APRIL 27, 2016 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated April 27, 2016. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

A.C. Gonzalez
City Manager

4.15.16
Date

For: Jeanne Chipperfield
Chief Financial Officer

4/15/16
Date

RECEIVED
2016 APR 15 PM 4:18
CITY SECRETARY
DALLAS, TEXAS

COUNCIL AGENDA

April 27, 2016
Date

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

General Information

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

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

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

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

Rules of Courtesy

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

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

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

Información General

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

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

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

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

Reglas de Cortesía

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

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

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

SUPPLEMENTAL NOTICE

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapitulo h, capitulo 411, código del gobierno (ley sobre licencias para portar pistolas), no *puede ingresar a esta propiedad con una pistola oculta."*

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapitulo h, capitulo 411, código del gobierno (ley sobre licencias para portar pistolas), no *puede ingresar a esta propiedad con una pistola a la vista."*

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, APRIL 27, 2016
ORDER OF BUSINESS

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

9:00 a.m.	**INVOCATION AND PLEDGE OF ALLEGIANCE**	
	OPEN MICROPHONE	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 52
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 53 - 59
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 60 - 71

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

AGENDA

CITY COUNCIL MEETING

APRIL 27, 2016

CITY OF DALLAS

1500 MARILLA

COUNCIL CHAMBERS, CITY HALL

DALLAS, TEXAS 75201

9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the April 13, 2016 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a three-year service contract for traffic counting services - Quality Traffic Data, LLC, most advantageous proposer of four - Not to exceed $318,000 - Financing: Current Funds (subject to annual appropriations)

3. Authorize a three-year service contract for courier services - Reliable Couriers, lowest responsible bidder of seven - Not to exceed $347,864 - Financing: Current Funds (subject to annual appropriations)

4. Authorize a three-year master agreement for handguns and parts for Police - Nardis Gun Club SA, LLC, lowest responsible bidder of two - Not to exceed $572,350 - Financing: Current Funds

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

5. Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed $550,105 - Financing: Current Funds ($535,880), Stormwater Drainage Management Current Funds ($9,740) and Aviation Current Funds ($4,485) (subject to annual appropriations)

6. Authorize a three-year master agreement for herbicides and pesticides for citywide use - SiteOne Landscape Supply, LLC in the amount of $731,779, Rentokil North America, Inc. dba Target Specialty Products in the amount of $467,501, BWI Dallas/Ft. Worth in the amount of $434,209, Winfield Solutions LLC in the amount of $196,725, Red River Specialties, Inc. in the amount of $160,457, N-Gulf, LLC dba Ameriturf in the amount of $149,083, Turf Care of Texas, LLC in the amount of $103,935 and Helena Chemical Company in the amount of $86,879, lowest responsible bidders of nine - Total not to exceed $2,330,568 - Financing: Current Funds ($2,079,210), Aviation Current Funds ($157,773), Water Utilities Current Funds ($71,184), Sanitation Current Funds ($17,654) and Stormwater Drainage Management Current Funds ($4,747)

7. Authorize a five-year master agreement, with three one-year renewal options, for the purchase of ruggedized mobile data computers - VetSource Mobility, LLC, most advantageous prosper of eight - Not to exceed $8,739,789 - Financing: Municipal Lease Agreement Funds (subject to appropriations)

City Attorney's Office

8. Authorize settlement of the lawsuit styled Justin Nunnally v. City of Dallas, Cause No. DC-15-12700 - Not to exceed $250,000 - Financing: Current Funds

9. Authorize settlement of the lawsuit styled Leah Showers v. Joseph Lee King and City of Dallas, Cause No. DC-15-07094 - Not to exceed $40,000 - Financing: Current Funds

10. Authorize Supplemental Agreement No. 1 to the professional services contract with Walker Bright P.C. for additional legal services in the lawsuit styled Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L - Not to exceed $70,000, from $25,000 to $95,000 - Financing: Current Funds

Economic Development

11. Authorize the first amendment to the development agreement and the Chapter 380 economic development grant agreement with Fairfield at Ross LLC for development of the Fairfield West End Residences in the City Center TIF District to extend the completion deadlines to September 30, 2016 - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

Housing/Community Services

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

13. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City

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

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

16. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of affordable houses; **(2)** the sale of 5 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to KW New Vision Properties and Land, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 5 properties that may have been filed by the City - Financing: No cost consideration to the City

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

CONSENT AGENDA (Continued)

Housing/Community Services (Continued)

18. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by South Dallas Fair Park Innercity Community Development Corporation for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to South Dallas Fair Park Innercity Community Development Corporation; **(3)** the exchange of deed restrictions from the 2 lots proposed to be purchased from the Land Bank to 2 comparable lots owned by the developer; and **(4)** execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City

19. Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development in the amount of $288,401, to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 1, 2016 through April 30, 2017; **(2)** a contract with Hillcrest House Partnership, Ltd. (as Owner) and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (as Subrecipient) in the amount of $288,401 to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 1, 2016 through April 30, 2017; **(3)** a cash match in the amount of $72,101 from Housing Opportunities for Persons with AIDS grant funds; and **(4)** execution of any and all agreements and other documents required by the grant - Total not to exceed $360,502 - Financing: U.S. Department of Housing and Urban Development Grant Funds

20. A resolution declaring two unimproved properties located at 410 Sparks Street and 411 Hart Street unwanted and unneeded and authorizing their conveyance to Dallas Housing Acquisition and Development Corporation, a qualified non-profit organization, through the Land Transfer Program (list attached) - Revenue: $2,000

21. Authorize an amendment to Resolution No. 15-1378, previously approved on August 12, 2015, for the conditional grant agreement in the amount of $1,500,000 with Central Dallas Community Development Corporation to extend the completion date to September 30, 2016 for construction of the 50 permanent supportive housing units located at 1531 Malcolm X Boulevard - Financing: No cost consideration to the City

22. Authorize Supplemental Agreement No. 1 to the FY2014-15 contract with Health Services of North Texas, Inc. to provide Housing Opportunities for Persons with AIDS scattered site housing assistance for persons with HIV/AIDS, to revise the Statement of Services and budget to reallocate funding in the amount of $3,362 from the Emergency/Tenant Based Rental Assistance (E/TBRA) - Housing Services budget category to the Emergency/Tenant Based Rental Assistance (E/TBRA) - Financial Assistance budget category, with no net change in the contract amount - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

Intergovernmental Services

23. Authorize **(1)** the acceptance of a grant from the Texas Department of Criminal Justice (Grant # 696-TC-16-17-L063), to develop and operate a pilot program for reentry services in the amount of $1,000,000 for the period September 1, 2015 through August 31, 2017; and **(2)** execution of the grant agreement - Not to exceed $1,000,000 - Financing: Texas Department of Criminal Justice Grant Funds

Library

24. Authorize acceptance of the Dallas Public Library Strategic Plan as developed by Futterman & Associates, Inc. dba CIVIC Technologies - Financing: No cost consideration to the City

Office of Financial Services

25. Authorize a public hearing to be held on June 15, 2016 to receive comments on the proposed change of use for property located at 138 West Davis Street purchased with Community Development Block Grant funds from the U. S. Department of Housing and Urban Development - Financing: No cost consideration to the City

Park & Recreation

26. Authorize a contract with Northstar Construction, LLC, lowest responsible bidder of two, for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road - Not to exceed $2,497,700 - Financing: General Obligation Commercial Paper Funds

27. Authorize a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2 DALLAS II, LLC for the development, operation and maintenance of a pedestrian bridge and landscape improvements for purposes of connecting to and providing public access from an adjacent development to the Katy Trail located at 3535 Travis Street - Financing: No cost consideration to the City

28. Authorize **(1)** a Memorandum of Understanding with the National Recreation and Park Association for new playground equipment at Urbandale Park located at 7400 Ireland Avenue; **(2)** the receipt and deposit of funds in the amount of $70,000 from the National Recreation and Park Association; and **(3)** an increase in appropriations in the Capital Gifts, Donation and Development Fund in the amount of $70,000 - Not to exceed $70,000 - Financing: Capital Gifts, Donation and Development Funds

29. A resolution authorizing the proposed use of a portion of the Elm Fork Greenbelt located at 3123 Proctor Street, totaling approximately 67,592 square feet of land, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, by the Texas Department of Transportation for construction of improvements to State Highway 183/John William Carpenter Freeway - Estimated Revenue: $15,000

CONSENT AGENDA (Continued)

Park & Recreation (Continued)

30. A resolution authorizing the proposed use of a portion of the Elm Fork Greenbelt located at 10400 Wildwood Drive, totaling approximately 296,757 square feet of land, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, by the Texas Department of Transportation for construction of improvements to State Highway Loop 12/Walton Walker Boulevard - Financing: No cost consideration to the City

31. Authorize a public hearing to be held on May 25, 2016 to receive comments on the proposed change of use and sale of a portion of the Kleberg Trail, consisting of a total of approximately 71,109 square feet of land, to the Texas Department of Transportation for construction of improvements to I-20 Frontage Roads - Estimated Revenue: $18,365

Planning and Urban Design

32. Authorize the City Manager to provide a Notice of Intent for establishing a Quiet Zone along the Union Pacific rail line corridor generally in the Urbandale area of Dallas encompassing the existing at-grade crossings of Prairie Creek Road and Sam Houston Road as required by the Federal Railroad Administration Final Train Horn Rule 49 CFR Part 222 and 229 - Financing: No cost consideration to the City

Public Works Department

33. Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the additional worked required for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed $1,062,969, from $12,103,302 to $13,166,270 - Financing: Public/Private Partnership Funds

34. Authorize Supplemental Agreement No. 1 to the professional services contract with GME Consulting Services, Inc. for additional materials testing services during construction of the Fire Station No. 6 replacement facility located at 2301 Pennsylvania Avenue - Not to exceed $18,528, from $42,987 to $61,515 - Financing: 2006 Bond Funds

35. Authorize Supplemental Agreement No. 8 to the professional services contract with Conley Group, Inc. for additional design and construction oversight for exterior renovation of 106 South Harwood Street - Not to exceed $191,973, from $1,238,770 to $1,430,743 - Financing: Public/Private Partnership Funds

Street Services

36. Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of thirteen, to provide traffic signal design services for 39 traffic signals at various intersections and other related tasks - Not to exceed $832,400 - Financing: 2006 Bond Funds ($505,000) and Current Funds ($327,400) (subject to annual appropriations)

CONSENT AGENDA (Continued)

Street Services (Continued)

37. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for material and labor costs for traffic signal improvements at five locations Belt Line Road and Dallas Parkway, Hampton Road and Clarendon Drive, Hampton Road and Illinois Avenue, Hillcrest Road and Alpha Road, and Polk Street and Wheatland Road; **(2)** the receipt and deposit of funds from TxDOT in the amount of $112,734; and **(3)** the establishment of appropriations in the amount of $112,734 in the Texas Department of Transportation Grant Fund - Not to exceed $112,734 - Financing: Texas Department of Transportation Grant Funds

38. Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct five traffic signals and associated off system intersection improvements at Marsh Lane and Rosemeade Parkway, Bruton Road and Second Avenue, Forest Lane and Audelia Road, Plano Road and Miller Road and Royal Lane and Skillman Street; **(2)** a required local match in the amount of $182,459; and **(3)** an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $100,500 - Total not to exceed $1,849,784 - Financing: Texas Department of Transportation Grant Funds ($1,566,825) and Current Funds ($182,459)

39. Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct five traffic signals and associated off system intersection improvements at Royal Lane and Abrams Road, Skillman Street and Walnut Hill Lane, Skillman Street and Lovers Lane, Walnut Hill Lane and Abrams Road and Webb Chapel Road and Larga Drive; **(2)** a required local match in the amount of $149,601; and **(3)** an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $96,500 - Total not to exceed $1,535,791 - Financing: Texas Department of Transportation Grant Funds ($1,289,691) and Current Funds ($149,601)

Sustainable Development and Construction

40. Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 16,822 square feet from Doyle Anderton located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed $2,000 increased from $4,585 ($2,085, plus closing costs and title expenses not to exceed $2,500) to $6,585 ($4,000, plus closing costs and title expenses not to exceed $2,585) - Financing: Water Utilities Capital Construction Funds

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

41. Authorize the quitclaim of 96 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale to the highest bidders; and authorize the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Revenue: $585,974

42. Authorize an amendment to the ten-year lease agreement with Mulix Investments, LLC to make leasehold improvements to the approximately 4,996 square feet of office space located at 2730 Coombs Creek Drive for the Southwest Building Inspection District office for the period December 1, 2014 through November 30, 2024 - Not to exceed $13,400 - Financing: Building Inspection Current Funds (subject to annual appropriations)

43. An ordinance granting a private license to Equity Hotel Group, LLC for the use of a total of approximately 385 square feet of aerial space to occupy, maintain and utilize two canopies over a portion of Record Street right-of-way, near its intersection with Wood Street - Revenue: $200 one-time fee, plus the $20 ordinance publication fee

44. An ordinance abandoning a sanitary sewer easement to Northaven Land Investment, LP and North Haven R.E., LP, the abutting owners, containing approximately 3,664 square feet of land, located near the intersection of Northaven Road and Freda Stern Drive - Revenue: $5,400, plus the $20 ordinance publication fee

Trinity Watershed Management

45. Authorize professional services contracts with Garver, LLC for the engineering design of five erosion control improvement projects (list attached) - Not to exceed $88,684 - Financing: 2012 Bond Funds ($19,603) and General Obligation Commercial Paper Funds ($69,081)

46. Authorize an increase in the contract with AUI Contractors, LLC for cooling water piping modifications, landscape improvements, pavement improvements and additional electrical improvements for the New Baker No. 3 Pump Station - Not to exceed $375,822, from $42,623,042 to $42,998,864 - Financing: 2006 Bond Funds

47. Authorize ratification of emergency concrete channel construction to repair flood damage to a concrete lined channel along Joe’s Creek in Northwest Dallas - Jeske Construction Company, lowest responsive bidder of four - Not to exceed $104,352 - Financing Stormwater Drainage Management Capital Construction Funds

48. Authorize ratification of emergency storm drainage pipe construction to repair a collapsed storm drainage pipe along Village Fair Place, from Ledbetter Drive to Five Mile Creek, with North Texas Contracting, Inc., lowest responsive bidder of three - Not to exceed $208,980 - Financing: Stormwater Drainage Management Capital Construction Funds

CONSENT AGENDA (Continued)

Water Utilities

Note: Item Nos. 49 and 50 must be considered collectively.

Environmental Services

49. * Authorize a professional services contract with AECOM Technical Services, Inc. to provide environmental services related to the construction or repair of water and wastewater mains, construction of new facilities, renovation of existing facilities, and general environmental services - Not to exceed $697,937 - Financing: Water Utilities Current Funds (subject to annual appropriations)

50. * Authorize a professional services contract with Terracon Consultants, Inc. to provide environmental services related to the construction or repair of stormwater drainage, maintenance inside the levee limits, soil stabilization for erosion control projects, construction of new facilities, renovation of existing facilities, and storm drain environmental services - Not to exceed $628,611 - Financing: Stormwater Drainage Management Capital Construction Funds ($314,305) and Stormwater Drainage Management Current Funds ($314,306) (subject to annual appropriations)

51. Authorize an increase in the contract with Cardinal Contractors, Inc. for additional work associated with grit removal improvements at the Central Wastewater Treatment Plant - Not to exceed $284,821, from $20,948,000 to $21,232,821 - Financing: Water Utilities Capital Construction Funds

52. Authorize **(1)** approval of an Industrial, Commercial, Institutional (ICI) rebate application from S2/PBC Brookshire, LP in the amount of $27,035, pursuant to Resolution No. 12-0530, previously approved on February 22, 2012; and **(2)** approval of an ICI rebate application from UT Southwestern Medical Center in the amount of $38,533, pursuant to Resolution No. 12-0530, previously approved on February 22, 2012 - Total not to exceed $65,568 - Financing: Water Conservation Program Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

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

ITEMS FOR FURTHER CONSIDERATION

Park & Recreation

54. Authorize a twenty-year development and maintenance agreement, with two five-year renewal options, with QuikTrip Corporation (QuikTrip), for the purpose of designing, constructing, and maintaining a trailhead for the Bachman Creek Greenbelt Trail located at 3900 Shorecrest Drive - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

Trinity Watershed Management

55. Authorize acquisition~~, including the exercise of the right of eminent domain, if such becomes necessary,~~ from Lawrence E. Baker, Jr., Michael Lynn Baker and Freddie M. Baker, of an improved tract of land containing approximately 36,626 square feet located on Barber Avenue near its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $25,538 ($22,538 plus closing costs and title expenses not to exceed $3,000) - Financing: 2006 Bond Funds

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

56. Authorize **(1)** a Development Agreement with MSW Crozier Tech, LP and Matthews Holdings Southwest, Inc., to dedicate future TIF revenues for reimbursement of eligible project costs related to paving, streetscape and lighting, façade restoration, environmental remediation, and interior/exterior demolition for redevelopment of 2218 Bryan Street, for the Old Dallas High School redevelopment project, located in Tax Increment Financing Reinvestment Zone Twelve (Deep Ellum TIF District); and **(2)** the Deep Ellum TIF District Board of Directors to dedicate an amount not to exceed $6,040,036 plus an Economic Development TIF Grant in an amount not to exceed $200,898 for a total amount not to exceed $6,240,934 from future Deep Ellum TIF District revenues, in accordance with the development agreement - Not to exceed $6,240,934 - Financing: Deep Ellum TIF District Funds (subject to appropriations)

Fort Worth Avenue TIF District

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

57. * Authorize rescission of Resolution Nos. 14-0841 and 14-0842, previously approved on March 28, 2014, which authorized a development agreement with Henry S. Miller and/or its affiliates HSM Multifamily Development LLC and/or HSM Cliff View Associates Ltd., in an amount not to exceed $4,650,000, payable from future Fort Worth Avenue TIF District funds in consideration of the proposed Cliff View Project in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

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

Fort Worth Avenue TIF District

58. * Authorize **(1)** a development agreement with HSM Cliff View Associates Ltd. to dedicate future Fort Worth Avenue TIF District revenues in amounts not to exceed: **(a)** $6,654,303 for on-site eligible project costs related to public infrastructure, affordable housing, environmental remediation and demolition, and park and open space improvements at 2002, 2010, and 2120 North Willomet Avenue; 1020, 1024, and 1028 Seale Street; 1019 and 1023 Stafford Avenue; and the adjacent Stafford Park at 1103 Stratford Avenue in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and **(b)** $651,304 for off-site eligible project costs related to public infrastructure improvements along Seale Street between Ormsby Street and Sylvan Avenue in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and **(2)** the Fort Worth Avenue TIF District Board of Directors to dedicate up to $7,305,607 from future Fort Worth Avenue TIF District revenues in accordance with the development agreement - Not to exceed $7,305,607 - Financing: Fort Worth Avenue TIF District Funds

59. Authorize a Chapter 380 economic development grant agreement with Zale Delaware, Inc. (“Zale”), a wholly-owned subsidiary of Signet Jewelers Limited (“Signet”), in an amount not to exceed $450,000 for the relocation and expansion of its operating headquarters to a new build-to-suit office facility and an associated new build-to-suit jewelry repair facility within the Cypress Waters development in the City of Dallas, pursuant to the Public/Private Partnership Program - Not to exceed $450,000 - Financing: Public/Private Partnership Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - INDIVIDUAL

60. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District on the northeast line of South Barry Avenue, north of South Haskell Avenue
Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions
Recommendation of CPC: Approval for a one-year period, subject to a site plan and conditions
Z156-112(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL (Continued)

61. A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay on property zoned Subarea 1 (Texas Horse Park) of Planned Development District No. 883 with Specific Use Permit No. 383 for a sand and gravel mine on a portion west of the intersection of Pemberton Hill Road and Sarah Lee Drive
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Recommendation of Landmark Commission: Approval, subject to preservation criteria
Z156-120(MP)

62. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use, an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, and a resolution accepting an amendment to deed restrictions volunteered by the applicant on property zoned an MU-1 Mixed Use District with deed restrictions, on the northeast corner of Lake June Road and Guard Drive
Recommendation of Staff: Approval of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan, landscape plan, elevation plans, and conditions; approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions; and approval of an amendment to deed restrictions including additional restrictions volunteered by the applicant
Recommendation of CPC: Approval of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan, landscape plan, revised elevation plans, and conditions; approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions; and approval of an amendment to deed restrictions including additional restrictions volunteered by the applicant
Z156-163(SM)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

63. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial/Research District on the south line of West Commerce Street, between Ivanhoe Lane and Brundrette Street
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions
Z145-329(OTH)
Note: This item was considered by the City Council at a public hearing on March 23, 2016, and was deferred until April 27, 2016, with the public hearing open

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (Continued)

64. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2053 for outside salvage or reclamation on property zoned an IM Industrial Manufacturing District on the south side of Bedford Street, east of Norwich Street
Recommendation of Staff and CPC: Approval for a five-year period, subject to a revised site plan and conditions
Z156-128(OTH)
Note: This item was considered by the City Council at a public hearing on March 23, 2016, and was deferred until April 27, 2016, with the public hearing open

65. A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial/Research District on property zoned an A(A) Agricultural District on the southeast corner of West Kiest Boulevard and Ledbetter Drive
Recommendation of Staff and CPC: Approval
Z156-178(OTH)
Note: This item was considered by the City Council at a public hearing on April 13, 2016, and was held under advisement until April 27, 2016, with the public hearing open

DESIGNATED ZONING CASES - INDIVIDUAL

66. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 696 on property bound by Welch Road, Rickover Drive, Crestline Avenue, and Ridgeside Drive
Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan, traffic management plan, and conditions
Z156-137(SM)

MISCELLANEOUS HEARINGS

Housing/Community Services

67. A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing jurisdictions from the Sheriff to Dallas Housing Acquisition and Development Corporation, a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim one unimproved property to Dallas Housing Acquisition and Development Corporation, under the HB110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: $1,000

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Office of Environmental Quality

68. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by GMA Development Corp, LLC and BK Ambassador Row, LTD, located near the intersection of Ambassador Row and Metromedia Place and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to GMA Development Corp, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Park & Recreation

69. A public hearing to receive comments on the proposed use of a portion of the Dallas Zoo located at 550 East Clarendon Drive for two drainage easements and one floodway easement for the Wilds of Africa plat, totaling approximately 116,015 square feet of land; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

Sustainable Development and Construction

70. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Sam Houston Elementary School as required by Section 6-4 of the Dallas City Code to allow a mixed beverages permit (Chapter 28 of the Texas Alcoholic Beverage Code) for a restaurant without drive-in or drive-through service with a food and beverage certificate [Woodford Drive, LLC, dba Zephyr Bakery Cafe] on the west corner of Cedar Springs Road and Throckmorton Street - AV156-002 - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Park & Recreation

71. A public hearing to receive comments for the proposed use of a portion of the Bachman Creek Greenbelt, totaling approximately 42,323 square feet, for driveway access and parking by QuikTrip Corporation; and at the close of the public hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

Land Bank (DHADC) Sale of Lots to
Coria Corporation Inc.
Agenda Item # 12

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 1733 Toronto	44N	6	$ 6,846.51
2. 3306 Clymer	42K	6	$10,170.31
3. 3615 Nomas	43K	6	$14,615.88

Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity
Agenda Item # 13

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 2018 Custer	65C	4	$11,992.34
2. 1955 E. Ann Arbor	65C	4	$14,322.18
3. 2107 E. Ann Arbor	65D	4	$20,465.02
4. 4227 Gladewater	65D	4	$22,041.69

Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity
Agenda Item # 14

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 4525 Corregidor	56Z	7	$10,559.37
2. 4705 Nome	56V	7	$ 9,554.35

Land Bank (DHADC) Sale of Lots to
JDS-Q Services, LLC
Agenda Item # 15

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 2521 Fernwood	55S	4	$13,720.78
2. 607 Rayenell	57R	5	$23,908.97

Land Bank (DHADC) Sale of Lots to
KW New Vision Properties and Land, Inc.
Agenda Item # 16

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 5407 Ash	46G	2	$ 8,968.74
2. 1643 E. Missouri	55T	4	$16,170.63
3. 2723 Park Row	46S	7	$24,814.31
4. 2519 Britton	55T	4	$15,624.04
5. 5410 Fannie	42U	6	$10,008.85

Land Bank (DHADC) Sale of Lots to
Marcer Construction Company, LLC
Agenda Item # 17

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 3038 Alabama	54Z	4	$24,697.95
2. 3042 Alabama	54Z	4	$21,657.37

Land Bank (DHADC) Sale of Lots to
South Dallas Fair Park Innercity Community Development Corporation
Agenda Item # 18

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 4826 Brashear	47N	7	$9,841.64
2. 4930 Brashear	47N	7	$1,981.52

Lots Owned by
South Dallas Fair Park Innercity Community Development Corporation
to be Exchanged for Land Bank Lots

Property Address	Mapsco	Council District
1. 3140 Harmon	46U	7
2. 3142 Harmon	46U	7

Surplus Property Resale
Agenda Item # 20

Parcel No.	Address	Non-Profit Organization	Mapsco	DCAD Amount	Sale Amount	Vac/ Imp	Zoning
1.	410 Sparks	Dallas Housing Acquisition and Development Corporation	55B	$7,000	$1,000	V	R-5(A)
2.	411 Hart	Dallas Housing Acquisition and Development Corporation	55B	$7,000	$1,000	V	R-5(A)

Tax Foreclosed and Seizure Warrant Property Resales

Agenda Item # 41

Parcel No.	Address	Vac/ Imp	Council District	Zoning	Parcel Size	Struck off Amount	# Bids Rec'd	Min Bid Amount	Highest Bid Amount	DCAD	Highest Bidder
1	1221 10th	V	4	PD-388	.0663	$4,340.00	4	$1,000.00	$ 1,750.00	$4,340.00	Guadalupe Martinez
2	1131 11th St	V	4	PD-388	.2630	$14,517.00	2	$1,000.00	$1,275.00	$17,190.00	Nextlots Now L.L.C.
3	1535 Adelaide	V	7	R-7.5(A)	.1692	$6,000.00	2	$1,000.00	$2,275.00	$6,000.00	Nextlots Now L.L.C.
4	3018 Arizona	V	4	R-7.5(A)	.1753	$15,000.00	4	$1,000.00	$12,500.00	$15,000.00	Nereida Vasquez
5	5511 Arlington Park	V	3	MU-2	.0649	$37,927.00	8	$250.00	$2,483.00	$1,250.00	Mason Sneed Hensley
6	1619 Avenue B	V	3	PD-5(A)	.0734	$5,000.00	2	$1,000.00	$2,895.00	$5,000.00	Nextlots Now L.L.C.
7	419 Avenue L	V	8	D(A)	.1273	$8,427.00	1	$1,000.00	$1,451.00	$9,500.00	Rolando Cobos
8	3300 Beauchamp	V	4	R-5(A)	.1730	$11,500.00	1	$1,000.00	$1,285.00	$11,500.00	Nextlots Now L.L.C.
9	1822 Bickers	V	4	R-5(A)	.1214	$2,195.00	14	$1,000.00	$11,666.96	$8,470.00	Angelica Hernandez
10	3844 Blue Ridge	V	7	R-10(A)	5.7140	$124,450.00	5	$25,000.00	$50,000.00	$124,450.00	Shaymah Mahdi
11	6425 C F Hawn	V	4	TH-3(A)	.4821	$15,400.00	6	$4,000.00	$21,386.00	$39,670.00	Axxan Green, Inc.
12	1618 Caldwell	V	7	D(A)	.1179	$5,140.00	3	$1,000.00	$3,000.99	$5,140.00	Alma Mireya Reyes Barbosa
13	1614 Caldwell	V	2	D(A)	.1119	$4,880.00	3	$1,000.00	$3,000.99	$4,880.00	Alma Mireya Reyes Barbosa
14	4215 Canal	V	5	PD-595	.1426	$1,113.00	2	$1,000.00	$2,200.00	$5,000.00	Kimiaki Itamura
15	4328 Canal	V	6	PD-595	.1414	$1,484.00	2	$1,000.00	$2,052.00	$5,000.00	Clifford Johnson Jr.
16	3814 Carl	V	4	PD-595	.1458	$1,295.00	4	$1,000.00	$2,795.00	$5,000.00	Nextlots Now L.L.C.
17	2437 Cedar Crest	V	7	CR	.7174	$18,850.00	2	$3,000.00	$5,100.00	$31,250.00	Aubrey Quarles
18	1427 Cedar Oaks	V	9	R-7.5(A)	.1813	$13,000.00	4	$1,000.00	$29,999.00	$31,250.00	Citywide Development & Construction, LLC
19	1200 Claude	I	7	R-5(A)	.1615	$11,500.00	11	$10,000.00	$35,000.00	$34,470.00	Eric Arevalo
20	1229 Claude	V	7	R-5(A)	.1714	$34,760.00	4	$1,000.00	$3,100.00	$6,229.86	Alonso Olmos
21	4422 Colonial	V	7	PD-595	.1338	$1,542.00	2	$1,000.00	$1,400.00	$5,250.00	W. Justin Title and Sherri M. Title
22	3815 Colonial	V	7	PD-595	.1400	$2,558.00	2	$1,000.00	$1,385.00	$5,490.00	Maria Schneider, Devan Earle, Doric Earle, And M.W. Resnick
23	1100 Comal	V	4	PD-571	.0479	$7,000.00	7	$1,000.00	$2,765.02	$7,000.00	Megan E. Knauss and Stephani A. Kyle
24	1102 Comal	V	4	PD-571	.0214	$7,000.00	7	$1,000.00	$2,550.00	$7,000.00	Cristal Benitez
25	3910 Copeland	V	7	PD 595	.1458	$1,518.00	5	$250.00	$2,100.00	$5,000.00	Kimiaki Itamura
26	4334 Copeland	V	7	PD-595	.1017	$30,463.00	2	$250.00	$300.00	$37,800.00	Christina Martinez and Kelly Martinez
27	3819 Copeland	V	7	PD-595	.1432	$1,848.00	2	$1,000.00	$2,050.00	$5,000.00	Kimiaki Itamura
28	4015 Copeland	V	7	PD-595	.1204	$14,489.00	3	$250.00	$500.00	$3,750.00	Tena Ny
29	2810 Dathe	V	7	PD-595	.1228	$2,881.00	2	$1,000.00	$3,100.00	$5,000.00	Genaro B. Fierro
30	2415 Dathe	I	7	PD-595	.1215	$23,370.00	8	$3,000.00	$15,050.00	$23,370.00	Jose Saragoza
31	1410 Denley	V	4	R-7.5(A)	1.4420	$23,000.00	3	$3,000.00	$5,800.00	$23,000.00	Benito Mojica
32	1732 Denley	V	4	CR	.2164	$1,310.00	2	$1,000.00	$3,075.00	$13,000.00	Nextlots Now L.L.C.
33	1429 Diceman	V	4	R-7.5(A)	.3309	$9,500.00	4	$1,000.00	$2,200.00	$9,500.00	Benito Mojica
34	2323 Echo Lake	V	8	R-7.5(A)	.3389	$12,000.00	5	$1,000.00	$3,725.00	$12,000.00	Nextlots Now L.L.C.
35	711 Elston	V	3	R-7.5(A)	.2559	$12,000.00	1	$500.00	$2,900.00	$12,000.00	JDS-Q Services, LLC
36	1306 Emily	V	4	R-7.5(A)	.2466	$7243.00	2	$500.00	$600.00	$10,000.00	Alfonso Ruiz
37	1310 Emily	V	4	R-7.5(A)	.2071	$7,065.00	2	$500.00	$600.00	$10,000.00	Alfonso Ruiz
38	1314 Emily	V	4	R-7.5(A)	.1949	$7,211.00	2	$500.00	$600.00	$10,000.00	Alfonso Ruiz

Tax Foreclosed and Seizure Warrant Property Resales

Agenda Item # 41 (Continued)

Parcel No.	Address	Imp	Vac/ District	Council Zoning	Struck Size	# Parcel Amount	Min off Rec'd	Highest Bids Amount	Bid Amount	Bid DCAD	Highest Bidder
39	5608 Fannie	V	6	R-5(A)	.0321	$4,800.00	4	$500.00	$3,280.00	$2,400.00	DFW Projects, LLC
40	1302 Foley	V	2	R-5(A)	.0594	$2,590.00	1	$500.00	$605.00	$2,590.00	Nextlots Now L.L.C.
41	3407 Forney	V	2	CS	.0797	$4,350.00	2	$500.00	$3,150.00	$4,350.00	Nextlots Now L.L.C.
42	4314 Frank	V	7	PD-595	.1451	$1,136.00	4	$1,000.00	$3,500.00	$5,000.00	Maxine Hightower
43	4326 Frank	V	7	PD-595	.1416	$1,555.00	2	$1,000.00	$1,108.00	$5,000.00	Maria Schneider, Devan Earle, Doric Earle, and M.W. Resnick
44	4007 Furey	V	6	R-5(A)	.1567	$12,000.00	10	$1,000.00	$10,200.00	$12,000.00	DFW Projects, LLC
45	4711 Garrison	V	4	R-7.5(A)	.0758	$3,310.00	1	$500.00	$507.00	$3,310.00	Anthony Boyd Ira LLC
46	1306 Glidden	V	4	R-5(A)	.0941	$1,426.00	1	$250.00	$355.00	$9,780.00	Lonnie Barnes
47	2721 Gould	V	7	PD-595	.1987	$6,243.00	5	$1,000.00	$5,400.02	$18,380.00	Megan E. Knauss and Stephani A. Kyle
48	2821 Gould	V	7	PD-595	.1469	$9,600.00	2	$1,000.00	$3,571.00	$16,000.00	Devan Earle
49	4226 Hamilton	V	7	PD-595	.1461	$1,404.00	1	$1,000.00	$2,250.00	$5,000.00	Kimiaki Itamura
50	2427 Harding	I	7	PD-595	.1519	$22,030.00	4	$3,500.00	$15,000.00	$22,030.00	Esteban Melgarejo Castillo
51	4511 Hedgdon	V	4	R-10(A)	.9226	$12,725.00	2	$2,000.00	$6,875.00	$24,000.00	Nextlots Now L.L.C.
52	1410 Hendricks	V	4	R-5(A)	.1652	$7,472.00	4	$1,000.00	$2,501.00	$11,500.00	Edmond Chiu
53	1311 Hendricks	V	4	R-5(A)	.1698	$11,500.00	3	$1,000.00	$2,435.00	$11,500.00	Nextlots Now L.L.C.
54	2912 Holmes	V	7	PD-595	.2066	$12,500.00	2	$1,000.00	$4,600.00	$22,500.00	County Land and Water LLC Series Com1
55	2630 Idaho	V	4	R-7.5(A)	.1723	$11,000.00	3	$1,000.00	$3,125.00	$11,000.00	Nextlots Now L.L.C.
56	4114 Jamaica	V	7	PD-595	.1607	$1,294.00	3	$1,000.00	$3,786.00	$8,760.00	Glo-Nite, Inc.
57	3623 Kenilworth	V	7	PD-595	.1451	$2,137.00	1	$1,000.00	$1,188.00	$3,160.00	Maria Schneider, Devan Earle, Doric Earle, and M.W. Resnick
58	3504 Keyridge	V	8	R-7.5(A)	.2188	$1,479.00	2	$1,000.00	$6,865.00	$12,000.00	Nextlots Now L.L.C.
59	4947 Kildare	V	3	R-7.5(A)	.2954	$22,380.00	2	$1,000.00	$1,875.00	$6,000.00	Nextlots Now L.L.C.
60	2727 Lawrence	I	7	PD-595	.1613	$17,490.00	2	$6,000.00	$10,007.00	$17,490.00	Tri-Capital Equities LLC
61	2736 Lebrock	V	8	R-5(A)	.2915	$8,000.00	1	$500.00	$550.00	$8,000.00	Raquel Rollins
62	3744 Legendary	V	4	MF-2(A)	6.6187	$708,970.00	3	$37,500.00	$53,520.00	$360,390.00	Tonya Watson
63	2524 Marburg	V	7	PD 595	.2200	$1,624.00	3	$250.00	$500.00	$6,000.00	W. Justin Title and Sherri M. Title
64	2231 Marburg	V	7	PD-595	.1729	$6,000.00	2	$500.00	$1,000.00	$6,000.00	W. Justin Title and Sherri M. Title
65	1212 Marfa	V	4	R-7.5(A)	.2012	$10,000.00	1	$1,000.00	$1,525.00	$10,000.00	Nextlots Now L.L.C.
66	2639 Marfa	V	4	R-7.5(A)	.2100	$19,429.00	1	$500.00	$1,375.00	$13,000.00	Nextlots Now L.L.C.
67	5703 Margewood	I	3	R-7.5(A)	.2615	$23,119.00	8	$7,000.00	$30,100.00	$45,060.00	Cristal Benitez and Oscar Garcia
68	18 Margewood	V	3	R-7.5(A)	.5657	$16,083.00	5	$2,000.00	$10,050.00	$21,200.00	Luis Mendez and Carlos Guzman
69	2911 Marsalis	V	4	R-7.5(A)	.1860	$13,500.00	7	$1,000.00	$14,500.00	$13,500.00	Nereida Vasquez
70	2726 Meadow	V	7	PD-595	.1320	$4,911.00	5	$500.00	$888.00	$11,500.00	Jonathan Bender
71	4223 Metropolitan	V	7	PD-595	.1494	$1,752.00	3	$1,000.00	$1,855.00	$5,000.00	Daporscha Kelley

Tax Foreclosed and Seizure Warrant Property Resales

Agenda Item # 41 (Continued)

Parcel No.	Address	Imp	Vac/ District	Council Zoning	Struck Size	# Parcel Amount	Min off Rec'd	Highest Bids Amount	Bid Amount	Bid DCAD	Highest Bidder
72	3321 Morris	I	6	R-5(A)	.1668	$48,610.00	8	$7,000.00	$20,563.00	$48,610.00	Homex Change LLC DBA Nomas Homex Change
73	2732 Parnell	V	7	PD-595	.1606	$10,500.00	2	$1,000.00	$1,799.00	$17,500.00	Devan Earle
74	4337 Penelope	V	7	PD-595	.1483	$2,287.00	2	$1,000.00	$1,207.00	$5,000.00	Devan Earle
75	1308 Pennsylvania	V	7	PD-595	.1802	$1,649.00	4	$1,000.00	$2,855.00	$19,630.00	Daporscha Kelley
76	3902 Pine	V	7	PD-595	.1202	$1,640.00	2	$1,000.00	$1,456.00	$5,000.00	Francisco Mujica
77	11700 Ravenview	V	8	R-10(A)	.9270	$5,560.00	1	$1,000.00	$1,500.00	$5,560.00	Oscar Garcia
78	3231 Reed	V	7	PD-595	.1721	$2,401.00	2	$1,000.00	$1,501.00	$6,000.00	Francisco Mujica
79	3327 Reed	V	7	PD-595	.1721	$1,539.00	3	$1,000.00	$1,501.00	$6,000.00	Francisco Mujica
80	3923 Roberts	I	7	PD-595	.1126	$16,146.00	1	$5,000.00	$5,777.00	$13,550.00	Tri-Capital Equities LLC
81	7331 Scyene	V	5	R-7.5(A)	.2937	$16,000.00	3	$2,000.00	$6,400.00	$16,000.00	Benito Mojica
82	8906 Sedgemoor	V	8	R-7.5(A)	.5166	$9,843.00	11	$2,000.00	$25,399.00	$16,880.00	Citywide Development & Construction, LLC
83	2624 Seevers	V	4	R-7.5(A)	.1699	$14,000.00	8	$500.00	$14,757.00	$14,000.00	Nereida Vasquez
84	1903 Smoke Tree	V	8	PD-258	.5252	$15,000.00	6	$1,000.00	$4,200.00	$15,000.00	Carmen Olguin
85	1732 Smoke Tree	V	8	PD-258	.1749	$9,000.00	1	$1,000.00	$1,875.00	$9,000.00	Nextlots Now L.L.C.
86	2714 Southland	V	7	PD-595	.1543	$1,800.00	2	$250.00	$901.10	$6,000.00	Samuel Demissew
87	2374 Southwood	V	4	R-7.5(A)	.2854	$11,097.00	3	$2,000.00	$5,579.00	$20,700.00	Devan Earle
88	4603 Spring Garden	V	7	PD 595	.1147	$2,254.00	2	$1,000.00	$2,005.00	$6,000.00	Tonya Watson
89	2728 Swanson	V	7	PD-595	.1152	$1,879.00	2	$1,000.00	$1,605.00	$5,000.00	Tonya Watson
90	524 Tama	V	4	R-5(A)	.0700	$7,409.00	2	$ 500.00	$1,000.00	$7,480.00	Maria Estrada
91	1306 Valley	V	4	R-5(A)	.0820	$8,630.00	3	$1,000.00	$2,375.00	$8,630.00	Nextlots Now L.L.C.
92	1314 Valley	V	4	R-5(A)	.0826	$8,630.00	3	$500.00	$2,575.00	$8,630.00	Nextlots Now L.L.C.
93	4319 Willow Springs	I	7	PD-595	.1144	$22,608.00	6	$7,000.00	$22,666.96	$46,320.00	Angelica Hernandez
94	709 Woodbine	V	4	R-5(A)	.1492	$1,626.00	4	$250.00	$1,005.00	$3,600.00	Tonya Watson
95	3807 York	V	7	PD 595	.1311	$1,446.00	4	$250.00	$755.00	$2,860.00	Tonya Watson
96	3531 York	V	7	PD 595	.1492	$1,621.00	5	$250.00	$755.00	$3,250.00	Tonya Watson

Professional Services contracts for five Erosion Control Projects
Agenda Item # 45

Location	**Council District**	**Firm**	**Amount**
Group 12		Garver, LLC	
Glendale Park Site 4	3		$ 4,900.00
Glendale Park Site 1	3		$ 9,803.00
Glendale Park Site 3	3		$ 4,900.00
Twin Falls Park Trail	3		$36,983.00
Turtle Creek Greenbelt Site 1	14		$32,098.00

Tax Foreclosure and Seizure Property Resale
Agenda Item # 67

Parcel No.	Address	Non-Profit Organization	Mapsco	DCAD Amount	Sale Amount	Vac/ Imp	Zoning
1.	418 Sparks	Dallas Housing Acquisition and Development Corporation	55B	$7,000	$1,000	V	R-5(A)

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 April 27, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			All	V	NA	NA	NA	NA	Approval of Minutes of the April 13, 2016 City Council Meeting
2			All	C	PBD, STS	$318,000.00	23.80%	23.80%	Authorize a three-year service contract for traffic counting services -Quality Traffic Data, LLC, most advantageous proposer of four - Not to exceed $318,000 - Financing: Current Funds (subject to annual appropriations)
3			All	C	PBD, EBS, POL	$347,864.00	100.00%	0.00%	Authorize a three-year service contract for courier services - Reliable Couriers, lowest responsible bidder of seven - Not to exceed $347,864 - Financing: Current Funds (subject to annual appropriations)
4			All	C	PBD, POL	$572,350.00	0.00%	0.00%	Authorize a three-year master agreement for handguns and parts for Police - Nardis Gun Club SA, LLC, lowest responsible bidder of two - Not to exceed $572,350 - Financing: Current Funds
5			All	C	PBD, OPI, AVI, CCS, CDS, FIR, PKR, POL, STS, TWM	$550,105.00	90.00%	100.00%	Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed $550,105 - Financing: Current Funds ($535,880), Stormwater Drainage Management Current Funds ($9,740) and Aviation Current Funds ($4,485) (subject to annual appropriations)
6			All	C	PBD, AVI, PKR, SAN, TWM, WTR	$2,330,567.27	78.36%	0.17%	Authorize a three-year master agreement for herbicides and pesticides for citywide use -SiteOne Landscape Supply, LLC in the amount of $731,779, Rentokil North America, Inc. dba Target Specialty Products in the amount of $467,501, BWI Dallas/Ft. Worth in the amount of $434,209, Winfield Solutions LLC in the amount of $196,725, Red River Specialties, Inc. in the amount of $160,457, N-Gulf, LLC dba Ameriturf in the amount of $149,083, Turf Care of Texas, LLC in the amount of $103,935 and Helena Chemical Company in the amount of $86,879, lowest responsible bidders of nine - Total not to exceed $2,330,568 - Financing: Current Funds ($2,079,210), Aviation Current Funds ($157,773), Water Utilities Current Funds ($71,184), Sanitation Current Funds ($17,654) and Stormwater Drainage Management Current Funds ($4,747)
7			All	C	PBD, CIS	$8,739,788.19	0.00%	0.00%	Authorize a five-year master agreement, with three one-year renewal options, for the purchase of ruggedized mobile data computers - VetSource Mobility, LLC, most advantageous prosper of eight -Not to exceed $8,739,789 -Financing: Municipal Lease Agreement Funds (subject to appropriations)
8			N/A	C	ATT, PBW	$250,000.00	NA	NA	Authorize settlement of the lawsuit styled Justin Nunnally v. City of Dallas, Cause No. DC-15-12700 - Not to exceed $250,000 - Financing: Current Funds
9			N/A	C	ATT, STS	$40,000.00	NA	NA	Authorize settlement of the lawsuit styled Leah Showers v. Joseph Lee King and City of Dallas, Cause No. DC-15-07094 - Not to exceed $40,000 - Financing: Current Funds
10			N/A	C	ATT	$70,000.00	100.00%	0.00%	Authorize Supplemental Agreement No. 1 to the professional services contract with Walker Bright P.C. for additional legal services in the lawsuit styled Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L - Not to exceed $70,000, from $25,000 to $95,000 - Financing: Current Funds
11			14	C	ECO	NC	NA	NA	Authorize the first amendment to the development agreement and the Chapter 380 economic development grant agreement with Fairfield at Ross LLC for development of the Fairfield West End Residences in the City Center TIF District to extend the completion deadlines to September 30, 2016 -Financing: No cost consideration to the City
12			6	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Coria Corporation Inc. for the construction of affordable houses; (2) the sale of 3 vacant lots from Dallas Housing Acquisition and Development Corporation to Coria Corporation Inc.; and (3) execution of a release of lien for any non-tax liens on the 3 properties that may have been filed by the City -Financing: No cost consideration to the City
13			4	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; (2) the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and (3) execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City -Financing: No cost consideration to the City
14			7	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; (2) the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and (3) execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City -Financing: No cost consideration to the City

AGENDA DATE April 27, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
15			4, 5	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by JDS-Q Services, LLC for the construction of affordable houses; (2) the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to JDS-Q Services, LLC; and (3) execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City -Financing: No cost consideration to the City
16			2, 4, 6, 7	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of affordable houses; (2) the sale of 5 vacant lots from Dallas Housing Acquisition and Development Corporation to KW New Vision Properties and Land, Inc.; and (3) execution of a release of lien for any non-tax liens on the 5 properties that may have been filed by the City - Financing: No cost consideration to the City
17			4	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Marcer Construction Company, LLC for the construction of affordable houses; (2) the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to Marcer Construction Company, LLC; and (3) execution of a release of lien for any non-tax liens on the 2 properties that may have been filed by the City -Financing: No cost consideration to the City
18			7	C	HOU	NC	NA	NA	Authorize (1) approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by South Dallas Fair Park Innercity Community Development Corporation for the construction of affordable houses; (2) the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to South Dallas Fair Park Innercity Community Development Corporation; (3) the exchange of deed restrictions from the 2 lots proposed to be purchased from the Land Bank to 2 comparable lots owned by the developer; and (4) execution of a release of lien for any non-tax liens that may have been filed by the City -Financing: No cost consideration to the City
19			1	C	HOU	GT	NA	NA	Authorize (1) the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development in the amount of $288,401, to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 1, 2016 through April 30, 2017; (2) a contract with Hillcrest House Partnership, Ltd. (as Owner) and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (as Subrecipient) in the amount of $288,401 to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 1, 2016 through April 30, 2017; (3) a cash match in the amount of $72,101 from Housing Opportunities for Persons with AIDS grant funds; and (4) execution of any and all agreements and other documents required by the grant - Total not to exceed $360,502 - Financing: U.S. Department of Housing and Urban Development Grant Funds
20			4	C	HOU	REV $2,000	NA	NA	A resolution declaring two unimproved properties located at 410 Sparks Street and 411 Hart Street unwanted and unneeded and authorizing their conveyance to Dallas Housing Acquisition and Development Corporation, a qualified non-profit organization, through the Land Transfer Program - Revenue: $2,000
21			7	C	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 15-1378, previously approved on August 12, 2015, for the conditional grant agreement in the amount of $1,500,000 with Central Dallas Community Development Corporation to extend the completion date to September 30, 2016 for construction of the 50 permanent supportive housing units located at 1531 Malcolm X Boulevard - Financing: No cost consideration to the City
22			All	C	HOU	NC	NA	NA	Authorize Supplemental Agreement No. 1 to the FY2014-15 contract with Health Services of North Texas, Inc. to provide Housing Opportunities for Persons with AIDS scattered site housing assistance for persons with HIV/AIDS, to revise the Statement of Services and budget to reallocate funding in the amount of $3,362 from the Emergency/Tenant Based Rental Assistance (E/TBRA) -Housing Services budget category to the Emergency/Tenant Based Rental Assistance (E/TBRA) -Financial Assistance budget category, with no net change in the contract amount - Financing: No cost consideration to the City
23			All	C	IGS	GT	NA	NA	Authorize (1) the acceptance of a grant from the Texas Department of Criminal Justice (Grant # 696-TC-16-17-L063), to develop and operate a pilot program for reentry services in the amount of $1,000,000 for the period September 1, 2015 through August 31, 2017; and (2) execution of the grant agreement - Not to exceed $1,000,000 - Financing: Texas Department of Criminal Justice Grant Funds

AGENDA DATE April 27, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
24			All	C	LIB	NC	NA	NA	Authorize acceptance of the Dallas Public Library Strategic Plan as developed by Futterman & Associates, Inc. dba CIVIC Technologies - Financing: No cost consideration to the City
25			1	C	OFS, HOU, ECO	NC	NA	NA	Authorize a public hearing to be held on June 15, 2016 to receive comments on the proposed change of use for property located at 138 West Davis Street purchased with Community Development Block Grant funds from the U. S. Department of Housing and Urban Development - Financing: No cost consideration to the City
26			3, 8	C	PKR, PBW	$2,497,700.00	4.72%	21.74%	Authorize a contract with Northstar Construction, LLC, lowest responsible bidder of two, for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road - Not to exceed $2,497,700 - Financing: General Obligation Commercial Paper Funds
27			14	C	PKR	NC	NA	NA	Authorize a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2 DALLAS II, LLC for the development, operation and maintenance of a pedestrian bridge and landscape improvements for purposes of connecting to and providing public access from an adjacent development to the Katy Trail located at 3535 Travis Street - Financing: No cost consideration to the City
28			5	C	PKR	GT	NA	NA	Authorize (1) a Memorandum of Understanding with the National Recreation and Park Association for new playground equipment at Urbandale Park located at 7400 Ireland Avenue; (2) the receipt and deposit of funds in the amount of $70,000 from the National Recreation and Park Association; and (3) an increase in appropriations in the Capital Gifts, Donation and Development Fund in the amount of $70,000 - Not to exceed $70,000 - Financing: Capital Gifts, Donation and Development Funds
29			6	C	PKR	REV $15,000	NA	NA	A resolution authorizing the proposed use of a portion of the Elm Fork Greenbelt located at 3123 Proctor Street, totaling approximately 67,592 square feet of land, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, by the Texas Department of Transportation for construction of improvements to State Highway 183/John William Carpenter Freeway - Estimated Revenue: $15,000
30			6	C	PKR	NC	NA	NA	A resolution authorizing the proposed use of a portion of the Elm Fork Greenbelt located at 10400 Wildwood Drive, totaling approximately 296,757 square feet of land, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, by the Texas Department of Transportation for construction of improvements to State Highway Loop 12/Walton Walker Boulevard - Financing: No cost consideration to the City
31			8	C	PKR	REV $18,365	NA	NA	Authorize a public hearing to be held on May 25, 2016 to receive comments on the proposed change of use and sale of a portion of the Kleberg Trail, consisting of a total of approximately 71,109 square feet of land, to the Texas Department of Transportation for construction of improvements to I-20 Frontage Roads - Estimated Revenue: $18,365
32			7	C	PNV	NC	NA	NA	Authorize the City Manager to provide a Notice of Intent for establishing a Quiet Zone along the Union Pacific rail line corridor generally in the Urbandale area of Dallas encompassing the existing at-grade crossings of Prairie Creek Road and Sam Houston Road as required by the Federal Railroad Administration Final Train Horn Rule 49 CFR Part 222 and 229 - Financing: No cost consideration to the City
33			14	C	PBW, ECO	$1,062,968.05	56.33%	26.60%	Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the additional worked required for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed $1,062,969, from $12,103,302 to $13,166,270 - Financing: Public/Private Partnership Funds
34			7	C	PBW, FIR	$18,528.10	100.00%	100.00%	Authorize Supplemental Agreement No. 1 to the professional services contract with GME Consulting Services, Inc. for additional materials testing services during construction of the Fire Station No. 6 replacement facility located at 2301 Pennsylvania Avenue - Not to exceed $18,528, from $42,987 to $61,515 -Financing: 2006 Bond Funds
35			14	C	PBW, ECO	$191,972.50	100.00%	28.03%	Authorize Supplemental Agreement No. 8 to the professional services contract with Conley Group, Inc. for additional design and construction oversight for exterior renovation of 106 South Harwood Street - Not to exceed $191,973, from $1,238,770 to $1,430,743 -Financing: Public/Private Partnership Funds
36			All	C	STS	$832,400.00	100.00%	26.14%	Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of thirteen, to provide traffic signal design services for 39 traffic signals at various intersections and other related tasks - Not to exceed $832,400 - Financing: 2006 Bond Funds ($505,000) and Current Funds ($327,400) (subject to annual appropriations)

AGENDA DATE April 27, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
37			1, 3, 4, 8, 11	C	STS	GT	NA	NA	Authorize (1) an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for material and labor costs for traffic signal improvements at five locations Belt Line Road and Dallas Parkway, Hampton Road and Clarendon Drive, Hampton Road and Illinois Avenue, Hillcrest Road and Alpha Road, and Polk Street and Wheatland Road; (2) the receipt and deposit of funds from TxDOT in the amount of $112,734; and (3) the establishment of appropriations in the amount of $112,734 in the Texas Department of Transportation Grant Fund - Not to exceed $112,734 - Financing: Texas Department of Transportation Grant Funds
38			5, 7, 10, 12	C	STS	$182,458.74	NA	NA	Authorize (1) a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct five traffic signals and associated off system intersection improvements at Marsh Lane and Rosemeade Parkway, Bruton Road and Second Avenue, Forest Lane and Audelia Road, Plano Road and Miller Road and Royal Lane and Skillman Street; (2) a required local match in the amount of $182,459; and (3) an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $100,500 - Total not to exceed $1,849,784 - Financing: Texas Department of Transportation Grant Funds ($1,566,825) and Current Funds ($182,459)
39			2, 6, 9, 10, 14	C	STS	$149,600.30	NA	NA	Authorize (1) a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct five traffic signals and associated off system intersection improvements at Royal Lane and Abrams Road, Skillman Street and Walnut Hill Lane, Skillman Street and Lovers Lane, Walnut Hill Lane and Abrams Road and Webb Chapel Road and Larga Drive; (2) a required local match in the amount of $149,601; and (3) an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $96,500 - Total not to exceed $1,535,791 - Financing: Texas Department of Transportation Grant Funds ($1,289,691) and Current Funds ($149,601)
40			Outside	C	DEV, WTR	$2,000.00	NA	NA	Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 16,822 square feet from Doyle Anderton located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed $2,000 increased from $4,585 ($2,085, plus closing costs and title expenses not to exceed $2,500) to $6,585 ($4,000, plus closing costs and title expenses not to exceed $2,585) -Financing: Water Utilities Capital Construction Funds
41			2, 3, 4, 5, 6, 7, 8	C	DEV	REV $585,973.04	NA	NA	Authorize the quitclaim of 96 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale to the highest bidders; and authorize the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment - Revenue: $585,974
42			3	C	DEV	$13,400.00	NA	NA	Authorize an amendment to the ten-year lease agreement with Mulix Investments, LLC to make leasehold improvements to the approximately 4,996 square feet of office space located at 2730 Coombs Creek Drive for the Southwest Building Inspection District office for the period December 1, 2014 through November 30, 2024 - Not to exceed $13,400 - Financing: Building Inspection Current Funds (subject to annual appropriations)
43			14	C	DEV	REV $200	NA	NA	An ordinance granting a private license to Equity Hotel Group, LLC for the use of a total of approximately 385 square feet of aerial space to occupy, maintain and utilize two canopies over a portion of Record Street right-of-way, near its intersection with Wood Street -Revenue: $200 one-time fee, plus the $20 ordinance publication fee
44			11	C	DEV	REV $5,400	NA	NA	An ordinance abandoning a sanitary sewer easement to Northaven Land Investment, LP and North Haven R.E., LP, the abutting owners, containing approximately 3,664 square feet of land, located near the intersection of Northaven Road and Freda Stern Drive - Revenue: $5,400, plus the $20 ordinance publication fee
45			3, 14	C	TWM	$88,684.00	100.00%	40.01%	Authorize professional services contracts with Garver, LLC for the engineering design of five erosion control improvement projects - Not to exceed $88,684 - Financing: 2012 Bond Funds ($19,603) and General Obligation Commercial Paper Funds ($69,081)

AGENDA DATE April 27, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
46			2, 6	C	TWM	$375,822.00	54.69%	25.92%	Authorize an increase in the contract with AUI Contractors, LLC for cooling water piping modifications, landscape improvements, pavement improvements and additional electrical improvements for the New Baker No. 3 Pump Station - Not to exceed $375,822, from $42,623,042 to $42,998,864 - Financing: 2006 Bond Funds
47			13	C	TWM	$104,352.00	NA	NA	Authorize ratification of emergency concrete channel construction to repair flood damage to a concrete lined channel along Joe's Creek in Northwest Dallas - Jeske Construction Company, lowest responsive bidder of four - Not to exceed $104,352 - Financing Stormwater Drainage Management Capital Construction Funds
48			4	C	TWM	$208,980.00	NA	NA	Authorize ratification of emergency storm drainage pipe construction to repair a collapsed storm drainage pipe along Village Fair Place, from Ledbetter Drive to Five Mile Creek, with North Texas Contracting, Inc., lowest responsive bidder of three - Not to exceed $208,980 - Financing: Stormwater Drainage Management Capital Construction Funds
49			All	C	WTR, TWM	$697,936.48	95.70%	25.96%	Environmental Services: Authorize a professional services contract with AECOM Technical Services, Inc. to provide environmental services related to the construction or repair of water and wastewater mains, construction of new facilities, renovation of existing facilities, and general environmental services - Not to exceed $697,937 - Financing: Water Utilities Current Funds (subject to annual appropriations)
50			All	C	WTR, TWM	$628,611.00	83.14%	34.55%	Environmental Services: Authorize a professional services contract with Terracon Consultants, Inc. to provide environmental services related to the construction or repair of stormwater drainage, maintenance inside the levee limits, soil stabilization for erosion control projects, construction of new facilities, renovation of existing facilities, and storm drain environmental services - Not to exceed $628,611 - Financing: Stormwater Drainage Management Capital Construction Funds ($314,305) and Stormwater Drainage Management Current Funds ($314,306) (subject to annual appropriations)
51			4	C	WTR	$284,820.85	100.00%	18.33%	Authorize an increase in the contract with Cardinal Contractors, Inc. for additional work associated with grit removal improvements at the Central Wastewater Treatment Plant - Not to exceed $284,821, from $20,948,000 to $21,232,821 - Financing: Water Utilities Capital Construction Funds
52			All	C	WTR	$65,568.00	NA	NA	Authorize (1) approval of an Industrial, Commercial, Institutional (ICI) rebate application from S2/PBC Brookshire, LP in the amount of $27,035, pursuant to Resolution No. 12-0530, previously approved on February 22, 2012; and (2) approval of an ICI rebate application from UT Southwestern Medical Center in the amount of $38,533, pursuant to Resolution No. 12-0530, previously approved on February 22, 2012 - Total not to exceed $65,568 - Financing: Water Conservation Program Funds
53			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)
54			13	I	PKR	NC	NA	NA	Authorize a twenty-year development and maintenance agreement, with two five-year renewal options, with QuikTrip Corporation (QuikTrip), for the purpose of designing, constructing, and maintaining a trailhead for the Bachman Creek Greenbelt Trail located at 3900 Shorecrest Drive - Financing: No cost consideration to the City
55			7	I	TWM	$25,538.00	NA	NA	Authorize acquisition~~, including the exercise of the right of eminent domain, if such becomes necessary,~~ from Lawrence E. Baker, Jr., Michael Lynn Baker and Freddie M. Baker, of an improved tract of land containing approximately 36,626 square feet located on Barber Avenue near its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $25,538 ($22,538 plus closing costs and title expenses not to exceed $3,000) - Financing: 2006 Bond Funds
56			2, 7, 14	I	ECO	$6,240,934.00	NA	NA	Authorize (1) a Development Agreement with MSW Crozier Tech, LP and Matthews Holdings Southwest, Inc., to dedicate future TIF revenues for reimbursement of eligible project costs related to paving, streetscape and lighting, façade restoration, environmental remediation, and interior/exterior demolition for redevelopment of 2218 Bryan Street, for the Old Dallas High School redevelopment project, located in Tax Increment Financing Reinvestment Zone Twelve (Deep Ellum TIF District); and (2) the Deep Ellum TIF District Board of Directors to dedicate an amount not to exceed $6,040,036 plus an Economic Development TIF Grant in an amount not to exceed $200,898 for a total amount not to exceed $6,240,934 from future Deep Ellum TIF District revenues, in accordance with the development agreement - Not to exceed $6,240,934 - Financing: Deep Ellum TIF District Funds (subject to appropriations)

AGENDA DATE April 27, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
57			1, 6	I	ECO	NC	NA	NA	Fort Worth Avenue TIF District: Authorize rescission of Resolution Nos. 14-0841 and 14-0842, previously approved on March 28, 2014, which authorized a development agreement with Henry S. Miller and/or its affiliates HSM Multifamily Development LLC and/or HSM Cliff View Associates Ltd., in an amount not to exceed $4,650,000, payable from future Fort Worth Avenue TIF District funds in consideration of the proposed Cliff View Project in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) - Financing: No cost consideration to the City
58			1, 6	I	ECO	$7,305,607.00	NA	NA	Fort Worth Avenue TIF District: Authorize (1) a development agreement with HSM Cliff View Associates Ltd. to dedicate future Fort Worth Avenue TIF District revenues in amounts not to exceed: (a) $6,654,303 for on-site eligible project costs related to public infrastructure, affordable housing, environmental remediation and demolition, and park and open space improvements at 2002, 2010, and 2120 North Willomet Avenue; 1020, 1024, and 1028 Seale Street; 1019 and 1023 Stafford Avenue; and the adjacent Stafford Park at 1103 Stratford Avenue in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and (b) $651,304 for off-site eligible project costs related to public infrastructure improvements along Seale Street between Ormsby Street and Sylvan Avenue in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and (2) the Fort Worth Avenue TIF District Board of Directors to dedicate up to $7,305,607 from future Fort Worth Avenue TIF District revenues in accordance with the development agreement -Not to exceed $7,305,607 -Financing: Fort Worth Avenue TIF District Funds
59			6	I	ECO	$450,000.00	NA	NA	Authorize a Chapter 380 economic development grant agreement with Zale Delaware, Inc. ("Zale"), a wholly-owned subsidiary of Signet Jewelers Limited ("Signet"), in an amount not to exceed $450,000 for the relocation and expansion of its operating headquarters to a new build-to-suit office facility and an associated new build-to-suit jewelry repair facility within the Cypress Waters development in the City of Dallas, pursuant to the Public/Private Partnership Program - Not to exceed $450,000 - Financing: Public/Private Partnership Funds
60			2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District on the northeast line of South Barry Avenue, north of South Haskell Avenue
61			7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay on property zoned Subarea 1 (Texas Horse Park) of Planned Development District No. 883 with Specific Use Permit No. 383 for a sand and gravel mine on a portion west of the intersection of Pemberton Hill Road and Sarah Lee Drive
62			5	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 mini-warehouse use, an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, and a resolution accepting an amendment to deed restrictions volunteered by the applicant on property zoned an MU-1 Mixed Use District with deed restrictions, on the northeast corner of Lake June Road and Guard Drive
63			6	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial/Research District on the south line of West Commerce Street, between Ivanhoe Lane and Brundrette Street
64			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. 2053 for outside salvage or reclamation on property zoned an IM Industrial Manufacturing District on the south side of Bedford Street, east of Norwich Street
65			3	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial/Research District on property zoned an A(A) Agricultural District on the southeast corner of West Kiest Boulevard and Ledbetter Drive
66			13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 696 on property bound by Welch Road, Rickover Drive, Crestline Avenue, and Ridgeside Drive

AGENDA DATE April 27, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
67			4	PH	HOU	REV $1,000	NA	NA	A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing jurisdictions from the Sheriff to Dallas Housing Acquisition and Development Corporation, a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: (1) quitclaim one unimproved property to Dallas Housing Acquisition and Development Corporation, under the HB110 process of the City's Land Transfer Program; and (2) release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Revenue: $1,000
68			6	PH	OEQ	NC	NA	NA	A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by GMA Development Corp, LLC and BK Ambassador Row, LTD, located near the intersection of Ambassador Row and Metromedia Place and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to GMA Development Corp, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
69			4	PH	PKR	NC	NA	NA	A public hearing to receive comments on the proposed use of a portion of the Dallas Zoo located at 550 East Clarendon Drive for two drainage easements and one floodway easement for the Wilds of Africa plat, totaling approximately 116,015 square feet of land; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City
70			2	PH	DEV	NC	NA	NA	A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Sam Houston Elementary School as required by Section 6-4 of the Dallas City Code to allow a mixed beverages permit (Chapter 28 of the Texas Alcoholic Beverage Code) for a restaurant without drive-in or drive-through service with a food and beverage certificate [Woodford Drive, LLC, dba Zephyr Bakery Cafe] on the west corner of Cedar Springs Road and Throckmorton Street - AV156-002 - Financing: No cost consideration to the City
71			13	PH	PKR	NC	NA	NA	A public hearing to receive comments for the proposed use of a portion of the Bachman Creek Greenbelt, totaling approximately 42,323 square feet, for driveway access and parking by QuikTrip Corporation; and at the close of the public hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

TOTAL $34,646,555.48

AGENDA ITEM # 2

KEY FOCUS AREA:	Public Safety
AGENDA DATE:	April 27, 2016
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Street Services
CMO:	Jeanne Chipperfield, 670-7804 Jill A. Jordan, P.E., 670-5299
MAPSCO:	N/A

SUBJECT

Authorize a three-year service contract for traffic counting services – Quality Traffic Data, LLC, most advantageous proposer of four - Not to exceed $318,000 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract provides traffic counting services at various locations within the City. The traffic count services that will be conducted are listed below:

- Turning movement counts
- Automatic daily traffic counts
- Speed surveys
- Intersection delay studies
- Gap studies
- Turning movement count data processing (video)

This contract will provide an on-demand service to collect traffic count data for studies related to requests for traffic signals, stop signs, road humps, and other traffic control devices. This service contract will help augment City staff's effort to meet the demand for traffic counting services.

BACKGROUND (Continued)

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

- Planning & Urban Design (1)
- Street Services (2)
- Sanitation Services (1)
- Public Works (1)
- Business Development & Procurement Services (2)*

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

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

- Experience/qualifications 35%
- Cost 30%
- Staffing plan/approach 20%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 186 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance and Audit Committee on April 18, 2016.

FISCAL INFORMATION

$318,000.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

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

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

ETHNIC COMPOSITION

Quality Traffic Data, LLC

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

PROPOSAL INFORMATION

The following proposals were received from solicitation number BQZ1607 and were opened on February 11, 2016. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*Quality Traffic Data, LLC	1400 Preston Rd. Suite 400 Plano, TX 75093	87.20%	$318,000.00
CJ Hensch & Associates, Inc.	116 W. Pioneer Dr. Irving, TX 75061	73.82%	$554,000.00
Quality Counts, Inc.	9951 Tanglevine Dr. Dallas, TX 75238	67.12%	$439,200.00
The Traffic Group, Inc.	9900 Franklin Square Dr. Suite H Baltimore, MD 21236	64.50%	$706,700.00

OWNER

Quality Traffic Data, LLC

Danny Gouhari, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for traffic counting services – Quality Traffic Data, LLC, most advantageous proposer of four - Not to exceed $318,000 - Financing: Current Funds (subject to annual appropriations)

Quality Traffic Data, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$75,684.00	23.80%
Total non-local contracts	$242,316.00	76.20%
TOTAL CONTRACT	$318,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
A+Student Staffing, Inc.	WFDB76089Y0616	$75,684.00	100.00%
Total Minority - Local		$75,684.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$75,684.00	100.00%	$75,684.00	23.80%
Total	$75,684.00	100.00%	$75,684.00	23.80%

April 27, 2016

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

Section 1. That the City Manager is authorized to execute a service contract with Quality Traffic Data, LLC (VS0000084902) for traffic counting services for a term of three years in an amount not to exceed $318,000.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Quality Traffic Data, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Quality Traffic Data, LLC under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $318,000.00 (subject to annual appropriations) from Service Contract number BQZ1607.

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:	Culture, Arts and Recreation and Educational Enhancements
AGENDA DATE:	April 27, 2016
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Equipment & Building Services Police
CMO:	Jeanne Chipperfield, 670-7804 Jill A. Jordan, P.E., 670-5299 Eric Campbell, 670-3255
MAPSCO:	N/A

SUBJECT

Authorize a three-year service contract for courier services - Reliable Couriers, lowest responsible bidder of seven - Not to exceed $347,864 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will provide courier services citywide. Courier services are used for pickup and delivery of documents and various packages that require expeditious delivery, typically the same day. Specifically, Police transfer/transport sensitive documents between headquarters and other locations throughout the City. Furthermore, the courier driver and back-up drivers providing service to Police are required to pass criminal history background checks due to carrying sensitive case documents and packages. Using a courier service to pick up and deliver Police correspondence precludes diverting personnel and other resources from more important duties that affect Police daily operations.

Equipment and Building Services (EBS) utilizes the courier services for pick-up and delivery of emergency parts. The courier service will provide service to eight EBS locations, including service centers, warehouses and Hensley Field.

BACKGROUND (Continued)

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a 12.38% increase on comparable unit prices for the bid awarded in 2013.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 913 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 22, 2013, City Council authorized a three-year service contract for courier services by Resolution No. 13-0798.

Information about this item will be provided to the Budget, Finance and Audit Committee on April 18, 2016.

FISCAL INFORMATION

$347,864.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

251 - Vendors contacted
249 - No response
2 - Response (Bid)
0 - Response (No Bid)
0 - Successful

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

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

ETHNIC COMPOSITION

Reliable Couriers

White Male	4	White Female	1
Black Male	8	Black Female	0
Hispanic Male	3	Hispanic Female	2
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BT1603 and were opened on January 22, 2016. This service contract is being awarded to the lowest responsive and responsible bidder by group.

*Denotes successful bidder

Bidders	**Address**	**Amount**
*Reliable Couriers	9225 King James Dr. Dallas, TX 75247	Group 1 - $ 17,412.00 Group 2 - $ 181,124.00 Group 3 - $ 149,328.00
Guaranteed Express, Inc.	1720 Regal Row Suite 150 Dallas, TX 75235	Group 1 - $ 17,506.00 Group 2 - $ 186,960.00 Group 3 - $ 152,356.00
C & D Couriers, Inc.	2029 McKenzie Dr. Suite 100 Carrollton, TX 75006	Group 1 - $ 26,264.70 Group 2 - $ 217,320.00 Group 3 - $ 219,169.00
We Muv U, LLC	3948 Legacy Dr. Suite 106-185 Plano, TX 75023	Group 1 - $ 52,816.95 Group 2 - Non-responsive** Group 3 - $1,349,474.00
VHU Express, Inc.	5321 Primrose Lake Cr. Tampa, FL 33647	Group 1 - $ 82,360.64 Group 2 - $ 286,378.36 Group 3 - $1,046,307.00
Dart Couriers, Inc.	6400 Baker Blvd. Richland Hills, TX 76118	Group 1 - $ 35,499.60 Group 2 - $ 205,135.00 Group 3 - $ 269,544.00

BID INFORMATION (Continued)

Bidders	**Address**	**Amount**
Arrive On Time Delivery	12200 Ford Rd. Suite 149 Dallas, TX 75234	Group 1 - $ 22,712.60 Group 2 - $ 201,340.00 Group 3 - $ 175,258.00

******We Muv U, LLC was deemed non-responsive on Group 2 due to not meeting specifications.

OWNER

Reliable Couriers

Elizabeth A. Rodriguez, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for courier services - Reliable Couriers, lowest responsible bidder of seven - Not to exceed $347,864 - Financing: Current Funds (subject to annual appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$347,864.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$347,864.00	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%

April 27, 2016

WHEREAS, on May 22, 2013, City Council authorized a three-year service contract for courier services by Resolution No. 13-0798;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with Reliable Couriers (262641) for courier services for a term of three years in an amount not to exceed $347,864.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Reliable Couriers shall be based only on the amount of the services directed to be performed by the City and properly performed by Reliable Couriers under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $347,864.00 (subject to annual appropriations) from Service Contract number BT1603.

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

AGENDA ITEM # 4

KEY FOCUS AREA:	Public Safety
AGENDA DATE:	April 27, 2016
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Police
CMO:	Jeanne Chipperfield, 670-7804 Eric Campbell, 670-3255
MAPSCO:	N/A

SUBJECT

Authorize a three-year master agreement for handguns and parts for Police - Nardis Gun Club SA, LLC, lowest responsible bidder of two - Not to exceed $572,350 - Financing: Current Funds

BACKGROUND

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

This master agreement will provide handguns and parts for Police (DPD). The department has 3,400 sworn officers, with 150 additional officers planned for this fiscal year. Handguns are a part of the officer's uniform and will be with the officer through their entire career unless it malfunctions, needs replacement or DPD implements weapon policies which require officers to change the type of handguns they carry. When officers leave the department the handguns are surrendered and reissued, provided they pass inspection.

The standard issue handguns for DPD are 9mm semi-automatic Sig Sauer which consists of three sizes to accommodate the size of the officer's hand.

The three models for this agreement are:

- Sig Sauer-P226R
- Sig Sauer-P229R
- Sig Sauer-P239R

BACKGROUND (Continued)

To ensure each handgun is accounted for, the Quartermaster and Rangemaster collaborate efforts in the issuance of weapons and through a registration process that links each handgun to the officer.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing. This bid resulted in a decrease of 7.5% over comparable unit prices for the bid awarded in 2009.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 571 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLink Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Public Safety Committee on April 25, 2016.

FISCAL INFORMATION

$572,350.00 - Current Funds

M/WBE INFORMATION

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

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

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

ETHNIC COMPOSITION

Nardis Gun Club SA, LLC

White Male	13	White Female	2
Black Male	0	Black Female	0
Hispanic Male	5	Hispanic Female	1
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BV1605 and were opened on February 26, 2016. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*Nardis Gun Club SA, LLC	4818 Interstate 10 East San Antonio, TX 78219	$572,350.00
Gunco Arms, LLC	1002 Central Freeway Wichita Falls, TX 76306	$574,500.00

OWNER

Nardis Gun Club SA, LLC

Greg Thurmon, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for handguns and parts for Police - Nardis Gun Club SA, LLC, lowest responsible bidder of two - Not to exceed $572,350 - Financing: Current Funds

Nardis Gun Club SA, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.
PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$572,350.00	100.00%
TOTAL CONTRACT	$572,350.00	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%

April 27, 2016

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

Section 1. That a master agreement for the purchase of handguns and parts for Police is authorized with Nardis Gun Club SA, LLC (VC14459) for a term of three years in an amount not to exceed $572,350.00.

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

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $572,350.00 from Master Agreement number BV1605.

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

AGENDA ITEM # 5

KEY FOCUS AREA: E-Gov

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Office of Public Information
Aviation
Code Compliance
Court & Detention Services
Fire
Park & Recreation
Police
Street Services
Trinity Watershed Management

CMO: Jeanne Chipperfield, 670-7804
A. C. Gonzalez, 670-3297
Ryan S. Evans, 671-9837
Joey Zapata, 670-3009
Eric Campbell, 670-3255
Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed $550,105 - Financing: Current Funds ($535,880), Stormwater Drainage Management Current Funds ($9,740) and Aviation Current Funds ($4,485) (subject to annual appropriations)

BACKGROUND

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

This service contract will allow the City to purchase graphic design services on an as needed basis to promote City programs and services. Various creative services will be integrated to promote and publicize citywide department programs and activities. Use of printed materials includes:

BACKGROUND (Continued)

- Development of annual reports
- General information brochures
- Flyers
- Event rack cards
- Printed ads

In addition, the City will be able to purchase onsite event photography for development of future promotional material. Media buys and development of public service announcements for radio and television ads will be used for selected City events, programs and services. Translation service will be used for all marketing and publicity activities.

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

- Business Development and Procurement Services (2)*
- Park and Recreation (2)
- Public Information Office (1)
- Trinity Watershed Management (1)
- Code Compliance (1)

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

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

- Cost 30%
- Capability 30%
- Experience and qualifications 25%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,715 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

BACKGROUND (Continued)

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

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On October 8, 2014, City Council authorized a three-year service contract for graphic design services by Resolution No. 14-1665.

Information about this item will be provided to the Budget, Finance and Audit Committee on April 18, 2016.

FISCAL INFORMATION

$535,880.00 - Current Funds (subject to annual appropriations)
$ 9,740.00 - Stormwater Drainage Management Current Funds (subject to annual appropriations)
$ 4,485.00 - Aviation Current Funds (subject to annual appropriations)

M/WBE INFORMATION

329 - Vendors contacted
328 - No response
1 - Response (Bid)
0 - Response (No bid)
1 - Successful

1,715 - M/WBE and Non-M/WBE vendors were contacted

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

ETHNIC COMPOSITION

El Creative, Inc.

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

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1605 and opened on November 20, 2015. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*El Creative, Inc.	3816 San Jacinto St. Dallas, TX 75204	91%	$550,105.00
Simmons Design Associates, Inc.	12160 N Abrams Rd. Suite 315 Dallas, TX 75243	82%	$682,700.00
Alpha Business Images LLC	2030 Main St. Suite 410 Dallas, TX 75201	81%	$649,030.00
Janus Signs dba FastSigns	9742 Skillman St. Dallas, TX 75243	79%	$579,860.00
MDVC Creative, Inc.	121 Payne St. Dallas, TX 75207	75%	$565,535.00
Zielinski Design Associates, Inc.	6301 Gaston Ave. Dallas, TX 75214	70%	$743,245.00
C. Lambert Design Studio, Inc.	1821 E. Levee St. Dallas, TX 75207	63%	$662,450.00
Design Catalysts, LLC	7918 Greengate Dr. Dallas, TX 75249	62%	$677,420.00
Sort thru Solutions	11005 Indian Trail Suite 104 Dallas, TX 75229	62%	$835,970.00
CBJ Designs	3200 W. Pleasant Run Rd. Suite 230 Lancaster, TX 75146		Non-Responsive**

**CBJ Designs was deemed non-responsive due to not meeting specifications.

OWNER

El Creative, Inc.

V. Michael Gonzalez, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for graphic design services - El Creative, Inc., most advantageous proposer of ten - Not to exceed $550,105 - Financing: Current Funds ($535,880), Stormwater Drainage Management Current Funds ($9,740) and Aviation Current Funds ($4,485) (subject to annual appropriations)

El Creative, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractors.
PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$495,094.50	90.00%
Total non-local contracts	$55,010.50	10.00%
TOTAL CONTRACT	$550,105.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
1820 Productions	BMDB31972Y0816	$82,515.75	16.67%
El Creative, Inc.	HMMB77148N0417	$412,578.75	83.33%
Total Minority - Local		$495,094.50	100.00%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
TruMultiCultural, LLC.	HMDB64963Y0416	$55,010.50	100.00%
Total Minority - Non-local		$55,010.50	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$82,515.75	16.67%	$82,515.75	15.00%
Hispanic American	$412,578.75	83.33%	$467,589.25	85.00%
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	$495,094.50	100.00%	$550,105.00	100.00%

April 27, 2016

WHEREAS, on October 8, 2014, City Council authorized a three-year service contract for graphic design services by Resolution No. 14-1665;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a service contract with El Creative, Inc. (VS0000001394) for graphic design services for a term of three years in an amount not to exceed $550,105.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to El Creative, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by El Creative, Inc. under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $550,105.00 (subject to annual appropriations) from Service Contract number BUZ1605.

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

AGENDA ITEM # 6

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Aviation
Park & Recreation
Sanitation Services
Trinity Watershed Management
Water Utilities

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 671-9837
Willis Winters, 670-4071
Joey Zapata, 670-3009
Mark McDaniel, 670-3256

MAPSCO: N/A

SUBJECT

Authorize a three-year master agreement for herbicides and pesticides for citywide use – SiteOne Landscape Supply, LLC in the amount of $731,779, Rentokil North America, Inc. dba Target Specialty Products in the amount of $467,501, BWI Dallas/Ft. Worth in the amount of $434,209, Winfield Solutions LLC in the amount of $196,725, Red River Specialties, Inc. in the amount of $160,457, N-Gulf, LLC dba Ameriturf in the amount of $149,083, Turf Care of Texas, LLC in the amount of $103,935 and Helena Chemical Company in the amount of $86,879, lowest responsible bidders of nine - Total not to exceed $2,330,568 - Financing: Current Funds ($2,079,210), Aviation Current Funds ($157,773), Water Utilities Current Funds ($71,184), Sanitation Current Funds ($17,654) and Stormwater Drainage Management Current Funds ($4,747)

BACKGROUND

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

This master agreement will provide for the purchase of herbicides and pesticides for citywide use. Herbicides destroy or inhibit unwanted plant growth and weeds, pesticides destroy insects and pests.

BACKGROUND (Continued)

This master agreement will provide for the purchase of herbicides and pesticides to be use throughout the City, at locations such as:

- Golf courses
- Park property
- Fair Park
- Athletic fields
- Fire locations
- City facilities

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 319 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 24, 2012, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on lines 5, 12, 18, 27, 30, 49 and 54, for bid BL1220, for a two-year master agreement for the purchase of pesticides and herbicides by Resolution No. 12-2675.

On November 14, 2012, City Council authorized a two-year master agreement for the purchase of pesticides and herbicides by Resolution No. 12-2728.

On March 23, 2016, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on lines 74, 83, 86, 92 and 97, for bid BA1601, for a three-year master agreement for the purchase of herbicides and pesticides by Resolution No. 16-0460.

The Park and Recreation Board was briefed on April 7, 2016.

Information about this item will be provided to the Budget, Finance and Audit Committee on April 18, 2016.

FISCAL INFORMATION

$2,079,209.73 - Current Funds
$ 157,773.00 - Aviation Current Funds
$ 71,184.40 - Water Utilities Current Funds
$ 17,653.46 - Sanitation Current Funds
$ 4,746.68 - Stormwater Drainage Management Current Funds

M/WBE INFORMATION

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

319 - M/WBE and Non-M/WBE vendors were contacted.

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

ETHNIC COMPOSITION

SiteOne Landscape Supply, LLC

White Male	1,878	White Female	281
Black Male	90	Black Female	16
Hispanic Male	356	Hispanic Female	29
Other Male	71	Other Female	21

Rentokil North America, Inc. dba Target Specialty Products

White Male	2,251	White Female	815
Black Male	243	Black Female	66
Hispanic Male	472	Hispanic Female	194
Other Male	119	Other Female	64

BWI Dallas/Ft. Worth

White Male	30	White Female	9
Black Male	1	Black Female	0
Hispanic Male	17	Hispanic Female	1
Other Male	0	Other Female	0

ETHNIC COMPOSITION (Continued)

Winfield Solutions LLC

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

Red River Specialties, Inc.

