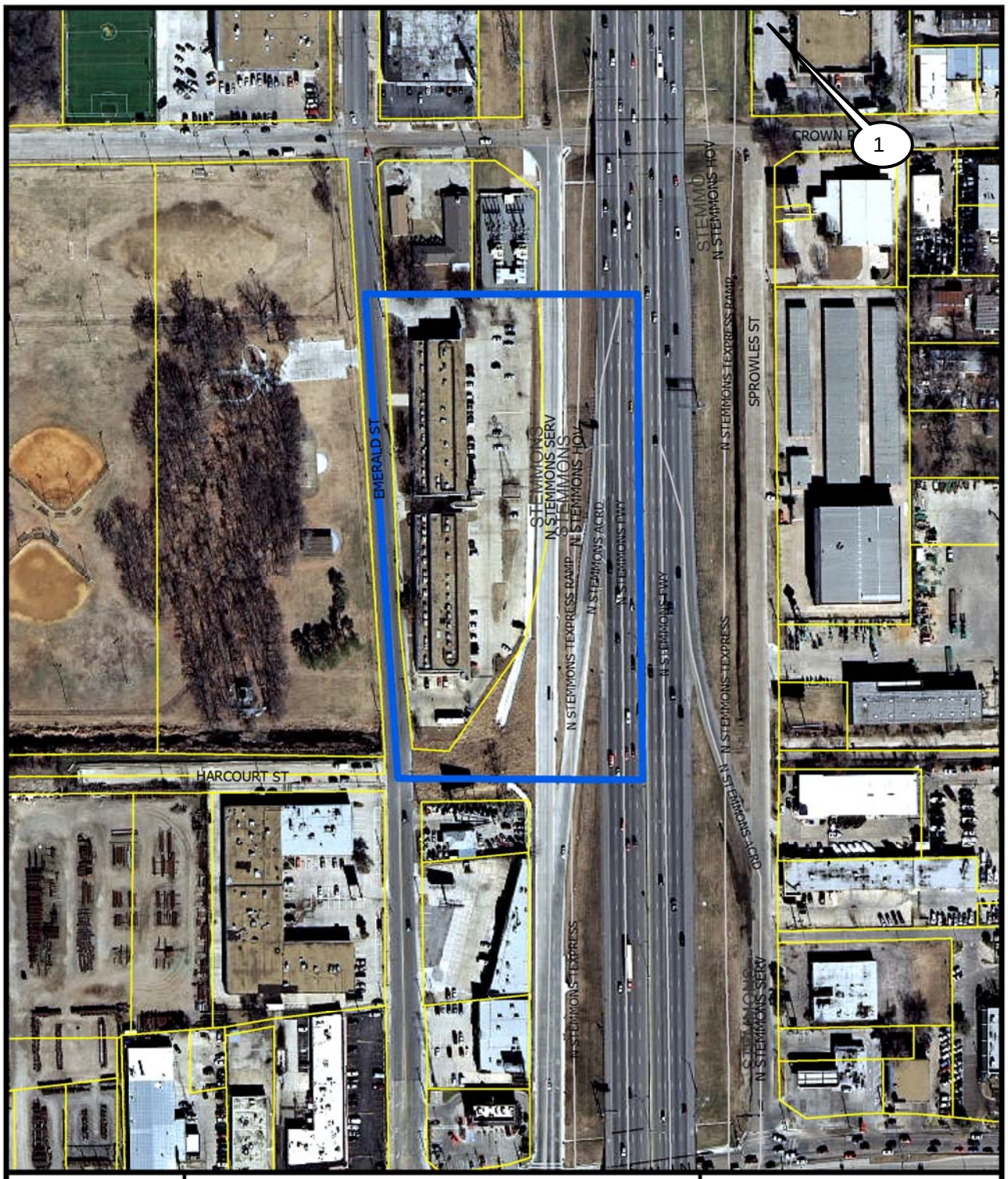
# VICINITY MAP

Case no: Z134-211

Date: 5/15/2014


MU-3
CROWN RD
Church
Electrical substation
Park
IR
SUP 1747
EMERALD ST
STEMMONS
N STEMMONS SERV
N STEMMONS HOV
N STEMMONS TEXPRESS RAMP
N STEMMONS ACRD
N STEMMONS FWY
N STEMMONS TEXPRESS
SPROWLES ST
HARCOURT ST
Undeveloped
Undeveloped
RR
D-1
SUP 1853
D
1:2,400
ZONING AND LAND USE
Case no: Z134-211
Date: 5/15/2014



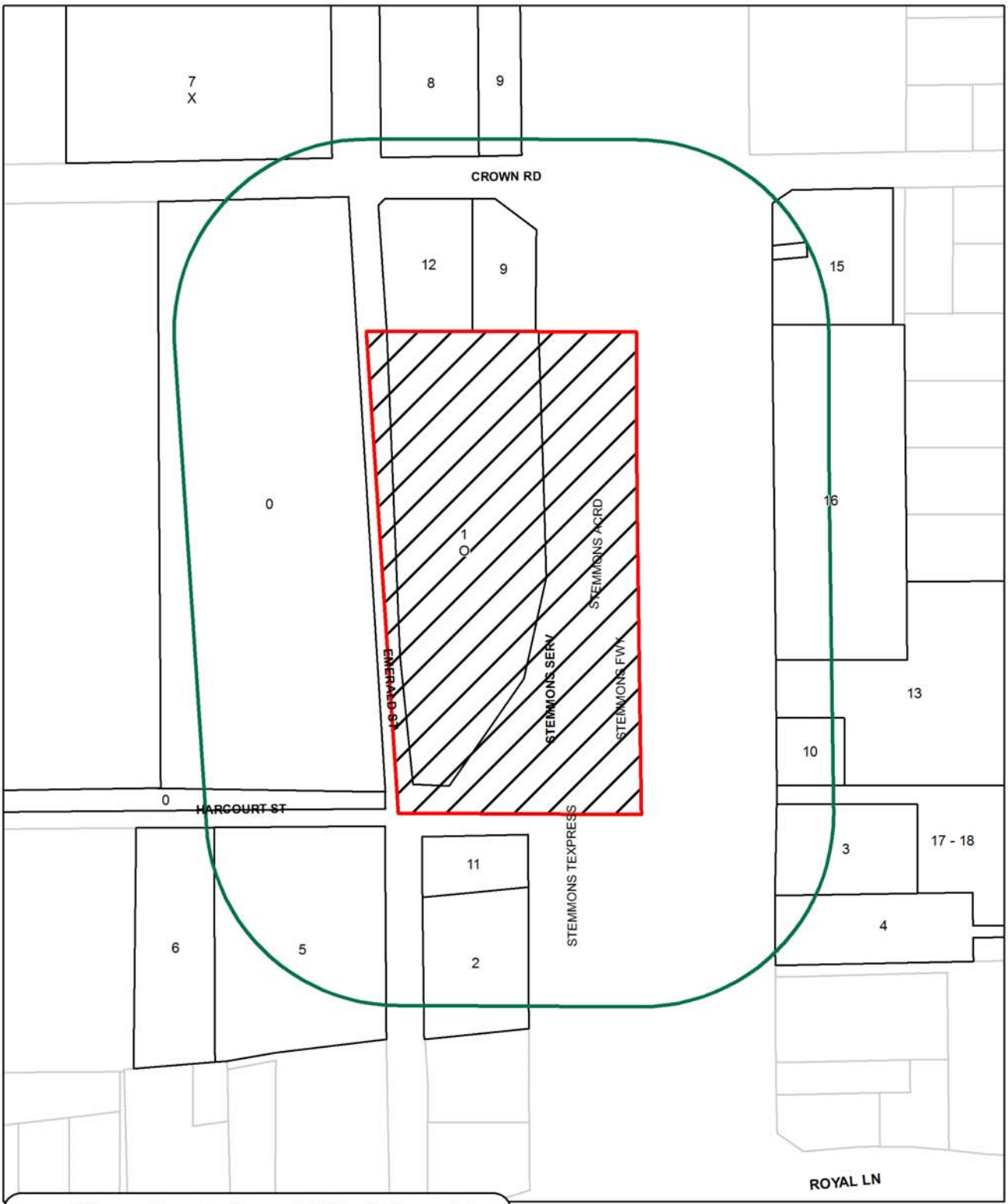

1:2,400

# AERIAL MAP

Case no: Z134-211

Date: 5/15/2014

## CPC RESPONSES




| | |
|---|---|
| 18 | Property Owners Notified (20 parcels) |
| 1 | Replies in Favor (1 parcels) |
| 1 | Replies in Opposition (1 parcels) |
| 300' | Area of Notification |
| 7/24/2014 | Date 7/10/2014 Under Advisement |

Z134-211
CPC

N
W E
S

1:2,400

# Notification List of Property Owners

## Z134-211

***18 Property Owners Notified  1 Property Owners in Favor  1 Property Owners Opposed***

| Reply | Label # | Address | | Owner |
|---|---|---|---|---|
| O | 1 | 11441 | STEMMONS FWY | US CENTRAL PLAZA INV LP |
| | 2 | 11434 | EMERALD ST | B & MK INC |
| | 3 | 11444 | STEMMONS FWY | CDT PROPERTIES |
| | 4 | 11434 | STEMMONS FWY | JAMES INVESCO INC |
| | 5 | 11445 | EMERALD ST | PAK CHAN I & SOON A |
| | 6 | 2326 | HARCOURT ST | MIMS COMPANY LLC |
| X | 7 | 2323 | CROWN RD | 2323 CROWN ROAD LTD |
| | 8 | 2405 | CROWN RD | SOLARIUS VENTURES LLC |
| | 9 | 2415 | CROWN RD | TEXAS UTILITIES ELEC CO |
| | 10 | 11410 | SPROWLES ST | PERRY CO THE |
| | 11 | 11448 | EMERALD ST | MILLWEE STEPHEN |
| | 12 | 2402 | CROWN RD | GRACE PRESBYTERY |
| | 13 | 11422 | SPROWLES ST | 11422 SPROWLES INC |
| | 14 | 11450 | SPROWLES ST | CLASSIC IMPORTS INC |
| | 15 | 11450 | SPROWLES ST | MARSHALL T J LTD |
| | 16 | 11434 | SPROWLES ST | PS TEXAS HOLDINGS LTD |
| | 17 | 11420 | REEDER RD | BLESSINGS PPTIES INC |
| | 18 | 11430 | REEDER RD | LALANI AMIR ALI |

**AGENDA ITEM # 43**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 44 T

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain Residential and Utility and public service uses on property zoned a TH-3(A) Townhouse District, an MF-2(A) Multifamily District, an MF-4(A) Multiple Family District, and a CS Commercial Service District on property generally bounded by the east line of Willomet Avenue between Stafford Avenue and Pollard Street, and the west line of Ormsby Street between the terminus of Seale Street and Pollard Street
Recommendation of Staff and CPC: Approval, subject to a development plan, finished grade section plan and conditions
Z134-145(RB)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-145(RB) **DATE FILED:** December 16, 2013

**LOCATION:** Property generally bounded by the east line of Willomet Avenue between Stafford Avenue and Pollard Street, and the west line of Ormsby Street between the terminus of Seale Street and of Pollard Street

**COUNCIL DISTRICT:** 6 **MAPSCO:** 44-T

**SIZE OF REQUEST:** Approx. 4.46 Acres **CENSUS TRACT:** 69

**APPLICANT:** Henry S. Miller Company

**REPRESENTATIVE:** Mark Housewright

**OWNER:** Denton Security Investment, Inc.-Barbara Young, President

**REQUEST:** A Planned Development District for certain Residential and Utility and public service uses on property zoned a TH-3(A) Townhouse District, an MF-2(A) Multifamily District, an MF-4(A) Multiple Family District, and a CS Commercial Service District.

**SUMMARY:** The applicant is proposing development of 326 multifamily dwelling units.

**CPC RECOMMENDATION:** Approval, subject to a development plan, finished grade section plan and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a development plan, finished grade section plan, and conditions.

**DESIGNATED ZONING CASE**

**GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval subject to the attached development plan, finished grade section plan, and staff's recommended conditions based upon:

1. *Performance impacts upon surrounding property* – As development will provide for multifamily dwelling units across the site, subject to staff's recommended conditions, increase in structure height can be managed in context with the proposed massing of buildings.

2. *Traffic impact* – The submitted Traffic Impact Analysis has been reviewed by engineering staff and found to be managed by existing street network.

3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.

4. Subject to staff's recommended conditions, the request maintains the vision for new development along and adjacent to Ft. Worth Avenue while ensuring a scale of development that respects the built environment.

**BACKGROUND:**

- The request site is predominately undeveloped with a small number of parcels developed with single family uses. One lot developed with a single family use along the Willomet Avenue frontage is not part of the zoning request.
- The applicant proposes to redevelop the site with multifamily uses.
- A PDD is being requested for consideration of the following: 1) reduced setbacks; 2) certain improvements encroaching into a required setback; 3) increase in structure height; 4) lack of compliance with the residential proximity slope; 5) increase in lot coverage; 6) alternative landscape regulations; and, 7) alternative tree mitigation.

**Zoning History:**

| File No. | Request, Disposition, and Date |
|---|---|
| 1. Z134-286 | PDD for Single family uses. Pending a CPC public hearing. |

| Thoroughfare/Street | Existing & Proposed ROW |
|---|---|
| Ft. Worth Avenue | Principal Arterial; 100’ & 100’ ROW |
| Willomet Avenue | Local; Variable Width (25’-50’) ROW |
| Stafford Avenue | Local; 40’ ROW |
| Seale Street | Local; 50’ ROW |
| Pollard Street | Local; 60’ ROW |
| Conklin Street | Local; 40’ ROW |
| Ormsby Street | Local; 50’ ROW |

**Traffic:** The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested PDD in conjunction with the required Traffic Impact Analysis and determined that the proposed development will not significantly impact the 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.

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 site is predominately undeveloped but does include some parcels developed with single family uses. The site possesses significant topography, providing for unobstructed views of the city from various points on the site. It should be noted a parcel developed with a single family use along the east line of Willomet Avenue north of Stafford Avenue remains outside of the request area at this time.

The site is located approximately 940 feet north of Ft. Worth Avenue. This area has benefitted from recent private investment, with public improvements being provided in an effort to address current and future development trends. Examples of new development capture the Sylvan/30 mixed use project in the southeast quadrant of Ft. Worth Avenue and Sylvan Avenue and a zoning change abutting Sylvan/30 (250 dwelling units and 10,000 square feet of floor area for retail uses). Improvements in public infrastructure (roadway improvements, mid-block traffic signal, bike lanes) will benefit the area within this portion of the city.

The applicant's four and one-half acre parcel possesses four zoning districts:

- TH-3(A) District (wraps a leave-out parcel developed with a single family structure)-1.02 acres
- MF-2(A) District-28,153 square feet
- MF-4(A) District-2.26 acres
- CS District-23,160 square feet.

The following table is provided for reference as a comparison of development rights for a multifamily project. As the TH-3(A) District and CS District do not permit multifamily uses, they are excluded from this analysis:

| **PROVISION** | **MF-2(A) (existing)** | **MF-4(A) (existing)** | **PROPOSED** |
|---|---|---|---|
| LAND AREA | 28,153 SF | 2.26 ACRES | 4.47 ACRES |
| F/S/R SETBACKS | 15'/10'/15' | 35'/30'/30'* | WILLOMET-25'; OTHER PERIMETER, 5' AND 10' |
| DENSITY | NO MAXIMUM** | 160 DU/ACRE ** | 326 DWELLING UNITS |
| HEIGHT | 36' PLUS RPS @26'** | 240' PLUS RPS @26'** | 44'-100'; NO RPS |
| STORIES | NO MAXIMUM | NO MAXIMUM | VARIES, BUT MAX. OF 12' 6" FLOOR TO FLOOR HEIGHT |
| LOT COVERAGE | 60% | 80% | 75% SUBAREA B<br>35% SUBAREA A |
| | *ASSUMES DEVELOPMENT TRIGGERS URBAN FORM AND TOWER SPACING<br>**RPS WILL IMPACT FINAL DEVELOPMENT (HEIGHT AND DENSITY) | | |

The land area assembled for this request is surrounded by low density single family uses, a few undeveloped parcels zoned for R-7.5(A) District Uses (west of the site), as well as supporting institutional uses (Stafford Park, church) to the west/southwest across Willomet Avenue. The area north/northeast of the site is developed with various commercial and industrial uses, predominately fronting along both sides of Commerce Street. Eastward, the site is adjacent to undeveloped parcels zoned for CS District Uses (northern half of the property) and the Subdistrict 2 portion of PDD No. 732 which is partially developed with single family uses.

It is also relevant to acknowledge a recently submitted request for an approximate five acre parcel envisioned for a higher-density (than permitted by existing zoning rights) single family residential project west of the site (see Zoning History). Certain development rights provide for 30 foot and 38 foot height zones and a minimum of 2,000 square foot lots for single family uses (maximum density not provided for in submitted materials). This application is representative of continued recent interest in developing/redeveloping parts of Oak Cliff, often providing for increased densities in and around single family neighborhoods.

A planned development district is a marriage of uses and development standards that provides for flexibility of development that is sensitive to adjacent uses as well as preserving significant natural features. As has been discussed herein, the unique topography, along with the significant collection of mature trees across the site, creates challenges for development. Staff's focus has been to manage a balance in assessing the requested increase in development rights to that of preserving natural features possessed within this approximate four and one-half acre perimeter. As the site is not in the escarpment or geological similar area (where protections are afforded to ensure development remains secondary to the environment), staff will be recommending requirements to mirror such responsibilities.

A recommendation is being made to ensure the proposed development will mirror what is being presented (finished grade section plan), which will capture the uniqueness of the existing topography while complying with the focus of a PDD as a zoning tool. The attached recommended provisions will retain flexibility empowered to the building official that permits consideration of a deviation to anticipated grading of the site, due to environmental and engineering issues.

As noted, the site's topography provides for significant views in all directions. To provide a sense of the grade change across the property, Subarea B (northern half of the site) possesses an approximate 70 foot change of grade, from a high point along Willomet Avenue/Seale Street to Ormsby Street/Pollard Street (southwest to northeast). Subarea A, while less 'dramatic', does enjoy similar movements, possessing an

approximate 30 foot change of grade along the northern line of this subarea, from a high point along Willomet Avenue/Seale Street eastward. Along its southern line, an approximate eighteen foot drop in grade, west to east, then rising approximately eight feet to the subarea's southeast corner exists.

To put this into perspective, the following represents what one might see at street level related to anticipated elevations of the new construction (based on applicant's submitted plans; noted dimensions are approximate):

Subarea A-

25 feet (at 10 foot setback) along Willomet Avenue b/t Seale Street and Stafford Avenue; 25 feet and 38 feet (at 10 foot setback) along Stafford Street, east of Willomet Avenue; and, 25 feet (at 10 foot setback) along the east line b/t Seale Street and Stafford Avenue.

Subarea B-

25 feet (at 25' setback), 50 feet and 63 feet (at 35 foot setback) along Willomet Avenue between Seale Street and Pollard Street; 75 feet and 88 feet along Seale Street, 70 feet west of Ormsby Street; and, 38 feet and 88 feet (at 10 foot setback) along Ormsby Street north of Seale Street.

While staff is supportive of the proposed development, the scale of the project is a concern in relation to the low density residential community that borders much of the site. The massing of the proposed development, exclusive of additional perimeter setbacks normally required but not provided, can have an imposing effect on adjacent residential areas.

As a result of the effort to accommodate the requested density and massing of the project, staff is recommending an alternative structure height for the western portion of Subarea B; specifically extending the two story maximum structure height from a minimum setback of 35 feet to 110 feet. This will capture the four and five story structures (Building Nos. B-1 and B-2) that wrap the private open space area facing Willomet Avenue. This recommendation will ensure the transition from the single family adjacency on the 'high side' of the applicant's property to that of the applicant's development will be less impactful in terms of vertical encroachment.

**Urban Design:** The applicant will be providing certain design criteria, inclusive of a minimum of 65 percent of the ground level/street facing dwelling units having direct

access to the street. Required pedestrian amenities, along with wide sidewalks (seven foot and 12 foot unobstructed sections), will ensure the development opens up to the residential character of the area, thereby encouraging infrastructure that permits a seamless interaction amongst owners and tenants typically found in low density residential areas. The wide sidewalks will ultimately facilitate anticipated increased foot traffic that will facilitate connectivity to the trail system.

**Landscaping:** The site, exclusive of the few residential dwellings, possesses significant native vegetation. The applicant's landscape architect has been working with the chief arborist to address not only tree mitigation but methods to address how to provide the new plantings and other landscape materials in and around the new development.

Efforts have been expended to establish a vision for a landscape plan for the development that is sensitive to its perimeter. In conjunction with the required design standards, the street level presence of the development will provide for interaction with the surrounding residential community. Additionally, specific provisions are made for the development interacting with Stafford Park as well as providing for a future trail connection from the site.

The following represents a summary of anticipated preservation/mitigation for the site:

| | | |
|---|---|---|
| 1. | Protected inches originally removed from the site | 1,377 |
| 2. | Inches saved by the redesigned corner feature | -145 |
| 3. | Mitigation reduction due to the 1:1 preservation credit | -167 |
| 3. | Revised mitigation (inches) | 1,065 |
| 4. | Maximum caliper inches installed on-site | -800 |
| 5. | Balance | 265 |
| 6. | Maximum caliper inches installed at Stafford Park | -78 |
| 7. | Balance (18% of total caliper inches) | 187 |

The site poses multiple challenges (anticipated development, slope, and subsurface conditions) as the applicant approaches required mitigation. The applicant and the chief arborist have agreed upon defined mitigation regulations, with a preference to provide as many plantings on the property and within the parkway, subject to licensing requirements. The identification of donor sites within close proximity to the site will facilitate off-site mitigation options, similar to the approach taken with the old Timbercreek Apartment site redevelopment (Northwest Highway/Skillman Street). Representatives of five of the six donor sites (excludes Continental Street Bridge and Landing) have been in discussions with the applicant to identify acceptance of new plantings.

**Off-Street Parking:** The applicant will be providing required parking on site, with

excess parking along all street frontages, exclusive of Willomet Avenue, Pollard Street, and Conklin Street. Tandem parking and a more restrictive percentage permitted for compact spaces has been proposed and supported. Lastly, on street parking (prohibited from meeting required parking) will be subject to approval of the Streets Services Section of Public Works and Transportation.

**CPC ACTION**

(August 7, 2014)

**Motion:** It was moved to recommend **approval** of a Planned Development District for certain Residential and Utility and public service uses, subject to a development plan, finished grade section plan, and revised staff's recommended conditions to include the applicant's conditions for Section 51P-__.108,(f)(3) Subarea B on property zoned a TH-3(A) Townhouse District, an MF-2(A) Multifamily District, an MF-4(A) Multiple Family District, and a CS Commercial Service District on property generally bounded by the east line of Willomet Avenue between Stafford Avenue and Pollard Street, and the west line of Ormsby Street between the terminus of Seale Street and Pollard Street.

Maker: Abtahi
Second: Emmons
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Ridley, Abtahi

Against: 0
Absent: 3 - Shidid, Anantasomboon, Murphy
Vacancy: 0

**Notices:** Area: 500 Mailed: 102
**Replies:** For: 9 Against: 3

**Speakers**: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202
Evan Beattie, 2808 Fairmount St., Dallas, TX, 75201
Deborah Carpenter, 2009 Neal St., Dallas, TX, 75208
Maria Gomez, 1004 Fort Worth Ave., Dallas, TX, 75208
Mike Kendal, 8150 N. Central Expwy., Dallas, TX, 75206
Against: Angela Gonzales, 1824 N. Winnetka Ave., Dallas, TX, 75208

## CPC RECOMMENDED/STAFF RECOMMENDED CONDITIONS

## ARTICLE ____

## PD _____

**SEC. 51P-____.101. LEGISLATIVE HISTORY.**

PD _____ was established by Ordinance No._____, passed by the Dallas City Council on_____ 2014.

**SEC. 51P- ___.102. PROPERTY LOCATION AND SIZE.**

PD _____ is established on property generally bounded by the east line of Willomet Avenue between Stafford Avenue and Pollard Street, and the west line of Ormsby Street between the terminus of Seale Street and Pollard Street. The size of PD ___ is approximately 4.46 acres.

**SEC. 51P-___.103. DEFINITIONS AND INTERPRETATIONS**

(a) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. In this district,

(1) BLADE SIGN means a sign projecting perpendicularly from a main building façade, visible from both sides, and made of rigid or soft materials

(2) STOOP means a small porch leading to the entrance of a residence.

(3) TANDEM PARKING means one parking space in front of another parking space, making it necessary to pass through one parking space to gain vehicular access to the other parking space.

(4) This district is considered to be a residential zoning district.

**SEC. 51P- ___.104. EXHIBITS.**

The following exhibits are incorporated into this article:

(a) Exhibit ____ : Development Plan.

(b) Exhibit _____: Existing Site Topography Survey.

(c) Exhibit _____: Finished Grade Section Plan.

**SEC. 51P-___.105. DEVELOPMENT PLAN**

(a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is conflict between the text of this article and the development plan, the text of this article controls.

(b) Development plans may be submitted in phases or for a portion of any part of the Property.

**SEC. 51P___.106. MAIN USES PERMITTED**.

The following uses are the only main uses permitted:

(a) Residential uses.

-- Single family
-- Multifamily.
-- Handicapped group dwelling unit

(b) Utility and public service uses.

-- Local utilities.
-- Tower/antenna for cellular communication, limited to a Mounted cellular antenna.

**SEC. 51P-___.107. ACCESSORY USES**

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

(b) The following accessory uses are not permitted in this district:

-- Accessory outside display of merchandise.
-- Accessory outside sale
-- Accessory pathological waste incinerator.

(c) In this district, the following accessory uses are permitted by SUP only:

-- Accessory helistop.
-- Amateur communication tower

**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 MF-3(A) Multiple Family District apply.

(b) Front yard. Except as provided in this subsection, minimum front yard is ten feet.

(1) Minimum setback on Conklin Street is five feet.

(2) Minimum setback on Willomet Avenue is 25 feet.

(3) Balconies, bay windows, awnings, signs, and entryways affixed to the building or part of the foundation may project up to five feet into required yards with a minimum of eight feet of clearance above the sidewalk.

(4) Stoops, steps, patios, stairs, planters, retaining walls, transformers and other utility equipment, benches, pots, raised planters, sculptures, cabanas and other decorative landscape items may be located within the required setback with no projection limitation.

(5) Fences in a required front yard must be a minimum of 25 percent open area for a street facing fence section may encroach into a required yard.

(6) Urban form setback and tower spacing do not apply to this district.

(7) The minimum front yard setbacks provided in this subsection may not be extended by more than ten feet through the minor amendment process. For purposes of this subsection, the original development plan is the __, 2014 City Council approved development plan.

(c) Density. Maximum number of dwelling units is 326.

(d) Height.

(1) Except as provided in this subsection, maximum structure height is 100 feet.

(2) Subarea A.

(A) Building A-1. Maximum structure height is 44 feet.
(B) Building A-2. Maximum structure height is 44 feet.
(C) Building A-3. Maximum structure height is 36 feet.
(D) Building A-4. Maximum structure height is 36 feet.
(E) Building A-5. Maximum structure height is 34 feet.
(F) Building A-6. Maximum structure height is 38 feet.

(3) Subarea B.

(A) Building B-1. Maximum structure height is 90 feet.
(B) Building B-1A. Maximum structure height is 55 feet.
(C) Building B-2. Maximum structure height is 90 feet.
(D) Building B-2A. Maximum structure height is 66 feet.
(E) Building B-3. Maximum structure height is 100 feet.
(F) Building B-4. Maximum structure height is 95 feet.
(G) Building B-5. Maximum structure height is 95 feet.
(H) Building B-6. Maximum structure height is 85 feet.
(I) Building B-7. Maximum structure height is 60 feet.
(J) Building B-8. Maximum structure height is 12 feet.
(K) Parking B-1. Maximum structure height is 85 feet.

(4) The maximum floor-to-floor height per story as indicated on the development plan is 12 feet, six inches.

(5) The following may project up to 12 feet above the maximum height when setback a minimum of 25 feet from any street facing building facade:

(A) Elevator penthouse or bulkhead.
(B) Mechanical equipment room(s).
(C) Cooling tower.
(D) Tank designed to hold liquids.
(E) Ornamental cupola or dome.
(F) Skylights.
(G) Observation deck.
(H) Clerestory.
(I) Visual screens which surround roof mounted mechanical equipment.
(J) Chimney and vent stacks.
(K) Stair penthouse.

(6) Parapet walls.

(A) Except as provided in this subsection, parapet walls are limited to a maximum height of six feet.

(B) For buildings fronting on Willomet Avenue or Stafford Avenue, maximum height is three feet when the parapet wall is located less than or equal to 25 feet from a Willomet Avenue or Stafford Avenue street fronting building facade.

(C) For buildings fronting on Willomet Avenue or Stafford Avenue, maximum height is six feet when the parapet wall is located more than 25 feet from a Willomet Avenue or Stafford Avenue street fronting building facade.

(7) The residential proximity slope does not apply to this district.

(e) Stories.

(1) Except as provided in this subsection, maximum number of stories is eight.

(2) Subarea A.

(A) Building A-1. Maximum number of stories is two.
(B) Building A-2. Maximum number of stories is three.
(C) Building A-3. Maximum number of stories is two.
(D) Building A-4. Maximum number of stories is two above one story of off-street parking.
(E) Building A-5. Maximum number of stories is one above one story of off-street parking.
(F) Building A-6. Maximum number of stories is two.

(3) Subarea B.

*CPC recommended:*

(A) Building B-1. Maximum number of stories is five.
(B) Building B-1A. Maximum number of stories is two.

*Staff recommended:*

(A) Building B-1. Maximum number of stories is two.
(B) Building B-1A. Maximum number of stories is two.

*CPC recommended:*

(C) Building B-2. Maximum number of stories is four.
(D) Building B-2A. Maximum number of stories is two.

*Staff recommended:*

(C) Building B-2. Maximum number of stories is two.
(D) Building B-2A. Maximum number of stories is two.
(E) Building B-3. Maximum number of stories is seven.

(F) Building B-4. Maximum number of stories is seven.
(G) Building B-5. Maximum number of stories is seven.
(H) Building B-6. Maximum number of stories is six.
(I) Building B-7. Maximum number of stories is seven.
(J) Building B-8. Maximum number of stories is three.
(K) Parking B-1. Maximum number of stories is eight.

(4) For purposes of this subsection, the stair penthouse for Building A-6 stair is not considered a story, but must comply with section 51P-__.108(d)(5).

(f) Lot coverage.

(1) Maximum lot coverage for Subarea A is 35 percent.

(2) Maximum lot coverage for Subarea B is 75 percent.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground structures are not.

(g) Lot size.

(1) For single family, minimum lot size is 4,000 square feet.

(2) For handicapped group dwelling unit, minimum lot size is 3,000 square feet.

(3) For all other permitted uses, no minimum lot size.

**SEC. 51P-___.109. OFF-STREET PARKING**

(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) The use of tandem parking is permitted for residents only.

(c) A maximum of 25 percent compact parking is allowed.

(d) Except as provided in this subparagraph, all off-street surface parking spaces must be screened from view from the street by buildings.

(1) In Subarea A, a solid faced vehicular access gate accessed from Stafford Avenue may also be used to screen surface parking.

(2) Off-street parallel parking accessed from private drives is exempted from this screening requirement.

(e) On street parking must be approved by the Streets Section of Public Works and Transportation and cannot be counted as required parking.

**SEC. 51P-___.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-___.111. PRESERVATION OF SIGNIFICANT NATURAL FEATURES.**

(a) Except as provided in this section, finished grade for each subarea must comply with the Finished Grade Section Plan (exhibit ___C).

(b) The respective finished grade elevations shown on the Finished Grade Section Plan (exhibit ___C) may deviate a maximum of five feet, higher or lower.

**SEC. 51P-___.112. LANDSCAPING**

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

(1) Street trees.

(A) A large tree must be provided for each thirty feet of frontage, with a minimum of two trees planted per frontage.

(B) To the extent possible, street trees should be spaced thirty feet apart, but where necessary, street trees must be spaced no more than sixty feet from another required street tree and no less than twenty feet from another required tree per frontage.

(C) Large trees must be located within twelve feet of the projected street curb where no parallel parking is provided and within twenty feet of the projected street curb where parallel parking is provided.

(D) Subject to obtaining a private license, trees may be located in the parkway. For the purposes of this paragraph, “projected street curb” means the future location of the street curb consistent with the city thoroughfare plan as determined by the Director of Public Works and Transportation.

(2) Site Trees. Subject to obtaining a private license, trees planted in the parkway may be counted as site trees.

(3) Height and caliper. All trees must have a minimum height of eight feet and a minimum caliper of three and one-half inches, measured at a point twelve inches above the root ball.

(4) Approval in phases. Landscaping may be completed in phases on a lot. Each phase for completion must be indicated on the landscape plan for construction.

(5) Water Detention. Where possible, landscape open space will be contoured so that storm water is detained for a short duration to increase the ground water absorption and remove suspended solids.

(6) Tree mitigation. Except as provided in this section, tree mitigation must be provided in accordance with Article X.

(A) Subject to obtaining a private license, street trees planted in the parkway may be counted toward the tree replacement requirement for the Property.

(B) Tree mitigation for a property in this district must be completed within five years of issue of a tree removal permit or a building permit authorizing tree removal on the property.

(C) The building official may permit the property owner up to five years to plant the replacement trees, or otherwise mitigate for the tree removal, with the following restrictions.

(i) For single family or multifamily developments, at least 50 percent of the total caliper of replacement trees must be planted before 65 percent of the development has received a final building inspection or a certificate of occupancy, and all replacement trees must be planted prior to the completion of the development.

(ii) The landscape plan for the final phase of development within the district must include a plan to accomplish any remaining tree mitigation requirements.

(iii) Tree replacement on sites other than this district, or off-site, must begin within one year of removal permit. At least 50 percent of the planting of the total caliper of replacement inches designated for planting off-site must be completed within 36 months of removal permit. All off-site planting must be completed prior to the completion of the development.

(iv) The city plan commission may extend the deadline for completion if significant delays result from the permitting process or the installation of public improvements.

(v) If the recipient property owner for any location in this subsection consents and the owner of the Property obtains the necessary licenses and permits, any replacement tree planted may qualify for the tree mitigation requirements of this article:

(AA) Stafford Park - 1103 Stafford Street

(BB) Hattie Rankin Moore Park – 3352 North Winnetka Avenue

(CC) Westmount Park – 1620 Westmount Avenue

(DD) Kessler Parkway Park – 1821 Kessler Parkway

(EE) Western Heights Cemetery – 1617 Fort Worth Avenue

(FF) Continental Street Bridge and Landing - 1001 Continental Street Viaduct

(7) Tree Credits. For any protected tree of 15 diameter inches or greater retained on the Property, the building official may authorize an inch-for-inch credit to apply to the mitigation of trees removed. A qualifying tree must be fully protected under a tree protection plan as specified in Section 51A-10.136. Where the building official has determined that irreparable damage has occurred to trees under a tree protection plan, the responsible party must remove and replace those trees.

**SEC. 51P.___.113. PEDESTRIAN AMENITIES.**

(a) The following pedestrian amenities are required on the Property:

(1) Willomet Street. Three benches and three trash cans.
(2) Seale Street. Three benches and three trash cans.
(3) Ormsby Street. Two benches and two trash cans.
(4) Stafford Street. Two benches and two trash cans.

(b) A minimum of one light standard, a maximum height of 16 feet measured to the top of the fixture, must be provided for each 75 feet of street frontage.

**SEC. 51P-___.114. SIGNS.**

(a) Except as provided in the section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) Blade sign.

(1) One blade sign is allowed on Ormsby Street, and one blade sign is allowed on Seale Street within two hundred and fifty feet of the intersection with Ormsby Street.

(2) The maximum effective area for each blade sign is thirty-six square feet.

(3) Blade signs must be mounted a minimum of ten feet above the sidewalk.

(4) Internal illumination is prohibited.

**SEC. 51P-___.115. URBAN DESIGN STANDARDS**.

(a) To ensure compatibility with surrounding uses, building facades facing an improved public right-of-way must be at least seventy percent masonry, excluding windows, entrances, and ingress and egress points.

(1) Masonry includes stone, brick, concrete, hollow clay tile, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.

(2) Ten percent of the required masonry must be stone or brick material at the lowest building level.

(3) Decorative metal, wood, or synthetic wood wall-accent materials may not exceed twenty percent of any one elevation. The use of corrugated metal panels is prohibited.

(b) Facade walls. Facade walls facing improved public rights-of-way must incorporate at least three of the following design elements. The cumulative length of these design elements must extend for at least fifty percent of the facade wall's horizontal length.

(1) A repeating pattern of wall recesses and projections, such as bays, offsets, reveals, expressed stair towers, or projecting ribs, that has a relief of at least eight inches.

(2) A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or balconies recessed by a minimum of eight inches.

(3) Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

(4) Trim, molding, a stone base, or accent elements using decorative contrasting colors of at least five percent of the area of the facade wall.

(5) At least three of the following design elements at the primary entrances as labeled on the development plan, so that the primary entrance is architecturally prominent and clearly visible from the abutting street:

(A) Architectural details such as arches, friezes, tile work, murals, or moldings.

(B) Integral planters or wing walls that incorporate landscaping or seating.

(C) Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

(D) Arcades, awnings, canopies, covered walkways, or porticos.

(c) Facade wall changes. Facade walls must have one or more of the following changes:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than ten feet and not more than one hundred feet.

(2) Changes in plane with a depth of at least eighteen inches, either diagonally, horizontally, or vertically, at intervals of not less than twenty feet and not more than one hundred feet.

(d) Facade transparency. A minimum of twenty percent of each street facing building facade story must be composed of windows and unit entry doors.

(e) Glass reflectivity. Glass reflectance shall be limited to a maximum of twenty-seven percent.

(f) Ground floor street-facing dwelling units. A minimum of 65 percent of the total ground floor street-facing dwelling units must have individual entries that access the street and must have an improved path connecting to the sidewalk. The improved path may be constructed of concrete, decomposed granite, or other similar material. Individual entries may be gated and private yards fenced if the fencing is at least 25 percent open.

**SEC. 51P.___.116. SIDEWALKS.**

(a) Except as provided in this section, a minimum unobstructed seven foot-wide sidewalk must be provided on all street frontages.

(b) Willomet Avenue. An additional unobstructed five foot-wide future sidewalk area shall be reserved for a future trail connection that is completed to Stafford Avenue from the south or east and a connection to a trail north to Commerce Street exists.

(c) Stafford Avenue. A minimum unobstructed twelve foot-wide sidewalk must be provided.

(d) ADA-approved tree well grates are not considered an obstruction.

**SEC.51P-____.117. ADDITIONAL PROVISIONS.**

(a) Except as provided in this subsection, a temporary leasing office may operate on the Property for up to 180 days from the date the building permit is issued. If construction of the residential uses has not been completed, the building official may grant additional 30-day extensions for the temporary leasing office.

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

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

**SEC.51P-___.118. COMPLIANCE WITH CONDITIONS.**

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. All improvements and upkeep are the responsibility of the owner.

(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.

| Project Data Table | | |
|---|---|---|
| Subarea A | 77,146 SF | 1.77 AC |
| Use | Multifamily | |
| Max Lot Coverage | 33% | |
| Max Units | 48 Units | |
| Maximum Height | See Individual Building Detail | |
| Subarea B | 117,117 SF | 2.69 AC |
| Use | Multifamily | |
| Max Lot Coverage | 72% | |
| Max Units | 278 Units | |
| Maximum Height | See Individual Building Detail | |
| Combined | 194,263 SF | 4.46 AC |
| Max. Lot Coverage | 50% | |
| Max Density | 326 Units | |
| Minimum Off-Street Parking Required | 406 Spaces | |
| Minimum Off-Street Parking Provided | 435 Spaces | |




EXHIBIT A
Z 134 - 145

**Proposed Development Plan**

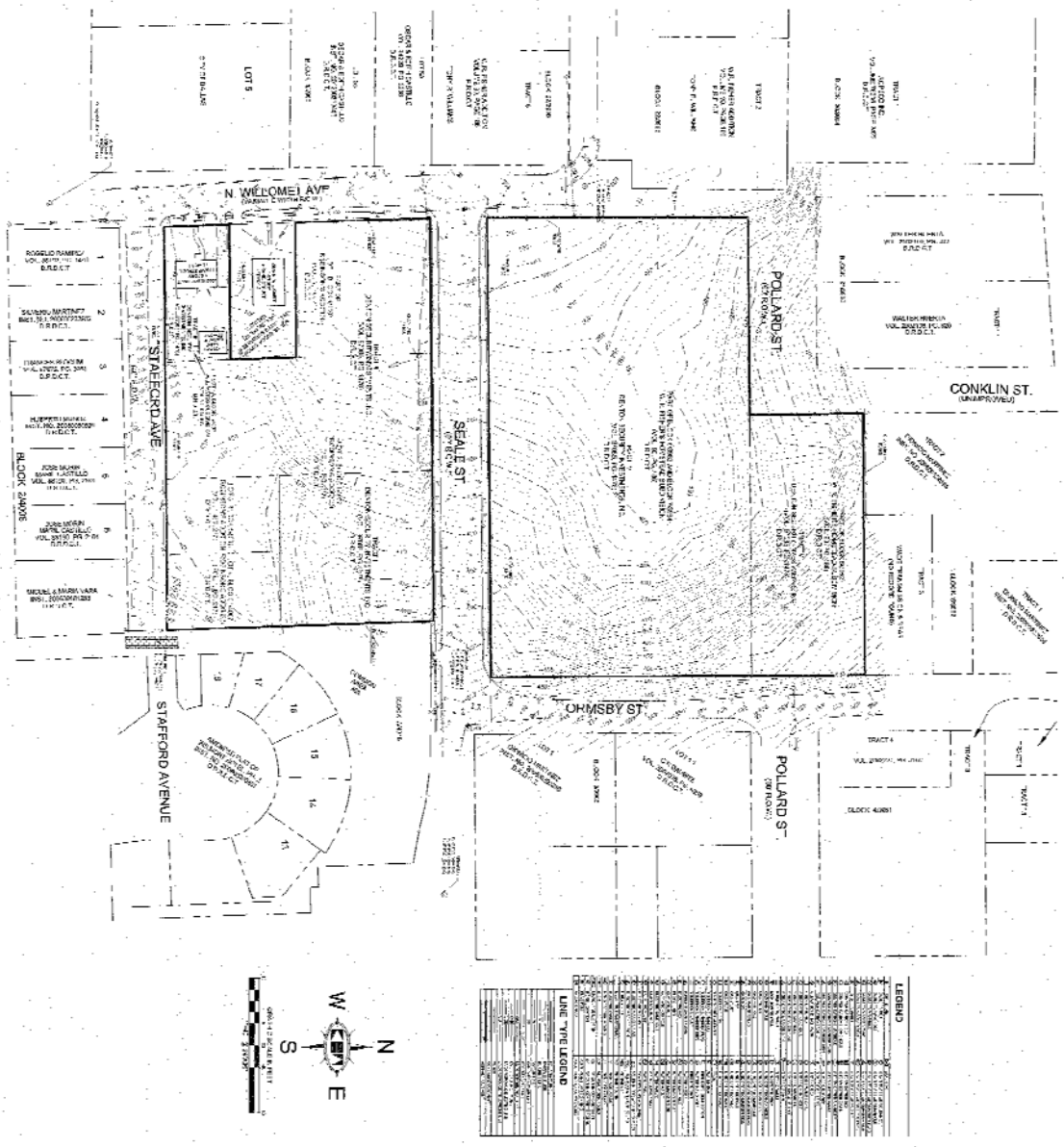
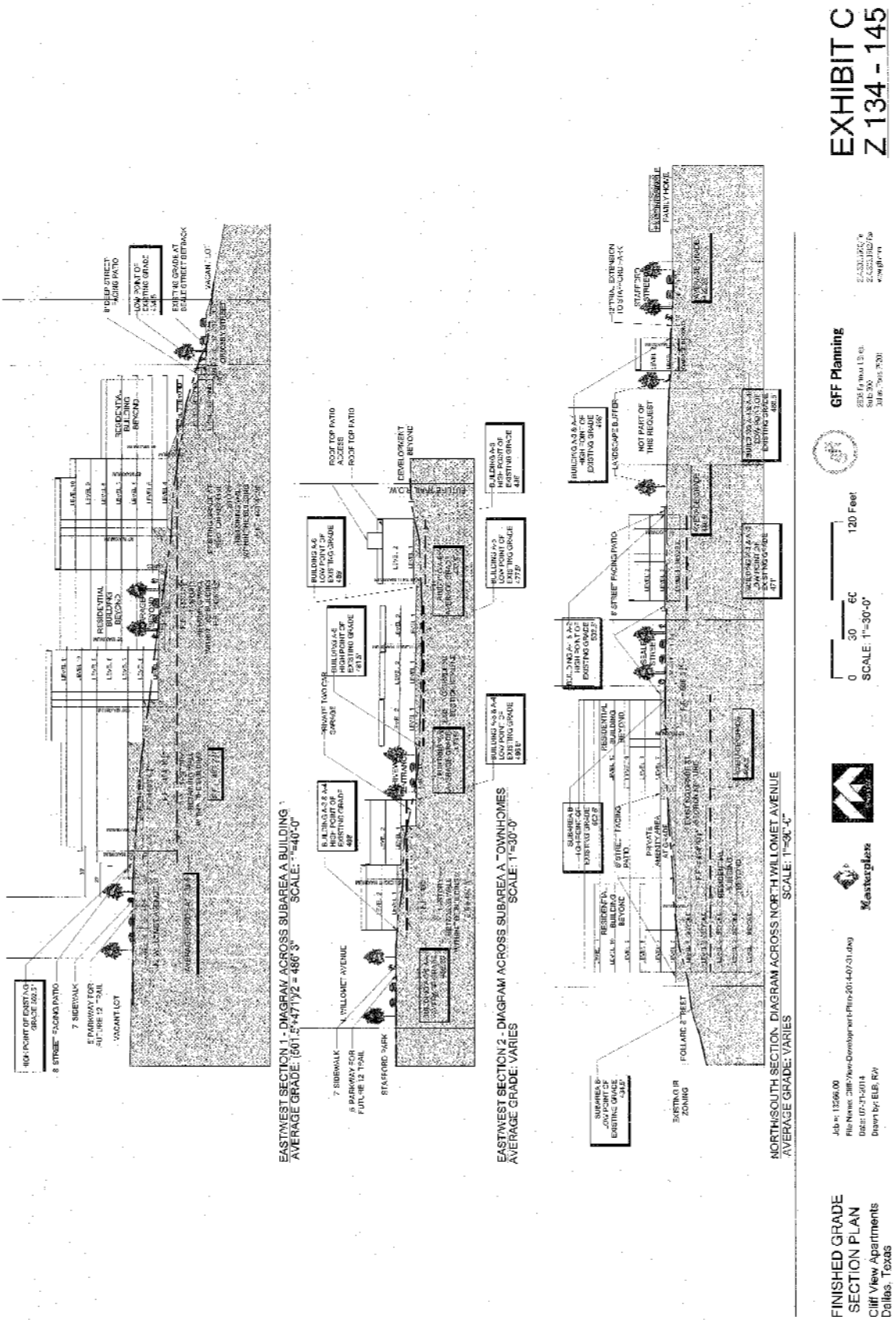



EXHIBIT B
Z-134-145

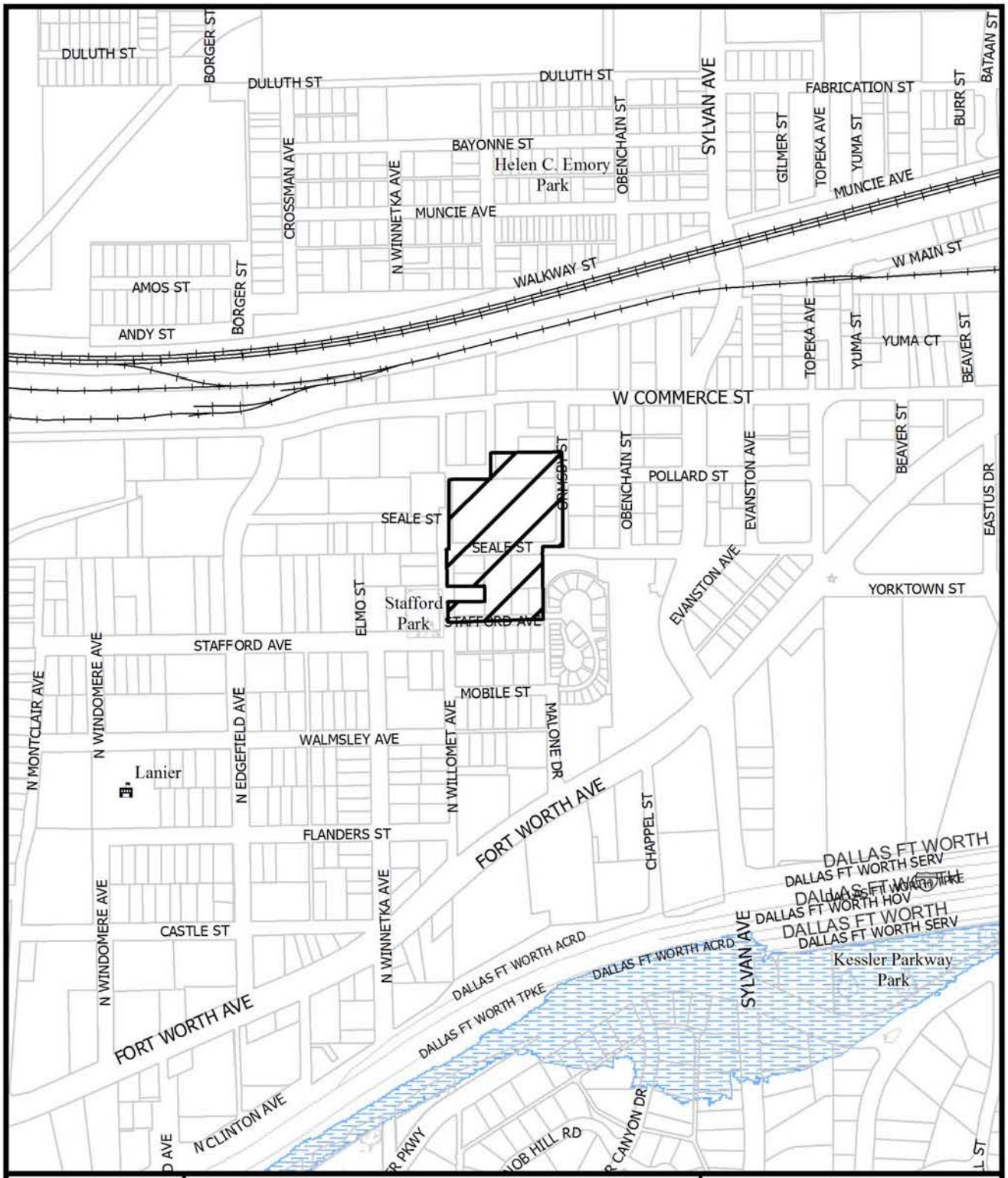


**Site Topography Survey**






**Proposed Finished Grade Section Plan**




1:6,000

# VICINITY MAP

Case no: Z134-145

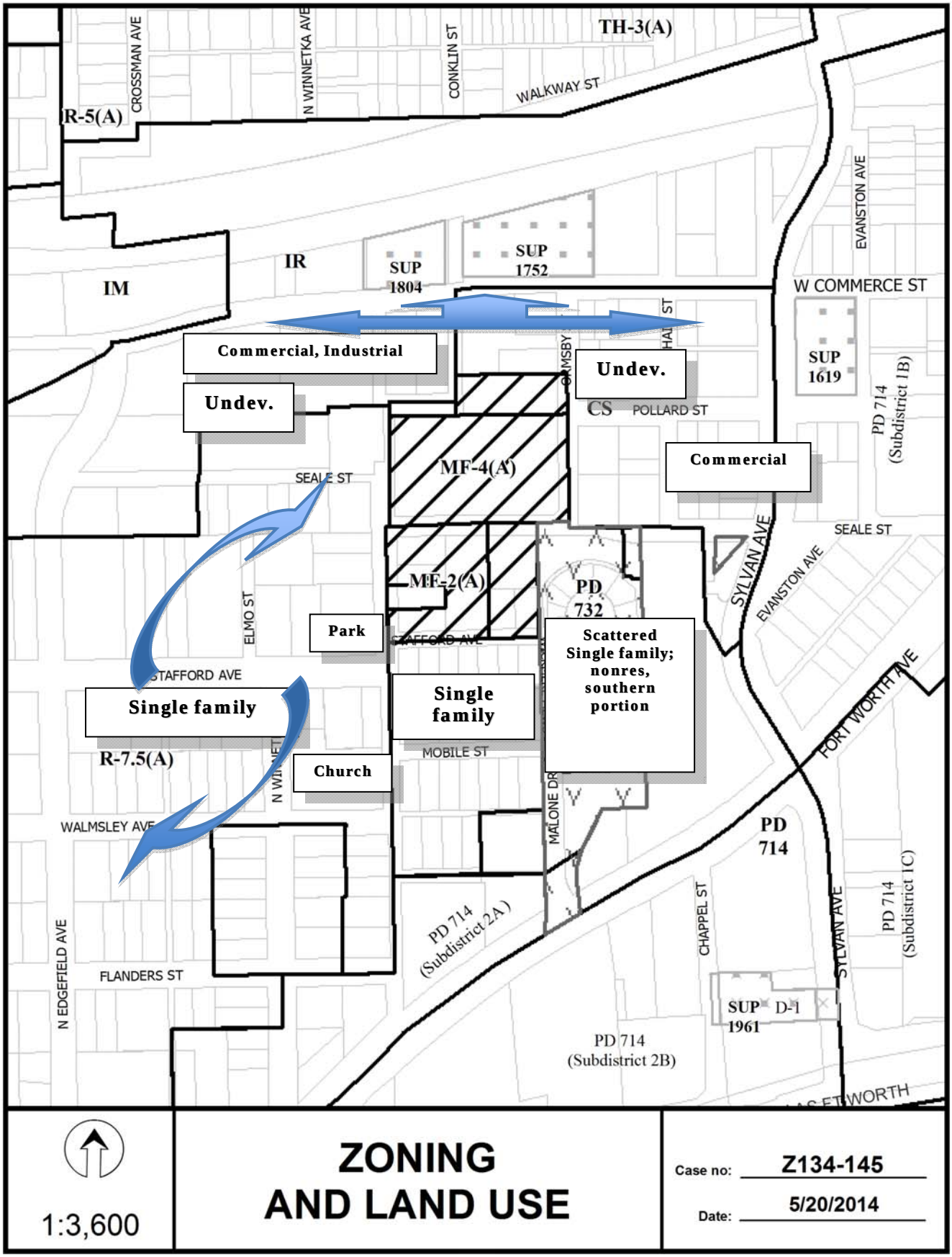
Date: 5/20/2014

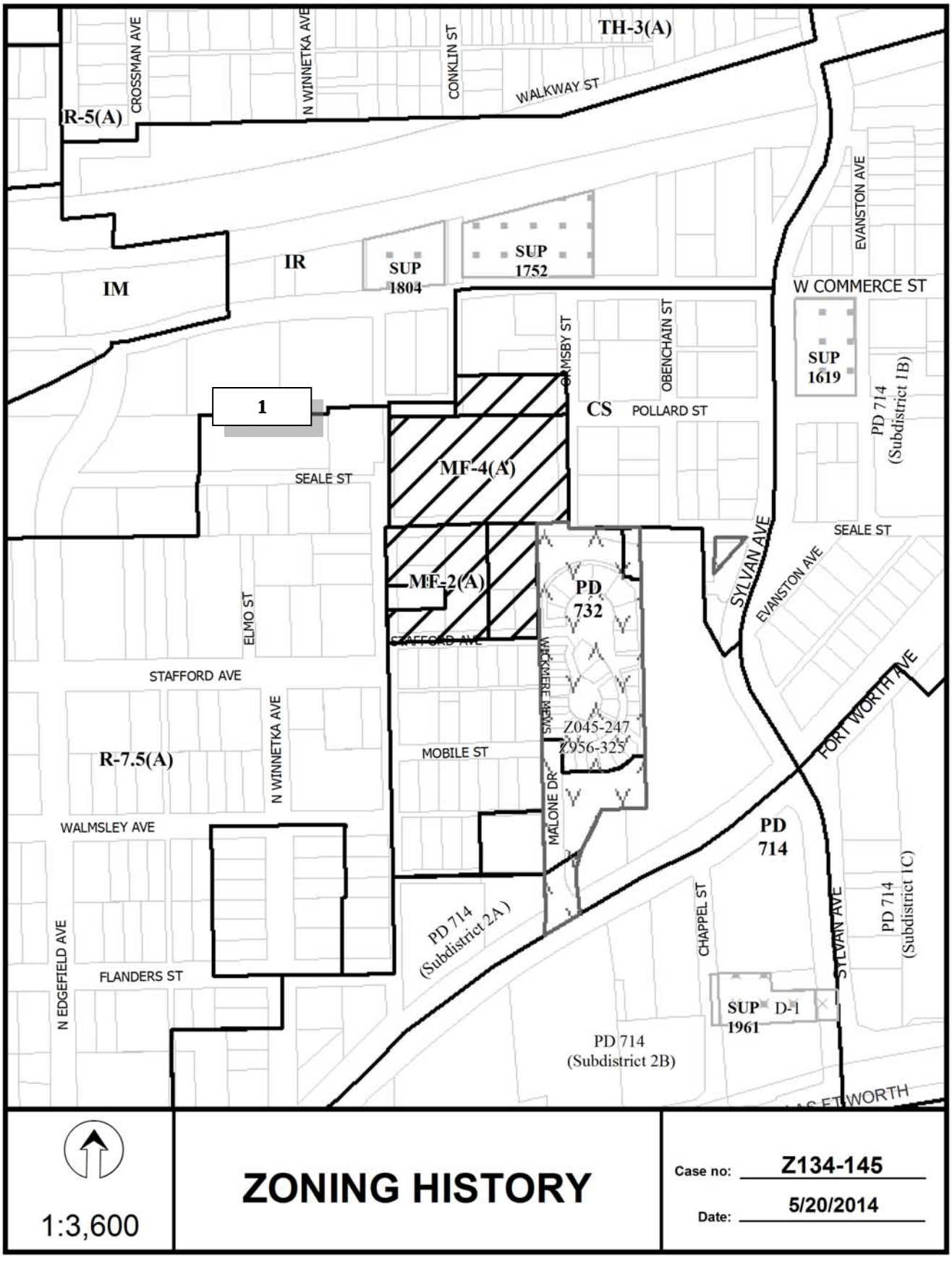
1:3,600

# AERIAL MAP

Case no: Z134-145

Date: 5/20/2014


TH-3(A)
R-5(A)
CROSSMAN AVE
N WINNETKA AVE
CONKLIN ST
WALKWAY ST
IM
IR
SUP 1804
SUP 1752
EVANSTON AVE
W COMMERCE ST
Commercial, Industrial
Undev.
Undev.
GRIMSBY
CS
POLLARD ST
SUP 1619
PD 714 (Subdistrict 1B)
MF-4(A)
Commercial
SEALE ST
SEALE ST
MF-2(A)
PD 732
SYLVAN AVE
EVANSTON AVE
ELMO ST
Park
STAFFORD AVE
STAFFORD AVE
Single family
Single family
Scattered Single family; nonres, southern portion
FORT WORTH AVE
R-7.5(A)
MOBILE ST
Church
MALONE DR
WALMSLEY AVE
PD 714
PD 714 (Subdistrict 2A)
CHAPPEL ST
SYLVAN AVE
PD 714 (Subdistrict 1C)
N EDGEFIELD AVE
FLANDERS ST
SUP 1961
D-1
PD 714 (Subdistrict 2B)
1:3,600
ZONING AND LAND USE
Case no: Z134-145
Date: 5/20/2014

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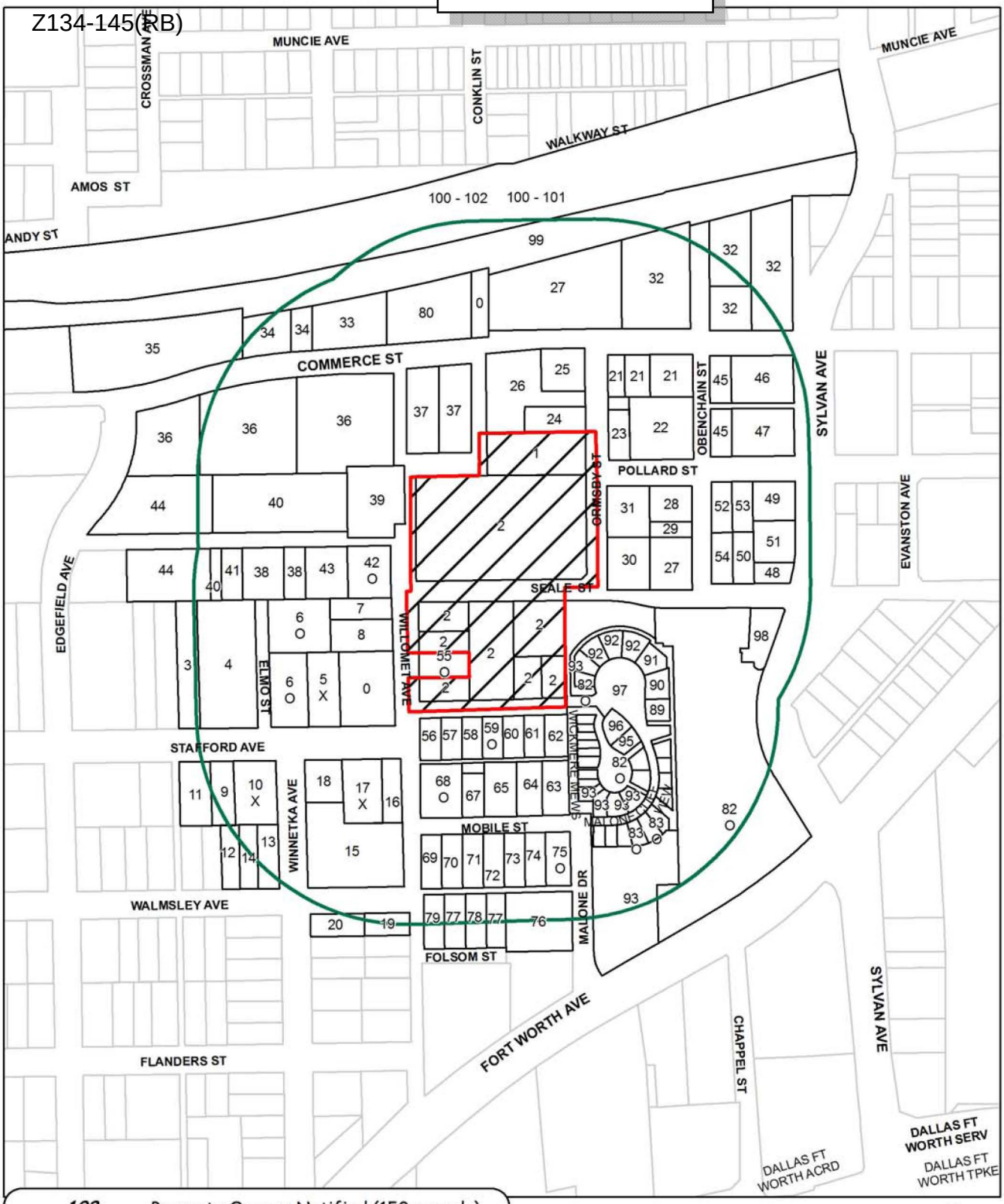
# ZONING HISTORY

Case no: Z134-145

Date: 5/20/2014

# CPC RESPONSES

Z134-145(RB)




| | |
|---|---|
| 102 | Property Owners Notified (150 parcels) |
| 9 | Replies in Favor (16 parcels) |
| 3 | Replies in Opposition (3 parcels) |
| 500' | Area of Notification |
| 8/7/2014 | Date |

Z134-145
CPC

N
W E
S

1:3,600

***08/13/2014***

# *Reply List of Property Owners*

## *Z134-145*

***102 Property Owners Notified 9 Property Owners in Favor 3 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 1 | 2203 | ORMSBY ST | DENTON SECURITY INVESTMENT INC |
| | 2 | 2120 | WILLOMET AVE | DENTON SECURITY INV INC |
| | 3 | 1215 | STAFFORD AVE | COUCH KEDRIC & PAT |
| | 4 | 1207 | STAFFORD AVE | RAMIREZ JUANITA P |
| X | 5 | 1107 | STAFFORD AVE | CONTRERAS JOE B & |
| O | 6 | 1121 | STAFFORD AVE | SAAVEDRA GUADALUPE C |
| | 7 | 2023 | WILLOMET AVE | CASTILLO OSCAR & |
| | 8 | 2019 | WILLOMET AVE | CASTILLO OSCAR & EDITH |
| | 9 | 1210 | STAFFORD AVE | GUTIERREZ FIDENCIO & |
| X | 10 | 1206 | STAFFORD AVE | CHAVEZ RUTH |
| | 11 | 1218 | STAFFORD AVE | SANTOYO MANUEL & |
| | 12 | 1209 | WALMSLEY AVE | RIOJAS ROGELIO A |
| | 13 | 1203 | WALMSLEY AVE | DOMINGUEZ ALFONSO |
| | 14 | 1207 | WALMSLEY AVE | DELEON MANUEL |
| | 15 | 1119 | WALMSLEY AVE | WESTER HEIGHTS IGLESIA |
| | 16 | 1100 | STAFFORD AVE | JUAREZ VICTORIA |
| X | 17 | 1108 | STAFFORD AVE | ORTIZ FROYLAN |
| | 18 | 1116 | STAFFORD AVE | DELAFUENTE JUAN A MARTINEZ & |
| | 19 | 1823 | WILLOMET AVE | LOPEZ LUCERO RIVERA |
| | 20 | 1824 | WINNETKA AVE | GONZALES VIRGINIA J EST OF |
| | 21 | 2210 | ORMSBY ST | JLK IRREVOCABLE TRUST & |
| | 22 | 2203 | OBENCHAIN ST | ARRINGTON ROFFING COMPANY INC |
| | 23 | 935 | POLLARD ST | RES #1 TRUST |
| | 24 | 2207 | ORMSBY ST | WADE TRANSMISSION & GEAR |
| | 25 | 1002 | COMMERCE ST | MARTINEZ DIONICIO |
| | 26 | 1010 | COMMERCE ST | MARTINEZ DIONICIO |

***08/13/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 27 | 2111 | OBENCHAIN ST | MARTINEZ DIONICIO |
| | 28 | 922 | POLLARD ST | REYNA LINDA |
| | 29 | 2115 | OBENCHAIN ST | VAZQUEZ MARIA ELSA & |
| | 30 | 933 | SEALE ST | MARTINEZ DIONICIO |
| | 31 | 934 | POLLARD ST | DAUBITZ C R |
| | 32 | 921 | COMMERCE ST | DABOUB REALTY LTD |
| | 33 | 1107 | COMMERCE ST | HMK LTD |
| | 34 | 1201 | COMMERCE ST | 1201 W COMMERCE LLC |
| | 35 | 1211 | COMMERCE ST | COMMERCIAL METALS CO |
| | 36 | 1220 | COMMERCE ST | ROPECO INC |
| | 37 | 1032 | COMMERCE ST | HUERTA WALTER |
| | 38 | 1118 | SEALE ST | NOAH IRENE |
| | 39 | 2115 | WILLOMET AVE | WILLIAMS TONY R |
| | 40 | 1122 | SEALE ST | BHR ENTERPRISES INC |
| | 41 | 1120 | SEALE ST | RAMIREZ TERESA & |
| O | 42 | 2111 | WILLOMET AVE | WILLIAMS TONY R |
| | 43 | 1114 | SEALE ST | QUALLS KENNETH D & PAMELA |
| | 44 | 1219 | SEALE ST | GUTIERREZ JOSE A |
| | 45 | 914 | COMMERCE ST | SAUCEDO ABEL & |
| | 46 | 902 | COMMERCE ST | GUERRERO EVELYN M TRUSTEE |
| | 47 | 907 | POLLARD ST | WADE WAYNE |
| | 48 | 2101 | SYLVAN AVE | AKIN PROPERTIES LLC |
| | 49 | 2121 | SYLVAN AVE | UMPHRESS MICHAEL L TR |
| | 50 | 911 | SEALE ST | HERNANDEZ JUAN |
| | 51 | 2107 | SYLVAN AVE | UMPRESS MICHALE L TR ETAL |
| | 52 | 914 | POLLARD ST | DAUBITZ CHARLES R |
| | 53 | 910 | POLLARD ST | RAMIREZ SANTA Z & |
| | 54 | 915 | SEALE ST | MARISCAL GERONIMO JR |
| O | 55 | 2006 | WILLOMET AVE | MARTIN EMMA LEE |
| | 56 | 1026 | STAFFORD AVE | RAMIREZ ROGELIO LEON & |
| | 57 | 1022 | STAFFORD AVE | MARTINEZ SILVERIO |

***08/13/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 58 | 1018 | STAFFORD AVE | SLOCUM FRANCES I |
| O | 59 | 1014 | STAFFORD AVE | MUNOZ HUBERTO & CELIA |
| | 60 | 1010 | STAFFORD AVE | MORIN JOSE LUIS |
| | 61 | 1006 | STAFFORD AVE | MORIN JOSE LUIS |
| | 62 | 1002 | STAFFORD AVE | VARA MIGUEL A & MARIA M |
| | 63 | 1003 | MOBILE ST | MORIN JOSE L & |
| | 64 | 1009 | MOBILE ST | JINEZ LOUISA |
| | 65 | 1015 | MOBILE ST | SIERRA JOSE |
| | 66 | 1015 | MOBILE ST | CEMETERY |
| | 67 | 1019 | MOBILE ST | HANSEN CLAIRE |
| O | 68 | 1027 | MOBILE ST | RUTTER MICHAEL D |
| | 69 | 1908 | WILLOMET AVE | RODRIGUEZ CALIXTO O & |
| | 70 | 1022 | MOBILE ST | JC LEASING LLP |
| | 71 | 1018 | MOBILE ST | GARCIA LEONARDO M & |
| | 72 | 1014 | MOBILE ST | CARREON MARISSA |
| | 73 | 1010 | MOBILE ST | CLAUDIO URBINA |
| | 74 | 1006 | MOBILE ST | CARLSON NATHAN & |
| O | 75 | 1002 | MOBILE ST | OPTIONS HOLDING LTD |
| | 76 | 1007 | FOLSOM ST | BATMANNY LLC |
| | 77 | 1017 | FOLSOM ST | DURAN PEDRO & RUBY |
| | 78 | 1019 | FOLSOM ST | DURAN PEDRO & RUBY J |
| | 79 | 1025 | FOLSOM ST | SANCHEZ MODESTO MANUEL |
| | 80 | 1025 | COMMERCE ST | HUERTA AUGUSTO & |
| | 81 | 1926 | MALONE CLIFF VIEW | DILBECK COURT LIMITED |
| O | 82 | 1926 | MALONE CLIFF VIEW | DILBECK COURT LIMITED |
| O | 83 | 1902 | MALONE CLIFF VIEW | DILBECK C OURT LIMITED |
| | 84 | 1906 | MALONE CLIFF VIEW | YARBROUGH DAVID |
| | 85 | 1914 | MALONE CLIFF VIEW | CARPENTERSMITH CINDY |
| O | 86 | 1916 | MALONE CLIFF VIEW | DILBECK C OURT LIMITED |
| | 87 | 1918 | MALONE CLIFF VIEW | ENOCH PROPERTIES LLC |
| | 88 | 1922 | MALONE CLIFF VIEW | JARAMILLO R & S INVES LLC |

***08/13/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 89 | 1930 | MALONE CLIFF VIEW | LOVE GARY & CANDACE |
| | 90 | 1934 | MALONE CLIFF VIEW | ASHBURN HUNTER BYWATERS III |
| | 91 | 1938 | MALONE CLIFF VIEW | JONES SHAWN MARIE & A B |
| | 92 | 1942 | MALONE CLIFF VIEW | COOK MARY MCDERMOTT |
| | 93 | 1937 | MALONE CLIFF VIEW | DILBECK C OURT LIMITED |
| | 94 | 1908 | WICKMERE MEWS | WILLIAMSON MICHAEL RAY |
| | 95 | 1923 | MALONE CLIFF VIEW | FORBUS GARY L & MYRA N |
| | 96 | 1927 | MALONE CLIFF VIEW | TYNAN FRANCES E |
| | 97 | 1926 | MALONE CLIFF VIEW | VILLAS AT DILBECK COURT HOMEOWNERS ASSN |
| | 98 | 2001 | SYLVAN AVE | DILBECK COURT LIMITED |
| | 99 | 2300 | GRAND AVE | BNSF RAILWAY |
| | 100 | 9999 | NO NAME ST | UNION PACIFIC RR CO |
| | 101 | 4401 | LINFIELD RD | ST LOUIS S W RAILWAY CO |
| | 102 | 9999 | NO NAME ST | UNION PACIFIC RR CO |

**AGENDA ITEM # 44**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 23 K

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an IR Industrial Research District on the east side of Monroe Drive, north of Walnut Hill Lane
Recommendation of Staff: Denial
Recommendation of CPC: Approval for an 18-month period, subject to a site plan, traffic management plan and conditions
Z134-184(MW)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**
**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-184(MW) **DATE FILED:** March 5, 2014

**LOCATION:** East side of Monroe Drive, north of Walnut Hill Lane

**COUNCIL DISTRICT:** 6 **MAPSCO:** 23-K

**SIZE OF REQUEST:** ±2.95 acres **CENSUS TRACT:** 97.01

**REPRESENTATIVE:** Peter Kavanagh, Zone Systems, Inc.

**APPLICANT:** Trinity Basin Preparatory, Inc.

**OWNER:** Charter Schools Development Corporation

**REQUEST:** An application for a Specific Use Permit for an open-enrollment charter school on property zoned an IR Industrial Research District.

**SUMMARY:** The applicant proposes to operate an open-enrollment charter school serving grades pre-K through five (5) within an existing church building. No new construction is proposed by this application. The proposed open-enrollment charter school will have 18 classrooms and will serve approximately 432 students. The proposed hours of operation are Monday through Friday from 8:00 am to 4:00 pm for normal school activities.

**CPC RECOMMENDATION:** **Approval** for an 18-month period, subject to a site plan, traffic management plan and conditions.

**STAFF RECOMMENDATION:** **Denial**

**DESIGNATED ZONING CASE**

**STAFF RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not a Specific Use Permit shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed open-enrollment charter school serving grades pre-K through five (5) is not considered compatible with surrounding Industrial Research District uses, specifically, the adjacent UPS distribution center.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – While the proposed open-enrollment charter school will provide a valuable service to this area of the city, the request site is not directly accessible from the adjacent single family neighborhood. The traffic generated by the proposed use, as well as by the adjacent industrial use, could negatively impact the area of request and adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – Situating an open-enrollment charter school serving grades pre-K through five (5) in an industrial area could be potentially detrimental to the public health, safety, or general welfare.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the request will comply with all applicable zoning regulations and standards. No variances or exceptions are proposed.

**Surrounding Zoning History:**

There has been no zoning activity in the vicinity of the request site within the last five years.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type | Existing ROW |
|---|---|---|
| Monroe Drive | Local | 60 feet |

**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. Traffic circulation will be regulated through the attached traffic management plan which demonstrates that vehicle queuing can be adequately accommodated onsite.

The request site is accessed from Monroe Drive, a local street with no posted speed limit. No pedestrian street crossings are proposed for this school; therefore, according to Engineering, a school zone would not be warranted. As a result, from a land use perspective, staff has concerns about the general safety for the proposed grade levels.

**Surrounding Land Use:**

| | Zoning | Land Use |
|---|---|---|
| **North** | IR | Office; warehouse |
| **East** | R-7.5(A) | Single family |
| **South** | IR | Office; warehouse |
| **West** | IR | Warehouse (UPS distribution center; CO for Post Office issued 1988) |

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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.

The applicant's proposal to locate an open-enrollment charter school in an auto-oriented area more suited for services and jobs is inconsistent with the Comprehensive Plan.

**Land Use Compatibility:**

The ±2.95-acre request site is developed with vacant church building. No new construction is proposed by this application.

The request site is surrounded by office and warehouse uses to the north; single family residential to the east; office and warehouse uses to the south; and a

warehouse/distribution center to the west. While the request site does have residential adjacency, the school will not be directly accessible from the neighborhood. The request site is accessed from Monroe Drive, a local street with no posted speed limit. No pedestrian street crossings are proposed for this school; therefore, a school zone would not be warranted.

While traffic circulation will be regulated through a traffic management plan, which demonstrates that vehicle queuing can be adequately accommodated onsite, Planning Staff is concerned with potential vehicular and pedestrian conflicts. According to information provided by UPS, there are 353 (412 during freight peak) package drivers who are dispatched from the adjacent distribution center on a daily basis, at least half of which use Monroe Drive as their route. Based on a traffic count performed by the applicant's engineer, an average of 38 vehicles classified as UPS delivery trucks (single unit, two axle or larger) utilize Monroe Drive between 7:30 am and 8:30 am, which is considered the school's morning peak. Between 3:00 pm and 4:00 pm, the school's afternoon peak, an average of 30 vehicles classified as single unit, two axle or larger utilize Monroe Drive. This means that during the school's morning peak, 11% of the total vehicles on Monroe drive are single unit, two axle or larger and during the school's afternoon peak, 10% of the total vehicles on Monroe Drive are single unit, two axle or larger. According to the applicant's study, a typical roadway will have between two and three percent truck traffic and, in an industrial area, ten percent is not unusual. Planning staff does not believe that this industrial area is the appropriate location for an open-enrollment charter school serving grades pre-K through five (5). Therefore, staff does not support the request.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

**Parking:**

Pursuant to §51A-4.210 of the Dallas Development Code, the off-street parking requirement for a school is 1.5 spaces per elementary classroom. Therefore, the proposed 18-classroom open-enrollment charter school will require 27 parking spaces. As depicted on the site plan, 167 spaces are provided.

**Landscaping:**

No new development is proposed by this application; therefore, the landscaping requirements of Article X will not be triggered.

**CPC Action: July 24, 2014:**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an open-enrollment charter school for an 18-month period (from date of Council approval), subject to a site plan, traffic management plan and conditions on property zoned an IR Industrial Research District on the east side of Monroe Drive, north of Walnut Hill Lane.

| | |
|---|---|
| Maker: | Anantasomboon |
| Second: | Ridley |
| Result: | Carried: 10 to 3 |

| | |
|---|---|
| For: | 10 - Anglin, Emmons, Culbreath, Anantasomboon, Lavallaisaa*, Tarpley, Schultz, Peadon, Murphy, Ridley |
| Against: | 3 - Shidid, Bagley, Abtahi |
| Absent: | 2 - Rodgers, Shellene |
| Vacancy: | 0 |

*out of the room, shown voting in favor

| | | | | |
|---|---|---|---|---|
| **Notices:** | Area: | 300 | Mailed: | 38 |
| **Replies:** | For: | 6 | Against: | 2 |

**Speakers**: For: Randy Shaffer, 400 S. Zang Blvd., Dallas, TX, 75208
Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Laura Fiemann, 28045 N. 112th Pl., Scottsdale, AZ, 85262
David Vilbig, 10132 Monroe Dr., Dallas, TX, 75229
Kimberley Brawner, 3030 LBJ Frwy., Dallas, TX, 75234
Against: Roger Albright, 3301 Elm St., Dallas, TX, 75226
Kevin Stoelting, 2925 Merrell Rd., Dallas, TX, 75229
Staff: Lloyd Denman, Assistant Director, Dallas Engineering Division

**Partners/Principals/Officers:**

**APPLICANT:** Trinity Basin Preparatory, Inc.

Randal C. Shaffer, President
Loren “Pepper” Hitchcock, Chairman
Ken Petree, Member
Julia Gomez, Member
Stephen R. McCune, Member

**OWNER:** Charter Schools Development Corporation

Board of Directors:

Tom Nida
Ember Reichgott Junge
James Goenner
John Eichberg
Greg McKenna
Brad Martin
Jay Hromatka
Michael Curran
Rudy Seikaly

Officers:

Al Dubin, Chief Executive Officer
Laura Fiemann, Senior Vice President
Michelle Liberati, Executive Vice President
Rebecca Secrest, Vice President and Assistant Corporate Secretary
Tim Summers, Finance Director and Treasurer

**Z134-184**
**CPC Recommended 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 _____(18 months from the passage of this ordinance).

4. CLASSROOMS: The maximum number of classrooms is 18.

5. GRADE LEVELS: Grade levels are limited to Pre-K through five.

6 TRAFFIC MANAGEMENT PLAN:

A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.

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 must be submitted to the director by (six months from beginning operations). After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by that date every other 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; and

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.

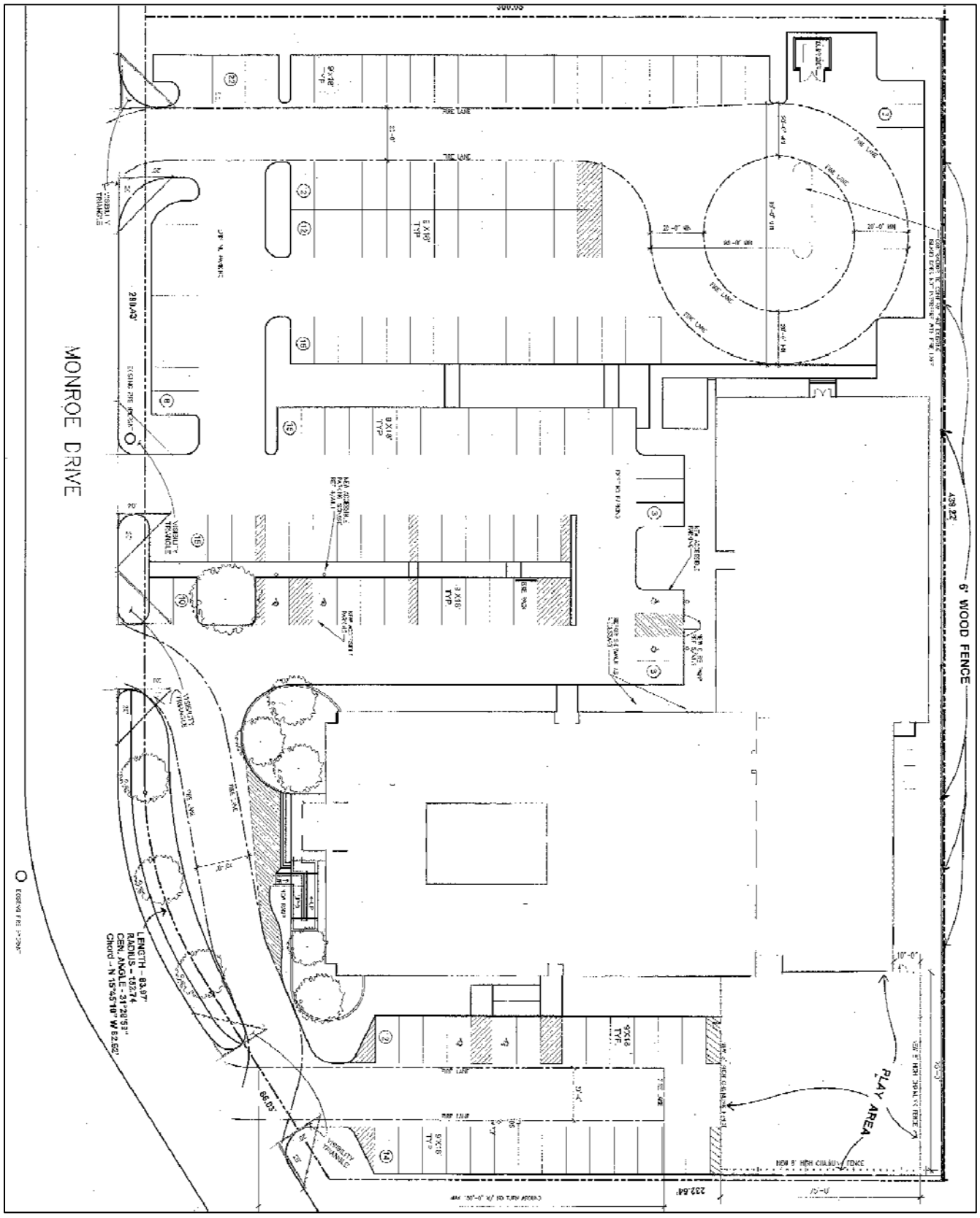
i. A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

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.

7 MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**Proposed Site Plan**



# TRINITY BASIN PREPARATORY, INC.
# TRAFFIC MANAGEMENT PLAN
**JUNE 2014**

## INTRODUCTION

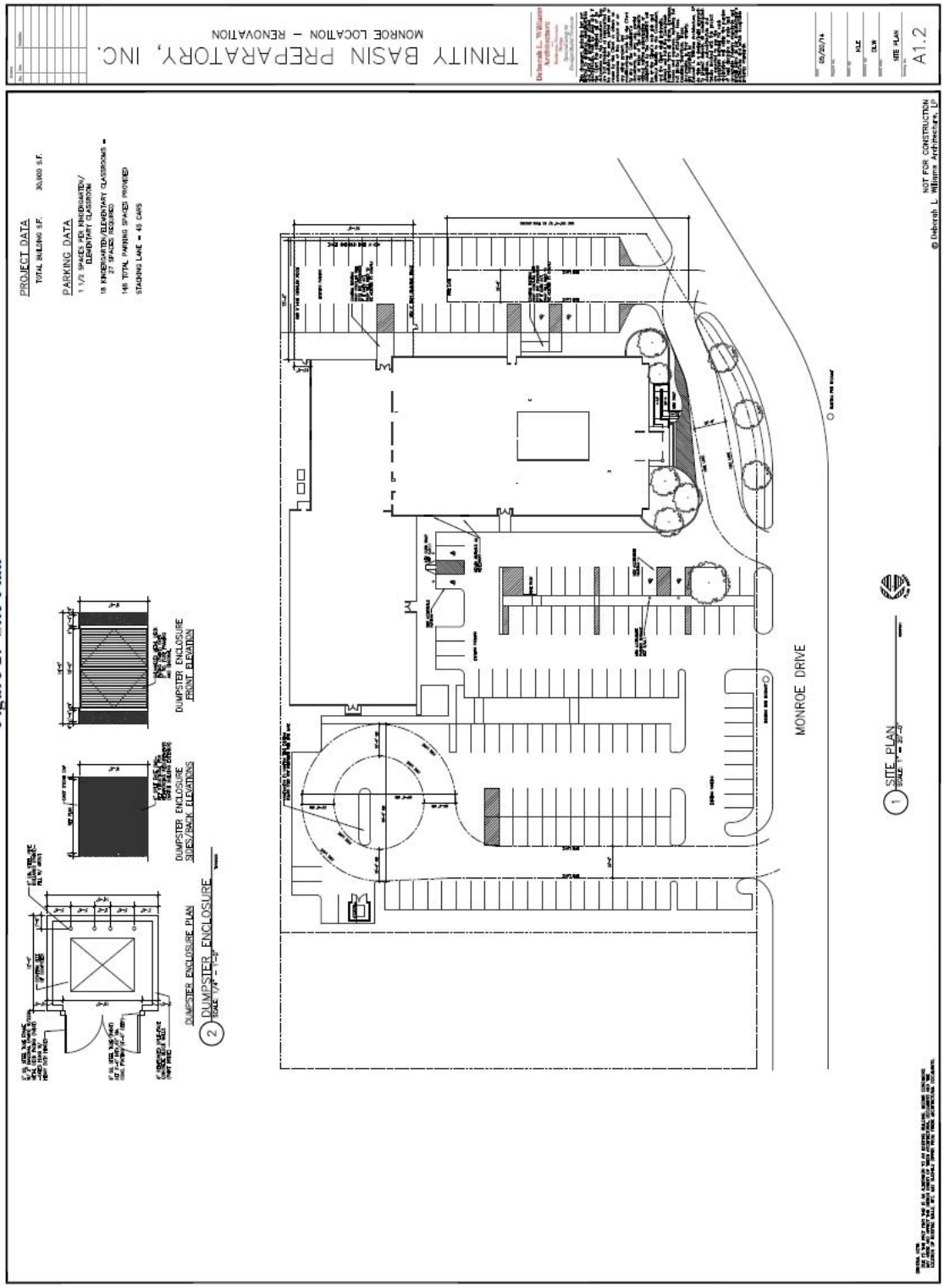
Trinity Basin Preparatory, Inc. will be located at 10150 Monroe Drive, Dallas, Texas. The school will serve approximately 432 students in 18 classrooms. The proposed facility is an existing building that serves as San Juan Diego Catholic Church.

## OVERVIEW

Trinity Basin Preparatory, Inc. will be located on the east side of Monroe Drive between Merrell Road and Walnut Hill Lane at 10150 Monroe Drive in Dallas, TX as shown in **Figure 1**. Monroe Drive is 36-foot wide roadway and has no posted speed limit. **Figure 2** shows the proposed site plan. The proposed campus is served by four driveways along Monroe Drive and has 148 parking spaces as shown in Figure 2.

**Figure 1: Vicinity Map**

Figure 2: Site Plan



The proposed development is planned to consist of a public charter school (Trinity Basin Preparatory, Inc.) and will serve 432 students from Prekindergarten (age 3) to 5th grade. The 3 year old prekindergarten class (PK3) will serve as a half-day program and will serve 40 students per session. The morning session of classes for PK3 will operate from 8:15 AM to 11:15 AM and the afternoon session will operate from 12:45 PM to 3:45 PM. Students in the 4-year old prekindergarten program (PK4) through 5th grade will attend classes from 8:15 AM to 3:45 PM. The projected student enrollment and number of classrooms per grade level is shown in **Table 1**.

**Table 1: Projected Student Enrollment**

| Grades | Student Enrollment | # of Classrooms |
|---|---|---|
| PK3[1] | 80 | 2 |
| PK4 | 88 | 4 |
| K | 44 | 2 |
| 1st | 44 | 2 |
| 2nd | 44 | 2 |
| 3rd | 44 | 2 |
| 4th | 44 | 2 |
| 5th | 44 | 2 |
| Total | 432 | 18 |

[1]PK3 is a half day program with 40 students per session

**CITY OF DALLAS PARKING STANDARDS**

Section 51.A-4.204 of the City of Dallas *Development Code* defines the parking requirements for institutional and community services. Trinity Basin Preparatory, Inc. serves early childhood and elementary students. The City of Dallas code requires 1.5 parking spaces for each kindergarten/elementary school classroom. As shown in Table 1, the proposed school will have 18 classrooms and will require 27 parking spaces (18*1.5=27). Based on the attached site plan shown in Figure 2, the parking total of 148 spaces exceeds the City of Dallas minimum requirements.

## TRIP GENERATION

The number of vehicle trips generated by the proposed school was originally estimated based on the trip generation rates and equations provided in the publication entitled *Trip Generation Manual, Ninth Edition*, by the Institute of Transportation Engineers (ITE). Estimates of the number of trips generated by the site were made for the weekday AM and School PM peak hours. The number of trips generated by the development is a function of the type and quantity of the land use within the development.

Charter schools are, by definition, public schools. No bus service will be provided and the percentage of students who walk and/or bicycle to school is predicted to be very small due to the proposed geographic extents of the attendance boundaries. Due to the geographic orientation of the proposed student population, this analysis assumes the campus will operate similar to a private school. **Table 2** and **Table 3** present the trip generation equations and directional splits used in this traffic impact analysis. The trip generation results are shown in **Table 4**.

**Table 2: Trinity Basin Preparatory, Inc. Trip Generation Rates**

| Land Use | | Rates[1] | | |
|---|---|---|---|---|
| Description | ITE Code | Average Weekday | AM Peak Hour | PM Peak Hour |
| Private School (K-8) | 534 | NA | T = 0.90(X) + 3.01 | T = 0.61(X) – 4.70 |
| Day Care Center | 565 | T = 4.79 (X) – 33.46 | T = 0.73 (X) + 4.67 | Ln (T) = 0.88* Ln (X) + 0.27 |

[1]T = Trips Ends; X = students;

**Table 3: Trinity Basin Preparatory, Inc. Directional Splits**

| Land Use | | Directional Split[1] | | |
|---|---|---|---|---|
| Description | ITE Code | Average Weekday | AM Peak Hour | PM Peak Hour |
| Private School (K-8) | 534 | NA | 55 / 45 | 47 / 53 |
| Day Care Center | 565 | 50 / 50 | 53 / 47 | 47 / 53 |

[1]XX / YY = % entering vehicles / % exiting vehicles;

**Table 4: Estimated Trip Generation for Trinity Basin Preparatory, Inc.**

| Land Use | | | Average Weekday | | | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Description | ITE Code | Students | Enter | Exit | Total | Enter | Exit | Total | Enter | Exit | Total |
| Private School (K-8)[1] | 534 | 352 | --- | --- | --- | 176 | 144 | 320 | 99 | 111 | 210 |
| Daycare[2] | 565 | 80 | 175 | 175 | 350 | 18 | 16 | 34 | 16 | 18 | 34 |
| Total | | 432 | --- | --- | --- | 194 | 160 | 353 | 115 | 129 | 344 |

[1]PM Peak hour of the Generator was used for Private school (K-8);
[2]The total PK3 student population (80) was utilized to calculate average weekday trips, but the AM & PM peak hours were calculated using 40 students.

## TRAFFIC COUNTS

Twenty-four (24) hour speed and classification traffic counts were collected from Tuesday, April 15, 2014 to Wednesday, April 16, 2014 at locations identified in **Figure 3**. Traffic counts were collected on Monroe Drive north of Drive 1 and south of Drive 4.

**Figure 3: Classification Count Location**

Classes will begin at 8:15 AM at Trinity Basin Preparatory. Therefore, this study assumes that AM peak hour is between 7:30 AM and 8:30 AM. **Table 5** summarizes the results of the traffic counts from 7:30 AM to 8:30 AM.

**Table 5: Classification Summary 7:30 AM – 8:30 AM**

| Location | Direction | Bikes | Cars & Trailers | 2 Axle Long | Buses | 2 Axle 6 Tire | ≥3 Axles | Total |
|---|---|---|---|---|---|---|---|---|
| South | NB | 1 | 111 | 55 | 5 | 20 | 8 | 200 |
| | SB | 1 | 68 | 49 | 4 | 11 | 4 | 137 |
| North | NB | 4 | 100 | 54 | 2 | 16 | 7 | 183 |
| | SB | 2 | 83 | 52 | 3 | 13 | 8 | 161 |
| Average | | 2 | 91 | 53 | 4 | 15 | 7 | 171 |

School is dismissed at 3:45 PM; therefore, the School PM peak hour is assumed to be between 3:00 PM to 4:00 PM. **Table 6** summarizes the results of the traffic counts from 3:00 PM to 4:00 PM.

**Table 6: Classification Summary 3:00 PM to 4:00 PM**

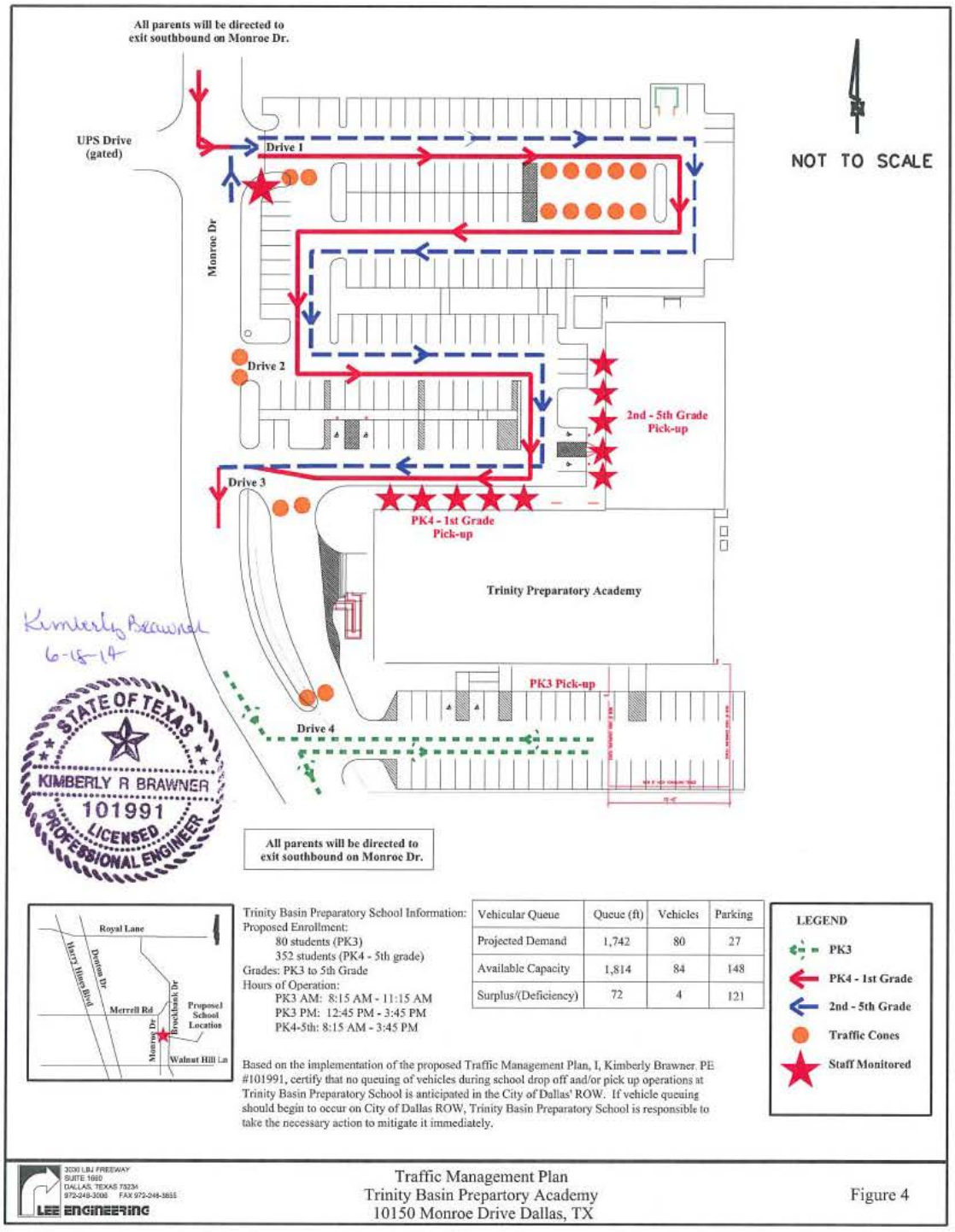
| Location | Direction | Bikes | Cars & Trailers | 2 Axle Long | Buses | 2 Axle 6 Tire | ≥3 Axles | Total |
|---|---|---|---|---|---|---|---|---|
| South | NB | 0 | 83 | 43 | 2 | 14 | 8 | 200 |
| | SB | 0 | 85 | 48 | 3 | 15 | 9 | 160 |
| North | NB | 0 | 82 | 41 | 1 | 17 | 9 | 150 |
| | SB | 0 | 93 | 41 | 3 | 12 | 8 | 157 |
| Average | | 0 | 86 | 44 | 3 | 15 | 9 | 167 |

During each time period, an average of total of 300-350 vehicles were counted on Monroe Drive. In the morning, approximately 11% of the counted vehicles were classified as a single unit, 2-axle truck or larger. In the afternoon, approximately 10% of the vehicle trips were classified as a single unit, 2-axle truck or larger. A typical roadway will have between 2% and 3% truck traffic. However, in an industrial area, 10% is considered reasonable. The addition of vehicles generated by the school will reduce the overall percentage of truck traffic.

**PROPOSED CHARTER SCHOOL OPERATION**

Trinity Basin Preparatory, Inc. will operate from 8:15 AM to 3:45 PM on regular school days. Studies have shown that a one-way circulation pattern is the safest operation and the proposed circulation route shown in **Figure 4** maintains a one-way circulation pattern. The traffic flow is expected to proceed as follows:

- Ingress and Egress Points:
  - Parents for students in PK3 will be directed to enter and exit the facility at the Drive 4 location as shown in Figure 4. Parents who utilize this lot will park their cars, enter the building to pick up their child(ren), exit the building, and then exit the parking lot. Once the preschool parking lot is filled, parents will direct to the north parking lot for overall.
  - Parents for students in PK4 – 5th grades will be directed to enter the facility at the Drive 1 as shown in Figure 4. Ingress movements will be restricted to a left in only. These parents will be directed to follow the designated grade route to pick-up their child(ren) and then will exit the facility at the Drive 3 as shown in Figure 4. Egress movements will be restricted to left out. This circulation pattern will maximize the availability of on-site queue storage and minimize conflict movements.
  - Drive 2 will be closed during pick-up and drop-off operations.
- Pick-Up and Drop-off Points
  - Three pick-up and drop-off locations will be designated:
    - PK3 will be on the south side of the building.
    - PK4 – 1st grade will pick up on the north side of the building
    - 2nd – 5th grade parents will pick up on the east side of the parking lot
  - Five cones will be set up at each designated pick-up location for the PK4 – 5th grade students.
  - Teachers will be present to assist students in and out of vehicles.
- School will provide additional staff as necessary to assist with traffic flow on campus.


All parents will be directed to exit southbound on Monroe Dr.
UPS Drive (gated)
Drive 1
Monroe Dr
Drive 2
Drive 3
Drive 4
2nd - 5th Grade Pick-up
PK4 - 1st Grade Pick-up
PK3 Pick-up
Trinity Preparatory Academy
NOT TO SCALE
Kimberly Brawner 6-15-14
STATE OF TEXAS
KIMBERLY R BRAWNER
101991
LICENSED
PROFESSIONAL ENGINEER
All parents will be directed to exit southbound on Monroe Dr.
Royal Lane
Harry Hines Blvd
Denton Dr
Merrell Rd
Brockbank Dr
Monroy Dr
Proposed School Location
Walnut Hill Ln
Trinity Basin Preparatory School Information:
Proposed Enrollment:
80 students (PK3)
352 students (PK4 - 5th grade)
Grades: PK3 to 5th Grade
Hours of Operation:
PK3 AM: 8:15 AM - 11:15 AM
PK3 PM: 12:45 PM - 3:45 PM
PK4-5th: 8:15 AM - 3:45 PM
Vehicular Queue | Queue (ft) | Vehicles | Parking
Projected Demand | 1,742 | 80 | 27
Available Capacity | 1,814 | 84 | 148
Surplus/(Deficiency) | 72 | 4 | 121
LEGEND
PK3
PK4 - 1st Grade
2nd - 5th Grade
Traffic Cones
Staff Monitored
Based on the implementation of the proposed Traffic Management Plan, I, Kimberly Brawner. PE #101991, certify that no queuing of vehicles during school drop off and/or pick up operations at Trinity Basin Preparatory School is anticipated in the City of Dallas' ROW. If vehicle queuing should begin to occur on City of Dallas ROW, Trinity Basin Preparatory School is responsible to take the necessary action to mitigate it immediately.
3030 LBJ FREEWAY SUITE 1660 DALLAS, TEXAS 75234 972-248-3006 FAX 972-248-3655
LEE ENGINEERING
Traffic Management Plan
Trinity Basin Prepartory Academy
10150 Monroe Drive Dallas, TX
Figure 4

## QUEUING ANALYSIS

The primary goal of the evaluation of the traffic circulation for the school is to minimize the impact on the adjacent public streets. As part of this engineering evaluation, a predicted queue analysis was completed for the proposed development. Because longer queue lengths are typically associated with school release times, this study focuses on the predicted queue length during the school release times.

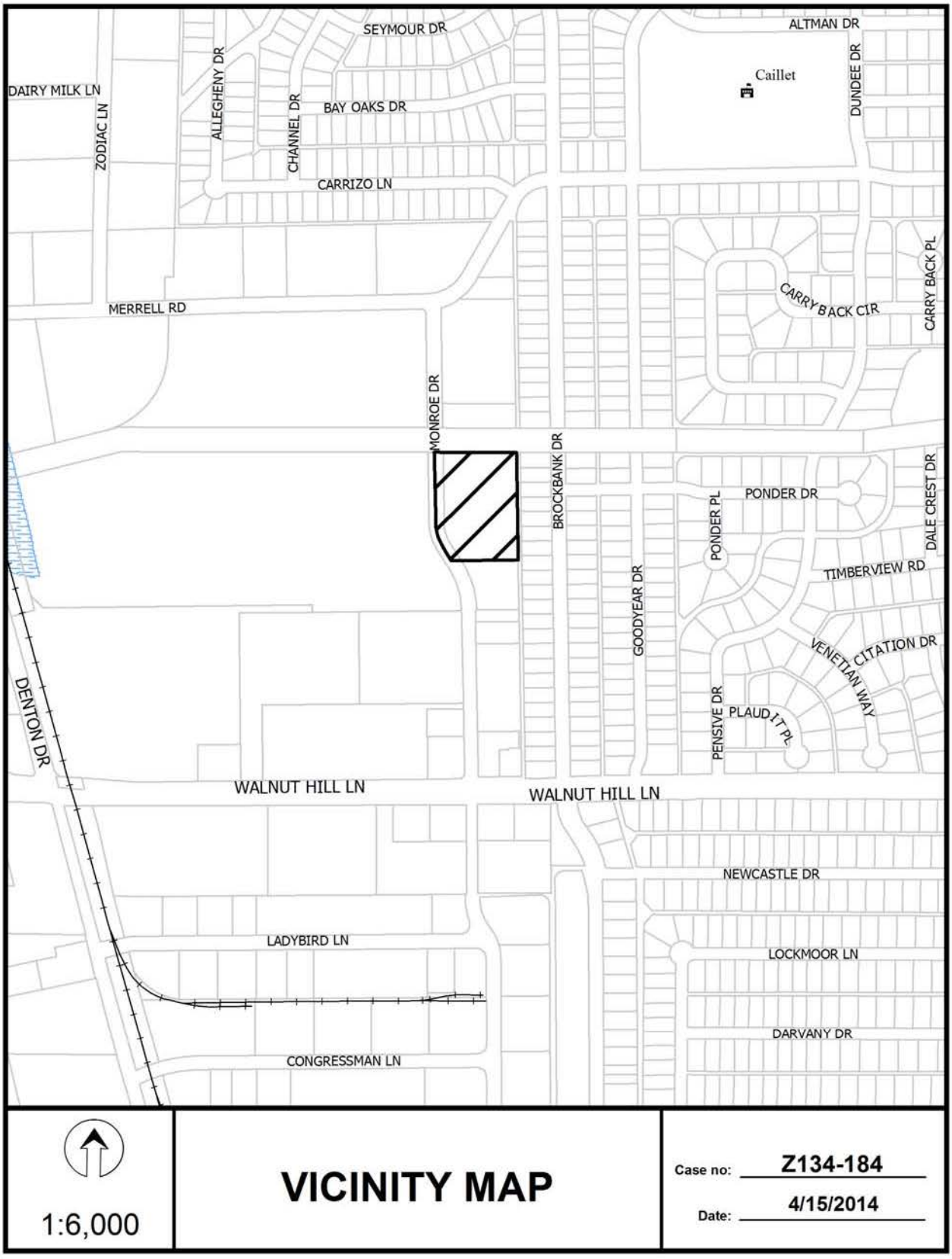
### PK3

Due to the age of the PK3 class (approximately 3 years old), this drop-off and pick-up operation will operate similar to a daycare facility. Parents will enter the parking lot, park their vehicle, enter the building, exit the building with their children, return to their vehicle and then exit the parking lot. As shown on Figure 4, the southernmost parking lot has been designated for use by this age group. The proposed parking lot has 28 parking spaces. Once the preschool parking lot is filled, parents will direct to the north parking lot for overflow.

### PK4 – 5th Grade

As shown in Table 4, the estimated student enrollment for grades PK4 to 5th grade is 352 students. School PM inbound trips for grades PK4 to 5th grade is 99 vehicles. Due to the age of these students and the lack of bus service, this study assumes eighty percent (80%) of parents are waiting at school release time for their child(ren) or approximately 80 vehicles. This demand will generate a queue length of 1,742 feet (99*0.80*22=1,742). Figure 4 shows over 1,814 linear feet of storage available which will meet the expected demand.

**No queue is expected to overflow onto Monroe Drive.**

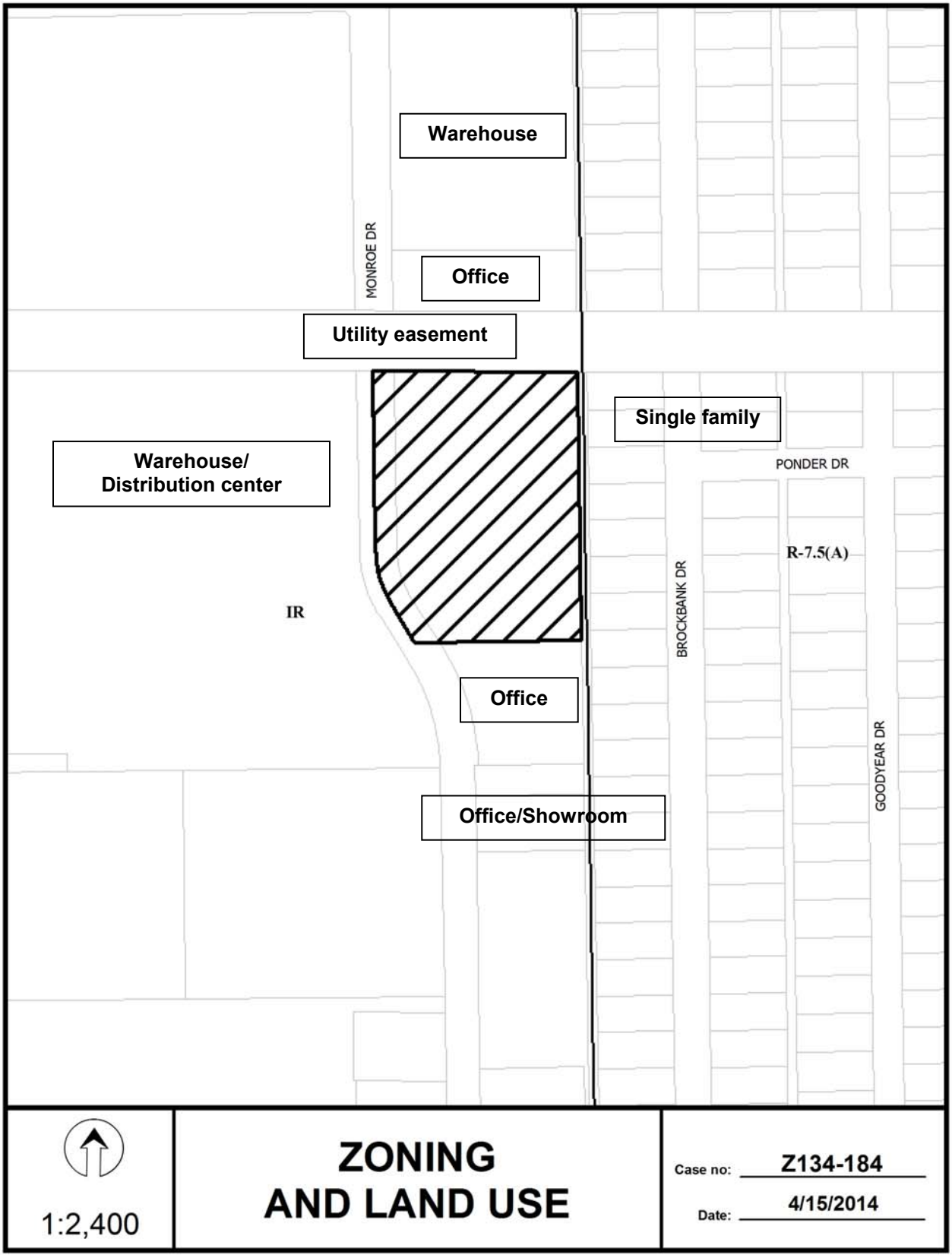

SEYMOUR DR
ALTMAN DR
Caillet
DUNDEE DR
DAIRY MILK LN
ZODIAC LN
ALLEGHENY DR
CHANNEL DR
BAY OAKS DR
CARRIZO LN
CARRY BACK PL
CARRY BACK CIR
MERRELL RD
MONROE DR
BROCKBANK DR
PONDER DR
PONDER PL
DALE CREST DR
TIMBERVIEW RD
GOODYEAR DR
VENETIAN WAY
CITATION DR
PENSIVE DR
PLAUDIT PL
DENTON DR
WALNUT HILL LN
WALNUT HILL LN
NEWCASTLE DR
LADYBIRD LN
LOCKMOOR LN
DARVANY DR
CONGRESSMAN LN
1:6,000
VICINITY MAP
Case no: Z134-184
Date: 4/15/2014

1:2,400

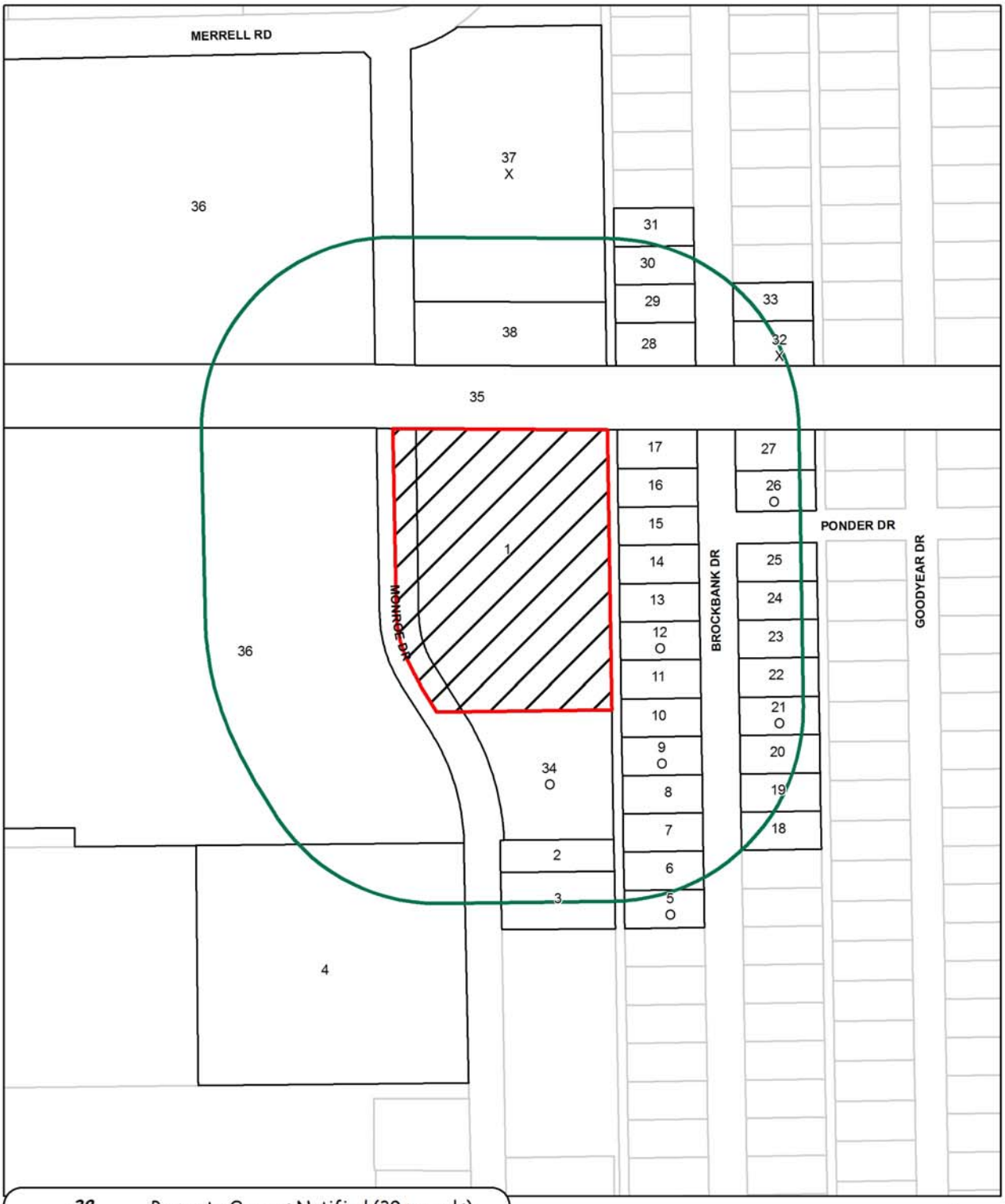
**AERIAL MAP**

Case no: Z134-184

Date: 4/15/2014


Warehouse
MONROE DR
Office
Utility easement
Single family
Warehouse/
Distribution center
PONDER DR
R-7.5(A)
IR
BROCKBANK DR
Office
GOODYEAR DR
Office/Showroom
1:2,400
ZONING
AND LAND USE
Case no: Z134-184
Date: 4/15/2014

**CPC Responses**



*08/12/2014*

# *Reply List of Property Owners*

## *Z134-184*

***38 Property Owners Notified  6 Property Owners in Favor  2 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 1 | 10150 | MONROE DR | ROMAN CATH DIOCESE DALLAS |
| | 2 | 10120 | MONROE DR | RANSOM CURTIS E & |
| | 3 | 10110 | MONROE DR | HUGHES FELDER NO 2 |
| | 4 | 10031 | MONROE DR | NOOR ALA NOOR LLC |
| O | 5 | 10047 | BROCKBANK DR | ROOSMANN RONALD J |
| | 6 | 10051 | BROCKBANK DR | PJR HOUSE SOLUTIONS LLC |
| | 7 | 10103 | BROCKBANK DR | VARELA FRANCISCO |
| | 8 | 10107 | BROCKBANK DR | CHAVARRIA JOSE ANTONIO & |
| O | 9 | 10111 | BROCKBANK DR | TARTON PEDRO |
| | 10 | 10117 | BROCKBANK DR | ROJAS JOSE GUADALUPE |
| | 11 | 10121 | BROCKBANK DR | FEDERAL NATIONAL MTG ASN |
| O | 12 | 10125 | BROCKBANK DR | BROWN ROSE & FRANK B |
| | 13 | 10129 | BROCKBANK DR | DELGADO FRANCISCO |
| | 14 | 10135 | BROCKBANK DR | ROE AARON I |
| | 15 | 10139 | BROCKBANK DR | DIAZ EDGAR |
| | 16 | 10203 | BROCKBANK DR | TREJO XOCHITL RODRIGUEZ & |
| | 17 | 10209 | BROCKBANK DR | REDMOND SANDRA L |
| | 18 | 10102 | BROCKBANK DR | RODRIGUEZ JOSE |
| | 19 | 10106 | BROCKBANK DR | JUAREZ MARIO |
| | 20 | 10110 | BROCKBANK DR | POLANCO ROBERTO |
| O | 21 | 10116 | BROCKBANK DR | COTTON AMMIE SMITH |
| | 22 | 10120 | BROCKBANK DR | RICO FAMILY TRUST |
| | 23 | 10124 | BROCKBANK DR | MUSE JEFFREY |
| | 24 | 10128 | BROCKBANK DR | GONZALES ARMANDO F |
| | 25 | 10134 | BROCKBANK DR | KAY GRETTA J EST OF |
| O | 26 | 10202 | BROCKBANK DR | FONTENOT WILLIAM & |

***08/12/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 27 | 10208 | BROCKBANK DR | THOMPSON OTIS R |
| | 28 | 10221 | BROCKBANK DR | VASQUEZ SALVADOR |
| | 29 | 10225 | BROCKBANK DR | ALMENDAREZ ROSA & PEDRO |
| | 30 | 10229 | BROCKBANK DR | MENDOZA J GUADALUPE & |
| | 31 | 10235 | BROCKBANK DR | SOTO JOSE REFUGIO & |
| X | 32 | 10220 | BROCKBANK DR | SCHMITZ JAMES L |
| | 33 | 10224 | BROCKBANK DR | HERNANDEZ VICTORIA A |
| O | 34 | 10132 | MONROE DR | VILBIG & ASSOCIATES INC |
| | 35 | 10200 | MONROE DR | TEXAS UTILITIES ELEC CO |
| | 36 | 10155 | MONROE DR | DALHO CORP |
| X | 37 | 10290 | MONROE DR | FINLEY MARC H & |
| | 38 | 10210 | MONROE DR | JEHN LP |

**AGENDA ITEM # 45**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 34 V

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for mixed uses and an ordinance terminating Specific Use Permit No. 566 for a Religious, Charitable, or Philanthropic Nature on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the north corner of Cedar Springs Road and Crestview Drive

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions and approval of the termination of Specific Use Permit No. 566

Z134-225(WE)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-225(WE) **DATE FILED:** April 9, 2014

**LOCATION:** Cedar Springs Road and Crestview Drive, north corner

**COUNCIL DISTRICT:** 2 **MAPSCO:** 34-V

**SIZE OF REQUEST:** Approx. 1.91 acres **CENSUS TRACT:** 6.01

**APPLICANT / OWNER:** Deaf Action Center

**REPRESENTATIVE:** Tommy Mann and Laura Hoffmann, Winstead PC

**REQUEST:** An application for a Planned Development Subdistrict for mixed uses and the termination of Specific Use Permit No. 566 for a Religious, Charitable, or Philanthropic Nature on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The purpose of this request is to allow for the construction of a 101-unit multiple family development. A community center will be a part of the proposed development and will serve the tenants residing in the complex. In addition, the applicant will consolidate the uses that are currently permitted in Specific Use Permit No. 566 in the proposed Planned Development Subdistrict.

**CPC RECOMMENDATION:** Approval, subject to a development plan, landscape plan and conditions and approval of the termination of Specific Use Permit No. 566.

**STAFF RECOMMENDATION:** Approval, subject to a development plan, landscape plan and conditions and approval of the termination of Specific Use Permit No. 566.

**DESIGNATED ZONING CASE**

**GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed increase in height and density is compatible with the surrounding neighborhood because the scale of the proposed development is consistent with the surrounding development. The building heights that are contiguous to the request site are limited to a height of 36 feet. The applicant proposes to increase the building height by 14 additional feet and requires no additional setbacks for any portion of the building exceeding the 36 feet structure height. The additional setback should not negatively impact surrounding properties. Any structures that are constructed over the building height of 50 feet will have to comply with requirements in PD No. 193 to provide additional setbacks. In addition, the applicant will screen the mechanical overruns with the similar building materials. The applicant has been operating at this location for over 20 years and has been a vital part of this community. Cedar Springs Road, a 60-foot right-of-way, separates the site from the nearest residential zoning to the southwest. Due to the existing right-of-way and other surrounding uses, the proposed development is not anticipated to have a negative impact upon this property.

2. *Traffic impact* – The Engineering Section of the Department Sustainable development and Construction has determined that the increased density will not have a detrimental impact upon the surrounding street system.

3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is in compliance with the *forwardDallas! Comprehensive Plan*. The proposed low to mid-rise development is consistent with the surrounding development pattern. The proposed development is located within the Urban Neighborhood Building Block.

4. *Justification for PDS Planned Development Subdistrict Zoning as opposed to the existing MF-2 Subdistrict* – The applicant is requesting a reduction in the off-street parking regulations from 1.5 spaces per bedroom to 1.0 spaces per unit and to reduce the setbacks based upon height from 36 feet to 50 feet. The applicant is proposing to increase the proposed structure height to 50 feet with an additional 12 feet of mechanical overruns. PD 193 requires additional setbacks when the structure height exceeds 36 feet in height within this Subdistrict. The development code states that “an additional setback must be provided that is equal to one-half in height of that portion of the building that exceeds 36 feet, up to a maximum total setback of 50 feet.” The impact of the structure height and density should have minimum impact on the surrounding properties. .

**BACKGROUND INFORMATION:**

- The request site is adjacent to multiple family and single family uses.
- In July 1990, the City Council approved Specific Use Permit No. 566 for a Religious, Charitable, or Philanthropic Nature for a permanent time period.

**Zoning History:** There has not been any recent zoning requests in the area.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---|---|---|---|
| Cedarview Drive | Local Street | 50 ft. | 50 ft. |
| Cedar Springs Road | Minor Arterial | 60 ft. | 60 ft. |
| Cedar Plaza | Local Street | 50 ft. | 50 ft. |

**Traffic:** The Engineering Section of the Department of Development Services has reviewed the request and determined that the increase in density will not have a detrimental impact upon the surrounding street system.

**Land Use:**

| | Zoning W/IN PDS No. 193 | Land Use |
|---|---|---|
| **Site** | MF-2 w/ SUP No. 566 | Multifamily, Community center |
| **North** | MF-2, PDS No. 89 | Undeveloped, Multifamily |
| **South** | MF-2 | Multifamily |
| **East** | MF-3 | Multifamily |
| **West** | R-7.5 | Single Family |

**COMPREHENSIVE PLAN:** The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site being within an Urban Neighborhood Building Block.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominantly residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job

opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The proposed request is in compliance with the *forwardDallas! Comprehensive Plan*. The proposed mid-rise development is consistent with the surrounding development pattern. The existing development consists of low-rise multifamily developments.

**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 applicant could meet certain provisions required in the abovementioned objectives in redeveloping the site for multiple family uses. A portion of each objective is not applicable to the proposed development such as, objectives 2, 5, and 6. The only objectives the proposed development could meet, as it relates to the entire statement, are objectives 4 and 7.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The 2.390-acre site is developed with multifamily uses. The area's physical character consists primarily of multiple family and single family uses. The building heights that are contiguous to the request site are limited to a height of 36 feet.

The applicant proposes to raze the existing 40-unit, multiple family development and construct a 101-unit multifamily development that will have a community center (private), an office and surface parking. The structure height will increase from 36 feet to 50 feet with 12 feet of mechanical overruns. There is a provision in the conditions that will permit the additional structure height without requiring the additional setbacks. In addition, the mechanical overruns will be screen with similar building materials.

The current MF-2 Multiple Family Subdistrict allows the property to be used for medium density apartment development as well as more restrictive uses such as townhouses, duplexes, and single-family dwellings. The MF-2 Multiple Family Subdistrict permits a maximum structure height of 36 feet.

**Development Standards:**

| DISTRICT | SETBACKS | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|---|---|---|---|---|---|---|---|
| | Front | Side/Rear | | | | | |
| Multiple Family MF-2 Subdistrict | 15' | 10'15' | Min lot 2,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR | 36' | 60% | | Multifamily, duplex, single family |
| Proposed PDS - proposed (Multiple Family) | 15' | 10'/15' | 101 units | 50' 4 stories | 60% | | Multiple Family, accessory community service center, duplex, single family |

**Landscaping**: Landscaping of any development will be in accordance with the landscape plan. The applicant will comply with the landscaping requirements in PDS No. 193, except where there are existing trees in the parkway. In these instances, the sidewalk will be installed around the existing trees.

**Parking:** The applicant's request for parking reduction for the proposed multiple family development is twofold: 1) its close proximity to a DART rail and bus line, and 2) the tenants' primary source of transportation is DART due to the nature of this special population. The DART station is within ½ mile of the request site and is located at the south corner of Inwood Road and Denton Drive.

Staff supports a reduction in the off-street parking requirement for the proposed development.

**CPC Action** (August 7, 2014)

**Motion:** It was moved to recommend **approval** a Planned Development Subdistrict for mixed uses, subject to a development plan, revised landscape plan and revised staff's recommended conditions as follows: 1) Section S-__.110., OFF-STREET PARKING AND LOADING, (b),(2) to read: "For multiple family uses, the minimum parking requirement is .7 space per bedroom but not less than 1.0 space per unit over all.", and 2) Section S-__.112., DESIGN STANDARDS, (a), to read: "A minimum of two of the following pedestrian amenities are required on Cedar Springs Road frontage and must include two different amenities.", and **approval** of the termination of Specific Use Permit No. 566 for a Religious, Charitable, or Philanthropic Nature on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the north corner of Cedar Springs Road and Crestview Drive.

Maker: Emmons
Second: Bagley
Result: Carried: 12 to 0

For: 12 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Ridley, Abtahi

Against: 0
Absent: 3 - Shidid, Anantasomboon, Murphy
Vacancy: 0

**Notices:** Area: 500 Mailed: 280
**Replies:** For: 4 Against: 3

**Speakers**: For: Tommy Mann, 500 Winstead Bldg., Dallas, TX, 75201
Against: John Hamilton, 3023-D, Mahanna Springs Dr., Dallas, TX, 75235

**LIST OF OFFICERS**
Deaf Action Center

- Dominic Lacy President
- Jim Dowsett Vice President
- Sheri Christianson Secretary
- Michael McLaurin Treasurer

## SUP 1566 - EXISTING CONDITIONS

1. SITE PLAN: Use of the Property must comply with the attached site plan.

2. LANDSCAPING: Landscaping must be provided in accordance with the landscape, streetscape, screening, and fencing standards contained in Ordinance No. 18580, the Oak Lawn Special Purpose District, which was approved by the Dallas City Council on February 6, 1985, and which established Planned Development District No. 193.

3. USES: The only use authorized by this specific use permit is an establishment of a religious, charitable, or philanthropic nature that provides residential assistance, training, and similar services to persons who are deaf or blind.

4. DENSITY AND OCCUPANCY: No more than 40 dwelling units are permitted on the Property. Residential occupancy on the Property may not exceed 60 persons.

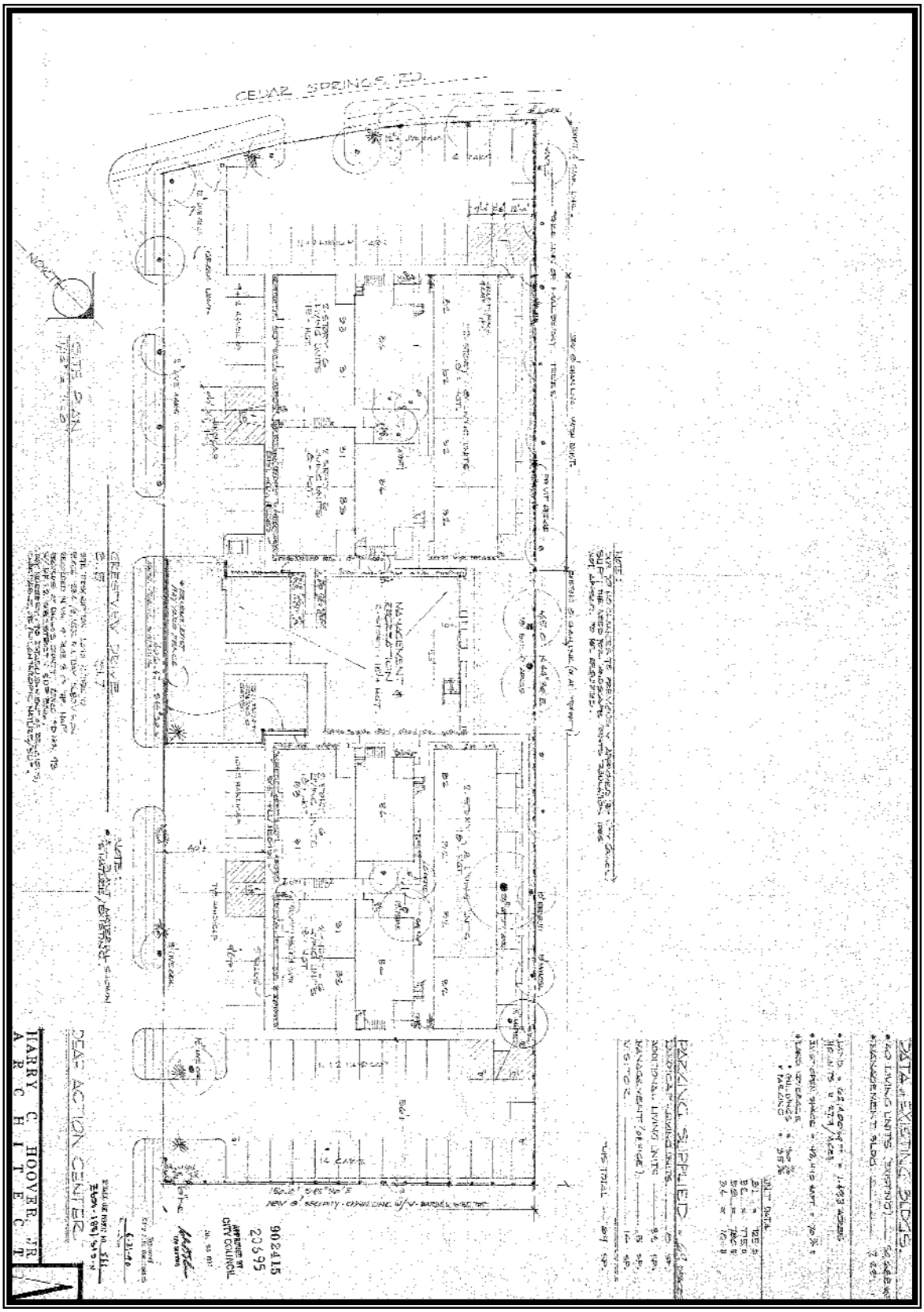
5. TIME LIMIT: This specific use permit has no expiration date.

6. MAINTENANCE: The entire premise must be properly maintained in a state of good repair and neat appearance at all times.

7. PARKING: Off-street parking must be provided as shown on the attached site plan.

8. GENERAL REQUIREMENTS: Use of the Property must comply with the requirements of all applicable ordinances, rules, and regulations of the City of Dallas.

**EXISTING SITE PLAN**
Approved July 1990



**CPC PROPOSED PDS CONDITIONS**

**"ARTICLE**

**PD**

**SEC. S-__.101. LEGISLATIVE HISTORY.**

PD Subdistrict was established by Ordinance No., passed by the Dallas City Council on _____, 2014.

**SEC. S-__.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict ___is established on property located on the north corner of Cedar Springs Road and Crestview Drive. The size of PD Subdistrict ____is approximately 1.91 acres.

**SEC. S-__.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and in Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of 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 No. 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a residential zoning district.

**SEC. S- ___.104. EXHIBITS.**

The following exhibits are incorporated into this division:

(1) Exhibit ___A: . development plan

Exhibit ___B: . landscape plan

**SEC. S-__.105. DEVELOPMENT PLAN**

(a) For multiple family uses, development and use of the Property must comply with the development plan (Exhibit S-__) before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved development plan, the text of this section controls.

**SEC. S-__.106. LANDSCAPE PLAN**

(a) For multiple family uses, development and use of the Property must comply with the landscape plan (Exhibit S-__) before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved landscape plan, the text of this section controls.

**SEC. S-__.107. MAIN USES PERMITTED.**

(a) The only main uses permitted in this district are the same as those uses permitted in the MF-2 Subdistrict, subject to the same conditions applicable in the MF-2 Subdistrict, as set out in the Dallas Development Code, as amended. For example, a use permitted in the MF-2 Subdistrict only by specific use permit (SUP) is permitted in this planned development district only by SUP; a use subject to development impact review (DIR) in the MF-2 Subdistrict is subject to DIR in this planned development district; etc.

The following additional uses are permitted in this subdistrict:

(b) Office *[Maximum 4,000 square feet of floor area]*

(c) Community center (private). *[Maximum 6,000 square feet of floor area; use may include a kitchen for preparation of community meals]*

**SEC. S-__.108. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

**SEC. S-.__109. YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. In the event of a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot and space regulations for the MF-2 Multiple Family Subdistrict apply in this subdistrict.

(b) Density. Maximum number of dwelling units is 101.

(c) Height.

(1) Maximum structure height is 50 feet.

(2) Additional setbacks over 36 feet in height are not required. Any building structure over 50 feet in height is required to provide additional setbacks per Section 51P-193.118, “Minimum Front Yard” of PDD No. 193.

(3) The following structures may project a maximum of 12 feet above the maximum structure height: elevator penthouse or bulkhead, mechanical equipment rooms, cooling tower, tank designed to hold liquids, ornamental cupola or dome, skylights, observation deck, clerestory, visual screens which surround roof mounted mechanical equipment, chimney and vent stacks and must be screened with similar building materials.

(4) Parapet walls are limited to a maximum of six feet in height above the maximum structure height.

(d) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(e) Stories. Maximum number of stories is 4.

**SEC. S-__ .110. OFF-STREET PARKING AND LOADING.**

(a) In general. Except as provided in this section, consult the off-street parking and loading regulations of PD 193 for information regarding off-street parking and loading.

(b) Multiple family uses.

(1) Off-street parking for an accessory community center (private) use and office use in conjunction with a multiple family use are not required.

(2) For multiple family uses, the minimum parking requirement is 0.7 spaces per bedroom, but no less than 1.0 space per unit.

(3) Guest parking. Guest parking must be provided on-site.

(4) Assigned spaces are prohibited.

(5) Off-street parking is required in the side and rear yards as shown on the development plan.

**SEC. S-__.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

In general. Except as provided in this section, see Article VI, "Environmental Performance Standards."

**SEC. S-__.112. DESIGN STANDARDS**

(a) A minimum of two of the following pedestrian amenities are required on Cedar Springs Road frontage:

(1) Benches
(2) Trash receptacles
(3) Bicycle racks

(b) Facades

(1) Facades facing the street must have building articulation with a minimum depth of one foot per every 75 feet of length.

(2) A minimum of two different façade materials must be provided on each façade facing the street.

**SEC. S-__.113. LANDSCAPING.**

(a) In general. Except as provided, landscaping and screening must be provided in accordance with Part I of this article.

(b) Landscaping must be in accordance with the landscape plan.

(c) Installation date. Landscaping must be installed within six months after the issuance of a certificate of occupancy.

**SEC. S-__.114. SIGNS.**

(a) Except as provided in this section, signs must comply with the provisions for non-business zoning districts.

(b) Monument signs.

(1) A minimum setback of 5 feet is required for a monument sign on Cedar Springs Road as shown on the development plan.

(2) A monument sign may not exceed 50 square feet in effective area.

**SEC. S-__.115. ADDITIONAL PROVISIONS.**

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

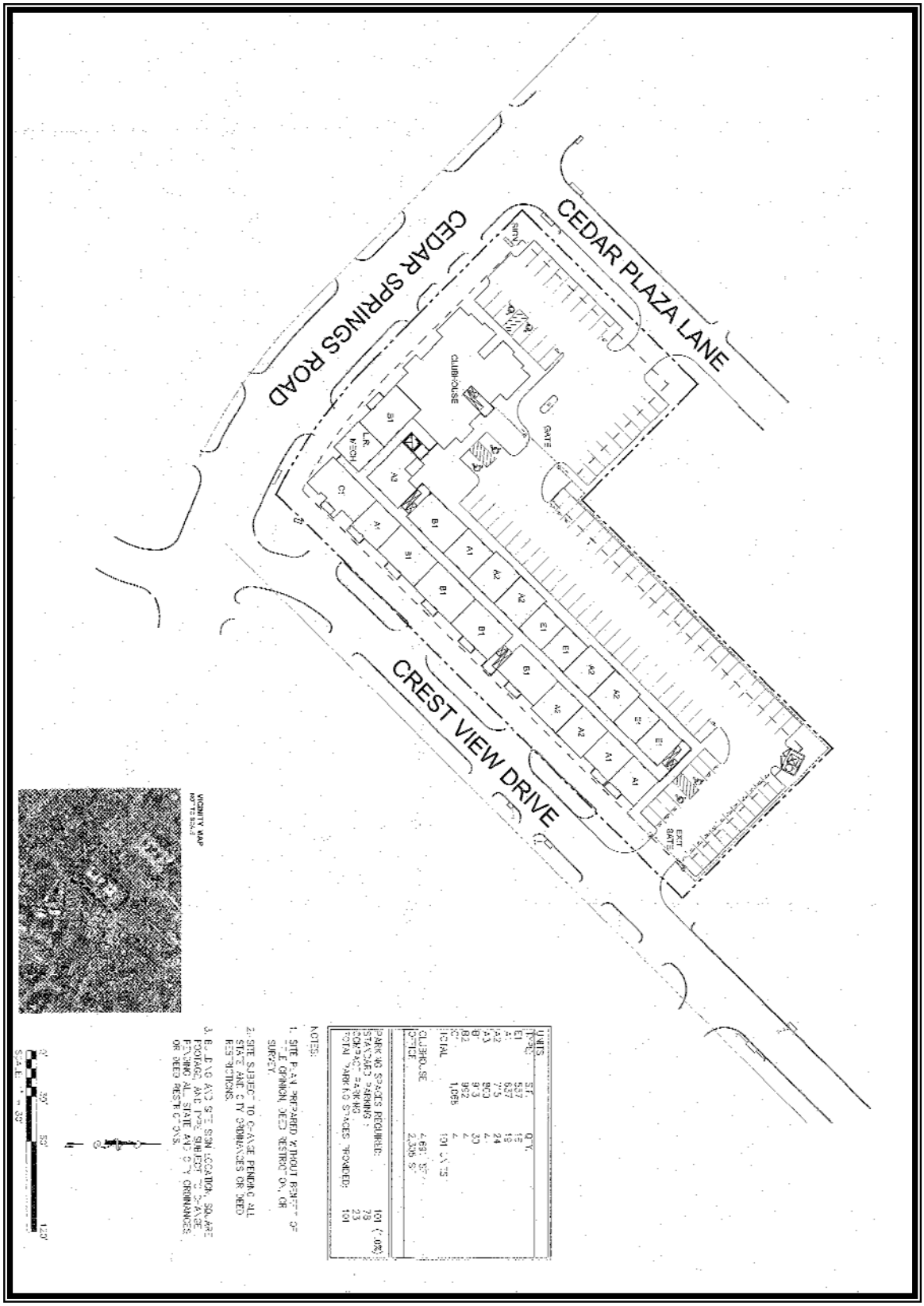
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**SEC. S-__.116. COMPLIANCE WITH CONDITIONS.**

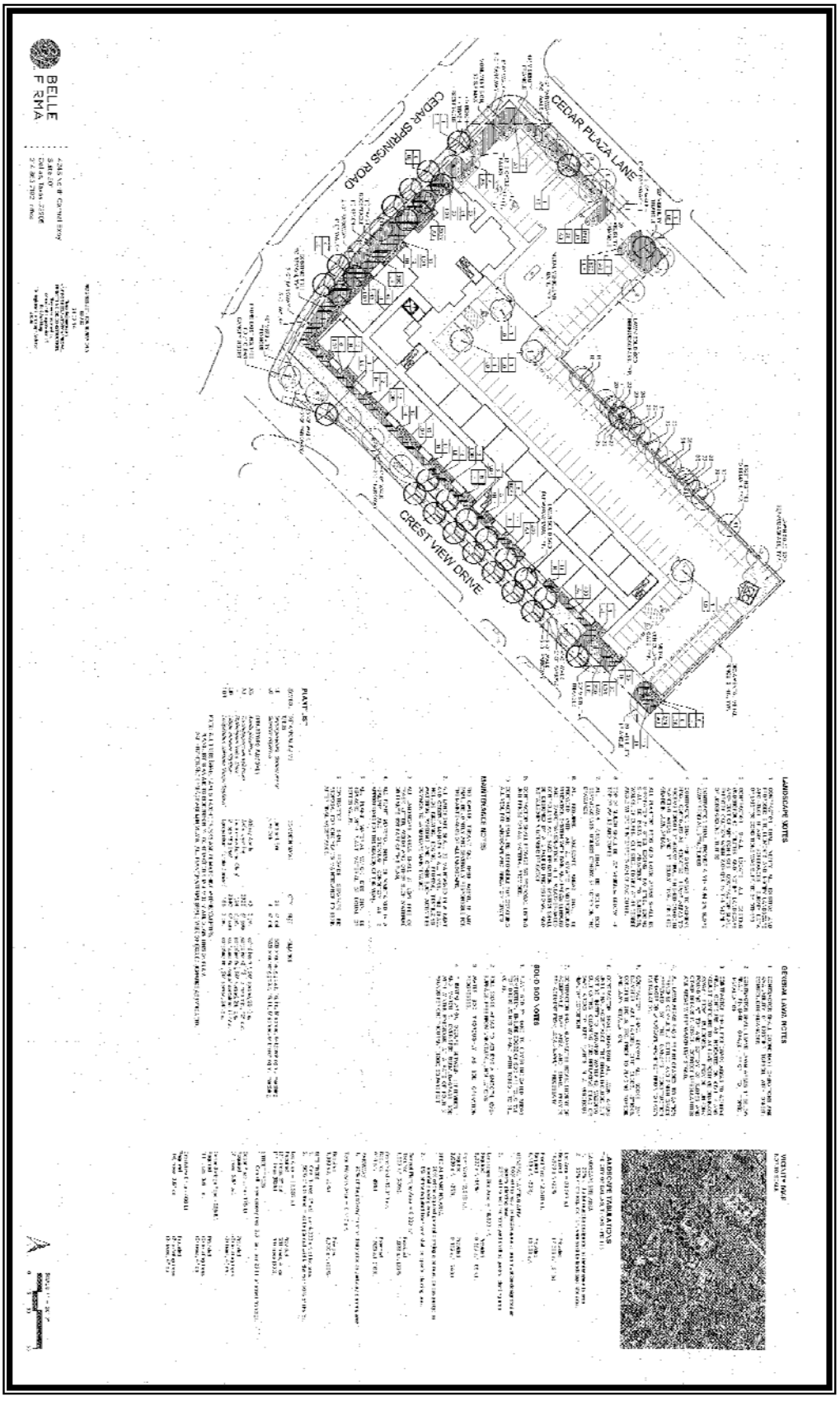
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

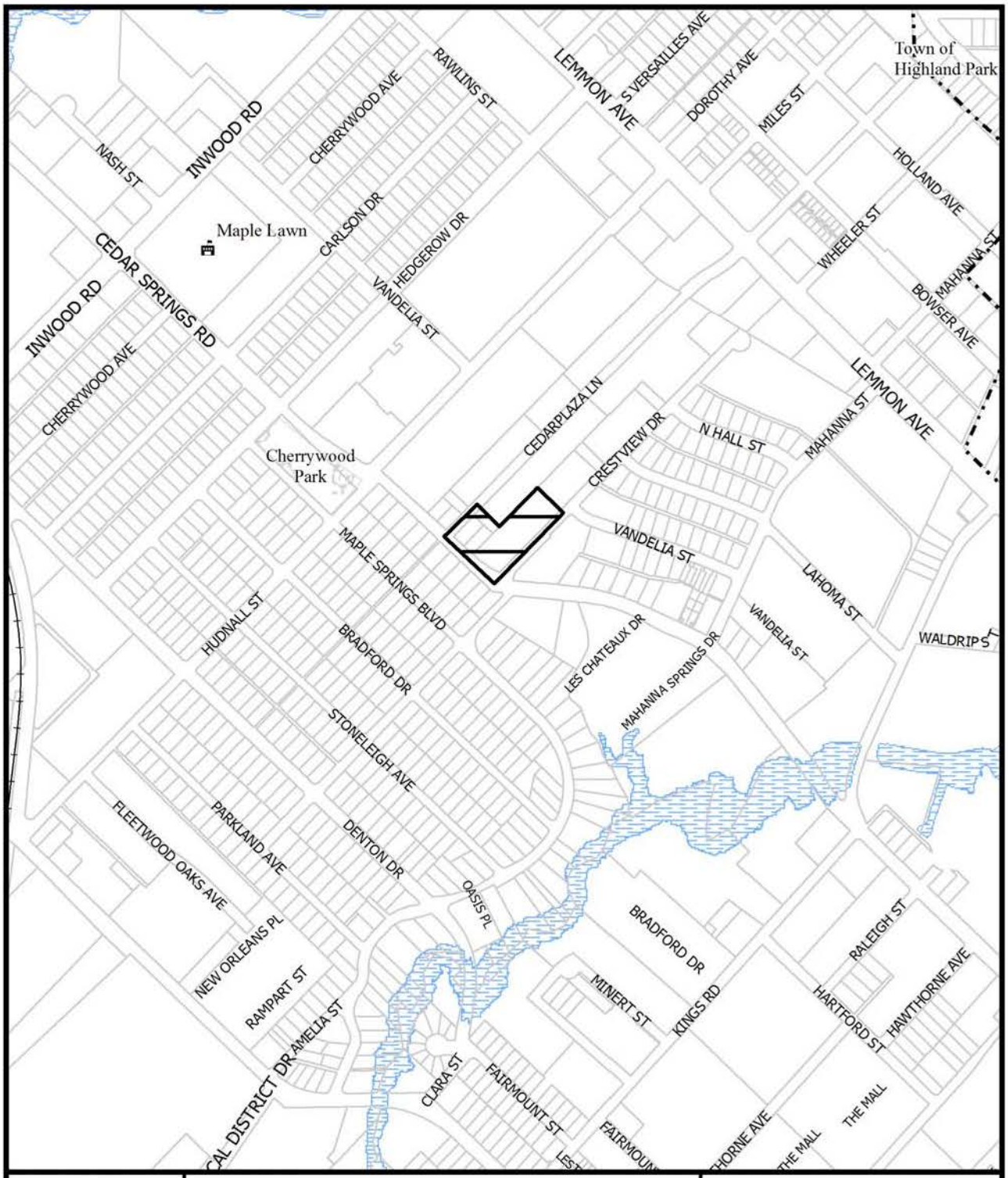
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use in this Subdistrict until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules,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

## PROPOSED DEVELOPMENT PLAN



# PROPOSED LANDSCAPE PLAN



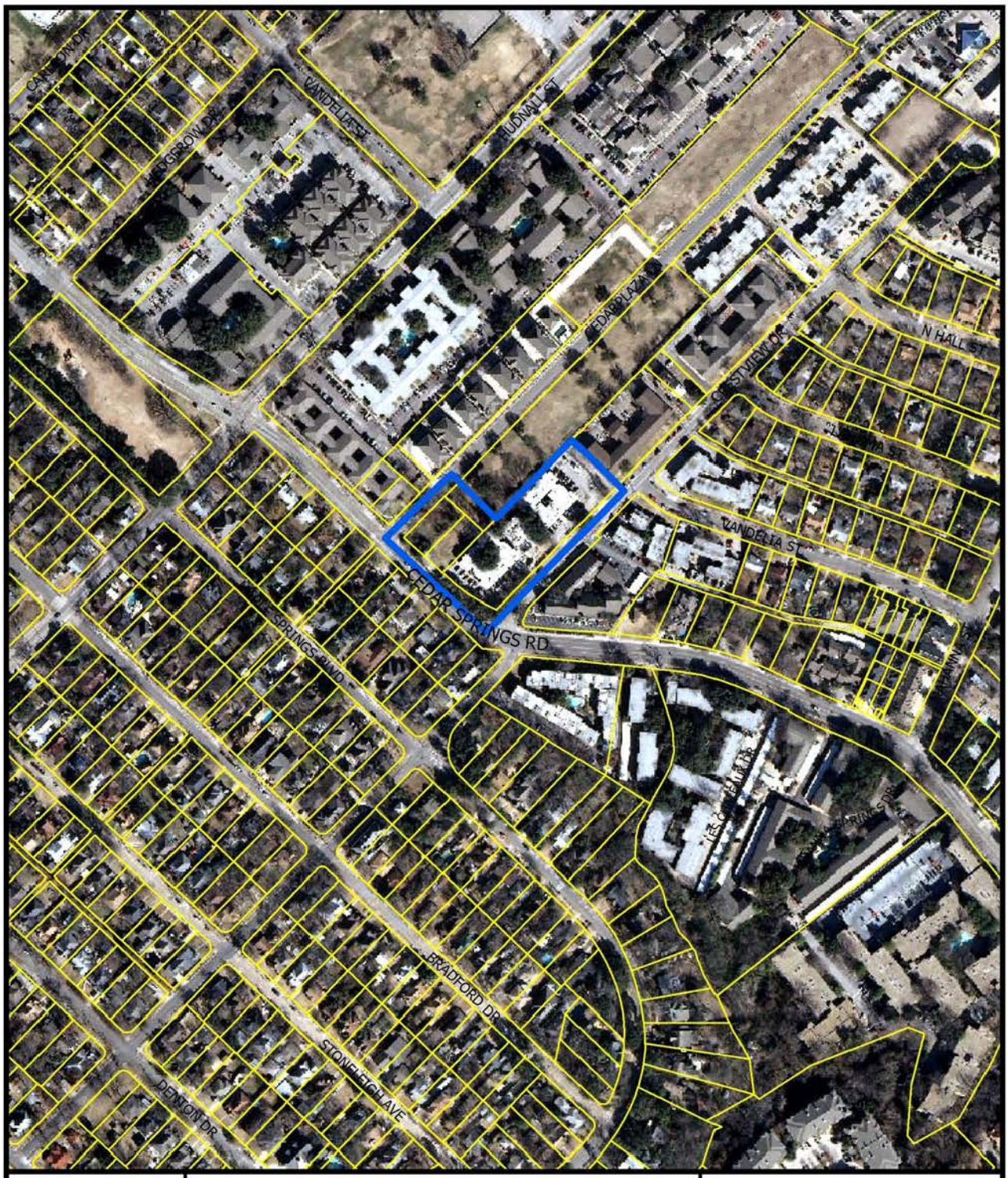



1:7,200

# VICINITY MAP

Case no: Z134-225

Date: 5/15/2014

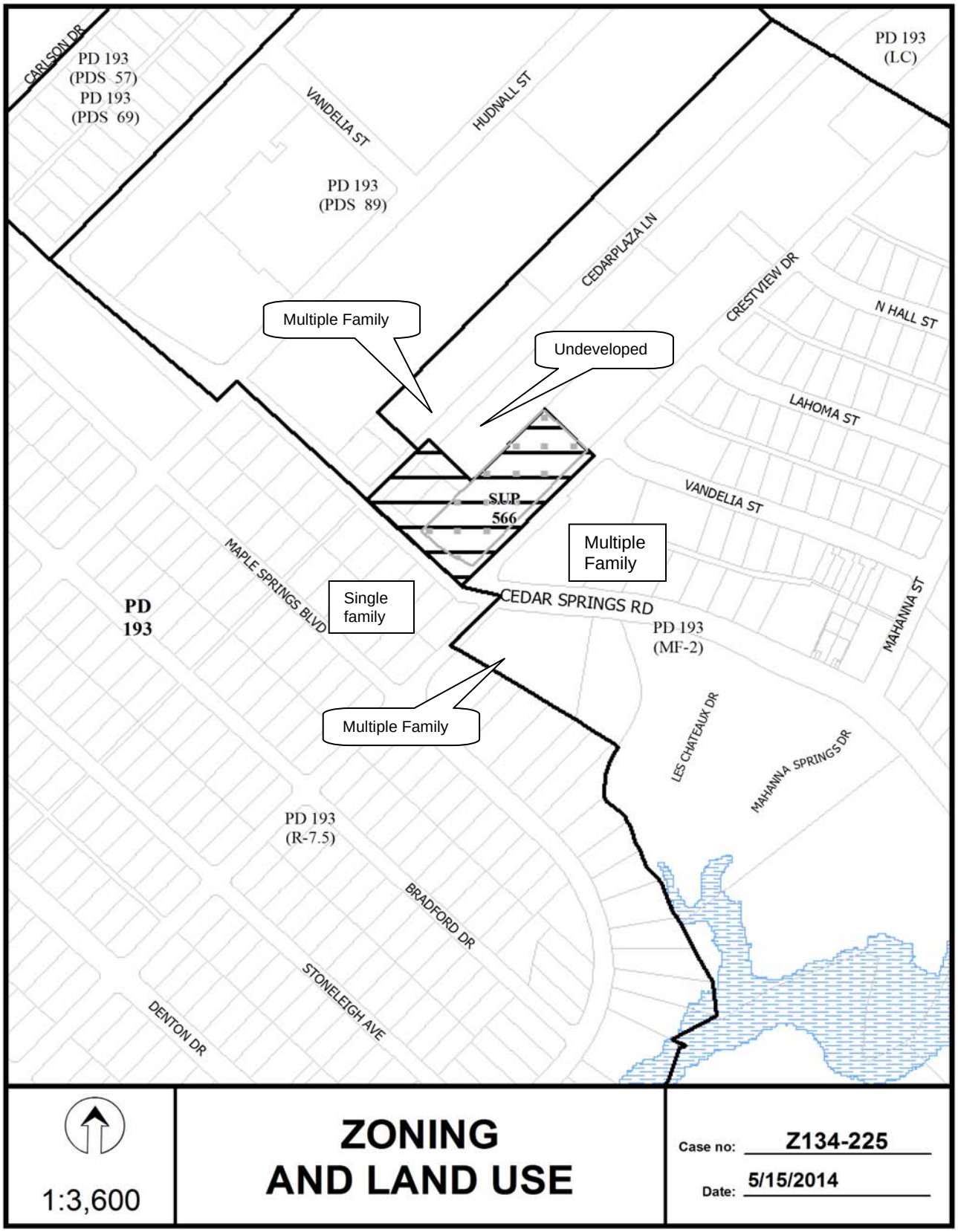



1:3,600

# AERIAL MAP

Case no: Z134-225

Date: 5/15/2014


CARLSON DR
PD 193
(PDS 57)
PD 193
(PDS 69)
VANDELIA ST
HUDNALL ST
PD 193
(PDS 89)
PD 193
(LC)
CEDARPLAZA LN
CRESTVIEW DR
N HALL ST
LAHOMA ST
VANDELIA ST
Multiple Family
Undeveloped
SUP
566
Multiple
Family
MAPLE SPRINGS BLVD
Single
family
CEDAR SPRINGS RD
PD
193
PD 193
(MF-2)
MAHANNA ST
Multiple Family
LES CHATEAUX DR
MAHANNA SPRINGS DR
PD 193
(R-7.5)
BRADFORD DR
STONELEIGH AVE
DENTON DR
1:3,600
ZONING
AND LAND USE
Case no: Z134-225
Date: 5/15/2014

## CPC RESPONSES

| | |
|---|---|
| 280 | Property Owners Notified (111 parcels) |
| 4 | Replies in Favor (4 parcels) |
| 3 | Replies in Opposition (3 parcels) |
| 500' | Area of Notification |
| 8/7/2014 | Date |

Z134-225
CPC

N
W E
S

1:3,600

# *Notification List of Property Owners*

## *Z134-225*

***280 Property Owners Notified  4 Property Owners in Favor  3 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 1 | 5218 | CEDAR SPRINGS RD | DEAF ACTION CENTER |
| O | 2 | 5214 | CEDAR SPRINGS RD | DEAF ACTION CENTER INC |
| | 3 | 3357 | CEDARPLAZA LN | CEDAR PLAZA TOWNHOUSE LLC |
| O | 4 | 3115 | CRESTVIEW DR | DEAF ACTION CENTER INC |
| | 5 | 3205 | CRESTVIEW DR | CRESTVIEW PARTNERS LP |
| | 6 | 5034 | MAPLE SPRINGS BLVD | SCHERTZ JOHN K |
| | 7 | 5104 | MAPLE SPRINGS BLVD | GROVER JEFFREY TODD |
| | 8 | 5108 | MAPLE SPRINGS BLVD | NIX HARVARD KETIH |
| | 9 | 5116 | MAPLE SPRINGS BLVD | LAMPKIN JEFF & ELIZABETH |
| | 10 | 5120 | MAPLE SPRINGS BLVD | PUZZIFERRI NANCY |
| | 11 | 5122 | MAPLE SPRINGS BLVD | MILLER MICHAEL F |
| | 12 | 5128 | MAPLE SPRINGS BLVD | PUTNAM ROBERT O |
| | 13 | 5109 | CEDAR SPRINGS RD | 5115 CEDAR SPRINGS LLC |
| | 14 | 5111 | MAPLE SPRINGS BLVD | MCKINLEY JAY CORWIN |
| | 15 | 5115 | MAPLE SPRINGS BLVD | LANDECK LISA & |
| | 16 | 5117 | MAPLE SPRINGS BLVD | ORROCK JANET & |
| | 17 | 5123 | MAPLE SPRINGS BLVD | MARTINEZ KELLY |
| | 18 | 5127 | MAPLE SPRINGS BLVD | SARAGUSA PHILIP |
| | 19 | 5126 | BRADFORD DR | BOYCE MICHAEL |
| | 20 | 5122 | BRADFORD DR | CRUZ FRANK & GLORIA |
| | 21 | 5211 | CEDAR SPRINGS RD | FRANKO VERNON |
| | 22 | 5203 | CEDAR SPRINGS RD | WAGNER WINFIELD J III |
| | 23 | 5205 | CEDAR SPRINGS RD | SOTO ROSENDO M & |
| | 24 | 5215 | CEDAR SPRINGS RD | LANDRY CHANTEL C & |
| | 25 | 5219 | CEDAR SPRINGS RD | THLANG TIMOTHY J |
| X | 26 | 5223 | CEDAR SPRINGS RD | ASBY SHEILA IRENE & |

***08/15/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 27 | 5303 | CEDAR SPRINGS RD | LUEDECKE DANNY |
| | 28 | 5307 | CEDAR SPRINGS RD | BEHNAM SAEID |
| O | 29 | 5311 | CEDAR SPRINGS RD | LONGPREE ELISE L |
| | 30 | 5315 | CEDAR SPRINGS RD | BIRDSONG CHARLES G |
| | 31 | 5325 | CEDAR SPRINGS RD | SINGER ARTURO & |
| | 32 | 5316 | MAPLE SPRINGS BLVD | FRANKO VERNON C |
| | 33 | 5312 | MAPLE SPRINGS BLVD | VEEREN SIMON S & |
| | 34 | 5310 | MAPLE SPRINGS BLVD | GILMORE MICHAEL J |
| | 35 | 5302 | MAPLE SPRINGS BLVD | MALDONADO GERARDO JR & |
| | 36 | 5228 | MAPLE SPRINGS BLVD | MEDLEY JENNIFER |
| | 37 | 5222 | MAPLE SPRINGS BLVD | SMITH STEVEN WAYNE & |
| | 38 | 5216 | MAPLE SPRINGS BLVD | WEIR BRADLEY J |
| | 39 | 5206 | MAPLE SPRINGS BLVD | BOWER DAVID A |
| | 40 | 5204 | MAPLE SPRINGS BLVD | FRAZIER MARK |
| X | 41 | 5203 | MAPLE SPRINGS BLVD | MAY LAYVONNE |
| | 42 | 5207 | MAPLE SPRINGS BLVD | LOCKE GORDON PRICE |
| | 43 | 5211 | MAPLE SPRINGS BLVD | KEARNS GARY A |
| | 44 | 5215 | MAPLE SPRINGS BLVD | QUINN JOHN III |
| X | 45 | 5219 | MAPLE SPRINGS BLVD | CHAPPELL JIMMY L |
| | 46 | 5223 | MAPLE SPRINGS BLVD | ROBLEDO JOHN |
| | 47 | 5227 | MAPLE SPRINGS BLVD | BOWERS THOMAS EUGENE |
| | 48 | 5303 | MAPLE SPRINGS BLVD | ALVEY ERIC R & |
| | 49 | 5305 | MAPLE SPRINGS BLVD | GRAF MARTA A |
| | 50 | 5311 | MAPLE SPRINGS BLVD | SIRDAR BILAAL |
| | 51 | 5315 | MAPLE SPRINGS BLVD | RUSSO VICTORIA |
| | 52 | 5319 | MAPLE SPRINGS BLVD | GOODHEART MARK C |
| | 53 | 5323 | MAPLE SPRINGS BLVD | MILLER LARRY W & |
| | 54 | 5327 | MAPLE SPRINGS BLVD | BOROUGHS LINDA |
| | 55 | 5310 | BRADFORD DR | GRIESBACH FREDERICK ALAN |
| | 56 | 5306 | BRADFORD DR | HAMLIN CHARLES J |
| | 57 | 5302 | BRADFORD DR | MCFARLANE KAY H |

*08/15/2014*

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 58 | 5226 | BRADFORD DR | BOSTER JAMES DOUGLAS |
| | 59 | 5222 | BRADFORD DR | MILBURN ROGER C |
| | 60 | 5218 | BRADFORD DR | LAIR K BRINDLE |
| | 61 | 5216 | BRADFORD DR | BARCLAY BUILDERS LLC |
| | 62 | 5210 | BRADFORD DR | GARCIA ESPERANZA & |
| | 63 | 5206 | BRADFORD DR | MURPH BENJAMIN ROSS |
| | 64 | 5204 | BRADFORD DR | BLAIR NANCY |
| | 65 | 3136 | HUDNALL ST | HUB APARTMENTS LTD THE |
| | 66 | 3327 | CRESTVIEW DR | CREST MEX CORP ETAL |
| | 67 | 5114 | CEDAR SPRINGS RD | BALL WILLIAM R |
| | 68 | 5102 | CEDAR SPRINGS RD | OGDEN JOSEPH L |
| O | 69 | 5038 | CEDAR SPRINGS RD | BONNER EDWARD W |
| | 70 | 5032 | CEDAR SPRINGS RD | MUNOZ MARCO A |
| | 71 | 5026 | CEDAR SPRINGS RD | DOSSOLA ALDO L TRUSTEE |
| | 72 | 5152 | LAHOMA ST | JARAMILLO DOMINGA S |
| | 73 | 5146 | LAHOMA ST | CANDELA JOSE F & |
| | 74 | 5142 | LAHOMA ST | MCCRIGHT PHILLIP L |
| | 75 | 5138 | LAHOMA ST | ADAMES JESSE A |
| | 76 | 5146 | VANDELIA ST | ALADDIN APARTMENTS LLC |
| | 77 | 5142 | VANDELIA ST | MARTINEZ JUAN SOTO & |
| | 78 | 5138 | VANDELIA ST | WALTON AMY ALLYSON |
| | 79 | 5132 | VANDELIA ST | MARTINEZ JOSE & |
| | 80 | 5128 | VANDELIA ST | QUINTANILLA JOSE LUIS |
| | 81 | 5133 | LAHOMA ST | LAVOIE JOHN E |
| | 82 | 5137 | LAHOMA ST | FOUST ERNEST L |
| | 83 | 5141 | LAHOMA ST | BROWN OSCAR G JR |
| | 84 | 5145 | LAHOMA ST | GARCIA JOE |
| | 85 | 5149 | LAHOMA ST | SEGURA ISAAC |
| | 86 | 5155 | LAHOMA ST | ALBIN CLIFFORD E |
| | 87 | 5127 | VANDELIA ST | MU EVELYN |
| | 88 | 5131 | VANDELIA ST | MU MINH CHUONG & |

***08/15/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 89 | 5135 | VANDELIA ST | MARTINEZ JOSE & |
| | 90 | 5139 | VANDELIA ST | CARMICHAEL JAMES D |
| | 91 | 5326 | MAPLE SPRINGS BLVD | OZERDIM CAGLAR |
| | 92 | 5322 | MAPLE SPRINGS BLVD | ROBINSON CLINTON D |
| | 93 | 5212 | MAPLE SPRINGS BLVD | HALL CHRISTIANA E |
| | 94 | 5414 | CEDAR SPRINGS RD | TEXAS PARK APARTMENTS |
| | 95 | 5124 | CEDAR SPRINGS RD | TOLUCA SQUARE LTD |
| | 96 | 5128 | CEDAR SPRINGS RD | TOLUCA SQUARE LTDTES |
| | 97 | 5161 | VANDELIA ST | TOLUCA SQUARE LTP |
| | 98 | 5106 | CEDAR SPRINGS RD | MARROQUIN CARLOS |
| | 99 | 5106 | CEDAR SPRINGS RD | CRAWFORD ELVIA & |
| | 100 | 5106 | CEDAR SPRINGS RD | 5106 CEDAR SPRINGS |
| | 101 | 5106 | CEDAR SPRINGS RD | CRAWFORD ELVIA D |
| | 102 | 5106 | CEDAR SPRINGS RD | BUTSON MARY ANN |
| | 103 | 5010 | LES CHATEAUX DR | FARMER PRESTON |
| | 104 | 5010 | LES CHATEAUX DR | DITORE BARBARA |
| | 105 | 5012 | LES CHATEAUX DR | RAMSEY PHILIP DAWSON |
| | 106 | 5012 | LES CHATEAUX DR | GRAF JOYCE ANN |
| | 107 | 5014 | LES CHATEAUX DR | ICE ERNEST D |
| | 108 | 5014 | LES CHATEAUX DR | ROBBINS LESLIE D |
| | 109 | 5014 | LES CHATEAUX DR | JUAREZ RICARDO |
| | 110 | 5010 | LES CHATEAUX DR | KUNOWSKY WILLIAM W JR |
| | 111 | 5010 | LES CHATEAUX DR | POSEY MICHAEL G |
| | 112 | 5012 | LES CHATEAUX DR | HORANY JOHN K |
| | 113 | 5012 | LES CHATEAUX DR | PARR WILLIAM E |
| | 114 | 5014 | LES CHATEAUX DR | LINTNER MEGAN |
| | 115 | 5014 | LES CHATEAUX DR | HUIE MARVIN A & |
| | 116 | 5014 | LES CHATEAUX DR | ERWIN CLAUDE M JR |
| | 117 | 5039 | CEDAR SPRINGS RD | MCCARTHY LARRY & DAWN |
| | 118 | 5039 | CEDAR SPRINGS RD | HART DAVID H |
| | 119 | 5039 | CEDAR SPRINGS RD | WYATT WARREN |

***08/15/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 120 | 5039 | CEDAR SPRINGS RD | MINOR JEFFERY D |
| | 121 | 5035 | CEDAR SPRINGS RD | THARNISH SARAH |
| | 122 | 5035 | CEDAR SPRINGS RD | JOHNSON DERIC KENSHAYE |
| | 123 | 5037 | CEDAR SPRINGS RD | NGUYEN DIEUTHU |
| | 124 | 5037 | CEDAR SPRINGS RD | HUIZINGA TIMOTHY R |
| | 125 | 5035 | CEDAR SPRINGS RD | TORRES ISRAEL |
| | 126 | 5035 | CEDAR SPRINGS RD | REYES MAURICIO A |
| | 127 | 5037 | CEDAR SPRINGS RD | LIPSCOME LORINA |
| | 128 | 5037 | CEDAR SPRINGS RD | GATES DONALD T |
| | 129 | 5016 | LES CHATEAUX DR | HINDS WILLIAM L |
| | 130 | 5016 | LES CHATEAUX DR | MORIN THOMAS G |
| | 131 | 5018 | LES CHATEAUX DR | HEWES SONDRA CAY & |
| | 132 | 5016 | LES CHATEAUX DR | DUNLAP ROBERT D |
| | 133 | 5016 | LES CHATEAUX DR | GRUBBS GINA M |
| | 134 | 5018 | LES CHATEAUX DR | PITTMAN CHRISTOPHER |
| | 135 | 5018 | LES CHATEAUX DR | CHENOWITH GARY D |
| | 136 | 5016 | LES CHATEAUX DR | ATCHLEY ANDREW WILLIAM |
| | 137 | 5016 | LES CHATEAUX DR | FELCH ALAN R |
| | 138 | 5016 | LES CHATEAUX DR | HUMPHREY D A |
| | 139 | 5016 | LES CHATEAUX DR | WADE JEFFREY & |
| | 140 | 5018 | LES CHATEAUX DR | ORTIZ FRANCISCO |
| | 141 | 5018 | LES CHATEAUX DR | BEUTEL RAYMOND L |
| | 142 | 5041 | CEDAR SPRINGS RD | SPIVEY JOHN |
| | 143 | 5041 | CEDAR SPRINGS RD | STREET SUSAN R |
| | 144 | 5041 | CEDAR SPRINGS RD | LEAHY CAROLYN & |
| | 145 | 5041 | CEDAR SPRINGS RD | HENSLEY RODGER D |
| | 146 | 5043 | CEDAR SPRINGS RD | FRALEY DANIEL J & |
| | 147 | 5043 | LES CHATEAUX DR | SINCLAIR MARY J |
| | 148 | 5045 | CEDAR SPRINGS RD | MANRIQUE MARTIN E |
| | 149 | 5045 | CEDAR SPRINGS RD | VUONG DANIEL DAT |
| | 150 | 5043 | LES CHATEAUX DR | ALVEY ERIC R |

***08/15/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 151 | 5043 | LES CHATEAUX DR | CHEN CHIYUAN |
| | 152 | 5045 | CEDAR SPRINGS RD | NOLEN DARRELL GLENN |
| | 153 | 5045 | CEDAR SPRINGS RD | GENTILINI GARETT J |
| | 154 | 5051 | LES CHATEAUX DR | GRINDLER JIMMY G |
| | 155 | 5051 | LES CHATEAUX DR | GONZALEZ RAY L |
| | 156 | 5053 | LES CHATEAUX DR | GORDON J PATRICK |
| | 157 | 5053 | LES CHATEAUX DR | TCHIZMAROV ATANAS Y |
| | 158 | 5051 | LES CHATEAUX DR | KELLY JACLYN |
| | 159 | 5051 | LES CHATEAUX DR | GARY CHARLES P |
| | 160 | 5053 | LES CHATEAUX DR | BANAS DAVID V |
| | 161 | 5053 | LES CHATEAUX DR | SCHMIDT DAN |
| | 162 | 5055 | CEDAR SPRINGS RD | VANDERDYS EDUARDO |
| | 163 | 5055 | CEDAR SPRINGS RD | BODINGTON LUIS |
| | 164 | 5057 | CEDAR SPRINGS RD | DAVIS DELLY |
| | 165 | 5057 | CEDAR SPRINGS RD | HOLFORD BRENDAN J |
| | 166 | 5055 | CEDAR SPRINGS RD | KURPGEWEIT CHRISTOPHER |
| | 167 | 5055 | CEDAR SPRINGS RD | BARBER BURT B |
| | 168 | 5057 | LES CHATEAUX DR | MELTON JASON |
| | 169 | 5057 | LES CHATEAUX DR | NOLEN DARRELL G |
| | 170 | 5031 | CEDAR SPRINGS RD | HENRY RICHARD ALLEN |
| | 171 | 5031 | CEDAR SPRINGS RD | CANNON JOHN LF EST |
| | 172 | 5033 | CEDAR SPRINGS RD | RAMSEY PHILIP D |
| | 173 | 5033 | CEDAR SPRINGS RD | WADE JEFFREY S & |
| | 174 | 5031 | CEDAR SPRINGS RD | BRUNGART MARGARET |
| | 175 | 5031 | CEDAR SPRINGS RD | TORRES JULIE FRANCESCA |
| | 176 | 5033 | CEDAR SPRINGS RD | ORTIZ FRANCISCO |
| | 177 | 5033 | CEDAR SPRINGS RD | SPIVEY MICHAEL R & |
| | 178 | 5047 | CEDAR SPRINGS RD | WILTSE WILLARD RAYMOND |
| | 179 | 5047 | CEDAR SPRINGS RD | NGUYEN ANDY |
| | 180 | 5049 | CEDAR SPRINGS RD | BODINGTON LUIS ENRIQUE |
| | 181 | 5049 | CEDAR SPRINGS RD | WALKER CHARLES MARK |

*08/15/2014*

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 182 | 5058 | CEDAR SPRINGS RD | CARTER JAMES LEHRMAN |
| | 183 | 5056 | CEDAR SPRINGS RD | SCHIRPIK GRANT |
| | 184 | 5047 | CEDAR SPRINGS RD | SHANDORF DENNIS R |
| | 185 | 5049 | CEDAR SPRINGS RD | BROX JAMES L |
| | 186 | 5049 | CEDAR SPRINGS RD | RYDELL RUTH MAY |
| | 187 | 5414 | CEDAR SPRINGS RD | TEXAS PARK APARTMENTS |
| | 188 | 3111 | CEDARPLAZA LN | LAI CHAOCHENG |
| | 189 | 3111 | CEDARPLAZA LN | TUROFF JEREMY |
| | 190 | 3111 | CEDARPLAZA LN | VICTORY JAMES D & |
| | 191 | 3115 | CEDARPLAZA LN | GUZMAN AMPARO |
| | 192 | 3115 | CEDARPLAZA LN | CEDAR PLAZA TOWNHOUSE LLC |
| | 193 | 3115 | CEDARPLAZA LN | YAVASILE ANTHONY J |
| | 194 | 3119 | CEDARPLAZA LN | RHEIN ROBERT MATTHEW |
| | 195 | 3119 | CEDARPLAZA LN | JENNINGS MARK A |
| | 196 | 3119 | CEDARPLAZA LN | IYAMU IKPONMWOSA & BRENDA U |
| | 197 | 3123 | CEDARPLAZA LN | HAMAUEI GEORGE A |
| | 198 | 3123 | CEDARPLAZA LN | CAMILLI BRYAN B |
| | 199 | 3123 | CEDARPLAZA LN | GIESSEL BARTON ELGIN |
| | 200 | 3127 | CEDARPLAZA LN | OCHANI TEEKAM & POONAM |
| | 201 | 3127 | CEDARPLAZA LN | ERWIN DENNIS W |
| | 202 | 3131 | CEDARPLAZA LN | GRANEY DENNIS P & SONIA P |
| | 203 | 3131 | CEDARPLAZA LN | ROSE PHLLIP |
| | 204 | 3201 | CEDARPLAZA LN | HODGE DAVID |
| | 205 | 3030 | MAHANNA SPRINGS DR | GONZALEZ RAY L |
| | 206 | 3030 | MAHANNA SPRINGS DR | SHARPE ROXANN & HARVEY D |
| | 207 | 4927 | CEDAR SPRINGS RD | HINDS JAMES E & NORMA SUE |
| | 208 | 4927 | CEDAR SPRINGS RD | FRNKA EVELYN & RONALD A |
| | 209 | 4927 | CEDAR SPRINGS RD | LESZINSKI SLAWOMIR |
| | 210 | 4931 | CEDAR SPRINGS RD | GONZALEZ GILDA C |
| | 211 | 4931 | CEDAR SPRINGS RD | HUTTON JEFFREY B |
| | 212 | 4931 | CEDAR SPRINGS RD | FRELS STEPHEN |

***08/15/2014***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 213 | 4931 | CEDAR SPRINGS RD | GALVAN VIRGINIA |
| | 214 | 3023 | MAHANNA SPRINGS DR | FRNKA PATRICK JR |
| | 215 | 3023 | MAHANNA SPRINGS DR | HAMILTON JOHN M & |
| | 216 | 3023 | MAHANNA SPRINGS DR | ECKERT D SCOTT |
| | 217 | 3023 | MAHANNA SPRINGS DR | HAMILTON JOHN M |
| | 218 | 3025 | MAHANNA SPRINGS DR | 3025B MAHANA SPRINGS A SERIES OF MAX2 INV |
| | 219 | 3025 | MAHANNA SPRINGS DR | BROWN EARL RICHARD |
| | 220 | 3025 | MAHANNA SPRINGS DR | HUNTER EWEN |
| | 221 | 3031 | MAHANNA SPRINGS DR | SISTO GARY L |
| | 222 | 3031 | MAHANNA SPRINGS DR | TANGLEWOOD TWNHMS COUNCIL |
| | 223 | 3031 | MAHANNA SPRINGS DR | PERRY BILLY EARL |
| | 224 | 3031 | MAHANNA SPRINGS DR | SIMPSON JANIS K |
| | 225 | 5005 | CEDAR SPRINGS RD | HURLEY ROBERT H |
| | 226 | 5005 | CEDAR SPRINGS RD | BURGESS TROY L |
| | 227 | 5005 | CEDAR SPRINGS RD | HANSEN JEFFREY S |
| | 228 | 5005 | CEDAR SPRINGS RD | REDD DAVID A |
| | 229 | 5007 | CEDAR SPRINGS RD | ARGUETA LEO |
| | 230 | 5007 | CEDAR SPRINGS RD | HINDS WILLIAM L |
| | 231 | 5007 | CEDAR SPRINGS RD | MARTIN MICHAEL J |
| | 232 | 5007 | CEDAR SPRINGS RD | FRICK GUY |
| | 233 | 5025 | CEDAR SPRINGS RD | HINDS JAMES E & NORMA S |
| | 234 | 5025 | CEDAR SPRINGS RD | HARRELL ANN LESTER |
| | 235 | 5025 | CEDAR SPRINGS RD | OBIANWU MARTIN N |
| | 236 | 5027 | CEDAR SPRINGS RD | GALVAN VIRGINIA |
| | 237 | 5027 | CEDAR SPRINGS RD | AKERMAN KIM |
| | 238 | 5027 | CEDAR SPRINGS RD | JUAREZ VICTOR |
| | 239 | 3008 | MAHANNA SPRINGS DR | CARPENTER CHAD E |
| | 240 | 3008 | MAHANNA SPRINGS DR | WESTBROOK RANDALL DAVID |
| | 241 | 3008 | MAHANNA SPRINGS DR | PUCKETT RICKY C |
| | 242 | 3008 | MAHANNA SPRINGS DR | KIRK LORETTA KAY |
| | 243 | 3012 | MAHANNA SPRINGS DR | FISCHER JASON |

*08/15/2014*

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 244 | 3012 | MAHANNA SPRINGS DR | HARRISON NORMA JEAN |
| | 245 | 3012 | MAHANNA SPRINGS DR | SPENCER FRANKIE L |
| | 246 | 3016 | MAHANNA SPRINGS DR | KRUEGER KAREN & |
| | 247 | 3016 | MAHANNA SPRINGS RD | CORONADO RENE B ETUX |
| | 248 | 3016 | MAHANNA SPRINGS DR | JENSEN TERENCE JR |
| | 249 | 3016 | MAHANNA SPRINGS DR | TAYLOR KENT |
| | 250 | 3020 | MAHANNA SPRINGS DR | HORN CHARLES ROBIN |
| | 251 | 3020 | MAHANNA SPRINGS DR | SURI PRISCILLA BEAN |
| | 252 | 3020 | MAHANNA SPRINGS DR | RUBIO ENRIQUE JR & |
| | 253 | 3024 | MAHANNA SPRINGS DR | PINCUS TOBELLE B |
| | 254 | 3026 | MAHANNA SPRINGS DR | GARCIA MIGUEL A |
| | 255 | 3026 | MAHANNA SPRINGS DR | TAYLOR KENT L |
| | 256 | 3003 | MAHANNA SPRINGS DR | BOOTH CYNTHIA |
| | 257 | 3003 | MAHANNA SPRINGS DR | BRAMMER AMY |
| | 258 | 3003 | MAHANNA SPRINGS DR | RICHTER SUE A |
| | 259 | 3003 | MAHANNA SPRINGS DR | GORJIZADEH ELHAM |
| | 260 | 3007 | MAHANNA SPRINGS DR | KIRK MERRILL A |
| | 261 | 3007 | MAHANNA SPRINGS DR | KIRK MERRILL A |
| | 262 | 3007 | MAHANNA SPRINGS DR | LEWIS SAMUEL KAYE |
| | 263 | 3011 | MAHANNA SPRINGS DR | PBH INV LLC |
| | 264 | 3011 | MAHANNA SPRINGS DR | WHITE STEVEN |
| | 265 | 3011 | MAHANNA SPRINGS DR | GAO YANSONG & GONG HE |
| | 266 | 3011 | MAHANNA SPRINGS DR | VANBEVEREN PETRONELLA H |
| | 267 | 3011 | MAHANNA SPRINGS DR | EVERS MIKE TR |
| | 268 | 3015 | MAHANNA SPRINGS DR | GONZALEZ CONSUELO LF EST |
| | 269 | 3015 | MAHANNA SPRINGS DR | PATEY BART |
| | 270 | 3015 | MAHANNA SPRINGS DR | AVENDANO ANA CECILIA |
| | 271 | 3017 | MAHANNA SPRINGS DR | FAULKNER ROD E |
| | 272 | 3017 | MAHANNA SPRINGS DR | STEPHENS BILLIE J |
| | 273 | 3017 | MAHANNA SPRINGS DR | MORGAN FAYE M |
| | 274 | 3002 | MAHANNA SPRINGS DR | DAVIS JOE S |

***08/15/2014***

| *Reply* | *Label #* | *Address* | *Owner* | |
|---|---|---|---|---|
| | 275 | 3002 | MAHANNA SPRINGS DR | TYMCHAK TED A |
| | 276 | 3002 | MAHANNA SPRINGS DR | CREAMER JOANNA S & |
| | 277 | 3002 | MAHANNA SPRINGS DR | DIEDERICH DAVID |
| | 278 | 3004 | MAHANNA SPRINGS DR | DRONET SHERYL A |
| | 279 | 3004 | MAHANNA SPRINGS DR | HAGEDORN JANICE E |
| | 280 | 3004 | MAHANNA SPRINGS DR | ORTIZ GUSTAVO |

**AGENDA ITEM # 46**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 13

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 26 K

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multi-family and non-residential uses on property zoned an MC-1 Mixed Commercial District on the north side of Walnut Hill Lane, west of Rambler Road
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z134-234(MW)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

**FILE NUMBER:** Z134-234(MW) **DATE FILED:** April 16, 2014

**LOCATION:** North side of Walnut Hill Lane, west of Rambler Road

**COUNCIL DISTRICT:** 13 **MAPSCO:** 26-K

**SIZE OF REQUEST:** ±1.864 acres **CENSUS TRACT:** 78.23

**REPRESENTATIVE:** Robert Baldwin

**APPLICANT:** CMC Commercial Realty

**OWNER:** Swiss Avenue State Bank

**REQUEST:** An application for a Planned Development District for multifamily and nonresidential uses on property zoned an MC-1 Mixed Commercial District.

**SUMMARY:** The applicant intends to redevelop the site with approximately 250 multifamily dwelling units with a maximum structure height of 75 feet (six stories). The proposed Planned Development District allows a variety of uses that are permitted by right and by specific use permit in the MC-1 Mixed Commercial District and allows, but does not require, a mix of uses within a single building.

**CPC RECOMMENDATION:** **Approval**, subject to a development plan and conditions.

**STAFF RECOMMENDATION:** **Approval**, subject to a development plan and conditions.

**DESIGNATED ZONING CASE**

**GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed multifamily project will provide a housing option for employees of the adjacent office, medical clinic, hospital and nursing home uses. Therefore, performance impacts on surrounding properties are anticipated to be positive.

2. *Traffic impact* – Staff has reviewed the request and has determined that it will not significantly impact the surrounding roadway system. The proposed multifamily project will generate fewer trips than the existing financial institution with drive-in window.

3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Comprehensive Plan.

4. *Justification for PD Planned Development District as opposed to a straight zoning district* – The applicant proposes a planned development district to allow for residential uses. In addition, the proposed planned development district will allow increased structure height and decreased side and rear yard setbacks, but will require design standards for street frontages, wider sidewalks and additional street trees to promote pedestrian activity.

**BACKGROUND INFORMATION:**

- The ±1.864-acre request site is developed with a ±11,709-square foot financial institution with drive-in window, which was constructed in 1997.

- The request site is located within 500 feet of the Walnut Hill Lane DART Station.

**Surrounding Zoning History:**

1. **Z123-324:** On October 12, 2013, the City Council approved a Planned Development District for GO(A) District Uses, subject to sign elevations and conditions.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type | Existing ROW |
|---|---|---|
| Rambler Road | Local | 50 feet |
| Walnut Hill Lane | Principal arterial | 100 feet |

**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.

Based on the Traffic Impact Worksheet provided in accordance with application requirements, the proposed development will result in a reduction in trips generated by the existing financial institution with drive-in window.

**Adjacent Zoning and Land Use:**

| | Zoning | Land Use |
|---|---|---|
| **North** | GO(A) | Office |
| **East** | PDD No. 76 | Medical clinic |
| **South** | MC-1; PDD No. 453 | Bank; hospital |
| **West** | MU-3 | Nursing home |

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The Vision Illustration depicts the request site as within an *Urban Mixed-Use and a Transit Center Building Block.*

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations,

these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process.

In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

**LAND USE ELEMENT**

Goal 1.1: Promote desired development

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

**ECONOMIC ELEMENT**

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

**HOUSING ELEMENT**

GOAL 3.2 ANSWER THE NEED FOR HOUSING OPTIONS

Policy 3.2.2 Encourage higher density housing within a quarter-mile of DART stations.

**URBAN DESIGN**

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.3 Encourage complementary building height, scale, design and character.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Policy 5.3.3 Encourage transit oriented developments and transit centers.

**ENVIRONMENT ELEMENT**

GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

Policy 6.3.3 Limit vehicle miles traveled.

**Land Use Compatibility:**

The applicant intends to redevelop the site with approximately 250 multifamily dwelling units with a maximum structure height of 75 feet (six stories). The proposed Planned Development District allows a variety of uses that are permitted by right and by specific use permit in the MC-1 Mixed Commercial District and allows a mix of uses within a single building.

The applicant proposes a planned development district to allow for residential uses. In addition, the proposed planned development district will allow increased structure height and decreased side and rear yard setbacks, but will require design standards for street frontages, wider sidewalks, benches and additional street trees to promote pedestrian activity.

The request site is located within 500 feet of the Walnut Hill Lane DART Station and is surrounded by office uses to the north, a medical clinic to the east, a bank and hospital to the south, and a nursing home to the west. The proposed planned development district is compatible with the surrounding uses. Furthermore, the proposed multifamily project will provide a viable housing option in this area of the city. Therefore, staff supports the request.

**Development Standards:**

| District | Setbacks | | Density/ FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|---|---|---|---|---|---|---|---|
| | Front | Side/Rear | | | | | |
| MC-1 Multiple commercial-1 | 15’ | 20’ adjacent to residential Other: No minimum | 0.8 FAR base 1.0 maximum | 70’ 5 stories | 80% | Proximity Slope U-form setback Tower spacing Visual Intrusion | Office, retail and personal service, lodging |
| PD Planned Development District | 15’ | No minimum | 250 units 2.9 FAR | 75’ 6 stories | 85% | Transparency | Office, retail and personal service, lodging, and multifamily |

**Parking:**

Parking must be provided in accordance with Section 51(A)-4.200 of the Dallas Development Code, which requires one space for each bedroom with a minimum of one space per dwelling unit for a multifamily use. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

**Landscaping:**

Pursuant to the proposed planned development district, landscaping must be provided in accordance with Article X except that a large street tree must be provided for each 35 feet of street frontage, exclusive of visibility triangles. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. It is noted that Article X requires a large street tree for each 50 feet of street frontage.

**CPC Action : August 7, 2014:**

**Motion:** It was moved to recommend **approval** of a Planned Development District for mixed uses, subject to a development plan and revised conditions to include the following: 1) Remove modifications to the development plan that do not meet the requirements for a minor amendment in 51A-4.702(h) may be approved by the City Plan Commission following the requirements and procedures for a development plan in 51A-4.702(c)(3), 2) Remove Duplex as a permitted use, 3) Limit the maximum size of a general merchandise or food store to 25,000 square feet, and 4) Require two benches along Rambler Road and one bench along Walnut Hill Lane on property zoned an MC-1 Mixed Commercial District on the north side of Walnut Hill Lane, west of Rambler Road.

| | |
|---|---|
| Maker: | Schultz |
| Second: | Ridley |
| Result: | Carried: 12 to 0 |

| | |
|---|---|
| For: | 12 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Schultz, Peadon, Ridley, Abtahi |
| Against: | 0 |
| Absent: | 3 - Shidid, Anantasomboon, Murphy |
| Vacancy: | 0 |

| | | | | |
|---|---|---|---|---|
| **Notices:** | Area: | 500 | Mailed: | 16 |
| **Replies:** | For: | 2 | Against: | 0 |

**Speakers**: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

**Partners/Principals/Officers:**

**APPLICANT:** **CMC Commercial Realty**

Subash M. Gaitonde, President and Director

**OWNER:** **Swiss Avenue State Bank**

Stephen Bradshaw, President
George Kaiser, Vice President

**Z134-234**
**CPC Recommended Conditions**

**SEC. 51P-__.101. LEGISLATIVE HISTORY.**

PD _____ was established by Ordinance No._____, passed by the Dallas City Council on _____, 2014.

**SEC. 51P-__.102. PROPERTY LOCATION AND SIZE.**

PD_____is established on property located on the north side of Walnut Hill Lane and the west side of Rambler Road. The size of PD _____ is approximately 1.86 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 nonresidential zoning district.

**SEC. 51P-__.104. EXHIBIT.**

The following exhibit is incorporated into this article: Exhibit _____A: development plan.

**SEC. 51P-__.106. DEVELOPMENT PLAN.**

(a) Development and use of the Property must comply with the development plan (Exhibit ___). If there is a conflict between the text of this article and the development plan, the text of this article controls.

**SEC. 51P-__.107. MAIN USES PERMITTED.**

(a) The following uses are the only main uses permitted:

(1) Commercial and business service uses.

--Medical or scientific laboratory *[SUP].*

(2) Institutional and community service uses.

--Adult day care facility.

--Child-care facility.
--Church.
--Hospital *[SUP]*.

(3) Lodging uses.

--Extended stay hotel or motel. *[SUP]*
--Hotel or motel. *[RAR] [SUP]*.

(4) Miscellaneous uses.

--Temporary construction or sales office.

(5) Office uses.

--Ambulatory surgical center.
--Financial institution without drive-in window.
--Financial institution with drive-in window *[DIR]*.
--Medical clinic or ambulatory surgical center.
--Office.

(6) Residential uses.

--Multifamily.
--Retirement housing.

(7) Retail and personal service uses.

--Commercial parking lot or garage. *[RAR]*
--Furniture store.
--General merchandise or food store 3,500 square feet or less.
--General merchandise or food store greater than 3,500 square feet. *[Limited to a maximum of 25,000 square feet].*
--Personal service uses.
--Restaurant without drive-in or drive-through service. *[RAR]*
--Temporary retail use.

(8) Utility and public service uses.

--Local utilities. *[SUP or RAR may be required. See Section 51A-4.212(4).]*
--Police or fire station.
--Post office.
--Radio, television, or microwave tower. *[SUP]*
--Tower or antenna for cellular communication. *[SUP][Limited to mounted only.]*

(b) Mix of uses allowed in a single building. To encourage a live/work occupancy, buildings in this district may include both residential and nonresidential uses. Buildings in this district may be comprised of residential, nonresidential, or a mix of residential and nonresidential uses.

**SEC. 51P-__.108. ACCESSORY USES.**

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

**SEC. 51P-__.109. YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Setbacks.

(1) Front yard. Minimum front yard is 15 feet.

(2) Side and rear yard. No minimum side and rear yard.

*(3)* Urban form setback. None required.

(4) Tower spacing. None required.

(5) Projections. Ordinary projections of canopies, balconies, stoops, stairs, retaining walls, bay windows, awnings, and other architectural features may project into the required setbacks up to 10 feet if a minimum five-foot sidewalk clearance from the projection is provided.

(b) Density. Maximum density is 250 dwelling units.

(c) Floor area. Maximum floor area ratio is 2.9.

(d) Ground-story transparency. A minimum of 30 percent along Walnut Hill Lane and Rambler Road.

(e) Upper-story transparency. A minimum of 20 percent for floors two through six.

(f) Pedestrian entrance. Pedestrian entrances are required along Walnut Hill Lane and Rambler Road.

(g) Benches. Two benches are required along Rambler Road and one bench is required along Walnut Hill Lane.

(h) Blank wall area. The maximum length for a blank wall is 30 feet.

(i) Height. Maximum structure height is 75 feet. Rooftop projections, including rooftop mechanicals, parapet walls, and elevator penthouses may exceed the maximum height by 15 feet.

(j) Lot coverage. Maximum lot coverage is 85 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(k) Lot size. No minimum lot size.

(l) Stories. The maximum number of stories is six.

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

In general. Consult the use regulations in Section 51(A)-4.200 for the specific off-street parking and loading requirements for each use.

**SEC. 51P-__.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-__.112. LANDSCAPING.**

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

(b) A large street tree must be provided for each 35 feet of street frontage, exclusive of visibility triangles. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

(c) Required large trees must have a minimum caliper of 3.5 inches or minimum height of six feet, depending on the standard measuring technique for the species.

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

**SEC. 51P-__.113. SIDEWALKS.**

A minimum eight-foot-wide sidewalk with at least six feet of unobstructed width must be provided along Walnut Hill Lane and Rambler Road. Tree grates do not count toward the minimum unobstructed sidewalk width.

**SEC. 51P-__.114. SIGNS.**

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

**SEC. 51P-__.115. ADDITIONAL PROVISIONS.**

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

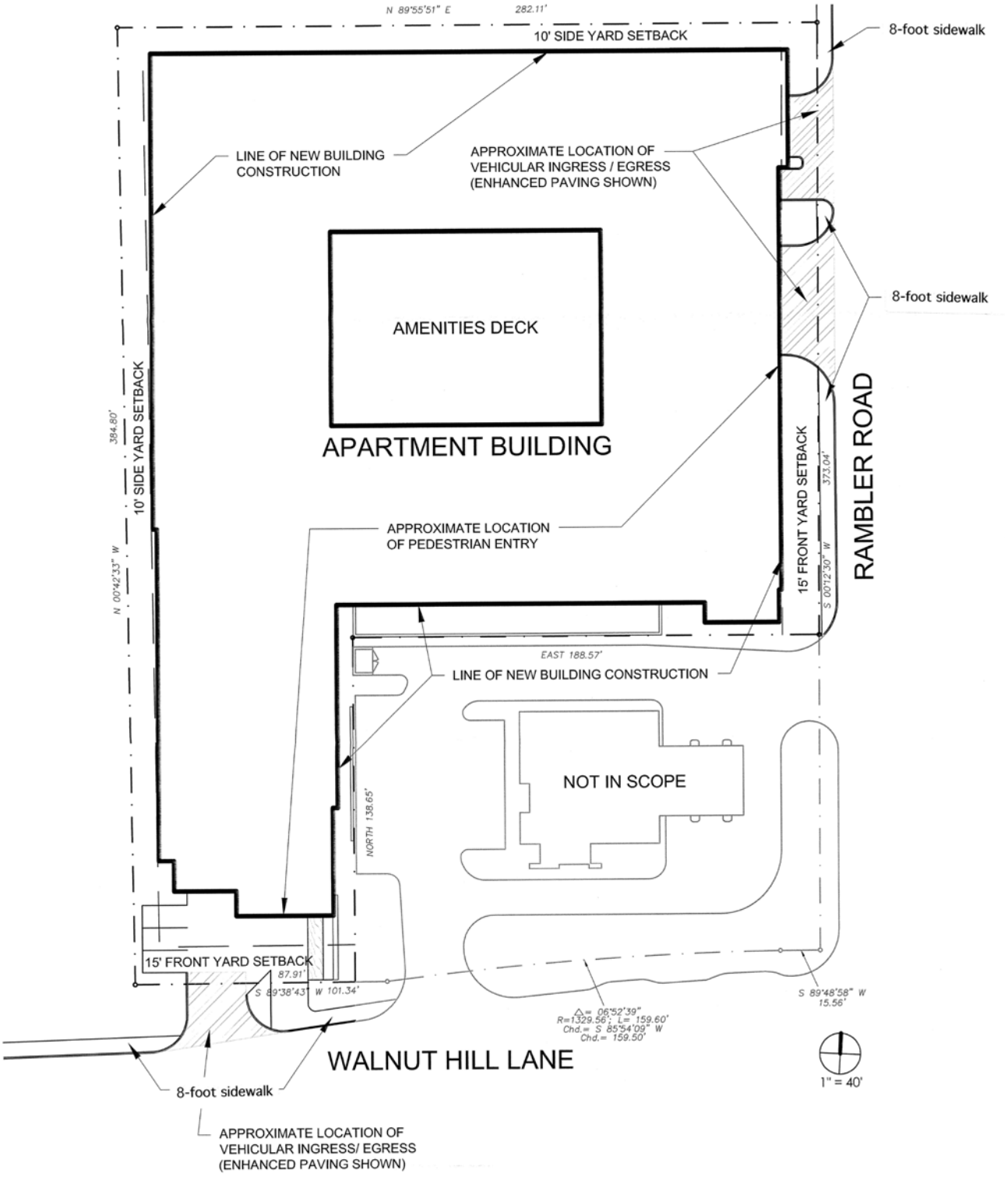
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

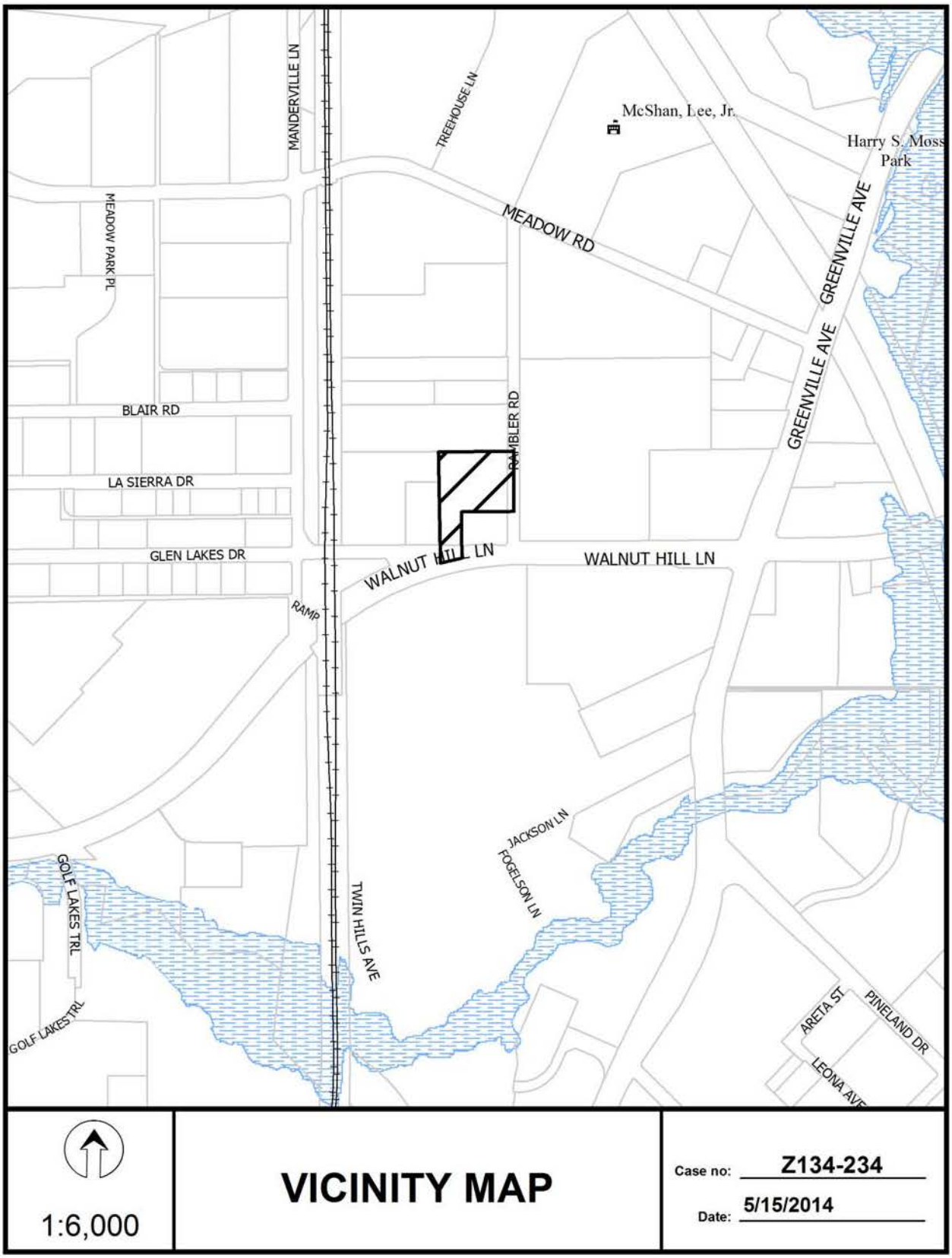
**SEC. 51P-__.116. COMPLIANCE WITH CONDITIONS.**

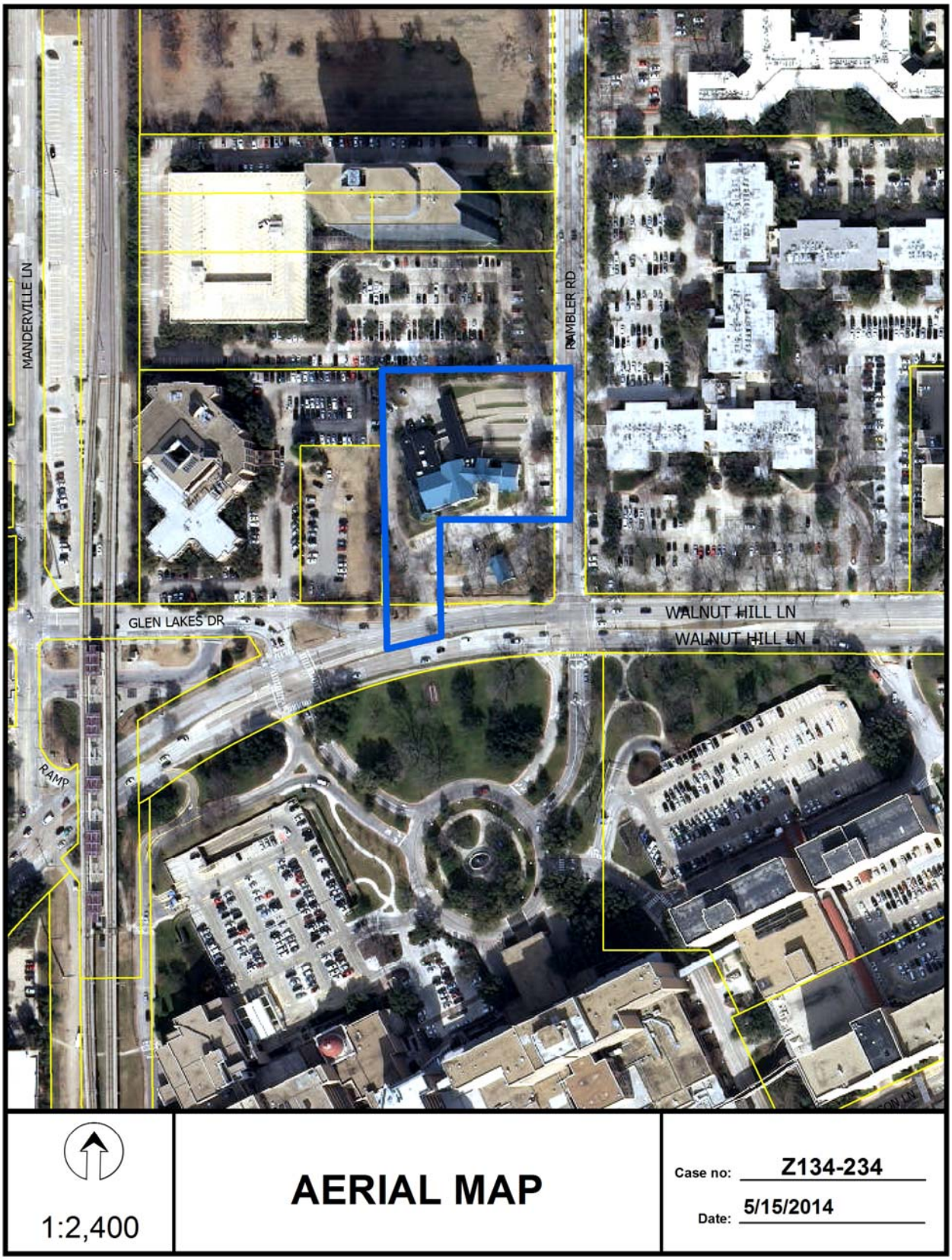
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

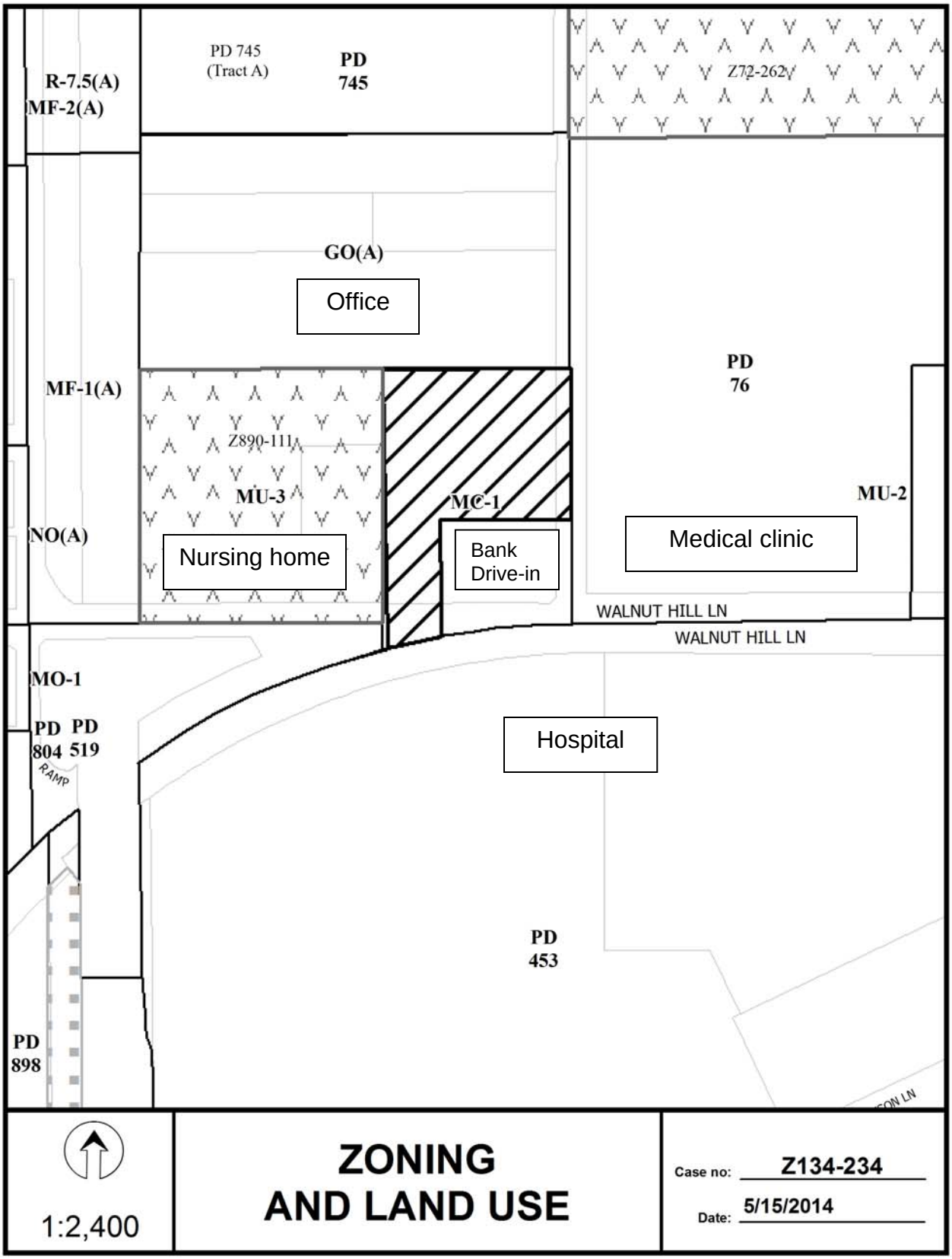
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

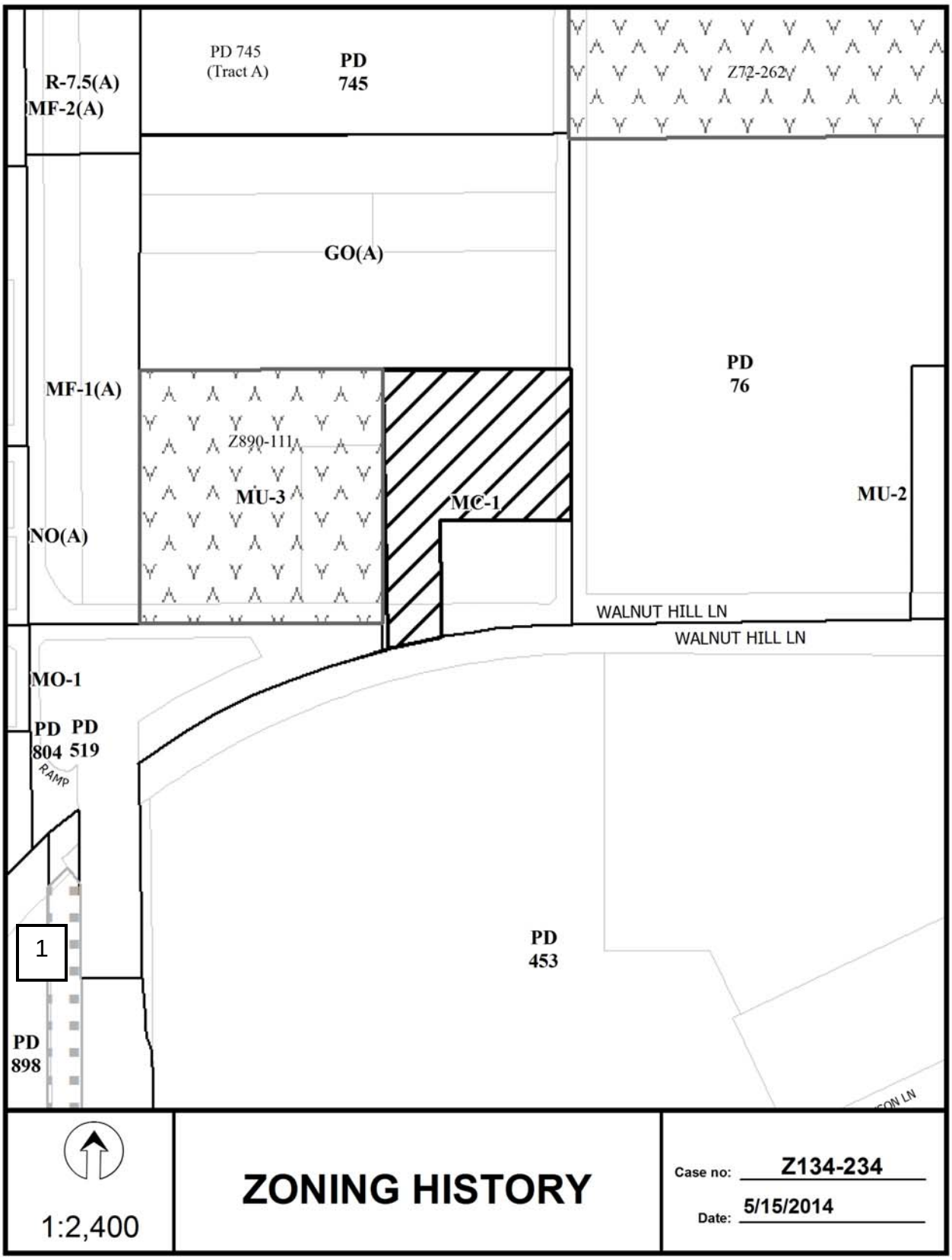
**Proposed Development Plan:**




MANDERVILLE LN
TREEHOUSE LN
McShan, Lee, Jr.
Harry S. Moss Park
MEADOW RD
MEADOW PARK PL
GREENVILLE AVE
GREENVILLE AVE
BLAIR RD
RAMBLER RD
LA SIERRA DR
GLEN LAKES DR
WALNUT HILL LN
WALNUT HILL LN
RAMP
JACKSON LN
FOGELSON LN
GOLF LAKES TRL
TWIN HILLS AVE
GOLF LAKES TRL
ARETA ST
PINELAND DR
LEONA AVE
1:6,000
VICINITY MAP
Case no: Z134-234
Date: 5/15/2014


MANDERVILLE LN
RAMBLER RD
GLEN LAKES DR
WALNUT HILL LN
WALNUT HILL LN
RAMP
1:2,400
AERIAL MAP
Case no: Z134-234
Date: 5/15/2014


R-7.5(A)
MF-2(A)
PD 745
(Tract A)
PD
745
Z72-262
GO(A)
Office
MF-1(A)
Z890-111
MU-3
Nursing home
MC-1
Bank
Drive-in
PD
76
MU-2
Medical clinic
NO(A)
WALNUT HILL LN
WALNUT HILL LN
MO-1
PD
804
PD
519
RAMP
Hospital
PD
453
PD
898
1:2,400
ZONING
AND LAND USE
Case no: Z134-234
Date: 5/15/2014


PD 745
(Tract A)
PD
745
Z72-262
R-7.5(A)
MF-2(A)
GO(A)
PD
76
MF-1(A)
Z890-111
MU-3
MC-1
MU-2
NO(A)
WALNUT HILL LN
WALNUT HILL LN
MO-1
PD
804
PD
519
RAMP
1
PD
453
PD
898
1:2,400
ZONING HISTORY
Case no: Z134-234
Date: 5/15/2014

5
14 - 15
4
2
2
3
16
2
RAMBLER RD
6 - 7
13
1
12
MANDERVILLE LN
GLEN LAKES DR
WALNUT HILL LN
11
RAMP
10
8 - 9
16
16 Property Owners Notified (16 parcels)
2 Replies in Favor (2 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
8/7/2014 Date 7/24/2014 Under Advisement
Z134-234
CPC
N
W
E
S
1:2,400

***08/19/2014***

# *Reply List of Property Owners*

## *Z134-234*

***16 Property Owners Notified  2 Property Owners in Favor  0 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| O | 1 | 8255 | WALNUT HILL LN | SWISS AVENUE STATE BANK |
| | 2 | 7537 | RAMBLER RD | 7557 RAMBLER LTD |
| | 3 | 7700 | GLEN LAKES DR | TEXAS UTILITIES ELEC CO |
| | 4 | 7557 | RAMBLER RD | 7557 RAMBLER LTD |
| O | 5 | 7615 | RAMBLER RD | TKG VALENCIA MIDTOWN LLC |
| | 6 | 8325 | WALNUT HILL LN | TEXAS HEALTH RESOURCES |
| | 7 | 8325 | WALNUT HILL LN | WOODHILL MED PARK CONDO |
| | 8 | 8200 | WALNUT HILL LN | PRESBYTERIAN HEALTHCARE |
| | 9 | 8200 | WALNUT HILL LN | TEXAS HEALTH RESOURCES |
| | 10 | 8210 | WALNUT HILL LN | TEXAS HEALTH SYSTEM |
| | 11 | 8240 | WALNUT HILL LN | DALLAS AREA RAPID TRANSIT |
| | 12 | 5515 | GLEN LAKES DR | TELESIS II |
| | 13 | 5515 | GLEN LAKES DR | TELESIS WALNUT PLACE |
| | 14 | 8350 | MEADOW RD | TEXAS HEALTH RESOURCES |
| | 15 | 8350 | MEADOW RD | PECAN CREEK OWNERS ASSOCI |
| | 16 | 401 | BUCKNER BLVD | DART |

**AGENDA ITEM # 47**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 3

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 51B Y

## SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the development plan and landscape plan on property in Subarea 1 of Planned Development District No. 585 on the north line of West Kiest Boulevard and west of Spur 408

Recommendation of Staff and CPC: Approval, subject to a development plan and landscape plan

Z134-240(WE)

**HONORABLE MAYOR & CITY COUNCIL** **WEDNESDAY, SEPTEMBER 10, 2014**

**ACM: Ryan S. Evans**

| | | | |
|---|---|---|---|
| **FILE NUMBER:** | Z134-240(WE) | **DATE FILED:** | April 22, 2014 |
| **LOCATION:** | North line of West Kiest Boulevard and west of Spur 408 | | |
| **COUNCIL DISTRICT:** | 3 | **MAPSCO:** | 51B-Y |
| **SIZE OF REQUEST:** | Approx. 28.356 acres | **CENSUS TRACT:** | 165.20 |

**APPLICANT / OWNER:** The Potters House

**REPRESENTATIVE:** Matthew Cragun, Cumulus Design

**REQUEST:** An application for an amendment to the development plan and landscape plan on property in Subarea 1 of Planned Development District No. 585.

**SUMMARY:** The applicant's request to amend the development plan will allow for a new activity and educational building to be constructed with a total of 52,658 square feet. The new facility will replace the old building and will include a larger footprint. In addition, the applicant will be installing temporary modular buildings on the southern parking lot while the renovation is occurring.

**CPC RECOMMENDATION:** Approval, subject to a development plan and landscape plan

**STAFF RECOMMENDATION:** Approval, subject to a development plan and landscape plan

**DESIGNATED ZONING CASE**

## GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed increase in total floor area for the youth center and educational building is compatible with the existing and future development that is proposed in the area. Presently, the site is adjacent to several tracts of undeveloped land. The adjacent Planned Development District is approved for a cemetery or a mausoleum and Townhouse development. The performance impact of the expansion should not have any impact on the surrounding property.

2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the increased density will not have a detrimental impact upon the surrounding street system.

3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is in compliance with the *forwardDallas! Comprehensive Plan*. The request site is located within a Campus Building Block.

## BACKGROUND INFORMATION:

- In June 2000, the City Council approved Planned Development District No. 585 for TH-2(A) Townhouse District uses in Subarea 1 and an A(A) Agricultural District in Subarea 2, plus surface parking limited to providing a portion of the parking for a church.

**Zoning History:** There have not been any recent zoning requests in the area.

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---|---|---|---|
| Kiest Boulevard | Principal Arterial | 100 ft. | 100 ft. |

**Traffic:** The Engineering Section of the Department of Development Services has reviewed the request and determined that the proposed renovated and expansion of the church will not have a detrimental impact upon the surrounding street system.

**Land Use:**

| | Zoning | Land Use |
|---|---|---|
| **Site** | Subarea 1 of PDD No. 585 | Church |
| **North** | PDD No. 186 | Undeveloped |
| **South** | Subarea 2 of PDD No. 585 | Surface parking |
| **East** | PDD No. 186 | Undeveloped |
| **West** | PDD No. 186 | Undeveloped |

**COMPREHENSIVE PLAN:** The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site being within an Urban Neighborhood Building Block.