White Male	48	White Female	14
Black Male	0	Black Female	3
Hispanic Male	2	Hispanic Female	0
Other Male	0	Other Female	0

N-Gulf, LLC dba Ameriturf

White Male	13	White Female	3
Black Male	1	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	0	Other Female	0

Turf Care of Texas, LLC

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

Helena Chemical Company

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

BID INFORMATION

The following bids were received from solicitation number BA1601 and were opened on November 13, 2015. This master agreement is being awarded to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount of Bid
*SiteOne Landscape Supply, LLC	10588 Shady Trail Dallas, TX 75220	Multiple Lines
*Rentokil North America, Inc. dba Target Specialty Products	920 South Freeport Suite 220 Coppell, TX 75019	Multiple Lines
*BWI Dallas/Ft. Worth	1418 Upfield Drive Carrollton, TX 75006	Multiple Lines
*Winfield Solutions LLC	1221 Champion Circle Suite 107 Carrollton, TX 75006	Multiple Lines
*Red River Specialties, Inc.	1324 North Hearne Avenue Suite 120 Shreveport, LA 71107	Multiple Lines
*N-Gulf, LLC dba Ameriturf	1874 Highway 77 South Italy, TX 76651	Multiple Lines
*Turf Care of Texas, LLC	1400 Berwick Drive McKinney, TX 75070	Multiple Lines
*Helena Chemical Company	6801 Highway 66 West Greenville, TX 75402	Multiple Lines
Harrell's, LLC	720 Kraft Road Lareland, FL 33815	Non-Responsive**

**Harrell's, LLC was deemed non-responsive due to not meeting specifications.

OWNERS

SiteOne Landscape Supply, LLC

Doug Black, Chief Executive Officer
Briley Brisendine, Vice President

Rentokil North America, Inc. dba Target Specialty Products

John Myers, President
Todd Ferguson, Vice President

BWI Dallas/Ft. Worth

Jim Bunch, President
Robert Bunch, President
Mike Mize, Vice President

Winfield Solutions LLC

Chris Policinski, President
Dan Knutson, Vice President

Red River Specialties, Inc.

Frank Bergonzi, President
Andrew Pierce, Vice President

N-Gulf, LLC dba Ameriturf

George Scruggs, President
Jordon Droll, Vice President

Turf Care of Texas, LLC

Todd Gilmour, President

Helena Chemical Company

Mike McCarty, President
Dave Thomas, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year master agreement for herbicides and pesticides for citywide use – SiteOne Landscape Supply, LLC in the amount of $731,779, Rentokil North America, Inc. dba Target Specialty Products in the amount of $467,501, BWI Dallas/Ft. Worth in the amount of $434,209, Winfield Solutions LLC in the amount of $196,725, Red River Specialties, Inc. in the amount of $160,457, N-Gulf, LLC dba Ameriturf in the amount of $149,083, Turf Care of Texas, LLC in the amount of $103,935 and Helena Chemical Company in the amount of $86,879, lowest responsible bidders of nine - Total not to exceed $2,330,568 - Financing: Current Funds ($2,079,210), Aviation Current Funds ($157,773), Water Utilities Current Funds ($71,184), Sanitation Current Funds ($17,654) and Stormwater Drainage Management Current Funds ($4,747)

SiteOne Landscape Supply, LLC, Rentokil North America, Inc. dba Target Specialty Products, and Winfield Solutions LLC are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. Red River Specialties, Inc., N-Gulf, LLC dba Ameriturf, Turf Care of Texas, LLC and Helena Chemical Company are non-local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces. BWI Dallas/Ft. Worth is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation and proposes to use the following subcontractor.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$1,826,218.69	78.36%
Total non-local contracts	$504,348.58	21.64%
TOTAL CONTRACT	$2,330,567.27	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Ricochet Fuel	WFWB63913Y0117	$3,995.65	0.79%
Total Minority - Non-local		$3,995.65	0.79%

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%	$3,995.65	0.17%
Total	$0.00	0.00%	$3,995.65	0.17%

April 27, 2016

WHEREAS, on October 24, 2012, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on lines 5, 12, 18, 27, 30, 49 and 54, for bid BL1220, for a two-year master agreement for the purchase of pesticides and herbicides by Resolution No. 12-2675; and,

WHEREAS, on November 14, 2012, City Council authorized a two-year master agreement for the purchase of pesticides and herbicides by Resolution No. 12-2728; and,

WHEREAS, on March 23, 2016, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on lines 74, 83, 86, 92 and 97, for bid BA1601, for a three-year master agreement for the purchase of herbicides and pesticides by Resolution No. 16-0460;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of herbicides and pesticides for citywide use is authorized with SiteOne Landscape Supply, LLC (VS0000077016) in the amount of $731,779.07, Rentokil North America, Inc. dba Target Specialty Products (VS91457) in the amount of $467,501.19, BWI Dallas/Ft. Worth (501400) in the amount of $434,209.33, Winfield Solutions LLC (VC0000009702) in the amount of $196,724.75, Red River Specialties, Inc. (263254) in the amount of $160,456.70, N-Gulf, LLC dba Ameriturf (VS0000045957) in the amount of $149,082.75, Turf Care of Texas, LLC (VS0000019543) in the amount of $103,935.00 and Helena Chemical Company (351406) in the amount of $86,878.48 for a term of three years in a total amount not to exceed $2,330,567.27.

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

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,330,567.27 from Master Agreement number BA1601.

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

AGENDA ITEM # 7

KEY FOCUS AREA:	Public Safety
AGENDA DATE:	April 27, 2016
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Business Development & Procurement Services Communication and Information Services
CMO:	Jeanne Chipperfield, 670-7804 Mark McDaniel, 670-3256
MAPSCO:	N/A

SUBJECT

Authorize a five-year master agreement, with three one-year renewal options, for the purchase of ruggedized mobile data computers - VetSource Mobility, LLC, most advantageous prosper of eight – Not to exceed $8,739,789 – Financing: Municipal Lease Agreement Funds (subject to appropriations)

BACKGROUND

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

This master agreement will allow for the purchase of ruggedized mobile data computers that will be used primarily in public safety vehicles to run various software applications including Computer Aided Dispatch and Records Management System. This agreement will provide several device options including laptops, tablets and a convertible 2-in-1 devices to maximize performance and provide greater flexibility to first responders.

The use of these devices are critical to the public safety's daily operations and allows first responders and public safety officers the ability to:

- Report criminal and emergency information on the scene
- Collect and share data with various state and federal agencies
- Search criminal records and incident reports while in the field
- Maintain communication with various groups and entities while in the field
- View City maps and determine best route(s) when responding to incidents

BACKGROUND (Continued)

Additionally, other departments with field operations such as Water Utilities, Code Compliance, Aviation and Sanitation have recognized a need for ruggedized computing devices for field personnel to maintain business operations. Some examples of uses identified include data collection, inspection reporting, maintaining communications, researching incidents and real time updates to ongoing jobs and projects.

The current fleet of MDCs are 7 years old and starting to fail more often due to a combination of factors such as the severe weather conditions (i.e. extreme heat), normal wear and tear on device parts and outdated hardware not working well with newer software technology.

The replacement of aging equipment will ensure public safety and other City departments have efficient, devices to research, document and capture vital information to serve the City's residents.

A six member evaluation committee was selected from the following departments:

- Communication and Information Services (2)
- Fire-Rescue (1)
- Police (1)
- Business Development and Procurement Services (2)*

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

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

- Technical match 35%
- Cost 30%
- Experience and capabilities 20%
- Business Inclusion and Development Plan 15%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services used its procurement system to send out 1,055 email bid notifications to vendors registered under respective commodities. To further increase competition, Business Development and Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 11, 2009, City Council authorized a sixty-month master agreement, with three twelve-month renewal options, for the purchase of mobile data computers, equipment mounting hardware, and maintenance for Police and Dallas Fire-Rescue; and professional installation services by Resolution No. 09-0453.

On February 11, 2009, City Council authorized a sixty-month contract, with three twelve-month renewal options, for the lease or purchase of all forms of computers and computer related equipment and accessories to include various managed services by Resolution No. 09-0454.

On February 17, 2015, the Budget, Finance and Audit Committee was briefed via memorandum.

On February 25, 2015, City Council authorized supplemental agreement no. 4 to exercise the first one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services by Resolution No. 15-0342.

On February 10, 2016, City Council authorized supplemental agreement no. 5 to exercise the second one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services by Resolution No. 16-0270.

Information about this item will be provided to the Budget, Finance and Audit Committee on April 18, 2016.

FISCAL INFORMATION

$8,739,788.19 - Municipal Lease Agreement Funds (subject to appropriations)

M/WBE INFORMATION

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

1,055 - M/WBE and Non-M/WBE vendors were contacted

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

ETHNIC COMPOSITION

VetSource Mobility, LLC

White Male	7	White Female	4
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

PROPOSAL INFORMATION

The following proposals were received from solicitation number BHZ1518 and were opened on August 6, 2015. This master agreement is being awarded to the most advantageous proposer.

This particular solicitation evaluated several devices submitted by three vendors. Evaluations focused on technical capabilities of devices regardless of vendor. The initial evaluation focused on the merit of written proposals, technical data and physical testing, which rendered four devices for further evaluation. The second phase of evaluations which included installation into public safety vehicles resulted in the selection of three devices for recommendation.

*Denotes successful proposer

Proposers	Address	Score	Amount
*VetSource Mobility, LLC (Getac F110)	1960 J Madison St. PMB 315 Clarksville, TN 37043	85.5%	$6,462,478.67 (1,368 devices)
*VetSource Mobility, LLC (Getac B300)	1960 J Madison St. PMB 315 Clarksville, TN 37043	85.3%	$1,505,602.19 (306 devices)
*VetSource Mobility, LLC (Getac V110)	1960 J Madison St. PMB 315 Clarksville, TN 37043	74.31%	$ 771,707.33 (131 devices)
Austin Ribbon & Computer Supplies, Inc. (Datalux TM110)	9211 Waterford Centre Blvd. Suite 202 Austin, TX 78758	61.17%	$9,000,944.40 (1,805 devices)

The above vendor scores and pricing are based on full evaluation of devices and negotiated pricing.

PROPOSAL INFORMATION (Continued)

Vendor scores and pricing listed below are based on initial proposals. Highest ranked devices were selected for the second phase of evaluation.

Proposers	Address	Score	Amount
VetSource Mobility, LLC (Getac F110)	1960 J Madison St. PMB 315 Clarksville, TN 37043	83.58%	$ 8,526,874.15 (1,805 devices)
VetSource Mobility, LLC (Getac B300)	1960 J Madison St. PMB 315 Clarksville, TN 37043	83.09%	$ 9,002,022.35 (1,805 devices)
VetSource Mobility, LLC (Getac V110)	1960 J Madison St. PMB 315 Clarksville, TN 37043	72.47%	$10,772,059.50 (1,805 devices)
Austin Ribbon & Computer Supplies, Inc. (Datalux TM110)	9211 Waterford Centre Blvd. Suite 202 Austin, TX 78758	61.85%	$ 9,000 271.50 (1,805 devices)
Austin Ribbon & Computer Supplies, Inc. (Panasonic CF-31)	9211 Waterford Centre Blvd. Suite 202 Austin, TX 78758	60.54%	$ 8,693,457.60 (1,805 devices)
Austin Ribbon & Computer Supplies, Inc. (Datalux T5)	9211 Waterford Centre Blvd. Suite 202 Austin, TX 78758	59.00%	$ 7,980,085.50 (1,805 devices)
Austin Ribbon & Computer Supplies, Inc. (Dell Lattitude)	9211 Waterford Centre Blvd. Suite 202 Austin, TX 78758	58.73%	$ 8,052,538.20 (1,805 devices)
L3 Mobile-Vision, Inc. (Xplore R12)	90 Fanny Road Boonton, NJ 07005	52.89%	$ 8,145,513.75 (1,805 devices)

OWNER

VetSource Mobility, LLC

Richard Holdaway, Majority Owner
Bill Presler, Managing Partner
Scott Giles, Chief Financial Officer
Matthew Hinton, Account Manager

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a five-year master agreement, with three one-year renewal options, for the purchase of ruggedized mobile data computers - VetSource Mobility, LLC, most advantageous prosper of eight – Not to exceed $8,739,789 – Financing: Municipal Lease Agreement Funds (subject to appropriations)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$0.00	0.00%
Total non-local contracts	$8,739,788.19	100.00%
TOTAL CONTRACT	$8,739,788.19	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%

April 27, 2016

WHEREAS, on February 11, 2009, City Council authorized a sixty-month master agreement, with three twelve-month renewal options, for the purchase of mobile data computers, equipment mounting hardware and maintenance for Police and Dallas Fire-Rescue; and professional installation services by Resolution No. 09-0453; and,

WHEREAS, on February 11, 2009, City Council authorized a sixty-month contract, with three twelve-month renewal options, for the lease or purchase of all forms of computers and computer related equipment and accessories to include various managed services by Resolution No. 09-0454; and,

WHEREAS, on December 18, 2013, Administrative Action No. 13-7014 authorized supplemental agreement no. 1 to the service contract with Austin Ribbon & Computer Supplies, Inc. to add the Statement of Work for Office 365 email migration; and,

WHEREAS, on February 11, 2014, Administrative Action No. 14-5420 authorized supplemental agreement no. 2 to the service contract with Austin Ribbon & Computer Supplies, Inc. to extend the contract term from February 16, 2014 to February 15, 2015; and,

WHEREAS, on June 2, 2014, Administrative Action No. 14-6035 authorized supplemental agreement no. 3 to the service contract with Austin Ribbon & Computer Supplies, Inc. to add changes to the Statement of Work for Office 365 email migration through supplemental agreement no. 1; and,

WHEREAS, on February 25, 2015,City Council authorized supplemental agreement no. 4 to exercise the first one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services in an amount not to exceed $3,557,706.00, increasing the service contract amount from $31,240,547.00 to $34,798,253.00, by Resolution No. 15-0342;

WHEREAS, on February 10, 2016, City Council authorized supplemental agreement no. 5 to exercise the second one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services in an amount not to exceed $3,406,977.00, increasing the service contract amount from $34,798,253.00 to $38,205,230.00, by Resolution No. 16-0270.

NOW, THEREFORE,

April 27, 2016

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

Section 1. That a master agreement for the purchase of ruggedized mobile data computers is authorized with VetSource Mobility, LLC (VS0000083822) for a term of five years, with three one-year renewal options, in an amount not to exceed $8,739,788.19.

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

Section 3. That in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (10 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds, subject to appropriations, in an amount not to exceed $8,739,788.19 from Master Agreement number BHZ1518.

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

AGENDA ITEM # 8

KEY FOCUS AREA: E-Gov

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Public Works Department

CMO: Warren M.S. Ernst, 670-3491
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Justin Nunnally v. City of Dallas, Cause No. DC-15-12700 - Not to exceed $250,000 - Financing: Current Funds

BACKGROUND

Plaintiff filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries sustained in an automobile accident on February 14, 2014 involving a Public Works Department vehicle. The City and Mr. Nunnally have reached a proposed settlement. Plaintiff is represented by Frenkel & Frenkel, L.L.P.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed in Executive Session on April 20, 2016.

FISCAL INFORMATION

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

$250,000.00 - Current Funds

April 27, 2016

WHEREAS, a lawsuit styled Justin Nunnally v. City of Dallas, Cause No. DC-15-12700, was filed by the plaintiff seeking compensation from the City of Dallas for alleged bodily injuries sustained in a collision involving a Public Works Department vehicle on February 14, 2014; and,

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Justin Nunnally, his attorney, and all other parties having an interest in the settlement proceeds, the total amount of $250,000.00; and,

WHEREAS, it is in the best interest of the City to settle this lawsuit; **Now, Therefore,**

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

Section 1. That the proposed settlement of the lawsuit, styled Justin Nunnally v. City of Dallas, Cause No. DC-15-12700, in an amount not to exceed $250,000.00 is hereby approved.

Section 2. That the Chief Financial Officer is hereby authorized to pay Justin Nunnally, Frenkel & Frenkel, L.L.P., and all other persons having an interest in the settlement, the amount of $250,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTORM001.

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: E-Gov

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Street Services

CMO: Warren M.S. Ernst, 670-3491
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Leah Showers v. Joseph Lee King and City of Dallas, Cause No. DC-15-07094 - Not to exceed $40,000 - Financing: Current Funds

BACKGROUND

Plaintiff filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries sustained in an automobile accident on April 29, 2014 involving a Street Services Department vehicle. The City and Mrs. Showers have reached a proposed settlement following court-ordered mediation. Plaintiff is represented by Godsey-Martin, P.C.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed by memorandum regarding this item.

FISCAL INFORMATION

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

$40,000.00 - Current Funds

April 27, 2016

WHEREAS, a lawsuit styled Leah Showers v. Joseph Lee King and City of Dallas, Cause No. DC-15-07094, was filed by the plaintiff seeking compensation from the City of Dallas for alleged bodily injuries sustained in a collision involving a Street Services Department vehicle on April 29, 2014; and,

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Leah Showers, her attorney, and all other parties having an interest in the settlement proceeds, the total amount of $40,000.00; and,

WHEREAS, it is in the best interest of the City to settle this lawsuit; **Now, Therefore,**

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

Section 1. That the settlement in the lawsuit, styled Leah Showers v. Joseph Lee King and City of Dallas, Cause No. DC-15-07094, in an amount not to exceed $40,000.00 is hereby approved.

Section 2. That the Chief Financial Officer is hereby authorized to pay Leah Showers, Godsey-Martin, P.C., and all other persons having an interest in the settlement, the amount of $40,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTORM001.

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 # 10

KEY FOCUS AREA: E-Gov

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

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

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Walker Bright P.C. for additional legal services in the lawsuit styled Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L - Not to exceed $70,000, from $25,000 to $95,000 - Financing: Current Funds

BACKGROUND

Supplemental Agreement No. 1 will authorize Walker Bright P.C. to provide additional services necessary to represent Officer Jesus Martinez in the lawsuit styled Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council will be briefed in Closed Session on April 20, 2016.

FISCAL INFORMATION

$70,000.00 - Current Funds

M/WBE INFORMATION

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

OWNER

Walker Bright P.C.

Gerald Bright, Owner

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with Walker Bright P.C. for additional legal services in the lawsuit styled Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L - Not to exceed $70,000, from $25,000 to $95,000 - Financing: Current Funds

Walker Bright P.C. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$70,000.00	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$70,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

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

April 27, 2016

WHEREAS, the City of Dallas is involved in a lawsuit styled Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L; and,

WHEREAS, on September 29, 2015, pursuant to Administrative Action No. 15-6758, the City of Dallas authorized a professional services contract with Walker Bright P.C. for legal services necessary to represent Officer Jesus Martinez, in an amount not to exceed $25,000.00; and,

WHEREAS, the professional services of Walker Bright P.C. continue to be necessary for representation of Officer Jesus Martinez; **Now, Therefore,**

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

Section 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the professional services contract with Walker Bright P.C. for additional services in the lawsuit styled Joe Wesson v. City of Dallas, Texas and Jesus Martinez, Civil Action No. 3:14-CV-4325-L; in an amount not to exceed $70,000.00, increasing the original contract amount from $25,000.00 to $95,000.00.

Section 2. That the Chief Financial Officer is hereby authorized to disburse, in periodic payments to Walker Bright P.C., an amount not to exceed $70,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3033, Encumbrance No. ATT3890151012, Vendor No. VS0000032828.

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 # 11

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 J

SUBJECT

Authorize the first amendment to the development agreement and the Chapter 380 economic development grant agreement with Fairfield at Ross LLC for development of the Fairfield West End Residences in the City Center TIF District to extend the completion deadlines to September 30, 2016 – Financing: No cost consideration to the City

BACKGROUND

On December 12, 2012, City Council approved various amendments to the City Center TIF District, including extending the boundaries of the district to include property along the Lamar Corridor and in the Historic West End area.

Fairfield West End Residences is the first development project within this new sub-district of the City Center TIF District. The Fairfield West End Residences development project at 302 N. Houston Street includes the construction of a residential building with structured parking on a vacant lot previously used for surface parking in the West End Historic District.

The project is nearing completion of the 267 residential units (including 27 affordable units) in a five story building with a roof top pool. The total project cost for the Fairfield West End Residences development project is $44,264,938 and the minimum investment for the TIF and Chapter 380 funding is $35,000,000. TIF funding for the project is in an amount not to exceed $5,500,000. A Chapter 380 economic development grant agreement was also approved in the amount of $535,360.

The original deadline completion dates were set for December 31, 2015. The developer sought an administrative six-month extension to the development agreement that the City Center TIF Board approved on August 13, 2015. The initial extension request was needed due to delays in receiving TCEQ signoff that the environmental work was satisfactorily completed.

BACKGROUND (Continued)

The Developer (Fairfield at Ross LLC) is requesting an additional extension to the development agreement due to a significant flood caused by a clogged drain in the first floor amenity area that occurred the week of November 23, 2015 that required substantial demolition, remediation and replacement materials to be re-ordered, delivered and re-installed. The initial units which were scheduled for December 2015 were completed March 2016, a three-month delay.

For the same reasons stated above, the developer is also requesting an amendment to the Chapter 380 economic development grant agreement to extend the completion date deadline from December 31, 2015 to September 30, 2016.

ESTIMATED PROJECT SCHEDULE

Start Date	December 2013
Completion Date	September 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 8, 2012, City Center TIF District Board of Directors reviewed and recommended approval of a development agreement with Fairfield Investment Company, LLC, and TIF funding for the project not to exceed $5,500,000.

On January 23, 2013, City Council authorized Resolution Nos. 13-0204 and 13-0205, authorizing the execution of a Development Agreement for the Fairfield West End Residences development project located in the City Center TIF District.

On August 14, 2013, City Council authorized Resolution No. 13-1341, authorizing a Chapter 380 Economic Development Grant Agreement pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program related to the development of a new residential apartment project at 302 North Houston Street, Dallas, Texas 75202 in an amount not to exceed $535,360.

On August 13, 2015, the City Center TIF District Board of Directors approved a six month extension for the Fairfield West End Residences Development Agreement, from December 31, 2015 to June 30, 2016.

On March 10, 2016, the City Center TIF District Board of Directors reviewed and recommended for approval a three month extension for the Fairfield West End Residences Development Agreement, from June 30, 2016 to September 30, 2016.

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

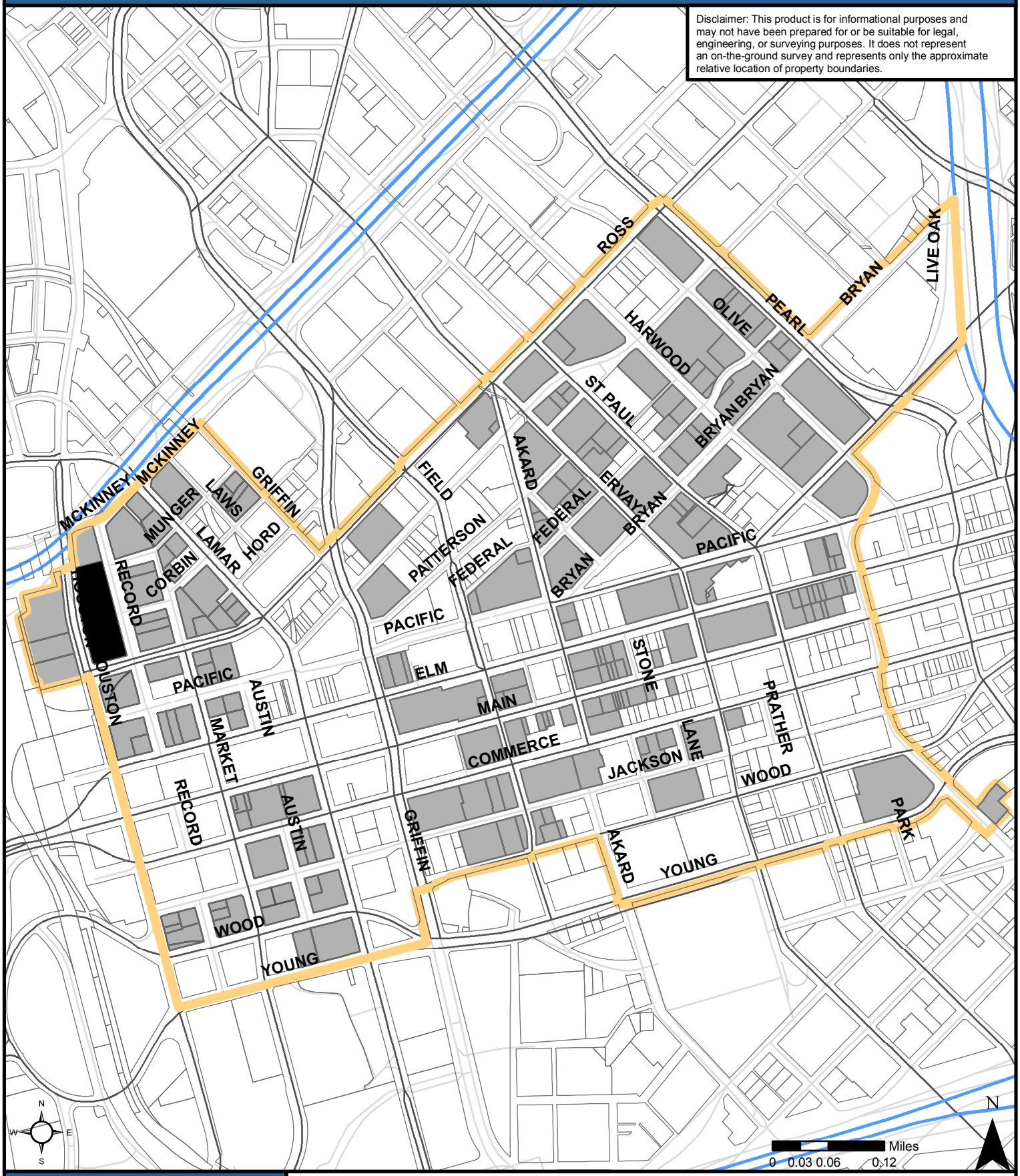
No cost consideration to the City

OWNER	**DEVELOPER**
Fairfield at Ross LLC	**Fairfield at Ross LLC**
Larry Lee	Larry Lee

MAP

Attached.

Fairfield West End Residences - City Center TIF District



DALLAS
ECONOMIC DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

Legend

- City Center TIF District Boundary
- City Center TIF District Parcels
- Lamar Corridor/West End Sub-District

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

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

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

WHEREAS, on November 8, 2012, City Center TIF District Board of Directors reviewed and recommended approval of a development agreement with Fairfield Investment Company, LLC, and TIF funding for the Fairfield West End Residences development project in an amount not to exceed $5,500,000; and

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

WHEREAS, on January 23, 2013, City Council authorized Resolution Nos. 13-0204 and 13-0205, authorizing the execution of a Development Agreement for the Fairfield West End Residences development project located in the City Center TIF District; and

April 27, 2016

WHEREAS, on August 14, 2013, City Council authorized Resolution No. 13-1341, authorizing a Chapter 380 Economic Development Grant Agreement pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program related to the development of a new residential apartment project at 302 North Houston Street, Dallas, Texas 75202 in an amount not to exceed $535,360; and

WHEREAS, on December 17, 2013, Fairfield Investment Company LLC assigned the Fairfield West End Residences development project to Fairfield at Ross LLC; and

WHEREAS, Section 1E of the Development Agreement for Fairfield West End Residences development project allows the extension of project deadlines up to six months with the Director of Economic Development and City Center TIF District Board of Directors' approval; and

WHEREAS, on August 13, 2015, the City Center TIF District Board of Directors approved a six month extension for the Fairfield West End Residences Development Agreement, from December 31, 2015 to June 30, 2016; and

WHEREAS, on March 10, 2016, the City Center TIF District Board of Directors reviewed and recommended for approval an additional three-month extension for the Fairfield West End Residences Development Agreement, from June 30, 2016 to September 30, 2016; and

WHEREAS, the Developer also requests a project deadline extension from December 31, 2015 to September 30, 2016 for the Chapter 380 Economic Development Grant Agreement; and

WHEREAS, on April 18, 2016, information about this item will be provided to the Economic Development.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute the first amendment to the development agreement and the Chapter 380 economic development grant agreement with Fairfield at Ross LLC for development of the Fairfield West End Residences in the City Center TIF District to extend the completion deadlines to September 30, 2016.

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 Nos. 13-0204, 13-0205 and 13-1341, shall remain in full force and effect, except as specifically outlined in Section 1 and Section 2 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.

AGENDA ITEM # 12

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Housing/Community Services

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

MAPSCO: 42K 43K 44N

SUBJECT

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

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Coria Corporation Inc. has submitted a proposal and development plan to DHADC for 3 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Coria Corporation Inc. to the City's Land Bank, the sale of those lots from DHADC to Coria Corporation Inc. and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Coria Corporation Inc. will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Coria Corporation Inc. and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Coria Corporation Inc. will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,600 to 2,000 square feet and from $120,000 to $160,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (2 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (1 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive $15,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On March 24, 2016, DHADC approved the development plan and sale of 3 lots from DHADC to Coria Corporation Inc.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Coria Corporation Inc.

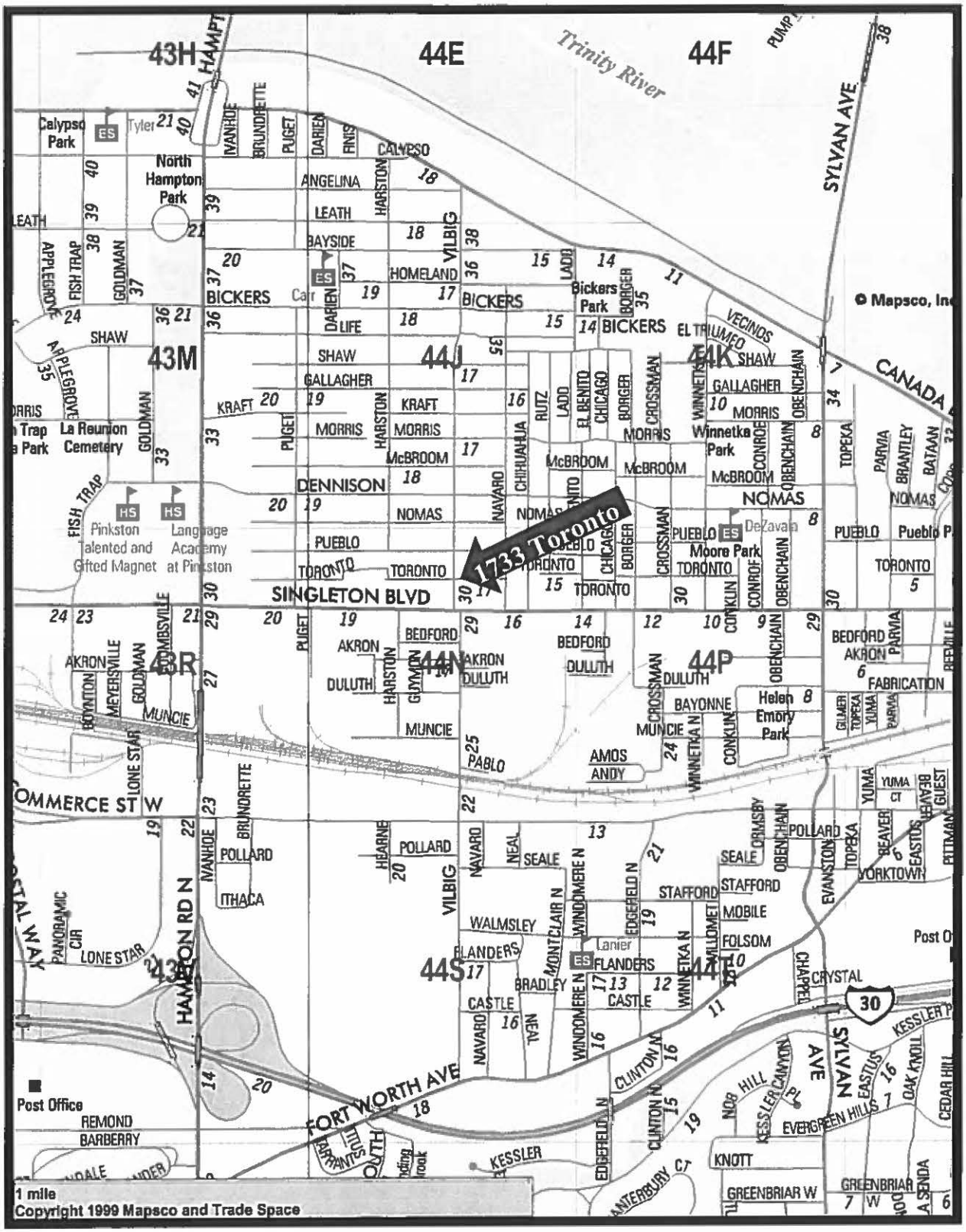
Santos Coria, President

MAPS

Attached

Land Bank (DHADC) Sale of Lots to
Coria Corporation Inc.

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 1733 Toronto	44N	6	$ 6,846.51
2. 3306 Clymer	42K	6	$10,170.31
3. 3615 Nomas	43K	6	$14,615.88


43H
44E
44F
Trinity River
SYLVAN AVE
CANADA
Calypso Park
Tyler
North Hampton Park
ANGELINA
LEATH
BAYSIDE
HOMELAND
BICKERS
Bickers Park
EL TRIUMFO
VECINOS
SHAW
43M
44J
44K
GALLAGHER
KRAFT
MORRIS
McBROOM
DENNISON
NOMAS
PUEBLO
TORONTO
SINGLETON BLVD
1733 Toronto
Pinkston Talented and Gifted Magnet
Language Academy at Pinkston
La Reunion Cemetery
Winnetka Park
Moore Park
DeZavala
43R
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44P
AKRON
DULUTH
BEDFORD
MUNCIE
BAYONNE
Helen Emory Park
FABRICATION
PABLO
AMOS ANDY
COMMERCE ST W
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ITHACA
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PANORAMIC CIR
COASTAL WAY
Post Office
REMOND
BARBERRY
FORT WORTH AVE
KESSLER
KNOTT
GREENBRIAR W
EVERGREEN HILLS
NOB HILL
KESSLER CANYON
CLINTON N
EDGEFIELD N
WINDOMERE N
MONTCLAIR N
WINNETKA N
CONKLIN
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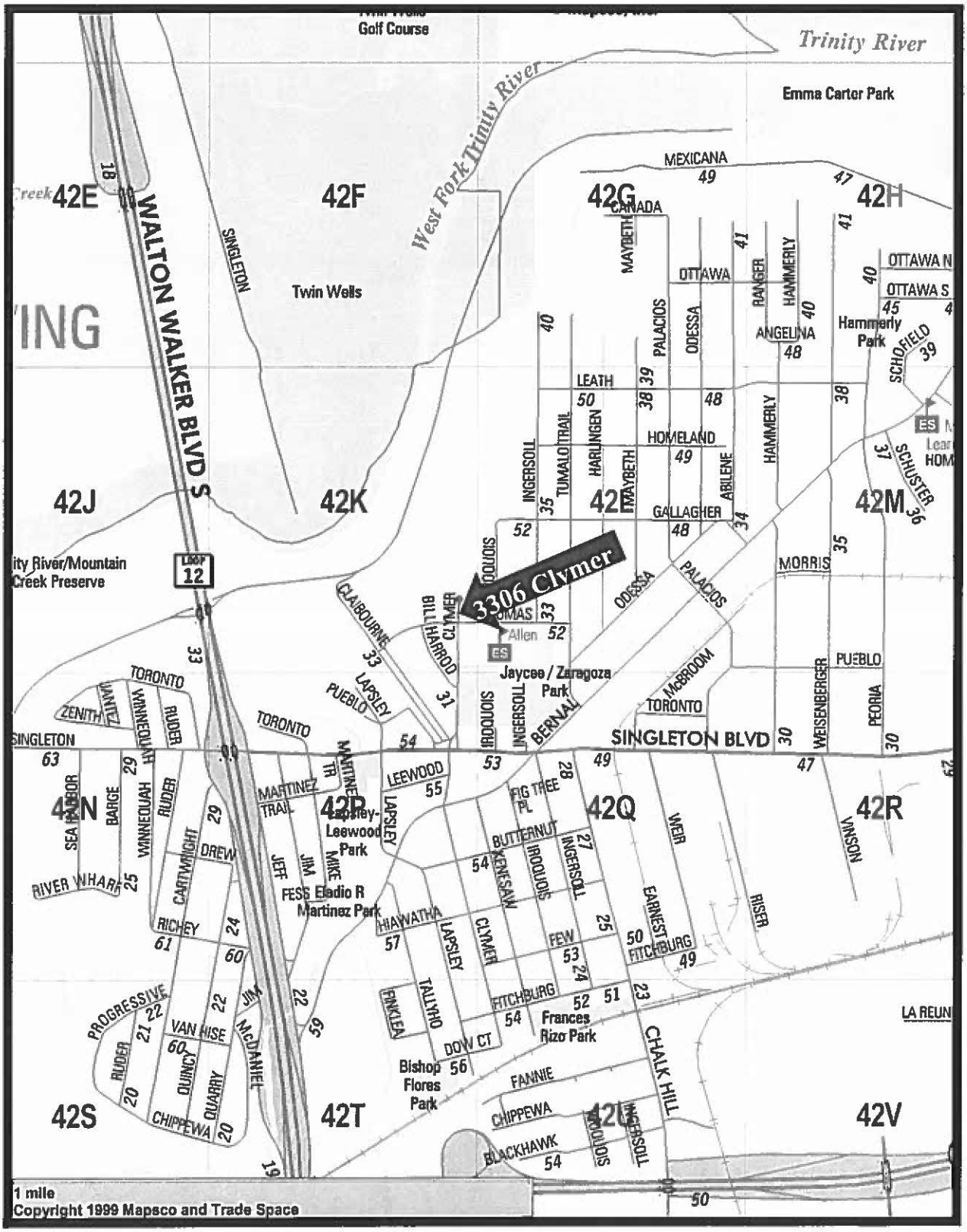
MAPSCO 44N


3306 Clymer
Trinity River
West Fork Trinity River
Golf Course
Emma Carter Park
Twin Wells
Hammerly Park
Jaycee / Zaragoza Park
Lapsley-Leewood Park
FES Eladio R Martinez Park
Bishop Flores Park
Frances Rizo Park
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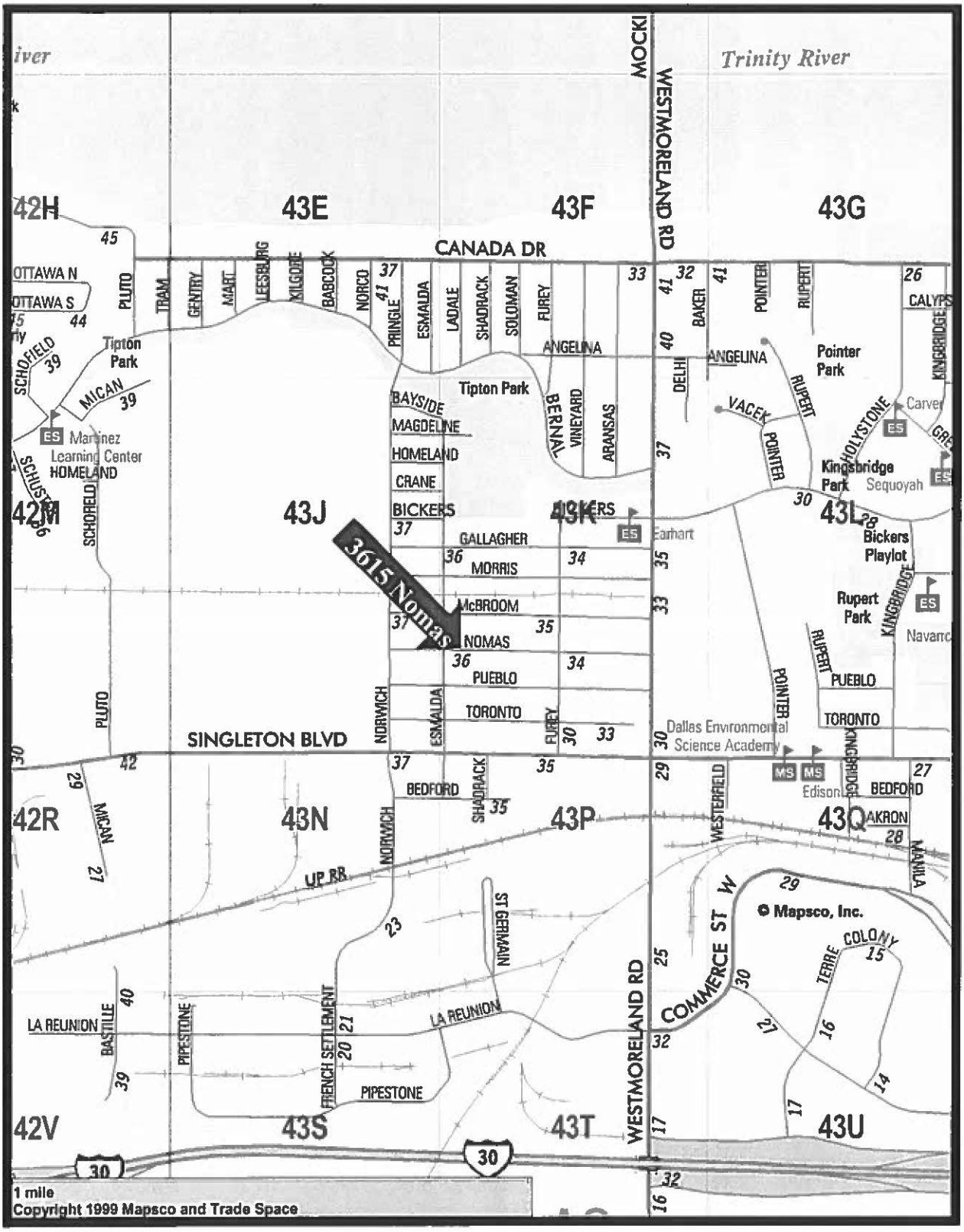
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SHADRACK
SOLOMAN
FUREY
ANGELINA
BAKER
POINTER
RUPERT
CALYPSO
KINGSBRIDGE
SCHOFIELD
MICAN
Tipton Park
Martinez Learning Center
HOMELAND
BAYSIDE
MAGDELINE
CRANE
BICKERS
BERNAL
VINEYARD
ARANSAS
DELHI
VACEK
Pointer Park
HOLYSTONE
Carver
Kingsbridge Park
Sequoyah
42M
43J
43K
43L
Earhart
Bickers Playlot
Rupert Park
Navarro
3615 Nomas
GALLAGHER
MORRIS
McBROOM
NOMAS
PUEBLO
TORONTO
SCHUSTER
SINGLETON BLVD
NORWICH
Dallas Environmental Science Academy
Edison
BEDFORD
AKRON
MANILA
42R
43N
43P
43Q
UP RR
WESTERFIELD
COMMERCE ST W
© Mapsco, Inc.
TERRE COLONY
ST GERMAIN
LA REUNION
BASTILLE
PIPESTONE
FRENCH SETTLEMENT
42V
43S
43T
43U
30
1 mile
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MAPSCO 43K

April 27, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, Coria Corporation Inc. submitted a proposal and development plan to DHADC for 3 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Coria Corporation Inc. and authorize the sale of the said 3 lots from DHADC to Coria Corporation Inc. to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Coria Corporation Inc. and the sale of 3 lots shown on Exhibit "A" from DHADC to Coria Corporation Inc. is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**1733 Toronto** Lot 2, Homestead Addition Block B/7116	Coria Corporation Inc.	1	$5,000.00
2	**3306 Clymer** Lot 6, Joe Irwin No. 4 Addition Block B/7167	Coria Corporation Inc.	1	$5,000.00
3	**3615 Nomas** The Middle 40 Feet of Lot 2, Eagle Ford Gardens Addition Block H/7152	Coria Corporation Inc.	1	$5,000.00
TOTAL				**$15,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 3

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").
1733 Toronto Lot 2 Block B/7116 Homestead Addition
3306 Clymer Lot 16 Block B/7167 Joe Irwin No 4 Addition
3615 Norman Lot 21 Block H/7152 Eagle Ford Gardens Addition

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

Number of homes to be built 1
Square Footage range of each home 1600 - 1800
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 0 Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Stone/Brick/Siding Which sides Front Stone/Brick, siding on both side
Your Sales Price range without Subsidies to Qualified Low Income Buyer 120,000 - 135,000

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

Number of homes to be built 2
Square Footage range of each home 1800 - 2000
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 0 Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Stone/Brick/Siding Which sides Front Stone/Brick
Your Sales Price range without Subsidies to Qualified Low Income Buyer 140,000 - 160,000

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

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

Completion of Construction: 180 days after start of construction

Sale of first affordable housing unit to low income household: 45 days after completion of construction

Sale of last affordable unit to low income households: 48 days after completion of first house

AGENDA ITEM # 13

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

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

MAPSCO: 65C D

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Dallas Area Habitat for Humanity has submitted a proposal and development plan to DHADC for 4 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Dallas Area Habitat for Humanity to the City's Land Bank, the sale of those lots from DHADC to Dallas Area Habitat for Humanity and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Dallas Area Habitat for Humanity will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Dallas Area Habitat for Humanity and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Dallas Area Habitat for Humanity will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,387 square feet and from $93,500 to $115,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (4 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive $20,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On March 24, 2016, DHADC approved the development plan and sale of 4 lots from DHADC to Dallas Area Habitat for Humanity.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Dallas Area Habitat for Humanity

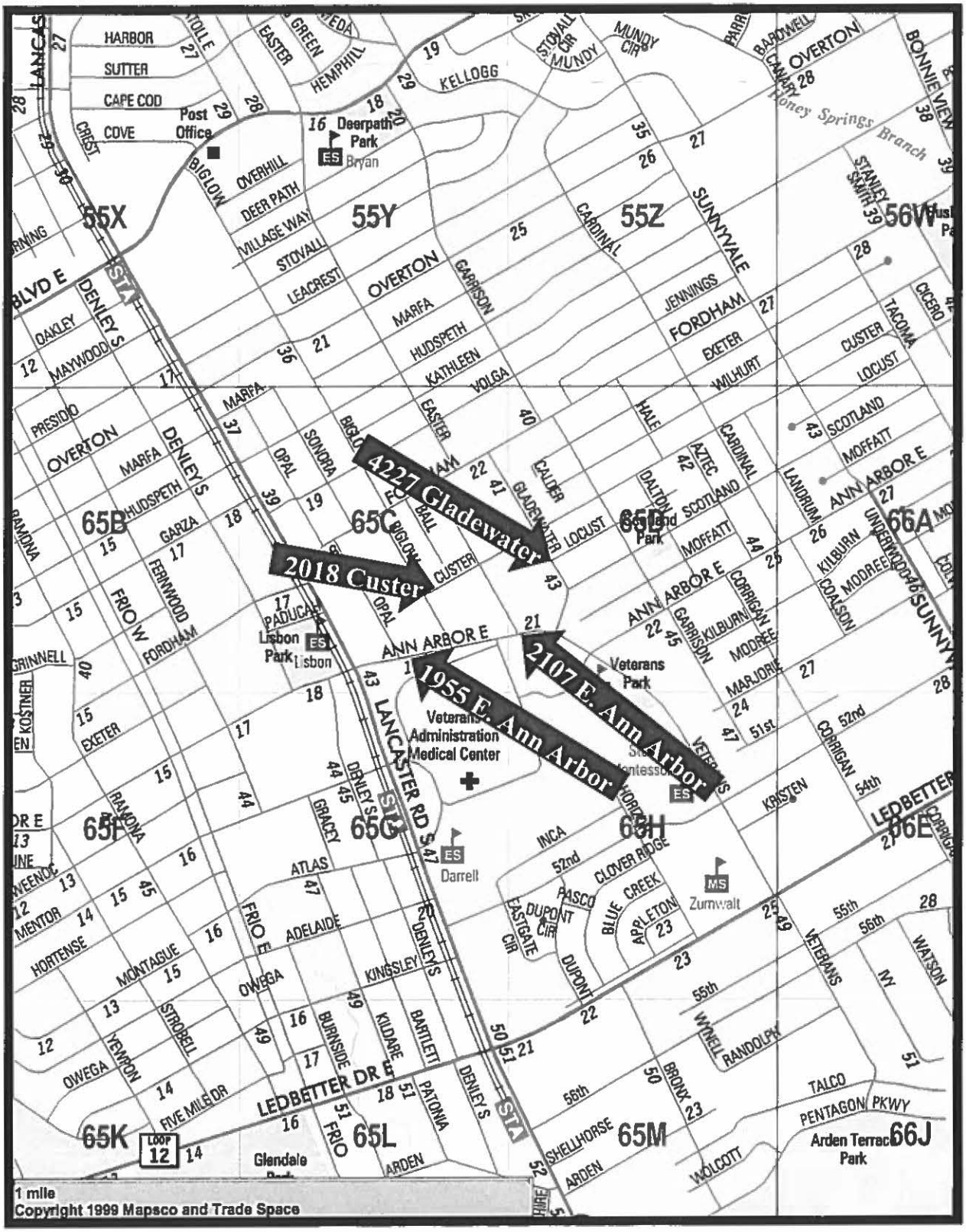
William D. Hall, Chief Executive Officer

MAP

Attached

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

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 2018 Custer	65C	4	$11,992.34
2. 1955 E. Ann Arbor	65C	4	$14,322.18
3. 2107 E. Ann Arbor	65D	4	$20,465.02
4. 4227 Gladewater	65D	4	$22,041.69



MAPSCO 65C & 65D

April 27, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, Dallas Area Habitat for Humanity submitted a proposal and development plan to DHADC for 4 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Dallas Area Habitat for Humanity and authorize the sale of the said 4 lots from DHADC to Dallas Area Habitat for Humanity to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by Dallas Area Habitat for Humanity and the sale of 4 lots shown on Exhibit "A" from DHADC to Dallas Area Habitat for Humanity is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**2018 Custer** Part of Lot 1, Oak Cliff Gardens Addition Block 5/5019	Dallas Area Habitat for Humanity	1	$5,000.00
2	**1955 E. Ann Arbor** The West 60 Feet of Lot 9, Oak Cliff Gardens Addition Block 1/4340 1/2	Dallas Area Habitat for Humanity	1	$5,000.00
3	**2107 E. Ann Arbor** Part of Lot 5, Oak Cliff Gardens Addition Block 6/5020	Dallas Area Habitat for Humanity	1	$5,000.00
4	**4227 Gladewater** Part of Lot 9A, Oak Cliff Gardens Addition Block 6/5020	Dallas Area Habitat for Humanity	1	$5,000.00
TOTAL				**$20,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 4

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

No.	Street #	Street Name	Lot	Block	Subdivision	DCAD Value	Plan
1	2018	Custer	1B	5/5019	Oak Cliff Gardens	$ 6,900.00	TBD
2	1955	E Ann Arbor	9	1/4340	Oak Cliff Gardens	$ 7,000.00	TBD
3	2107	E Ann Arbor	---	SWPT 5 85X117.3X100X135	Oak Cliff Gardens	$ 10,350.00	TBD
4	4227	Gladewater	---	PT 9-50X150 GLADEWATER	Oak Cliff Gardens	$ 6,900.00	TBD

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

Number of homes to be built on lots ____
Square Footage of each home _____
Number of Bedrooms/Baths in each home_____/_____
Number of Garages_1__ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer___ Which sides __
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer

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

Number of homes to be built on lots ____
Square Footage of each home _____
Number of Bedrooms/Baths in each home_____/_____
Number of Garages____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Brick and/or hardiboard Which sides _ see elevations for details
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer_$93,500-110,000

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

Number of homes to be built on lots __1 on each lot _____
Square Footage of each home __Approximately 1387 AC; 1804 total_____
Number of Bedrooms/Baths in each home___3___/__2_____
Number of Garages__1__ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Brick and/or hardiboard Which sides _ see elevations for details
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer $93,500 - $115,000

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction _1095__ days
Completion of Construction ___1215__ days
Sale of first affordable housing unit to low income households _1305___ days
Sale of last affordable unit to low income households __1305____ days

AGENDA ITEM # 14

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

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

MAPSCO: 56V Z

SUBJECT

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

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

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

BACKGROUND (continued)

Dallas Area Habitat for Humanity will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be 1,387 square feet and from $93,500 to $110,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (2 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive $10,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On March 24, 2016, DHADC approved the development plan and sale of 2 lots from DHADC to Dallas Area Habitat for Humanity.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Dallas Area Habitat for Humanity

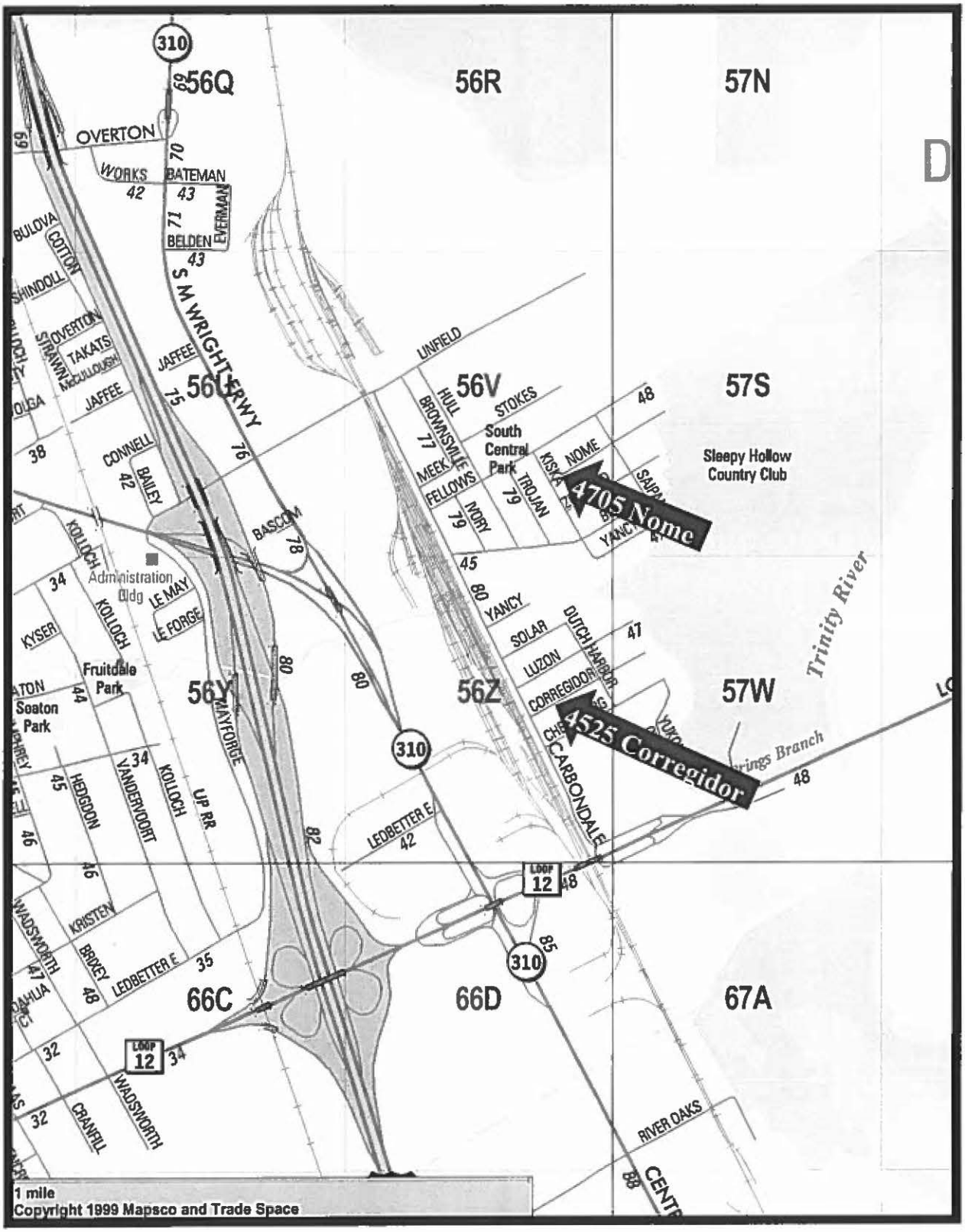
William D. Hall, Chief Executive Officer

MAP

Attached

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

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 4525 Corregidor	56Z	7	$10,559.37
2. 4705 Nome	56V	7	$ 9,554.35



MAPSCO 56V & 56Z

April 27, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, Dallas Area Habitat for Humanity submitted a proposal and development plan to DHADC for 2 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

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

NOW, THEREFORE,

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

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

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**4525 Corregidor** Lot 22, Central Avenue Addition Block D/7647	Dallas Area Habitat for Humanity	1	$5,000.00
2	**4705 Nome** Lot 16, Central Avenue Addition No. 3 Block A/7648	Dallas Area Habitat for Humanity	1	$5,000.00
TOTAL				**$10,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. _____2_____

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

Street #	Street Name	Lot	Block	Subdivision	DCAD Value	Plan
4525	Corregidor	22	D/7647	Central Avenue	$ 2,000.00	TBD
4705	Nome	16	Nome	Central Avenue	$ 2,000.00	TBD

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

Number of homes to be built on lots __ ____
Square Footage of each home _____
Number of Bedrooms/Baths in each home_____/_____
Number of Garages_1__ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer___ Which sides __
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer

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

Number of homes to be built on lots ___1 on each lot _____
Square Footage of each home ___Approximately 1387 AC; 1804 total _____
Number of Bedrooms/Baths in each home___3_____/____2_____
Number of Garages____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer Brick and/or hardiboard Which sides _ see elevations for details
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer_$93,500-110,000

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

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

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction _1095__ days
Completion of Construction ___1215__ days
Sale of first affordable housing unit to low income households _1305___ days
Sale of last affordable unit to low income households __1305____ days

AGENDA ITEM # 15

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 4, 5

DEPARTMENT: Housing/Community Services

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

MAPSCO: 55S 57R

SUBJECT

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

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

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

BACKGROUND (Continued)

JDS-Q Services, LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,400 to 1,600 square feet and from $115,000 to $120,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (2 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive $10,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On March 24, 2016, DHADC approved the development plan and sale of 2 lots from DHADC to JDS-Q Services, LLC.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

JDS-Q Services, LLC

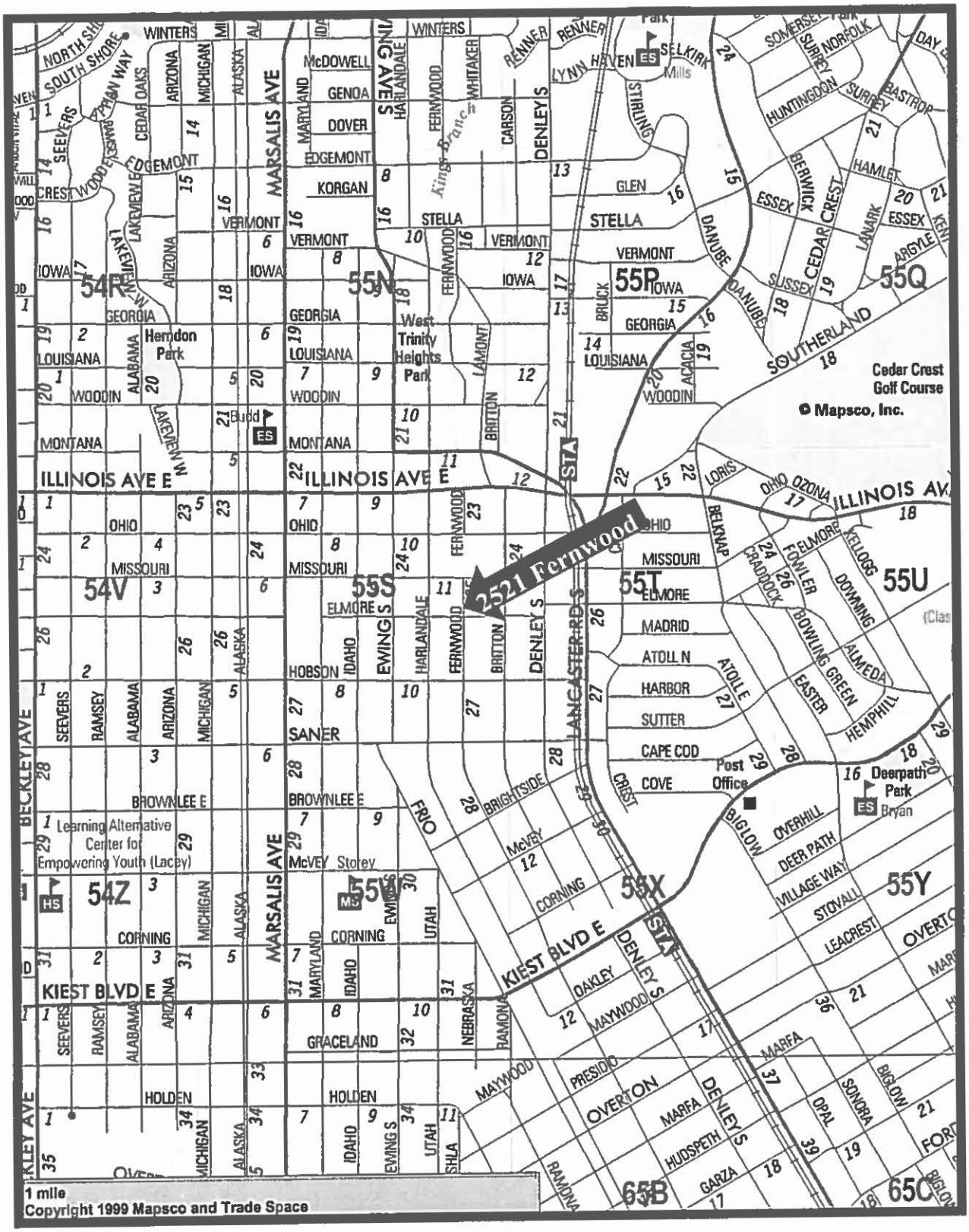
La'Quonda Brewer, Managing Member

MAPS

Attached

Land Bank (DHADC) Sale of Lots to
JDS-Q Services, LLC

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 2521 Fernwood	55S	4	$13,720.78
2. 607 Rayenell	57R	5	$23,908.97


2521 Fernwood
WINTERS
McDOWELL
GENOA
DOVER
EDGEMONT
KORGAN
STELLA
VERMONT
IOWA
GEORGIA
LOUISIANA
WOODIN
MONTANA
ILLINOIS AVE E
OHIO
MISSOURI
ELMORE
MADRID
ATOLL N
HARBOR
SUTTER
CAPE COD
COVE
HOBSON
SANER
BROWNLEE E
McVEY Storey
CORNING
KIEST BLVD E
GRACELAND
HOLDEN
OVERTON
PRESIDIO
MAYWOOD
OAKLEY
MARFA
HUDSPETH
GARZA
GLEN
LYNN HAVEN
SELKIRK
Mills
HUNTINGDON
SURREY
NORFOLK
BASTROP
HAMLET
ESSEX
BERWICK
CEDAR CREST
LANARK
ARGYLE
SUSSEX
DANUBE
BRUCK
SOUTHERLAND
ACACIA
LORIS
OHIO
OZONA
ILLINOIS AV
BELKNAP
FOWLER
FANNIN
KELLOGG
DOWNING
BOWLING GREEN
ALMEDA
EASTER
HEMPHILL
CRADDOCK
ATOLLE
BIGLOW
OVERHILL
DEER PATH
VILLAGE WAY
STOVALL
LEACREST
CREST
BRIGHTSIDE
FROO
RAMONA
NEBRASKA
UTAH
IDAHO
EWING S
HARLANDALE
FERNWOOD
BRITTON
DENLEY S
LANCASTER RD S
MARSALIS AVE
BECKLEY AVE
SEEVERS
RAMSEY
ALABAMA
ARIZONA
MICHIGAN
ALASKA
CEDAR OAKS
LAKEVIEW
LAKEVIEW W
EDGEMONT
CREST WOOD
NORTH SHORE
SOUTH SHORE
MARYLAND
CARSON
WHITAKER
RENNER
STIRLING
LAMONT
SHA
54R
54V
54Z
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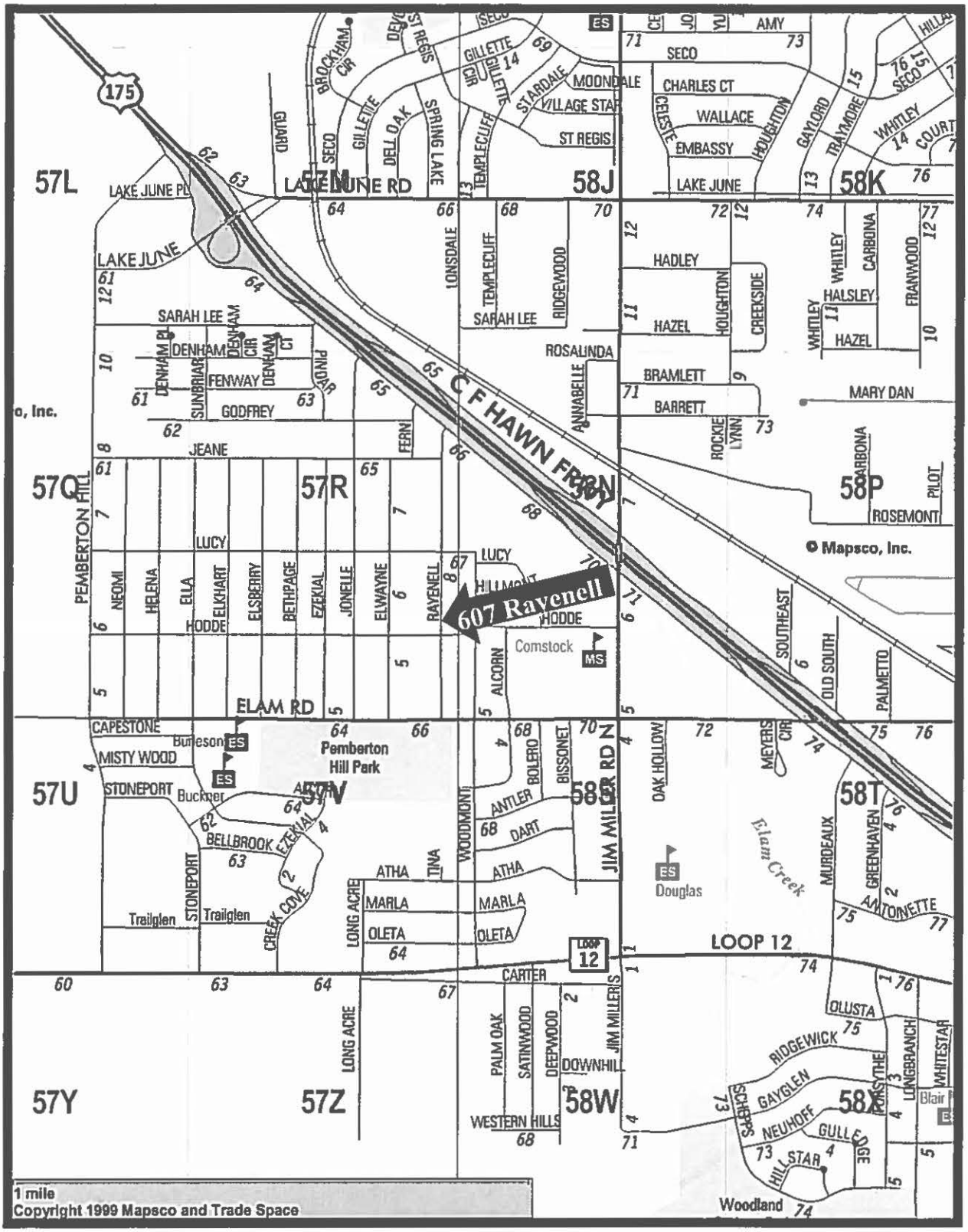
55S
55T
55P
55Q
55U
55X
55Y
65B
65C
Herndon Park
West Trinity Heights Park
Budd
Deerpath Park
Bryan
Post Office
Learning Alternative Center for Empowering Youth (Lacey)
Cedar Crest Golf Course
© Mapsco, Inc.
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 55S


607 Ravenell
57L
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58T
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58W
58X
LAKE JUNE RD
LAKE JUNE
LAKE JUNE PL
SARAH LEE
DENHAM PL
DENHAM CIR
DENHAM CT
SUNBRIAR
FENWAY
GODFREY
JEANE
FERN
PINOY
LUCY
HODDE
ELAM RD
CAPESTONE
MISTY WOOD
STONEPORT
BELLBROOK
EZEKIAL
CREEK COVE
Trailglen
LONG ACRE
ATHA
TINA
MARLA
OLETA
CARTER
PALM OAK
SATINWOOD
DEEPWOOD
DOWNHILL
WESTERN HILLS
JIM MILLER RD
LOOP 12
C F HAWN FRWY
175
PEMBERTON HILL
NEOMI
HELENA
ELLA
ELKHART
ELSBERRY
BETHPAGE
EZEKIAL
JONELLE
ELWAYNE
RAVENELL
ALCORN
WOODMONT
ANTLER
DART
BOLERO
BISSONET
OAK HOLLOW
MEYERS CIR
SOUTHEAST
OLD SOUTH
PALMETTO
CARBONA
PILOT
ROSEMONT
MARY DAN
ROCKIE LYNN
BARRETT
BRAMLETT
ROSALINDA
ANNABELLE
HADLEY
HAZEL
HOUGHTON
CREEKSIDE
HALSLEY
WHITLEY
FRANWOOD
SECO
CHARLES CT
WALLACE
EMBASSY
LAKE JUNE
GAYLORD
TRAYMORE
COURT
AMY
MOONDALE
STARDALE
VILLAGE STAR
ST REGIS
GILLETTE
SPRING LAKE
DELL OAK
TEMPLECUFF
RIDGEWOOD
IONSDALE
BROCKHAM CIR
GUARD
Comstock
MS
Burleson
ES
Pemberton Hill Park
Douglas
Elam Creek
MURDEAUX
GREENHAVEN
ANTONYETTE
OLUSTA
RIDGEWICK
GAYGLEN
NEUHOFF
GULLEY
HILL STAR
LONGBRANCH
WHITESTAR
SCHERTHE
Woodland
1 mile
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MAPSCO 57R

April 27, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, JDS-Q Services, LLC submitted a proposal and development plan to DHADC for 2 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

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

NOW, THEREFORE,

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

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

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**2521 Fernwood** Lot 7, Trinity Heights #3 Addition Block 18/3688	JDS-Q Services, LLC	1	$5,000.00
2	**607 Rayenell** Lot 15, Pleasant Heights Addition 3rd Section Block 8/6252	JDS-Q Services, LLC	1	$5,000.00
TOTAL				**$10,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

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

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

2521 Fernwood
607 Rayenell

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

Number of homes to be built on lots 2
Square Footage of each home 1,400 - 1,600
Number of Bedrooms/Baths in each home 4 / 2
Number of Garages 1 Number of Carports ___ Detached ___ Attached ___
Type of Exterior Veneer Brick Which sides Front
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 115 - 120,000

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

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

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

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

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Commencement of Construction 30 days
Completion of Construction 45 days
Sale of first affordable housing unit to low income households 60 days
Sale of last affordable unit to low income households 60 days

AGENDA ITEM # 16

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 2, 4, 6, 7

DEPARTMENT: Housing/Community Services

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

MAPSCO: 42U 46G S 55T

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of affordable houses; **(2)** the sale of 5 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to KW New Vision Properties and Land, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the 5 properties that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

KW New Vision Properties and Land, Inc. has submitted a proposal and development plan to DHADC for 5 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by KW New Vision Properties and Land, Inc. to the City's Land Bank, the sale of those lots from DHADC to KW New Vision Properties and Land, Inc. and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens.

BACKGROUND (continued)

DHADC's Deed without Warranty to KW New Vision Properties and Land, Inc. will contain a reverter that returns the property to DHADC if a construction permit is not applied for by KW New Vision Properties and Land, Inc. and construction financing is not closed within three years of conveyance.

KW New Vision Properties and Land, Inc. will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,400 to 1,900 square feet and from $110,000 to $175,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (2 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (3 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive $25,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On March 24, 2016, DHADC approved the development plan and sale of 5 lots from DHADC to KW New Vision Properties and Land, Inc.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

KW New Vision Properties and Land, Inc.

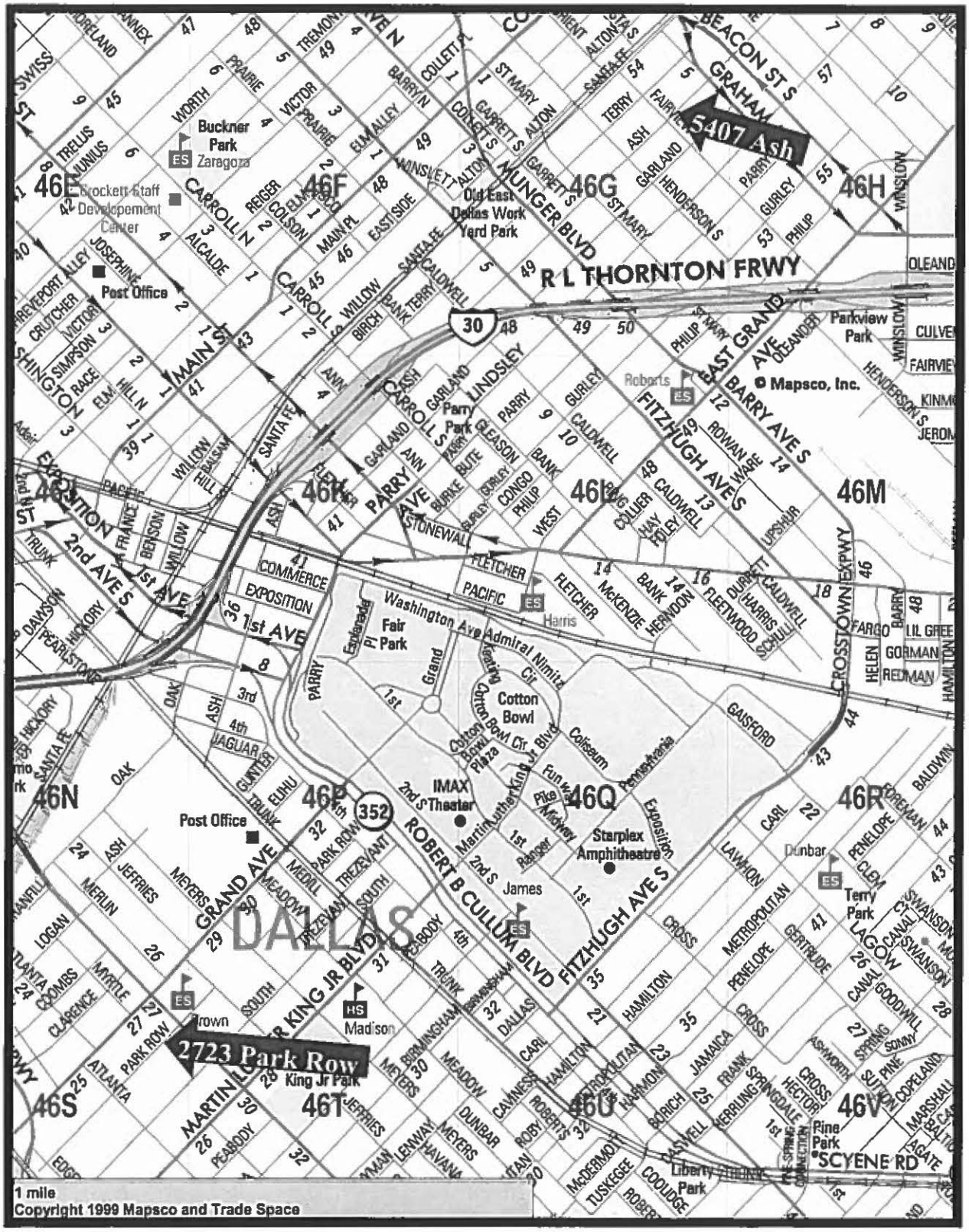
Kelvin Williams, President

MAPS

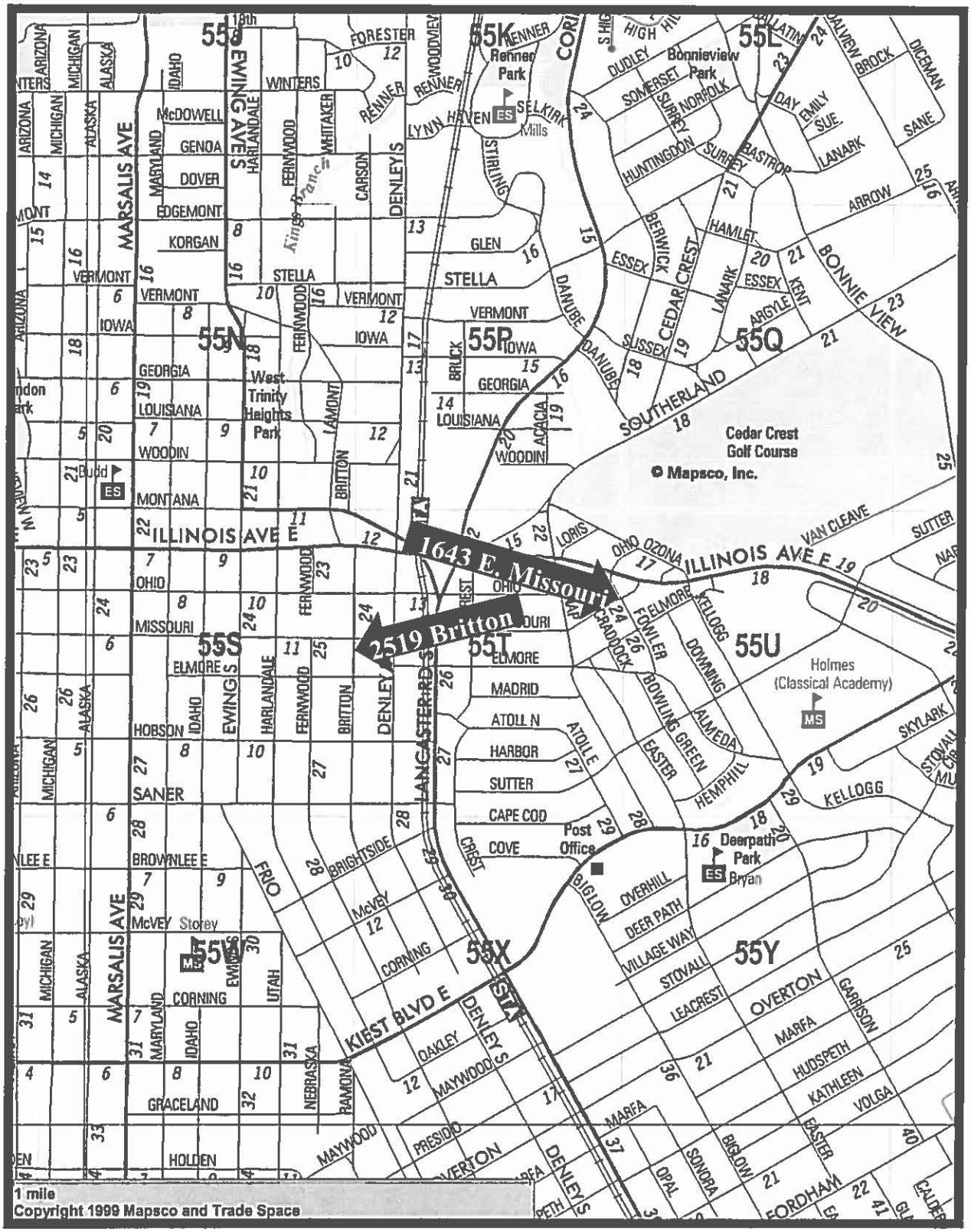
Attached

Land Bank (DHADC) Sale of Lots to
KW New Vision Properties and Land, Inc.

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 5407 Ash	46G	2	$ 8,968.74
2. 1643 E. Missouri	55T	4	$16,170.63
3. 2723 Park Row	46S	7	$24,814.31
4. 2519 Britton	55T	4	$15,624.04
5. 5410 Fannie	42U	6	$10,008.85



MAPSCO 46G & 46S


1643 E. Missouri
2519 Britton
ILLINOIS AVE E
MISSOURI
OHIO
MONTANA
WOODIN
LOUISIANA
GEORGIA
IOWA
VERMONT
STELLA
GLEN
KORGAN
EDGEMONT
DOVER
McDOWELL
WINTERS
FORESTER
LYNN HAVEN
SELKIRK
Mills
Renner Park
Bonnieview Park
Cedar Crest Golf Course
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Holmes (Classical Academy)
Deerpath Park
Post Office
Budd
West Trinity Heights Park
ELMORE
MADRID
ATOLL N
HARBOR
SUTTER
CAPE COD
COVE
SANER
HOBSON
BROWNLEE E
McVEY
CORNING
GRACELAND
HOLDEN
OAKLEY
MAYWOOD
PRESIDIO
KIEST BLVD E
OVERHILL
DEER PATH
VILLAGE WAY
STOVALL
LEACREST
OVERTON
MARFA
HUDSPETH
KATHLEEN
VOLGA
GARRISON
SONORA
OPAL
FORDHAM
KELLOGG
SKYLARK
VAN CLEAVE
SUTTER
55K
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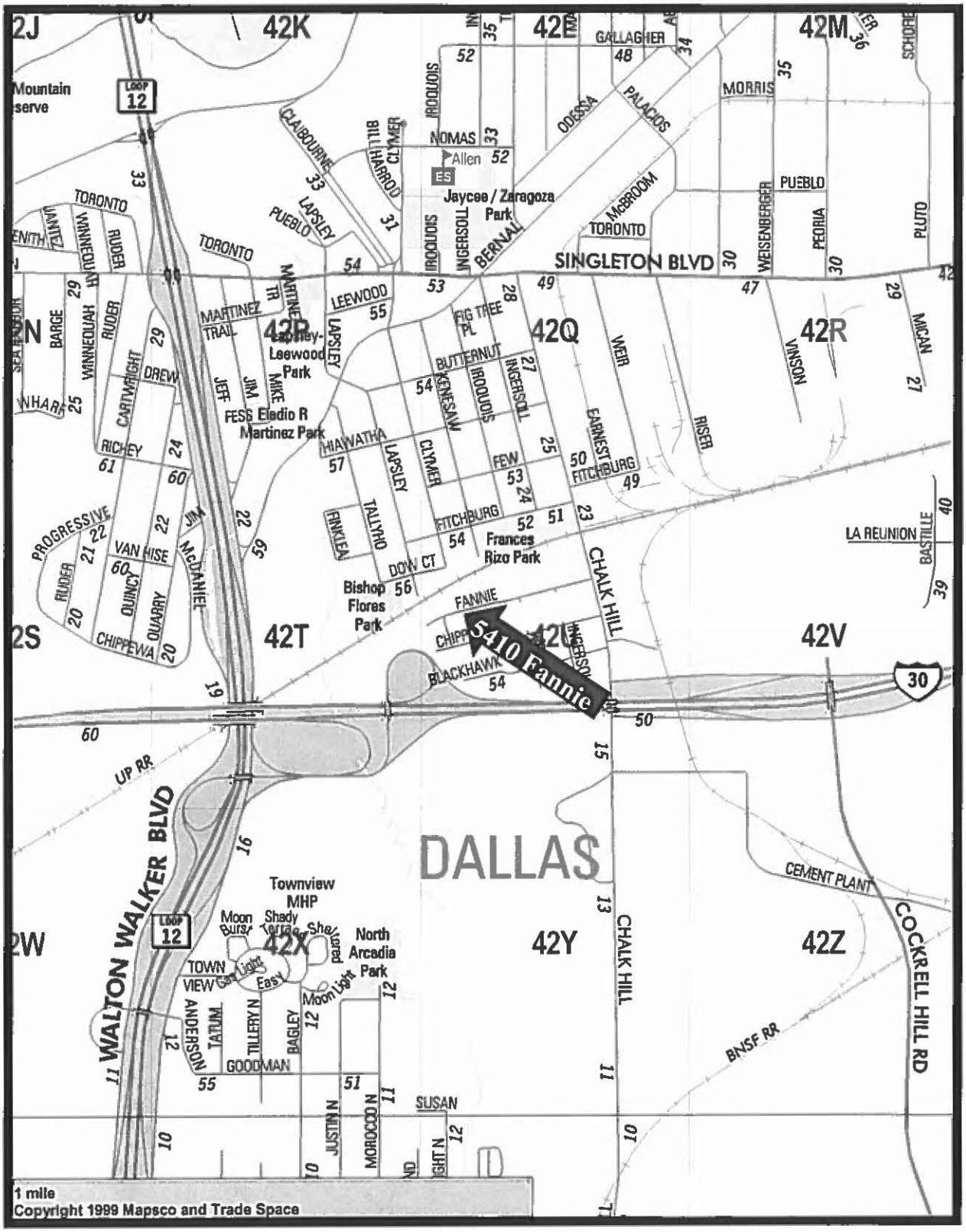
MAPSCO 55T


2J
42K
42E
42M
Mountain
serve
Loop 12
GALLAGHER
MORRIS
SCHOOLCRAFT
CLAIBOURNE
BILL HARROD
CLYMER
IROQUOIS
NOMAS
Allen ES
ODESSA
PALACIOS
PUEBLO
Jaycee / Zaragoza Park
McBROOM
WEISENBERGER
PEORIA
PLUTO
TORONTO
LAPSLEY
INGERSOLL
BERNAL
SINGLETON BLVD
LEEWOOD
MARTINEZ TR
MARTINEZ TRAIL
Lapsley-Leewood Park
FIG TREE PL
BUTTERNUT
KENESAW
INGERSOLL
WEIR
VANSON
MICAN
42N
42P
42Q
42R
BARGE
WINNEDUAH
RUDER
DREW
CARTWRIGHT
JEFF
JIM
MIKE
FESS Eladio R Martinez Park
HIAWATHA
RICHEY
FEW
FITCHBURG
EARNEST
RISER
PROGRESSIVE
VAN HISE
QUINCY
QUARRY
CHIPPEWA
MacDANIEL
FINKLEA
TALLYHO
DOVE CT
Frances Rizo Park
Bishop Flores Park
LA REUNION
BASTILLE
CHALK HILL
FANNIE
BLACKHAWK
5410 Fannie
2S
42T
42V
30
UP RR
WALTON WALKER BLVD
DALLAS
Townview MHP
Moon Burst
Shady Terrace
Shepard
North Arcadia Park
TOWN VIEW
Easy Light
Moon Light
2W
42X
42Y
42Z
CEMENT PLANT
COCKRELL HILL RD
ANDERSON
TATUM
TILLERY N
BAGLEY
GOODMAN
SUSAN
JUSTIN N
MOROCCO N
BNSF RR
1 mile
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MAPSCO 42U

April 27, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, KW New Vision Properties and Land, Inc. submitted a proposal and development plan to DHADC for 5 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by KW New Vision Properties and Land, Inc. and authorize the sale of the said 5 lots from DHADC to KW New Vision Properties and Land, Inc. to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" indicating the approximate square footage and sales price ranges of the proposed houses submitted by KW New Vision Properties and Land, Inc. and the sale of 5 lots shown on Exhibit "A" from DHADC to KW New Vision Properties and Land, Inc. is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**5407 Ash** Lot 9, East We Go Addition Block M/1611	KW New Vision Properties and Land, Inc.	1	$5,000.00
2	**1643 E. Missouri** Lot 11, Highlands Addition Block P/4246	KW New Vision Properties and Land, Inc.	1	$5,000.00
3	**2723 Park Row** Lot 15, Edgewood Addition Block 5/1287	KW New Vision Properties and Land, Inc.	1	$5,000.00
4	**2519 Britton** Lot 12, Broadmoor Addition Block 26/4225	KW New Vision Properties and Land, Inc.	1	$5,000.00
5	**5410 Fannie** Lot 4, Frank M. Horton's Addition to Eagle Ford Block A/7185	KW New Vision Properties and Land, Inc.	1	$5,000.00
TOTAL				**$25,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. _____5_____

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property"). (See attached 5 property addresses **ADDENDUM #1**)

_____

_____

_____

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

Number of homes to be built ___3_____
Square Footage **range** of each home ___1400-1600_____
Number of Bedrooms/Baths in each home__3-4_____/___2_____
Number of Garages_1-2___ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer__Brick_____ Which sides ____ Front _____
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer__ 110-140K__

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

Number of homes to be built ____2_____
Square Footage **range** of each home ___ 1500-1900_____
Number of Bedrooms/Baths in each home__ 3-4_____/___2_____
Number of Garages_2___ Number of Carports ____ Detached ____ Attached __X__
Type of Exterior Veneer____Brick_____ Which sides _____ all_____
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer__ 130-175K__

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Start of Construction: __ 60____ days after receiving the deed to the property

Completion of Construction: __ 120____ days after start of construction

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

Sale of last affordable unit to low income households: __ 30_____ days after completion of first house

ADDENDUM #1 – KW New Vision Properties & Land, Inc.