The Campus Building Block focuses on areas around large master-planned educational, institutional or business facilities outside the Downtown. The University of North Texas campus was the motivating factor for creating this Building Block, although other examples exist, such as the areas around the Southwestern Medical District, the Baylor University Medical Center, the Veterans Administration Hospital and Pinnacle Park. Campus Building Blocks often act as smaller versions of a complete community and include a range of single-family and multifamily housing for students, employees and visitors. A variety of offices, shops, services and open space should exist to support the major campus employer and area residents. Over time, areas such as UNT can take on a "university town" feel as they mature. All Campus Building Block areas should have convenient transit options as an integral component. Economic development efforts should capitalize on the spin-off employment opportunities generated by the primary employers.

The proposed request is in compliance with the *forwardDallas! Comprehensive Plan*. The existing church is located at a key intersection and is adjacent to several undeveloped tracts of land and the Southern Baptist University.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The 28.356-acre site is developed with a church use. The area's physical character consists of a large undeveloped tract of land (PDD No. 186) and an institutional use (Dallas Baptist University) that is located west of the site. The property south of the site, across Kiest Boulevard, is developed with surface parking that serves as additional off-street parking for the church.

The applicant's request to amend the development plan and landscape plan will allow for the expansion of the existing youth and educational center. The existing building will be razed and the new facility will be constructed with a larger floor area. The new facility will be built in the same location as the pervious youth and educational center, but will be developed with an additional 8,008 square feet of floor area. The applicant will install several temporary modular buildings on the southern parking lot for

educational classrooms while the new youth and educational facility is being constructed.

**Development Standards:**

| DISTRICT | SETBACKS | | Density | Height | Lot Coverage | Special Standards | PRIMARY Uses |
|---|---|---|---|---|---|---|---|
| | Front | Side/Rear | | | | | |
| PDD No. 585 Subarea 1 | 0' | 10'10' | 9 units | 65' | 60% | | Church, townhouses |

**Landscaping**: Landscaping of any development must be in accordance with the landscape plan. The applicant has submitted a new landscape plan to replace the landscape plan that was approved in June 2000. The new plan shows the removal of a row of trees along the north property line that is adjacent to the parking lot as well as several trees on Kiest Boulevard. However, the applicant has installed several trees in the parking lot island and along the northeastern property line.

The changes to the landscape plan include the following: 1) The trees that were installed on the northern portion of the property line were removed because they were installed on an existing water easement. The Dallas Water Utilities Department requested the applicant to remove the trees. 2) Several street trees on the west side of the guard house were not installed because there is a pedestrian sky bridge that crosses over the parkway to connect the two sites (subarea 2 parking lot to subarea 1 church facility). The changes to the landscape plan do not require any amendments to the PDD conditions.

**Parking:** The increase in the floor area for the youth and educational building will not require any additional off-street parking spaces. The number of required off-street parking for the 8,400 seat church is 2,100 spaces. The applicant is providing a total of 2,816 off-street parking spaces, which includes the remote parking that is located south of the site.

**CPC Action** (August 7, 2014)

**Motion:** It was moved to recommend **approval** of an amendment to the development plan and landscape plan, subject to a revised development plan and revised landscape plan on property in Subarea 1 of Planned Development District No. 585 on the north line of West Kiest Boulevard and west of Spur 408.

Maker: Rodgers
Second: Ridley
Result: Carried: 11 to 0

For: 11 - Anglin, Emmons, Rodgers, Culbreath, Bagley, Lavallaisaa, Tarpley, Shellene, Peadon, Ridley, Abtahi

Against: 0
Absent: 4 - Shidid, Anantasomboon, Schultz, Murphy
Vacancy: 0

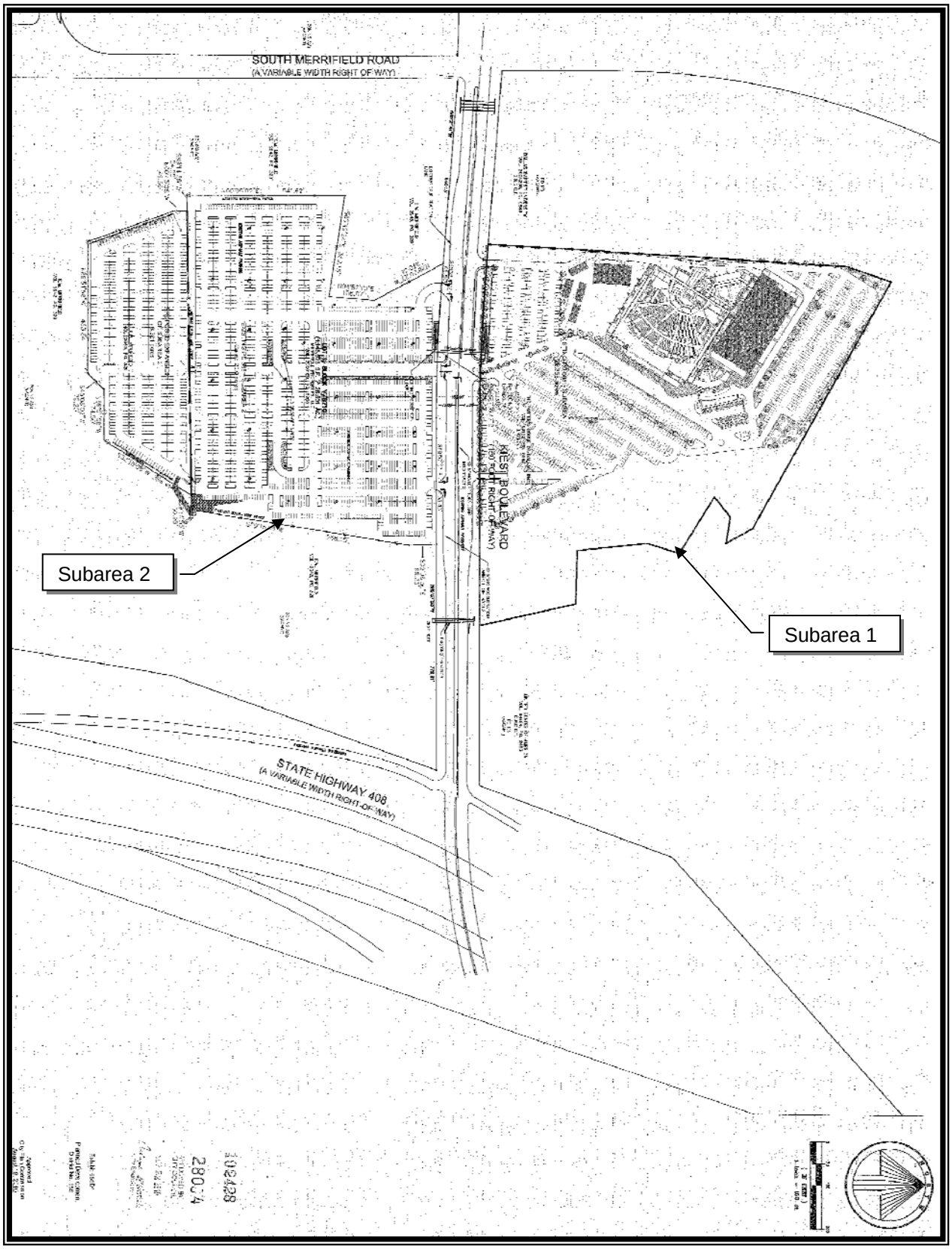
**Notices:** Area: 500 Mailed: 5
**Replies:** For: 0 Against: 0

**Speakers**: For: Alvin D. James, 6777 W. Kiest Blvd., Dallas, TX, 75236
Matt Cragun, 2080 Highway 360, Grand Prairie, TX
Against: None
Neutral: J. Blair Blackburn, 3000 Mt. Creek Pkwy., Dallas, TX, 75211

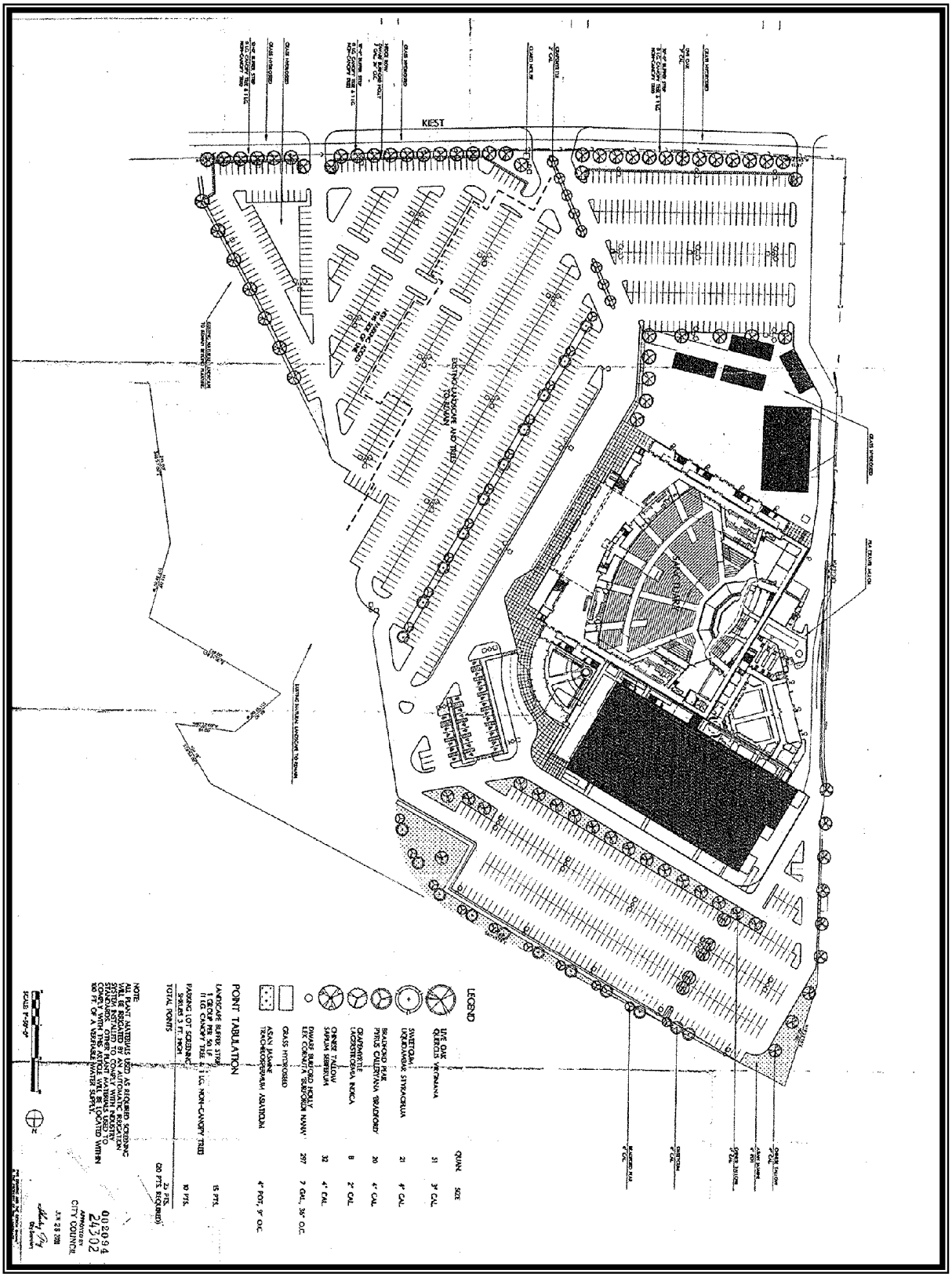
**LIST OF OFFICERS**
Potters House

- Thomas D. Jakes President and CEO
- Serita Jakes Vice President
- Darwin J. Bruce COO
- Susan McCarthy Treasurer an CFO
- Faith Johnson Secretary

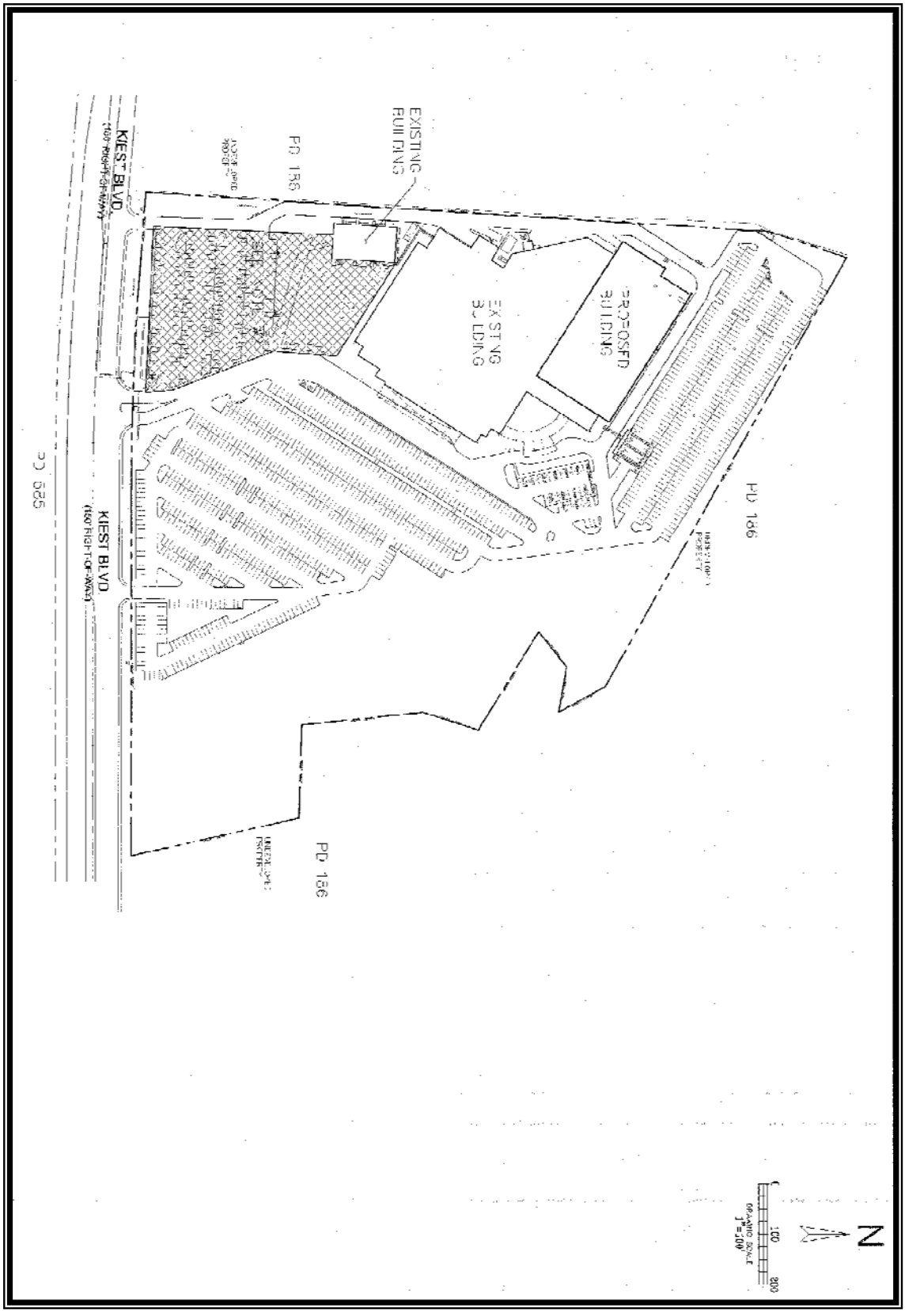
## EXISTING DEVELOPMENT PLAN



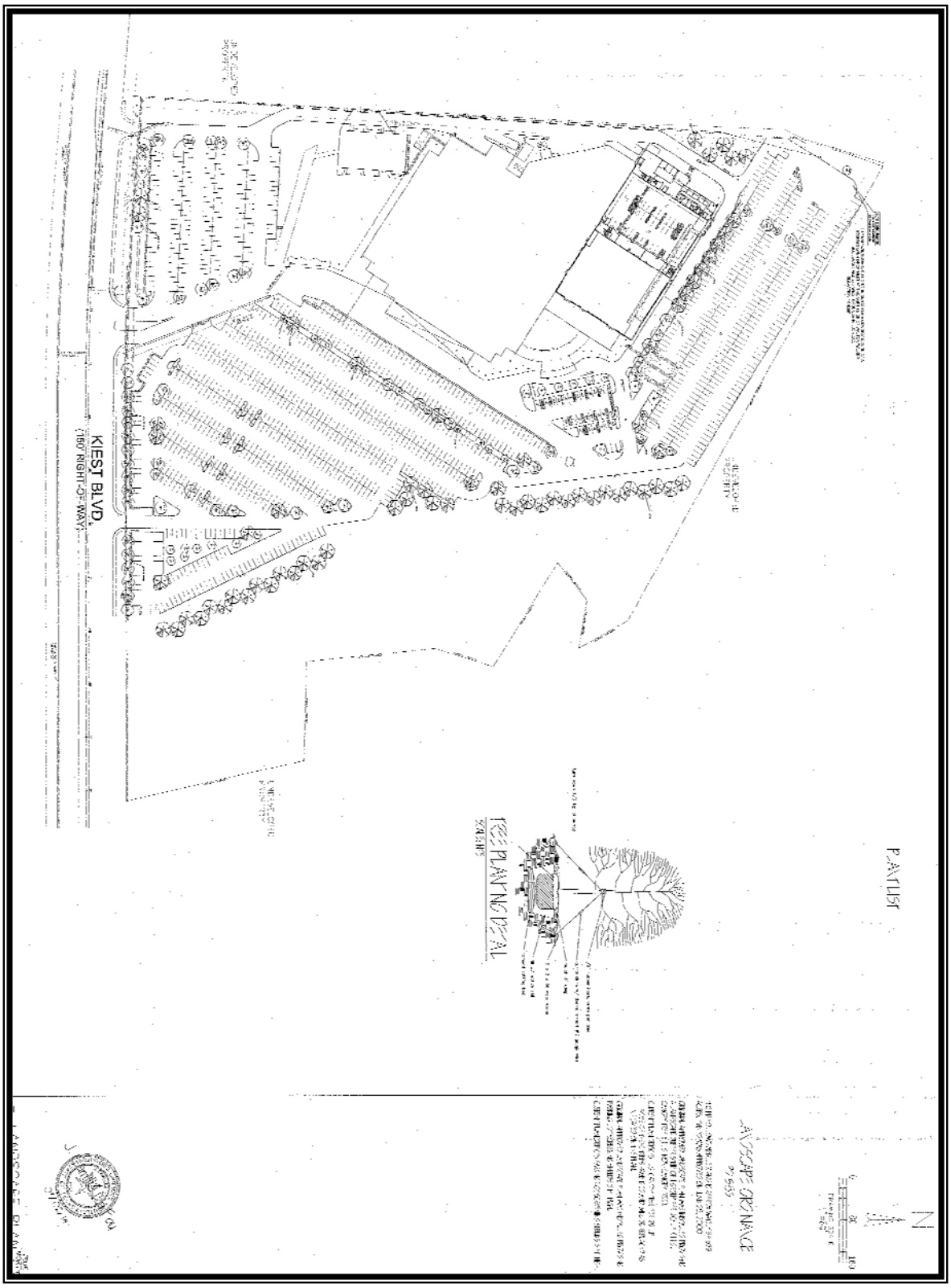
## EXISTING LANDSCAPE PLAN

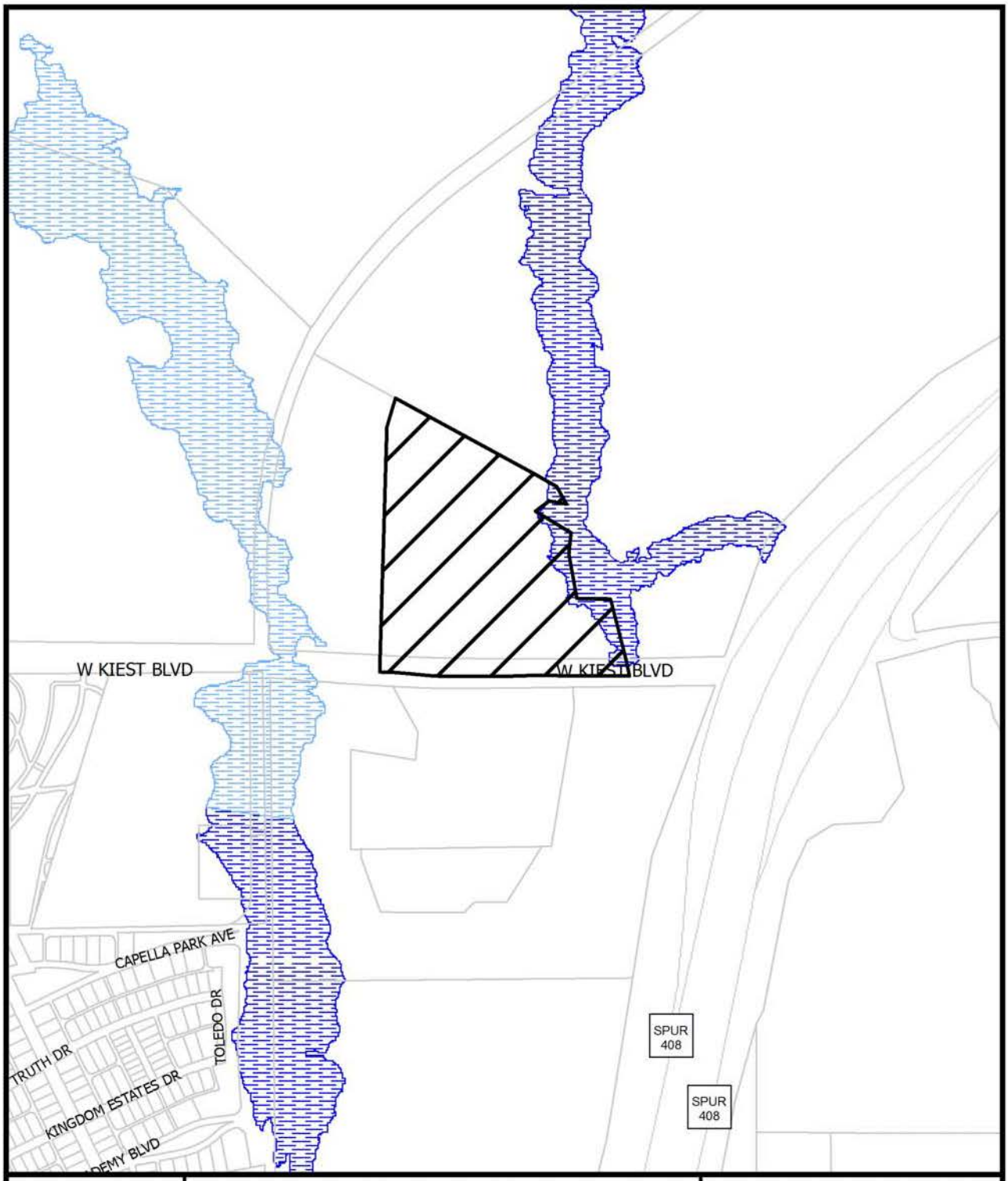


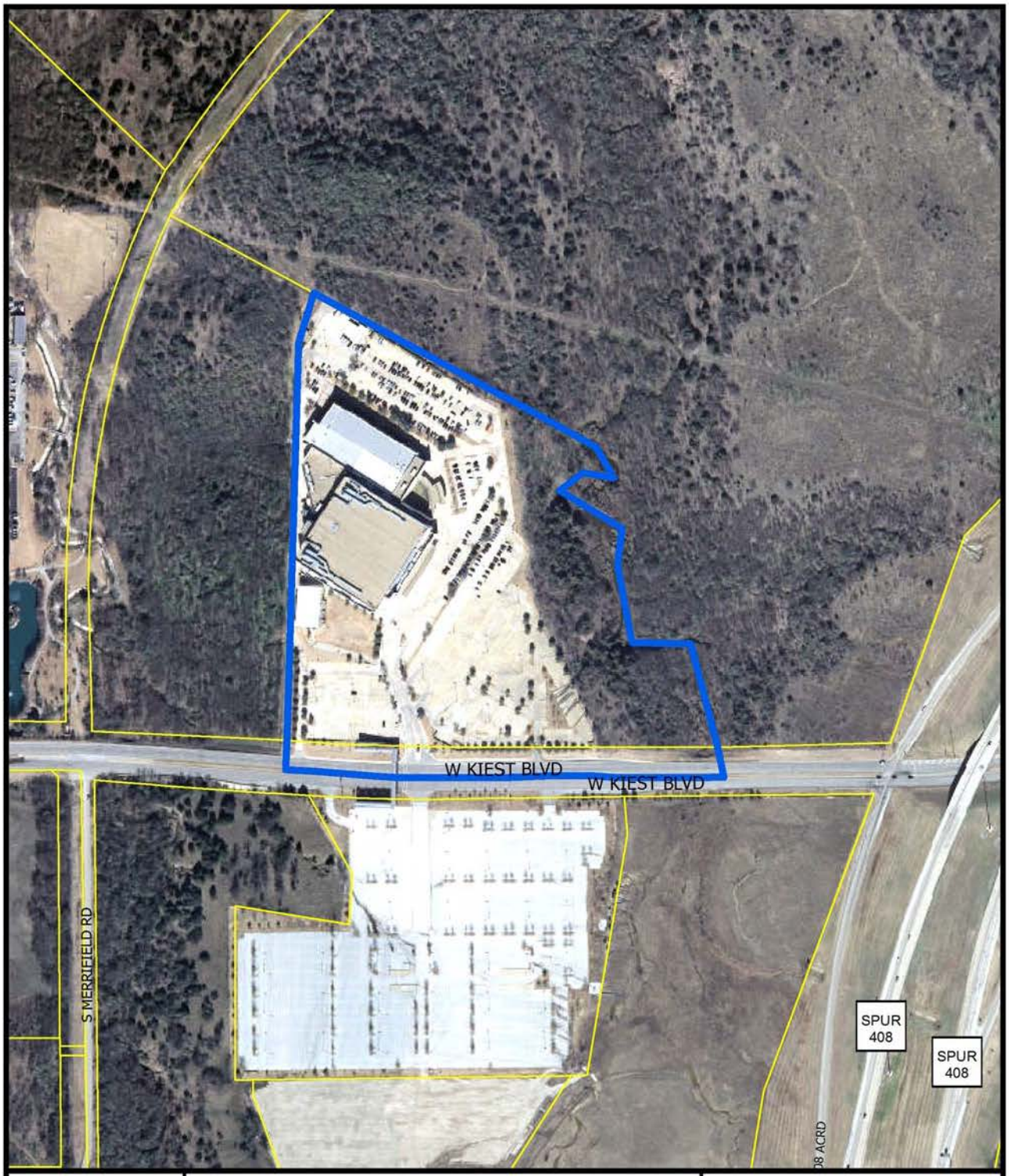
## PROPOSED DEVELOPMENT PLAN



## PROPOSED LANDSCAPE PLAN




W KIEST BLVD
W KIEST BLVD
CAPELLA PARK AVE
TOLEDO DR
TRUTH DR
KINGDOM ESTATES DR
SPUR 408
SPUR 408
1:8,400
VICINITY MAP
Case no: Z134-240
Date: 5/27/2014

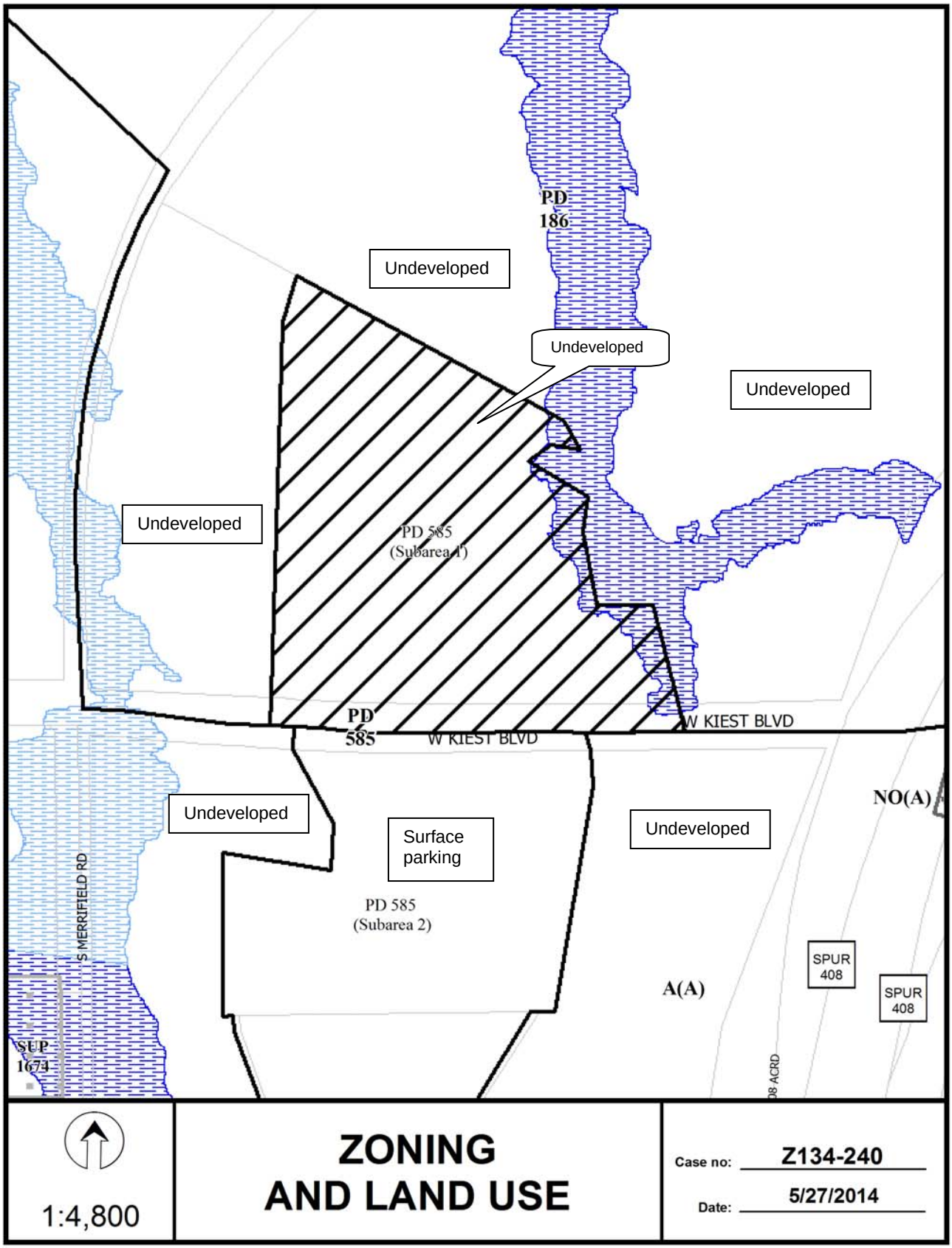



1:4,800

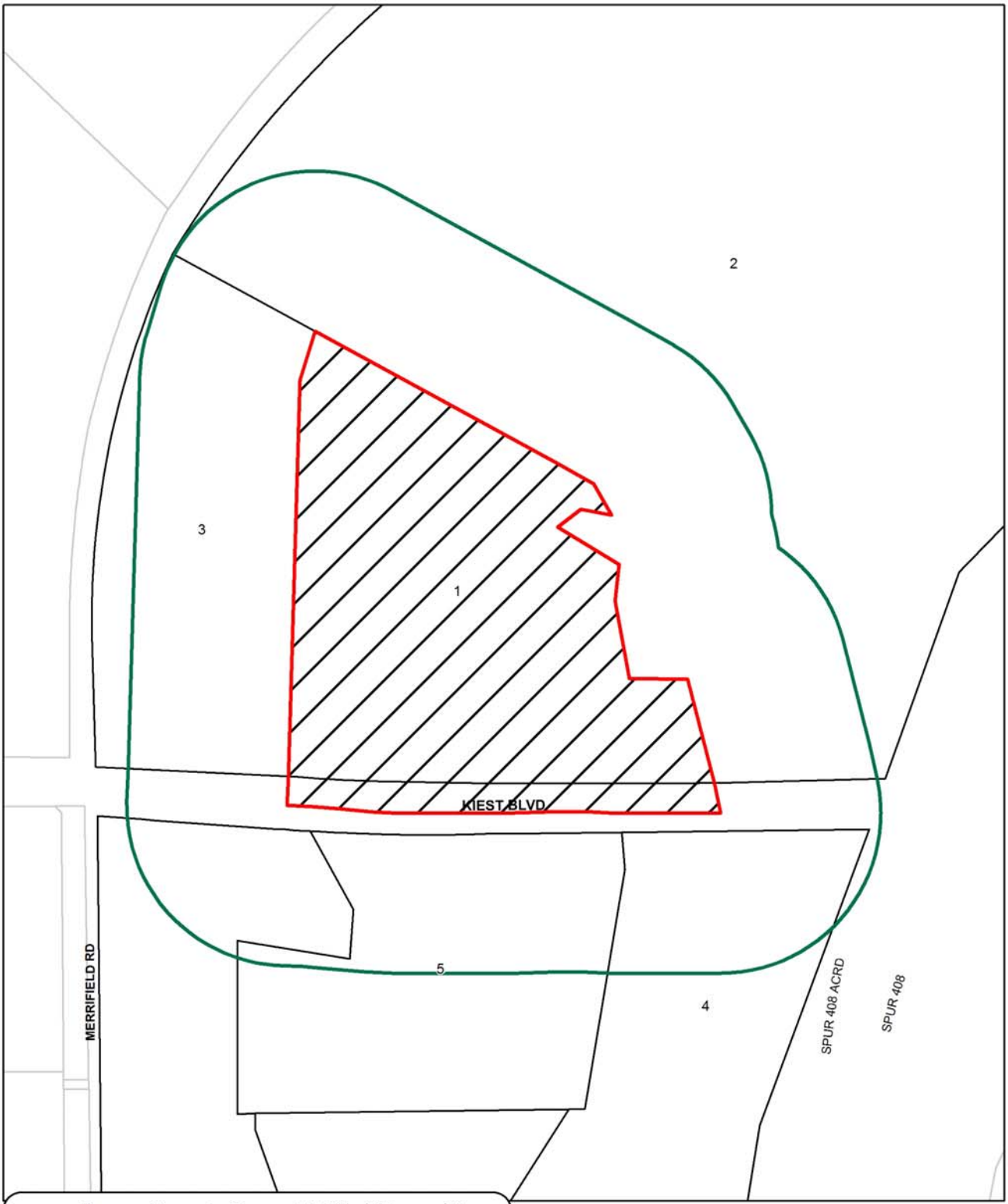
# AERIAL MAP

Case no: Z134-240

Date: 5/27/2014


PD 186
Undeveloped
Undeveloped
Undeveloped
Undeveloped
PD 585 (Subarea 1)
PD 585
W KIEST BLVD
W KIEST BLVD
Undeveloped
Surface parking
Undeveloped
NO(A)
PD 585 (Subarea 2)
S MERRIFIELD RD
SUP 1674
A(A)
SPUR 408
SPUR 408
1:4,800
ZONING AND LAND USE
Case no: Z134-240
Date: 5/27/2014

## CPC RESPONSES




| | |
|---|---|
| 5 | Property Owners Notified (5 parcels) |
| 0 | Replies in Favor (0 parcels) |
| 0 | Replies in Opposition (0 parcels) |
| 500' | Area of Notification |
| 8/7/2014 | Date |

Z134-240
CPC

1:4,800

# *Notification List of Property Owners*

## *Z134-240*

***5 Property Owners Notified  0 Property Owners in Favor  0 Property Owners Opposed***

| *Reply* | *Label #* | *Address* | | *Owner* |
|---|---|---|---|---|
| | 1 | 6777 | KIEST BLVD | POTTERS HOUSE OF DALLAS |
| | 2 | 2800 | MOUNTAIN CREEK PKWY | UNITED STATES OF AMERICA |
| | 3 | 6781 | KIEST BLVD | DALLAS BAPTIST UNIVERSITY |
| | 4 | 6700 | KIEST BLVD | MERRIFIELD FAMILY INVESTMENTS LTD |
| | 5 | 6710 | KIEST BLVD | MERRIFIELD PROPERTIES LLC |

**AGENDA ITEM # 48**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 5

**DEPARTMENT:** Public Works Department
Water Utilities

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

**MAPSCO:** 59J K N P

## SUBJECT

A benefit assessment hearing to receive comments on street paving, storm drainage, and water and wastewater adjustments for San Leon Avenue from Glencliff Drive to dead-end; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with FNH Construction, LLC, lowest responsible bidder of five - Not to exceed $522,705 - Financing: General Obligation Commercial Paper Funds ($437,555) and Water Utilities Capital Construction Funds ($85,150)

## BACKGROUND

San Leon Avenue from Glencliff Drive to dead-end was requested by property owner petition and accepted on June 23, 2005. A professional services contract for the design of this project was authorized by City Council on September 9, 2009, and partial payment of cost by assessment and a benefit assessment hearing was authorized on August 13, 2014. This action will allow the public hearing to be held and will authorize the levying of assessments and contract for construction. The improvements will consist of upgrading the existing unimproved two-lane asphalt street with 26-foot wide concrete pavement with curbs, drive approaches and installation of a storm drainage system, water and wastewater adjustments.

The paving assessment process requires the following three steps:

1. Authorize paving improvements.
2. Authorize a benefit assessment hearing.
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction.

This is the 3rd and final step in the process.

**BACKGROUND** (Continued)

FNH Construction, LLC, has no completed contractual activities with the City of Dallas for the past three years.

**ESTIMATED SCHEDULE OF PROJECT**

| | |
|---|---|
| Began Design | October 2009 |
| Completed Design | May 2012 |
| Begin Construction | November 2014 |
| Complete Construction | December 2015 |

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

Authorized a professional services contract for engineering services on September 9, 2009, by Resolution No. 09-2222.

Authorized street paving improvements and a benefit assessment hearing on August 13, 2014, by Resolution No. 14-1239.

**FISCAL INFORMATION**

2006 Bond Program (General Obligation Commercial Paper Funds) - $437,555.00
Water Utilities Capital Construction Funds - $85,150.00

| | |
|---|---|
| Design | $ 56,951.61 |
| Construction (this action) | |
| Paving & Drainage - PBW | $437,555.00 |
| Water & Wastewater Adjustments - WTR | $ 85,150.00 |
| Total Project Cost | $579,656.61 |

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**FNH Construction, LLC**

| | | | |
|---|---|---|---|
| Hispanic Female | 0 | Hispanic Male | 40 |
| African-American Female | 0 | African-American Male | 0 |
| Other Female | 0 | Other Male | 0 |
| White Female | 2 | White Male | 6 |

**BID INFORMATION**

The following bids with quotes were received and opened on July 10, 2014.

*Denotes successful bidder

| BIDDERS | BID AMOUNT |
|---|---|
| *FNH Construction, LLC<br>4099 McEwen Rd, Suite 610<br>Farmers Branch, TX 75244 | $522,705.00 |
| Texas Standard Construction | $539,172.50 |
| Camino Construction LP | $553,168.00 |
| RBR Infrastructure Road | $585,960.00 |
| Jeske Construction Co. | $617,328.00 |

| | | |
|---|---|---|
| Original estimate: | PBW | $471,701.00 |
| | WTR | $ 85,000.00 |
| Total Project | | $556,701.00 |

**OWNER**

**FNH Construction, LLC**

Candace Gillespie, President

**MAP**

Attached.

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: A benefit assessment hearing to receive comments on street paving, storm drainage, and water and wastewater adjustments for San Leon Avenue from Glencliff Drive to dead-end, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with FNH Construction, LLC, lowest responsible bidder of five - Not to exceed $522,705 - Financing: General Obligation Commercial Paper Funds ($437,555) Water Utilities Capital Construction Funds ($85,150)

FNH Construction, LLC, 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 | $406,205.00 | 77.71% |
| Total non-local contracts | $116,500.00 | 22.29% |
| **TOTAL CONTRACT** | $522,705.00 | 100.00% |

## LOCAL/NON-LOCAL M/WBE PARTICIPATION

### Local Contractors / Sub-Contractors

| Local | Certification | Amount | Percent |
|---|---|---|---|
| Ram Tool & Supply | WFWB61372N0416 | $15,000.00 | 3.69% |
| **Total Minority - Local** | | $15,000.00 | 3.69% |

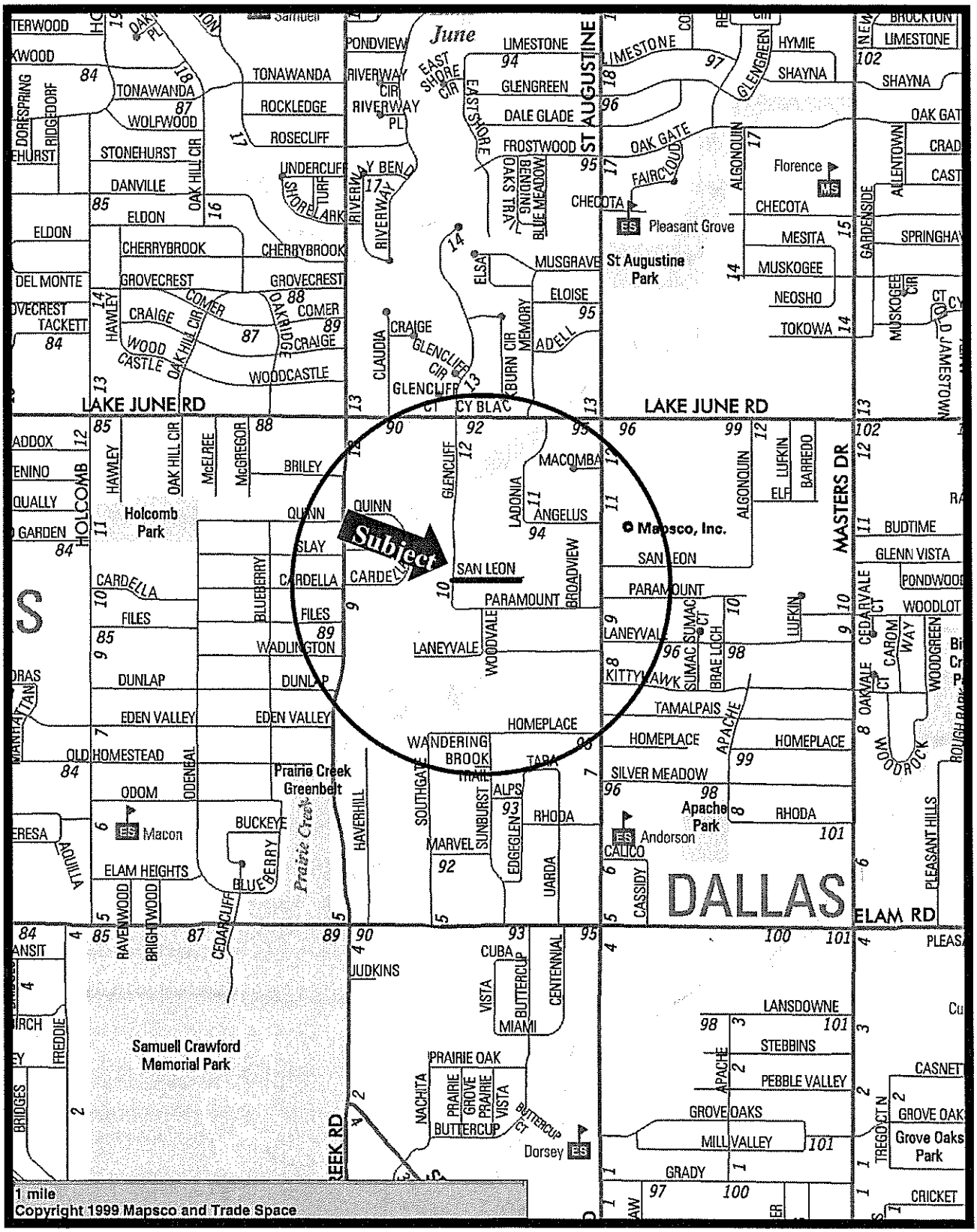
### Non-Local Contractors / Sub-Contractors

| Non-local | Certification | Amount | Percent |
|---|---|---|---|
| Roberts Trucking | BMDB62181Y0615 | $20,000.00 | 17.17% |
| Cowtown Ready Mix, Inc. | WFDB62378Y0615 | $70,000.00 | 60.09% |
| Champion Fuel Solution | WFDB62179Y0615 | $21,500.00 | 18.45% |
| Buyers Barricades | WFDB61106Y0415 | $5,000.00 | 4.29% |
| **Total Minority - Non-local** | | $116,500.00 | 100.00% |

## TOTAL M/WBE CONTRACT PARTICIPATION

| | Local | Percent | Local & Non-Local | Percent |
|---|---|---|---|---|
| African American | $0.00 | 0.00% | $20,000.00 | 3.83% |
| 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 | $15,000.00 | 3.69% | $111,500.00 | 21.33% |
| Total | $15,000.00 | 3.69% | $131,500.00 | 25.16% |

# San Leon Avenue




# Mapsco 59J, K, N, P

September 10, 2014

**WHEREAS,** heretofore, a resolution was duly adopted by the City Council of the City of Dallas for the improvement of the following street between the limits set forth, out of materials specified, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared, to wit:

**San Leon Avenue from Glencliff Drive to dead-end**; and,

**WHEREAS,** by resolution such estimate and specifications were duly adopted therefore, and the Purchasing Agent was authorized to advertise for bids for such construction; and,

**WHEREAS,** by resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property abutting such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and,

**WHEREAS,** the said hearing was duly held at said time and place; and,

**WHEREAS,** the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and in accordance with the enhancement report submitted by Con-Real, LP, representing the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and,

**WHEREAS,** the Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed.

**Now, Therefore,**

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

**SECTION 1.** That the said hearing held on the 10th day of September A.D. 2014 be and the same is hereby ordered closed.

**SECTION 2.** That the City Attorney is hereby directed to prepare an ordinance assessing against the several owners of the abutting property, and against their property abutting upon the street hereinabove mentioned, the proportionate part of said cost herein adjudged against the said respective owners and their property, such assessments to be in accordance with the attached enhancement report. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

**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.

**REPORT #14-09**
**Enhancement Evaluation Study**
**Project: San Leon Avenue**
**from Glencliff Drive to Dead-end**
**Dallas, Dallas County, Texas 75217**

**For:**

**Lisa Williams**
**Project Coordinator**
**City of Dallas**
**Public Works Department**
**Oak Cliff Municipal Center**
**320 E. Jefferson Boulevard, Room 307**
**Dallas, Texas 75203**

**Prepared by:**

**Con-Real, LP**
**Troy C. Alley, Jr.**
**5801 Marvin D. Love Freeway, Suite 301**
**Dallas, Texas 75237**

## SUMMARY OF SALIENT FACTS AND CONCLUSIONS

| | |
|---|---|
| **Date of Inspection:** | July 14, 2014 |
| **Effective Date of Study:** | July 14, 2014 |
| **Date of Transmittal:** | July 18, 2014 |
| **Subject Property:** | Various Residential Properties |
| **Location:** | San Leon Avenue<br>from Glencliff Drive to Dead-end,<br>Dallas, Dallas County, Texas 75217 |
| **Zoning Classifications:** | R-7.5(A) Residential<br>Single family residential uses |
| **Current Use:** | Single Family Dwellings |
| **Highest & Best Use:** | Residential Uses |
| **Purpose of Study:** | The purpose of this study is to estimate the value of the enhancement, if any, to the properties in the defined enhancement study area based on the completion of the proposed street, sidewalk and driveway improvements that affect the subject properties as of July 14, 2014. |

**Function of Study:**

The function of this enhancement study is to assist the City of Dallas in estimating a fair and reasonable amount of the actual costs of the street, sidewalk and driveway improvements that the subject property owners should be levied based on the estimated market value enhancement to each property due to the proposed improvements by the City of Dallas.

**Scope of Study:**

The scope of this study encompasses the inspection of the subject properties, neighborhood and comparable properties. It also includes the collection of macro and micro data pertinent to the assignment. Further, the analysis of data is undertaken in order to support a conclusion of estimated value for the enhancement, if any, to the subject properties.

## GENERAL DATA

**Description for San Leon Avenue Project:**

Glencliff Drive to Dead-end, Dallas, Dallas County, Texas 75252 (Mapsco - **Dallas 59 J**)

**Property Owners:** Varied (see tables)

## AREA/NEIGHBORHOOD ANALYSIS

**Area Description:** The Pleasant Grove area of Southeast Dallas; a mix of residential and commercial developments; Bruton Road, Lake June Road, Buckner Blvd, St Augustine Road, and Elam Road, are the major roadways.

**Neighborhood Description:** Well established middle income residential neighborhood with schools, parks, churches, retail and commercial businesses; level to rolling terrain

**Property Values:** $50,000 - $100,000+ Residential (typical)

**Demand/Supply:** Stable/Adequate

**Neighborhood Land Use:** 75% residential; 25% retail, commercial and parks

**Neighborhood Trend & Probable Changes:** Neighborhood is stable; no anticipated changes

**Factors Affecting the Neighborhood:** No adverse factors noted

**Zoning Classification of Project Area:**

R-7.5(A) Residential - Single Family Residential

**Highest and Best Use:**

Residential Uses

**Utilities:** All available

**Easements, Encumbrances, Special Assessments:** None noted

**FEMA Flood Zone:** X500 - No Flood Plain

**FEMA Map No.:** 48113 C0510K dated 7/07/2014

**Known or Apparent Environmental Hazards:** No environmental hazards noted.

## IMPROVEMENT ANALYSIS

**General Description and Use:** The project area contains a park, single family residences and a private school.

**Size and Shape:** Various

**Comments:** Based only on a cursory inspection, the improvements in the project area appeared to be in good condition at the time of the inspection.

## PAVING ENHANCEMENT STUDY

A paving assessment study is a method of allocating assessments for public improvements, to the properties specially benefitted, in proportion to the special benefit derived by each property from the project.

Nearly a century ago, the United States Supreme Court recognized in the case of Norwood v. Baker that the principle underlying special assessments to meet the costs of public improvements is that "the property upon which they are imposed is peculiarly benefitted, and therefore, the owners do not, in fact, pay anything in excess of what they receive by reason of such improvement."[1]

Valid recommended assessments from a paving enhancement study prepared for a final assessment roll meet the following two criteria:

- They are equal to or less than the benefit accruing to that particular parcel.
- They are fair and in proportion to the special benefit derived by that parcel and all other parcels due to the project.

Significant variance in the assessment is sometimes noted on adjacent properties. This can result from the influence of factors including, but not limited to, existing building improvements, differences in zoning or projected intensity of use, corner influence, terrain, ratio of frontage to area, or changes in access characteristics. [2]

The question is whether a measurable benefit to properties abutting municipal improvements could be realized in the foreseeable future. In addressing this the Texas Court of Appeals quoted Iowa case law.

> The benefits to be derived in such cases are ordinarily not instant upon the inception or completion of the improvement, but materialize with developments of the future. They are nonetheless benefits because their full fruition is postponed, or because the present use to which the property Is devoted is not of a character to be materially affected by the improvement.[3]

The analyst employed an approach, as outlined in an article authored by *Robert Martin and Nicholas Ordway* as published in *The Appraisal Journal, October 1985*, that has been deem an industry standard for estimating an equitable assessment to the property owners for any enhancements they might receive from the improvements. This method is the Sales Comparison Method that employs the sales of properties that are located on both unimproved and improved streets in the area, or similar type areas for purposes of comparing the prices paid for properties that have and do not have curb/gutters/sidewalks.

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[1]Norwood v. Baker, 172 U.S. 269, 43L. Ed 443, 19 S. Ct. 187 (1898).

[2]Charles R. Macaulay, MAI, SRA "Special Benefit/Proportionate Assessment: Funding for Public Improvements" The Appraisal journal, January 1997

[3]Page v. City of Lockhart, 397 S.W. 2d 113, 119 (1965).

In addition to the Sales Comparison method, the analyst conducted a Market Data Analysis and enlisted the advice and counsel of persons knowledgeable in the field of real estate and government officials with experience dealing with paving enhancement operations. Combined, we believe that a fair and reasonable opinion can be concluded.

**Market Value**:

The price which a property should bring when it is offered for sale by one who desires, but is not obligated to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonable adaptable and for which it either is or in all reasonable probability will become available within the reasonable future. (See City of Austin v. Cannizzo, 267 S.W. 2d.808 (Tex. 1954).

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

a. buyer and seller are typically motivated;

b. both parties are well informed or well advised, and each acting in what he considers his own best interest;

c. a reasonable time is allowed for exposure in the open market;

d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

The definition above is quoted directly from Section 7.3025 of the Office of Comptroller of the Currency, March 1990.

## EVALUATION ANALYSIS

The improvements proposed by the City of Dallas are to include new street and drive approach improvements where necessary. In the Enhancement Study performed by the City of Dallas, the City calculated a Lineal Foot, Square Foot or Square Yard price in order to estimate the actual cost for each property for the proposed improvements. A summary of the assessment values presented in the study are as follows:

The assessed value of the enhancement was based on $3.43 to $63.85 per lineal foot for the street improvements and $6.85 to $40.88 per square yard for the drive approach improvements. Properties that have existing drives are not being assessed for the new improvements that take the place of the current improvements. This is one method of estimating the how the value of the improvements enhance the assessed value of the subject; however, there are other ways to analyze how the improvements enhancement the property.

We have reviewed the study performed by the City of Dallas pertaining to the subject properties regarding assessments to the property owners for the construction of the street and drive approach improvements. In addition to that study, we have tested another approach that we deem reasonable for estimating an equitable assessment to the property owners for any enhancements they might receive from the improvements. This method is the Sales Comparison Method that employs the sales of vacant tracts of land and improved properties in the area or similar type areas for purposes of comparing the prices paid for properties that have and do not have street and drive approach improvements. Concrete driveways do not play an important role in analyzing sales of unimproved properties since the builder/contractor is responsible for constructing a new driveway when building a new structure.

## SALES COMPARISON METHOD

This method involves comparing the sales prices of recent sales of vacant tracts of land with and without existing street and drive approach improvements and forming an opinion as to how much, if any, a purchaser is willing to pay for a property that has existing street and drive approach improvements over a tract that does not have those improvements.

The subject's area was searched for recent sales of a variety of vacant residential lots and non-residential tracts that were similar in size and location to the subject properties so that a comparative analysis of each type could be performed. This search provided very few sales of properties that did not have street and drive approach improvements due to the fact that most all of the streets in the area have these features. As such, the search was expanded to areas outside of the subject's immediate area in order to locate a sufficient number of sales of vacant lots/tracts with and without street and drive approach improvements. Numerous sales were located and examined and from this vast number of sales only a few were found that could be used for comparative analysis purposes. The subject properties employed in the analysis include both vacant residential lots and non-residential lots, and while the structures and areas employed in this analysis may not be truly comparable to the properties involved with this project, they do provide a basis for comparison between the properties with street and drive approach improvements and properties that do not have these features.

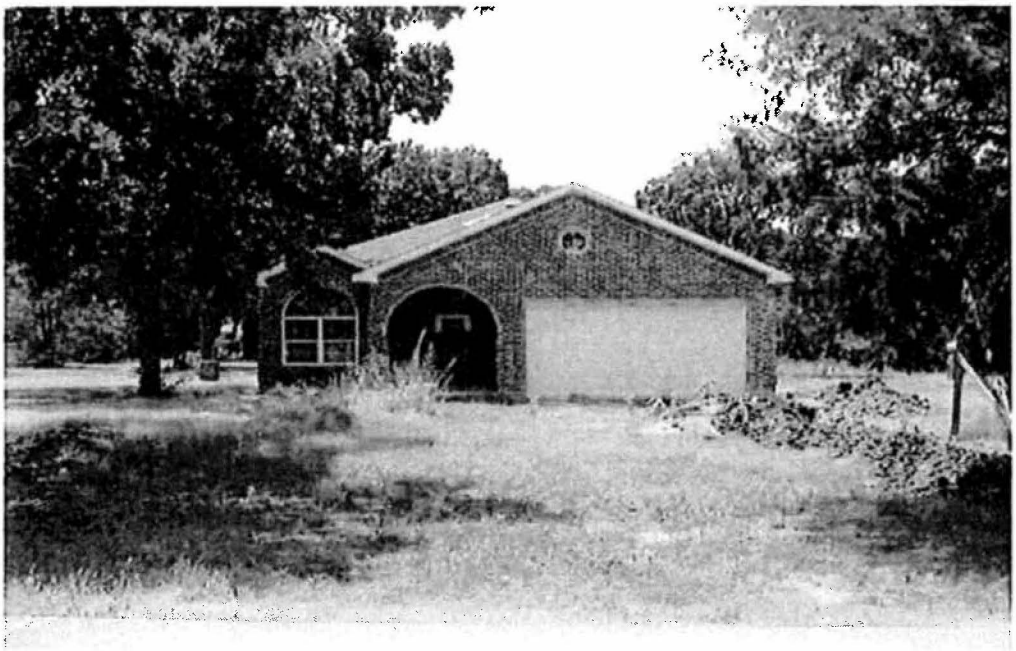
Adjustment grids for the following types of properties are located on the following pages:

1) Residential Lot Sales - Unimproved Street vs. Improved Streets

2) Residential Lot Sales - Unimproved Street vs. Improved Streets

Due to the fact that lots/tracts of land without street and drive approach improvements are relatively scarce, and sales of these types of properties are even more rare, it was necessary to employ sales in the comparative analysis that took place more than two years prior to this study however, all of the sales took place during a period in which no adjustment for market conditions was required. This was unavoidable given the lack of recent sales of properties without street improvements.

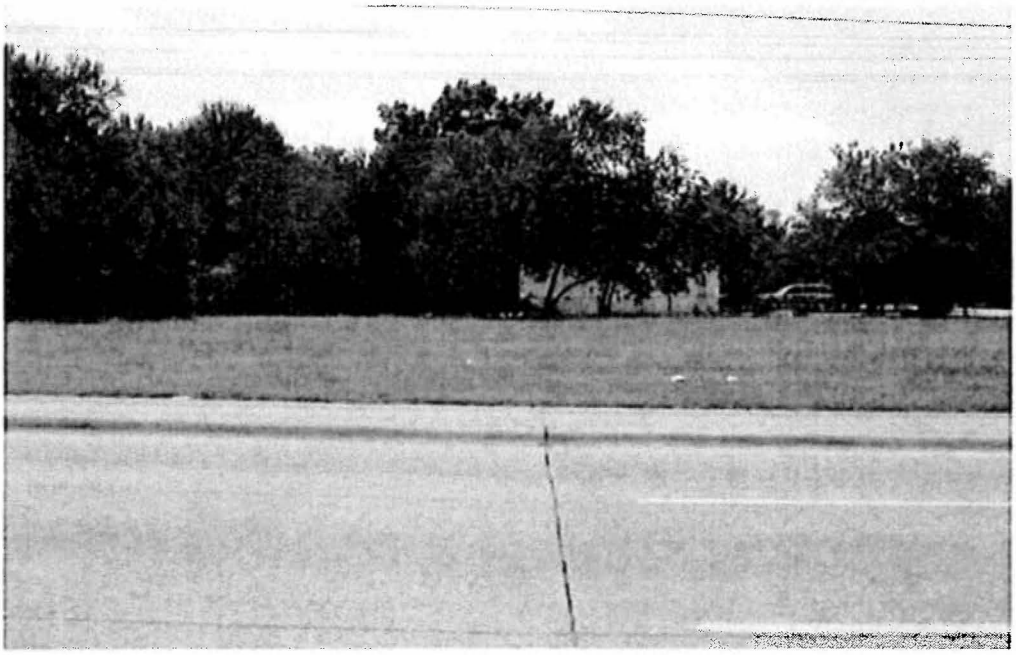
## RESIDENTIAL LOT SALE NO. 1 (will be employed as the subject lot)



| | |
|---|---|
| **Mapsco:** | 59P Dallas |
| **Location:** | 9428 Paramount Avenue, Dallas, Texas |
| **Grantor:** | Matthew Bashover |
| **Grantee:** | Marcial Medina |
| **Date of Sale:** | August 30, 2013 |
| **Recording Data:** | 201300276231 |
| **County:** | Dallas |
| **Size:** | 10,301 SF |
| **Shape:** | Rectangular |
| **Zoning:** | R-7(A)- Residential |
| **Utilities:** | All Available |
| **Topography:** | Basically Level |
| **Consideration:** | $14,000 |
| **Per SF:** | $1.36 |
| **Terms:** | Cash to Seller |
| **Cash Equivalent Consideration:** | $14,000 |
| **Per SF:** | $1.36 |
| **Source:** | MLS/Deed Records |
| **Comments:** | This site is located on a two-lane interior street which **is not** improved with curbs and gutters. |

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

## RESIDENTIAL LOT SALE NO. 2



| | |
|---|---|
| **Mapsco:** | 59J Dallas |
| **Location:** | 9208 Lake June Road, Dallas, Texas |
| **Grantor:** | Estate of JD Karnes |
| **Grantee:** | Sergio Garcia |
| **Date of Sale:** | May 25, 2012 |
| **Recording Data:** | 201200151004 |
| **County:** | Dallas |
| **Size:** | 16,592 SF |
| **Shape:** | Rectangular |
| **Zoning:** | R-75(A)- Residential |
| **Utilities:** | All Available |
| **Topography:** | Basically Level |
| **Consideration:** | $22,000 |
| **Per SF:** | $1.33 |
| **Terms:** | Cash to Seller |
| **Cash Equivalent Consideration:** | $22,000 |
| **Per SF:** | $1.33 |
| **Source:** | MLS/Deed Records |
| **Comments:** | This site is located on a four-lane major neighborhood street which is improved with curbs and gutters. |

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

## Residential Lot Sales
## Unimproved Street vs. Improved Streets

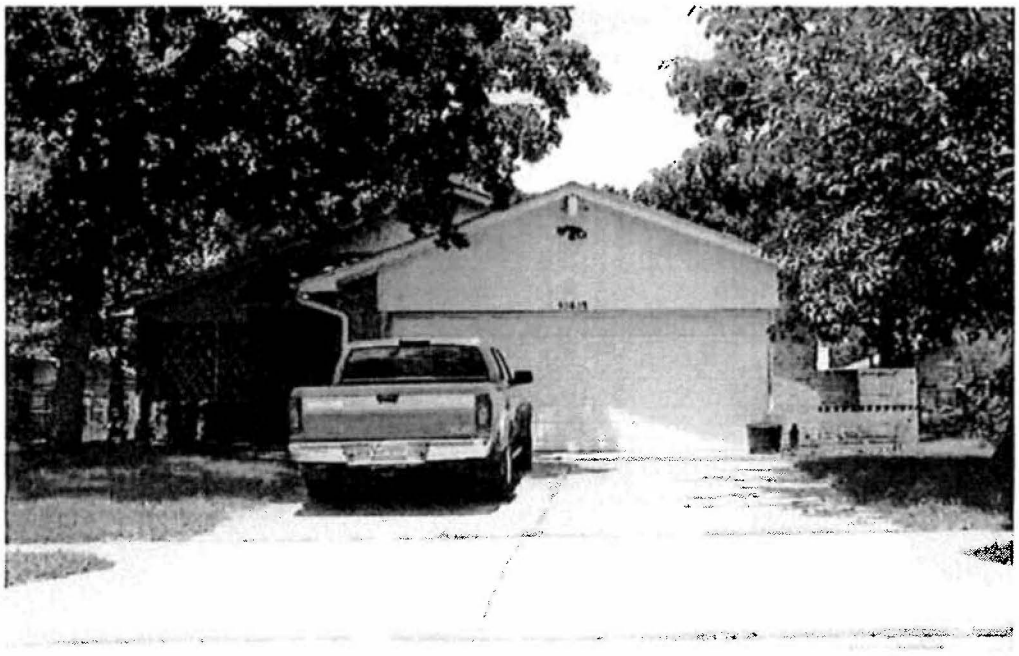
| Sales Price/ Per Square Foot | Sale 1 (Subject) 9428 Paramount $1.36 | Sale 2 9208 Lake June $1.33 | Sale 3 9843 Whistler $1.40 | Sale 4 6325 Pebble $1.25 |
|---|---|---|---|---|
| Cash Equivalency | -0- | -0- | -0- | -0- |
| Eff. Sale Pr. | $1.36 | $1.33 | $1.40 | $1.25 |
| Size/SF | 10,301 | 16,592<br>-0- | 8,576<br>-0- | 3,000<br>+5% |
| Curbs/Gutters | **No** | **Yes** | **Yes** | **Yes** |
| Location | Average | Similar<br>-0- | Similar<br>-0- | Similar<br>-0- |
| Net Adjustment | | -0-<br>$0.00 | -0-<br>$0.00 | + 5%<br>+$0.06 |
| Adjusted Sale Price | **$1.36** | **$1.33** | **$1.40** | **$1.31** |

The Subject, Sale 1, at 9428 Paramount Avenue is a 10,301 square foot lot that **did not** have street and drive approach improvements and sold for $1.36 per square foot. The three other sales **did** have those improvements on their sites and sold at prices ranging from $1.25 to $1.40 per square foot. All of the sales are located in the same general area and each has similar locational characteristics in regards to surrounding developments, type of homes and assessed lot and dwelling values. The main difference between the sales is their respective sizes. In a typical residential subdivision, lot sizes are relatively constant and the prices paid for the lots is usually based on a standard-size lot meaning that if the typical sized lot is 7,500 square feet and the median sales price paid for the standard lot is $10,200, the average lot price is $1.36 per square foot. If an 8,500 square foot lot sells for $11,900 the lot price would be $1.40 per square foot, and a 6,000 square foot lot would sell for $1.40 per square foot at a sales price of $8,400. Sale 3 and Sale 4 both had similar features as the subject lot, with the exception of the smaller size, Sale 4 was adjusted upward for its smaller size in comparison to the sale at 9428 Paramount Avenue to compensate for the difference in its price on a per square foot basis.

After making any warranted adjustments to the sales comparables, a range of values of $1.31 to $1.40 per square foot was derived.

Based on the sales prices of these sales, and taking into account any locational or site differences, it did not appear that there was any great variance in the prices paid for the two separate types of properties.

## IMPROVED RESIDENTIAL SALE NO. 2



| | |
|---|---|
| **Mapsco:** | 59L Dallas |
| **Location:** | 10831 Bravura Lane, Dallas, Texas |
| **Grantor:** | Raymond Lambert |
| **Grantee:** | Iliana Magana |
| **Date of Sale:** | January 2, 2014 |
| **Recording Data:** | 201400003566 |
| **County:** | Dallas |
| **Land Size:** | 6,054 SF |
| **Improvement Size:** | 1,059 SF |
| **Bedrooms:** | 3 |
| **Bathrooms:** | 2 |
| **Garage/Carport Spaces:** | 2 Car Garage |
| **Year Built:** | 1982 |
| **Condition:** | Good |
| **Consideration:** | $70,750 |
| **Per SF:** | $66.81 |
| **Terms:** | Cash to Seller |
| **Cash Equivalent Consideration:** | $70,7500 |
| **Per SF:** | $66.81 |
| **Source:** | MLS/Deed Records |
| **Comments:** | This site is located on a two-lane interior street which **is** improved with curbs and gutters. |

Every effort has been made to verify this information, including researching deed records, tax information, appraisal district information, zoning restrictions, flood plain maps, etc. However, the State of Texas does not require disclosure of real estate sale prices or terms, therefore we are dependant upon information obtained from parties with knowledge of the transaction. This information has been obtained from reliable sources and is assumed to be correct, but is in no way guaranteed by us to be accurate. Con-Real, LP reserves the right to revise any information regarding this comparable, should more accurate data become available.

## Improved Residential Sales
## Unimproved Street vs. Improved Streets

| Sales Price/ Per Square Foot | Sale 1 (Subject) 10315 Casnettt $49.07 | Sale 2 10831 Bravura $66.81 | Sale 3 9225 Pondview $51.61 | Sale 4 9243 Rosecliff $50.91 |
|---|---|---|---|---|
| Cash Equivalency | -0- | -0- | -0- | -0- |
| Eff. Sale Pr. | $49.07 | $66.81 | $51.61 | $50.91 |
| Improvement Size/SF | 1,284 | 1,059 | 1,550 -5% | 1,650 -5% |
| Curbs/Gutters | **No** | **Yes** | **Yes** | **Yes** |
| Location | Average | Average -0- | Average -0- | Average -0- |
| Bedrooms | 3 | 3 -0- | 4 -0- | 3 -0- |
| Bathrooms | 2 | 2 -0- | 2 -0- | 2 -0- |
| Parking | 1 Car Gar. +5% | 2 Car Gar. -0- | 2 Car Gar. -0- | 2-Car Gar. -0- |
| Condition | Fair +10% | Good -15% | Fair +15% | Fair +15% |
| Net Adjustment | +15% +$7.36 | -15% -$10.02 | +10% +$5.16 | +10% +$5.09 |
| Adjusted Sale Price | $56.43 | $56.79 | $56.77 | $56.00 |

The Subject, Sale 1, at 10315 Casnett Drive is a 1,284 square foot house that **did not** have street and drive approach improvements and sold for $49.07 per square foot. The three other sales **did** have curbs/gutters and sidewalks on their properties and sold at prices ranging from $50.91 to $66.81 per square foot. All of the sales are located in the same general area and each has similar locational characteristics in regards to surrounding developments, type of homes and assessed lot and dwelling values. The main difference between the sales is their respective sizes, and condition at the time of sale. Adjustments for differences were made where needed and accordingly. After making any warranted adjustments to the sales comparables, a range of values of $56.00 to $56.79 per square foot was derived.

Based on the sales prices of these sales, and taking into account any differences, it did not appear that there was any great variance in the prices paid for the two separate types of properties.

## MARKET DATA ANALYSIS

In addition to the Sales Comparison Method of determining whether or not the subject properties will experience any enhancement in value caused by the street improvements, the analyst also enlisted advice from several different sources. These sources included real estate brokers, city officials and other people who have engaged in similar type studies. Below is a partial list of the people who were contacted and a summary of their responses. All of the responses are based on properties that are assumed to be vacant tracts of land.

Art Phillips - Broker - Re/Max

Mr. Phillips stated that he would most likely list a property with curbs and gutters at a higher rate per square foot than one without the street improvements. He indicated that he would probably increase the asking price by approximately 5% over a tract that was located on a street without street and drive approach improvements.

Trey Neville - Broker - Site Property Company

Mr. Neville said that he would expect a property with street and drive approach improvements to command a higher price per square foot than one without and that he would list it higher. He stated that a 5% difference between the two types of properties would be fair.

John Lucas - Broker -Century 21-Mike Bowman

Unlike the other brokers, Mr. Lucas did not feel like there would be any difference in prices between the two types of properties and stated that he would not list them differently.

Johnny Bratton - Broker - Re/Max

Mr. Bratton, like Mr. Lucas, did not believe that there was any significant difference between the two properties and said he would not list them at different prices all other things being equal.

Frank Juster - Broker - Dunn Commercial

It was Mr. Juster's opinion that a property with street and drive approach improvements may experience a minuscule increase in value over a property that did not have the same improvements.

Galen Morrison - Appraiser/former Right-of-Way Agent TxDoT

Mr. Morrison spent 10 years working as a right-of-way agent for Texas Department of Transportation and now works as an appraiser and a review appraiser for many TxDoT projects. Mr. Morrison stated that he believes that properties that have been improved with street and drive approach improvements experience an increase in value based on the number of projects that he has been associated with, but that the increase in very small and sometimes unquantifiable.

## ASSESSMENT VALUATION PROCESS

The analyst acknowledges that the new street improvements will provide some enhancement to the overall value of the subject properties, but the improvements will not increase the value of the subject properties at the same rate the City is proposing to assess the property owners. As with all home improvements, the value of the enhancement is very rarely equal to or greater than the actual cost of the improvement. Samples of these types of improvements are: new roofs, replaced fencing, updating of flooring, kitchens, bathrooms, etc. Generally speaking, these type of repairs, renovations or enhancements cost more to replace/construct than they will ever return should the property be sold. A good example is the addition of a swimming pool. A typical swimming pool can cost $25,000 to install, but upon resale rarely yields $10,000 more than a similar property without a swimming pool. The same goes for a new roof. While a new roof may be a selling feature in trying to market the property, very rarely does the property owner ever realize a return on the sale of the property equal to the cost to install the new roof. The same is true with the proposed street and drive approach improvements. **Based on the market data gathered and examined by the analyst, it is my opinion that the market value of the subject properties will only experience a slight increase in value because of the proposed improvements.**

In an effort to be equitable to the property owners, given that all of the property owners are supposedly paying their fair share, it is our opinion that the property owners be assessed at a rate of 10% of the assessed value of the lot for the street improvements (concrete paving, curbs/gutters), and that the property owners be assessed at a rate of 50% of the estimated construction cost of the sidewalk and concrete drive improvements. Some of the properties in the project areas already have sidewalks and drives. Those property owners should not be compelled to pay additional monies for improvements that they already have in place. In some instances, particularly on the subject parcels with large tracts of land, 10% of the assessed land value is greater than the total estimated cost of the proposed improvements. This is due to the fact that these properties typically have a large amount of road frontage and benefit from greater exposure from the street, and in those instances the estimated cost of the improvements as proposed by the City of Dallas is the recommended amount.

For special cases where side yards and alley/rear property improvements occur, the depth table can be applied. The depth table evaluates the relative value of artificially defined slices of property as one proceeds at greater depths from the street frontage. The first and most simple table is the 4-3-2-1 table, which describes the front quarter of a parcel as representing 40% of the total value, the next quarter as representing 30% of the value, the next quarter as representing 20% of the value, and the rearmost quarter as representing 10% of the value.

The Tables on the following pages identifies each of the subject properties, the assessment process employed by the City of Dallas, and finally, my estimation of a fair and reasonable value for the assessment.

**PROJECT:**
**SAN LEON AVENUE FROM GLENCLIFF DRIVE TO DEAD END**

| Owner | Lot | Block | Frontage | Rate | Amount | Total Assessment | Tax Assessment Value - Land | Recommended Assessment |
|---|---|---|---|---|---|---|---|---|
| **NORTH SIDE OF STREET** | | | | | | | | |
| | | | ***LAKE JUNE REVISED*** | | | | | |
| LUIS F SAENZ & VERONICA PASTERNAK<br>10689 GREENBRIER CIR<br>FORNEY, TX 75126 | Tr 1<br>.0789 acs<br>1040 Glencliff Dr | 21/6662 | 142 Ft Pvmt | $12.98 | $1,843.16 | $1,843.16 | $28,000.00 (10% of lot value is $2,800; apply 10% of the assessment for the side property improvement {$280}) | **$ 280.00** |
| CHARLES & REGINA COLE<br>9219 SAN LEON AVE<br>DALLAS, TEXAS 75217 | E 150' & Blk 26/6662<br>Lt E<br>200x300 | 21/6662 | 200 Ft Pvmt<br>6.6 SY<br>(10' wide) | $63.42<br>$40.88 | $12,684.00<br>$269.81 | $12,953.81 | $28,000.00 (10% of lot value {$2,800} does not exceed total assessment) | **$2,800.00**<br>**$ 134.91**<br>**$2,934.91** |
| THOMAS HOLMAN<br>9311 SAN LEON AVE<br>DALLAS, TEXAS 75217 | F, G & H | 26/6662 | 150 Ft Pvmt<br>20 Ft Drive | $63.42<br>No Cost | $9,513.00<br>$0.00 | $9,513.00 | $28,000.00 (10% of lot value {$2,800} does not exceed total assessment) | **$2,800.00** |

| Owner | Lot | Block | Frontage | Rate | Amount | Total Assessment | Tax Assessment Value - Land | Recommended Assessment |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| GILBERTO MENCHACA<br>9319 SAN LEON AVE<br>DALLAS, TEXAS 75217 | E | 27/6662 | 50 Ft Pvmt<br>6.6 SY<br>(10' Wide) | $63.42<br>$40.88 | $3,171.00<br>$269.81 | $3,440.81 | $14,000 (10% of lot value {$1,400} does not exceed total assessment) | **$1,400.00**<br>**$ 134.91**<br>**$1,534.91** |
| ROSALBA SALAZAR GARCIA<br>9023 POST OAK CIR<br>DALLAS, TEXAS 75217 | F<br>9323<br>San Leon Ave<br>. | 27/6662 | 50 Ft Pvmt | $63.42 | $3,171.00 | $3,171.00 | $14,000 (10% of lot value {$1,400} does not exceed total assessment) | **$1,400.00** |
| ROSALBA SALAZAR GARCIA<br>9023 POST OAK CIR<br>DALLAS, TEXAS 75217 | G<br>9327<br>San<br>Leon<br>Ave | 27/6662 | 50 Ft Pvmt | $63.42 | $3,171.00 | $3,171.00 | $14,000 (10% of lot value {$1,400} does not exceed total assessment) | **$1,400.00** |
| CITY OF DALLAS<br>1500 MARILLA ST.<br>DALLAS, TEXAS 75201 | H<br>9331<br>San<br>Leon<br>Ave | 27/6662 | | | | **None** | | |
| CITY OF DALLAS<br>1500 MARILLA ST<br>DALLAS, TEXAS 75201 | E<br>9403<br>San<br>Leon<br>Ave | 27/6662 | | | | **None** | | |
| | | | | | | | | |

| Owner | Lot | Block | Frontage | Rate | Amount | Total Assessment | Tax Assessment Value - Land | Recommended Assessment |
|---|---|---|---|---|---|---|---|---|
| CITY OF DALLAS<br>1500 MARILLA ST<br>DALLAS, TEXAS 75201 | F<br>9407<br>San<br>Leon<br>Ave | 28/6662 | | | | **None** | | |
| **SOUTH SIDE OF STREET** | | | | | | | | |
| | | | | | | | | |
| RAYMONDO M. GARCIA<br>9404 SAN LEON AVE<br>DALLAS, TX 75217 | D & Blk<br>28/6662<br>Lt C & D& Pt<br>Blk 29/6662<br>200x213 | 27/6662 | 130 Ft Pvmt<br>10.6 SY<br>(19' wide | $63.42<br>$40.88 | $8,244.60<br>$433.33 | $8,677.93 | $34,300.00<br>(10% of lot value {$3,430} does not exceed total assessment) | **$3,430.00**<br>**$ 216.67**<br>**$3,646.67** |
| ADRIAN G FLORES &<br>BEATRIZ GURROLA<br>9322 SAN LEON AVE<br>DALLAS, TX 75217 | E Pt<br>Lt C<br>50x150 | 27/6662 | 50 Ft Pvmt<br>10 Ft Drive | $63.42<br>No Cost | $3,171.00<br>$0.00 | $3,171.00 | $14,000.00<br>(10% of lot value {$1,400} does not exceed total assessment) | **$1,400.00.** |
| ***LAKE JUNE REVISED*** | | | | | | | | |
| ROBERT GARCIA<br>OLVERA<br>9318 SAN LEON<br>AVE<br>DALLAS, TX 75217 | W Pt Lt C<br>50x150 | 27/6662 | 50 Ft Pvmt<br>10 Ft Drive | $63.42<br>No Cost | $3,171.00<br>$0.00 | $3,171.00 | $14,000.00<br>(10% of lot value {$1,400} does not exceed total assessment) | **$1,400.00** |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| DANIEL DAVILA<br>9314 SAN LEON AVE<br>DALLAS, TX 75217 | D | 26/6662 | 100 Ft Pvmt<br>6.6 SY<br>(10' wide) | $63.42<br>$40.88 | $6,342.00<br>$269.81 | $6,611.81 | $17,500.00<br>(10% of lot value<br>{$1,750} does not exceed total assessment) | **$1,750.00**<br>**$ 134.91**<br>**$1,884.91** |
| ANGELINA C. ESTRADA<br>10511 CYMBAL DR<br>DALLAS, TX 75217 | C<br>9300<br>San Leon Av | 26/6662 | 100 Ft Pvmt<br>15 Ft Drive | $63.42<br>No Cost | $6,342.00<br>$0.00 | $6,342.00 | $17,500.00<br>(10% of lot value)<br>{$1,750} does not exceed total assessment) | **$1,750.00** |
| JULIAN & PETRA JUAREZ<br>9221 PARAMOUNT AVE<br>DALLAS, TX 75217 | 21R/6662<br>Glencliff-<br>Paramount<br>&<br>San Leon | 22/6662 | 295 Ft Pvmt<br>23 Ft Drive | $15.96<br>No Cost | $4,708.20<br>$0.00 | $4,708.20 | $30,800<br>(10% of lot value is $3,080; apply 10% of the assessment for the rear of property {$308}) | **$308.00** |

**Reconciliation and General Comments:**

The Sales Comparison Method was not extremely beneficial in this study due to a lack of recent sales of properties needed to perform a comparative analysis. We have employed sales of vacant residential lots and vacant tracts of non-residential land with and without street and drive approach improvements in order to perform a comparative analysis.

Despite the distance between the subject sites and the sales, we were able to gather enough data to perform a comparative analysis on both types of properties. These analyses did not indicate that a premium was being paid for properties with street and drive approach improvements when compared to sales of similar type properties that did not possess those features. That does not necessarily mean that a property is not more marketable or attractive to a potential purchasers, it only means that based on the data we were able to gather and verify, we could not positively prove that a difference existed in the marketplace.

While it is true that the property owners will receive a nominal benefit from having new street and drive approach improvements, the benefit received from these new items will only provide a minimal amount of enhanced value to the properties when compared to the largest portion of the value of the lot; the land mass itself. As such, it is our contention that the subject properties will increase in value from the street and drive approach improvements proposed by the City of Dallas, but not by the actual cost of the improvements. It is our opinion that the property owners should be assessed at a rate of 10% of the assessed value of the lot for the street improvements, and that the property owners be assessed at a rate of 50% of the estimated construction cost of the drive approach improvements.

## CERTIFICATE

We do hereby certify that, except as otherwise noted in this report:

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, unbiased professional analyses, opinions and conclusions.

3. We have no present or prospective interest in the property which is the subject of this report and we have no personal interest or bias with respect to the parties involved.

4. Our compensation is not contingent upon an action or event resulting from the analyses, opinions or conclusions in, or the use of, our report. This assignment was not based on a requested minimum valuation, a specific valuation, or approval of a loan.

5. Ownership and site data was obtained from information appearing on the Tax Rolls and from data provided by the client.

6. Troy C. Alley, Jr. and K. Norman Hansen are both Certified General Real Estate Appraisers by the State of Texas.

7. Troy Alley, Jr. has made a personal inspection of the property which is the subject of this report. K. Norman Hansen has also made a personal inspection of the property.

8. K. Norman Hansen provided significant professional assistance to the person signing this report.

9. The assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

10. The analyst(s) is not an employee, officer or appointed board or commission member of the City of Dallas. We did not consider race, color, religion, sex, national origin, handicap or familial status in determining the value of the Subject Property.

11. **THIS IS NOT AN OPINION OF VALUE, IT IS A COMPARATIVE MARKET ANALYSIS AND SHOULD NOT BE CONSIDERED AN APPRAISAL. In making any decision that relies upon our work, you should know that we have NOT followed the guidelines for development of an appraisal or analysis contained in the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.**

**Con-Real, LP**

Troy C. Alley, Jr.
Analyst

ORDINANCE NO._____

AN ORDINANCE LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING STREET IN THE CITY OF DALLAS, TEXAS, TO WIT:

**San Leon Avenue from Glencliff Drive to dead-end**

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID STREET, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

**WHEREAS,** heretofore a resolution was duly adopted by the City Council ordering the improvements of

**San Leon Avenue from Glencliff Drive to dead-end**

by filling, raising, grading, and paving same; and,

**WHEREAS,** pursuant to said resolution, specifications and an estimate of the cost of such improvements were prepared for said work by the Director of Public Works (City Engineer), filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and,

**WHEREAS,** in compliance with the law the City Engineer prepared his statements or lists showing the names of property owners upon said street the description of their property, the total cost of the said improvements, the cost there of per front foot and cost to each property owner, said statements possessing all the other requisites required by law; and,

**WHEREAS,** thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, all in accordance with the terms of applicable law, at which hearing to such property owners were to be heard as to the benefits of the said improvements to their property, as to any error or invalidity in said proceedings, or to any matter or thing connected with the said improvements; and,

**WHEREAS,** the said resolution in connection with the improvement of said street was duly adopted in compliance with the law on the 13th day of August, 2014; and,

**WHEREAS,** in accordance with the terms of the law, the City of Dallas gave notice to the property owners on said street of said hearing, by publishing a copy of said notice in the Dallas Morning News, a daily paper of general circulation in the City of Dallas, for three successive days prior to the days set for the hearing, to wit, the 10th day of September, 2014; and the City also gave notice of said hearing by mailing letters containing the same to said property owners at least fourteen (14) days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and,

**WHEREAS,** said hearing was held at the time and place mentioned in the said resolution and notice, to wit, on the 10th day of September, 2014 at 1:00 o'clock P.M. at the Council Chamber in the City Hall of the City of Dallas, Texas, which hearing was then closed; and,

**WHEREAS,** at said hearing, all desiring to contest the said assessments, correct the same, or in any manner be heard concerning the benefits thereof, or in any related matter, were heard, and errors and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected.

**Now, Therefore,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:**

**SECTION 1.** That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 10th day of September, 2014, in these proceedings is hereby ratified and confirmed by this ordinance. That the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the street herein below mentioned and against the owners thereof; that such assessments and charges are right and proper, and are substantially in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice, equality, and uniformity between the respective owners of the respective properties between all parties concerned, considering the benefits received and burdens imposed. The Council further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance. The Council further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and that the proceedings of the City heretofore had with reference to said improvements are in all respects valid and regular.

**SECTION 2.** That there shall be and is hereby levied and assessed against the parcels of property hereinbelow mentioned, and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same and the owners thereof, as far as such owners are known, being as follows:

**SAN LEON AVENUE FROM GLENCLIFF DRIVE TO DEAD END SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH**

| OWNER | LOT(S) | BLOCK | FRONTAGE | | RATE | AMOUNT | TOTAL ASSESSMENT |
|---|---|---|---|---|---|---|---|
| **NORTH SIDE OF STREET** | | | | | | | |
| | | ***LAKE JUNE REVISED*** | | | | | |
| LUIS F SAENZ & | Tr 1 | 21/6662 | 142 | FT PVMT | $12.98 | $1,843.16 | |
| VERONICA P PASTERNAK | 0.789 Acs | | **TOTAL** | | | $1,843.16 | |
| 10689 GREENBRIER CIR | **1040** | | **ADJ PER ENHANCEMENT EVAL** | | | $1,563.16 | |
| FORNEY, TX 75126 | **Glencliff Dr** | | **NET DUE BY OWNER** | | | | **$280.00** |
| CHARLES & REGINA COLE | E 150Ft & | 21/6662 | 200 | FT PVMT | $63.42 | $12,684.00 | |
| 9219 SAN LEON DR | Block 26/6662 | | 6.6 | SY (10' WIDE) | $40.88 | $269.81 | |
| DALLAS, TX 75217 | Lt E 200x300 | | **TOTAL** | | | $12,953.81 | |
| | | | **ADJ PER ENHANCEMENT EVAL** | | | $10,018.90 | |
| | | | **NET DUE BY OWNER** | | | | **$2,934.91** |
| THOMAS HOLMAN | F, G & H | 26/6662 | 150 | FT PVMT | $63.42 | $9,513.00 | |
| 9311 SAN LEON AVE | | | 20 | FT DRIVE | No Cost | $0.00 | |
| DALLAS, TX 75217 | | | **TOTAL** | | | $9,513.00 | |
| | | | **ADJ PER ENHANCEMENT EVAL** | | | $6,713.00 | |
| | | | **NET DUE BY OWNER** | | | | **$2,800.00** |
| GILBERTO MENCHACA | E | 27/6662 | 50 | FT PVMT | $63.42 | $3,171.00 | |
| 9319 SAN LEON AVE | | | 6.6 | SY (10' WIDE) | $40.88 | $269.81 | |
| DALLAS, TX 75217 | | | **TOTAL** | | | $3,440.81 | |
| | | | **ADJ PER ENHANCEMENT EVAL** | | | $1,905.90 | |
| | | | **NET DUE BY OWNER** | | | | **$1,534.91** |
| ROSALBA SALAZAR GARCIA | F | 27/6662 | 50 | FT PVMT | $63.42 | $3,171.00 | |
| 9023 POST OAK CIR | **9323** | | **TOTAL** | | | $3,171.00 | |
| DALLAS, TX 75217 | **San Leon Av** | | **ADJ PER ENHANCEMENT EVAL** | | | $1,771.00 | |
| | | | **NET DUE BY OWNER** | | | | **$1,400.00** |

**SAN LEON AVENUE FROM GLENCLIFF DRIVE TO DEAD END SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH**

| OWNER | LOT(S) | BLOCK | FRONTAGE | RATE | AMOUNT | TOTAL ASSESSMENT |
|---|---|---|---|---|---|---|
| | | | ***LAKE JUNE REVISED*** | | | |
| ROSALBA SALAZAR GARCIA | G | 27/6662 | 50 FT PVMT | $63.42 | $3,171.00 | |
| 9023 POST OAK CIR | **9327** | | **TOTAL** | | $3,171.00 | |
| DALLAS, TX 75217 | **San Leon Av** | | **ADJ PER ENHANCEMENT EVAL** | | $1,771.00 | |
| | | | **NET DUE BY OWNER** | | | **$1,400.00** |
| CITY OF DALLAS | H | 27/6662 | | | | |
| 1500 MARILLA ST | 9331 | | | **NO ASSESSMENT** | | |
| DALLAS, TX 75201 | San Leon Av | | | | | |
| CITY OF DALLAS | E | 28/6662 | | | | |
| 1500 MARILLA ST | 9403 | | | **NO ASSESSMENT** | | |
| DALLAS, TX 75201 | San Leon Av | | | | | |
| CITY OF DALLAS | F | 28/6662 | | | | |
| 1500 MARILLA ST | 9407 | | | **NO ASSESSMENT** | | |
| DALLAS, TX 75201 | San Leon Av | | | | | |
| **SOUTH SIDE OF STREET** | | | | | | |
| RAYMONDO M GARCIA | D | 27/6662 | 130 FT PVMT | $63.42 | $8,244.60 | |
| 9404 SAN LEON AVE | & Blk 28/6662 | | 10.6 SY (19' WIDE) | $40.88 | $433.33 | |
| DALLAS, TX 75217 | Lt C & D & | | **TOTAL** | | $8,677.93 | |
| | Pt Blk 29/6662 | | **ADJ PER ENHANCEMENT EVAL** | | $5,031.26 | |
| | 200x213 | | **NET DUE BY OWNER** | | | **$3,646.67** |
| ADRIAN G FLORES & | E Pt Lt C | 27/6662 | 50 FT PVMT | $63.42 | $3,171.00 | |
| BEATRIZ GURROLA | 50x150 | | 10 FT DRIVE | No Cost | $0.00 | |
| 9322 SAN LEON AVE | | | **TOTAL** | | $3,171.00 | |
| DALLAS, TX 75217 | | | **ADJ PER ENHANCEMENT EVAL** | | $1,771.00 | |
| | | | **NET DUE BY OWNER** | | | **$1,400.00** |

**SAN LEON AVENUE FROM GLENCLIFF DRIVE TO DEAD END SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICKNESS 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH THICKNESS REINFORCED CONCRETE DRIVE APPROACH; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH**

| OWNER | LOT(S) | BLOCK | FRONTAGE | | RATE | AMOUNT | TOTAL ASSESSMENT |
|---|---|---|---|---|---|---|---|
| | | | ***LAKE JUNE REVISED*** | | | | |
| ROBERT GARCIA OLVERA | W Pt Lt C | 27/6662 | 50 | FT PVMT | $63.42 | $3,171.00 | |
| 9318 SAN LEON AVE | 50x150 | | 10 | FT DRIVE | No Cost | $0.00 | |
| DALLAS, TX 75217 | | | **TOTAL** | | | $3,171.00 | |
| | | | **ADJ PER ENHANCEMENT EVAL** | | | $1,771.00 | |
| | | | **NET DUE BY OWNER** | | | | **$1,400.00** |
| DANIEL DAVILA | D | 26/6662 | 100 | FT PVMT | $63.42 | $6,342.00 | |
| 9314 SAN LEON AVE | | | 6.6 | SY | $40.88 | $269.81 | |
| DALLAS, TX 75217 | | | **TOTAL** | | | $6,611.81 | |
| | | | **ADJ PER ENHANCEMENT EVAL** | | | $4,726.90 | |
| | | | **NET DUE BY OWNER** | | | | **$1,884.91** |
| ANGELINA C. ESTRADA | C | 26/6662 | 100 | FT PVMT | $63.42 | $6,342.00 | |
| 10511 CYMBAL DR | **9300** | | 15 | FT DRIVE | No Cost | $0.00 | |
| DALLAS, TX 75217 | **San Leon Av** | | **TOTAL** | | | $6,342.00 | |
| | | | **ADJ PER ENHANCEMENT EVAL** | | | $4,592.00 | |
| | | | **NET DUE BY OWNER** | | | | **$1,750.00** |
| JULIAN & PETRA JUAREZ | 21R/6662 | 22/6662 | 295 | FT PVMT | $15.96 | $4,708.20 | |
| 9221 PARAMOUNT AVE | Glencliff-Paramount & | | 23 | FT DRIVE | No Cost | $0.00 | |
| DALLAS, TX 75217 | San Leon | | **TOTAL** | | | $4,708.20 | |
| | | | **ADJ PER ENHANCEMENT EVAL** | | | $4,400.20 | |
| | | | **NET DUE BY OWNER** | | | | **$308.00** |

**San Leon Avenue from Glencliff Drive to dead-end**

| | | |
|---|---|---|
| Grand Total Property Owners' Cost - Assessments | $66,774.72 | |
| Adjustments Per Enhancement Evaluation | $46,035.32 | |
| Net Due by Owners | | $20,739.40 |
| Total City of Dallas' Cost - Paving | $330,455.60 | |
| Total City of Dallas' Cost - Drainage | $86,360.00 | |
| Total Water Utilities Department Cost<br>Water and Wastewater Adjustments | $85,150.00 | |
| Total City of Dallas' Cost | | $501,965.60 |
| Total Cost of Improvements | | $522,705.00 |

**SECTION 3.** That where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

**SECTION 4.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight per centum (8.00%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

**SECTION 5.** That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by suit in any court having jurisdiction or by lien foreclosure.

**SECTION 6.** That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates may be issued by the City of Dallas upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by his facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Dallas, or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall contain the name of the owner and the description of his property by Lot or Block Number of front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And that the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Dallas being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And that the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises and shall provide that if default shall be made in the payment thereof, the same may be enforced as above provided.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly in compliance with the terms of the applicable law, and that all prerequisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be prima facie evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide that the amounts payable thereunder shall be paid to the City Controller of the City of Dallas, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Dallas, to be kept and held by him in a special fund, which is hereby designated as Capital Assessments Fund and which payments shall be by the Treasurer paid to the said City of Dallas or other holder of the said certificates, on presentation thereof to him, duly credited by the City Controller the said credit by said City Controller being the Treasurer's Warranty for making such payment and the said City of Dallas or other holder of said certificate, shall receipt in writing to said Treasurer when paid in full, together with all costs of collection.

**SECTION 6.** (continued)

And that the said certificates shall further provide that the City of Dallas shall exercise all legal power, when requested so to do by the holder of said certificate, to aid in the collection thereof; but the City of Dallas shall in nowise be liable to the holder of said certificates in any manner for payment of the amount evidenced by the said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidates or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

**SECTION 7.** That all assessments levied are a personal liability and charged against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 8.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law has been adopted as an alternative method for the construction of street improvements in the City of Dallas, Texas, by Chapter XX of the Charter of the City of Dallas.

**SECTION 9.** That the assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in nowise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in nowise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

**SECTION 10.** That the City Manager, or her designee, is hereby authorized to execute releases of any paving assessment liens herein levied and assessed against the parcels of property and owners thereof, if same are fully paid, such releases to be approved as to form by the City Attorney and attested by the City Secretary.

**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 ordained.

APPROVED AS TO FORM:
WARREN M. S. ERNST,
City Attorney

BY _____
Assistant City Attorney

Prepared by _____
Project Coordinator

Approved by _____
Director, Public Works Department

**WHEREAS,** on August 13, 2014, Resolution No. 14-1239 authorized improvements and the public hearing; and,

**WHEREAS,** bids were received on July 10, 2014, for street paving and storm drainage improvements for San Leon Avenue from Glencliff Drive to Dead-end, as follows:

| **BIDDERS** | **BID AMOUNT** |
|---|---|
| FNH Construction, LLC | $522,705.00 |
| Texas Standard Construction | $539,172.50 |
| Camino Construction LP | $553,168.00 |
| RBR Infrastructure Road | $585,960.00 |
| Jeske Construction Co. | $617,328.00 |

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute a construction contract with FNH Construction, LLC for the construction of street paving and storm drainage improvements for San Leon Avenue from Glencliff Drive to dead-end, in an amount not to exceed $522,705.00, this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

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

| | |
|---|---|
| Street and Transportation Improvements Fund<br>Fund 2T22, Department PBW, Unit U301, Act. STPT<br>Obj. 4510, Program #PB06U301, CT PBW06U301L1<br>Vendor #VS85962, in an amount not to exceed | $437,555.00 |
| Water Construction Fund<br>Fund 0102, Department DWU, Unit CW42,<br>Obj. 3221, Program #714399, CT DWU714399EN<br>Vendor #VS85962, in an amount not to exceed | $61,150.00 |
| Wastewater Construction Fund<br>Fund 0103, Department DWU, Unit CS42,<br>Obj. 3222, Program #714400, CT DWU714400EN<br>Vendor #VS85962, in an amount not to exceed | $24,000.00 |
| Total in an amount not to exceed | $522,705.00 |

**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 # 49**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Public Works Department

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

**MAPSCO:** 12 Z 22 D 23 A E J N S T X 33 B

## SUBJECT

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Denton Drive from Webb Chapel Extension to the Farmers Branch city limits from a four-lane undivided roadway (M-4-U) within 60 feet of right-of-way to a special three-lane undivided roadway (SPCL 3U) with a bicycle facility within a variable 62 to 80 feet right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

## BACKGROUND

The Public Works Department is requesting an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Denton Drive from Webb Chapel Extension to the Farmers Branch city limits from a four-lane undivided roadway (M-4-U) within 60 feet of right-of-way to a special three-lane undivided roadway (SPCL 3U) within a variable 62 to 80 feet right-of-way. An eight foot two-way cycle track will be provided on the East side of Denton Drive.

The City of Dallas and Dallas County have entered into an agreement to design and fund the construction of a roadway that promotes the Trail Connection Master Plan and provide access to adjacent land uses. To increase livability in this area, a sustainable street design approach that places emphasis on creating a complete multi-modal street system that facilitates walking, bicycling, transit use as well as automobile use was taken. The new design will improve connectivity for pedestrians and bicyclists to the DART Walnut Hill/Denton Station and the surrounding development. Staff has determined that a reduction in the number of travel lanes is appropriate and the proposed cross section can accommodate both existing and projected traffic volumes and enhance parkway amenities. The proposal incorporates the vision of the community and the Asian Trade District Master Plan.

**BACKGROUND** (Continued)

Staff recommends approval of the amendment to the Thoroughfare Plan to change the dimensional classification of Denton Drive from Webb Chapel Extension to the Farmers Branch city limits from a four-lane undivided roadway (M-4-U) within 60 feet of right-of-way to a special three-lane undivided roadway (SPCL 3U) with a bicycle facility within a variable 62 to 80 feet right-of-way.

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

The City Plan Commission Transportation Committee was briefed on July 24, 2014, and recommended approval.

The City Plan Commission was briefed on August 7, 2014, and recommended approval.

**MAP**

Attached

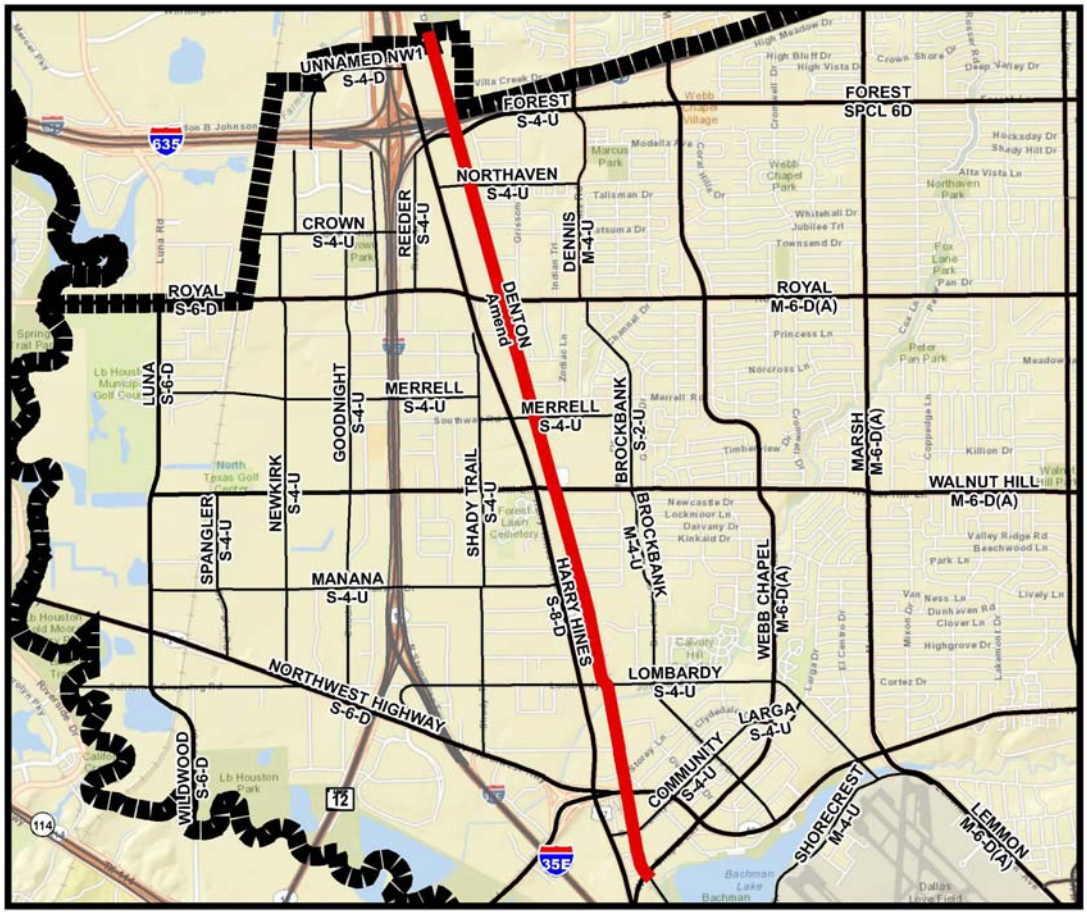
# DENTON DRIVE

Farmers Branch City Limits to Webb Chapel Ext.

## Council District 6

MAPSCO: 12Z, 22D, 23A,E,J,N,S,T,X, 33B

## Thoroughfare Plan Amendment
## Thoroughfare Map



**AGENDA ITEM # 50**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 3

**DEPARTMENT:** Public Works Department

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

**MAPSCO:** 71 B-A E F K L

## SUBJECT

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Mountain Creek Parkway from Eagle Ford Drive to Clark Road from a six-lane divided roadway {M-6-D(A)} within 100 feet of right-of-way to a special four-lane divided roadway (SPCL 4D) with a bicycle facility within 100 feet right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

## BACKGROUND

The Public Works Department is requesting an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Mountain Creek Parkway from Eagle Ford Drive to Clark Road from a six-lane divided roadway {M-6-D(A)} within 100 feet of right-of-way to a special four-lane divided roadway (SPCL 4D) within 100 feet right-of-way. This amendment will facilitate one-way cycle tracks in both directions throughout the corridor.

The City of Dallas and Dallas County have entered into an agreement to design and fund the construction of a roadway that promotes the Trail Connection Master Plan and provides access to adjacent land uses, specifically the Cedar Ridge Preserve. The adjacent properties have developed as single-family residential homes and proposed land uses in the area will not require a six-lane divided roadway. Staff has worked with stakeholders in the community to establish a sustainable street design that meets the needs of existing property owners, proposed developments and enhances bicycle and pedestrian accommodations. The new design creates a multi-modal street system that will facilitate walking, bicycling, as well as automobile use. The design provides an enhanced bicycle facility in both directions and sufficient sidewalks while maintaining adequate capacity for automobiles.

**BACKGROUND** (Continued)

Staff recommends approval of the amendment to the Thoroughfare Plan to change the dimensional classification of Mountain Creek Parkway from Eagle Ford Drive to Clark Road from a six-lane divided roadway {M-6-D(A)} within 100 feet of right-of-way to a special four-lane divided roadway (SPCL 4D) with a bicycle facility within 100 feet right-of-way.

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

The City Plan Commission Transportation Committee was briefed on July 24, 2014, and recommended approval.

The City Plan Commission was briefed on August 7, 2014, and recommended approval.

**MAP**

Attached

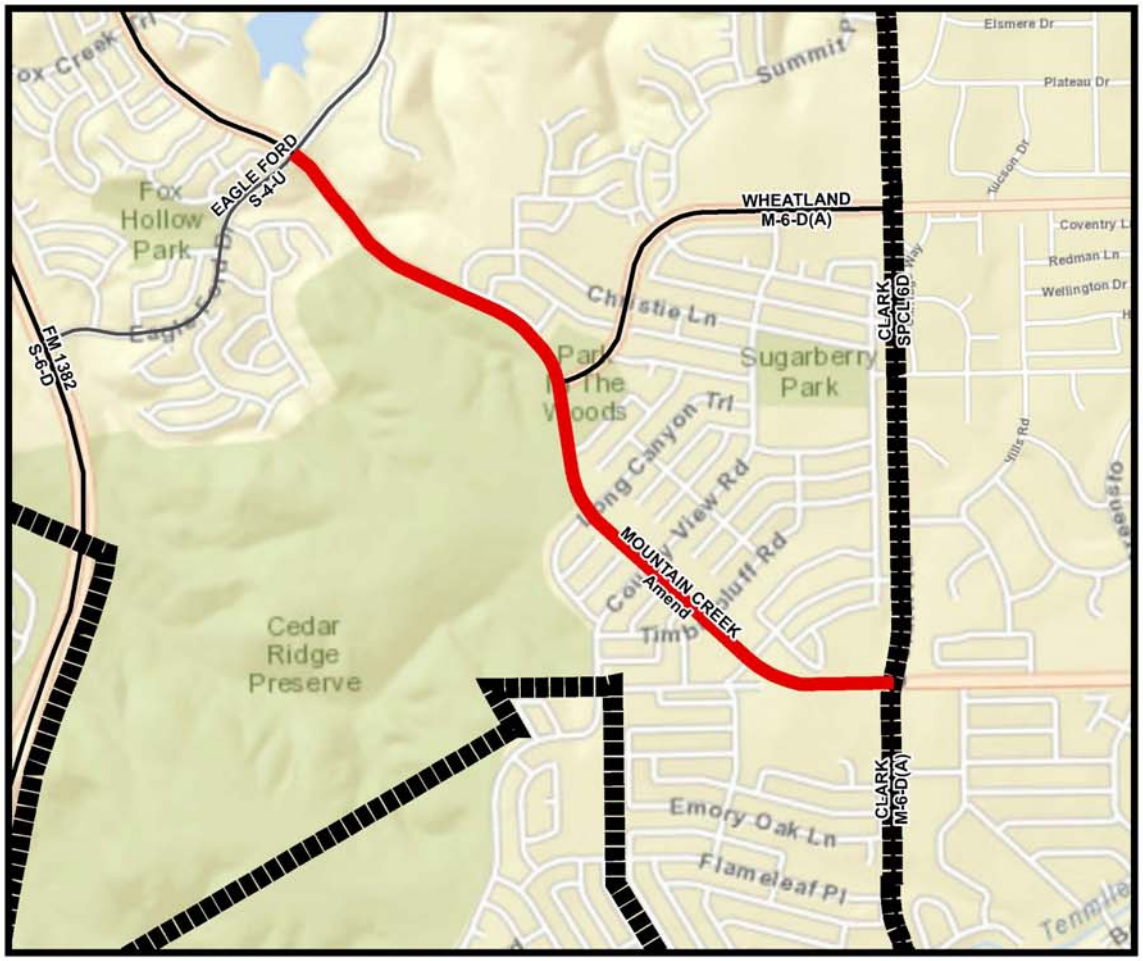
# Mountain Creek Parkway

Eagle Ford Drive to Clark Road

Council District 3

MAPSCO: 71B-A,E,F,K,L

Thoroughfare Plan Amendment
Thoroughfare Map



**AGENDA ITEM # 51**

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

**AGENDA DATE:** September 10, 2014

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

**DEPARTMENT:** Office of Financial Services

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

**MAPSCO:** N/A

## SUBJECT

A public hearing to receive comments on the proposed $0.7970/$100 property tax rate for the 2014-15 fiscal year - Financing: No cost consideration to the City

## BACKGROUND

The City Manager's recommended FY 2014-15 budget includes a tax rate of $0.7970/$100. On August 20, 2014, Council voted to consider a tax rate not to exceed $0.7970/$100. To set a property tax rate above the FY 2014-15 calculated effective rate of $0.7601/$100, State law requires two special public hearings on the tax rate.

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

City Council held a Budget Workshop on August 12, 2014.

City Council was briefed on the proposed tax rate at a Budget Workshop on August 20, 2014.

City Council authorized two public hearings on August 20, 2014; to be held on September 3,2014 and September 10, 2014

City Council held a public hearing on September 3, 2014.

## FISCAL INFORMATION

No cost consideration to the City

**AGENDA ITEM # 52**

**KEY FOCUS AREA:** Culture, Arts, Recreation, & Education

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 3

**DEPARTMENT:** Park & Recreation

**CMO:** Willis Winters, 670-4071

**MAPSCO:** 65-M

## SUBJECT

A public hearing to receive comments, and Council action, on the proposed use of a portion of the Five Mile Creek Trail, consisting of approximately 7,518 square feet of land, by Dallas Area Rapid Transit (DART) for a Public Mass Transit Easement to accommodate the South Oak Cliff Corridor SOC-3 Blue Line Extension Project - Financing: No cost consideration to the City

## BACKGROUND

The City of Dallas owns municipal park land known as the Five Mile Creek Trail located in south Dallas. This is park land which is currently under construction for the Five Mile Creek Trail Hike and Bike Trail, as prescribed by the Trail Network Master Plan.