	Address	Legal Description	Census Tract
1	1643 E. Missouri Avenue Dallas, TX 75216	Lot 11, Block P/4246, Highlands	55.00
2	2723 Park Row Avenue Dallas, TX 75223	Lot 15, Block 5/1287 Edgewood	203.00
3	5407 Ash Lane Dallas, TX	Lot 9, Block M/1611 East We Go	24.00
4	2519 Britton Drive Dallas, TX 75216	Lot 12, Blk 26/4225 Broadmoor	55.00
5	5410 Fannie Street Dallas, TX 75212	Lot 4, Blk A/7185 Frank M Horton	106.02

AGENDA ITEM # 17

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

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

MAPSCO: 54Z

SUBJECT

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

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Marcer Construction Company, LLC has submitted a proposal and development plan to DHADC for 2 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Marcer Construction Company, LLC to the City's Land Bank, the sale of those lots from DHADC to Marcer Construction Company, LLC and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens.

BACKGROUND (continued)

DHADC's Deed without Warranty to Marcer Construction Company, LLC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Marcer Construction Company, LLC and construction financing is not closed within three years of conveyance.

Marcer Construction Company, LLC will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be from 1,100 to 1,300 square feet and from $110,000 to $145,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (2 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive $10,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On March 24, 2016, DHADC approved the development plan and sale of 2 lots from DHADC to Marcer Construction Company, LLC.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

Marcer Construction Company, LLC

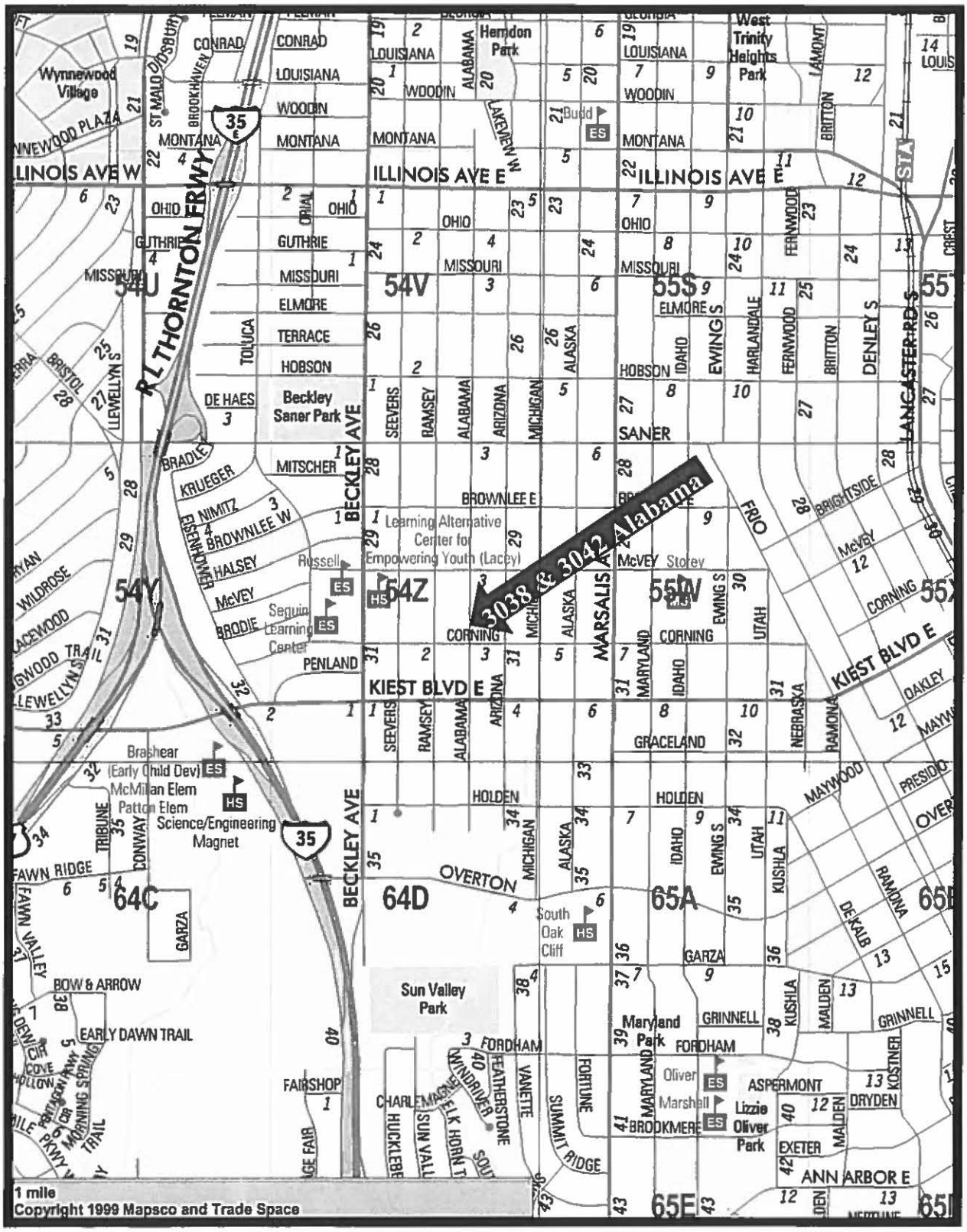
Raul Estrada, Managing Member

MAP

Attached

Land Bank (DHADC) Sale of Lots to
Marcer Construction Company, LLC

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 3038 Alabama	54Z	4	$24,697.95
2. 3042 Alabama	54Z	4	$21,657.37


3038 & 3042 Alabama
R L THORNTON FRWY
BECKLEY AVE
MARSALIS AVE
KIEST BLVD E
ILLINOIS AVE W
ILLINOIS AVE E
LANCASTER RD S
DENLEY S
Wynnewood Village
Hemdon Park
West Trinity Heights Park
Beckley Saner Park
Learning Alternative Center for Empowering Youth (Lacey)
Sequin Learning Center
Brashear (Early Child Dev)
McMillan Elem
Patton Elem
Science/Engineering Magnet
South Oak Cliff
Sun Valley Park
Maryland Park
Oliver Marshall
Lizzie Oliver Park
54U
54V
54Y
54Z
55S
55V
64C
64D
65A
65E
1 mile
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MAPSCO 54Z

April 27, 2016

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C, by Resolution No. 04-0458; and

WHEREAS, Marcer Construction Company, LLC submitted a proposal and development plan to DHADC for 2 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

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

NOW, THEREFORE,

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

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

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**3038 Alabama** Lot 10, Freemont Addition Revised Block 18/4114	Marcer Construction Company, LLC	1	$5,000.00
2	**3042 Alabama** Lot 11, Freemont Addition Block 18/4114	Marcer Construction Company, LLC	1	$5,000.00
TOTAL				**$10,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

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

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").
3038 ALABAMA LOT 10 Block 18/4114 Fremont Addition City of Dallas
3042 ALABAMA LOT 10 Block 18/4114 Fremont Addition City of Dallas.

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

Number of homes to be built 2
Square Footage **range** of each home 1100 - 1300
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 2 Number of Carports 0 Detached ____ Attached X
Type of Exterior Veneer 3 Woods Side/1 Partial stone Which sides _____
Your Sales Price **range** without Subsidies to Qualified Low Income Buyer 110,000 - 145,000

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

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

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Start of Construction: 7 days after receiving the deed to the property

Completion of Construction: 60 days after start of construction

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

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

AGENDA ITEM # 18

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

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

MAPSCO: 46U 47N

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by South Dallas Fair Park Innercity Community Development Corporation for the construction of affordable houses; **(2)** the sale of 2 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to South Dallas Fair Park Innercity Community Development Corporation; **(3)** the exchange of deed restrictions from the 2 lots proposed to be purchased from the Land Bank to 2 comparable lots owned by the developer; and **(4)** execution of a release of lien for any non-tax liens that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

South Dallas Fair Park Innercity Community Development Corporation (ICDC) has submitted a proposal and development plan to DHADC for the acquisition of 2 lots, as shown on the attached list, and also for the exchange of the deed restrictions from the 2 lots proposed to be purchased from the Land Bank to 2 comparable lots owned by the developer, as allowed under Section 379C.0105 of the Texas Local Government Code. The DHADC Board has approved the development plan, sale and exchange of deed restrictions, subject to City Council approval.

BACKGROUND (continued)

This item will authorize City Council approval of the development plan submitted by ICDC to the City's Land Bank, the sale of those lots from DHADC to ICDC, the exchange of deed restrictions and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to ICDC will contain a reverter that returns the property to DHADC if a construction permit is not applied for by ICDC and construction financing is not closed within three years of conveyance.

The approximate square footage and sales prices of the houses will be 1,330 square feet and from $90,000 to $100,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (0 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (2 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive $10,000.00 for the sales price, as calculated from the 2015-16 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

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

On March 24, 2016, DHADC approved the development plan, the sale of 2 lots from DHADC to South Dallas Fair Park Innercity Community Development Corporation and the exchange of deed restrictions.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

DEVELOPER

South Dallas Fair Park Innercity Community Development Corporation

Lewis Rhone, Chairman

MAP

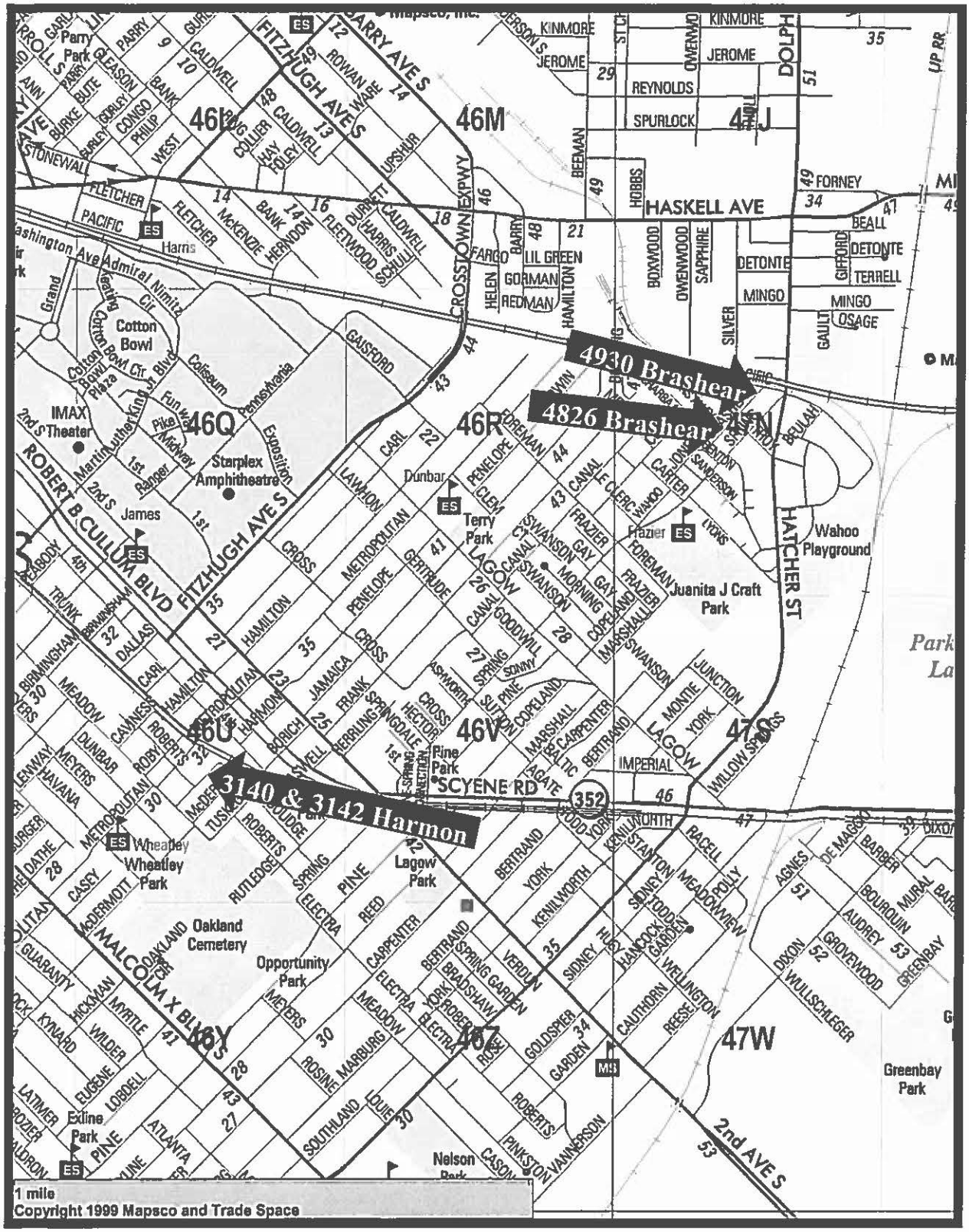
Attached

Land Bank (DHADC) Sale of Lots to
South Dallas Fair Park Innercity Community Development Corporation

Property Address	Mapsco	Council District	Amount of Non-Tax Liens
1. 4826 Brashear	47N	7	$9,841.64
2. 4930 Brashear	47N	7	$1,981.52

Lots Owned by
South Dallas Fair Park Innercity Community Development Corporation
To be Exchanged for Land Bank Lots

Property Address	Mapsco	Council District
1. 3140 Harmon	46U	7
2. 3142 Harmon	46U	7



MAPSCO 46U & 47N

April 27, 2016

WHEREAS, on January 28, 2004, by Resolution No. 04-0458, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code; and

WHEREAS, South Dallas Fair Park Innercity Community Development Corporation (ICDC) submitted a proposal and development plan to DHADC for the acquisition of 2 lots shown on Exhibit A and the exchange of the deed restrictions from the 2 lots proposed to be purchased from the Land Bank to 2 comparable lots owned by the developer, as permitted under Section 379C.0105 of the Texas Local Government Code and the DHADC Board has approved the development plan and the sale and exchange of the deed restrictions, subject to City Council approval; and

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

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit B indicating the approximate square footage and sales price ranges of the proposed houses submitted by ICDC and the sale of 2 lots shown on Exhibit A from DHADC to ICDC and the exchange of the deed restrictions from the 2 lots proposed to be purchased from the Land Bank to 2 comparable lots owned by the developer.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit A.

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

EXHIBIT "A"

LAND BANK PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**4826 Brashear** Lot 51, Parks and Friedman's Spring Avenue Addition Block 2421	South Dallas Fair Park Innercity Community Development Corporation	1	$5,000.00
2	**4930 Brashear** Lot 14, Parks and Friedman's Spring Avenue Addition Block 2419	South Dallas Fair Park Innercity Community Development Corporation	1	$5,000.00
TOTAL				**$10,000.00**

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

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

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

1.4826 Brashear St., Parks & Freedman, Spring, Avenue, BLK 2421 Lot 51, VOL 87013 PG2859 CO-DC 2421 000 05100 1002421 000.

2. 4930 Brashear St, Parks & Freedman Spring Avenue BLK 2914 LT 14, INT201600005710 DD 12312015, CO-DC 2419 00001400 1002419 000.

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

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

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

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

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

Number of homes to be built 2
Square Footage range of each home 1330sq ft
Number of Bedrooms/Baths in each home 3/2
Number of Garages____ Number of Carports 1 Detached ____ Attached 1
Type of Exterior Veneer Hardi Siding Which sides All
Your Sales Price range without Subsidies to Qualified Low Income Buyer $90,000 - $100,000.

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

Number of homes to be built 0
Square Footage range of each home _____
Number of Bedrooms/Baths in each home_____/_____
Number of Garages____ Number of Carports ____ Detached ____ Attached ____
Type of Exterior Veneer_____ Which sides _____
Your Sales Price range without Subsidies to Qualified Low Income Buyer_____

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

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

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

Start of Construction: _270_ days after receiving the deed to the property

Completion of Construction: _180_ days after start of construction

Sale of first affordable housing unit to low income household: __300__ days after completion of construction

Sale of last affordable unit to low income households: __330__ days after completion of first house

AGENDA ITEM # 19

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 1

DEPARTMENT: Housing/Community Services

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

MAPSCO: 45W

SUBJECT

Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development in the amount of $288,401, to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 1, 2016 through April 30, 2017; **(2)** a contract with Hillcrest House Partnership, Ltd. (as Owner) and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (as Subrecipient) in the amount of $288,401 to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 1, 2016 through April 30, 2017; **(3)** a cash match in the amount of $72,101 from Housing Opportunities for Persons with AIDS grant funds; and **(4)** execution of any and all agreements and other documents required by the grant - Total not to exceed $360,502 - Financing: U.S. Department of Housing and Urban Development Grant Funds

BACKGROUND

Hillcrest House is a four-story residential facility with 64 single room occupancy (SRO) units serving homeless persons with HIV/AIDS. The facility is owned by Hillcrest House Partnership, Ltd., a Texas limited partnership with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (ASD) as sole general partner and, through a wholly owned subsidiary, sole limited partner.

In 1992, the City of Dallas as grantee, together with ASD as project sponsor, applied for and were awarded a Shelter Plus Care/SRO grant for ten years of rental assistance commencing in May 1995, in connection with the moderate rehabilitation of Hillcrest House located at 834 North Marsalis Avenue, Dallas, Texas. Beginning in May 2006, the Hillcrest House grant has been renewed annually by the U.S. Department of Housing and Urban Development (HUD) to provide ongoing support for the facility.

BACKGROUND (Continued)

Under new HUD regulations issued June 2012, the grant was converted from Shelter Plus Care to Continuum of Care funding for project-based rental assistance effective May 2013, and was amended to reallocate funding for supportive services effective May 2014.

This FY2015 renewal grant (Grant No. TX0060L6T001508 and CFDA No. 14.267) continues funding for project-based rental assistance, supportive services, and project administration at Hillcrest House. The City of Dallas administers the rental assistance (including inspections) at Hillcrest House, with residents paying 30% of monthly adjusted income toward their own rent and the grant paying the remainder. ASD provides on-site supportive services (consisting of transportation) for residents funded through this grant, but residents also receive home health care, comprehensive case management, food services, volunteer support, employment services, and HIV disease management funded through other sources.

All recipients are required to match 25 percent of Continuum of Care grant funds with cash or in-kind contributions from other sources. Cash match in the amount of $72,101 will be provided through Housing Opportunities for Persons with AIDS (HOPWA) grant funds, consisting of partial salary and benefits for a City of Dallas case worker stationed at Hillcrest House providing homeless outreach services for the facility, as well as HOPWA facility based housing assistance funds awarded and contracted to ASD for operations and supportive services at Hillcrest House.

PERFORMANCE MEASURES

Number of Persons Assisted

	2015-16 Goal	2015-16 Actual*	2016-17 Goal
Persons served at Hillcrest	77	81	77
Persons in stable housing at Hillcrest	67	71	67

*YTD data through 1/31/16 (9 months)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the FY2013 renewal of a Continuum of Care Grant (formerly Shelter Plus Care Grant) to provide rental assistance funds for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on June 25, 2014, by Resolution No. 14-1000.

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

Authorized the first amendment to the FY2013 renewal of the Continuum of Care Grant for Hillcrest House located at 834 North Marsalis Avenue, to establish a category for supportive services and shift funds from rental assistance to supportive services, on February 11, 2015, by Resolution No. 15-0276.

Authorized the FY2014 renewal of a Continuum of Care Grant (formerly Shelter Plus Care Grant) to provide rental assistance funds for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 22, 2015, by Resolution No. 15-0752.

Authorized the second amendment to FY2013 renewal of the Continuum of Care Grant for Hillcrest House located at 834 North Marsalis Avenue, to shift funds from supportive services to rental assistance, on August 12, 2015, by Resolution No. 15-1381.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

$360,502 - U. S. Department of Housing and Urban Development Grant Funds

ETHNIC COMPOSITION

PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (Board)

Black Female	1	Black Male	1
White Female	2	White Male	15
Hispanic Female	2	Hispanic Male	1
Other Female	0	Other Male	2

OWNER(S)

PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas

Board of Directors

Don Neubauer, Chair	Dennis Kershner
Donald Mercer, Vice Chair	James Lightfoot
Karen Charleston, Secretary	Arlen Miller
William Early, Treasurer	David Nelson
Jacque Borel	Ashley Peña
Debbie Ochoa Duncan	Rich Perry
Mark Edgell	Budi Sutomo
Samuel W. Etheridge	Wayne Thomas

OWNER(S) (Continued)

Robert Helm
Bruce Jaster
Domingo Jimenez
Matthew Jones
Jonathan Thorne
Jennifer Thornton
Sharon Valenti
Hon. Ernie White

WHEREAS, there is a need to assist the homeless population with HIV/AIDS by providing rental assistance in conjunction with supportive services; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides Continuum of Care Grant funds to assist homeless persons living with HIV/AIDS with project-based rental assistance; and

WHEREAS, HUD has approved the City of Dallas FY2015 renewal application for Continuum of Care Grant funds to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue;

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 in the amount of $288,401 (Grant No. TX0060L6T001508 and CFDA No. 14.267), to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 1, 2016 through April 30, 2017; **(2)** enter into a contract with Hillcrest House Partnership, Ltd. (as Owner) and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (as Subrecipient) in the amount of $288,401, to provide permanent supportive housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue, for the period May 1, 2016 through April 30, 2017; **(3)** a cash match in the amount of $72,101 from Housing Opportunities for Persons with AIDS grant funds; and **(4)** execute any and all agreements and other documents required by the grant.

Section 2. That the City Manager is hereby authorized to establish appropriations in Fund F486, Dept. HOU, Unit 1923, Object Code 3099, in an amount not to exceed $288,401.

Section 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in Fund F486, Dept. HOU, Unit 1923, Revenue Source Code 6506, in an amount not to exceed $288,401.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds from Fund F486, Dept. HOU, Unit 1923, in periodic payments in an amount not to exceed $288,401, to Hillcrest House Partnership, Ltd., Vendor No. VC0000011725, and to PWA Coalition of Dallas, Inc., Vendor No. 268632, according to the following:

Section 4. (Continued)

Fund	Dept	Unit	Object	Category	MASC No.	Vendor No.	Amount
F486	HOU	1923	3099	Rent Asst	FY15Hillcrest1	VC0000011725	$232,704
F486	HOU	1923	3099	Support Srvc	FY15Hillcrest2	268632	$ 36,585
F486	HOU	1923	3099	Administration	FY15Hillcrest2	268632	$ 19,112
						Total	$288,401

Section 5. That the City Manager is hereby authorized to provide a cash match in the total amount of $72,101, with $34,130 from Fund HW15, Dept. HOU, Unit 672H (for HOPWA Facility Based Housing Assistance - at Hillcrest House, Operations & Supportive Services), and $37,971 from Fund HW15, Dept HOU, Unit 673H for City of Dallas HOPWA Caseworker II - at Hillcrest House, Homeless Outreach (Partial Salary/Benefits).

Section 6. That the City Manager is hereby authorized to make non-significant changes to the grant/contract, in accordance with HUD regulations, including shifting not more than 10 percent of the total amount awarded under the grant/contract for one approved eligible activity category to another eligible activity category, and to provide additional information, make adjustments, and take other actions relating to these budgets as may be necessary in order to satisfy HUD requirements.

Section 7. 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. Further, the City Manager shall keep the appropriate City Council Committee informed of all final HUD audit 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.

AGENDA ITEM # 20

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

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

MAPSCO: 55B

SUBJECT

A resolution declaring two unimproved properties located at 410 Sparks Street and 411 Hart Street unwanted and unneeded and authorizing their conveyance to Dallas Housing Acquisition and Development Corporation, a qualified non-profit organization, through the Land Transfer Program (list attached) - Revenue: $2,000

BACKGROUND

This item will declare two (2) unimproved properties located at 410 Sparks Street and 411 Hart Street unwanted and unneeded and authorize their conveyance to Dallas Housing Acquisition and Development Corporation (DHADC), a qualified non-profit organization, through the Land Transfer Program.

This property is being sold to a qualified non-profit organization that provides affordable housing. DHADC will construct two (2) single-family homes for purchase by low to moderate income homebuyers. The anticipated commencement date of construction is Fall 2016.

The deed to this property will include deed restrictions which prohibit the placement of industrialized housing on the property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

Revenue - $2,000

OWNER

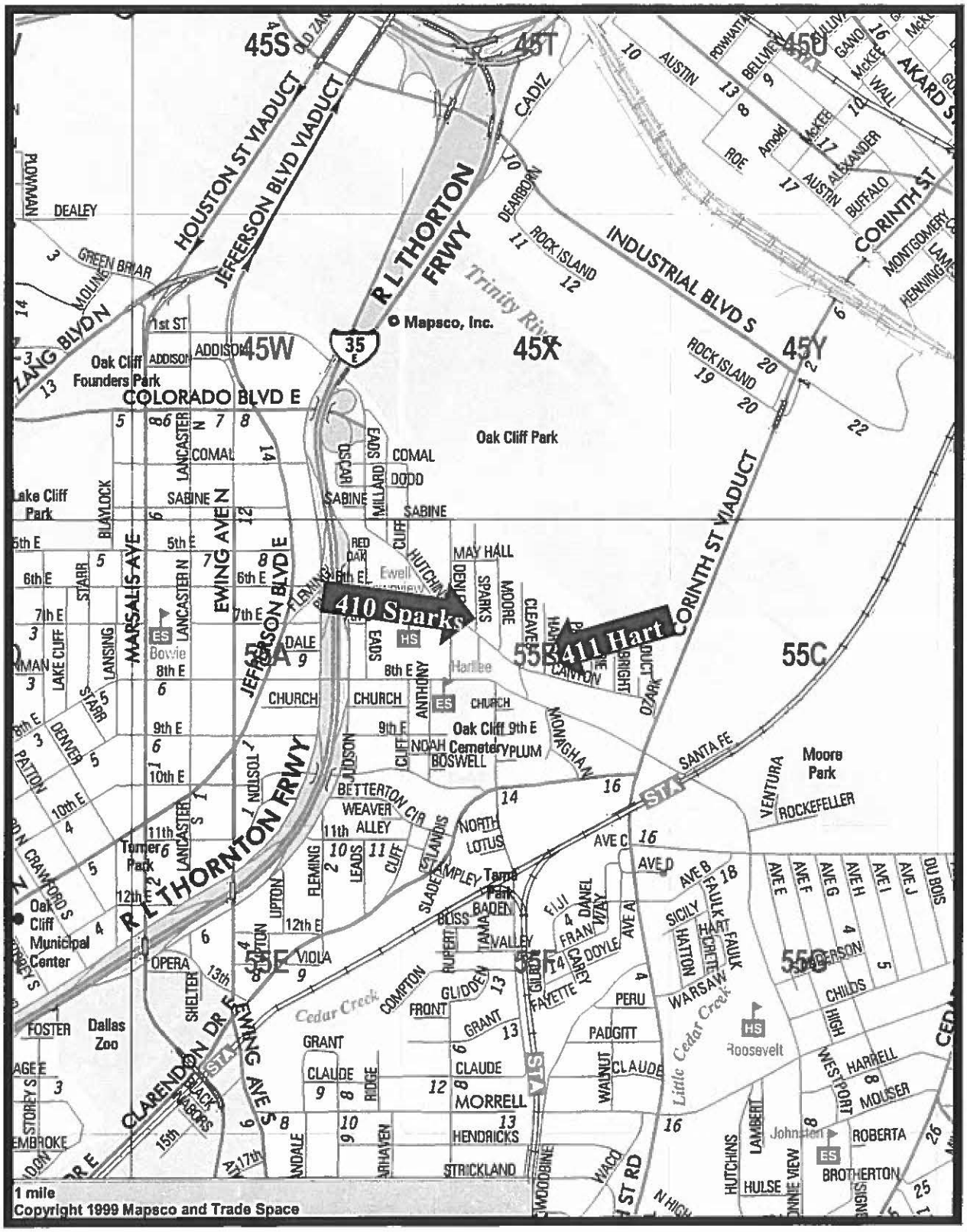
Dallas Housing Acquisition and Development Corporation

MAP

Attached

Surplus Property Resale

Parcel No.	Address	Non-Profit Organization	Mapsco	DCAD Amount	Sale Amount	Vac/ Imp	Zoning
1.	410 Sparks	Dallas Housing Acquisition and Development Corporation	55B	$7,000	$1,000	V	R-5(A)
2.	411 Hart	Dallas Housing Acquisition and Development Corporation	55B	$7,000	$1,000	V	R-5(A)


410 Sparks
411 Hart
R L THORTON FRWY
HOUSTON ST VIADUCT
JEFFERSON BLVD VIADUCT
CORINTH ST VIADUCT
INDUSTRIAL BLVD S
COLORADO BLVD E
EWING AVE N
EWING AVE S
MARSALIS AVE
JEFFERSON BLVD
CLARENDON DR E
CORINTH ST
Trinity River
Cedar Creek
Little Cedar Creek
Mapsco, Inc.
Oak Cliff Founders Park
Oak Cliff Park
Lake Cliff Park
Tenner Park
Oak Cliff Municipal Center
Dallas Zoo
Moore Park
Roosevelt
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45W
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MAPSCO 55B

WHEREAS, the City acquired title to a certain property, identified on “Exhibit A”, attached hereto and made a part hereof, by legal description and the volume and page number of said instrument recorded in the real property records of the county in which the property is located, ("Property"); and

WHEREAS, as authorized by Section 272.001(g) of the Texas Local Government Code, the City desires to sell the Property to a qualified “nonprofit organization” for the development of “affordable housing” for low income persons, as those terms are defined for the purposes of this resolution in Section 2-26.5 of the Dallas City Code (“Code”) in accordance with the non-profit organization's written proposal for development of the Property by the purchaser; and

WHEREAS, the City recognizes certain "qualified nonprofit organizations" as those which:
(1) are 501(c)(3) corporations, as defined by the U.S. Internal Revenue Service,
(2) are in good standing with the State of Texas,
(3) are community based organizations as evidenced by at least one-third (1/3) of their boards being made up of area residents or low income persons,
(4) have articles of incorporation, charter or bylaws which show the provision of safe, decent, affordable housing to low and moderate income persons is a stated purpose of the organization, and
(5) owe no outstanding judgements, tax delinquencies, or fees to the City; and

WHEREAS, the City Council desires to declare the Property shown on Exhibit “A” unwanted and unneeded and authorize its conveyance to Dallas Housing Acquisition and Development Corporation (DHADC); and

WHEREAS, the Deed without Warranty to this Property will contain:

(1) deed restrictions on the Property, acceptable to the City, requiring the Property to remain affordable to households whose incomes are less than 80% of the area median family income upon resale for five (5) years after initial occupancy, and
(2) a right of reverter; and

WHEREAS, the Deed Restrictions will require the purchaser to:

(1) restrict the sale and resale of owner-occupied property to low-income individuals or families for five (5) years after the date of filing,
(2) require the nonprofit organization to develop the proposed housing unit within three (3) years after receiving the Deed without Warranty, and
(3) require any low-income individual or family to maintain each housing unit and all improvements on the land during the five (5) year period;

NOW, THEREFORE,

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

Section 1. That upon receipt of the monetary consideration from DHADC for the Property on the list as specified on Exhibit "A", the City Manager is hereby authorized to execute a Deed without Warranty, upon approval as to form by the City Attorney, and attested by the City Secretary, conveying the Property to DHADC and the possibility of reverter with right of re-entry, and to the terms and conditions of Code Section 2-26.10 through 2-26.12.

Section 2. That the Deed without Warranty to this Property will contain:

(1) deed restrictions on the Property, acceptable to the City, requiring the Property to remain affordable to households whose incomes are less than 80% of the area median family income upon resale for five (5) years after initial occupancy, and
(2) a right of reverter.

Section 3. That the Deed Restrictions will require the purchaser to:

(1) restrict the sale and resale of owner-occupied property to low-income individuals or families for five (5) years after the date of filing,
(2) require the nonprofit organization to develop the proposed housing unit within three (3) years after receiving the Deed without Warranty, and
(3) require any low-income individual or family to maintain each housing unit and all improvements on the land during the five (5) year period.

Section 4. That the City Manager is authorized to execute an instrument, approved as to form by the City Attorney, releasing the City's possibility of reverter with right of re-entry and terminating the deed restrictions to the Property upon compliance with all terms and conditions of Code Section 2-26.10 through 2-26.12 and the deed restrictions.

Section 5. That the purchaser shall be responsible for the pro rata property taxes assessed from the date of closing for the remaining part of the then current calendar year. This Property shall be placed back on the tax rolls effective as of the date of execution of the deed.

Section 6. That any and all proceeds for the resale of the Property listed on Exhibit A shall be deposited to General Fund 0001, Agency DEV, Balance Sheet Account 0519 and the Sustainable Development and Construction Department shall be reimbursed for administrative costs incurred (Fund 0001, Department DEV, Unit 1183, Object 5011). Any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department DEV, Unit 8888, Revenue Source 8118.

Section 7. That if a title policy is desired, same shall be at the expense of the purchaser.

Section 8. That any procedures required by Code Section 2-24 that are not required by state law are hereby waived with respect to these conveyances.

Section 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A

SURPLUS PROPERTY

April 27, 2016

PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	VACANT/ IMPROVED	Instrument Number	QUALIFIED NONPROFIT PURCHASER	NUMBER OF DWELLING UNITS	TYPE OF DEED	SALE AMOUNT
1	**410 Sparks** South ½ of Lot 22 and Lot 23, Dewberry's Addition Block 2/7675	V	201400310244	Dallas Housing Acquisition and Development Corporation	1	Deed Without Warranty	$1,000.00
2	**411 Hart** Lot 5, Meadowmere Addition Block 3/7677	V	201400310246	Dallas Housing Acquisition and Development Corporation	1	Deed Without Warranty	$1,000.00
						TOTAL	**$2,000.00**

AGENDA ITEM # 21

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing/Community Services

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

MAPSCO: 45R

SUBJECT

Authorize an amendment to Resolution No. 15-1378, previously approved on August 12, 2015, for the conditional grant agreement in the amount of $1,500,000 with Central Dallas Community Development Corporation to extend the completion date to September 30, 2016 for construction of the 50 permanent supportive housing units located at 1531 Malcolm X Boulevard - Financing: No cost consideration to the City

BACKGROUND

On March 11, 2016, Central Dallas Community Development Corporation (CDC), requested to extend the completion date to September 30, 2016 for the conditional grant to Central Dallas Community Development Corporation in the amount of $1,500,000 for the development of 50 permanent supportive housing units located at 1531 Malcolm X Boulevard for construction costs. Central Dallas Community Development Corporation will have a 10-year deed restriction on the units to maintain affordability at 140% Area Median Family Income.

Central Dallas Community Development Corporation has completed construction on the underground electrical, plumbing, piers, foundations, framing and a portion of the exterior of the buildings. Remaining to be done are sheetrock, insulation, paint, cabinets, windows, trim, HVAC & flooring. Delays occurred due to weather, including ice and rain that created excessive mud conditions that hindered setting underground utilities and pouring the foundations.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 12, 2013, City Council approved the conditional grant to Central Dallas Community Development Corporation in the amount of $1,500,000 for the development to include acquisition, demolition, relocation, predevelopment and construction costs of the project at 1531 Malcolm X Blvd., by Resolution No. 13-0993.

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

On May 28, 2014, City Council approved an amendment to the conditional grant to Central Dallas Community Development Corporation, by Resolution No. 14-0850.

On August 12, 2015, City Council approved an amendment to the conditional grant to Central Dallas Community Development Corporation, by Resolution No. 15-1378.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

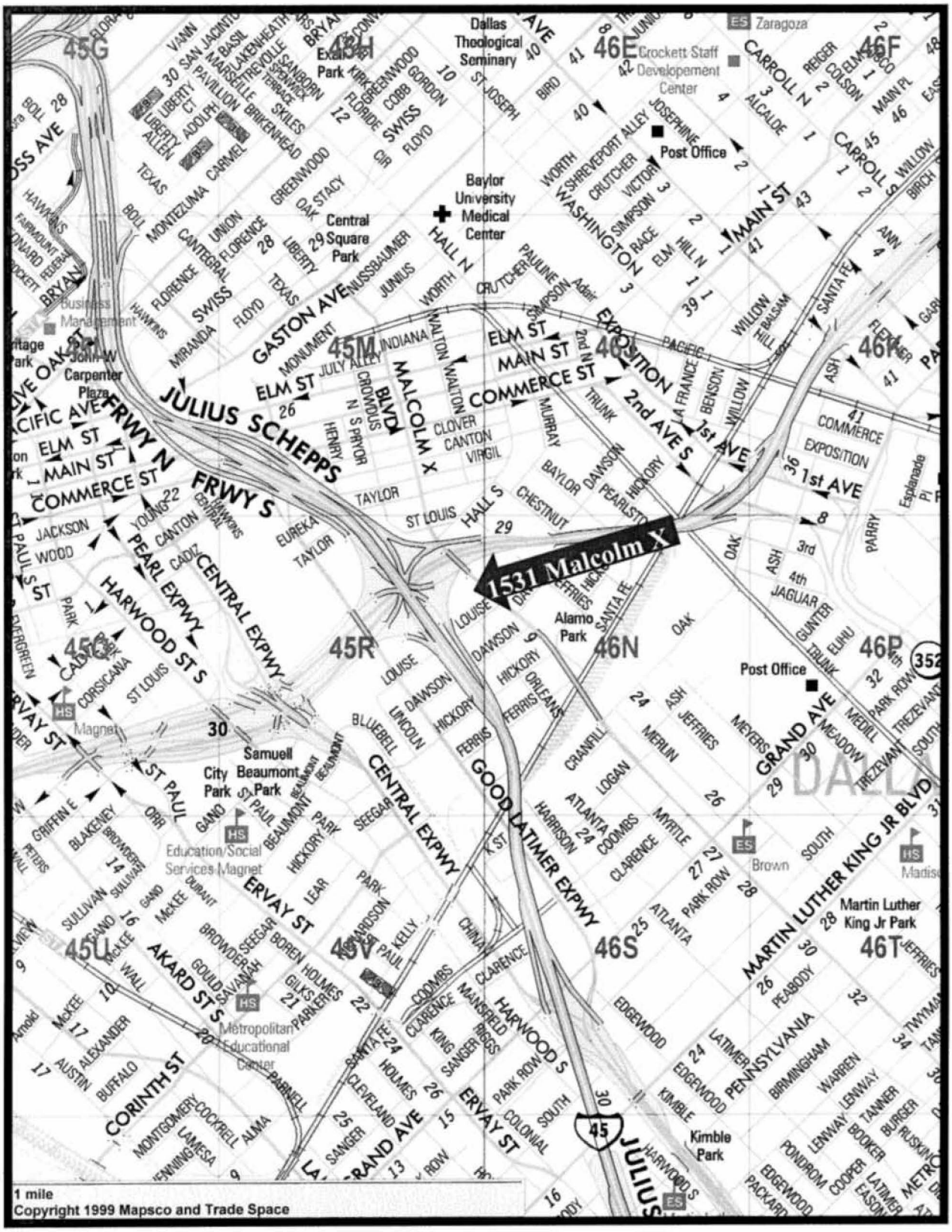
OWNER/DEVELOPER

Central Dallas Community Development Corporation

John Greenan, Executive Director

MAP

Attached


1531 Malcolm X
JULIUS SCHEPPS FRWY N
FRWY S
PEARL EXPWY
CENTRAL EXPWY
GOOD LATIMER EXPWY
HARWOOD ST S
MALCOLM X BLVD
MARTIN LUTHER KING JR BLVD
GRAND AVE
ERVAY ST
AKARD ST S
CORINTH ST
COMMERCE ST
MAIN ST
ELM ST
GASTON AVE
EXPOSITION
2nd AVE S
1st AVE
CARROLL N
CARROLL S
Dallas Theological Seminary
Baylor University Medical Center
Central Square Park
Samuell Beaumont City Park
Alamo Park
Kimble Park
Martin Luther King Jr Park
Post Office
Crockett Staff Development Center
Zaragoza
Education/Social Services Magnet
Metropolitan Educational Center
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MAPSCO 45R

April 27, 2016

WHEREAS, the City of Dallas seeks to support economic growth in the Southern area of the city and economic development; and

WHEREAS, Central Dallas Community Development Corporation wishes to partner with the City of Dallas to provide 50 permanent supportive housing units in the South Dallas area; and

WHEREAS, on June 12, 2013, City Council approved the conditional grant to Central Dallas Community Development Corporation in the amount of $1,500,000 for the development to include acquisition, demolition, relocation, predevelopment and construction costs of the project at 1531 Malcolm X Blvd., by Resolution No. 13-0993; and

WHEREAS, on May 28, 2014, City Council approved an amendment to the conditional grant to Central Dallas Community Development Corporation, by Resolution No. 14-0850; and

WHEREAS, on August 12, 2015, City Council approved an amendment to the conditional grant to Central Dallas Community Development Corporation, by Resolution No. 15-1378; and

WHEREAS, the City requests a modification to the conditional grant agreement as part of the City's ongoing efforts to promote housing as a part of greater economic development plans in the city; **NOW, THEREFORE,**

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is authorized to amend Resolution No. 15-1378, previously approved on August 12, 2015, for the conditional grant agreement in the amount of $1,500,000 with Central Dallas Community Development Corporation to extend the completion date to September 30, 2016 for construction of the 50 permanent supportive housing units located at 1531 Malcolm X Boulevard.

SECTION 2. That the grant agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

a. Central Dallas Community Development Corporation consents to and files deed restrictions requiring 100% of the units to be rented to low income people for a period of ten (10) years.
b. The City will subordinate first lien position to the interim construction lender.
c. Central Dallas CDC shall complete construction and occupancy by September 30, 2016.

SECTION 2. (Continued)

d. Central Dallas CDC must present documentation for all of the renters to have incomes at or below 140% Area Median Family Income through full lease-up.
e. Central Dallas CDC shall make best efforts to promote the hiring of neighborhood residents for any new jobs created.
f. Borrower will be released from liability on the Note at the same time the low-to-moderate income renters are approved.

SECTION 3. That the City Manager or designee may extend the start and completion dates for a period up to three months for just cause.

SECTION 4. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the Deed of Trust Lien and deed restrictions are duly approved by all parties and executed.

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

AGENDA ITEM # 22

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

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

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to the FY2014-15 contract with Health Services of North Texas, Inc. to provide Housing Opportunities for Persons with AIDS scattered site housing assistance for persons with HIV/AIDS, to revise the Statement of Services and budget to reallocate funding in the amount of $3,362 from the Emergency/Tenant Based Rental Assistance (E/TBRA) – Housing Services budget category to the Emergency/Tenant Based Rental Assistance (E/TBRA) – Financial Assistance budget category, with no net change in the contract amount - Financing: No cost consideration to the City

BACKGROUND

On August 13, 2014, City Council by Resolution No. 14-1224 approved the contract with Health Services of North Texas, Inc. for the first twelve month renewal option to provide scattered site housing under the Housing Opportunities for Persons with AIDS (HOPWA) Program.

Under the HOPWA program, Health Services of North Texas, Inc. provides short-term emergency assistance and long-term tenant based rental assistance to low income persons living with HIV/AIDS primarily in Collin, Delta, Denton, Ellis, Hunt, Kaufman, and Rockwall counties. In addition to housing assistance, HOPWA clients also receive supportive services through case managers at each location who ensure that clients have access to other services in the Dallas area.

Health Services of North Texas, Inc. is a non-profit agency located in Denton, with offices also located in Plano, providing quality medical and support services to persons living with HIV/AIDS in the rural and outer urban communities of North Texas. The agency was founded in 1988, and has been providing HOPWA scattered site housing assistance through Tarrant County since 1995, and through Dallas County since 1996.

BACKGROUND (Continued)

The agency's programs include outpatient medical care assistance; prescription and insurance assistance; HOPWA housing assistance; behavioral health counseling; medical and comprehensive case management assistance; food pantries; and transportation.

The agency had funds remaining in the E/TBRA – Housing Services budget category covering staff costs, and used a portion to meet rental assistance needs. Accordingly, the agency has requested to reallocate funding to the appropriate budget category. Approval of this item will reallocate funding as listed below, with no net change in the contract amount.

	Original	Change	Revised
E/TBRA – Financial Assistance	$350,000	$ 3,362	$353,362
E/TBRA – Housing Services	$140,000	($ 3,362)	$136,638
Program Admin/Project Sponsors	$ 34,300	$ 0	$ 34,300
	$524,300	$ 0	$524,300

PERFORMANCE MEASURES

Number of Persons Assisted

	2014-15 Goal	2014-15 Actual
Emergency-unduplicated clients served	37	51
Tenant-based-unduplicated clients served	43	52
Total-unduplicated clients served	80	103

OUTCOME MEASURES

The intended outcome of HOPWA facility based housing assistance, as required by HUD, is: Housing Stability, measured by the percentage of clients who remain in stable housing at the end of each program year.

	2014-15 Goal	2014-15 Actual
Emergency - percent in stable housing	92%	100%
Tenant-based - percent in stable housing	92%	100%

In FY2014-15, the agency also reported data on access to care and support per HOPWA requirements.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a twelve-month contract, with one twelve-month renewal option, with Health Services of North Texas, Inc. for scattered site housing assistance on September 28, 2011, by Resolution No. 11-2527.

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

Authorized the twelve-month renewal option with Health Services of North Texas, Inc. for scattered site housing assistance on September 12, 2012, by Resolution No. 12-2254.

Authorized a twelve-month contract, with two twelve-month renewal options, with Health Services of North Texas, Inc. for scattered site housing assistance on September 11, 2013, by Resolution No. 13-1558.

Authorized the first twelve month renewal option to the contract with Health Services of North Texas, Inc. for scattered site housing assistance on August 13, 2014, by Resolution No. 14-1224.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

No cost consideration to the City

ETHNIC COMPOSITION

Health Services of North Texas, Inc. (Board)

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

OWNER(S)

Health Services of North Texas, Inc.

Board of Directors

Martin Mainja, President
Jacqueline F. Jackson, Vice President
Joe McCarley, Secretary
Todd R. Gibson, Treasurer
Louise Baldwin
Derrell Bulls, Ph.D.
Jerry Garrett
Gloria Herron
Cordelia Ikegwuoha
Glen P. McKenzie
Herman J. Osterwijk
Christopher Redden
Randy L. Robinson
Clara Sanchez
Danny J. Sullivan
Chris Watts

April 27, 2016

WHEREAS, Housing Opportunities for Persons with AIDS (HOPWA) grant funds received from the U.S. Department of Housing and Urban Development (HUD) have been designated to provide services to low-income persons with HIV/AIDS and HIV-related illness and their families; and

WHEREAS, the FY2014-15 Consolidated Plan Budget included the Housing Opportunities for Persons with AIDS (HOPWA) grant from the U.S. Department of Housing and Urban Development (HUD) in the amount of $5,375,659; and

WHEREAS, the City of Dallas entered into the FY2014-15 contract with Health Services of North Texas, Inc. to provide scattered site housing assistance services to eligible persons for the period October 1, 2014 through September 30, 2015 not to exceed $524,300; and

WHEREAS, Health Services of North Texas, Inc. has requested to reallocate $3,362 from the Housing Services category to the Financial Assistance category, with no net change in the contract amount;

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the FY2014-15 contract with Health Services of North Texas, Inc. to provide scattered site housing assistance for persons with HIV/AIDS, to revise the Statement of Services and budget to reallocate funding in the amount of $3,362 from E/TBRA – Housing Services to E/TBRA – Financial Assistance, with no net change in the contract amount, and execute any and all documents required by the agreement.

Section 2. That the Chief Financial Officer is hereby authorized to reallocate funds as follows:

Fund	Unit	Object Code	Encumbrance Number	Description	Original	Change	Revised
HW14	480G	3099	CTGH184656	E/TBRA – Fin Asst	$350,000	$ 0	$350,000
HW14	480G	3099	CTGH184656A	E/TBRA – Fin Asst	$ 0	$3,362	$ 3,362
HW14	481G	3099	CTGH184657	E/TBRA – Hsg Serv	$140,000	($3,362)	$136,638
HW14	487G	3099	CTGH184658	Prog Admin/Proj Sp	$ 34,300	$ 0	$ 34,300
				Total	$524,300	$ 0	$524,300

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

AGENDA ITEM # 23

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Intergovernmental Services

CMO: A. C. Gonzalez, 670-3297

MAPSCO: N/A

SUBJECT

Authorize **(1)** the acceptance of a grant from the Texas Department of Criminal Justice (Grant # 696-TC-16-17-L063), to develop and operate a pilot program for reentry services in the amount of $1,000,000 for the period September 1, 2015 through August 31, 2017; and **(2)** execution of the grant agreement - Not to exceed $1,000,000 - Financing: Texas Department of Criminal Justice Grant Funds

BACKGROUND

During the 2015-2017 biennium, a provision to the General Appropriations Bill directed the Texas Department of Criminal Justice (TDCJ) to enter into an agreement with the City of Dallas to create and operate a pilot program for reentry services for offenders returning to the Dallas region. The purpose of the pilot program is to provide funding for the City of Dallas to coordinate with non-profit entities, faith-based organizations, community groups, and the private sector, to provide reentry services. The goal of this pilot program is to provide reentry services and training to formerly incarcerated individuals which will reduce recidivism rates and increase employment opportunities.

The City of Dallas has released a Request for Competitive Sealed Proposals (RFCSP) seeking a coalition of service providers. The funds from the Texas Department of Criminal Justice will pass through the City of Dallas and will be issued to service providers in the form of contracts.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

$1,000,000.00 - Texas Department of Criminal Justice Grant Funds

April 27, 2016

WHEREAS, the Texas Department of Criminal Justice (TDCJ) has awarded the City of Dallas grant funds to create and operate a pilot program for reentry services; and

WHEREAS, funds have been awarded to the City of Dallas to coordinate with non-profit entities, faith-based organizations, community groups, and the private sector, for services and training that will reduce recidivism rates and increase employment opportunities for formerly incarcerated individuals; and

WHEREAS, it is recommended that the City Manager be authorized to accept the grant funds in an amount not to exceed $1,000,000.00 for the period September 1, 2015 through August 31, 2017.

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 a grant from the Texas Department of Criminal Justice (Grant # 696-TC-16-17-L063), to develop and operate a pilot program for reentry services, in an amount not to exceed $1,000,000.00 for the period September 1, 2015 through August 31, 2017; and execute the grant agreement.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit award funds into Fund S297, Department MGT, Unit 1944, Revenue Source Code 6516, in an amount not to exceed $1,000,000.00.

Section 3. That the City Manager is hereby authorized to establish appropriations in Fund S297, Department MGT, Unit 1944, Obj. 3099, in an amount not to exceed $1,000,000.00.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds from Fund S297, Department MGT, Unit 1944, Obj. 3099, in an amount not to exceed $1,000,000.00.

Section 5. That the City Manager is hereby authorized to reimburse to the granting agency any expenditure 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 granting agency monitoring reports not later than 30 days after the receipt of the report.

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

AGENDA ITEM # 24

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Library

CMO: Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize acceptance of the Dallas Public Library Strategic Plan as developed by Futterman & Associates, Inc. dba CIVIC Technologies - Financing: No cost consideration to the City

BACKGROUND

On May 27, 2015, City Council authorized a three-year service contract with Futterman & Associates, Inc. dba CIVIC Technologies for the development of a three-year comprehensive strategic plan for the Dallas Public Library. The strategic planning process included seven community forums, twenty-one insight interviews, six focused conversations, a community survey with over 3,000 responses, Library staff survey and various site visits. This strategic plan includes goals, measurable objectives and proposed activities that will meet a variety of community needs.

The plan emerged from extensive engagement with the community, stakeholders and organizations in Dallas working hard to create opportunities for all. The development also focused on specific areas within the Library system such as collections, technology, staffing and facilities and examined community growth patterns and demographics through the use of market segmentation and ethnographic data to identify the needs for services with respect to future trends and technologies.

Libraries are intentional community builders and provide the catalyst for individuals and families to build literacies and skills, form strong communities, support socioeconomic equity and civic inclusion in Dallas. The Dallas Public Library is building its next generation library by building capacity internally and in neighborhoods to build communities that thrive. As the implementation of the Strategic Plan begins and over the next 3-5 years, the Library will actively pursue the objectives and focus areas of 21st Century Skills, Workforce and Economic Development, and Vibrant Neighborhoods as outlined in the plan.

BACKGROUND (Continued)

The Library strongly believes that this will help to refine and enhance services through a service framework of learning and connecting, as well as lead the Library to new services and programs that will make a difference in citizens lives and in neighborhoods.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 27, 2015, City Council authorized a three-year service contract for the development of a comprehensive strategic plan for the Dallas Public Library by Resolution No. 15-0927.

On March 21, 2016, the Arts, Culture and Libraries Committee was briefed.

FISCAL INFORMATION

No cost consideration to the City.

April 27, 2016

WHEREAS, on May 27, 2015, City Council authorized a three-year service contract with Futterman & Associates, Inc. dba CIVIC Technologies to develop a three-year comprehensive strategic plan for the Dallas Public Library by Resolution No. 15-0927; and,

WHEREAS, the Library Strategic Plan planning process commenced on May 27, 2015, including seven community forums, twenty-one insight interviews, six focused conversations, a community survey with over 3,000 responses, Library staff survey and various site visits; and,

WHEREAS, the Library Strategic Plan provides a comprehensive analysis of demographics through the use of market segmentation and ethnographic data to identify the needs for services; and,

WHEREAS, the Library Strategic Plan recommends a 3-5 year time period as an implementation goal;

NOW, THEREFORE,

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

Section 1. That the City Council hereby adopts the Dallas Public Library Strategic Plan as a planning tool for the future development of the Dallas Public Library in an effort to provide new services and programs that will make a difference in citizens lives and in neighborhoods.

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 # 25

KEY FOCUS AREA: E-Gov

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 1

DEPARTMENT: Office of Financial Services
Housing/Community Services
Office of Economic Development

CMO: Jeanne Chipperfield, 670-7804
Alan Sims, Chief of Neighborhood Plus, 670-1611
Ryan S. Evans, 671-9837

MAPSCO: 54D

SUBJECT

Authorize a public hearing to be held on June 15, 2016 to receive comments on the proposed change of use for property located at 138 West Davis Street purchased with Community Development Block Grant funds from the U. S. Department of Housing and Urban Development - Financing: No cost consideration to the City

BACKGROUND

Community Development Block Grant (CDBG) funds in the amount of $479,541 was used to complete design work, environmental testing related to median improvements and the purchase of the property located at 138 W. Davis St. in December 2013. The original project was to create an open space/public plaza median on the site to include streetscape improvements, seating, landscaping and lighting. In 2014, the property adjacent to the project site was identified as a future streetcar stop location (as part of the planned extension of the Oak Cliff Streetcar from Methodist Hospital area to the Bishop Arts District).

When the opportunity for a streetcar extension and stop became known, discussions ensued to incorporate the public plaza within the streetcar stop. As plans for new development in the area began to evolve, the remaining portion of the originally proposed CDBG project including completion of the public plaza and streetscape improvements were not completed.

In January 2015, developer Alamo Manhattan BAD, LLC began discussions with City staff on a proposed Bishop Arts Station project for TIF funding. This project would be a mixed-use development – 209 residential units (20% will be affordable units) and 25,200 square feet of retail/restaurant space with structured parking. Total investment for this development is estimated to be approximately $50M.

BACKGROUND (Continued)

The proposed Bishop Arts Station project design included a proposed 3,540 square feet abandonment of the western portion of 138 W. Davis St. tract (of the 10,260 sf originally purchased with CDBG funds) for a small portion of building structure and restaurant seating. The eastern portion would remain public as an enhanced plaza adjacent to the streetcar line as proposed in the initial CDBG project.

According to the U. S. Department of Housing and Urban Development (HUD) regulations, the proposed abandonment of a portion of the property at 138 W. Davis St. triggers the change of use provisions at 24 CFR 570.505.

The change of use provisions requires that citizens be provided notice and opportunity to comment on the proposed change. If it is determined to change the use of the property to a use which does meet a national objective, the changed use is allowed if the CDBG program is reimbursed in the amount of the current fair market value of the property. Following the refund to the CDBG program, the property will no longer be subject to any CDBG requirements.

In order to provide the most flexibility for the proposed developer with design and timing for the proposed project, a change of use is needed. Staff has consulted with HUD and received approval of the City's proposal to move forward with compliance with the change of use provisions.

This item calls for a public hearing on June 15, 2016, not before 1:00 PM in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, to allow the public an opportunity to comment on the proposed change of use for property located at 138 W. Davis St. purchased with CDBG funds from HUD.

In conformance with the HUD requirements, a notice of the public hearing will be published in the Dallas Morning News.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on February 1, 2016.

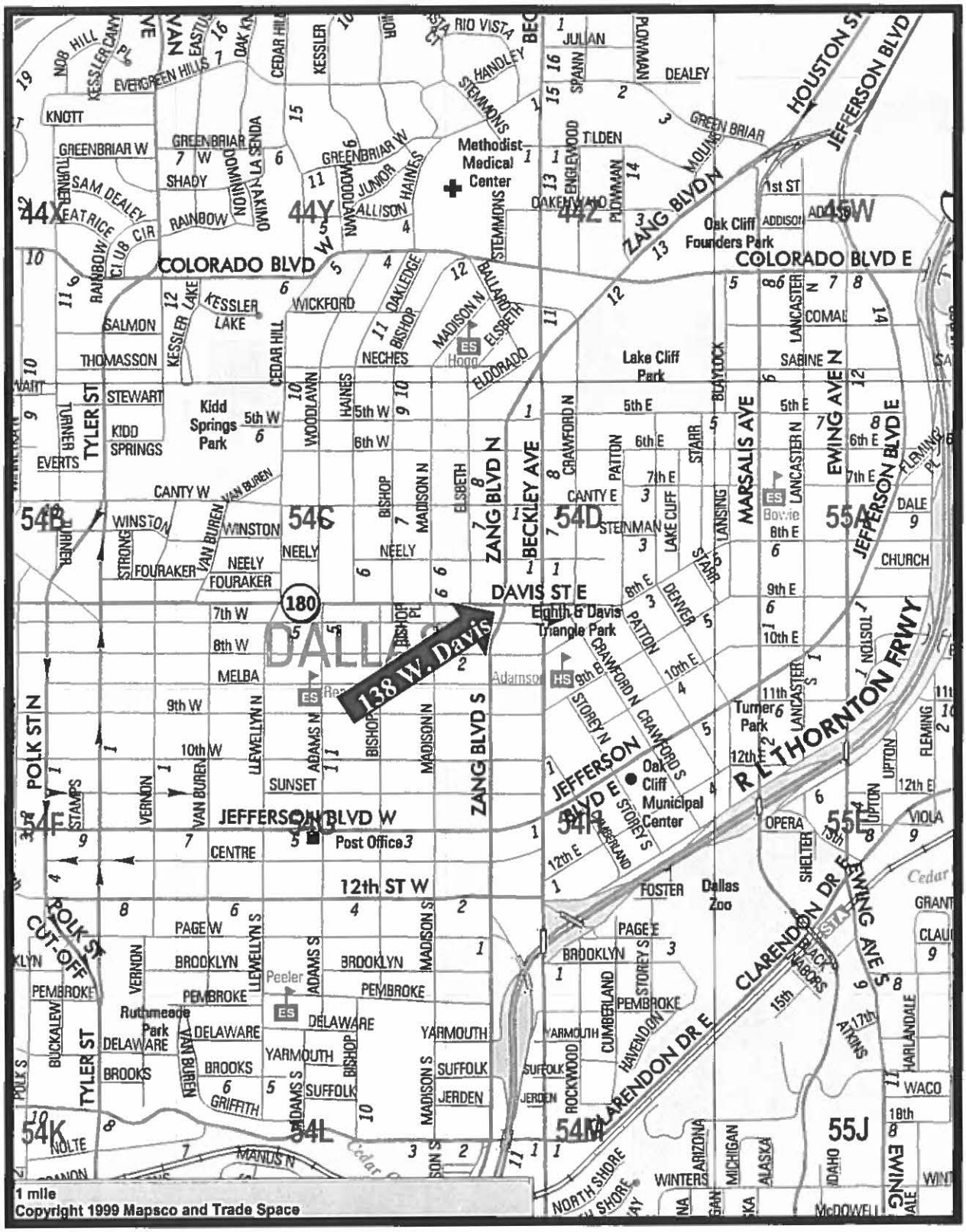
On March 23, 2016, the City Council authorized a development agreement with Alamo Manhattan BAD, LLC and/or its affiliates in an amount not to exceed $11,250,000, payable from future Oak Cliff Gateway TIF District funds in consideration of the development of the Bishop Arts Station project with plans that include a pending abandonment of a portion of City owned righ-of-way at 138 West Davis Street by Resolution No. 16-0466.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached


138 W. Davis
DAVIS ST E
COLORADO BLVD W
COLORADO BLVD E
JEFFERSON BLVD W
JEFFERSON BLVD E
ZANG BLVD N
ZANG BLVD S
BECKLEY AVE
MARSALIS AVE
EWING AVE N
EWING AVE S
JEFFERSON BLVD
TYLER ST
POLK ST N
POLK ST CUT-OFF
R L THORNTON FRWY
CLARENDON DR E
CLARENDON DR W
12th ST W
Methodist Medical Center
Oak Cliff Founders Park
Lake Cliff Park
Kidd Springs Park
Eighth & Davis Triangle Park
Turner Park
Oak Cliff Municipal Center
Post Office
Dallas Zoo
Ruthmeade Park
Peeler
Adamson
Bowie
Hogg
54B
54C
54D
55A
54F
54G
54H
55F
54K
54L
54M
55J
180
1 mile
Copyright 1999 Mapsco and Trade Space

MAPSCO 54D

AGENDA ITEM # 26

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 3, 8

DEPARTMENT: Park & Recreation
Public Works Department

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

MAPSCO: 65-U X Y 75-B

SUBJECT

Authorize a contract with Northstar Construction, LLC, lowest responsible bidder of two, for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road - Not to exceed $2,497,700 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

On February 12, 2016, two bids were received for trail improvements at Runyon Creek Trail. This item authorizes award of the construction contract to Northstar Construction, LLC for the Base Bid and Alternate Nos. 1 and 4, with a total contract amount of $2,497,700. The trail is 14 feet wide and will extend from Glendale Park to Camp Wisdom Road.

The following chart illustrates Northstar Construction, LLC's contractual activities with the City of Dallas for the past three years:

	PWT	DWU	PKR
Projects Completed	0	0	2
Change Orders	0	0	3
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2014
Completed Design	August 2015
Begin Construction	June 2016
Complete Construction	July 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized advertisement for bids on August 6, 2015.

The Park and Recreation Board deferred this item on March 10, 2016.

The Park and Recreation Board authorized award of the contract on April 7, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - $2,497,700.00

Council District	Amount
3	$1,363,630
8	$1,134,070
Total	$2,497,700

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Northstar Construction, LLC

White Male	4	White Female	0
Black Male	0	Black Female	0
Hispanic Male	12	Hispanic Female	1
Other Male	0	Other Female	0

BID INFORMATION

The following two bids were received and opened on February 12, 2016:

*Denotes the successful bidder

Bidders	Base Bid	Alter. Nos. 1 & 4**	Total Bid
*Northstar Construction, LLC 2112 Solona Street Fort Worth, Texas 76117	$1,994,700	$503,000	$2,497,700
The Fain Group, Inc.	$2,228,727	$716,742	$2,945,469

**Alternate No. 1 - provides for installation of ramp and inner loop modifications north of Glendale Park.
**Alternate No. 4 - provides for installation of overlook.

OWNER

Northstar Construction, LLC

Michael A. Heimlich, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Northstar Construction, LLC, lowest responsible bidder of two, for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road - Not to exceed $2,497,700 - Financing: General Obligation Commercial Paper Funds

Northstar Construction, LLC is a local, 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	$117,990.00	4.72%
Total non-local contracts	$2,379,710.00	95.28%
TOTAL CONTRACT	$2,497,700.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

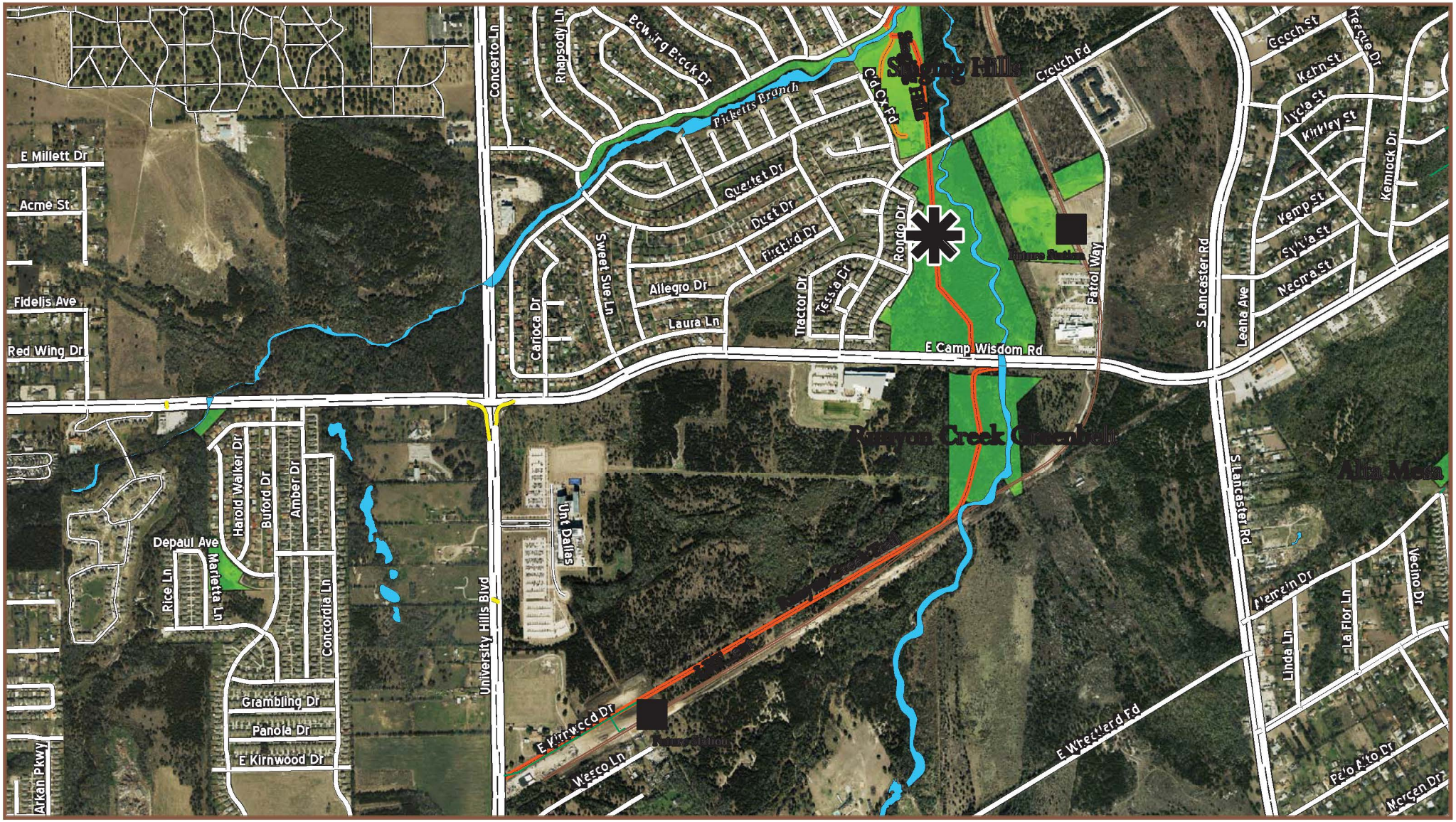
Local	Certification	Amount	Percent
Logan Trucking	BMMB63584N1116	$15,000.00	12.71%
Garcia Land Data Inc.	HMMB64109N0217	$15,000.00	12.71%
CT & S Metalworks	WFDB68320Y1016	$87,990.00	74.57%
Total Minority - Local		$117,990.00	100.00%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Martinez Construction Services dba MCS	HMDB51622Y0616	$127,040.00	5.34%
Cowtown RediMix	WFWB06682Y0916	$197,300.00	8.29%
GJ Seeding, LLC	WFWB4101N0417	$48,585.00	2.04%
Acme Fence Services, Inc.	WFWB62100N0616	$19,200.00	0.81%
LB Transportation Operations	WFWB63913Y0117	$18,000.00	0.76%
Richochet Fuel Distributions	WFWB63913Y0117	$15,000.00	0.63%
Total Minority - Non-local		$425,125.00	17.86%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$15,000.00	12.71%	$15,000.00	0.60%
Hispanic American	$15,000.00	12.71%	$142,040.00	5.69%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$87,990.00	74.57%	$386,075.00	15.46%
Total	$117,990.00	100.00%	$543,115.00	21.74%



0 412.5 825 1,650 2,475 Feet

April 7, 2016

Runyon Creek Trail
(Glendale Park and Camp Wisdom Road)

Mapsco
65 U,X,Y
75 B

District
3,8

April 27, 2016

WHEREAS, on February 12, 2016, two bids were received for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road.

Bidders	**Base Bid**	**Alter. Nos. 1 & 4****	**Total Bid**
Northstar Construction, LLC	$1,994,700	$503,000	$2,497,700
The Fain Group, Inc.	$2,228,727	$716,742	$2,945,469

**Alternate No. 1 - provides for installation of ramp and inner loop modifications north of Glendale Park.
**Alternate No. 4 - provides for installation of overlook.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a contract with Northstar Construction, LLC for trail improvements at Runyon Creek Trail, in an amount not to exceed $2,497,700.

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

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse an amount not to exceed $2,497,700 to Northstar Construction, LLC from General Obligation Commercial Paper Fund, Fund 4U22, Department PBW, Unit S619, Object 4599, Activity HIBT, Program PB12S619, CT-PKR16019537, Commodity 91200, Vendor VS0000060205.

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 # 27

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 35-X

SUBJECT

Authorize a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2 DALLAS II, LLC for the development, operation and maintenance of a pedestrian bridge and landscape improvements for purposes of connecting to and providing public access from an adjacent development to the Katy Trail located at 3535 Travis Street - Financing: No cost consideration to the City

BACKGROUND

This action will authorize a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2 DALLAS II, LLC (CFO2) for the development, operation and maintenance of a pedestrian bridge and landscape improvements for purposes of connecting to and providing public access from an adjacent development to the Katy Trail, adjacent to 3535 Travis Street.

The agreement will be subject to the following terms:

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

2. CFO2 at its own cost, is responsible for the development of the design, plans, and specifications for the improvements to be made to the park. CFO2 will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.

3. CFO2 at their own cost, is responsible for the maintenance and repair of the improvements during the term of the agreement.

4. CFO2 will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.

BACKGROUND (Continued)

5. CFO2 agrees to allow the public access to the Katy Trail from CFO2's property located at 3535 Travis Street.

6. The City of Dallas will retain the right to require CFO2 to modify the improvements if and when necessary to maintain public safety of the Katy Trail.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2013, City Council authorized an amendment to PD 193 permitting zoning changes to the 3535 Travis Street parcel and a bridge connection to the Katy Trail by Ordinance No. 29064.

The Park and Recreation Board authorized the development, operation and maintenance agreement on April 7, 2016.

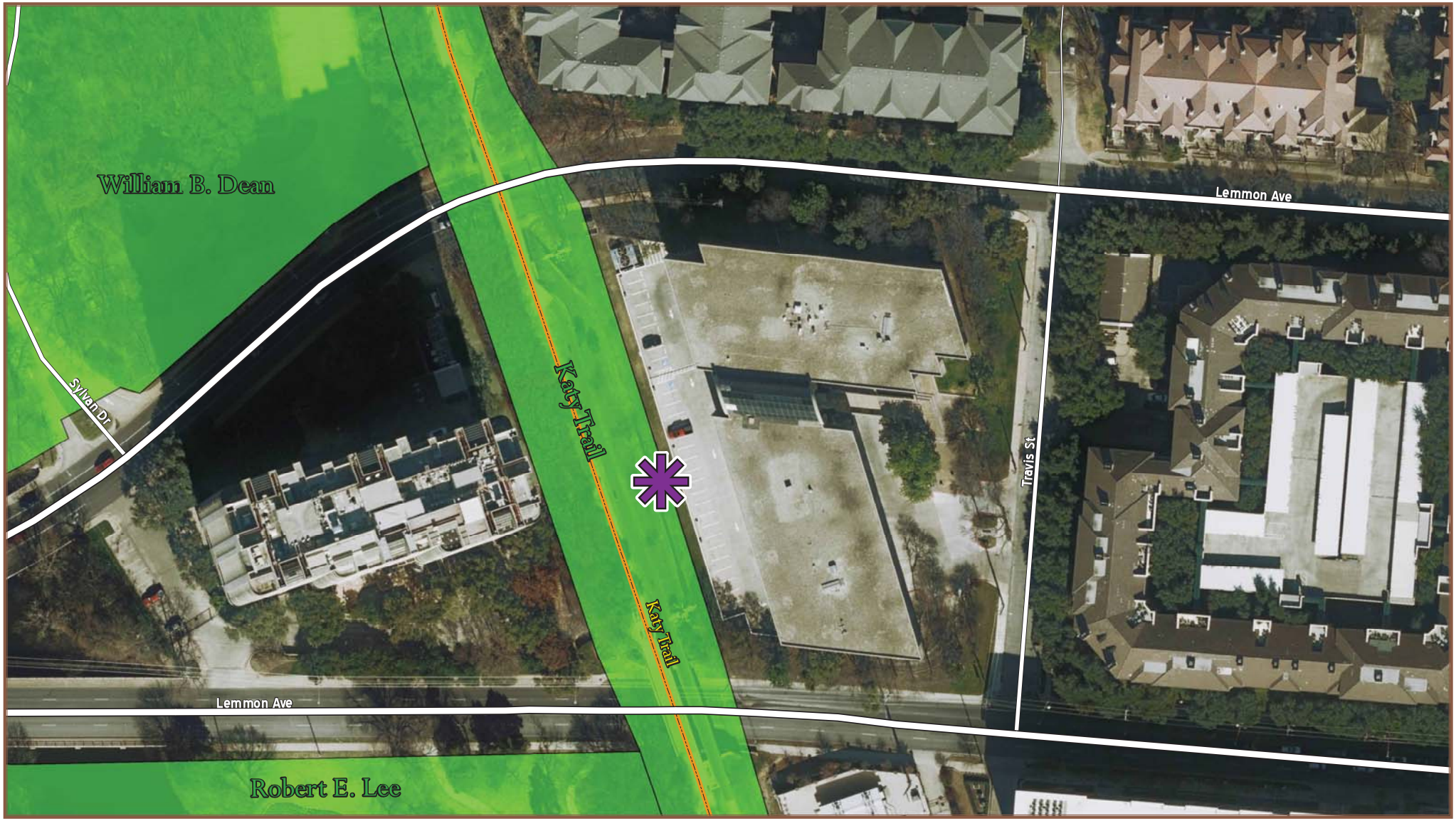
Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



0 30 60 120 180 Feet

April 7, 2016

Katy Trail
(3535 Travis St)

Mapsco
35 X

District
14

April 27, 2016

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

WHEREAS, the City of Dallas Park and Recreation Department (City) and CFO2 DALLAS II, LLC (CFO2), a Delaware limited liability company, desire to enter into a twenty-year development, operation and maintenance agreement, with one five-year renewal option for the purpose of development, operation, and maintenance of a portion of parkland at the Katy Trail located at 3535 Travis Street shown in Exhibits A and B; and

WHEREAS, the City desires to have CFO2 develop, operate, and maintain parkland during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

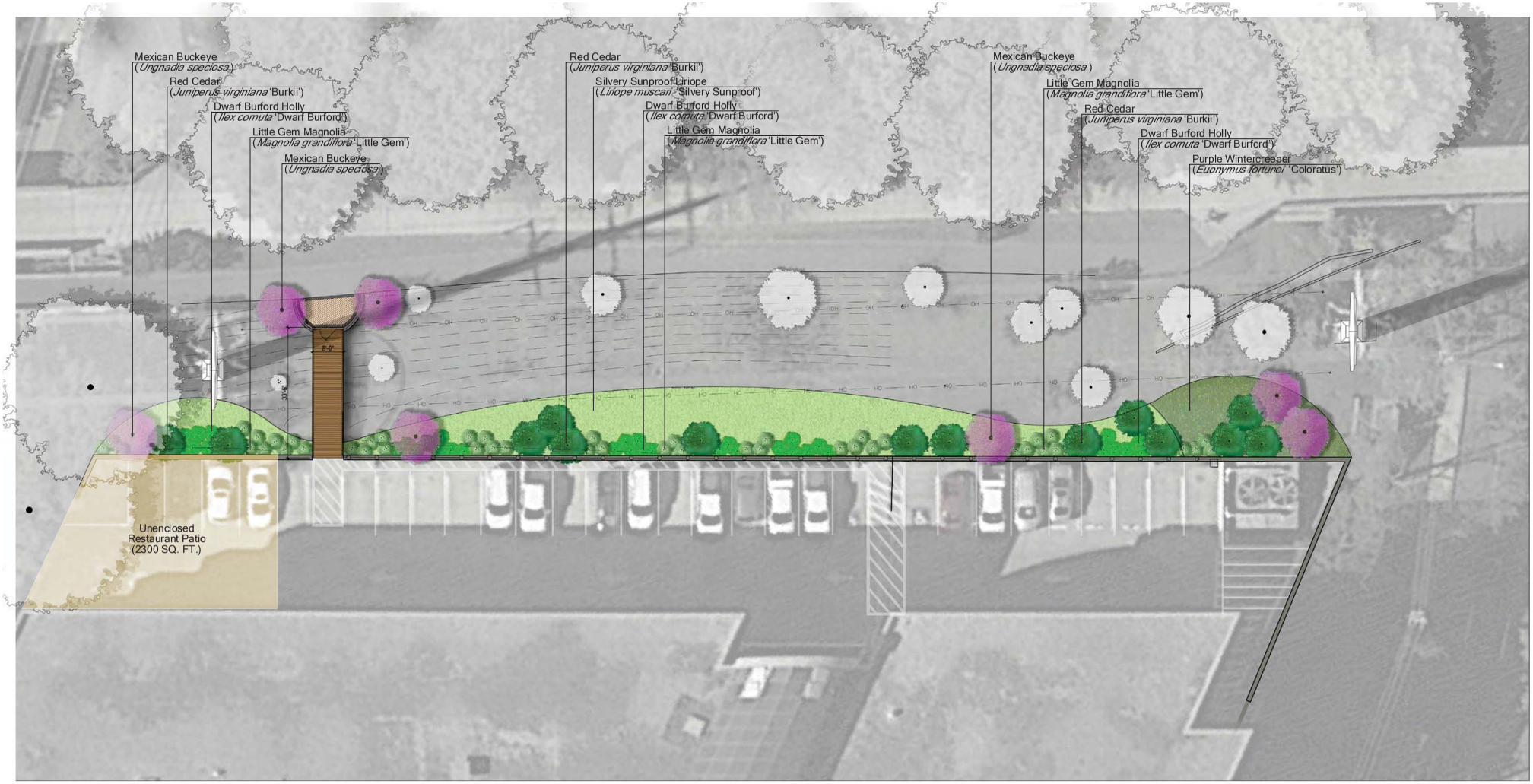
BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2 for the development, operation and maintenance of a portion of parkland at the Katy Trail.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a twenty-year development, operation and maintenance agreement, with one five-year renewal option with CFO2, after approval as to form by the City Attorney.

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

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



0 10 20 40 Feet

Exhibit A

LANDSCAPE PLAN

Katy Trail Connection
3535 Travis Street, Dallas Texas

Job #:13296.00
File Name: Rendered Site Plan.pdf
Date:03/23/2016
Drawn by:AJM

gff LANDSCAPE

2808 Fairmount Street, Suite 300
Dallas, Texas 75201 | 214.303.1500

3300 West 7th Street, Suite 110
Fort Worth, Texas 76107 | 817.303.1500

0 30 60 120 180 Feet

April 7, 2016

Katy Trail

3535 Travis St

Development and Maintenance Agreement

Exhibit B

AGENDA ITEM # 28

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 5

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 48-P

SUBJECT

Authorize **(1)** a Memorandum of Understanding with the National Recreation and Park Association for new playground equipment at Urbandale Park located at 7400 Ireland Avenue; **(2)** the receipt and deposit of funds in the amount of $70,000 from the National Recreation and Park Association; and **(3)** an increase in appropriations in the Capital Gifts, Donation and Development Fund in the amount of $70,000 - Not to exceed $70,000 - Financing: Capital Gifts, Donation and Development Funds

BACKGROUND

The NRPA is offering financial assistance for park renovation projects through support by Niagara Bottling. Staff identified the renovation of Urbandale Park playground for receipt of this grant. The playground in this park was vandalized approximately ten years ago and has not been replaced. The grant will provide funds to replace the playground equipment. Equipment will be installed by Park and Recreation Department staff.

The MOU will be subject to the following terms:

1. The project be completed by May 31, 2016 or a mutually agreed date.

2. Provide for an opportunity for recognition of Niagara Bottling during a celebration event and install signage recognizing Niagara Bottling's donation.