Dallas Area Rapid Transit (DART) has requested a permanent Public Mass Transit Easement, totaling approximately 7,518 square feet of land, for installation of an aerial track structure. DART has confirmed and agreed that the use of the park land and other DART property within and adjacent to the easement will not impact citizens' use of the hike and bike trail under construction and will accommodate the trail under the DART light rail structures as necessary when such project is designed and implemented.

In compliance with the law, DART has determined that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services, including hike and bike trail development.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of park land.

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

City Council authorized the Master Interlocal Agreement between the City and DART on February 28, 1990, by Resolution No. 90-0810.

City Council authorized Supplemental Agreement No. 1 to the Master Interlocal Agreement on July 25, 1990, by Resolution No. 90-2408.

City Council authorized Supplemental Agreement No. 2 to the Master Interlocal Agreement on August 28, 1991, Resolution No. 91-2566.

The Park and Recreation Board authorized the public hearing on June 26, 2014.

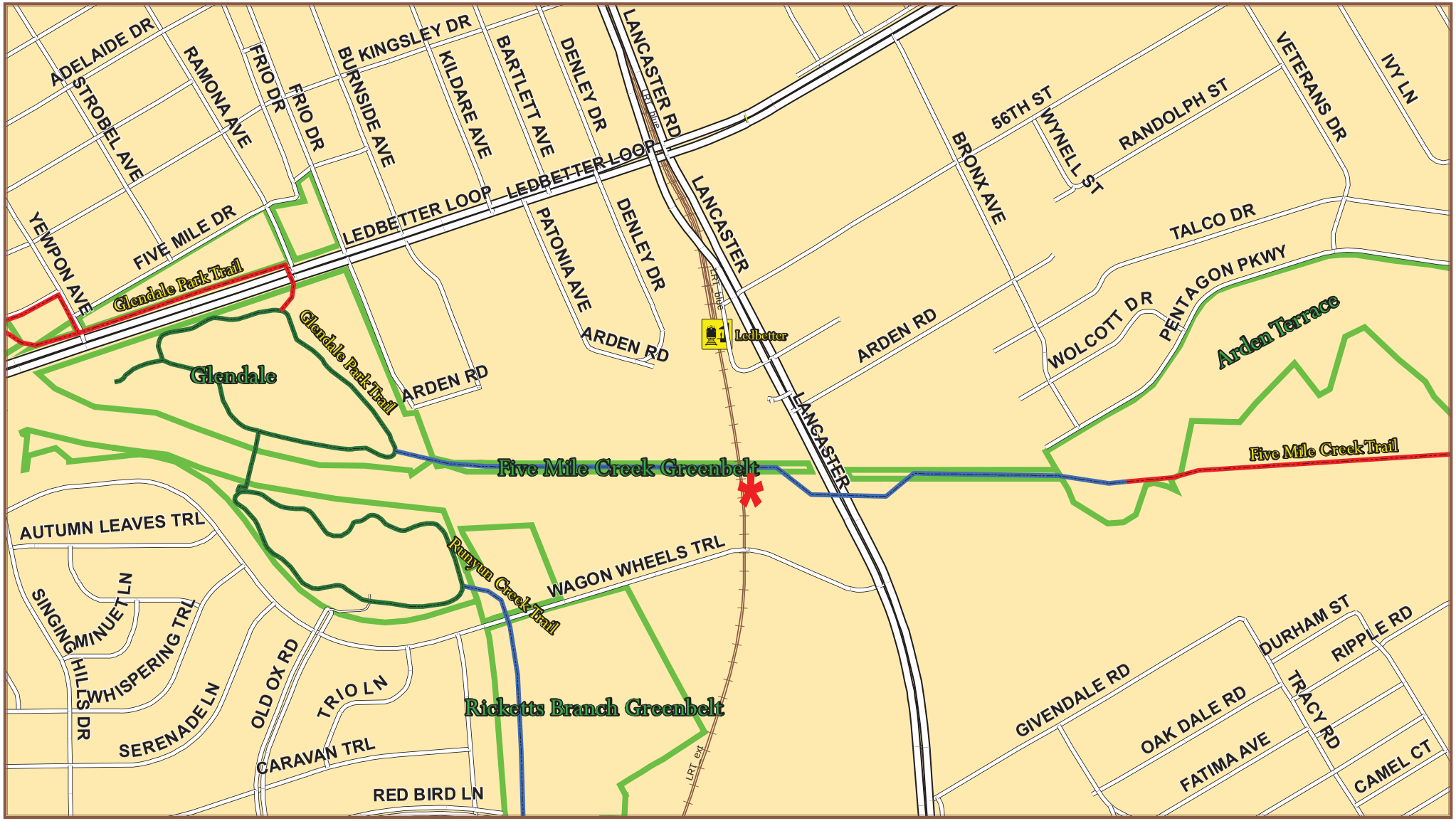
City Council authorized the public hearing on August 13, 2014, by Resolution No. 14-1238.

## FISCAL INFORMATION

No cost consideration to the City.

## MAP

Attached




0 255 510 1,020 1,530 Feet

N W E S

dallas Park & Recreation

*June 26, 2014*

# *Five Mile Creek Trail (SOC-3 Blue Line Extension)*

Mapsco 65 M

District 3

**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, Resolution No. 90-2408, Council authorized Supplemental Agreement No. 1 to the Master Interlocal Agreement to address planning and development issues related to implementation of DART's transportation system; and

**WHEREAS**, on August 28, 1991, Resolution No. 91-2566, Council authorized Supplemental Agreement No. 2 to the Master Interlocal Agreement 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**, the City of Dallas owns land known as Five Mile Creek Greenbelt and DART has determined that a public mass transit easement is needed, in the public interest and is necessary for the proper construction or development of DART's South Oak Cliff Corridor Blue Line Extension (SOC-3); and

**WHEREAS**, said improvements require the conveyance of a permanent mass transit easement of approximately 7,518 square feet of land from the Lower White Rock Creek Greenbelt, set forth in one Tract described in Exhibit A, attached hereto and made a part hereof, because the use of this parkland is necessary to accomplish the purpose, and the Park and Recreation Board of the City of Dallas is agreeable to providing the property for this use; and

**WHEREAS**, in consideration for this conveyance by easement, DART will pay the fair market value of this easement, or equivalent in-kind value, as determined by an independent appraisal, which may include the use of the park land and other DART property within and adjacent to the easement for hike and bike trail purposes; and

**WHEREAS**, referendum, notice and bidding requirements of Chapter 253 and 272 of the Texas Local Government Code are not applicable when a municipality is conveying an interest in land to an entity with eminent domain authority; and

**WHEREAS**, a public hearing was held, as required by the Texas Park and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to this use of this park land and that all reasonable planning to minimize harm to the Lower White Rock Creek Greenbelt has been taken.

**Now, Therefore,**

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

**SECTION 1.** That the City of Dallas hereby approves the proposed acquisition, including the exercise in the City of Dallas of the right of eminent domain, if such becomes necessary, by DART for interests in land by easement, as identified in Exhibit A for the public mass transit easement for the South Oak Cliff Corridor Blue Line Extension (SOC-3), subject to the terms and conditions of the Agreement and this resolution.

**SECTION 2.** That, since DART's use of eminent domain for acquiring this Tract by easement has been authorized, the Park and Recreation Board has approved, and the public hearing with appropriate determinations has been held, the City Manager, upon approval as to form by the City Attorney, is authorized to execute an easement and a Temporary Right of Entry Agreement for a portion of the Runyon Creek Greenbelt, subject to the Agreement, to this resolution and to all of the following terms and conditions:

a. DART shall covenant to the City:

1. To observe safety regulations;

2. To not be detrimental to the park;

3. To comply with health, safety, noise, environmental protection, waste disposal, water and air quality regulations;

4. To keep the adjacent park area free from construction debris and waste;

5. To bear the cost of construction, operation and maintenance of the transit line and improvements;

6. To do all work within the park and surrounding areas in a good and workmanlike manner under the supervision of the Director of the Park and Recreation Department;

7. To restore the Hike and Bike Trail in accordance with Park and Recreation Department standards and those set forth in the temporary right-of-entry previously granted to DART;

**SECTION 2. (Continued)**

8. To provide clearance for passage of emergency vehicles along the Hike and Bike Trail, and;

9. To not convey to another any interest in the easement tract, or any portion thereof, without prior, written consent of the City.

b. The City retains the right to inspect the easement tract and adjacent park and adjacent park areas for violations of the covenants listed in subsection a.

c. DART shall provide the City with a procedure for reentering and taking possession of the easement tract should DART abandon the tract or violate the covenants listed in subsection a.

d. DART shall not enter for work purposes or disturb the surface or Subsurface land of park property outside of the easement tract and what is allowed by the Temporary Right of Entry Agreement without consultation with the Director of the Park and Recreation Department.

**SECTION 3.** That, as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of the Five Mile Creek Greenbelt for the purpose stated in this resolution and that all reasonable planning to minimize harm to the tract and the surrounding adjacent parkland has been taken.

**SECTION 4.** That the use of the easement tract at Five Mile Creek Greenbelt as described in Exhibit A in connection with the DART South Oak Cliff Corridor Blue Line Extension (SOC-3), is authorized and approved subject to the terms and conditions of the Agreement and this resolution.

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

**AGENDA ITEMS # 53,54**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2, 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

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

## SUBJECT

**Dallas Downtown Improvement District**

* A public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District - Financing: No cost consideration to the City
* An ordinance approving and adopting the final Service Plan for 2015 and final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Dallas Downtown Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the Dallas Downtown Improvement District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment providing for city participation in the District in the amount of $612,441; and providing for an effective date - Total amount not to exceed $612,441 - Financing: Current Funds ($407,274) and Convention and Event Services Current Funds ($205,167) (subject to appropriations)

## BACKGROUND

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

Downtown Dallas, Inc., provided City staff with the proposed Dallas Downtown Improvement (District) Service Plan for 2015 and Assessment Rate for 2014 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes Downtown Safety Patrol program, safety awareness and education programs, Clean Team program, operation of the mass transportation facilities, landscaping, banner program, installation and trash pickup, promotion of downtown, installation of lighting, implement signage and wayfinding system, development of new public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the next five year period is approximately thirty million, nine hundred fifteen thousand, sixty-three dollars ($30,915,063). The estimated average annual cost is approximately six million, one hundred eighty-three thousand, thirteen dollars ($6,183,013). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The District is in the Dallas Central Business District, which is devoted primarily to commercial activity with a growing residential population. The boundaries of the District are described as the outer edges of Woodall Rodgers Freeway, North Central Expressway, Julius Schepps Freeway, R.L. Thornton Freeway and Stemmons Freeway. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The proposed assessment rate for 2014 will be $0.1290 per $100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**BACKGROUND** (Continued)

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

For the FY 2014-15, the estimated City participation is approximately $612,441. Every dollar of City assessment paid to the District will leverage approximately $25.00 of assessments paid by private property owners. As a contributor, the City of Dallas will be represented on the governing Boards of Directors for the District.

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

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

On June 12, 1996, the City Council authorized the renewal of the Dallas Downtown Improvement District by Resolution No. 96-2039.

On August 9, 2006, City Council authorized the renewal of the Dallas Downtown Improvement District by Resolution Nos. 06-2048 and 06-2049.

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

On September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29131.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

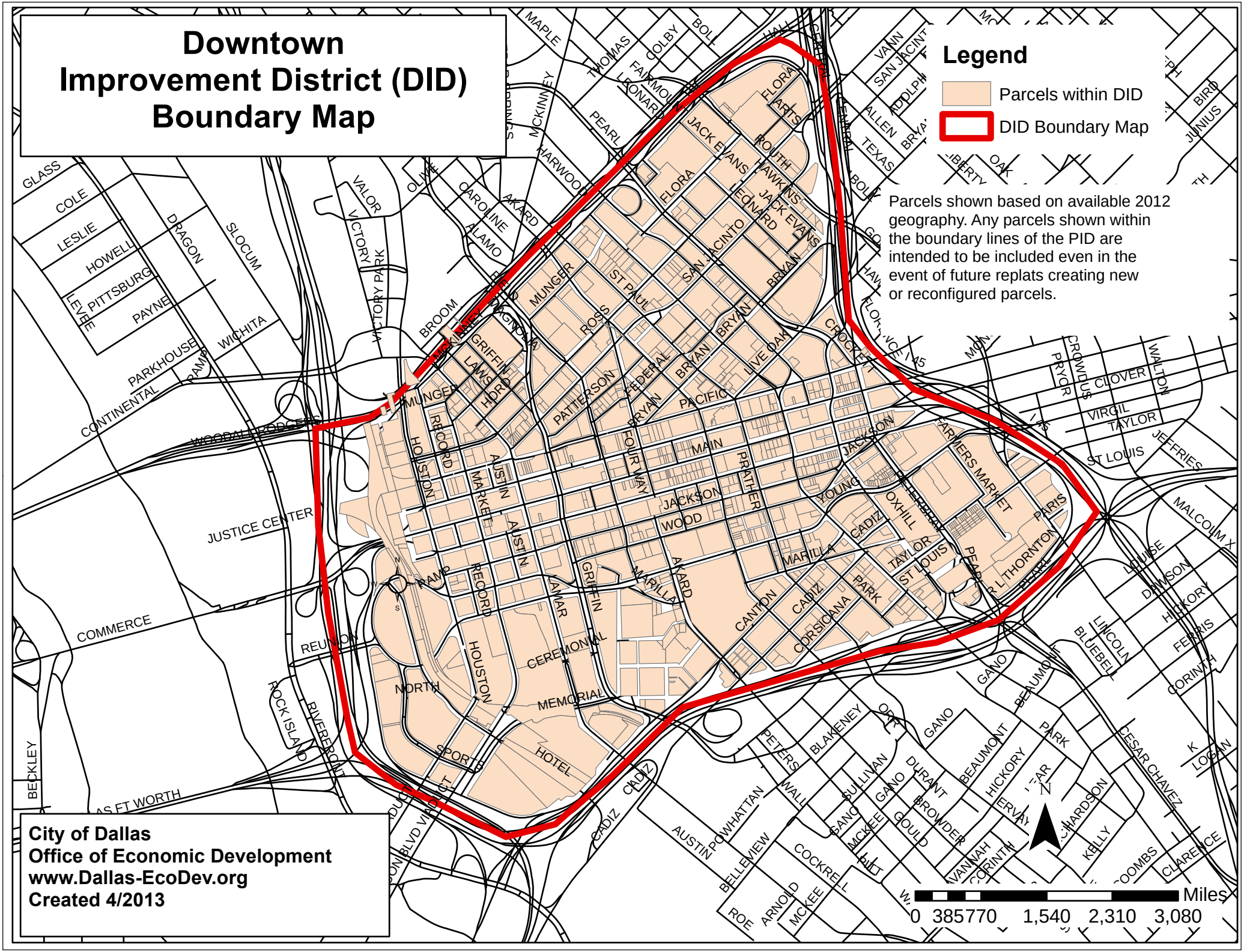
## FISCAL INFORMATION

$407,274.42 - Current Funds (subject to appropriations)
$205,166.58 - Convention and Event Services Current Funds (subject to appropriations)

| COUNCIL DISTRICT | AMOUNT |
|---|---|
| 2 | $385,837.83 |
| 14 | $226,603.17 |

## MAP

Attached.


Downtown
Improvement District (DID)
Boundary Map
Legend
Parcels within DID
DID Boundary Map
Parcels shown based on available 2012 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2013
N
Miles
0 385770 1,540 2,310 3,080

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPOINTMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE DALLAS DOWNTOWN IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DALLAS DOWNTOWN IMPROVEMENT DISTRICT DURING 2015; FIXING CHARGERS AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on June 24, 1992, City Council first authorized and created the District as a public improvement district, by Resolution No. 92-2445; and

**WHEREAS,** on June 12, 2013, City Council authorized the renewal of the District for seven (7) years, under the Act and by Resolution No. 13-1015, attached hereto as **Exhibit A – Map of the District**; and

**WHEREAS,** Downtown Dallas, Inc., has presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** on August 27, 2014, City Council authorized a public hearing to receive comments on the proposed 2014 Assessment Rate and proposed Service Plan for 2015 for the Dallas Downtown Improvement District; and

**WHEREAS,** as further required by the Act, the City held the public hearing on September 10, 2014, and subsequently closed the public hearing after receiving property owners' concerns and comments on the proposed assessment for the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located within the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the final Service Plan and final Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate of $0.1290 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District; are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Dallas Downtown Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The City of Dallas has contractually agreed to pay assessments against exempt City property in the District. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. The assessment rate to be billed in 2014 is $0.1290 per $100 of valuation. Properties that have obtained exemption from the City of Dallas real property taxes pursuant to the Property Tax Code (except under the provisions of Section 11.24 and 11.28 of the Property Tax Code) are exempt from the assessment.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2015 Service Plan and the 2014 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2014, of approximately $6,069,863. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That the City Controller is hereby authorized to disburse funds from:

Fund 0001, Department BMS, Unit 1991, Object 3599 to pay assessments on City-owned property benefitting from services and improvements provided by the District in an amount not to exceed $407,274.42 subject to annual appropriations;

Fund 0080, Department CCT, Unit 7840, Object 3599 to pay assessments on City-owned property benefitting from services and improvements provided by the District in an amount not to exceed $205,166.58 subject to annual appropriations; and

For a total not to exceed $612,441.

**SECTION 6.** That notice of the City Council's intention to consider the proposed assessments at a public hearing held on September 10, 2014 at 1:00 p.m., in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 7.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 8.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 9.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 10.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and cost of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and is a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this Ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 11.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 12.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 13.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

**SECTION 14.** That this ordinance 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 ordained.

APPROVED AS TO FORM

WARREN M. S. ERNST
CITY ATTORNEY

By: _____
Assistant City Attorney

Passed and correctly enrolled_____

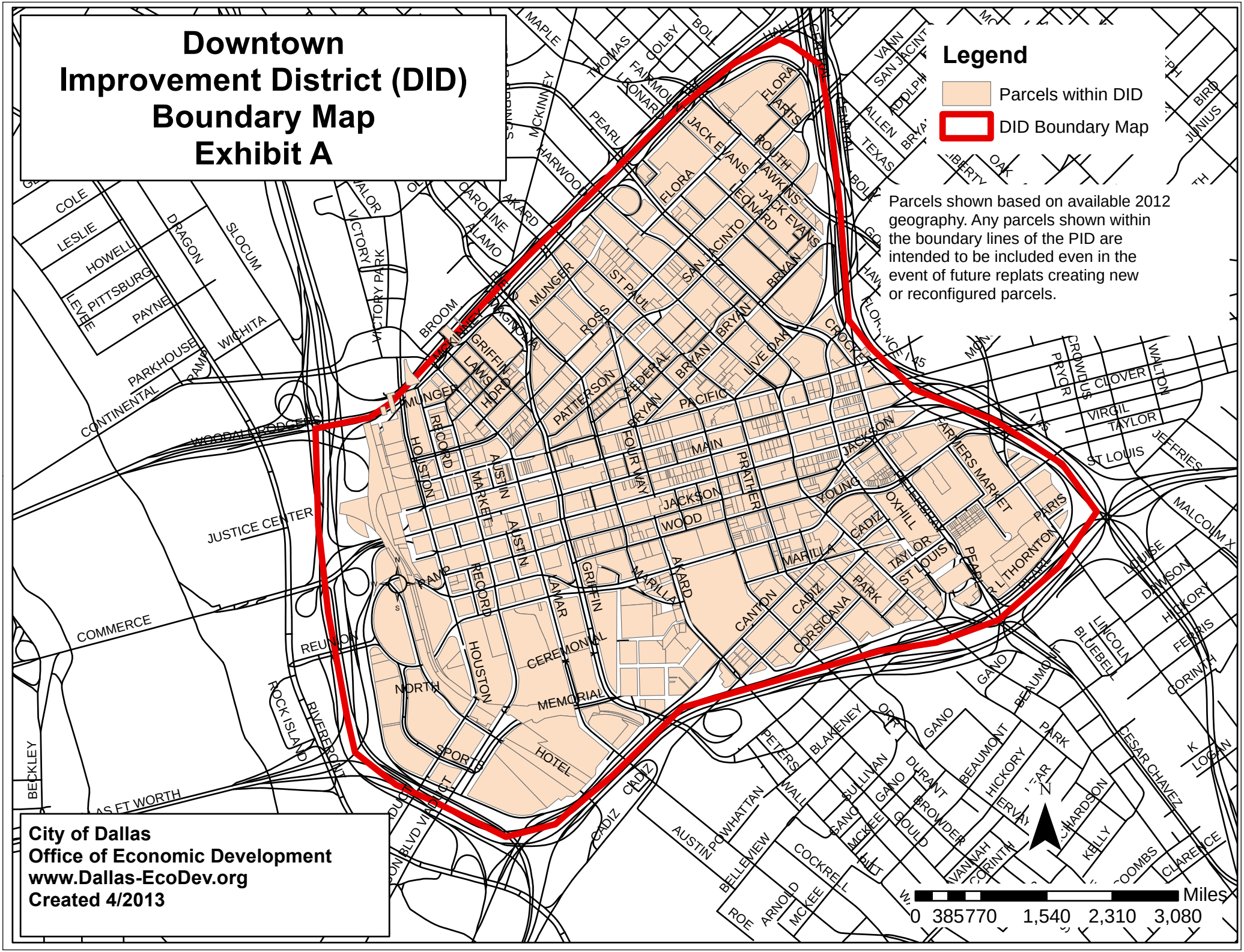

Downtown
Improvement District (DID)
Boundary Map
Exhibit A
Legend
Parcels within DID
DID Boundary Map
Parcels shown based on available 2012 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2013
Miles
0 385770 1,540 2,310 3,080
N
JUSTICE CENTER
COMMERCE
WOODALL RODGERS
CONTINENTAL
PARKHOUSE
PAYNE
PITTSBURG
HOWELL
LESLIE
COLE
DRAGON
SLOCUM
WICHITA
VICTORY PARK
BROOM
MUNGER
HOUSTON
RECORD
AUSTIN
MARKET
LAMAR
GRIFFIN
PATTERSON
FEDERAL
BRYAN
PACIFIC
MAIN
JACKSON
WOOD
PRATHER
FOUR WAY
ST PAUL
ROSS
SAN JACINTO
JACK EVANS
FLORA
ROUTH
HAWKINS
LEONARD
LIVE OAK
CROCKETT
FARMERS MARKET
YOUNG
OXHILL
CADIZ
MARILLA
TAYLOR
ST LOUIS
PARIS
PEARL
THORNTON
CANTON
CORSICANA
PARK
CEREMONIAL
MEMORIAL
HOTEL
NORTH
SPORTS
REUNION
ROCK ISLAND
RIVERFRONT
BECKLEY
AS FT WORTH
MALCOLM X
LOUISE
DAWSON
HICKORY
FERRIS
CORINTH
LINCOLN
BLUEBELL
BEAUMONT
GANO
PETERS
BLAKENEY
SULLIVAN
DURANT
BROWDER
GOULD
MCKEE
COCKRELL
ARNOLD
ROE
POWHATTAN
BELLEVIEW
AUSTIN
CESAR CHAVEZ
KELLY
CLARENCE
COOMBS
LOGAN
CLOVER
VIRGIL
TAYLOR
JEFFRIES
WALTON
CROWDUS
PRYOR
JUNIUS
BIRD
VANN
SAN JACINTO
ALLEN
TEXAS
OAK
MAPLE
THOMAS
COLBY
BOLL
FAIRMOUNT
LEONARD
PEARL
HARWOOD
CAROLINE
ALAMO
AKARD
MCKINNEY
VALOR
VICTORY
CENTRAL
FLORENCE I 45
I 45

**Exhibit B**

# Dallas Downtown Improvement District (DID)

***Service Plan 2015-2019***

| | *2015 Budget* | | *2016 Budget* | *2017 Budget* | *2018 Budget* | *2019 Budget* |
|---|---|---|---|---|---|---|
| **REVENUES & RESERVES** | | | | | | |
| Fund balance from previous year* | $300,000.00 | | $2,003.00 | $2,379.98 | $2,680.27 | $1,969.57 |
| Net assessment revenue** | $5,680,366.00 | | $5,850,776.98 | $6,026,300.29 | $6,207,089.30 | $6,393,301.98 |
| Exempt jurisdictions | $91,500.00 | | $91,500.00 | $91,500.00 | $91,500.00 | $91,500.00 |
| Interest on cash balances | $0.00 | | $300.00 | $500.00 | $700.00 | $1,000.00 |
| Other income & contributions | $0.00 | | $0.00 | $0.00 | $0.00 | $0.00 |
| **TOTAL INCOME & RESERVES** | **$6,071,866.00** | | **$5,944,579.98** | **$6,120,680.27** | **$6,301,969.57** | **$6,487,771.54** |
| **EXPENDITURES** | | | | | | |
| Organization & Administration | $698,690.00 | 12% | $725,000.00 | $750,000.00 | $775,000.00 | $800,000.00 |
| Capital Improvements [1] | $462,447.00 | 8% | $360,000.00 | $390,000.00 | $400,000.00 | $405,000.00 |
| Transportation and Improvements [2] | $384,482.00 | 6% | $387,000.00 | $390,000.00 | $395,000.00 | $400,000.00 |
| Communications & Events [3] | $930,347.00 | 15% | $940,000.00 | $988,000.00 | $1,055,000.00 | $1,105,000.00 |
| Services and Improvements [4] | $1,194,832.00 | 20% | $1,171,250.00 | $1,200,000.00 | $1,225,000.00 | $1,275,000.00 |
| Safety [5] | $2,399,065.00 | 40% | $2,358,950.00 | $2,400,000.00 | $2,450,000.00 | $2,500,000.00 |
| **TOTAL EXPENDITURES** | **$6,069,863.00** | | **$5,942,200.00** | **$6,118,000.00** | **$6,300,000.00** | **$6,485,000.00** |
| **FUND BALANCE/RESERVES** | $2,003.00 | | $2,379.98 | $2,680.27 | $1,969.57 | $2,771.54 |

* 2014 Contractual Commitments of 100K MSG Improvements, 100K for Wayfinding Signs, 100K for Sidewalk Improvements

** 2015 Assessment less admin fees and contingency for delinquent and/or protested accounts ($300,000)

[1] Public Improvements, landscape and parks.

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

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

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

[5] Downtown Safety Patrol, Homeless outreach, education & coordination.

DOWNTOWN
DALLAS INC

2200 Ross Avenue
Suite 4600E
Dallas, TX 75201
p 214.744.1270
f 214.744.1986

# Downtown Dallas, Inc.
# Improvement District
# 2014 Assessment Plan

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

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

As provided by Chapter 372 of The Code, the City of Dallas is responsible for payments of assessments against exempt municipal property in the District. Properties not liable for assessment include City rights-of-way and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code). Payment of assessments by other exempt jurisdictions shall be established by contract.

**AGENDA ITEMS # 55,56**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2, 7, 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

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

## SUBJECT

**Deep Ellum Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Deep Ellum Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

The Deep Ellum Foundation provided City staff with the proposed Deep Ellum Public Improvement District Service Plan for 2015 and the proposed Assessment Rate for 2014 for review, and City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements**. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes public safety, graffiti control, landscaping, park improvements, trash pick-up, neighborhood improvements, acquisition, construction, operation and maintenance of mass transportation facilities, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area as the Deep Ellum Entertainment District and related expenses incurred in establishing, administering and operating the District as authorized by the Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided during the next five year period is approximately one million, five-hundred-eighty thousand, three hundred-sixty-six dollars ($1,580,366). The estimated average annual cost is approximately three hundred sixteen thousand, seventy-three dollars ($316,073). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The boundaries of the District are located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The estimated annual assessment rate for 2014 will be $0.12 per $100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**BACKGROUND** (Continued)

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

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

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

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

On August 14, 2013, City Council authorized renewal of the Deep Ellum Public Improvement District by Resolution No. 13-1376.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

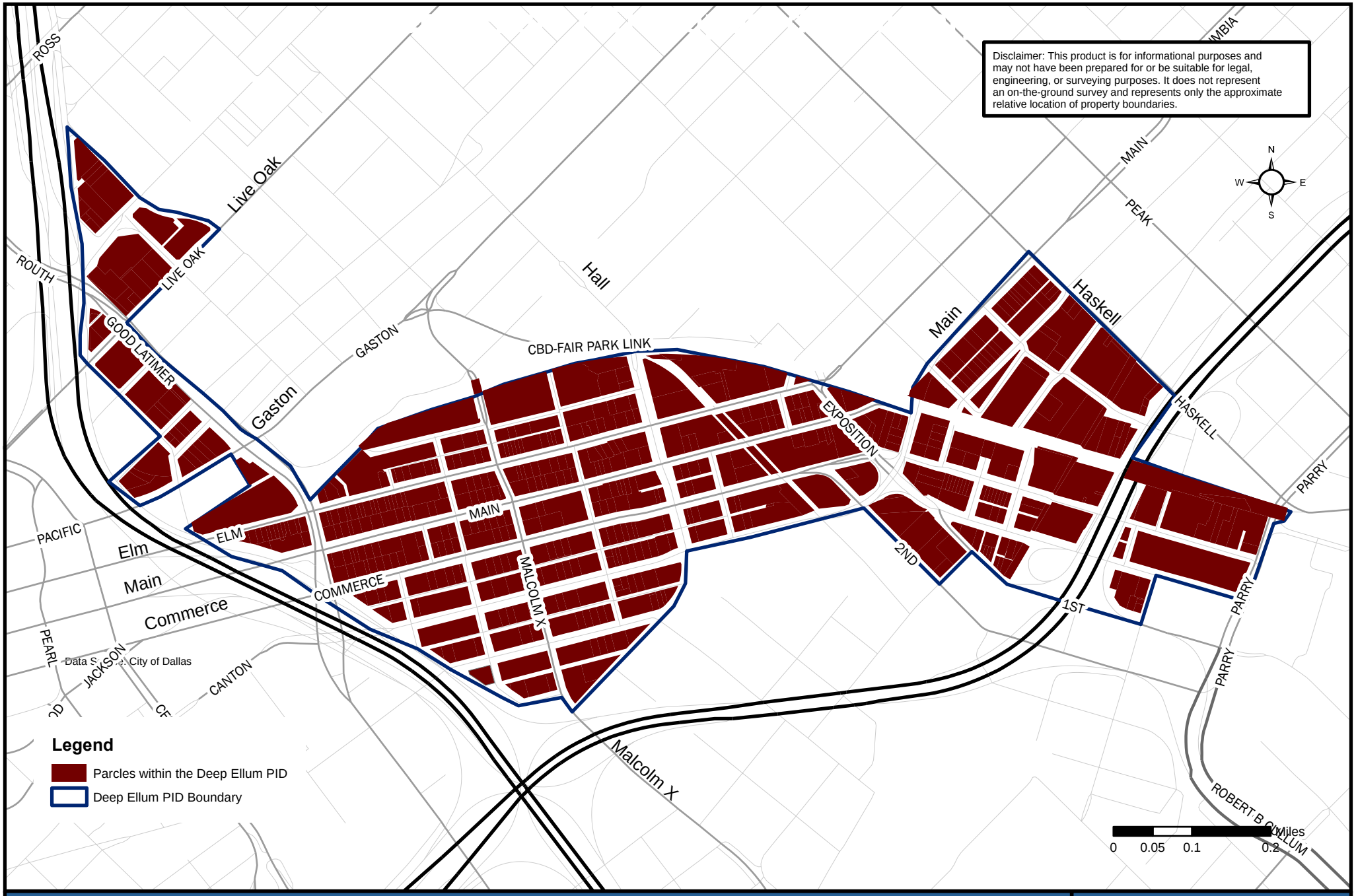
On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

## FISCAL INFORMATION

No cost consideration to the City

## MAP

Attached.




# Deep Ellum PID Boundary Map

DALLAS
**ECONOMIC DEVELOPMENT**

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Created 08/2013

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE DEEP ELLUM PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on August 25, 1999, City Council first authorized and created the District as a public improvement district-by Resolution No. 99-2604; and

**WHEREAS,** on August 9, 2006, City Council authorized the renewal of the Deep Ellum PID for a period of seven (7) years by Resolution Nos. 06-2050 and. 06-2051; and

**WHEREAS,** on August 14, 2013, City Council authorized the renewal of the Deep Ellum PID for a period of seven (7) years by Resolution No. 13-1376, as shown on the attached **Exhibit A - Map of the District**; and

**WHEREAS,** the Deep Ellum Foundation has presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** on August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Plan and approval of the final 2015 Service Plan; and

**WHEREAS**, as further required by the ACT, the City held the public hearing on September 10, 2014, and subsequently closed the public hearing after receiving property owners' concerns and comments on the proposed assessment for the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located in the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate of $0.12 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District; are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Deep Ellum Public Improvement District (District); closing the hearing and levying assessments for the cost of services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The estimated annual assessment rate for 2014 will be $0.12 per $100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed $0.15 per $100.00 valuation.

**SECTION 3.** (Continued)

The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code. Public rights-of-way, railroad rights-of-way, City parks, cemeteries, City of Dallas property and properties otherwise exempt from ad valorem taxes are exempt from assessment. Public rights-of-way, railroad rights-of-way, City parks, cemeteries, City of Dallas property and properties otherwise exempt from ad valorem taxes are exempt from assessment.

**SECTION 4.** That the City Council hereby authorizes and adopts the Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for the fiscal year ending December 31, 2014, of approximately $267,992. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

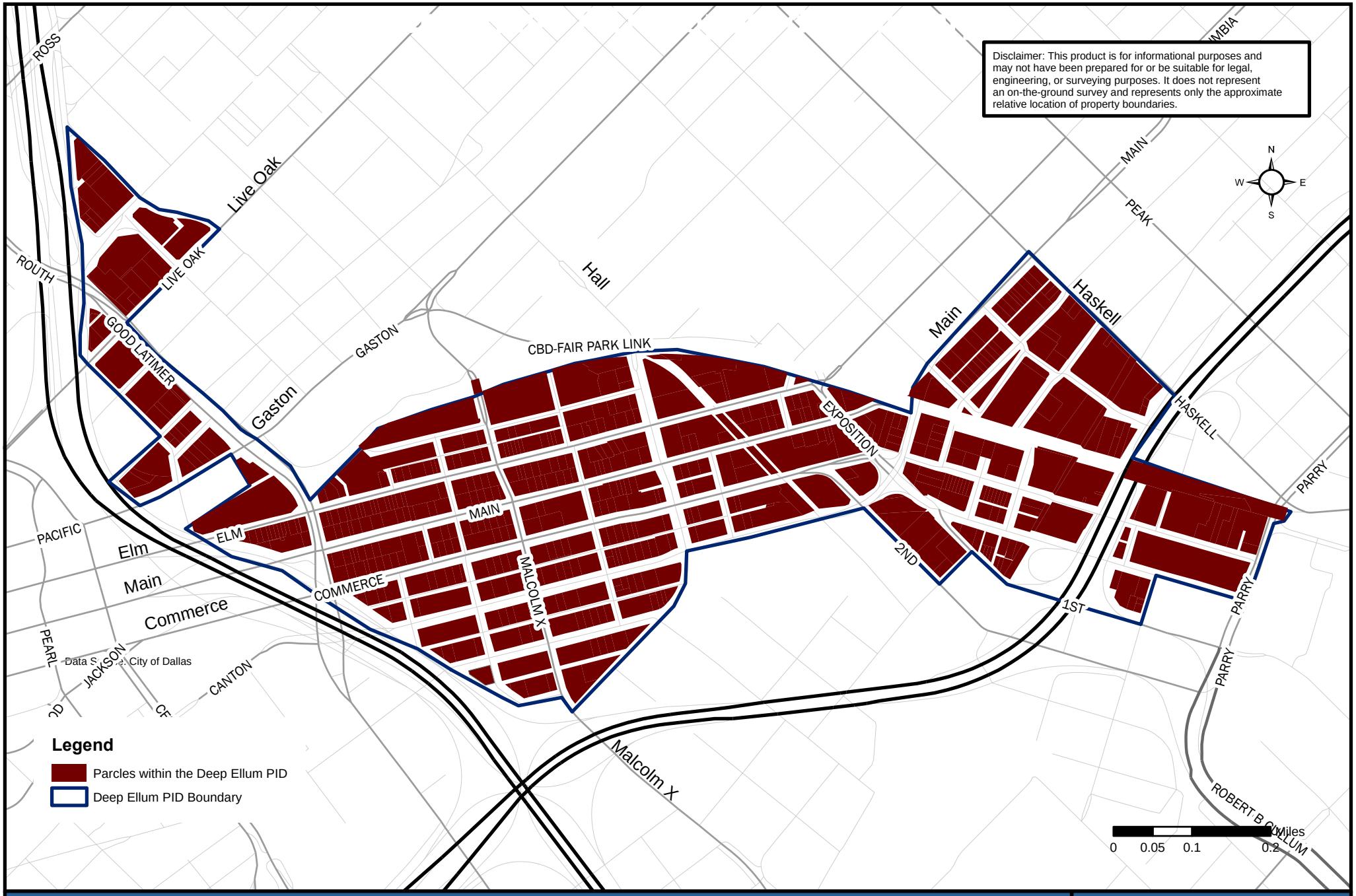
**SECTION 13.** That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM

WARREN M.S. ERNST
CITY ATTORNEY

By:_____
Assistant City Attorney

Passed and correctly enrolled_____




# Deep Ellum PID Boundary Map
# Exhibit A

DALLAS
**ECONOMIC DEVELOPMENT**

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Created 08/2013

Exhibit B

**DEEP ELLUM PID**
**Service Plan 2015-2019**

| | 2015 | | 2016 | 2017 | 2018 | 2019 |
|---|---|---|---|---|---|---|
| **Revenues and Reserves** | | | | | | |
| Fund balance from previous year | $25,000.00 | | $16,411.00 | $21,561.00 | $26,865.00 | $32,328.50 |
| *Net assessments revenue | $267,991.86 | | $320,811.28 | $330,665.65 | $330,521.33 | $330,375.58 |
| Interest on cash balances | $3,000.00 | | $3,090.00 | $3,183.00 | $3,278.00 | $3,376.50 |
| Other income and contributions | $2,000.00 | | $2,060.00 | $2,121.00 | $2,185.50 | $2,251.00 |
| **Total Income and Reserves** | **$297,991.86** | | **$342,372.28** | **$357,530.65** | **$362,849.83** | **$368,331.58** |
| Improvements[1] | $53,598.37 | 20% | $64,162.26 | $66,133.13 | $66,104.27 | $66,075.12 |
| Transportation and related expenses[2] | $21,439.35 | 8% | $25,664.90 | $26,453.25 | $26,441.71 | $26,430.05 |
| Business Development and Recruitment[3] | $21,439.35 | 8% | $25,664.90 | $26,453.25 | $26,441.71 | $26,430.05 |
| Marketing and Promotion[4] | $104,516.83 | 39% | $125,116.40 | $128,959.60 | $128,903.32 | $128,846.47 |
| Public Safety[5] | $13,399.59 | 5% | $16,040.56 | $16,533.28 | $16,526.07 | $16,518.78 |
| Administration | $37,518.86 | 14% | $44,913.58 | $46,293.19 | $46,272.99 | $46,252.58 |
| Financial Audit and Insurance | $16,079.51 | 6% | $19,248.68 | $19,839.94 | $19,831.28 | $19,822.53 |
| **Total Expenditures** | **$267,991.86** | | **$320,811.28** | **$330,665.65** | **$330,521.33** | **$330,375.58** |
| **Fund Balance/Reserves** | $16,411.00 | | $21,561.00 | $26,865.00 | $32,328.50 | $37,956.00 |

1. Graffiti control, landscaping, park improvements, trash pickup and neighborhood improvements
2. Acquisition, construction, operation and maintenance of mass transportation facilities and wayfinding signage
3. Business deelopment and recruitment to promote the District as the Deep Ellum Entertainment District
4. Marketing, website, and other promotional activities
5. Distinctive lighting and signage
6. .Redirect future security funds to other classification for better use, Admin. costs not to exceed 15% of PID funds

**Deep Ellum Foundation**
2630 E. Commerce
Dallas, TX 75226

# Exhibit C

## Deep Ellum Public Improvement District
## Assessment Plan 2014

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

The proposed assessment rate for 2014 will be $0.12 per $100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed $0.15 per $100.00 valuation.

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

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

**AGENDA ITEMS # 57,58**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

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

## SUBJECT

**Klyde Warren Park/Dallas Arts District Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Klyde Warren Park/Dallas Arts District Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Klyde Warren Park/Dallas Arts District Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

The Woodall Rodgers Park Foundation provided City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services and improvements for properties specifically benefitted by their proximity to KWP and DAD, but not to replace or supplant existing City or other services provided. The general nature of the proposed services and improvements to be performed by the District for KWP and DAD includes security, sanitation, graffiti control and landscape improvements, marketing and promotional activities, distinctive lighting and signage, landscaping and water features, KWP/DAD improvements, trash pick-up, cultural enhancement, programs, and related expenses incurred in establishing, administering and operating the District as authorized by the Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the next five year period is approximately four million, three hundred nine thousand, ninety dollars ($4,309,090). The estimated average annual cost is approximately eight hundred sixty-one thousand, eight hundred eighteen dollars ($861,818). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, TX (the "City"), a Texas home rule municipality. The District contains properties that are enhanced by the improvements, programs and marketing of KWP and DAD. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The proposed annual assessment rate for 2014 will be $0.025 per $100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed $0.025 per $100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**BACKGROUND** (Continued)

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

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

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

On June 25, 2014, City Council authorized the dissolution of the Klyde Warren Park Public Improvement District by Resolution No. 14-1073

On June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District for a period of seven-years and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 14-1074.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts

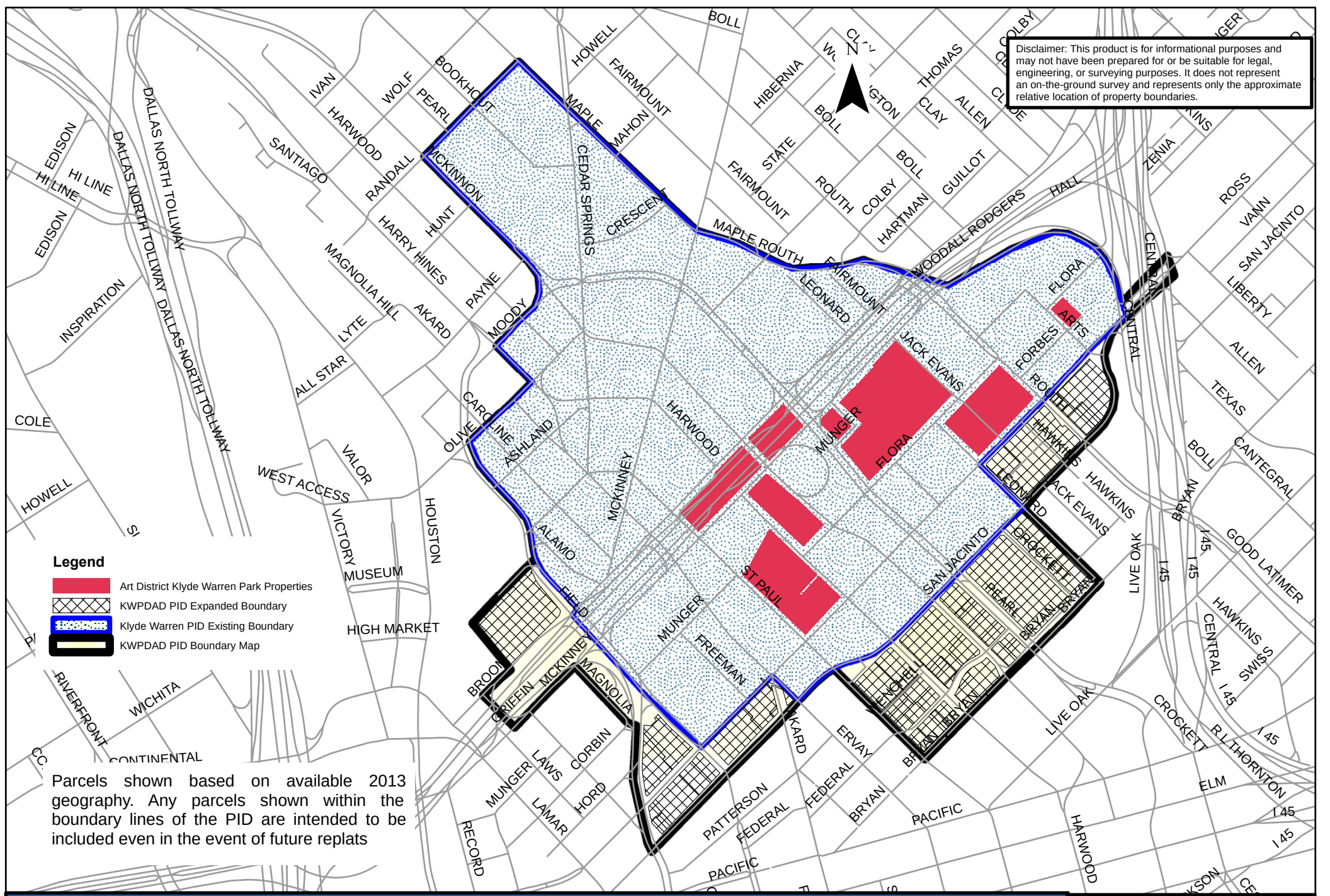
On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

**FISCAL INFORMATION**

No cost consideration to the City

**MAP**

Attached.




# Proposed Klyde Warren Park/Art District PID (KWPDADPID) Boundary Map


DALLAS ECONOMIC DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

**ORDINANCE NO. _____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE KLYDE WARREN PARK/DALLAS ARTS DISTRICT PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on August 14, 2013, City Council authorized and created the District, as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating Woodall Rodgers Park Foundation, as manager of the District and authorizing a contract for management services; and approving the District Service Plan, and annual updates by Resolution No. 13-1375; and

**WHEREAS,** on June 25, 2014, City Council authorized the dissolution of the Klyde Warren Park Public Improvement District in accordance with the provisions of Chapter 372 of the Texas Local Government Code by Resolution No. 14-1073; and

**WHEREAS,** on June 25, 2014, City Council authorized and created the Klyde Warren Park/Dallas Arts District Public Improvement District (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating Woodall Rodgers Park Foundation, as manager of the District and authorizing a contract for management services; and approving the District Service Plan, and annual updates by Resolution No. 14-1074; and

**WHEREAS,** the Woodall Rodgers Park Foundation has presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** on August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and approval of the final 2015 Service Plan for the District; and

**WHEREAS,** as further required by the Act, the City held the public hearing on September 10, 2014 and subsequently closed the public hearing after receiving property owner's concerns and comments on the proposed assessments for the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located within the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate of $0.025 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District; are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Klyde Warren Park/Dallas Arts District Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the DCAD. City right-of-way, railroad right-of-way, City parks, cemeteries, City of Dallas property and properties otherwise exempt from ad valorem taxes are exempt from assessment. The assessment rate to be billed in 2014 is $0.025 per $100 of valuation. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2014, of approximately $811,637. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and is a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

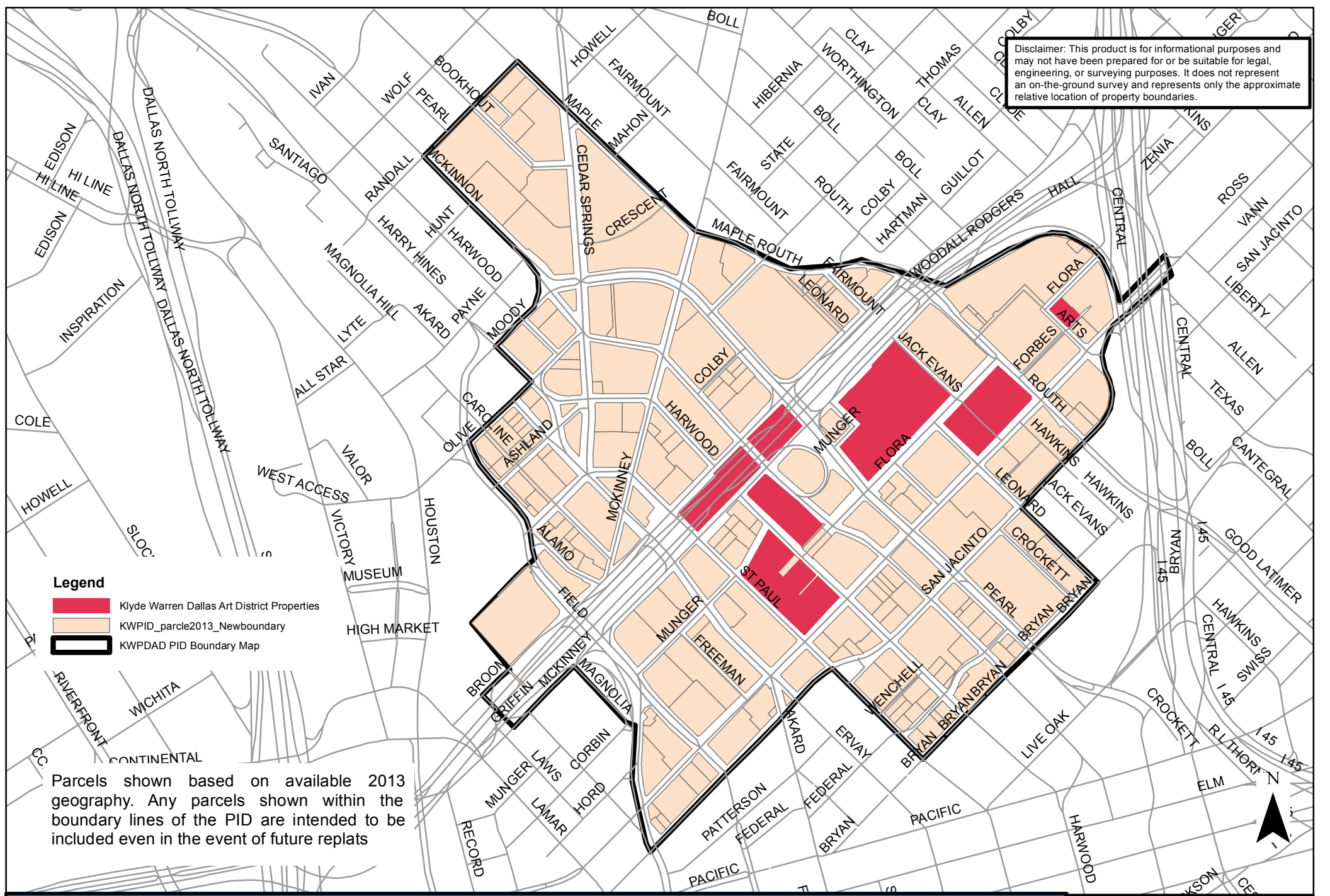
**SECTION 13.** That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM

WARREN M.S. ERNST
CITY ATTORNEY

By: _____
Assistant City Attorney

Passed and correctly enrolled_____




# Exhibit A
# Klyde Warren Park/Art District PID (KWP/DADPID) Boundary Map

DALLAS
**ECONOMIC DEVELOPMENT**
Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Exhibit B

# KLYDE WARREN PARK/ARTS DISTRICT PID BUDGET
## SERVICE PLAN 2015 TO 2021

| REVENUE | | 2015 | 2016 | 2017 | 2018 | 2019 |
|---|---|---|---|---|---|---|
| Fund Balance from previous year | | | | | | |
| [1] Net assessment revenue | | $811,636.76 | $835,985.86 | $861,065.44 | $886,897.40 | $913,504.32 |
| **TOTAL REVENUE** | | $811,636.76 | $835,985.86 | $861,065.44 | $886,897.40 | $913,504.32 |
| **EXPENDITURES** | **Allocation %** | | | | | |
| **TOTAL REVENUE** | **100.00%** | **$811,636.76** | **$835,985.86** | **$861,065.44** | **$886,897.40** | **$913,504.32** |
| [2] Security | 42.83% | $347,643.50 | $358,072.80 | $368,814.99 | $379,879.44 | $391,275.82 |
| [3] Sanitation | 21.73% | $176,401.67 | $181,693.72 | $187,144.54 | $192,758.87 | $198,541.64 |
| [4] Scrubbing and power washing pavers | 1.43% | $11,616.63 | $11,965.13 | $12,324.08 | $12,693.80 | $13,074.62 |
| Waste disposal | 1.72% | $13,939.95 | $14,358.15 | $14,788.90 | $15,232.56 | $15,689.54 |
| Landscape improvements | 4.79% | $38,915.71 | $40,083.18 | $41,285.67 | $42,524.24 | $43,799.97 |
| Water features and general improvements | 1.50% | $12,197.46 | $12,563.38 | $12,940.28 | $13,328.49 | $13,728.34 |
| [5] Cultural enhancement (programs) | 5.33% | $43,252.01 | $44,549.57 | $45,886.05 | $47,262.64 | $48,680.52 |
| [6] Marketing and promotion | 11.91% | $96,625.87 | $99,524.64 | $102,510.38 | $105,585.70 | $108,753.27 |
| Administration | 3.34% | $27,120.39 | $27,934.00 | $28,772.02 | $29,635.18 | $30,524.24 |
| Liability insurance and financial audit | 2.92% | $23,697.93 | $24,408.86 | $25,141.13 | $25,895.36 | $26,672.22 |
| Holiday lighting and Decorations | 1.43% | $11,616.63 | $11,965.13 | $12,324.08 | $12,693.80 | $13,074.62 |
| [7] Signage | 1.06% | $8,609.02 | $8,867.29 | $9,133.31 | $9,407.31 | $9,689.53 |
| Contingency | | | | | | |
| **TOTAL FUND OPERATING EXPENDITURES** | 100.00% | $811,636.76 | $835,985.86 | $861,065.44 | $886,897.40 | $913,504.32 |
| **TOTAL FUND BALANCE/RESERVES** | 0.00% | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 |

KWPand DAD will support the remaining operating costs of their organizations, which is not included in the Service Plan

[1] Assume a 3% increase in property values each year based on future Uptown and Downtown development

[2] 24 hour security at KWP; Off-duty police and crossing guards at DAD

[3] Trash pickup, general cleaning, graffiti control and improvements

[4] Pavement (sidewalk) detail cleaning, staining and restoration

[5] Partial cost of European and Christmas Markets, programming activities, will grow yearly

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

[7] Wayfinding signage

# Exhibit C
# Klyde Warren Park/Dallas Arts District Public Improvement District
# Assessment Plan 2014

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

The Klyde Warren/Dallas Arts District Public Improvement District (PID) proposed assessment rate for 2014 is $0.025 per $100 of appraised value. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of $0.15 per $100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

**AGENDA ITEMS # 59,60**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 35 Q R U V

## SUBJECT

**Knox Street Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Knox Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

The Knox Street Improvement District Corporation provided City staff with the proposed District Service Plan for 2015 and the proposed Assessment Plan for 2014 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The general nature of the services and improvements to be performed by the District is to enhance security and public safety within the District, lighting, sidewalk and streetscape~~,~~ operation and maintenance of public improvements, landscaping improvements including plantings, hardscape, District marketing and promotion and related services and improvements that are authorized by the Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the next five year period is approximately one million, six hundred twelve thousand, six hundred seventy-six dollars ($1,612,675). The average annual cost of services for the District is approximately three hundred twenty-two thousand, five hundred thirty-five dollars ($322,535). The District shall incur no bonded indebtedness. Expenditures include use of approximately $400,000 in surplus funds previously set aside for capital improvements scheduled for 2016.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed assessment rate for 2014 will be $0.15 per $100.00 of appraised value by the Dallas Central Appraisal District. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed $0.15 per $100.00 of valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

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

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

On June 23, 2010, City Council authorized the creation of the Knox Street Public Improvement District by Resolution No. 10-1670.

On September 25, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 28806.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

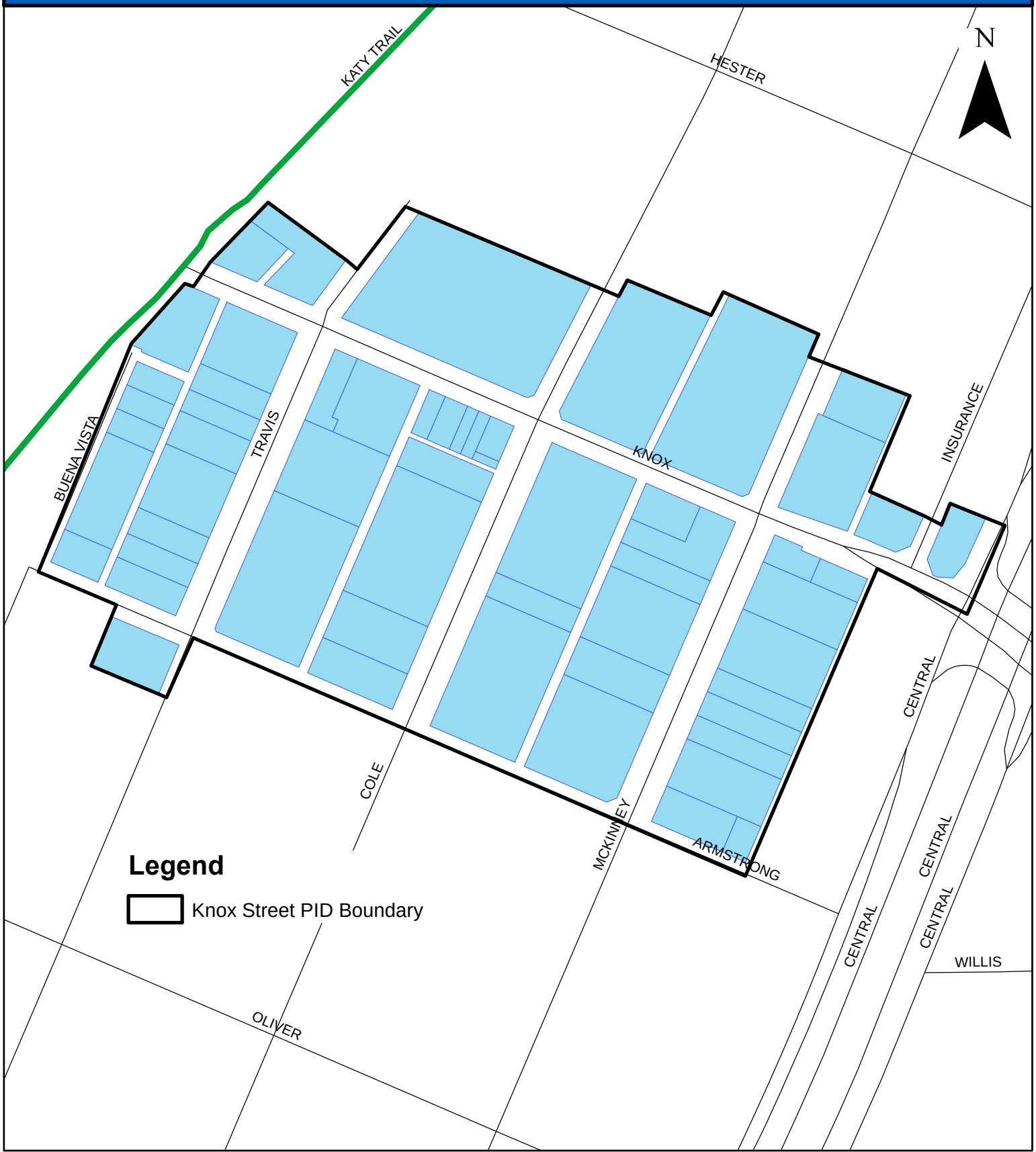
## FISCAL INFORMATION

No cost consideration to the City

## MAP

Attached.

# Knox Street PID





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

Created 04/2010

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE KNOX STREET PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE KNOX STREET PUBLIC IMPROVEMENT DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on June 23, 2010, City Council authorized and created the District by Resolution No. 09-1679; and

**WHEREAS,** on September 25, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29134; and

**WHEREAS,** the Knox Street Improvement District Corporation has presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** on August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Plan and approval of the final 2015 Service Plan; and

**WHEREAS,** as further required by the Act, the City held the public hearing on September 10, 2014, and subsequently closed the public hearing after receiving property owners concerns and comments on the proposed assessment for the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located in the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate of $0.15 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District, is reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Knox Street Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. Public rights-of-way, city parks, City of Dallas property and properties otherwise exempt from ad valorem taxes are exempt from assessment. The assessment rate to be billed in 2014 is $0.15 per $100 of valuation.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the certain services and improvements to be assessed against property in the District for fiscal year ending December 31, 2014, of approximately $158,155. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and is a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

**SECTION 13.** That this ordinance 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 ordained.

APPROVED AS TO FORM

WARREN M.S. ERNST
CITY ATTORNEY

By: _____
Assistant City Attorney

Passed and correctly enrolled_____

# Knox Street PID Boundary Map

Exhibit A

City of Dallas

Office of Economic Development

http://www.Dallas-EcoDev.org

Created 04/2010

# Knox Street Public Improvement District
# Five Year Budget / Service Plan

**EXHIBIT B**

| | 2015 Budget | | 2016 Budget | | 2017 Budget | | 2018 Budget* | | 2019 Budget* | |
|---|---|---|---|---|---|---|---|---|---|---|
| **INCOME** | | | | | | | | | | |
| Carryover Fund Balance From Previous Year | $ 434,734 | | $ 503,649 | | $ 27,605 | | $ 27,605 | | $ 27,605 | |
| Net Assessment Revenue | $ 227,070 | | $ 233,882 | | $ 240,899 | | $ 248,126 | | $ 255,569 | |
| **TOTAL INCOME & RESERVES** | $ 661,804 | | $ 737,532 | | $ 268,504 | | $ 275,731 | | $ 283,174 | |
| **EXPENSES** | | | | | | | | | | |
| Capital Improvements [2] | $ 75,000 | 47% | $ 625,000 | 85% | $ 154,148 | 57% | $ 159,495 | 58% | $ 165,003 | 58% |
| Public Safety and Security [3] | $ 24,000 | 15% | $ 24,720 | 3% | $ 25,462 | 9% | $ 26,225 | 10% | $ 27,012 | 10% |
| Marketing & Promotion[4] | $ 50,000 | 32% | $ 50,777 | 7% | $ 51,577 | 19% | $ 52,402 | 19% | $ 53,251 | 19% |
| Insurance & Audit | $ 8,955 | 6% | $ 9,223 | 1% | $ 9,500 | 4% | $ 9,785 | 4% | $ 10,079 | 4% |
| Administrative[5] | $ 200 | 0% | $ 206 | 0% | $ 212 | 0% | $ 219 | 0% | $ 225 | 0% |
| **TOTAL EXPENSES** | $ 158,155 | | $ 709,926 | | $ 240,899 | | $ 248,126 | | $ 255,570 | |
| **TOTAL CARRYOVER FUNDS AT YEAR END** | $ 503,649 | | $ 27,605 | | $ 27,605 | | $ 27,605 | | $ 27,605 | |

[1] 2015 Assessments are proposed to be set at the maximum rate of $0.15 per $100 of taxable value.

[2] Carryover funds will be used to fund capital improvement projects needed to restore gateway markers and streetscape improvements to compliment the Knox Complete Streets. 2016 Capital Improvements reflects spend of majority of carryover from prior years to complement Knox Complete Streets (but may be separate project from Complete Streets).

[3] Security patrol at night.

[4] Website, marketing and special events

[5] Printing, mailing, notice and miscellaneous adminstrative expenses.

[*] Subject to successful renewal in 2017.

[**] PID Oversight Charges started in FY 2012-2013, shown here as expenses one year later.

[***] Due to cash vs accrual, does not match exactly with Total Expenses in 2013

**EXHIBIT C**

KNOX STREET PUBLIC IMPROVEMENT DISTRICT
ASSESSMENT PLAN 2014

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

The cost of improvements and services in the district will be assessed by application of a single rate applied to all non-exempt property on the combined value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment rate for 2014 is proposed at $0.15 per $100.00 of appraised value. The annual assessment rate, during the seven-year life of the District, will not exceed $0.15 per $100.00 of appraised value as determined by the Dallas Central Appraisal District.

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

**AGENDA ITEMS # 61,62**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 9, 10, 13

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

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

## SUBJECT

**Lake Highlands Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Lake Highlands Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing the collection of the assessment; and providing for an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

The Lake Highlands Improvement District Corporation provided City staff with the proposed District Service Plan for 2015 and the proposed Assessment Plan for 2014 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The general nature of the services and improvements to be performed by the District includes safety patrol, litter and graffiti control, park space renovation, communications, special events, lighting, signage and wayfinding, and other services and improvements that are authorized by Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District, for the next five year period is approximately one million, eight hundred nineteen thousand, seven hundred seventy-eight dollars ($1,819,778). The estimated annual average cost for the services and improvements provided by the District is approximately three hundred sixty-three thousand, nine hundred fifty-six dollars ($363,956). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The method proposed of assessment, which may specify included or excluded classes of assessable property, is based on annual assessment rate recommended by the Lake Highlands Improvement District Corporation and established by the City Council. The proposed rate for the 2014 assessment is $0.13 per $100.00 of valuation. The assessment rate is requested to provide the necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned on the basis of special benefits accruing to the property because of the services and improvements. The final assessment rate for 2014 will be established by City Council after the close of an assessment rate public hearing on September 10, 2014. The annual assessment rate, during the seven-year life of the PID, shall not exceed $0.15 per $100.00 of valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**(e)** **Apportionment of Cost Between District and Municipality as a Whole.** The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District.

**BACKGROUND** (Continued)

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

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

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

On September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29135.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

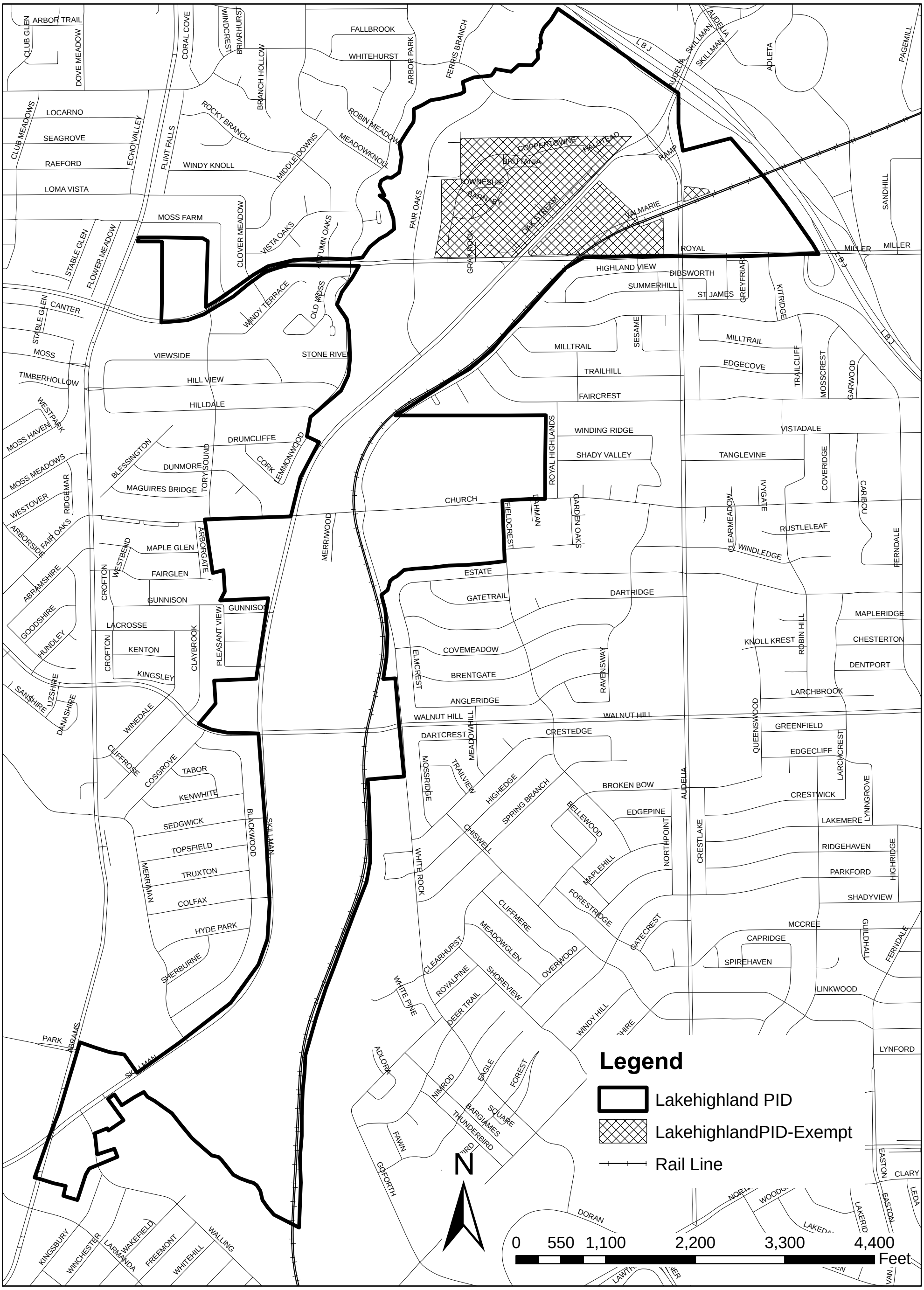
On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

## FISCAL INFORMATION

No cost consideration to the City

## MAP

Attached.




# Lake Highlands PID Boundary Map

City of Dallas

**Office of Economic Development**
**April 2008**

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on June 25, 2008, City Council, authorized and created the District as a public improvement district, as shown on the attached **Exhibit A - Map of the District**, under Chapter 372 of the Texas Local Government Code, by Resolution No. 08-1866; and

**WHEREAS,** on September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29135; and

**WHEREAS,** on August 27, 2014, the City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Plan and approval of the final 2015 Service Plan; and

**WHEREAS,** the Lake Highlands Improvement District Corporation has presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located within the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners, and that the assessment rate of $0.13 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District is reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Lake Highlands Public Improvement District (District); closing the hearing and levying assessments for the cost of services and improvements to be provided in the Lake Highlands Public Improvement District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. Public rights-of-way, City parks, and property owned by persons already receiving and qualifying for the 65-or-older homestead exemption under Section 11.13(c) or (d) of the Texas Property Tax Code, City of Dallas property and properties otherwise exempt from ad valorem taxes are exempt from assessment. The assessment rate to be billed in 2014 is $0.13 per $100 of valuation.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2014, of approximately $291,866. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing.

**SECTION 5.** (Continued)

The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

**SECTION 13.** That this ordinance 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 ordained.

APPROVED AS TO FORM

WARREN M. S. ERNST
CITY ATTORNEY

By: Roxanne Odurond
Assistant City Attorney

Passed and correctly enrolled_____

# Lake Highlands Public Improvement District

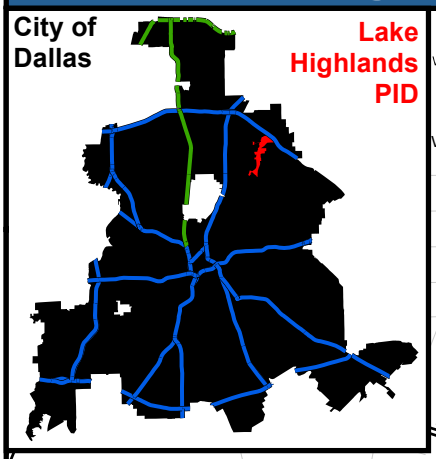



Exhibit A

LBJ / Skillman Station

Lake Highlands Station

## Legend

- Lake Highlands PID
- Rail Station
- Future Station
- DART Blue Line
- Freeway
- Highway
- Arterial
- Local Road
- Excluded Properties

0 0.125 0.25 0.5 Miles

DALLAS
ECONOMIC
DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 03.17.2010 - PID_LakeHighlands.TCG

Source: Rail Lines - DART, 2010; Parcels - DCAD, 2009; All Other Data - City of Dallas, 2010

**Exhibit B**

## LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
## SERVICE PLAN (2015-2019)

| | 2015 | | 2016* | 2017* | 2018* | 2019* |
|---|---|---|---|---|---|---|
| **INCOME** | | | | | | |
| **Net Assessment** | $290,158.50 | | $320,058.50 | $352,948.50 | $389,127.50 | $428,924.40 |
| Interest on Cash Balance | $300.00 | | $300.00 | $400.00 | $400.00 | $400.00 |
| Surplus Carried Forward | $1,438.00 | | $0.00 | $0.00 | $0.00 | $0.00 |
| ***Total Income*** | **$291,896.50** | | **$329,200.00** | **$362,190.00** | **$398,369.00** | **$438,165.90** |
| **EXPENSES** | | | | | | |
| **Renewal/Creation Fee** | $15,000.00 | 5% | | | | |
| Public Safety [(1)] | $145,758.32 | 50% | $173,290.88 | $190,656.82 | $209,701.44 | $230,650.53 |
| Improvements [(2)] | $66,372.09 | 23% | $78,909.24 | $86,816.94 | $95,489.05 | $105,028.37 |
| Promotion [(4)] | $15,700.03 | 5% | $18,665.64 | $20,536.17 | $22,587.52 | $24,844.01 |
| Administration [(4)] | $27,911.17 | 10% | $33,183.36 | $36,508.75 | $40,155.60 | $44,167.12 |
| Audit | $6,368.62 | 2% | $7,571.60 | $8,330.37 | $9,162.49 | $10,077.82 |
| Insurance | $14,786.27 | 5% | $17,579.28 | $19,340.95 | $21,272.90 | $23,398.06 |
| ***Total Expenses*** | **$291,896.50** | | **$329,200.00** | **$362,190.00** | **$398,369.00** | **$438,165.90** |
| Surplus Carried Forward | $0.00 | | $0.00 | $0.00 | $0.00 | $0.00 |

Notes:

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

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

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

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

* The Lake Highlands PID is authorized by the City Council through 2015. Expenses for 2016 through 2019 are estimates pending successful renewal of the PID in 2015.

# Exhibit C
# LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
# 2014 ASSESSMENT PLAN

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

The service area is identified on the enclosed map. All properties will be assessed at a uniform rate. The proposed assessment rate for the 2014 is proposed at $0.13 per $100.00 of appraised value. Each subsequent year, a recommended assessment rate will be determined by the budget prepared by the management corporation. Assessment will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

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

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

**AGENDA ITEMS # 63,64**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 44 H D and 45 E

## SUBJECT

**Oak Lawn-Hi Line Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Oak Lawn-Hi Line Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date – Financing: No cost consideration to the City

## BACKGROUND

Annually, City Council calls and holds public hearings to set the annual Assessment Rate for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID.

The Oak Lawn-Hi Line Improvement District Corporation provided City staff with the proposed District Service Plan for 2015 and the proposed Assessment Plan for 2014 for review, and City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The general nature of the services and improvements to be performed by the District is to enhance security and public safety within the District, litter and graffiti control, general public improvements, landscape improvements including planting, hardscape and street furniture within public open space and public right of way and related services and improvements that are authorized by the Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services.** The total estimated cost of services and improvements provided by the District for the next five year period is approximately one million, four hundred eleven thousand, ninety-three dollars ($1,411,093). The estimated average annual cost is approximately two hundred eighty-two thousand, two hundred nineteen dollars ($282,219). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on an annual assessment rate recommended by the Oak Lawn-Hi Line Improvement District Corporation and established by the City Council. The proposed rate for the 2014 assessment is $0.15 per $100.00 of valuation. The assessment rate is requested to provide the necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned on the basis of special benefits accruing to the property because of the services and improvements. The final assessment rate for 2014 will be established by City Council after the close of an assessment rate public hearing on September 10, 2014. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed $0.15 per $100.00 of valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

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

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

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

On September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29136.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

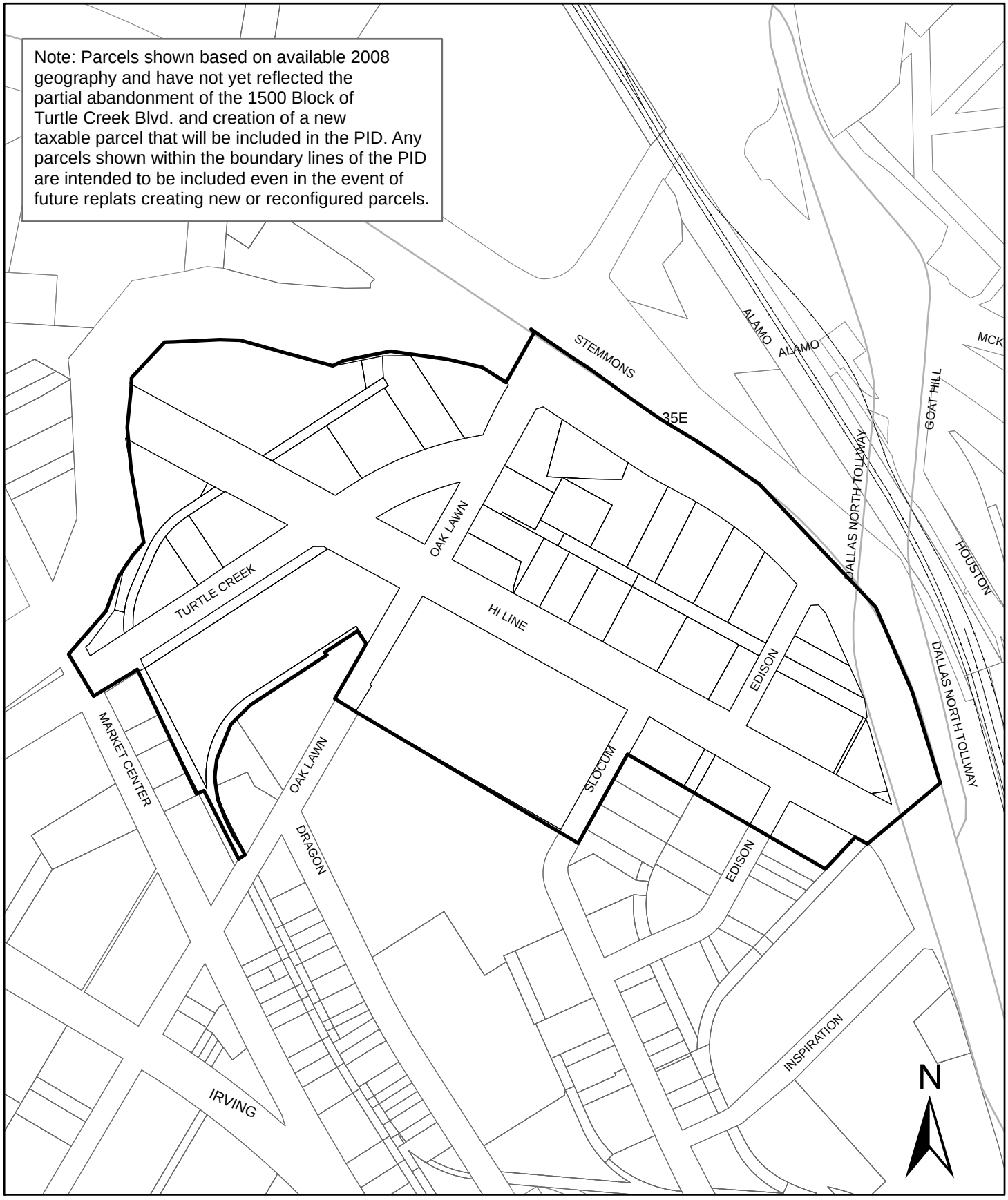
On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

## FISCAL INFORMATION

No cost consideration to the City

## MAP

Attached.




# Oak Lawn - Hi Line Public Improvement District

PID Boundary

CITY OF DALLAS

Office of Economic Development
July 2009

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE OAK LAWN-HI LINE PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on June 24, 2009, City Council held and closed a public hearing and authorized the creation of the Oak Lawn-Hi Line Pubic Improvement District (the "District") as shown on the attached **Exhibit A - Map of the District**, and designated Oak Lawn-Hi Line Improvement District Corporation as the management entity of the District by Resolution No. 09-1679; and

**WHEREAS,** on September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29136; and

**WHEREAS,** on August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Plan and approval of the final 2015 Service Plan; and

**WHEREAS,** the Oak Lawn-Hi Line Improvement District Corporation has presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located within the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate of $0.15 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District is reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Oak Lawn-Hi Line Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. Public rights-of-way, City of Dallas property and properties otherwise exempt from ad valorem taxes are exempt from assessment. The assessment rate to be billed in 2014 is $0.15 per $100 of valuation.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for the fiscal year ending December 31, 2014, of approximately $301,229. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and that the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and is a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

**SECTION 13.** That this ordinance 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 ordained.

APPROVED AS TO FORM

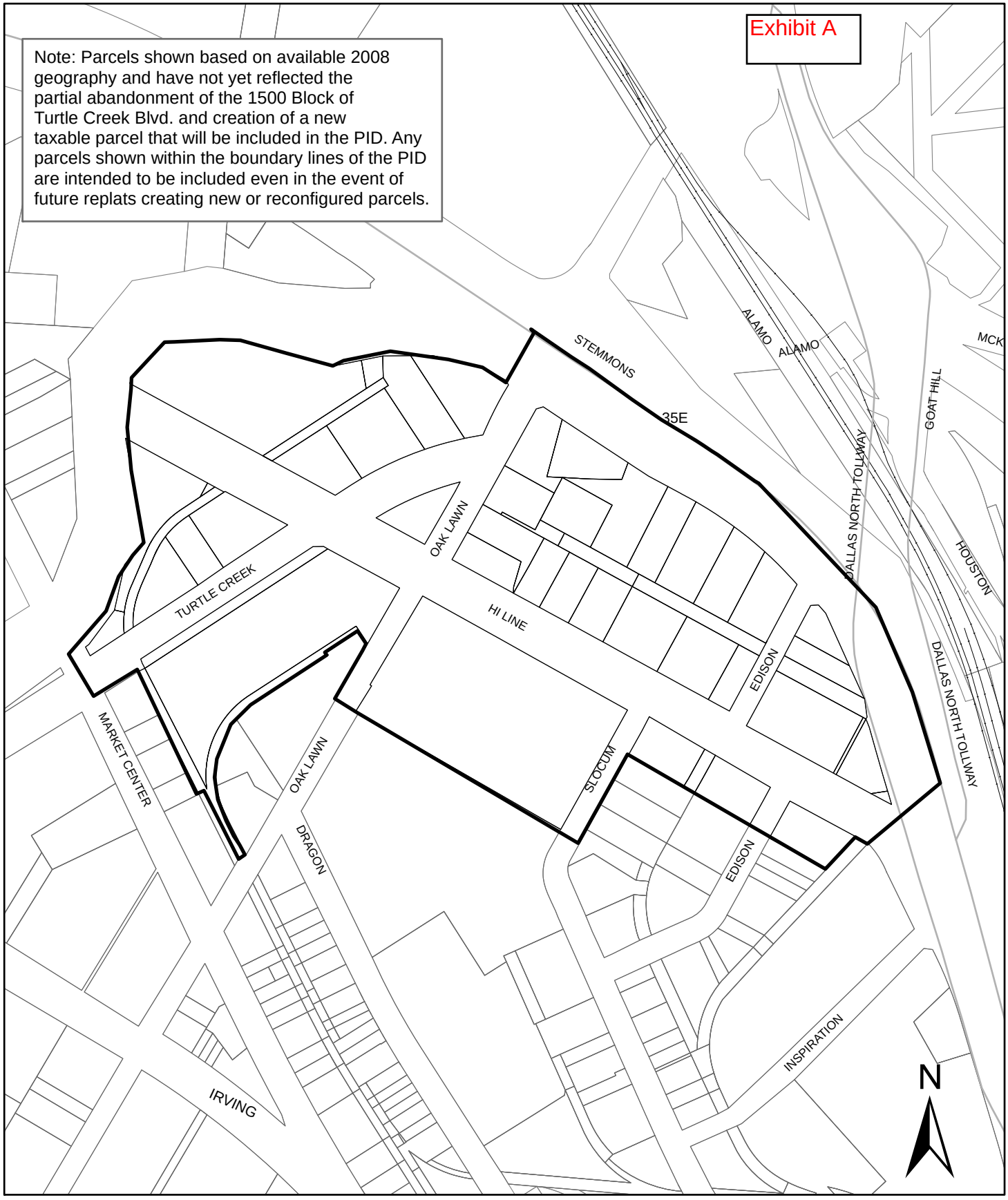
WARREN M.S. ERNST
CITY ATTORNEY

By: Roxanne Diamond
Assistant City Attorney

Passed and correctly enrolled_____

Exhibit A

Note: Parcels shown based on available 2008 geography and have not yet reflected the partial abandonment of the 1500 Block of Turtle Creek Blvd. and creation of a new taxable parcel that will be included in the PID. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.




# Oak Lawn - Hi Line Public Improvement District

PID Boundary

CITY OF DALLAS

Office of Economic Development
July 2009

Exhibit B

# Oak Lawn-Hi Line Public Improvement District--Five Year Service Plan

| | 2015 | | 2016 | 2017 | 2018 | 2019 |
|---|---|---|---|---|---|---|
| **INCOME** | | | | | | |
| **BALANCE FORWARD** | | | | | | |
| Net assessment revenue | $263,918.00 | | $269,196.36 | $274,580.29 | $280,071.89 | $285,673.33 |
| Interest on cash balances | $79.43 | | $81.81 | $84.27 | $86.79 | $89.40 |
| Other income & contributions | $37,231.17 | | $0.00 | $0.00 | $0.00 | $0.00 |
| **TOTAL INCOME** | $301,228.60 | | $269,278.17 | $274,664.55 | $280,158.69 | $285,762.73 |
| | | | | | | |
| **EXPENDITURES** | | | | | | |
| Public Safety | $120,210.35 | 40% | $107,452.55 | $109,594.19 | $111,778.37 | $114,014.28 |
| Area Improvements | $135,132.23 | 45% | $120,790.79 | $123,198.28 | $125,653.58 | $128,167.04 |
| General Administrative | $27,545.37 | 9% | $24,622.01 | $25,112.75 | $25,613.24 | $26,125.59 |
| Promotion | $1,074.26 | 0% | $978.90 | $1,017.80 | $1,058.24 | $1,079.41 |
| Insurance and Audit | $17,266.39 | 6% | $15,433.92 | $15,741.54 | $16,055.26 | $16,376.41 |
| TOTAL EXPENDITURES | $301,228.60 | 100% | $269,278.17 | $274,664.55 | $280,158.69 | $285,762.73 |

**Notes**

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

**Exhibit C**

## OAK LAWN - HI LINE PUBLIC IMPROVEMENT DISTRICT
## 2014 ASSESSMENT PLAN

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

The cost of improvements and services in the district will be assessed by application of a single rate applied to all non-exempt property on the combined value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The 2014 assessment rate is proposed at $0.15 per $100.00 of appraised value. The annual assessments rate, during the seven-year life of the District, will not exceed $0.15 per $100.00 of appraised value as determined by the Dallas Central Appraisal District.

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

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

**AGENDA ITEMS # 65,66**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 12

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 5 T U X Y

## SUBJECT

**Prestonwood Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Prestonwood Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

The Prestonwood Homeowner's Association presented City staff with the proposed Service Plan for 2015 and the proposed Assessment Plan for 2014 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The assessment plan for 2014 proposes no change in assessment rate from last year.

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The general nature of the services and improvements to be performed by the District is to enhance public safety and security related improvements within the District that are authorized by the Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the next five year period is approximately one million, five hundred seventy-two thousand, nine hundred dollars ($1,572,900). The estimated average annual cost is approximately three hundred fourteen thousand, five hundred eighty dollars ($314,580). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed 2014 annual assessment rate in the District is $0.08 per $100.00 of appraised value by the Dallas Central Appraisal District. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**(e)** **Apportionment of Cost between the District and the Municipality as a Whole.** The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District. City rights-of-way, parks and cemeteries are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract. No such contract is in place, nor is any proposed.

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

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

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

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

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

On September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29137.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

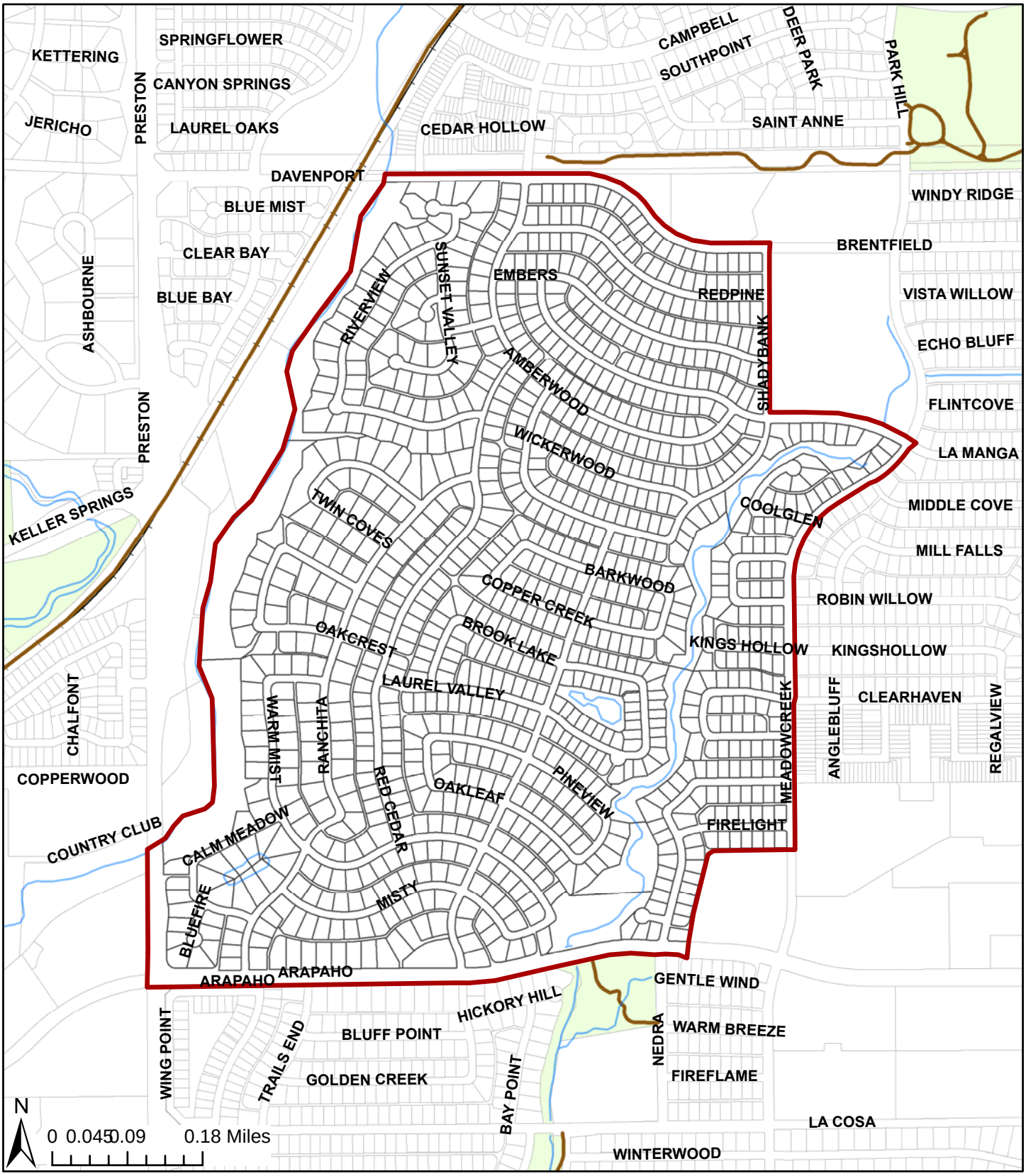
On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

**FISCAL INFORMATION**

No cost consideration to the City

**MAP**

Attached.




# Prestonwood PID Boundary Map

Prestonwood PID Boundary

City of Dallas

Office of Economic Development
August 2007

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL SERVICE PLAN FOR 2015 AND FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE PRESTONWOOD PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on May 14, 1997, City Council first authorized and created the (District) Resolution No. 97-1575; and

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

**WHEREAS,** on June 22, 2011, City Council authorized the renewal of the District for seven (7) years, under the Act and by Resolution No. 11-1796, attached hereto as **Exhibit A – Map of the District**; and

**WHEREAS,** on August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Plan and approval of the final 2015 Service Plan; and

**WHEREAS,** the Prestonwood Homeowners Association has presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** as further required by the Act the City held the public hearing on September 10, 2014, and subsequently closed the public hearing after receiving concerns and comments on the proposed assessment for the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located in the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the final 2015 Service Plan and the final 2014 Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate of $0.08 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District; are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Prestonwood Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. Public rights-of-way,parks and cemeteries, City of Dallas property and properties otherwise exempt from ad valorem taxes are exempt from assessment. The assessment rate to be billed in 2014 is $0.08 per $100 of valuation.

**SECTION 4.** That the City Council hereby authorizes and adopts the Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2014, of approximately $314,580. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore had with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and is a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

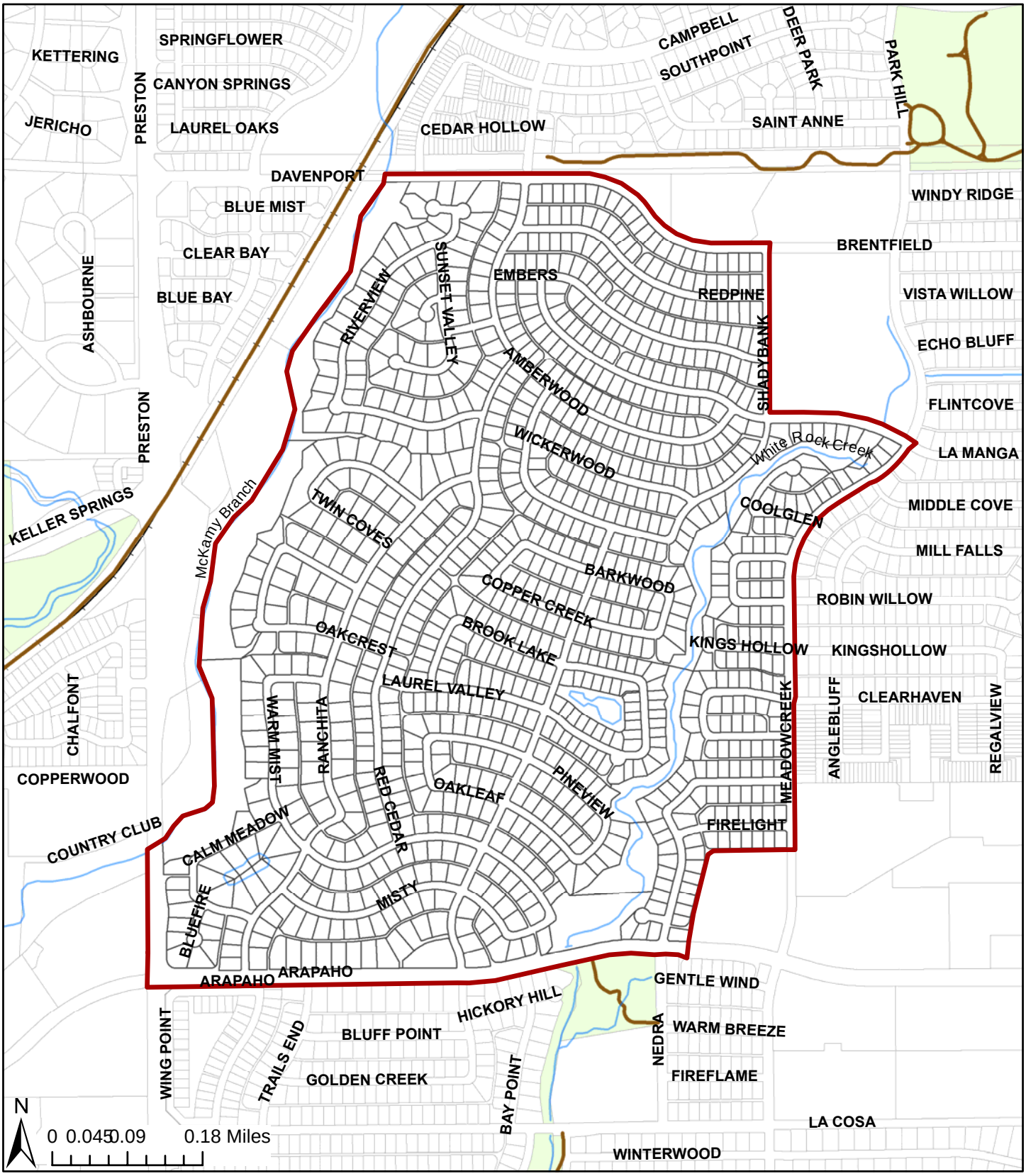
**SECTION 13.** That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM

WARREN M. S. ERNST
CITY ATTORNEY

By: _____
Assistant City Attorney

Passed and correctly enrolled_____




# Prestonwood PID Boundary Map
# Exhibit A

Prestonwood PID Boundary

City of Dallas

Office of Economic Development
August 2007

# Prestonwood Public Improvement District
## Service Plan 2015-2019

Exhibit B

| ***Revenue & Reserves*** | **2015** | | **2016** | **2017** | **2018** | **2019** |
|---|---|---|---|---|---|---|
| Calendar Year Beginning Balance | $ 34,197 | | $ 17,269 | $ 15,223 | $ 22,553 | $ 39,539 |
| Net Assessment Revenue | $ 297,633 | | $ 312,514 | $ 321,890 | $ 331,546 | $ 331,546 |
| Exempt Jusrisdictions | $ - | | $ - | $ - | $ - | $ - |
| Interest on Cash balances | $ 20 | | $ 20 | $ 20 | $ 20 | $ 20 |
| Total Income & Reserves | $ 331,849 | | $ 329,803 | $ 337,133 | $ 354,119 | $ 371,105 |
| ***PID Services*** | | | | | | |
| Public Safety | $ 289,080 | 92% | $ 289,080 | $ 289,080 | $ 289,080 | $ 289,080 |
| Audit & Insurance | $ 23,000 | 7% | $ 23,000 | $ 23,000 | $ 23,000 | $ 23,000 |
| Administrative | $ 2,500 | 1% | $ 2,500 | $ 2,500 | $ 2,500 | $ 2,500 |
| Total Disbursements | $ 314,580 | | $ 314,580 | $ 314,580 | $ 314,580 | $ 314,580 |
| ***Reserve*** | $ 17,269 | | $ 15,223 | $ 22,553 | $ 39,539 | $ 56,525 |

PRESTONWOOD
A Special Community
Homeowners Association
*P. O. Box 795682*
**Dallas, TX 75248**

## Exhibit C
## PRESTONWOOD PUBLIC IMPROVEMENT DISTRICT
## 2014 ASSESSMENT PLAN

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

The 2014 assessment rate for the property in the Prestonwood PID is proposed at $0.0800 per $100.00 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

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

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

**AGENDA ITEMS # 67,68**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 45 T U X Y

## SUBJECT

**South Side Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the South Side Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

The South Side Quarter Development Corporation provided City staff with the proposed District Service Plan for 2015 and the proposed Assessment Plan for 2014 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The general nature of the proposed improvement and services to be performed by the District is to enhance public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements authorized by the Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the five year period is approximately six hundred thirty-seven thousand, four hundred dollars ($637,400). The estimated average annual cost of services for the District is approximately one hundred twenty-seven thousand four hundred eighty dollars ($127,480). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the real property and real property improvements as determined by the Dallas Central Appraisal District. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Tax Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment of that portion of the assessed value of the property exempt from City real property taxes. The proposed assessment rate for 2014, for the property in the standard area is proposed at $0.12 per $100.00 valuation, and the rate for the premium service area is proposed at $0.15 per $100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed $0.15 per $100.00 of valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**(e)** **Apportionment of Cost Between District and Municipality as a Whole.** The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against exempt City property including City rights-of-way and parks.

**BACKGROUND** (Continued)

Payment of assessments by other tax-exempt owners must be established by contract. No such contracts are in place at present.

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

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

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

On September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29138.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

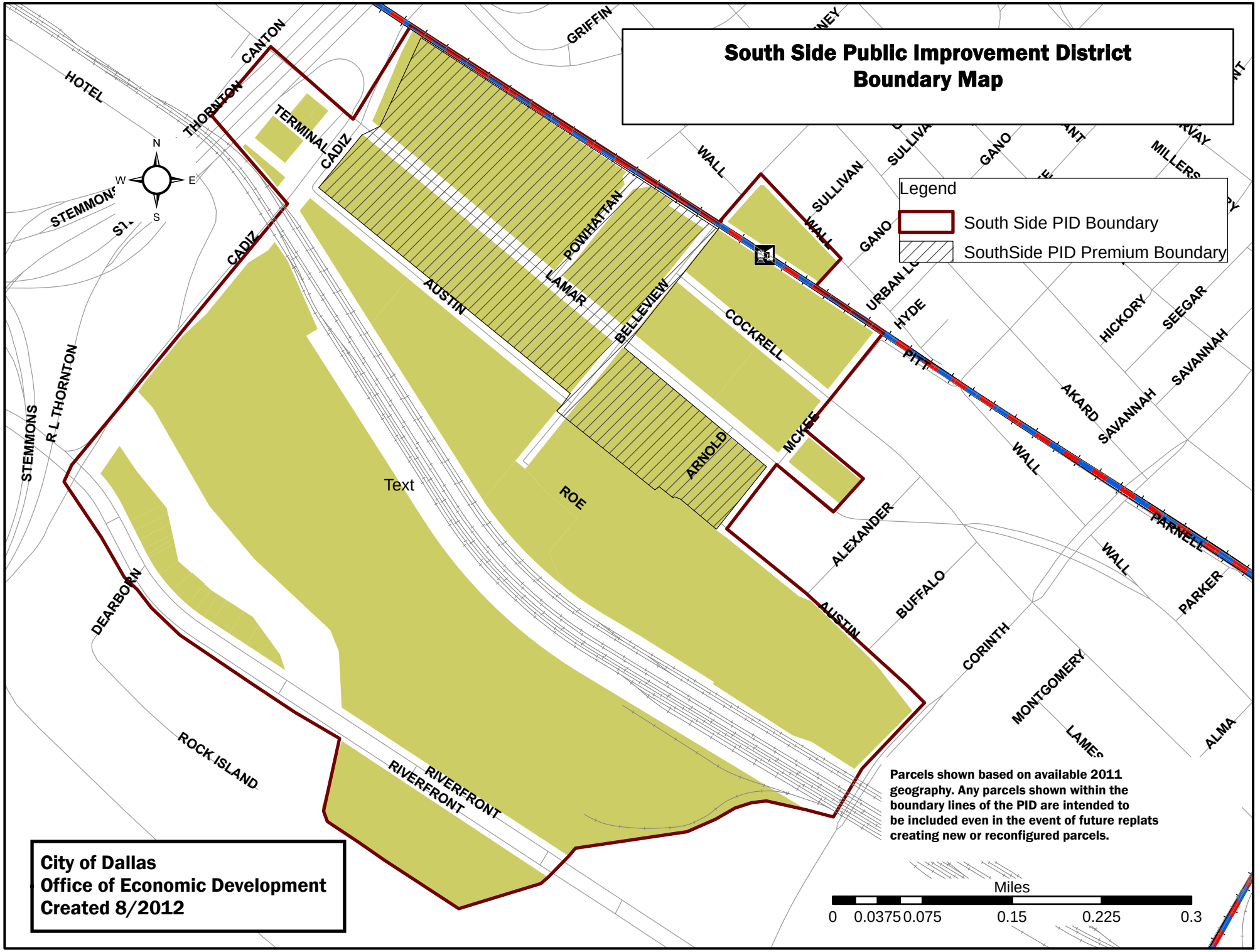
On August 27, 2014, the City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

**FISCAL INFORMATION**

No cost consideration to the City

**MAP**

Attached.


South Side Public Improvement District
Boundary Map
Legend
South Side PID Boundary
SouthSide PID Premium Boundary
Text
Parcels shown based on available 2011 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
Miles
0 0.0375 0.075 0.15 0.225 0.3
City of Dallas
Office of Economic Development
Created 8/2012
N
S
E
W
GRIFFIN
CANTON
HOTEL
THORNTON
TERMINAL
CADIZ
WALL
SULLIVAN
GANO
POWHATTAN
LAMAR
BELLEVIEW
AUSTIN
COCKRELL
HYDE
PITT
HICKORY
SEEGAR
SAVANNAH
AKARD
MCKEE
ARNOLD
ROE
ALEXANDER
BUFFALO
PARKER
PARNELL
CORINTH
MONTGOMERY
ALMA
DEARBORN
ROCK ISLAND
RIVERFRONT
STEMMONS
R L THORNTON

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE SOUTH SIDE PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

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

**WHEREAS,** on September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29138; and

**WHEREAS,** on August 27, 2014, the City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Plan and approval of the final 2015 Service Plan; and

**WHEREAS,** the South Side Quarter Development Corporation provided City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014 as shown in **Exhibits B and C**; for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located in the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rates for the property in the standard area proposed at $0.12 per $100.00 valuation and the premium service area proposed at $0.15 per $100.00 appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District, are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the South Side Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by DCAD. Public rights-of-way, City of Dallas property, and properties otherwise exempt from ad valorem taxes are exempt from assessment. The assessment rate to be billed in 2014 for the property in the standard area is $0.12 per $100.00 valuation and the premium service area is $0.15 per $100.00 of valuation.

**SECTION 4.** That the City Council hereby authorizes and adopts the Assessment Roll filed with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for the fiscal year ending December 31, 2014, of approximately $122,500. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

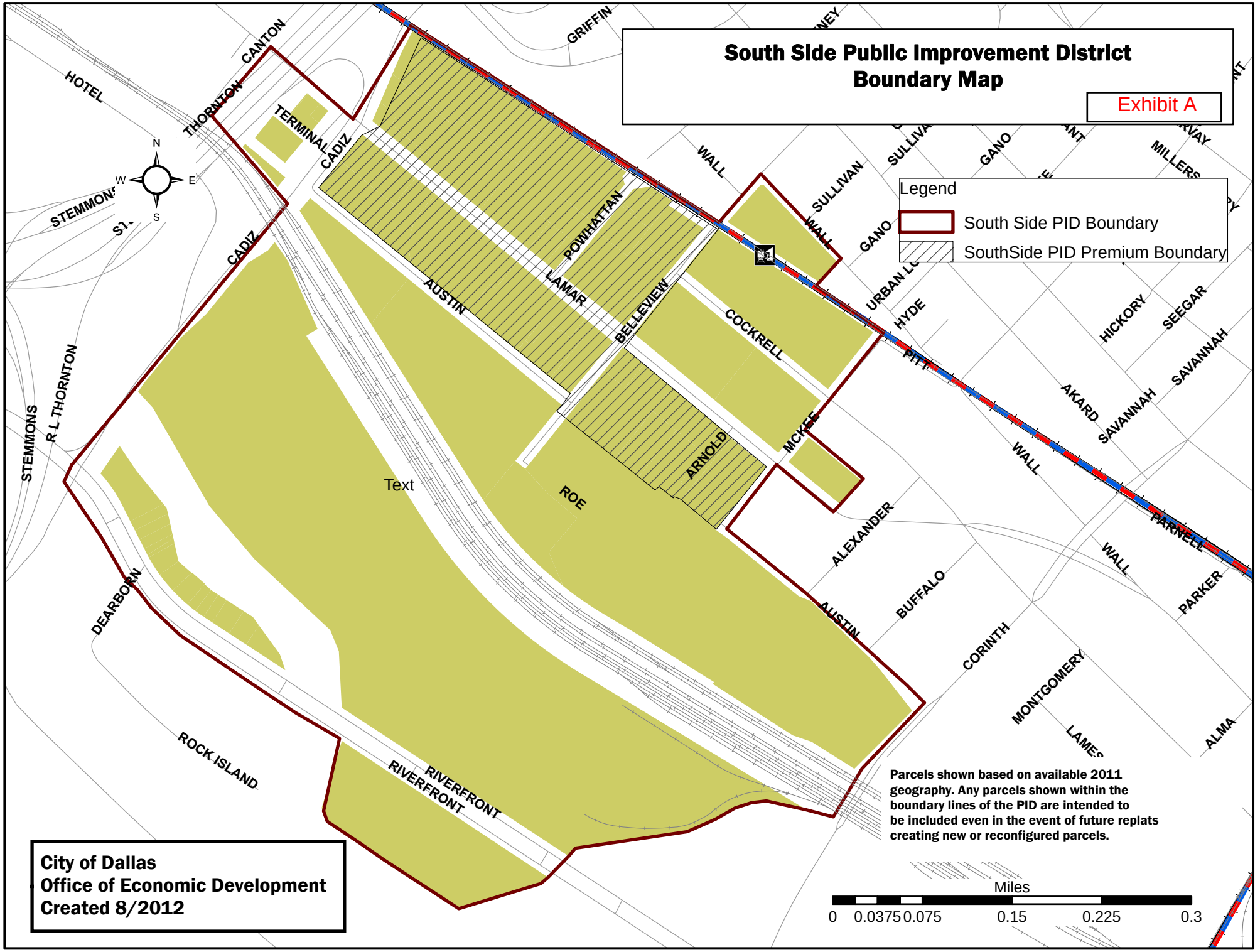
**SECTION 13.** That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM

WARREN M. S. ERNST
CITY ATTORNEY

By: _____
Assistant City Attorney

Passed and correctly enrolled_____


South Side Public Improvement District
Boundary Map
Exhibit A
Legend
South Side PID Boundary
SouthSide PID Premium Boundary
Text
Parcels shown based on available 2011 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.
Miles
0 0.0375 0.075 0.15 0.225 0.3
City of Dallas
Office of Economic Development
Created 8/2012
N
S
E
W
HOTEL
CANTON
THORNTON
TERMINAL
CADIZ
GRIFFIN
WALL
SULLIVAN
GANO
POWHATTAN
LAMAR
BELLEVIEW
AUSTIN
COCKRELL
ARNOLD
MCKEE
ROE
HYDE
PITT
HICKORY
SEEGAR
SAVANNAH
AKARD
STEMMONS
R L THORNTON
ALEXANDER
BUFFALO
PARKER
PARNELL
DEARBORN
ROCK ISLAND
RIVERFRONT
CORINTH
MONTGOMERY
ALMA

## Exhibit B

## South Side Public Improvement District
## Service Plan 2014-2019

| | 2015 | | 2016 | 2017 | 2018 | 2019 |
|---|---|---|---|---|---|---|
| **NET TOTAL ASSESSMENTS** | **$ 122,500.00** | | **$ 125,000.00** | **$ 127,500.00** | **$ 131,500.00** | **$ 133,000.00** |
| **Surplus/Deficit from previous year** | **$ 2,725.87** | | **$ 3,725.87** | **$ 2,025.87** | **$ 825.87** | **$ 2,825.87** |
| **Estimated Annual Income to District** | **$ 125,225.87** | | **$ 128,725.87** | **$ 129,525.87** | **$ 132,325.87** | **$ 135,825.87** |
| | | | | | | |
| **Public Improvements** | | | | | | |
| Distinctive lighting/signs | | | | | | |
| Water, wastewater, drainage | | | | | | |
| Fountains | | | | | | |
| **Special Supplemental Services** | | | | | | |
| Park improvements (1) | $ 30,000.00 | 25% | $ 32,000.00 | $ 34,000.00 | $ 34,500.00 | $ 35,000.00 |
| Public safety/security (2) | $ 60,000.00 | 49% | $ 62,500.00 | $ 62,500.00 | $ 62,500.00 | $ 62,500.00 |
| Public art projects (3) | $ - | | | | | |
| Business recruitment/marketing (4) | $ 15,000.00 | 12% | $ 15,000.00 | $ 15,000.00 | $ 15,000.00 | $ 15,000.00 |
| Cultural events (5) | $ 5,000.00 | 4% | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 | $ 5,000.00 |
| Administration | $ 2,000.00 | 2% | $ 2,500.00 | $ 2,500.00 | $ 2,500.00 | $ 3,000.00 |
| Audit (6) | $ 6,500.00 | 5% | $ 6,500.00 | $ 6,500.00 | $ 6,500.00 | $ 6,500.00 |
| Insurance (7) | $ 3,000.00 | 2% | $ 3,200.00 | $ 3,200.00 | $ 3,500.00 | $ 4,000.00 |
| | | | | | | |
| | | | | | | |
| **Estimated Annual Expenses to District** | **$ 121,500.00** | | **$ 126,700.00** | **$ 128,700.00** | **$ 129,500.00** | **$ 131,000.00** |
| **SURPLUS (DEFICIT)** | **$ 3,725.87** | | **$ 2,025.87** | **$ 825.87** | **$ 2,825.87** | **$ 4,825.87** |

(1) Dog park/pedestrian area/plaza improvements

(2) RHI security group patrol and ensure safety throughout PID

(3) mural and artistic updates to beautify PID

(4) marketing and promotional ads & events, website maintainance & development

(5) events and programs to enrich the culture of the historic area

(6) Audit line item also includes quarterly and annual accounting charges

(7) Insurance line item covers both insurance and legal fees

SOUTH SIDE QUARTER DEVELOPMENT CORPORATION

*The Creative District in the Heart of Dallas*

# SOUTH SIDE QUARTER PUBLIC IMPROVEMENT DISTRICT
# 2014 ASSESSMENT PLAN
# Exhibit C

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

The 2014 assessment rate for the property in the premium service area is proposed at $0.15 per $100.00 of value. The 2014 assessment rate for the property in the standard service area is proposed at $0.12 per $100.00. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

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

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

**AGENDA ITEMS # 69,70**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

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

## SUBJECT

**Uptown Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

Uptown Dallas, Inc., presented City staff with the proposed Service Plan for 2015 and the proposed Assessment Plan for 2014 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The general nature of the proposed improvement and services to be performed by the District is to enhance public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements authorized by Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the next five year period is approximately nine million, seven hundred twelve thousand, six hundred eighty-one dollars ($9,712,681). The estimated average annual cost of services for the District is approximately one million, nine hundred forty-two thousand, five hundred thirty-six dollars ($1,942,536). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment attachment which may specify included or excluded classes of assessable property, is based on an annual assessment rate recommended by Uptown Dallas, Inc., and established by the City Council. The proposed rate per property owner for the 2014 assessment is $0.0450 per $100.00 of valuation. The assessment will provide necessary revenue for the annual activities of the District; and the costs of the District shall be apportioned among the property owners on the basis of special benefits accruing to the property because of the services and improvements. The actual assessment rate for 2014 will be established by City Council after the close of an assessment rate public hearing on September 10, 2014. The annual assessment rate, during the seven-year life of the PID, however, shall not exceed $0.15 per $100.00 of valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**(e)** **Apportionment of Cost Between District and Municipality as a Whole.** The District shall pay the cost of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District.