3. Permit NRPA and Niagara Bottling use of the Park and Recreation Department's name, photos, and information in connection with the project for promotional and other purposes associated with the grant.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	April 2016
Complete Construction	May 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized a Memorandum of Understanding on April 7, 2016.

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

Capital Gifts, Donation and Development Funds - $70,000

MAP

Attached

0 50 100 200 300 Feet

April 7, 2016

Urbandale Park
(7400 Ireland Ave)

Mapsco
48 P

District
5

April 27, 2016

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

WHEREAS, the City of Dallas Park and Recreation Department (City) and the National Recreation and Park Association (NRPA), desire to enter into a Memorandum of Understanding (MOU) for the purpose of acceptance of a $70,000 donation to the City for the construction of a playground and other park improvements at Urbandale Park located at 7400 Ireland Avenue; and

WHEREAS, the City will purchase materials and playground equipment with proceeds from the donation and provide the labor for construction of the playground and other improvements as well as provide opportunities for volunteers to participate in the park improvement project.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into an MOU with NRPA for the acceptance of a financial donation for improvements to Urbandale Park.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute an MOU with NRPA, after approval as to form by the City Attorney.

SECTION 3. That construction of the improvements will be performed by City staff.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $70,000 in the Capital Gifts, Donation, and Development Fund, Fund 0530, Dept. PKR, Unit W071, Revenue Code 8411.

SECTION 5. That the City Manager is hereby authorized to increase appropriations in the Capital Gifts, Donation, and Development Fund, Fund 0530, Dept. PKR, Unit W071, Object 4599, Program PKNRPA in the amount of $70,000.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse funds in the amount not to exceed $70,000 in the Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit W071, Object 4599, Program PKNRPA.

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

AGENDA ITEM # 29

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 32-R 33-N

SUBJECT

A resolution authorizing the proposed use of a portion of the Elm Fork Greenbelt located at 3123 Proctor Street, totaling approximately 67,592 square feet of land, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, by the Texas Department of Transportation for construction of improvements to State Highway 183/John William Carpenter Freeway - Estimated Revenue: $15,000

BACKGROUND

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council held a public hearing on March 23, 2016. No comments were received at the public hearing. This action is for a resolution authorizing the proposed use of a portion of the Elm Fork Greenbelt located at 3123 Proctor Street, totaling approximately 67,592 square feet of land, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, by the Texas Department of Transportation (TxDOT) for construction of improvements to State Highway 183/John W. Carpenter Freeway.

The City of Dallas owns municipal parkland known as the Elm Fork Greenbelt located west of downtown Dallas within the Trinity River corridor. The City of Dallas has partnered with TxDOT on the State Highway 183/Interstate 35E project since the commencement of Project Pegasus in early 1999. Pursuant to the goals of the project, on January 12, 2000, the Dallas City Council passed Resolution No. 00-0276 approving and endorsing the recommended preferred alternative.

BACKGROUND (Continued)

TxDOT, through its design-build contractor, SouthGate Constructors, has requested a three-year Temporary Construction Easement, consisting of approximately 67,592 square feet (1.552 acres), for construction of improvements to State Highway 183 in the Elm Fork Greenbelt, adjacent to the existing State Highway 183 bridge and appurtenances. TxDOT's contractor requires temporary use of a small portion of the City's parkland in the Elm Fork Greenbelt for their project. Such use may include: ingress and egress, construction of temporary structures, temporary placement of excavated material, and storage of construction equipment, vehicles, and materials as necessary for construction work. In consideration for this temporary conveyance by easement, TxDOT, or TxDOT's contractor, will pay the fair market value of this easement, or equivalent in-kind value, as determined by an independent appraisal. Upon completion of the project the area will be restored to its pre-construction condition or better.

In compliance with the law, the City, through its Dallas City Council, must determine that there is a need and that there is no feasible and prudent alternative to the use or taking of such land 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.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 21, 2016, the Park and Recreation Board authorized the public hearing to be held on March 23, 2016.

On February 10, 2016, City Council authorized the public hearing to be held on March 23, 2016, by Resolution No. 16-0287.

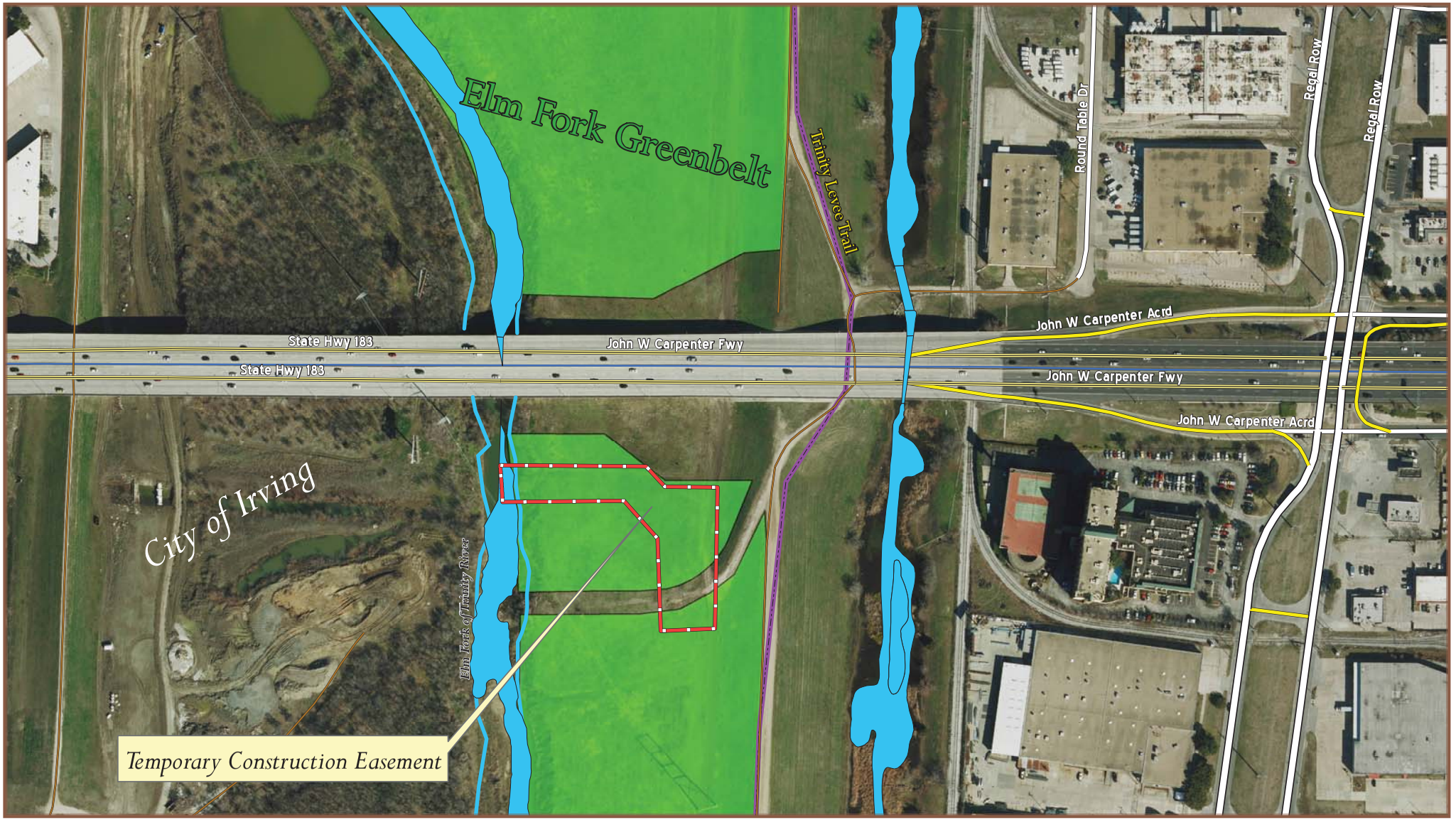
On March 23, 2016, a public hearing to receive comments was held, by Resolution No. 16-0486.

FISCAL INFORMATION

Estimated Revenue: $15,000

MAP

Attached



0 95 190 380 570 Feet

January 21, 2016

Elm Fork Greenbelt
(3123 Proctor St)

Temporary Construction Easement

Mapsco
32 R, 33 N

District
6

April 27, 2016

WHEREAS, on January 12, 2000, the Dallas City Council adopted Resolution No. 00-0276, approving and endorsing PROJECT PEGASUS between the City and the Texas Department of Transportation (TxDOT); and

WHEREAS, the City of Dallas owns land known as Elm Fork Greenbelt and TxDOT has determined that a temporary construction easement is needed and in the public interest for the proper construction and development of improvements to State Highway 183/John W. Carpenter Freeway to decrease congestion and enhance travel and accessibility to downtown Dallas and is necessary; and

WHEREAS, said improvements require the conveyance of a temporary construction easement of approximately 67,592 square feet (1.552 acres) of land from the Elm Fork Creek Greenbelt, as 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 the conveyance of a temporary construction easement, TxDOT will pay the fair market value of this easement, or equivalent in-kind value, as determined by an independent appraisal; and

WHEREAS, referendum, notice, and bidding requirements of Chapter 253 and 272 of the Texas Local Government Code are not applicable when a municipality is conveying an interest in land to an entity with eminent domain authority; and

WHEREAS, a public hearing was held on March 23, 2016, as required by the Texas Parks 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 parkland and that all reasonable planning to minimize harm to the Elm Fork 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, as a result of the public hearing held on March 23, 2016, it is hereby determined that there is no feasible and prudent alternative to the use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park and the surrounding adjacent parkland has been taken.

SECTION 2. That the City of Dallas hereby approves and authorizes the use for a proposed temporary construction easement, including the exercise in the City of Dallas of the right of eminent domain, if such becomes necessary, by TxDOT for interests in land by easement, as identified in Exhibit A, for construction of improvements to State Highway 183/John W. Carpenter Freeway.

SECTION 3. That, since TxDOT's use of eminent domain for acquiring use of this tract by temporary construction 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 a temporary construction easement for a portion of the Elm Fork Greenbelt, subject to the Agreement, to this resolution, and to all of the following terms and conditions:

a. TxDOT and its Contractor 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 all costs of construction, operation and maintenance of the transportation facility and improvements and to bear all costs associated with the temporary construction easement;

6. To do all work within the park and surrounding areas in a good a 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;

8. To provide clearance for passage of maintenance and 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;

10. That use of the temporary construction easement shall be for TxDOT's project for the construction of improvements to State Highway 183/John W. Carpenter Freeway, such use of the easement may include: ingress and egress, construction of temporary structures, temporary placement of excavated material, and storage of construction equipment, vehicles, and materials as necessary for construction work;

SECTION 3. (Continued)

11. To restore the site to its pre-construction condition or better at the close out of the project.

b. The term of the temporary construction easement shall be for a period of three years.

c. 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.

d. TxDOT shall provide the City with a procedure for reentering and taking possession of the easement tract should TxDOT abandon the tract or violate the covenants listed in subsection a.

e. TxDOT shall not enter for work purposes or disturb the surface or subsurface land of park property outside of the easement tract without consultation with the Director of the Park and Recreation Department.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit payment for the fair market value of the easement in an amount not to exceed $15,000 into Fund 0530; Department PKR; Unit 919A; Revenue Code 8482.

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.

RE: CITY OF DALLAS FIELD NOTES DESCRIBING A 67,592 SQUARE FOOT (1.552 ACRES) TEMPORARY CONSTRUCTION EASEMENT TO BE GRANTED TO SOUTHGATE CONSTRUCTORS FROM THE CITY OF DALLAS

0 50 100 200

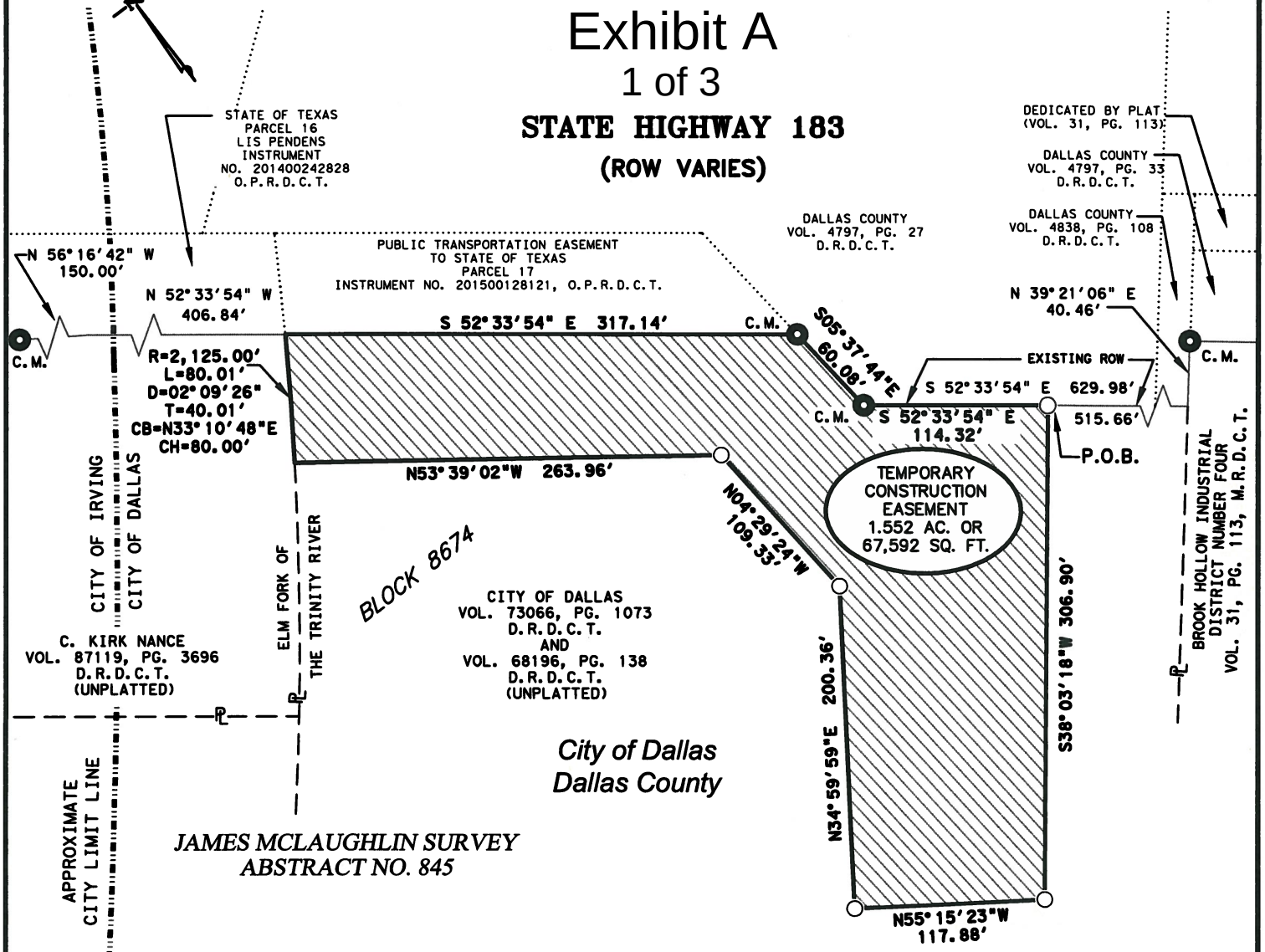
SCALE: 1" = 100'

Exhibit A

1 of 3

STATE HIGHWAY 183

(ROW VARIES)



LEGEND

- ● 5/8" IRON ROD FOUND WITH TXDOT ALUM. CAP
- ○ 1/2" IRON ROD SET WITH PLASTIC CAP "MCGRAY MCGRAY"
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- C.M. CONTROLLING MONUMENT

NOTES:
1. THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, ADDITIONAL ENCUMBRANCES MAY AFFECT THIS EASEMENT.

STATE OF TEXAS REGISTERED CHRIS CONRAD 5623 PROFESSIONAL LAND SURVEYOR

02/18/16

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE

Note: This plat is not valid unless an original signature through an original seal appears on its face. There is a description to accompany this plat.

TEMPORARY CONSTRUCTION EASEMENT
1.552 ACRES OR 67,592 SQ. FT.
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SURVEYED BY:

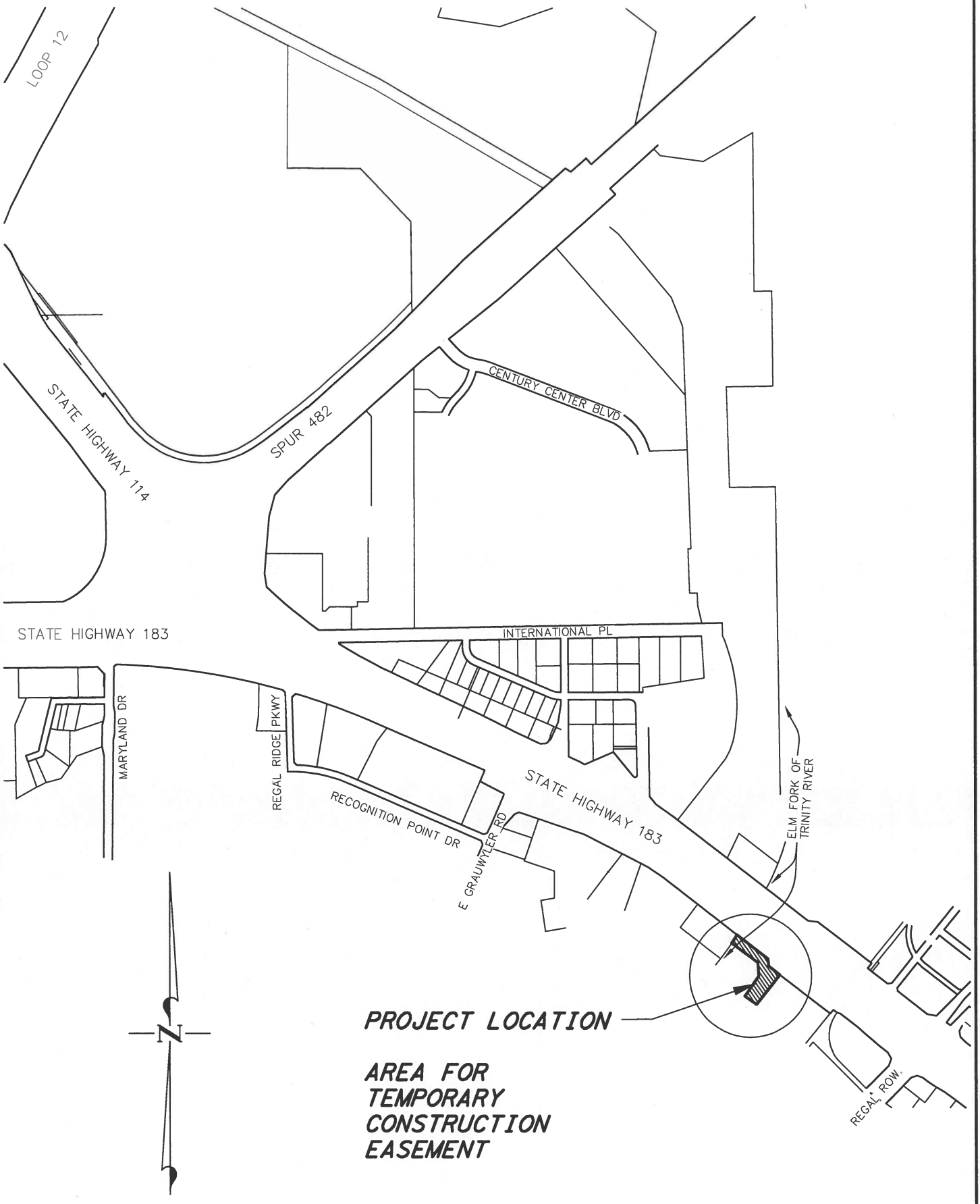
McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591
TBPLS FIRM # 10095500

PROJECT NUMBER: 15-096	PARTY CHIEF: J. ROGERS	CITY OF DALLAS BLOCK:
DATE: 10/16/15	TECH: A. BURROUGHS	8674
SCALE: 1"=100'	CITY OF DALLAS FOLDER:	CITY OF DALLAS FILE NO.:

M:\KIEWIT~SH183 EXPRESSWAY\DWG\PARCEL\042_17 TCE.DWG

LOCATOR MAP

Exhibit A
2 of 3



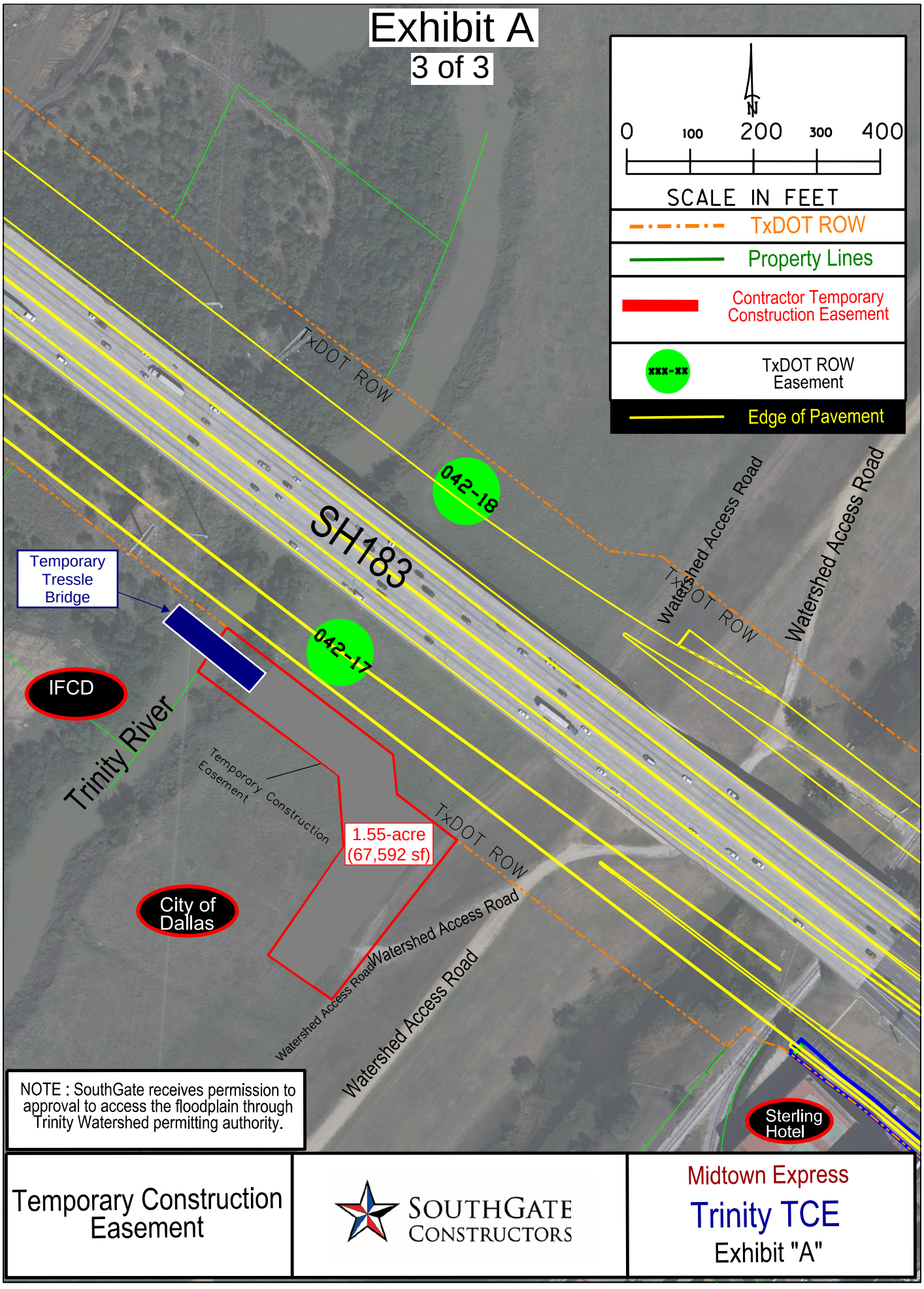


Exhibit A
3 of 3
N
0
100
200
300
400
SCALE IN FEET
TxDOT ROW
Property Lines
Contractor Temporary Construction Easement
xxx-xx
TxDOT ROW Easement
Edge of Pavement
TxDOT ROW
042-18
SH183
Watershed Access Road
Watershed Access Road
TxDOT ROW
Temporary Tressle Bridge
042-17
IFCD
Trinity River
Temporary Construction Easement
1.55-acre (67,592 sf)
TxDOT ROW
City of Dallas
Watershed Access Road
Watershed Access Road
Watershed Access Road
NOTE : SouthGate receives permission to approval to access the floodplain through Trinity Watershed permitting authority.
Sterling Hotel
Temporary Construction Easement
SOUTHGATE CONSTRUCTORS
Midtown Express
Trinity TCE
Exhibit "A"
REV 2 - 10/13/15

AGENDA ITEM # 30

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 22-X Y

SUBJECT

A resolution authorizing the proposed use of a portion of the Elm Fork Greenbelt located at 10400 Wildwood Drive, totaling approximately 296,757 square feet of land, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, by the Texas Department of Transportation for construction of improvements to State Highway Loop 12/Walton Walker Boulevard - Financing: No cost consideration to the City

BACKGROUND

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council held a public hearing on March 23, 2016. No comments were received at the public hearing. This action is for consideration of a resolution authorizing the proposed use of a portion of the Elm Fork Greenbelt located at 10400 Wildwood Drive, totaling approximately 296,757 square feet of land, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, by the Texas Department of Transportation (TxDOT) for construction of improvements to State Highway Loop 12/Walton Walker Blvd.

The City of Dallas owns municipal parkland known as the Elm Fork Greenbelt located west of downtown Dallas within the Trinity River corridor. TxDOT, through its design-build contractor, SouthGate Constructors, has requested use of a portion of the Elm Fork Greenbelt to be used as a compensatory storage area, consisting of approximately 296,757 square feet (6.813 acres) as required by local, state, and federal regulations regarding floodplain management.

BACKGROUND (Continued)

TxDOT's highway project requires fill within the floodplain. Since such fill will reduce the flood storage in the floodplain, TxDOT must excavate a floodable area to replace the lost flood storage area. The area TxDOT has identified for compensatory storage would require excavation of approximately 18,273 cubic yards of material. Excavated depths would range from several inches to approximately three-and-a-half-feet. Excavation and final grading of the site would follow the existing profile of the land which currently is a gentle slope from northeast to southwest towards the Elm Fork of the Trinity River. When the project is completed the compensatory storage area will surface drain to the Elm Fork of the Trinity River—no ponding will occur as a result of construction. At no time will ownership or any rights of the parkland be transferred to TxDOT. The Compensatory Storage Area will not encumber the parkland which may be used for any parkland purpose which is currently allowed.

The proposed compensatory storage area is adjacent to a future trailhead of the Elm Fork Trail as envisioned in the Elm Fork Greenbelt Master Plan adopted by the Park Board on June 4, 2015. The area is currently vegetated with non-native grasses, forbs, and shrubs. The area also contains piles of illegally dumped construction debris. TxDOT will remove all debris and vegetation as part of the project.

In keeping with the character of the surrounding greenbelt, and as an amenity of the trailhead of the future Elm Fork Greenbelt Trail, the compensatory storage area will be planted with a native prairie plant seed mixture. If required, preparation of the site may necessitate importation of topsoil and irrigation. TxDOT will be responsible for maintenance of the restored site for a period of two years after seeding is complete to ensure establishment of the prairie.

In compliance with the law, the City, through its Dallas City Council, must determine that there is a need and that there is no feasible and prudent alternative to the use or taking of such land 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.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 21, 2016, the Park and Recreation Board authorized the public hearing to be held on March 23, 2016.

On February 10, 2016, City Council authorized the public hearing to be held on March 23, 2016, by Resolution No. 16-0286.

On March 23, 2016, a public hearing to receive comments was held, by Resolution No.16-0487.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

0 165 330 660 990 Feet

N
W E
S

January 21, 2016

Elm Fork Greenbelt
(10400 Wildwood Dr)

Compensatory Storage Area

Mapsco
22 X,Y

District
6

April 27, 2016

WHEREAS, the City of Dallas owns land known as Elm Fork Greenbelt and TxDOT has determined that a temporary construction easement is needed and in the public interest to construct a compensatory storage area as required for the proper construction and development of improvements to State Highway Loop 12/Walton Walker Boulevard, and is necessary; and

WHEREAS, said improvements require the conveyance of a temporary construction easement for the use of approximately 296,757 square feet of land from the Elm Fork Creek Greenbelt, as described in Exhibit A, attached hereto and made a part hereof, and TxDOT requires a compensatory storage area to meet its federal, state, and local stormwater storage regulatory requirements, 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 the conveyance of a temporary construction easement, TxDOT will pay the fair market value of this easement, or equivalent in-kind value, as determined by an independent appraisal; and

WHEREAS, referendum, notice, and bidding requirements of Chapter 253 and 272 of the Texas Local Government Code are not applicable when a municipality is conveying an interest in land to an entity with eminent domain authority; and

WHEREAS, a public hearing was held on March 23, 2016, as required by the Texas Parks 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 parkland and that all reasonable planning to minimize harm to the Elm Fork 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, as a result of the public hearing held on March 23, 2016, it is hereby determined that there is no feasible and prudent alternative to the use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park and the surrounding adjacent parkland has been taken.

SECTION 2. That the City of Dallas hereby approves and authorizes the use for a proposed temporary construction easement for construction of a compensatory storage area, including the exercise in the City of Dallas of the right of eminent domain, if such becomes necessary, by TxDOT for interests in land by easement, as identified in Exhibit A, as required in conjunction with construction of improvements to State Highway Loop 12/Walton Walker Boulevard.

SECTION 3. That, since TxDOT's use of eminent domain for acquiring use of this tract by temporary construction 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 a temporary construction easement for a portion of the Elm Fork Greenbelt, subject to the Agreement, to this resolution, and to all of the following terms and conditions:

a. TxDOT and its Contractor 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 all costs of construction, operation and maintenance of the transportation facility and improvements and to bear all costs associated with the temporary construction easement;

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 (PARD);

7. To not convey to another any interest in the easement tract, or any portion thereof, without prior, written consent of the City;

8. That use of the temporary construction easement shall be for meeting TxDOT's project requirements for the construction of improvements to State Highway Loop 12/Walton Walker Boulevard.

b. The term of the temporary construction easement shall be for completion of the project plus a two-year maintenance period which shall include:

1. Removal of approximately 18,273 cubic yards of materials, as required, and the proper disposal of such materials offsite. Materials removed from the compensatory storage area shall include subsoil and all construction debris, all illegally dumped materials existing on site, and vegetation. Topsoil, if any exists, shall not be removed;

SECTION 3. (Continued)

2. After removal of the required materials the area shall be graded to match the current topography and sheet flow which is southerly towards the Elm Fork of the Trinity River. The site shall have no areas of ponding and the grades of the compensatory storage area shall match the surrounding topography;

3. After grading is completed and approved by the Director of PARD the site shall be prepared for an ecological restoration using a native prairie seed and plant plug mix. Before planting the site may require a rest period seeded with a temporary cover crop of cereal rye (*Secale cereale*) and Virginia wildrye (*Elymus virginicus*);

4. Restoration of the site shall include, as approved and required by the Director of PARD, a combination of a prairie seed mix and plant plugs, topsoil and other soil amendments, if needed, and irrigation. Restoration and maintenance shall be performed by a qualified contractor as approved by the Director of PARD;

5. Upon completion of seeding the site with an approved seed mix TxDOT shall maintain the site for a minimum of two years, or until the end of the season of the second year of restoration, maintenance which may include, as approved by the Director of PARD: reseeding, planting of plant plugs, weeding, mowing, controlled burns, irrigation, and other land management as required;

6. TxDOT is responsible for obtaining all permits, fees, and meters and is responsible for all costs associated with fulfillment of the requirements of this resolution and the temporary construction easement agreement;

7. At the completion of the two-year maintenance period the site will be evaluated by the Director of PARD. Should the site be more than fifty-percent weed species, maintenance by TxDOT shall continue until such that fifty-percent minimal cover of prairie plants is established.

c. 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.

d. TxDOT shall provide the City with a procedure for reentering and taking possession of the easement tract should TxDOT abandon the tract or violate the covenants listed in subsection a.

1. A performance bond may be required for compliance with the provisions of this resolution and the terms of the temporary construction easement.

SECTION 3. (Continued)

e. TxDOT shall not enter for work purposes or disturb the surface or subsurface land of park property outside of the easement tract without consultation with the Director of the Park and Recreation Department.

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.

RE: CITY OF DALLAS

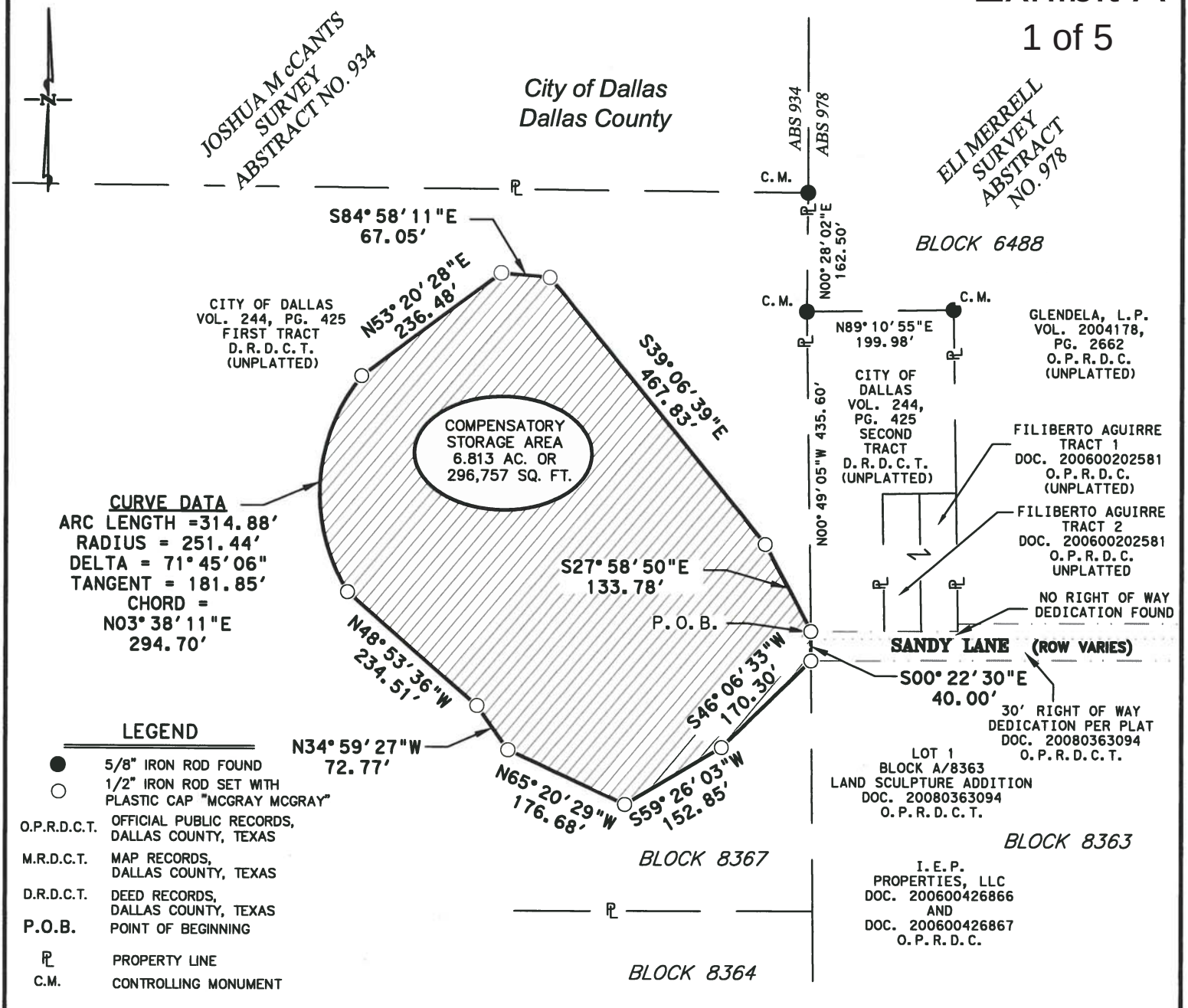
0 100 200 400

SCALE: 1" = 200'

FIELD NOTES DESCRIBING A 296,757 SQUARE FOOT (6.813 ACRES) COMPENSATORY STORAGE AREA TO BE GRANTED TO SOUTHGATE CONSTRUCTORS FROM THE CITY OF DALLAS

Exhibit A

1 of 5



LEGEND

●	5/8" IRON ROD FOUND
○	1/2" IRON ROD SET WITH PLASTIC CAP "MCGRAY MCGRAY"
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
℄	PROPERTY LINE
C.M.	CONTROLLING MONUMENT

NOTES:
1. THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, ADDITIONAL ENCUMBRANCES MAY AFFECT THIS EASEMENT.

STATE OF TEXAS REGISTERED CHRIS CONRAD 5623 PROFESSIONAL LAND SURVEYOR

03/10/16

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE

Note: This plat is not valid unless an original signature through an original seal appears on its face. There is a description to accompany this plat.

COMPENSATORY STORAGE AREA
6.813 ACRES OR 296,757 SQ. FT.
CITY OF DALLAS, DALLAS COUNTY, TEXAS

SURVEYED BY:

McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591
TBPLS FIRM # 10095500

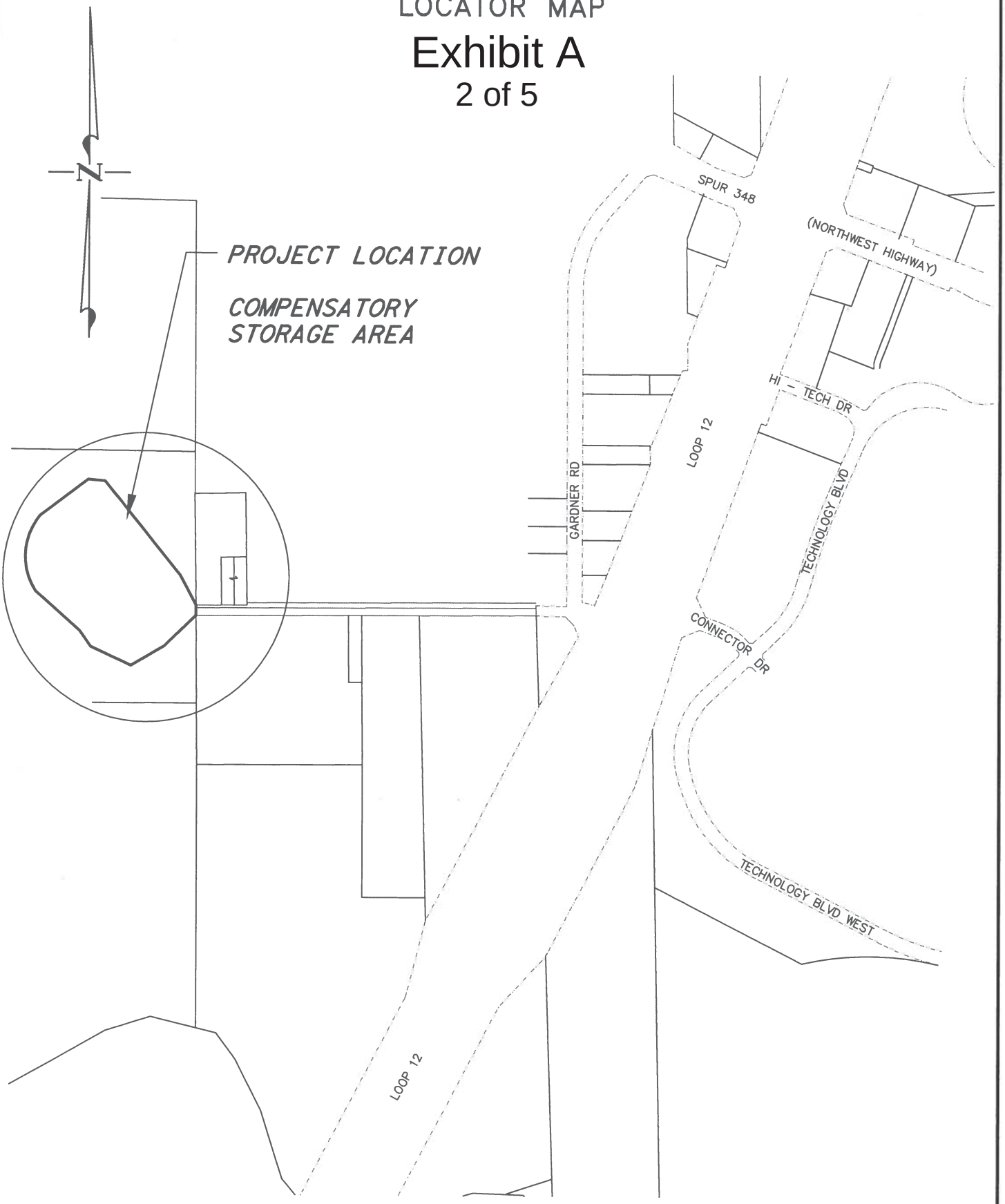
PROJECT NUMBER: 14-143	PARTY CHIEF: J. ROGERS	CITY OF DALLAS BLOCK:
DATE: 03/10/16	TECH: A. BURROUGHS	8367
SCALE: 1"=200'	CITY OF DALLAS FOLDER:	CITY OF DALLAS FILE NO.:

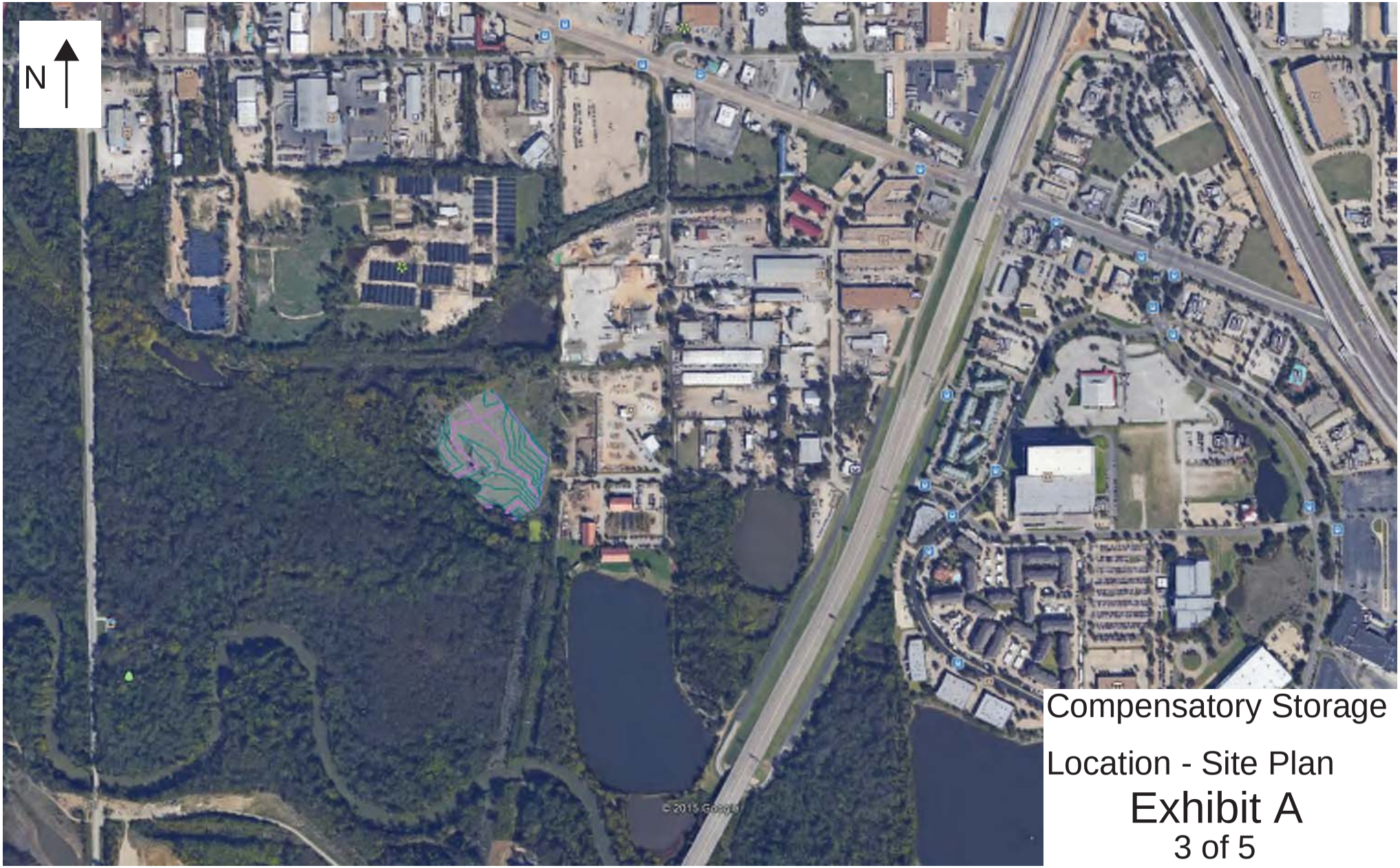
M:\KIEWIT~SH183 EXPRESSWAY\DWG\PARCEL\STORAGE AREA 1.DWG PAGE 4 OF 4

LOCATOR MAP

Exhibit A

2 of 5





Compensatory Storage

Location - Site Plan

Exhibit A

3 of 5

12/14/2015

Compensatory Storage

Location - Grading Plan

Exhibit A

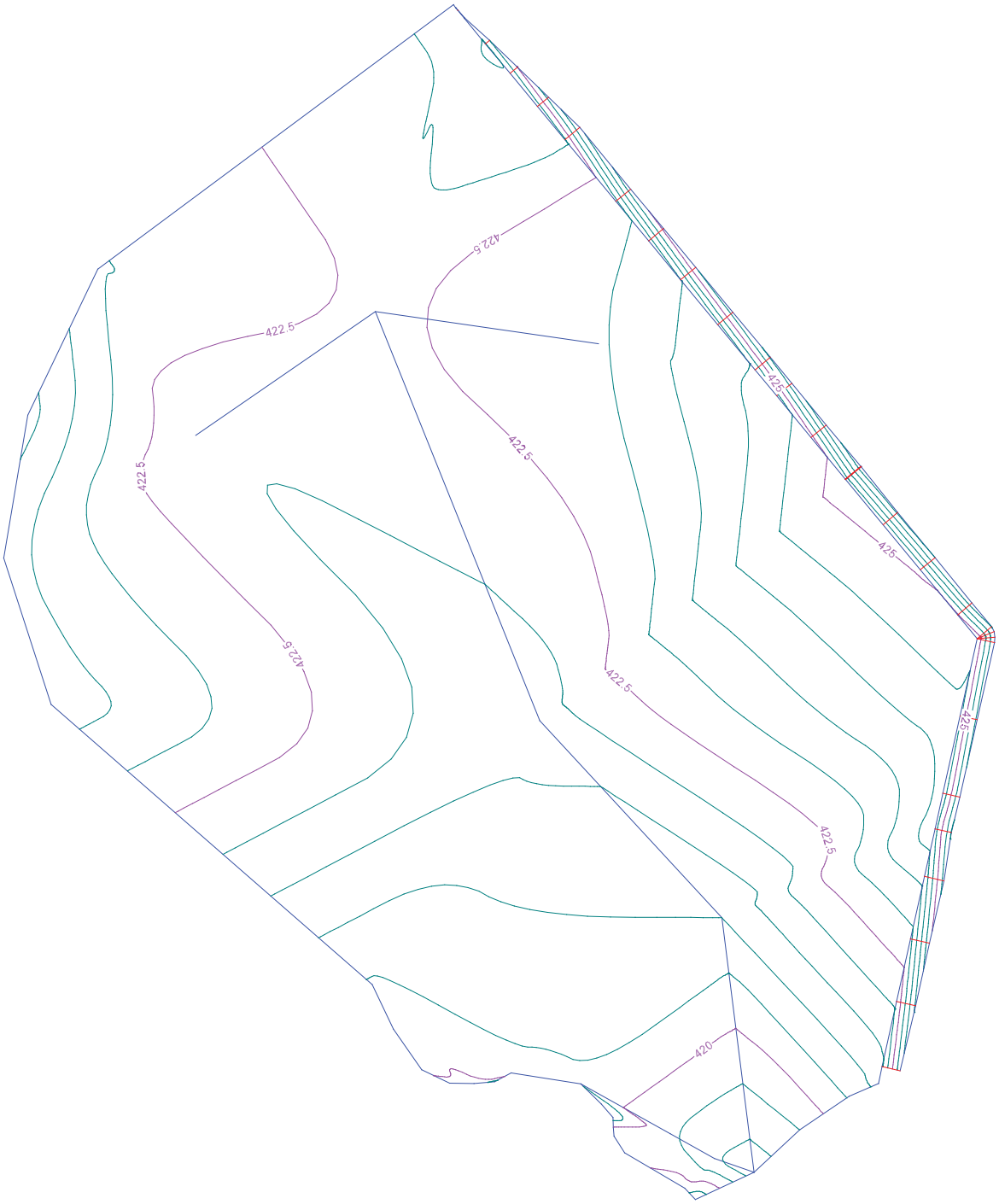
4 of 5

12/14/2015

Compensatory Storage

Location - Contour Map

Exhibit A
5 of 5



100 ft

12/14/2015

AGENDA ITEM # 31

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 69-H

SUBJECT

Authorize a public hearing to be held on May 25, 2016 to receive comments on the proposed change of use and sale of a portion of the Kleberg Trail, consisting of a total of approximately 71,109 square feet of land, to the Texas Department of Transportation for construction of improvements to I-20 Frontage Roads - Estimated Revenue: $18,365

BACKGROUND

The City of Dallas owns municipal parkland known as the Kleberg Trail located southeast of downtown. Texas Department of Transportation (TxDOT) requires a portion of the Kleberg Trail for its I-20 State Highway Improvement Project, Federal Aid Project #STP 1502 (329) MM, for the purpose of extending the frontage road on either side of I-20 south of US Highway 175 (CF Hawn Freeway). TxDOT will pay the fair market value of the parcel as determined by an independent appraisal.

Mayor Tom Leppert, through the Mayor's Southern Dallas Task Force, recommended purchase of approximately 2.2 miles of Union Pacific railroad right-of-way for the Kleberg Trail to encourage and promote economic development opportunities. Despite the rural character of West Kleberg compared to the remainder of Dallas, adjacent communities of Seagoville, Balch Springs, and Mesquite were providing stiff competition for retail and industrial development. The Kleberg Trail was identified as an important opportunity to provide for the development of the area by delivering an alternative transportation route and links to future bus and Park & Ride development and, at that time, the future DART Buckner Green Line Station. Post-development of the Kleberg Trail envisioned additional recreational facilities including soccer fields, a BMX bike trail, golf courses, and other open space amenities. Such development would attract residential and retail development. In 2011, the City purchased the railroad right-of-way for park purposes.

BACKGROUND (Continued)

Over the past months, City staff and TxDOT have negotiated terms of the sale which preserve the City's ability to construct a trail of a minimum of sixteen feet if need be, address safety, and require minimal cost to the City at such time the trail is constructed (Exhibit C). TxDOT agrees as condition of the sale of parkland to:

1) Modify box culvert lengths to accommodate the future trail.
2) Construct pedestrian ramps at intersections or allow for and accommodate sixteen-foot non-vehicular access to the future trail and install bollards, or allow such devices to impede vehicular access to the parkland until such time that the trail is constructed.
3) Revise proposed drainage culvert lengths to accommodate the future trail.
4) Provide stop signs or other traffic control devices to provide safe crossing of TxDOT facilities by trail users at the time the trail is constructed.

In compliance with the law, the City, through its Dallas City Council, must determine that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services, including hike and bike trail development.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of park land. At the close of the public hearing, Council will consider a resolution authorizing the proposed change of use of parkland and sale.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 7, 2016, the Park and Recreation Board authorized a public hearing to be held on May 25, 2016.

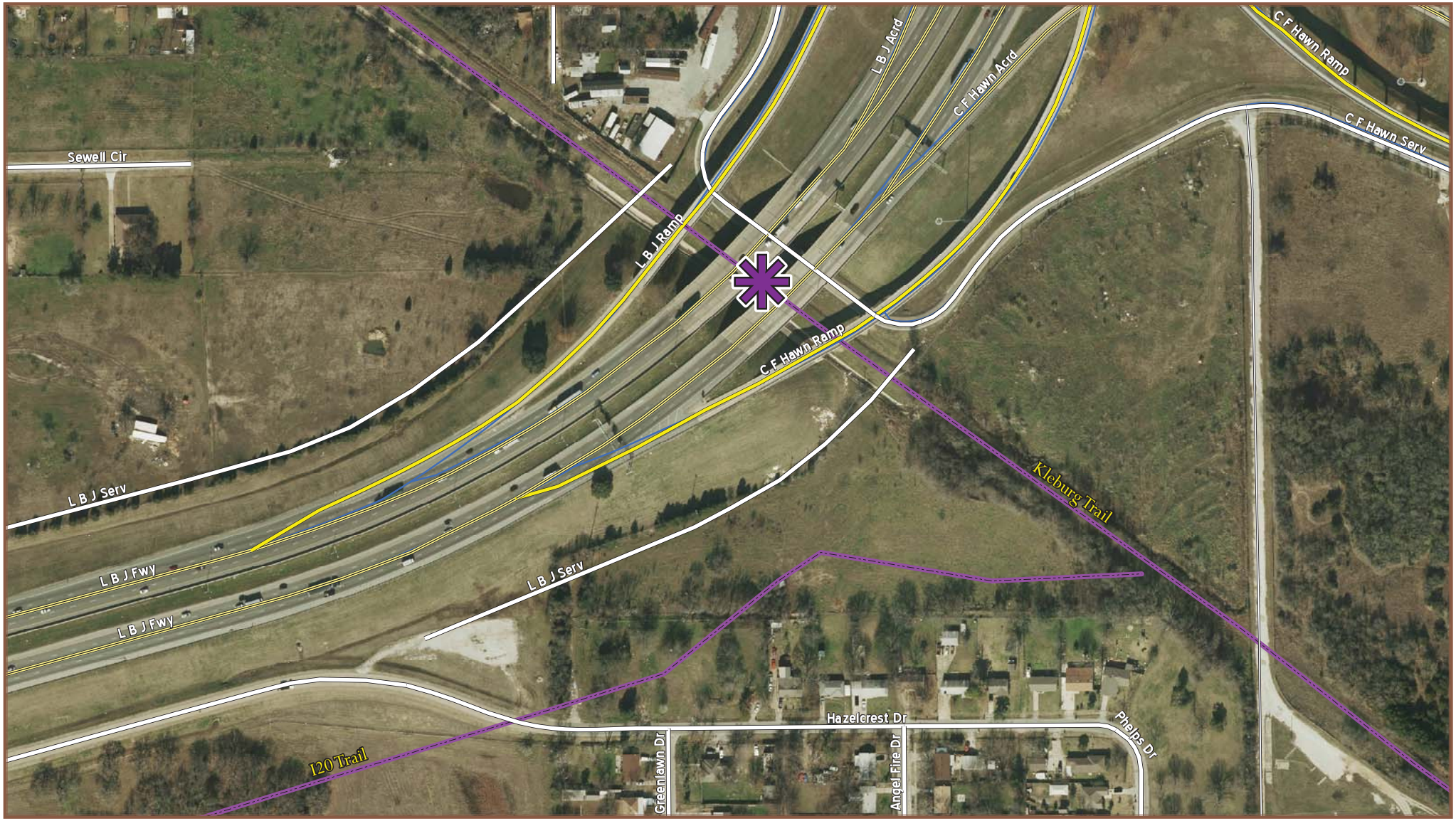
Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

Estimated Revenue: $18,365

MAP

Attached



0 85 170 340 510 Feet

N
W E
S

April 7, 2016

Kleberg Trail
(I-20 and US Hwy 175 Southbound Frontage Rd)

Mapsco
69 H

District
8

April 27, 2016

WHEREAS, the City of Dallas (City) owns land in southeast Dallas known as the Kleberg Trail, which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, a portion of the Kleberg Trail has been identified by the Texas Department of Transportation (TxDOT) as necessary for the construction of improvements to I-20 Frontage Roads, and must acquire approximately 71,109 square feet of land for such improvements, as shown on Exhibits A and B, and the Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, TxDOT is agreeable to designing and constructing its improvements such that the City's ability to make future improvements to the Kleberg Trail shall not be impaired as shown on Exhibit C; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to the dedication of a portion of the Kleberg Trail to TxDOT.

Now, Therefore,

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

SECTION 1. That the Park and Recreation Department is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on May 25, 2016.

SECTION 2. That the approval of the aforementioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use, taking, and conveyance of parkland, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit funds received from the Texas Department of Transportation into Fund 0530, Department PKR, Unit 919A, Revenue Code 8482.

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.

County: Dallas
Parcel: 8
Highway: Interstate Highway 20
ROW CSJ: 2374-03-082

LEGAL DESCRIPTION FOR PARCEL 8

BEING a 1.6324 acre tract of land situated in the Solomon Dixon Survey, Abstract Number 407 in the City of Dallas, Dallas County, Texas, Official City of Dallas Block Numbers 8765, 8766, 8790, 8794 and being a part of a called 5.253 acre tract of land described as Kleberg Trail Corridor Parcel 5 in Donative Deed without Warranty to the City of Dallas, as recorded in Instrument Number 201100327219 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a point on the northeast line of said 5.253 acre tract for the south corner of a called 1.6173 acre tract of land described in Warranty Deed to RJC Theaters, LLC, as recorded in Instrument Number 200503570214, O.P.R.D.C.T. and the southwest corner of a called 5.7147 acre tract of land described in Special Warranty Deed with Vendor's Lien to RJC Theatres, LLC, as recorded in Volume 2005083, Page 05877, OP.R.D.C.T. having NAD83 (2011 Adjustment) Texas State Plane North Central Zone (4202) surface coordinates North 6,939,137.63 feet, East 2,543,295.28 feet, from which a 1/2-inch found iron rod for witness bears North 68 degrees 34 minutes 42 seconds East a distance of 0.63 of a foot;

THENCE North 53 degrees 37 minutes 54 seconds West, with the northeast line of said 5.253 acre tract and with the southwest line of said 1.6173 acre tract, a distance of 290.50 feet to a 5/8-inch set iron rod with a TxDOT aluminum cap having NAD83 (2011 Adjustment) Texas State Plane North Central Zone (4202) surface coordinates North 6,939,309.89 feet, East 2,543,061.36 feet for the POINT OF BEGINNING, said point being on the proposed southerly right-of-way line of Interstate Highway 20 (a variable width right-of-way) for the point of curvature of a non-tangent circular curve to the right having a radius of 1,000.00 feet and a chord that bears South 42 degrees 42 minutes 59 seconds West a distance of 100.62 feet; **

1) THENCE Southwesterly, departing the northeast line of said 5.253 acre tract and the southwest line of said 1.6173 acre tract, over and across said 5.253 acre tract, and with the proposed southerly right-of-way line of said Interstate Highway 20 and with said curve, through a central angle of 05 degrees 46 minutes 02 seconds, an arc distance of 100.66 feet to a 1/2-inch set iron rod with a yellow plastic cap stamped "HALFF" on the southwest line of said 5.253 acre tract and the northeast line of a called 5.45 acre tract of land described in Warranty Deed to Matthew Millard, as described in Instrument Number 200503553505, O.P.R.D.C.T. for the end of said curve;

FIELD NOTES APPROVED
11/12/14

2) THENCE North 53 degrees 37 minutes 54 seconds West, with the southwest line of said 5.253 acre tract and with the northeast line of said 5.45 acre tract, passing the north corner of said 5.45 acre tract on the existing south right-of-way line of said Interstate Highway 20 (a variable width right-of-way) at a distance of 86.56 feet, continuing with the southwest line of said 5.253 acre tract and over and across said Interstate Highway 20, in all, a total distance of 715.77 feet to a 5/8-inch set iron rod with a TxDOT aluminum cap at the intersection of the proposed northerly right-of-way line of said Interstate Highway 20 with the existing north right-of-way line of said Interstate Highway 20 for corner; **

3) THENCE North 48 degrees 52 minutes 44 seconds East, departing the southwest line of said 5.253 acre tract, over and across said 5.253 acre tract, and with the proposed northerly right-of-way line of said Interstate Highway 20, a distance of 102.43 feet to a 5/8-inch set iron rod with a TxDOT aluminum cap on the northeast line of said 5.253 acre tract and the southwest line of a called 1.6208 acre tract of land described in Special Warranty Deed with Vendor's Lien to Martin Brena, Jr. and Alvaro Brena, as recorded in Instrument No. 20080312211, O.P.R.D.C.T., and Affidavit, as recorded in Instrument No. 200900190950, O.P.R.D.C.T. for corner; **

4) THENCE South 53 degrees 37 minutes 54 seconds East, departing the proposed northerly right-of-way line of said Interstate Highway 20, with the northeast line of said 5.253 acre tract and with the southwest line of said 1.6208 acre tract, passing the south corner of said 1.6208 acre tract on the existing north right-of-way line of said Interstate Highway 20 at a distance of 37.82 feet, continuing with the northeast line of said 5.253 acre tract and over and across said Interstate Highway 20, passing the west corner of a called 1,353 square foot tract of land described in Warranty Deed to Thomas E. Hendricks and Linda E. Hendricks, as recorded in Instrument Number 201100089453, O.P.R.D.C.T. on the existing south right-of-way line of said Interstate Highway 20 at cumulative distance of 657.72, continuing with the northeast line of said 5.253 acre tract and with the southwest line of said 1,353 square foot tract, passing the south corner of said 1,353 square foot tract and the southwest corner of said 1.6173 acre tract at a cumulative distance of 702.86 feet, continuing with the northeast line of said 5.253 acre tract and with the southwest line of said 1.6173 acre tract, in all, a total distance of 704.71 feet the POINT OF BEGINNING AND CONTAINING 71,109 square feet or 1.6324 acres of land, more or less.

** The monument described and set may be replaced with a TxDOT Type II right-of-way marker upon the completion of the construction project, under the supervision of a RPLS, either employed or retained by the State.

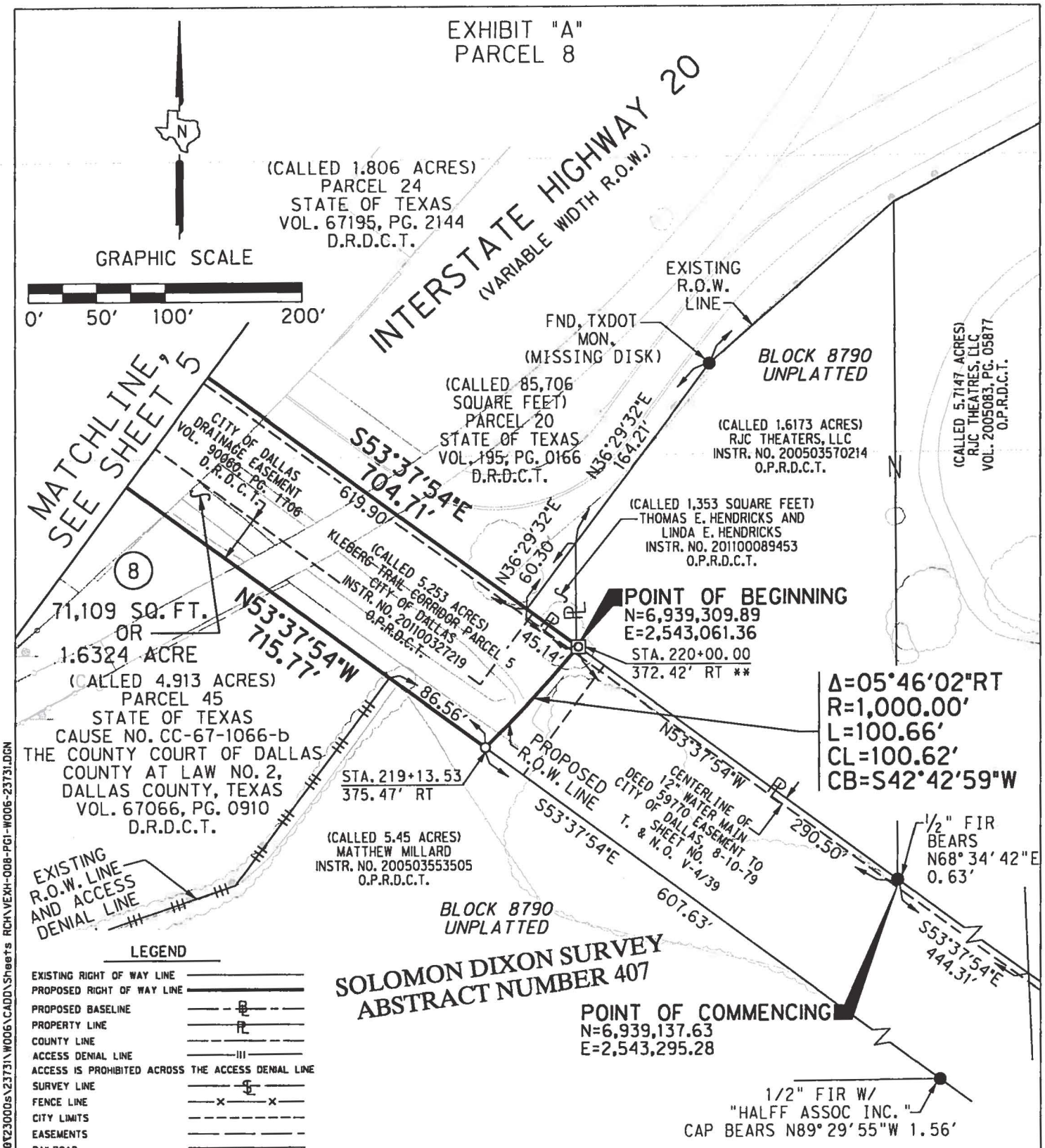
The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

I, Heath W. Brown, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat of even date represent an actual survey made on the ground under my supervision.

Heath 8-1-2014

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
TBPLS Firm No. 10029600

EXHIBIT "A"
PARCEL 8



LEGEND

- EXISTING RIGHT OF WAY LINE
- PROPOSED RIGHT OF WAY LINE
- PROPOSED BASELINE
- PROPERTY LINE
- COUNTY LINE
- ACCESS DENIAL LINE
- ACCESS IS PROHIBITED ACROSS THE ACCESS DENIAL LINE
- SURVEY LINE
- FENCE LINE
- CITY LIMITS
- EASEMENTS
- RAILROAD
- STRUCTURE

FIR = FOUND IRON ROD
FIP = FOUND IRON PIPE
(C.M.) = CONTROL MONUMENT
INSTR. NO. = INSTRUMENT NUMBER
MON. = MONUMENT

○ = 1/2-INCH SET IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" (UNLESS NOTED)

▣ = 5/8-INCH IRON ROD WITH TXDOT ALUMINUM CAP

● = FOUND MONUMENT (AS NOTED)

** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A RPLS, EITHER EMPLOYED OR RETAINED BY THE STATE.

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

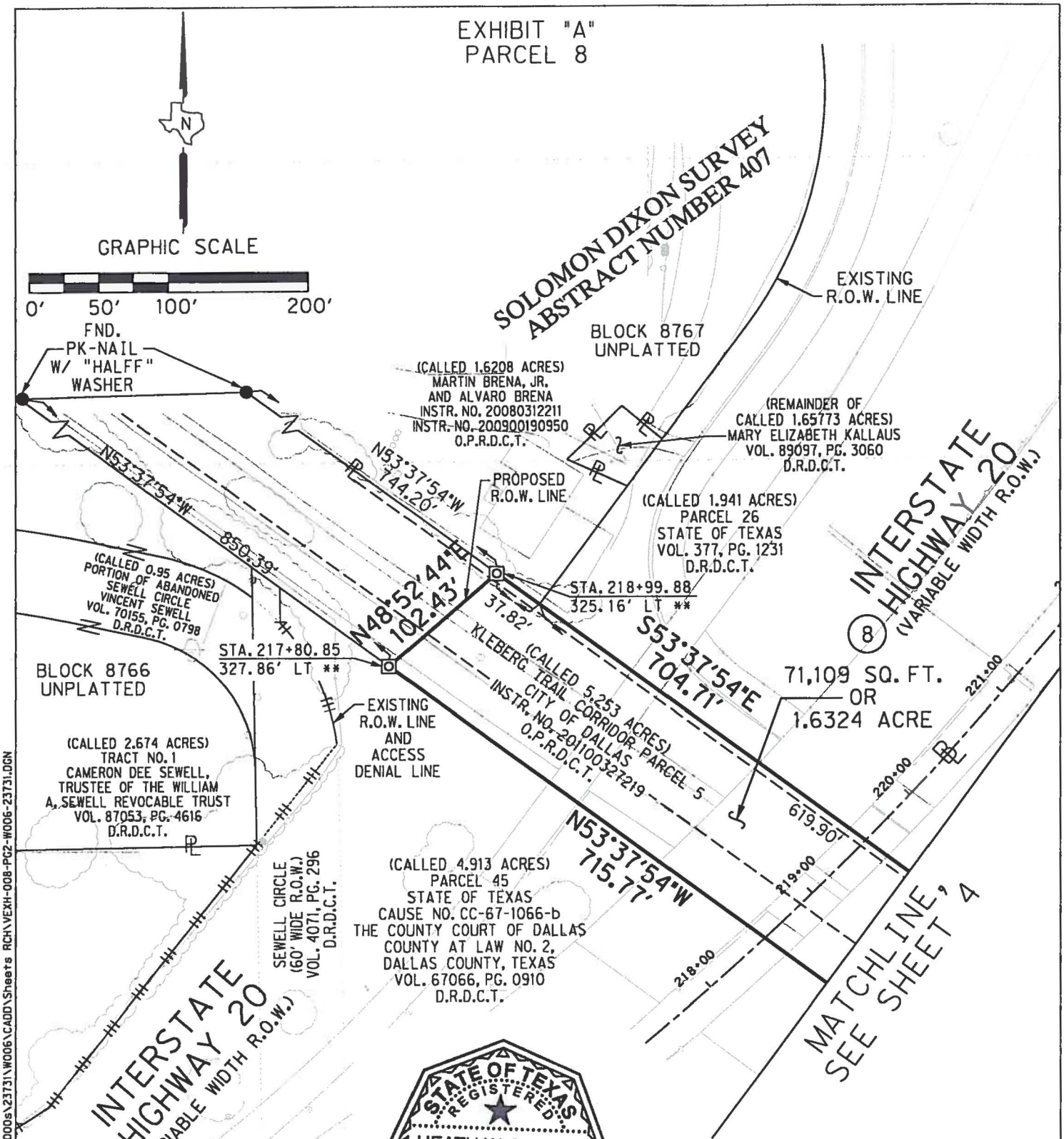
A PLAT OF A SURVEY OF
A 71,109 SQ. FT. TRACT OF LAND
IN THE SOLOMON DIXON SURVEY
ABSTRACT NUMBER 407
DALLAS COUNTY, TEXAS

AUGUST 2014
DATE

4/5

8/1/2014 10:42:43 AM gh2481 TXDOT23000s\23731\W006\CADD\Sheets RCH\VEXH-008-PG1-W006-23731.DGN

EXHIBIT "A"
PARCEL 8



STATE OF TEXAS
REGISTERED
HEATH W. BROWN
6189
PROFESSIONAL
LAND SURVEYOR

A PLAT OF A SURVEY OF
A 71,109 SQ. FT. TRACT OF LAND
IN THE SOLOMON DIXON SURVEY
ABSTRACT NUMBER 407
DALLAS COUNTY, TEXAS

5/5

The Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone 4202. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.

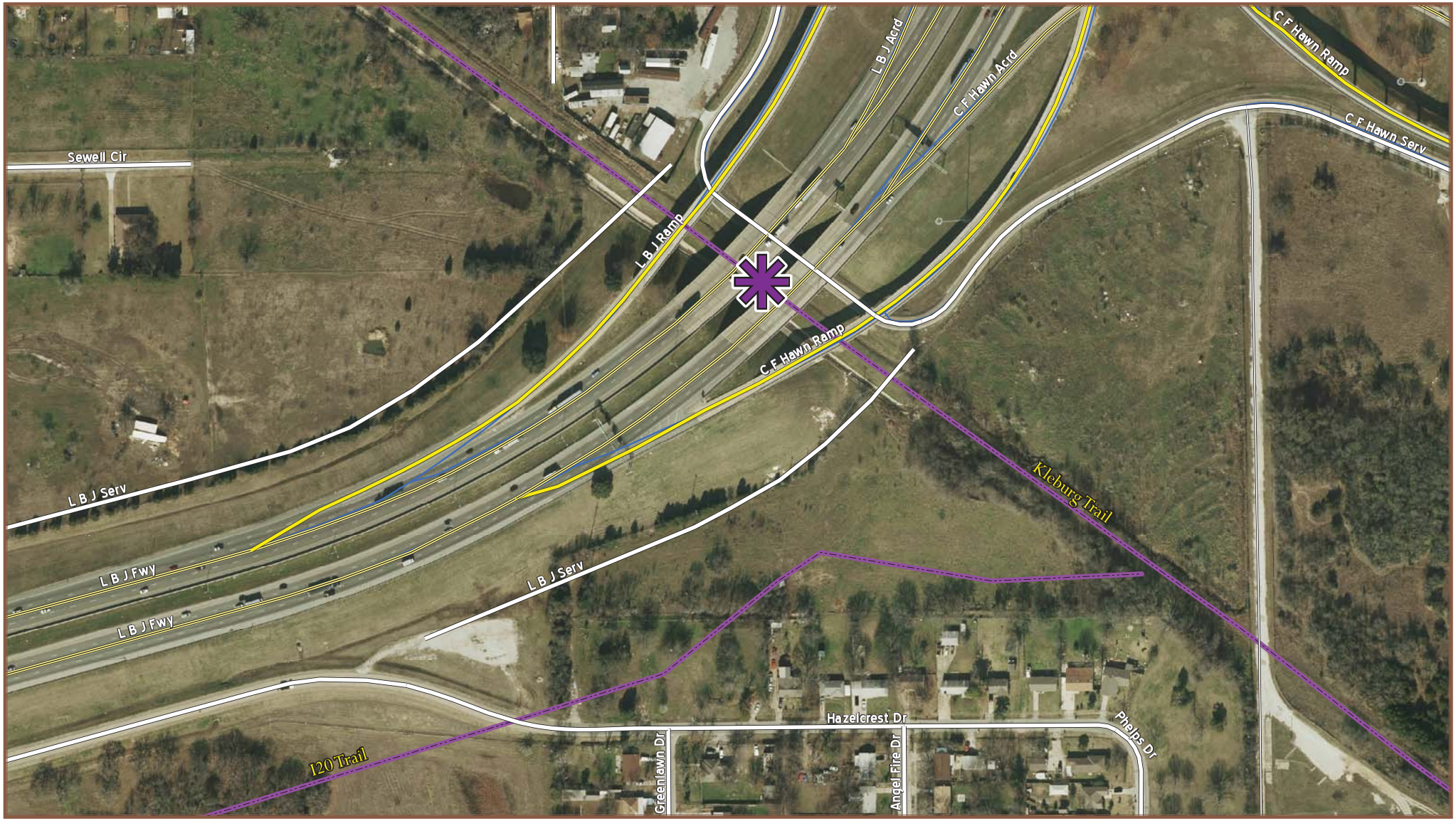
Heath 8-1-2014

HEATH W. BROWN, R.P.L.S. TEXAS No. 6189

AUGUST 2014
DATE

8/1/2014 10:42:36 AM ah2481 TXDOT23000s\2373\W006\CADD\Sheets RCH\VEXH-008-PG2-W006-2373I.DGN

PARCEL 8 ROW CSJ: 2374-03-082



0 85 170 340 510 Feet

N
W E
S

April 7, 2016

Kleberg Trail
(I-20 and US Hwy 175 Southbound Frontage Rd)
Exhibit B

Mapsco
69 H

District
8

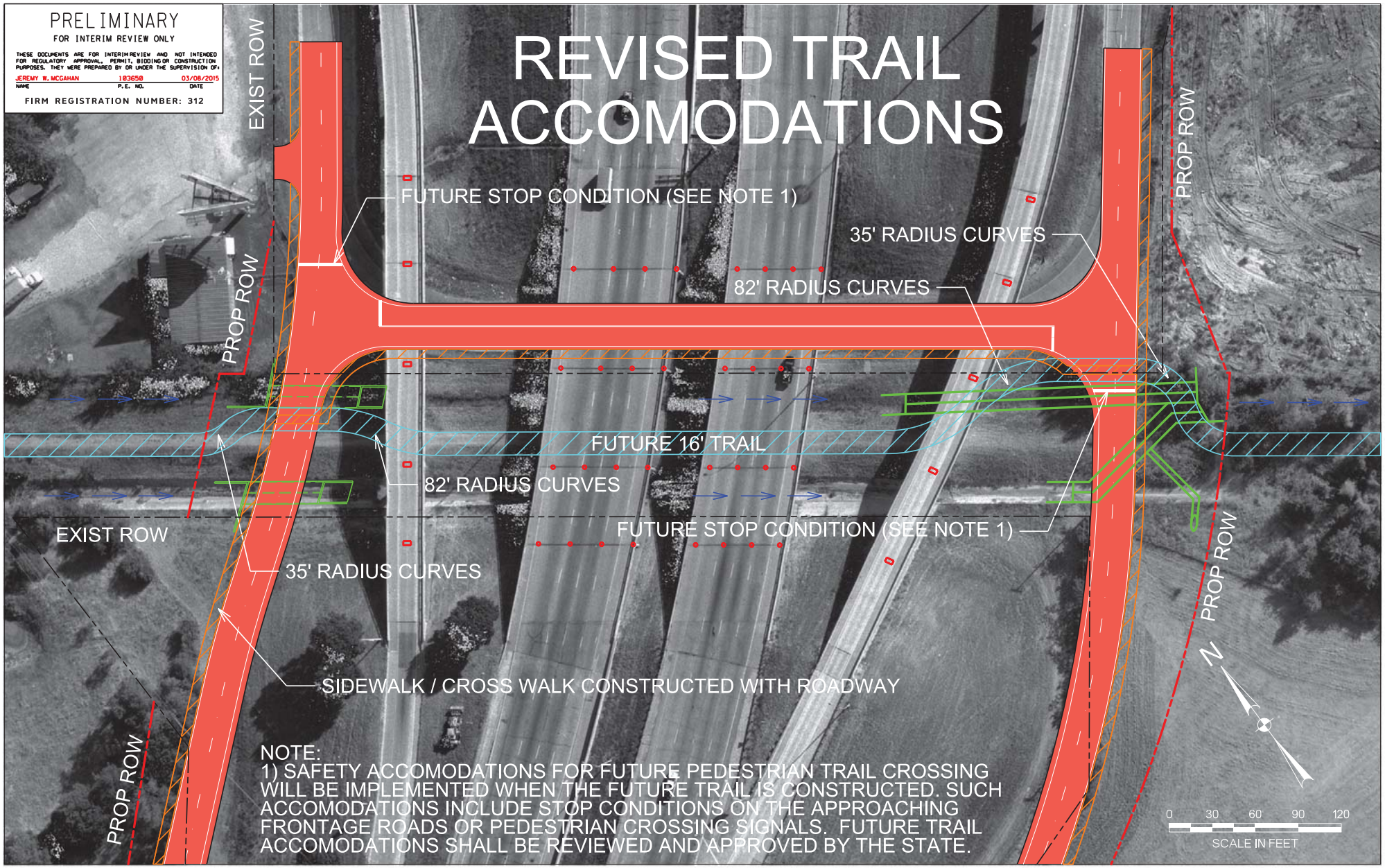

PRELIMINARY
FOR INTERIM REVIEW ONLY
THESE DOCUMENTS ARE FOR INTERIM REVIEW AND NOT INTENDED FOR REGULATORY APPROVAL, PERMIT, BIDDING OR CONSTRUCTION PURPOSES. THEY WERE PREPARED BY OR UNDER THE SUPERVISION OF:
JEREMY W. MCGAHAN
NAME
103650
P.E. NO.
03/08/2015
DATE
FIRM REGISTRATION NUMBER: 312
REVISED TRAIL ACCOMODATIONS
EXIST ROW
PROP ROW
FUTURE STOP CONDITION (SEE NOTE 1)
35' RADIUS CURVES
82' RADIUS CURVES
FUTURE 16' TRAIL
82' RADIUS CURVES
EXIST ROW
FUTURE STOP CONDITION (SEE NOTE 1)
35' RADIUS CURVES
SIDEWALK / CROSS WALK CONSTRUCTED WITH ROADWAY
PROP ROW
PROP ROW
PROP ROW
NOTE:
1) SAFETY ACCOMODATIONS FOR FUTURE PEDESTRIAN TRAIL CROSSING WILL BE IMPLEMENTED WHEN THE FUTURE TRAIL IS CONSTRUCTED. SUCH ACCOMODATIONS INCLUDE STOP CONDITIONS ON THE APPROACHING FRONTAGE ROADS OR PEDESTRIAN CROSSING SIGNALS. FUTURE TRAIL ACCOMODATIONS SHALL BE REVIEWED AND APPROVED BY THE STATE.
N
0 30 60 90 120
SCALE IN FEET

Exhibit C

AGENDA ITEM # 32

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Planning and Urban Design

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

MAPSCO: 49 N P

SUBJECT

Authorize the City Manager to provide a Notice of Intent for establishing a Quiet Zone along the Union Pacific rail line corridor generally in the Urbandale area of Dallas encompassing the existing at-grade crossings of Prairie Creek Road and Sam Houston Road as required by the Federal Railroad Administration Final Train Horn Rule 49 CFR Part 222 and 229 - Financing: No cost consideration to the City

BACKGROUND

In response to a growing concern from communities about the routine sounding of locomotive train horns, the Federal Railroad Administration (FRA) issued its Train Horn Rule that requires approaching trains to sound their horn within a quarter-mile of an at-grade crossing unless a Quiet Zone has been established by a public authority. The establishment of a Quiet Zone is a detailed process that initially includes providing a Notice of Intent by the public authority followed by the implementation of appropriate supplemental and/or alternative safety measures at the crossings as recommended by a multi-agency diagnostic team.

The FRA has identified various supplemental and alternative safety enhancement options for crossings as substitutes for the sounding of the locomotive horn. The resulting protection for vehicles and pedestrians becomes an effective substitution for the sounding of the train horn. As an example, FRA Supplemental Safety Measures could include five possible strategies:

1. Wayside horn system;
2. Median Barrier;
3. Four-quadrant gate system;
4. One-way street with gates; and
5. Closure of at-grade crossing.

BACKGROUND (Continued)

The Department of Street Services plans to install a median barrier at the Sam Houston Road and Union Pacific crossing on both approaches to prohibit drivers from driving around a lowered gate to cross the tracks.

This action will authorize the Notice of Intent to FRA, TxDOT agencies and the railroad in compliance with the FRA Final Train Horn Rule 49 CFR Part 222 and 229. Future Council action will be required after implementation of the approved safety measure to ultimately providing a Notice of Establishment of the Quiet Zone.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life & Environment Committee on April 25, 2016.

FISCAL INFORMATION

No cost consideration to the City

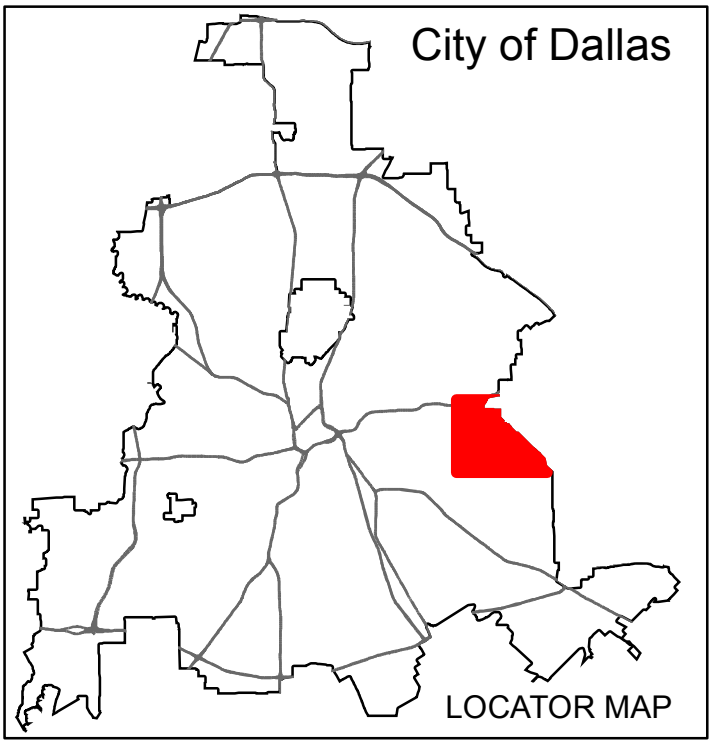
MAP

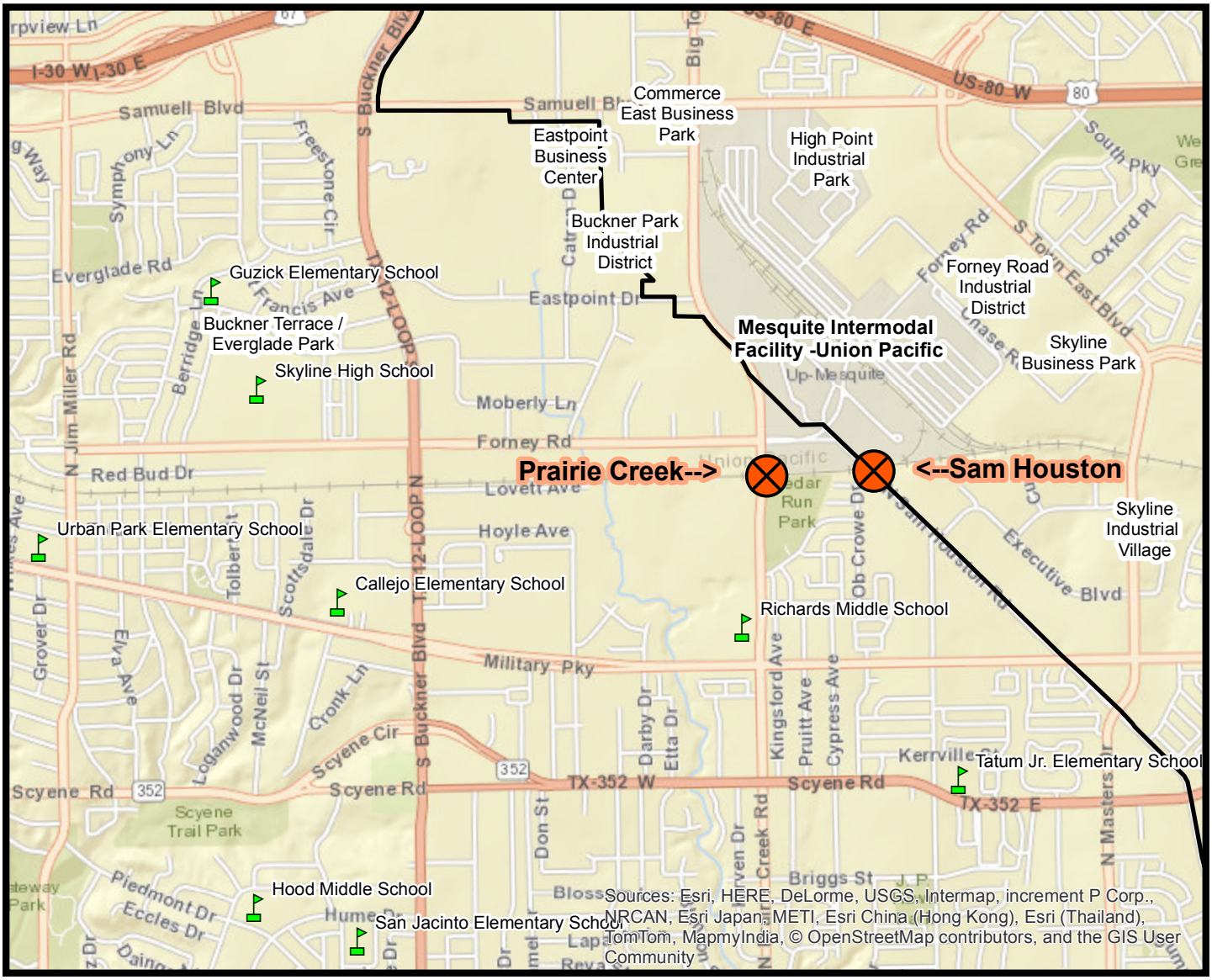
Attached

Union Pacific Railroad Crossings Quiet Zones

Council District: 7

MAPSCO: 49N,P





April 27, 2016

WHEREAS, the routine sounding of the locomotive train horn approaching at-grade crossings has a negative effect on the quality of life for those persons living along the rail line and also for those persons in the larger general area; and,

WHEREAS, the Federal Railroad Administration (FRA) has issued its Train Horn Rule that requires trains to sound their horn within a quarter-mile of an at-grade crossing unless a Quiet Zone has been established by a public authority; and,

WHEREAS, the establishment of a Quiet Zone is a detailed process that initially includes providing a Notice of Intent by the public authority followed by the implementation of appropriate supplemental and/or alternative safety measures at the at-grade crossing as recommended by a multi-agency diagnostic team so that the safety measures become an effective substitution for the sounding of the train horn; and,

WHEREAS, the City of Dallas desires to enter into a review of the at-grade crossings of the Union Pacific rail line at Prairie Creek Road and Sam Houston 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 provide the required Notice of Intent to establish a Quiet Zone along the Union Pacific rail line corridor generally in the Urbandale area of Dallas encompassing the existing at-grade crossings of Prairie Creek Road and Sam Houston Road as required by the Federal Railroad Administration Final Train Horn Rule.

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 # 33

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	April 27, 2016
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Public Works Department Office of Economic Development
CMO:	Jill A. Jordan, P.E., 670-5299 Ryan S. Evans, 671-9837
MAPSCO:	45L

SUBJECT

Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the additional worked required for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed $1,062,969, from $12,103,302 to $13,166,270 - Financing: Public/Private Partnership Funds

BACKGROUND

The Office of Economic Development has allocated $2 million in Public/Private Partnership Funds to the renovation of the Old Municipal Building. A portion of this additional funding will be utilized for additional required work beyond the original scope in order to complete exterior restoration and improvements. The majority of the funds will be allocated to the interior demolition and cleanup in preparation of the interior design and construction of the law school which will be funded by the University of North Texas. This change order will provide for the following modifications to the original scope of work:

- Remove all existing plaster from the interior surfaces of the exterior solid masonry walls
- Replace the mockup window unit with a new window unit that identically matches all the other new window units in color and selected upgrades
- Total interior demolition from the sub-basement level to the fifth floor of all non-historic building materials
- Extend the height of the original exterior limestone walls at the basement stairs located on the Main Street and Commerce Street elevations to comply with the building code for safety
- Apply sealer to the exterior granite to prevent further spalling of the surface and to restore the color

BACKGROUND (Continued)

- Installation of a barrier system on the exterior building elevations to eliminate the nesting and roosting of pest birds
- Installation of a code required back flow preventer valve in the water service vault

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2008
Completed Design	June 2014
Began Construction	January 2015
Complete Construction	August 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

On June 25, 2008, Resolution No. 08-1890 authorized a professional services contract with Conley Group for design services for the exterior renovation of the 106 S. Harwood Building.

On October 23, 2013, Resolution No. 13-1845 authorized Supplemental Agreement No. 5 to the professional services contract with Conley Group for design services for the exterior renovation of the 106 S. Harwood Building. Additional services included asbestos abatement specifications related to interior demolition.

On January 14, 2015, Resolution No. 15-0118 authorized the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street.

On June 17, 2015, Resolution No. 15-1166 authorized Change Order No. 1 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street.

On November 10, 2015, Resolution No. 15-2086 authorized Change Order No. 2 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street.

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

FISCAL INFORMATION

Public/Private Partnership Funds- $1,062,968.05

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Phoenix 1 Restoration and Construction, Ltd.

Hispanic Female	0	Hispanic Male	37
African American Female	0	African American Male	0
White Female	5	White Male	24
Other Female	0	Other Male	0

OWNER

Phoenix 1 Restoration and Construction, Ltd.

Dale Sellers, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the additional worked required for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed $1,062,969, from $12,103,302 to $13,166,270 - Financing: Public/Private Partnership Funds

Phoenix 1 Restoration and Construction, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.
PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$598,757.05	56.33%
Non-local contracts	$464,211.00	43.67%
TOTAL THIS ACTION	$1,062,968.05	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Texas Roof Management	WFWB62655N0716	$257,350.20	42.98%
Slaughter Services	WFWB61739N0516	$12,236.00	2.04%
Total Minority - Local		$269,586.20	45.02%

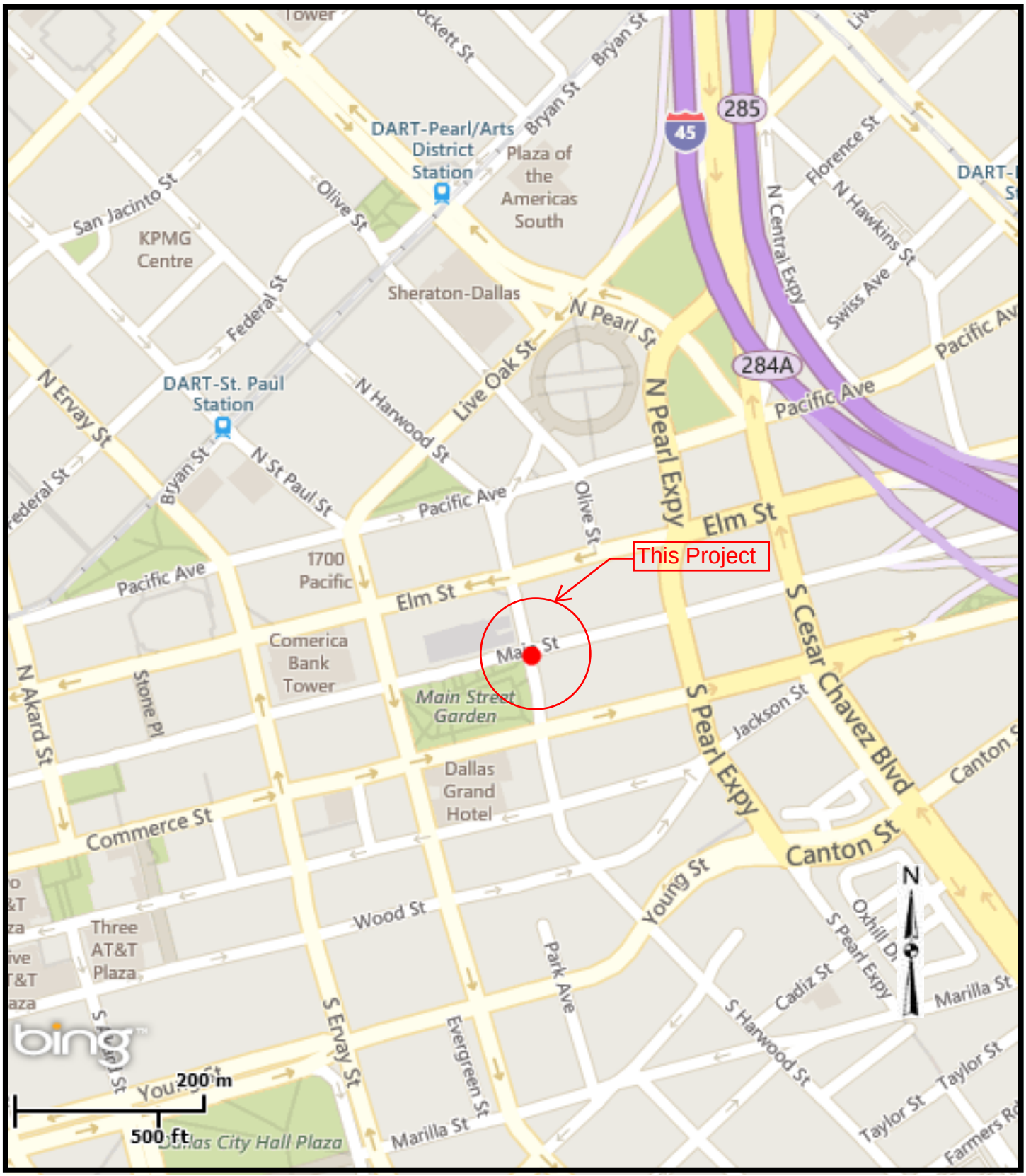
Non-Local Contractors / Sub-Contractors

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	$269,586.20	25.36%	$3,501,997.98	26.60%
Total	$269,586.20	25.36%	$3,501,997.98	26.60%

Renovation of the Old Municipal Building



Old Municipal Building

106 S. Harwood St
45L

April 27, 2016

WHEREAS, on January 14, 2015, Resolution No. 15-0118 authorized the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street in the amount of $11,166,285.20; and,

WHEREAS, on June 17, 2015, Resolution No. 15-1166 authorized Change Order No.1 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street in the amount of $152,732.93 increasing the contract from $11,166,285.20 to $11,319,018.13; and,

WHEREAS, on November 10, 2015, Resolution No. 15-2086 authorized Change Order No. 2 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street in the amount of $784,283.11 increasing the contract from $11,319,018.13 to $12,103,301.24; and,

WHEREAS, it is now necessary to authorize Change Order No. 3 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the additional work required for the renovation of the Old Municipal Building in the amount of $1,062,968.05 increasing the contract from $12,103,301.24 to $13,166,269.29.

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. 3 to the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for the additional work required for the renovation of the Old Municipal Building increasing the contract from $12,103,301.24 to $13,166,269.29.

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

Public/Private Partnership Fund
Fund 0352, Dept. ECO, Unit P311, Act. PPPF
Obj. 4310, Program #PB98N924, CT #PBW98N924D1
Vendor #VC0000003594 in an amount not to exceed $1,062,968.05

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

AGENDA ITEM # 34

KEY FOCUS AREA: Public Safety

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Public Works Department
Fire

CMO: Jill A. Jordan, P.E., 670-5299
Eric Campbell, 670-3255

MAPSCO: 46S; 46W

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with GME Consulting Services, Inc. for additional materials testing services during construction of the Fire Station No. 6 replacement facility located at 2301 Pennsylvania Avenue – Not to exceed $18,528, from $42,987 to $61,515 – Financing: 2006 Bond Funds

BACKGROUND

Construction of the Fire Station No. 6 replacement facility began in June 2015. This new facility will replace the existing Station No. 6, located at 2808 S. Harwood Street, constructed in 1954. Dallas voters approved funding for replacement of this facility in the 2006 Bond Program.

On March 18, 2015, GME Consulting Services, Inc. was awarded a contract to provide third-party independent testing of construction materials and observation of their placement during construction of the new facility.

This action will authorize Supplemental Agreement No. 1 to the contract with GME Consulting Services, Inc. for additional materials testing services for soil compaction and concrete strength during construction of the replacement Fire Station No. 6, in the amount of $18,528.10, increasing the contract from $42,986.90 to $61,515.00.

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2010
Completed Design	October 2011
Began Construction	June 2015
Complete Construction	July 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized construction contract with CORE Construction Services of Texas, Inc. on March 25, 2015, by Resolution No. 15-0492.

Information about this item will be provided to the Public Safety Committee on April 25, 2016.

FISCAL INFORMATION

2006 Bond Funds - $18,528.10

Land Acquisition	$ 230,286.00
Design	$ 431,340.00
Construction	$5,663,210.00
Furniture, fixtures and equipment	$ 311,500.00
Materials Testing	$ 42,986.90
Supplemental Agreement No. 1 (this action)	$ 18,528.10
Owner Development Expenses	$ 815,382.00
Public Art	$ 33,304.00
Total	$7,546,537.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

GME Consulting Services, Inc.

Hispanic Female	0	Hispanic Male	0
African-American Female	1	African-American Male	2
White Female	3	White Male	8
Other Female	0	Other Male	0

OWNER

GME Consulting Services, Inc.

Mark Kawalek, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with GME Consulting Services, Inc. for additional materials testing services during construction of the Fire Station No. 6 replacement facility located at 2301 Pennsylvania Avenue – Not to exceed $18,528, from $42,987 to $61,515 – Financing: 2006 Bond Funds

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

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$18,528.10	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$18,528.10	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
GME Consulting Services, Inc.	WFWB62694N0716	$16,358.10	88.29%
Bonded Inspections	WFDB78877Y0716	$2,170.00	11.71%
Total Minority - Local		$18,528.10	100.00%

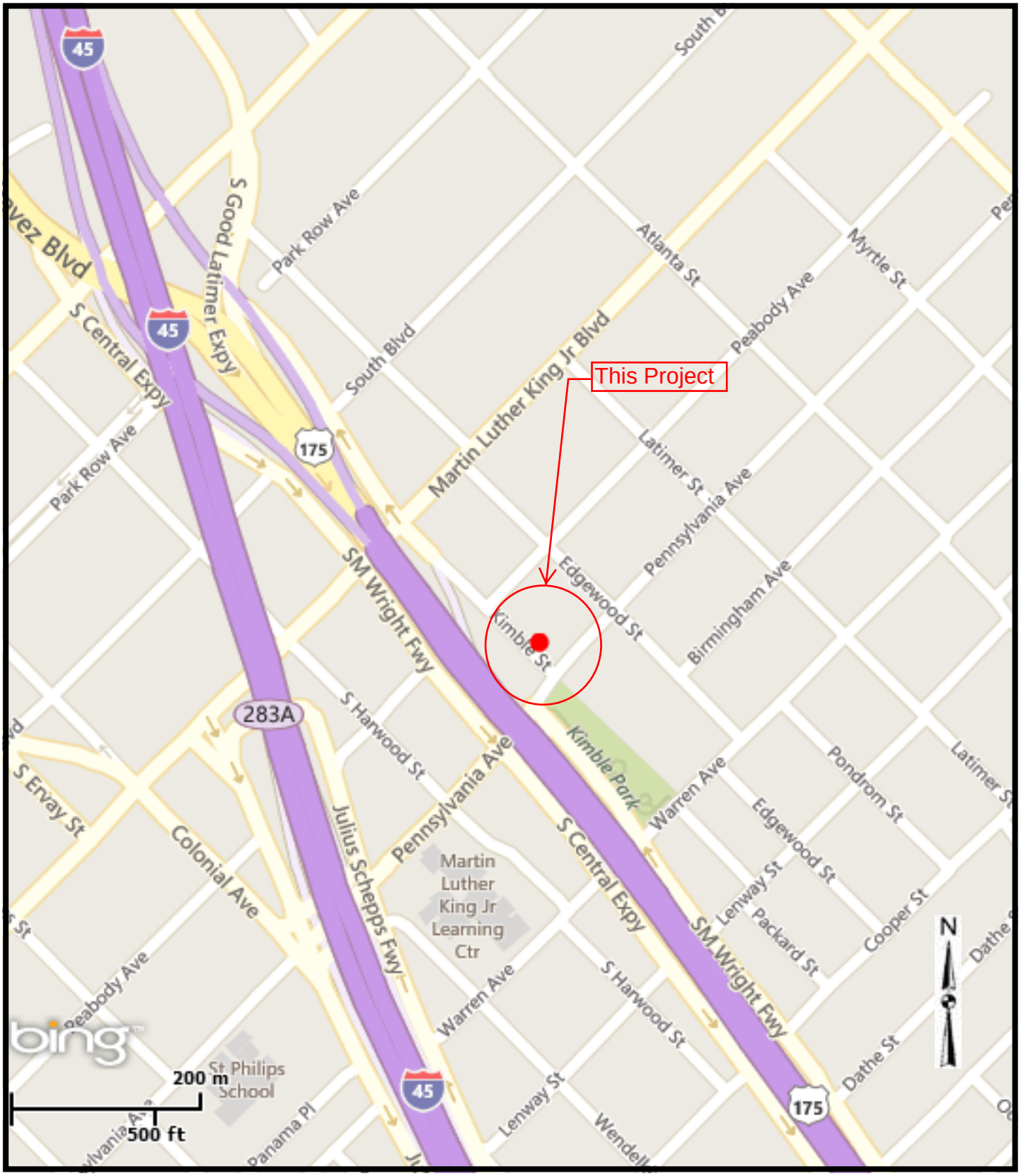
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$18,528.10	100.00%	$18,528.10	100.00%
Total	$18,528.10	100.00%	$18,528.10	100.00%

Fire Station No. 6 Replacement Facility



Fire Station No. 6

2301 Pennsylvania Ave.

46S; 46W

April 27, 2016

WHEREAS, the existing Fire Station No. 6 facility located at 2808 S. Harwood Street, was built in 1954 and requires replacement: and,

WHEREAS, the voters of Dallas approved funding in the 2006 Bond Program for the design and construction of a replacement facility for Fire Station No. 6 and,

WHEREAS, on May 12, 2010, Resolution No. 10-1217 authorized acquisition of five tracts of land at Pennsylvania Avenue at the block between Kimble and Edgewood Streets for a Fire Station No. 6 replacement facility in an amount not to exceed $111,250.00; and,

WHEREAS, on October 26, 2010, Resolution No. 10-2748 authorized a contract with DSGN Associates, Inc. to provide design services, preparation of construction documents and construction administration for the Fire Station No. 6 replacement facility in an amount not to exceed $388,065.00; and,

WHEREAS, on March 25, 2015 Resolution No. 15-0492 authorized a contract with CORE Construction Services of Texas, Inc., best value proposer of five, for the construction of the Fire Station No. 6 replacement facility, located at 2301 Pennsylvania Avenue, in an amount not to exceed $5,663,210.00.

WHEREAS, GME Consulting Services, Inc. was awarded a contract for construction material testing by Administrative Action No. 15-0582 on March 18, 2015 and,

WHEREAS, it is now desirable to authorize Supplemental Agreement No. 1 to the professional services contract with GME Consulting Services, Inc. for additional materials testing services during construction of the Fire Station No. 6 replacement facility located at 2301 Pennsylvania Avenue in the amount of $18,528.10, increasing the contract from $42,986.90 to $61,515.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the professional services contract with GME Consulting Services, Inc. for additional materials testing services during construction of the Fire Station No. 6 replacement facility located at 2301 Pennsylvania Avenue in the amount of $18,528.10, increasing the contract from $42,986.90 to $61,515.00, after it has been approved as to form by the City Attorney.

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

Public Safety Facilities Fund
Fund 8T33, Dept. PBW, Unit T836, Act. FIRF
Obj. 4113, Program #PB06T836, CT PBW06T836F2
Vendor #356975, in an amount not to exceed $18,528.10

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

AGENDA ITEM # 35

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	April 27, 2016
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Public Works Department Office of Economic Development
CMO:	Jill A. Jordan, P.E., 670-5299 Ryan S. Evans, 671-9837
MAPSCO:	45L

SUBJECT

Authorize Supplemental Agreement No. 8 to the professional services contract with Conley Group, Inc. for additional design and construction oversight for exterior renovation of 106 South Harwood Street - Not to exceed $191,973, from $1,238,770 to $1,430,743 – Financing: Public/Private Partnership Funds

BACKGROUND

The Office of Economic Development has allocated $2 million in Public/Private Partnership Funds to the renovation of the Old Municipal Building located at 106 S. Harwood Street. This action will authorize the Conley Group, Inc. to provide additional design services and construction administration oversight for the following:

- Total interior demolition from the sub-basement level to the fifth floor of all non-historic building materials.
- Extend the height of the original exterior limestone walls at the basement stairs located on the Main Street and Commerce Street elevations to comply with the building code for safety.
- Apply sealer to the exterior granite to prevent further spalling of the surface and to restore the color.
- Installation of a barrier system on the exterior building elevations to eliminate the nesting and roosting of pest birds.
- Installation of a code required back flow preventer valve in the water service vault.
- Additional construction administration services for previously approved change order time extensions

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2008
Completed Design	February 2014
Complete Construction Administration	August 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2008, a professional services contract was awarded to the Conley Group, Inc. for exterior renovation of 106 S. Harwood Street, by Resolution No. 08-1890.

On October 23, 2013, Supplemental Agreement No. 5 authorized additional services, which included asbestos abatement specifications related to the interior demolition of 106 S. Harwood Street, by Resolution No. 13-1845.

On January 14, 2015, the construction contract was awarded to Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street, by Resolution No. 15-0118..

On June 17, 2015, Change Order No. 1 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. was authorized for the renovation of the Old Municipal Building located at 106 S. Harwood Street, by Resolution No. 15-1166.

On November 10, 2015 Change Order No. 2 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. was authorized for the renovation of the Old Municipal Building located at 106 S. Harwood Street, by Council Resolution No. 15-2086.

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

FISCAL INFORMATION

Public/Private Partnership Funds - $191,972.50

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Conley Group, Inc.

Hispanic Female	0	Hispanic Male	3
African American Female	0	African American Male	1
White Female	6	White Male	24
Other Female	0	Other Male	0

OWNER

Conley Group, Inc.

Bill Conley, Principal

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 8 to the professional services contract with Conley Group, Inc. for additional design and construction oversight for exterior renovation of 106 South Harwood Street - Not to exceed $191,973, from $1,238,770 to $1,430,743 – Financing: Public/Private Partnership Funds

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

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$191,972.50	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$191,972.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

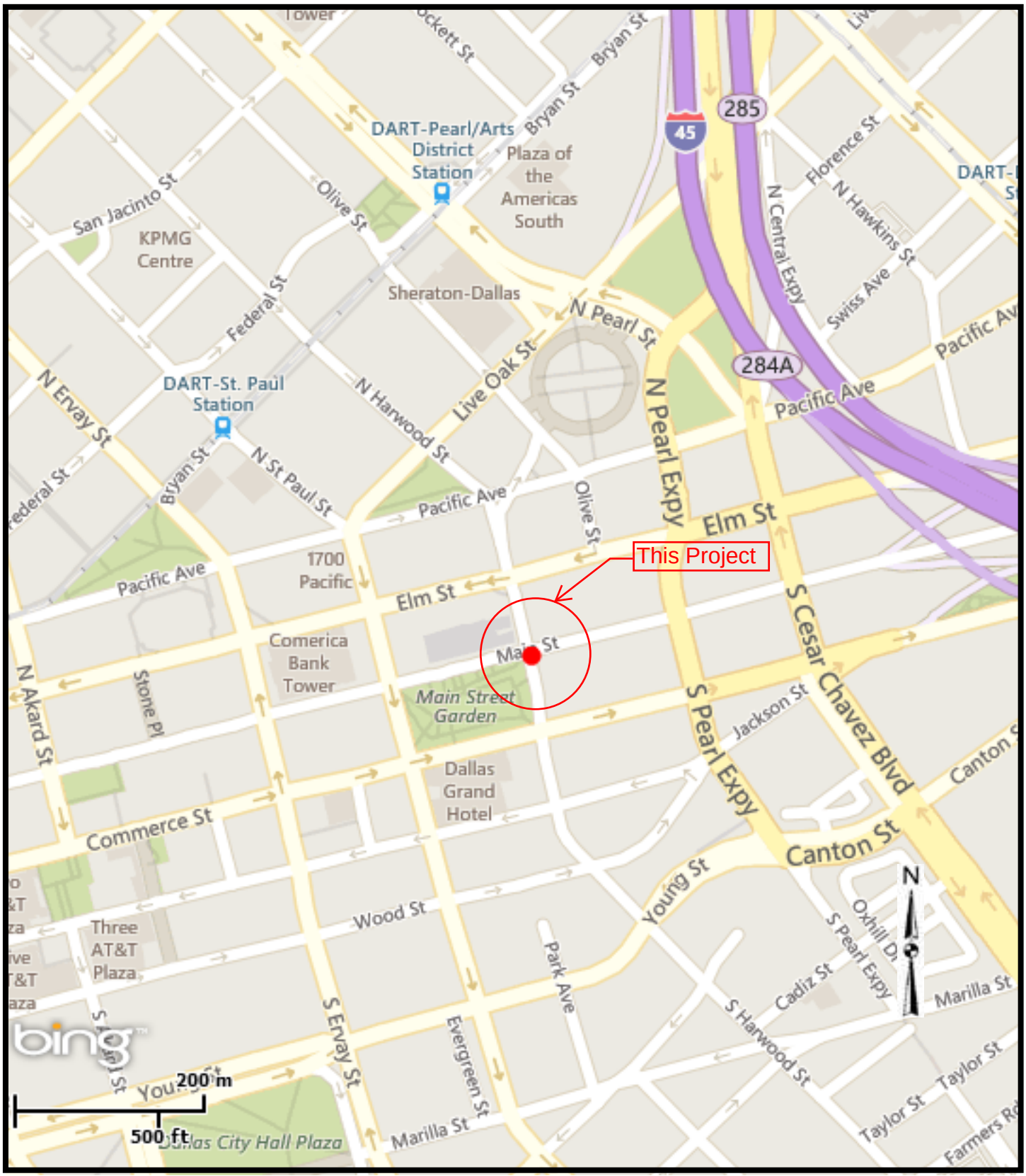
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$58,100.00	4.06%
Hispanic American	$0.00	0.00%	$245,700.00	17.17%
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%	$97,270.00	6.80%
Total	$0.00	0.00%	$401,070.00	28.03%

Renovation of the Old Municipal Building



Old Municipal Building

106 S. Harwood St
45L

WHEREAS, on June 25, 2008, Resolution No. 08-1890 authorized a professional services contract with the Conley Group, Inc. to provide architectural and engineering services for the exterior renovation of the 106 S. Harwood Street Building in the amount of $1,026,800.00; and,

WHEREAS, on November 5, 2008, Administrative Action No. 08-3463 authorized Supplemental Agreement No. 1 to the professional services contract with the Conley Design Group, Inc. for exterior cleaning in the amount of $16,500.00, increasing the contract from $1,026,800.00 to $1,043,300.00; and,

WHEREAS, on January 23, 2012, Administrative Action No. 12-0249 authorized Supplemental Agreement No. 2 to the professional services contract with the Conley Design Group, Inc. to provide services for the design of below-grade waterproofing and water collection at the exterior basement walls of the 106 South Harwood Street Building in the amount of $24,850.00, increasing the contract from $1,043,300.00 to $1,068,150.00; and,

WHEREAS, on April 6, 2012, Administrative Action No. 12-0838 authorized Supplemental Agreement No. 3 to the professional services contract with the Conley Design Group, Inc. for design of roof replacement for the 106 South Harwood Street Building in the amount of $24,100.00, increasing the contract form $1,068,150.00 to $1,092,250.00; and,

WHEREAS, on November 13, 2012, Administrative Action No. 12-2918 authorized Supplemental Agreement No. 4 to the professional services contract with the Conley Design Group, Inc. to investigate structural damage to the concrete basement ceiling related to a water infiltration issue at the 106 South Harwood Building in the amount of $21,400.00, increasing the contract from $1,092,250.00 to $1,113,650.00; and,

WHEREAS, on October 23, 2013, Resolution No. 13-1845 authorized Supplemental Agreement No. 5 to the professional services contract with the Conley Group, Inc. to provide abatement specifications and related services for the exterior renovation of the 106 S. Harwood Street Building in the amount of $82,170.00 increasing the contract from $1,113,650.00 to $1,195,820.00; and,

WHEREAS, on June 10, 2015, Administrative Action No. 15-6214 authorized Supplemental Agreement No. 6 to the professional services contract with the Conley Group, Inc. for the exterior renovation of the 106 S. Harwood Street Building, in the amount of $17,000.00, increasing the contract from $1,195,820.00 to $1,212,820.00; and,

April 27, 2016

WHEREAS, on July 20, 2015, Administrative Action No. 15-1306 authorized Supplemental Agreement No. 7 to the professional services contract with the Conley Group, Inc. for the exterior renovation of the 106 S. Harwood Street Building, in the amount of $25,950.00, increasing the contract from $1,212,820.00 to $1,238,770.00; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 8 to the professional services contract with Conley Group, Inc. for additional design and construction oversight for the exterior renovation of 106 S. Harwood Street in the amount of $191,972.50, increasing the contract from $1,238,770.00 to $1,430,742.50.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 8 to the professional services contract with Conley Group, Inc. for additional design and construction oversight for the exterior renovation of 106 S. Harwood Street in the amount of $191,972.50, increasing the contract from $1,238,770.00 to $1,430,742.50, after it has been approved as to form by the City Attorney.

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

Public/Private Partnership Fund
Fund 0352, Dept. ECO, Unit P311, Act. PPPF
Obj. 4112, Program #07DC162, CT #EBS08N924CT22
Vendor #259339, in an amount not to exceed $191,972.50

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 # 36

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Street Services

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

MAPSCO: N/A

SUBJECT

Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of thirteen, to provide traffic signal design services for 39 traffic signals at various intersections and other related tasks - Not to exceed $832,400 - Financing: 2006 Bond Funds ($505,000) and Current Funds ($327,400) (subject to annual appropriations)

BACKGROUND

This action will authorize design of 39 new and upgraded traffic signals. Specifically, this action authorizes a design services contract with Kimley-Horn and Associates, Inc. for the design of 14 traffic signals funded through Street Assessment Funds ($327,400) for a U.S. Department of Transportation (USDOT) - Federal Highway Administration (FHA) 2015 Highway Safety Improvement Program (HSIP) grant identified as "Group A"; and 25 new warranted traffic signals funded through 2006 Bond Funds ($505,000) identified as "Group B"; with a not to exceed fee of $832,400.

The City of Dallas was awarded grant funding totaling $6.2 million from the USDOT-FHA 2015 HSIP, administered by the Texas Department of Transportation (TxDOT), to reconstruct several signals at high accident intersections in the City of Dallas. This item provides for $327,400 in design services as local matching funds to leverage the remaining Federal and State funds for the construction of traffic signals and associated intersection improvements at 14 intersections.

For the 14 grant funded signals through 2015 HSIP, TxDOT will pay for 90% match for Direct State Engineering and construction costs. The City will bear design costs, 10% construction costs and a portion of the required fees. Of the 14 signals to be designed in this contract, seven (7) are scheduled to be let in spring of 2017 and the remaining seven (7) in the spring of 2018.

BACKGROUND (Continued)

Of the remaining signals in this item, 25 are new traffic signals that will be identified for construction through warrant studies. Design of these signals will be funded utilizing 2006 Bond Funds for warranted signals and school flashers. This contract includes only the design portion of these signal projects.

In addition, staff is currently conducting over 220 traffic signal warrant studies in response to service requests. It is anticipated that 25 of these locations will meet the minimum criteria for installation of a new traffic signals. This contract includes the design funding for 25 traffic signals that are anticipated and will be funded through 2006 Bond Funds.

In June 2013, the City of Dallas released a Request for Qualifications (RFQ) for Engineering Services for traffic engineering and intelligent transportation systems (ITS) services.

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

- Streets Services (2)
- Public Works Department (1)
- Dallas Police Department (1)

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

- Quality Assurance and Control 10%
- Business Inclusion and Development Plan 15%
- Experience and Capability 25%
- Responsiveness and Qualifications 50%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 739 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	April 2016
Complete Design	January 2019

FISCAL INFORMATION

$505,000.00 - 2006 Bond Funds
$327,400.00 - Current Funds (subject to annual appropriations)

Group A: Highway Safety Improvement Program Intersections

14 intersections are to be determined upon the 2015 HSIP award.

Total	$327,400.00

Group B: Warranted Signal Intersections

25 intersections are yet to be determined through studies that are ongoing through a separate contract and vendor.

Total	$505,000.00
Grand Total	$832,400.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Kimley-Horn and Associates, Inc.

White Male	1,091	White Female	483
Black Male	21	Black Female	18
Hispanic Male	78	Hispanic Female	40
Other Male	91	Other Female	43

PROPOSAL INFORMATION

The following top three proposals were received from solicitation number BHZ1308 and opened on July 11, 2013. This contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score
*Kimley-Horn and Associates, Inc.	12750 Merit Drive, Suite 1000 Dallas, TX 75251	88.25%
Lee Engineering, LLC	3030 LBJ Freeway, Suite 1660 Dallas, TX 75234	86.75%
Savant Group, Inc.	1700 Pacific Avenue, Suite 1240 Dallas, TX 75201	75.00%

Statements of Qualifications were received from solicitation number BHZ1308 and opened on July 11, 2013 from the following 13 consultant teams: Civil Associates, Inc.; Teague Nall and Perkins, Inc.; Kimley-Horn and Associates, Inc.; Binkley and Barfield, Inc.; Lee Engineering, LLC.; Urban Engineers Group, Inc.; Neel-Schaffer, Inc.; Urban Engineers Group, Inc., DBA Urban Services, Inc.; Savant Group; Orthon; HDR, Inc.; AECOM; AZ and B Arrendo; and Zepeda and Brunz, LLC.

OWNER

Kimley-Horn and Associates, Inc.

John Atz, President
Aaron Nathan, Vice-President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of thirteen, to provide traffic signal design services for 39 traffic signals at various intersections and other related tasks - Not to exceed $832,400 - Financing: 2006 Bond Funds ($505,000) and Current Funds ($327,400) (subject to annual appropriations)

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$832,400.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$832,400.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Gorrondona & Associates	HMMB62084Y0616	$154,600.00	18.57%
Othon, Inc. Consulting Engineers	HMMB62536Y0716	$63,000.00	7.57%
Total Minority - Local		$217,600.00	26.14%

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	$217,600.00	26.14%	$217,600.00	26.14%
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	$217,600.00	26.14%	$217,600.00	26.14%

April 27, 2016

WHEREAS, the City desires to enter into a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of thirteen, to provide traffic signal design services for 39 traffic signals at various intersections and other related tasks in an amount not to exceed $832,400.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a professional services contract with Kimley-Horn and Associates, Inc., to provide traffic signal design services for 39 traffic signals at various intersections and other related tasks in an amount not to exceed $832,400.00, after approval as to form by the City Attorney.

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

Current Funds (subject to annual appropriations) Fund 0001, Dept. STS, Unit 3049, Obj. 4111 Activity PB24, Program TP304916 MASC STS STS16KHAE02, Vendor # 135447 in an amount not to exceed	$327,400.00
Street and Transportation Improvements Fund Fund 3T22, Dept. PBW, Unit U811, Obj. 4111 Activity THRG, Program PB06U811 MASC STS STS16KHAE02, Vendor # 135447 in an amount not to exceed	$505,000.00
Total amount not to exceed	$832,400.00

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 # 37

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 1, 3, 4, 8, 11

DEPARTMENT: Street Services

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

MAPSCO: 14D 15R 53M V 74B

SUBJECT

Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for material and labor costs for traffic signal improvements at five locations Belt Line Road and Dallas Parkway, Hampton Road and Clarendon Drive, Hampton Road and Illinois Avenue, Hillcrest Road and Alpha Road, and Polk Street and Wheatland Road; **(2)** the receipt and deposit of funds from TxDOT in the amount of $112,734; and **(3)** the establishment of appropriations in the amount of $112,734 in the Texas Department of Transportation Grant Fund - Not to exceed $112,734 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

The City of Dallas was awarded grant funding totaling $6.17 million from the 2014 Highway Safety Improvement Program (HSIP) administered by the Texas Department of Transportation (TxDOT) to upgrade several signals at high accident intersections in the City of Dallas.

TxDOT will begin construction at 5 of the above intersections: Belt Line Road and Dallas Parkway, Hampton Road and Clarendon Drive, Hampton Road and Illinois Avenue, Hillcrest Road and Alpha Road and Polk Street and Wheatland Road. The intersection improvements at the five intersections will include upgrades to pedestrian features, signage, pavement markings and reconstruction of traffic signals.

To remain consistent with other equipment in the city-wide system, the City of Dallas will provide labor and material for installation of traffic signal controllers, controller cabinets, traffic signs and other traffic control equipment for the project. TxDOT has agreed to reimburse the City for 100% of the above cost which includes labor and material.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2015
Complete Construction	October 2018

FISCAL INFORMATION

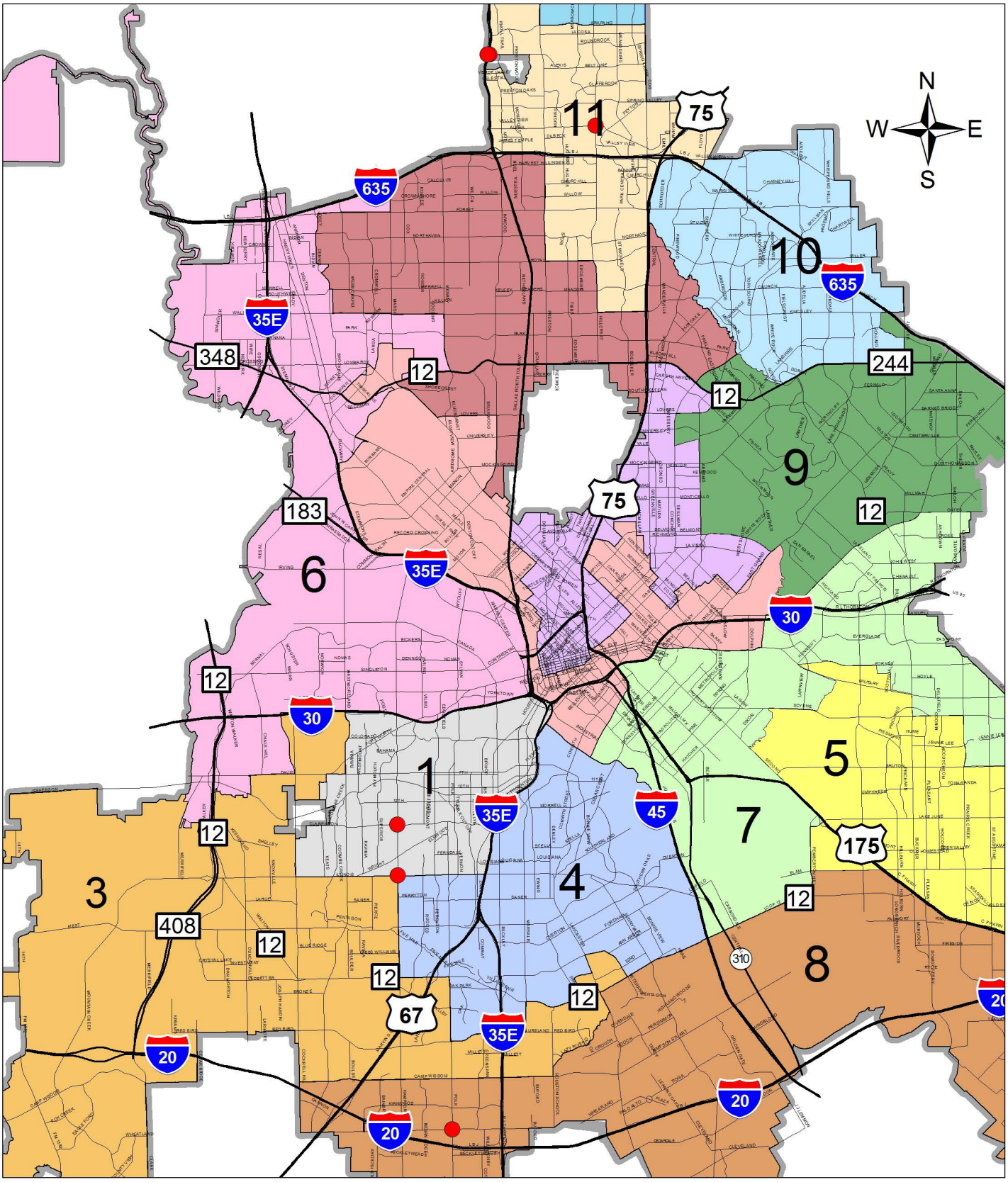
Texas Department of Transportation Grant Funds - $112,733.40

Council District	Amount
1	$ 33,820.02
3	$ 5,636.67
4	$ 5,636.67
8	$ 22,546.68
11	$ 45,093.36
Total	$112,733.40

MAP

Attached

2014 HSIP 2016 LETTING -
FIVE OFF-SYSTEM INTERSECTIONS



MAPSCO PAGES 14D,15R,53M,53V,74B

Map by Street Services March 2015

April 27, 2016

WHEREAS, the Texas Department of Transportation (TxDOT) will provide reimbursement to the City of Dallas for material and labor costs incurred for traffic signal improvements at five intersections, specifically at Belt Line Road and Dallas Parkway, Hampton Road and Clarendon Drive, Hampton Road and Illinois Avenue, Hillcrest Road and Alpha Road and Polk Street and Wheatland Road; and,

WHEREAS, TxDOT will reimburse 100% of labor and material costs in an amount not to exceed $112,733.40; and,

WHEREAS, the City of Dallas desires to enter into an agreement with TxDOT to receive cost reimbursement for material and labor costs incurred for traffic signal improvements at Belt Line Road and Dallas Parkway, Hampton Road and Clarendon Drive, Hampton Road and Illinois Avenue, Hillcrest Road and Alpha Road and Polk Street and Wheatland 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 an Interlocal Agreement with the Texas Department of Transportation (TxDOT) through a grant from the Department of Transportation Federal Highway Administration (CFDA 20.205) Agreement numbers CSJ# 0918-47-120 (Belt Line Road and Dallas Parkway), CSJ# 0918-47-123 (Hampton Road and Clarendon Drive), CSJ# 0918-47-124 (Hampton Road and Illinois Avenue), CSJ# 0918-47-125 (Hillcrest Road and Alpha Road) and CSJ# 0918-47-127 (Polk Street and Wheatland Road), after it has been approved as to form by the City Attorney. The agreement remains effective as long as the project is incomplete or unless otherwise terminated or modified.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit all reimbursements from TxDOT pertaining to this project in an amount not to exceed $112,733.40 in Fund F8FR, Dept. STS, Unit 88FR, Revenue Source 6506.

Section 3. That the City Manager is hereby authorized to establish an appropriation in the amount of $112,733.40 in Fund F8FR, Dept. STS, Unit 88FR, Act. THRG Obj. 4820, Major Program STSMJR, Program TPF8FR16.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds from Fund F8FR, Dept. STS, Unit 88FR, Act. THRG Obj. 4820, Major Program STSMJR, Program TPF8FR16, in an amount not to exceed $112,733.40.

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

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

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

AGENDA ITEM # 38

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 5, 7, 10, 12

DEPARTMENT: Street Services

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

MAPSCO: 17G Y 28E 57B 654Z

SUBJECT

Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct five traffic signals and associated off system intersection improvements at Marsh Lane and Rosemeade Parkway, Bruton Road and Second Avenue, Forest Lane and Audelia Road, Plano Road and Miller Road and Royal Lane and Skillman Street; **(2)** a required local match in the amount of $182,459; and **(3)** an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $100,500 - Total not to exceed $1,849,784 - Financing: Texas Department of Transportation Grant Funds ($1,566,825) and Current Funds ($182,459)

BACKGROUND

The City of Dallas was awarded grant funding totaling $6.17 million from the 2014 Highway Safety Improvement Program (HSIP) administered by the Texas Department of Transportation (TxDOT) to reconstruct and install several traffic signals at high accident intersections in the City of Dallas.

This action will use local matching funds totaling $282,958.74 to leverage $1,566,824.97 in Federal and State funds for construction and associated intersection improvements at five intersections for a total not to exceed cost of $1,849,783.71. Specifically, the City is required to pay State fees in the amount of $18,058.74, professional design services in the amount of $100,500.00, and 10% match for Direct State Engineering and construction costs for off system intersections, totaling $164,400.00, bringing the City's portion of the project to $282,958.74.

BACKGROUND (Continued)

City Council authorized a contract with Kimley-Horn and Associates, Inc. for a total of $197,000.00 to provide professional design services on December 9, 2015 for ten (10) 2014 HSIP traffic signals, by Resolution No. 15-2223. A portion of that funding, $100,500.00, is the portion of the match funding for these traffic signals. The full funding amount of $197,000.00 has been encumbered to cover the design services for this and the remaining five traffic signals being considered in a separate agenda item.

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

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

- Marsh Lane and Rosemeade Parkway (CSJ#0918-46-280), (Upgrade) (CD 12)
- Bruton Road and Second Avenue (CSJ#0918-47-121), (Upgrade) (CD 5, 7)
- Forest Lane and Audelia Road (CSJ#0918-47-122), (Upgrade) (CD 10)
- Plano Road and Miller Road (CSJ#0918-47-126), (Upgrade) (CD 10)
- Royal Lane and Skillman Street (CSJ#0918-47-129), (Upgrade) (CD 10)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 9, 2015, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services for 32 traffic signals at various intersections and other related tasks by Resolution No. 15-2223.

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

ESTIMATED SCHEDULE OF PROJECT

Began Design	December 2015
Complete Construction	October 2019

FISCAL INFORMATION

Design (previously approved by Resolution No. 15-2223) - $100,500.00
Texas Department of Transportation Grant Funds (this action) - $1,566,824.97
Current Funds (this action) - $182,458.74

The total value of this funding agreement is $1,849,783.71 with the following components:

Federal and State Funds (TxDOT)	$1,566,824.97
Match (City of Dallas)	$ 282,958.74

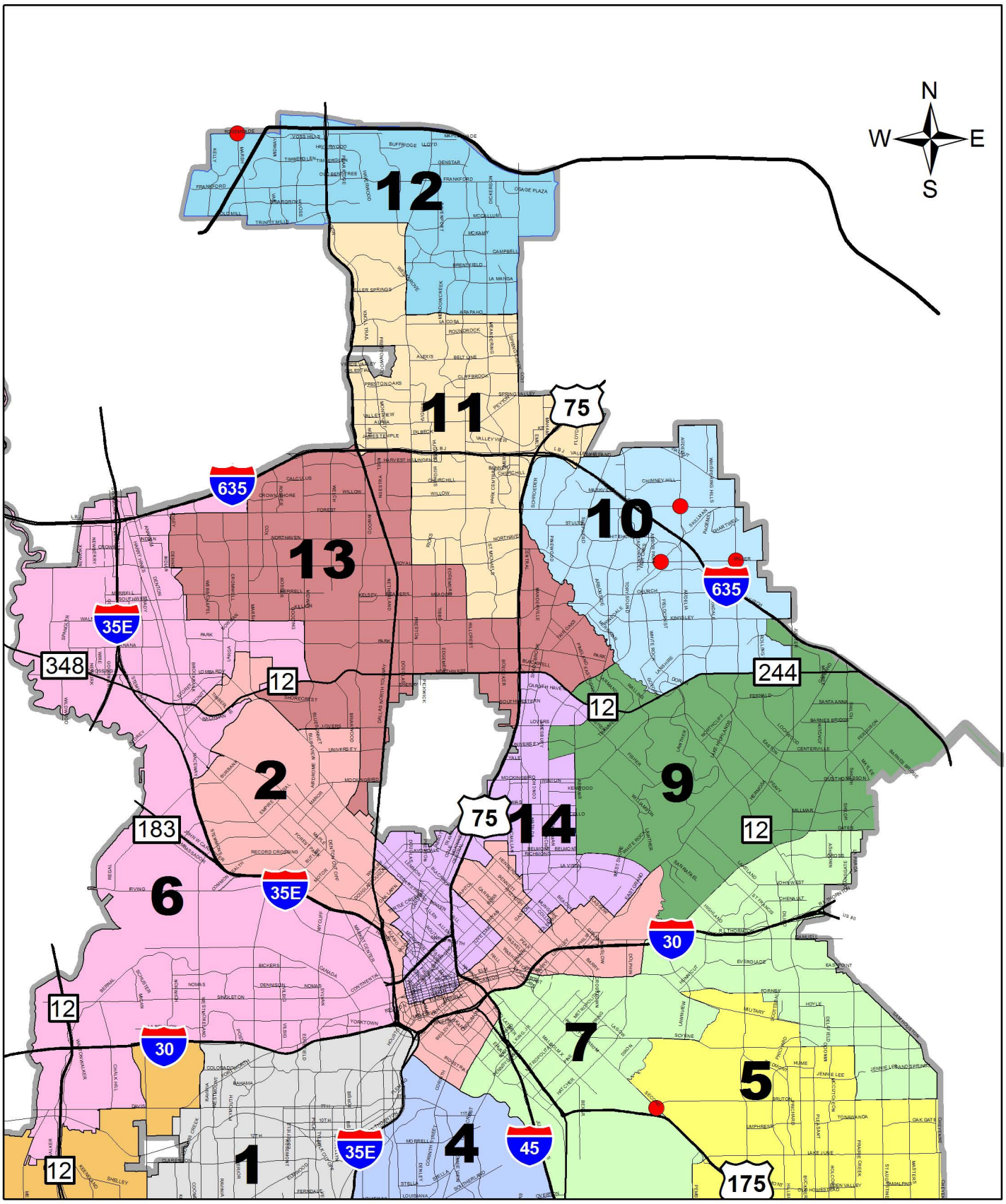
FISCAL INFORMATION (Continued)

Council District	Amount
5	$277,678.37
7	$277,678.37
10	$957,070.23
12	$337,356.74
Total	$1,849,783.71

MAP

Attached

2014 HSIP SUBMITTAL FOR 2017 LET 5 SIGNALS



MAPSCO PAGE 17G, 17Y, 28E, 57B, 654Z

Map by Street Services December 2015

April 27, 2016

WHEREAS, the City of Dallas desires to enter into a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program (HSIP) Project to fund the design, upgrade and/or construction of five traffic signals and associated off system intersection improvements at Marsh Lane and Rosemeade Parkway, Bruton Road and Second Avenue, Forest Lane and Audelia Road, Plano Road and Miller Road and Royal Lane and Skillman Street; and,

WHEREAS, on December 9, 2015, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services by Resolution No. 15-2223, the portion of the match funding for this project totals $100,500.00; and,

WHEREAS, the Federal/State portion of the grant is $1,566,824.97 and the City of Dallas local match is $282,958.74 for a total amount not to exceed $1,849,783.71; and,

WHEREAS, the City of Dallas will issue a warrant check at the beginning of the project in the amount of $182,458.74 for the off system locations; and,

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

WHEREAS, that this action hereby authorizes an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $100,500.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program (HSIP) Project to fund the design, upgrade and/or construction of five traffic signals and associated off system intersection improvements, Agreement numbers CSJ#0918-46-280 (Marsh Lane and Rosemeade Parkway), CSJ#0918-47-121 (Bruton Road and Second Avenue), CSJ#0918-47-122 (Forest Lane and Audelia Road), CSJ#0918-47-126 (Plano Road and Miller Road) and CSJ#0918-47-129 (Royal Lane and Skillman Street), CFDA 20.205, which may be terminated under the conditions as stated in the Master Agreement. This LPAFA may be terminated by the State if the project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds; and that this action hereby authorizes an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $100,500.00.

Section 2. That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT in the amount of $182,458.74 Vendor #020318, in accordance with the terms and conditions of the agreement from Fund 0001, Dept. STS, Unit 3049, Obj. 4820.

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

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

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

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

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

AGENDA ITEM # 39

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 2, 6, 9, 10, 14

DEPARTMENT: Street Services

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

MAPSCO: 17N 23Z 27E N 36C

SUBJECT

Authorize **(1)** a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program grant to design, upgrade and construct five traffic signals and associated off system intersection improvements at Royal Lane and Abrams Road, Skillman Street and Walnut Hill Lane, Skillman Street and Lovers Lane, Walnut Hill Lane and Abrams Road and Webb Chapel Road and Larga Drive; **(2)** a required local match in the amount of $149,601; and **(3)** an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $96,500 - Total not to exceed $1,535,791 - Financing: Texas Department of Transportation Grant Funds ($1,289,691) and Current Funds ($149,601)

BACKGROUND

The City of Dallas was awarded grant funding totaling $6.17 million from the 2014 Highway Safety Improvement Program (HSIP) administered by the Texas Department of Transportation (TxDOT) to reconstruct and install several traffic signals at high accident intersections in the City of Dallas.

This action will use local matching funds totaling $246,100.30 to leverage $1,289,690.70 in Federal and State funds for construction and associated intersection improvements at five intersections for a total not to exceed cost of $1,535,791.00. Specifically, the City is required to pay State fees in the amount of $13,600.30, professional design services in the amount of $96,500.00 and 10% match for Direct State Engineering and construction costs for off system intersections, totaling $136,000.00, bringing the City's portion of the project to $246,100.30.

BACKGROUND (Continued)

City Council authorized a contract with Kimley-Horn and Associates, Inc. for a total of $197,000.00 to provide professional design services on December 9, 2015 for ten (10) 2014 HSIP traffic signals, by Resolution No. 15-2223. A portion of that funding, $96,500.00, is the portion of the match funding for these traffic signals. The full funding amount of $197,000.00 has been encumbered to cover the design services for this and the remaining five traffic signals being considered in a separate agenda item.

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

Design of the traffic signals is currently underway. Construction of the five signals listed below will commence in 2018.

- Royal Lane and Abrams Road (CSJ#0918-47-128), (Upgrade) (CD 10)
- Skillman Street and Walnut Hill Lane (CSJ#0918-47-130), (Upgrade) (CD 10)
- Skillman Street and Lovers Lane (CSJ#0918-47-131), (Upgrade) (CD 9, 14)
- Walnut Hill Lane and Abrams Road (CSJ#0918-47-132), (Upgrade) (CD 10)
- Webb Chapel Road and Larga Drive (CSJ#0918-47-133), (Upgrade) (CD 2, 6)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 9, 2015, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services for 32 traffic signals at various intersections and other related tasks by Resolution No. 15-2223.

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

ESTIMATED SCHEDULE OF PROJECT

Began Design	December 2015
Complete Construction	October 2019

FISCAL INFORMATION

Design (previously approved by Resolution No. 15-2223) - $96,500.00
Texas Department of Transportation Grant Funds (this action) - $1,289,690.70
Current Funds (this action) - $149,600.30

The total value of this funding agreement is $1,535,791.00 with the following components:

Federal and State Funds (TxDOT)	$1,289,690.70
Match (City of Dallas)	$ 246,100.30

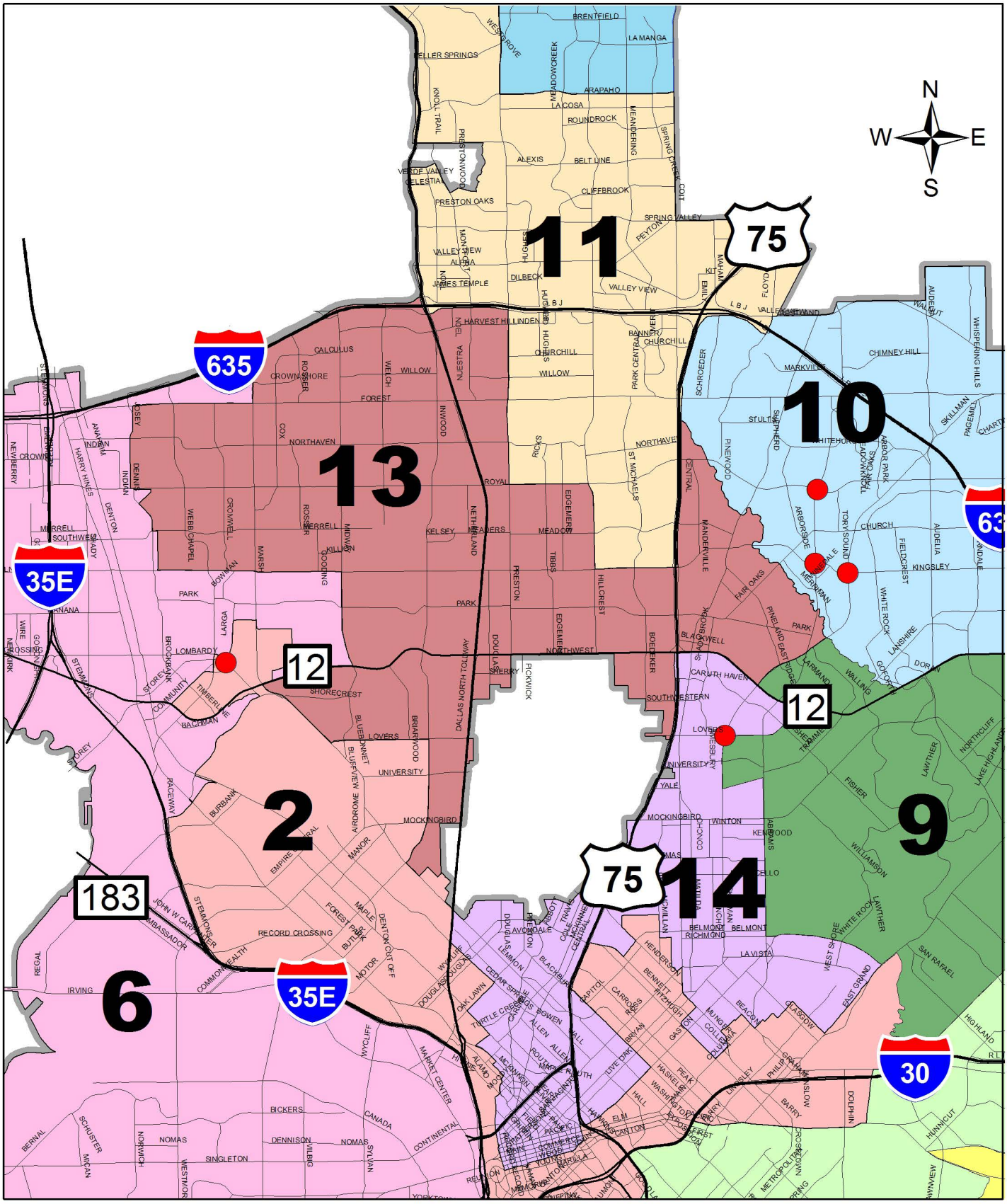
FISCAL INFORMATION (Continued)

Council District	Amount
2	$ 201,118.65
6	$ 67,039.55
9	$ 79,789.55
10	$ 948,474.60
14	$ 239,368.65
Total	$1,535,791.00

MAP

Attached

2014 HSIP SUBMITTAL FOR
2018 LET 5 SIGNALS



MAPSCO PAGE 17N, 23Z, 27E, 27N, 36C

Map by Street Services December 2015

April 27, 2016

WHEREAS, the City of Dallas desires to enter into a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TxDOT) for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program (HSIP) Project to fund the design, upgrade and/or construction of five traffic signals and associated off system intersection improvements at Royal Lane and Abrams Road, Skillman Street and Walnut Hill Lane, Skillman Street and Lovers Lane, Walnut Hill Lane and Abrams Road and Webb Chapel Road and Larga Drive; and

WHEREAS, on December 9, 2015, City Council authorized a professional services contract with Kimley-Horn and Associates, Inc. to provide traffic signal design services by Resolution No. 15-2223, the portion of the match funding for this project totals $96,500.00; and

WHEREAS, the Federal/State portion of the grant is $1,289,690.70 and the City of Dallas local match is $246,100.30 for a total amount not to exceed $1,535,791.00; and

WHEREAS, the City of Dallas will issue a warrant check at the beginning of the project in the amount of $149,600.30 for the off system locations; and

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

WHEREAS, that this action hereby authorizes an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $96,500.

Now, Therefore,

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

April 27, 2016

Section 1. That the City Manager is hereby authorized to execute a Local Project Advance Funding Agreement with the Texas Department of Transportation for a U.S. Department of Transportation - Federal Highway Administration 2014 Highway Safety Improvement Program (HSIP) Project to fund the design, upgrade and construction of five traffic signals and associated off system intersection improvements, Agreement numbers CSJ#0918-47-128 (Royal Lane and Abrams Road), CSJ#0918-47-130 (Skillman Street and Walnut Hill Lane), CSJ#0918-47-131 (Skillman Street and Lovers Lane), CSJ#0918-47-132 (Walnut Hill Lane and Abrams Road) and CSJ#0918-47-133 (Webb Chapel Road and Larga Drive), CFDA 20.205, which may be terminated under the conditions as stated in the Master Agreement. This LPAFA may be terminated by the State if the project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds; and that this action hereby authorizes an amendment to Resolution No. 15-2223, previously approved on December 9, 2015, to identify a required local match for design of the traffic signals in the amount of $96,500.

Section 2. That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT in the amount of $149,600.30, Vendor #020318, in accordance with the terms and conditions of the agreement from Fund 0001, Dept. STS, Unit 3049, Obj. 4820.

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

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

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

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

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

AGENDA ITEM # 40

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	April 27, 2016
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Sustainable Development and Construction Water Utilities
CMO:	Ryan S. Evans, 671-9837 Mark McDaniel, 670-3256
MAPSCO:	N/A

SUBJECT

Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 16,822 square feet from Doyle Anderton located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project - Not to exceed $2,000 increased from $4,585 ($2,085, plus closing costs and title expenses not to exceed $2,500) to $6,585 ($4,000, plus closing costs and title expenses not to exceed $2,585) – Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes a settlement for the acquisition of a tract of land containing approximately 16,822 square feet located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni Pipeline Project. The consideration is based on an independent appraisal, as approved by Dallas Water Utilities. This settlement will allow acquisition of the property without further condemnation proceedings.

This acquisition is part of the right of way required to construct approximately 32 miles of pipeline from Lake Tawakoni to the Interim Balancing Reservoir located in Terrell, TX and then to the Eastside Water Treatment plant located in Sunnyvale, TX. The new raw water pipeline will augment the existing 72-inch and 84-inch pipelines. The construction of this pipeline will give Dallas Water Utilities the ability to utilize the full capacity of both the Lake Tawakoni and the Lake Fork raw water supply to meet the current city needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on August 12, 2015, by Resolution No. 15-1418.

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

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $2,000

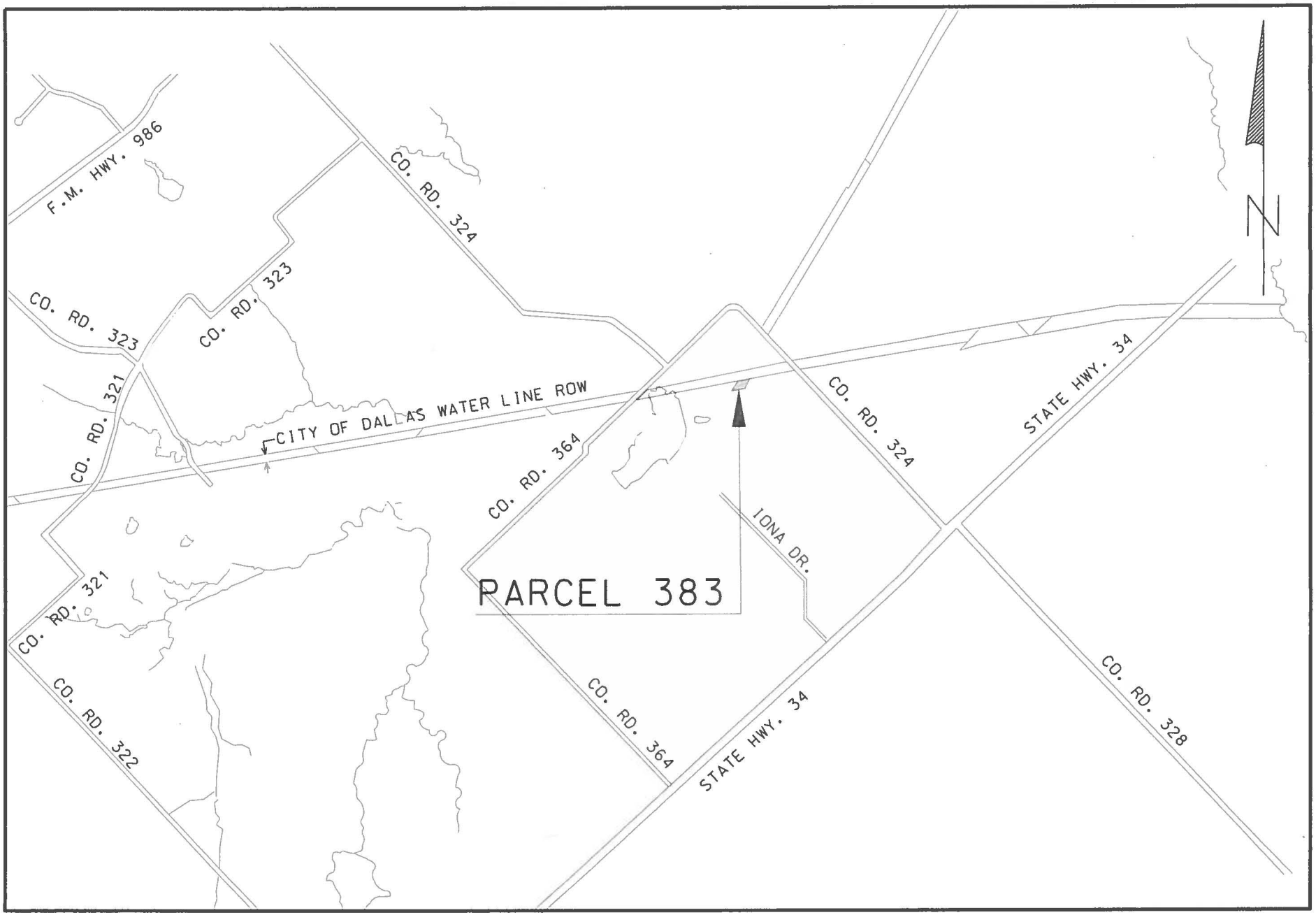
Resolution No. 15-1418	$ 4,585.00
Additional Amount (this action)	$ 2,000.00
Total Settlement Amount	$ 6,585.00

OWNER

Doyle Anderton

MAP

Attached



P:\0515-LakeTawakoni\Parcel\Parcels\Map_383.dgn Plotted on 12/10/2013 at 3:27:50 PM By: rjason Projects\City Of Dallas Plot Driver: dlprinter.pltcfg PenTable: dle.tbl

VICINITY MAP

APPROXIMATE SCALE 1" = 2000'

April 27, 2016

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR A NEGOTIATED PRICE HIGHER THAN THE AUTHORIZED PURCHASE AMOUNT.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase and/or eminent domain, of the PROPERTY INTERESTS in the PROPERTY held by OWNER for the PROJECT (all said capitalized terms being defined below); and

WHEREAS, OWNER refused the FIRST RESOLUTION PURCHASE AMOUNT, but has agreed to the SETTLEMENT AMOUNT stated herein; and

WHEREAS, the City Council desires to authorize the City Manager to acquire the PROPERTY INTERESTS in the PROPERTY for the negotiated SETTLEMENT AMOUNT stated herein; **Now, Therefore,**

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

SECTION 1. That the following definitions shall apply to this resolution:

"CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 15-1418 approved by the Dallas City Council on August 12, 2015, to authorize the purchase and/or eminent domain for a purchase amount of $2,085, plus closing costs and title expenses not to exceed $2,500.

"PROJECT": Lake Tawakoni 144-inch Raw Water Transmission Pipeline

"USE": The construction, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"OWNER": Doyle Anderton, 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.

"PROPERTY INTEREST": Fee Simple, subject to the exceptions, reservations, covenants, conditions and/or interests, if any provided in the conveyance instrument approved as to form by the City Attorney .

"PROPERTY": Approximately 16,822 square feet of land located in Kaufman County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining hereto.

"FIRST RESOLUTION PURCHASE AMOUNT": $2,085.00

"SETTLEMENT AMOUNT": $4,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $2,585.00

"REVISED AUTHORIZED AMOUNT": $6,585.00

SECTION 2. 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 the CITY of the PROPERTY INTERESTS in and to the PROPERTY pursuant to the conveyance instrument 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 the transaction.

SECTION 3. 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 4. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 5. That the Chief Financial Officer is hereby authorized to draw checks for the SETTLEMENT AMOUNT, closing costs and title expenses, payable out of Water Utilities Capital Construction Fund, Fund 0102, Dept. DWU, Unit CW20, Activity RWPT, Object 4210, Program 704041, CT-DWU704041JC, and said payment shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney. The SETTLEMENT AMOUNT - $4,000.00 and the CLOSING COSTS AND TITLE EXPENSES - $2,585.00 together shall not exceed the REVISED AUTHORIZED AMOUNT - $6,585.00.

SECTION 6. That the CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and the 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.

April 27, 2016

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.

APPROVED AS TO FORM:
WARREN M. S. ERNST, CITY ATTORNEY

BY: _____
Assistant City Attorney

EXHIBIT A

FIELD NOTES
DESCRIBING A TRACT OF LAND FOR FEE SIMPLE ACQUISITION OF RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN KAUFMAN COUNTY, TEXAS
Parcel: 383

BEING a 0.3862 acre tract of land in the Thomas Hunt Survey, Abstract No. 201, in Kaufman County, Texas, and being part of a called 5.656 acre tract of land described as "Tract 2" in Deed without Warranty to Doyle Anderton, recorded on October 1, 2009, as recorded in Volume 3658, Page 77, of the Official Public Records of Kaufman County, Texas (O.P.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a broken concrete monument found at the northeast corner of said "Tract 2" and the southeast corner of a City of Dallas Water Line Right-of-Way (140' Right-of-Way at this point) as recorded in Volume 437, Page 326, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.);

THENCE South 26 degrees 47 minutes 33 seconds West, departing the southeast line of said City of Dallas Water Line Right-of-Way and with the southeast line of said "Tract 2", a distance of 168.22 to a 1/2-inch iron rod with red cap stamped "DAL-TECH" (hereinafter referred to as "with cap") set;

THENCE South 77 degrees 23 minutes 59 seconds West, departing the southeast line of said "Tract 2", a distance of 129.40 feet to a 1/2-inch iron rod with cap set in the northwest line of said "Tract 2";

THENCE North 26 degrees 47 minutes 33 seconds East, with the northwest line of said "Tract 2", a distance of 168.22 feet to a 1/2-inch iron rod with cap set at the northwest corner of said "Tract 2" and in the southeast line of said City of Dallas Water Line Right-of-Way;

THENCE North 77 degrees 23 minutes 59 seconds East, with the southeast line of said City of Dallas Water Line Right-of-Way and the north line of said "Tract 2", a distance of 129.40 feet to the POINT OF BEGINNING and containing 16,822 square feet or 0.3862 acres of land, more or less.

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

FIELD NOTES APPROVED: 12/24/13

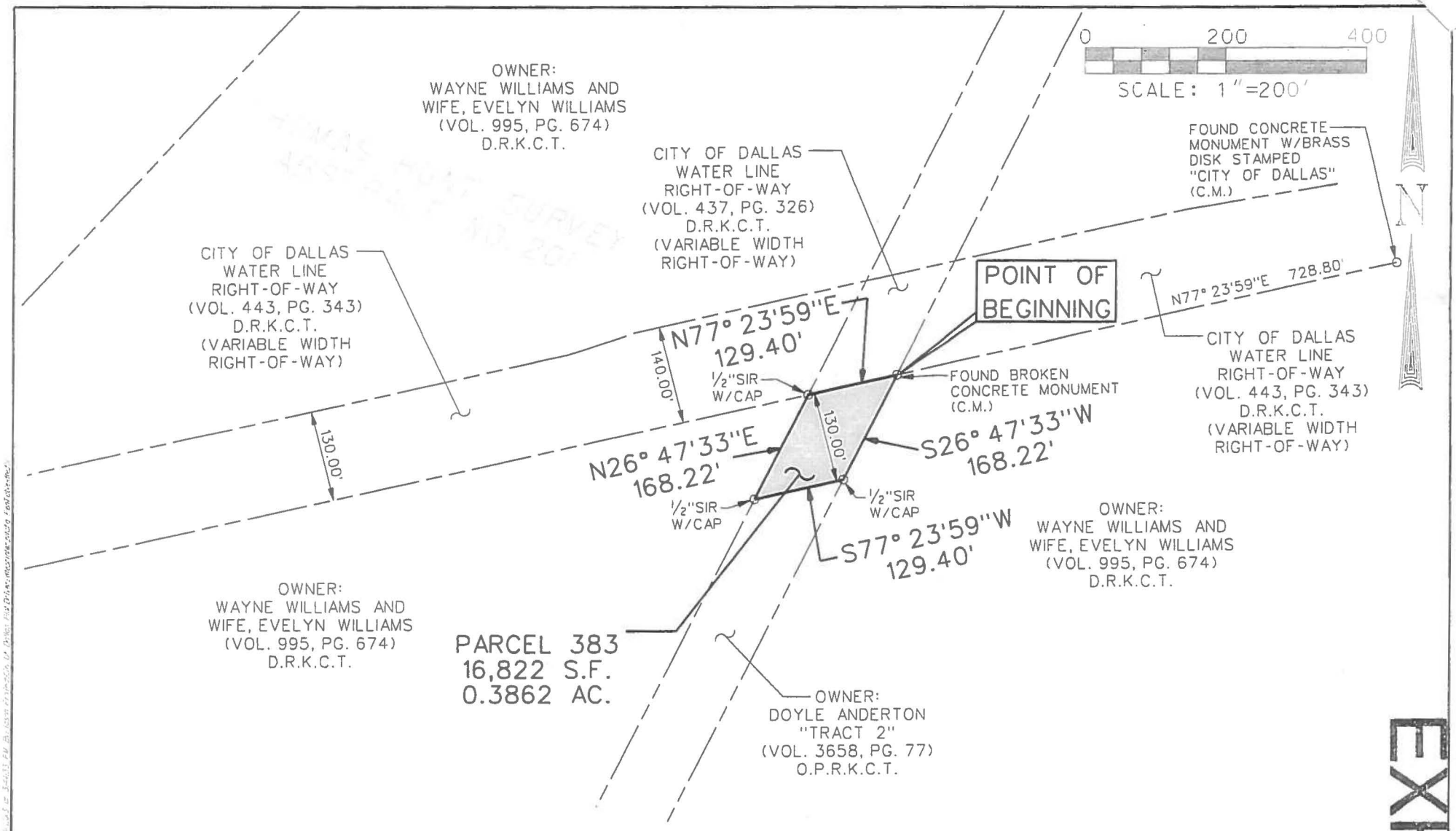
A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
TBPLS Firm No. 10123500

By: _____ Date: 12.16.13

Surveyor's Name: Patrick J. Baldasaro
Registered Professional Land Surveyor
Texas No. 5504

STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR



STATE OF TEXAS
REGISTERED
PATRICK J. BALDASARO
5504
PROFESSIONAL
LAND SURVEYOR

NOTE: SURVEY COMPLETED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

LEGEND:

	S.F.	SQUARE FEET
	C.M.	CONTROL MONUMENT
O	FIR	FOUND IRON ROD
O	FIP	FOUND IRON PIPE
O	1/2"SIR W/CAP	1/2" SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH" OR "DTE"
	SX	SET "X" CUT IN CONCRETE
O	FPK	FOUND PK. NAIL
O	SPK	SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT

EXHIBIT
OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
THOMAS HUNT SURVEY, ABSTRACT NO. 201
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY

DAL-TECH ENGINEERING, INC., 17400 DALLAS PKWY, SUITE
DALLAS, TEXAS 75287 TEL (972)250-2727 FAX (972)250-47

DATE: SEPT '13 | REVISED - DEC '13 | SCALE: 1" = 200' | SHEET 2 OF 4

AGENDA ITEM # 41

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 2, 3, 4, 5, 6, 7, 8

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 34S 36A 42U 43F K 44J 45W Z 46L M P Q R T U V W X Y Z 47J S 48T 54V Z 55B F H K L M P S W Z 56B C D T V W X 57M 62A 63D 64B Q 65A F H L 66K S 68A 69A-F L P

SUBJECT

Authorize the quitclaim of 96 properties acquired by the taxing authorities from the Tax Foreclosure Sheriff's Sale to the highest bidders; and authorize the execution of release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment (list attached) - Revenue: $585,974

BACKGROUND

This item authorizes the quitclaim of 96 properties that were foreclosed by the Sheriff's Department for unpaid taxes pursuant to judgments or seizure warrants from a District Court and the release of liens for any non-tax liens that may have been filed by the City and were included in the foreclosure judgment. These properties are being sold to the highest bidders and will return to the tax rolls upon conveyance.

Successful bidders are required to sign a certification stating that they are not purchasing these properties on behalf of the foreclosed owners and that they have no debts owed to the City, no pending code violations, and are not chronic code violators.

All properties were reviewed by the Housing Department for infill housing and were not desired for that program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

Revenue: $585,973.04

OWNERS

Anthony Boyd IRA LLC
Anthony Boyd, Managing Member

Axxan Green, Inc.
Mariza Ortega, President

Citywide Development & Construction, LLC
Gardner Brewer, Managing Member

County Land and Water LLC Series COM1
Wayne Prokay, Managing Member

DFW Projects LLC
Johnny Aguinaga, Managing Member

Glo-Nite, Inc.
Butch Benavides, President

Homex Change LLC DBA Nomas Homex Change
Xochitl Trejo, Managing Member

JDS-Q Services, LLC
LaQuonda Brewer, Managing Member

Nextlots Now L.L.C.
Lee J. Schmitt, Managing Member

Tri-Capital Equities LLC
Jordan DSilva, Managing Member

Alfonso Ruiz

Alma Mireya Reyes Barbosa

Alonso Olmos

Angelica Hernandez

Aubrey Quarles

Benito Mojica

Carlos Guzman

OWNERS (Continued)

Carmen Olguin

Christina Martinez

Clifford Johnson Jr.