**BACKGROUND** (Continued)

The District's cemeteries, which operate on a nonprofit basis and are not specifically benefited by most of the improvements and services, are one class of tax-exempt properties. Accordingly, the cemeteries will be exempt from assessment. Property owned by tax-exempt religious organizations will be exempt from assessment and property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code will also be exempt.

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

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

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

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

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

On September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29139.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City twelve Public Improvement Districts.

On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

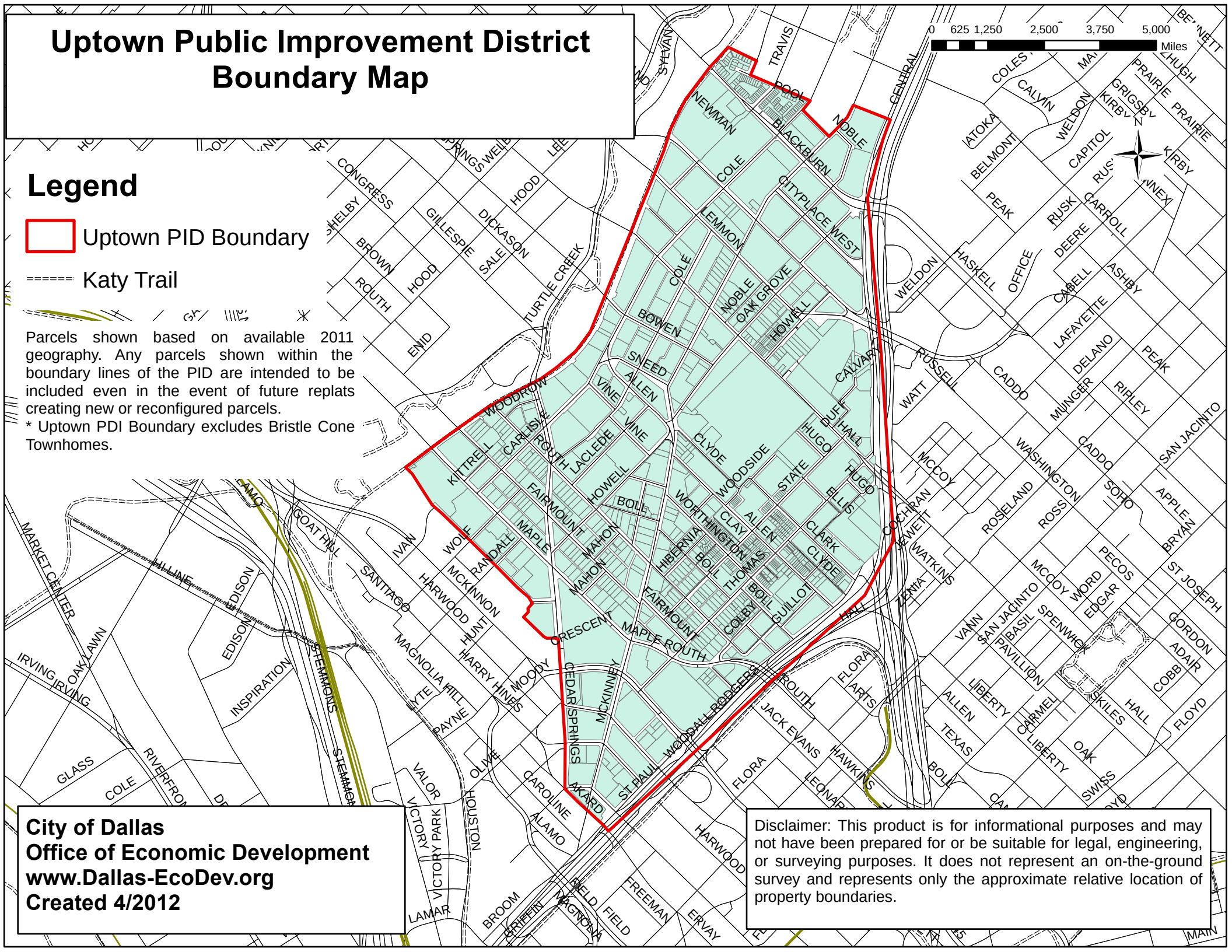
**FISCAL INFORMATION**

No cost consideration to the City

**MAP**

Attached.

# Uptown Public Improvement District Boundary Map




**City of Dallas**
**Office of Economic Development**
**www.Dallas-EcoDev.org**
**Created 4/2012**

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.

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO THE PROPERTY IN THE UPTOWN PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

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

**WHEREAS,** on June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District by Resolution No.12-1584, attached hereto as **Exhibit A – Map of the District**; and

**WHEREAS,** on September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29139; and

**WHEREAS,** on August 27, 2014, the City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Plan and approval of the final 2015 Service Plan; and

**WHEREAS,** Uptown Dallas, Inc. presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located in the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate of $0.0450 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District; are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Uptown Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment attachment which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. The District’s cemeteries, which operate on a nonprofit basis and are not specifically benefited by most of the improvements and services, are one class of tax-exempt properties. Accordingly, the cemeteries will be exempt from assessment.

**SECTION 3.** (Continued)

Property owned by tax-exempt religious organizations will be exempt from assessment and property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code will also be exempt. Payment of assessment by other exempt jurisdictions must be established by contract. No such contracts are in place, nor are any proposed. City rights-of-way and city parks are exempt from assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment. The assessment rate billed in 2014 is $0.045 per $100 of valuation.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2014, of approximately $1,742,306. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

**SECTION 13.** That this ordinance 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 ordained.

APPROVED AS TO FORM

WARREN M. S. ERNST
CITY ATTORNEY

By:_____
Assistant City Attorney

Passed and correctly enrolled_____

# Uptown Public Improvement District
# Boundary Map
# Exhibit A

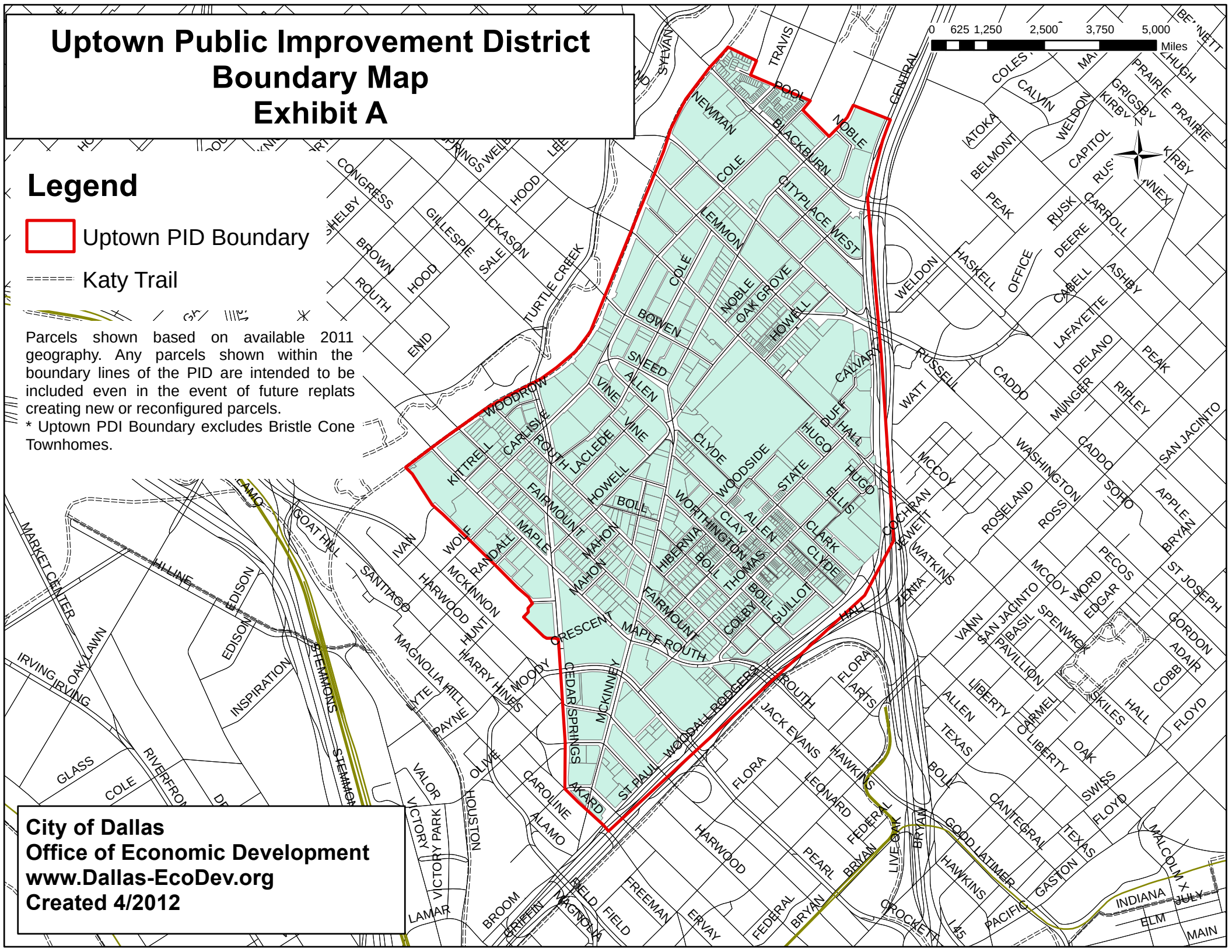


Exhibit B

**UPTOWN PUBLIC IMPROVEMENT DISTRICT**
**SERVICE PLAN (2015 - 2019)**

| **Income** | **2015** | | **2016** | **2017** | **2018** | **2019** |
|---|---|---|---|---|---|---|
| Net Assessments | $1,697,806.00 | | $1,787,430.36 | $1,882,432.18 | $1,983,134.11 | $2,089,878.16 |
| Interest | $2,000.00 | | $2,000.00 | $2,000.00 | $2,000.00 | $2,000.00 |
| Uptown Dallas, Inc. service fees (memberships) | $12,500.00 | | $13,000.00 | $13,500.00 | $14,000.00 | $14,000.00 |
| Marketing Sponsorships (for events) | $30,000.00 | | $35,000.00 | $40,000.00 | $45,000.00 | $45,000.00 |
| Total | $1,742,306.00 | | $1,837,430.36 | $1,937,932.18 | $2,044,134.11 | $2,150,878.16 |
| **Expenditures** | | | | | | |
| Capital Improvements (Median Landscaping, gateway markers, walking trails, parks, streetscape, Katy Trail). | $522,691.80 | 30% | $551,229.11 | $581,379.65 | $613,240.23 | $645,263.45 |
| Services (Off-duty police, trolley operations, traffic & parking, marketing and promotion) | $385,576.50 | 22% | $409,357.59 | $434,483.05 | $461,033.53 | $487,719.54 |
| Landscape Improvements (Landscape, tree care, street & sidewalk sweeping, trash cans, graffiti removal, grates). | $522,691.80 | 30% | $551,229.11 | $581,379.65 | $613,240.23 | $645,263.45 |
| Finance & Administration (Staff Salaries & benefits, rent, office expenses, audit, insurance). | $261,345.90 | 15% | $275,614.55 | $290,689.83 | $306,620.12 | $322,631.72 |
| Griggs Park Improvements [2] | $0.00 | | $0.00 | $0.00 | $0.00 | $0.00 |
| Contingency [1] | $50,000.00 | 3% | $50,000.00 | $50,000.00 | $50,000.00 | $50,000.00 |
| **Total:** | $1,742,306.00 | | $1,837,430.36 | $1,937,932.18 | $2,044,134.11 | $2,150,878.16 |

1. Contingency funds: Allowance made for anticipated tax refunds due to protests by property owners

2. Griggs Park Improvements are completed earlier than expected in 2013. Additional funds are allocated towards Landscape Improvements.

# EXHIBIT C

## 2014 ASSESSMENT PLAN

## Uptown Public Improvement District

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

All property owners not exempt from assessment will be assessed at a uniform rate. In 2014, the proposed rate continues to be 4.5 cents per $100 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

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

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

**AGENDA ITEMS # 71,72**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

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

## SUBJECT

**University Crossing Improvement District**

* A public hearing concerning the proposed levy of assessment for the University Crossing Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving an adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the University Crossing Public Improvement District (District); closing the hearing and levying assessments for the cost of services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date – Financing: No cost consideration to the City

## BACKGROUND

Annually, City Council calls and holds public hearings to set the annual Assessment Rate for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID.

The University Crossing Improvement District Corporation provided City staff with the proposed District Service Plan for 2015 and the proposed Assessment Plan for 2014 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes police safety patrol's for the area, safety awareness and education programs, landscaping, banner program, trash containers and related trash pickup, promotion of the University Crossing area, implement signage and wayfinding systems, management of new and existing public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by Chapter 372 of the Texas Local Government Code (the "Act").

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the next five year period is approximately three million, two hundred ninety-nine thousand dollars ($3,299,000). The estimated average annual cost of services for the District is approximately six hundred fifty-nine thousand, eight hundred dollars ($659,800). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. With the exception of Southern Methodist University (SMU), the real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. SMU has agreed to participate in the University Crossing Public Improvement District (PID) by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID. The proposed annual assessment rate for 2014 will be $0.10 per $100.00 of appraised value as determined by the Dallas Central Appraisal District. The annual assessment rate shall not exceed $0.15 per $100.00 valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**BACKGROUND** (Continued)

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

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

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

On September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29140.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

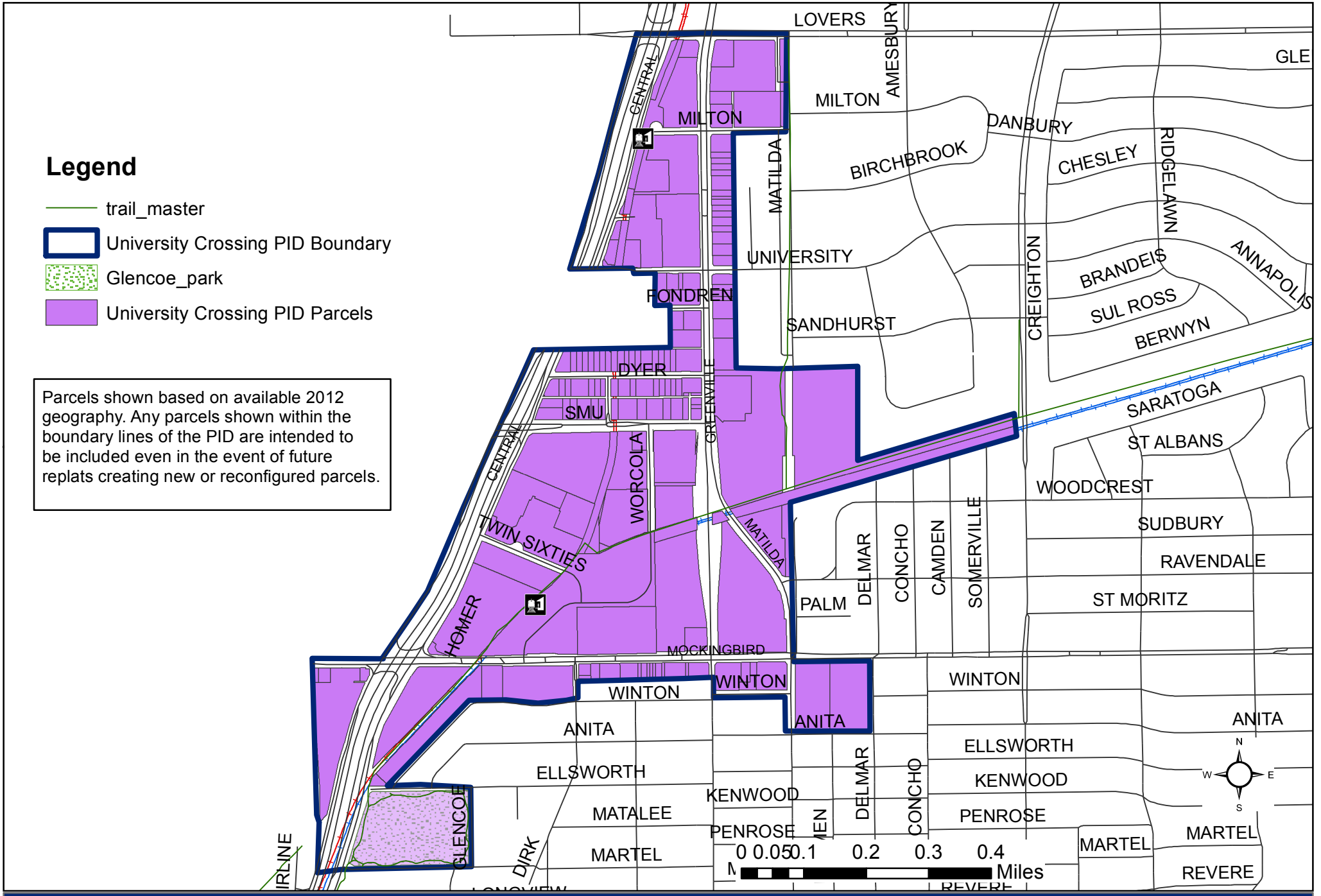
On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

**FISCAL INFORMATION**

No cost consideration to the City

**MAP**

Attached.




# University Crossing Public Improvement District Map

City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2013

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE UNIVERSITY CROSS PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on June 13, 2013, City Council authorized and created the District as shown on the attached **Exhibit A - Map of the District** by Resolution No. 13-1016; and

**WHEREAS,** on September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29140; and

**WHEREAS,** the University Crossing Improvement District Corporation has presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** on August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and approval of the final 2015 Service Plan for the District; and

**WHEREAS,** as further required by the Act, the City held the public hearing on September 10, 2014 and subsequently closed the public hearing after receiving property owner's concerns and comments on the proposed assessments for the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located in the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate of $0.10 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District, are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary) for the District; establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by the DCAD. City rights-of-way, railroad rights-of-way, parks, cemeteries, City of Dallas property and exempt properties (except those owned by Southern Methodist University (SMU), or SMU affiliates) otherwise exempt from ad valorem taxes are exempt from assessment. The assessment rate to be billed in 2014 is $0.010 per $100 of valuation. With the exception of Southern Methodist University (SMU), the real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2014, of approximately $600,000. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

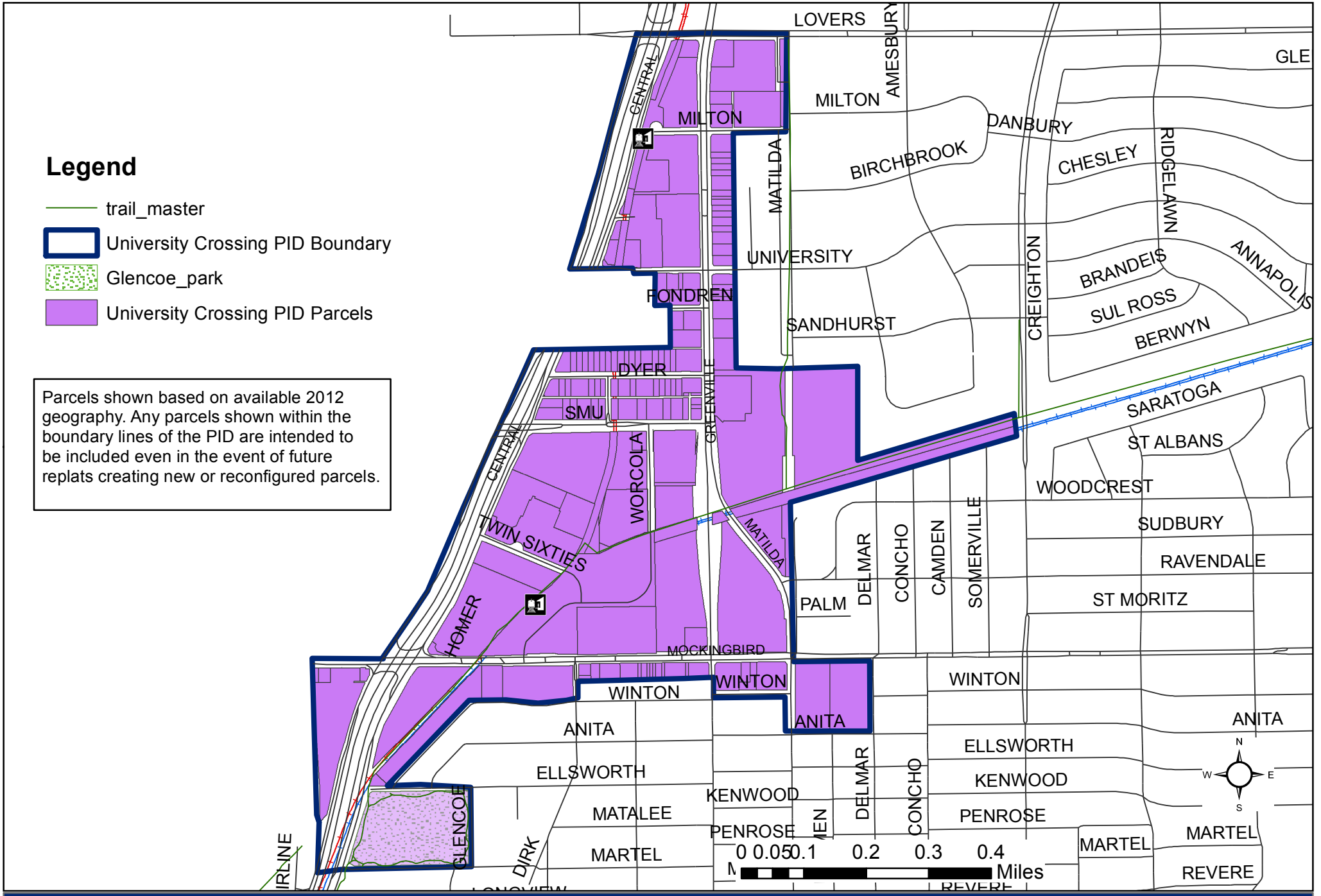
**SECTION 13.** That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM

WARREN M. S. ERNST
CITY ATTORNEY

By:_____
Assistant City Attorney

Passed and correctly enrolled_____




# Exhibit A
# University Crossing Public Improvement District
# Boundary Map

City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2013

Exhibit B

# University Crossing Public Improvement District - Five-Year Budget

| | 2015 Budget | | 2016 Budget | 2017 Budget | 2018 Budget | 2019 Budget |
|---|---|---|---|---|---|---|
| **INCOME** | | | | | | |
| Fund balance from previous year | $0.00 | | $0.00 | $0.00 | $0.00 | $0.00 |
| Net assessment revenue | $600,000.00 | | $637,000.00 | $650,000.00 | $693,000.00 | $707,000.00 |
| Exempt jurisdictions | $0.00 | | $0.00 | $0.00 | $0.00 | $0.00 |
| Interest on cash balances | $0.00 | | $3,000.00 | $2,000.00 | $3,000.00 | $4,000.00 |
| Other income & contributions | $0.00 | | $0.00 | $0.00 | $0.00 | $0.00 |
| **TOTAL INCOME[1]** | **$600,000.00** | | **$640,000.00** | **$652,000.00** | **$696,000.00** | **$711,000.00** |
| **EXPENDITURES** | | | | | | |
| Security | $200,000.00 | 33% | $179,000.00 | $176,000.00 | $188,000.00 | $192,000.00 |
| Improvements | $120,000.00 | 20% | $128,000.00 | $137,000.00 | $146,000.00 | $149,000.00 |
| Landscape and sidewalk improvements | $115,000.00 | 19% | $160,000.00 | $163,000.00 | $174,000.00 | $178,000.00 |
| Promotion and Communication | $63,000.00 | 11% | $64,000.00 | $65,000.00 | $70,000.00 | $71,000.00 |
| Organization & Administration | $82,000.00 | 14% | $90,000.00 | $91,000.00 | $97,000.00 | $100,000.00 |
| Audit & Insurance | $20,000.00 | 3% | $19,000.00 | $20,000.00 | $21,000.00 | $21,000.00 |
| **TOTAL EXPENDITURES** | **$600,000.00** | | **$640,000.00** | **$652,000.00** | **$696,000.00** | **$711,000.00** |
| **FUND BALANCE/RESERVES** | **$0.00** | | **$0.00** | **$0.00** | **$0.00** | **$0.00** |

**NOTES:**

1. The income is net of City/County PID and collection fees based on a $0.10 per $100 contribution on the total tax value of the area.
2. Police patrol of the University Crossing area, owner safety coordination, etc.
3. Public Improvements, landscape, parks and pedestrian amenities for the PID.
4. Sidewalk, public planters, waste disposal, clean area programs, and landscape improvements throughout the University Crossing area.
5. University Crossing area coordination among owners, program services for area promotion and awareness.
6. Expenses of the PID and salary of PID director.
7. Annual audit of the PID finances and liability insurance for the PID.

# Exhibit C
# University Crossing Public Improvement District
# Assessment Plan 2014

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

The University Crossing Public Improvement District (PID) proposed assessment rate for 2014 is $0.100 per $100 of appraised value. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of $0.15 per $100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities (except SMU) must also be established by contract. SMU has agreed to participate in the University Crossing PID by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID.

**AGENDA ITEMS # 73,74**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 13

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

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

## SUBJECT

**Vickery Meadow Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District – Financing: No cost consideration to the City
* An ordinance approving and adopting the final Service Plan for 2015 and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the for the Vickery Meadow Public Improvement District Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

The Vickery Meadow Management Corporation provided City staff with the proposed District Service Plan for 2015 and the proposed Assessment Plan for 2014 for review. City staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 10, 2014.

**BACKGROUND** (Continued)

The District's final Service Plan is outlined below:

**(a)** **Nature of the Services and Improvements.** The general nature of the services and improvements to be performed by the District is to enhance security and public safety within the District, provide area improvements, conduct marketing and promotion activities, funding for long range planning for capital projects, construction and administration of capital projects and other activities as authorized by Chapter 372 of the Texas Local Government Code.

**(b)** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the next five year period is approximately three million, four hundred fifty thousand, eight hundred sixty-five dollars ($3,450,865). The average annual cost of services for the District is approximately six hundred ninety thousand, one hundred seventy-three dollars ($690,173). The District shall incur no bonded indebtedness.

**(c)** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**(d)** **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the value of the real property and real property improvements, as determined by the Dallas Central Appraisal District. The proposed assessment rate for 2014 for the property in the standard area is proposed at $0.05 per $100.00 valuation and premium service area is proposed at $0.10 per $100.00 valuation. The annual assessment rate, during the seven-year life of the PID, shall not exceed $0.15 per $100.00 of valuation. The assessment rate will be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

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

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

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

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

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

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

On September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29141.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

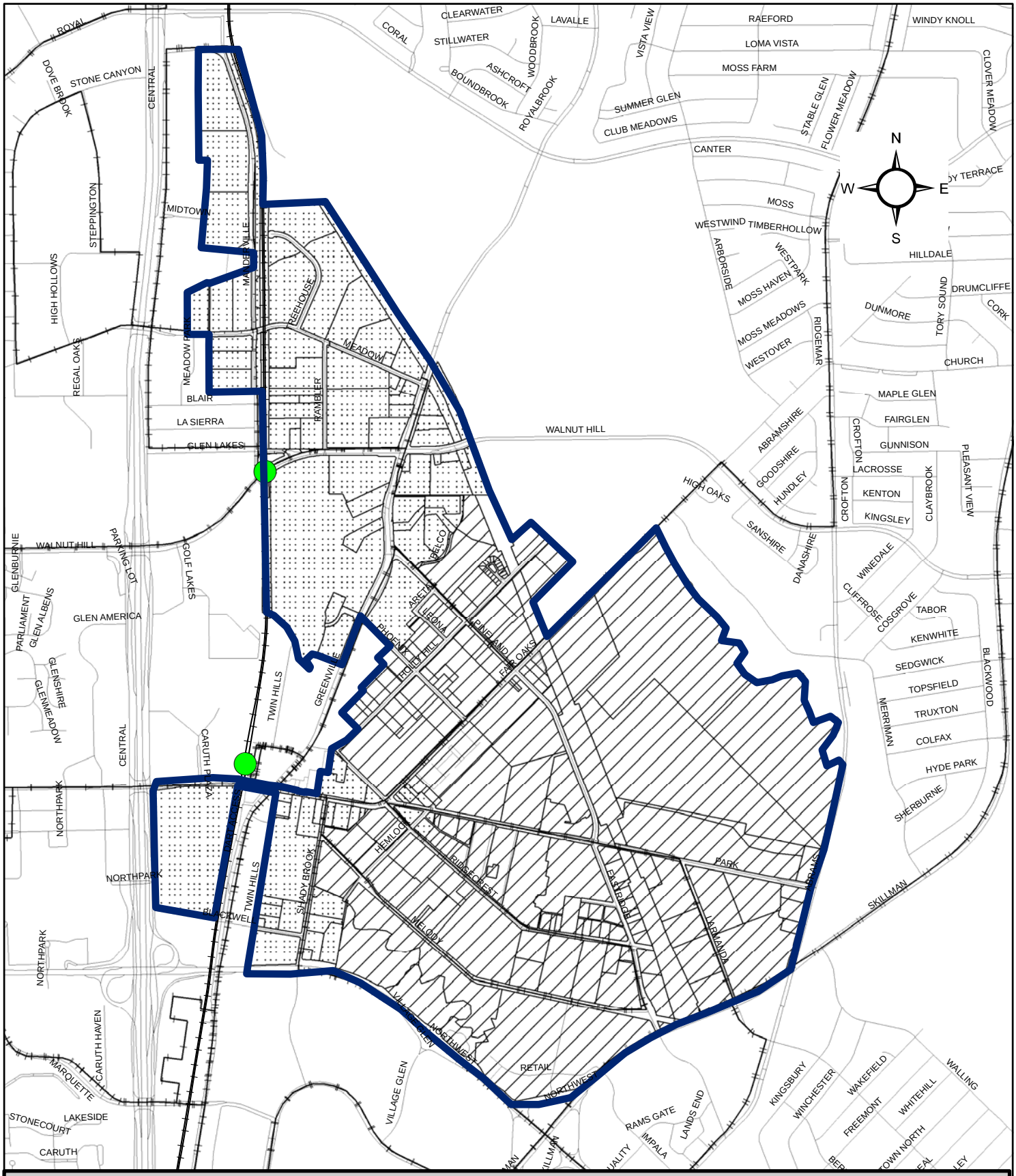
On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Rate and final approval of the 2015 Service Plan.

## FISCAL INFORMATION

No cost consideration to the City

## MAP

Attached.




**Vickery Meadow PID Boundary Map**

City of Dallas
Office of Economic Development
http://www.Dallas-EcoDev.org
Created 07/2010

**Vickery Meadow PID Boundary**

**DART Station**

**VMPID Standard Service Area**

**VMPID Premium Service Area**

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2015 SERVICE PLAN AND THE FINAL 2014 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE VICKERY MEADOW PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF CERTAIN SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2015; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on June 23, 1993, City Council first authorized and created the Vickery Meadow Public Improvement District (District), as a public improvement district by Resolution No. 93-2502; and

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

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

**WHEREAS,** on June 25, 2008, City Council authorized the renewal of the Vickery Meadow PID by Resolution No. 08-1867; attached hereto as **Exhibit A – Map of the District**; and

**WHEREAS,** on September 11, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29141; and

**WHEREAS,** on August 27, 2014, the City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 Assessment Plan and approval of the final 2015 Service Plan; and

**WHEREAS,** the Vickery Meadow Management Corporation presented City staff with the proposed District Service Plan for 2015 and the proposed Assessment Rate for 2014, attached hereto as **Exhibits B and C**, for the purpose of apportioning the cost of services and improvements to be assessed against the property in the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of property located in the District to speak for or against the assessment against real property and real property improvements exclusive of public rights-of-way, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** the City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the property owners and that the assessment rate for the premium service area in the District is $0.10 per $100.00 of appraised value and the assessment rate for the standard service area is $0.05 per $100.00 of appraised value, as determined by the Dallas Central Appraisal District (DCAD), of the property or improvements to the property located in the District; are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt an ordinance approving and adopting the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Vickery Meadow Public Improvement District Public Improvement District (District); closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2015; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing for an effective date.

**SECTION 2.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 3.** That the proposed method of assessment, which specifies included or excluded classes of assessable property, is based on the value of the real property and real property improvements as determined by DCAD. Public rights-of-way, City of Dallas property and properties otherwise exempt from ad valorem taxes are exempt from assessment. The assessment rate to be billed in 2014 for the premium service area in the District is $0.10 per $100.00 of appraised valuation and assessment rate for the standard service area is $0.05 per $100.00 of appraised valuation.

**SECTION 4.** That the City Council hereby authorizes and adopts the final 2015 Service Plan and the final 2014 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for the fiscal year ending December 31, 2014, of approximately $776,420. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and is a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessments levied herein shall be due and payable in full on or before January 31, 2015. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

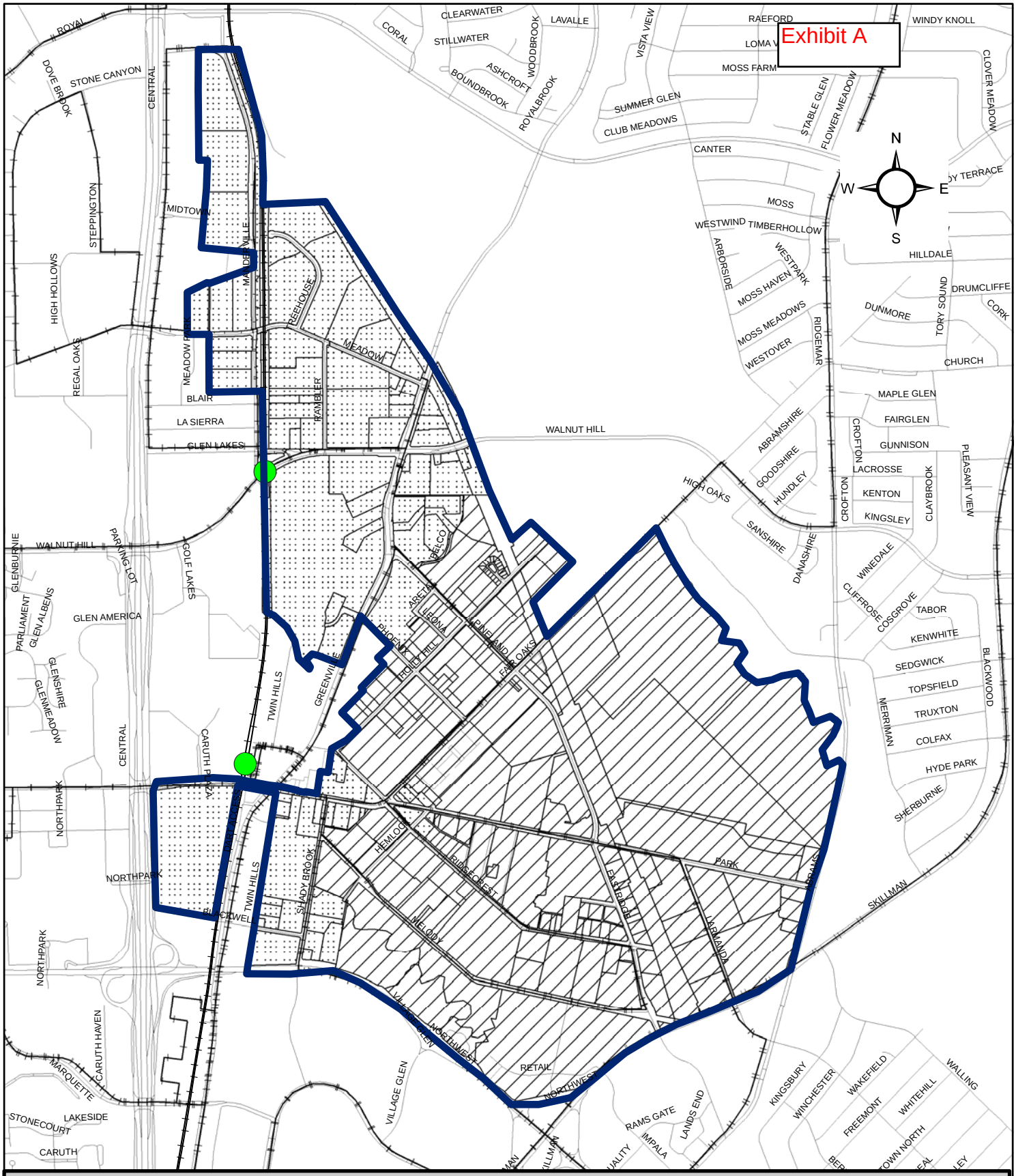
**SECTION 13.** That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM

WARREN M. S. ERNST
CITY ATTORNEY

By:_____
Assistant City Attorney

Passed and correctly enrolled_____




**Vickery Meadow PID Boundary Map**

City of Dallas
Office of Economic Development
http://www.Dallas-EcoDev.org
Created 07/2010

**Vickery Meadow PID Boundary**

**DART Station**

**VMPID Standard Service Area**

**VMPID Premium Service Area**

**Exhibit B**

## VICKERY MEADOW PUBLIC IMPROVEMENT DISTRICT
## SERVICE PLAN (2015-2019)

| | 2015 BUDGET | | 2016* BUDGET | 2017* BUDGET | 2018* BUDGET | 2019* BUDGET |
|---|---|---|---|---|---|---|
| REVENUES: | | | | | | |
| Net Assessment | $530,000.00 | | $563,000.00 | $683,000.00 | $933,000.00 | $1,433,000.00 |
| Interest Income | $415.00 | | $650.00 | $1,400.00 | $1,500.00 | $1,600.00 |
| Surplus Carried Forward[9] | $250,000.00 | | $3,995.00 | $3,296.00 | $67,375.00 | $323,200.00 |
| **TOTAL REVENUE** | **$780,415.00** | | **$567,645.00** | **$687,696.00** | **$1,001,875.00** | **$1,757,800.00** |
| DISBURSEMENTS: | | | | | | |
| Administrative Expenses[1] | $54,488.00 | 7.02% | $52,306.00 | $53,875.00 | $53,875.00 | $56,000.00 |
| Park Lane Place Improvements (VM TIF)[2] | $46,000.00 | 5.92% | $47,380.00 | $48,801.00 | $50,000.00 | $52,000.00 |
| Midtown Park Improvements[3] | $3,000.00 | 0.39% | $27,200.00 | $54,400.00 | $108,800.00 | $217,600.00 |
| Community Service Expenses[4] | $49,000.00 | 6.31% | $58,040.00 | $59,845.00 | $60,000.00 | $64,000.00 |
| Safety & Security Expenses[5] | $248,440.00 | 32.00% | $250,735.00 | $263,000.00 | $263,000.00 | $268,000.00 |
| Property Standard Expenses[6] | $321,528.00 | 41.41% | $78,260.00 | $86,000.00 | $87,000.00 | $91,000.00 |
| Public Relations Expenses[7] | $30,180.00 | 3.89% | $25,620.00 | $28,000.00 | $26,000.00 | $30,000.00 |
| Economic Development Expense[8] | $14,184.00 | 1.83% | $15,160.00 | $16,500.00 | $18,000.00 | $20,000.00 |
| Insurance & Audit Expenses | $9,600.00 | 1.24% | $9,648.00 | $9,900.00 | $12,000.00 | $12,500.00 |
| **TOTAL DISBURSEMENTS** | **$776,420.00** | | **$564,349.00** | **$620,321.00** | **$678,675.00** | **$811,100.00** |

Notes:

1. Office Management & Items Required by PID Contract
2. Improvements of common areas in the Park Lane Development, lower than expected; based on development timeline
3. Improvements of common areas in the Mid-Town Development, lower than expected; based on delayed development
4. Community Enrichment Activities, Youth Development Activities, & Special Events
5. Crime Database, Security Patrols, & Crime Prevention
6. Landscaping, Litter Removal, & Graffiti Abatement
7. Marketing & Promotional Activities
8. Neighborhood Planning & Recruitment
9. Capital Improvements - accural for large-scale street improvements, enhaced landscaping.

*. Dependent on Successful Renewal in 2015

# EXHIBIT C
# VICKERY MEADOW IMPROVEMENT DISTRICT
# 2014 ASSESSMENT PLAN

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

The 2014 assessment rate for the property in the premium service area is proposed at $.10 per $100 value. The 2014 assessment rate for the property in the standard service area is proposed at $.05 per $100 value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

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

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

**AGENDA ITEMS # 75,76**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2, 6, 7, 8, 9, 10, 11, 12, 13, 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** N/A

## SUBJECT

**Tourism Public Improvement District**

* A public hearing concerning the proposed levy of assessment for the Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on hotel property with 100 or more rooms – Financing: No cost consideration to the City
* An ordinance approving and adopting the final Service Plan for 2014-15 and final 2014 Assessment Roll for the Tourism Public Improvement District (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special benefits accruing to the hotel properties in the District; levying assessments for the cost of services and improvements to be provided in the Tourism Public Improvement District during 2014-15; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date – Financing: No cost consideration to the City

## BACKGROUND

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

The Tourism Public Improvement District (TPID) was established on June 13, 2012 and started operating on August 1, 2012. The Dallas Tourism Public Improvement District Management Corporation provided City staff with the TPID's proposed Service Plan for 2014-15 for review. The city finds the services and improvements to be advisable and recommended the Service Plan's approval by the city council.

**BACKGROUND** (Continued)

The TPID's Service Plan is outlined in the following way:

**A.** **Nature of the Services and Improvements.** The nature of the services and improvements to be performed by the District is to provide marketing, business recruitment, and promotional activities authorized by the Act for improvement and promotion of the District, including the provision of incentives by the Dallas Convention and Visitors Bureau to organizations to encourage them to bring their large and City wide meetings to Dallas and to fund additional marketing by the Dallas Convention and Visitors Bureau to increase hotel stays within the City, as authorized by Chapter 372 of the Texas Local Government Code (the "Act") and approved by the Dallas City Council.

**B.** **Estimated Cost of the Services and Improvements.** The total estimated cost of services and improvements provided by the District for the five year period is approximately sixty-eight million, six hundred eight thousand, two hundred forty-three dollars ($68,608,243) subject to early re-petition and renewal of the District prior to 2015/2016. The estimated average annual cost of services for the District is approximately thirteen million, seven hundred twenty-one thousand, six hundred forty-nine dollars ($13,721,649).

**C.** **Boundaries.** The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached Map of the District.

**D.** **Method of Assessment.** The apportionment of costs for the services and improvements to be provided shall be made on the basis of special benefits accruing to the hotel property and shall be levied against the hotel properties with 100 or more rooms located within the Dallas territory. The apportionment of such costs among the hotel properties shall be based on 2% of the price of hotel room-nights sold at Dallas hotels with 100 or more rooms. The 2% assessment will only apply to hotel stays that are also subject to the City's hotel occupancy tax. The assessment rate must be reviewed and approved annually by the Dallas City Council and will be carried out in accordance with procedures stipulated in the Act.

**E.** **Apportionment of costs between the District and the Municipality as a Whole.** The District shall pay the costs of the services and improvements with funding generated by special assessment on hotel properties with 100 or more rooms. Payment of assessments by other exempt jurisdictions and entities must be established by contract. No such contract is in place, nor is any proposed.

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

On June 13, 2012, City Council authorized the creation of the Tourism Public Improvement District for a five year period and designated the Dallas Tourism Public Improvement District Management Corporation as the management entity for the District by Resolution No. 12-1581.

On June 12, 2013, City Council authorized the Tourism Public Improvement District's assessment rate for 2013 by Ordinance No. 29038.

On August 18, 2014, a briefing was presented to the Economic Development Committee regarding the City's twelve Public Improvement Districts.

On August 27, 2014, City Council Authorized a public Hearing to be on September 10, 2014, to receive comments on the Tourism Public Improvement District's proposed 2014 Assessment Rate and final approval of its Service Plan for 2014-15.

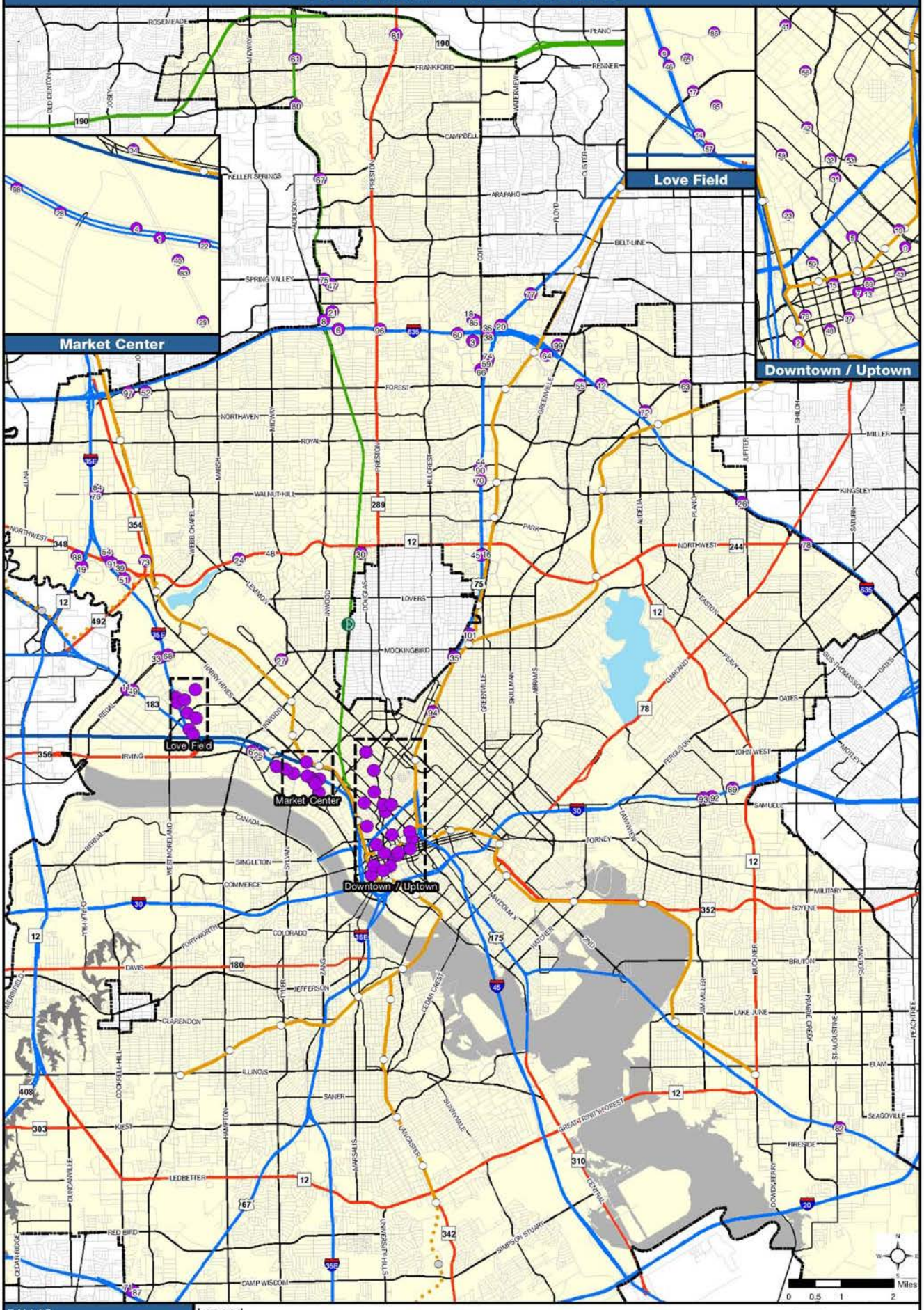
## FISCAL INFORMATION

No cost consideration to the City

## MAP

Attached.

# Tourism PID Hotels

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Legend

- Proposed PID Hotel
- Rail Station
- Future Station
- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Freeway
- Tollway
- Highway
- Arterial
- Local Road
- Escarpment
- Flood Plain
- Lake
- City of Dallas

Sources: Hotels - Texas State Comptrollers Office, 2011 - Hotels with 100+ rooms; All Other Data - City of Dallas, 2011

Created: 7.20.11, Updated: 7.24.12 - Tourism PID_11x17.TDS

**ORDINANCE NO._____**

**AN ORDINANCE APPROVING AND ADOPTING THE FINAL SERVICE PLAN FOR 2014-15 AND THE FINAL 2014 ASSESSMENT ROLL FOR THE TOURISM PUBLIC IMPROVEMENT DISTRICT (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL BENEFITS ACCRUING TO HOTEL PROPERTIES IN THE DISTRICT; CLOSING THE HEARING AND LEVYING ASSESSMENTS FOR THE COST OF SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE TOURISM PUBLIC IMPROVEMENT DISTRICT DURING 2014-15; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS,** on June 13, 2012, the City Council held and closed a public hearing and authorized the creation of the Tourism Public Improvement District (the "District") as shown on the attached **Exhibit A – Map of the District**, and designated the Dallas Tourism Public Improvement District Management Corporation, as the management entity of the District by Resolution No. 12-1581; and

**WHEREAS,** on June 12, 2013, City Council authorized the assessment rate for 2013 by Ordinance No. 29038; and

**WHEREAS,** on August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed 2014 assessment rate and approval of the final Service Plan for 2014-15; and

**WHEREAS,** the Dallas Convention & Visitors Bureau presented City staff with the proposed District Service Plan for 2014-15 and the proposed Assessment Plan for 2014 (attached hereto as **Exhibits B and C**) for the purpose of apportioning the cost of services and improvements to be assessed against the hotel properties in the District; and

**WHEREAS,** the City desired by the calling and holding of such public hearing to provide a reasonable opportunity for owners of hotel property located in the District to speak for or against the special assessment on hotel properties with 100 or more rooms located within the Dallas territory, and to continue funding for the District for the purpose of providing supplemental services and improvements; and

**WHEREAS,** City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

**WHEREAS,** the City Council finds that the Service Plan and Assessment Plan are feasible and sound and will serve the needs and desires of the hotel property owners and that the apportionment of the cost among the hotel properties with 100 or more rooms for the services and improvements based on a 2% rate on hotel room nights sold are reasonable and adequate.

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Council shall adopt the final Service Plan for 2014-15 and the final 2014 Assessment Roll for the Tourism Public Improvement District (to be kept on file with the City Secretary); establish classifications for the apportionment of costs and the methods of assessing special benefits accruing to hotel properties in the territory; levy assessments for the cost of services and improvements to be provided in the Tourism Public Improvement District during 2014-15; fix charges and liens against the hotel properties in the territory and against the owners thereof; and provide for the collection of the assessment.

**SECTION 2.** That the City Council in accordance with the Assessment Plan shall apportion the costs of the services and improvements to be assessed against property in the District on the basis of special benefits accruing to the hotel property. The apportionment of such costs shall be based on 2% of hotel room nights sold at certain Dallas hotels with 100 or more rooms (attached hereto as **Exhibit D**). The 2% rate will only apply to hotel stays that are subject to the City's hotel occupancy tax.

**SECTION 3.** That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

**SECTION 4.** That the City Council hereby authorizes and adopts the Assessment Roll filed with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending September 30, 2015, of approximately $12,794,729. The assessment roll states that the assessment is against each parcel of land in the District and is subject to public inspection in the City's official records.

**SECTION 5.** That notice of the City Council's intention to consider the proposed assessments at a public hearing on September 10, 2014 at 1:00 p.m., in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

**SECTION 6.** That Dallas City staff mailed to the owners of hotel property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the hotel property owner on the City tax roll. The failure of the hotel property owner to receive notice does not invalidate the proceeding.

**SECTION 7.** That the City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of hotel property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the hotel property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and in the proceedings of the City heretofore had with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

**SECTION 8.** That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to inspection, and the several amounts assessed against the same, and the owners thereof.

**SECTION 9.** That the several sums above mentioned and assessed against the said parcels of hotel property and the owners thereof, and interest thereon at the rate of ten percent (10%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the hotel property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and is a personal liability of and charge against the owners of the hotel property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

**SECTION 10.** That the assessment levied herein shall be due and payable in full on or before the 15th day of the month succeeding the month during which it is due for collection, to earn a 1% prompt payment discount. Net payment is due, without discount, on or before the 25th day of the month succeeding the month during which it is due for collection, and a penalty of 15% will be assessed on the delinquent balance. The assessment becomes delinquent on the 26th day of the month succeeding the month during which it is due for collection.

**SECTION 10.** (Continued)

That if default be made in the payment of any of the said sums hereby assessed against said hotel property owners and their hotel property, collection thereof, including costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed hotel property may pay at any time the entire assessment, with 15% penalty and 10% interest that have accrued on the assessment, on any lot or parcel.

**SECTION 11.** That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 12.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

**SECTION 13.** That this ordinance takes 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 ordained.

APPROVED AS TO FORM

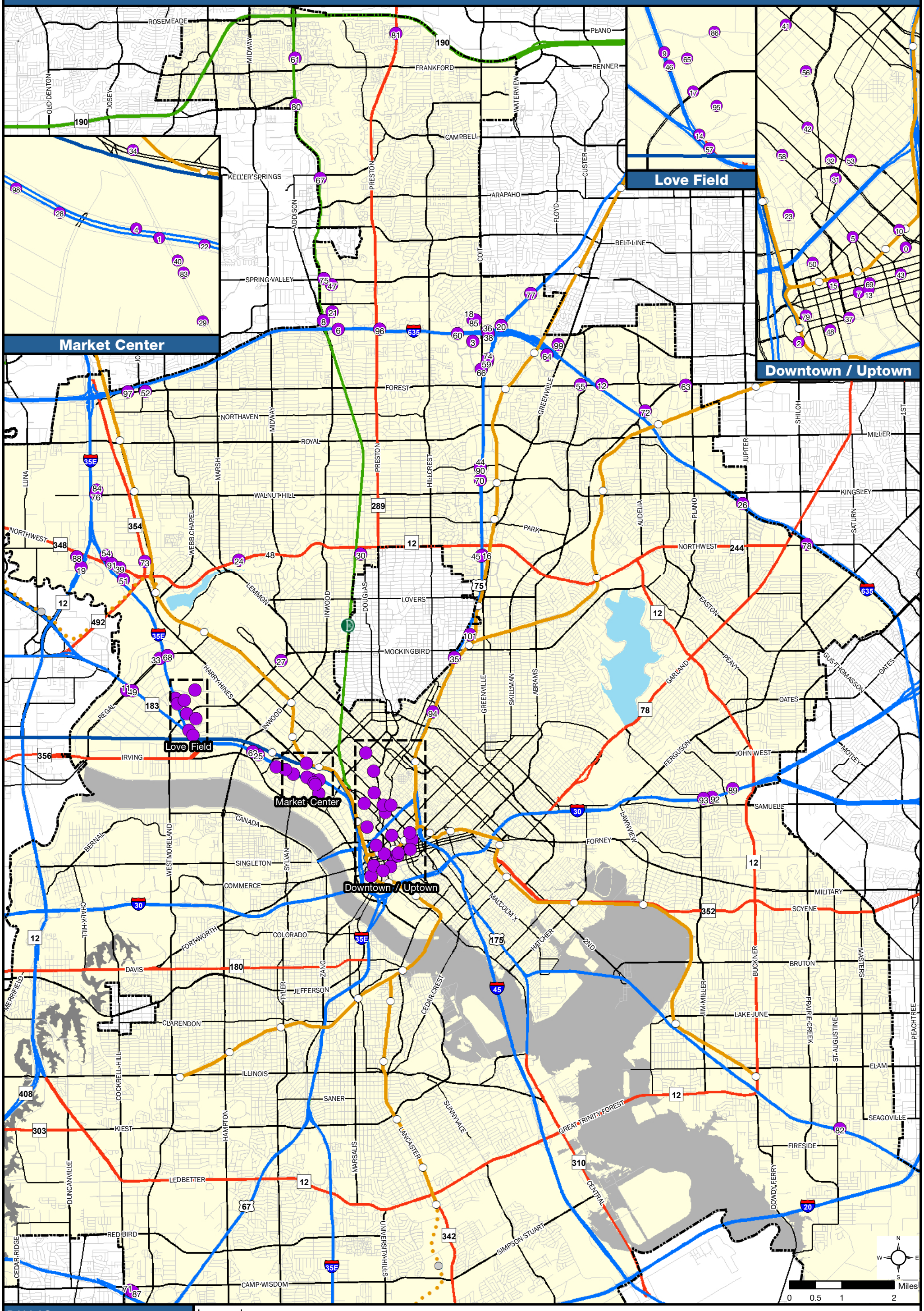
WARREN M.S. ERNST
CITY ATTORNEY

By: _____
Assistant City Attorney

Passed and correctly enrolled_____

# Tourism PID Hotels

**Exhibit A**

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**ECONOMIC DEVELOPMENT**

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 7.20.11, Updated 7.24.12 - Tourism PID_11x17.TCG

## Legend

- Proposed PID Hotel
- Rail Station
- Future Station
- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Freeway
- Tollway
- Highway
- Arterial
- Local Road
- Escarpment
- Flood Plain
- Lake
- City of Dallas

Source: Hotels - Texas State Comptrollers Office, 2011 - Hotels with 100+ rooms; All Other Data - City of Dallas, 2011

# Exhibit B

| Tourism Public Improvement District (PID) Service Plan | | | | | | |
|---|---|---|---|---|---|---|
| **FISCAL YEAR** | **2014-15 [1]** | **2015-16** | **2016-17 [2]** | **2017-18** | **2018-19** | **TOTAL** |
| Assessment Revenue | $ 12,794,729 | $ 13,178,571 | $ 13,573,928 | $ 13,981,146 | $ 14,400,580 | $ 67,928,954 |
| Investment Income | $ 127,947 | $ 131,786 | $ 135,739 | $ 139,811 | $ 144,006 | $ 679,290 |
| **TOTAL INCOME** | **$ 12,922,676** | **$ 13,310,357** | **$ 13,709,667** | **$ 14,120,957** | **$ 14,544,586** | **$ 68,608,243** |
| | | | | | | |
| Marketing (Promotion/Advertising) | $ 3,876,803 | $ 3,993,107 | $ 4,112,900 | $ 4,236,287 | $ 4,363,376 | $ 20,582,473 |
| Marketing Support for DCVB | $ 646,134 | $ 665,518 | $ 685,483 | $ 706,048 | $ 727,229 | $ 3,430,412 |
| Marketing/Event Application Pool | $ 969,201 | $ 998,277 | $ 1,028,225 | $ 1,059,072 | $ 1,090,844 | $ 5,145,618 |
| Marketing Reserve | $ 323,067 | $ 332,759 | $ 342,742 | $ 353,024 | $ 363,615 | $ 1,715,206 |
| Marketing Sub-total | $ 5,815,204 | $ 5,989,660 | $ 6,169,350 | $ 6,354,431 | $ 6,545,064 | $ 30,873,710 |
| | | | | | | |
| Site Visits & Familiarization Tours | $ 1,292,268 | $ 1,331,036 | $ 1,370,967 | $ 1,412,096 | $ 1,454,459 | $ 6,860,824 |
| Incentives [3] | $ 4,846,004 | $ 4,991,384 | $ 5,141,125 | $ 5,295,359 | $ 5,454,220 | $ 25,728,091 |
| Incentives Reserve | $ 323,067 | $ 332,759 | $ 342,742 | $ 353,024 | $ 363,615 | $ 1,715,206 |
| Incentives Sub-total | $ 6,461,338 | $ 6,655,178 | $ 6,854,834 | $ 7,060,479 | $ 7,272,293 | $ 34,304,122 |
| | | | | | | |
| Start-up expenses | $ - | $ - | $ - | $ - | $ - | $ - |
| Insurance and Audit | $ 129,227 | $ 133,104 | $ 137,097 | $ 141,210 | $ 145,446 | $ 686,082 |
| Research | $ 258,454 | $ 266,207 | $ 274,193 | $ 282,419 | $ 290,892 | $ 1,372,165 |
| Administration | $ 258,454 | $ 266,207 | $ 274,193 | $ 282,419 | $ 290,892 | $ 1,372,165 |
| Operations Sub-total | $ 646,134 | $ 665,518 | $ 685,483 | $ 706,048 | $ 727,229 | $ 3,430,412 |
| | | | | | | |
| **TOTAL EXPENSES** | **$12,922,676** | **$13,310,357** | **$13,709,667** | **$14,120,957** | **$14,544,586** | **$ 68,608,243** |
| **NET Balance** | **$0** | **$0** | **$0** | **$0** | **$0** | **$0** |

**Notes:**

[1] *Assessment collections are higher than originally anticipated due to increased occupancy at the hotels that comprise the District.*

[2] *Budget includes the final 10 months from the Tourism PID's initial five year term. Accordingly, expenses are estimated and are subject to the PID's successful early re-petiton and renewal.*

[3] *Incentive funds are committed to future scheduled events. These funds will not be expended until the event occurs.*

# Exhibit C

## Tourism Public Improvement District
## 2014 Assessment Plan

The cost of the services and improvements provided by the Tourism Public Improvement District will be paid primarily by an assessment on Dallas hotels with 100 or more rooms based on hotel room nights sold. The 2% assessment will only apply to hotel stays that are subject to the City's hotel occupancy tax.

# Exhibit D

## Hotel Properties that Comprise the Tourism PID

| Hotel Name | Street No. | Street Name | Rooms |
|---|---|---|---|
| SHERATON DALLAS | 400 | N OLIVE ST | 1840 |
| HILTON ANATOLE HOTEL | 2201 | N STEMMONS FWY | 1620 |
| HYATT REGENCY DALLAS | 300 | REUNION BLVD | 1194 |
| OMNI DALLAS HOTEL | 555 | LAMAR | 1001 |
| RENAISSANCE DALLAS HOTEL | 2222 | N STEMMONS FWY | 556 |
| FAIRMONT DALLAS | 1717 | N. AKARD STREET | 545 |
| WESTIN PARK CENTRAL HOTEL | 12720 | MERIT DR | 545 |
| HILTON DALLAS LINCOLN CTR | 5410 | LBJ FREEWAY | 500 |
| WESTIN GALERIA DALLAS | 13340 | DALLAS PKWY | 432 |
| ADOLPHUS HOTEL | 1321 | COMMERCE ST | 421 |
| BUDGET SUITES OF AMERICA | 8150 | N STEMMONS FWY | 408 |
| DALLAS MARRIOTT CITY CENTER | 650 | N PEARL ST | 407 |
| STERLING HOTEL DALLAS | 1055 | REGAL ROW | 360 |
| CROWNE PLAZA HOTEL DALLAS MKT CNTR | 7050 | N STEMMONS FWY | 354 |
| BUDGET SUITES OF AMERICA TX | 9519 | FOREST LN | 348 |
| RADISSON DALLAS LOVE FIELD HOTEL | 1241 | W MOCKINGBIRD LN | 348 |
| MAGNOLIA HOTEL (THE) | 1401 | COMMERCE ST | 330 |
| CROWNE PLAZA DOWNTOWN DALLAS | 1015 | ELM ST | 304 |
| DOUBLETREE HOTEL CAMPBELL CENTER | 8250 | N CENTRAL EXPY | 300 |
| HOLIDAY INN DALLAS – PARK CITIES | 6070 | N CENTRAL EXPY | 300 |
| CROWNE PLAZA SUITES #15517 | 7800 | ALPHA RD | 295 |
| BUDGET SUITES OF AMERICA | 10222 | N WALTON WALKER BLVD | 282 |
| EMBASSY SUITES | 13131 | N CENTRAL EXPY | 279 |
| DALLAS MARRIOTT SUITES | 2493 | STEMMONS FWY | 266 |
| LE MERIDIEN DALLAS NORTH | 13402 | NOEL RD | 258 |
| W DALLAS VICTORY | 2440 | VICTORY PARK LN | 252 |
| SHERATON SUITES MARKET CENTER | 2101 | N STEMMONS FWY | 251 |
| EMBASSY SUITES HOTEL | 3880 | W NORTHWEST HWY | 248 |
| Regency Hotel | 11350 | LBJ FREEWAY | 244 |
| WYNDHAM / HOLIDAY INN SELECT-LOVE | 3300 | W MOCKINGBIRD LN | 244 |
| EMBASSY SUITE-MARKET CNTR | 2727 | N STEMMONS FWY | 244 |
| WILSON WORLD HOTEL | 2325 | N STEMMONS FWY | 240 |
| DOUBLETREE HOTEL MARKET CENTER | 2015 | MARKET CENTER BLVD | 227 |
| HILTON DALLAS PARK CITIES | 5954 | LUTHER LANE | 224 |
| ROSEWOOD CRESCENT HOTEL | 400 | CRESCENT CT | 220 |
| RITZ-CARLTON DALLAS | 2121 | MCKINNEY AVE | 218 |
| WARWICK MELROSE DALLAS | 3015 | OAK LAWN AVE | 205 |
| RAMADA INN | 1575 | REGAL ROW | 203 |

| | | | |
|---|---|---|---|
| HOLIDAY INN DALLAS MARKET CENTER | 4500 | HARRY HINES BLVD | 200 |
| MCM ELEGANTE HOTEL | 2330 | W NORTHWEST HWY | 199 |
| PALOMAR HOTEL DALLAS | 5600 | N CENTRAL EXPY | 198 |
| BEST WESTERN DALLAS HOTEL & CONFERENCE CENTER | 8051 | LBJ FREEWAY | 194 |
| ALOFT DALLAS DOWNTOWN | 1033 | YOUNG STREET | 193 |
| RAMADA PARK CENTRAL HOTEL | 8102 | LBJ FREEWAY | 192 |
| MOTEL 6/STUDIO 6 #6035 | 2395 | STEMMONS TRL | 188 |
| COURTYARD BY MARRIOTT | 2150 | MARKET CENTER BLVD | 184 |
| Hotel Indigo Dallas Downtown | 1933 | MAIN ST | 172 |
| THE STONELEIGH HOTEL & SPA HOTEL | 2927 | MAPLE AVE | 170 |
| MARRIOTT | 10325 | N CENTRAL EXPY | 160 |
| HYATT SUMMERFIELD SUITES DALLAS/LINCOLN | 8221 | N CENTRAL EXPY | 155 |
| RESIDENCE INN DALLAS PARK CENTRAL | 7642 | LBJ FREEWAY | 151 |
| CANDLEWOOD SUITES | 7930 | N STEMMONS FWY | 150 |
| DALLAS EMBASSY SUITES | 14021 | NOEL RD | 150 |
| SPRING HILL SUITES | 1907 | N LAMAR ST | 149 |
| HOTEL ZAZA | 2332 | LEONARD ST | 148 |
| COURTYARD DALLAS NW HWY AT STEMMONS | 2383 | STEMMONS TRL | 146 |
| SUBURBAN EXTENDED STAY HOTEL | 10326 | FINNELL ST | 146 |
| MARRIOTT #1M4 | 2930 | FOREST LN | 146 |
| THE MANSION ON TURTLE CRK | 2821 | TURTLE CREEK BLVD | 143 |
| MARRIOTT RESIDENCE 312 | 6950 | N STEMMONS FWY | 142 |
| HYATT SUMMERFIELD DOWNTOWN DALLAS | 2914 | HARRY HINES BLVD | 141 |
| MOTEL 6 | 12301 | N CENTRAL EXPY | 140 |
| HOMESTEAD STUDIO SUITES # 9709 | 18470 | DALLAS PKWY | 137 |
| HOMEWOOD SUITES HOT # 69835 | 2747 | N STEMMONS FWY | 137 |
| SUN SUITES OF DALLAS | 10477 | METRIC DR | 135 |
| SUPER 8 MOTEL | 9229 | JOHN W CARPENTER FWY | 134 |
| EXTENDED STAY HOTELS # 9835 | 9019 | VANTAGE POINT DR | 134 |
| CANDLEWOOD SUITES GALLERIA #00663 | 13939 | NOEL RD | 134 |
| INTOWN SUITES BROOK RIVER | 8201 | BROOKRIVER DR | 134 |
| HOMESTEAD STUDIO SUITES # 9708 | 12121 | COIT RD | 133 |
| STAYBRIDGE SUITES | 16060 | DALLAS PKWY | 131 |
| MOTEL 6 | 1625 | REGAL ROW | 131 |
| LA QUINTA MOTOR INN #706 | 10001 | N CENTRAL EXPY | 129 |
| MOTEL 6 #1339 | 4220 | INDEPENDENCE DR | 129 |
| STUDIO SIX (6) | 9801 | ADLETA BLVD | 128 |
| HYATT PLACE DALLAS PARK CENTRAL | 12411 | N CENTRAL EXPY | 128 |
| BEST WESTERN EXECUTIVE INN | 12670 | E NORTHWEST HWY | 125 |
| JOULE HOTEL | 1530 | MAIN | 125 |

| | | | |
|---|---|---|---|
| HYATT PLACE | 5229 | SPRING VALLEY RD | 125 |
| TEXAS MOTEL CORP ANCHOR MOTEL | 10230 | HARRY HINES BLVD | 125 |
| CANDLEWOOD SUITES NORTH DALLAS #00666 | 12525 | GREENVILLE AVE | 122 |
| RED ROOF INN | 13685 | N CENTRAL EXPY | 121 |
| LA QUINTA INN AND SUITES | 2421 | WALNUT HILL LANE | 121 |
| HOTEL LAWRENCE | 302 | S HOUSTON ST | 120 |
| INTOWN SUITES FOREST LANE | 9355 | FOREST LN | 120 |
| HOMESTEAD STUDIO SUITES # 9707 | 17425 | DALLAS PKWY | 119 |
| SUPER 7 INN | 9626 | HAWN FWY | 118 |
| FAIRFIELD INN | 2110 | MARKET CENTER BLVD | 118 |
| MOTEL 6 | 2660 | FOREST LANE | 117 |
| EXTENDED STAY HOTELS | 12270 | GREENVILLE AVE | 116 |
| HAWTHORN SUITES – GALLERIA | 7880 | ALPHA RD | 114 |
| HAMPTON INN | 11069 | COMPOSITE DR | 112 |
| KNIGHTS INN -- RED ROOF | 1550 | EMPIRE CENTRAL DR | 111 |
| TOWNHOUSE MOTOR LODGE | 4150 | INDEPENDENCE DR | 108 |
| MOTEL 6 | 8510 | E R L THORNTON FWY | 107 |
| LAMPLIGHTER MOTEL | 9001 | E R L THORNTON FWY | 105 |
| EXPRESSWAY RESIDENCE INN #315 | 10333 | N CENTRAL EXPY | 103 |
| HOLIDAY INN EXPRESS HOTEL & SUITES | 2287 | W NORTHWEST HWY | 103 |
| QUALITY INN | 8303 | E R L THORNTON FWY | 102 |
| LA QUINTA MOTOR INN #512 | 4440 | N CENTRAL EXPY | 101 |
| HOLIDAY INN EXPRESS HOTEL & SUITES | 6055 | LBJ FREEWAY | 100 |
| HILTON GARDEN INN | 1610 | CEDAR SPRINGS RD | 100 |
| EMBASSY SUITES DALLAS UPTOWN | 2212 | MCKINNEY AVE | 100 |
| HOMEWOOD SUITES | 1025 | ELM ST | 100 |
| SUPER 7 INN | 10335 | GARDNER RD | 100 |

**AGENDA ITEMS # 77,78**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 13

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 26 P T and U

## SUBJECT

**Vickery Meadow TIF District**

* A public hearing to receive comments on an amendment to Tax Increment Reinvestment Zone Number Nine (Vickery Meadow TIF District) to increase the geographic area of the TIF District to include adjacent properties at 5905 East Northwest Hwy, 5915 East Northwest Hwy, 5929 East Northwest Hwy and 6730 Shady Brook Lane (totaling approximately 5.70 acres) to help facilitate the redevelopment of the former Parker Plaza along with the development of two vacant adjacent properties – Financing: No cost consideration to the City
* An ordinance amending Ordinance Nos. 25964 and 26181 to increase the geographic area of the Tax Increment Reinvestment Zone Number Nine (Vickery Meadow TIF District) to include adjacent properties at 5905 East Northwest Hwy, 5915 East Northwest Hwy, 5929 East Northwest Hwy and 6730 Shady Brook Lane (totaling approximately 5.70 acres) to help facilitate the redevelopment of the former Parker Plaza along with the development of two vacant adjacent properties; establishing an effective date; making a finding regarding feasibility; providing a severability clause; and enacting other matters related hereto – Financing: No cost consideration to the City

## BACKGROUND

Staff reviewed a request by Half Price Books, Records, Magazines, Inc. to consider expanding the Vickery Meadow TIF District to help facilitate the redevelopment of the former Parker Plaza along with the development of two vacant adjacent properties. The site, which is located at the northeast corner of Northwest Highway and Shady Brook, is across the street from the company's flagship store. Current uses are a Starbucks and a vacant commercial building.

**BACKGROUND** (Continued)

Half Price Books has prepared a multi-phase plan for redeveloping this 5.7 acre site which it owns. The first phase is underway and consists of converting a vacant warehouse into a REI sporting goods store that will contain approximately 35,000 square feet of retail space. The total estimated private investment for the project is approximately $8.1 million, including an investment of approximately $4.8 million for the first phase. The project's anticipated build-out includes 49,000 square feet of retail/restaurant space and 356 parking spaces. The first phase is scheduled to be completed in March 2015. TIF assistance is not required for the first phase of the project. The property owner anticipates that TIF assistance will be needed for the second phase which is anticipated to commence in October 2014. Any specific support for this project will require review by the Vickery Meadow TIF Board of Directors and the City Council.

The completed project will help satisfy the District's Final Plan objective of diversifying its economy, eliminating unemployment or underemployment and developing or expanding commercial activity within the area. In addition, it provides an attractive gateway to the Vickery Meadow area from the south. It would also increase the taxable value of the properties that comprise the project site and encourage redevelopment activity at the District's southern gateway.

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

On April 27, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Nine, the Vickery Meadow TIF District, by Ordinance No. 25964, as amended.

On December 14, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Vickery Meadow TIF District by Ordinance No. 26181.

On August 1, 2014, the Vickery Meadow TIF Board of Directors adopted and recommended City Council approval of an amended Project Plan and Reinvestment Zone Financing Plan to expand the District boundaries.

On August 18, 2014, a memo was submitted to the Economic Development Committee regarding the proposed amendments to the Vickery Meadow TIF District boundary map and Project Plan and Reinvestment Zone Financing Plan.

On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive comments on the proposed amendments to the Vickery Meadow TIF District boundary map and Project Plan and Reinvestment Zone Financing Plan

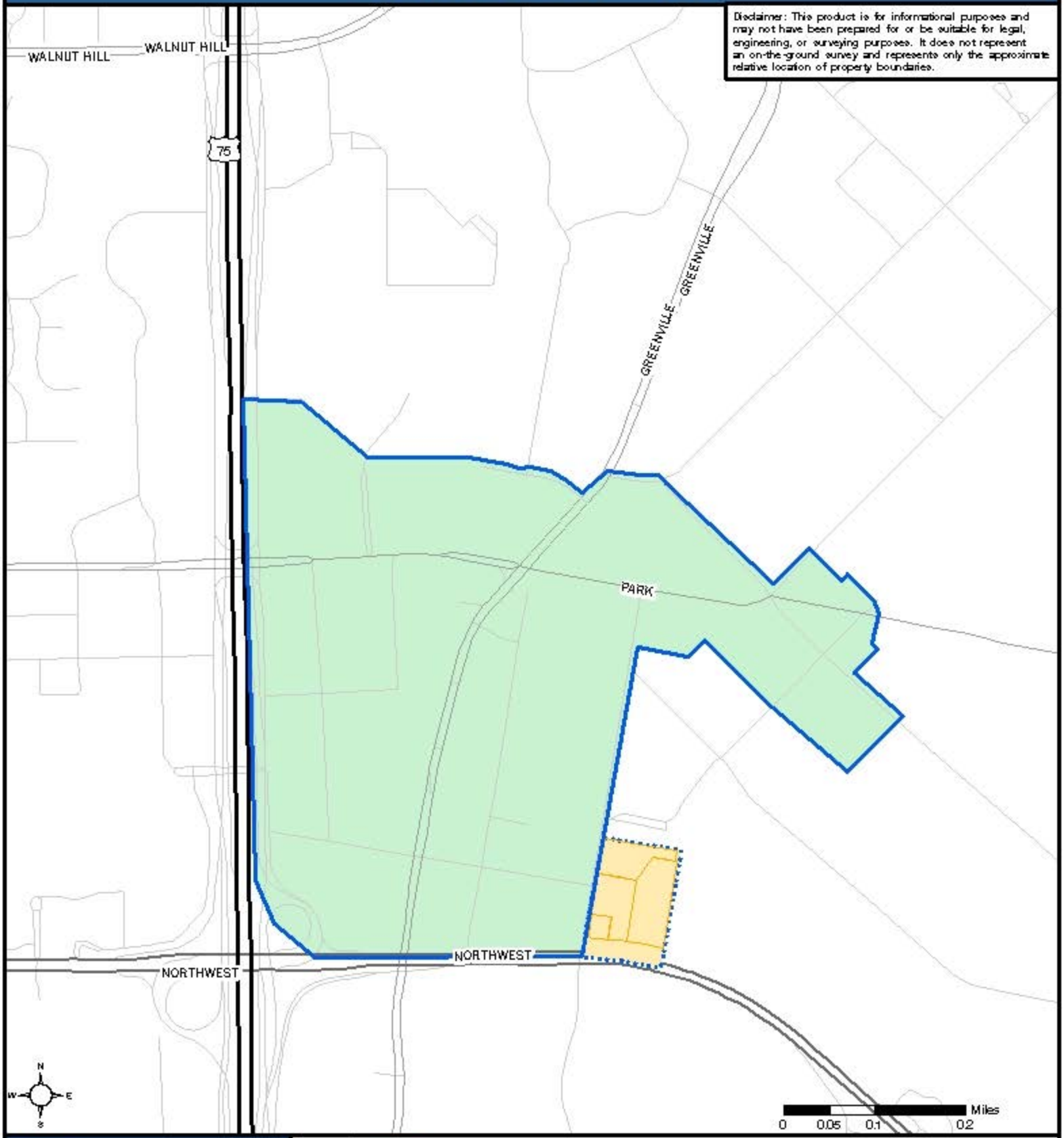
## FISCAL INFORMATION

No cost consideration to the City

## MAP

Attached.

# Vickery Meadow TIF District Boundary Amendment
# Proposed Changes




DALLAS
**ECONOMIC DEVELOPMENT**

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Created: 06.26.14, Last Updated: 06.27.14 - 2014Amendment-2.ALP

**Legend**

- Vickery Meadow TIF District
- Parcels to be Added (Half Price Books Properties)
- Parcels
- Freeway or Tollway
- Highway
- Arterial
- Local Road

Data Source: City of Dallas, Dallas Central Appraisal District

**ORDINANCE NO._____**

**AN ORDINANCE AMENDING ORDINANCE NOS. 25964 AND 26181, PASSED BY THE CITY COUNCIL ON APRIL 27, 2005, AND DECEMBER 14, 2005, RESPECTIVELY, TO: (1) INCREASE THE GEOGRAPHIC AREA OF THE VICKERY MEADOW TIF DISTRICT TO INCLUDE ADJACENT PROPERTIES AT 5905 E. NORTHWEST HWY, 5915 E. NORTHWEST HWY, 5929 E. NORTHWEST HWY and 6730 SHADY BROOK LANE (TOTALING APPROXIMATELY 5.70 ACRES); AND (2) MAKE CORRESPONDING MODIFICATIONS TO THE VICKERY MEADOW TIF DISTRICT BOUNDARY MAP AND PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN; ESTABLISHING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND ENACTING OTHER MATTERS RELATED THERETO.**

**WHEREAS,** the City has established Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District or District) and established a Board of Directors for the District to promote development or redevelopment in the Vickery Meadow area pursuant to Ordinance No. 25964, authorized by the City Council on April 27, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS,** on December 14, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Vickery Meadow TIF District by Ordinance No. 26181; and

**WHEREAS,** on August 1, 2014, the Vickery Meadow TIF Board of Directors reviewed and recommended approval of the following amendments to the Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan to: (1) increase the geographic area of the District to include adjacent properties at 5905 E. Northwest Hwy, 5915 E. Northwest Hwy, 5929 E. Northwest Hwy and 6730 Shady Brook Lane (totaling approximately 5.70 acres); and (2) make corresponding modifications to the Vickery Meadow TIF District boundary map and Project Plan and Reinvestment Zone Financing Plan; and

**WHEREAS,** on August 27, 2014, City Council in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, (Chapter 311), called a public hearing to be held on September 10, 2014, to hear comments and concerns regarding the proposed Vickery Meadow TIF District amendments and amended Project Plan and Reinvestment Zone Financing Plan for the District. That public hearing was duly held and closed.

**NOW, THEREFORE,**

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

**SECTION 1.** That Ordinance Nos. 25964 and 26181 are hereby amended to: (1) increase the geographic area of the District to include adjacent properties at 5905 E. Northwest Hwy, 5915 E. Northwest Hwy, 5929 E. Northwest Hwy and 6730 Shady Brook Lane (totaling approximately 5.70 acres); and (2) make corresponding modifications to the Vickery Meadow TIF District boundary map and Project Plan and Reinvestment Zone Financing Plan, attached hereto as **Exhibit A** and **Exhibit B**.

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

**SECTION 3.** That amendments to the Vickery Meadow TIF District boundary map and Project Plan and Reinvestment Zone Financing Plan will result in benefits to the City and the property included in the TIF District.

**SECTION 4.** That this action is necessary to complete the redevelopment and public improvements within the District.

**SECTION 5.** That improvements in the Vickery Meadow TIF District will significantly enhance the value of all taxable real property in the TIF District.

**SECTION 6.** That Ordinance Nos. 25964 and 26181 will remain in full force and effect, save and except as amended by this ordinance.

**SECTION 7.** That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or un-enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

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

APPROVED AS TO FORM:

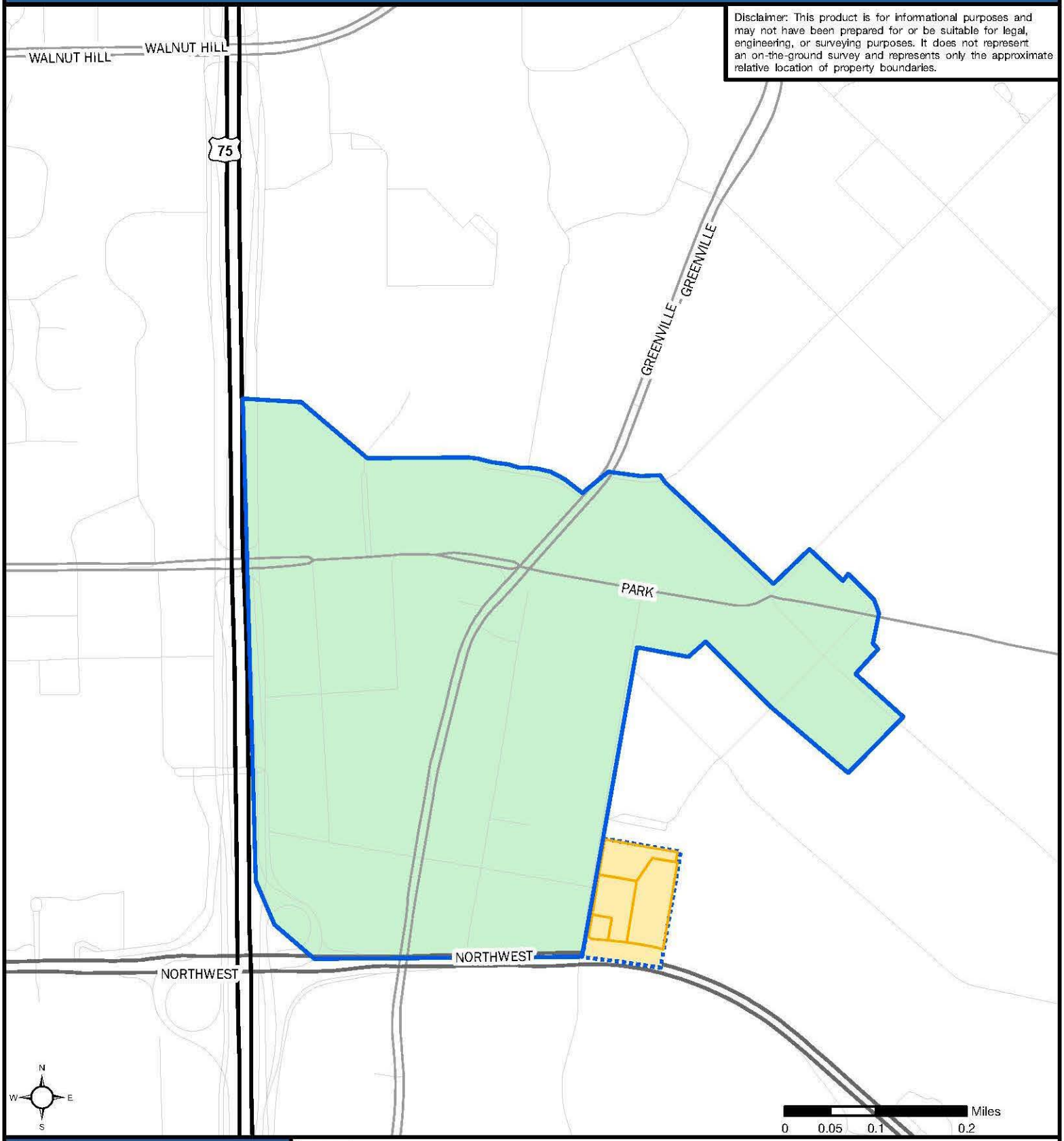
WARREN M.S. ERNST
CITY ATTORNEY

By _____
Assistant City Attorney

Passed_____

# Vickery Meadow TIF District Boundary Amendment
## Proposed Changes

**Exhibit A**





DALLAS
**ECONOMIC DEVELOPMENT**

Area Redevelopment Division
214.670.1685
dallas-ecodev.org


Legend

- Vickery Meadow TIF District
- Parcels to be Added (Half Price Books Properties)
- Parcels
- Freeway or Tollway
- Highway
- Arterial
- Local Road


Created 05.23.14, Last Updated 05.27.14 - 2014Amendment-2.ALP

Data Source: City of Dallas, Dallas Central Appraisal District

# VICKERY MEADOW
## TAX INCREMENT FINANCING DISTRICT

# PROJECT PLAN
# &
# REINVESTMENT ZONE FINANCING PLAN

**Approved December 14, 2005 (Ordinance No. 26181)**
**Amended September 10, 2014 (Ordinance _____)**

# Acknowledgements

*The Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan was prepared by the City of Dallas, Office of Economic Development, based on a preliminary plan prepared by Stein Planning and Management. The Office of Economic Development wishes to acknowledge the efforts of everyone who contributed to the development of this plan, including the following organizations and individuals:*

**City of Dallas**

| | |
|---|---|
| A. C. Gonzalez | City Manager |
| Ryan Evans | Assistant City Manager |
| Karl Zavitkovsky | Director, Office of Economic Development |
| Hammond Perot | Asst. Director, Office of Economic Development |
| Karl Stundins | Area Redevelopment Manager, Office of Economic Development |
| Sue Hounsel | Office of Economic Development |
| Telemachus Evans | Office of Economic Development |
| Barbara Martinez | City Attorney's Office |
| Ian Fredrickson | City Attorney's Office |
| Del Crouser | Public Works and Transportation |

**Previous City of Dallas**

| | |
|---|---|
| Mary Suhm | City Manager |
| David Levitan | Office of Economic Development |

**Dallas City Council**

Mayor Mike Rawlings
Mayor Pro Tem Tennell Atkins
Deputy Mayor Pro Tem Monica R. Alonzo
Scott Griggs
Adam Medrano
Vonciel Jones Hill
Dwaine R. Caraway
Rick Callahan
Carolyn R. Davis
Sheffie Kadane
Jerry R. Allen
Lee M. Kleinman
Sandy Greyson
Jennifer Staubach Gates
Philip T. Kingston

**Previous Dallas City Council**

Mayor Laura Miller
Mayor Pro Tem Donald W. Hill
Deputy Mayor Pro Tem Dr. Elba Garcia
Pauline Medrano
Ed Oakley
Dr. Maxine Thornton-Reese
Steve Salazar
Leo V. Chaney, Jr.
James L. Fantroy
Gary Griffith
Bill Blaydes
Linda Koop
Ron Natinsky
Mitchell Rasansky
Angela Hunt

**Vickery Meadow TIF District Board of Directors**

| | |
|---|---|
| City of Dallas | Gay W. Donnell |
| | Michon Fulgham |
| | Raj Narayanan |
| | Douglas J. Lattner |
| Dallas County | Rick Loessberg |

**Previous Vickery Meadow TIF District Board of Directors**

| | |
|---|---|
| City of Dallas | Judy Jacks |
| | Frank Nuchereno |
| | Sharon Simmons |
| | Beverly Tobian |
| | Kevin Felder |
| Dallas Independent School District | Larry Oliver |
| | David Rastellini |
| | Orlando Alameda |

**Private Sector**

| | |
|---|---|
| Tod Ruble | Harvest Partners |
| Blaine Lee | Harvest Partners |
| Barry Knight | Winstead Sechrest & Minick |
| Mark Stein | Stein Planning |

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# Section 1:
# Project Plan

## Background

The Vickery Meadow Tax Increment Financing (TIF) District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping urban corridors to take full advantage of the expanding DART light rail system, to promote transit oriented development and to implement appropriate urban design standards.

The Vickery Meadow TIF District is located east of Central Expressway, along Park Lane. It contains two primary areas - the "Five-Points" area, located generally around the intersection of Park Lane, Ridgecrest Road, Fair Oaks Avenue and adjacent property and the "Park Lane" site, a large tract of land bounded by Central Expressway, Park Lane, Greenville Avenue and Blackwell Street. A map of the Vickery Meadow TIF District is included below (see Exhibit A). The District's original geographic area contained approximately 134 acres (excluding rights-of-way). On August 28, 2014, the District's geographic area was amended to include selected adjacent properties at 5905 E. Northwest Hwy, 5915 E. Northwest Hwy, 5929 E. Northwest Hwy and 6730 Shady Brook. The properties that comprise the boundary amendment have a total land area of approximately 5.70 acres. As a result, its total acreage is currently 139.7 acres. Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way. Boundaries that approximate property lines shall be construed as following such property lines.

The Vickery Meadow TIF District contains deteriorated structures; a predominance of inadequate sidewalks and streets; faulty lot layouts in relation to size, adequacy, accessibility, and usefulness; unsanitary or unsafe conditions; and deteriorated site improvements. These conditions substantially impair the sound growth of property within the area.

Photos of Park Lane and cross streets in the District show deteriorated public infrastructure and building stock (see Exhibit B). Much of the housing in the District was built in the 1970s. Streets and utilities are now over 40 years old and are inadequate for new development. By the late 1990s, several of the apartment buildings in the area exhibited signs of deterioration and neglect. Tenants who could afford better homes moved out and tenants with smaller budgets, many with larger families, moved in. Census information from 2000 indicates that over 75% of residents resided in the area for less than five years.

Each of the five census tracts lying partly within the proposed zone has a median household income of less than $40,000 (Source: North Central Texas Council of Governments), an amount well below the Dallas median family income of $66,500. The percentage of people at or below the poverty level in these census tracts is at least 20%.

Property owners in Vickery Meadow organized a Public Improvement District (PID) in 1993 to help revitalize the area. The PID has paid for enhanced security patrols, a child care center and other services.

DART has invested in Vickery Meadow with the Park Lane light rail station and transfer facility at Park Lane within the last five years. This station is currently carrying approximately 2,200 riders per weekday (Source: DART, LRT Weekday Ridership).

**DART - Park Lane Light Rail Station**

The Dallas Independent School District purchased and razed several apartment buildings and is building a neighborhood elementary school and middle school in the Five-Points area near the intersection of Park Lane, Fair Oaks and Ridgecrest.

These are significant investments for the neighborhood, but insufficient to change the real estate market in the area.

On April 27, 2005, the Dallas City Council created Tax Increment Financing Reinvestment Zone Number Nine, (the "Vickery Meadow TIF District"), to provide a source of funding for public infrastructure improvements anticipated to enhance the real estate market for the Vickery Meadow TIF District.

The economic catalyst for the Vickery Meadow TIF District will be the redevelopment of the "Park Lane" site. Bordered by Park Lane, Greenville Avenue, Blackwell Street and North Central Expressway, the site currently includes three underused office buildings (one completely vacant), a former theater and a large amount of surface parking. It has suffered from limited public improvements and requires re-configuration of the entire site, new infrastructure, including utilities, and a local street and pedestrian accessibility system. Harvest Partners, a Dallas-based developer, proposes to develop the site as a transit oriented, sustainable development with a mix of land uses, including

approximately 750,000 square feet of retail space, an upscale full-service hotel, office space, the Dallas Art Institute and residential uses, all connected to the DART Park Lane light rail station.

In the summer of 2004, Harvest Partners determined that an urban specialty retail center (characterized by pedestrian-friendly streets, well landscaped sidewalks, stores on both sides, multiple levels and upscale restaurants) at “Park Lane” would produce significantly more in City taxes than would a conventional low density retail center of anchor stores, a retail strip and several restaurant pads. The City of Dallas, Office of Economic Development has estimated that the proposed “Park Lane” development would produce over $58 million (net present value) more in City taxes than the alternative of a low density center. Harvest Partners will require incentives of approximately $20 million from the Vickery Meadow TIF District for the proposed “Park Lane” development.

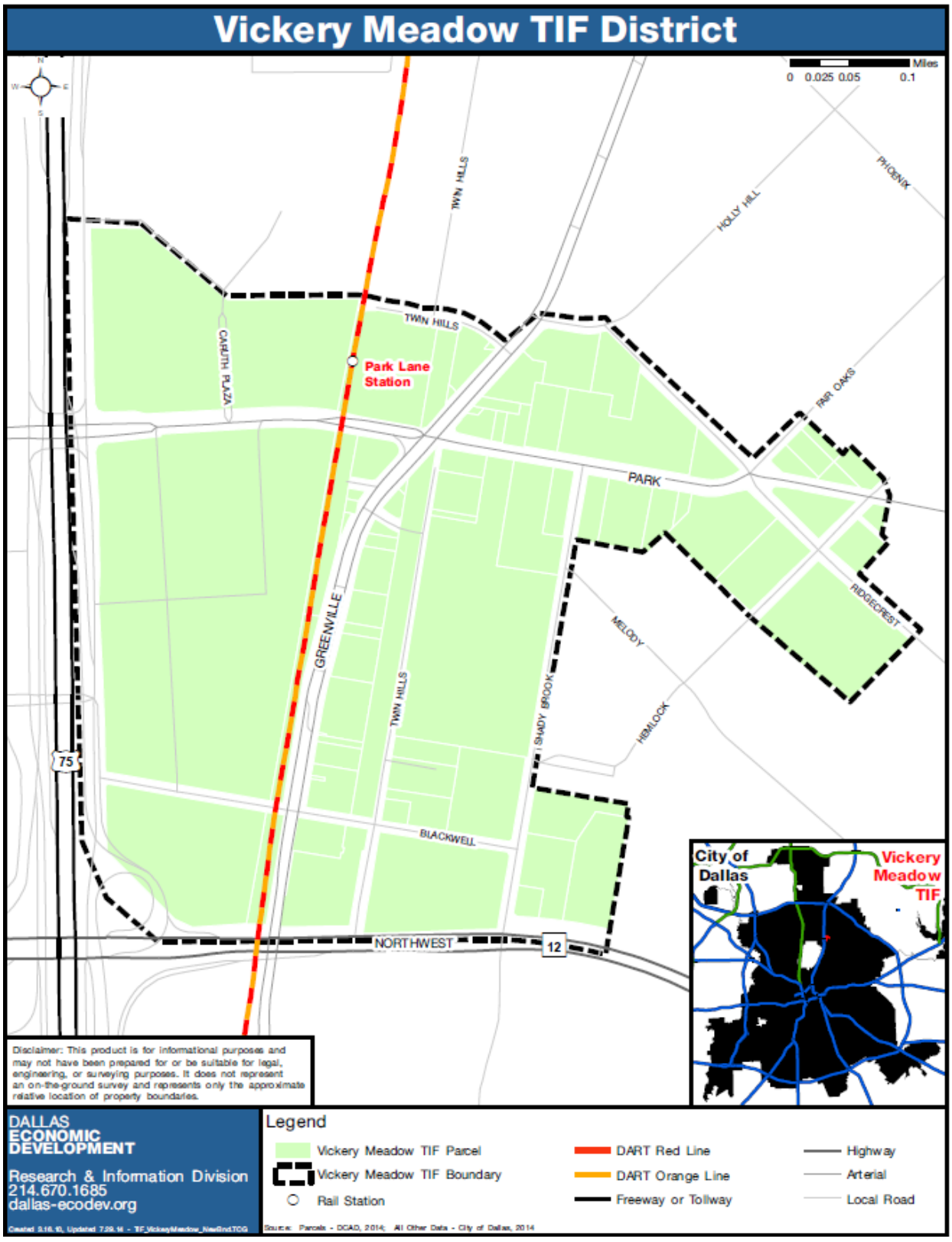
This specialty retail center is projected to generate, within twenty years, enough tax increment revenue to cover the project costs related to the “Park Lane” development and generate an additional $10 million of incremental revenue to fund the public improvements needed for the redevelopment of the Five-Points area. An additional public benefit of this project is the significant amount of sales tax revenue generated by retail sales from this project. The City and DART are each estimated to receive nearly $37 million (net present value) in incremental sales tax revenue from this development during the term of the TIF District.

The second major component of the Vickery Meadow TIF Project Plan and Reinvestment Zone Financing Plan (the “Project Plan”) relates to the redevelopment of the Five-Points area. The Five-Points area includes portions of the TIF District outside of the “Park Lane” site. The City of Dallas Office of Economic Development and Public Works Department personnel drafted a preliminary plan to replace the confusing, unsightly and hazardous five-point intersection with one-way circulation around a newly created rectangular block (see Exhibit C). The street improvement plan creates a potential neighborhood center as a by-product with a traffic pattern similar to many Texas courthouse squares. It is undetermined whether the rectangle inside these roadways should be a park, a building, or a combination of both. Exhibit C represents a preliminary plan to address traffic issues in the area and may be modified as additional research and plan development is completed.

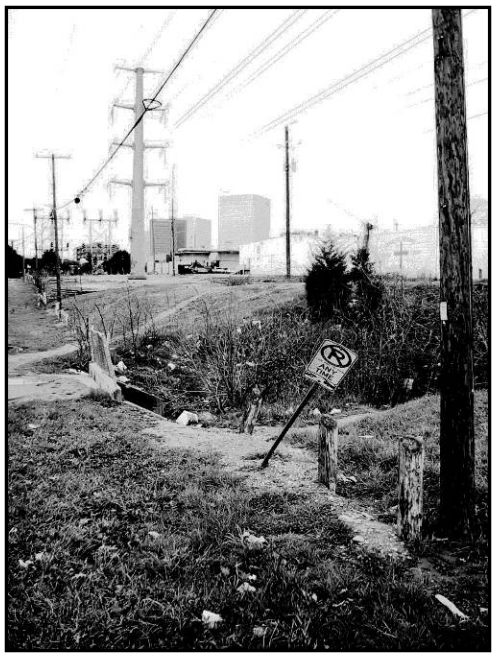
## Five-Points Intersection – Existing Conditions

The projected duration of the Vickery Meadow TIF District is 22 years, beginning on January 1, 2006. It is scheduled to terminate December 31, 2027 (including collection of the 2027 increment in calendar year 2028 and any related matters to be concluded in 2028) or when the budget of $32.2 million (2006 dollars) has been collected, whichever occurs first. The City's participation is 0% in 2006 and 2007 and will increase to 80% in 2008 and thereafter. Based on current development projections, the TIF budget is expected to be reached in 2027, after twenty years of collections.

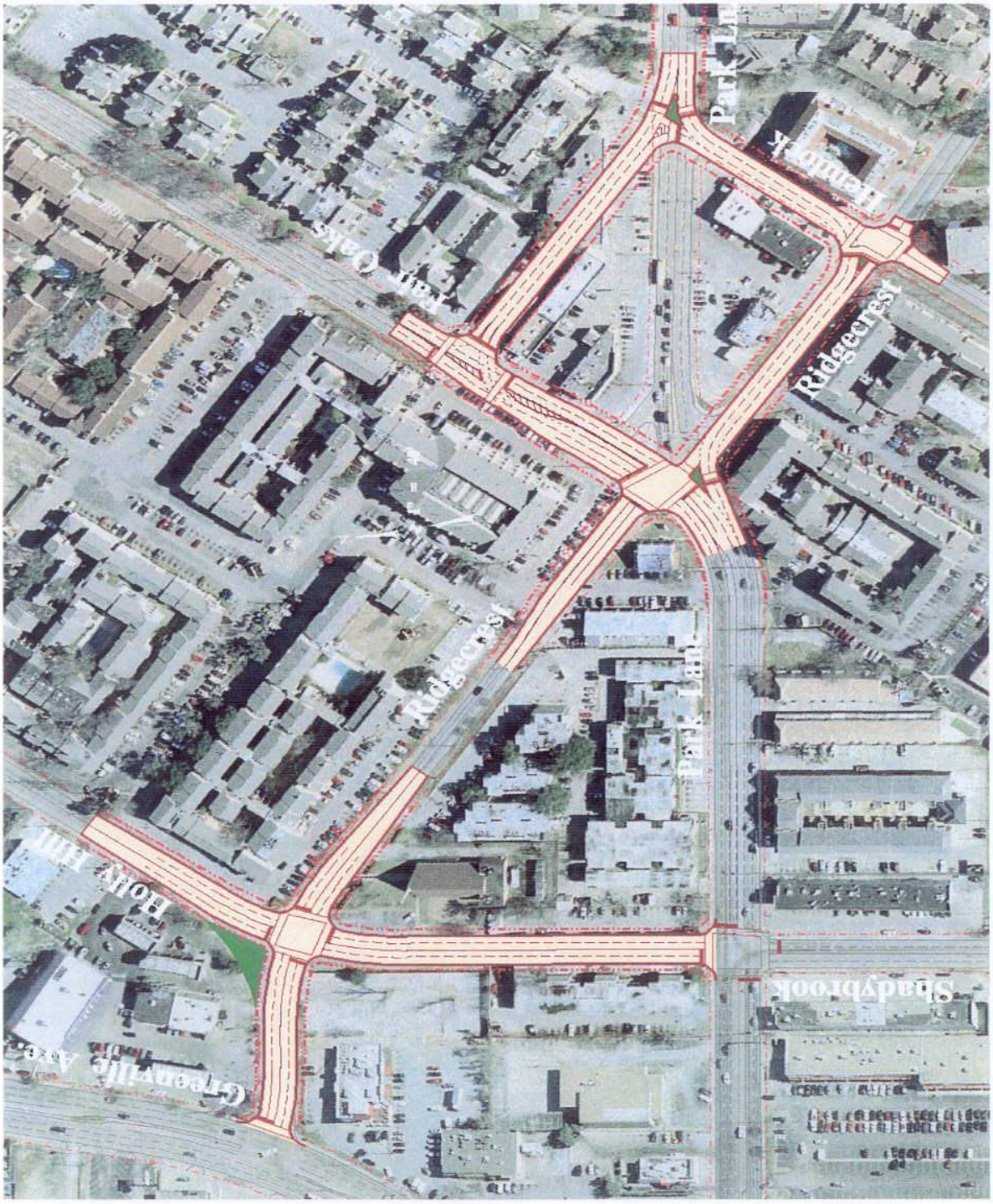
## Exhibit A
## Vickery Meadow TIF District Map



## Exhibit B
# Vickery Meadow TIF District Existing Conditions



## Exhibit C
## Preliminary Traffic Improvement Plan for the Five-Points Area



## Development Goals and Objectives

The following development goals will meet the specific needs of the Vickery Meadow TIF District:

- Goal 1 – Facilitate private development within the Vickery Meadow TIF District for the public purpose of developing and diversifying the economy of the District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business, and commercial activity in the District.

- Goal 2 – The Vickery Meadow TIF District shall focus predominantly on encouraging the redevelopment of the "Park Lane" site and improving pedestrian connections between the existing DART Park Lane light rail station to increase density and provide enhanced urban design for the District.

- Goal 3 – The Vickery Meadow TIF District should, as funds accrue and can be supplemented with non-TIF sources, focus on traffic improvements and redevelopment of properties in the Five-Points area.

- Goal 4 – Additional taxable value attributed to new private investment in projects in the Vickery Meadow TIF District shall total approximately $322 million. A map and list of anticipated development projects is attached (see Exhibits D-1 and D-2).

- Goal 5 – New private development in the Vickery Meadow TIF District shall add a total of approximately: 850,000 square feet of retail space, 200 hotel rooms, 900 residential units including both rental and owner occupied units, and 336,000 square feet of office space.

- Goal 6 – Ridership at the DART Park Lane light rail station shall increase from 2,200 riders per weekday to 3,500 riders per day by 2011, three years after the anticipated completion of the "Park Lane" development.

- Goal 7 – The Vickery Meadow TIF District will generate approximately $32.2 million in increment over 20 years.

The following specific objectives set the framework for the planned public improvements within the Vickery Meadow TIF District:

- Improve pedestrian lighting within the Vickery Meadow TIF District.

- Improve the pedestrian environment through landscaping, lighting and design standards for surface parking lots.

- Coordinate linkages with the DART Park Lane light rail station by extending streetscape improvements from the "Park Lane" development and Five-Points

area. Encourage redevelopment of street-front retail within these linkage areas.

- Direct overall development of the Vickery Meadow TIF District through the application of design standards for public improvements and design guidelines for private development.

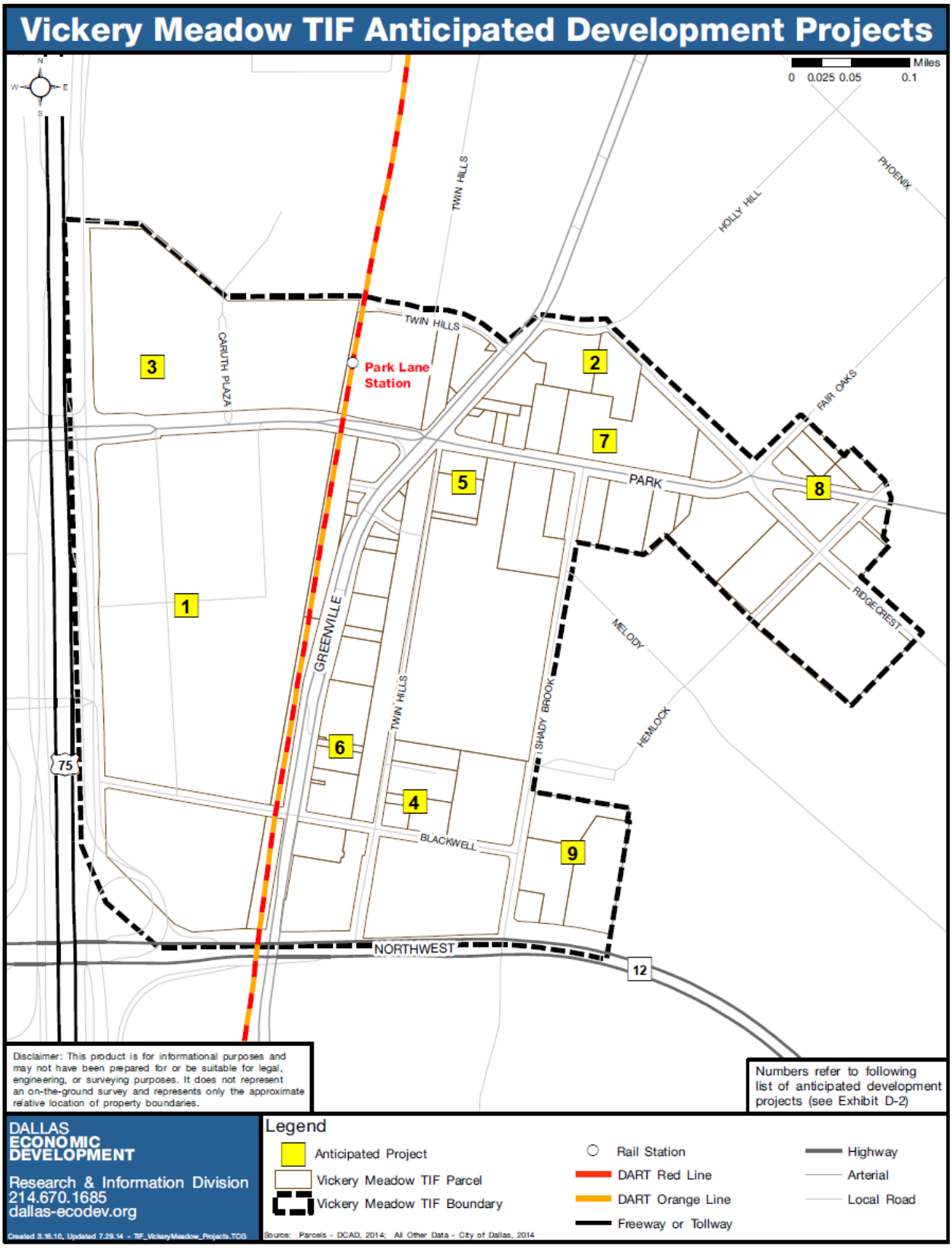
- Encourage redevelopment of school property and improve educational and training facilities within the district.

The Vickery Meadow TIF District Project Plan provides a long term program to replace and upgrade the infrastructure and encourage redevelopment of underutilized property in the Vickery Meadow TIF District. Tax increment financing will be used to pay for these improvements.

Certain costs of improvements, as further discussed herein, are eligible for funding with tax increment revenues under legislative actions taken in 2005. These improvements enumerated in the Project Plan provide for approximately $20 million in grants of TIF revenues, subject to final construction plans, for costs associated with redevelopment of the “Park Lane” project, including but not limited to environmental remediation and demolition of existing structures and facilities; park and open space improvements; DART related improvements; land acquisition; public infrastructure improvements - sidewalks, lighting, streets, landscaping and utilities; and design and engineering. The City will enact and implement controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the economy of the Vickery Meadow TIF District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

This program is intended to encourage private development and public infrastructure improvements thereby improving the economics of redeveloping the Vickery Meadow TIF District.

## Exhibit D-1
## Vickery Meadow TIF District – Map of Anticipated Projects



## Exhibit D-2
# Vickery Meadow TIF District – Anticipated Projects

| Dev # | Project | Location | Proposed Use |
|---|---|---|---|
| 1 | "The Shops at Park Lane" | Central Expressway between Park Lane and Blackwell | Residential, retail, office and hotel |
| 2 | Holly Hill/Greenville | SE corner of Greenville @ Holly Hill | Residential |
| 3 | Caruth Plaza site addition | NE corner of Central Expressway @ Park Lane | Retail |
| 4 | Black Forest Area | NE corner of Twin Hills @ Blackwell | Residential |
| 5 | Sam's/Eckerd's site addition | SE corner of Twin Hills @ Park Lane | Retail |
| 6 | Greenville frontage | Greenville near Twin Hills | Retail |
| 7 | Library Mixed-use Project (former site of the Acacia Apartments) | NW corner of Park Lane @ Ridgecrest | Library, residential and retail |
| 8 | Former Five Points | Park Lane / Fair Oaks / Ridgecrest | Residential |
| 9 | Half Price Books' mixed-use project | NE corner of Northwest Highway and Shady Brook | Retail and restaurant |

*Note: The anticipated development projects listed above are subject to market conditions and may change over time. The locations of the above projects are shown in Exhibit D-1.*

## Description of Vickery Meadow TIF District

The boundaries of the Vickery Meadow TIF District are generally located along North Central Expressway, Northwest Highway, Shadybrook Lane, Ridgecrest Road, and Twin Hill Connection. The "Five Points" intersection of Park Lane, Ridgecrest Road, Fair Oaks Avenue and surrounding area is also included.

Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way. Boundaries that approximate property lines shall be construed as following such property lines.

Appendix B identifies all real property accounts within the Vickery Meadow TIF zone boundary, according to 2005 Dallas Central Appraisal District records. The base value of the zone will be the total appraised value of all taxable real property in the zone as determined by the Dallas Central Appraisal District in the certified roll for 2005.

The total assessed real property tax value of all taxable real property within the Vickery Meadow TIF District for tax year 2005, according to the Dallas Central Appraisal District, was $161,270,320.

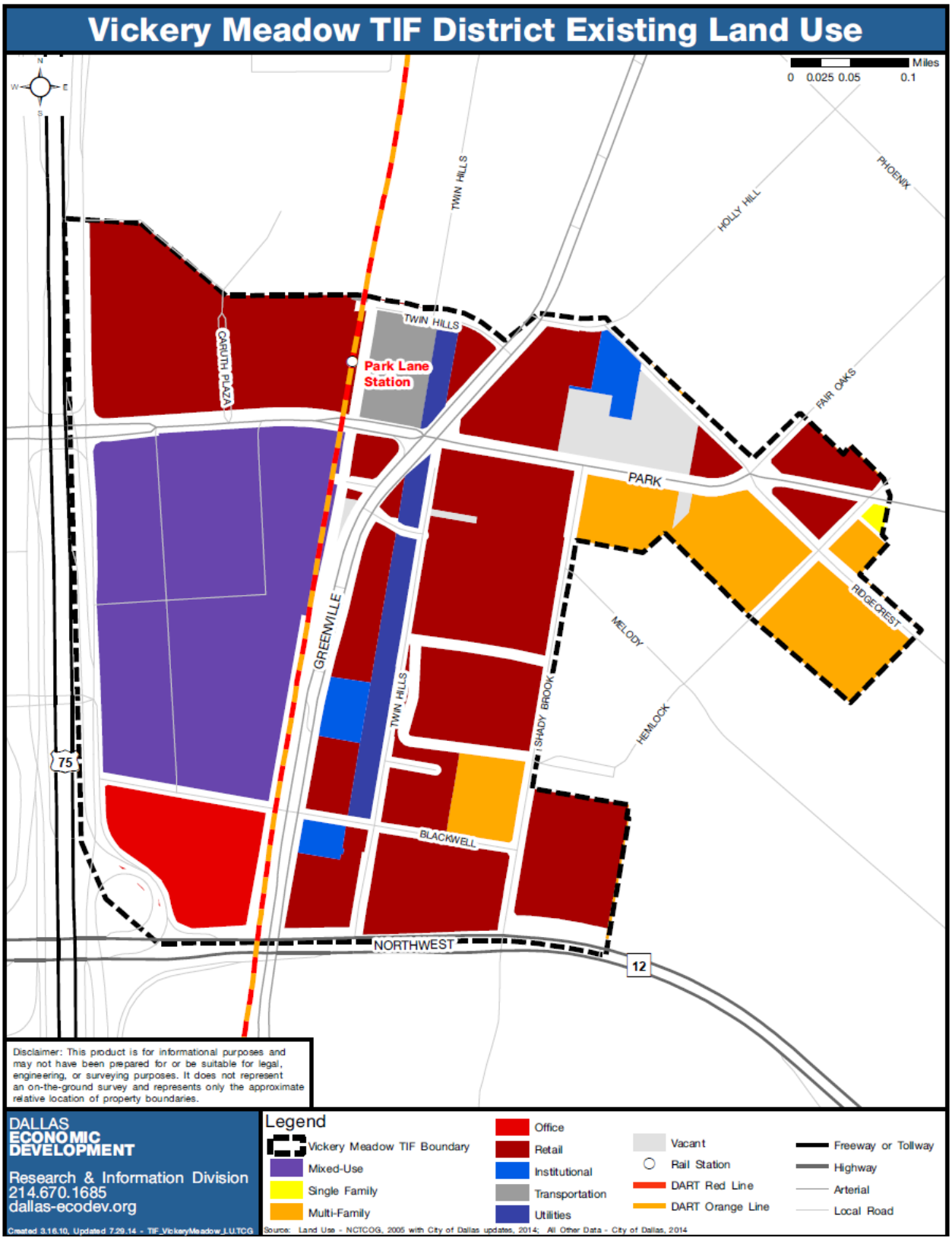
## Existing Uses

The Vickery Meadow TIF District is a mixed-use area, primarily composed of underutilized commercial and multi-family residential properties. Exhibit E shows the existing land use for the area within the Vickery Meadow TIF District (for specific parcels included in the TIF District refer to Exhibit A, the TIF Boundary Map).

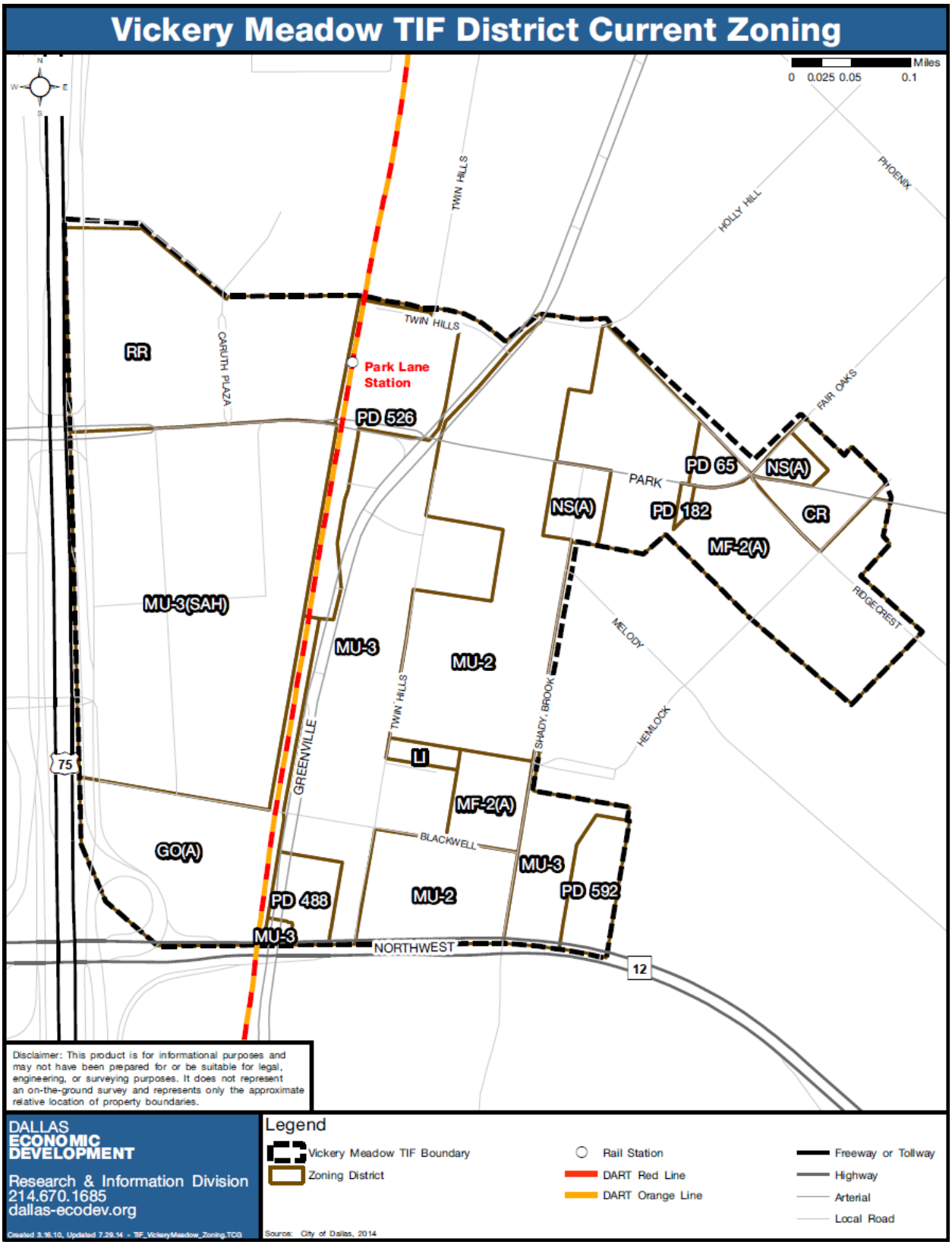
## Zoning

Exhibit F shows existing zoning and the Planned Development Districts in the Vickery Meadow TIF District. No immediate zoning changes are contemplated. However, in order to accomplish redevelopment goals along Park Lane and the Five-Points area, zoning changes may be needed in the future.

## Exhibit E
## Vickery Meadow TIF District – Existing Land Uses



## Exhibit F
## Vickery Meadow TIF District – Existing Zoning



## Market Feasibility

The predominant land use in the planned 22-year Vickery Meadow TIF District development program is for mixed-use development. The proposed "Park Lane" development will occur within three years of the initiation of the TIF District. This development will include approximately 750,000 square feet of retail space, a 200 room full service hotel, 447 apartment units, 50 for-sale residential units, and 336,000 square feet of office space in a pedestrian, transit oriented core. Market analysis shows demand for the retail component of the project. It is anticipated that the retail component of the project will draw people within a 25-minute drive or train ride of the project.

During the last decade the development and initial success of the DART light rail system has not fully been taken advantage of by the development community. Obstacles that are detrimental to project financing for high density projects include higher land costs, need for structured parking and additional infrastructure costs relating to taller, more costly buildings and enhanced pedestrian amenities. Especially in markets like the Vickery Meadow TIF District, where a suburban type retail strip center without a mixed-use component could be built at a much lower cost, it has been difficult to attract denser, transit oriented development.

While the appeal of creating a one-of-a-kind, transit oriented development has been a key feature in the investigation of the financial feasibility of this project, it is unlikely that this scale of development would occur without public assistance.

The second phase of the Project Plan involves the redevelopment of the Five-Points area which includes property outside the "Park Lane" site and is generally identified by the intersection of Park Lane, Ridgecrest Street and Fair Oaks Drive. This area currently contains a large amount of underutilized commercial structures, deteriorated multi-family complexes and some new public school buildings. The Five-Points area has faulty lot layout in relation to size, adequacy, accessibility, and usefulness. The traffic pattern is confusing and detrimental to the redevelopment process. It is anticipated that as additional TIF increment is generated from the Phase I "Park Lane" development, an investment can be made to improve traffic circulation and expand development opportunities in the Five-Points area. The proposed traffic configuration will allow the development of a town square.

The Vickery Meadow TIF District includes property to the south and west of the Five-Points area that is also anticipated to be redeveloped in the second phase of the TIF redevelopment process.

Based on an analysis of this proposed development, the "Park Lane" development and the Five-Points area redevelopment are found to be feasible and unlikely to occur without the creation and implementation of this TIF District to fund needed infrastructure in the Vickery Meadow TIF District.

## TIF District Policy Considerations

The Vickery Meadow TIF District's assessed real property tax value in 2005 was $161,270,320. By 2027, the District's assessed real property tax value is forecasted to increase to approximately $637 million. Since the TIF receives revenue only from the taxable value which exceeds the base year, "captured" taxable value accruing to the Vickery Meadow TIF District is approximately $476 million. Of the $476 million in captured taxable value, approximately $322 million is attributed to new private investment and $154 million is attributed to property appreciation. The cumulative incremental property tax revenue potential of the planned development will be approximately $32.2 million (net present value) for public improvement projects.

No persons are expected to be displaced by redevelopment of the Park Lane site. Future development projects in the Five-Points area of the Vickery Meadow TIF District may include demolition of existing residential property. There is an abundance of available housing in the area and the current vacancy rate of rental property is 30%. It is understood that some displacement may occur by redevelopment activity within the TIF District and the City will only provide TIF assistance for projects where the incidence and impact of any displacement has been minimized.

The affordable housing requirement for the "Park Lane" project will be satisfied by the allocation of $1 million in TIF assistance for affordable housing. This assistance will be used for new construction of multi-family housing within the Vickery Meadow Public Improvement District and will be provided by the developer of the Park Lane project by July 1, 2008. All other TIF-assisted residential projects will have to meet the requirement that at least 20% of the housing produced be affordable to households earning no more than 80% of the Dallas area median income (based on an annual schedule, Appendix A shows the 2005 figures).

Other requirements to qualify for TIF funds shall be compliance with Fair Share Guidelines for private construction and promotion of hiring for neighborhood residents for permanent jobs created. This latter requirement means TIF applicants will agree to sponsor job fairs or other programs to attract residents to jobs. The process for Fair Share Compliance and City oversight will be set in the development agreement for each individual project.

Design guidelines for new development and redevelopment in the Vickery Meadow TIF District shall be developed and adopted by the Vickery Meadow TIF Board of Directors within two years of the creation of the District. Once the guidelines are adopted, any future development project requesting TIF funds will be required to comply with these design guidelines. The "Park Lane" project provides a high quality design standard and the design guidelines will be developed to be compatible with this project. City staff and the Vickery Meadow community have given input on the design of the "Park Lane" project and discussions are ongoing as the details of the project are finalized. City staff will review this project for compatibility with the conceptual plans contained in the Project Plan to ensure that the development sets a standard for future transit oriented development in the City of Dallas.

# Section 2
# Project Plan Improvements

This Project Plan provides for approximately $32.2 million in TIF-eligible public improvements as further described below. See Exhibits G and K for a detailed map and budget of TIF-funded Project Plan Improvements ("Project Costs"):

**I. "Park Lane" Project** – In order to create a transit oriented mixed-use center, approximately $20 million is included in the Vickery Meadow TIF District budget for incentives supporting the proposed "Park Lane" development, located in the area bounded by Central Expressway, Park Lane, Greenville Avenue and Blackwell Street. This project includes the redevelopment of some existing office buildings, a former movie theater and a large amount of surface parking lots. The redevelopment project will be integrally tied to the DART Park Lane light rail station through an extension of the rail platform and improved pedestrian connections. To implement the Vickery Meadow Project Plan, the Vickery Meadow TIF Board of Directors may consider establishing a program for making Grants (defined herein) to the developer for the "Park Lane" project. The amount of such a Grant will be based on the costs of: environmental remediation and demolition of existing structures and facilities; park and open space improvements; land acquisition; public infrastructure improvements - sidewalks, lighting, streets, landscaping and utilities; and design and engineering.

**II. Five-Points Area Project(s)** – In order to improve traffic circulation and create an opportunity for the redevelopment of the Five-Points area, located outside of the "Park Lane" site and generally near the intersection of Park Lane, Ridgecrest Drive and Fair Oaks Street, an amount of $10 million is included in the Vickery Meadow TIF District budget to fund Project Costs related to the design and reconfiguration of this intersection and associated projects needed for the redevelopment of the area. This development will be associated with the replacement or redevelopment of some existing apartment complexes, deteriorated retail properties and small office uses in the area. Project costs to be considered as part of this line item include: public infrastructure improvements - streets, sidewalks, lighting, right-of-way acquisition, DART related improvements; landscaping and utilities; environmental remediation and demolition of existing structures and facilities; and design and engineering.

The following describes in greater detail eligible TIF Project Costs for both the "Park Lane" Project and the Five-Points Area Project(s)**:**

A. Environmental Remediation, Interior/Exterior Demolition. The Vickery Meadow has some buildings that have been financially unfeasible to redevelop because of the cost of environmental remediation of asbestos, lead-based paint and other contaminants and interior and exterior demolition costs. Interior and external demolition expenses are tied directly to the remediation expenses, especially where the location of these buildings is not conducive to the development of a transit oriented mixed-use center. These costs are TIF eligible expenditures. Remediation of environmentally hazardous

materials and associated improvements, using TIF funds, greatly improves the marketability of these buildings or can enable redevelopment of a structurally obsolete building. This budget category is necessary for furthering the Vickery Meadow redevelopment effort.

State law has been amended to permit the Vickery Meadow TIF District to consider making direct grants to accomplish these purposes.

B. Street and utility improvements. This category includes TIF eligible expenditures for design and engineering, street paving and related items, infrastructure upgrades/relocation (water, wastewater, storm sewer), and burial or relocation of overhead utilities.

C. Streetscape Improvements. The category includes lighting, sidewalk and infrastructure improvements, expanding and enhancing pedestrian and vehicle continuity in the corridor and other streetscape improvements related to specific projects.

D. Land Acquisition. The City may consider acquiring property, using eminent domain 77as necessary and to the extent permitted by law, to implement the TIF Plan. Potential land acquisitions may include:

1) Right-of-way or public access easements needed for improved traffic circulation or pedestrian safety and accessibility in a transit oriented mixed-use development
2) Park or pedestrian connection development

E. Park and plaza design and acquisition**.** Public open space is an important amenity in the Vickery Meadow TIF District. Funding would be provided for design, improvements and land acquisition as necessary for implementation.

F. DART related improvements. Funding for the improvements to DART facilities needed to foster a better connection between the transit facilities and the development is an important component of the Vickery Meadow TIF District Plan.

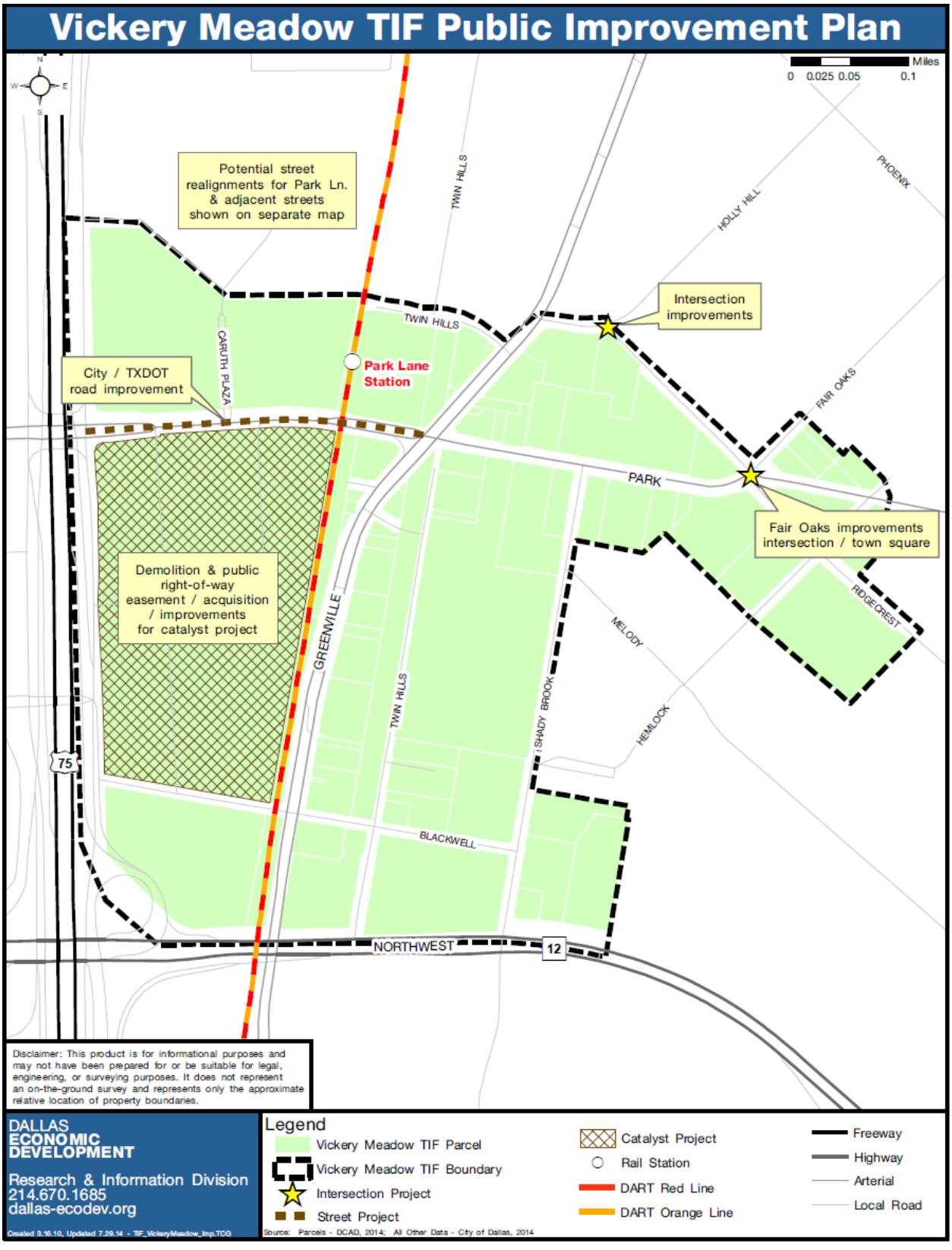
**III. Administration and Implementation**. Administrative costs, including reasonable charges for the time spent by employees of the municipality and/or employees associated with any non-profit groups established to assist with implementation within the TIF District will be eligible for reimbursement as project costs, upon approval by the TIF Board of Directors and in connection with the implementation of the Vickery Meadow TIF Project Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures and equipment are included in this category.

**Grants**

State law has been amended to permit the Vickery Meadow TIF District to consider making direct grants to accomplish any of these purposes. The Vickery Meadow TIF

District Board of Directors may provide for a program to make economic development Loans or Grants from TIF funds in an aggregate amount not to exceed the amount of tax increment produced by the municipality and paid into the tax increment fund for the District as necessary or convenient to implement this Plan. Projects receiving such Loans or Grants must be consistent with the goals and objectives of the Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan and would be subject to specific project agreements and City Council approval of the Loan or Grant program and the project agreements.

# Exhibit G
# Vickery Meadow TIF District Public Improvement Plan



**Planned Private Development**

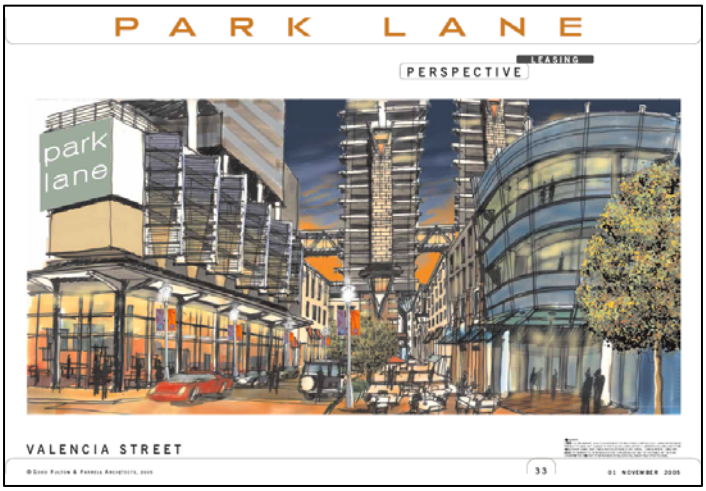
- Approximately 900 residential units, including apartments and for sale units
- Approximately 850,000 square feet of additional retail development
- Approximately 330,000 square feet of office development
- Development of a 200 room, upscale full-service hotel
- Investment of approximately $45 million in parking structures associated with the "Park Lane" development, privately financed by the developer
- Development of site adjacent to Park Lane DART light rail station

The "Park Lane" development will include approximately 750,000 square feet of retail space, a 200 room full-service hotel, 447 apartment units, 50 for-sale residential units, 336,000 square feet of office space and a $45 million investment in parking structures, all in a pedestrian and transit oriented core. See Exhibit H for conceptual renderings of the "Park Lane" development.

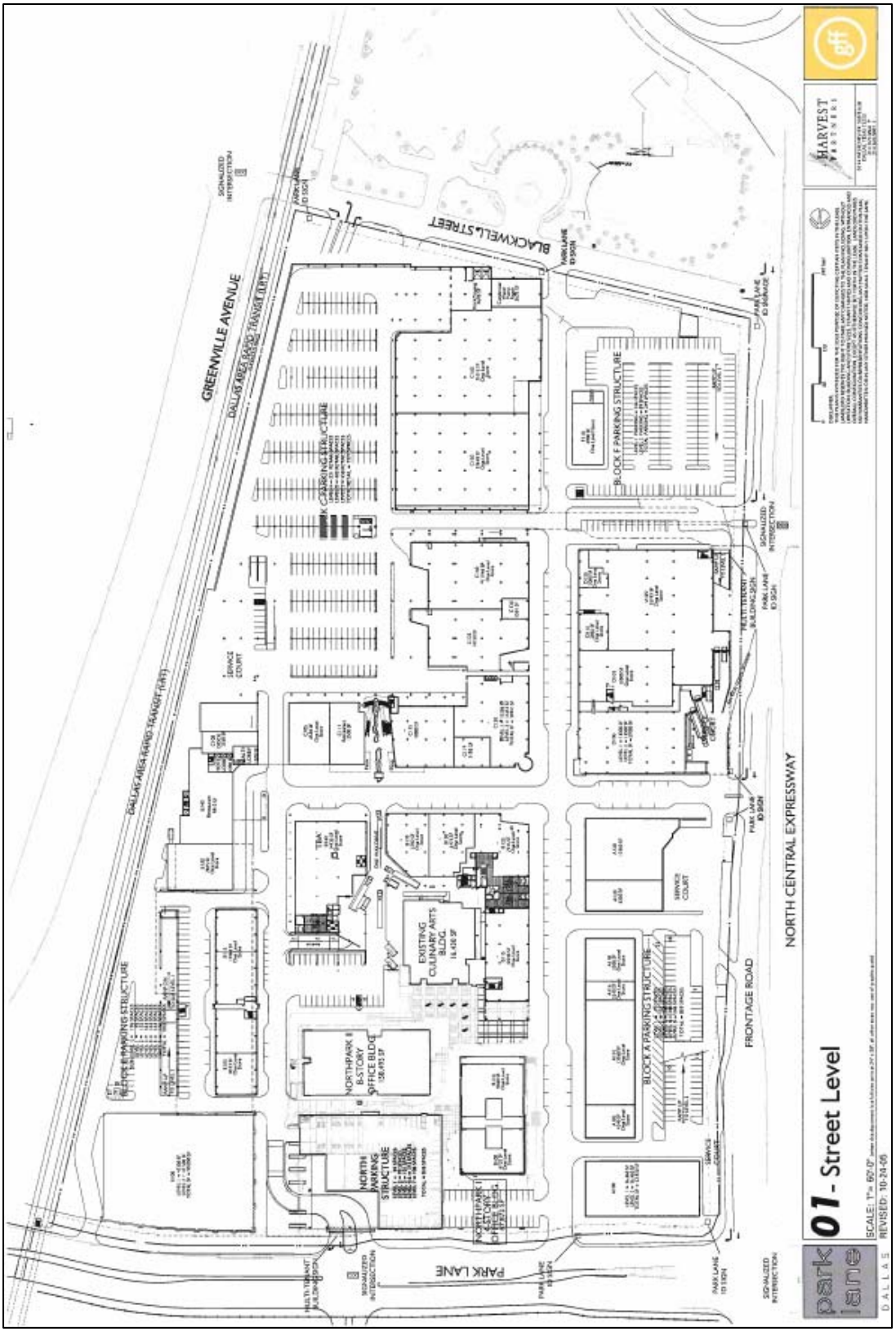
Exhibits I-1 and I-2 show the conceptual site layout and proposed easement plan of the "Park Lane" project, including areas of public access for pedestrians and vehicles. Anticipated TIF public improvements would include enhanced streetscape, plazas and other public amenities. Exhibit J shows the conceptual public plaza design and improved pedestrian connections to the DART Park Lane light rail station.

A concept for the realignment of the Five-Points intersection and newly created rectangular block is shown in Exhibit C. The street improvement plan creates a potential neighborhood center as a by-product with a traffic pattern similar to many Texas courthouse squares. It's undetermined whether the rectangle inside these roadways should be a park, a building, or a combination of both. It is anticipated that these infrastructure improvements will spur additional private investment in the Five Points area.

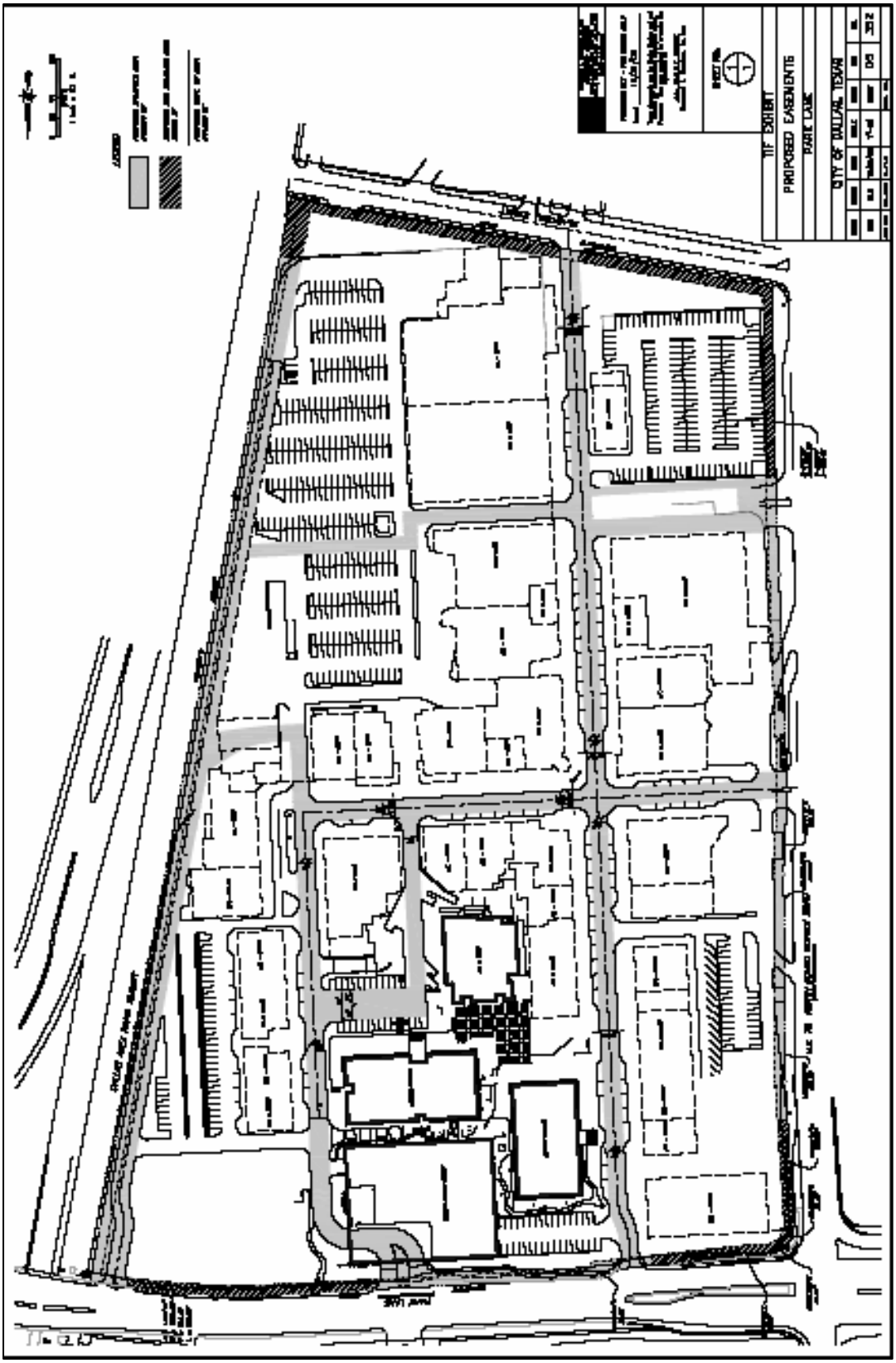
# Exhibit H
# "Park Lane" Conceptual Renderings



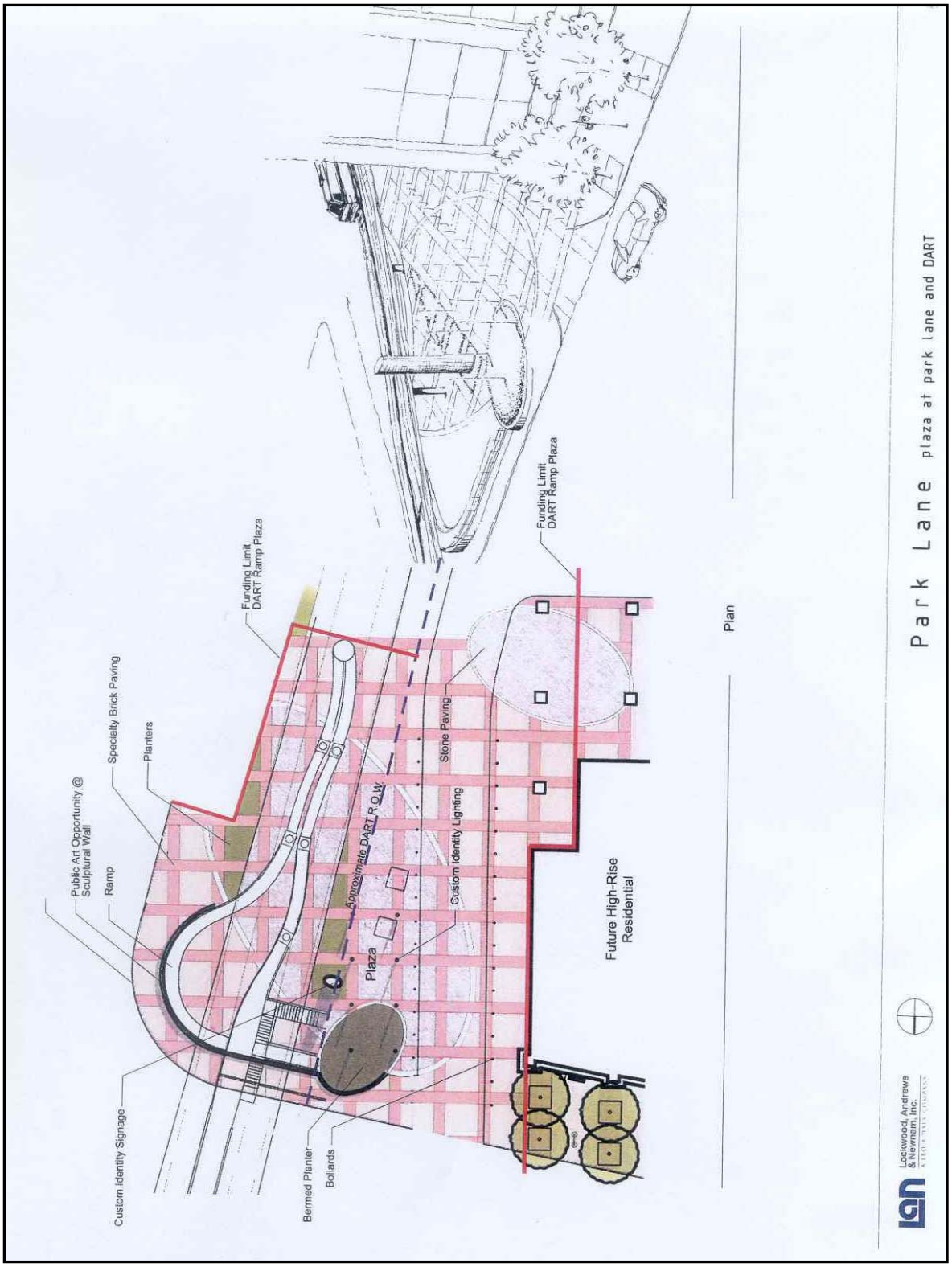
# Exhibit I-1
# "Park Lane" Conceptual Site Layout



## Exhibit I-2
## "Park Lane" Proposed Easement Plan



# Exhibit J
# "Park Lane" Conceptual DART Connection



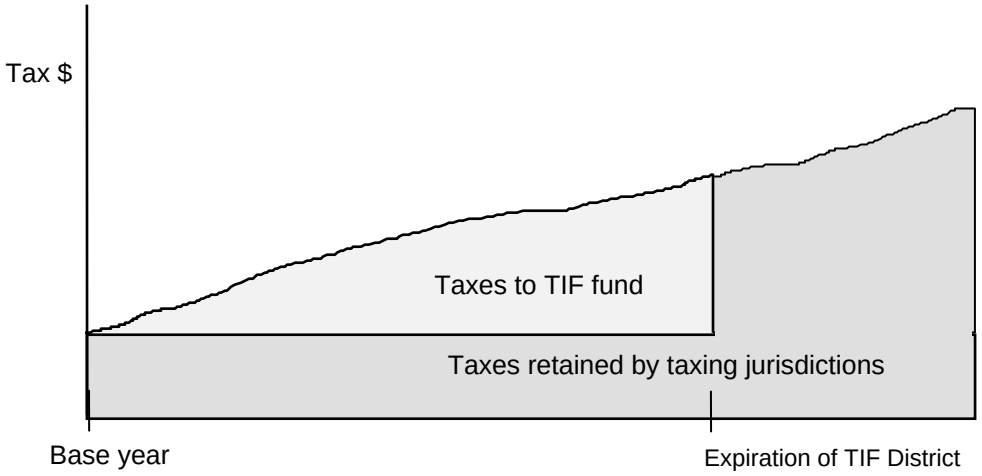
# Section 3:
# Financing Plan

Tax increment financing ("TIF") is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. The improvements strengthen existing communities and attract investment. The Tax Increment Financing Act is in Chapter 311 of the Texas Tax Code (the "Act").

The governing body of a municipality may designate an area a reinvestment zone if the City Council finds that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future. The additional tax dollars generated by growth of real property value flow to a "tax increment financing fund" ("TIF fund") for a specified term of years. Money flowing to the TIF fund each year is disbursed according to the Project Plan approved by the TIF board and the City Council, as prescribed by the Act and the ordinance designating the reinvestment zone. The TIF fund may be used to make grants in furtherance of the development for the District and for public improvements within the reinvestment zone. TIF funds may also to be used for public improvements at places of public assembly, such as a park, or for affordable housing, even though outside the zone.

The illustration below shows how tax from real properties in a TIF zone flows to a taxing jurisdiction and to a TIF fund. This assumes real property values in the TIF zone rise soon after the zone's designation.

## Real Property Tax Flow with Tax Increment Financing



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

Once the public improvements are completed and paid for, the TIF is dissolved and the full amount of the taxes collected in area are kept by the taxing jurisdictions. In effect, the taxing jurisdictions are "investing" future earnings to receive the benefit of higher tax revenues from new development. Also, taxing jurisdictions are not restricted from raising their tax rates during the life of the zone.

### Financing Plan

The Reinvestment Zone Financing Plan provides for incremental financing, and predicts revenues for the Vickery Meadow TIF District.

## Exhibit K
## TIF Project Plan Improvements

Project costs are public improvements or grants paid or reimbursed by TIF.
Project costs may be changed in subsequent project and financing plans.
This schedule excludes interest, which is also a project cost.

| (a) Category | (b) Estimated TIF Expenditure * (in 2006 Dollars) |
|---|---|
| **"Park Lane" Project:** | $20,000,000 |
| Environmental remediation | |
| Interior/exterior demolition | |
| Street & utility improvements & relocation | |
| Streetscape improvements | |
| Land acquisition | |
| Enhanced pedestrian area design & acquisition | |
| Engineering and design | |
| Non-project costs | |
| **Five-Points Area Improvements:** | $10,000,000 |
| Environmental remediation | |
| Interior/exterior demolition | |
| Street & utility improvements | |
| Streetscape improvements | |
| Land acquisition | |
| Park & plaza design & acquisition | |
| DART related improvements | |
| Engineering and design | |
| Non-project costs | |
| Administration and implementation | $2,195,100 |
| Total Project Costs, excluding interest | $32,195,100 |

** All values discounted to 2006 dollars at 4% annually.*

The project principal costs in Exhibit K are expressed as if paid in 2006. Cash for most of these expenditures won't be drawn, however, until later.

Financing Method. The City's current policy for financing TIF projects is for private groups to advance funds for public improvements in the reinvestment zone or to have funds paid directly from the Vickery Meadow TIF District Fund as funds become available. The City has financed the vast majority of its prior TIF District projects on a pay-as-you-go basis. Advances may be repaid by the future cash flows to the Vickery Meadow TIF District fund. Taxing jurisdictions do not guarantee these reimbursements with any other source.

The City may negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of projects within the TIF zone, using any financial instrument, subject to City Council approval of the note or credit line or issue bonds or other obligations for eligible TIF expenditures.

The City may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the District, eliminating unemployment and underemployment in the District, and developing or expanding transportation, business, and commercial activity in the District, including programs to make grants and loans from the tax increment fund of the District in an aggregate amount not to exceed the amount of the tax increment produced by the municipality and paid into the tax increment fund for the District.

Financing Policy and Long Term Financing. The goal of the Vickery Meadow TIF District is to leverage increment accrued to maximize development in the District.

Expected Revenues. Exhibit L is a list of developments anticipated in the Vickery Meadow TIF District through 2027. Some of the identified developments may not occur, while other development projects likely may replace them. This schedule represents the best estimate of anticipated development in the area. Actual timing, floor area, uses and other attributes of the identified developments may differ from the schedule.

Unit values supporting appraisal estimates in Exhibit L are based on observations of values assigned to comparable developments by the Dallas Central Appraisal District (DCAD). Actual construction costs or trading prices may differ. Because tax increments are measured by DCAD values, these are the relevant measures of value for a TIF financing plan. To show the reasonableness of appraisal estimates in this plan, Exhibit M presents 2004 appraisals by DCAD of several properties in the TIF zone and nearby that are believed similar to the forecast development.

The sites anticipated for redevelopment with the Vickery Meadow TIF District may constitute most of the redevelopment in the District through 2027, although some unnamed sites will inevitably substitute for listed sites. Further redevelopment after 2027 is likely, but not forecast in this analysis for two reasons: (1) Tax increments are

estimated to flow to the TIF zone for only twenty years; (2) Forecasts further into the future become marginally reliable.

Based on the development projects identified in Exhibit L and other stated assumptions, Exhibit N estimates annual City and County real property taxes from the TIF zone and annual percentages and amounts of the real property tax growth increment reinvested each year in the Vickery Meadow TIF District fund. Cumulative increased property value is expected to reach approximately $637 million during the 22-year term of the TIF District. Since the TIF receives revenue only from the taxable value which exceeds the base year, “captured” taxable value accruing to the Vickery Meadow TIF District is approximately $476 million. This includes approximately $322 million in increased taxable value attributed to new private investment and $154 million in increased taxable value attributed to property appreciation.

Projections assume an 80% reinvestment rate for the City and 55% for Dallas County with a maximum term of twenty two years or until the Project Cost Budget of $32,195,100 is reached. The City and County are not expected to participate during the first two years of the TIF District term. The final terms of participating taxing jurisdiction’s contribution of tax increment shall be set forth in interlocal participation agreements between the City and County.

# Exhibit L
# Anticipated Redevelopment Projects in Vickery Meadow TIF District

Assumptions:

Development plans are subject to change

Site locations, sizes uses, floor areas and development timing are estimates subject to market demand and zoning.

Site location numbers in column (a) are from Exhibits D-1 and D-2, the Vickery Meadow TIF District Anticipated Development Project Map and List

Unit appraisal values are by Stein Planning and Management and City of Dallas, Office of Economic Development, based on comparable appraisals by the Dallas Central Appraisal District.

Estimated appraised values of existing improvements are adjusted for anticipated inflation before subtraction from new improvement values.

All appraisal estimates are expressed in 2006 dollars.

| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) | (k) | (l) | (m) | (n) | (o) | (p) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Estimated DCAD Appraisals in 2006 Dollars | | | | | | | | | |
| | | | | | | Real Property | | | | | | | Business | | Assumed |
| Site | | Land | | Floor | Building | | | | | | | | Personal Property | | Complete |
| Location | Site Name | Area (SF) | Primary Use | Area Ratio | Floor Area (excl. parking) (SF) | Land per LSF | Improvements per BSF | Land | Improvements | Total Real Property | Less Existing | Net New | per BSF | All | Before Jan. 1, |
| 1 | Park Lane | | Office | | 336,161 | | $85 | | $29,430,896 | $29,430,896 | | $29,430,896 | $10 | $3,361,610 | 2009 |
| 1 | Park Lane | | Retail Anchors | | 466,638 | | $100 | | $48,063,714 | $48,063,714 | | $48,063,714 | $42 | $19,647,290 | 2009 |
| 1 | Park Lane | | Specialty Retail | | 183,986 | | $120 | | $22,740,670 | $22,740,670 | | $22,740,670 | $40 | $7,359,440 | 2009 |
| 1 | Park Lane | | Restaurant | | 35,343 | | $150 | | $5,460,494 | $5,460,494 | | $5,460,494 | $50 | $1,767,150 | 2009 |
| 1 | Park Lane | | Health Club | | 65,000 | | $80 | | $5,356,000 | $5,356,000 | | $5,356,000 | $10 | $650,000 | 2009 |
| 1 | Park Lane | | Hotel | | 165,000 | | $166 | | $28,196,250 | $28,196,250 | | $28,196,250 | $10 | $1,650,000 | 2009 |
| 1 | Park Lane | | Residential | | 810,000 | | $143 | | $119,428,500 | $119,428,500 | | $119,428,500 | $0 | $0 | 2009 |
| | Total - Park Lane | 1,451,289 | | | 2,062,128 | $23 | | $33,379,647 | $258,676,523 | $292,056,170 | $46,529,260 | $245,526,910 | | $34,435,490 | |
| 2 | Holly Hill/Greenville | 70,000 | residential | 1.25 | 87,500 | | $70 | | | $6,308,750 | $470,000 | $5,838,750 | $0 | $0 | 2010 |
| 3 | Caruth Plaza site addition | 150,000 | retail | 0.40 | 60,000 | | $100 | | | $6,180,000 | $2,260,000 | $3,920,000 | $30 | $1,800,000 | 2010 |
| 4 | Black Forest area | 70,000 | residential | 1.50 | 105,000 | | $70 | | | $7,570,500 | $250,000 | $7,320,500 | $0 | $0 | 2011 |
| 5 | Sam's/Eckerd's site addition | 90,000 | retail | 0.20 | 18,000 | | $60 | | | $1,112,400 | $0 (1) | $1,112,400 | $30 | $540,000 | 2012 |
| 6 | Greenville frontage | 60,000 | retail | 0.40 | 24,000 | | $60 | | | $1,483,200 | $270,000 | $1,213,200 | $30 | $720,000 | 2014 |
| 7 | Acacia site | 210,000 | residential | 1.25 | 262,500 | | $60 | | | $16,222,500 | $2,400,000 | $13,822,500 | $0 | $0 | 2016 |
| 8 | Former Five Points | 60,000 | residential | 1.50 | 90,000 | | $60 | | | $5,562,000 | $0 (2) | $5,562,000 | $0 | $0 | 2018 |
| | Total - Other Development | 710,000 | | | 647,000 | | | | | $44,439,350 | $5,650,000 | $38,789,350 | | $3,060,000 | |
| | **Total** | **2,161,289** | | | **2,709,128** | | | | | **336,495,520** | **52,179,260** | **284,316,260** | | **37,495,490** | |

(1) No deduction for existing improvements; land and improvements are completely deducted on another schedule.

(2) New construction is not expected to displace existing improvements.

# Exhibit M
# Comparable Developments based on DCAD Appraisals

Information is for the year noted.
The purpose of this schedule is to relate actual appraisals and other quantitative measures of comparable development in the metropolitan area.
Building floor area measurements exclude parking garages. Improvement appraisals include garages.

| (a) Development Name | (b) Address | | (c) Improvements | (d) Land | (e) Total Value | (f) Bldg. SF | (g) Imp. per BSF | (h) Land SF | (i) Land per LSF | (j) Total per BSF | (k) FAR | Year |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Mixed use centers** | | | | | | | | | | | | |
| The Crescent | 500 Crescent | Dallas | $245,180,080 | $25,984,920 | $271,165,000 | 1,722,192 | $142 | 433,082 | $60 | $157 | 3.98 | 2005 |
| Mockingbird Station | 5307 Mockingbird | Dallas | $77,490,670 | $11,386,140 | $88,876,810 | 565,675 | $137 | 379,538 | $30 | $157 | 1.49 | 2005 |
| West Village | | Dallas | $35,971,000 | $7,957,620 | $43,928,620 | 315,653 | $114 | 282,513 | $28 | $139 | 1.12 | 2005 |
| Galleria mall and department stores | | Dallas | $221,530,810 | $42,779,370 | $264,310,180 | 1,722,681 | $129 | 1,222,267 | $35 | $153 | 1.41 | 2005 |
| Westin Galleria Hotel | | Dallas | $50,789,810 | $4,210,190 | $55,000,000 | 473,645 | $107 | 120,291 | $35 | $116 | 3.94 | 2005 |
| Galleria office buildings | | Dallas | $115,140,300 | $12,908,500 | $128,048,800 | 1,535,614 | $75 | 368,814 | $35 | $83 | 4.16 | 2005 |
| Galleria vacant land | | Dallas | $0 | $1,558,100 | $1,558,100 | 0 | | 98,441 | $16 | | 0.00 | 2005 |
| Galleria grand total | | Dallas | $387,460,920 | $61,456,160 | $448,917,080 | 3,731,940 | $104 | 1,809,813 | $34 | $120 | 2.06 | |
| **Retail centers** | | | | | | | | | | | | |
| One-Stop Mini-Mart | 2324 McKinney | Dallas | $576,860 | $1,423,080 | $1,999,940 | 3,509 | $164 | 23,718 | $60 | $570 | 0.15 | 2005 |
| Lincoln Park (retail with. grocery) | 7700 W. Northwest | Dallas | $36,215,560 | $11,299,680 | $47,515,240 | 153,642 | $236 | 502,208 | $23 | $309 | 0.31 | 2005 |
| Knox Park Village | 3001 Knox | Dallas | $17,796,280 | $2,798,910 | $20,595,190 | 81,893 | $217 | 87,172 | $32 | $251 | 0.94 | 2005 |
| Highland Park Village total | | High. Park | $33,687,570 | $19,586,920 | $53,274,490 | 230,948 | $146 | 497,455 | $39 | $231 | 0.46 | 2005 |
| Best Buy, CompUSA, Office Max | 9358 N. Central | Dallas | $15,455,230 | $9,544,770 | $25,000,000 | 184,996 | $84 | 636,318 | $15 | $135 | 0.29 | 2005 |
| Office Max, Ross, etc. | 2415 N. Haskell | Dallas | $6,042,190 | $2,901,100 | $8,943,290 | 92,426 | $65 | 290,110 | $10 | $97 | 0.32 | 2005 |
| Target | 2417 N. Haskell | Dallas | $3,426,210 | $3,873,790 | $7,300,000 | 128,688 | $27 | 387,379 | $10 | $57 | 0.33 | 2005 |
| **Grocery stores** | | | | | | | | | | | | |
| Whole Foods Market | 4100 Lomo Alto | Dallas | $3,488,800 | $1,775,900 | $5,264,700 | 35,600 | $98 | 70,236 | $25 | $148 | 0.51 | 2005 |
| Kroger Signature | 5665 E. Mockingbird | Dallas | $578,210 | $6,282,830 | $6,861,040 | 79,228 | $7 | 349,046 | $18 | $87 | 0.23 | 2005 |
| **Office buildings** | | | | | | | | | | | | |
| 2100 McKinney | 2100 McKinney | Dallas | $57,474,900 | $8,189,460 | $65,664,360 | 374,654 | $153 | 136,491 | $60 | $175 | 2.74 | 2005 |
| Chase Tower | 2200 Ross | Dallas | $158,281,210 | $2,799,830 | $161,081,040 | 1,250,000 | $127 | 111,993 | $25 | $129 | 11.16 | 2005 |
| Trammell Crow Center | 2001 Ross | Dallas | $141,253,560 | $2,851,440 | $144,105,000 | 1,245,324 | $113 | 95,048 | $30 | $116 | 13.10 | 2005 |
| Fountain Place | 1445 Ross | Dallas | $127,473,260 | $2,247,740 | $129,721,000 | 1,297,418 | $98 | 78,848 | $29 | $100 | 16.45 | 2005 |
| 1845 Woodall Rodgers | 1845 Woodall Rodgers | Dallas | $10,027,320 | $2,171,400 | $12,198,720 | 185,007 | $54 | 36,190 | $60 | $66 | 5.11 | 2005 |
| **Residences** | | | | | | | | | | | | |
| 1999 McKinney condos (62) | 1999 McKinney | Dallas | $32,925,450 | $1,309,414 | $34,234,864 | 175,482 | $188 | 29,098 | $45 | $195 | 6.03 | 2004 |
| | | | (Improvement figures are estimates based on 100% of three middle floors.) | | | | | | | | | |
| Portobello townhouse condo unit | 33xx Blackburn | Dallas | $415,870 | $59,130 | $475,000 | 2,606 | $160 | N.A. | N.A. | $182 | N.A. | 2004 |
| Live Oak Lofts condos (113) | 2502 Live Oak | Dallas | $15,615,100 | $1,030,560 | $16,645,660 | 104,167 | $150 | 68,704 | $15 | $160 | 1.52 | 2004 |
| | | | (Improvement figures are estimates based on 9 units at middle of DCAD listing) | | | | | | | | | |
| Travis Terrace townhouse condo | 39xx Travis | Dallas | $400,610 | $42,420 | $443,030 | 2,782 | $144 | 2,121 | $20 | $159 | 1.31 | 2004 |
| Lincoln Park | 5445 Caruth Haven | Dallas | $35,455,780 | $9,544,220 | $45,000,000 | 395,377 | $90 | 636,281 | $15 | $114 | 0.62 | 2004 |
| Heights of State Thomas | 3015 State | Dallas | $14,616,920 | $3,921,090 | $18,538,010 | 173,545 | $84 | 122,534 | $32 | $107 | 1.42 | 2005 |
| Knox Travis Park | 4611 Travis | Dallas | $12,692,040 | $537,960 | $13,230,000 | 137,331 | $92 | 26,898 | $20 | $96 | 5.11 | 2005 |
| The Abbey | 2521 Worthington | Dallas | $3,380,550 | $944,450 | $4,325,000 | 48,082 | $70 | 29,514 | $32 | $90 | 1.63 | 2005 |
| Jefferson at Gaston | 2752 Gaston | | $26,158,960 | $4,665,280 | $30,824,240 | 417,815 | $63 | 548,856 | $9 | $74 | 0.76 | 2005 |
| Rovello | 2610 Allen | Dallas | $24,622,260 | $4,727,740 | $29,350,000 | 397,294 | $62 | 132,117 | $36 | $74 | 3.01 | 2005 |
| Gables Concord | 3003 Bookhout | Dallas | $5,175,800 | $4,755,420 | $9,931,220 | 138,390 | $37 | 158,514 | $30 | $72 | 0.87 | 2005 |
| Gables at Routh (Mirabella) | 2600 Cole | Dallas | $7,325,870 | $2,736,590 | $10,062,460 | 142,507 | $51 | 60,813 | $45 | $71 | 2.34 | 2005 |
| Uptown Village | | Dallas | $29,356,860 | $11,037,660 | $40,394,520 | 570,793 | $51 | 328,315 | $34 | $71 | 1.74 | 2005 |
| Jefferson at the North End | 2323 N. Field | Dallas | $27,940,320 | $16,395,540 | $44,335,860 | 623,997 | $45 | 468,444 | $35 | $71 | 1.33 | 2005 |
| Block 588 Condos | 3110 Thomas | Dallas | $14,363,550 | $1,636,450 | $16,000,000 | 229,074 | $63 | 51,139 | $32 | $70 | 4.48 | 2005 |
| Kirby Building | | Dallas | $12,950,000 | $1,800,000 | $14,750,000 | 209,223 | $62 | 30,000 | $60 | $70 | 6.97 | 2005 |
| Davis Building | 1309 Main | Dallas | $14,860,940 | $873,000 | $15,733,940 | 241,481 | $62 | 14,550 | $60 | $65 | 16.60 | 2005 |
| AMLI at Bryan Street | | Dallas | $20,462,860 | $3,847,140 | $24,310,000 | 375,461 | $55 | 298,880 | $13 | $65 | 1.26 | 2005 |
| Majestic Lofts Residences | 1900 Elm | Dallas | $6,553,000 | $1,200,000 | $7,753,000 | 126,000 | $52 | 20,000 | $60 | $62 | 6.30 | 2005 |
| Camden Farmers Market | 2210 Canton | Dallas | $16,231,940 | $5,676,390 | $21,908,330 | 381,441 | $43 | 306,832 | $18 | $57 | 1.24 | 2005 |
| Heights of State Thomas | 3110 Thomas | Dallas | $14,363,550 | $1,636,450 | $16,000,000 | 299,362 | $48 | 51,139 | $32 | $53 | 5.85 | 2005 |
| Wilson Building | 1623 Main | Dallas | $8,985,000 | $1,740,000 | $10,725,000 | 250,778 | $36 | 29,000 | $60 | $43 | 8.65 | 2005 |
| **Hotels** | | | | | | | | | | | | |
| The Mansion on Turtle Creek | 2821 Turtle Creek | Dallas | $16,504,580 | $5,495,420 | $22,000,000 | 82,976 | $199 | 157,012 | $35 | $265 | 0.53 | 2005 |
| Hotel Zaza | 2332 Leonard | Dallas | $16,821,580 | $2,901,120 | $19,722,700 | 102,010 | $165 | 48,639 | $60 | $193 | 2.10 | 2005 |
| Hotel St. Germain | 2516 Maple | Dallas | $359,600 | $540,400 | $900,000 | 8,273 | $43 | 15,440 | $35 | $109 | 0.54 | 2005 |
| Hyatt Regency Hotel | | Dallas | $62,744,660 | $7,785,210 | $70,529,870 | 657,212 | $95 | 543,964 | $14 | $107 | 1.21 | 2004 |
| Adam's Mark Hotel | | Dallas | $75,102,350 | $7,877,820 | $82,980,170 | 827,534 | $91 | 230,258 | $34 | $100 | 3.59 | 2005 |
| Fairmont Hotel | | Dallas | $20,637,480 | $2,778,020 | $23,415,500 | 579,037 | $36 | 99,215 | $28 | $40 | 5.84 | 2005 |
| **Health** | | | | | | | | | | | | |
| Cooper Aerobics Center | | Dallas | $9,345,990 | $8,986,280 | $18,332,270 | 203,725 | $46 | 1,069,219 | $8 | $90 | 0.19 | 2005 |

# Exhibit N
# Annual Real Property Appraisals and City/County Tax to the TIF Fund

Assumptions:

City of Dallas is expected to participate in the Vickery Meadow TIF District for a period of 20 years beginning in 2008 at a rate of 80%.

Dallas County is expected to participate in the Vickery Meadow TIF District for a period of 20 years beginning in 2008 at a rate of 55%.

Tax rate is assumed constant at 2005 rate. Actual rate will vary annually.

Tax appraisals are for Jan. 1 of the year. Levies occur by Sept. 30 of the year. Tax receipts generally occur 12-13 months after appraisal.

Stream of annual investments in TIF reflects intent to retire TIF obligations after twenty years of collections.

Property value estimates assume 1.5% annual property appreciation and 3% annual inflation.

## PROJECTED TIF INCREMENT SCHEDULE

| Tax Year | | Property Value Estimate | Property Value Growth | Comp. Value Growth | Anticipated Captured Value | Anticipated Increment Revenue | Anticipated Accumulated Revenue (NPV) | Tax Increment Revenue into TIF * CITY @ 80% | Tax Increment Revenue into TIF ** COUNTY @ 55% |
|---|---|---|---|---|---|---|---|---|---|
| Base | 2005 | $161,270,320 | | | | | | | |
| 1 | 2006 | $162,991,436 | 1.07% | 1.07% | $1,721,116 | $0 | $0 | $0 | $0 |
| 2 | 2007 | $193,671,430 | 18.82% | 20.09% | $32,401,110 | $0 | $0 | $0 | $0 |
| 3 | 2008 | $353,160,818 | 82.35% | 118.99% | $191,890,498 | $1,364,351 | $1,212,903 | $1,138,601 | $225,750 |
| 4 | 2009 | $442,013,886 | 25.16% | 174.08% | $280,743,566 | $1,996,101 | $2,919,178 | $1,665,820 | $330,281 |
| 5 | 2010 | $459,535,474 | 3.96% | 184.95% | $298,265,154 | $2,120,680 | $4,662,223 | $1,769,786 | $350,894 |
| 6 | 2011 | $474,906,278 | 3.34% | 194.48% | $313,635,958 | $2,229,967 | $6,424,599 | $1,860,990 | $368,977 |
| 7 | 2012 | $483,358,136 | 1.78% | 199.72% | $322,087,816 | $2,290,060 | $8,164,856 | $1,911,140 | $378,920 |
| 8 | 2013 | $490,608,508 | 1.50% | 204.22% | $329,338,188 | $2,341,611 | $9,875,848 | $1,954,161 | $387,450 |
| 9 | 2014 | $499,494,220 | 1.81% | 209.72% | $338,223,900 | $2,404,789 | $11,565,421 | $2,006,885 | $397,904 |
| 10 | 2015 | $506,986,633 | 1.50% | 214.37% | $345,716,313 | $2,458,060 | $13,225,999 | $2,051,342 | $406,718 |
| 11 | 2016 | $533,070,955 | 5.14% | 230.54% | $371,800,635 | $2,643,521 | $14,943,180 | $2,206,116 | $437,405 |
| 12 | 2017 | $541,067,019 | 1.50% | 235.50% | $379,796,699 | $2,700,374 | $16,629,825 | $2,253,562 | $446,812 |
| 13 | 2018 | $557,113,107 | 2.97% | 245.45% | $395,842,787 | $2,814,462 | $18,320,118 | $2,348,773 | $465,689 |
| 14 | 2019 | $565,469,803 | 1.50% | 250.63% | $404,199,483 | $2,873,879 | $19,979,711 | $2,398,358 | $475,520 |
| 15 | 2020 | $573,951,850 | 1.50% | 255.89% | $412,681,530 | $2,934,186 | $21,608,961 | $2,448,687 | $485,499 |
| 16 | 2021 | $582,561,128 | 1.50% | 261.23% | $421,290,808 | $2,995,399 | $23,208,228 | $2,499,771 | $495,628 |
| 17 | 2022 | $591,299,545 | 1.50% | 266.65% | $430,029,225 | $3,057,529 | $24,777,882 | $2,551,621 | $505,908 |
| 18 | 2023 | $600,169,038 | 1.50% | 272.15% | $438,898,718 | $3,120,592 | $26,318,294 | $2,604,249 | $516,342 |
| 19 | 2024 | $609,171,574 | 1.50% | 277.73% | $447,901,254 | $3,184,600 | $27,829,840 | $2,657,667 | $526,933 |
| 20 | 2025 | $618,309,147 | 1.50% | 283.40% | $457,038,827 | $3,249,569 | $29,312,901 | $2,711,886 | $537,683 |
| 21 | 2026 | $627,583,785 | 1.50% | 289.15% | $466,313,465 | $3,315,512 | $30,767,859 | $2,766,918 | $548,594 |
| 22 | 2027 | $636,997,541 | 1.50% | 294.99% | $475,727,221 | $3,382,444 | $32,195,100 | $2,822,775 | $559,669 |
| **Total (2006 - 2027)** | | | | | | **$53,477,687** | **$32,195,100** | **$44,629,110** | **$8,848,577** |
| **2006 NPV @ 4%** | | | | | | **$32,195,100** | **-** | **$26,868,003** | **$5,327,097** |

## Financial Assumptions

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions that have been adopted**.**

Inflation. The generally accepted inflation for construction costs and the value of improvements is three percent per annum. Based on current market rates, net present values of the tax increment were calculated at a discount rate of four percent per annum.

Appreciation. Property appreciation is assumed to be one and one half percent per annum on average.

Tax Rate Changes. Although tax rates will certainly increase during the twenty two year development period, the financial plan conservatively assumes that the tax rate will remain constant for the life of the Vickery Meadow TIF District, except to incorporate tax rate changes when known.

Remittance to the TIF Fund. The proposed duration of the Vickery Meadow TIF District is 22 years; it is scheduled to terminate December 31, 2027. The City of Dallas will participate at a rate of 0% in 2006 and 2007 and at a rate of 80% in 2008 and thereafter. Dallas County will participate at a rate of 0% in 2006 and 2007 and at a rate of 55% in 2008 and thereafter. TIF collections will terminate once the TIF budget of $32,195,100 (net present value) has been collected or December 31, 2027, whichever occurs first. Based on current development projections, the TIF budget is expected to be reached in 2027, after twenty years of collections.

## Financial Feasibility

The private development plans, public improvement program, general financing strategy and financial assumptions were all included in a preliminary assessment prepared by Stein Planning and Management. The study is intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011, Texas Tax Code, and is available upon request.

Cumulative private development is expected to increase property value to approximately $637 million during the term of the TIF District. Since the TIF receives revenue only from the taxable value which exceeds the base year, “captured” taxable value accruing to the Vickery Meadow TIF District is approximately $476 million.

If revenues are received at the predicted rate, increment collections will be reached and final project improvements completed by Year 22 of the TIF term.

In fact, on a strict “pay-as-you-go” basis, the progress of the public improvements portion of the development program is a direct result of the revenues received (and matched by the City’s contributions). Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not

meet expectations, then the pace of public improvements will be slowed or discontinued altogether based upon the advice of the Board of Directors and the approval of the City Council.

The Reinvestment Zone Financing Plan provides that the City and County will begin to realize additional revenues from the TIF in Year 23 of the program.

Based upon a set of TIF District assumptions and analysis, the preliminary project plan and reinvestment zone financing plan is feasible.

**Financial Policies**

General financial policies are governed by the City of Dallas Public/Private Partnership Program that was first approved by the City Council on March 13, 1996. This program provides a framework for development incentives in a variety of areas. Within this framework the Vickery Meadow Board of Directors has adopted specific policies for the Vickery Meadow TIF District:

- Public improvements will be phased at a pace that coincides with private development.

- Private developers desiring City participation in cost-sharing for infrastructure improvements needed for their projects must sign an Agreement with the City.

- Each Agreement is mutually exclusive - that is, the nature and extent of support with public funds may change over time as the District becomes more developed.

- The City may negotiate with financial institutions to secure notes or lines of credit to aid in the funding of projects within the TIF zone, using any financial instrument, subject to City Council approval of the note or credit line, or issue certificates of obligation or TIF bonds for projects as described earlier in the Project Plan.

- If a developer needs infrastructure improvements constructed at a time when sufficient funds are not available in the TIF Reserve Fund, then improvements may be:
    - deferred until funds are available
    - constructed at the sole expense of the developer
    - constructed at developer expense, with the City reimbursing the developer as funds become available

- Should project costs be paid that directly benefit the developer of a project, such as grants made to a developer as permitted by Chapter 311, Texas Tax Code, the City will establish sufficient controls to ensure that the expenditure does

result in the public purpose being carried out and that the public is protected in the use of public funds, such as the tax increment revenues, for the intended result.

The Vickery Meadow TIF Board may from time-to-time recommend amendments to these financial policies which will affect the operations of the TIF District.

The City reserves the right to amend this plan to provide for the establishment of a "sales tax increment" collection process, as permitted by Chapter 311, Texas Tax Code.

## Other Financial Benefits

During the twenty-two year TIF term, approximately 850,000 square feet of retail space and 500,000 square feet of office and hotel projects are expected to be developed within the boundaries of the Vickery Meadow TIF District. Because the City and DART each have a one percent sales tax and the City also has a nine percent hotel tax and business personal property tax, this generates additional municipal revenue. Exhibit O estimates additional City and DART sales tax attributed to the anticipated retail development. By 2027, the City and DART will each receive roughly $39 million (net present value) in incremental sales tax revenue from the Vickery Meadow TIF District. Exhibit P estimates additional City hotel tax and business personal property tax attributed to the anticipated hotel, retail and office development. By 2027, the City will receive approximately $13.9 million (net present value) in incremental hotel and business personal property taxes from the Vickery Meadow TIF District.

The Dallas Independent School District is not expected to participate in the Vickery Meadow TIF program. State law governing school funding since September 1999 makes TIF participation generally unattractive for a school district. Nevertheless, the DISD will receive incremental real property and business personal property taxes from the Vickery Meadow TIF District (see Exhibit Q). DISD will receive an estimated $86.7 million (net present value) over the twenty two year TIF term. All DISD tax projections bear risk that new Texas law may cap the rate of local property tax a school district may levy.

## Conclusions

Based upon a set of assumptions and analysis of the Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan, the plan has been determined to be feasible.

# Exhibit O
# Estimated Annual City/DART Sales Tax from Net New Development in the Zone

Assumptions:

Gross floor areas and timing estimates provided by developer.
All floor area estimates of existing retail centers represent projected net increase in square footage (net gain)
Businesses are assumed operating by July of the previous fiscal year (three months before the indicated fiscal year begins).
Estimated sales per square foot are adjusted annually for inflation at: 3.00%
Sales tax column approximates tax *receipts* in the indicated fiscal year.
The "Park Lane" development is assumed 25% complete by July 2007, 75% complete by July 2008, and 100% complete by July 2009

| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (j) | (k) | (l) |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | "Park Lane" | "Park Lane" | "Park Lane" | "Park Lane" | "Park Lane" | Caruth Plaza | Sam's/Eckerd's | Greenville Frontage | Total | | |
| | Retail Anchors | Specialty Retail | Restaurants | Health Club | Hotel | Retail | Retail | Retail | | | |
| | | | | | | | | | | | |
| | Gross Square Feet of Floor Area = | | | | | | | | | | |
| | 466,638 | 183,986 | 35,343 | 65,000 | 165,000 | 60,000 | 18,000 | 24,000 | 1,017,967 | City | DART |
| | Estimated Sales per Gross Square Foot (in 2006 Dollars) = | | | | | | | | Total | Sales Tax | Sales Tax |
| Fiscal Year | $300 | $350 | $500 | $130 | $15 | $200 | $200 | $200 | Net New | from Net New | from Net New |
| Ended | Percent of Gross Sales Subject to Sales Tax = | | | | | | | | Annual Sales | Sales @ | Sales @ |
| September 30, | 95% | 100% | 100% | 100% | 100% | 80% | 80% | 80% | Volume | 1.00% | 1.00% |
| 2005 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| 2006 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| 2007 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| 2008 | $35,272,758 | $17,079,190 | $4,686,924 | $2,241,151 | $656,432 | $0 | $0 | $0 | $59,936,455 | $599,365 | $599,365 |
| 2009 | $108,992,823 | $52,774,698 | $14,482,594 | $6,925,157 | $2,028,374 | $0 | $0 | $0 | $185,203,647 | $1,852,036 | $1,852,036 |
| 2010 | $149,683,476 | $72,477,252 | $19,889,429 | $9,510,549 | $2,785,634 | $0 | $0 | $0 | $254,346,341 | $2,543,463 | $2,543,463 |
| 2011 | $154,173,981 | $74,651,570 | $20,486,112 | $9,795,866 | $2,869,203 | $11,129,031 | $0 | $0 | $273,105,763 | $2,731,058 | $2,731,058 |
| 2012 | $158,799,200 | $76,891,117 | $21,100,695 | $10,089,742 | $2,955,279 | $11,462,902 | $0 | $0 | $281,298,936 | $2,812,989 | $2,812,989 |
| 2013 | $163,563,176 | $79,197,851 | $21,733,716 | $10,392,434 | $3,043,938 | $11,806,789 | $3,542,037 | $0 | $293,279,940 | $2,932,799 | $2,932,799 |
| 2014 | $168,470,071 | $81,573,786 | $22,385,727 | $10,704,207 | $3,135,256 | $12,160,993 | $3,648,298 | $0 | $302,078,339 | $3,020,783 | $3,020,783 |
| 2015 | $173,524,173 | $84,021,000 | $23,057,299 | $11,025,333 | $3,229,314 | $12,525,823 | $3,757,747 | $5,010,329 | $316,151,018 | $3,161,510 | $3,161,510 |
| 2016 | $178,729,899 | $86,541,630 | $23,749,018 | $11,356,093 | $3,326,193 | $12,901,597 | $3,870,479 | $5,160,639 | $325,635,548 | $3,256,355 | $3,256,355 |
| 2017 | $184,091,796 | $89,137,879 | $24,461,489 | $11,696,776 | $3,425,979 | $13,288,645 | $3,986,594 | $5,315,458 | $335,404,615 | $3,354,046 | $3,354,046 |
| 2018 | $189,614,549 | $91,812,015 | $25,195,334 | $12,047,679 | $3,528,758 | $13,687,305 | $4,106,191 | $5,474,922 | $345,466,753 | $3,454,668 | $3,454,668 |
| 2019 | $195,302,986 | $94,566,375 | $25,951,194 | $12,409,110 | $3,634,621 | $14,097,924 | $4,229,377 | $5,639,169 | $355,830,756 | $3,558,308 | $3,558,308 |
| 2020 | $201,162,076 | $97,403,367 | $26,729,729 | $12,781,383 | $3,743,660 | $14,520,861 | $4,356,258 | $5,808,345 | $366,505,679 | $3,665,057 | $3,665,057 |
| 2021 | $207,196,938 | $100,325,468 | $27,531,621 | $13,164,825 | $3,855,969 | $14,956,487 | $4,486,946 | $5,982,595 | $377,500,849 | $3,775,008 | $3,775,008 |
| 2022 | $213,412,846 | $103,335,232 | $28,357,570 | $13,559,769 | $3,971,648 | $15,405,182 | $4,621,555 | $6,162,073 | $388,825,874 | $3,888,259 | $3,888,259 |
| 2023 | $219,815,231 | $106,435,289 | $29,208,297 | $13,966,562 | $4,090,798 | $15,867,337 | $4,760,201 | $6,346,935 | $400,490,651 | $4,004,907 | $4,004,907 |
| 2024 | $226,409,688 | $109,628,347 | $30,084,546 | $14,385,559 | $4,213,522 | $16,343,357 | $4,903,007 | $6,537,343 | $412,505,370 | $4,125,054 | $4,125,054 |
| 2025 | $233,201,979 | $112,917,198 | $30,987,082 | $14,817,126 | $4,339,927 | $16,833,658 | $5,050,097 | $6,733,463 | $424,880,531 | $4,248,805 | $4,248,805 |
| 2026 | $240,198,038 | $116,304,714 | $31,916,695 | $15,261,640 | $4,470,125 | $17,338,668 | $5,201,600 | $6,935,467 | $437,626,947 | $4,376,269 | $4,376,269 |
| 2027 | $247,403,979 | $119,793,855 | $32,874,196 | $15,719,489 | $4,604,229 | $17,858,828 | $5,357,648 | $7,143,531 | $450,755,756 | $4,507,558 | $4,507,558 |
| **Total for 22 years (2006-2027)** | | | | | | | | | **$6,586,829,767** | **$65,868,298** | **$65,868,298** |
| **2006 NPV @ 4%** | | | | | | | | | | **$38,986,596** | **$38,986,596** |

# Exhibit P
# Estimated City Hotel Occupancy Tax and Business Personal Property Tax from the Reinvestment Zone

Assumptions:

Date of City receipt of Hotel Occupancy Tax may lag date of earning by 3-4 months.
BPP Tax receipts generally occur 12-13 months after appraisal. Appraisals are for Jan. 1 of the year indicated.
Commercial development includes retail, office, and hotel projects.

| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) |
|---|---|---|---|---|---|---|---|
| | | City Hotel Occupancy Tax | | | City BPP Tax | | Total |
| Year | | Guest Rooms | Annual Room Receipts If 2007 ADR = $120 Inflation = 3% Occupancy = 70% | Estimated City Hotel Occupancy Tax @ 9.00% | Estimated Square Feet New Commercial Development | Estimated City BPP Tax @ $20 per SF Commercial | Total Estimated City Hotel and BPP Tax |
| Base | 2005 | 0 | $0 | $0 | 0 | $0 | $0 |
| 1 | 2006 | 0 | $0 | $0 | 0 | $0 | $0 |
| 2 | 2007 | 0 | $0 | $0 | 286,540 | $43,781 | $43,781 |
| 3 | 2008 | 0 | $0 | $0 | 859,621 | $135,282 | $135,282 |
| 4 | 2009 | 220 | $7,155,983 | $644,038 | 1,311,161 | $212,533 | $856,571 |
| 5 | 2010 | 220 | $7,370,662 | $663,360 | 1,398,661 | $233,518 | $896,877 |
| 6 | 2011 | 220 | $7,591,782 | $683,260 | 1,503,661 | $258,580 | $941,840 |
| 7 | 2012 | 220 | $7,819,535 | $703,758 | 1,503,661 | $266,337 | $970,095 |
| 8 | 2013 | 220 | $8,054,122 | $724,871 | 1,503,661 | $274,327 | $999,198 |
| 9 | 2014 | 220 | $8,295,745 | $746,617 | 1,503,661 | $282,557 | $1,029,174 |
| 10 | 2015 | 220 | $8,544,618 | $769,016 | 1,503,661 | $291,034 | $1,060,049 |
| 11 | 2016 | 220 | $8,800,956 | $792,086 | 1,766,161 | $352,096 | $1,144,182 |
| 12 | 2017 | 220 | $9,064,985 | $815,849 | 1,766,161 | $362,659 | $1,178,507 |
| 13 | 2018 | 220 | $9,336,934 | $840,324 | 1,856,161 | $392,573 | $1,232,897 |
| 14 | 2019 | 220 | $9,617,042 | $865,534 | 1,856,161 | $404,350 | $1,269,884 |
| 15 | 2020 | 220 | $9,905,554 | $891,500 | 1,856,161 | $416,481 | $1,307,981 |
| 16 | 2021 | 220 | $10,202,720 | $918,245 | 1,856,161 | $428,975 | $1,347,220 |
| 17 | 2022 | 220 | $10,508,802 | $945,792 | 1,856,161 | $441,845 | $1,387,637 |
| 18 | 2023 | 220 | $10,824,066 | $974,166 | 1,856,161 | $455,100 | $1,429,266 |
| 19 | 2024 | 220 | $11,148,788 | $1,003,391 | 1,856,161 | $468,753 | $1,472,144 |
| 20 | 2025 | 220 | $11,483,251 | $1,033,493 | 1,856,161 | $482,815 | $1,516,308 |
| 21 | 2026 | 220 | $11,827,749 | $1,064,497 | 1,856,161 | $497,300 | $1,561,797 |
| 22 | 2027 | 220 | $12,182,582 | $1,096,432 | 1,856,161 | $512,219 | $1,608,651 |
| **Total for 22 Years** | | **-** | **$179,735,876** | **$16,176,229** | **-** | **$7,213,113** | **$23,389,342** |
| **2006 NPV @ 4%** | | **-** | **-** | **$9,602,293** | **-** | **$4,250,165** | **$13,852,458** |

# Exhibit Q
# Estimated Annual DISD Real Property and Business Personal Property Tax from the Reinvestment Zone

Assumptions:

Estimated assessed values and captured appraised values are from a separate schedule.
Taxes are levied in September following the appraisal date. Collections occur in the next fiscal year.
Tax rates are for 2005, although actual rates will vary annually.
Texas school district property tax rates may be reduced by legislative or judicial actions.
This schedule depicts DISD real property and business personal property tax benefits only and does not take into account the effect of state recapture provisions.
The "Park Lane" development is assumed 25% complete by 1/1/2007, 75% complete by 1/1/2008, and 100% complete by 1/1/2009

| (a) | (b) | (c) | (d) | | (e) | (f) |
|---|---|---|---|---|---|---|
| DISD Real Property Tax | | | | | DISD BPP Tax | DISD Total Tax |
| Appraisal on January 1, | Estimated Total Assessed Value | Estimated Increase in Assessed Real Property (Captured Appraised Value) | Estimated Total RP Tax @ $1.68836 per $100 | Estimated Square Feet New Commercial Development | Estimated Total BPP Tax @ $20 per SF Commercial | Estimated Total DISD Tax from Zone Retained |
| 2005 | $161,270,320 | | | | | |
| 2006 | $162,991,436 | $1,721,116 | $29,059 | 0 | $0 | $29,059 |
| 2007 | $193,671,430 | $32,401,110 | $547,047 | 286,540 | $99,659 | $646,707 |
| 2008 | $353,160,818 | $191,890,498 | $3,239,802 | 859,621 | $307,947 | $3,547,750 |
| 2009 | $442,013,886 | $280,743,566 | $4,739,962 | 1,311,161 | $483,797 | $5,223,759 |
| 2010 | $459,535,474 | $298,265,154 | $5,035,790 | 1,398,661 | $531,565 | $5,567,355 |
| 2011 | $474,906,278 | $313,635,958 | $5,295,304 | 1,503,661 | $588,615 | $5,883,919 |
| 2012 | $483,358,136 | $322,087,816 | $5,438,002 | 1,503,661 | $606,273 | $6,044,275 |
| 2013 | $490,608,508 | $329,338,188 | $5,560,414 | 1,503,661 | $624,461 | $6,184,876 |
| 2014 | $499,494,220 | $338,223,900 | $5,710,437 | 1,503,661 | $643,195 | $6,353,632 |
| 2015 | $506,986,633 | $345,716,313 | $5,836,936 | 1,503,661 | $662,491 | $6,499,427 |
| 2016 | $533,070,955 | $371,800,635 | $6,277,333 | 1,766,161 | $801,489 | $7,078,822 |
| 2017 | $541,067,019 | $379,796,699 | $6,412,336 | 1,766,161 | $825,534 | $7,237,869 |
| 2018 | $557,113,107 | $395,842,787 | $6,683,251 | 1,856,161 | $893,629 | $7,576,881 |
| 2019 | $565,469,803 | $404,199,483 | $6,824,342 | 1,856,161 | $920,438 | $7,744,781 |
| 2020 | $573,951,850 | $412,681,530 | $6,967,550 | 1,856,161 | $948,051 | $7,915,601 |
| 2021 | $582,561,128 | $421,290,808 | $7,112,905 | 1,856,161 | $976,493 | $8,089,398 |
| 2022 | $591,299,545 | $430,029,225 | $7,260,441 | 1,856,161 | $1,005,788 | $8,266,229 |
| 2023 | $600,169,038 | $438,898,718 | $7,410,190 | 1,856,161 | $1,035,961 | $8,446,152 |
| 2024 | $609,171,574 | $447,901,254 | $7,562,186 | 1,856,161 | $1,067,040 | $8,629,226 |
| 2025 | $618,309,147 | $457,038,827 | $7,716,461 | 1,856,161 | $1,099,051 | $8,815,512 |
| 2026 | $627,583,785 | $466,313,465 | $7,873,050 | 1,856,161 | $1,132,023 | $9,005,073 |
| 2027 | $636,997,541 | $475,727,221 | $8,031,988 | 1,856,161 | $1,165,984 | $9,197,972 |
| **Total for 22 years (2006-2027)** | | | **$127,564,787** | **-** | **$16,419,485** | **$143,984,272** |
| **2006 NPV @ 4%** | | | **$76,984,542** | **-** | **$9,674,813** | **$86,659,355** |

# Appendix A

## 2005 Schedule for Dallas Area Median Income
## 80% of Median Affordable Housing Schedule

***Note: This schedule is updated annually and the current year's schedule should be consulted when determining affordable housing standards. Source: City of Dallas Housing Department***

Median Income for Family of Four (4) for Dallas Area, 2005: $65,100

| **Family Size** | **80% of Median Income** |
|---|---|
| 1 person | $37,240 |
| 2 | $42,560 |
| 3 | $47,880 |
| 4 | $53,200 |
| 5 | $57,456 |

| **Unit Type** | ***30% of 80% of Median Income** | **Utility Allowance** | **Monthly Maximum Rent** |
|---|---|---|---|
| Efficiency | $ 931.00 | minus $48 = | $ 883.00 |
| 1 Bedroom | $ 998.00 | minus $59 = | $ 939.00 |
| 2 | $1,197.00 | minus $76 = | $1,121.00 |
| 3 | $1,383.00 | minus $88 = | $1,295.00 |

*These rents assume 1.5 persons per bedroom

The maximum rent and other required payments, including Monthly Utility Expenses, for an affordable unit is limited to no more than 30% of the qualifying income; not to exceed the Maximum Rent by family size specified above as adjusted annually for changes in the Dallas Area Median Income. Monthly Utility Expenses for qualifying units must be calculated in accordance with the HUD requirements.

If reliable utility cost estimates are available for a specific unit, they should be used. The estimates shown in the column referred to as "utility allowance" may be used when the only characteristics known about a unit are its number of bedrooms. These estimates are based on HUD Section 8 utility allowances. Actual allowances assume (1) units are electric (2) garbage collection is included in rent (3) range and refrigerator are provided by apartment owner.

# Appendix B
# Real Property Accounts in the Vickery Meadow TIF District

| DCAD Account # | Exempt | | Address | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|
| 00000366817000000 | | 7024 | FAIR OAKS | | $75,080 | $124,800 | $199,880 | $199,880 |
| 00000366820000000 | | 8447 | PARK | | $428,980 | $244,220 | $673,200 | $673,200 |
| 00000366823000000 | | 7020 | FAIR OAKS | | $230,950 | $249,600 | $480,550 | $480,550 |
| 00000366826000000 | | 8447 | PARK | | $0 | $113,330 | $113,330 | $113,330 |
| 00000366829000000 | | 7014 | FAIR OAKS | | $293,950 | $112,030 | $405,980 | $405,980 |
| 00000366832000000 | | 7010 | FAIR OAKS | | $0 | $68,400 | $68,400 | $68,400 |
| 00000366839500000 | | 8420 | PARK | | $164,360 | $517,180 | $681,540 | $681,540 |
| 00000366985000000 | X | 5806 | RIDGECREST | | $5,770 | $262,500 | $268,270 | $0 |
| 00000366988000000 | | 6914 | HOLLY HILL | | $0 | $315,600 | $315,600 | $315,600 |
| 00000366995000000 | | 6950 | GREENVILLE | | $121,830 | $712,500 | $834,330 | $834,330 |
| 00000366996000000 | | 6940 | GREENVILLE | | $18,280 | $576,460 | $594,740 | $594,740 |
| 00000367000000000 | | 6918 | GREENVILLE | | $48,000 | $152,000 | $200,000 | $200,000 |
| 00000367006000000 | | 6910 | GREENVILLE | | $0 | $37,150 | $37,150 | $37,150 |
| 00000367022000000 | | 8219 | PARK | | $0 | $110,800 | $110,800 | $110,800 |
| 00000367024000000 | | 8227 | PARK | | $231,190 | $272,000 | $503,190 | $503,190 |
| 00000367036000000 | | 8231 | PARK | | $92,730 | $528,470 | $621,200 | $621,200 |
| 00000367039000000 | | 8255 | PARK | | $521,220 | $300,000 | $821,220 | $821,220 |
| 00000367063500000 | | 5830 | RIDGECREST | | $601,220 | $220,000 | $821,220 | $821,220 |
| 00000367064000000 | | 8309 | PARK | | $527,030 | $280,500 | $807,530 | $807,530 |
| 00000367082000000 | | 8347 | PARK | | $387,960 | $472,540 | $860,500 | $860,500 |
| 00000367123000000 | | 6935 | GREENVILLE | | $0 | $20,000 | $20,000 | $20,000 |
| 00000367126000000 | X | 6909 | GREENVILLE | | $0 | $24,820 | $24,820 | $0 |
| 00000367403000000 | | 6855 | GREENVILLE | | $0 | $58,320 | $58,320 | $58,320 |
| 00000367411000000 | | 6867 | GREENVILLE | | $103,740 | $57,060 | $160,800 | $160,800 |
| 00000367417000000 | | 5700 E | NORTHWEST | | $0 | $1,211,470 | $1,211,470 | $1,211,470 |
| 00000367420000000 | | 6868 | GREENVILLE | | $25,040 | $26,580 | $51,620 | $51,620 |
| 00000367424000000 | | 6862 | GREENVILLE | | $106,230 | $164,640 | $270,870 | $270,870 |
| 00000367426100000 | | 6852 | GREENVILLE | | $1,260 | $98,600 | $99,860 | $99,860 |
| 00000367429000000 | | 6850 | GREENVILLE | | $33,510 | $171,480 | $204,990 | $204,990 |
| 00000367432000000 | | 6848 | GREENVILLE | | $4,800 | $565,200 | $570,000 | $570,000 |
| 00000367438000000 | | 6826 | GREENVILLE | | $143,870 | $507,000 | $650,870 | $650,870 |
| 00000367441000000 | | 6818 | GREENVILLE | | $22,000 | $175,000 | $197,000 | $197,000 |
| 00000367444000000 | | 6810 | GREENVILLE | | $49,040 | $385,960 | $435,000 | $435,000 |
| 00000367450000000 | | 6790 | GREENVILLE | | $203,590 | $400,520 | $604,110 | $604,110 |
| 00000367453000000 | | 6782 | GREENVILLE | | $0 | $412,420 | $412,420 | $412,420 |
| 00000367457000000 | | 6778 | GREENVILLE | | $95,510 | $420,260 | $515,770 | $515,770 |
| 00000367459000000 | | 6770 | GREENVILLE | | $510 | $387,520 | $388,030 | $388,030 |
| 00000367468000000 | X | 6742 | GREENVILLE | | $190,150 | $421,720 | $611,870 | $0 |
| 00000367474000000 | | 5701 E | NORTHWEST | | $1,859,220 | $1,340,780 | $3,200,000 | $3,200,000 |
| 00000367481000000 | | 6867 | SHADY BROOK | | $489,700 | $334,020 | $823,720 | $823,720 |
| 00000367492000000 | | 6886 | TWIN HILLS | | $0 | $523,600 | $523,600 | $523,600 |
| 00000367528000000 | | 6770 | TWIN HILLS | | $17,120 | $195,000 | $212,120 | $212,120 |
| 00000367531000000 | | 6758 | TWIN HILLS | | $212,300 | $291,530 | $503,830 | $503,830 |
| 00000367534000000 | | 5811 | BLACKWELL | | $204,160 | $211,090 | $415,250 | $415,250 |
| 00000367537000000 | | 6744 | TWIN HILLS | | $0 | $81,250 | $81,250 | $81,250 |
| 00000367543000000 | | 5801 E | NORTHWEST | | $1,872,000 | $3,668,400 | $5,540,400 | $5,540,400 |
| 00000367573500000 | | 5918 | RIDGECREST | | $1,043,710 | $406,290 | $1,450,000 | $1,450,000 |
| 00000367576500000 | | 8350 | PARK | | $1,075,520 | $374,480 | $1,450,000 | $1,450,000 |
| 00000367592000000 | | 8330 | PARK | 101 | $18,910 | $7,750 | $26,660 | $26,660 |
| 00000367592050000 | | 8330 | PARK | 102 | $18,750 | $7,330 | $26,080 | $26,080 |
| 00000367592100000 | | 8330 | PARK | 103 | $18,500 | $7,580 | $26,080 | $26,080 |
| 00000367592150000 | | 8330 | PARK | 104 | $18,500 | $7,580 | $26,080 | $26,080 |
| 00000367592200000 | | 8330 | PARK | 105 | $18,500 | $7,580 | $26,080 | $26,080 |
| 00000367592250000 | | 8330 | PARK | 106 | $18,500 | $7,580 | $26,080 | $26,080 |

# Appendix B
# Real Property Accounts in the Vickery Meadow TIF District
## (continued)

| DCAD Account # | Exempt | Address | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|
| 00000367592300000 | | 8330 | PARK | 107 | $15,050 | $7,580 | $22,630 | $22,630 |
| 00000367592350000 | | 8330 | PARK | 108 | $18,500 | $7,580 | $26,080 | $26,080 |
| 00000367592400000 | | 8330 | PARK | 109 | $18,500 | $7,580 | $26,080 | $26,080 |
| 00000367592450000 | | 8330 | PARK | 110 | $18,500 | $7,580 | $26,080 | $26,080 |
| 00000367592500000 | | 8330 | PARK | 111 | $18,500 | $7,580 | $26,080 | $26,080 |
| 00000367592550000 | | 8330 | PARK | 112 | $18,460 | $7,560 | $26,020 | $26,020 |
| 00000367592600000 | | 8330 | PARK | 201 | $17,840 | $7,310 | $25,150 | $25,150 |
| 00000367592650000 | | 8330 | PARK | 202 | $17,900 | $7,330 | $25,230 | $25,230 |
| 00000367592700000 | | 8330 | PARK | 203 | $17,900 | $7,330 | $25,230 | $25,230 |
| 00000367592750000 | | 8330 | PARK | 204 | $17,900 | $7,330 | $25,230 | $25,230 |
| 00000367592800000 | | 8330 | PARK | 205 | $17,900 | $7,330 | $25,230 | $25,230 |
| 00000367592850000 | | 8330 | PARK | 206 | $1,330 | $7,330 | $8,660 | $8,660 |
| 00000367592900000 | | 8330 | PARK | 207 | $17,820 | $7,300 | $25,120 | $25,120 |
| 00000367592950000 | | 8330 | PARK | 208 | $17,000 | $6,960 | $23,960 | $23,960 |
| 00000367597000000 | X | 8320 | PARK | | $764,460 | $300,000 | $1,064,460 | $0 |
| 00000367603000000 | | 6866 | SHADY BROOK | | $361,930 | $360,000 | $721,930 | $721,930 |
| 00000368155000000 | | 8502 | PARK | | $14,250 | $51,450 | $65,700 | $0 |
| 00000368203000000 | | 6003 | RIDGECREST | | $798,990 | $161,010 | $960,000 | $960,000 |
| 00000404860000000 | | 8750 N | CENTRAL | | $34,876,240 | $6,123,760 | $41,000,000 | $41,000,000 |
| 00000404886500000 | | 9100 N | CENTRAL | | $10,376,680 | $8,757,370 | $19,134,050 | $19,134,050 |
| 005197000519A0000 | | 8209 | PARK | | $232,640 | $529,500 | $762,140 | $762,140 |
| 005198000A0010000 | | 6919 | GREENVILLE | | $361,750 | $565,250 | $927,000 | $927,000 |
| 005201001013B0000 | X | 8169 | PARK | | $0 | $3,836,900 | $3,836,900 | $0 |
| 005201001013B0100 | | 7000 | GREENVILLE | | $0 | $231,560 | $231,560 | $231,560 |
| 005201001018A0000 | | 6881 | GREENVILLE | | $399,160 | $780,280 | $1,179,440 | $1,179,440 |
| 005201001021A0000 | | 6855 | GREENVILLE | | $11,400 | $68,600 | $80,000 | $80,000 |
| 005202001113A0100 | | 6750 | GREENVILLE | | $0 | $20,130 | $20,130 | $20,130 |
| 005202001113B0000 | | 6750 | GREENVILLE | | $568,760 | $657,410 | $1,226,170 | $1,226,170 |
| 005203001202B0000 | | 8224 | PARK | | $2,306,820 | $1,031,370 | $3,338,190 | $3,338,190 |
| 005203001203A0000 | | 8282 | PARK | | $1,121,230 | $6,867,550 | $7,988,780 | $7,988,780 |
| 005203001205A0000 | | 6860 | TWIN HILLS | | $1,033,940 | $963,170 | $1,997,110 | $1,997,110 |
| 005203001205A0100 | | 6860 | TWIN HILLS | | $0 | $141,400 | $141,400 | $141,400 |
| 005204001306A0000 | | 8336 | PARK | | $0 | $36,590 | $36,590 | $36,590 |
| 005456000A01A0000 | | 8080 | PARK | | $23,431,250 | $8,267,340 | $31,698,590 | $31,698,590 |
| 005456000A03A0000 | | 8800 N | CENTRAL | | $5,682,540 | $9,148,130 | $14,830,670 | $14,830,670 |
| 00000367549000000 | | 6727 | SHADY BROOK | | $1,193,720 | $590,280 | $1,784,000 | $1,784,000 |
| 00000368316000000 | | 6036 | RIDGECREST | | $2,861,070 | $656,000 | $3,517,070 | $3,517,070 |
| **Total** | | | | | | | | $161,270,320 |

The total base taxable appraised value of real property within the Vickery Meadow TIF District's original zone for tax year 2005 was $161,270,320. The City will monitor property with different base years separately. Taxable values may vary by taxing jurisdiction due to different exemption levels.

# Appendix C
# 2014 Real Property Accounts – Vickery Meadow TIF District Boundary Amendment

The amendment to increase the District's geographic area consists of the following properties:

| DCAD Account # | Exempt | | Address | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|
| 00000367693000000 | | 5905 E | Northwest Hwy | | $700,300 | $299,700 | $1,000,000 | $1,000,000 |
| 00000367690000000 | | 5915 E | Northwest Hwy | | $0 | $792,180 | $792,180 | $792,180 |
| 00000394894000000 | | 5929 E | Northwest Hwy | | $78,850 | $1,324,280 | $1,403,130 | $1,403,130 |
| 00000367699000000 | | 6730 | Shady Brook Ln | | $0 | $313,460 | $313,460 | $313,460 |
| **Total** | | | | | | | | **$3,508,770** |

The City will monitor property with difference base years separately. Taxable values may vary by taxing jurisdiction due to different exemption levels.

**AGENDA ITEMS # 79,80**

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** September 10, 2014

**COUNCIL DISTRICT(S):** 2, 7, 14

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 671-9837

**MAPSCO:** 45 G H L M R 46 J K N P

---

## SUBJECT

**Deep Ellum TIF District**

* A public hearing to be held on September 10, 2014, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Twelve (Deep Ellum TIF District) to: **(1)** increase geographic area to add traditional core area of Deep Ellum (approximately 51.0 acres) to facilitate the development of the Deep Ellum Crossroads project and encourage further redevelopment of the district; **(2)** increase the budget of the Deep Ellum TIF District from $27,162,083 NPV ($51,706,392 total dollars) to $29,992,935 NPV ($57,641,077 total dollars), an increase of $2,830,852 NPV ($5,934,685 in total estimated collections); and **(3)** make corresponding modifications to the Deep Ellum TIF District map, budget, and Project Plan & Reinvestment Zone Financing Plans - Financing: No cost consideration to the City
* An ordinance amending Ordinance No. 26043, previously approved on June 22, 2005, as amended and 26304 previously approved on April 2, 2006, to reflect these amendments – Financing: No cost consideration to the City

## BACKGROUND

A public hearing is required any time the boundaries or budget of an existing TIF District is expanded.

This public hearing is being held on September 10, 2014, to hear comments on the following proposed amendments to Deep Ellum TIF District (the District) and its Project and Reinvestment Zone Financing Plans to:

1. Increase the geographic area of the district by to add the tradition core area of Deep Ellum (approximately 51.0 acres);

**BACKGROUND** (Continued)

2. Increase the budget of the Deep Ellum TIF District from $27,162,083 NPV ($51,706,392 total dollars) to $29,992,935 NPV ($57,641,077 total dollars), an increase of $2,830,852 NPV ($5,934,685 in estimated total collections); and

3. Make corresponding modifications to the Deep Ellum TIF District's budget and Project and Reinvestment Zone Financing Plans.

When the Deep Ellum TIF District was initially established, property ownership in the core district was very diverse. Prospects for redevelopment of these properties were limited without consolidation of ownership. Recently, property ownership was consolidated. The new owner developed a redevelopment plan for the core district that can be implemented with the financial support from the Deep Ellum TIF District. This amendment allows consideration of future TIF funding requests for the Deep Ellum core area.

On September 10, 2014, following the public hearing, the requested amendments will be considered by City Council.

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

On June 22, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Twelve, (Deep Ellum TIF District) by Ordinance No. 26043, as amended.

On April 12, 2006, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District); and authorized a participation agreement with Dallas County for the Deep Ellum TIF District by Ordinance No. 26304, as amended.

On April 9, 2008, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District) to amend the boundaries of the Deep Ellum TIF District to include the City of Dallas Latino Cultural Center and the site of the City Lights Project. These two sites comprise 10.2 acres bringing the total amount of property in the Deep Ellum TIF District to 159 acres.

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

On June 22, 2011, City Council authorized amendments to the Deep Ellum TIF District Project Plan and Reinvestment Zone Financing Plan to amend the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Twelve, City of Dallas, Texas ("Deep Ellum TIF District") in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311, hereafter the "Act"), to change the name of the Latino Cultural Center Improvements budget category to Latino Cultural Center *Area* Improvements; to modify eligible activities under the Latino Cultural Center *Area* Improvements category to include infrastructure improvements, environmental remediation and demolition actions needed to promote private development adjacent to the Latino Cultural Center; to include the proposed development plan for the City Lights project as part of the Deep Ellum TIF plan and provide for a directed sale of City surplus property, two tracts of land containing a total of approximately 83,478 square feet, located at the intersection of Live Oak and Cantegral Streets, Block 289, Dallas County, Texas, to the proposed City Lights development to implement this component of the plan; and related other minor changes.

On June 9, 2013, the Deep Ellum TIF District Board of Directors reviewed and recommended approval of amendments to Tax Increment Financing Reinvestment Zone Number Twelve (Deep Ellum TIF District) and the Project and Reinvestment Zone Financing Plans for the Deep Ellum TIF District to: (1) increase geographic area to add traditional core area of Deep Ellum (approximately 51.0 acres); (2) increase the budget of the Deep Ellum TIF District from $27,162,083 NPV ($51,706,392 total dollars) to $29,992,935 NPV ($57,641,077 total dollars), an increase of $2,830,852 NPV ($5,934,685 in total estimated collections); and (3) make corresponding modifications to the Deep Ellum TIF District Project Plan & Reinvestment Zone Financing Plans amending Ordinance No. 26043, approved June 22, 2005, as amended and 26304 approved April 2, 2006 as amended.

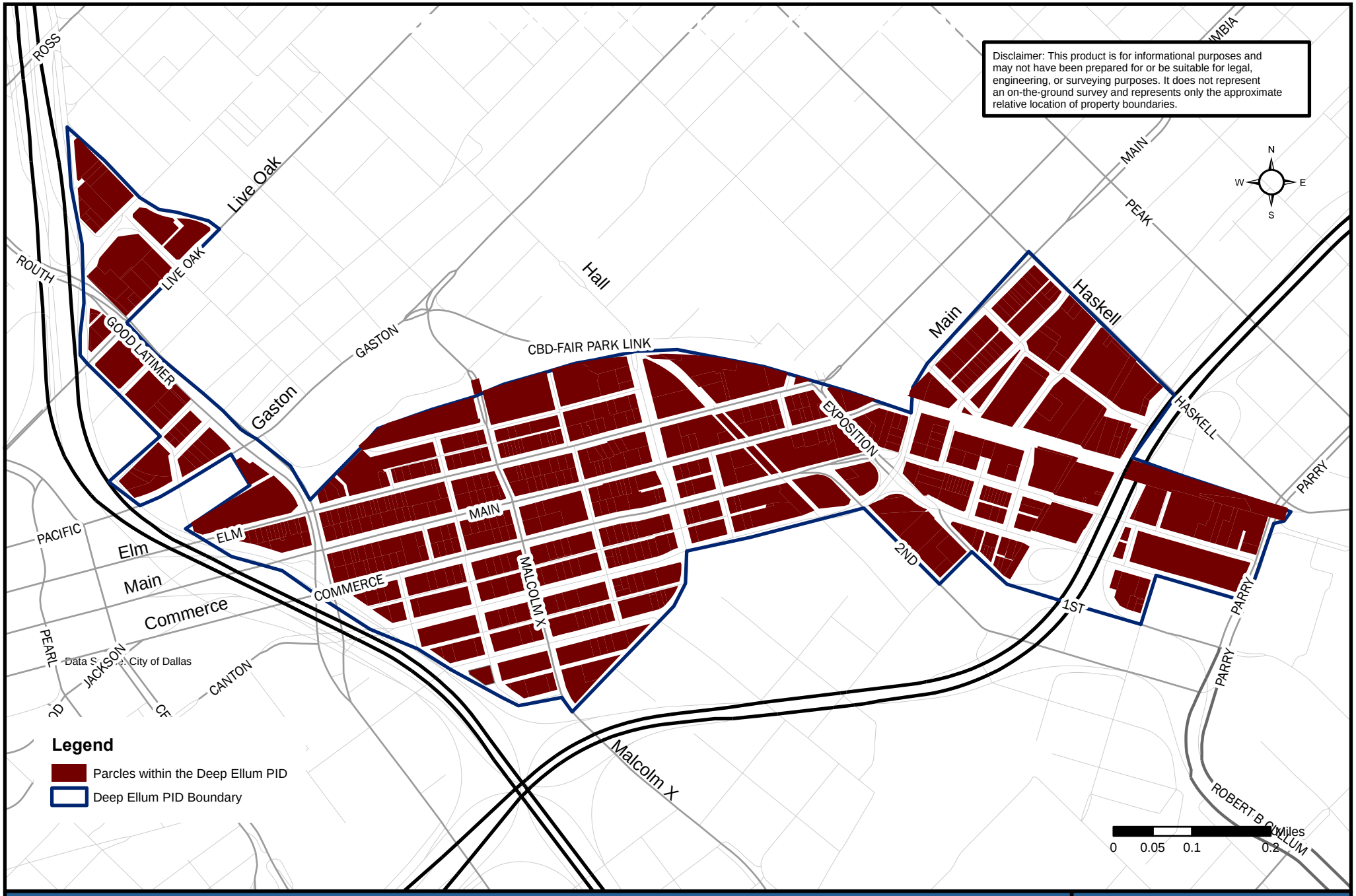
On August 27, 2014, City Council authorized a public hearing to be held on September 10, 2014, to receive citizen comments on the proposed Deep Ellum TIF District boundary expansion and Project and Reinvestment Zone Financing Plans.

**FISCAL INFORMATION**

No cost consideration to the City

**MAP**

Attached.