Cristal Benitez

Daporscha Kelley

Devan Earle

Doric Earle

Edmond Chiu

Eric Arevalo

Esteban Melgarejo Castillo

Francisco Mujica

Genaro B. Fierro

Guadalupe Martinez

Jonathan Bender

Jose Saragoza

Kelly Martinez

Kimiaki Itamura

Lonnie Barnes

Luis Mendez

Maria Schneider

Maria Estrada

Mason Sneed Hensley

Maxine Hightower

OWNERS (Continued)

Megan E. Knauss

M.W. Resnick

Nereida Vasquez

Oscar Garcia

Raquel Rollins

Rolando Cobos

Samuel Demissew

Shaymah Mahdi

Sherri M. Title

Stephani A. Kyle

Tena Ny

Tonya Watson

W. Justin Title

MAP

Attached

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
PROPERTY LIST

ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
1	1221 10TH	V	4	PD-388	.0663	$4,340.00	4	$1,000.00	$ 1,750.00	$4,340.00	GUADALUPE MARTINEZ
2	1131 11TH ST	V	4	PD-388	.2630	$14,517.00	2	$1,000.00	$1,275.00	$17,190.00	NEXTLOTS NOW L.L.C.
3	1535 ADELAIDE	V	7	R-7.5(A)	.1692	$6,000.00	2	$1,000.00	$2,275.00	$6,000.00	NEXTLOTS NOW L.L.C.
4	3018 ARIZONA	V	4	R-7.5(A)	.1753	$15,000.00	4	$1,000.00	$12,500.00	$15,000.00	NEREIDA VASQUEZ
5	5511 ARLINGTON PARK	V	3	MU-2	.0649	$37,927.00	8	$250.00	$2,483.00	$1,250.00	MASON SNEED HENSLEY
6	1619 AVENUE B	V	3	PD-5(A)	.0734	$5,000.00	2	$1,000.00	$2,895.00	$5,000.00	NEXTLOTS NOW L.L.C.
7	419 AVENUE L	V	8	D(A)	.1273	$8,427.00	1	$1,000.00	$1,451.00	$9,500.00	ROLANDO COBOS
8	3300 BEAUCHAMP	V	4	R-5(A)	.1730	$11,500.00	1	$1,000.00	$1,285.00	$11,500.00	NEXTLOTS NOW L.L.C.
9	1822 BICKERS	V	4	R-5(A)	.1214	$2,195.00	14	$1,000.00	$11,666.96	$8,470.00	ANGELICA HERNANDEZ
10	3844 BLUE RIDGE	V	7	R-10(A)	5.7140	$124,450.00	5	$25,000.00	$50,000.00	$124,450.00	SHAYMAH MAHDI
11	6425 C F HAWN	V	4	TH-3(A)	.4821	$15,400.00	6	$4,000.00	$21,386.00	$39,670.00	AXXAN GREEN, INC.
12	1618 CALDWELL	V	7	D(A)	.1179	$5,140.00	3	$1,000.00	$3,000.99	$5,140.00	ALMA MIREYA REYES BARBOSA
13	1614 CALDWELL	V	2	D(A)	.1119	$4,880.00	3	$1,000.00	$3,000.99	$4,880.00	ALMA MIREYA REYES BARBOSA
14	4215 CANAL	V	5	PD-595	.1426	$1,113.00	2	$1,000.00	$2,200.00	$5,000.00	KIMIAKI ITAMURA
15	4328 CANAL	V	6	PD-595	.1414	$1,484.00	2	$1,000.00	$2,052.00	$5,000.00	CLIFFORD JOHNSON JR.
16	3814 CARL	V	4	PD-595	.1458	$1,295.00	4	$1,000.00	$2,795.00	$5,000.00	NEXTLOTS NOW L.L.C.
17	2437 CEDAR CREST	V	7	CR	.7174	$18,850.00	2	$3,000.00	$5,100.00	$31,250.00	AUBREY QUARLES
18	1427 CEDAR OAKS	V	9	R-7.5(A)	.1813	$13,000.00	4	$1,000.00	$29,999.00	$31,250.00	CITYWIDE DEVELOPMENT & CONSTRUCTION, LLC
19	1200 CLAUDE	I	7	R-5(A)	.1615	$11,500.00	11	$10,000.00	$35,000.00	$34,470.00	ERIC AREVALO
20	1229 CLAUDE	V	7	R-5(A)	.1714	$34,760.00	4	$1,000.00	$3,100.00	$6,229.86	ALONSO OLMOS
21	4422 COLONIAL	V	7	PD-595	.1338	$1,542.00	2	$1,000.00	$1,400.00	$5,250.00	W. JUSTIN TITLE AND SHERRI M. TITLE

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
PROPERTY LIST

ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
22	3815 COLONIAL	V	7	PD-595	.1400	$2,558.00	2	$1,000.00	$1,385.00	$5,490.00	MARIA SCHNEIDER, DEVAN EARLE, DORIC EARLE, AND M.W. RESNICK
23	1100 COMAL	V	4	PD-571	.0479	$7,000.00	7	$1,000.00	$2,765.02	$7,000.00	MEGAN E. KNAUSS AND STEPHANI A. KYLE
24	1102 COMAL	V	4	PD-571	.0214	$7,000.00	7	$1,000.00	$2,550.00	$7,000.00	CRISTAL BENITEZ
25	3910 COPELAND	V	7	PD 595	.1458	$1,518.00	5	$250.00	$2,100.00	$5,000.00	KIMIAKI ITAMURA
26	4334 COPELAND	V	7	PD-595	.1017	$30,463.00	2	$250.00	$300.00	$37,800.00	CHRISTINA MARTINEZ AND KELLY MARTINEZ
27	3819 COPELAND	V	7	PD-595	.1432	$1,848.00	2	$1,000.00	$2,050.00	$5,000.00	KIMIAKI ITAMURA
28	4015 COPELAND	V	7	PD-595	.1204	$14,489.00	3	$250.00	$500.00	$3,750.00	TENA NY
29	2810 DATHE	V	7	PD-595	.1228	$2,881.00	2	$1,000.00	$3,100.00	$5,000.00	GENARO B. FIERRO
30	2415 DATHE	I	7	PD-595	.1215	$23,370.00	8	$3,000.00	$15,050.00	$23,370.00	JOSE SARAGOZA
31	1410 DENLEY	V	4	R-7.5(A)	1.4420	$23,000.00	3	$3,000.00	$5,800.00	$23,000.00	BENITO MOJICA
32	1732 DENLEY	V	4	CR	.2164	$1,310.00	2	$1,000.00	$3,075.00	$13,000.00	NEXTLOTS NOW L.L.C.
33	1429 DICEMAN	V	4	R-7.5(A)	.3309	$9,500.00	4	$1,000.00	$2,200.00	$9,500.00	BENITO MOJICA
34	2323 ECHO LAKE	V	8	R-7.5(A)	.3389	$12,000.00	5	$1,000.00	$3,725.00	$12,000.00	NEXTLOTS NOW L.L.C.
35	711 ELSTON	V	3	R-7.5(A)	.2559	$12,000.00	1	$500.00	$2,900.00	$12,000.00	JDS-Q SERVICES, LLC
36	1306 EMILY	V	4	R-7.5(A)	.2466	$7243.00	2	$500.00	$600.00	$10,000.00	ALFONSO RUIZ
37	1310 EMILY	V	4	R-7.5(A)	.2071	$7,065.00	2	$500.00	$600.00	$10,000.00	ALFONSO RUIZ
38	1314 EMILY	V	4	R-7.5(A)	.1949	$7,211.00	2	$500.00	$600.00	$10,000.00	ALFONSO RUIZ
39	5608 FANNIE	V	6	R-5(A)	.0321	$4,800.00	4	$500.00	$3,280.00	$2,400.00	DFW PROJECTS, LLC
40	1302 FOLEY	V	2	R-5(A)	.0594	$2,590.00	1	$500.00	$605.00	$2,590.00	NEXTLOTS NOW L.L.C.
41	3407 FORNEY	V	2	CS	.0797	$4,350.00	2	$500.00	$3,150.00	$4,350.00	NEXTLOTS NOW L.L.C.
42	4314 FRANK	V	7	PD-595	.1451	$1,136.00	4	$1,000.00	$3,500.00	$5,000.00	MAXINE HIGHTOWER

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
PROPERTY LIST

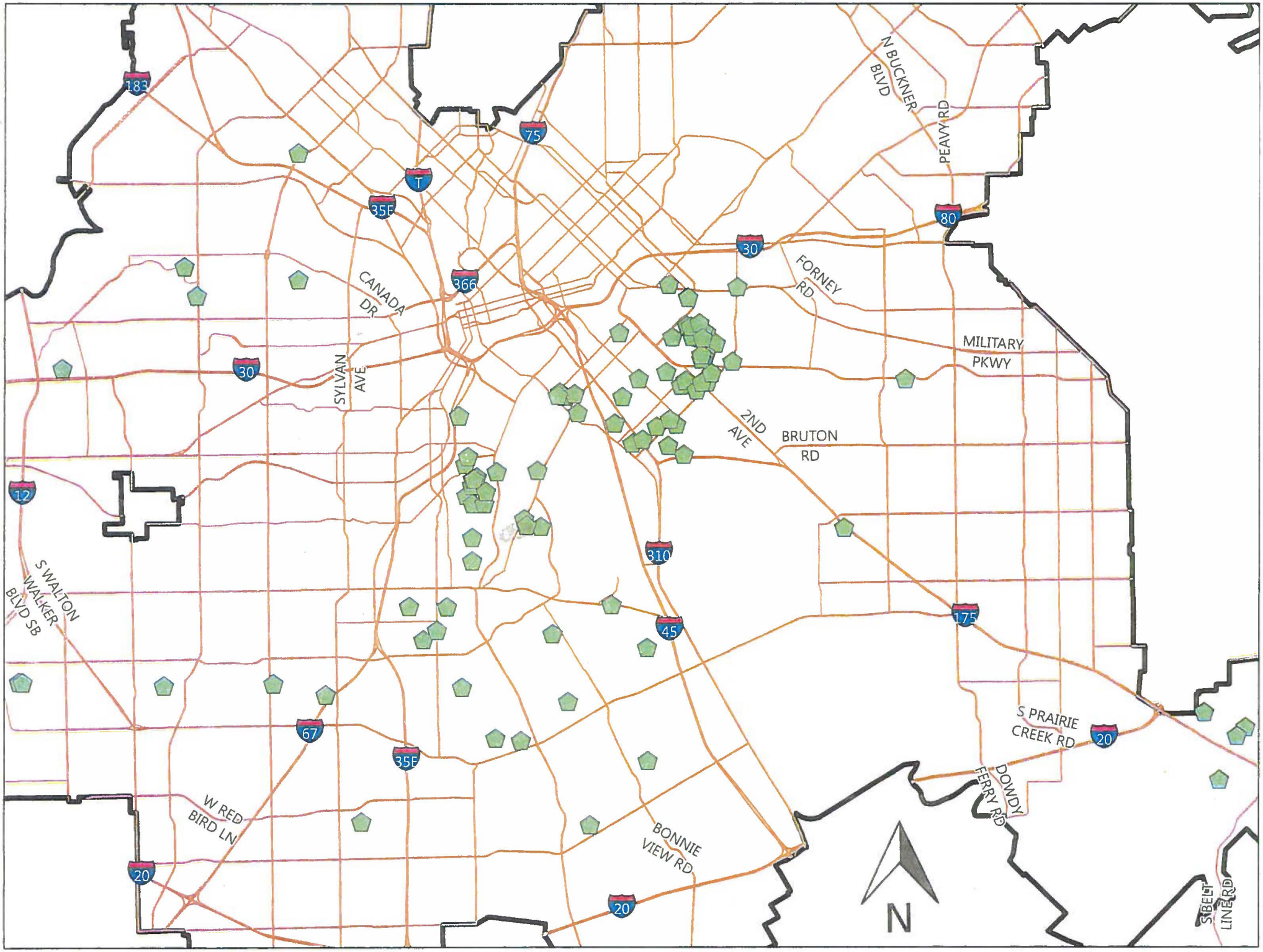
ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
43	4326 FRANK	V	7	PD-595	.1416	$1,555.00	2	$1,000.00	$1,108.00	$5,000.00	MARIA SCHNEIDER, DEVAN EARLE, DORIC EARLE, AND M.W. RESNICK
44	4007 FUREY	V	6	R-5(A)	.1567	$12,000.00	10	$1,000.00	$10,200.00	$12,000.00	DFW PROJECTS, LLC
45	4711 GARRISON	V	4	R-7.5(A)	.0758	$3,310.00	1	$500.00	$507.00	$3,310.00	ANTHONY BOYD IRA LLC
46	1306 GLIDDEN	V	4	R-5(A)	.0941	$1,426.00	1	$250.00	$355.00	$9,780.00	LONNIE BARNES
47	2721 GOULD	V	7	PD-595	.1987	$6,243.00	5	$1,000.00	$5,400.02	$18,380.00	MEGAN E. KNAUSS AND STEPHANI A. KYLE
48	2821 GOULD	V	7	PD-595	.1469	$9,600.00	2	$1,000.00	$3,571.00	$16,000.00	DEVAN EARLE
49	4226 HAMILTON	V	7	PD-595	.1461	$1,404.00	1	$1,000.00	$2,250.00	$5,000.00	KIMIAKI ITAMURA
50	2427 HARDING	I	7	PD-595	.1519	$22,030.00	4	$3,500.00	$15,000.00	$22,030.00	ESTEBAN MELGAREJO CASTILLO
51	4511 HEDGDON	V	4	R-10(A)	.9226	$12,725.00	2	$2,000.00	$6,875.00	$24,000.00	NEXTLOTS NOW L.L.C.
52	1410 HENDRICKS	V	4	R-5(A)	.1652	$7,472.00	4	$1,000.00	$2,501.00	$11,500.00	EDMOND CHIU
53	1311 HENDRICKS	V	4	R-5(A)	.1698	$11,500.00	3	$1,000.00	$2,435.00	$11,500.00	NEXTLOTS NOW L.L.C.
54	2912 HOLMES	V	7	PD-595	.2066	$12,500.00	2	$1,000.00	$4,600.00	$22,500.00	COUNTY LAND AND WATER LLC SERIES COM1
55	2630 IDAHO	V	4	R-7.5(A)	.1723	$11,000.00	3	$1,000.00	$3,125.00	$11,000.00	NEXTLOTS NOW L.L.C.
56	4114 JAMAICA	V	7	PD-595	.1607	$1,294.00	3	$1,000.00	$3,786.00	$8,760.00	GLO-NITE, INC.
57	3623 KENILWORTH	V	7	PD-595	.1451	$2,137.00	1	$1,000.00	$1,188.00	$3,160.00	MARIA SCHNEIDER, DEVAN EARLE, DORIC EARLE, AND M.W. RESNICK
58	3504 KEYRIDGE	V	8	R-7.5(A)	.2188	$1,479.00	2	$1,000.00	$6,865.00	$12,000.00	NEXTLOTS NOW L.L.C.
59	4947 KILDARE	V	3	R-7.5(A)	.2954	$22,380.00	2	$1,000.00	$1,875.00	$6,000.00	NEXTLOTS NOW L.L.C.
60	2727 LAWRENCE	I	7	PD-595	.1613	$17,490.00	2	$6,000.00	$10,007.00	$17,490.00	TRI-CAPITAL EQUITIES LLC
61	2736 LEBROCK	V	8	R-5(A)	.2915	$8,000.00	1	$500.00	$550.00	$8,000.00	RAQUEL ROLLINS
62	3744 LEGENDARY	V	4	MF-2(A)	6.6187	$708,970.00	3	$37,500.00	$53,520.00	$360,390.00	TONYA WATSON

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
PROPERTY LIST

ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
63	2524 MARBURG	V	7	PD 595	.2200	$1,624.00	3	$250.00	$500.00	$6,000.00	W. JUSTIN TITLE AND SHERRI M. TITLE
64	2231 MARBURG	V	7	PD-595	.1729	$6,000.00	2	$500.00	$1,000.00	$6,000.00	W. JUSTIN TITLE AND SHERRI M. TITLE
65	1212 MARFA	V	4	R-7.5(A)	.2012	$10,000.00	1	$1,000.00	$1,525.00	$10,000.00	NEXTLOTS NOW L.L.C.
66	2639 MARFA	V	4	R-7.5(A)	.2100	$19,429.00	1	$500.00	$1,375.00	$13,000.00	NEXTLOTS NOW L.L.C.
67	5703 MARGEWOOD	I	3	R-7.5(A)	.2615	$23,119.00	8	$7,000.00	$30,100.00	$45,060.00	CRISTAL BENITEZ AND OSCAR GARCIA
68	18 MARGEWOOD	V	3	R-7.5(A)	.5657	$16,083.00	5	$2,000.00	$10,050.00	$21,200.00	LUIS MENDEZ AND CARLOS GUZMAN
69	2911 MARSALIS	V	4	R-7.5(A)	.1860	$13,500.00	7	$1,000.00	$14,500.00	$13,500.00	NEREIDA VASQUEZ
70	2726 MEADOW	V	7	PD-595	.1320	$4,911.00	5	$500.00	$888.00	$11,500.00	JONATHAN BENDER
71	4223 METROPOLITAN	V	7	PD-595	.1494	$1,752.00	3	$1,000.00	$1,855.00	$5,000.00	DAPORSCHA KELLEY
72	3321 MORRIS	I	6	R-5(A)	.1668	$48,610.00	8	$7,000.00	$20,563.00	$48,610.00	HOMEX CHANGE LLC DBA NOMAS HOMEX CHANGE
73	2732 PARNELL	V	7	PD-595	.1606	$10,500.00	2	$1,000.00	$1,799.00	$17,500.00	DEVAN EARLE
74	4337 PENELOPE	V	7	PD-595	.1483	$2,287.00	2	$1,000.00	$1,207.00	$5,000.00	DEVAN EARLE
75	1308 PENNSYLVANIA	V	7	PD-595	.1802	$1,649.00	4	$1,000.00	$2,855.00	$19,630.00	DAPORSCHA KELLEY
76	3902 PINE	V	7	PD-595	.1202	$1,640.00	2	$1,000.00	$1,456.00	$5,000.00	FRANCISCO MUJICA
77	11700 RAVENVIEW	V	8	R-10(A)	.9270	$5,560.00	1	$1,000.00	$1,500.00	$5,560.00	OSCAR GARCIA
78	3231 REED	V	7	PD-595	.1721	$2,401.00	2	$1,000.00	$1,501.00	$6,000.00	FRANCISCO MUJICA
79	3327 REED	V	7	PD-595	.1721	$1,539.00	3	$1,000.00	$1,501.00	$6,000.00	FRANCISCO MUJICA
80	3923 ROBERTS	I	7	PD-595	.1126	$16,146.00	1	$5,000.00	$5,777.00	$13,550.00	TRI-CAPITAL EQUITIES LLC
81	7331 SCYENE	V	5	R-7.5(A)	.2937	$16,000.00	3	$2,000.00	$6,400.00	$16,000.00	BENITO MOJICA
82	8906 SEDGEMOOR	V	8	R-7.5(A)	.5166	$9,843.00	11	$2,000.00	$25,399.00	$16,880.00	CITYWIDE DEVELOPMENT & CONSTRUCTION, LLC
83	2624 SEEVERS	V	4	R-7.5(A)	.1699	$14,000.00	8	$500.00	$14,757.00	$14,000.00	NEREIDA VASQUEZ
84	1903 SMOKE TREE	V	8	PD-258	.5252	$15,000.00	6	$1,000.00	$4,200.00	$15,000.00	CARMEN OLGUIN

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
PROPERTY LIST

ITEM #	STREET ADDRESS	VAC/ IMP	COUNCIL DISTRICT	ZONING	PARCEL SIZE	STRUCKOFF AMOUNT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	DCAD	HIGHEST BIDDER
85	1732 SMOKE TREE	V	8	PD-258	.1749	$9,000.00	1	$1,000.00	$1,875.00	$9,000.00	NEXTLOTS NOW L.L.C.
86	2714 SOUTHLAND	V	7	PD-595	.1543	$1,800.00	2	$250.00	$901.10	$6,000.00	SAMUEL DEMISSEW
87	2374 SOUTHWOOD	V	4	R-7.5(A)	.2854	$11,097.00	3	$2,000.00	$5,579.00	$20,700.00	DEVAN EARLE
88	4603 SPRING GARDEN	V	7	PD 595	.1147	$2,254.00	2	$1,000.00	$2,005.00	$6,000.00	TONYA WATSON
89	2728 SWANSON	V	7	PD-595	.1152	$1,879.00	2	$1,000.00	$1,605.00	$5,000.00	TONYA WATSON
90	524 TAMA	V	4	R-5(A)	.0700	$7,409.00	2	$ 500.00	$1,000.00	$7,480.00	MARIA ESTRADA
91	1306 VALLEY	V	4	R-5(A)	.0820	$8,630.00	3	$1,000.00	$2,375.00	$8,630.00	NEXTLOTS NOW L.L.C.
92	1314 VALLEY	V	4	R-5(A)	.0826	$8,630.00	3	$500.00	$2,575.00	$8,630.00	NEXTLOTS NOW L.L.C.
93	4319 WILLOW SPRINGS	I	7	PD-595	.1144	$22,608.00	6	$7,000.00	$22,666.96	$46,320.00	ANGELICA HERNANDEZ
94	709 WOODBINE	V	4	R-5(A)	.1492	$1,626.00	4	$250.00	$1,005.00	$3,600.00	TONYA WATSON
95	3807 YORK	V	7	PD 595	.1311	$1,446.00	4	$250.00	$755.00	$2,860.00	TONYA WATSON
96	3531 YORK	V	7	PD 595	.1492	$1,621.00	5	$250.00	$755.00	$3,250.00	TONYA WATSON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BONNIE VIEW RD
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April 27, 2016

WHEREAS, the City of Dallas ("City"), the State of Texas ("State"), the County of Dallas, ("County"), and/or Dallas Independent School District ("DISD") acquired Sheriff Deeds to properties ("Properties") at a sheriff tax sale ("the First Sale") authorized by a Judicial Foreclosure ("Judgment") in a District Court in Dallas County, Texas. The Sheriff's Deeds were recorded in the real property records of Dallas County, Texas as described on "Exhibit A," attached herein and incorporated by reference; and

WHEREAS, pursuant to the Texas Attorney General Opinion No. JM-1232 and Section 34.05(a) of the Texas Property Tax Code, the City may re-sell the Properties ("the Second Sale") subject to any right of redemption existing at the time of the Second Sale; and

WHEREAS, pursuant to the provisions of Chapter 34, Section 34.05 of the Texas Property Tax Code, a taxing entity is authorized to re-sell the Properties ("the Second Sale"); and

WHEREAS, by accepting its pro rata proceeds from the Second Sale, the State agrees to the transfer of Properties in which it has an interest; and

WHEREAS, the City Manager, acting on behalf of the County pursuant to a County Commissioner's Court Order, and acting on behalf of DISD pursuant to a School Board Resolution have the authority to execute Quitclaim Deeds to the purchasers of Properties at the Second Sale, and transfer any rights, title, or interests acquired or held by each taxing entity that was a party to the Judgment at the First Sale; and

WHEREAS, the Properties were advertised in the Dallas Morning News on the dates indicated on Exhibit A; and

WHEREAS, the City Council has previously approved the re-sale of other Properties where funds were not received, nor disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County; and

WHEREAS, the distribution of the proceeds from the resale of the Properties will be in accordance with Chapter 34, Section 34.06 of the Texas Property Tax Code; **Now, Therefore,**

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

SECTION 1. That upon receipt of the monetary consideration from the purchasers of the Properties listed on Exhibit A, and upon consent by the County and DISD, the City Manager upon approval as to form by the City Attorney and attested by the City Secretary, is hereby authorized to execute Quitclaim Deeds to the Properties, conveying to the purchasers the right, title, and interest acquired or held by each taxing entity that was a party to the Judgment, subject to any right of redemption, post-Judgment taxes and post Judgment non-municipal liens, and in accordance with the written agreement of the terms, conditions, and release of the taxing entities.

SECTION 2. That the consideration received from the Second Sale shall be distributed pursuant to Chapter 34, Section 34.06 of the Texas Property Tax Code, and applied to the payment of the court costs, interest, and cost of sale and applied to the amount of delinquent taxes, penalties, and non-tax municipal liens as set forth in the Judgment and pursuant to the order of the court.

SECTION 3. That all purchasers shall be responsible for the pro rata portion of property taxes for the remaining part of the current calendar year that will be assessed from the date of closing of the Second Sale. Purchasers shall also be responsible for any post-Judgment taxes, penalties and interest, pursuant to the Texas Property Tax Code, and post-Judgment non-municipal liens. The Properties shall be replaced on the tax rolls as of the date of execution of Quitclaim Deeds.

SECTION 4. That to the extent authorized by law, any liens securing taxes referenced in Section 2 above are hereby released. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release(s) of lien for any non-tax municipal lien(s) which (i) are included in the Judgments issued in the foreclosure suits filed by the City on the lot(s) shown on Exhibit “A”; or (ii) arise or are filed of record post Judgment and prior to the Second Sale by the City on the lot(s) shown on Exhibit “A”.

SECTION 5. That any and all proceeds from the Second Sale, including funds not received, nor disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County will be deposited to General Fund 0001, Department DEV, Balance Sheet Account 0519.

SECTION 6. That upon receipt of the consideration from the Second Sale, the Chief Financial Officer is authorized to disburse the proceeds in accordance with Chapter 34, Section 34.06 of the Texas Property Tax Code. Calculations for disbursements shall be provided by the Director of Sustainable Development and Construction to the City of Dallas Land Based Receivables, the Dallas County District Clerk, and the Dallas County Tax Office from the account specified in Section 5, above.

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.

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
EXHIBIT A

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/ IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
1	1221 10TH	Lot 6, Block 101/9084	V	1, 2, 3	2/7 & 2/8	4	$1,000.00	$ 1,750.00	GUADALUPE MARTINEZ
2	1131 11TH	Lot 8, Block 102/3085	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,275.00	NEXTLOTS NOW L.L.C.
3	1535 ADELAIDE	Lot 3, Block 4/4345	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$2,275.00	NEXTLOTS NOW L.L.C.
4	3018 ARIZONA	Lot 5, Block 19/4121	V	1, 2, 3	2/7 & 2/8	4	$1,000.00	$12,500.00	NEREIDA VASQUEZ
5	5511 ARLINGTON PARK	Lot 32, Block 2/7915	V	1, 2, 3	2/7 & 2/8	8	$250.00	$2,483.00	MASON SNEED HENSLEY
6	1619 AVENUE B	Block 5909	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$2,895.00	NEXTLOTS NOW L.L.C.
7	419 AVENUE L	Lot 32, Block 8/4970	V	1, 2, 3	2/7 & 2/8	1	$1,000.00	$1,451.00	ROLANDO COBOS
8	3300 BEAUCHAMP	Lot 1, Block H/6094	V	1, 2, 3	2/7 & 2/8	1	$1,000.00	$1,285.00	NEXTLOTS NOW L.L.C.
9	1822 BICKERS	Lot 9, Block M/7123	V	1, 2, 3	2/7 & 2/8	14	$1,000.00	$11,666.96	ANGELICA HERNANDEZ
10	3844 BLUE RIDGE	Lot 3, Block 6960	V	1, 2, 3	2/7 & 2/8	5	$25,000.00	$50,000.00	SHAYMAH MAHDI
11	6425 C F HAWN	Lot 32, Block 6240	V	1, 2, 3	2/7 & 2/8	6	$4,000.00	$21,386.00	AXXAN GREEN, INC.
12	1618 CALDWELL	Lot 3, Block B/1445	V	1, 2, 3	2/7 & 2/8	3	$1,000.00	$3,000.99	ALMA MIREYA REYES BARBOSA
13	1614 CALDWELL	Lot 4, Block B/1445	V	1, 2, 3	2/7 & 2/8	3	$1,000.00	$3,000.99	ALMA MIREYA REYES BARBOSA
14	4215 CANAL	Lot 45, Block A/1853	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$2,200.00	KIMIAKI ITAMURA
15	4328 CANAL	Lot 4, Block 3/1853	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$2,052.00	CLIFFORD JOHNSON JR.
16	3814 CARL	Block 1813	V	1, 2, 3	2/7 & 2/8	4	$1,000.00	$2,795.00	NEXTLOTS NOW L.L.C.
17	2437 CEDAR CREST	Tract 3	V	1, 2, 3	2/7 & 2/8	2	$3,000.00	$5,100.00	AUBREY QUARLES
18	1427 CEDAR OAKS	Lot 10, Block 2/3762	V	1, 2, 3	11/29 & 11/30	9	$1,000.00	$29,999.00	CITYWIDE DEVELOPMENT & CONSTRUCTION, LLC
19	1200 CLAUDE	Lot 11A, Block D/3364	I	1, 2, 3	2/7 & 2/8	11	$10,000.00	$35,000.00	ERIC AREVALO
20	1229 CLAUDE	Lot 7, Block E/3365	V	1, 2, 3	2/7 & 2/8	4	$1,000.00	$3,100.00	ALONSO OLMOS
21	4422 COLONIAL	Lot 6, Block F/1690	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,400.00	W. JUSTIN TITLE AND SHERRI M. TITLE

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
EXHIBIT A

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/ IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
22	3815 COLONIAL	Lot 17, Block B/1260	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,385.00	MARIA SCHNEIDER, DEVAN EARLE, DORIC EARLE, AND M.W. RESNICK
23	1100 COMAL	Part of Lots 1 and 2, Block 47/3028	V	1, 2, 3	2/7 & 2/8	7	$1,000.00	$2,765.02	MEGAN E. KNAUSS AND STEPHANI A. KYLE
24	1102 COMAL	Part of Lot 2, Block 47/3028	V	1, 2, 3	2/7 & 2/8	7	$1,000.00	$2,550.00	CRISTAL BENITEZ
25	3910 COPELAND	Lot 8, Block 5/1838	V	1, 2, 3	2/7 & 2/8	5	$250.00	$2,100.00	KIMIAKI ITAMURA
26	4334 COPELAND	Lot L, Block 1856	V	1, 2, 3	2/7 & 2/8	2	$250.00	$300.00	CHRISTINA MARTINEZ AND KELLY MARTINEZ
27	3819 COPELAND	Lot 5, Block 4/1837	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$2,050.00	KIMIAKI ITAMURA
28	4015 COPELAND	Lot 4, Block 1/1839	V	1, 2, 3	2/7 & 2/8	3	$250.00	$500.00	TENA NY
29	2810 DATHE	Lot 3, Block D/1969	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$3,100.00	GENARO B. FIERRO
30	2415 DATHE	Lot 14, Block A/1711	I	1, 2, 3	2/7 & 2/8	8	$3,000.00	$15,050.00	JOSE SARAGOZA
31	1410 S. DENLEY	Part of Lots 8 and 9, Block D/3582	V	1, 2, 3	2/7 & 2/8	3	$3,000.00	$5,800.00	BENITO MOJICA
32	1732 S. DENLEY	Lot 9, Block 42/3716	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$3,075.00	NEXTLOTS NOW L.L.C.
33	1429 DICEMAN	Lot 16, Block C/7533	V	1, 2, 3	2/7 & 2/8	4	$1,000.00	$2,200.00	BENITO MOJICA
34	2323 ECHO LAKE	Lots 15A and 16, Block 5/8801	V	1, 2, 3	2/7 & 2/8	5	$1,000.00	$3,725.00	NEXTLOTS NOW L.L.C.
35	711 ELSTON	Lot 17, Block 16/6634	V	1, 2, 3	2/7 & 2/8	1	$500.00	$2,900.00	JDS-Q SERVICES, LLC
36	1306 EMILY	Lot 8, Block 9/7534	V	1, 2, 3	2/7 & 2/8	2	$500.00	$600.00	ALFONSO RUIZ
37	1310 EMILY	Lot 7, Block 9/7534	V	1, 2, 3	2/7 & 2/8	2	$500.00	$600.00	ALFONSO RUIZ
38	1314 EMILY	Lot 6, Block 9/7534	V	1, 2, 3	2/7 & 2/8	2	$500.00	$600.00	ALFONSO RUIZ
39	5608 FANNIE	East half of Lot 19, Block A/7191	V	1, 2, 3	2/7 & 2/8	4	$500.00	$3,280.00	DFW PROJECTS, LLC
40	1302 FOLEY	Lot 1, Block 2/1463	V	1, 2, 3	2/7 & 2/8	1	$500.00	$605.00	NEXTLOTS NOW L.L.C.
41	3407 FORNEY	Lot 2, Block A/2640	V	1, 2, 3	2/7 & 2/8	2	$500.00	$3,150.00	NEXTLOTS NOW L.L.C.

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
EXHIBIT A

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/ IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
42	4314 FRANK	Lot 7, Block 1/1853	V	1, 2, 3	2/7 & 2/8	4	$1,000.00	$3,500.00	MAXINE HIGHTOWER
43	4326 FRANK	Lot 5, Block 1/1853	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,108.00	MARIA SCHNEIDER, DEVAN EARLE, DORIC EARLE, AND M.W. RESNICK
44	4007 FUREY	Lot 20, Block 18/7146	V	1, 2, 3	2/7 & 2/8	10	$1,000.00	$10,200.00	DFW PROJECTS, LLC
45	4711 GARRISON	Lot 4, Block E/5151	V	1, 2, 3	2/7 & 2/8	1	$500.00	$507.00	ANTHONY BOYD IRA LLC
46	1306 GLIDDEN	Lot 14, Block C/3391	V	1, 2, 3	2/7 & 2/8	1	$250.00	$355.00	LONNIE BARNES
47	2721 GOULD	Lot 30, Block 5/1116	V	1, 2, 3	2/7 & 2/8	5	$1,000.00	$5,400.02	MEGAN E. KNAUSS AND STEPHANI A. KYLE
48	2821 GOULD	Lot 39, Block 5/1116	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$3,571.00	DEVAN EARLE
49	4226 HAMILTON	Lot 7, Block G/1822	V	1, 2, 3	2/7 & 2/8	1	$1,000.00	$2,250.00	KIMIAKI ITAMURA
50	2427 HARDING	Lot 7, Block 7/2530	I	1, 2, 3	2/7 & 2/8	4	$3,500.00	$15,000.00	ESTEBAN MELGAREJO CASTILLO
51	4511 HEDGDON	Tract 3, Block 41/8617	V	1, 2, 3	2/7 & 2/8	2	$2,000.00	$6,875.00	NEXTLOTS NOW L.L.C.
52	1410 HENDRICKS	Lot 3, Block 25/3586	V	1, 2, 3	2/7 & 2/8	4	$1,000.00	$2,501.00	EDMOND CHIU
53	1311 HENDRICKS	Lot 29, Block 16/3576	V	1, 2, 3	2/7 & 2/8	3	$1,000.00	$2,435.00	NEXTLOTS NOW L.L.C.
54	2912 HOLMES	Lot 4, Block 6/1140	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$4,600.00	COUNTY LAND AND WATER LLC SERIES COM1
55	2630 IDAHO	Lot 8, Block 22/2886	V	1, 2, 3	2/7 & 2/8	3	$1,000.00	$3,125.00	NEXTLOTS NOW L.L.C.
56	4114 JAMAICA	Lot 10, Block E/1845	V	1, 2, 3	2/7 & 2/8	3	$1,000.00	$3,786.00	GLO-NITE, INC.
57	3623 KENILWORTH	Lot 15, Block A/2130	V	1, 2, 3	2/7 & 2/8	1	$1,000.00	$1,188.00	MARIA SCHNEIDER, DEVAN EARLE, DORIC EARLE, AND M.W. RESNICK
58	3504 KEYRIDGE	Lot 5, Block 18/6866	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$6,865.00	NEXTLOTS NOW L.L.C.
59	4947 KILDARE	Lot 4C, Block O/4366	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,875.00	NEXTLOTS NOW L.L.C.
60	2727 LAWRENCE	Lot 11, Block A/2479	I	1, 2, 3	2/7 & 2/8	2	$6,000.00	$10,007.00	TRI-CAPITAL EQUITIES LLC

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
EXHIBIT A

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/ IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
61	2736 LEBROCK	Lot 13, Block 19/6890	V	1, 2, 3	2/7 & 2/8	1	$500.00	$550.00	RAQUEL ROLLINS
62	3744 LEGENDARY	Block D/6035	V	1, 2, 3	2/7 & 2/8	3	$37,500.00	$53,520.00	TONYA WATSON
63	2524 MARBURG	Lot 6, Block A/1957	V	1, 2, 3	2/7 & 2/8	3	$250.00	$500.00	W. JUSTIN TITLE AND SHERRI M. TITLE
64	2231 MARBURG	Lot 14, Block B/7157	V	1, 2, 3	2/7 & 2/8	2	$500.00	$1,000.00	W. JUSTIN TITLE AND SHERRI M. TITLE
65	1212 MARFA	Lot 10, Block 35/4084	V	1, 2, 3	2/7 & 2/8	1	$1,000.00	$1,525.00	NEXTLOTS NOW L.L.C.
66	2639 MARFA	Lot 9, Block 23/5855	V	1, 2, 3	2/7 & 2/8	1	$500.00	$1,375.00	NEXTLOTS NOW L.L.C.
67	5703 MARGEWOOD	Lot 17, Block 1/8028	I	1, 2, 3	2/7 & 2/8	8	$7,000.00	$30,100.00	CRISTAL BENITEZ AND OSCAR GARCIA
68	18 MARGEWOOD	Lot 18, Block 1/8028	V	1, 2, 3	2/7 & 2/8	5	$2,000.00	$10,050.00	LUIS MENDEZ AND CARLOS GUZMAN
69	2911 MARSALIS	Lot 15, Block 14/4120	V	1, 2, 3	2/7 & 2/8	7	$1,000.00	$14,500.00	NEREIDA VASQUEZ
70	2726 MEADOW	Lot 7, Block A/1346	V	1, 2, 3	2/7 & 2/8	5	$500.00	$888.00	JONATHAN BENDER
71	4223 METROPOLITAN	Lot 40, Block G/1822	V	1, 2, 3	2/7 & 2/8	3	$1,000.00	$1,855.00	DAPORSCHA KELLEY
72	3321 MORRIS	Lot 19, Block 13/7145	I	1, 2, 3	2/7 & 2/8	8	$7,000.00	$20,563.00	HOMEX CHANGE LLC DBA NOMAS HOMEX CHANGE
73	2732 PARNELL	Lot 9, Block 1/1115	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,799.00	DEVAN EARLE
74	4337 PENELOPE	Lot 10, Block 1/1849	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,207.00	DEVAN EARLE
75	1308 PENNSYLVANIA	Lot 5, Block A/1162	V	1, 2, 3	2/7 & 2/8	4	$1,000.00	$2,855.00	DAPORSCHA KELLEY
76	3902 PINE	Lot 6, Block 2/1836	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,456.00	FRANCISCO MUJICA
77	11700 RAVENVIEW	Part of Lots 12D and 13, Block 8797	V	1, 2, 3	2/7 & 2/8	1	$1,000.00	$1,500.00	OSCAR GARCIA
78	3231 REED	Lot 15, Block 2/1782	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,501.00	FRANCISCO MUJICA
79	3327 REED	Lot 25, Block B/1792	V	1, 2, 3	2/7 & 2/8	3	$1,000.00	$1,501.00	FRANCISCO MUJICA
80	3923 ROBERTS	Lot 16, Block 1784	I	1, 2, 3	2/7 & 2/8	1	$5,000.00	$5,777.00	TRI-CAPITAL EQUITIES LLC

TAX FORECLOSED AND SEIZURE WARRANT PROPERTY RESALES
EXHIBIT A

ITEM #	STREET ADDRESS	LEGAL DESCRIPTION	VAC/ IMP	OWNED BY TAXING ENTITIES	DMN DATES ADVERTISEMENT	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
81	7331 SCYENE	Lot 1, Block E/6126	V	1, 2, 3	2/7 & 2/8	3	$2,000.00	$6,400.00	BENITO MOJICA
82	8906 SEDGEMOOR	Lot 26, Block D/7590	V	1, 2, 3	11/29 & 11/30	11	$2,000.00	$25,399	CITYWIDE DEVELOPMENT & CONSTRUCTION, LLC
83	2624 SEEVERS	Lot 7, Block 14/4200	V	1, 2, 3	2/7 & 2/8	8	$500.00	$14,757.00	NEREIDA VASQUEZ
84	1903 SMOKE TREE	Lot 6, Block A/8827	V	1, 2, 3	2/7 & 2/8	6	$1,000.00	$4,200.00	CARMEN OLGUIN
85	1732 SMOKE TREE	Lot 16, Block B/8827	V	1, 2, 3	2/7 & 2/8	1	$1,000.00	$1,875.00	NEXTLOTS NOW L.L.C.
86	2714 SOUTHLAND	Lot 9, Block 8/1958	V	1, 2, 3	2/7 & 2/8	2	$250.00	$901.10	SAMUEL DEMISSEW
87	2374 SOUTHWOOD	Lot 14, Block B/6036	V	1, 2, 3	2/7 & 2/8	3	$2,000.00	$5,579.00	DEVAN EARLE
88	4603 SPRING GARDEN	Lot 9, Block E/1776	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$2,005.00	TONYA WATSON
89	2728 SWANSON	Lot 4, Block 2E/1854	V	1, 2, 3	2/7 & 2/8	2	$1,000.00	$1,605.00	TONYA WATSON
90	524 TAMA	Lot 17A, Block 3391	V	1, 2, 3	2/7 & 2/8	2	$ 500.00	$1,000.00	MARIA ESTRADA
91	1306 VALLEY	Lot 27, Block A/3391	V	1, 2, 3	2/7 & 2/8	3	$1,000.00	$2,375.00	NEXTLOTS NOW L.L.C.
92	1314 VALLEY	Lot 28, Block A/3391	V	1, 2, 3	2/7 & 2/8	3	$500.00	$2,575.00	NEXTLOTS NOW L.L.C.
93	4319 WILLOW SPRINGS	Lot 27, Block B/4474	I	1, 2, 3	2/7 & 2/8	6	$7,000.00	$22,666.96	ANGELICA HERNANDEZ
94	709 WOODBINE	Lot 2, Block 5/3870	V	1, 2, 3	2/7 & 2/8	4	$250.00	$1,005.00	TONYA WATSON
95	3807 YORK	Lot 12, Block 1/4462	V	1, 2, 3	2/7 & 2/8	4	$250.00	$755.00	TONYA WATSON
96	3531 YORK	Lot 30, Block 2/2128	V	1, 2, 3	2/7 & 2/8	5	$250.00	$755.00	TONYA WATSON

AGENDA ITEM # 42

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 53T

SUBJECT

Authorize an amendment to the ten-year lease agreement with Mulix Investments, LLC to make leasehold improvements to the approximately 4,996 square feet of office space located at 2730 Coombs Creek Drive for the Southwest Building Inspection District office for the period December 1, 2014 through November 30, 2024 - Not to exceed $13,400 - Financing: Building Inspection Current Funds (subject to annual appropriations)

BACKGROUND

This item authorizes an amendment to an existing ten-year lease agreement with Mulix Investments, LLC to make leasehold improvements to the approximately 4,996 square feet of office space. Additional leasehold improvements were needed and this item provides for the payment of those improvements.

The Southwest Building Inspection District office provides services that include the intake of contractors registration, review and processing of permit applications and inspections by the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a lease agreement on December 10, 2014, by Resolution No.14-2114.

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

$13,400 – Building Inspection Current Funds (subject to annual appropriations)

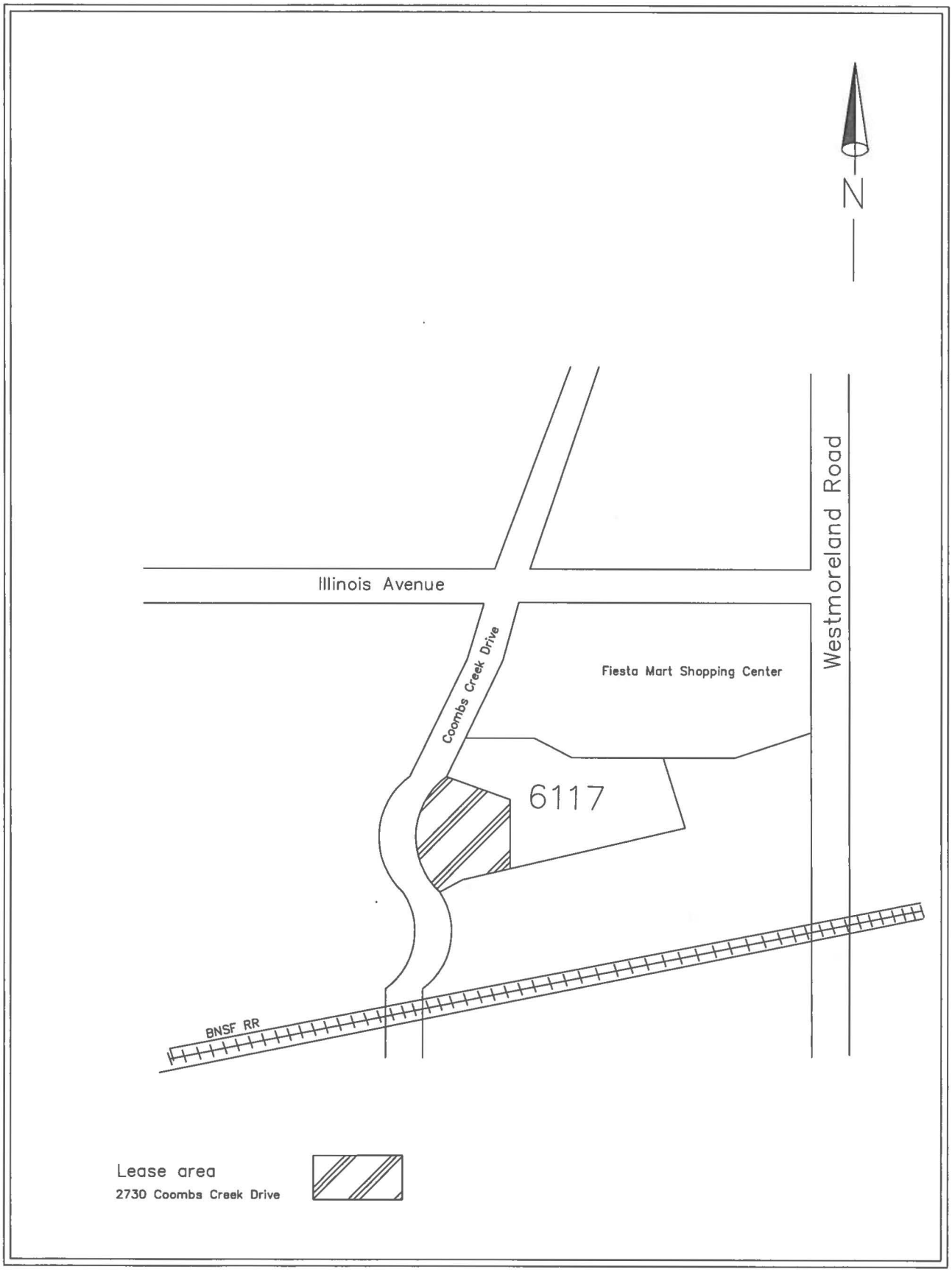
OWNER

Mulix Investments, LLC

Raul B. Estrada, Manager

MAP

Attached


N
Illinois Avenue
Westmoreland Road
Coombs Creek Drive
Fiesta Mart Shopping Center
6117
BNSF RR
Lease area
2730 Coombs Creek Drive

April 27, 2016

WHEREAS, on December 10, 2014, the City Council of Dallas approved Resolution No. 14-2114, authorizing the City Manager to execute a lease agreement dated December 1, 2014, (the "Lease") with Mulix Investments, LLC, as Lessor("Landlord") and the City of Dallas, as Lessee ("City") for approximately 4,996 square feet of office space located at 2730 Coombs Creek Drive, Dallas, Dallas County, Texas to be used by the Building Inspection's Southwest District Office; and

WHEREAS, the parties desire to supplement, modify and amend the Lease, to provide Landlord to make certain additional improvements, repairs and refurbishments to the Premises.

NOW, THEREFORE,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a First Amendment to Lease Agreement between Mulix Investments, LLC, a Texas limited liability company and the City of Dallas.

SECTION 2. That the special terms and conditions of the First Amendment to Lease Agreement are:

a) City shall pay as additional rental ("Additional Lease Rental") an amount up to but not exceeding $13,400.00 (subject to annual appropriations) for the Premises to be additionally improved by Landlord with the leasehold improvements described in the First Amendment to Lease Agreement to be executed by the parties, said additional rental shall be paid by City only upon presentation and approval of true, correct and valid invoices, statements and/or bills for additional improvements actually performed and materials delivered for said leasehold improvements.

b) All other terms of the Lease shall remain unchanged and in full force and effect.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw a warrant payable to Mulix Investments, LLC or its successor and assigns upon execution of the First Amendment to Lease Agreement and presentations of approved invoices, statements and/or bills up to but not exceeding the amount of $13,400.00 (subject to annual appropriations).

SECTION 4. That the payment will be charged as follows:

Fund 0150, Dept. DEV, Unit 3151, Object Code 3599, Encumbrance No. DEV3151MULIX, Commodity Code 97145, Vendor No. VC13615.

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.

APPROVED AS TO FORM
Warren M. S. Ernst, City Attorney

BY: _____
Assistant City Attorney

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45P

SUBJECT

An ordinance granting a private license to Equity Hotel Group, LLC for the use of a total of approximately 385 square feet of aerial space to occupy, maintain and utilize two canopies over a portion of Record Street right-of-way, near its intersection with Wood Street – Revenue: $200 one-time fee, plus the $20 ordinance publication fee

BACKGROUND

This item grants a private license to Equity Hotel Group, LLC for the use of a total of approximately 385 square feet of aerial space to occupy, maintain and utilize two canopies over a portion of Record Street right-of-way, near its intersection with Wood Street. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

Revenue: $200 one-time fee, plus the $20 ordinance publication fee

OWNER

Equity Hotel Group, LLC

Bipin Hira, Manager

MAP

Attached

LICENSING AREA

ORDINANCE NO. _____

An ordinance granting a private license to Equity Hotel Group, LLC to occupy, maintain, and utilize aerial space over a portion of Record Street right-of-way located near the intersection of Wood Street adjacent to City Block 22/24 within the limits hereinafter more fully described, for the purpose of installing and maintaining two (2) canopies without a premise sign; providing for the terms and conditions of this license; providing for a one-time fee to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a private license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Equity Hotel Group, LLC, a Texas limited liability company, its successors and assigns, hereinafter referred to as "**GRANTEE**", to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in EXHIBIT A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty (40) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas a one-time license fee in the sum of **TWO HUNDRED AND NO/100 ($200.00) DOLLARS**, said sum to become due and payable upon the final passage of this ordinance and shall cover the consideration for the license term, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated fee within sixty (60) days of the due date, the Director of Department of Sustainable Development and Construction may terminate this license.

All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in Fund 0001, Department DEV, Unit 1181, Revenue Source 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10% a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: to occupy, maintain and utilize two (2) canopies without a premise sign.

SECTION 5. That this license is subject to the provisions set forth in EXHIBIT B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing body, to terminate and cancel this license, upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

a) **GRANTEE** acknowledges that the City of Dallas Central Business District Streets and Circulation Plan Record requires 64 feet of right-of-way.

b) **GRANTEE** shall assure that clearance from sidewalk to bottom of the canopies meets Americans with Disabilities Act (ADA) and Code clearances.

c) **GRANTEE** shall obtain a right-away permit that must be submitted and issued prior to any field work.

SECTION 8. That the license granted hereby shall not become effective until and unless **GRANTEE** files a final acceptance, in writing, to the terms and conditions of this ordinance with the Director of Department of Sustainable Development and Construction and said written acceptance shall be forwarded to the City Secretary of the City of Dallas. In the event said written final acceptance is not filed within six (6) months after the passage of this ordinance as provided for herein, then the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 9. That upon receipt of **GRANTEE's** final written acceptance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 10. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 11. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions, and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Record 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 one-time license fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 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

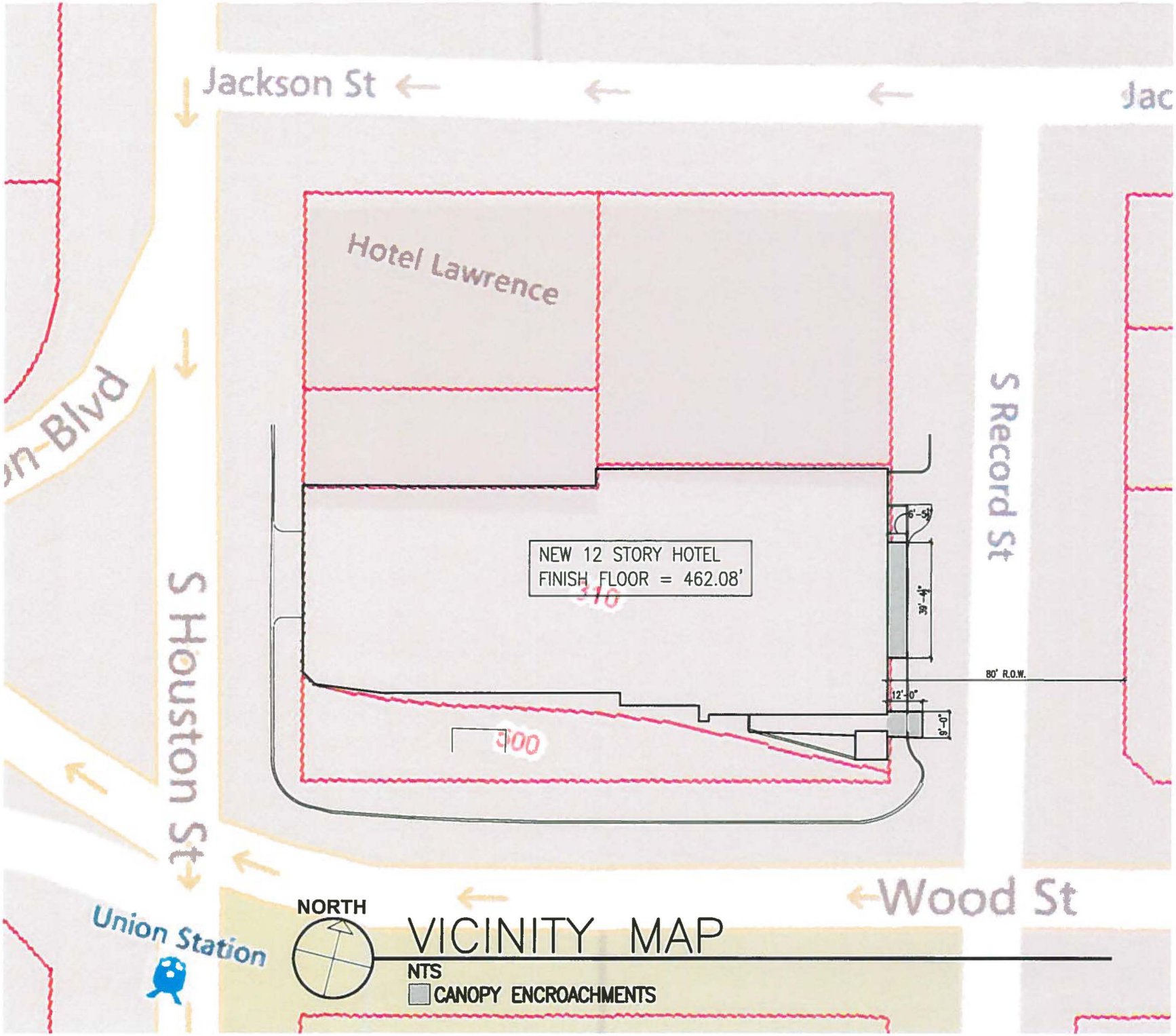

Jackson St
Jac
Hotel Lawrence
S Record St
S Houston St
Wood St
Union Station
NEW 12 STORY HOTEL
FINISH FLOOR = 462.08'
310
300
80' R.O.W.
12'-0"
9'-0"
39'-4"
6'-5"
NORTH
VICINITY MAP
NTS
CANOPY ENCROACHMENTS

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

AGENDA ITEM # 44

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 26A

SUBJECT

An ordinance abandoning a sanitary sewer easement to Northaven Land Investment, LP and North Haven R.E., LP, the abutting owners, containing approximately 3,664 square feet of land, located near the intersection of Northaven Road and Freda Stern Drive - Revenue: $5,400, plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a sanitary sewer easement to Northaven Land Investment, LP and North Haven R.E., LP, the abutting owners. The abandonment area will be included with the property of the abutting owners for the construction of a single-family residential development. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

Revenue: $ 5,400, plus the $20 ordinance publication fee

OWNERS

Northaven Land Investment, LP

Northaven Homes GP, LLC

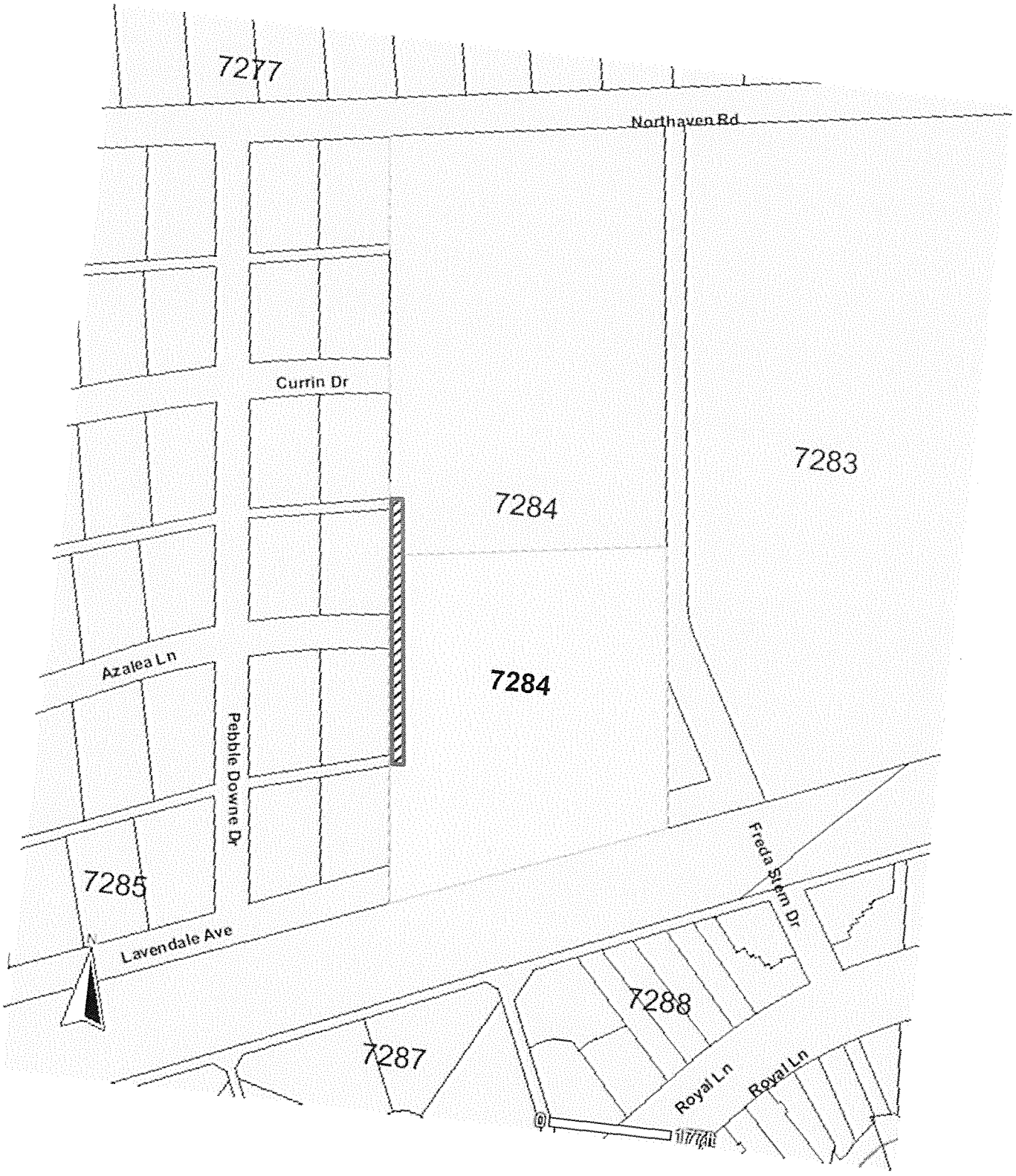
J Ryan Diepenbrock, Member

North Haven R.E., LP

Jonathan Pinkus, Member

MAP

Attached



Abandonment area =

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a sanitary sewer easement located in City Block 7284 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Northaven Land Investment, LP, and North Haven R.E., LP; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of a new easement to the City of Dallas and the relocation of existing facilities; providing for the indemnification of the City of Dallas against damages arising out of the abandonments herein; providing for the consideration to be paid to the City of Dallas; providing a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Northaven Land Investment, LP, a Texas limited partnership, and North Haven R.E., LP, a Texas limited partnership; hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth; **Now, Therefore**,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tracts of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tracts or parcels of land hereinabove described in Exhibit A as follows: unto Northaven Land Investment, LP all of its right, title and interest in Tract I of Exhibit A; unto North Haven R.E., LP all of its right, title and interest in Tract II of Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction - Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, their successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, their 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,** their 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**, their successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended;

(e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said sanitary sewer easements shall not become effective until and unless: (i) the existing installations and facilities are relocated, at **GRANTEE's** expense, to the new easement to be provided by **GRANTEE** and acceptable to the Director of Department of Sustainable Development and Construction, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easement are approved by the Director of Department of Sustainable Development and Construction; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Department of Sustainable Development and Construction. All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 10. That as a condition of this abandonment and relinquishment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of adjoining properties within one year after passage of this ordinance showing the dedication of not less than 8,080 square feet for a Water and Wastewater easement in City Block A/7284 satisfactory to the Director of Department of Sustainable Development and Construction. This final replat shall be recorded by **GRANTEE** in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas. Failure to record a final replat in accordance with the terms of this section shall render this ordinance null and void, and of no further effect. Further, the final replat shall be filed with the Department of Sustainable Development and Construction of the City of Dallas before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, the recording of the final replat as set forth in Section 10, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 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 _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

SANITARY SEWER EASEMENT ABANDONMENT

M.J. Sanchez Survey, Abstract No. 1272, Part of City of Dallas Block 7284, Dallas County, Texas

Being a 2,972 square foot tract of land situated in M.J. Sanchez Survey, Abstract No. 1272, Dallas County, Texas, being a portion of that same tract of land conveyed to Northaven Land Investment, LP, by Special Warranty Deed recorded in Instrument No. 201400113647, Official Public Records of Dallas County, Texas, and being part of City of Dallas Block 7284 and being a portion of a 10 foot sanitary sewer easement created and described as Easement Strip No. 2 recorded in Volume 837, Page 570 and in Volume 4800, Page 279 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at a 1 inch iron rod found for corner in the North line of D.P.&.L. Right of Way (150 foot right-of-way), said point being the Southwest corner of said Northaven Land Investment tract and the common Southeast corner of Lavendale Avenue (50 foot right-of-way);

Thence North 06 Degrees 22 Minutes 12 Seconds West, along the West line of said Northaven Land Investment tract and the East line of Northaven Meadows, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 20, Page 29, Plat Records, Dallas County, Texas, a distance of 202.50 feet to a point for corner, said point lying in the East line of Lot 4, Block 6/7285 of said Northaven Meadows, same being the POINT OF BEGINNING of herein described tract;

Thence North 06 Degrees 22 Minutes 12 Seconds West, continuing along the West line of said Northaven Land Investment tract and the East line of said Northaven Meadows, a distance of 297.05 feet to a point for corner at the Northwest corner of said Northaven Land Investment tract and the Southwest corner of a tract of land conveyed to North Haven R.E., L.P., a Texas limited partnership, by Special Warranty Deed recorded in Instrument No. 201400186037, Official Public Records of Dallas County, Texas;

Thence North 81 Degrees 32 Minutes 36 Seconds East, along the North line of said Northaven Land Investment tract, a distance of 10.01 feet to a point for corner;

Thence South 06 Degrees 22 Minutes 12 Seconds East, 10 feet from and parallel to the East line of said Northaven Meadows, over and across said Northaven Land Investment tract, a distance of 297.41 feet to a point for corner;

Thence South 83 Degrees 37 Minutes 48 Seconds West, over and across said Northaven Land Investment tract, a distance of 10.00 feet to the POINT OF BEGINNING and containing 2,972 square feet or 0.068 acre of land.

STATE OF TEXAS
REGISTERED
J.R. JANUARY
5382
PROFESSIONAL
LAND SURVEYOR

J.R. January, R.P.L.S.# 5382
Dated: April 6, 2016

(For SPRG use only)	
Reviewed by:	JD
Date:	4/8/2016
SPRG NO.:	3633

TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

BEARINGS ARE BASED ON STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, 2011. (S68°26'44"W)

Job# 1304324-10
Date: 02/26/2016
Revision Date: 04/06/2016
Drawn: CN

EXHIBIT A-TRACT 1

SANITARY SEWER EASEMENT ABANDONMENT

M.J. Sanchez Survey, Abstract No. 1272, Part of City of Dallas
Block 7284, Dallas County, Texas

PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	202.50'	N6°22'12"W
L2	297.05'	N6°22'12"W
L3	10.01'	N81°32'36"E
L4	297.41'	S6°22'12"E
L5	10.00'	S83°37'48"W

LEGEND:

VOL	VOLUME
PG.	PAGE
BL	BUILDING LINE
R.O.W.	RIGHT-OF-WAY
CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
SQ.FT	SQUARE FEET
O.P.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.P.&L.	DALLAS POWER & LIGHT COMPANY
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS

150 75 0 75 150 225

SCALE 1"=150'

NORTHAVEN ROAD
60' PUBLIC RIGHT-OF-WAY

1/2" IRF BEARS S63°34'56"W 2.16'

POINT FOR CORNER

1/2" IRF "CM"

NORTH HAVEN R.E., L.P.
a Texas limited partnership
INSTRUMENT NO.
201400186037,
O.P.R.D.C.T.

FREDA STERN DRIVE
28' RIGHT-OF-WAY

LOT 2

15' ALLEY

BLOCK 2/7285

LOT 3

LOT 4

EASEMENT STRIP NO. 1
5' SANITARY
SEWER EASEMENT
VOLUME 637, PAGE 570
VOLUME 4800, PAGE 279
D.R.D.C.T.

5' SANITARY
SEWER EASEMENT
VOLUME 4704, PAGE 227
D.R.D.C.T.

CURRIN DRIVE
50' PUBLIC RIGHT-OF-WAY

EASEMENT STRIP NO. 3
10' SANITARY
SEWER EASEMENT
VOLUME 4800, PAGE 279
& VOLUME 837, PAGE 570
D.R.D.C.T.

5' SANITARY
SEWER EASEMENT
VOLUME 4793, PAGE 140
D.R.D.C.T.

LOT 1

LOT 2

BLOCK 4/7285

15' ALLEY

BLOCK 7284

5' SANITARY
SEWER EASEMENT
VOLUME 4711, PAGE 536
D.R.D.C.T.

L3

LOT 3

LOT 4

SANITARY SEWER
EASEMENT ABANDONMENT
2,972 SQ. FT.
0.068 AC.

BLOCK 7284

NORTHAVEN MEADOWS
VOLUME 20, PAGE 29
M.R.D.C.T.

40' BL
(VOL. 20, PG. 29)

AZALEA AVENUE
50' PUBLIC RIGHT-OF-WAY

L2

L4

NORTHAVEN LAND
INVESTMENT, LP
INSTRUMENT NO.
201400113647
O.P.R.D.C.T.

FREDA STERN DRIVE
56' R.O.W.

40' BL
(VOL. 20, PG. 29)

LOT 2

5' SANITARY
SEWER EASEMENT
VOLUME 4701, PAGE 391
D.R.D.C.T.

EASEMENT STRIP NO. 2
10' SANITARY
SEWER EASEMENT
VOLUME 837, PAGE 570
VOLUME 4800, PAGE 279
D.R.D.C.T.

B/7284

LAVENDALE AVENUE
50' PUBLIC R.O.W.

LOT 1

15' ALLEY

L5

POINT OF BEGINNING

BLOCK 6/7285

LOT 3

LOT 4

L1

40' BL
(VOL. 20, PG. 29)

1/2" IRF "CM"

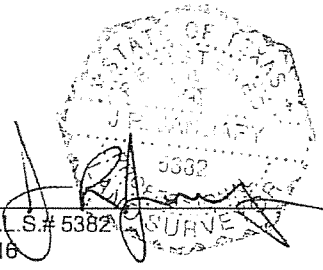
S 68°26'44" W 411.07' (BASIS OF BEARINGS)

D.P.&L. R.O.W.
150' RIGHT-OF-WAY
VOLUME 3292, PAGE 560
D.R.D.C.T.

LAVENDALE AVENUE
50' PUBLIC RIGHT-OF-WAY
VOLUME 20, PAGE 29
M.R.D.C.T.

1" IRF "CM"

POINT OF COMMENCING



J.R. January, R.P.L.S.# 5382
Dated: April 6, 2016

(For SPRG use only)
Reviewed by: JD
Date: 4/8/2016
SPRG NO.: 3633

TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

BEARINGS ARE BASED ON STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, 2011. (S68°26'44"W)

Job# 1304324-10
Date: 02/26/2016
Revision Date: 04/06/2016
Drawn: CN
Scale: 1" - 150'

EXHIBIT A-TRACT 2

SANITARY SEWER EASEMENT ABANDONMENT

M.J. Sanchez Survey, Abstract No. 1272, Part of City of Dallas Block 7284, Dallas County, Texas

Being a 692 square foot tract of land situated in M.J. Sanchez Survey, Abstract No. 1272, Dallas County, Texas, being a portion of that same tract of land conveyed to North Haven R.E., L.P., a Texas limited partnership, by Special Warranty Deed recorded in Instrument No. 201400186037, Official Public Records of Dallas County, Texas, and being part of City of Dallas Block 7284 and being a portion of a 10 foot sanitary sewer easement created and described as Easement Strip No. 2 recorded in Volume 837, Page 570 and in Volume 4800, Page 279 of the Deed Records of Dallas County, Texas, and being all together more particularly described by metes and bounds as follows:

Commencing at a 1 inch iron rod found for corner in the North line of D.P.&L. Right of Way (150 foot right-of-way), said point being the Southwest corner of a tract of land conveyed to Northaven Land Investment, LP, by Special Warranty Deed recorded in Instrument No. 201400113647, Official Public Records of Dallas County, Texas and being the common Southeast corner of Lavendale Avenue (50 foot right-of-way);

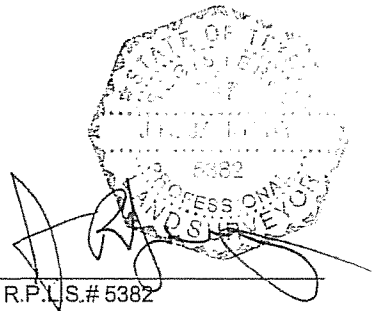
Thence North 06 Degrees 22 Minutes 12 Seconds West, along the West line of said Northaven Land Investment tract and the East line of Northaven Meadows, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 20, Page 29, Plat Records, Dallas County, Texas, a distance of 499.56 feet to a point for corner, said point being the Southwest corner and POINT OF BEGINNING of herein described tract;

Thence North 06 Degrees 22 Minutes 12 Seconds West, continuing along the West line of said North Haven R.E. tract and the East line of said Northaven Meadows, a distance of 69.40 feet to a point for corner, said point being the Northeast corner of Lot 4, Block 4/7285;

Thence North 83 Degrees 37 Minutes 48 Seconds East, over and across said North Haven R.E. tract, a distance of 10.00 feet to a point for corner;

Thence South 06 Degrees 22 Minutes 12 Seconds East, 10 feet from and parallel to the East line of said Northaven Meadows, over and across said North Haven R.E. tract, a distance of 69.03 feet to a point for corner lying in the South line of said North Haven R.E. tract;

Thence South 81 Degrees 32 Minutes 36 Seconds West, along the South line of said North Haven R.E. tract, a distance of 10.01 feet to the POINT OF BEGINNING and containing 692 square feet or 0.015 acre of land.



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Firm #10169300

BEARINGS ARE BASED ON STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, 2011. (S68°26'44"W)

Job# 1304324-10
Date: 02/26/2016
Revision Date: 04/06/2016
Drawn: CN
Scale: 1" - 150'

EXHIBIT A-TRACT 2

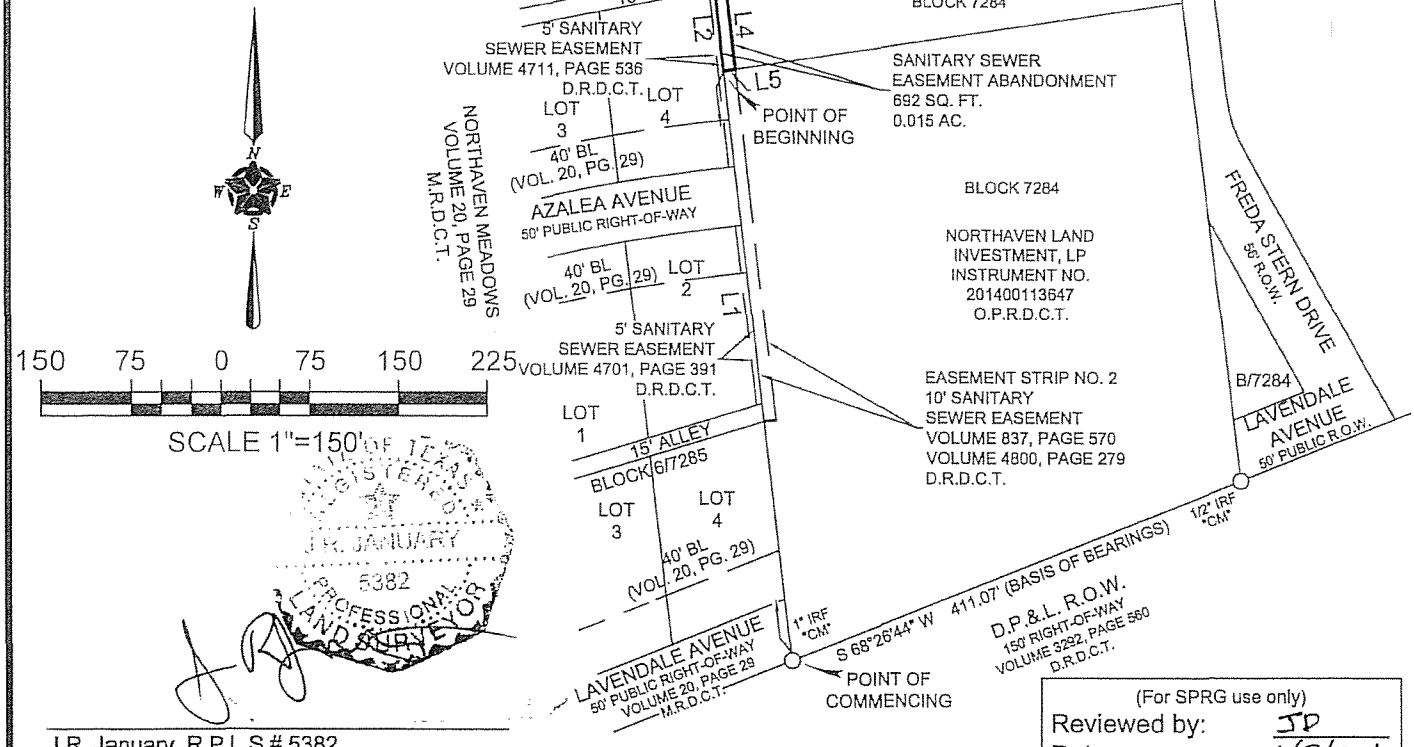
SANITARY SEWER EASEMENT ABANDONMENT

M.J. Sanchez Survey, Abstract No. 1272, Part of City of Dallas
Block 7284, Dallas County, Texas

PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	499.56'	N6°22'12"W
L2	69.40'	N6°22'12"W
L3	10.00'	N83°37'48"E
L4	69.03'	S6°22'12"E
L5	10.01'	S81°32'36"W

LEGEND:

VOL.	VOLUME
PG.	PAGE
BL.	BUILDING LINE
R.O.W.	RIGHT-OF-WAY
CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
SQ.FT	SQUARE FEET
O.P.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.P.&L. D.R.D.C.T.	DALLAS POWER & LIGHT COMPANY DEED RECORDS, DALLAS COUNTY, TEXAS



J.R. January, R.P.L.S.# 5382
Dated: April 6, 2016

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BEARINGS ARE BASED ON STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, 2011. (S68°26'44"W)

Job# 1304324-10
Date: 02/26/2016
Revision Date: 04/06/2016
Drawn: CN
Scale: 1" - 150'

AGENDA ITEM # 45

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 3, 14

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 35X 64P 65L

SUBJECT

Authorize professional services contracts with Garver, LLC for the engineering design of five erosion control improvement projects (list attached) - Not to exceed $88,684 - Financing: 2012 Bond Funds ($19,603) and General Obligation Commercial Paper Funds ($69,081)

BACKGROUND

This action will authorize a professional services contract with Garver, LLC for the engineering design of five erosion control improvement projects. These projects were funded in the 2012 Bond Program. The erosion control projects have been divided into geographically based groups. This item will provide engineering design for Group 12 (Glendale Park Sites 1, 3, and 4, Twin Falls Park Trail and Turtle Creek Greenbelt Site 1) as outlined in the 2012 Bond Program.

Erosion control improvement projects will include the installation of gabion walls, retaining walls, gabion mattresses, and slope and channel improvements to protect structures and minimize creek bank erosion along various creeks throughout the city.

Following are the locations, council district and design cost for each project. The consulting firms were selected following a qualifications-based selection process in accordance with the City of Dallas AD 4-5 procurement guidelines.

Location	Council District	Amount
Group 12		
Glendale Park Site 4 (1300 E. Ledbetter Drive)	3	$ 4,900.00
Glendale Park Site 1 (1300 E. Ledbetter Drive)	3	$ 9,803.00

BACKGROUND (Continued)

Location	Council District	Amount
Group 12		
Glendale Park Site 3 (1300 E. Ledbetter Drive)	3	$ 4,900.00
Twin Falls Park Trail (6300 S. Polk Street)	3	$36,983.00
Turtle Creek Greenbelt Site 1 (3636 Turtle Creek Parkway)	14	$32,098.00

ESTIMATED SCHEDULE OF PROJECT

Erosion Control Improvement Projects

	Begin Design	Complete Design
Group 12		
Glendale Park Site 4	April 2016	October 2016
Glendale Park Site 1	April 2016	October 2016
Glendale Park Site 3	April 2016	October 2016
Turtle Creek Greenbelt Site 1	April 2016	October 2016
Twin Falls Park Trail	April 2016	October 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

FISCAL INFORMATION

2012 Bond Funds - $19,603.00
2012 Bond Program (General Obligation Commercial Paper Funds) - $69,081.00

Council District	Amount
3	$56,586.00
14	$32,098.00
Total Cost	$88,684.00

FISCAL INFORMATION (Continued)

Engineer's Estimate

Group 12

Design	$ 88,684.00
Construction	$618,118.39
Total Project Cost	$706,802.39 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Garver, LLC

Hispanic Female	2	Hispanic Male	6
African-American Female	3	African-American Male	7
White Female	87	White Male	289
Other Female	5	Other Male	7

OWNER

Garver, LLC

Jeffrey L. Sober, Vice President

MAPS

Attached

Professional Services contracts for five Erosion Control Projects

Location	Council District	Firm	Amount
Group 12		Garver, LLC.	
Glendale Park Site 4	3		$ 4,900.00
Glendale Park Site 1	3		$ 9,803.00
Glendale Park Site 3	3		$ 4,900.00
Twin Falls Park Trail	3		$36,983.00
Turtle Creek Greenbelt Site 1	14		$32,098.00

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with Garver, LLC for the engineering design of five erosion control improvement projects (list attached) - Not to exceed $88,684 - Financing: 2012 Bond Funds ($19,603) and General Obligation Commercial Paper Funds ($69,081)

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

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$88,684.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$88,684.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Alliance Geotechnical Group	BMDB94986Y0117	$18,920.00	21.33%
2M Associates	IMDB36537Y0716	$9,500.00	10.71%
Dal-Tech Engineering	WFWB63908Y0017	$7,062.00	7.96%
Total Minority - Local		$35,482.00	40.01%

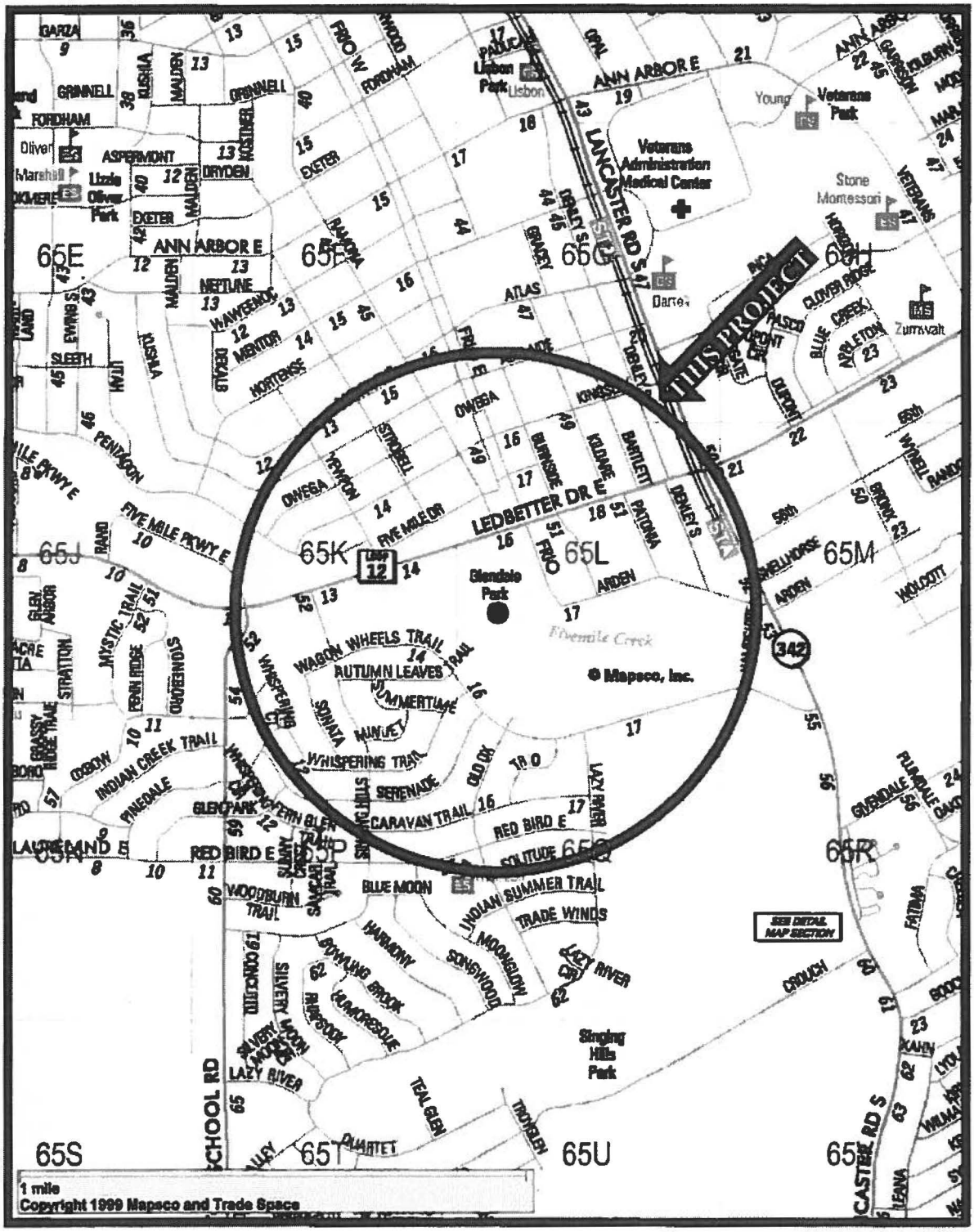
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

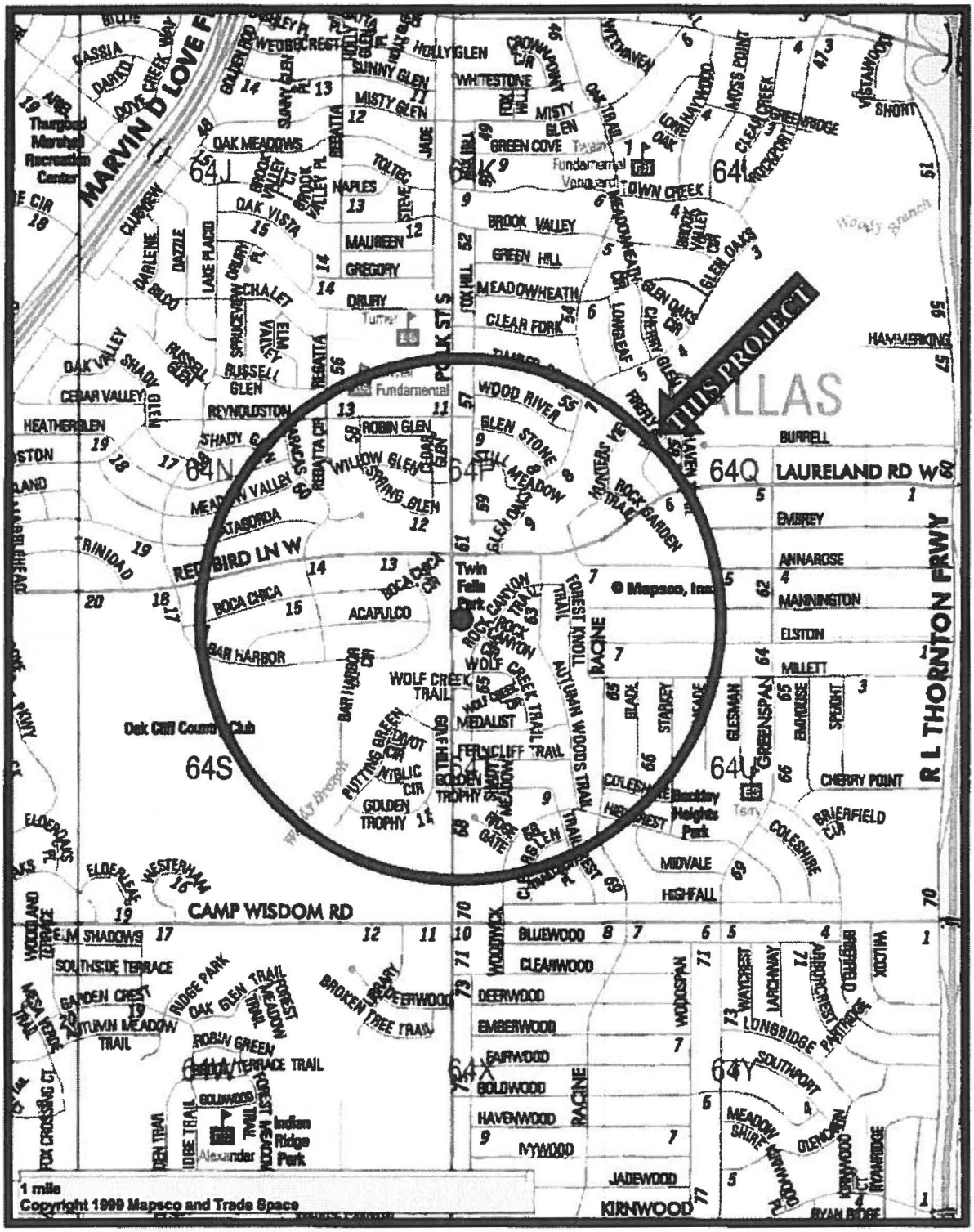
	Local	Percent	Local & Non-Local	Percent
African American	$18,920.00	21.33%	$18,920.00	21.33%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$9,500.00	10.71%	$9,500.00	10.71%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$7,062.00	7.96%	$7,062.00	7.96%
Total	$35,482.00	40.01%	$35,482.00	40.01%

Erosion Control Group 12



Mapsco 65-L

Erosion Control Group 12



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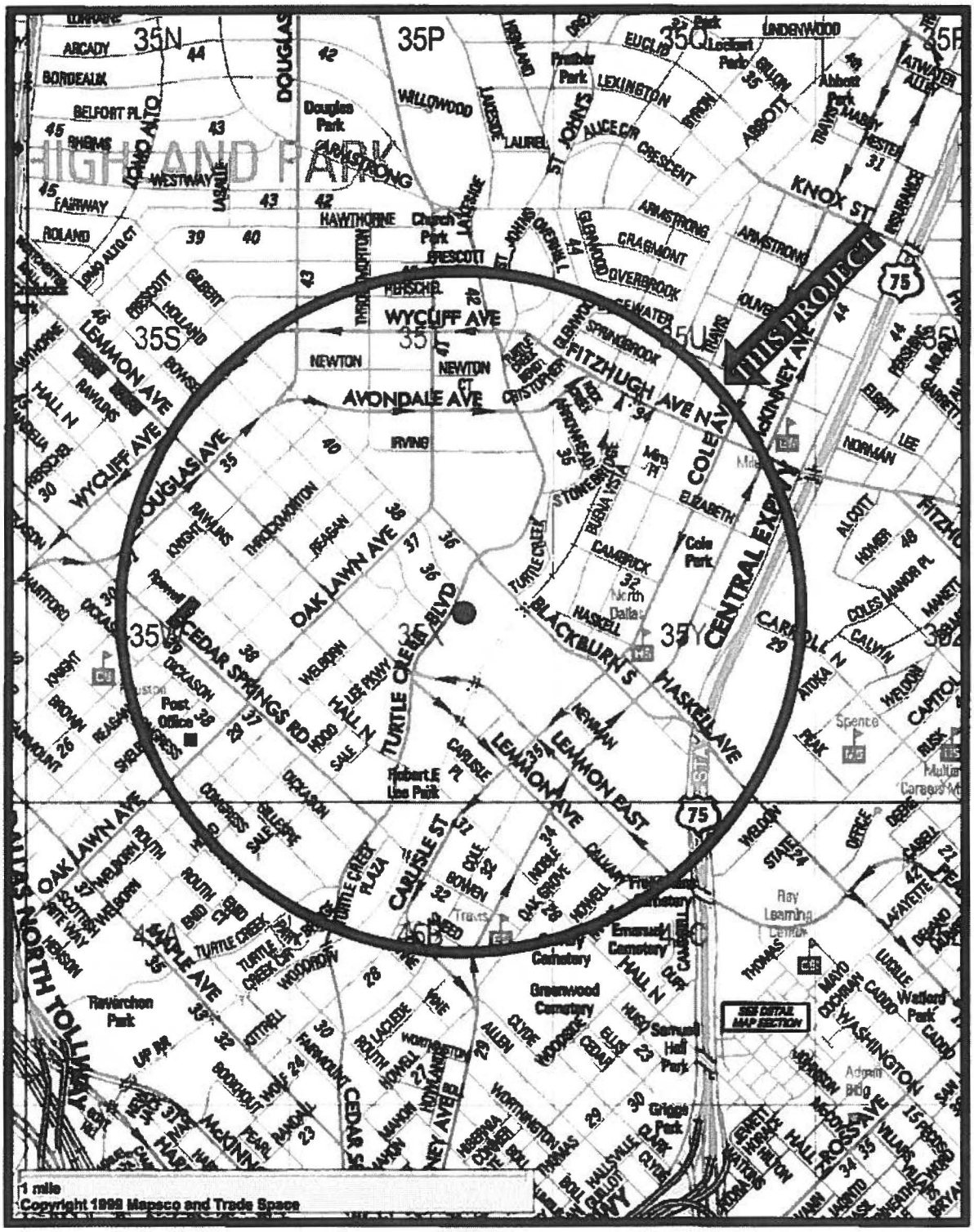
Erosion Control Group 12



Mapsco 35-X

April 27, 2016

WHEREAS, Garver, LLC was selected to provide engineering design of five erosion control improvement projects.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with Garver, LLC for the engineering services for erosion control improvement projects in an amount not to exceed $88,684.00, after it has been approved as to form by the City Attorney.