# Deep Ellum PID Boundary Map

DALLAS
**ECONOMIC DEVELOPMENT**

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Created 08/2013

**ORDINANCE NO._____**

**AN ORDINANCE AMENDING ORDINANCE NOS. 26043 and 26304, PASSED BY THE CITY COUNCIL ON JUNE 22, 2005, AND APRIL 2, 2006 RESPECTIVELY, TO: (1) INCREASE GEOGRAPHIC AREA TO ADD TRADITIONAL CORE AREA OF DEEP ELLUM (APPROXIMATELY 51.0 ACRES) TO FACILITATE FURTHER REDEVELOPMENT OF THE DISTRICT; (2) INCREASE THE BUDGET OF THE DEEP ELLUM TIF DISTRICT FROM $27,162,083 NPV ($51,706,392 TOTAL DOLLARS) TO $29,992,935 NPV ($57,641,077 TOTAL DOLLARS), AN INCREASE OF $2,830,852 NPV ($5,934,685 IN TOTAL ESTIMATED COLLECTIONS); AND (3) MAKE CORRESPONDING MODIFICATIONS TO THE DEEP ELLUM TIF DISTRICT MAP, BUDGET, AND PROJECT PLAN & REINVESTMENT ZONE FINANCING PLANS**

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

**WHEREAS,** the City Council authorized Ordinance No. 26043, on June 8, 2005, as amended, which created Tax Increment Financing Reinvestment Zone Number Twelve, City of Dallas, Texas (the "Deep Ellum TIF District") in accordance with V.T.C.A. Tax Code, Chapter 311 ("Act"), as amended; and

**WHEREAS,** the City Council authorized Ordinance No. 26304, on April 12, 2006, as amended, approving the Project Plan and Reinvestment Zone Financing Plan for the Deep Ellum TIF District; and

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

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

**WHEREAS,** the Deep Ellum TIF District Board of Directors recommended approval of the following amendments to the Deep Ellum TIF District's Project and Reinvestment Zone Financing Plans to: (1) increase geographic area to add traditional core area of Deep Ellum (approximately 51.0 acres); (2) increase the budget of the Deep Ellum TIF District from $27,162,083 NPV ($51,706,392 total dollars) to $29,992,935 NPV ($57,641,077 total dollars), an increase of $2,830,852 NPV ($5,934,685 in total estimated collections); and (3) make corresponding modifications to the Deep Ellum TIF District Project Plan & Reinvestment Zone Financing Plans amending Ordinance No. 26043, approved June 22, 2005, as amended and 26304 approved April 2, 2006 as amended; and

**WHEREAS,** on August 28, 2014, the City Council in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, (Chapter 311), called a public hearing to be held on September 10, 2014, to hear citizen comments and concerns regarding the proposed Deep Ellum TIF District amendments and amended Project Plan and Reinvestment Zone Financing Plan for the District. That public hearing was duly held and closed.

**NOW, THEREFORE,**

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

**Section 1.** That Ordinance Nos. 26043 and 26304, previously approved by the City Council on June 22, 2005 and April 2, 2006, respectively, are hereby amended to: **(1)** increase geographic area to add traditional core area of Deep Ellum (approximately 51.0 acres); (2) increase the budget of the Deep Ellum TIF District from $27,162,083 NPV ($51,706,392 total dollars) to $29,992,935 NPV ($57,641,077 total dollars), an increase of $2,830,852 NPV ($5,934,685 in total estimated collections); and (3) make corresponding modifications to the Deep Ellum TIF District map, budget, and Project Plan & Reinvestment Zone Financing Plans amending Ordinance No. 26043, approved June 22, 2005, as amended and 26304 approved April 2, 2006 as amended; attached here to as (**Exhibit A** and **Exhibit B**).

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

**SECTION 3.** That the amendments to the Project and Reinvestment Zone Financing Plans and budget of the Deep Ellum TIF District will result in benefits to the City and the property included in the TIF District.

**SECTION 4.** That a revised Deep Ellum TIF District Project and Financing Plan, Exhibit B, be substituted for the previously adopted plan. This version is revised to include the core area of Deep Ellum – Main, Commerce and Elm Streets between IH-45 and Hall Street and the Old Dallas High School site. The acreage of the added area is approximately 51.0 acres, not including public right-of-way and is valued at approximately $69,578,016. Property ownership in this area changed significantly since 2012 and new property owners have indicated a willingness to make a sizable financial investment in the area subject to the availability of future TIF funding.

**SECTION 5.** That improvements in the Deep Ellum TIF District will significantly enhance the value of all taxable real property in the TIF District.

**SECTION 6.** Ordinance Numbers 26043 and 26304, as previously amended, will remain in full force and effect, save and except as amended by this ordinance.

**SECTION 7.** That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or un-enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

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

APPROVED AS TO FORM:

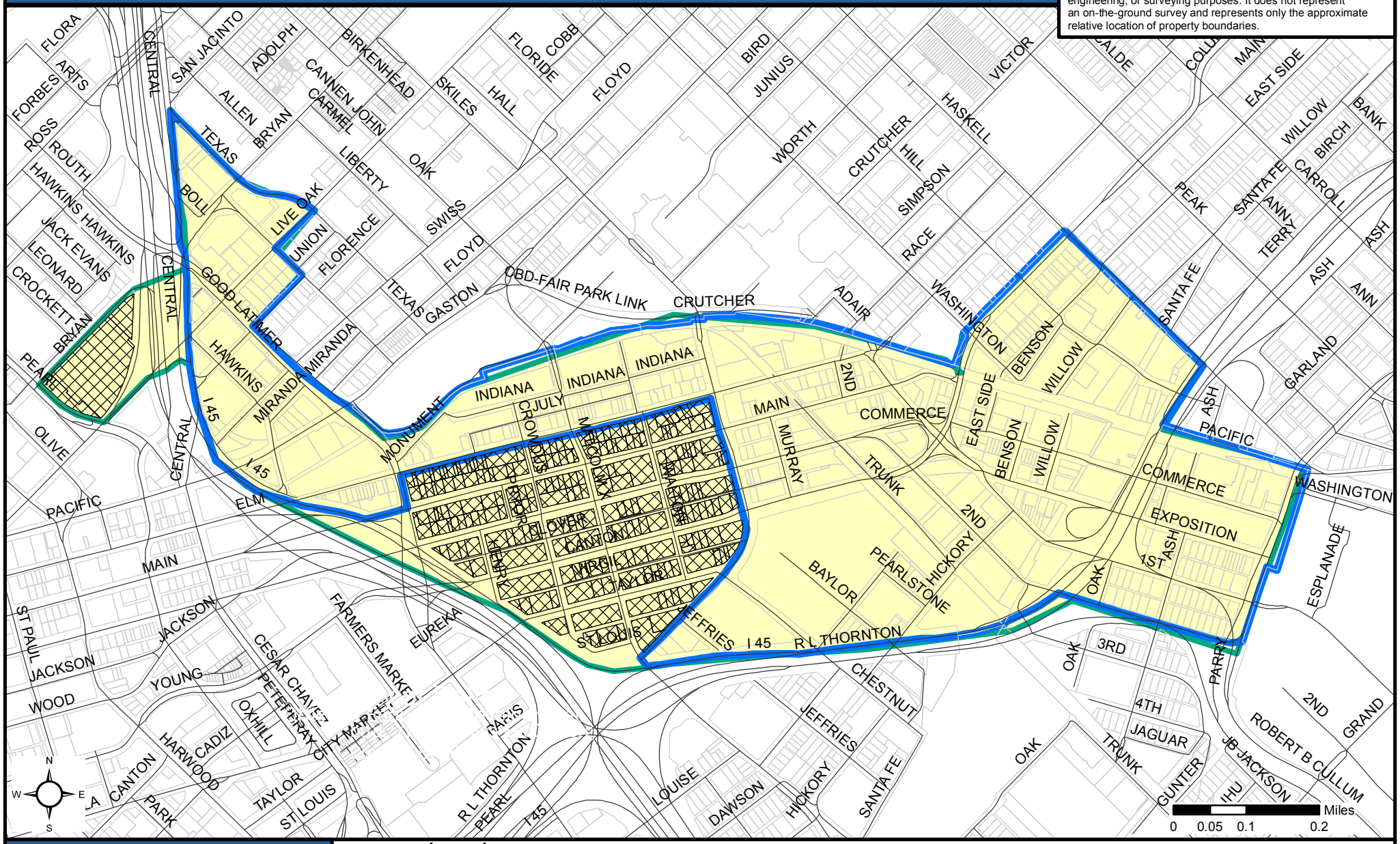
WARREN M.S. ERNST
CITY ATTORNEY

By _____
Assistant City Attorney

Passed_____

# Deep Ellum TIF Proposed Boundary Amendment 2014
# Exhibit A

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




## City of Dallas

Office of Economic Development
http://www.Dallas-EcoDev.org
Created 5/2014

**Legend**

- DEPID_Proposed Boundary Additions 2014
- Deep Ellum TIF
- Deep Ellum TIF_2014 proposed additions

# DEEP ELLUM
## TAX INCREMENT FINANCING DISTRICT

# PROJECT PLAN
# &
# REINVESTMENT ZONE FINANCING PLAN

**APRIL 12, 2006**
**AMENDED APRIL 9, 2008**
**AMENDED JUNE 22, 2011**
**AMENDED SEPTEMBER 10, 2014**

# Acknowledgements

*The Deep Ellum TIF District Project Plan and Reinvestment Zone Financing Plan was prepared by the City of Dallas, Office of Economic Development, based on a preliminary plan prepared by Stein Planning and Management. The Office of Economic Development wishes to acknowledge the efforts of everyone who contributed to the development of this plan, including the following organizations and individuals:*

**Original Plan - 2006**

**City of Dallas**

| | |
|---|---|
| Mary Suhm | City Manager |
| Ryan Evans | Assistant City Manager |
| Karl Zavitkovsky | Director, Office of Economic Development |
| Hammond Perot | Asst. Director, Office of Economic Development |
| Karl Stundins | Area Redevelopment Manager, Office of Economic Development |
| Sue Hounsel | Senior Coordinator, Office of Economic Development |
| David Levitan | Economic Development Analyst, Office of Economic Development |
| Barbara Martinez | Assistant City Attorney, City Attorney's Office |
| Ian Fredrickson | Assistant City Attorney, City Attorney's Office |

**Dallas City Council**

| | |
|---|---|
| Mayor Laura Miller | James L. Fantroy |
| Mayor Pro Tem Donald W. Hill | Gary Griffith |
| Deputy Mayor Pro Tem Dr. Elba Garcia | Bill Blaydes |
| Pauline Medrano | Linda Koop |
| Ed Oakley | Ron Natinsky |
| Dr. Maxine Thornton-Reese | Mitchell Rasansky |
| Steve Salazar | Angela Hunt |
| Leo V. Chaney, Jr. | |

**Deep Ellum TIF District Board of Directors**

| | |
|---|---|
| City of Dallas | Laura Zane Aveton |
| | Brian Barton |
| | Herbert Goodman |
| | John Miller |
| | John Tatum |
| Dallas County | Rick Loessberg |
| Dallas Independent School District | Larry Oliver |
| | David Rastellini |

**Other**

| | |
|---|---|
| Barry Annino | Deep Ellum Foundation |
| Kenneth Carlson | Westdale Asset Management |
| Mark Stein | Stein Planning and Management |

**City of Dallas**

| | |
|---|---|
| A.C. Gonzalez | City Manager |
| Ryan S. Evans | Assistant City Manager |
| Karl Zavitkovsky | Director, Office of Economic Development |
| J. Hammond Perot | Asst. Director, Office of Economic Development |
| Karl Stundins | Area Redevelopment Manager, Office of Economic Development |
| Amanda Popken | Research Analyst, Deep Ellum TIF |
| Jon Hubach | Economic Development Analyst, Office of Economic Development |
| Barbara Martinez | Assistant City Attorney, City Attorney's Office |
| Sarah Hasib | Assistant City Attorney, City Attorney's Office |

**Dallas City Council**

| | |
|---|---|
| Mayor Mike Rawlings | Carolyn R. Davis |
| Scott Griggs | Mayor Pro Tem Tennell Atkins |
| Adam Medrano | Sheffie Kadane |
| Vonciel Jones Hill | Jerry R. Allen |
| Dwaine R. Caraway | Lee M. Kleinman |
| Rick Callahan | Sandy Greyson |
| Deputy Mayor Pro Tem | Jennifer Staubach Gates |
| Monica R. Alonzo | Philip T. Kingston |

**Deep Ellum TIF District Board of Directors**

| | |
|---|---|
| City of Dallas | Charles Shelburne |
| | Gen Dennis |
| | Herbert Goodman |
| | Chase Evans |
| | Joseph O'Brien |
| | Chuck Hixson |
| Dallas County | Rick Loessberg |

**Other**

| | |
|---|---|
| Barry Annino | Deep Ellum Foundation |
| Scott Rohrman | 42 Realty |

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# Section 1:
# Project Plan

## Background

The Deep Ellum Tax Increment Financing (TIF) District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping districts to take full advantage of the expanding DART light rail system, promote transit oriented development, improve the historic core area of Deep Ellum, implement appropriate urban design standards to differentiate and brand the area, and improve the quality of development east of Downtown.

The Deep Ellum TIF District (the "District") was established in June 2005 to assist in the transformation of the Deep Ellum area into a more diversified, pedestrian friendly, mixed-use neighborhood in the area and improve the urban fabric and connections between Central Expressway and Fair Park. Strengths of the District include a mix of unique and historic buildings that create an identifiable district, adjacency to three DART light rail stations and proximity to Downtown Dallas, the Arts District, Dallas Farmers Market, Baylor Medical Center, and Fair Park. See **Exhibit A** for a map of the Deep Ellum TIF District. The original boundaries of the District contain approximately 157 acres, not counting public right-of-way that the Dallas Central Appraisal District (DCAD) does not identify as land parcels. Taxable land located within the 2005 boundaries included approximately 123.8 acres.

The boundaries of the Deep Ellum TIF District were amended in April 2008 to include the City of Dallas Latino Cultural Center and the site of the City Lights Project. These two sites comprise 10.2 acres. This boundary amendment was initiated to promote new development and increased urban density near the Latino Cultural Center and nearby the Deep Ellum DART Light Rail station.

The boundaries of the Deep Ellum TIF District were amended again in 2014 to include the core area of Deep Ellum – Main, Commerce and Elm Streets between IH-45 and Hall Street and the Old Dallas High School site. The acreage of the added area is approximately 51.0 acres, not including public right-of-way and is valued at approximately $69,578,016. Property ownership in this area changed significantly since 2012 and new property owners have indicated a willingness to make a sizable financial investment in the area subject to the availability of future TIF funding.

This boundary amendment was initiated to encourage reinvestment in the core buildings and venues that give Deep Ellum and the southeastern section of downtown its identity, encourage redevelopment and increased development density on key sites, such as the Union Bankers parcel, extend private development to the eastern portion of the downtown area, and to encourage development or lease of parking facilities within the core area of Deep Ellum to better serve this entertainment/dining venues in the area. It is anticipated that TIF investment in this area will lead to significant redevelopment and

new development – approximately $100,000,000 in new private investment is anticipated.

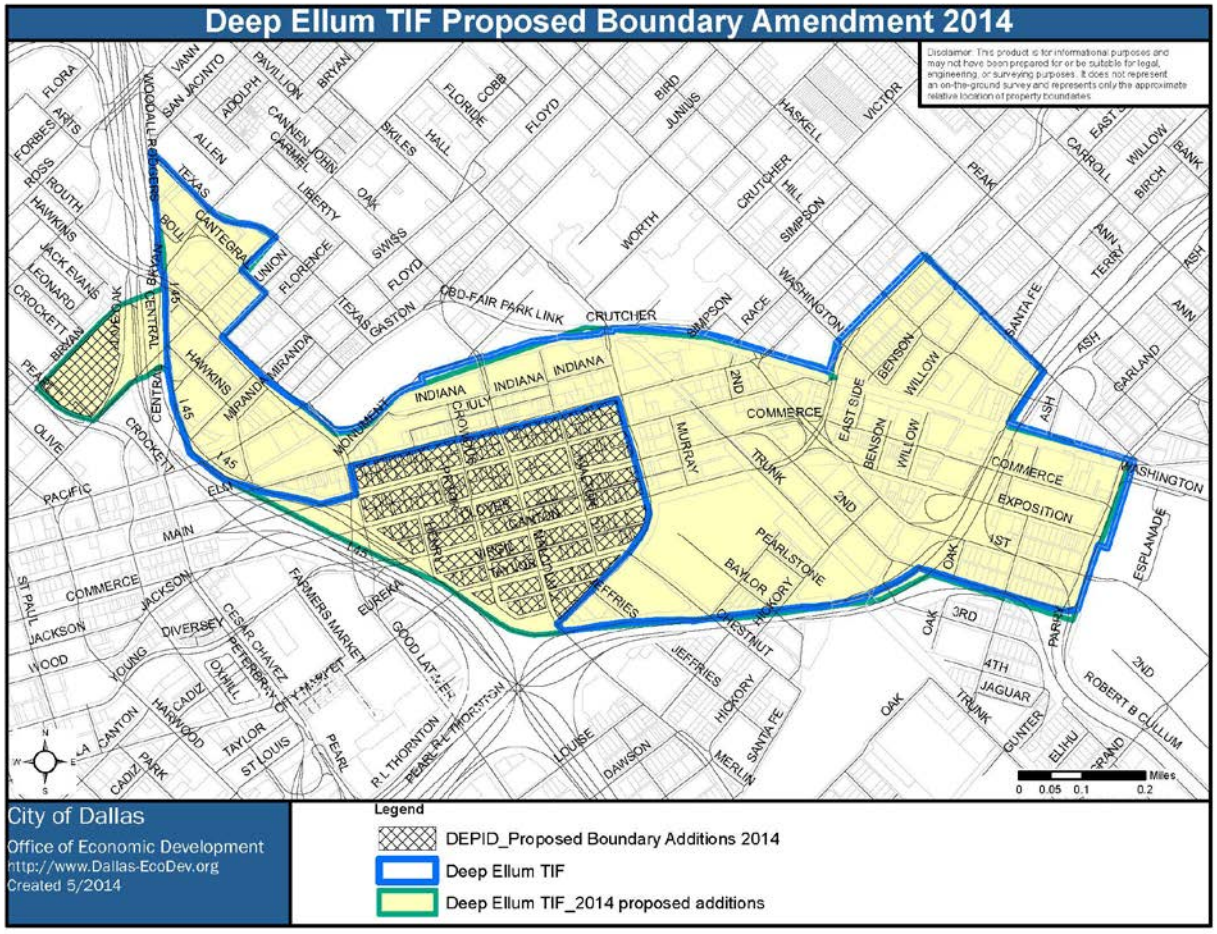
Photos of property in the District show deteriorated public infrastructure and building stock (see **Exhibit B**). Streets and utilities are now over 60 years old and require improvements. TIF funds are anticipated to be used to supplement General Obligation Bond funds in completing these necessary infrastructure upgrades in the area.

Many of the commercial structures in the District were developed prior to World War II. During the 1980's and 1990's, the area experienced revitalization and some warehouse and commercial buildings were renovated as residential and entertainment uses (see **Exhibit C**). Over the past twenty years, private investment in the District has slowed and many industrial and warehousing structures as well as tracts of vacant land remain undeveloped. Previously renovated buildings are also needing additional investment to remain competitive with other downtown area entertainment, dining and residential districts.

The Deep Ellum TIF District exhibits high commercial vacancy rates, deteriorated structures, inadequate sidewalks and streets, faulty lot layouts, unsanitary or unsafe conditions, and deteriorated site improvements. These conditions substantially arrest or impair the sound growth of the City and property within the area. Extension of the boundaries of the Deep Ellum TIF District will enable the City of Dallas to address these market concerns and infrastructure needs over time.

DART has made a significant investment in the Deep Ellum TIF District with three light rail stations as part of the Southeast Corridor light rail line. The Deep Ellum Light Rail Station is located at Good Latimer Expressway, between Swiss Ave. and Gaston Avenue. The Baylor Light Rail Station is situated between Malcolm X Boulevard and Walton Street, near the Baylor Medical Center. The Fair Park Light Rail Station is located at the front door of Fair Park on Parry Avenue near 1st Avenue. These stations are projected to carry over 3,000 riders per weekday.

# Exhibit A
# Deep Ellum TIF District Map



## Exhibit B
## Deep Ellum TIF District Existing Conditions
## Underutilized Property

## Exhibit C
# Deep Ellum TIF District Existing Conditions
# Redeveloped Property

In 2004, the Deep Ellum Foundation, a non-profit organization that oversees the Deep Ellum Public Improvement District, initiated the request for the City of Dallas to adopt a TIF Reinvestment Zone for the area. In response to these circumstances, the City Council, using the authority of the Tax Increment Financing Act (Chapter 311, Tax Code), approved Ordinance No. 26043 on June 22, 2005:

- Creating Tax Increment Financing Reinvestment Zone Number Twelve, (the "Deep Ellum TIF District");

- Establishing the boundaries for the Deep Ellum TIF District;

- Adopting a preliminary project and financing plan; and

- Establishing a Board of Directors for the Deep Ellum TIF District

The Board of Directors includes six City Council appointees and one representative of another taxing jurisdiction (Dallas County).

The cost of redevelopment in the Deep Ellum area is an obstacle. Deteriorated buildings, hazardous materials, inadequate streets, sidewalks and utilities substantially impair the sound growth of this part of Dallas. Redevelopment of property in the Deep Ellum TIF District will require significant expenditures for environmental remediation, demolition, reconstruction of utility systems, roadways and streetscape improvements, improved pedestrian connections to the three DART light rail stations, façade restoration, and the addition of public open spaces.

The use of TIF funds will make it possible for this strategically located development area to compete with other sites where development is not hampered by environmental issues and deteriorated infrastructure.

The Deep Ellum Foundation initiated the planning process for the conversion of this area to a mixed-use, transit oriented neighborhood. Preliminary discussions with city staff included a broader definition of the Deep Ellum neighborhood. The project area initially excluded the portions of Deep Ellum which were substantially redeveloped in the 1980's and early 1990's. Property ownership in this area was consolidated between 2005 and 2014 making strategic redevelopment of the original core district of Deep Ellum a possibility.

Several potential projects are expected to commence during the first three years of the Deep Ellum TIF District. The development of the Ambrose Apartments and expansion of the Reel FX offices set the standard for additional redevelopment activity. Other prospective projects include the redevelopment of the Continental Gin building; the First Dr. Pepper building; the Knights of Pythias building and adjacent site; and other underutilized commercial and warehousing structures as well as tracts of vacant land in the District.

Many of these sites suffer from limited public improvements and require site re-configuration, new infrastructure, including utilities, and a local street and pedestrian accessibility network. The design and redevelopment of these sites and their connection to the three future DART light rail stations are important elements for the success of the redevelopment effort.

Design guidelines for the Deep Ellum TIF District were developed as part of the implementation program for the District. These design guidelines are a requirement for TIF funding. Projects requesting TIF funding are required to follow the established design process including review and recommendations related to design by the City's Peer Review Panel.

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

The total taxable appraised value of real property within the Deep Ellum TIF District as of September 30, 2005, according to the Dallas Central Appraisal District, was $107,990,540. This is approximately 0.185% of the $58,417,219,956 of taxable real property in the City of Dallas in 2005. The appraised value of real property in this and all other Dallas TIF reinvestment zones combined will remain significantly below the statutory maximum of 15%. In addition, the appraised value of real property in this and all other Dallas TIF reinvestment zones combined is below the maximum threshold of 5% of the City's tax base as set by the City's Financial Management Performance Criteria (FMPC).

The proposed duration of the Deep Ellum TIF District is 22 years; it is scheduled to terminate December 31, 2027. The City's participation is 0% in 2006 and 2007 and increases to 85% in 2008 and thereafter. TIF collections will terminate once the TIF budget has been collected or December 31, 2027, whichever occurs first. Based on current development projections, the TIF budget is expected to be reached by 2022, after sixteen years of collections.

## Development Goals and Objectives

The following development goals meet the specific needs of the Deep Ellum TIF District:

- Goal 1 – To create additional taxable value attributed to new private investment in projects in the Deep Ellum TIF District totaling approximately $731 million. A list and map of anticipated development projects is attached (see **Exhibits D-1** and **D-2**).

- Goal 2 – To attract new private development in the Deep Ellum TIF District totaling approximately 650,000 square feet of retail space, 850,000 square feet of office/commercial space, 500 hotel rooms, and at least 3,500 new residential units including lofts, town homes and apartments.

- Goal 3 – To reach ridership at future DART light rail stations in the District averaging over 3,000 riders per weekday by 2025.

- Goal 4 – To improve access and connections to the DART light rail system within the District.

- Goal 5 – To support the conversion of the Deep Ellum area to a mixed-use, transit-oriented neighborhood that complements Baylor Medical Center, Downtown Dallas, Latino Cultural Center and Fair Park.

- Goal 6 – To increase recreational opportunities, public open space and improve connections to the City of Dallas trails and open space system in the District.

- Goal 7 – To generate approximately $30.0 million (net present value) in increment over 20 years of collections.

- Goal 8 – To diversify retail and commercial uses in the District.

- Goal 9 – Encourage the redevelopment of the property located on Live Oak Street north of the Latino Cultural Center including the sale of some City-owned property in the area and some street abandonment to create a more usable site.

The following specific objectives set the framework for the planned public improvements within the Deep Ellum TIF District:

- Improve the pedestrian environment through sidewalk improvements, landscaping, lighting and design standards.

- Provide funding for environmental remediation and interior/exterior demolition assistance to encourage redevelopment of land within the Deep Ellum TIF District.

- Upgrade basic infrastructure including storm drainage, water/wastewater lines, and burial of overhead utilities to support redevelopment in the District.

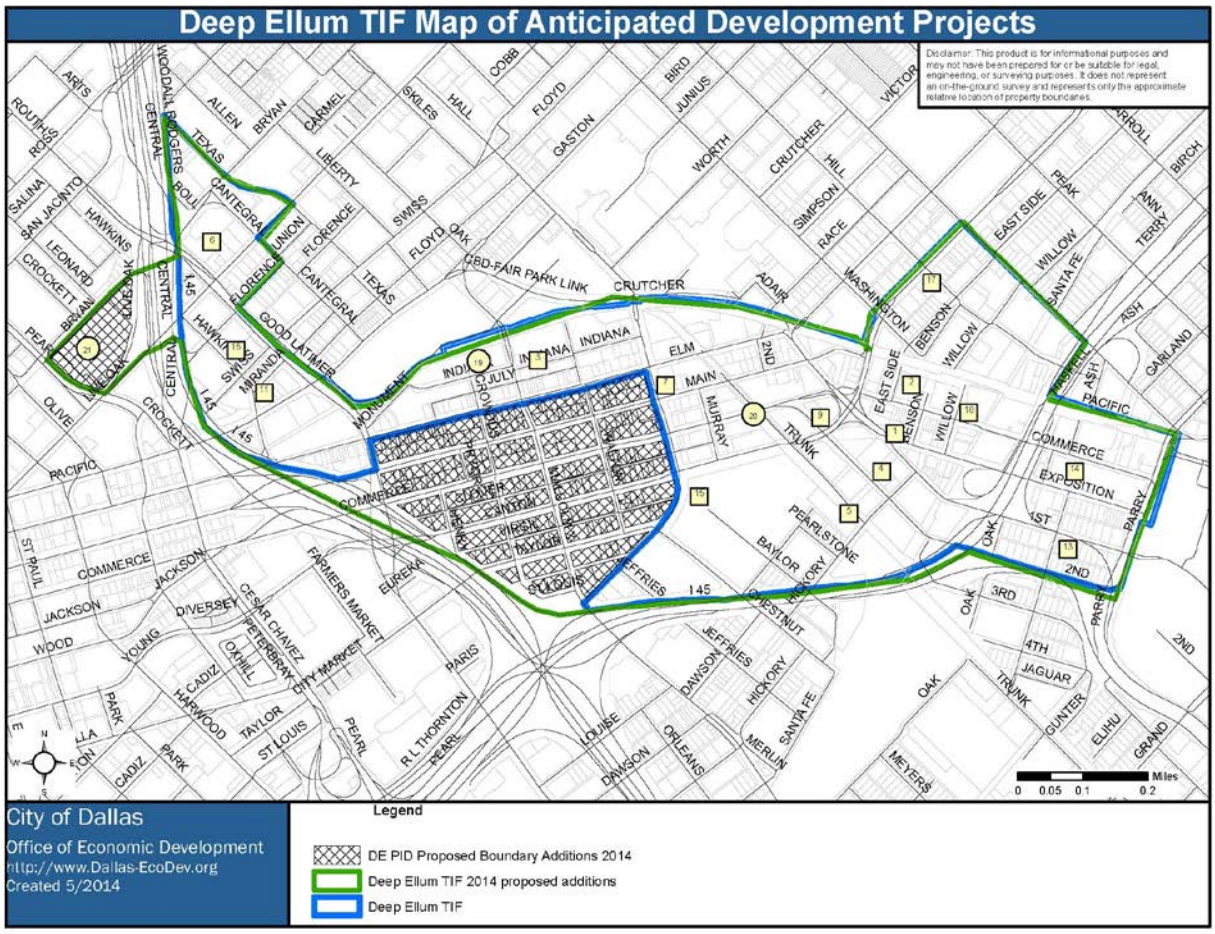
- Coordinate linkages with the three DART light rail stations located in the District by extending streetscape improvements between stations to create an extended pedestrian area to destinations such as the Latino Cultural Center, the Baylor Hospital Campus, the Old Dallas High School site, and Fair Park.

- Direct overall development of the Deep Ellum TIF District through the application of design guidelines for public improvements and private development.

- Encourage development of new residential and retail uses to complement the District.

- Encourage redevelopment of the commercial core area of Deep Ellum to complement the existing building stock, diversify the retail mix and encourage infill development and structured parking.

# Exhibit D-1
# Deep Ellum TIF District
# Map of Anticipated Development Projects



# Exhibit D-2
# Deep Ellum TIF District
# List of Anticipated Development Projects

| SITE | ESTIMATED COMPLETION BEFORE JANUARY 1 | CONCEPT | APPROXIMATE LOCATION | PROPOSED USE |
|---|---|---|---|---|
| 1 | 2007 | Bill Reed Building (office) | First/Canton/Second | Office |
| 2 | 2008 | Commerce Street Lofts (8 live work homes) | Commerce/Exposition/Benson/ Eastside | Residential |
| 3 | 2008 | The Ambrose (325 lofts and 15,000 s.f. retail) | Indiana Street between Malcolm X and Walton | Residential, retail |
| 4 | 2008 | Eastside Lofts (4 town homes) | First Avenue and Hickory | Residential |
| 5 | 2008 | Olympia Arts Building (18,000 s.f. office) | Eastside/Hill | Office |
| 6 | 2015 | City Lights Phase I - 425 apartments | Live Oak Street and Good Latimer Expressway | Residential |
| 6 | 2017 | City Lights Phase II - 100 condominiums | Live Oak Street and Good Latimer Expressway | Residential |
| 6 | 2018 | City Lights Phase III | Live Oak Street and Good Latimer Expressway | Residential |
| 7 | 2017 | Continental Gin (school) | 3309 Elm (Continental Gin historic district) | Residential, retail |
| 9 | 2019 | First Dr. Pepper Building (residential, retail, office) | Second/Hickory/Trunk/Canton | Residential, Office, Retail |
| 11 | 2019 | (Upscale boutique hotel, mixed use new development) Knights of Pythias Building | Knights of Pythias Building Elm @ Good-Latimer | Hotel, retail |
| 12 | 2021 | Small upscale boutique hotel (80 rooms), retail, residential | Elm/Main/Hall/Trunk | Hotel, residential, retail |
| 13 | 2019 | Mixed-use | Parry/First | Residential, retail |
| 15 | 2016 | Service Center Site (mixed use) | Canton/Hall | Mixed Use |
| 14 | 2018 | Loft residences | Exposition/Commerce | Residential, retail |
| 16 | 2020 | Lofts | Good Latimer/Swiss | Residential |
| 17 | 2021 | Residences | Eastside/Hill | Residential |
| 18 | 2020 | Willow Street mixed-use | Willow/Commerce | Residential, office |
| 19 | 2014 | Reel FX Expansion | 301 N Crowdus | Office |
| 20 | 2015-2019 | Deep Ellum Core Project - 42 Realty | Deep Ellum Commercial Core | Restaurant/Retail/Office |
| 21 | 2016 | Old Dallas High site | Pearl/Bryan | Mixed Use |

The Deep Ellum TIF District Project Plan and Reinvestment Zone Financing Plan (the "Project Plan") provides a long term plan to replace and upgrade the infrastructure and encourage redevelopment of underutilized property in the Deep Ellum TIF District. The public improvements enumerated in the Project Plan provide for $30,0 million (net present value) worth of streetscape, pedestrian, and streetlight upgrades; environmental remediation; interior and exterior demolition assistance; utility burial; public use improvements, and design and engineering. Funding in the form of a TIF Grant will also be required, especially in the commercial core area of Deep Ellum. Tax increment financing will be used to pay for these improvements.

Certain costs of improvements, as further discussed herein, are eligible for funding with tax increment revenues under legislative actions taken in 2005. These improvements enumerated in the Project Plan may be implemented in the form of loans or grants of TIF revenues, subject to final construction plans, for costs associated with redevelopment, including but not limited to: environmental remediation and demolition of existing structures and facilities; public infrastructure improvements - sidewalks, lighting, streets, landscaping and utilities; and design and engineering. The City enacted and implemented controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the economy of the Deep Ellum TIF District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

This plan is intended to encourage private development and public infrastructure improvements thereby improving the economics of redeveloping the Deep Ellum TIF District.

## Description of Deep Ellum TIF District

The Deep Ellum TIF District is generally bounded by IH-45, East RL Thornton Freeway, 2nd Avenue, Parry Avenue, South Pacific Avenue, South Haskell Avenue, Main Street, the DART right-of-way north of Indiana Street, Good Latimer Expressway, Florence Street, Cantegral Street, Live Oak Street, Texas Street, IH-45, Bryan Street, Pearl Expressway and Live Oak Street (see **Exhibit A**). Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way. Boundaries that approximate property lines shall be construed as following such property lines.

Strengths of the District include a mix of unique and historic buildings that create an identifiable district, adjacency to four DART light rail stations and proximity to Downtown Dallas, the Arts District, Latino Cultural Center, Dallas Farmers Market, Baylor Medical Center, and Fair Park. DART has made a significant investment in the Deep Ellum TIF District with four light rail stations. The District contains approximately 252.0 acres, not counting rights-of-way that the Dallas Central Appraisal District (DCAD) does not identify as land parcels.

Many of the commercial structures in the District were developed prior to World War II. Streets and utilities are now over 60 years old and require improvements. During the 1980's and early 1990's, many of the warehouse and commercial buildings were renovated and converted to residential, restaurant and entertainment uses. Over the past twenty years, private investment in the District has slowed and many industrial and warehousing structures as well as tracts of vacant land remain undeveloped. The area has begun to exhibit signs of deterioration and neglect.

**Appendix A** identifies all real property accounts within the Deep Ellum TIF District boundary, according to 2005 Dallas Central Appraisal District records. The base value of the District will be the total appraised value of all taxable real property in the District as determined by the Dallas Central Appraisal District certified tax roll when property was included in the Deep Ellum Tax Increment Reinvestment Zone.

The total base assessed real property tax value of all taxable real property within the Deep Ellum TIF District, according to the Dallas Central Appraisal District, is $183,463,786.

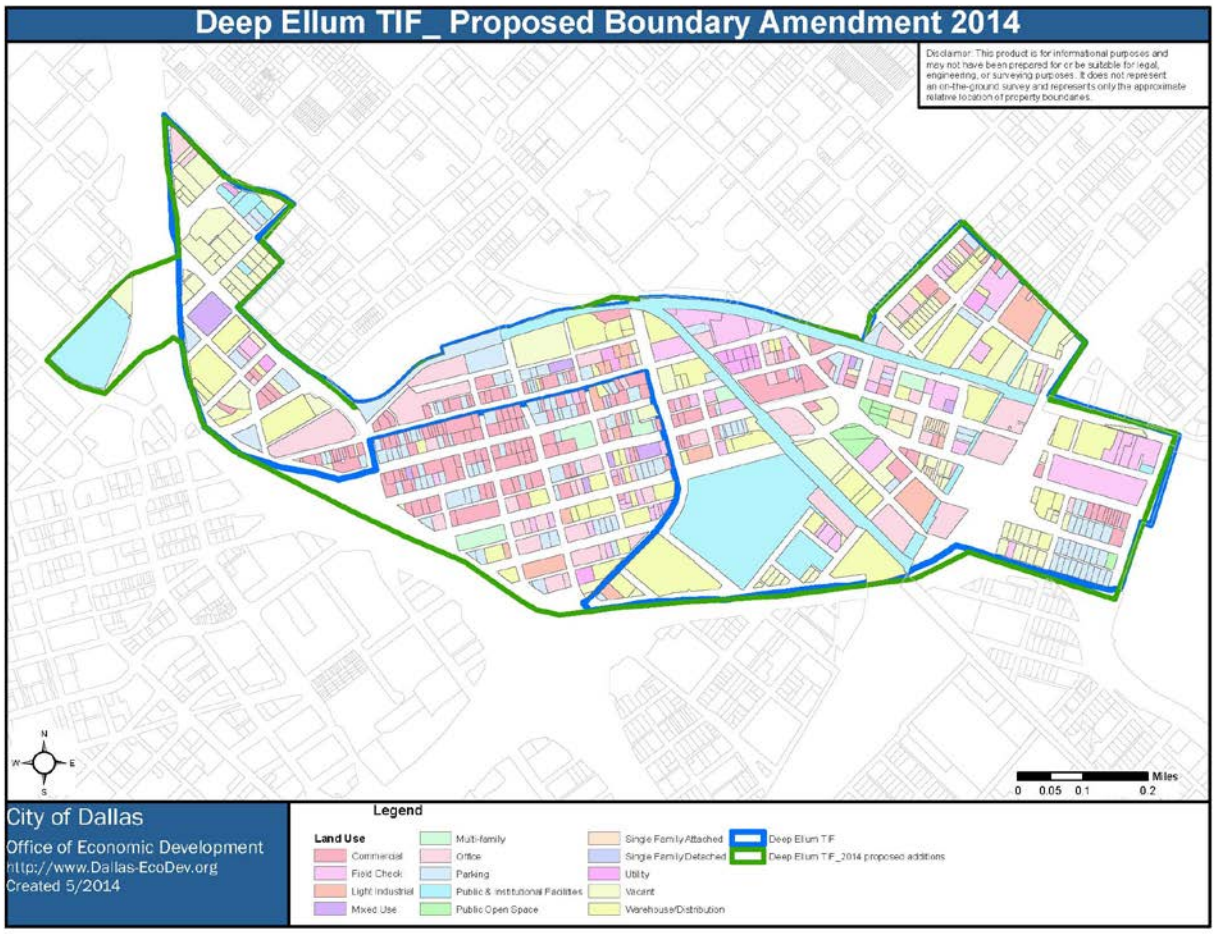
## Existing Uses

The original portion Deep Ellum TIF District is composed primarily of vacant land and underutilized commercial and warehousing structures. The 2014 addition contains a number of older commercial structures and several lots used for surface parking. **Exhibit E** shows the existing land use for the area within the Deep Ellum TIF District (for specific parcels included in the TIF District refer to **Exhibit A**, the TIF Boundary Map).

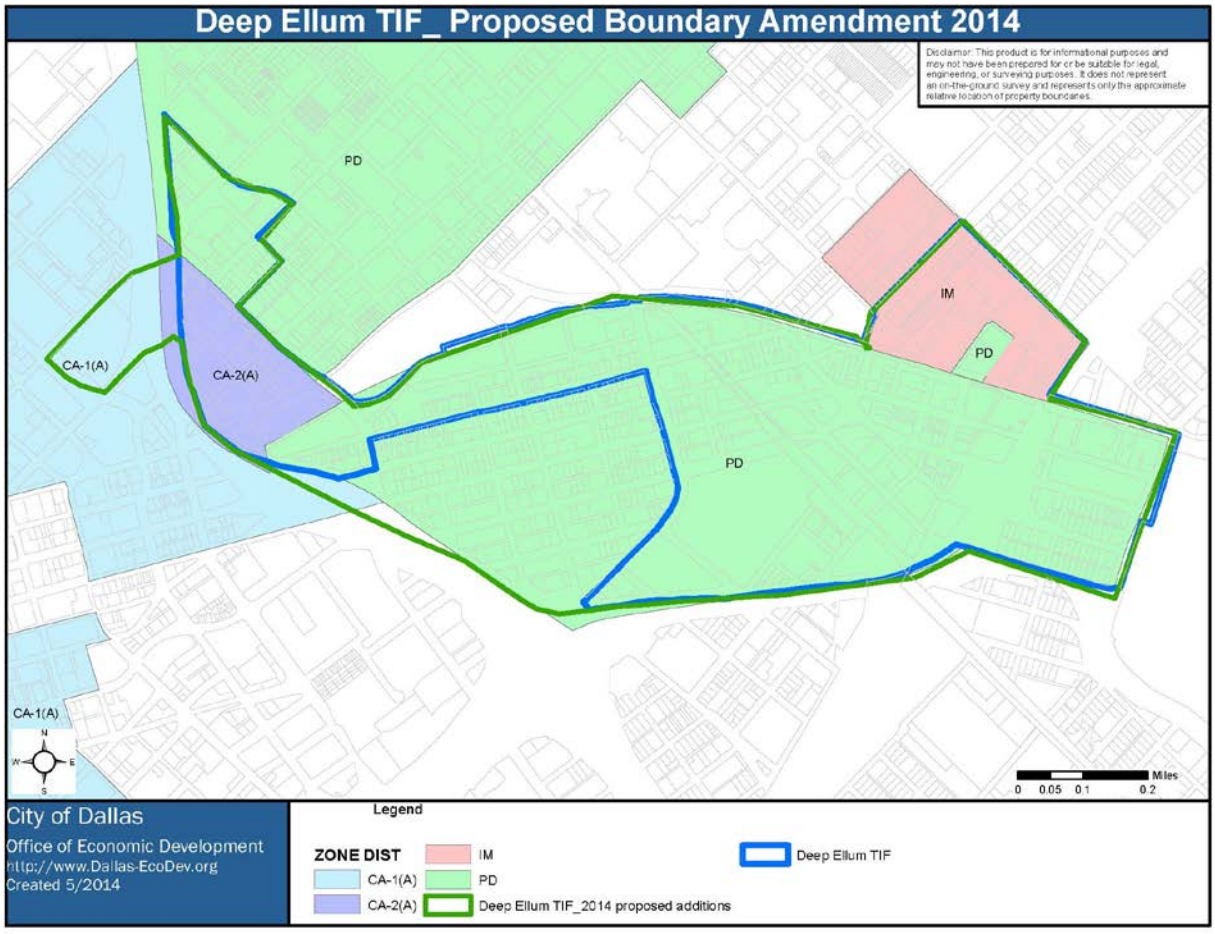
## Existing Zoning

**Exhibit F** shows existing zoning and the Planned Development Districts in the Deep Ellum TIF District. Potential changes to PD 269, the primary Planned Development District in the area, are currently under discussion.

# Exhibit E
# Deep Ellum TIF District Existing Land Uses



# Exhibit F
# Deep Ellum TIF District Existing Zoning



## Market Feasibility

The predominant land use in the planned 22-year Deep Ellum TIF District development program will be for mixed-use development. This area currently contains a large amount of underutilized commercial structures and large tracts of vacant or undeveloped land. It is anticipated that as additional TIF increment is generated from initial developments, an investment can be made to expand development opportunities in the remainder of the area.

During the last decade the development and initial success of the DART light rail system has not fully been taken advantage of by the development community. Obstacles that are detrimental to project financing for high density projects include higher land costs, need for structured parking and additional infrastructure costs relating to taller, more costly buildings and enhanced pedestrian amenities. Though the Deep Ellum TIF District will include three future light rail stations, it is unlikely that significant transit oriented, quality development would occur without public assistance for the reasons mentioned above.

Market analysis suggests that these developments are feasible but would likely not occur without the creation and implementation of this TIF District to fund needed infrastructure in the TIF District.

## TIF District Policy Considerations

The adjusted Deep Ellum TIF District's base assessed real property tax value is $183,463,786. By 2027, the District's assessed real property tax value is forecasted to increase to approximately $997 million. Since the TIF receives revenue only from the taxable value which exceeds the base year, "captured" taxable value accruing to the Deep Ellum TIF District will be approximately $883 million. Of the $883 million in captured taxable value, approximately $731 million will be attributable to new private investment and $152 million will be due to property appreciation.

No persons are expected to be displaced by redevelopment activity within the Deep Ellum TIF District. Relocation policies are not applicable for this reason, therefore, inapplicable to this TIF District.

Residential projects receiving TIF funding will be required to meet Mixed Income Housing Guidelines. Twenty percent of all housing units in the Deep Ellum TIF District using TIF funds must meet the City and County established criteria for affordable housing. Affordable housing units are those which are affordable to a household earning 80% or below of the median family income for the Dallas metropolitan area

Other requirements to qualify for TIF funds include compliance with Fair Share Guidelines for private construction and promotion of hiring for neighborhood residents for permanent jobs created. This latter requirement means TIF applicants will agree to sponsor job fairs or other programs to attract residents to jobs. The process for Fair

Share Compliance and City oversight will be negotiated by City staff and included in the development agreement for each individual project.

Design guidelines for new development and redevelopment in the Deep Ellum TIF District were adopted by the Deep Ellum TIF Board of Directors. Any future development project requesting TIF funds will be required to comply with these design guidelines and recommendations developed through the Peer Review design review process.

# Section 2
# Project Plan Improvements

This project plan provides for approximately $30.0 million (net present value) in TIF-eligible public improvements as further described below. See **Exhibits G** and **J** for a detailed map and budget of TIF-funded Project Plan Improvements ("Projects Costs"):

The following describes in greater detail eligible TIF Project Costs for the Deep Ellum TIF District:

Water, Wastewater, Storm & Off-site Utility Replacement. This category includes TIF eligible expenditures for infrastructure upgrades and utility relocation (water, wastewater, storm sewer, overhead utilities).

Paving, Streetscape, & Lighting. This category includes lighting, sidewalk and infrastructure improvements, expanding and enhancing pedestrian and vehicle continuity in the corridor and other streetscape improvements related to specific projects.

Open Spaces & Trails. Public open space is an important amenity in the Deep Ellum TIF District. Funding will be provided for design, improvements and land acquisition as necessary for the development of public plazas and trails in the District.

Façade Restoration/ Environmental Remediation, Interior/Exterior Demolition. Preservation of historic buildings is an important element of the Project Plan. Funding will be provided for façade restoration of historic buildings in the Deep Ellum TIF District. The Deep Ellum TIF District has some buildings and land that have been financially unfeasible to redevelop because of the cost of environmental remediation of asbestos, lead-based paint and other contaminants and interior and exterior demolition costs. Interior and exterior demolition expenses are tied directly to the remediation expenses, especially where the location of these buildings is not conducive to the development of a transit oriented mixed-use center. These costs are TIF eligible expenditures. The use of TIF funds to remediate environmentally hazardous materials and make associated improvements greatly improves the marketability of these buildings and may enable redevelopment of a structurally obsolete building.

Latino Cultural Center Area Improvements. Exhibits G-1 and G-2 show planned improvements for the City of Dallas Latino Cultural Center. The development plan for the Latino Cultural Center calls for increased parking at the site to accommodate parking needs, especially when large event are hosted by the facility. A City owned tract of land located on the northeast corner of Live Oak and Cantegral Streets was held for such a purpose but no funding was available to demolish the existing buildings on the site or construct the needed parking. In order to facilitate the immediate construction of the additional parking at a preferable location, specifically below ground

on the site of the existing parking for the Latino Cultural Center, it is the intent of the City to allowed a directed sale of the tract of land located at the northeast corner of Live Oak and Cantegral Streets for fair market value and require the purchaser to redevelop the property in a manner that approximates Exhibit G-2. The purchaser may be eligible for future TIF funding related to the redevelopment of this site under this budget category.

Parking Improvements. As redevelopment efforts evolve in the Deep Ellum TIF District, especially in the core area, the need for transient, public parking will become increasingly important. Funding is set aside to address public parking needs for the area. Because of the high cost of structured parking, it is anticipated that TIF funds may be used to leverage other funding sources or to rent parking spaces, in addition to acquiring public parking spaces.

Administration and Implementation. Administrative costs, including reasonable charges for the time spent by employees of the municipality and/or employees associated with any non-profit groups established to assist with implementation within the TIF District will be eligible for reimbursement as project costs, upon approval by the TIF Board of Directors and in connection with the implementation of the Project Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures and equipment are included in this category. The development of a Deep Ellum Improvement Plan to maximize assets of the surrounding area is also included in this category. This plan will help guide public and private development and will incorporate the linkage of trails, walks, activity nodes, transit stations and new parking garages in and around the District. The TIF expense for the development of this plan will be leveraged by other sources.

State law has been amended to permit the Deep Ellum TIF District to consider making direct grants to accomplish any of these purposes. The Deep Ellum TIF District Board of Directors may provide for a program to make economic development Loans or Grants from TIF funds in an aggregate amount not to exceed the amount of tax increment produced by the municipality and paid into the tax increment fund for the District as necessary or convenient to implement this Plan. Projects receiving such Loans or Grants must be consistent with the goals and objectives of the Deep Ellum TIF District Project Plan and Reinvestment Zone Financing Plan and would be subject to specific project agreements and City Council approval of the Loan or Grant program and the project agreements.

# Exhibit G-1
# Latino Cultural Center Improvements

# Exhibit G-2
# Redevelopment Plans for City-Owned Property located at Live Oak and Cantegral Streets

## ****Conceptual Plans Not For Construction****

prepared by

O'BRIEN

for

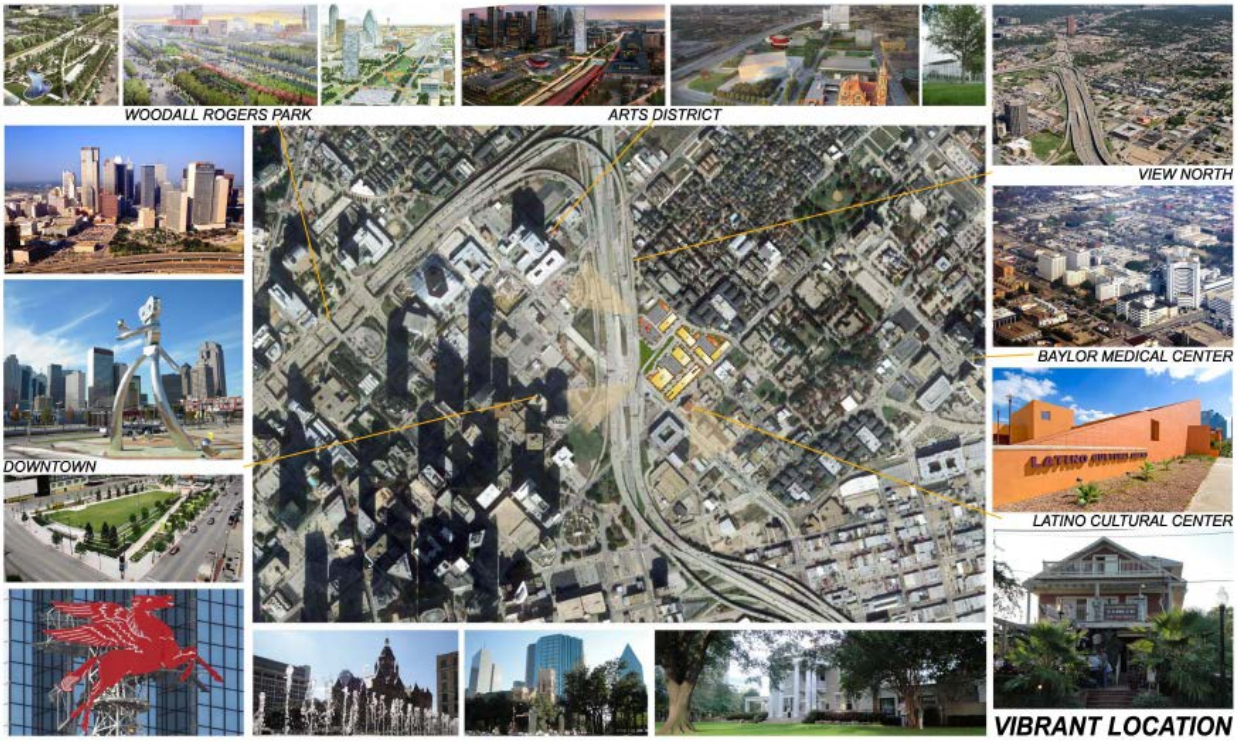
Malouf Interests Inc.

***VISION...***

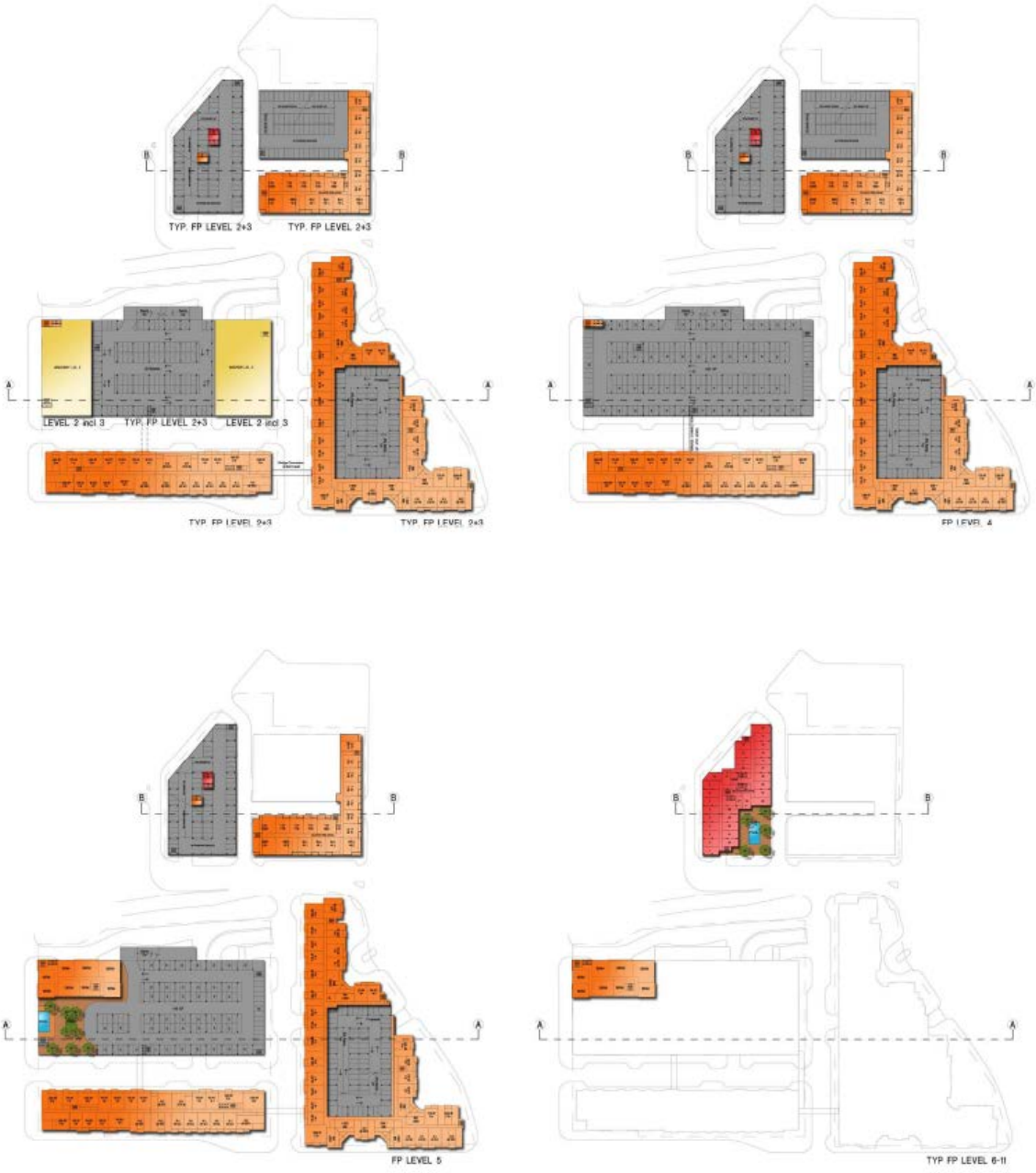
CITY LIGHTS | *Dallas, TX*

Dallas's Newest Urban Community
City Lights Dallas sits on over 8 acres of land located near the heart of downtown. The recent revitalization of the Dallas Arts District, the continued expansion and use of the Dallas Area Rapid Transit system, and the growth in the downtown population place the City Lights development at the center of Dallas's progress.

- 170,000 SF of planned retail development
- 300 + planned apartment units
- Affluent neighborhood demographics
- High traffic counts supported by nearby housing and downtown activity
- Strong interest from Dallas area retailers
- Easy access to the revitalized Dallas Arts District via recent pedestrian additions
- Nearby Dallas Area Rapid Transit station connecting downtown to suburban communities
- Support from the Dallas Economic Development Council
- Recent progress with HUD and other housing partners


WOODALL ROGERS PARK
ARTS DISTRICT
VIEW NORTH
BAYLOR MEDICAL CENTER
DOWNTOWN
LATINO CULTURAL CENTER
VIBRANT LOCATION

NORTH CENTRAL EXPRESSWAY
BLOCK D-2
BLOCK D-1
BRYAN STREET
TEXAS STREET
75
RAMP FROM I-75
GOOD LATIMER STREET
CANTEGRAL STREET
BUELL
HARKINS
BLOCK B
BLOCK A
LIVE OAK STREET
LEVEL 1
RETAIL
RESIDENTIAL
HOTEL
GARAGE
BLOCK A:
RET/REST 13,320 SF
4 LEVELS APTS ABOVE
26 UNITS/LVL = 104 UNITS TOTAL
14 SP SURF. PARKING
BLOCK B:
40,000 SF GROCERY
34,800 SF ANCHOR
16 LEVELS APTS ABOVE
8 UNITS/LVL = 128 UNITS TOTAL
5-LVL GARAGE + 1 LVL BELOW
988 SP IN GARAGE
14 SP SURF. PARKING
1,002 SP TOTAL
BLOCK C:
RET/REST 39,870 SF
4 APT-UNITS on 1
4 LEVELS APTS ABOVE
40 UNITS/LVL = 164 UNITS TOTAL
12 SP SURF. PARKING
5-LVL GARAGE + 1 LVL BELOW
457 SP IN GARAGE
469 SP TOTAL
BLOCK D-1:
5-LVL GARAGE + 1 LVL BELOW
341 SP TOTAL
6-LVL HOTEL ABOVE
30 RMS/LVL = 180 KEYS
9-LVL CONDOS ABOVE
7 UNITS/LVL = 63 UNITS TOTAL
BLOCK D-2:
RET/REST 12,675 SF
4 APT-UNITS on 1
4 LEVELS APTS ABOVE
18 UNITS/LVL = 76 UNITS TOTAL
4-LVL GARAGE 216 SP TOTAL


TYP. FP LEVEL 2+3
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LEVEL 2 incl 3
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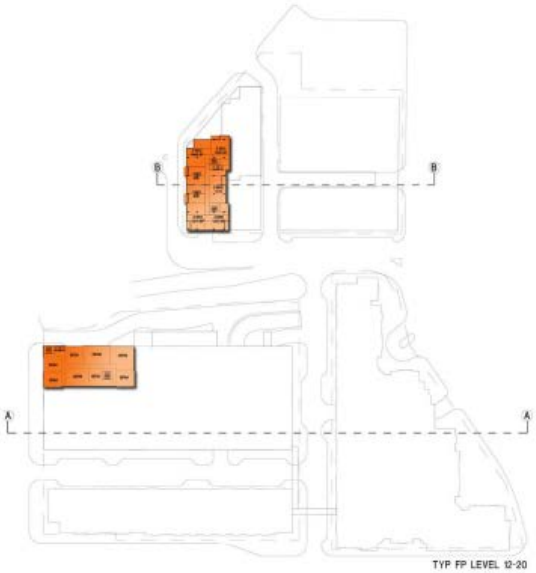
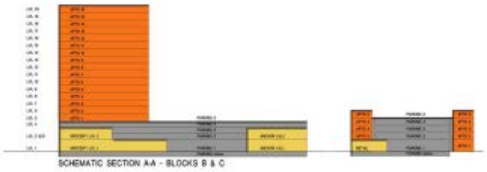
TYP FP LEVEL 6-11





ARTISTIC RENDERING

ARTISTIC RENDERING

VIEW FROM LIVE OAK STREET

VIEW FROM TEXAS STREET

VIEW FROM U.S. 75

VIEW FROM GOOD LATIMER STREET
INSPIRATION
VIEWS ON CANTEGRAL STREET

# Exhibit H
# Deep Ellum TIF District Public Improvement Plan

| Category | Previsous TIF Expenditure (in 2006 Dollars) | Estimated Change | Revised Estimated TIF Expenditure * (in 2006 Dollars) | Previous TIF Expenditure ** (actual) | Estimated Change | Revised Estimated TIF Expenditure * (in 2006 Dollars) |
|---|---|---|---|---|---|---|
| Water, Wastewater, Storm & Off-site Utility Replacement | $1,247,748 | | $1,247,748 | $2,375,243 | $22,706 | $2,397,949 |
| Paving, Streetscape & Lighting | $14,507,977 | | $14,507,977 | $27,617,732 | $264,014 | $27,881,747 |
| Open Spaces & Trails | $1,410,498 | | $1,410,498 | $2,685,057 | $25,668 | $2,710,725 |
| Façade Restoration/Environmental Remediation/Demolition | $2,485,163 | $3,041,549 | $5,526,712 | $4,730,815 | $5,890,541 | $10,621,356 |
| Environmental Remediation & Demolition | $0 | -$210,698 | $0 | $401,089 | -$401,089 | $0 |
| Latino Cultural Center Improvements | $5,000,000 | | $5,000,000 | $9,518,120 | $90,989 | $9,609,109 |
| ** Administration and implementation | $2,300,000 | | $2,300,000 | $4,378,335 | $41,855 | $4,420,190 |
| Total Project Costs, excluding interest | $26,951,385 | $2,830,851 | $29,992,935 | $51,706,392 | $5,934,685 | $57,641,077 |

** All values discounted to 2006 dollars at 4% annually.*

*** Administrative costs include city management fees as well as the development of a Deep Ellum Improvement Plan to maximize assets of the surrounding area. The TIF expense for the development of this plan will be leveraged by other sources.*

## Planned Private Development

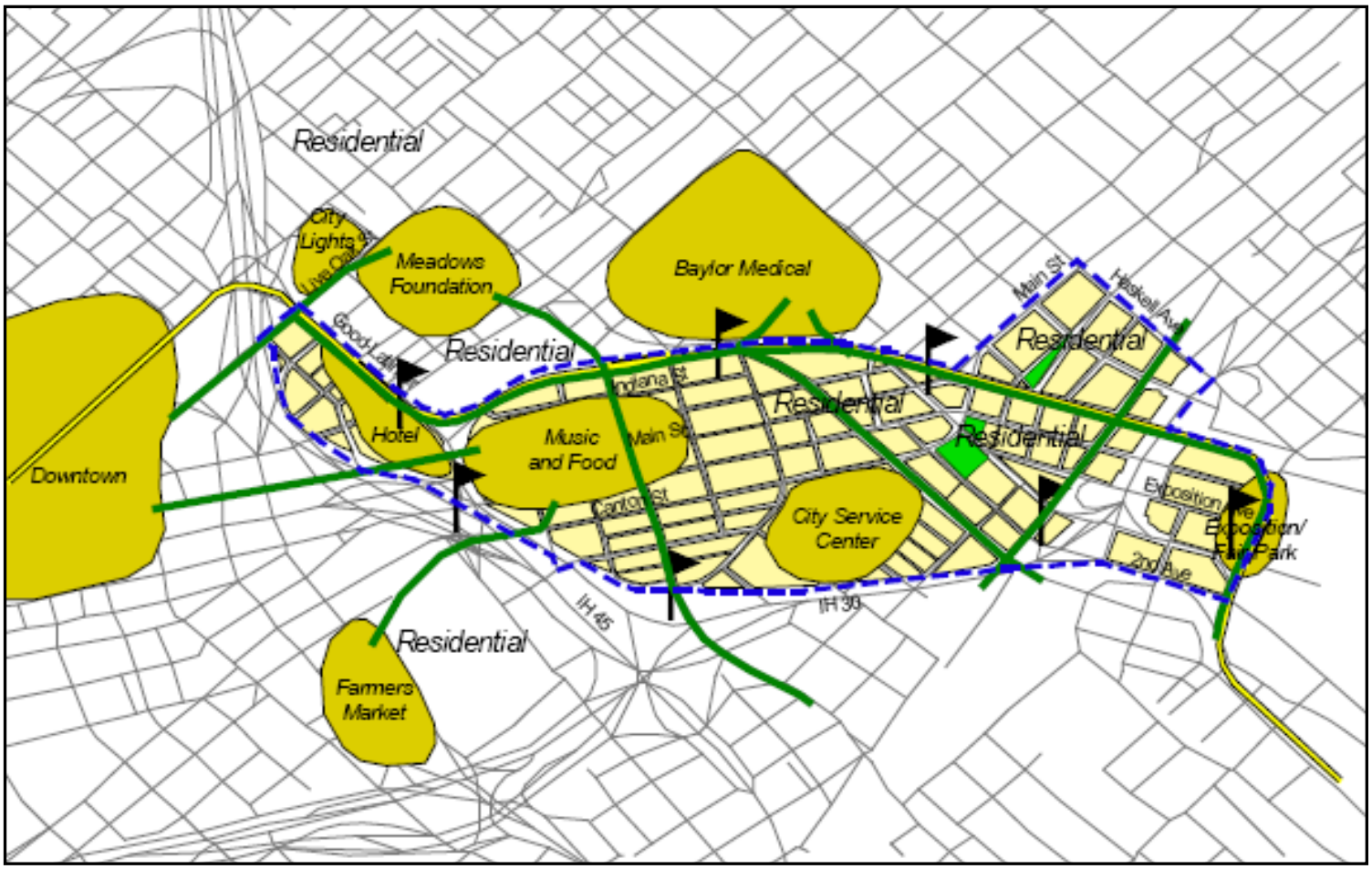
- At least 3,500 new residential units including lofts, townhomes, and apartments
- Approximately 650,000 square feet of new or renovated retail, restaurant and event space
- Approximately 850,000 square feet of office/commercial space
- Approximately 500 hotel rooms
- Development of property near four DART light rail stations to create a destination for transit riders

Prospective projects in the Deep Ellum TIF District include the redevelopment of the City Lights Project site, the Continental Gin building, the First Dr. Pepper building, the Knights of Pythias, the old Dallas High School site, and other underutilized commercial and warehousing structures as well as large tracts of vacant land. In addition, unspecified infill development is expected to occur in the District. See **Exhibit I** for conceptual renderings of potential developments in the Deep Ellum TIF District. **Exhibit J** is a conceptual site study of the Deep Ellum TIF District and surrounding area depicting anticipated development nodes, trails, and gateways.

# Exhibit I
# Conceptual Renderings of Potential Projects in the Deep Ellum TIF District

*A conceptual rendering of potential hotel, retail, and residential buildings along Elm Street incorporating the historic Knights of Pythias building. The north side of this project would face the future Deep Ellum light rail station at Good Latimer and Gaston.*

## Exhibit J
## Conceptual Site Study of
## Deep Ellum TIF District




*Note: This conceptual site study includes a larger area than the Deep Ellum TIF District. For specific parcels included in the TIF District refer to Exhibit A, the TIF Boundary Map.*

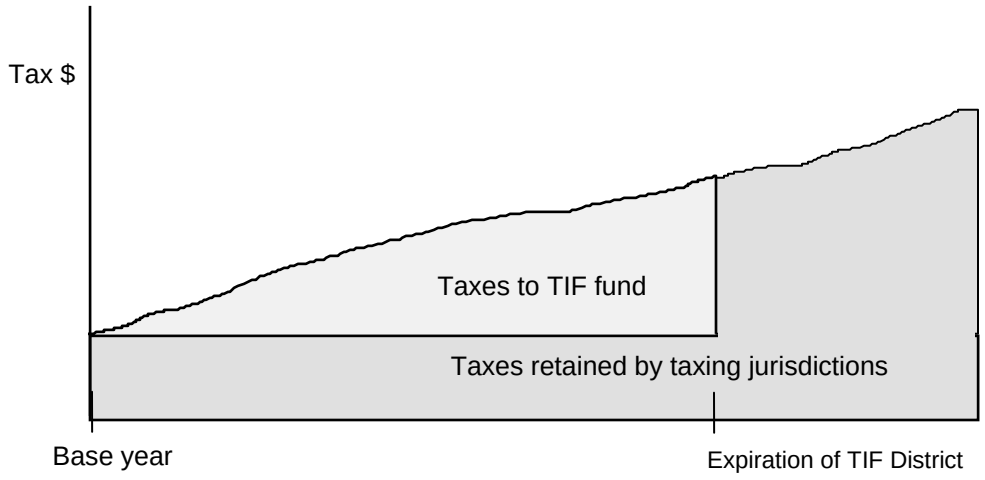
# Section 3:
# Financing Plan

Tax increment financing ("TIF") is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. Public improvements strengthen existing communities and attract investment. The Tax Increment Financing Act is found in Chapter 311 of the Texas Tax Code (the "Act").

The governing body of a municipality may designate an area as a reinvestment zone if the City Council finds that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future. The additional tax dollars generated by growth of real property value flow to a "tax increment financing fund" ("TIF fund") for a specified term of years. Money flowing to the TIF fund each year is then disbursed according to the Project Plan approved by the TIF board and the City Council, as prescribed by the Act and the ordinance designating the reinvestment zone. The TIF fund may be used to make grants in furtherance of the development for the District and for public improvements within the reinvestment zone. TIF funds may also be used for public improvements at places of public assembly, such as a park, or for affordable housing, even though outside the zone.

The illustration below shows how taxes from real properties in a TIF zone flow to a taxing jurisdiction and to a TIF fund. This assumes real property values in the TIF zone rise soon after the zone's designation.

## Real Property Tax Flow with Tax Increment Financing




Inclusion of property in a TIF district does not change tax rates for the property. Tax rates in a TIF zone are the same as tax rates outside the zone and within the same set of taxing jurisdictions.

Once the public improvements are completed and paid for, the TIF is dissolved and the full amount of the taxes collected in the area are kept by the taxing jurisdictions. In effect, the taxing jurisdictions are "investing" future earnings to receive the benefit of higher tax revenues from new development. Also, taxing jurisdictions are not restricted from raising their tax rates during the life of the zone.

**Financing Plan**

The Reinvestment Zone Financing Plan provides for incremental financing, and predicts revenues for the Deep Ellum TIF District.

## Exhibit K
## TIF Project Plan Improvements

The project principal costs in **Exhibit K** are expressed as if paid in 2006. Cash for most of these expenditures will not be drawn until subsequent years.

Financing Method. The City's current policy for financing TIF projects is for private groups to advance funds for public improvements in the reinvestment zone or to have funds paid directly from the Deep Ellum TIF District Fund as funds become available. The City has financed the vast majority of its prior TIF District projects on a pay-as-you-go basis. Advances, plus applicable interest, may be repaid by the future cash flows to the Deep Ellum TIF District fund, if and when funds are available. The typical interest rate used to repay developer advances has been the fixed rate for a TIF Bond with a 15-year payout level debt service and a "Baa" credit rating on the date the development agreement is authorized by City Council. This method is subject to City policy with the assistance of its financial advisor. Taxing jurisdictions do not guarantee these reimbursements with funding from any other source.

The City may negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of projects within the TIF District, using any financial instrument, subject to City Council approval of the note or credit line or issue bonds or other obligations for eligible TIF expenditures.

The City may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the District, eliminating unemployment and underemployment in the District, and developing or expanding transportation, business, and commercial activity in the District, including programs to make grants and loans from the tax increment fund of the District in an aggregate amount not to exceed the amount of the tax increment produced by the municipality and paid into the tax increment fund for the District.

Financing Policy and Long Term Financing. The goal of the Deep Ellum TIF District is to leverage increment accrued to maximize development in the District.

Expected Revenues. **Exhibit L** is a list of developments anticipated in the Deep Ellum TIF District through 2027. Some of the identified developments may not occur, while other development projects likely may replace them. This schedule represents the best estimate of anticipated development in the area. Actual timing, floor area, uses and other attributes of the identified developments may differ from the schedule.

Unit values supporting appraisal estimates in **Exhibit L** are based on observations of values assigned to comparable developments by the Dallas Central Appraisal District (DCAD). Actual construction costs or trading prices may differ. Because tax increments are measured by DCAD values, these are the relevant measures of value for a TIF financing plan. To show the reasonableness of appraisal estimates in this plan, **Exhibit M** presents 2005 appraisals by DCAD of properties near the TIF District that are believed to be similar to the forecasted development.

The sites anticipated for redevelopment with the Deep Ellum TIF District may constitute most of the redevelopment in the District through 2027, although some unnamed sites will inevitably substitute for listed sites. Further redevelopment after 2027 is likely, but is not forecasted in this analysis for two reasons: (1) Tax increments are estimated to flow to the TIF zone for only twenty years; (2) Forecasts further into the future are only marginally reliable.

Based on the development projects identified in **Exhibit L** and other stated assumptions, **Exhibit N** estimates annual City and County real property taxes from the TIF District and annual percentages and amounts of the real property tax growth increment reinvested each year in the Deep Ellum TIF District fund. Cumulative increased property value is expected to reach approximately $997 million during the 22-year term of the TIF District. Because the TIF fund receives revenue only from the taxable value which exceeds the base year, “captured” taxable value accruing to the Deep Ellum TIF District is approximately $883 million. This includes approximately $731 million in increased taxable value attributable to new private investment and $152 million in increased taxable value due to property appreciation.

Projections assume an 85% reinvestment rate for the City and 55% for Dallas County with a maximum term of twenty two years or until the Project Cost Budget of $30.0 million is reached. The City and County did not participate during the first two years of the TIF District term, allowing the general fund to collect full revenue. The final terms of participating taxing jurisdictions’ contributions of tax increment shall be set forth in interlocal participation agreements between the City and County.

# Exhibit L

# Anticipated Redevelopment Projects in Deep Ellum TIF District

Assumptions:

Development assumptions, appraisal estimates, and timing are by Stein Planning & Management and City of Dallas, Office of Economic Development.
Site location numbers in column (c) are from Exhibit D-1 the Deep Ellum TIF District Anticipated Development Project Map.
Appraisal estimates are adjusted for inflation at 3% annually.
Construction costs, values and appraised values are not necessarily the same.
Development plans are subject to change.

| (a) | (b) | (c) | (i) | (d) | (e) | (f) | (g) | (h) | (j) |
|---|---|---|---|---|---|---|---|---|---|
| Concept | Location | Site Location from Exhibit D-1 | Assumed Complete Before Jan. 1, | Estimated Floor Area (SF) | Est. Total Appraised Value per SF of Floor Area | Estimated Total Appraised Value (2005 Dollars) | Less Est. Existing Appraisal of Site (2005 Dollars) | Net Appraised Value Added (2005 Dollars) | Net Addition to Roll at Completion; Pre-completion Inflation = 3.00% |
| Villas of Commerce (loft townhomes) | Commerce/Exposition/Benson/ | 1 | 2007 | 18,000 | $120 | $2,160,000 | $325,000 | $1,835,000 | $1,946,752 |
| Bill Reed Building (residential, office) | First/Canton/Second | 10 | 2008 | 50,000 | $70 | $3,500,000 | $700,000 | $2,800,000 | $3,059,636 |
| Ambrose (lofts and retail) | Indiana Street between Malcolm X and | 2 | 2008 | 240,000 | $80 | $19,200,000 | $1,100,000 | $18,100,000 | $19,778,359 |
| Olympia Arts | Eastside/Hill | | 2008 | 18,000 | $100 | $1,800,000 | $100,000 | $1,700,000 | $1,857,636 |
| Sandbar (restaurant infill) | 317 S 2nd Ave | | 2013 | 3,000 | $167 | $975,000 | $503,208 | $471,792 | $485,946 |
| Reel FX Rennovation & Streetscaping | 301 N Crowdus at Indiana to Elm | | 2015 | 101,720 | $85 | $8,646,200 | $5,358,840 | $3,287,360 | $3,487,560 |
| Deep Ellum Renovations - Rohrman | Varies | | 2015 | 50,000 | $100 | $5,000,000 | $1,000,000 | $4,000,000 | $4,243,600 |
| City Lights Ph I | Live Oak & Good Latimer | 6 | 2015 | 425,000 | $89 | $37,825,000 | $2,533,900 | $35,291,100 | $38,563,538 |
| Crozier Tech site | Live Oak & Pearl | | 2016 | 350,000 | $120 | $42,000,000 | $1,000,000 | $41,000,000 | $44,801,807 |
| Deep Ellum Renovations - Rohrman | Varies | | 2016 | 50,000 | $100 | $5,000,000 | $1,000,000 | $4,000,000 | $4,370,908 |
| City Lights Ph II | Live Oak & Good Latimer | 6 | 2017 | 332,000 | $89 | $29,548,000 | $2,967,590 | $26,580,410 | $29,916,486 |
| Deep Ellum Renovations - Rohrman | Varies | | 2017 | 50,000 | $100 | $5,000,000 | $1,000,000 | $4,000,000 | $4,502,035 |
| Continental Gin (school) | 3309 Elm (Continental Gin historic district) | 3 | 2017 | 60,000 | $80 | $4,800,000 | $500,000 | $4,300,000 | $6,130,772 |
| Lofts, retail | Good Latimer/Swiss/Pacific | 11 | 2017 | 420,000 | $90 | $37,800,000 | $2,500,000 | $35,300,000 | $50,329,359 |
| Deep Ellum Renovations - Rohrman | Varies | | 2018 | 50,000 | $100 | $5,000,000 | $1,000,000 | $4,000,000 | $4,637,096 |
| Loft residences | Exposition/Commerce | 9 | 2018 | 100,000 | $80 | $8,000,000 | $1,500,000 | $6,500,000 | $9,545,469 |
| Knights of Pythias Building (Upscale boutique hotel 170 rooms + surrounding mixed use) | Knights of Pythias Building Elm @ Good-Latimer | 6 | 2019 | 500,000 | $120 | $60,000,000 | $3,000,000 | $57,000,000 | $68,060,981 |
| Deep Ellum Renovations - Rohrman | Varies | | 2019 | 50,000 | $100 | $5,000,000 | $1,000,000 | $4,000,000 | $4,776,209 |
| City Lights Ph III | Live Oak & Good Latimer | 6 | 2019 | 210,000 | $89 | $18,690,000 | $1,878,240 | $16,811,760 | $20,074,121 |
| Mixed-Use | Pacific/Hawkins | | 2019 | 200,000 | $89 | $17,800,000 | $2,267,320 | $15,532,680 | $18,546,832 |
| Mixed-use | Unspecified infill | N/A | 2019 | 100,000 | $90 | $9,000,000 | $1,500,000 | $7,500,000 | $11,344,423 |
| First Dr. Pepper Building (residential, retail, office) | Second/Hickory/Trunk/Canton | 5 | 2019 | 110,000 | $70 | $7,700,000 | $700,000 | $7,000,000 | $10,588,128 |
| Residences | Unspecified infill | | 2020 | 100,000 | $80 | $8,000,000 | $1,500,000 | $6,500,000 | $10,126,788 |
| Service Center Site | Varies | | 2020 | 125,000 | $120 | $15,000,000 | $0 | $15,000,000 | $18,448,108 |
| Deep Ellum Renovations - Rohrman | Varies | | 2020 | 50,000 | $100 | $5,000,000 | $1,000,000 | $4,000,000 | $4,919,495 |
| Mixed-use | Parry/First | N/A | 2020 | 100,000 | $90 | $9,000,000 | $1,500,000 | $7,500,000 | $11,684,756 |
| Benson Willow Townhomes | 3917 Willow and 3900-3916 Benson | 4 | 2020 | 120,000 | $120 | $14,400,000 | $800,000 | $13,600,000 | $21,188,357 |
| Lofts | Pacific/Good Latimer | | 2021 | 200,000 | $100 | $20,000,000 | $904,520 | $19,095,480 | $24,189,583 |
| Service Center Site | Varies | | 2021 | 125,000 | $120 | $15,000,000 | $0 | $15,000,000 | $19,001,551 |
| Small upscale boutique hotel (80 rooms), retail, residential | Elm/Main/Hall/Trunk | 7 | 2021 | 130,000 | $120 | $15,600,000 | $2,000,000 | $13,600,000 | $21,824,008 |
| Residences | Eastside/Hill | 12 | 2021 | 60,000 | $80 | $4,800,000 | $1,000,000 | $3,800,000 | $6,097,884 |
| Office | unspecified infill | | 2021 | 90,000 | $50 | $4,500,000 | $3,863,810 | $636,190 | $1,020,898 |
| Service Center Site | Varies | | 2022 | 125,000 | $120 | $15,000,000 | $0 | $15,000,000 | $19,571,598 |
| Mixed-use | Unspecified infill | 8 | 2022 | 200,000 | $105 | $21,000,000 | $1,500,000 | $19,500,000 | $32,230,529 |
| Service Center Site | Varies | | 2023 | 450,000 | $120 | $54,000,000 | $0 | $54,000,000 | $72,571,484 |
| Upscale retail and food service | Unspecified infill | N/A | 2023 | 100,000 | $100 | $10,000,000 | $1,500,000 | $8,500,000 | $14,470,681 |

# Exhibit M
# Comparable Developments based on DCAD Appraisals

Information is for the year noted.
The purpose of this schedule is to relate actual appraisals and other quantitative measures of comparable development in the metropolitan area.
Building floor area measurements exclude parking garages. Improvement appraisals include garages.

| (a) Development Name | (b) Address | | (c) Improvements | (d) Land | (e) Total Value | (f) Bldg. SF | (g) Imp. per BSF | (h) Land SF | (i) Land per LSF | (j) Total per BSF | (k) FAR | Year |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Mixed use centers** | | | | | | | | | | | | |
| The Crescent | 500 Crescent | Dallas | $245,180,080 | $25,984,920 | $271,165,000 | 1,722,192 | $142 | 433,082 | $60 | $157 | 3.98 | 2005 |
| Mockingbird Station | 5307 Mockingbird | Dallas | $77,490,670 | $11,386,140 | $88,876,810 | 565,675 | $137 | 379,538 | $30 | $157 | 1.49 | 2005 |
| West Village | | Dallas | $35,971,000 | $7,957,620 | $43,928,620 | 315,653 | $114 | 282,513 | $28 | $139 | 1.12 | 2005 |
| Galleria mall and department stores | | Dallas | $221,530,810 | $42,779,370 | $264,310,180 | 1,722,681 | $129 | 1,222,267 | $35 | $153 | 1.41 | 2005 |
| Westin Galleria Hotel | | Dallas | $50,789,810 | $4,210,190 | $55,000,000 | 473,645 | $107 | 120,291 | $35 | $116 | 3.94 | 2005 |
| Galleria office buildings | | Dallas | $115,140,300 | $12,908,500 | $128,048,800 | 1,535,614 | $75 | 368,814 | $35 | $83 | 4.16 | 2005 |
| Galleria vacant land | | Dallas | $0 | $1,558,100 | $1,558,100 | 0 | | 98,441 | $16 | | 0.00 | 2005 |
| Galleria grand total | | Dallas | $387,460,920 | $61,456,160 | $448,917,080 | 3,731,940 | $104 | 1,809,813 | $34 | $120 | 2.06 | |
| **Retail centers** | | | | | | | | | | | | |
| One-Stop Mini-Mart | 2324 McKinney | Dallas | $576,860 | $1,423,080 | $1,999,940 | 3,509 | $164 | 23,718 | $60 | $570 | 0.15 | 2005 |
| Lincoln Park (retail with. grocery) | 7700 W. Northwest | Dallas | $36,215,560 | $11,299,680 | $47,515,240 | 153,642 | $236 | 502,208 | $23 | $309 | 0.31 | 2005 |
| Knox Park Village | 3001 Knox | Dallas | $17,796,280 | $2,798,910 | $20,595,190 | 81,893 | $217 | 87,172 | $32 | $251 | 0.94 | 2005 |
| Highland Park Village total | | High. Park | $33,687,570 | $19,586,920 | $53,274,490 | 230,948 | $146 | 497,455 | $39 | $231 | 0.46 | 2005 |
| Best Buy, CompUSA, Office Max | 9358 N. Central | Dallas | $15,455,230 | $9,544,770 | $25,000,000 | 184,996 | $84 | 636,318 | $15 | $135 | 0.29 | 2005 |
| Office Max, Ross, etc. | 2415 N. Haskell | Dallas | $6,042,190 | $2,901,100 | $8,943,290 | 92,426 | $65 | 290,110 | $10 | $97 | 0.32 | 2005 |
| Target | 2417 N. Haskell | Dallas | $3,426,210 | $3,873,790 | $7,300,000 | 128,688 | $27 | 387,379 | $10 | $57 | 0.33 | 2005 |
| **Grocery stores** | | | | | | | | | | | | |
| Whole Foods Market | 4100 Lomo Alto | Dallas | $3,488,800 | $1,775,900 | $5,264,700 | 35,600 | $98 | 70,236 | $25 | $148 | 0.51 | 2005 |
| Kroger Signature | 5665 E. Mockingbird | Dallas | $578,210 | $6,282,830 | $6,861,040 | 79,228 | $7 | 349,046 | $18 | $87 | 0.23 | 2005 |
| **Office buildings** | | | | | | | | | | | | |
| 2100 McKinney | 2100 McKinney | Dallas | $57,474,900 | $8,189,460 | $65,664,360 | 374,654 | $153 | 136,491 | $60 | $175 | 2.74 | 2005 |
| Chase Tower | 2200 Ross | Dallas | $158,281,210 | $2,799,830 | $161,081,040 | 1,250,000 | $127 | 111,993 | $25 | $129 | 11.16 | 2005 |
| Trammell Crow Center | 2001 Ross | Dallas | $141,253,560 | $2,851,440 | $144,105,000 | 1,245,324 | $113 | 95,048 | $30 | $116 | 13.10 | 2005 |
| Fountain Place | 1445 Ross | Dallas | $127,473,260 | $2,247,740 | $129,721,000 | 1,297,418 | $98 | 78,848 | $29 | $100 | 16.45 | 2005 |
| 1845 Woodall Rodgers | 1845 Woodall Rodgers | Dallas | $10,027,320 | $2,171,400 | $12,198,720 | 185,007 | $54 | 36,190 | $60 | $66 | 5.11 | 2005 |
| **Residences** | | | | | | | | | | | | |
| 1999 McKinney condos (62) | 1999 McKinney | Dallas | $32,925,450 | $1,309,414 | $34,234,864 | 175,482 | $188 | 29,098 | $45 | $195 | 6.03 | 2004 |
| | | | (Improvement figures are estimates based on 100% of three middle floors.) | | | | | | | | | |
| Portobello townhouse condo unit | 33xx Blackburn | Dallas | $415,870 | $59,130 | $475,000 | 2,606 | $160 | N.A. | N.A. | $182 | N.A. | 2004 |
| Live Oak Lofts condos (113) | 2502 Live Oak | Dallas | $15,615,100 | $1,030,560 | $16,645,660 | 104,167 | $150 | 68,704 | $15 | $160 | 1.52 | 2004 |
| | | | (Improvement figures are estimates based on 9 units at middle of DCAD listing) | | | | | | | | | |
| Travis Terrace townhouse condo | 39xx Travis | Dallas | $400,610 | $42,420 | $443,030 | 2,782 | $144 | 2,121 | $20 | $159 | 1.31 | 2004 |
| Lincoln Park | 5445 Caruth Haven | Dallas | $35,455,780 | $9,544,220 | $45,000,000 | 395,377 | $90 | 636,281 | $15 | $114 | 0.62 | 2004 |
| Heights of State Thomas | 3015 State | Dallas | $14,616,920 | $3,921,090 | $18,538,010 | 173,545 | $84 | 122,534 | $32 | $107 | 1.42 | 2005 |
| Knox Travis Park | 4611 Travis | Dallas | $12,692,040 | $537,960 | $13,230,000 | 137,331 | $92 | 26,898 | $20 | $96 | 5.11 | 2005 |
| The Abbey | 2521 Worthington | Dallas | $3,380,550 | $944,450 | $4,325,000 | 48,082 | $70 | 29,514 | $32 | $90 | 1.63 | 2005 |
| Jefferson at Gaston | 2752 Gaston | | $26,158,960 | $4,665,280 | $30,824,240 | 417,815 | $63 | 548,856 | $9 | $74 | 0.76 | 2005 |
| Rovello | 2610 Allen | Dallas | $24,622,260 | $4,727,740 | $29,350,000 | 397,294 | $62 | 132,117 | $36 | $74 | 3.01 | 2005 |
| Gables Concord | 3003 Bookhout | Dallas | $5,175,800 | $4,755,420 | $9,931,220 | 138,390 | $37 | 158,514 | $30 | $72 | 0.87 | 2005 |
| Gables at Routh (Mirabella) | 2600 Cole | Dallas | $7,325,870 | $2,736,590 | $10,062,460 | 142,507 | $51 | 60,813 | $45 | $71 | 2.34 | 2005 |
| Uptown Village | | Dallas | $29,356,860 | $11,037,660 | $40,394,520 | 570,793 | $51 | 328,315 | $34 | $71 | 1.74 | 2005 |
| Jefferson at the North End | 2323 N. Field | Dallas | $27,940,320 | $16,395,540 | $44,335,860 | 623,997 | $45 | 468,444 | $35 | $71 | 1.33 | 2005 |
| Block 588 Condos | 3110 Thomas | Dallas | $14,363,550 | $1,636,450 | $16,000,000 | 229,074 | $63 | 51,139 | $32 | $70 | 4.48 | 2005 |
| Kirby Building | | Dallas | $12,950,000 | $1,800,000 | $14,750,000 | 209,223 | $62 | 30,000 | $60 | $70 | 6.97 | 2005 |
| Davis Building | 1309 Main | Dallas | $14,860,940 | $873,000 | $15,733,940 | 241,481 | $62 | 14,550 | $60 | $65 | 16.60 | 2005 |
| AMLI at Bryan Street | | Dallas | $20,462,860 | $3,847,140 | $24,310,000 | 375,461 | $55 | 298,880 | $13 | $65 | 1.26 | 2005 |
| Majestic Lofts Residences | 1900 Elm | Dallas | $6,553,000 | $1,200,000 | $7,753,000 | 126,000 | $52 | 20,000 | $60 | $62 | 6.30 | 2005 |
| Camden Farmers Market | 2210 Canton | Dallas | $16,231,940 | $5,676,390 | $21,908,330 | 381,441 | $43 | 306,832 | $18 | $57 | 1.24 | 2005 |
| Heights of State Thomas | 3110 Thomas | Dallas | $14,363,550 | $1,636,450 | $16,000,000 | 299,362 | $48 | 51,139 | $32 | $53 | 5.85 | 2005 |
| Wilson Building | 1623 Main | Dallas | $8,985,000 | $1,740,000 | $10,725,000 | 250,778 | $36 | 29,000 | $60 | $43 | 8.65 | 2005 |
| **Hotels** | | | | | | | | | | | | |
| The Mansion on Turtle Creek | 2821 Turtle Creek | Dallas | $16,504,580 | $5,495,420 | $22,000,000 | 82,976 | $199 | 157,012 | $35 | $265 | 0.53 | 2005 |
| Hotel Zaza | 2332 Leonard | Dallas | $16,821,580 | $2,901,120 | $19,722,700 | 102,010 | $165 | 48,639 | $60 | $193 | 2.10 | 2005 |
| Hotel St. Germain | 2516 Maple | Dallas | $359,600 | $540,400 | $900,000 | 8,273 | $43 | 15,440 | $35 | $109 | 0.54 | 2005 |
| Hyatt Regency Hotel | | Dallas | $62,744,660 | $7,785,210 | $70,529,870 | 657,212 | $95 | 543,964 | $14 | $107 | 1.21 | 2004 |
| Adam's Mark Hotel | | Dallas | $75,102,350 | $7,877,820 | $82,980,170 | 827,534 | $91 | 230,258 | $34 | $100 | 3.59 | 2005 |
| Fairmont Hotel | | Dallas | $20,637,480 | $2,778,020 | $23,415,500 | 579,037 | $36 | 99,215 | $28 | $40 | 5.84 | 2005 |
| **Health** | | | | | | | | | | | | |
| Cooper Aerobics Center | | Dallas | $9,345,990 | $8,986,280 | $18,332,270 | 203,725 | $46 | 1,069,219 | $8 | $90 | 0.19 | 2005 |

# Exhibit N
# Annual Real Property Appraisals and City/County Tax to the TIF Fund

Assumptions:

City of Dallas is expected to participate in the Deep Ellum TIF District for a period of 19 years beginning in 2008 at a rate of 85%.

Dallas County is expected to participate in the Deep Ellum TIF District for a period of 19 years beginning in 2008 at a rate of 55%.

Tax rate is assumed constant at 2005 rate. Actual rate will vary annually.

Tax appraisals are for Jan. 1 of the year. Levies occur by Sept. 30 of the year. Tax receipts generally occur 12-13 months after appraisal.

Stream of annual investments in TIF reflects intent to retire TIF obligations after 19 years of collections.

Property value estimates assume 1.5% annual property appreciation and 3% annual inflation.

**EXHIBIT N Projected TIF Increment Schedule**

| Tax Year | Property Value Total | Anticipated Captured Value | TIF Contribution City of Dallas | TIF Contribution Dallas County | Total TIF Contribution | TOTAL TIF 2006 NPV @ 4% |
|---|---|---|---|---|---|---|
| **2005** | $107,990,540 | | | | | |
| **Adj Base08** | **$113,885,770** | | | | | |
| **2006** | $114,140,302 | $6,149,762 | $0 | $0 | $0 | |
| **2007** | $119,293,043 | $11,302,503 | $0 | $0 | $0 | |
| **2008** | $151,578,174 | $37,692,404 | $269,407 | $59,926 | $329,333 | $292,776 |
| **2009** | $163,916,711 | $50,030,941 | $322,509 | $70,654 | $393,163 | $628,853 |
| **2010** | $151,873,281 | $37,987,511 | $257,346 | $68,994 | $326,341 | $897,081 |
| **2011** | $149,135,375 | $35,249,605 | $239,543 | $65,394 | $304,937 | $1,138,078 |
| **2012** | $160,159,315 | $46,273,545 | $313,480 | $77,462 | $390,942 | $1,435,161 |
| **2013** | $169,042,489 | $55,156,719 | $373,659 | $73,747 | $447,406 | $1,762,077 |
| **2014** | $171,578,126 | $57,692,356 | $390,837 | $77,138 | $467,974 | $2,090,869 |
| **2015** | $220,446,496 | $106,560,726 | $721,896 | $142,477 | $864,373 | $2,674,809 |
| **2016** | $274,401,090 | $160,515,320 | $1,087,411 | $214,617 | $1,302,028 | $3,520,581 |
| **2017** | $393,639,464 | $279,753,694 | $1,895,191 | $374,045 | $2,269,236 | $4,937,939 |
| **2018** | $418,049,087 | $304,163,317 | $2,060,554 | $406,682 | $2,467,236 | $6,419,697 |
| **2019** | $589,356,203 | $475,470,433 | $3,221,074 | $635,728 | $3,856,802 | $8,646,904 |
| **2020** | $690,064,693 | $576,178,923 | $3,903,324 | $770,380 | $4,673,704 | $11,242,046 |
| **2021** | $709,109,789 | $595,224,019 | $4,032,345 | $795,844 | $4,828,189 | $13,819,856 |
| **2022** | $795,819,605 | $681,933,835 | $4,619,761 | $911,780 | $5,531,540 | $16,659,601 |
| **2023** | $939,415,984 | $825,530,214 | $5,592,554 | $256,061 | $5,848,616 | $19,546,642 |
| **2024** | $953,507,224 | $839,621,454 | $5,688,016 | $0 | $5,688,016 | $22,246,416 |
| **2025** | $967,809,832 | $853,924,062 | $5,784,909 | $0 | $5,784,909 | $24,886,573 |
| **2026** | $982,326,980 | $868,441,210 | $5,883,255 | $0 | $5,883,255 | $27,468,343 |
| **2027** | $997,061,884 | $883,176,114 | $5,983,077 | $0 | $5,983,077 | $29,992,934 |
| **2028** | $1,012,017,813 | $898,132,043 | $0 | $0 | $27,076,123 | $40,978,430 |
| **2029** | $1,027,198,080 | $913,312,310 | $0 | $0 | $27,076,123 | $51,541,407 |
| **2030** | $1,042,606,051 | $928,720,281 | $0 | $0 | $27,076,123 | $61,698,116 |
| **2031** | $1,058,245,142 | $944,359,372 | $0 | $0 | $27,076,123 | $71,464,182 |
| **2032** | $1,074,118,819 | $960,233,049 | $0 | $0 | $27,076,123 | $80,854,630 |
| **2033** | $1,090,230,601 | $976,344,831 | $0 | $0 | $27,076,123 | $89,883,907 |
| **2034** | $1,106,584,060 | $992,698,290 | $0 | $0 | $27,076,123 | $98,565,904 |
| **2035** | $1,123,182,821 | $1,009,297,051 | $0 | $0 | $27,076,123 | $106,913,979 |
| **TOTAL During TIF** | | | **$52,640,149** | **$5,000,928** | **$57,641,077** | **$29,992,934** |

## Financial Assumptions

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions that have been adopted**.**

Inflation. The generally accepted inflation for construction costs and the value of improvements is 3% per annum. Based on current market rates, net present values of the tax increment were calculated at a discount rate of 4% per annum.

Appreciation. Property appreciation is assumed to be 1.5% percent per annum on average.

Tax Rate Changes. Although tax rates will certainly increase during the twenty two year development period, the financial plan conservatively assumes that the 2005 tax rate will remain constant for the life of the Deep Ellum TIF District, except to incorporate tax rate changes when known.

Remittance to the TIF Fund. The proposed duration of the Deep Ellum TIF District is 22 years; it is scheduled to terminate December 31, 2027. The City of Dallas will participate at a rate of 0% in 2006 and 2007 and at a rate of 85% in 2008 and thereafter. Dallas County will participate at a rate of 0% in 2006 and 2007 and at a rate of 55% in 2008 and thereafter. TIF collections will terminate once the TIF budget of $17,677,121 (net present value) has been collected or December 31, 2027, whichever occurs first. Based on current development projections, the TIF budget is expected to be reached in 2026, after nineteen years of collections.

## Financial Feasibility

The private development plans, public improvement program, general financing strategy and financial assumptions were all included in a preliminary assessment prepared by Stein Planning and Management and the City of Dallas, Office of Economic Development. The study is intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011, Texas Tax Code, and is available upon request.

Cumulative private development is expected to increase property value to $693 million during the term of the TIF District. Since the TIF receives revenue only from the taxable value which exceeds the base year, “captured” taxable value accruing to the Deep Ellum TIF District will be approximately $585 million.

If revenues are received at the predicted rate, increment collections will be reached and final project improvements completed by Year 16 of the TIF term.

On a strict “pay-as-you-go” basis, the progress of the public improvements portion of the development program is a direct result of the revenues received and matched by the City’s contributions. Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not meet

expectations, then the pace of public improvements will be slowed or discontinued altogether based upon the advice of the Board of Directors and the approval of the City Council.

The Reinvestment Zone Financing Plan provides that the City and County will begin to realize additional revenues from the TIF in Year 16 of the program.

Based upon a set of TIF District assumptions and analysis, the preliminary project plan and reinvestment zone financing plan is feasible.

**Financial Policies**

General financial policies are governed by the City of Dallas Public/Private Partnership Program that was first approved by the City Council on March 13, 1996. This program provides a framework for development incentives in a variety of areas. Within this framework the Deep Ellum Board of Directors has adopted specific policies for the Deep Ellum TIF District:

- Public improvements will be phased at a pace that coincides with private development.

- Private developers desiring City participation in sharing the costs of infrastructure improvements needed for their projects must sign a Development Agreement with the City.

- Each Development Agreement is mutually exclusive - that is, the nature and extent of support from public funds may change over time as the District becomes more developed.

- The City may negotiate with financial institutions to secure notes or lines of credit to aid in the funding of projects within the TIF District, using any financial instrument, subject to City Council approval, or may issue certificates of obligation or TIF bonds for projects as described earlier in the Project Plan.

- If a developer requests funding for infrastructure improvements at a time when sufficient funds are not available in the TIF Reserve Fund, then improvements may be:
    - ~ deferred until funds are available
    - ~ constructed at the sole expense of the developer
    - ~ constructed at developer expense, with the City reimbursing the developer (with applicable interest) as funds become available

- Should project costs be paid that directly benefit the developer of a project, such as grants made to a developer as permitted by Chapter 311, Texas Tax Code,

the City will enact and implement controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the economy of the Deep Ellum TIF District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

The Deep Ellum TIF Board may from time-to-time recommend amendments to these financial policies which will affect the operations of the TIF District.

The City reserves the right to amend this plan to provide for the establishment of a "sales tax increment" collection process, as permitted by Chapter 311, Texas Tax Code.

**Other Financial Benefits**

During the twenty-two year TIF term, approximately 650,000 square feet of retail, restaurant and event space, 850,000 square feet of commercial/office space, 500 hotel rooms, and over 3,500 residential units are expected to be developed within the boundaries of the Deep Ellum TIF District.

Because the City and DART each have a one percent sales tax and the City also has a nine percent hotel tax and business personal property tax, this generates additional municipal revenue. **Exhibit N** estimates additional City and DART sales tax attributed to the anticipated retail development. By 2027, the City and DART will each receive roughly $22.9 million (net present value) in incremental sales tax revenue from the Deep Ellum TIF District. **Exhibit O** estimates additional City hotel tax and business personal property tax attributed to the anticipated hotel, retail and office development. By 2027, the City will receive approximately $17.0 million (net present value) in incremental hotel and business personal property taxes from the Deep Ellum TIF District.

The Dallas Independent School District is not expected to participate in the Deep Ellum TIF District program. State law governing school funding since September 1999 makes TIF participation generally unattractive for a school district. Nevertheless, the DISD will receive incremental real property and business personal property taxes from the Deep Ellum TIF District (see **Exhibit P**).

**Conclusions**

Based upon a set of assumptions and analysis of the Deep Ellum TIF District Project Plan and Reinvestment Zone Financing Plan, the plan has been determined to be feasible.

# Exhibit O
# Estimated Annual City/DART Sales Tax from Net New Development in the TIF District

Assumptions:
Gross floor areas and timing estimates provided by developer.
All floor area estimates of existing retail centers represent projected net increase in square footage (net gain)
Businesses are assumed operating by July of the previous fiscal year (three months before the indicated fiscal year begins).
Estimated sales per square foot are adjusted annually for inflation at: 3.00%
Sales tax column approximates tax *receipts* in the indicated fiscal year.

| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) | (i) | (i) | (j) | (k) | (l) | (m) | (n) | (o) | (p) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Indiana Lofts | Continental Gin | Benson Willow Townhomes | Dr. Pepper | Knights of Pythias | Boutique Hotel | Elm, Main, Good Latimer, Hall | Indiana, Commerce, Good Latimer, Hall | Rohrman | Exposition, Commerce | Good Latimer, Swiss | Indiana, Canton, Good Latimer, Hall | Indiana, Canton, Good Latimer, Hall | Total | Sales Tax | |
| | Lofts, Retail | Lofts, Retail | Townhomes, Retail | Residential, Retail, | Hotel, Retail | Hotel, Retail | Retail | Retail | Retail | Residential, Retail | Lofts, Retail | Retail, Food | Retail, Food | | | |
| | | | | | | | | | | | | | | | | |
| | Gross Square Feet of Retail Floor Area = | | | | | | | | | | | | | | | |
| | 36,000 | 15,000 | 12,000 | 16,500 | 50,000 | 13,000 | 50,000 | 50,000 | 375,000 | 10,000 | 84,000 | 50,000 | 50,000 | 811,500 | | |
| | Estimated Sales per Gross Square Foot (in 2006 Dollars) = | | | | | | | | | | | | | Total | City Sales Tax | DART Sales Tax |
| Fiscal Year Ended | $225 | $225 | $225 | $225 | $225 | $225 | $250 | $250 | $250 | $225 | $225 | $225 | $225 | Net New Annual Sales Volume | from Net New Sales @ 1.00% | from Net New Sales @ 1.00% |
| September 30, | Percent of Gross Sales Subject to Sales Tax = | | | | | | | | | | | | | | | |
| 2005 | 90% | 90% | 90% | 90% | 90% | 90% | 90% | 90% | 90% | 90% | 90% | 90% | 90% | | | |
| 2006 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| 2007 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| 2008 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 |
| 2009 | $7,965,980 | $3,319,158 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $11,285,138 | $112,851 | $112,851 |
| 2010 | $8,204,959 | $3,418,733 | $2,734,986 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $0 | $14,358,679 | $143,587 | $143,587 |
| 2011 | $8,451,108 | $3,521,295 | $2,817,036 | $3,873,425 | $11,737,650 | $3,051,789 | $13,041,833 | $0 | $0 | $0 | $0 | $0 | $0 | $46,494,136 | $464,941 | $464,941 |
| 2012 | $8,704,641 | $3,626,934 | $2,901,547 | $3,989,627 | $12,089,780 | $3,143,343 | $13,433,088 | $13,433,088 | $100,748,163 | $2,417,956 | $0 | $0 | $0 | $164,488,167 | $1,644,882 | $1,644,882 |
| 2013 | $8,965,780 | $3,735,742 | $2,988,593 | $4,109,316 | $12,452,473 | $3,237,643 | $13,836,081 | $13,836,081 | $103,770,607 | $2,490,495 | $0 | $0 | $0 | $169,422,812 | $1,694,228 | $1,694,228 |
| 2014 | $9,234,754 | $3,847,814 | $3,078,251 | $4,232,596 | $12,826,047 | $3,334,772 | $14,251,163 | $14,251,163 | $106,883,726 | $2,565,209 | $21,547,759 | $0 | $0 | $196,053,255 | $1,960,533 | $1,960,533 |
| 2015 | $9,511,797 | $3,963,249 | $3,170,599 | $4,359,573 | $13,210,828 | $3,434,815 | $14,678,698 | $14,678,698 | $110,090,237 | $2,642,166 | $22,194,192 | $0 | $0 | $201,934,853 | $2,019,349 | $2,019,349 |
| 2016 | $9,797,150 | $4,082,146 | $3,265,717 | $4,490,361 | $13,607,153 | $3,537,860 | $15,119,059 | $15,119,059 | $113,392,945 | $2,721,431 | $22,860,018 | $13,607,153 | $0 | $221,600,052 | $2,216,001 | $2,216,001 |
| 2017 | $10,091,065 | $4,204,610 | $3,363,688 | $4,625,071 | $14,015,368 | $3,643,996 | $15,572,631 | $15,572,631 | $116,794,733 | $2,803,074 | $23,545,818 | $14,015,368 | $0 | $228,248,053 | $2,282,481 | $2,282,481 |
| 2018 | $10,393,797 | $4,330,749 | $3,464,599 | $4,763,824 | $14,435,829 | $3,753,316 | $16,039,810 | $16,039,810 | $120,298,575 | $2,887,166 | $24,252,193 | $14,435,829 | $0 | $235,095,495 | $2,350,955 | $2,350,955 |
| 2019 | $10,705,611 | $4,460,671 | $3,568,537 | $4,906,738 | $14,868,904 | $3,865,915 | $16,521,004 | $16,521,004 | $123,907,532 | $2,973,781 | $24,979,758 | $14,868,904 | $0 | $242,148,360 | $2,421,484 | $2,421,484 |
| 2020 | $11,026,779 | $4,594,491 | $3,675,593 | $5,053,940 | $15,314,971 | $3,981,892 | $17,016,634 | $17,016,634 | $127,624,758 | $3,062,994 | $25,729,151 | $15,314,971 | $15,314,971 | $264,727,781 | $2,647,278 | $2,647,278 |
| 2021 | $11,357,582 | $4,732,326 | $3,785,861 | $5,205,559 | $15,774,420 | $4,101,349 | $17,527,133 | $17,527,133 | $131,453,501 | $3,154,884 | $26,501,026 | $15,774,420 | $15,774,420 | $272,669,615 | $2,726,696 | $2,726,696 |
| 2022 | $11,698,310 | $4,874,296 | $3,899,437 | $5,361,725 | $16,247,653 | $4,224,390 | $18,052,947 | $18,052,947 | $135,397,106 | $3,249,531 | $27,296,057 | $16,247,653 | $16,247,653 | $280,849,703 | $2,808,497 | $2,808,497 |
| 2023 | $12,049,259 | $5,020,525 | $4,016,420 | $5,522,577 | $16,735,082 | $4,351,121 | $18,594,536 | $18,594,536 | $139,459,019 | $3,347,016 | $28,114,938 | $16,735,082 | $16,735,082 | $289,275,194 | $2,892,752 | $2,892,752 |
| 2024 | $12,410,737 | $5,171,140 | $4,136,912 | $5,688,254 | $17,237,135 | $4,481,655 | $19,152,372 | $19,152,372 | $143,642,790 | $3,447,427 | $28,958,386 | $17,237,135 | $17,237,135 | $297,953,450 | $2,979,535 | $2,979,535 |
| 2025 | $12,783,059 | $5,326,275 | $4,261,020 | $5,858,902 | $17,754,249 | $4,616,105 | $19,726,943 | $19,726,943 | $147,952,073 | $3,550,850 | $29,827,138 | $17,754,249 | $17,754,249 | $306,892,054 | $3,068,921 | $3,068,921 |
| 2026 | $13,166,551 | $5,486,063 | $4,388,850 | $6,034,669 | $18,286,876 | $4,754,588 | $20,318,751 | $20,318,751 | $152,390,635 | $3,657,375 | $30,721,952 | $18,286,876 | $18,286,876 | $316,098,815 | $3,160,988 | $3,160,988 |
| 2027 | $13,561,547 | $5,650,645 | $4,520,516 | $6,215,709 | $18,835,483 | $4,897,225 | $20,928,314 | $20,928,314 | $156,962,354 | $3,767,097 | $31,643,611 | $18,835,483 | $18,835,483 | $325,581,780 | $3,255,818 | $3,255,818 |
| **Total for 22 years (2006-2027)** | | | | | | | | | | | | | | **$4,085,177,392** | **$40,851,774** | **$40,851,774** |
| **2006 NPV @ 4%** | | | | | | | | | | | | | | | **$22,858,162** | **$22,858,162** |

# Exhibit P
# Estimated City Hotel Occupancy Tax and Business Personal Property Tax from the Reinvestment Zone

Assumptions:
Date of City receipt of Hotel Occupancy Tax may lag date of earning by 3-4 months.
BPP Tax receipts generally occur 12-13 months after appraisal. Appraisals are for Jan. 1 of the year indicated.
Commercial development includes retail, office, and hotel projects.

| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) |
|---|---|---|---|---|---|---|---|
| | | **City Hotel Occupancy Tax** | | | **City BPP Tax** | | **Total** |
| Year | | Guest Rooms | Annual Room Receipts If 2007 ADR = $120, Inflation = 3%, Occupancy = 70% | Estimated City Hotel Occupancy Tax @ 9.00% | Estimated Square Feet New Commercial Development | Estimated City BPP Tax @ $20 per SF Commercial | Total Estimated City Hotel and BPP Tax |
| Base | 2005 | | | | | | |
| 1 | 2006 | 0 | $0 | $0 | 0 | $0 | $0 |
| 2 | 2007 | 0 | $0 | $0 | 0 | $0 | $0 |
| 3 | 2008 | 0 | $0 | $0 | 51,000 | $6,020 | $6,020 |
| 4 | 2009 | 0 | $0 | $0 | 63,000 | $7,659 | $7,659 |
| 5 | 2010 | 250 | $8,375,752 | $753,818 | 526,000 | $65,865 | $819,683 |
| 6 | 2011 | 250 | $8,627,025 | $776,432 | 636,000 | $82,028 | $858,460 |
| 7 | 2012 | 250 | $8,885,836 | $799,725 | 636,000 | $84,489 | $884,214 |
| 8 | 2013 | 250 | $9,152,411 | $823,717 | 670,000 | $91,676 | $915,393 |
| 9 | 2014 | 250 | $9,426,983 | $848,428 | 670,000 | $94,426 | $942,855 |
| 10 | 2015 | 250 | $9,709,793 | $873,881 | 720,000 | $104,517 | $978,398 |
| 11 | 2016 | 250 | $10,001,086 | $900,098 | 720,000 | $107,653 | $1,007,750 |
| 12 | 2017 | 250 | $10,301,119 | $927,101 | 720,000 | $110,882 | $1,037,983 |
| 13 | 2018 | 500 | $21,220,305 | $1,909,827 | 720,000 | $114,209 | $2,024,036 |
| 14 | 2019 | 500 | $21,856,914 | $1,967,122 | 770,000 | $125,804 | $2,092,926 |
| 15 | 2020 | 500 | $22,512,622 | $2,026,136 | 770,000 | $129,578 | $2,155,714 |
| 16 | 2021 | 500 | $23,188,000 | $2,086,920 | 770,000 | $133,465 | $2,220,385 |
| 17 | 2022 | 500 | $23,883,640 | $2,149,528 | 770,000 | $137,469 | $2,286,997 |
| 18 | 2023 | 500 | $24,600,150 | $2,214,013 | 770,000 | $141,593 | $2,355,607 |
| 19 | 2024 | 500 | $25,338,154 | $2,280,434 | 770,000 | $145,841 | $2,426,275 |
| 20 | 2025 | 500 | $26,098,299 | $2,348,847 | 770,000 | $150,216 | $2,499,063 |
| 21 | 2026 | 500 | $26,881,248 | $2,419,312 | 770,000 | $154,723 | $2,574,035 |
| 22 | 2027 | 500 | $27,687,685 | $2,491,892 | 770,000 | $159,365 | $2,651,256 |
| **Total for 22 Years** | | **-** | **$317,747,024** | **$28,597,232** | **-** | **$2,147,478** | **$30,744,710** |
| **2006 NPV @ 4%** | | **-** | **$175,324,136** | **$15,779,172** | **-** | **$1,236,027** | **$17,015,199** |

# Exhibit Q
# Estimated Annual DISD Real Property and Business Personal Property Tax from the TIF District

Assumptions:

Estimated assessed values and captured appraised values are from a separate schedule.
Taxes are levied in September following the appraisal date. Collections occur in the next fiscal year.
Tax rates are for 2005, although actual rates will vary annually.
Texas school district property tax rates may be reduced by legislative or judicial actions.
This schedule depicts DISD real property and business personal property tax benefits only and does not take into account the effect of state recapture provisions.

| (a) | (b) | (c) | (d) | (e) | (f) | (g) |
|---|---|---|---|---|---|---|
| **DISD Real Property Tax** | | | | **DISD BPP Tax** | | **DISD Total Tax** |
| Appraisal on January 1, | Estimated Total Assessed Value | Estimated Increase in Assessed Real Property (Captured Appraised Value) | Estimated Total RP Tax @ $1.68836 per $100 | Estimated Square Feet New Commercial Development | Estimated Total BPP Tax @ $20 per SF Commercial | Estimated Total DISD Tax from Zone Retained |
| 2005 | $107,990,540 | | | | | |
| 2006 | $114,140,302 | $6,149,762 | $103,830 | 0 | $0 | $103,830 |
| 2007 | $119,293,043 | $11,302,503 | $190,827 | 0 | $0 | $190,827 |
| 2008 | **$113,885,770** | | | | | |
| 2008 | $151,578,174 | $37,692,404 | $636,383 | 51,000 | $13,703 | $650,086 |
| 2009 | $163,916,711 | $50,030,941 | $844,702 | 63,000 | $17,434 | $862,137 |
| 2010 | $151,873,281 | $37,987,511 | $641,366 | 526,000 | $149,931 | $791,297 |
| 2011 | $149,135,375 | $35,249,605 | $595,140 | 636,000 | $186,724 | $781,864 |
| 2012 | $160,159,315 | $46,273,545 | $781,264 | 636,000 | $192,325 | $973,589 |
| 2013 | $169,042,489 | $55,156,719 | $931,244 | 670,000 | $208,685 | $1,139,929 |
| 2014 | $171,578,126 | $57,692,356 | $974,055 | 670,000 | $214,946 | $1,189,000 |
| 2015 | $220,446,496 | $106,560,726 | $1,799,129 | 720,000 | $237,916 | $2,037,045 |
| 2016 | $274,401,090 | $160,515,320 | $2,710,076 | 720,000 | $245,054 | $2,955,130 |
| 2017 | $393,639,464 | $279,753,694 | $4,723,249 | 720,000 | $252,405 | $4,975,655 |
| 2018 | $418,049,087 | $304,163,317 | $5,135,372 | 720,000 | $259,977 | $5,395,349 |
| 2019 | $589,356,203 | $475,470,433 | $8,027,653 | 770,000 | $286,372 | $8,314,025 |
| 2020 | $690,064,693 | $576,178,923 | $9,727,974 | 770,000 | $294,963 | $10,022,938 |
| 2021 | $709,109,789 | $595,224,019 | $10,049,524 | 770,000 | $303,812 | $10,353,337 |
| 2022 | $795,819,605 | $681,933,835 | $11,513,498 | 770,000 | $312,927 | $11,826,425 |
| 2023 | $939,415,984 | $825,530,214 | $13,937,922 | 770,000 | $322,315 | $14,260,236 |
| 2024 | $953,507,224 | $839,621,454 | $14,175,833 | 770,000 | $331,984 | $14,507,817 |
| 2025 | $967,809,832 | $853,924,062 | $14,417,312 | 770,000 | $341,943 | $14,759,256 |
| 2026 | $982,326,980 | $868,441,210 | $14,662,414 | 770,000 | $352,202 | $15,014,616 |
| 2027 | $997,061,884 | $883,176,114 | $14,911,192 | 770,000 | $362,768 | $15,273,960 |
| **Total for 22 years (2006-2027)** | | | **$131,489,961** | **-** | **$4,888,387** | **$136,378,347** |
| **2006 NPV @ 4%** | | | **$67,758,520** | **-** | **$2,813,615** | **$70,572,135** |

# Exhibit R
# 2013 DCAD Real Property Accounts Added in the Deep Ellum TIF District as Amended, September 10, 2014

| ACCT | Property Address | EXEMPT | TAX VALUE | TOTAL VALUE | IMPRVMTS | LAND VALUE |
|---|---|---|---|---|---|---|
| 00000103987000000 | 2821 TAYLOR ST | X | $0 | $93,750 | $0 | $93,750 |
| 00000103990000000 | 2817 TAYLOR ST | X | $0 | $93,750 | $0 | $93,750 |
| 00000103984000000 | 2803 TAYLOR ST | X | $0 | $1,162,000 | $912,000 | $250,000 |
| 00025900000000100 | 538 PEARL ST | X | $0 | $1,865,110 | $0 | $1,865,110 |
| 00000129352000000 | 3016 ELM ST | | $105,000 | $105,000 | $0 | $105,000 |
| 00000129364000000 | 3012 ELM ST | | $73,500 | $73,500 | $0 | $73,500 |
| 00000129355000000 | 3008 ELM ST | | $167,590 | $167,590 | $27,330 | $140,260 |
| 00000110956000000 | 2936 ELM ST | | $240,240 | $240,240 | $136,240 | $104,000 |
| 00000129370000000 | 3015 MAIN ST | | $132,300 | $132,300 | $57,300 | $75,000 |
| 00000110959000000 | 2928 ELM ST | | $116,000 | $116,000 | $0 | $116,000 |
| 00000129331000000 | 3013 MAIN ST | | $184,900 | $184,900 | $147,400 | $37,500 |
| 00000110962000000 | 2920 ELM ST | | $403,850 | $403,850 | $246,850 | $157,000 |
| 00000129325000000 | 3011 MAIN ST | | $2,824 | $83,530 | $38,530 | $45,000 |
| 00000110965000000 | 2918 ELM ST | | $100,000 | $100,000 | $0 | $100,000 |
| 00000129361000000 | 3000 ELM ST | | $413,910 | $413,910 | $137,970 | $275,940 |
| 00000110968000000 | 2912 ELM ST | | $100,000 | $100,000 | $0 | $100,000 |
| 00000110974000000 | 2912 ELM ST | | $125,600 | $125,600 | $75,600 | $50,000 |
| 00000110971000000 | 2908 ELM ST | | $50,000 | $50,000 | $0 | $50,000 |
| 00000110953000000 | 2944 ELM ST | | $200,630 | $200,630 | $100,630 | $100,000 |
| 00000110980000000 | 2939 MAIN ST | | $71,960 | $71,960 | $8,580 | $63,380 |
| 00000110983000000 | 2933 MAIN ST | | $66,510 | $66,510 | $2,380 | $64,130 |
| 00000110986000000 | 2931 MAIN ST | | $75,000 | $75,000 | $0 | $75,000 |
| 00000110989000000 | 2929 MAIN ST | | $112,500 | $112,500 | $0 | $112,500 |
| 00000110920000000 | 2818 ELM ST | | $119,930 | $119,930 | $19,930 | $100,000 |
| 00000110992000000 | 2913 MAIN ST | | $48,000 | $48,000 | $0 | $48,000 |
| 00000110923000000 | 2816 ELM ST | | $148,560 | $148,560 | $48,560 | $100,000 |
| 00000110995000000 | 2911 MAIN ST | | $63,000 | $63,000 | $0 | $63,000 |
| 00000110998000000 | 2911 MAIN ST | | $270,000 | $270,000 | $193,500 | $76,500 |
| 00000129400000000 | 3023 COMMERCE ST | | $635,460 | $635,460 | $368,310 | $267,150 |
| 00000110926000000 | 2810 ELM ST | | $165,000 | $165,000 | $65,000 | $100,000 |
| 00000129382000000 | 3018 MAIN ST | | $51,840 | $51,840 | $0 | $51,840 |
| 00000111001000000 | 2911 MAIN ST | | $168,000 | $168,000 | $0 | $168,000 |
| 00000129379000000 | 3014 MAIN ST | | $66,900 | $66,900 | $29,400 | $37,500 |
| 00000110977000000 | 2906 ELM ST | | $156,000 | $156,000 | $0 | $156,000 |
| 00000129388000000 | 3010 MAIN ST | | $37,500 | $37,500 | $0 | $37,500 |
| 00000104158000000 | 3010 MAIN ST | | $250,000 | $250,000 | $175,000 | $75,000 |
| 00000110890000000 | 2724 ELM ST | | $422,380 | $422,380 | $302,600 | $119,780 |

| | | | | | |
|---|---|---|---|---|---|
| 00000110917000000 | 2826 ELM ST | $176,800 | $176,800 | $59,040 | $117,760 |
| 00000110935000000 | 2825 MAIN ST | $52,500 | $52,500 | $0 | $52,500 |
| 00000104161000000 | 3004 MAIN ST | $153,790 | $153,790 | $33,790 | $120,000 |
| 00000110938000000 | 2823 MAIN ST | $380,710 | $380,710 | $305,710 | $75,000 |
| 00000110941000000 | 2821 MAIN ST | $130,000 | $130,000 | $55,000 | $75,000 |
| 00000129394000000 | 3033 COMMERCE ST | $24,000 | $24,000 | $0 | $24,000 |
| 00000110944000000 | 2815 MAIN ST | $120,000 | $120,000 | $45,000 | $75,000 |
| 00000110893000000 | 2720 ELM ST | $590,900 | $590,900 | $106,780 | $484,120 |
| 00000110947000000 | 2809 MAIN ST | $164,980 | $164,980 | $89,980 | $75,000 |
| 00000110929000000 | 2806 ELM ST | $200,000 | $200,000 | $0 | $200,000 |
| 00000103744000000 | 2650 ELM ST | $89,780 | $89,780 | $39,780 | $50,000 |
| 00000104159000000 | 3017 COMMERCE ST | $80,000 | $80,000 | $510 | $79,490 |
| 00000103687000000 | 2644 ELM ST | $132,220 | $132,220 | $82,220 | $50,000 |
| 00000110950000000 | 2803 MAIN ST | $230,000 | $230,000 | $80,000 | $150,000 |
| 00000104173000000 | 3009 COMMERCE ST | $178,530 | $178,530 | $127,780 | $50,750 |
| 00000103699000000 | 2638 ELM ST | $145,000 | $145,000 | $45,000 | $100,000 |
| 00000110905000000 | 2715 MAIN ST | $242,590 | $242,590 | $39,590 | $203,000 |
| 00000103714000000 | 2634 ELM ST | $178,570 | $178,570 | $128,570 | $50,000 |
| 00000103651000000 | 2634 ELM ST | $50,000 | $50,000 | $0 | $50,000 |
| 00000104170000000 | 3005 COMMERCE ST | $264,000 | $330,000 | $280,000 | $50,000 |
| 00000104164000000 | 3000 MAIN ST | $316,800 | $316,800 | $226,800 | $90,000 |
| 00000103654000000 | 2628 ELM ST | $100,000 | $100,000 | $0 | $100,000 |
| 00000110908000000 | 2707 MAIN ST | $273,000 | $273,000 | $173,000 | $100,000 |
| 00000104020000000 | 2900 MAIN ST | $75,000 | $75,000 | $0 | $75,000 |
| 00000129385000000 | 111 HALL ST | $91,890 | $91,890 | $57,890 | $34,000 |
| 00000104167000000 | 3003 COMMERCE ST | $172,040 | $172,040 | $122,040 | $50,000 |
| 00000103642000000 | 2626 ELM ST | $50,000 | $50,000 | $0 | $50,000 |
| 00000110911000000 | 2701 MAIN ST | $485,760 | $485,760 | $286,760 | $199,000 |
| 00000110914000000 | 2653 MAIN ST | $60,000 | $60,000 | $0 | $60,000 |
| 00000103756000000 | 2618 ELM ST | $325,000 | $325,000 | $275,000 | $50,000 |
| 00000103711000000 | 2614 ELM ST | $259,980 | $259,980 | $159,980 | $100,000 |
| 00000103669000000 | 2610 ELM ST | $200,000 | $200,000 | $100,000 | $100,000 |
| 00000103675000000 | 2608 ELM ST | $400,000 | $400,000 | $335,000 | $65,000 |
| 00000103660000000 | 2604 ELM ST | $125,000 | $125,000 | $0 | $125,000 |
| 00000103690000000 | 2635 MAIN ST | $151,000 | $151,000 | $1,000 | $150,000 |
| 00000104030000000 | 2924 MAIN ST | $1,368,730 | $1,368,730 | $701,650 | $667,080 |
| 00000104182000000 | 3034 COMMERCE ST | $289,000 | $289,000 | $234,000 | $55,000 |
| 00000104026000000 | 2919 COMMERCE ST | $400,000 | $400,000 | $247,020 | $152,980 |
| 00000104047000000 | 2900 MAIN ST | $410,000 | $410,000 | $238,250 | $171,750 |
| CONDO00C1151CONDO | | $2,225,260 | $2,442,920 | $2,234,880 | $208,040 |
| 00000104053000000 | 2901 COMMERCE ST | $115,300 | $115,300 | $800 | $114,500 |
| 00000103696000000 | 2621 MAIN ST | $50,000 | $50,000 | $0 | $50,000 |
| 00000104191000000 | 3018 COMMERCE ST | $135,000 | $135,000 | $106,000 | $29,000 |

| | | | | | |
|---|---|---|---|---|---|
| 00000104194000000 | 3014 COMMERCE ST | $115,200 | $115,200 | $71,530 | $43,670 |
| 00000103720000000 | 2619 MAIN ST | $100,000 | $100,000 | $0 | $100,000 |
| 00000104197000000 | 3012 COMMERCE ST | $203,770 | $203,770 | $158,140 | $45,630 |
| 00000103726000000 | 2607 MAIN ST | $88,000 | $88,000 | $0 | $88,000 |
| 00000104200000000 | 3008 COMMERCE ST | $498,740 | $498,740 | $437,450 | $61,290 |
| 00000103831000000 | 2708 MAIN ST | $194,400 | $194,400 | $94,400 | $100,000 |
| 00000104203000000 | 3004 COMMERCE ST | $200,000 | $200,000 | $136,400 | $63,600 |
| 00000104206000000 | 3000 COMMERCE ST | $220,000 | $220,000 | $95,000 | $125,000 |
| 00000104185000000 | 3035 CANTON ST | $249,480 | $249,480 | $193,440 | $56,040 |
| 00000103828000000 | 2712 MAIN ST | $101,000 | $101,000 | $1,000 | $100,000 |
| 00000103855000000 | 2713 COMMERCE ST | $202,920 | $202,920 | $152,920 | $50,000 |
| 00000104059000000 | 2926 COMMERCE ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000104231000000 | 3023 CANTON ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000103852000000 | 2711 COMMERCE ST | $50,000 | $50,000 | $0 | $50,000 |
| 00000103837000000 | 2702 MAIN ST | $272,940 | $272,940 | $86,780 | $186,160 |
| 00000104062000000 | 2914 COMMERCE ST | $187,200 | $187,200 | $121,570 | $65,630 |
| 00000104230000000 | 3021 CANTON ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000103849000000 | 2705 COMMERCE ST | $44,500 | $44,500 | $0 | $44,500 |
| 00000104065000000 | 2910 COMMERCE ST | $205,000 | $205,000 | $139,370 | $65,630 |
| 00000104227000000 | 3017 CANTON ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000103846000000 | 2703 COMMERCE ST | $45,500 | $45,500 | $0 | $45,500 |
| 00000103840000000 | 2656 MAIN ST | $125,000 | $125,000 | $25,000 | $100,000 |
| 00000104224000000 | 3013 CANTON ST | $485,000 | $485,000 | $422,500 | $62,500 |
| 00000103843000000 | 2653 COMMERCE ST | $219,790 | $219,790 | $119,790 | $100,000 |
| 00000104221000000 | 3011 CANTON ST | $306,260 | $306,260 | $243,760 | $62,500 |
| 00000103798000000 | 2618 MAIN ST | $121,670 | $121,670 | $71,670 | $50,000 |
| 00000104215000000 | 3007 CANTON ST | $92,200 | $92,200 | $60,950 | $31,250 |
| 00000103783000000 | 2616 MAIN ST | $121,670 | $121,670 | $71,670 | $50,000 |
| 00000104218000000 | 3005 CANTON ST | $84,690 | $84,690 | $53,440 | $31,250 |
| 00000103816000000 | 2612 MAIN ST | $647,500 | $647,500 | $547,500 | $100,000 |
| 00000104209000000 | 210 WALTON ST | $101,000 | $101,000 | $76,000 | $25,000 |
| 00000103813000000 | 2633 COMMERCE ST | $100,630 | $100,630 | $630 | $100,000 |
| 00000103810000000 | 2631 COMMERCE ST | $130,000 | $130,000 | $30,000 | $100,000 |
| 00000104056000000 | 2930 COMMERCE ST | $435,000 | $435,000 | $218,720 | $216,280 |
| 00000104077000000 | 2904 COMMERCE ST | $144,500 | $144,500 | $1,000 | $143,500 |
| 00000103942000000 | 2816 COMMERCE ST | $219,140 | $219,140 | $156,640 | $62,500 |
| 00000103945000000 | 2814 COMMERCE ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000104212000000 | 3001 CANTON ST | $116,000 | $116,000 | $78,500 | $37,500 |
| 00000103948000000 | 2808 COMMERCE ST | $190,150 | $190,150 | $127,650 | $62,500 |
| 00000104092000000 | 2919 CANTON ST | $347,288 | $397,360 | $322,360 | $75,000 |
| 00000103786000000 | 2615 COMMERCE ST | $270,000 | $270,000 | $120,000 | $150,000 |
| 00000104089000000 | 2917 CANTON ST | $272,690 | $272,690 | $210,190 | $62,500 |
| 00000104086000000 | 2913 CANTON ST | $350,000 | $350,000 | $287,500 | $62,500 |

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|---|---|---|---|---|---|
| 00000103804000000 | 2611 COMMERCE ST | $100,000 | $100,000 | $0 | $100,000 |
| 00000103888000000 | 2730 COMMERCE ST | $109,290 | $109,290 | $46,790 | $62,500 |
| 00000104083000000 | 2909 CANTON ST | $371,280 | $371,280 | $246,280 | $125,000 |
| 00000103891000000 | 2724 COMMERCE ST | $409,510 | $409,510 | $347,010 | $62,500 |
| 00000103894000000 | 2718 COMMERCE ST | $91,250 | $91,250 | $0 | $91,250 |
| 00000103939000000 | 2820 COMMERCE ST | $312,500 | $312,500 | $187,500 | $125,000 |
| 00000103897000000 | 2712 COMMERCE ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000104251000000 | 3012 CANTON ST | $274,230 | $274,230 | $211,730 | $62,500 |
| 00000104098000000 | 2921 CANTON ST | $483,000 | $483,000 | $308,000 | $175,000 |
| 00000104254000000 | 3008 CANTON ST | $140,000 | $140,000 | $77,500 | $62,500 |
| 00000103951000000 | 2800 COMMERCE ST | $370,200 | $370,200 | $245,200 | $125,000 |
| 00000104257000200 | 3004 CANTON ST | $124,927 | $153,850 | $116,780 | $37,070 |
| 00000104257000000 | 3002 CANTON ST | $118,720 | $148,400 | $117,880 | $30,520 |
| 00000103957000000 | 2809 CANTON ST | $294,990 | $294,990 | $169,990 | $125,000 |
| 00000103885000000 | 2730 COMMERCE ST | $176,720 | $176,720 | $145,470 | $31,250 |
| 00000104080000000 | 2901 CANTON ST | $50,000 | $50,000 | $0 | $50,000 |
| 00000103864000000 | 2622 COMMERCE ST | $481,150 | $481,150 | $420,610 | $60,540 |
| 00000104269000200 | 333 HALL ST | $142,947 | $158,830 | $111,870 | $46,960 |
| 00000104257000100 | 306 WALTON ST | $80,992 | $101,240 | $83,830 | $17,410 |
| 00000103867000000 | 2616 COMMERCE ST | $753,180 | $753,180 | $650,680 | $102,500 |
| 00000104260000000 | 310 WALTON ST | $151,360 | $172,000 | $132,000 | $40,000 |
| 00000103528000000 | 2612 COMMERCE ST | $262,220 | $262,220 | $212,200 | $50,020 |
| 00000104269000000 | 335 HALL ST | $99,200 | $124,000 | $101,650 | $22,350 |
| 00000103900000000 | 2700 COMMERCE ST | $187,500 | $187,500 | $0 | $187,500 |
| 00000104269000300 | 3027 TAYLOR ST | $153,800 | $192,250 | $138,500 | $53,750 |
| 00UNPACIFICRRDA00 | 9999 NO NAME ST | $0 | $0 | $0 | $0 |
| 00000104104000000 | 2914 CANTON ST | $324,010 | $324,010 | $204,010 | $120,000 |
| 00000103960000000 | 2825 CANTON ST | $202,500 | $202,500 | $15,000 | $187,500 |
| 00000104107000000 | 2910 CANTON ST | $92,670 | $92,670 | $32,670 | $60,000 |
| 00000104269000100 | 3025 TAYLOR ST | $162,016 | $181,950 | $133,600 | $48,350 |
| 00000104263000000 | 3030 TAYLOR ST | $800,000 | $800,000 | $543,210 | $256,790 |
| 00000103954000000 | 2805 CANTON ST | $700,000 | $700,000 | $575,000 | $125,000 |
| 000186000410A0000 | 2713 CANTON ST | $1,025,000 | $1,025,000 | $586,310 | $438,690 |
| 00000103531000000 | 2600 COMMERCE ST | $14,850 | $14,850 | $0 | $14,850 |
| 00000103903000000 | 2701 CANTON ST | $900,000 | $900,000 | $837,500 | $62,500 |
| 00000103861000000 | 2630 COMMERCE ST | $304,610 | $304,610 | $179,610 | $125,000 |
| 00000103972000000 | 2824 CANTON ST | $711,360 | $711,360 | $586,360 | $125,000 |
| 00000104101000000 | 2930 CANTON ST | $390,000 | $390,000 | $150,000 | $240,000 |
| 00000104128000000 | 2929 TAYLOR ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000103975000000 | 2814 CANTON ST | $256,672 | $320,840 | $258,340 | $62,500 |
| 00000104125000000 | 2913 TAYLOR ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000103978000000 | 2810 CANTON ST | $312,500 | $312,500 | $245,040 | $67,460 |
| 00000104122000000 | 2921 TAYLOR ST | $62,500 | $62,500 | $0 | $62,500 |

| | | | | | |
|---|---|---|---|---|---|
| 00000104110000000 | 2900 CANTON ST | $159,620 | $159,620 | $51,620 | $108,000 |
| 00000104119000000 | 2919 TAYLOR ST | $265,640 | $265,640 | $203,140 | $62,500 |
| 00000103966000000 | 2824 CANTON ST | $357,940 | $357,940 | $295,440 | $62,500 |
| 00000104131000000 | 317 WALTON ST | $62,500 | $62,500 | $0 | $62,500 |
| 00000103879000000 | 215 HENRY ST | $475,000 | $475,000 | $350,000 | $125,000 |
| 00000103873500000 | 2622 CLOVER ST | $67,430 | $67,430 | $0 | $67,430 |
| 00000103981000000 | 2801 VIRGIL ST | $220,000 | $220,000 | $96,380 | $123,620 |
| 00000104113000000 | 2909 TAYLOR ST | $814,790 | $814,790 | $577,290 | $237,500 |
| 00000104137000000 | 2928 TAYLOR ST | $530,210 | $530,210 | $418,000 | $112,210 |
| 00000104140000000 | 2928 TAYLOR ST | $75,320 | $75,320 | $0 | $75,320 |
| 00000104143000000 | 2924 TAYLOR ST | $80,000 | $180,000 | $117,500 | $62,500 |
| 00000104146000000 | 2920 TAYLOR ST | $330,280 | $330,280 | $267,780 | $62,500 |
| 00000103924000000 | 2725 TAYLOR ST | $268,330 | $268,330 | $80,830 | $187,500 |
| 00000104134000000 | 2934 TAYLOR ST | $320,680 | $320,680 | $215,980 | $104,700 |
| 00000103921000000 | 2705 TAYLOR ST | $93,360 | $93,360 | $5,900 | $87,460 |
| 00000103915000000 | 2700 CANTON ST | $4,593,340 | $4,593,340 | $4,003,100 | $590,240 |
| 00000103927000000 | 2731 TAYLOR ST | $84,120 | $84,120 | $21,620 | $62,500 |
| 00000104149000000 | 2914 TAYLOR ST | $1,075,000 | $1,075,000 | $775,000 | $300,000 |
| 00000103918000000 | 2705 TAYLOR ST | $32,570 | $32,570 | $0 | $32,570 |
| 00000104152000000 | 2903 ST LOUIS ST | $592,500 | $592,500 | $274,080 | $318,420 |
| 00000103930000000 | 2720 TAYLOR ST | $157,050 | $157,050 | $1,000 | $156,050 |
| 00000103933500000 | 2700 TAYLOR ST | $3,050 | $3,050 | $0 | $3,050 |
| 00000104155000000 | 2915 ST LOUIS ST | $225,320 | $225,320 | $15,390 | $209,930 |
| 00000104005000000 | 2821 ST LOUIS ST | $511,880 | $511,880 | $324,380 | $187,500 |
| 00000103993000000 | 2800 TAYLOR ST | $904,540 | $904,540 | $467,040 | $437,500 |
| 00000103999000000 | 2805 ST LOUIS ST | $101,370 | $101,370 | $0 | $101,370 |
| 00000104008000000 | 2823 ST LOUIS ST | $134,400 | $134,400 | $71,900 | $62,500 |
| 00000105778000000 | 2400 BRYAN ST | $1,380,240 | $1,380,240 | $0 | $1,380,240 |
| 00000105556000000 | 2214 BRYAN ST | $8,262,820 | $8,262,820 | $1,000 | $8,261,820 |
| 00000129349500000 | 3026 ELM ST | $388,110 | $388,110 | $265,710 | $122,400 |
| 00000129343000000 | 3022 ELM ST | $98,660 | $98,660 | $1,000 | $97,660 |
| 00000129334000000 | 3033 MAIN ST | $240,520 | $240,520 | $112,270 | $128,250 |
| 00000129337000000 | 3029 MAIN ST | $196,650 | $196,650 | $0 | $196,650 |
| 00000129340000000 | 3025 MAIN ST | $220,000 | $220,000 | $66,670 | $153,330 |
| 00000129391000000 | 3028 MAIN ST | $225,300 | $225,300 | $0 | $225,300 |
| 00000129349000000 | 3036 ELM ST | $341,570 | $341,570 | $71,670 | $269,900 |
| 00000110854000000 | 2824 MAIN ST | $329,250 | $329,250 | $254,250 | $75,000 |
| 00000110884000000 | 2819 COMMERCE ST | $236,580 | $236,580 | $186,580 | $50,000 |
| 00000110857000000 | 2820 MAIN ST | $164,840 | $164,840 | $89,840 | $75,000 |
| 00000110860000000 | 2816 MAIN ST | $167,060 | $167,060 | $92,060 | $75,000 |
| 00000103759000000 | 2642 MAIN ST | $301,000 | $301,000 | $1,000 | $300,000 |
| 00000103825000000 | 2620 MAIN ST | $420,400 | $420,400 | $320,400 | $100,000 |
| 00000103777000000 | 2629 COMMERCE ST | $100,000 | $100,000 | $0 | $100,000 |

| | | | | | |
|---|---|---|---|---|---|
| 00000103795000000 | 2627 COMMERCE ST | $100,000 | $100,000 | $0 | $100,000 |
| 00000103792000000 | 2625 COMMERCE ST | $100,000 | $100,000 | $0 | $100,000 |
| 00000103822000000 | 2623 COMMERCE ST | $136,490 | $136,490 | $86,490 | $50,000 |
| 00000104248000000 | 3020 CANTON ST | $332,780 | $332,780 | $207,780 | $125,000 |
| 00000103780000000 | 2650 MAIN ST | $275,000 | $275,000 | $77,600 | $197,400 |
| 00000103771000000 | 2626 MAIN ST | $410,000 | $410,000 | $209,980 | $200,020 |
| 00000110870000000 | 2806 MAIN ST | $36,190 | $36,190 | $0 | $36,190 |
| 00000103780000100 | 2651 COMMERCE ST | $300,000 | $300,000 | $97,460 | $202,540 |
| 00000110863000000 | 2814 MAIN ST | $0 | $390,000 | $332,100 | $57,900 |
| 00000110887000000 | 2825 COMMERCE ST | $201,030 | $201,030 | $151,030 | $50,000 |
| 00000110881000000 | 2815 COMMERCE ST | $213,390 | $213,390 | $163,390 | $50,000 |
| 00000110869000000 | 2810 MAIN ST | $179,710 | $179,710 | $103,810 | $75,900 |
| 00000110870000000 | 2806 MAIN ST | $36,190 | $36,190 | $0 | $36,190 |
| 00000110872000000 | 2801 COMMERCE ST | $675,000 | $675,000 | $475,060 | $199,940 |
| 00000110866000000 | 2800 MAIN ST | $350,000 | $350,000 | $254,000 | $96,000 |
| 00000104247000000 | 3030 CANTON ST | $430,280 | $430,280 | $221,190 | $209,090 |
| 00000104236000000 | 3027 CANTON ST | $108,900 | $108,900 | $0 | $108,900 |
| 00000103729000000 | 2603 MAIN ST | $150,000 | $150,000 | $0 | $150,000 |
| 00000103747000000 | 2646 ELM ST | $142,800 | $142,800 | $62,800 | $80,000 |
| 00000103672000000 | 2649 MAIN ST | $136,900 | $136,900 | $52,900 | $84,000 |
| 00000103819000000 | 2604 MAIN ST | $412,870 | $412,870 | $263,870 | $149,000 |
| 00000103807000000 | 2600 MAIN ST | $453,420 | $453,420 | $174,420 | $279,000 |
| 00000103705000000 | 2647 MAIN ST | $101,000 | $101,000 | $0 | $101,000 |
| 00000103741000000 | 2642 ELM ST | $180,000 | $180,000 | $130,000 | $50,000 |
| 00000103708000000 | 2640 ELM ST | $68,000 | $68,000 | $18,000 | $50,000 |
| 00000103657000000 | 2624 ELM ST | $73,430 | $73,430 | $23,430 | $50,000 |
| 00000103738000000 | 2620 ELM ST | $100,000 | $100,000 | $0 | $100,000 |
| 00000103645000000 | 2625 MAIN ST | $524,400 | $524,400 | $374,400 | $150,000 |
| 00000103723000000 | 2623 MAIN ST | $114,000 | $114,000 | $0 | $114,000 |
| 00000103717000000 | 2639 MAIN ST | $262,500 | $262,500 | $60,500 | $202,000 |
| | **Total** | **$69,578,016** | **$73,959,790** | **$37,099,550** | **$36,860,240** |

# Appendix A
# 2007 DCAD Real Property Accounts Added in the Deep Ellum TIF District
# As Ammended, April 9, 2008

| DCAD Acct. # | Exmpt | Property Address | Imprvmts | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|
| 00000106633000000 | x | 2717 Live Oak | $0 | $265,610 | $265,610 | $0 |
| 00000106642000000 | x | 2713 Live Oak | $0 | $272,140 | $272,140 | $0 |
| 00000106630000000 | x | 2707 Live Oak | $0 | $163,400 | $163,400 | $0 |
| 00000106636000000 | x | 2701 Live Oak | $0 | $165,800 | $165,800 | $0 |
| 00000106654000000 | x | 718 Cantegral | $293,340 | $438,300 | $731,640 | $0 |
| 00000106660000000 | x | 726 Cantegral | $2,350 | $139,480 | $141,830 | $0 |
| 00000106624000000 | x | 2710 Bryan | $0 | $10,980 | $10,980 | $0 |
| 00000106615000000 | x | 2704 Bryan | $11,690 | $108,830 | $120,520 | $0 |
| 00000106594000000 | x | 2702 Bryan | $129,210 | $156,820 | $286,030 | $0 |
| 00000105892000000 | x | 2632 Live Oak | $0 | $148,100 | $148,100 | $0 |
| 00000105907000000 | x | 2628 Live Oak | $0 | $84,850 | $84,850 | $0 |
| 00000105889000000 | x | 2628 Live Oak | $0 | $148,100 | $148,100 | $0 |
| 00000105904000000 | x | 2628 Live Oak | $0 | $84,850 | $84,850 | $0 |
| 00000105886000000 | x | 2628 Live Oak | $0 | $148,100 | $148,100 | $0 |
| 00000105901000000 | x | 2623 Florence | $0 | $84,850 | $84,850 | $0 |
| 00000105883000000 | x | 2600 Live Oak | $5,899,760 | $148,100 | $6,047,860 | $0 |
| 00000105898000000 | x | 2619 Florence | $0 | $84,850 | $84,850 | $0 |
| 00000105880000000 | x | 2612 Live Oak | $0 | $275,380 | $275,380 | $0 |
| 00000105887000000 | x | 2606 Live Oak | $0 | $229,490 | $229,490 | $0 |
| 00000105874000000 | x | 2602 Live Oak | $0 | $96,030 | $96,030 | $0 |
| 00000105871000000 | x | 710 Good Latimer | $0 | $51,840 | $51,840 | $0 |
| 00000105895000000 | x | 700 Good Latimer | $0 | $84,850 | $84,850 | $0 |
| 00028300000010000 | | 910 Central | $139,310 | $458,440 | $597,750 | $597,750 |
| 00000106315000000 | | 827 Texas | $0 | $96,770 | $96,770 | $96,770 |
| 00000106312000000 | | 825 Texas | $17,050 | $126,360 | $143,440 | $143,440 |
| 00000106291000000 | | 819 Texas | $0 | $638,370 | $638,370 | $638,370 |
| 00000106270000000 | | 2709 Bryan | $0 | $443,550 | $443,550 | $443,550 |
| 00000106306000000 | | 2705 Bryan | $0 | $100,800 | $100,800 | $100,800 |
| 00000106300000000 | | 1012 Boll | $0 | $80,430 | $80,430 | $80,430 |
| 00000106297000000 | | 1010 Boll | $0 | $34,560 | $34,560 | $34,560 |
| 00000106309000000 | | 2701 Bryan | $0 | $77,250 | $77,250 | $77,250 |
| 00000106051000000 | | 723 Cantegral | $0 | $953,250 | $953,250 | $953,250 |
| 00000106072000000 | | 2631 Live Oak | $0 | $303,000 | $303,000 | $303,000 |
| 00000106060000000 | | 2625 Live Oak | $0 | $299,700 | $299,700 | $299,700 |
| 00000106078000000 | | 2621 Live Oak | $0 | $282,900 | $282,900 | $282,900 |
| 00000106081000000 | | 2605 Live Oak | $0 | $71,090 | $71,090 | $71,090 |
| 00000106054000000 | | 2601 Live Oak | $0 | $227,480 | $227,480 | $227,480 |
| 000276000a0010000 | | 814 Good Latimer | $0 | $508,560 | $508,560 | $508,560 |
| 00000107302000000 | | 801 Good Latimer | $0 | $70,920 | $70,920 | $70,920 |

| | | | | | |
|---|---|---|---|---|---|
| 00000107293000000 | 2515 Live Oak | $0 | $232,610 | $232,610 | $232,610 |
| 00000107287000000 | 2505 Live Oak | $0 | $144,870 | $144,870 | $144,870 |
| | | Total | | $15,034,400 | $5,307,500 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District

| DCAD Account # | Exempt | Property Address | | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| 00C43520000000129 | | 2502 | | LIVE OAK | 00129 | $129,520.00 | $5,380.00 | $134,900.00 | $107,920.00 |
| 00C43520000000130 | | 2502 | | LIVE OAK | 00130 | $97,450.00 | $4,700.00 | $102,150.00 | $102,150.00 |
| 00C43520000000131 | | 2502 | | LIVE OAK | 00131 | $217,590.00 | $9,160.00 | $226,750.00 | $181,400.00 |
| 00C43520000000132 | | 2502 | | LIVE OAK | 00132 | $142,970.00 | $5,880.00 | $148,850.00 | $148,850.00 |
| 00C43520000000133 | | 2502 | | LIVE OAK | 00133 | $123,460.00 | $5,330.00 | $128,790.00 | $103,032.00 |
| 00C43520000000134 | | 2502 | | LIVE OAK | 00134 | $142,970.00 | $5,880.00 | $148,850.00 | $119,080.00 |
| 00C43520000000135 | | 2502 | | LIVE OAK | 00135 | $216,740.00 | $8,690.00 | $225,430.00 | $180,344.00 |
| 00C43520000000136 | | 2502 | | LIVE OAK | 00136 | $142,970.00 | $5,880.00 | $148,850.00 | $133,965.00 |
| 00000103387000100 | | 2511 | | MAIN | | $0.00 | $8,410.00 | $8,410.00 | $8,410.00 |
| 00000103411000000 | | 2429 | | MAIN | | $0.00 | $35,400.00 | $35,400.00 | $35,400.00 |
| 00000103414000000 | | 2509 | | MAIN | | $309,970.00 | $266,590.00 | $576,560.00 | $576,560.00 |
| 00000103414000100 | | 2546 | | ELM | | $285,550.00 | $28,220.00 | $313,770.00 | $313,770.00 |
| 00000103414000200 | | 2544 | | ELM | | $0.00 | $1,500.00 | $1,500.00 | $1,500.00 |
| 00000103423000000 | | 2512 | | ELM | | $0.00 | $10,580.00 | $10,580.00 | $10,580.00 |
| 00000103429500000 | | 2518 | | ELM | | $6,230.00 | $10,600.00 | $16,830.00 | $16,830.00 |
| 00000103432000000 | | 2526 | | ELM | | $130,340.00 | $69,660.00 | $200,000.00 | $200,000.00 |
| 00000103441000000 | | 2528 | | ELM | | $75,300.00 | $29,100.00 | $104,400.00 | $0.00 |
| 00000103444000000 | | 2528 | | ELM | | $75,300.00 | $29,100.00 | $104,400.00 | $0.00 |
| 00000103447000000 | | 2532 | | ELM | | $0.00 | $45,000.00 | $45,000.00 | $45,000.00 |
| 00000103450000000 | | 2536 | | ELM | | $0.00 | $45,000.00 | $45,000.00 | $45,000.00 |
| 00000103453000000 | | 2538 | | ELM | | $23,240.00 | $26,400.00 | $49,640.00 | $49,640.00 |
| 00000103456000000 | | 2542 | | ELM | | $55,550.00 | $30,000.00 | $85,550.00 | $85,550.00 |
| 00000103459000000 | | 2540 | | ELM | | $135,680.00 | $33,600.00 | $169,280.00 | $169,280.00 |
| 00000103462000000 | | 2544 | | ELM | | $91,500.00 | $30,000.00 | $121,500.00 | $121,500.00 |
| 00000103468000000 | | 2550 | | ELM | | $240,880.00 | $58,500.00 | $299,380.00 | $299,380.00 |
| 00000103474000000 | | 2554 | | ELM | | $0.00 | $30,100.00 | $30,100.00 | $30,100.00 |
| 00000103678000000 | | 2556 | | ELM | | $348,600.00 | $60,000.00 | $408,600.00 | $408,600.00 |
| 00000103702000000 | | 2523 | | MAIN | | $0.00 | $56,940.00 | $56,940.00 | $56,940.00 |
| 00000104245500000 | X | 3131 | | DAWSON | | $2,122,030.00 | $4,878,810.00 | $7,000,840.00 | $0.00 |
| 00000104296000000 | | 514 | S | HALL | | $261,360.00 | $131,230.00 | $392,590.00 | $392,590.00 |
| 00000104299000000 | | 2830 | | JEFFRIES | | $0.00 | $31,180.00 | $31,180.00 | $31,180.00 |
| 00000104302000000 | | 528 | S | HALL | | $86,970.00 | $76,800.00 | $163,770.00 | $163,770.00 |
| 00000104305000000 | | 530 | S | HALL | | $0.00 | $22,190.00 | $22,190.00 | $22,190.00 |
| 00000105784000000 | | 2411 | | SWISS | | $9,480.00 | $99,210.00 | $108,690.00 | $108,690.00 |
| 00000105787100000 | | 2413 | | SWISS | | $0.00 | $36,960.00 | $36,960.00 | $36,960.00 |
| 00000105911000000 | | 2400 | | GASTON | | $0.00 | $219,420.00 | $219,420.00 | $219,420.00 |
| 00000105982000000 | | 201 | N | HAWKINS | | $0.00 | $4,410.00 | $4,410.00 | $4,410.00 |
| 00000106114000000 | | 2408 | | SWISS | | $0.00 | $112,660.00 | $112,660.00 | $112,660.00 |
| 00000106117000000 | | 2441 | | PACIFIC | | $8,970.00 | $182,630.00 | $191,600.00 | $191,600.00 |
| 00000106122000000 | | 2424 | | SWISS | | $305,970.00 | $96,360.00 | $402,330.00 | $402,330.00 |
| 00000106129000000 | | 2439 | | SWISS | | $2,010,280.00 | $776,980.00 | $2,787,260.00 | $2,787,260.00 |
| 00000106132000000 | | 2501 | | PACIFIC | | $354,550.00 | $90,170.00 | $444,720.00 | $444,720.00 |
| 00000106135000000 | | 2515 | | PACIFIC | | $2,810.00 | $69,190.00 | $72,000.00 | $72,000.00 |
| 00000106144000000 | | 2516 | | MIRANDA | | $0.00 | $189,750.00 | $189,750.00 | $189,750.00 |
| 00000106147000000 | | 2400 | | SWISS | | $0.00 | $249,190.00 | $249,190.00 | $249,190.00 |
| 00000106153000000 | | 2525 | | GASTON | | $0.00 | $75,020.00 | $75,020.00 | $75,020.00 |
| 00000106156000000 | | 2509 | | PACIFIC | | $146,530.00 | $63,470.00 | $210,000.00 | $210,000.00 |
| 00000106168000000 | | 404 | | HAWKINS | | $53,350.00 | $22,060.00 | $75,410.00 | $75,410.00 |
| 00000106171000000 | | 2500 | | SWISS | | $16,500.00 | $22,540.00 | $39,040.00 | $39,040.00 |
| 00000106174000000 | | 2504 | | SWISS | | $28,840.00 | $44,000.00 | $72,840.00 | $72,840.00 |
| 00000106177000000 | | 2508 | | SWISS | | $18,370.00 | $44,000.00 | $62,370.00 | $62,370.00 |
| 00000106180000000 | | 505 | N | GOOD LATIMER | | $235,700.00 | $95,480.00 | $331,180.00 | $331,180.00 |
| 00000106183000000 | | 2500 | | PACIFIC | | $610,810.00 | $802,430.00 | $1,413,240.00 | $1,413,240.00 |
| 00000106183000100 | | 2510 | | PACIFIC | | $0.00 | $214,750.00 | $214,750.00 | $214,750.00 |
| 00000106189200000 | | 2505 | | ELM | | $272,970.00 | $1,601,620.00 | $1,874,590.00 | $1,874,590.00 |
| 00000106384000000 | | 2605 | | ELM | | $137,670.00 | $74,930.00 | $212,600.00 | $212,600.00 |
| 00000106390000000 | | 2625 | | ELM | | $5,699,150.00 | $1,252,560.00 | $6,951,710.00 | $6,951,710.00 |
| 00000106393000000 | | 2615 | | ELM | | $162,720.00 | $114,750.00 | $277,470.00 | $277,470.00 |
| 00000106396000000 | | 2609 | | ELM | | $106,600.00 | $117,300.00 | $223,900.00 | $223,900.00 |
| 00000107369000000 | | 601 | | HAWKINS | | $0.00 | $169,850.00 | $169,850.00 | $169,850.00 |
| 00000107464000000 | | 615 | N | GOOD LATIMER | | $255,330.00 | $478,500.00 | $733,830.00 | $733,830.00 |
| 00000107467000000 | | 2501 | | SWISS | | $0.00 | $105,060.00 | $105,060.00 | $105,060.00 |
| 00000107470000000 | | 2519 | | SWISS | | $500.00 | $64,270.00 | $64,770.00 | $64,770.00 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District
## (continued)

| DCAD Account # | Exempt | Property Address | | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| 00000107473000000 | | 2511 | | SWISS | | $265,350.00 | $135,600.00 | $400,950.00 | $400,950.00 |
| 00000107476000000 | | 2507 | | SWISS | | $2,880.00 | $42,000.00 | $44,880.00 | $44,880.00 |
| 00000111004000000 | | 2723 | | ELM | | $65,260.00 | $37,500.00 | $102,760.00 | $102,760.00 |
| 00000111007000000 | | 2721 | | ELM | | $77,160.00 | $37,500.00 | $114,660.00 | $114,660.00 |
| 00000111010000000 | | 2717 | | ELM | | $0.00 | $62,500.00 | $62,500.00 | $62,500.00 |
| 00000111013000000 | | 2713 | | ELM | | $202,000.00 | $149,700.00 | $351,700.00 | $351,700.00 |
| 00000111031000000 | | 2707 | | ELM | | $133,500.00 | $75,000.00 | $208,500.00 | $208,500.00 |
| 00000111034000000 | | 2703 | | ELM | | $0.00 | $75,000.00 | $75,000.00 | $75,000.00 |
| 00000111037000000 | | 2701 | | ELM | | $0.00 | $37,500.00 | $37,500.00 | $37,500.00 |
| 00000111040000000 | | 2819 | | ELM | | $0.00 | $60,000.00 | $60,000.00 | $60,000.00 |
| 00000111043000000 | | 2801 | | ELM | | $240,000.00 | $60,000.00 | $300,000.00 | $300,000.00 |
| 00000111046000000 | | 2810 | | INDIANA | | $15,610.00 | $150,000.00 | $165,610.00 | $165,610.00 |
| 00000111049000000 | | 2816 | | INDIANA | | $0.00 | $100,000.00 | $100,000.00 | $100,000.00 |
| 00000111052000000 | | 2820 | | INDIANA | | $500.00 | $50,000.00 | $50,500.00 | $50,500.00 |
| 00000111055000000 | | 2817 | | ELM | | $31,590.00 | $60,000.00 | $91,590.00 | $91,590.00 |
| 00000111058000000 | | 2811 | | ELM | | $159,570.00 | $120,000.00 | $279,570.00 | $279,570.00 |
| 00000111061000000 | | 2807 | | ELM | | $91,880.00 | $60,000.00 | $151,880.00 | $151,880.00 |
| 00000111076000000 | | 2606 | | GASTON | | $0.00 | $262,510.00 | $262,510.00 | $262,510.00 |
| 00000111094000000 | | 310 | N | MALCOLM X | | $0.00 | $1,373,800.00 | $1,373,800.00 | $1,373,800.00 |
| 00000111115000000 | | 2901 | | INDIANA | | $0.00 | $80,000.00 | $80,000.00 | $80,000.00 |
| 00000111121000000 | | 2900 | | INDIANA | | $0.00 | $40,000.00 | $40,000.00 | $40,000.00 |
| 00000111130000000 | | 300 | N | MALCOLM X | | $0.00 | $75,580.00 | $75,580.00 | $75,580.00 |
| 00000111133000000 | | 2901 | | ELM | | $81,600.00 | $48,000.00 | $129,600.00 | $129,600.00 |
| 00000111136000000 | | 2905 | | ELM | | $0.00 | $30,000.00 | $30,000.00 | $30,000.00 |
| 00000111139000000 | | 2907 | | ELM | | $0.00 | $30,000.00 | $30,000.00 | $30,000.00 |
| 00000111142000000 | | 2909 | | ELM | | $0.00 | $30,000.00 | $30,000.00 | $30,000.00 |
| 00000111145000000 | | 2911 | | ELM | | $112,430.00 | $30,000.00 | $142,430.00 | $142,430.00 |
| 00000111148000000 | | 2913 | | ELM | | $71,300.00 | $30,000.00 | $101,300.00 | $101,300.00 |
| 00000111151000000 | | 2917 | | ELM | | $82,910.00 | $152,590.00 | $235,500.00 | $235,500.00 |
| 00000111160000000 | | 2927 | | ELM | | $0.00 | $60,000.00 | $60,000.00 | $60,000.00 |
| 00000111163000000 | | 2929 | | ELM | | $51,820.00 | $30,000.00 | $81,820.00 | $81,820.00 |
| 00000111166000000 | | 2931 | | ELM | | $51,620.00 | $30,000.00 | $81,620.00 | $81,620.00 |
| 00000111169000000 | | 2935 | | ELM | | $187,500.00 | $60,000.00 | $247,500.00 | $247,500.00 |
| 00000111172000000 | | 3001 | | ELM | | $0.00 | $120,000.00 | $120,000.00 | $120,000.00 |
| 00000111175000000 | | 3009 | | ELM | | $58,290.00 | $54,140.00 | $112,430.00 | $112,430.00 |
| 00000111178000000 | | 3013 | | ELM | | $48,230.00 | $41,270.00 | $89,500.00 | $89,500.00 |
| 00000111181000000 | | 3015 | | ELM | | $45,330.00 | $60,000.00 | $105,330.00 | $105,330.00 |
| 00000111184000000 | | 3004 | | INDIANA | | $1,500.00 | $200,000.00 | $201,500.00 | $201,500.00 |
| 00000111190000000 | | 300 | N | WALTON | | $171,460.00 | $664,740.00 | $836,200.00 | $836,200.00 |
| 00000111193000000 | | 3021 | | ELM | | $970.00 | $220,000.00 | $220,970.00 | $220,970.00 |
| 00000127270000000 | | 503 | S | HASKELL | | $0.00 | $134,710.00 | $134,710.00 | $134,710.00 |
| 00000127276000000 | | 514 | S | HILL | | $0.00 | $7,460.00 | $7,460.00 | $7,460.00 |
| 00000127279000000 | | 514 | S | HILL | | $0.00 | $5,720.00 | $5,720.00 | $5,720.00 |
| 00000127282000000 | | 511 | S | HASKELL | | $0.00 | $12,050.00 | $12,050.00 | $12,050.00 |
| 00000127285000000 | | 603 | S | HASKELL | | $0.00 | $13,920.00 | $13,920.00 | $13,920.00 |
| 00000127291000000 | | 509 | S | HILL | | $0.00 | $11,200.00 | $11,200.00 | $11,200.00 |
| 00000127294000000 | | 503 | S | HILL | | $0.00 | $50,000.00 | $50,000.00 | $50,000.00 |
| 00000127300000000 | | 503 | S | HILL | | $0.00 | $13,800.00 | $13,800.00 | $13,800.00 |
| 00000127303000000 | | 513 | S | HILL | | $2,220.00 | $25,000.00 | $27,220.00 | $27,220.00 |
| 00000127309000000 | | 517 | S | HILL | | $0.00 | $14,060.00 | $14,060.00 | $14,060.00 |
| 00000127345000000 | X | 3801 | | PARRY | | $3,030.00 | $41,290.00 | $44,320.00 | $0.00 |
| 00000127348000000 | | 3809 | | PARRY | | $2,800,920.00 | $272,990.00 | $3,073,910.00 | $0.00 |
| 00000127357000000 | | 4112 | | PACIFIC | | $433,340.00 | $84,720.00 | $518,060.00 | $518,060.00 |
| 00000127360000000 | | 4100 | | COMMERCE | | $59,170.00 | $440,830.00 | $500,000.00 | $500,000.00 |
| 00000127369000000 | | 4118 | | COMMERCE | | $1,180,450.00 | $111,830.00 | $1,292,280.00 | $1,292,280.00 |
| 00000127372000000 | | 4130 | | COMMERCE | | $186,920.00 | $95,100.00 | $282,020.00 | $282,020.00 |
| 00000127375000000 | | 4008 | | COMMERCE | | $214,500.00 | $451,660.00 | $666,160.00 | $666,160.00 |
| 00000127378000000 | | 4018 | | COMMERCE | | $0.00 | $5,860.00 | $5,860.00 | $5,860.00 |
| 00000127378000100 | | 4006 | | COMMERCE | | $0.00 | $2,780.00 | $2,780.00 | $2,780.00 |
| 00000127381000000 | | 4040 | | COMMERCE | | $0.00 | $14,830.00 | $14,830.00 | $14,830.00 |
| 00000127384000000 | | 4044 | | COMMERCE | | $11,400.00 | $233,600.00 | $245,000.00 | $245,000.00 |
| 00000127396000000 | | 710 | | EXPOSITION | | $98,320.00 | $37,500.00 | $135,820.00 | $135,820.00 |
| 00000127408000000 | | 4003 | | COMMERCE | | $314,000.00 | $368,360.00 | $682,360.00 | $682,360.00 |
| 00000127414000000 | | 4043 | | COMMERCE | | $0.00 | $28,200.00 | $28,200.00 | $28,200.00 |
| 00000127510000000 | | 601 | | 1ST | | $2,100.00 | $313,900.00 | $316,000.00 | $316,000.00 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District
## (continued)

| DCAD Account # | Exempt | Property Address | | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| 00000127558000000 | | 713 | | EXPOSITION | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127564000000 | | 721 | | EXPOSITION | | $92,210.00 | $149,630.00 | $241,840.00 | $241,840.00 |
| 00000127567000000 | | 729 | | EXPOSITION | | $33,890.00 | $61,870.00 | $95,760.00 | $95,760.00 |
| 00000127570000000 | | 3609 | | ASH | | $0.00 | $9,600.00 | $9,600.00 | $9,600.00 |
| 00000127573000000 | | 730 | | 1ST | | $0.00 | $17,400.00 | $17,400.00 | $17,400.00 |
| 00000127576000000 | | 726 | | 1ST | | $0.00 | $31,490.00 | $31,490.00 | $31,490.00 |
| 00000127582000000 | | 701 | | 1ST | | $0.00 | $46,800.00 | $46,800.00 | $46,800.00 |
| 00000127585000000 | | 705 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127588000000 | | 709 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127591000000 | | 713 | | 1ST | | $0.00 | $58,500.00 | $58,500.00 | $58,500.00 |
| 00000127594000000 | | 721 | | 1ST | | $0.00 | $58,500.00 | $58,500.00 | $58,500.00 |
| 00000127597000000 | | 3525 | | ASH | | $131,120.00 | $93,600.00 | $224,720.00 | $224,720.00 |
| 00000127603000000 | | 728 | | 2ND | | $0.00 | $65,520.00 | $65,520.00 | $65,520.00 |
| 00000127606000000 | | 720 | | 2ND | | $0.00 | $51,480.00 | $51,480.00 | $51,480.00 |
| 00000127609000000 | | 716 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127612000000 | | 712 | | 2ND | | $0.00 | $48,750.00 | $48,750.00 | $48,750.00 |
| 00000127615000000 | | 708 | S | 2ND | | $4,030.00 | $48,750.00 | $52,780.00 | $52,780.00 |
| 00000127618000000 | | 704 | S | 2ND | | $0.00 | $58,500.00 | $58,500.00 | $58,500.00 |
| 00000127708000000 | | 835 | | EXPOSITION | | $98,920.00 | $19,500.00 | $118,420.00 | $118,420.00 |
| 00000127711500000 | | 801 | | EXPOSITION | | $100.00 | $39,000.00 | $39,100.00 | $39,100.00 |
| 00000127712000000 | | 805 | | EXPOSITION | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127714000000 | | 809 | | EXPOSITION | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127717000000 | | 813 | | EXPOSITION | | $55,500.00 | $39,000.00 | $94,500.00 | $94,500.00 |
| 00000127720000000 | | 815 | | EXPOSITION | | $25,340.00 | $39,000.00 | $64,340.00 | $64,340.00 |
| 00000127723000000 | | 821 | | EXPOSITION | | $75,250.00 | $39,000.00 | $114,250.00 | $114,250.00 |
| 00000127726000000 | | 825 | | EXPOSITION | | $17,700.00 | $19,500.00 | $37,200.00 | $37,200.00 |
| 00000127729000000 | | 827 | | EXPOSITION | | $265,130.00 | $19,500.00 | $284,630.00 | $284,630.00 |
| 00000127732000000 | | 831 | | EXPOSITION | | $54,900.00 | $19,500.00 | $74,400.00 | $74,400.00 |
| 00000127735000000 | | 829 | | EXPOSITION | | $43,790.00 | $19,500.00 | $63,290.00 | $63,290.00 |
| 00000127738000000 | | 833 | | EXPOSITION | | $52,410.00 | $19,500.00 | $71,910.00 | $71,910.00 |
| 00000127741000000 | | 839 | | EXPOSITION | | $247,070.00 | $39,000.00 | $286,070.00 | $286,070.00 |
| 00000127744000000 | | 842 | | 1ST | | $514,530.00 | $78,000.00 | $592,530.00 | $592,530.00 |
| 00000127747000000 | | 830 | | 1ST | | $0.00 | $58,500.00 | $58,500.00 | $58,500.00 |
| 00000127750000000 | | 820 | | 1ST | | $80.00 | $48,750.00 | $48,830.00 | $48,830.00 |
| 00000127753000000 | | 816 | | 1ST | | $0.00 | $32,500.00 | $32,500.00 | $32,500.00 |
| 00000127756000000 | | 812 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127759000000 | | 808 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127762000000 | | 804 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127765000000 | | 800 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $39,000.00 |
| 00000127768000000 | X | 801 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127771000000 | X | 805 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127774000000 | X | 809 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127777000000 | X | 815 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127780000000 | X | 817 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127783000000 | X | 821 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127786000000 | X | 825 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127789000000 | X | 829 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127792000000 | X | 835 | | 1ST | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127795000000 | X | 836 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127798000000 | X | 832 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127801000000 | X | 828 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127804000000 | X | 824 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127807000000 | X | 820 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127810000000 | X | 816 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127813000000 | X | 812 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127816000000 | X | 808 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127819000000 | X | 804 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000127822000000 | X | 800 | | 2ND | | $0.00 | $39,000.00 | $39,000.00 | $0.00 |
| 00000129499000000 | | 3220 | | COMMERCE | | $0.00 | $33,110.00 | $33,110.00 | $33,110.00 |
| 00000129505000000 | | 3209 | | CANTON | | $67,300.00 | $33,000.00 | $100,300.00 | $100,300.00 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District
## (continued)

| DCAD Account # | Exempt | Property Address | | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| 00000129508000000 | | 3215 | | CANTON | | $182,330.00 | $210,450.00 | $392,780.00 | $392,780.00 |
| 00000129511000000 | | 3201 | | CANTON | | $980.00 | $49,500.00 | $50,480.00 | $50,480.00 |
| 00000129607000000 | | 3010 | | DAWSON | | $100.00 | $15,300.00 | $15,400.00 | $10,400.00 |
| 00000129616000000 | | 1601 | | BAYLOR | | $100.00 | $39,750.00 | $39,850.00 | $31,880.00 |
| 00000129619000000 | X | 1605 | | BAYLOR | | $0.00 | $41,250.00 | $41,250.00 | $0.00 |
| 00000129622000000 | X | 1609 | | BAYLOR | | $0.00 | $34,650.00 | $34,650.00 | $0.00 |
| 00000129625000000 | | 1613 | | BAYLOR | | $0.00 | $19,500.00 | $19,500.00 | $19,500.00 |
| 00000129652000000 | | 1620 | | BAYLOR | | $0.00 | $35,560.00 | $35,560.00 | $35,560.00 |
| 00000128221000000 | | 507 | | EXPOSITION | | $144,650.00 | $28,910.00 | $173,560.00 | $173,560.00 |
| 00000128224000000 | | 501 | | EXPOSITION | | $0.00 | $54,720.00 | $54,720.00 | $54,720.00 |
| 00000128227000000 | | 345 | | EXPOSITION | | $377,700.00 | $23,790.00 | $401,490.00 | $401,490.00 |
| 00000128233000000 | | 401 | | EXPOSITION | | $320,950.00 | $79,050.00 | $400,000.00 | $400,000.00 |
| 00000128236000000 | | 417 | | 1ST | | $0.00 | $8,990.00 | $8,990.00 | $8,990.00 |
| 00000128239000000 | | 418 | | 1ST | | $0.00 | $19,930.00 | $19,930.00 | $19,930.00 |
| 00000128242000000 | | 400 | | 1ST | | $0.00 | $9,740.00 | $9,740.00 | $9,740.00 |
| 00000128245000000 | | 505 | | EXPOSITION | | $0.00 | $51,220.00 | $51,220.00 | $51,220.00 |
| 00000128248000000 | | 404 | | 1ST | | $0.00 | $26,590.00 | $26,590.00 | $26,590.00 |
| 00000128251000000 | | 409 | | EXPOSITION | | $0.00 | $69,920.00 | $69,920.00 | $69,920.00 |
| 00000128254000000 | | 414 | | 1ST | | $0.00 | $41,820.00 | $41,820.00 | $41,820.00 |
| 00000128266000000 | | 500 | | EXPOSITION | | $408,870.00 | $95,360.00 | $504,230.00 | $504,230.00 |
| 00000128269000000 | | 3900 | | COMMERCE | | $0.00 | $62,400.00 | $62,400.00 | $62,400.00 |
| 00000128272000000 | | 500 | | EXPOSITION | | $0.00 | $58,000.00 | $58,000.00 | $58,000.00 |
| 00000128278000000 | | 412 | | EXPOSITION | | $45,000.00 | $40,000.00 | $85,000.00 | $85,000.00 |
| 00000128281000000 | | 408 | | EXPOSITION | | $8,220.00 | $40,000.00 | $48,220.00 | $48,220.00 |
| 00000128284000000 | | 404 | | EXPOSITION | | $211,480.00 | $80,000.00 | $291,480.00 | $291,480.00 |
| 00000128314000000 | | 3712 | | COMMERCE | | $86,660.00 | $80,000.00 | $166,660.00 | $166,660.00 |
| 00000128317000000 | | 3710 | | COMMERCE | | $500.00 | $80,000.00 | $80,500.00 | $80,500.00 |
| 00000128326000000 | | 3815 | | EAST SIDE | | $47,480.00 | $40,000.00 | $87,480.00 | $87,480.00 |
| 00000128329000000 | | 3813 | | EAST SIDE | | $0.00 | $40,000.00 | $40,000.00 | $40,000.00 |
| 00000128332000000 | | 3809 | | EAST SIDE | | $89,550.00 | $40,000.00 | $129,550.00 | $129,550.00 |
| 00000128335000000 | | 3612 | | COMMERCE | | $202,420.00 | $69,280.00 | $271,700.00 | $271,700.00 |
| 00000128338000000 | | 3600 | | COMMERCE | | $368,730.00 | $68,800.00 | $437,530.00 | $0.00 |
| 00000128341000000 | X | 3601 | | COMMERCE | | $0.00 | $83,440.00 | $83,440.00 | $0.00 |
| 00000128344000000 | X | 3609 | | COMMERCE | | $0.00 | $36,000.00 | $36,000.00 | $0.00 |
| 00000128347000000 | X | 3709 | | EAST SIDE | | $0.00 | $40,800.00 | $40,800.00 | $0.00 |
| 00000128350000000 | X | 3709 | | EAST SIDE | | $0.00 | $48,000.00 | $48,000.00 | $0.00 |
| 00000128354000000 | | 3600 | | MAIN | | $300.00 | $83,200.00 | $83,500.00 | $83,500.00 |
| 00000128356000000 | | 110 | | EXPOSITION | | $77,700.00 | $37,300.00 | $115,000.00 | $115,000.00 |
| 00000128359000000 | | 3606 | | MAIN | | $0.00 | $46,240.00 | $46,240.00 | $46,240.00 |
| 00000128365000000 | | 3500 | | COMMERCE | | $33,240.00 | $99,200.00 | $132,440.00 | $132,440.00 |
| 00000128368000000 | | 3506 | | COMMERCE | | $50,000.00 | $40,000.00 | $90,000.00 | $90,000.00 |
| 00000128371000000 | | 3713 | | LA FRANCE | | $35,000.00 | $40,000.00 | $75,000.00 | $75,000.00 |
| 00000128374000000 | | 3719 | | LA FRANCE | | $0.00 | $40,000.00 | $40,000.00 | $40,000.00 |
| 00000128378500000 | | 3511 | | PACIFIC | | $2,050.00 | $5,000.00 | $7,050.00 | $7,050.00 |
| 00000128380000000 | | 3721 | | LA FRANCE | | $0.00 | $38,930.00 | $38,930.00 | $38,930.00 |
| 00000128392000000 | | 201 | S | HILL | | $0.00 | $67,930.00 | $67,930.00 | $67,930.00 |
| 00000128398000000 | | 4016 | | EAST SIDE | | $5,030.00 | $31,000.00 | $36,030.00 | $36,030.00 |
| 00000128401000000 | | 4020 | | EAST SIDE | | $0.00 | $30,850.00 | $30,850.00 | $30,850.00 |
| 00000128404000000 | | 4024 | | EAST SIDE | | $0.00 | $32,170.00 | $32,170.00 | $32,170.00 |
| 00000128407000000 | | 224 | S | HILL | | $0.00 | $62,500.00 | $62,500.00 | $62,500.00 |
| 00000128410000000 | | 305 | S | HASKELL | | $386,000.00 | $104,000.00 | $490,000.00 | $490,000.00 |
| 00000128413000000 | | 4000 | | EAST SIDE | | $356,500.00 | $95,250.00 | $451,750.00 | $451,750.00 |
| 00000128416000000 | | 207 | S | HASKELL | | $0.00 | $15,000.00 | $15,000.00 | $15,000.00 |
| 00000128419000000 | | 201 | S | HASKELL | | $302,000.00 | $32,000.00 | $334,000.00 | $334,000.00 |
| 00000128422000000 | | 4010 | | EAST SIDE | | $140,860.00 | $31,000.00 | $171,860.00 | $171,860.00 |
| 00000128425000000 | | 407 | S | HASKELL | | $52,580.00 | $5,810.00 | $58,390.00 | $58,390.00 |
| 00000128464000000 | X | 411 | S | HASKELL | | $0.00 | $9,560.00 | $9,560.00 | $0.00 |
| 00000128476000000 | X | 317 | S | HILL | | $0.00 | $110,120.00 | $110,120.00 | $0.00 |
| 00000128650000000 | | 4002 | | MAIN | | $22,810.00 | $35,000.00 | $57,810.00 | $57,810.00 |
| 00000128653000000 | | 4004 | | MAIN | | $20,750.00 | $35,000.00 | $55,750.00 | $55,750.00 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District
## (continued)

| DCAD Account # | Exempt | Property Address | | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| 00000128656000000 | | 4008 | | MAIN | | $41,100.00 | $35,000.00 | $76,100.00 | $76,100.00 |
| 00000128659000000 | | 4012 | | MAIN | | $0.00 | $17,500.00 | $17,500.00 | $17,500.00 |
| 00000128662000000 | | 4010 | | MAIN | | $0.00 | $17,500.00 | $17,500.00 | $17,500.00 |
| 00000128665000000 | | 4016 | | MAIN | | $0.00 | $35,000.00 | $35,000.00 | $35,000.00 |
| 00000128668000000 | | 4020 | | MAIN | | $86,100.00 | $35,000.00 | $121,100.00 | $121,100.00 |
| 00000128671000000 | | 4024 | | MAIN | | $37,940.00 | $35,000.00 | $72,940.00 | $72,940.00 |
| 00000128674000000 | | 4034 | | MAIN | | $0.00 | $45,500.00 | $45,500.00 | $45,500.00 |
| 00000128677000000 | | 113 | S | HASKELL | | $9,160.00 | $21,000.00 | $30,160.00 | $30,160.00 |
| 00000128680000000 | | 121 | S | HASKELL | | $9,820.00 | $21,000.00 | $30,820.00 | $30,820.00 |
| 00000128683000000 | | 113 | | HASKELL | | $58,380.00 | $12,500.00 | $70,880.00 | $70,880.00 |
| 00000128686000000 | | 4023 | | EAST SIDE | | $53,600.00 | $39,000.00 | $92,600.00 | $92,600.00 |
| 00000128689000000 | | 4001 | | EAST SIDE | | $144,760.00 | $150,000.00 | $294,760.00 | $294,760.00 |
| 00000128692000000 | X | 3900 | | MAIN | | $0.00 | $1,250.00 | $1,250.00 | $0.00 |
| 00000128692000100 | | 3902 | | MAIN | | $0.00 | $32,370.00 | $32,370.00 | $32,370.00 |
| 00000128692000200 | X | 3906 | | MAIN | | $0.00 | $2,010.00 | $2,010.00 | $0.00 |
| 00000128695000000 | | 3904 | | MAIN | | $305,000.00 | $70,000.00 | $375,000.00 | $375,000.00 |
| 00000128698000000 | | 3912 | | MAIN | | $361,790.00 | $85,750.00 | $447,540.00 | $447,540.00 |
| 00000128701000000 | | 3922 | | MAIN | | $127,870.00 | $52,500.00 | $180,370.00 | $180,370.00 |
| 00000128710000000 | | 3933 | | EAST SIDE | | $45,060.00 | $54,000.00 | $99,060.00 | $99,060.00 |
| 00000128716000000 | | 3923 | | EAST SIDE | | $0.00 | $24,000.00 | $24,000.00 | $24,000.00 |
| 00000128719000000 | | 3925 | | EAST SIDE | | $0.00 | $24,000.00 | $24,000.00 | $24,000.00 |
| 00000128722000000 | | 3921 | | EAST SIDE | | $0.00 | $24,000.00 | $24,000.00 | $24,000.00 |
| 00000128725000000 | | 3919 | | EAST SIDE | | $0.00 | $24,000.00 | $24,000.00 | $24,000.00 |
| 00000128728000000 | | 3917 | | EAST SIDE | | $0.00 | $21,000.00 | $21,000.00 | $21,000.00 |
| 00000128731000000 | | 3915 | | EAST SIDE | | $0.00 | $30,000.00 | $30,000.00 | $30,000.00 |
| 00000128737000000 | | 3909 | | EAST SIDE | | $87,360.00 | $30,000.00 | $117,360.00 | $117,360.00 |
| 00000128740000000 | | 3905 | | EAST SIDE | | $89,850.00 | $30,000.00 | $119,850.00 | $119,850.00 |
| 00000128743000000 | | 3901 | | EAST SIDE | | $5,650.00 | $30,000.00 | $35,650.00 | $35,650.00 |
| 00000128962000000 | X | 3800 | | MAIN | | $0.00 | $74,900.00 | $74,900.00 | $0.00 |
| 00000128965000000 | | 3828 | | EAST SIDE | | $0.00 | $3,620.00 | $3,620.00 | $3,620.00 |
| 00000128971000000 | | 3901 | | BENSON | | $4,210.00 | $40,930.00 | $45,140.00 | $45,140.00 |
| 00000128998000000 | | 305 | | EXPOSITION | | $0.00 | $257,090.00 | $257,090.00 | $257,090.00 |
| 00000128998000100 | X | 3511 | | CANTON | | $0.00 | $49,270.00 | $49,270.00 | $0.00 |
| 00000129007000000 | | 3400 | | COMMERCE | | $28,010.00 | $70,400.00 | $98,410.00 | $98,410.00 |
| 00000129010000000 | X | 420 | | 2ND | | $0.00 | $199,150.00 | $199,150.00 | $0.00 |
| 00000129013000000 | | 333 | | 1ST | | $0.00 | $218,670.00 | $218,670.00 | $218,670.00 |
| 00000129013000100 | | 333 | | 1ST | | $432,520.00 | $307,840.00 | $740,360.00 | $740,360.00 |
| 00000129025000000 | | 424 | | 2ND | | $0.00 | $60,000.00 | $60,000.00 | $60,000.00 |
| 00000129028000000 | | 417 | | 1ST | | $8,500.00 | $159,900.00 | $168,400.00 | $168,400.00 |
| 00000129031000000 | | 502 | | 2ND | | $123,030.00 | $516,970.00 | $640,000.00 | $640,000.00 |
| 00000129037000000 | | 501 | | 2ND | | $79,550.00 | $412,450.00 | $492,000.00 | $492,000.00 |
| 00000129040000000 | | 317 | S | 2ND | | $0.00 | $324,630.00 | $324,630.00 | $324,630.00 |
| 00000129040000100 | X | 319 | S | 2ND | | $0.00 | $28,120.00 | $28,120.00 | $0.00 |
| 00000129043000000 | | 325 | | 2ND | | $0.00 | $60,000.00 | $60,000.00 | $60,000.00 |
| 00000129046000000 | | 413 | | 2ND | | $28,200.00 | $60,000.00 | $88,200.00 | $88,200.00 |
| 00000129049000000 | | 409 | | 2ND | | $113,500.00 | $208,520.00 | $322,020.00 | $322,020.00 |
| 00000129052000000 | | 429 | | 2ND | | $144,420.00 | $147,000.00 | $291,420.00 | $291,420.00 |
| 00000129055000000 | | 3300 | | COMMERCE | | $208,170.00 | $441,830.00 | $650,000.00 | $650,000.00 |
| 00000129070000000 | | 3404 | | MAIN | | $250,000.00 | $80,000.00 | $330,000.00 | $330,000.00 |
| 00000129073000100 | | 3412 | | MAIN | | $0.00 | $35,900.00 | $35,900.00 | $35,900.00 |
| 00000129076000000 | | 3416 | | MAIN | | $108,750.00 | $26,140.00 | $134,890.00 | $107,912.00 |
| 00000129076000100 | | 3414 | | MAIN | | $95,630.00 | $19,170.00 | $114,800.00 | $114,800.00 |
| 00000129082000000 | | 3302 | | ELM | | $0.00 | $47,860.00 | $47,860.00 | $47,860.00 |
| 00000129085000000 | | 3308 | | ELM | | $0.00 | $28,000.00 | $28,000.00 | $28,000.00 |
| 00000129088000000 | | 3312 | | ELM | | $0.00 | $56,000.00 | $56,000.00 | $56,000.00 |
| 00000129091000000 | | 3326 | | ELM | | $0.00 | $28,000.00 | $28,000.00 | $28,000.00 |
| 00000129094000000 | | 3330 | | ELM | | $0.00 | $28,000.00 | $28,000.00 | $28,000.00 |
| 00000129097000000 | | 3305 | | MAIN | | $0.00 | $72,800.00 | $72,800.00 | $72,800.00 |
| 00000129100000000 | | 3309 | | MAIN | | $0.00 | $28,000.00 | $28,000.00 | $28,000.00 |
| 00000129103000000 | | 3313 | | MAIN | | $0.00 | $28,000.00 | $28,000.00 | $28,000.00 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District
## (continued)

| DCAD Account # | Exempt | Property Address | | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| 00000129106000000 | | 3301 | | MAIN | | $0.00 | $28,000.00 | $28,000.00 | $28,000.00 |
| 00000129112000000 | | 3401 | | MAIN | | $136,360.00 | $60,000.00 | $196,360.00 | $196,360.00 |
| 00000129115000000 | | 3400 | | ELM | | $27,500.00 | $40,000.00 | $67,500.00 | $67,500.00 |
| 00000129118000000 | | 3404 | | ELM | | $40,920.00 | $40,000.00 | $80,920.00 | $80,920.00 |
| 00000129121000000 | | 3407 | | MAIN | | $34,760.00 | $20,000.00 | $54,760.00 | $54,760.00 |
| 00000129124000000 | | 3410 | | ELM | | $56,210.00 | $40,000.00 | $96,210.00 | $96,210.00 |
| 00000129127000000 | | 3409 | | MAIN | | $102,500.00 | $40,000.00 | $142,500.00 | $142,500.00 |
| 00000129131000000 | | 3414 | | ELM | | $151,640.00 | $95,020.00 | $246,660.00 | $246,660.00 |
| 00000129133000000 | | 3417 | | MAIN | | $108,640.00 | $44,860.00 | $153,500.00 | $153,500.00 |
| 00000129136000000 | | 3502 | | PACIFIC | | $0.00 | $88,630.00 | $88,630.00 | $88,630.00 |
| 00000129139000000 | | 3601 | | MAIN | | $136,150.00 | $126,000.00 | $262,150.00 | $262,150.00 |
| 00000129142000000 | | 3401 | | ELM | | $0.00 | $31,820.00 | $31,820.00 | $31,820.00 |
| 00000129148000000 | | 232 | | TRUNK | | $219,380.00 | $26,620.00 | $246,000.00 | $196,800.00 |
| 00000129154000000 | | 3333 | | ELM | | $151,970.00 | $116,210.00 | $268,180.00 | $268,180.00 |
| 00000129283000000 | | 210 | N | HALL | | $28,950.00 | $479,930.00 | $508,880.00 | $508,880.00 |
| 00000129285000000 | | 334 | N | HALL | | $263,860.00 | $414,620.00 | $678,480.00 | $678,480.00 |
| 00000129295000000 | | 3027 | | ELM | | $75,370.00 | $96,000.00 | $171,370.00 | $171,370.00 |
| 00000129298000000 | | 3027 | | ELM | | $1,800.00 | $60,000.00 | $61,800.00 | $61,800.00 |
| 00000129301000000 | | 211 | N | HALL | | $0.00 | $54,000.00 | $54,000.00 | $54,000.00 |
| 00000129304000000 | | 3300 | | INDIANA | | $0.00 | $50,000.00 | $50,000.00 | $50,000.00 |
| 00000129307000000 | | 3026 | | INDIANA | | $1,250.00 | $100,000.00 | $101,250.00 | $101,250.00 |
| 00000129310000000 | | 3026 | | INDIANA | | $21,280.00 | $50,000.00 | $71,280.00 | $71,280.00 |
| 00000129313000000 | | 315 | N | HALL | | $1,500.00 | $214,320.00 | $215,820.00 | $215,820.00 |
| 00000129319000000 | | 309 | N | HALL | | $1,980.00 | $101,750.00 | $103,730.00 | $103,730.00 |
| 00000129322000000 | | 301 | N | HALL | | $49,440.00 | $50,790.00 | $100,230.00 | $100,230.00 |
| 00000129406000000 | | 3202 | | ELM | | $58,310.00 | $527,280.00 | $585,590.00 | $585,590.00 |
| 00000129409000000 | | 3101 | | MAIN | | $0.00 | $315,000.00 | $315,000.00 | $315,000.00 |
| 00000129412000000 | | 3115 | | MAIN | | $0.00 | $68,400.00 | $68,400.00 | $68,400.00 |
| 00000129415000000 | | 3117 | | MAIN | | $34,200.00 | $68,400.00 | $102,600.00 | $102,600.00 |
| 00000129421000000 | | 3127 | | MAIN | | $0.00 | $84,160.00 | $84,160.00 | $84,160.00 |
| 00000129424000000 | | 3100 | | MAIN | | $158,180.00 | $60,000.00 | $218,180.00 | $218,180.00 |
| 00000129427000000 | | 3104 | | MAIN | | $29,590.00 | $60,000.00 | $89,590.00 | $89,590.00 |
| 00000129430000000 | | 3112 | | MAIN | | $11,200.00 | $90,000.00 | $101,200.00 | $101,200.00 |
| 00000129433000000 | | 3116 | | MAIN | | $387,060.00 | $90,000.00 | $477,060.00 | $477,060.00 |
| 00000129436000000 | | 3101 | | COMMERCE | | $134,000.00 | $50,000.00 | $184,000.00 | $184,000.00 |
| 00000129439000000 | | 3105 | | COMMERCE | | $37,510.00 | $50,000.00 | $87,510.00 | $87,510.00 |
| 00000129442000000 | | 3117 | | COMMERCE | | $90,410.00 | $150,000.00 | $240,410.00 | $240,410.00 |
| 00000129448000000 | | 3200 | | MAIN | | $1,532,920.00 | $117,080.00 | $1,650,000.00 | $1,650,000.00 |
| 00000129451000000 | | 3210 | | MAIN | | $1,257,800.00 | $185,620.00 | $1,443,420.00 | $1,163,670.00 |
| 00000129454000000 | | 3201 | | COMMERCE | | $50,220.00 | $63,600.00 | $113,820.00 | $113,820.00 |
| 00000129457000000 | | 3209 | | COMMERCE | | $0.00 | $36,400.00 | $36,400.00 | $36,400.00 |
| 00000129460000000 | | 3221 | | COMMERCE | | $2,960,950.00 | $189,050.00 | $3,150,000.00 | $0.00 |
| 00000129463000000 | | 3102 | | COMMERCE | | $67,110.00 | $27,440.00 | $94,550.00 | $94,550.00 |
| 00000129463000100 | | 3100 | | COMMERCE | | $67,330.00 | $27,440.00 | $94,770.00 | $94,770.00 |
| 00000129466000000 | | 3106 | | COMMERCE | | $78,350.00 | $55,000.00 | $133,350.00 | $133,350.00 |
| 00000129469000000 | | 3116 | | COMMERCE | | $243,960.00 | $165,000.00 | $408,960.00 | $408,960.00 |
| 00000129472000000 | | 3101 | | CANTON | | $136,000.00 | $33,000.00 | $169,000.00 | $169,000.00 |
| 00000129475000000 | | 3111 | | CANTON | | $292,990.00 | $132,010.00 | $425,000.00 | $425,000.00 |
| 00000129484000000 | | 3200 | | COMMERCE | | $133,410.00 | $55,000.00 | $188,410.00 | $188,410.00 |
| 00000129487000000 | | 3204 | | COMMERCE | | $0.00 | $20,350.00 | $20,350.00 | $20,350.00 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District
## (continued)

| DCAD Account # | Exempt | Property Address | | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| 00000129488000000 | | 3206 | | COMMERCE | | $0.00 | $34,650.00 | $34,650.00 | $34,650.00 |
| 00000129490000000 | | 3208 | | COMMERCE | | $0.00 | $55,000.00 | $55,000.00 | $55,000.00 |
| 00000129493000000 | | 3212 | | COMMERCE | | $0.00 | $55,000.00 | $55,000.00 | $55,000.00 |
| 00000129496000000 | | 3216 | | COMMERCE | | $0.00 | $47,850.00 | $47,850.00 | $47,850.00 |
| 00000129655000000 | | 3103 | | HICKORY | | $0.00 | $25,670.00 | $25,670.00 | $25,670.00 |
| 00000129680000000 | X | 1602 | | PEARLSTONE | | $250.00 | $90,000.00 | $90,250.00 | $0.00 |
| 00000129682000000 | | 1600 | | PEARLSTONE | | $30.00 | $10,280.00 | $10,310.00 | $10,310.00 |
| 00000129683000000 | | 1622 | | PEARLSTONE | | $6,190.00 | $19,500.00 | $25,690.00 | $25,690.00 |
| 00000129684000000 | | 3200 | | HICKORY | | $40.00 | $17,030.00 | $17,070.00 | $17,070.00 |
| 000082700608A0000 | | 3930 | | MAIN | | $271,490.00 | $96,250.00 | $367,740.00 | $367,740.00 |
| 000203000301A0000 | | 400 | S | HALL | | $894,580.00 | $1,255,420.00 | $2,150,000.00 | $2,150,000.00 |
| 000286000001A0000 | | 2639 | | ELM | | $627,060.00 | $98,150.00 | $725,210.00 | $725,210.00 |
| 00034800030000000 | | 100 | | MURRAY | | $0.00 | $22,480.00 | $22,480.00 | $22,480.00 |
| 000485000E08A0000 | | 301 | N | CROWDUS | | $4,719,860.00 | $639,370.00 | $5,359,230.00 | $5,359,230.00 |
| 000486000F02A0000 | | 2711 | | INDIANA | | $0.00 | $561,530.00 | $561,530.00 | $561,530.00 |
| 00080800020200000 | | 501 | S | HILL | | $0.00 | $44,550.00 | $44,550.00 | $44,550.00 |
| 000811000001A0000 | | 4115 | | COMMERCE | | $1,391,300.00 | $998,580.00 | $2,389,880.00 | $2,389,880.00 |
| 000813000603A0000 | | 405 | | EXPOSITION | | $0.00 | $53,910.00 | $53,910.00 | $53,910.00 |
| 00081500080000000 | | 3808 | | WILLOW | | $76,190.00 | $460,270.00 | $536,460.00 | $536,460.00 |
| 00081500080000100 | | 3812 | | WILLOW | | $0.00 | $29,940.00 | $29,940.00 | $29,940.00 |
| 000816000503A0000 | | 3831 | | COMMERCE | | $401,080.00 | $23,000.00 | $424,080.00 | $339,264.00 |
| 000816000503B0000 | | 3827 | | COMMERCE | | $347,400.00 | $19,000.00 | $366,400.00 | $366,400.00 |
| 000816000503C0000 | | 3823 | | COMMERCE | | $386,000.00 | $19,000.00 | $405,000.00 | $405,000.00 |
| 000816000503D0000 | | 3819 | | COMMERCE | | $347,400.00 | $19,000.00 | $366,400.00 | $366,400.00 |
| 000816000504A0000 | | 3815 | | COMMERCE | | $380,000.00 | $19,000.00 | $399,000.00 | $399,000.00 |
| 000816000504B0000 | | 3811 | | COMMERCE | | $386,000.00 | $19,000.00 | $405,000.00 | $405,000.00 |
| 000816000504C0000 | | 3807 | | COMMERCE | | $386,000.00 | $19,000.00 | $405,000.00 | $405,000.00 |
| 000816000504D0000 | | 3803 | | COMMERCE | | $337,000.00 | $23,000.00 | $360,000.00 | $360,000.00 |
| 000817000301A0000 | | 3800 | | COMMERCE | | $133,120.00 | $265,610.00 | $398,730.00 | $398,730.00 |
| 000817000301A0100 | | 3816 | | EAST SIDE | | $5,000.00 | $88,970.00 | $93,970.00 | $93,970.00 |
| 000817000301A0200 | | 3800 | | COMMERCE | | $5,537,350.00 | $363,920.00 | $5,901,270.00 | $5,901,270.00 |
| 00081800040030000 | | 3711 | | COMMERCE | | $0.00 | $129,580.00 | $129,580.00 | $129,580.00 |
| 00081800040040000 | | 3701 | | COMMERCE | | $0.00 | $129,600.00 | $129,600.00 | $129,600.00 |
| 000818000401A0000 | | 302 | | EXPOSITION | | $0.00 | $152,980.00 | $152,980.00 | $152,980.00 |
| 000820000101A0000 | | 3720 | | CANTON | | $1,599,980.00 | $200,020.00 | $1,800,000.00 | $1,800,000.00 |
| 00082200000010000 | | 3917 | | WILLOW | | $299,370.00 | $450,630.00 | $750,000.00 | $750,000.00 |
| 00082500000010000 | | 403 | S | HASKELL | | $985,160.00 | $232,790.00 | $1,217,950.00 | $1,217,950.00 |
| 000827001602A0000 | | 3800 | | MAIN | | $417,110.00 | $132,430.00 | $549,540.00 | $549,540.00 |
| 00082800010010000 | | 3435 | | COMMERCE | | $2,700.00 | $214,070.00 | $216,770.00 | $216,770.00 |
| 00082800010020000 | | 3300 | | MAIN | | $2,785,590.00 | $614,410.00 | $3,400,000.00 | $0.00 |
| 00082800010020100 | | 3400 | | MAIN | | $10,940.00 | $53,980.00 | $64,920.00 | $64,920.00 |
| 00082800030050000 | X | 300 | | 1ST | | $0.00 | $237,940.00 | $237,940.00 | $0.00 |
| 00083300000010000 | | 3309 | | ELM | | $17,050.00 | $351,720.00 | $368,770.00 | $368,770.00 |
| 00083300000010100 | | 3301 | | ELM | | $394,470.00 | $123,150.00 | $517,620.00 | $517,620.00 |
| 00083300000010200 | | 3301 | | ELM | | $0.00 | $103,710.00 | $103,710.00 | $103,710.00 |
| 00083300000010300 | | 3311 | | ELM | | $3,400,550.00 | $449,450.00 | $3,850,000.00 | $0.00 |
| 000844000K04A0000 | | 3027 | | INDIANA | | $560,770.00 | $194,710.00 | $755,480.00 | $755,480.00 |
| 00084900060070000 | | 3226 | | COMMERCE | | $0.00 | $120,070.00 | $120,070.00 | $120,070.00 |
| 00085100010010000 | | 3215 | | HICKORY | | $404,390.00 | $350,220.00 | $754,610.00 | $754,610.00 |
| 000853000A0010000 | X | 3101 | | OAK | | $1,292,810.00 | $896,860.00 | $2,189,670.00 | $0.00 |
| 00085300000010000 | | 3203 | | HICKORY | | $0.00 | $4,290.00 | $4,290.00 | $4,290.00 |
| 000826000001A0000 | | 3912 | | WILLOW | | $29,440.00 | $173,300.00 | $202,740.00 | $202,740.00 |
| 000826000001A0100 | | 3912 | | WILLOW | | $575,590.00 | $45,000.00 | $620,590.00 | $0.00 |
| 00000111076000200 | X | 2600 | | MONUMENT | | $0.00 | $1,142,140.00 | $1,142,140.00 | $0.00 |
| 000852000401A0000 | X | 1600 | | BAYLOR | | $84,400.00 | $564,540.00 | $648,940.00 | $0.00 |
| 00C43520000000119 | | 2502 | | LIVE OAK | 00119 | $143,940.00 | $6,620.00 | $150,560.00 | $150,560.00 |
| 00C43520000000120 | | 2502 | | LIVE OAK | 00120 | $131,610.00 | $5,650.00 | $137,260.00 | $109,808.00 |
| 00C43520000000121 | | 2502 | | LIVE OAK | 00121 | $258,060.00 | $12,010.00 | $270,070.00 | $152,056.00 |
| 00C43520000000122 | | 2502 | | LIVE OAK | 00122 | $97,450.00 | $4,700.00 | $102,150.00 | $81,720.00 |
| 00C43520000000124 | | 2502 | | LIVE OAK | 00124 | $143,940.00 | $6,620.00 | $150,560.00 | $120,448.00 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District
## (continued)

| DCAD Account # | Exempt | Property Address | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|
| 00C43520000000125 | | 2502 | LIVE OAK | 00125 | $121,490.00 | $4,700.00 | $126,190.00 | $126,190.00 |
| 00C43520000000127 | | 2502 | LIVE OAK | 00127 | $164,380.00 | $6,620.00 | $171,000.00 | $171,000.00 |
| 00C43520000000128 | | 2502 | LIVE OAK | 00128 | $164,380.00 | $6,620.00 | $171,000.00 | $171,000.00 |
| 0000011101000D100 | | 2717 | ELM | | $0.00 | $12,500.00 | $12,500.00 | $12,500.00 |
| 0000012823600D100 | | 417 | 1ST | | $0.00 | $8,990.00 | $8,990.00 | $8,990.00 |
| 0000012823900D100 | | 418 | 1ST | | $0.00 | $19,930.00 | $19,930.00 | $19,930.00 |
| 0000012824200D100 | | 400 | 1ST | | $0.00 | $9,740.00 | $9,740.00 | $9,740.00 |
| 00000128377000000 | | 3511 | PACIFIC | | $4,000.00 | $30,000.00 | $34,000.00 | $34,000.00 |
| 00000128379000000 | | 3511 | PACIFIC | | $2,050.00 | $5,000.00 | $7,050.00 | $7,050.00 |
| 00C43520000000101 | | 2502 | LIVE OAK | 00101 | $136,040.00 | $5,650.00 | $141,690.00 | $113,352.00 |
| 00C43520000000102 | | 2502 | LIVE OAK | 00102 | $116,730.00 | $5,090.00 | $121,820.00 | $97,456.00 |
| 00C43520000000208 | | 2502 | LIVE OAK | 00208 | $161,810.00 | $6,620.00 | $168,430.00 | $168,430.00 |
| 00C43520000000209 | | 2502 | LIVE OAK | 00209 | $156,420.00 | $6,620.00 | $163,040.00 | $130,432.00 |
| 00C43520000000210 | | 2502 | LIVE OAK | 00210 | $129,820.00 | $5,330.00 | $135,150.00 | $108,120.00 |
| 00C43520000000211 | | 2502 | LIVE OAK | 00211 | $110,050.00 | $4,700.00 | $114,750.00 | $91,800.00 |
| 00C43520000000212 | | 2502 | LIVE OAK | 00212 | $227,960.00 | $9,160.00 | $237,120.00 | $237,120.00 |
| 00C43520000000213 | | 2502 | LIVE OAK | 00213 | $131,300.00 | $5,380.00 | $136,680.00 | $109,344.00 |
| 00C43520000000214 | | 2502 | LIVE OAK | 00214 | $146,100.00 | $5,880.00 | $151,980.00 | $121,584.00 |
| 00C43520000000215 | | 2502 | LIVE OAK | 00215 | $214,990.00 | $8,690.00 | $223,680.00 | $178,944.00 |
| 00C43520000000216 | | 2502 | LIVE OAK | 00216 | $146,100.00 | $5,880.00 | $151,980.00 | $151,980.00 |
| 00C43520000000217 | | 2502 | LIVE OAK | 00217 | $131,300.00 | $5,380.00 | $136,680.00 | $109,344.00 |
| 00C43520000000218 | | 2502 | LIVE OAK | 00218 | $146,100.00 | $5,880.00 | $151,980.00 | $121,584.00 |
| 00C43520000000219 | | 2502 | LIVE OAK | 00219 | $156,420.00 | $6,620.00 | $163,040.00 | $130,432.00 |
| 00C43520000000220 | | 2502 | LIVE OAK | 00220 | $139,020.00 | $5,650.00 | $144,670.00 | $115,736.00 |
| 00C43520000000221 | | 2502 | LIVE OAK | 00221 | $131,300.00 | $5,380.00 | $136,680.00 | $136,680.00 |
| 00C43520000000223 | | 2502 | LIVE OAK | 00223 | $166,430.00 | $6,620.00 | $173,050.00 | $138,440.00 |
| 00C43520000000224 | | 2502 | LIVE OAK | 00224 | $156,420.00 | $6,620.00 | $163,040.00 | $130,432.00 |
| 00C43520000000233 | | 2502 | LIVE OAK | 00233 | $129,820.00 | $5,330.00 | $135,150.00 | $135,150.00 |
| 00C43520000000234 | | 2502 | LIVE OAK | 00234 | $155,040.00 | $5,880.00 | $160,920.00 | $128,736.00 |
| 00C43520000000235 | | 2502 | LIVE OAK | 00235 | $214,990.00 | $8,690.00 | $223,680.00 | $223,680.00 |
| 00C43520000000236 | | 2502 | LIVE OAK | 00236 | $146,100.00 | $5,880.00 | $151,980.00 | $151,980.00 |
| 00C43520000000237 | | 2502 | LIVE OAK | 00237 | $131,300.00 | $5,380.00 | $136,680.00 | $109,344.00 |
| 00C43520000000238 | | 2502 | LIVE OAK | 00238 | $161,810.00 | $6,620.00 | $168,430.00 | $168,430.00 |
| 00C43520000000301 | | 2502 | LIVE OAK | 00301 | $139,020.00 | $5,650.00 | $144,670.00 | $115,736.00 |
| 00C43520000000302 | | 2502 | LIVE OAK | 00302 | $131,300.00 | $5,380.00 | $136,680.00 | $136,680.00 |
| 00C43520000000303 | | 2502 | LIVE OAK | 00303 | $114,480.00 | $4,700.00 | $119,180.00 | $95,344.00 |
| 00C43520000000304 | | 2502 | LIVE OAK | 00304 | $170,020.00 | $6,620.00 | $176,640.00 | $176,640.00 |
| 00C43520000000305 | | 2502 | LIVE OAK | 00305 | $170,020.00 | $6,620.00 | $176,640.00 | $141,312.00 |
| 00C43520000000306 | | 2502 | LIVE OAK | 00306 | $114,480.00 | $4,700.00 | $119,180.00 | $95,344.00 |
| 00C43520000000307 | | 2502 | LIVE OAK | 00307 | $114,480.00 | $4,700.00 | $119,180.00 | $119,180.00 |
| 00C43520000000308 | | 2502 | LIVE OAK | 00308 | $170,020.00 | $6,620.00 | $176,640.00 | $141,312.00 |
| 00C43520000000309 | | 2502 | LIVE OAK | 00309 | $159,750.00 | $6,620.00 | $166,370.00 | $133,096.00 |
| 00C43520000000310 | | 2502 | LIVE OAK | 00310 | $129,820.00 | $5,330.00 | $135,150.00 | $108,120.00 |
| 00C43520000000137 | | 2502 | LIVE OAK | 00137 | $116,730.00 | $5,090.00 | $121,820.00 | $121,820.00 |
| 00C43520000000138 | | 2502 | LIVE OAK | 00138 | $164,380.00 | $6,620.00 | $171,000.00 | $153,900.00 |
| 00C43520000000201 | | 2502 | LIVE OAK | 00201 | $139,020.00 | $5,650.00 | $144,670.00 | $115,736.00 |
| 00C43520000000203 | | 2502 | LIVE OAK | 00203 | $96,090.00 | $4,700.00 | $100,790.00 | $80,632.00 |
| 00C43520000000204 | | 2502 | LIVE OAK | 00204 | $161,810.00 | $6,620.00 | $168,430.00 | $168,430.00 |
| 00C43520000000205 | | 2502 | LIVE OAK | 00205 | $156,420.00 | $6,620.00 | $163,040.00 | $141,194.00 |
| 00C43520000000206 | | 2502 | LIVE OAK | 00206 | $110,050.00 | $4,700.00 | $114,750.00 | $114,750.00 |
| 00C43520000000207 | | 2502 | LIVE OAK | 00207 | $96,090.00 | $4,700.00 | $100,790.00 | $100,790.00 |
| 00C43520000000225 | | 2502 | LIVE OAK | 00225 | $110,050.00 | $4,700.00 | $114,750.00 | $114,750.00 |
| 00C43520000000226 | | 2502 | LIVE OAK | 00226 | $96,090.00 | $4,700.00 | $100,790.00 | $100,790.00 |
| 00C43520000000227 | | 2502 | LIVE OAK | 00227 | $153,380.00 | $6,620.00 | $160,000.00 | $128,000.00 |
| 00C43520000000228 | | 2502 | LIVE OAK | 00228 | $156,420.00 | $6,620.00 | $163,040.00 | $130,432.00 |
| 00C43520000000229 | | 2502 | LIVE OAK | 00229 | $116,520.00 | $5,380.00 | $121,900.00 | $97,520.00 |
| 00C43520000000230 | | 2502 | LIVE OAK | 00230 | $96,090.00 | $4,700.00 | $100,790.00 | $100,790.00 |
| 00C43520000000231 | | 2502 | LIVE OAK | 00231 | $227,960.00 | $9,160.00 | $237,120.00 | $189,696.00 |
| 00C43520000000232 | | 2502 | LIVE OAK | 00232 | $146,100.00 | $5,880.00 | $151,980.00 | $121,584.00 |
| 00C43520000000311 | | 2502 | LIVE OAK | 00311 | $114,480.00 | $4,700.00 | $119,180.00 | $119,180.00 |

# Appendix B
# 2005 DCAD Real Property Accounts in the Deep Ellum TIF District
## (continued)

| DCAD Account # | Exempt | Property Address | | | Apt | Improvements | Land | Total Value | Taxable Value |
|---|---|---|---|---|---|---|---|---|---|
| 00C43520000000312 | | 2502 | | LIVE OAK | 00312 | $242,780.00 | $9,160.00 | $251,940.00 | $201,552.00 |
| 00C43520000000313 | | 2502 | | LIVE OAK | 00313 | $131,300.00 | $5,380.00 | $136,680.00 | $109,344.00 |
| 00C43520000000314 | | 2502 | | LIVE OAK | 00314 | $146,100.00 | $5,880.00 | $151,980.00 | $121,584.00 |
| 00C43520000000315 | | 2502 | | LIVE OAK | 00315 | $242,950.00 | $8,690.00 | $251,640.00 | $201,312.00 |
| 00C43520000000316 | | 2502 | | LIVE OAK | 00316 | $146,100.00 | $5,880.00 | $151,980.00 | $151,980.00 |
| 00C43520000000317 | | 2502 | | LIVE OAK | 00317 | $133,860.00 | $5,380.00 | $139,240.00 | $111,392.00 |
| 00C43520000000318 | | 2502 | | LIVE OAK | 00318 | $146,100.00 | $5,880.00 | $151,980.00 | $121,584.00 |
| 00C43520000000103 | | 2502 | | LIVE OAK | 00103 | $97,450.00 | $4,700.00 | $102,150.00 | $81,720.00 |
| 00C43520000000104 | | 2502 | | LIVE OAK | 00104 | $164,380.00 | $6,620.00 | $171,000.00 | $171,000.00 |
| 00C43520000000105 | | 2502 | | LIVE OAK | 00105 | $143,940.00 | $6,620.00 | $150,560.00 | $150,560.00 |
| 00C43520000000106 | | 2502 | | LIVE OAK | 00106 | $121,490.00 | $4,700.00 | $126,190.00 | $126,190.00 |
| 00C43520000000107 | | 2502 | | LIVE OAK | 00107 | $97,450.00 | $4,700.00 | $102,150.00 | $102,150.00 |
| 00C43520000000108 | | 2502 | | LIVE OAK | 00108 | $164,380.00 | $6,620.00 | $171,000.00 | $136,800.00 |
| 00C43520000000109 | | 2502 | | LIVE OAK | 00109 | $143,940.00 | $6,620.00 | $150,560.00 | $120,448.00 |
| 00C43520000000110 | | 2502 | | LIVE OAK | 00110 | $123,460.00 | $5,330.00 | $128,790.00 | $128,790.00 |
| 00C43520000000111 | | 2502 | | LIVE OAK | 00111 | $97,450.00 | $4,700.00 | $102,150.00 | $102,150.00 |
| 00C43520000000112 | | 2502 | | LIVE OAK | 00112 | $217,600.00 | $9,160.00 | $226,760.00 | $181,408.00 |
| 00C43520000000113 | | 2502 | | LIVE OAK | 00113 | $124,870.00 | $5,380.00 | $130,250.00 | $130,250.00 |
| 00C43520000000114 | | 2502 | | LIVE OAK | 00114 | $142,970.00 | $5,880.00 | $148,850.00 | $119,080.00 |
| 00C43520000000115 | | 2502 | | LIVE OAK | 00115 | $216,740.00 | $8,690.00 | $225,430.00 | $180,344.00 |
| 00C43520000000116 | | 2502 | | LIVE OAK | 00116 | $142,970.00 | $5,880.00 | $148,850.00 | $119,080.00 |
| 00C43520000000117 | | 2502 | | LIVE OAK | 00117 | $124,870.00 | $5,380.00 | $130,250.00 | $130,250.00 |
| 00C43520000000118 | | 2502 | | LIVE OAK | 00118 | $142,970.00 | $5,880.00 | $148,850.00 | $148,850.00 |
| 00C43520000000319 | | 2502 | | LIVE OAK | 00319 | $157,700.00 | $6,620.00 | $164,320.00 | $131,456.00 |
| 00C43520000000320 | | 2502 | | LIVE OAK | 00320 | $139,020.00 | $5,650.00 | $144,670.00 | $115,736.00 |
| 00C43520000000321 | | 2502 | | LIVE OAK | 00321 | $131,300.00 | $5,380.00 | $136,680.00 | $109,344.00 |
| 00C43520000000322 | | 2502 | | LIVE OAK | 00322 | $104,260.00 | $4,700.00 | $108,960.00 | $108,960.00 |
| 00C43520000000323 | | 2502 | | LIVE OAK | 00323 | $173,110.00 | $6,620.00 | $179,730.00 | $179,730.00 |
| 00C43520000000324 | | 2502 | | LIVE OAK | 00324 | $159,750.00 | $6,620.00 | $166,370.00 | $166,370.00 |
| 00C43520000000325 | | 2502 | | LIVE OAK | 00325 | $114,480.00 | $4,700.00 | $119,180.00 | $119,180.00 |
| 00C43520000000326 | | 2502 | | LIVE OAK | 00326 | $104,260.00 | $4,700.00 | $108,960.00 | $108,960.00 |
| 00C43520000000327 | | 2502 | | LIVE OAK | 00327 | $153,060.00 | $6,620.00 | $159,680.00 | $159,680.00 |
| 00C43520000000328 | | 2502 | | LIVE OAK | 00328 | $157,700.00 | $6,620.00 | $164,320.00 | $131,456.00 |
| 00C43520000000329 | | 2502 | | LIVE OAK | 00329 | $131,300.00 | $5,380.00 | $136,680.00 | $123,012.00 |
| 00C43520000000330 | | 2502 | | LIVE OAK | 00330 | $114,480.00 | $4,700.00 | $119,180.00 | $119,180.00 |
| 00C43520000000331 | | 2502 | | LIVE OAK | 00331 | $242,780.00 | $9,160.00 | $251,940.00 | $201,552.00 |
| 00C43520000000332 | | 2502 | | LIVE OAK | 00332 | $178,160.00 | $5,880.00 | $184,040.00 | $184,040.00 |
| 00C43520000000333 | | 2502 | | LIVE OAK | 00333 | $122,540.00 | $5,330.00 | $127,870.00 | $127,870.00 |
| 00C43520000000334 | | 2502 | | LIVE OAK | 00334 | $152,810.00 | $5,880.00 | $158,690.00 | $158,690.00 |
| 00C43520000000335 | | 2502 | | LIVE OAK | 00335 | $228,970.00 | $8,690.00 | $237,660.00 | $190,128.00 |
| 00C43520000000336 | | 2502 | | LIVE OAK | 00336 | $146,100.00 | $5,880.00 | $151,980.00 | $151,980.00 |
| 00C43520000000337 | | 2502 | | LIVE OAK | 00337 | $123,520.00 | $5,380.00 | $128,900.00 | $103,120.00 |
| 00C43520000000338 | | 2502 | | LIVE OAK | 00338 | $170,020.00 | $6,620.00 | $176,640.00 | $141,312.00 |
| 00C5775000000000A | | 3816 | | COMMERCE | A | $383,590.00 | $21,090.00 | $404,680.00 | $0.00 |
| 00C5775000000000B | | 3816 | | COMMERCE | B | $383,590.00 | $21,090.00 | $404,680.00 | $0.00 |
| 00C5775000000000C | | 3816 | | COMMERCE | C | $566,910.00 | $21,090.00 | $588,000.00 | $0.00 |
| 00C80500010000100 | | 215 | N | WALTON | 1 | $87,650.00 | $12,050.00 | $99,700.00 | $99,700.00 |
| 00C80500010000200 | | 215 | N | WALTON | 2 | $95,140.00 | $13,080.00 | $108,220.00 | $108,220.00 |
| 00C80500010000300 | | 215 | N | WALTON | 3 | $88,510.00 | $12,170.00 | $100,680.00 | $62,260.00 |
| 00C80500010000400 | | 215 | N | WALTON | 4 | $91,020.00 | $11,480.00 | $102,500.00 | $102,500.00 |
| 00C80500010000500 | | 215 | N | WALTON | 5 | $76,850.00 | $10,570.00 | $87,420.00 | $87,420.00 |
| 00C80500010000600 | | 215 | N | WALTON | 6 | $81,450.00 | $11,200.00 | $92,650.00 | $92,650.00 |
| 00C80500010000700 | | 215 | N | WALTON | 7 | $78,470.00 | $10,780.00 | $89,250.00 | $89,250.00 |
| 00C80500010000800 | | 215 | N | WALTON | 8 | $94,280.00 | $12,960.00 | $107,240.00 | $107,240.00 |
| 00C80500010000900 | | 215 | N | WALTON | 9 | $80,710.00 | $11,090.00 | $91,800.00 | $56,769.00 |
| 00C80500010001000 | | 215 | N | WALTON | 10 | $94,400.00 | $11,520.00 | $105,920.00 | $105,920.00 |
| 00C80500010001100 | | 215 | N | WALTON | 11 | $79,000.00 | $10,860.00 | $89,860.00 | $89,860.00 |
| 00C80500010001200 | | 215 | N | WALTON | 12 | $89,040.00 | $12,240.00 | $101,280.00 | $101,280.00 |
| 00C43520000000126 | | 2505 | | LIVE OAK | 126 | $97,450.00 | $4,700.00 | $102,150.00 | $102,150.00 |
| 00C43520000000202 | | 2502 | | LIVE OAK | 202 | $131,300.00 | $5,380.00 | $136,680.00 | $136,380.00 |
| 00C43520000000222 | | 2502 | | LIVE OAK | 222 | $110,050.00 | $4,700.00 | $114,750.00 | $91,800.00 |
| **Total** | | | | | | | | | **$107,990,540** |