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

Flood Protection and Storm Drainage Facilities Fund 3U23, Dept. TWM, Unit S726, Activity ERCT Object 4111, Program No. TW12S726, CT TWM12S724F1 Vendor No. VS0000016343, in an amount not to exceed	$ 4,900.00
Flood Protection and Storm Drainage Facilities Fund 3U23, Dept. TWM, Unit S724, Activity ERCT Object 4111, Program No. TW12S724, CT TWM12S724F1 Vendor No. VS0000016343, in an amount not to exceed	$ 9,803.00
Flood Protection and Storm Drainage Facilities Fund 3U23, Dept. TWM, Unit S725, Activity ERCT Object 4111, Program No. TW12S275, CT TWM12S724F1 Vendor No. VS0000016343, in an amount not to exceed	$ 4,900.00
Flood Protection and Storm Drainage Facilities Fund 4U23, Dept. TWM, Unit S761, Activity ERCT Object 4111, Program No. TW12S761 CT TWM12S724F1 Vendor No. VS0000016343, in an amount not to exceed	$36,983.00
Flood Protection and Storm Drainage Facilities Fund 4U23, Dept. TWM, Unit S759, Activity ERCT Object 4111, Program No. TW12S759, CT TWM12S724F1 Vendor No. VS0000016343, in an amount not to exceed	$32,098.00
Total amount not to exceed	$88,684.00

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 # 46

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 2, 6

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 44F

SUBJECT

Authorize an increase in the contract with AUI Contractors, LLC for cooling water piping modifications, landscape improvements, pavement improvements and additional electrical improvements for the New Baker No. 3 Pump Station - Not to exceed $375,822, from $42,623,042 to $42,998,864 - Financing: 2006 Bond Funds

BACKGROUND

The 2006 Bond Program included $48.1 million dollars for the Levee Drainage System – Hampton-Oak Lawn Sump Project, also referred to as the Baker No. 3 Pump Station. The Baker No. 3 Pump Station project is located at 2331 Irving Boulevard, and provides 100-year flood protection for the large commercial and industrial area near the Stemmons I-35 corridor through a total pumping capacity of 700,000 gallons per minute.

In September 2010, when the project was initially advertised for construction, the US Army Corps of Engineers (USACE) added new requirements for sump design. Due to budget and timing constraints, the City proceeded with the construction of the pump station with 50% sump design plans and a planned change order for sump improvements to meet the new USACE parameters. Funding for the anticipated additional work was set aside and budgeted for future award. AUI Contractors, LLC was notified on June 27, 2012 of award of the contract in the amount of $37,869,184.00 with a construction period of 900 calendar days to rehabilitate the Baker No. 2 and construct the new Baker No. 3 Pump Station.

On August 14, 2013, Council approved Change Order No. 1 by Resolution No. 13-1329 for pump station inlet modifications, emergency generator relocation and deepening of the low flow pump.

BACKGROUND (Continued)

Resolution No. 14-0673 on April 23, 2014, approved Change Order No. 2 that included the USACE approved sump improvements, in addition to structural, electrical, instrumentation control, piping and roofing that necessary to complete construction. The Change Order also allowed for a time extension of 90 calendar days.

Change Order No. 3 was approved as an Administrative Action No. 15-1505 in August 2015. This change order included Concrete Masonry Unit wall modification, cathodic and lightening protection modifications, power factor correction additions and installation of fiber optic cable conduit to allow future connection to the Hampton pump station.

Recent experience with the cooling water system at the Pavaho Pump station indicates that iron pipe can be subject to clogging during low flow periods, which can hinder performance during regular storm related pumping. Operations staff have requested replacing the iron piping at the Baker Pump station with stainless steel pipe to prevent this issue from occurring. In addition to the cooling water piping modifications, Change Order No. 4 includes landscape improvements, pavement improvements and additional electrical improvements at New Baker. The total cost of Change Order No. 4 is $375,822.00. The stainless steel piping improvements will be completed 85 days after notice to proceed. It is anticipated that the project will be complete in July, 2016.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	February 2012
Began Construction	September 2012
Complete Construction	July 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized professional services contracts with HNTB Corporation and Carter and Burgess, Inc. on June 13, 2007, by Resolution No. 07-1833 for design of the New Baker No. 3 Pump Station.

Authorized Supplemental Agreement No. 1 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., on October 28, 2009, by Resolution No. 09-2652.

Authorized Supplemental Agreement No. 2 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., on June 23, 2010, by Resolution No. 10-1707.

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

Authorized Supplemental Agreement No. 3 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., on February 23, 2011, by Resolution No. 11-0597.

Authorized Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., on June 27, 2012, by Resolution No. 12-1732.

Authorized a construction contract with AUI Contractors, LLC in the amount of $37,869.184.00 on June 27, 2012, by Resolution No. 12-1731.

Authorized Change Order No. 1 to the contract with AUI Contractors, LLC in the amount of $92,309.00 on August 14, 2013, by Resolution No. 13-1329.

Authorized Change Order No. 2 to the contract with AUI Contractors, LLC in the amount of $4,616,623.20 on April 23, 2014, by Resolution No. 14-0673.

FISCAL INFORMATION

2006 Bond Funds - $375,822.00

Design	
Original Design Contract	$ 7,621,000.00
Supplemental Agreement No. 1	$ 530,440.00
Supplemental Agreement No. 2	$ 3,727,000.00
Supplemental Agreement No. 3	$ 2,145,000.00
Supplemental Agreement No. 4	$ 1,500,000.00
Total Design Amount	$15,523,440.00
Construction	
Original Construction Contract	$37,869,184.00
Change Order No. 1	$ 92,309.00
Change Order No. 2	$ 4,616,623.20
Change Order No. 3	$ 44,926.00
Change Order No. 4 (this action)	$ 375,822.00
Total Amount	$42,998,864.20

FISCAL INFORMATION (Continued)

Council District	Amount
2	$187,911.00
6	$187,911.00
Total	$375,822.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

AUI Contractors, LLC

Hispanic Female	3	Hispanic Male	11
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	4	White Male	49

OWNER

AUI Contractors, LLC

Doug Alumbaugh, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with AUI Contractors, LLC for cooling water piping modifications, landscape improvements, pavement improvements and additional electrical improvements for the New Baker No. 3 Pump Station - Not to exceed $375,822, from $42,623,042 to $42,998,864 - Financing: 2006 Bond Funds

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

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$205,538.64	54.69%
Non-local contracts	$170,283.36	45.31%
TOTAL THIS ACTION	$375,822.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
DFW Aggregates	HFMB60488N0217	$1,133.00	0.55%
Total Minority - Local		$1,133.00	0.55%

Non-Local Contractors / Sub-Contractors

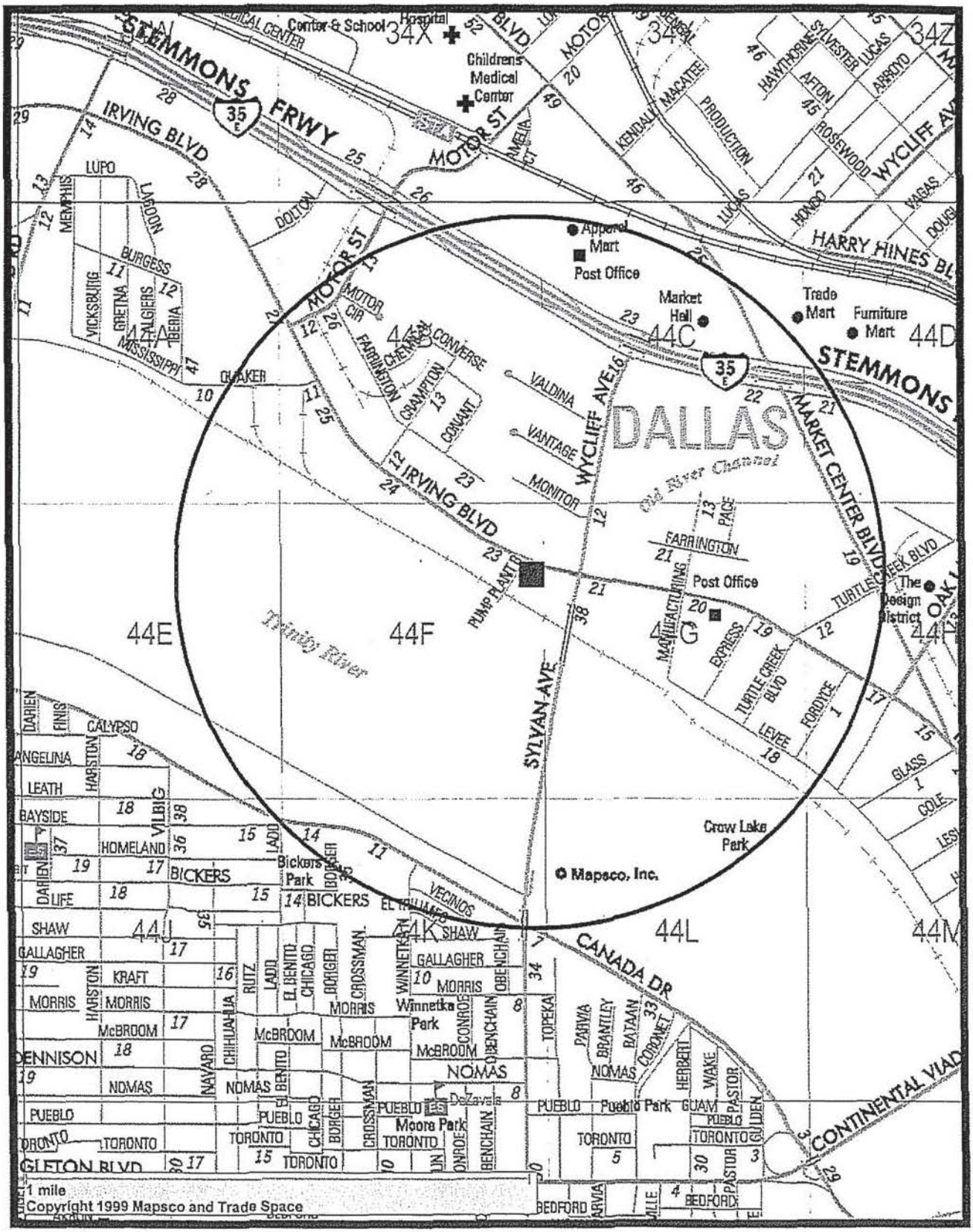
None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$2,701,913.97	6.28%
Hispanic American	$1,133.00	0.30%	$595,389.00	1.38%
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%	$7,849,811.84	18.26%
Total	$1,133.00	0.30%	$11,147,114.81	25.92%

Levee Drainage System – Hampton / Oak Lawn Sump

Baker Pump Station



Mapsco 44-F

April 27, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized (1) a professional services contract with HNTB Corporation for program management of major flood management and storm drainage projects included in the 2006 Bond Program in the amount of $8,423,300.00, and (2) a professional services contract with Carter and Burgess, Inc. for the design of the Levee Drainage System at Hampton-Oak Lawn Sump and Pavaho Sump in the amount of $7,621,000.00; and,

WHEREAS, on October 28, 2009, Resolution No. 09-2652 authorized Supplemental Agreement No. 1 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., for additional design services on the Levee Drainage System-Hampton Oak Lawn and the Levee Drainage System-Pavaho Pump Stations in an amount $530,440.00, increasing the contract amount from $7,621,000.00 to $8,151,440.00; and,

WHEREAS, on June 23, 2010, Resolution No. 10-1707 authorized Supplemental Agreement No. 2 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., for construction management services and for design support during construction in the amount of $3,727,000.00, from $8,151,440.00 to $11,878,440.00; and,

WHEREAS, on February 23, 2011, Resolution No. 11-0597 authorized Supplemental Agreement No. 3 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., for additional design services to address Federal Emergency Management Agency (FEMA) and U.S. Army Corps of Engineers requirements in the amount of $2,145,000.00, from $11,878,440.00 to $14,023,440.00; and,

WHEREAS, on June 27, 2012, Resolution No. 12-1732 authorized Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., in the amount of $1,500,000.00, from $14,023,440.00 to $15,523,440.00; and

WHEREAS, bids were received on May 10, 2012, for the construction of the Baker No. 3 Pump Station; and,

WHEREAS, on June 27, 2012, Resolution No. 12-1731 awarded the Contract for construction of Baker No. 3 and rehab of Baker No. 2 to AUI Contractors, LLC in the amount of $37,867,184.00; and,

WHEREAS, on August 14, 2013 Resolution No. 13-1329 authorized approval of Change Order No. 1 to the contract with AUI Contractors, LLC in the amount of $92,309.00; and,

April 27, 2016

WHEREAS, on April 23, 2014 Resolution No. 14-0673 authorized approval of Change Order No. 2 to the contract with AUI Contractors, LLC in the amount of $4,616,623.20; and,

WHEREAS, on August 24, 2015 Administrative Change Order No. 15-1505 authorized approval of Change Order No. 3 to the contract with AUI Contractors, LLC in the amount of $44,926.00; and,

WHEREAS, the U.S. Army Corps of Engineers will recognize this contract with AUI Contractors, LLC as a portion of the City of Dallas' in-kind credit for the 35% cost sharing of the Water Resources Development Act of 2007, Section 5141 for the Dallas Floodway project that may also reduce future city expenses and for the Corps' construction project.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 4 with AUI Contractors, LLC in an amount not to exceed $375,822.00.

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

Flood Protection and Storm Drainage Facilities Fund	
Fund 3T23, Department TWM, Unit T509, Act. FLDM	
Obj. 4540, Program # PB06T509, CT PBW06T509J1	
Vendor #259651, in an amount not to exceed	$375,822.00

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 # 47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 23B

SUBJECT

Authorize ratification of emergency concrete channel construction to repair flood damage to a concrete lined channel along Joe's Creek in Northwest Dallas - Jeske Construction Company, lowest responsive bidder of four - Not to exceed $104,352 - Financing Stormwater Drainage Management Capital Construction Funds

BACKGROUND

This action will ratify the emergency repairs to a concrete lined channel along Joe's Creek. The concrete lined channel is adjacent to a residential neighborhood and experienced significant damage due to high water and velocities that exceed the channel capacity. Emergency action is required to stabilize the concrete lined channel and protect the residential neighborhood from future rain events.

The City advertised this project and received four bids. This action authorizes a contract with Jeske Construction Company, lowest responsive bidder of four, to construct the repairs to the concrete lined channel.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

FISCAL INFORMATION

Stormwater Drainage Management Capital Construction Funds - $104,352.00

OWNER

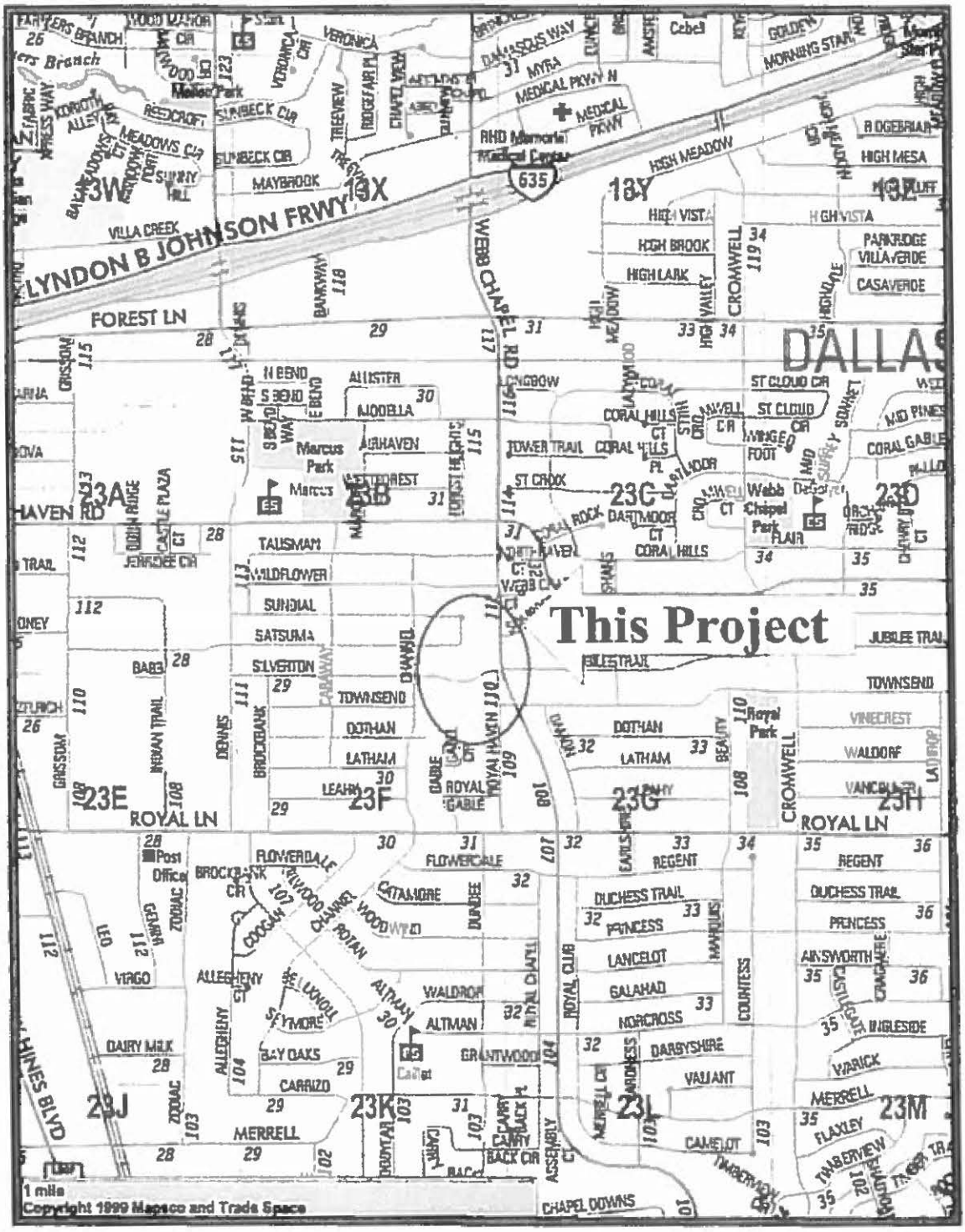
Jeske Construction Company

Steve Jeske, President

MAP

Attached

Joe's Creek Emergency



MAPSCO 23B

April 27, 2016

WHEREAS, in May 2015, the Dallas/Fort Worth area experienced historic amounts of rainfall; and,

WHEREAS, rainfall continued into June 2015; and,

WHEREAS, the concrete lined channel along Joe's Creek suffered significant flood damage, jeopardizing residential property; and,

WHEREAS, the City now desires ratification by the City Council of this expenditure under the Charter of the City of Dallas.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to execute ratification of payment to Jeske Construction Company, lowest responsive bidder of four, in the amount of $104,352.00 upon approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is authorized to disburse funds from the following appropriation in an amount not to exceed $104,352.00:

FUND	DEPT	UNIT	OBJECT	VENDOR NUMBER	AMOUNT	ENCUMBRANCE
0063	SDM	4793	3210	083791	$104,352.00	SDMFC007G1

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 # 48

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 64G

SUBJECT

Authorize ratification of emergency storm drainage pipe construction to repair a collapsed storm drainage pipe along Village Fair Place, from Ledbetter Drive to Five Mile Creek, with North Texas Contracting, Inc., lowest responsive bidder of three - Not to exceed $208,980 - Financing: Stormwater Drainage Management Capital Construction Funds

BACKGROUND

This action will ratify the emergency repairs necessary for a collapsed storm drainage pipe located along Village Fair Place, from Ledbetter Drive to Five Mile Creek. The collapsed storm drainage pipe has created soil erosion that worsens each time it rains. Emergency action is necessary to repair the storm drain and prevent further erosion and potential damage to the adjacent roadway.

The emergency storm drainage improvements include the installation of storm drainage pipe, concrete work, riprap and other miscellaneous items necessary to complete the project.

The City advertized the project and received three bids. This action authorizes a contract with North Texas Contracting, Inc. lowest responsive bidder of three, to construct storm drain improvements from Ledbetter Drive to Five Mile Creek.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	March 2016
Complete Construction	May 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on April 25, 2016.

FISCAL INFORMATION

Stormwater Drainage Management Capital Construction Funds - $208,980.00

OWNER

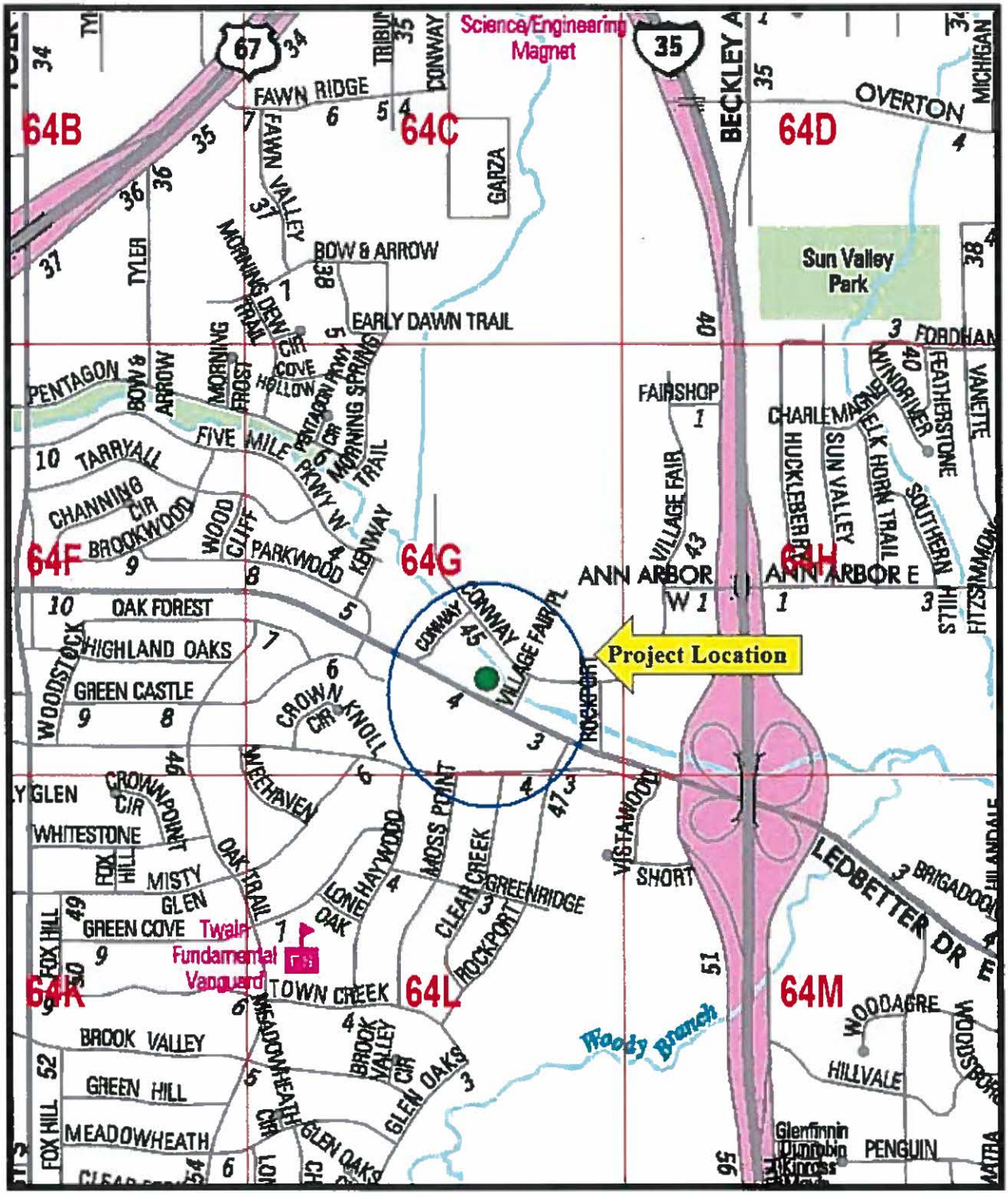
North Texas Contracting, Inc.

Zach Fusilier, Vice President

MAP

Attached

Ledbetter Drive Storm Drain Emergency Repair



Mapsco 64G

April 27, 2016

WHEREAS, North Texas Contracting, Inc. was selected to provide the construction of storm drain pipe from Ledbetter Drive to Five Mile Creek.

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 ratification of payment to North Texas Contracting, Inc., lowest responsive bidder of three, for the construction of a storm drain pipe from Ledbetter Drive to Five Mile Creek in an amount not to exceed $208,980.00, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from the following appropriation in an amount not to exceed $208,980.00:

Storm Drainage Management Capital Construction Fund 0063, Dept. SDM, Unit 4793, Activity SD01 Object 3210, Program No. SDMFC008, CT SDMF008G1 Vendor No. 514455, in an amount not to exceed	$ 208,980.00

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

AGENDA ITEMS # 49,50

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities
Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: All

SUBJECT

Environmental Services

* Authorize a professional services contract with AECOM Technical Services, Inc. to provide environmental services related to the construction or repair of water and wastewater mains, construction of new facilities, renovation of existing facilities, and general environmental services - Not to exceed $697,937 - Financing: Water Utilities Current Funds (subject to annual appropriations)
* Authorize a professional services contract with Terracon Consultants, Inc. to provide environmental services related to the construction or repair of stormwater drainage, maintenance inside the levee limits, soil stabilization for erosion control projects, construction of new facilities, renovation of existing facilities, and storm drain environmental services - Not to exceed $628,611 - Financing: Stormwater Drainage Management Capital Construction Funds ($314,305) and Stormwater Drainage Management Current Funds ($314,306) (subject to annual appropriations)

BACKGROUND

Dallas Water Utilities and Trinity Watershed Management Department regularly work on the repair and replacement of underground infrastructure, demolish facilities and/or repair facilities and evaluate property for environmental compliance prior to repair or replacement work. Prior to, or immediately following this work, it is pertinent to evaluate the field conditions in order to meet requirements of the Texas Commission on Environmental Quality and dispose of waste at the appropriate landfill.

Authorization of these environmental consultant service contracts will allow for proper testing, review, documentation and management of waste prior to disposal.

BACKGROUND (Continued)

The services include waste management compliance evaluations, Phase 1 and Phase 2 environmental site investigations, asbestos consulting services, soil and ground sampling, wetland permits and mitigation compliance, air and noise monitoring services, GIS mapping services, and related environmental training. The consultants will provide support in the revision and development of the Watershed Protection Plan and the Aquatic Resource Relocation Plan. They will also assist in the understanding of local, state and federal regulations, which will include guidance on compliance with the Clean Water Act, Safe Drinking Water Act, Clean Air Act, Comprehensive Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act, and Solid Waste Disposal Act.

ESTIMATED SCHEDULE OF PROJECT

Begin Services May 2016
Complete Services May 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation & Trinity River Project Committee on April 25, 2016.

FISCAL INFORMATION

$697,936.48 - Water Utilities Current Funds (subject to annual appropriations)
$314,306.00- Stormwater Drainage Management Current Funds (subject to annual appropriations)
$314,305.00 - Stormwater Drainage Management Capital Construction Funds

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

AECOM Technical Services, Inc.

Hispanic Female	14	Hispanic Male	16
Black Female	8	Black Male	10
Other Female	11	Other Male	37
White Female	41	White Male	79

ETHNIC COMPOSITION (Continued)

Terracon Consultants, Inc.

Hispanic Female	3	Hispanic Male	17
Black Female	4	Black Male	6
Other Female	5	Other Male	10
White Female	19	White Male	67

OWNERS

AECOM Technical Services, Inc.

Timothy H. Keener, Chief Executive Officer and President

Terracon Consultants, Inc.

David R. Gaboury, President

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with AECOM Technical Services, Inc. to provide environmental services related to the construction or repair of water and wastewater mains, construction of new facilities, renovation of existing facilities, and general environmental services - Not to exceed $697,937 - Financing: Water Utilities Current Funds (subject to annual appropriations)

AECOM Technical Services, 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	$667,936.48	95.70%
Total non-local contracts	$30,000.00	4.30%
TOTAL CONTRACT	$697,936.48	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Xenco Laboratories	HMMB63633Y1116	$5,000.00	0.75%
Benchmark Environmental Consultants	WFDB73045Y0416	$146,159.40	21.88%
Total Minority - Local		$151,159.40	22.63%

Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
Sunbelt Industrial Services	WFWB64135Y0217	$30,000.00	100.00%
Total Minority - Non-local		$30,000.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$5,000.00	0.75%	$5,000.00	0.72%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$146,159.40	21.88%	$176,159.40	25.24%
Total	$151,159.40	22.63%	$181,159.40	25.96%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Terracon Consultants, Inc. to provide environmental services related to the construction or repair of stormwater drainage, maintenance inside the levee limits, soil stabilization for erosion control projects, construction of new facilities, renovation of existing facilities, and storm drain environmental services - Not to exceed $628,611 - Financing: Stormwater Drainage Management Capital Construction Funds ($314,305) and Stormwater Drainage Management Current Funds ($314,306) (subject to annual appropriations)

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	$522,611.00	83.14%
Total non-local contracts	$106,000.00	16.86%
TOTAL CONTRACT	$628,611.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
Xenco Laboratories	HMMB63633Y1116	$156,000.00	29.85%
Cheryl's Drafting & Design	WFDB96904Y0716	$1,200.00	0.23%
Total Minority - Local		$157,200.00	30.08%

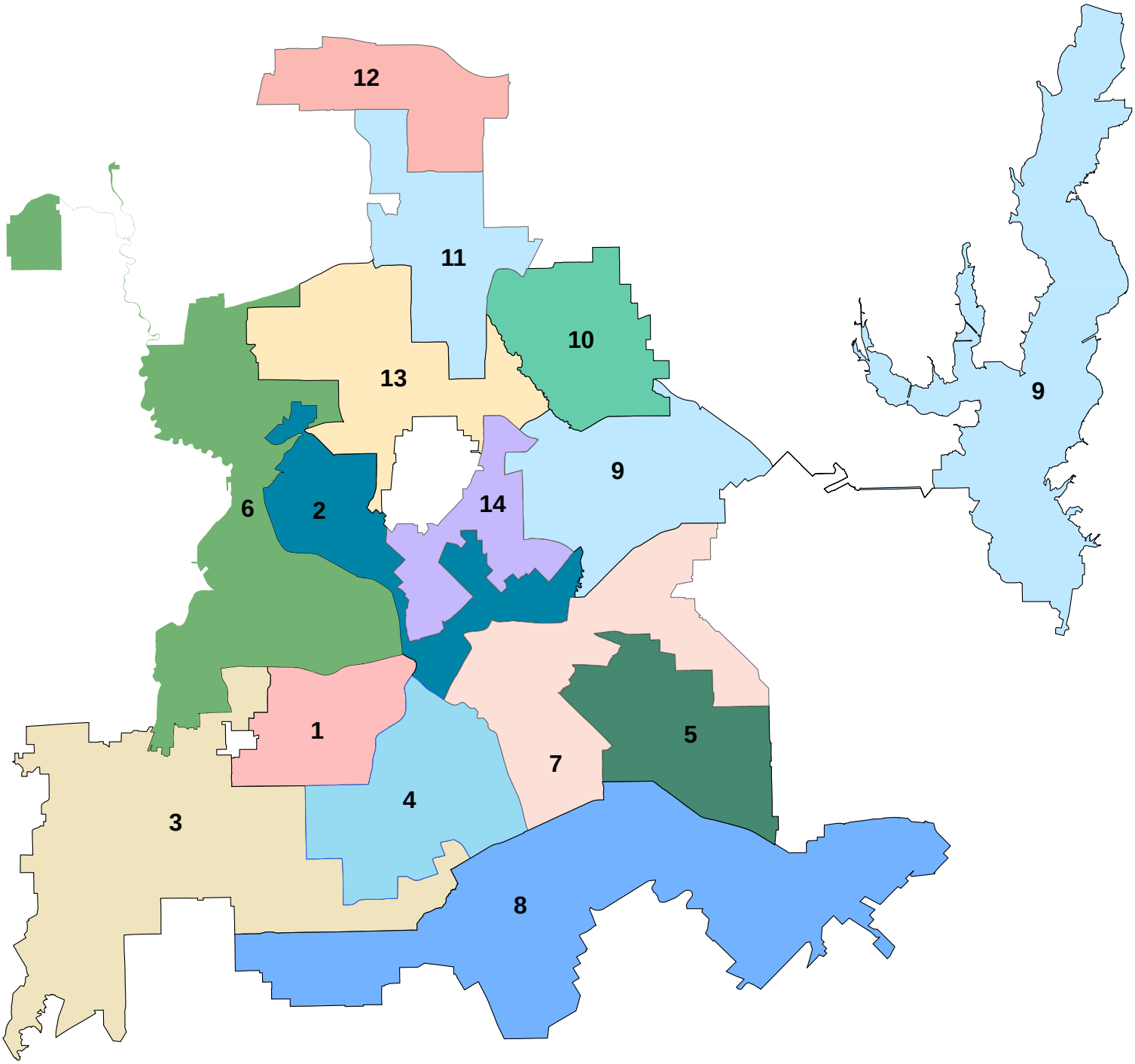
Non-Local Contractors / Sub-Contractors

Non-local	Certification	Amount	Percent
MagnaCore Drilling & Environmental Srvs.	HMDB97230Y0217	$10,000.00	9.43%
Sunbelt Industrial Services	WFWB64135Y0217	$30,000.00	28.30%
GeoSearch, LLC	WFDB5191900316	$20,000.00	18.87%
Total Minority - Non-local		$60,000.00	56.60%

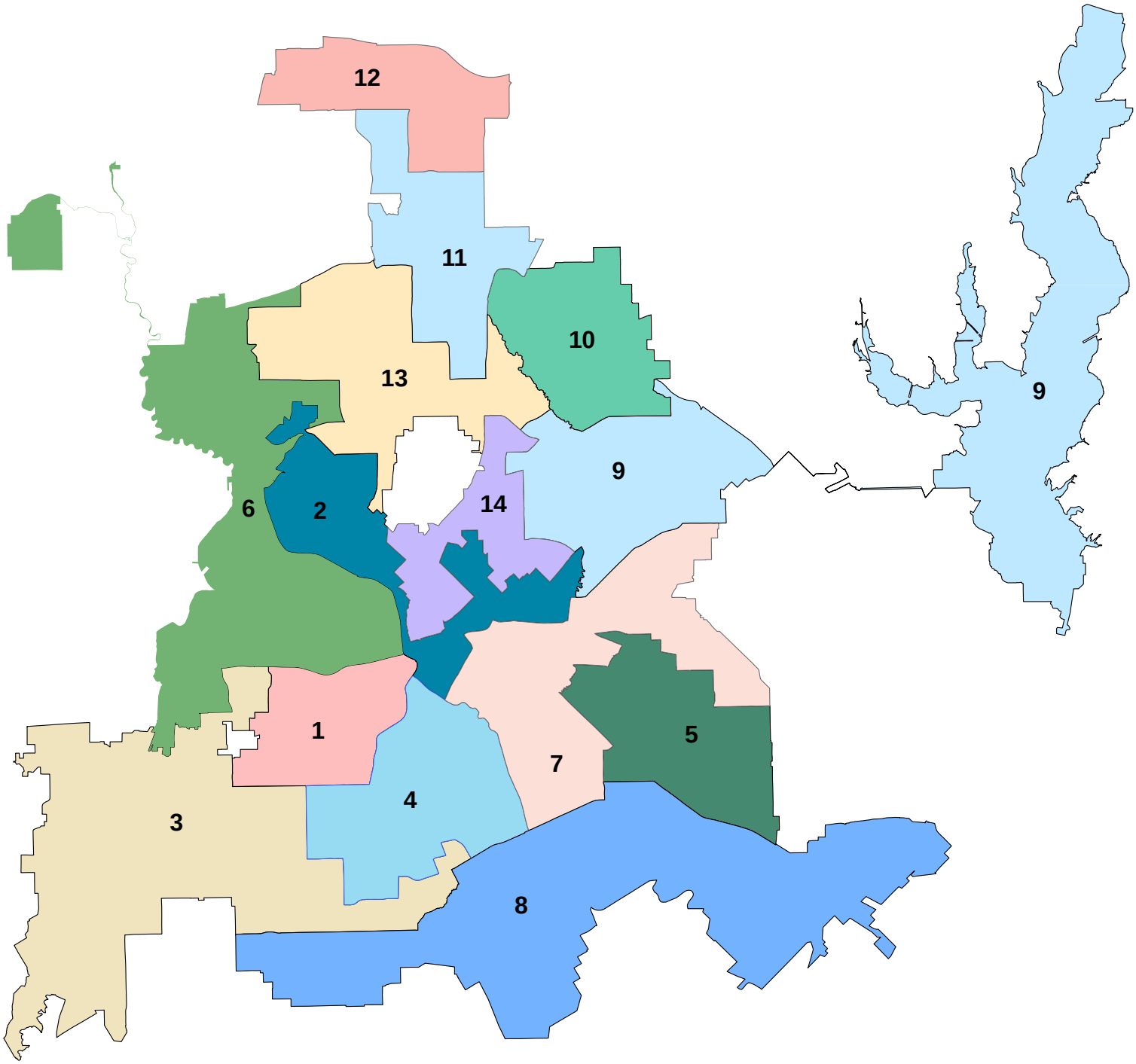
BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$156,000.00	29.85%	$166,000.00	26.41%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$1,200.00	0.23%	$51,200.00	8.14%
Total	$157,200.00	30.08%	$217,200.00	34.55%



Trinity Watershed Management Department
Bid No. BMZ1608
Environmental Services



Dallas Water Utilities
Contract No. 16-179/180E
Environmental Services

April 27, 2016

WHEREAS, Dallas Water Utilities desires environmental services related to the construction or repair of water and wastewater mains, construction of new facilities, renovation of existing facilities, and general environmental services; and,

WHEREAS, AECOM Technical Services, Inc., 16000 Dallas Parkway, Suite 350, Dallas, Texas 75248, has submitted an acceptable proposal to provide these environmental services.

Now, Therefore,

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

Section 1. That the proposal submitted by AECOM Technical Services, Inc. in the amount of $697,936.48 be approved and the consultant be authorized to perform the required environmental services.

Section 2. That the City Manager is hereby authorized to enter into a contract with AECOM Technical Services, Inc., to provide environmental services related to the construction or repair of water and wastewater mains, construction of new facilities, renovation of existing facilities, and general environmental services, after approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds from the Water Utilities Current Fund in an amount not to exceed $697,936.48 (subject to annual appropriations) as follows:

FUND	DEPT	UNIT	OBJ	ENCUMBRANCE	VENDOR
0100	DWU	7015	3072	MASC DWU7015G1600	VC0000011194

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.

April 27, 2016

WHEREAS, Trinity Watershed Management Department desires environmental services related to the construction or repair of stormwater drainage, maintenance inside the levee limits, soil stabilization for erosion control projects, construction of new facilities, renovation of existing facilities, and storm drain environmental services; and,

WHEREAS, Terracon Consultants, Inc., 8901 John W. Carpenter Freeway, Suite 100, Dallas, Texas 75247, has submitted an acceptable proposal to provide these environmental services;

Now, Therefore,

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

Section 1. That the proposal submitted by Terracon Consultants, Inc. in the amount of $628,611.00 be approved and the consultant be authorized to perform the required environmental services.

Section 2. That the City Manager is hereby authorized to enter into a contract with Terracon Consultants, Inc., to provide environmental services related to the construction or repair of stormwater drainage, maintenance inside the levee limits, soil stabilization for erosion control projects, construction of new facilities, renovation of existing facilities, and storm drain environmental services, after approval as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from the Stormwater Drainage Management Current Fund in an amount not to exceed $314,306 (subject to annual appropriations) as follows:

FUND	DEPT	UNIT	OBJ	ACT	ENCUMBRANCE	VENDOR	AMOUNT
0061	SDM	4792	3070	SD01	MASC SDM4792VH1	341409	$314,306

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from the Stormwater Drainage Management Capital Construction Fund in an amount not to exceed $314,305 as follows:

FUND	DEPT	UNIT	OBJ	ACT	ENCUMBRANCE	VENDOR	AMOUNT
0063	SDM	W076	3070	SD01	MASC SDM16W076G1	341409	$314,305

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

AGENDA ITEM # 51

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 56 J

SUBJECT

Authorize an increase in the contract with Cardinal Contractors, Inc. for additional work associated with grit removal improvements at the Central Wastewater Treatment Plant - Not to exceed $284,821, from $20,948,000 to $21,232,821 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

On November 14, 2012, the City Council authorized a contract with Cardinal Contractors, Inc. for the construction of grit removal improvements at the Central Wastewater Treatment Plant (CWWTP). The project consists of grit removal and screenings handling improvements to both headworks facilities at the Dallas and White Rock sections of the CWWTP. The existing grit removal facilities were constructed in the early 1980's and have exceeded their service life. Replacing the outdated system with newer, advanced technology will allow the plant to realize significant reductions in operations and maintenance costs by nearly doubling the efficiency of the grit removal facilities.

This action will authorize additional work identified as a result of unforeseen site conditions during the construction of the grit removal improvements. The work involves replacement of the Dallas headworks effluent box which has experienced severe concrete deterioration due to the corrosive environment. The effluent box will be demolished, reconstructed and lined with a corrosive resistant coating to significantly increase its service life. This work is necessary to provide a functioning grit removal system at the CWWTP.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2011
Completed Design	August 2012
Began Construction	January 2013
Complete Construction	June 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HDR Engineering, Inc. to provide engineering services associated with process improvements at the Central Wastewater Treatment Plant on May 12, 2010, by Resolution No. 10-1233.

Authorized Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc. for additional design and construction administration services associated with process improvements at the Central Wastewater Treatment Plant on September 14, 2011, by Resolution No. 11-2421.

Authorized a contract with Cardinal Contractors, Inc. for the construction of grit removal and screening improvements at the Central Wastewater Treatment Plant on November 14, 2012, by Resolution No. 12-2770.

Information about this item will be provided to the Transportation & Trinity River Project Committee on April 25, 2016.

FISCAL INFORMATION

$284,820.85 - Water Utilities Capital Construction Funds

Design	$ 792,469.00
Supplemental Agreement No. 1	$ 3,386,180.00
Construction Contract	$20,948,000.00
Change Order No. 1 (this action)	$ 284,820.85
Total Project Cost	$25,411,469.85

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Cardinal Contractors, Inc.

Hispanic Female	0	Hispanic Male	55
Black Female	0	Black Male	0
Other Female	0	Other Male	0
White Female	0	White Male	25

OWNER

Cardinal Contractors, Inc.

Harold D. Patrick, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Cardinal Contractors, Inc. for additional work associated with grit removal improvements at the Central Wastewater Treatment Plant - Not to exceed $284,821, from $20,948,000 to $21,232,821 - Financing: Water Utilities Capital Construction Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$284,820.85	100.00%
Non-local contracts	$0.00	0.00%
TOTAL THIS ACTION	$284,820.85	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

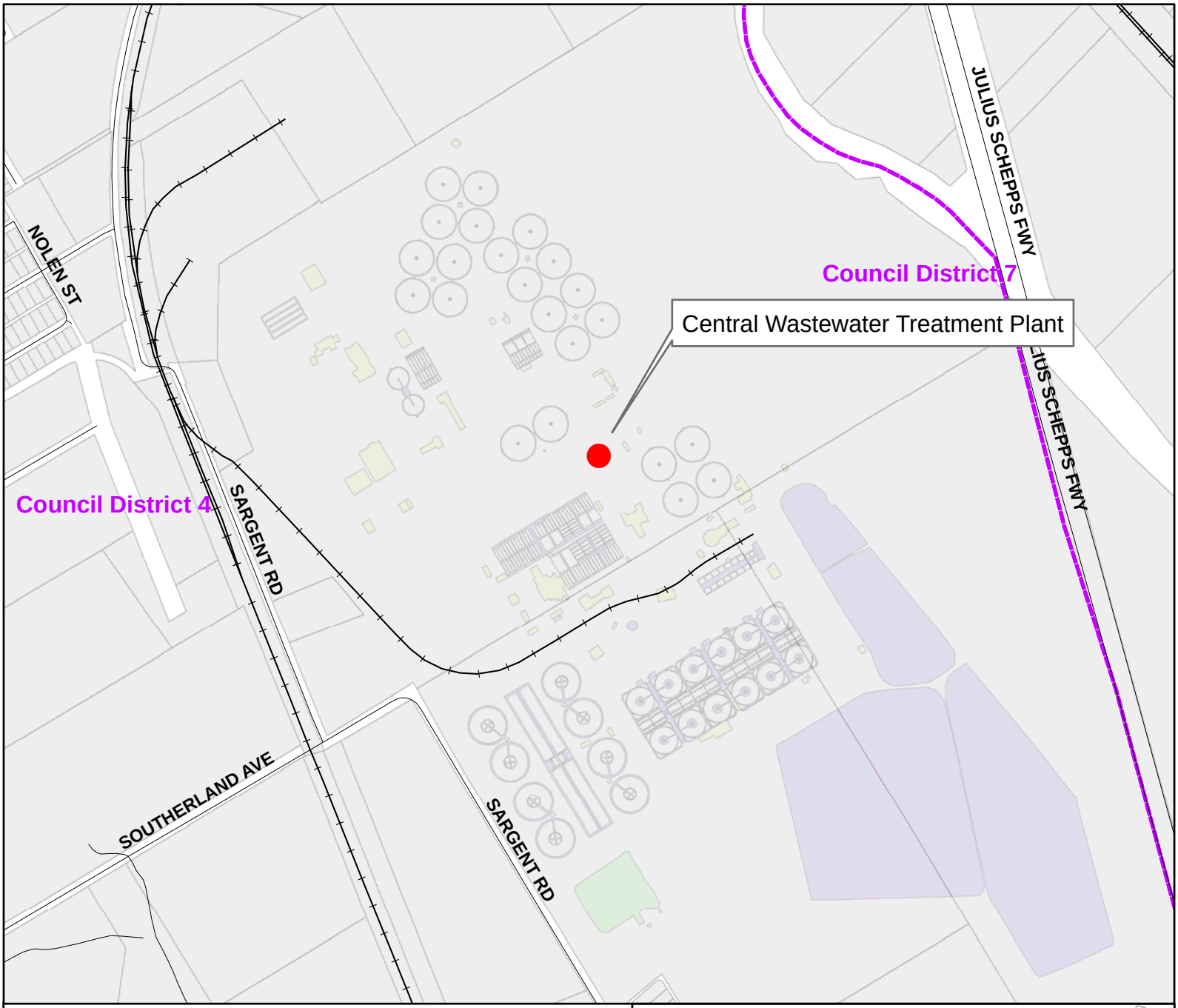
Local	Certification	Amount	Percent
Ram Tool & Supply Company, Inc.	WFWB61372N0416	$74,000.00	25.98%
Total Minority - Local		$74,000.00	25.98%

Non-Local Contractors / Sub-Contractors

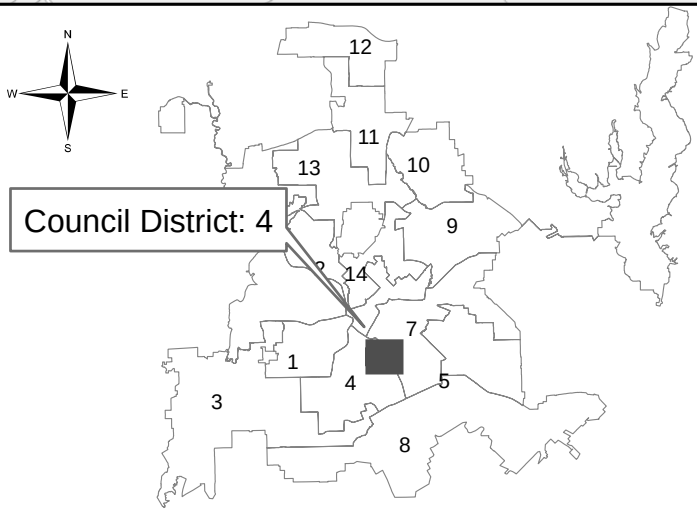
None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$76,664.26	0.36%
Hispanic American	$0.00	0.00%	$881,605.00	4.15%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$74,000.00	25.98%	$2,933,276.15	13.81%
Total	$74,000.00	25.98%	$3,891,545.41	18.33%



Mapsco: 56 J



Dallas Water Utilities
Contract No. 12-036, Change Order No. 1
Central Wastewater Treatment Plant
Grit Removal Improvements

April 27, 2016

WHEREAS, on November 14, 2012, the City Council awarded Contract No. 12-036 in the amount of $20,948,000.00, by Resolution No. 12-2770, to Cardinal Contractors, Inc., for the construction of grit removal improvements at the Central Wastewater Treatment Plant; and,

WHEREAS, additional work has been identified as necessary to complete and provide a functioning grit removal system at the Central Wastewater Treatment Plant; and,

WHEREAS, Cardinal Contractors, Inc., 9001 Primoris Court, Fort Worth, Texas 76140, has submitted an acceptable proposal for this additional work; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 12-036 be increased by $284,820.85, from $20,948,000.00 to $21,232,820.85.

Now, Therefore,

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

Section 1. That the proposed Change Order No. 1 be accepted and that Contract No. 12-036 with Cardinal Contractors, Inc., be revised accordingly.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $284,820.85 from the Wastewater Construction Fund as follows:

FUND	DEPT	UNIT	OBJ	PRO	ENCUMBRANCE	VENDOR
0103	DWU	CS30	4330	712036	CT-DWU712036CP	VS0000074310

Cardinal Contractors, Inc. - (Contract No. 12-036) - $284,820.85

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 # 52

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: Various

SUBJECT

Authorize **(1)** approval of an Industrial, Commercial, Institutional (ICI) rebate application from S2/PBC Brookshire, LP in the amount of $27,035, pursuant to Resolution No. 12-0530, previously approved on February 22, 2012; and **(2)** approval of an ICI rebate application from UT Southwestern Medical Center in the amount of $38,533, pursuant to Resolution No. 12-0530, previously approved on February 22, 2012 - Total not to exceed $65,568 - Financing: Water Conservation Program Funds

BACKGROUND

Water Conservation remains an essential element of Dallas' long range water supply strategy. In 2005, Council adopted a Five-Year Strategic Plan that defined water conservation goals for Fiscal Year (FY) 2004-05 through FY 2009-10 and recommended steps to achieve those goals. The Strategic Plan was updated in June 2010 and through these conservation efforts, the City has saved an estimated 316 billion gallons of water since October 2001.

The Industrial, Commercial, Institutional (ICI) Rebate Program serves to complement and enhance the ICI Audit Initiative. The audits are provided to the City's ICI customers to help them identify potential water savings throughout their facilities. ICI water consumption audits were included as a water conservation strategy in the City's 2010 Five-year Strategic Plan on Water Conservation Update.

Participating ICI rebate customers are required to have an ICI audit performed by the City of Dallas prior to requesting a rebate. They must also sign an agreement with the City that specifies the rebate amount, installation deadline, and other conditions to ensure that the expected water savings are achieved and maintained after the rebate has been paid. The rebate for each project shall be the lesser of half the cost of the purchase price of equipment up to $100,000 or $1.00 for each gallon per day saved up to 100,000 gallons for a maximum of $100,000 rebate. Proposals in excess of $25,000 require City Council approval.

BACKGROUND (Continued)

S2/PBC Brookshire, LP has undertaken an aggressive water conservation project at the Residence at Lake Highlands Apartments to replace older high water using fixtures including toilets, showerheads and faucet aerators with more efficient fixtures. The projected water savings from these retrofits is 9,867,848 gallons per year. S2/PBC Brookshire, LP has invested in excess of $137,723 on this project.

UT Southwestern Medical Center (UTSMC), performed a comprehensive water conservation project to install water efficient toilets, showerheads and faucet inline flow restrictors. The projected water savings from these retrofits is estimated at 15,277,440 gallons per year. The requested rebate is based on 50% of the cost of the installed equipment, $38,533. UTSMC invested in excess of $340,280 on this project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 13, 2005, City Council authorized adoption of the Water Conservation Five-Year Strategic Plan for the City of Dallas by Resolution No. 05-1221.

On June 9, 2010, City Council authorized adoption of the Water Conservation Five-Year Strategic Plan; and the 2010 Water Conservation Plan for the City of Dallas which was submitted to the Texas Commission on Environmental Quality by Resolution No. 10-1509.

On February 22, 2012, City Council authorized implementation and guidelines for a rebate program for industrial, commercial and institutional water utilities customers by Resolution No. 12-0530.

On February 22, 2012, City Council authorized the five-year service contract for water consumption audits for industrial, commercial and institutional facilities - Alan Plummer and Associates, Inc., by Resolution No. 12-0529.

On February 13, 2012, the Transportation and Environment Committee was briefed on the details of the industrial, commercial and institutional audit initiative and guidelines for the ICI rebate program.

Information about this item will be provided to the Transportation & Trinity River Project Committee on April 25, 2016.

FISCAL INFORMATION

$65,568.00 - Water Conservation Program Funds

April 27, 2016

WHEREAS, water conservation is an essential element of Dallas' Long Range Water Supply Plan; and,

WHEREAS, the 2005 Strategic Plan on Water Conservation was designed to achieve a reduction in gallons per capita per day by an average 1% per year from FY 2006 through FY 2010; and,

WHEREAS, the goal of the 2010 Five-Year Strategic Plan Update was to further reduce gallons per capita per day by an average 1.5% per year from FY 2011 through FY 2014; and,

WHEREAS, Industrial, Commercial and Institutional (ICI) financial rebates were identified in the 2010 Five-Year Strategic Plan Update as a measure to help lower the cost of water efficiency investments and accelerate large volumes of water savings among high water using customers.

NOW, THEREFORE,

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

Section 1. That the **(1)** approval of an Industrial, Commercial, Institutional (ICI) rebate application from S2/PBC Brookshire, LP in the amount of $27,035, pursuant to Resolution No. 12-0530, previously approved on February 22, 2012; and **(2)** approval of an (ICI) rebate application from UT Southwestern Medical Center in the amount of $38,533, pursuant to Resolution No. 12-0530, previously approved on February 22, 2012, after approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to transfer funds from Water Utilities Current Fund 0100; Dept. DWU; Unit 7140; Obj. Code 3099, to Water Conservation Program Fund 0713; Dept. DWU; Unit 7138; Obj. Code 3099 in an amount not to exceed $65,568.00.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $65,568.00, as follows;

FUND	DEPT	UNIT	OBJ	ENCUMBRANCE	VENDOR	AMOUNT
0713	DWU	7138	3099	CTDWU7138F2001M	VS91081	$27,035.00

S2/PBC Brookshire, LP

FUND	DEPT	UNIT	OBJ	ENCUMBRANCE	VENDOR	AMOUNT
0713	DWU	7138	3099	CTDWU7138F2002M	VS91363	$38,533.00

UT Southwestern Medical Center

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 resolved.

AGENDA ITEM # 54

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 23-Z 24-W

SUBJECT

Authorize a twenty-year development and maintenance agreement, with two five-year renewal options, with QuikTrip Corporation (QuikTrip), for the purpose of designing, constructing, and maintaining a trailhead for the Bachman Creek Greenbelt Trail located at 3900 Shorecrest Drive – Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as Bachman Creek Greenbelt (approximately 41 acres) located at 3900 Shorecrest Drive, just north of Love Field Airport. This passive-use park is used for open space. A trail runs through the park along the north side of Bachman Creek which connects to and is a part of the Bachman Lake Park Trail in adjacent Bachman Lake Park to the west. Currently, there is no direct publicly accessible access to Bachman Creek Greenbelt for nearby residential neighborhoods. The proposed trailhead project will provide direct, publicly accessible access to Bachman Creek Greenbelt for the surrounding neighborhood via the proposed trailhead to the existing hike and bike trail. The project will include new trails and renovation and expansion of a portion of the existing trail. The development of a trailhead will increase access, visibility, and use of Bachman Creek Greenbelt. Future trails are planned to the west which will connect the Bachman Lake Park Trail to the future Elm Fork Greenbelt Trail, an important segment of the Dallas Integrated Trail Circuit, providing off-road access to downtown and beyond.

The trailhead project will include parking adjacent to Lemmon Avenue and West Northwest Highway, landscaping, seating, paving, and a drinking fountain. Because of the configuration and limited space available for the proposed trailhead, access drive, and parking lot, the proposed park's driveway and parking spaces will be shared by park users, QuikTrip, and its patrons. Signage will be posted and maintained identifying that the parkland parking spaces are available for use by park and QuikTrip patrons.

BACKGROUND (Continued)

The agreement will be subject to the following terms:

1) The term is for 20 years with two consecutive five-year renewal options.

2) The City grants QuikTrip, as the immediately adjacent property owner, a license for the non-exclusive use of the trailhead and trailhead parking lot.

3) QuikTrip, at its own cost, is responsible for the development of the design and construction plans and specifications for the improvements to the trailhead project at Bachman Creek Greenbelt. QuikTrip will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.

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

5) City of Dallas may terminate the Agreement without cause after giving ninety days' notice or with cause after thirty days' notice.

6) QuikTrip shall have the right to make changes during the term of the agreement subject to approval by the City and the limitations enumerated in the agreement.

7) The City shall have the right to enter the premises and to make changes, repairs, and alterations to maintain the trailhead and parking area.

8) QuikTrip shall be responsible for all operations, management, and maintenance of the improvements, including the cost for all utilities for the improvements in accordance with those specified in the agreement.

QuikTrip will design, construct, and maintain the parking, landscape, and other trailhead project improvements. No permitting, platting, licensing, or other approval required by the City for the development and operation of QuikTrip will be contingent upon any of the trailhead improvements or use of parkland. The City of Dallas shall retain full and unencumbered ownership and control of all parkland. There will be no transfer, lease, or sale of parkland.

The consummation of the agreement is contingent upon, and subject to approval of the use by Park Board approval and Council approval at a public hearing, scheduled for consideration on February 10, 2016, for the use of parkland in accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004).

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the development and maintenance agreement on December 3, 2015.

Information about this item was presented to the Quality of Life & Environment Committee on February 8, 2016.

This item was deferred by Councilmember Jennifer S. Gates on February 10, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAPS

Attached

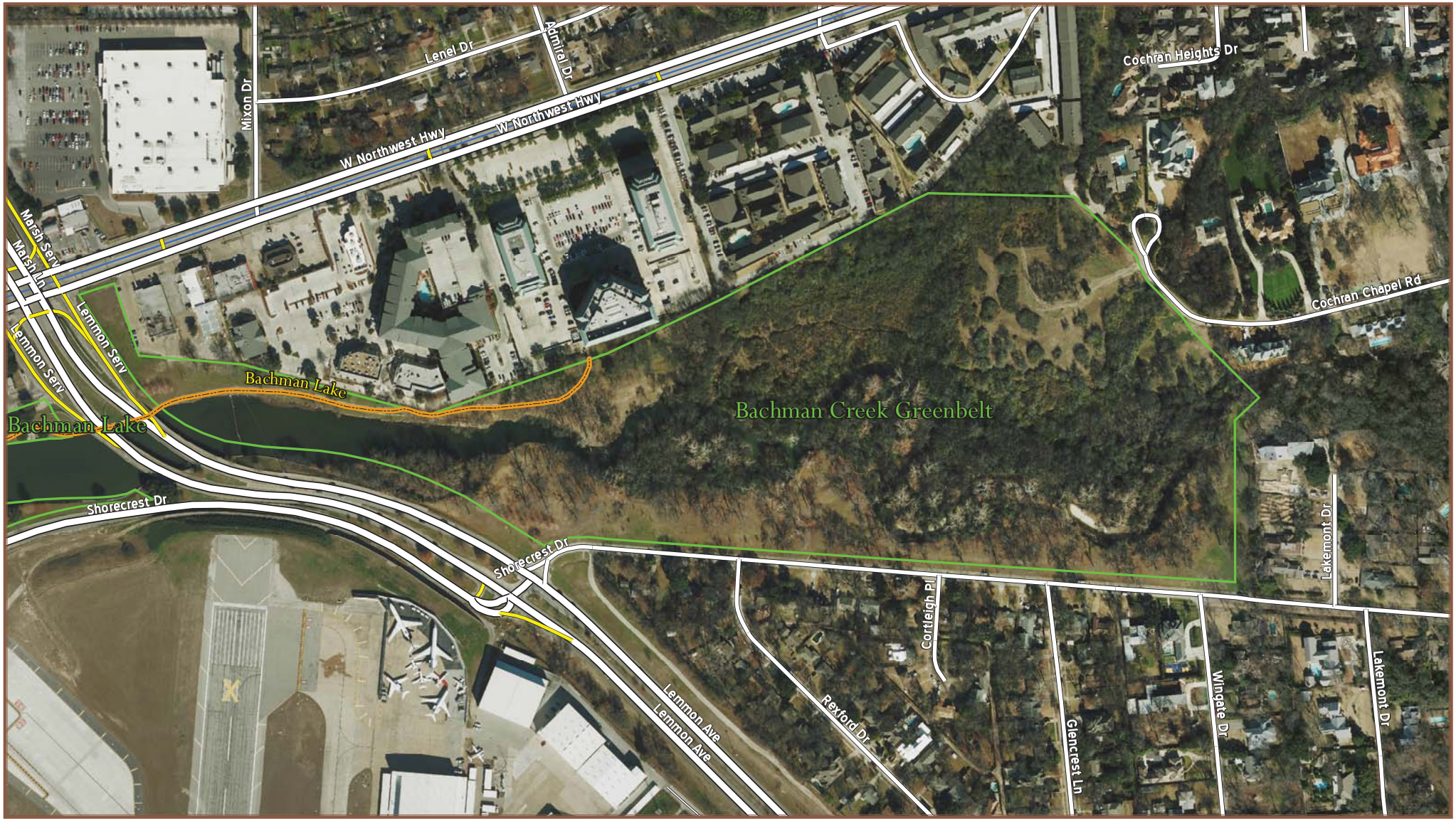
0 155 310 620 930 Feet

December 3, 2015

Bachman Creek Greenbelt
(3900 Shorecrest Dr.)

Mapsco
23 Z
24 W

District
13



0 120 240 480 720 Feet

N
W E
S

December 9, 2015

Bachman Creek Greenbelt

April 27, 2016

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

WHEREAS, the City of Dallas Park and Recreation Department (City) and QuikTrip Corporation (QuikTrip), an Oklahoma Corporation, desire to enter into a development and maintenance agreement for the purpose of designing, constructing, and maintaining a trailhead on parkland in Bachman Creek Greenbelt located at 3900 Shorecrest Drive and shown in Exhibit A, which provide accessible public access to the existing hike and bike trail; and

WHEREAS, the City desires to have QuikTrip construct, develop, and maintain a portion of parkland during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a twenty-year development and maintenance agreement, with two five-year renewal options, with QuikTrip for the design, construction, development and maintenance of a trailhead, and landscaping improvements for the Bachman Creek Greenbelt Trail for the purpose of providing public access to the existing hike and bike trail for the benefit of the citizens of Dallas.

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

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

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.

LANDSCAPE CHECK LIST

City of Dallas Landscape Ordinance

MANDATORY PROVISIONS:

- ✓ Tree Survey - must include trees 6" caliper and greater on the lot and/or within 50' of construction.
- ✓ Tree Protection - permanent protective fencing around the drip line of each protected tree to remain. Ref. A4B/L0.00.
- ✓ Protected Tree Mitigation - Replacement trees must equal, in caliper, the caliper of protected trees removed. Approved replacement trees to be 2" minimum caliper and be of a species on the approved tree list. See below.
- ✓ Site Trees - Must have one 2" caliper tree per 4,000 square feet of lot area with a minimum of 4 trees. All site trees must be located on the lot.

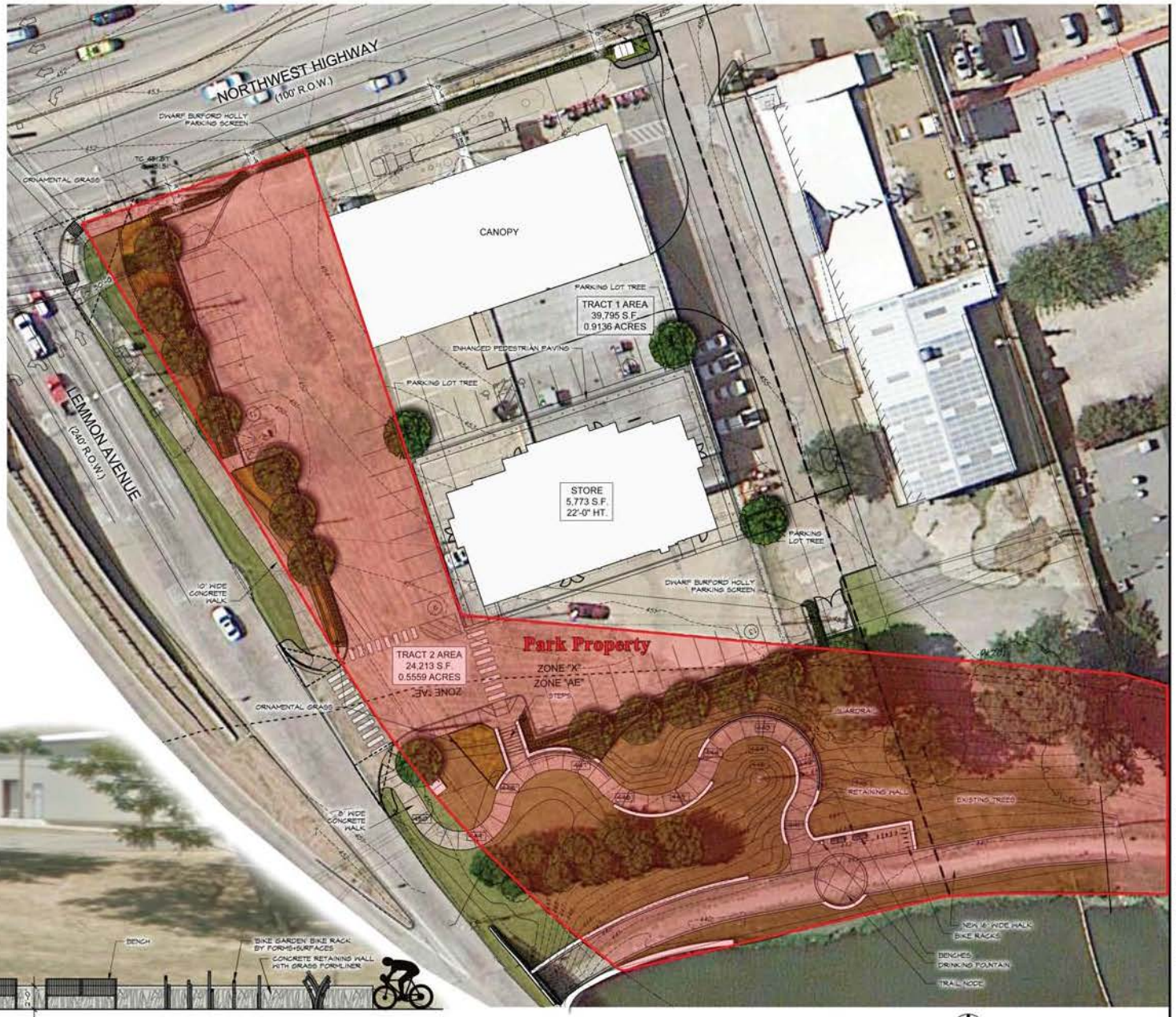
  58,605 sf / 4000 = 10 site trees
- NA Perimeter Landscape Buffer Strip - Must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists and at least be 10' wide. Must contain buffer plant material as defined in Sec. 51A-10.125(b)(1).
- NA Screening of off-street loading spaces - Must be screened from residential adjacent public streets. Minimum 6' height. See Sec. 51A-4.602(b)(3) for methods of screening and automatic irrigation required for any screening material.
- ✓ Street Trees - Must have one 3" caliper large tree per 50' of street frontage with a minimum of 2 trees. All street trees must be located within 30' of the projected street curb.

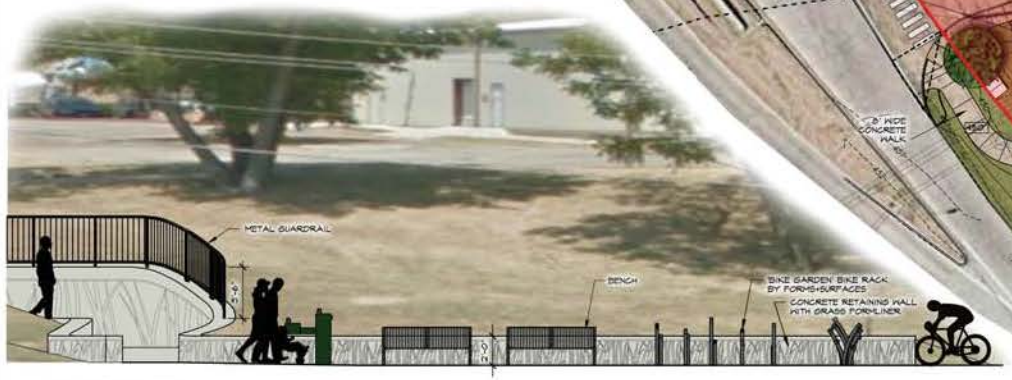
  154 linear ft.
  Required Street Trees = 3 (3" cal. min.)
- ✓ Parking Lot Trees - All required parking spaces must be located within 120' of the trunk of a 2" caliper (min.) large canopy tree. Parking lot trees may not be planted closer than 2.5' to the paved portion of the parking lot.

DESIGN STANDARDS

- ✓ Screening of off-street parking - Screen all parking lots on the building site or artificial lot. Must be voluntary, extend along entire street frontage excluding driveways and visibility triangles, and at least 3' in height (ex. large evergreen shrubs, 5' height, 7-#1 gal/cn, 3' on center, 3' wide bed, or 3' tall solid fence, or 3' tall berm, or a combination) with an automatic irrigation system required. Underground parking is considered to be screened for purposes of this subsection.

  - Northwest Highway - Provided shrub screen
- ✓ Enhanced Pedestrian Walkways - Walkways must consist of enhanced pavement intended for pedestrian use and occupy at least 5% of the lot.





B TRAIL CONNECTION
ELEVATION
SCALE: 1/4" = 1'-0"

A LANDSCAPE PLAN
PLAN
SCALE: 1" = 30'-0"

NORTH

0 10 20 40 60
GRAPHIC SCALE IN FEET

Newman, Jackson, Richerstein
Landscape Architecture

Banner Place North
12770 Coit Road, Suite 210
Dallas, Texas 75251
tel: 972-233-2033
fax: 972-233-2022
njlanc@sbcglobal.net

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QuikTrip No. 0961
NORTHWEST HWY & LEMON AVE
DALLAS, TEXAS

Revisions
No. Date Item

Date 05/13/15
Drawn MA
Checked KVB
Project No.

Sheet Title
Exhibit A

Scale : as noted
Sheet No.

Exhibit A

QuikTrip
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #		Address:	City, State:
0961	Overall aerial view looking NE	SEC of Lemmon and NW Hwy	Dallas, TX

Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
08-0961-PE02	NTS	12/01/15	BP	

COPYRIGHT © 2011 QUIKTRIP CORPORATION DESIGN PATENTS
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AGENDA ITEM # 55

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 47T

SUBJECT

Authorize acquisition~~, including the exercise of the right of eminent domain, if such becomes necessary,~~ from Lawrence E. Baker, Jr., Michael Lynn Baker and Freddie M. Baker, of an improved tract of land containing approximately 36,626 square feet located on Barber Avenue near its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed $25,538 ($22,538 plus closing costs and title expenses not to exceed $3,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 36,626 square feet of land improved with fencing from Lawrence E. Baker, Jr., Michael Lynn Baker and Freddie M. Baker. This property is located on Barber Avenue near its intersection with Mural Lane and will be used for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item ~~will be~~ was provided to the Transportation and Trinity River Project Committee on March 21, 2016.

On March 23, 2016, this item was deferred by Councilmember Young.

This item was deferred by Councilmember Young on April 13, 2016.

FISCAL INFORMATION

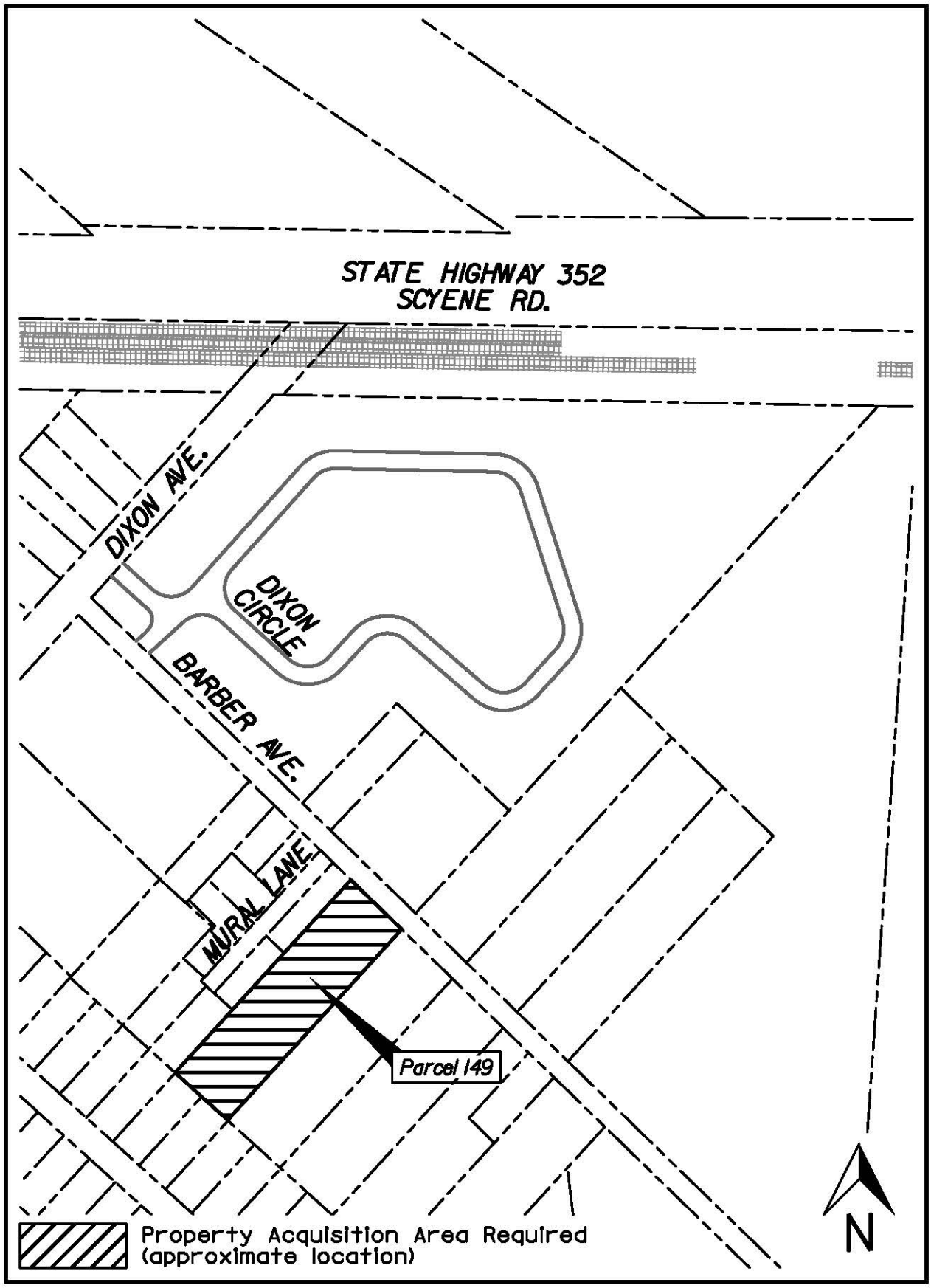
2006 Bond Funds - $25,538 ($22,538 plus closing costs and title expenses not to exceed $3,000)

OWNERS

Lawrence E. Baker, Jr.
Michael Lynn Baker
Freddie M. Baker

MAP

Attached


STATE HIGHWAY 352
SCYENE RD.
DIXON AVE.
DIXON CIRCLE
BARBER AVE.
MURAL LANE
Parcel 149
N
Property Acquisition Area Required
(approximate location)

April 27, 2016

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION ~~AND/OR CONDEMNATION~~ FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 36,626 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, utility relocation, land area to support tunnel construction and operation, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": Lawrence E. Baker, Jr., Michael Lynn Baker and Freddie M. Baker, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": $22,538.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,000.00

"AUTHORIZED AMOUNT": $25,538.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-TWM06T525J3, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-TWM06T525J4. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay the CLOSING COSTS AND TITLE EXPENSES. ~~In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that expenses determined by the City Attorney to be necessary are authorized for payment.~~ All costs and expenses described in this section shall be paid from the previously described funds.

~~**SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.~~

~~**SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceedings or suit(s).~~

SECTION ~~8~~6. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION ~~9~~7. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

~~**SECTION 10.** That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed $3,000.00 for CLOSING COSTS AND TITLE EXPENSES in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.~~

SECTION ~~11~~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 _____
Assistant City Attorney

EXHIBIT A

City of Dallas Drawing No. 423R-54 (Parcel 149)
Description of a 0.8408 Acres (36,626 Sq. Ft.)
Tract to be Acquired
All of Lot 15, Block 7,
South Dallas Gardens Addition
City of Dallas Block 7/6122
Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From Lawrence E. Baker

Being situated in the Thomas Lagow Survey, Abstract Number 759, City of Dallas, Dallas County, Texas, and being all of Lot 15, Block 7 (Block 7/6122, Official City of Dallas Block Numbers) of the South Dallas Gardens addition, an addition to the City of Dallas dated June 4, 1914, and recorded in Volume 1, Page 447, of the Map Records of Dallas County, Texas, and being Part of the property conveyed to Lawrence E. Baker, Jr. and Michal Lynn Baker and Freddie M. Baker by Warranty Deed dated July 14, 1993, recorded in Volume 93157, Page 2057 of the Deed Records of Dallas County, Texas and containing approximately 0.8408 Acres (36,626 square feet) of land according to the plat thereof.

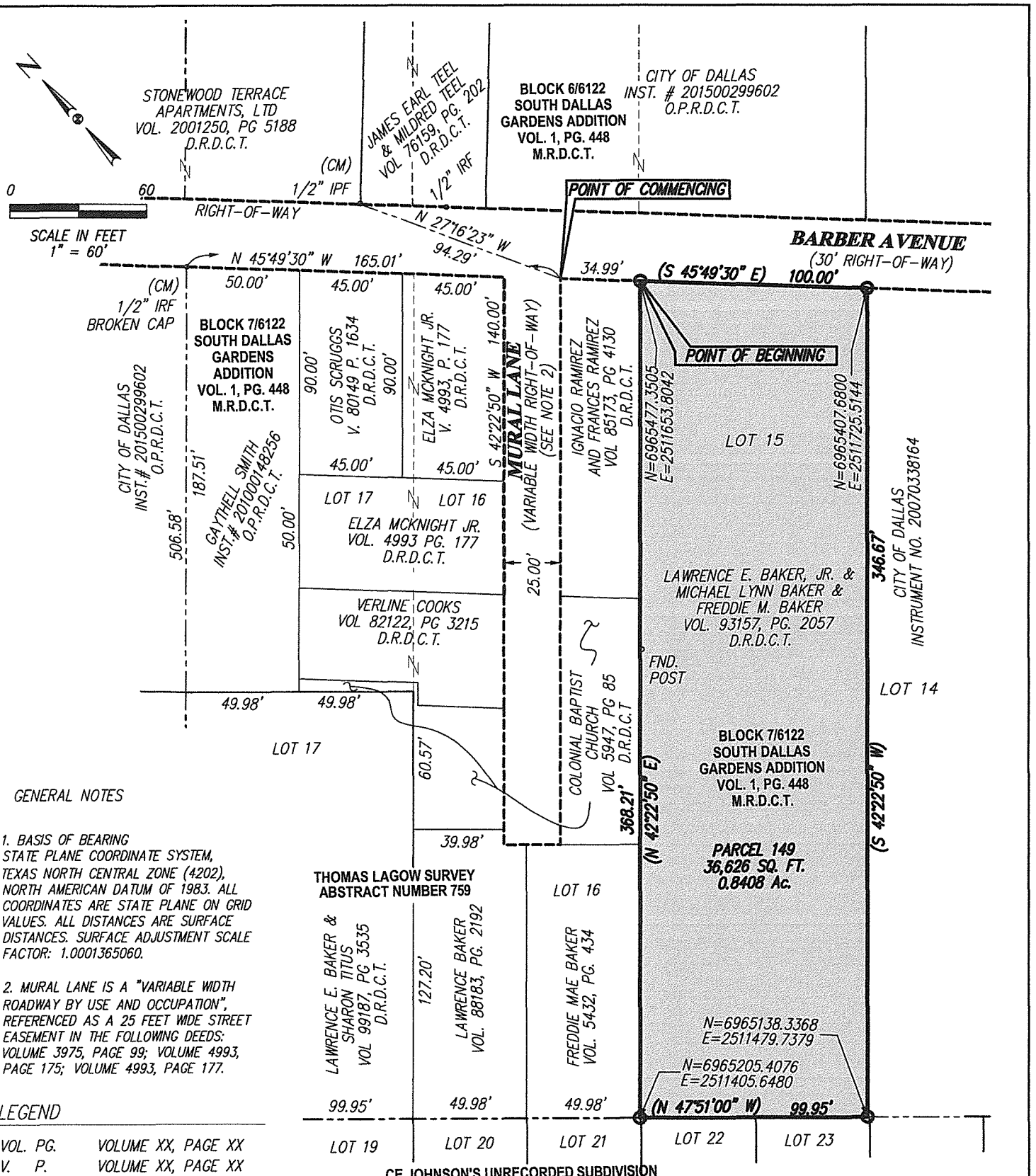
This description is approved as to form.

Scott Holt 11/24/2015

Scott Holt, RPLS
Survey Program Manager
City of Dallas

Date

FIELD NOTES APPROVED:
SSR 4/24/15



GENERAL NOTES

1. BASIS OF BEARING
STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. ALL COORDINATES ARE STATE PLANE ON GRID VALUES. ALL DISTANCES ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR: 1.0001365060.

2. MURAL LANE IS A "VARIABLE WIDTH ROADWAY BY USE AND OCCUPATION", REFERENCED AS A 25 FEET WIDE STREET EASEMENT IN THE FOLLOWING DEEDS: VOLUME 3975, PAGE 99; VOLUME 4993, PAGE 175; VOLUME 4993, PAGE 177.

LEGEND

VOL. PG.	VOLUME XX, PAGE XX
V. P.	VOLUME XX, PAGE XX
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
CM	CONTROLLING MONUMENT
○	IRON PIPE FOUND (IPF)
●	IRON ROD FOUND (IRF)
	COMMON LOT LINE
	RIGHT-OF-WAY LINE
	DEED LINE
	SUBDIVISION LINE
	PROPERTY AQUISITION

STATE OF TEXAS REGISTERED LOUIS M. SALCEDO 3854 PROFESSIONAL LAND SURVEYOR

Sheet 2 of 2

CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 149)
DECRIPTION OF A 36,626 Sq. Ft. or 0.8408 Acres
TRACT TO BE ACQUIRED
ALL OF LOT 15, BLOCK 7
SOUTH DALLAS GARDENS ADDITION
BEING A PART OF CITY OF DALLAS BLOCK 7/6122
Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From LAWRENCE E. BAKER JR.

SGI Salcedo Group, Inc.
Civil Engineers - Surveyors
TBPLS FIRM No. 10070800
TBPE FIRM No. 5482
PHONE: (214) 941-8610

AGENDA ITEM # 56

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 45 M

SUBJECT

Authorize **(1)** a Development Agreement with MSW Crozier Tech, LP and Matthews Holdings Southwest, Inc., to dedicate future TIF revenues for reimbursement of eligible project costs related to paving, streetscape and lighting, façade restoration, environmental remediation, and interior/exterior demolition for redevelopment of 2218 Bryan Street, for the Old Dallas High School redevelopment project, located in Tax Increment Financing Reinvestment Zone Twelve (Deep Ellum TIF District); and **(2)** the Deep Ellum TIF District Board of Directors to dedicate an amount not to exceed $6,040,036 plus an Economic Development TIF Grant in an amount not to exceed $200,898 for a total amount not to exceed $6,240,934 from future Deep Ellum TIF District revenues, in accordance with the development agreement - Not to exceed $6,240,934 - Financing: Deep Ellum TIF District Funds (subject to appropriations)

BACKGROUND

Matthews Southwest purchased the property located adjacent to the DART light rail station east of North Pearl Expressway in August 2015. Renovation of Old Dallas High School, the last remaining original school building on the Site, is considered phase 1 of a multiple phased redevelopment of the Site into a mixed-use redevelopment with office and retail uses. The TIF request is for the Old High School building only and will not include site improvements or roadwork construction that may impact potential future phases.

Redevelopment of this site is an important link in the pedestrian connection between the Latino Cultural Center and Deep Ellum and the Arts District and the Downtown core. Developers are also currently in discussions with TxDOT to remove an off ramp from US-75 for Live Oak to improve vehicular access to the Site from Live Oak Street.

BACKGROUND (Continued)

The existing building will be restored to meet historic preservation standards. The existing parking lot, mostly gravel and broken concrete, will be improved. Once completed, the restored high school building will include approximately 26,000 square feet of retail space and 66,000 square feet of office space. A new addition will be added to accommodate the retail space. It will be used as a restaurant and will have patio space. Office space of 35,000 square feet has already been rented to an architect firm.

ESTIMATED PROJECT SCHEDULE

Start Project January 2017
Complete Project December 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 28, 2016, the Deep Ellum TIF District Board of Directors reviewed and recommended approval of a development agreement with Matthews Holdings Southwest, Inc., for TIF funding for the Old Dallas High School project in an amount not to exceed $6,240,934.

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

$6,240,934 – Deep Ellum TIF District Funds (subject to future appropriations)

PROJECT COUNCIL DISTRICT

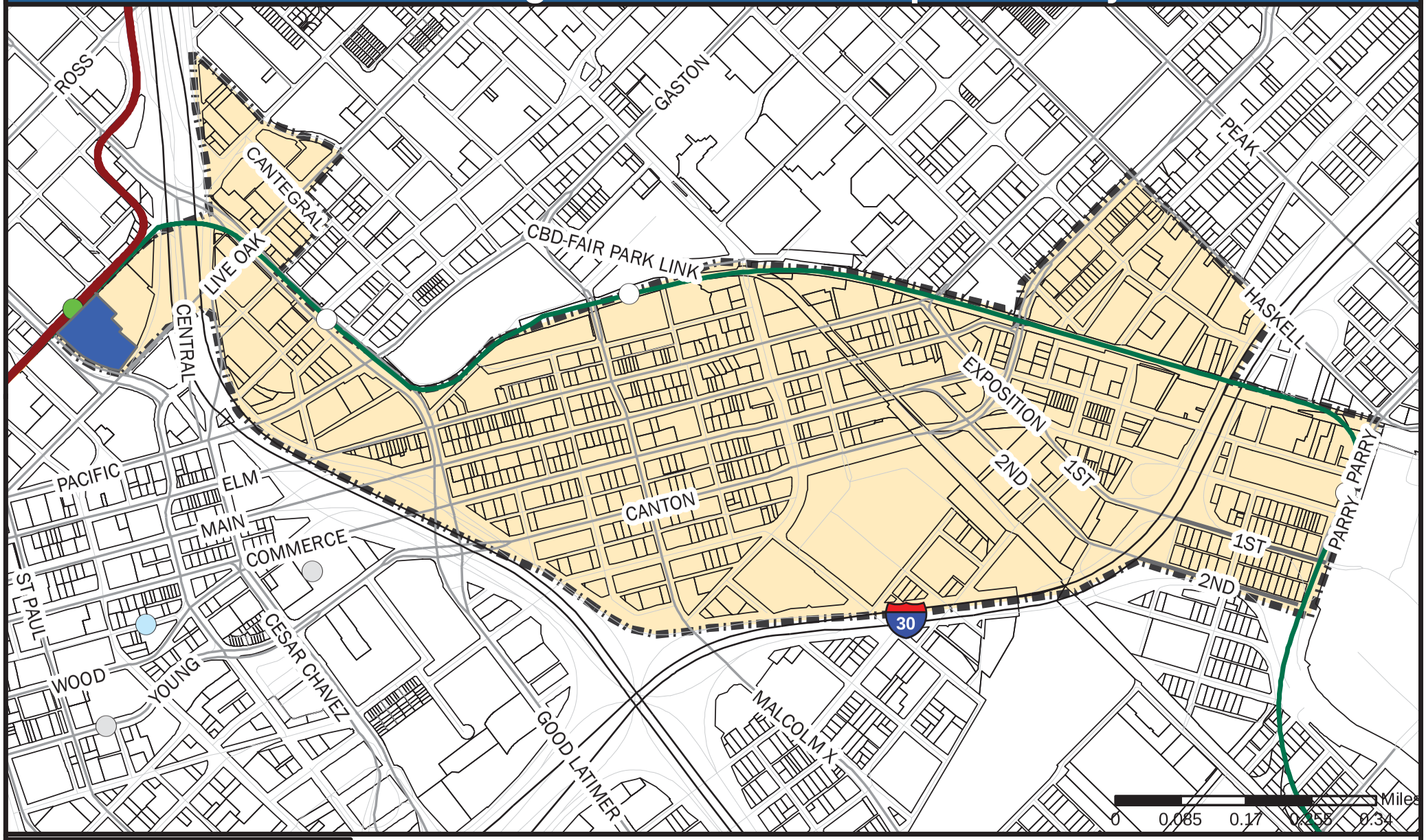
14

OWNER	**DEVELOPER**
MSW Crozier Tech, LP	**Matthews Holdings Southwest, Inc.**
Kristian Teleki, Vice President 320 W Main Street Lewisville, Texas 75057	Kristian Teleki, Vice President 320 W Main Street Lewisville, Texas 75057

MAP

Attached.

Old Dallas High School Redevelopment Project



City of Dallas

http://www.Dallas-EcoDev.org

Created 5/2014

Legend

- Deep Ellum TIF Boundary
- CBD Station
- D2
- D2Alt
- DART Station
- TRE Station
- Old Dallas HS
- DART Red
- DART Blue
- DART Orange
- DART Green
- Parcel 2013 Cert

N W E S

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

WHEREAS, the City recognizes the importance of the use of economic development incentives as a necessary tool in attracting new developments and new jobs to the Deep Ellum TIF District; and

WHEREAS, on June 22, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Twelve, (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 promote development and redevelopment in the Deep Ellum area through the use of tax increment financing by Ordinance No. 26043; and

WHEREAS, on April 12, 2006, City Council authorized the adoption of the Final Project Plan and Reinvestment Zone Financing Plan for the Deep Ellum TIF District in accordance with the Act by Ordinance No. 26304, as amended; and

WHEREAS, on March 28, 2016, the Deep Ellum TIF District Board of Directors reviewed and recommended approval of a development agreement with Matthews Holdings Southwest, Inc., for TIF incentives and dedication of TIF funding for eligible costs (Paving, Streetscape, & Lighting; Façade Restoration; Environmental Remediation, Interior/Exterior Demolition) in an amount not to exceed $6,040,036 plus an Economic Development TIF Grant in an amount not to exceed $200,898, for a total not to exceed $6,240,934 for redevelopment of the buildings and properties addressed as 2218 Bryan Street; and

WHEREAS, on April 18, 2016, the Economic Development Committee was briefed and recommended approval of TIF funding for the Old Dallas High School Project Area development project in an amount not to exceed $6,240,934; and

WHEREAS, in furtherance of the Deep Ellum TIF District Final Project Plan and Reinvestment Zone Financing Plan and to promote within the Deep Ellum 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 continue to provide economic incentives to MSW Crozier Tech, LP and Matthews Holdings Southwest, Inc. for the redevelopment of the Site, in the Deep Ellum TIF District as described in **Exhibit A – Conceptual Elevations**; and

WHEREAS, the expenditure of TIF funds supporting this development is consistent with promoting development and redevelopment of the Deep Ellum 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, and is for the purpose of making public improvements consistent with and described in the Project and Financing Plan for the Deep Ellum 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 a Development Agreement with MSW Crozier Tech, LP and Matthews Holdings Southwest, Inc. (collectively "MSW"), and the City of Dallas, on behalf of the Deep Ellum TIF District for the Site.

Section 2. That the Deep Ellum TIF District Board of Directors is authorized to dedicate future Deep Ellum TIF revenues in an amount not to exceed $6,240,934, of which up to $200,898 may be in the form of an Economic Development TIF Grant, for project costs associated with the Old Dallas High School, a commercial redevelopment project, in the Deep Ellum TIF District, as shown in **Exhibit B** – **TIF Budget**. These costs include, but are not limited to design, engineering, construction management, professional services, paving, utilities and streetscape improvement costs for the Site.

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds from future tax increments and subject to future appropriations from:

Deep Ellum TIF District Fund - Fund 0056, Department ECO, Unit W078, Object 4510, Activity DETI, Program No. DETIF0005, CT ECOW078G275-01, Vendor Number VS0000028450, in an amount not to exceed $450,000; and

Deep Ellum TIF District Fund - Fund 0056, Department ECO, Unit W078, Object 3072, Activity DETI, Program No. DETIF0005, CT ECOW078G275-02, Vendor Number VS0000028450, in an amount not to exceed $5,590,036; and

Deep Ellum TIF District Fund - Fund 0056, Department ECO, Unit W078, Object 3016, Activity DETI, Program No. DETIF0005, CT ECOW078G275-03, Vendor No. VS0000028450, in an amount not to exceed $200,898.

For a total amount not to exceed $6,240,934.

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

Section 5. That the TIF Subsidy to be provided to MSW, will be based on the Deep Ellum TIF District's Increment Allocation Policy and Reimbursement Queue for the sharing of future revenues in the Tax Increment Fund, adopted by the Deep Ellum TIF District Board of Directors August 5, 2014 and amended March 3, 2015 and March 28, 2016, attached as **Exhibit C – Deep Ellum TIF District Increment Allocation Policy**.

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

A. Minimum private investment of at least $33,000,000 for the project for land acquisition, hard, and construction related soft costs.

   The term "Invest" or "Investment" means the sum of all land acquisition and construction costs (hard and soft) paid, payable or actually incurred by or on behalf of the MSW, with respect to the Project and the improvements thereon. Construction related soft costs include the following items: architecture and engineering, interior design, construction management (if services are provided by a third party other than the developer), remediation and demolition. Carrying or other similar costs shall not be considered toward this definition of project investment. MSW must provide verification of all expenditures.

B. Investment shall include a minimum of $3,250,000 for the following TIF Eligible expenditures associated with the "Project":

   a. Paving, Streetscape, & Lighting – minimum $250,000

   b. Façade Restoration/Environmental/Remediation/Demolition – minimum $3,000,000

Section 6. (Continued)

C. Redevelopment of the Project shall include a minimum of 73,000 square feet:

   a. Minimum of 10,000 square feet of retail

   b. Minimum of 55,000 square feet of office

   c. Minimum of 8,000 square feet of back of house/common space.

D. Obtain a building and/or demolition permit and start construction and/or demolition for the Project by January 1, 2017;

E. Obtain a Certificate of Occupancy (CO) for the Project by December 31, 2018;

F. If applicable, obtain final acceptance of public infrastructure improvements associated with the Project, as evidenced by the issuance of December 31, 2018 a Green Tag from the Sustainable Development and Construction Department December 31, 2018, and submit documentation to the Office of Economic Development (the "OED");

G. If applicable, execute an operating and maintenance agreement for non-standard public infrastructure improvements associated with the Project by the earlier date of project completion or December 31, 2018, for a period of 20 years. If MSW chooses to forgo the TIF Subsidy, it shall remain responsible for the maintenance of the non-standard public improvements through the term of the operation and maintenance agreement. Any assignment of the maintenance obligations to another entity shall require the prior written approval of the Director. The assignment document must be approved by the City;

H. A minimum of 25% of the total net leasable square footage of commercial (non-residential) space with a minimum of at least 50% of ground floor retail space must be occupied prior to TIF payment and must continue to be occupied in order to continue to receive TIF payments;

Section 6. (Continued)

I. **Mixed Income Housing Requirements:**

a. MSW shall: (1) ensure that at least 10% of all multi-family residential rental units constructed on any property currently owned (as of April 27, 2016), controlled, developed or caused to be developed by MSW or any affiliate or subsidiary of MSW within the Old Dallas High School Project Area (the "Site"), as depicted and attached hereto as **Exhibit D,** in the area identified as "Deed Restricted Property", will be reserved for and solely leased to households earning at or below eighty percent (80%) of the area median family income for the Dallas metropolitan area as determined annually by HUD ("Eligible Household") at a lease rate that is affordable to the Eligible Households, as determined by the City's Office of Fair Housing, and will meet the requirements of the Project Plan and the City of Dallas Tax Increment Finance Districts Mixed Income Housing Guidelines (**Exhibit E – City of Dallas Tax Increment Finance Districts Mixed Income Housing Guidelines**), (2) ensure that each of the reserved units are solely occupied by Eligible Households for a period of 15 years commencing, as to each such reserved unit, on the date that the building in which the reserved unit is located receives its final certificate of occupancy from the City (the "Affordability Period), and (3) execute (or direct its affiliate or subsidiary to execute) deed restrictions, by the CO date, in a form to be mutually agreed upon by MSW and the City and record such executed deed restrictions in the Official Real Property Records of Dallas to ensure that the property will comply with the mixed income housing requirements. If MSW (or any of its affiliates or subsidiaries) owns any property, or a portion of the property, identified as "Not within project area" on the map attached hereto as **Exhibit D**, as of April 27, 2016, MSW shall record deed restrictions on the property and the mixed income housing requirements, as described herein, shall apply to such property.

b. All affordable units shall be of substantially identical finish-out and materials as market rate units, shall float within each unit type, shall not be fixed to specific unit numbers and shall not be segregated or concentrated in any one floor or area of any building, but shall be dispersed throughout all residential building(s). Tenants occupying the affordable units shall not be restricted in any way from common areas or amenities within the project site, unless such restrictions apply to all tenants. Additionally, the affordable units shall be dispersed substantially pro-rata among units by the number of bedrooms that are in each unit so that not all the affordable units are one-bedroom units.

Section 6. (Continued)

c. If MSW applies for additional TIF subsidies for a multi-family residential rental project within the Site, MSW shall comply with the Deep Ellum TIF Districts Mixed Income Housing Policy in place at the time the request is made.

d. If MSW, or any affiliate or subsidiary of MSW, purchases any property or portion of the property identified as “Not within project area” on the attached **Exhibit D**, during the term of the Deep Ellum TIF District, MSW shall immediately record deed restrictions on such property for a period of 15 years, to ensure that 10% of all multi-family residential rental units, on the property or to be developed on the property, comply with the mixed income housing requirements as described herein.

e. If the United States Department of Housing and Urban Development (“HUD”) imposes additional requirements on the City’s housing programs, MSW shall cooperate in good faith to reach a mutual agreement on reasonable modifications to the mixed income housing requirements and citywide housing guidelines to comply with such requirements.

f. For any multi-family residential rental component included in this Project or future projects on the Site, MSW shall market the multi-family residential rental component pursuant to an affirmative fair housing marketing plan (“Marketing Plan”) approved by the City. MSW shall work collaboratively with the City's housing department to develop such plan. Should City request amendments from time to time to the Marketing Plan to improve its effectiveness or to cooperate with rules imposed by HUD, MSW shall cooperate in good faith to reach mutual agreement on reasonable modifications to the Marketing Plan.

g. MSW is not required to construct multi-family residential units within the Site, but if constructed, MSW shall comply with the mixed income housing requirements as described herein.

J. On November 20, 2015, the design for the project was reviewed by the Urban Design Peer Review Panel (the "UDPRP"), an independent group of design, engineering, and/or planning professionals selected by the Dallas City Manager and required for all Deep Ellum TIF District projects. Recommendations by the UDPRP related to the Project are:

a. Encourage the renovation of the historic Old Dallas High School building as the first phase of the development of the larger site.

Section 6. (Continued)

b. Explore alternative masterplan scenarios that arrange buildings around a perimeter block development scheme that frames a pedestrian centered series of internal connections and spaces.

c. Explore options that reimagine the existing greenspace along the Pearl frontage as an opportunity to engage Pearl Street with a building edge and active uses.

d. The panel suggests emphasizing the masterplan's relationship to the existing DART station, directly engaging it as an opportunity to reimagine the larger development site as a true transit oriented development.

e. Utilize the existing alignment of Leonard Street as an opportunity to create an architectural moment that enhances the view corridor relationship to the arts district and informs future development on adjacent sites.

f. Enhance the pedestrian edge along Pearl Street as an important pedestrian connection to the arts district.

g. Consider utilizing the existing right of way beneath I-345 as an opportunity to create more flexibility regarding site access.

h. Consider opportunities to design interim surface parking in a manner that limits impervious area, and employs integrated storm water management techniques where possible.

i. The panel supports efforts to eliminate or reroute the existing I-345 Live Oak ramp to free up developable land and allow for better connectivity with Carpenter Park. Increase the density and urbanity of the Medical District and Dallas Love Field areas as part the proposed plan, especially as it compares to the current urban environment, or lack thereof for.

Recommendations by the UDPRP related to future improvements are not finalized at this time and are subject to change;

K. Comply with UDPRP's design recommendations for the Project as a condition of approval by the TIF Board;

L. Construction of project improvements and building renovations shall be in substantial conformance with site plans approved by the Urban Design Peer Review Panel, Deep Ellum TIF Board of Directors and Dallas City Council;

Section 6. (Continued)

M. MSW shall submit to the Director of the OED a quarterly status report for ongoing work on the project, as well as public improvements. Status reports will be due once every three months after the Council approval date, beginning with June 1, 2016;

N. MSW shall make a good faith effort to (i) comply with the Business Inclusion and Development ("BID") goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise (M/WBE) participation for TIF reimbursable improvements and (ii) achieve a goal of 25% certified M/WBE participation for total private improvement construction expenditures for the Project, and meets all reporting requirements for each. See Exhibit A;

O. If necessary, the project deadline can be extended up to 6 months, subject to approval by the Office of Economic Development Director and Deep Ellum TIF District Board of Directors;

P. Assignment of the development agreement, in whole or in part, shall require prior written approval from the Director; and

Q. MSW shall provide evidence to the Office of Economic Development that reasonable efforts were made to promote the hiring of neighborhood residents for any new jobs created by the Project.

Section 7. That should MSW not perform one or more of the contingencies listed above, if not cured within 90 days after written notice of such failure to perform by the City, the City Manager is authorized to and may terminate the development agreement and disallow the total TIF Subsidy up to an amount not to exceed $6,240,934.

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.

Exhibit A

Dallas High School

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DALLAS HIGH SCHOOL
MATTHEWS SOUTHWEST
2214 BRYAN STREET
DALLAS, TEXAS

The former Dallas High School is an existing four story building located at 2400 Bryan Street on a 5.419 Acre tract bounded by the DART line on Bryan Street, I-45 Exit Ramp, and North Pearl Street. The 109,000 GSF Auditorium and Classroom Building was originally a component of the Dallas High School campus, a campus of five freestanding buildings. Constructed in 1907 with a rear 1911 addition by Chrisman and Nesbit and designed by the local firm of Lang and Witchell, the architecture is of Classical Revival style and remains largely intact. The principle façade features large Tuscan order columns flanking the elevated main entry. The building is largely organized around a central auditorium with intact Corinthian order columns with educational themed motifs. The Auditorium and Classroom Building is listed on the National Register of Historic Places and is a City of Dallas Landmark.

It is the goal of Matthews Southwest to revive the building as a sustainably designed speculative office with a potential restaurant or retail component on level 1. The project will seek LEED Certification and will boast several sustainable attributes afforded by the urban location, the reuse of the existing building, and the application of water efficient and energy efficient design. A long-term master plan for the site has been developed that will transform the site and provide positive urban form, pedestrian connectivity and will activate exterior public spaces.

Prepared by Merriman Associates/ Architects, Inc.
March 01, 2016
maa # 2015072
Contact : Aimee Sanborn

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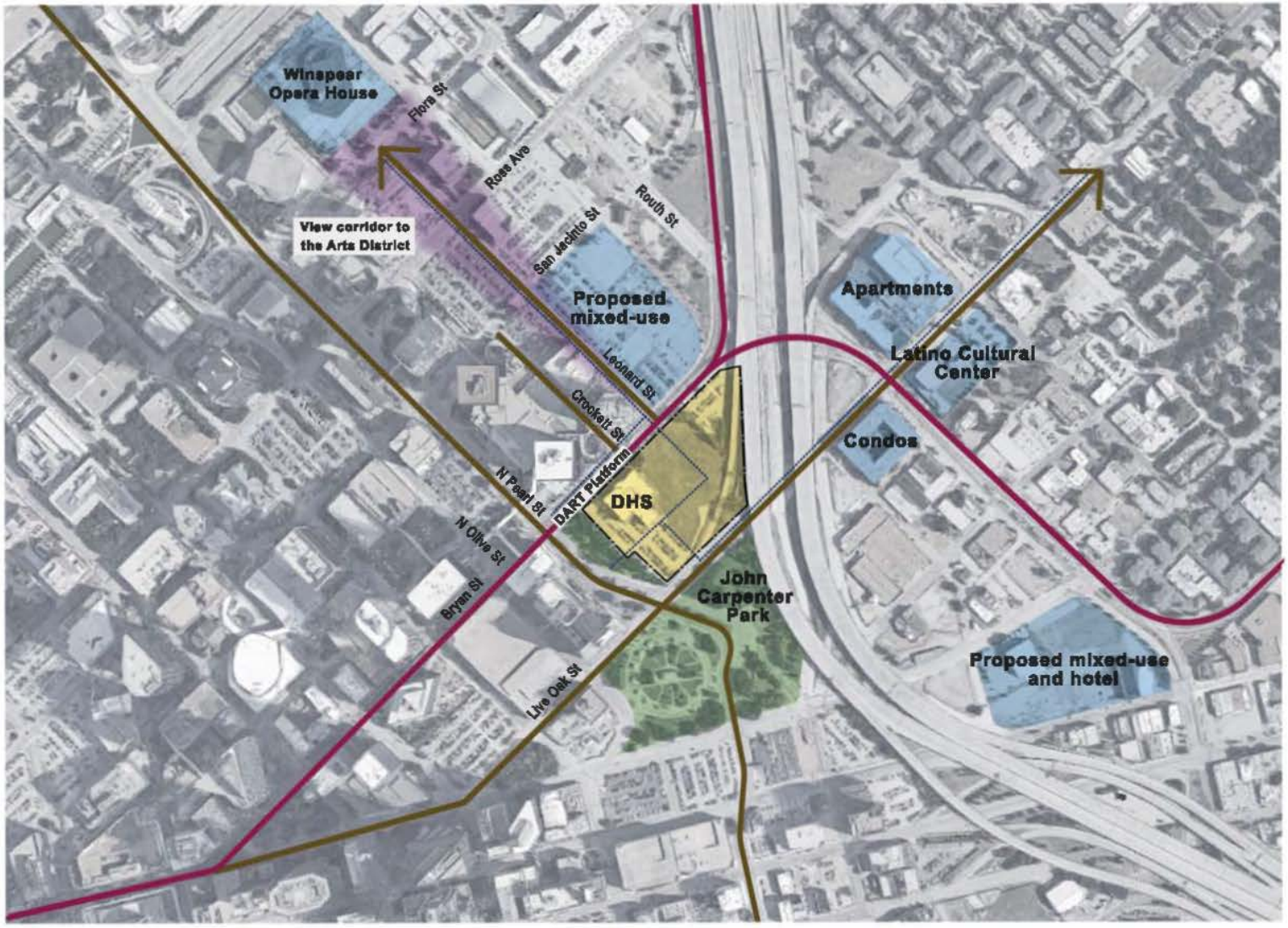

Dallas High School Site Diagram

- DART Line
- Main Vehicular Route
- Pedestrian Site Access
- Property Line

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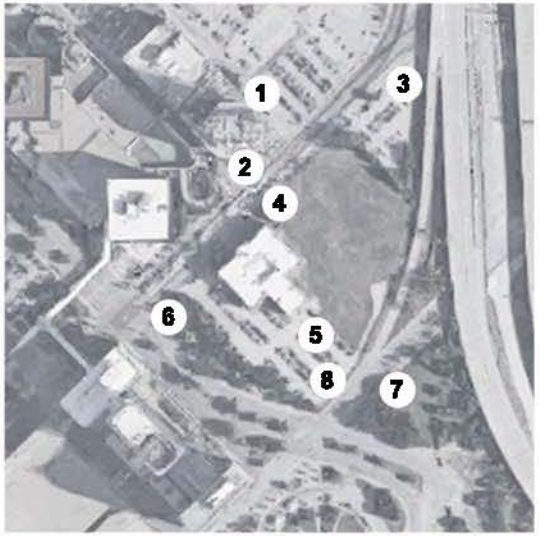

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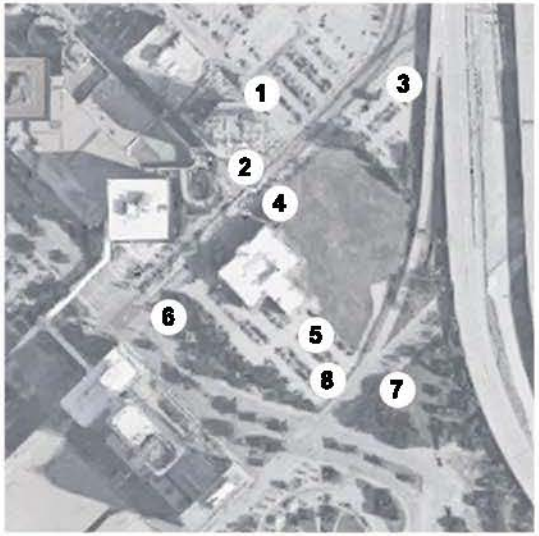

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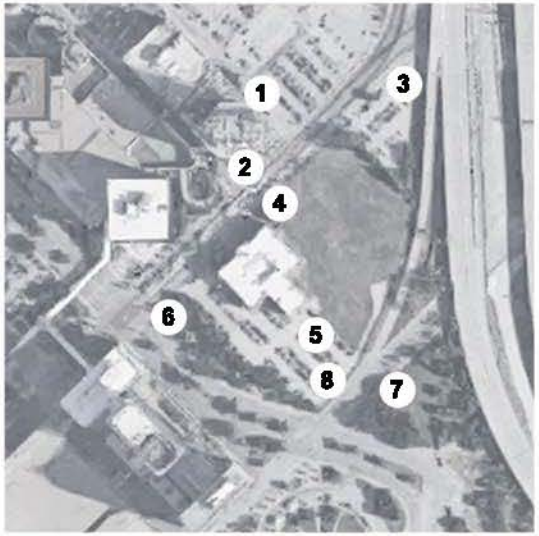

Existing site facing west 5

Corner of Bryan & N Pearl St facing east towards the project site 6

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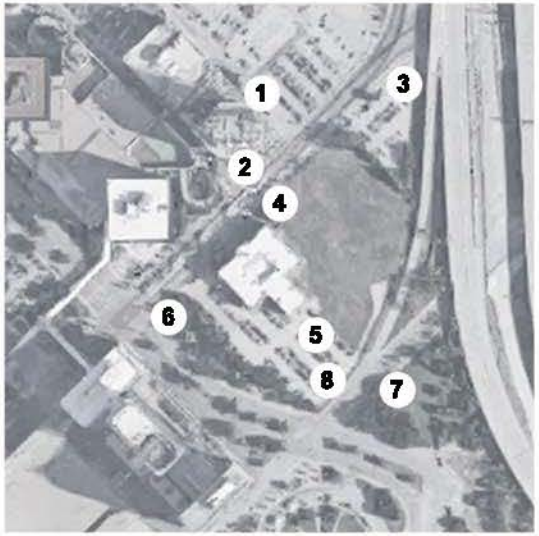

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EXISTING SITE CONDITIONS

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SITE PLAN

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SITE LANDSCAPING - MAIN ENTRY

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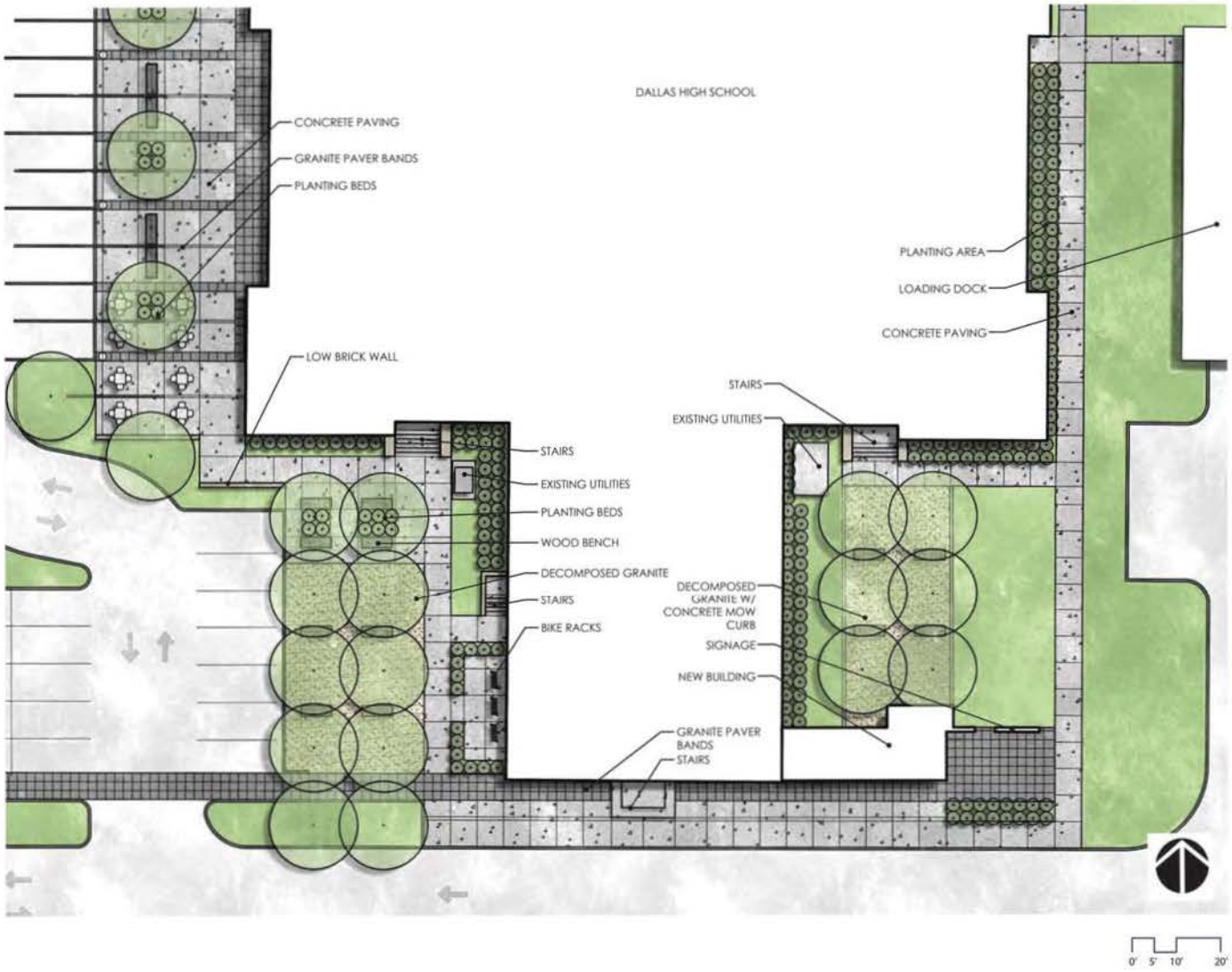

SITE LANDSCAPING - BACK ENTRY

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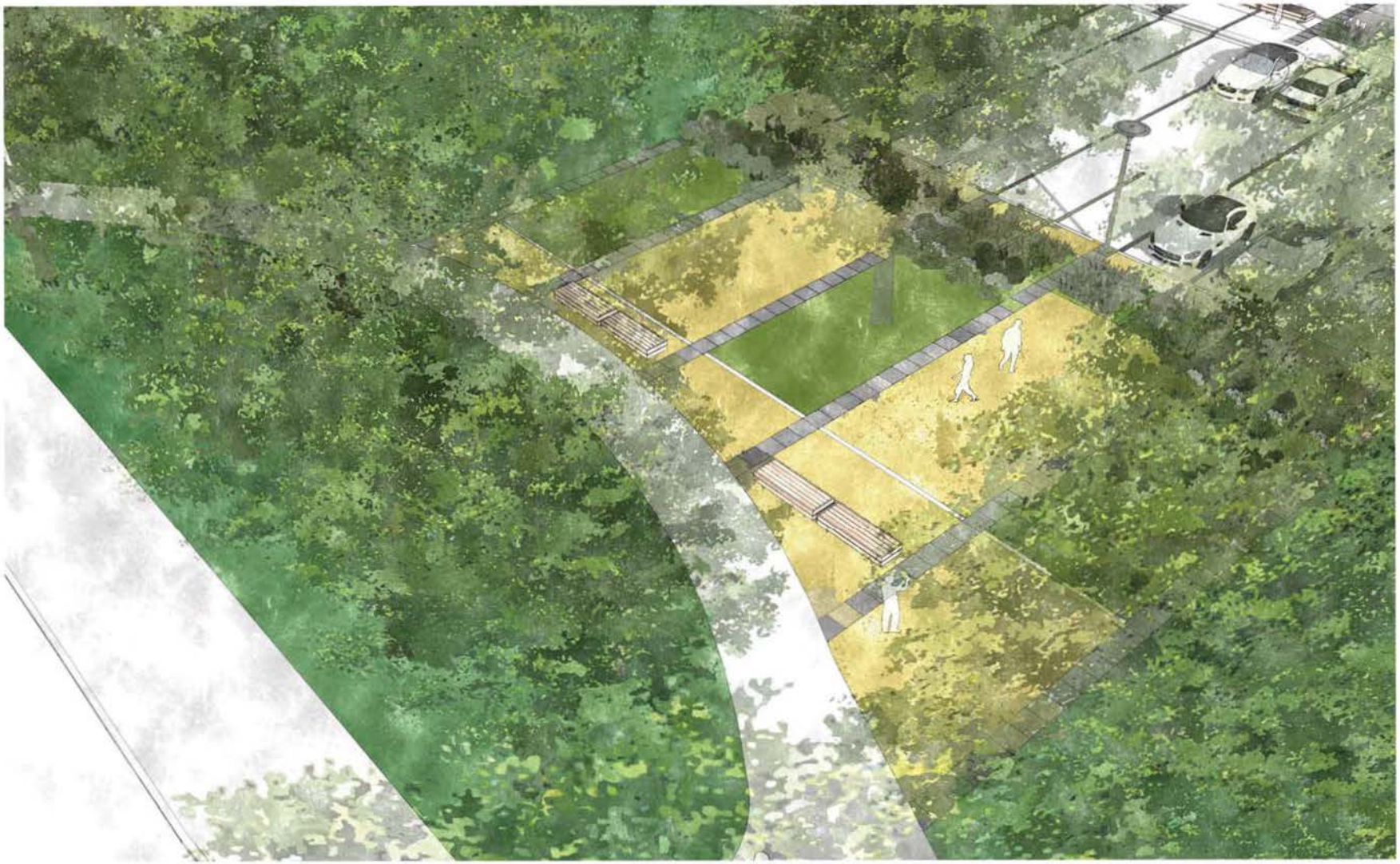

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Rosemary

Cast Iron Plant

Artemisia

Big Blue Liriope

Autumn Sage

Aztec Liriope

Berkeley Sedge

Creeping Rosemary

Crossvine

Dwarf Palmetto

Dwarf Wax Myrtle

Little Bluestem

Fountain Grass

Inland Seaoats

Dwarf Burford Holly

Green Santolina

Common Rush

Flame Acanthus

Gulf Muhly

Rock Penstemon

Inland Sea Oats

Japanese Aralia

Lantana

Daylily

Lindheimer Muhly

Little Bluestem

Weeping Love Grass

Mexican Feather Grass

Red Yucca

Russian Sage

Skullcap

Chinese Fringeflower

Spineless Prickly Pear

Texas Sage

Turk's Cap

Whale Tongue Agave

Yellow Columbine

Texas Redbud

Thornless Mesquite

Astilbe

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Proposed site light poles

Proposed site bollards with LED lighting

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LEVEL ONE FLOOR PLAN

- Vender Space
- Dining Hall Space

New patio space connected to level one dining hall space & adjacent park.

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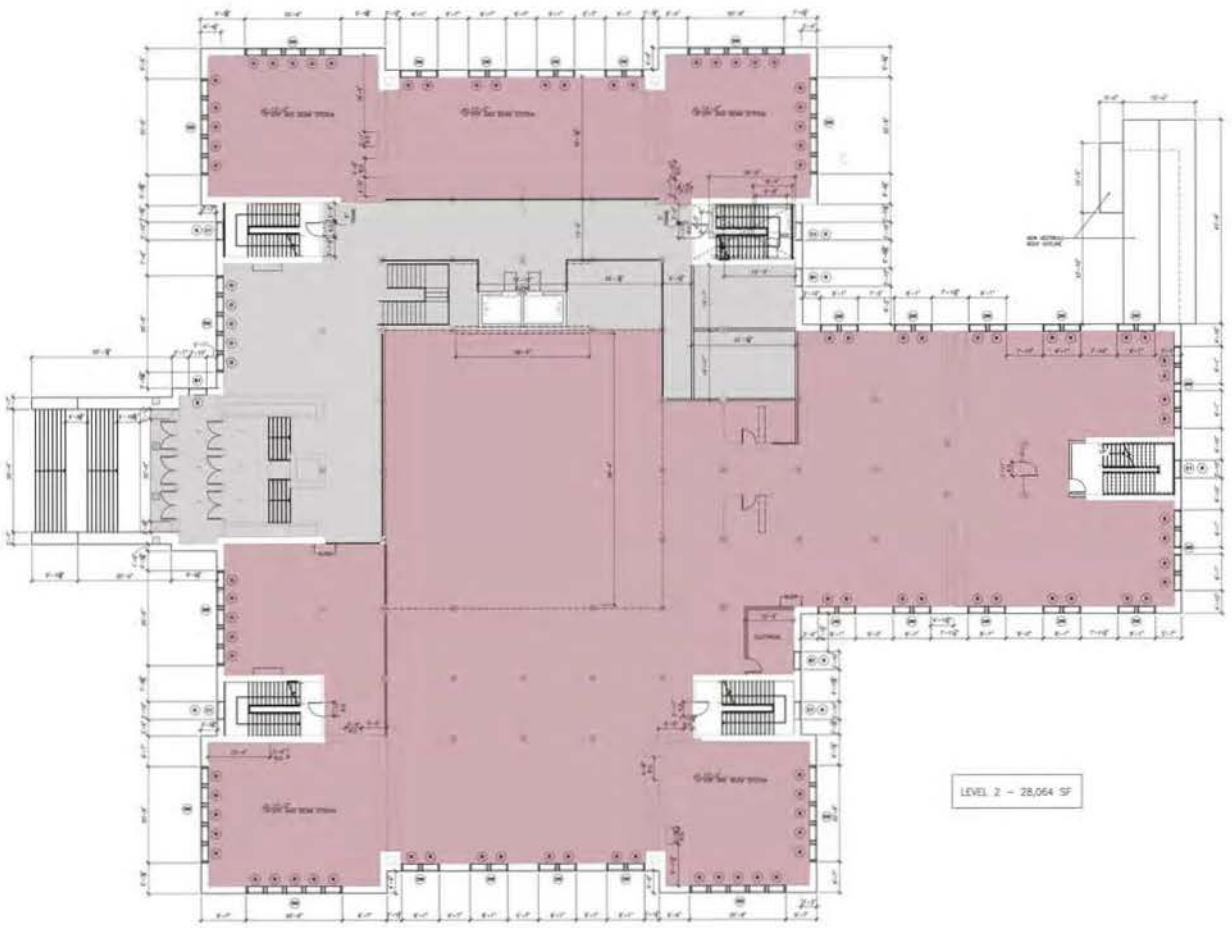
LEVEL TWO FLOOR PLAN

- Common Space
- Tenant Space



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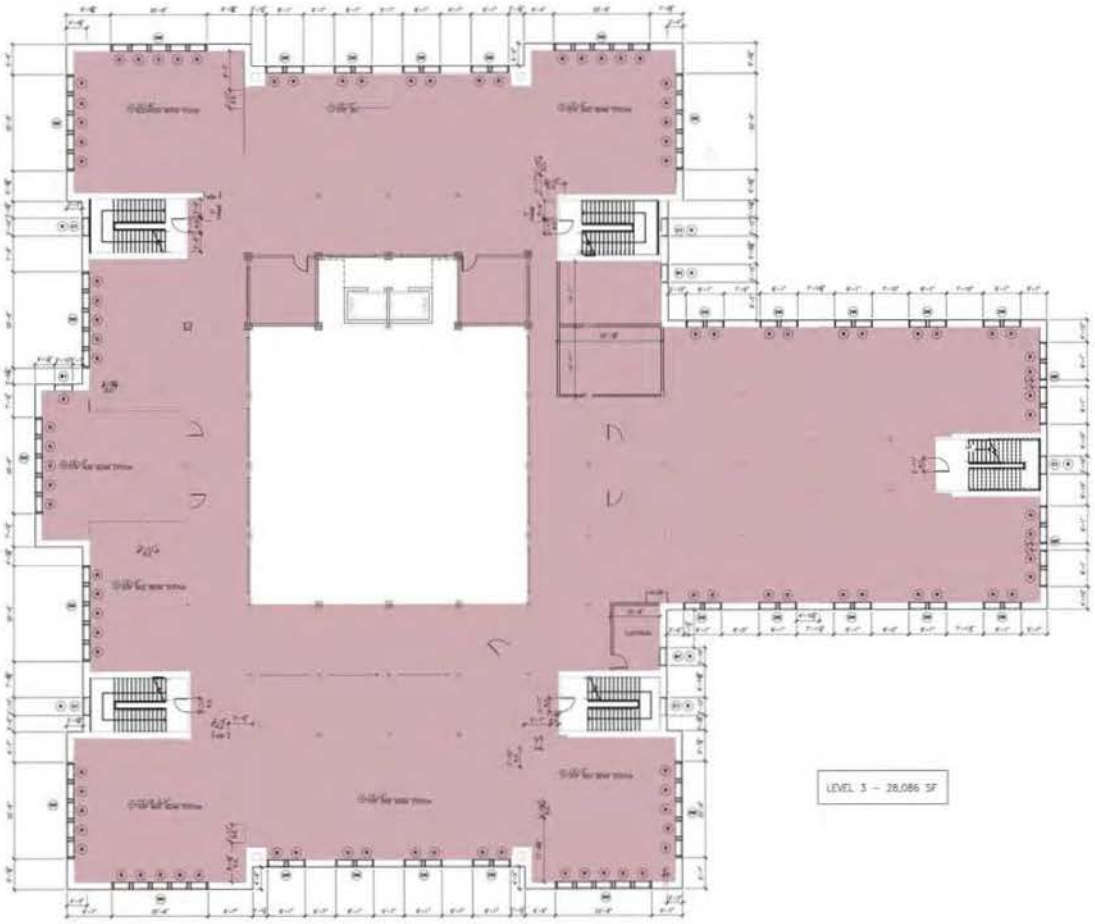
LEVEL THREE FLOOR PLAN

- Common Space
- Tenant Space



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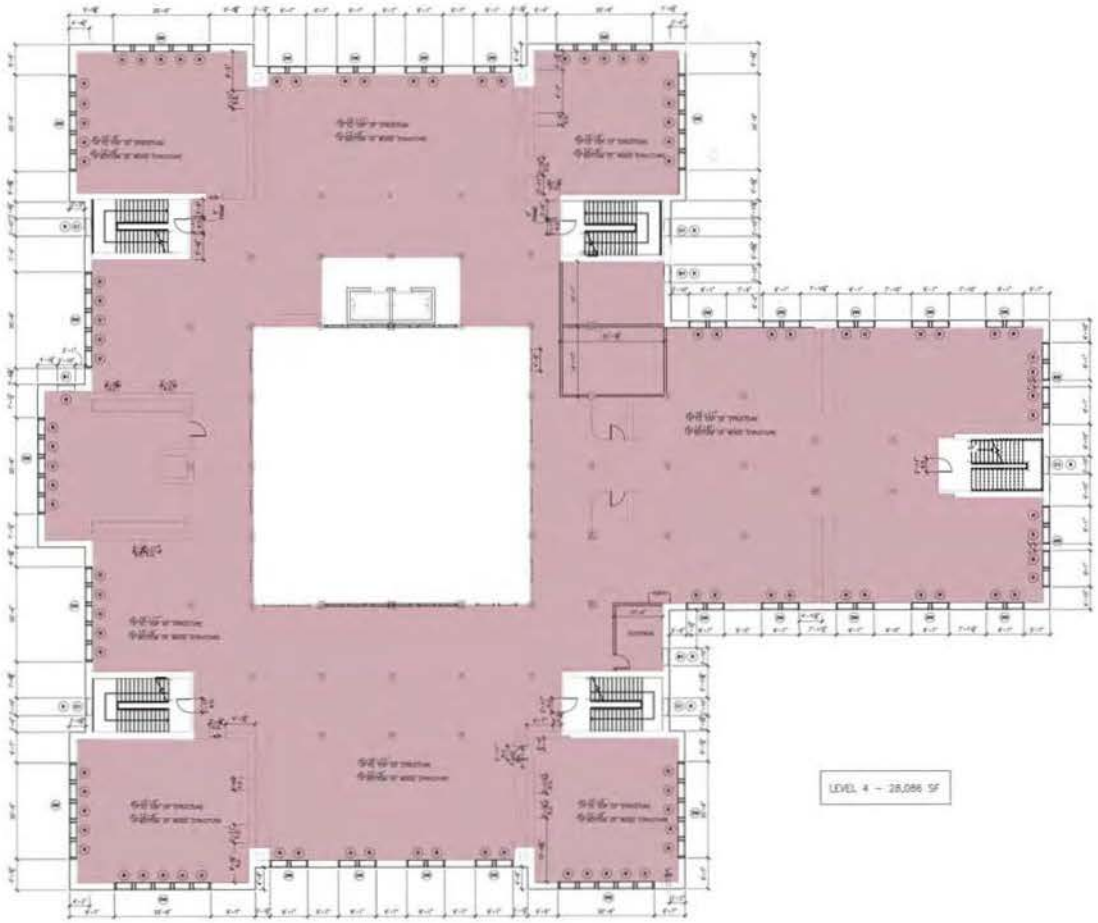
LEVEL FOUR FLOOR PLAN

- Common Space
- Tenant Space



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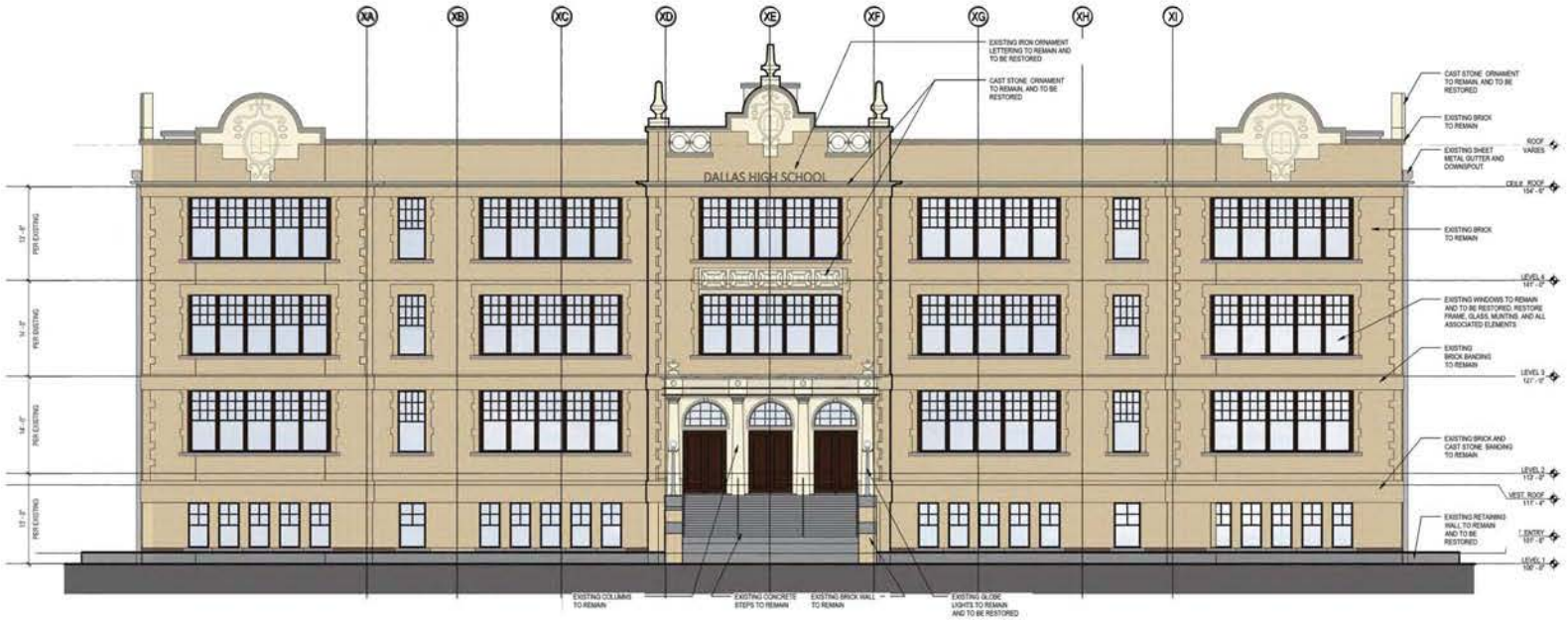

DALLAS HIGH SCHOOL - NORTH ELEVATION

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DALLAS HIGH SCHOOL - WEST ELEVATION

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DALLAS HIGH SCHOOL - SOUTH ELEVATION

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DALLAS HIGH SCHOOL - EAST ELEVATION

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DALLAS HIGH SCHOOL EXTERIOR

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DALLAS HIGH SCHOOL EXTERIOR

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DALLAS HIGH SCHOOL EXTERIOR

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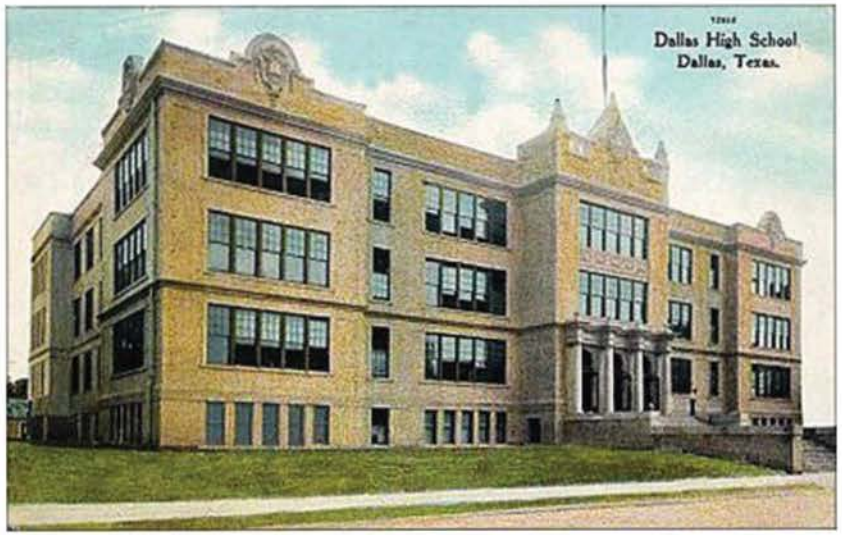
Existing Exterior Window Paint Condition



Historic Illustration of Dallas High School (~1910)

Proposed Exterior Window Paint
- Sherwin Williams Well-Bred Brown (7027)

Proposed Window Finish

It appears from historic illustrations and a recent paint autopsy of the original windows shows that the wood window frames were originally stained a dark brown. From photos presented on the previous pages, there appears to be 2-3 layers of paint on top of the original stain. Window frames to be painted to match original intent.

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NEW VESTIBULE ENTRANCE

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NEW VESTIBULE ENTRANCE

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VESTIBULE SOFFIT
- EQUITONE [tectiva] TE20
  fibre cement panels

VESTIBULE WALL
- ARRISCRAFT CONTEMPORARY BRICK

VESTIBULE CAST STONE SILL
- ROCK CAST WHEATSTONE

VESTIBULE HARDWARE
- SCHLAGE Oil Rubbed Bronze

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WEST PATIO CONCEPT

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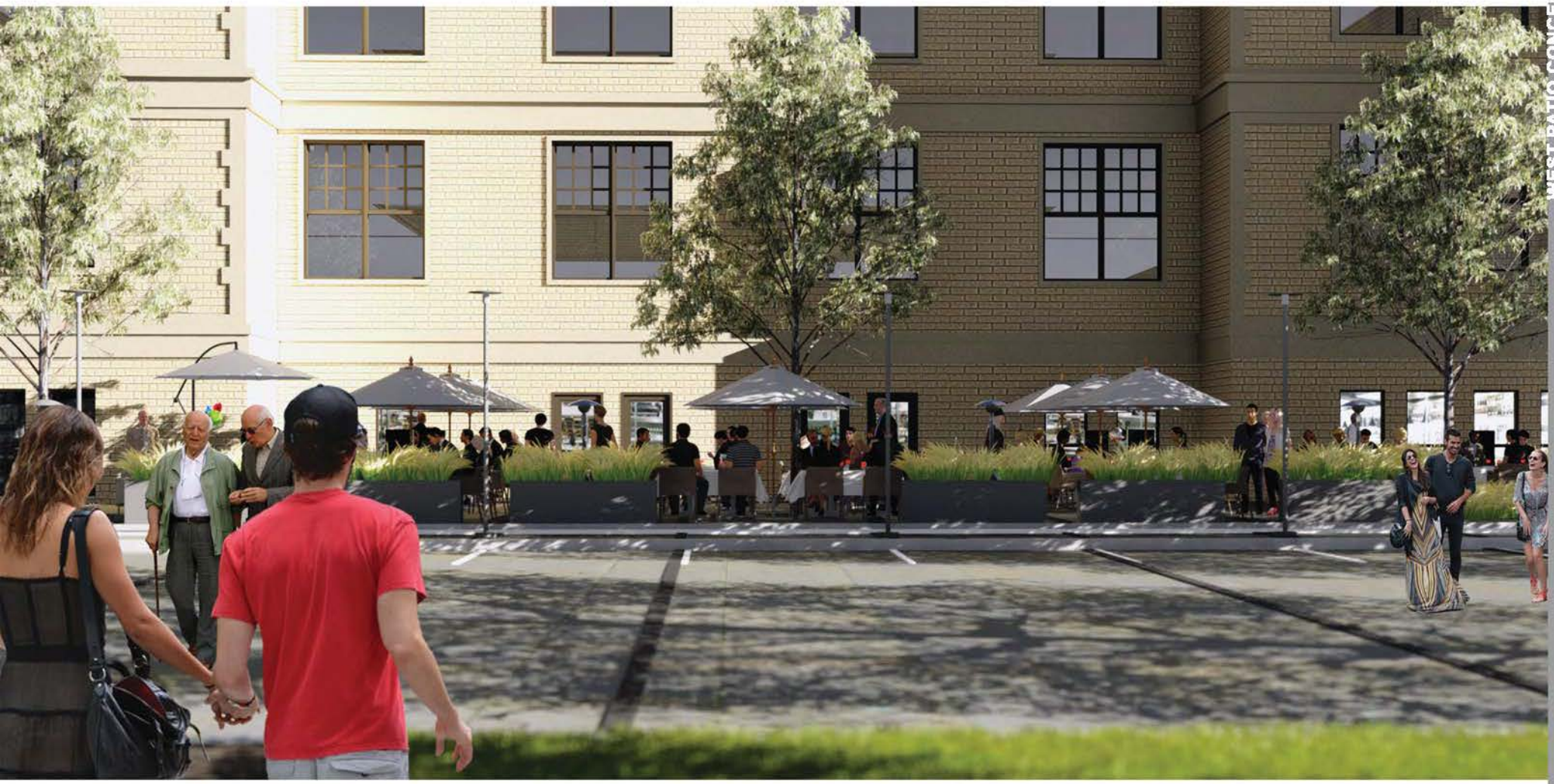

WEST PATIO CONCEPT

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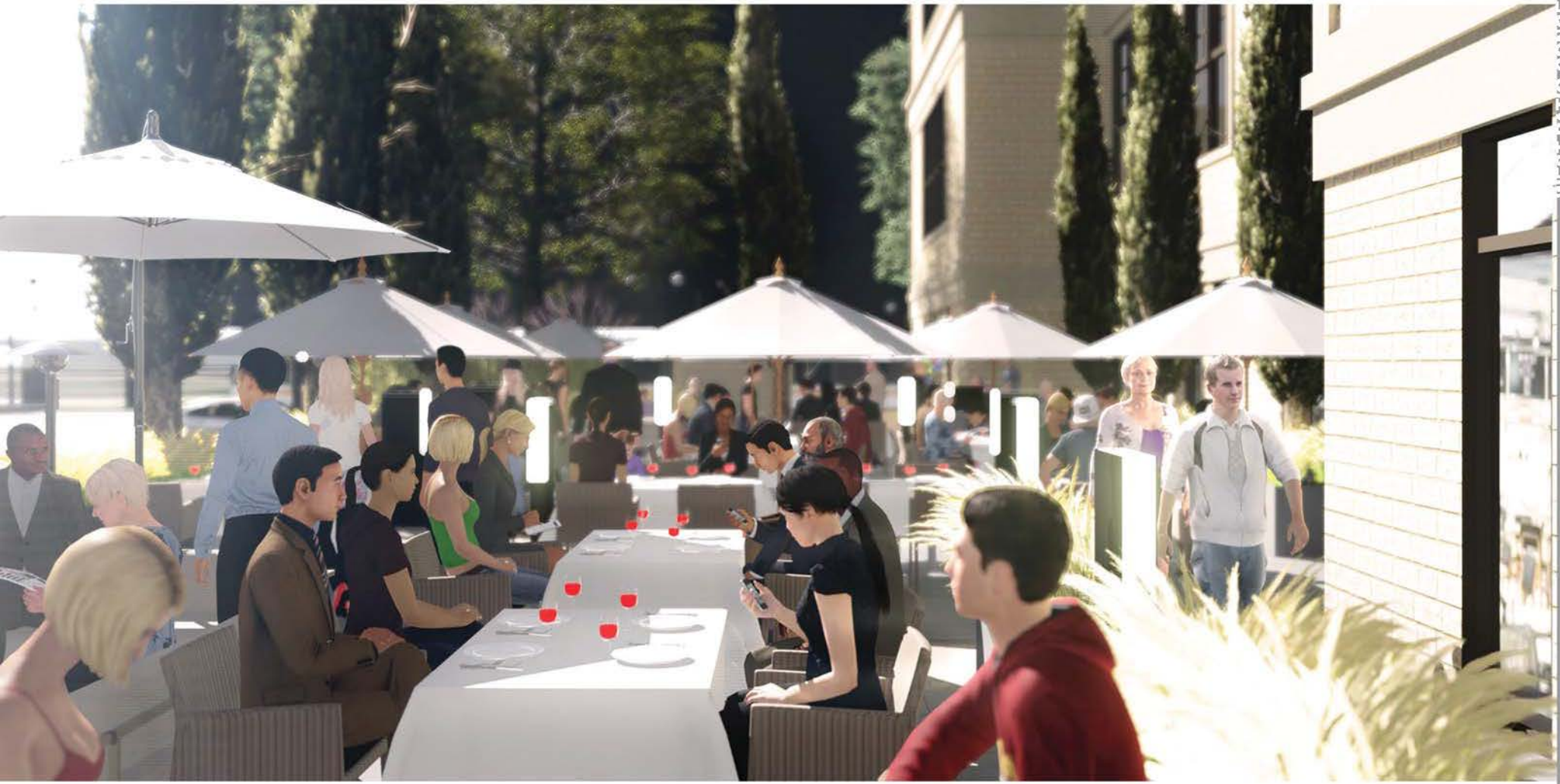

WEST PATIO CONCEPT

Dallas High School
dallas, texas
maa.2015072 03.01.16

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architects maa merriman associates

WEST PATIO CONCEPT

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dallas, texas
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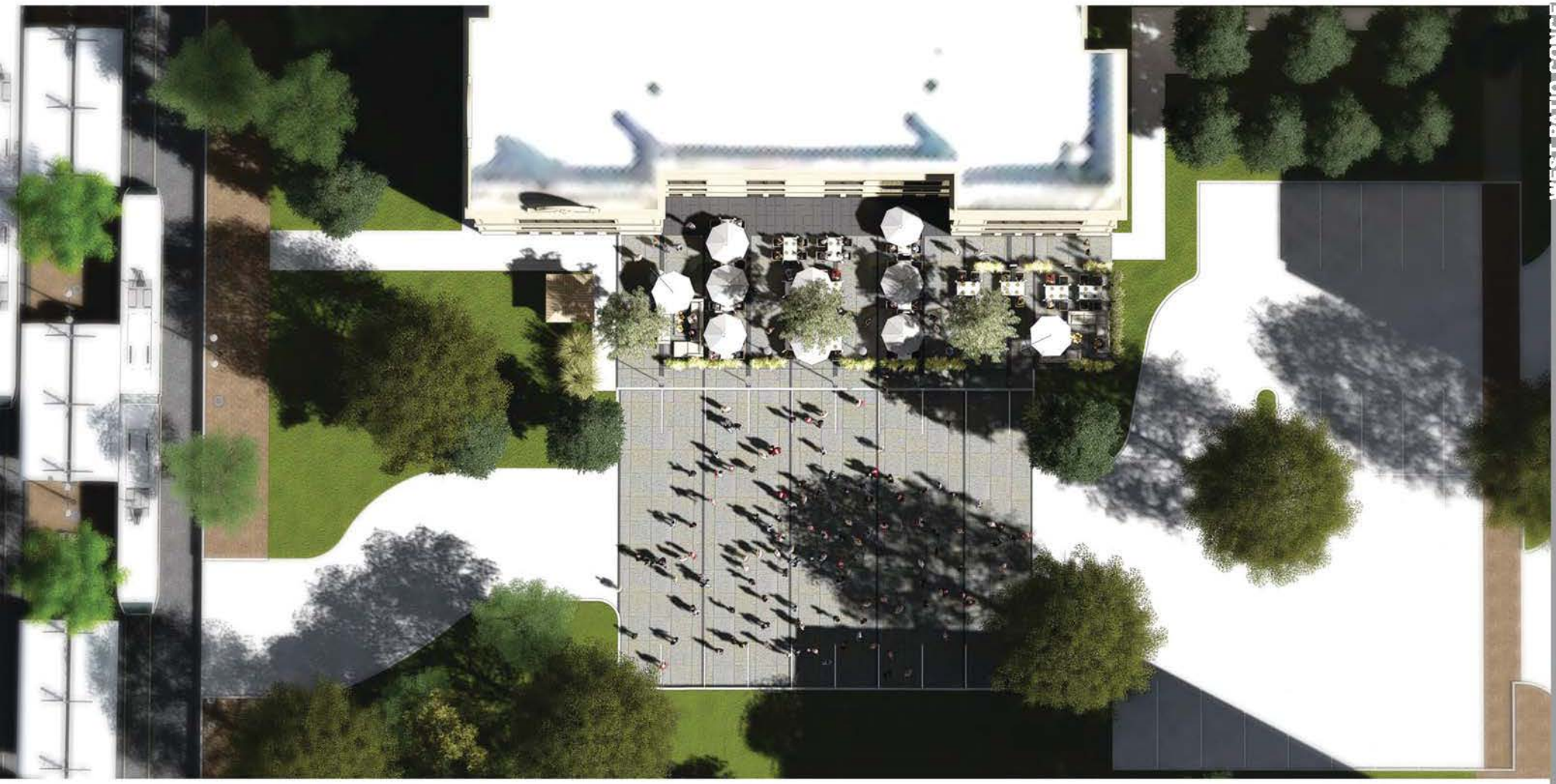

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SITE PAVER - BUTTERFLY BLACK HONED

SITE PAVER - BUTTERFLY BLACK FLAMED + WATERJET

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DALLAS HIGH SCHOOL INTERIOR

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DALLAS HIGH SCHOOL INTERIOR

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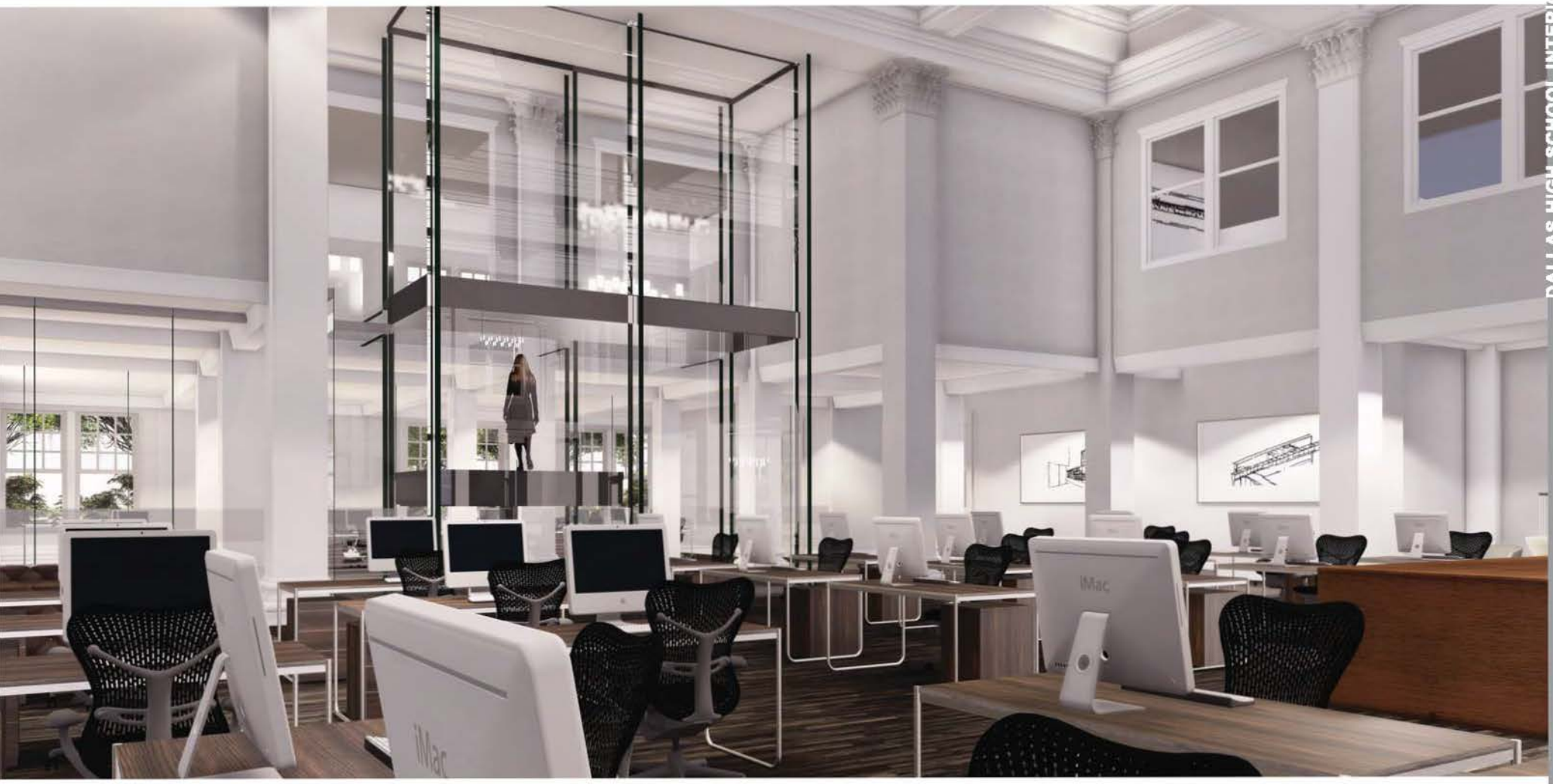

DALLAS HIGH SCHOOL INTERIOR

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DALLAS HIGH SCHOOL INTERIOR

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Exhibit B
Old Dallas High School TIF Budget

Description	Amount	%
TIF Budget - Dallas HS Mixed Use Project		
Redevelopment of Vacant Buildings/Public Plazas		
Paving Streetscape, & Lighting (includes paving, landscaping, streetscaping, design, electrical, mechanical, and engineering costs)	*$450,000*	7.2%
Façade Restoration/Environmental Remediation & Demolition	*$5,590,036*	89.6%
Economic Development TIF Grant	*$200,898*	3.2%
Total TIF Funding Proposed	**$6,240,934**	

The budget shown above outlines anticipated TIF reimbursements for the Old Dallas High School project and may be shifted from the Economic Development TIF Grant category to the other categories if necessary, as long as the total TIF Reimbursement does not exceed $6,240,934.

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

Exhibit C
TIF Increment Allocation Policy
Deep Ellum TIF District
Approved by the TIF Board August 5, 2014
Revised by the TIF Board March 3, 2015

It is important for the City of Dallas to encourage as many projects as possible in the Deep Ellum TIF District (the "Deep Ellum TIF District" or "District"). In that spirit, after priority expenditures that benefit the district as a whole, Deep Ellum TIF District funds will be allocated to Developers proportionately, based on the increment created by the Project (as defined below) and Related Projects/Developers (as defined below) within the District, after payment of administrative expenses.

Definitions:

Project (TIF-eligible) - development or redevelopment that adds taxable real property value at a particular site or is a space or facility of public benefit such as open space, trails or cultural facilities. The Project has been approved for TIF funds and all requirements set forth in the development agreement have been completed.

Developer – A person or entity that has completed all requirements for a TIF-eligible Project as set out in the fully executed development agreement for the Project.

Related Project/Developer – if a Developer or a Developer's affiliates (as defined in a development agreement) has other development or redevelopment projects in addition to a TIF-eligible Project, increment from those Related Project(s) may be included in Individual Increment for reimbursement of the TIF-eligible Project expenses. A Developer of a TIF-eligible Project must have at least 50% ownership in any Related Project. These requirements will be further specified in a development agreement where applicable.

Related Projects must create new taxable real property value for the District based on the following criteria:

- New development on previously vacant land or demolished structures.
- Redevelopment or major modification of an existing building if this results in an increased taxable value of 50% or more of the original building or any increase in the floor area of an original building if the expansion is over 50% for residential projects, over 65% for mixed-use projects, and over 75% for office/showroom projects.

Total Increment – the annual amount of increment deposited into the TIF fund from the participating jurisdictions.

Individual Increment – the portion of the increment that a Project or Related Project creates each year.

Net Individual Increment – Individual Increment less the Project's and/or Related Project's portion of Administrative Expenses each year. This portion will be based on the ratio of Individual Increment to Total Increment.

Administrative Expenses – the City will take a share of TIF revenue from this District for the amount it bills to the District for costs necessary for administration of the TIF District program, which may include charges from other departments, each year.

District-Wide Improvements – improvements that are not specific to a single development site such as gateways, trails, open space, public facilities, or utility/streetscape improvements benefiting multiple properties or blocks.

Shared Increment – the Total Increment less (1) Administrative Expenses, (2) a set-aside for District-Wide Improvements, (3) Catalyst Project Set-Asides and (4) the sum of the Individual Increments of all eligible Developers.

Available Cash - cash in the Deep Ellum TIF District fund that is not already allocated, encumbered, or otherwise set aside for other purposes.

Procedure:

Annually, after the Total Increment has been deposited in the TIF fund, the fund will pay or set aside Administrative Expenses as a first priority prior to any other funds being allocated. A set-aside for District-Wide improvements will be the second funding priority. These funds are intended to be used for projects benefitting the district as a whole and/or be used to leverage funding from non-TIF related sources. Catalyst Project reimbursement will be the third funding priority. These funds are intended to provide incentives related to the Deep Ellum Core District.

After Administrative Expenses, District-Wide Improvement and Catalyst project allocations have been paid or set aside, Developers approved for TIF funding from the Deep Ellum TIF District will be eligible to receive their Net Individual Increment.

In addition to their Net Individual Increment, Developers will be eligible to receive a portion of any Shared Increment. The Shared Increment allotted to an eligible Developer shall be a ratio of an eligible Developer's Individual Increment to the sum of the Individual Increments for all Projects eligible for reimbursement for that year.

Dallas Central Appraisal District (DCAD) certified values for each tax year will be the data source used to determine values for the increment allocation procedure. However, no increment allocation will be made unless a total Project or specific phase as defined in a development agreement is completed by May 1st of a given year, as evidenced by City approval of all supporting documents required in the development agreement. The City's Director of Economic Development will make the final determination in applying future available revenues in the TIF Fund among Projects.

Pre-existing Agreements

The Deep Ellum TIF District has a previous outstanding agreement related to the Reel FX expansion and related streetscape improvements. Funding exists to cover these reimbursements/expenditures. This agreement will be fully funded prior to implementation of this policy.

District-Wide Improvement Set-Aside

The TIF Board shall set-aside 5% of any Shared increment for District-Wide Improvements after administrative expenses. Specific improvement projects are to be determined and the amount of this set aside will be reviewed annually based on updated financial projections and District needs.

Catalyst Projects – Deep Ellum Core increment set-aside

The TIF Board shall set-aside for projects located in the core area of Deep Ellum that make substantial improvements and maintain existing buildings, courtyards and alleys.
A set aside of 10% of any Shared increment shall be allocated to the Deep Ellum Crossroads Project for Catalyst Project reimbursement. This set-aside will be funded after administrative expenses and the District-Wide Set-Aside accounts have been fully funded out of general increment. A set aside of 5% of any Shared increment shall be allocated to the Westdale redevelopment Westdale 2800 DE project. An additional set-aside for the redevelopment of the old Dallas High School/Crozier Tech site shall be capped at 5% of any Shared Increment.

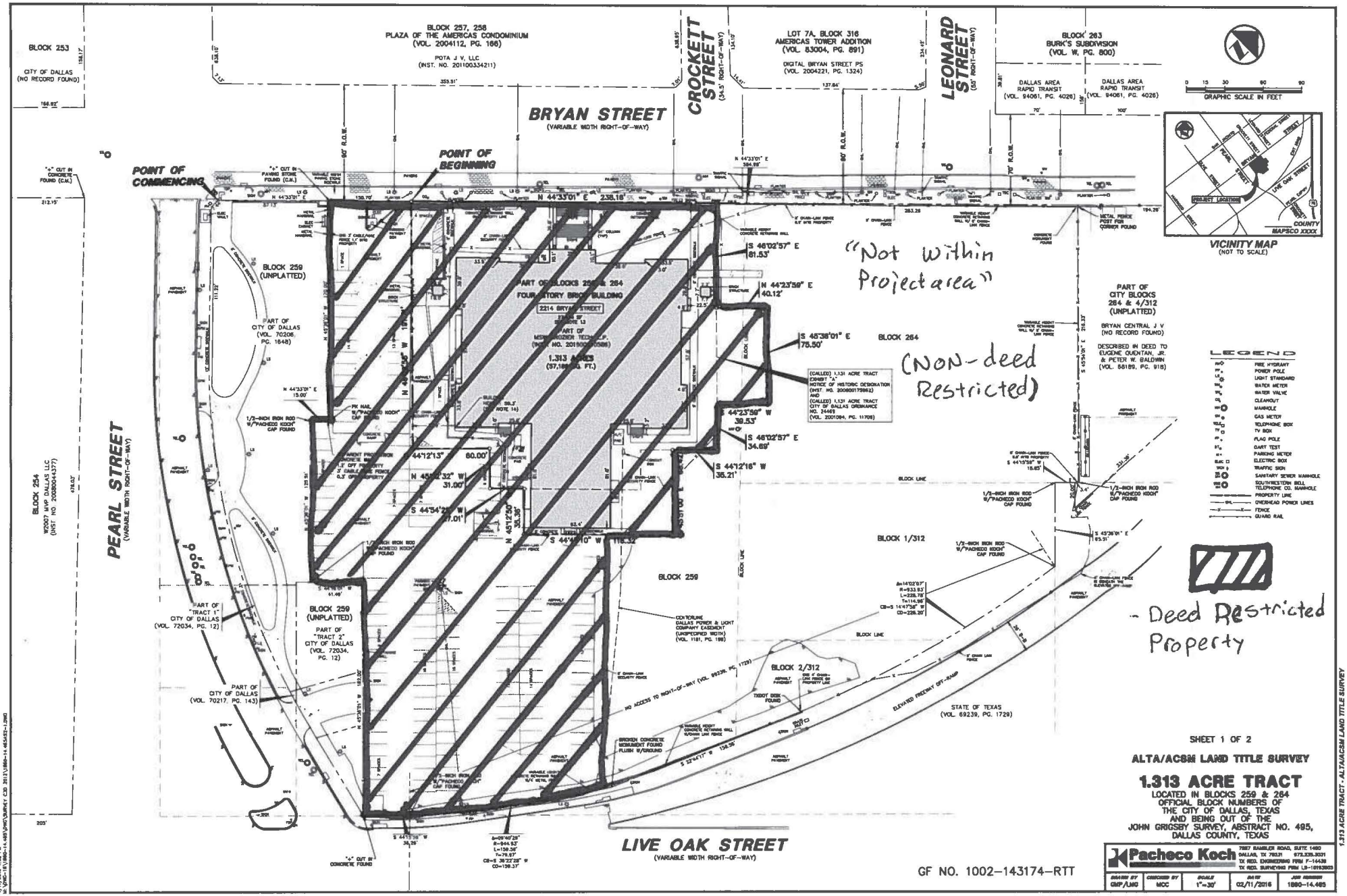
These redevelopment projects will benefit the Deep Ellum area as a whole and provide a model for future redevelopment efforts in the area. The small buildings create a large part of the character of the district as a whole, yet are prohibitively costly to improve. These projects will be eligible to receive their own increment in addition to this set-aside, subject to successful completion of all contractual requirements.

Notes:

In general, the assignment of increment will be done annually, after each participating jurisdiction has deposited its annual increment into the TIF fund. Upon completion of a Project, developers are eligible to be reimbursed for TIF eligible expenditures from Available Cash currently in the TIF fund, if any.

If the appraised value of the remaining property in the TIF District decreases in value despite new development and as additional TIF Projects are approved and completed, the TIF subsidy for Projects that year may be reduced or unpaid. Similarly, if the sum (1) Administrative Expenses, (2) a set-aside for District-Wide Improvements, (3) Catalyst Project Set-Asides and (4) the sum of the Individual Increments of all eligible Developers, then the Individual Increments shall be allotted on a proportional basis based on the ratio of each Developer's Individual Increment to the sum of the Individual Increments for that year. If there is no revenue available after administrative expenses, there will be no increment payments that year.

At its discretion, the Deep Ellum TIF Board may make modifications or corrections to this Policy to increase its effectiveness.



SHEET 1 OF 2

ALTA/ACSM LAND TITLE SURVEY

1.313 ACRE TRACT

LOCATED IN BLOCKS 259 & 264
OFFICIAL BLOCK NUMBERS OF
THE CITY OF DALLAS, TEXAS
AND BEING OUT OF THE
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495,
DALLAS COUNTY, TEXAS

GF NO. 1002-143174-RTT

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193903

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
GMP/JMO	MCC	1"=30'	02/11/2016	1980-14.485

1.313 ACRE TRACT - ALTA/ACSM LAND TITLE SURVEY

Exhibit E
City of Dallas Tax Increment Finance Districts
Mixed Income Housing Guidelines

Approved January 3, 2013

TIF Program Purpose

The purpose of the City of Dallas' TIF program is to promote development in underutilized and vacant areas through the use of public investment to attract private investment. The goals for the districts include improving the infrastructure within the districts and adding market rate apartments, single family homes, retail and commercial space, and office and professional space. Promoting housing for individuals and families at a variety of income levels is one of many policy considerations for the districts.

General definitions

Mixed income housing requires a minimum of 20% of all units to meet affordable housing standards.

Affordable housing units are those which are affordable to a household earning 80% or less of the median family income for the Dallas Area.

The 20% affordability requirement applies to both rental units and to units that are for sale. Requirements for for-sale units will be handled on a case-by-case basis. These guidelines primarily pertain to rental housing.

Affordability period and rent rates

Rental units must be affordable for a period of at least fifteen years, beginning from the date the project is complete per the development agreement.

Income levels and *maximum* rent will vary each year and are based on HUD's calculations for Area Median Family Income (AMFI), utility expenses, and Market Rent for the Dallas Area. Maximum rents are set each year at 30% of 80% of AMFI, including a utility allowance. Information pertaining to the maximum affordable rent and income levels that are currently in effect can be obtained from the Office of Economic Development.

Affordable units

A minimum of 20% of all occupied units shall be rented to qualifying households.

The developer may choose to offer any available unit to qualifying households. The 20% total requirement thus may be satisfied by any combination of units and need not apply to units of all sizes.

Affordable units shall be comparable in size and finish quality to market rate units and shall be dispersed throughout the development. Affordable units shall not be segregated into a particular section of the development and shall be a minimum of 500 square feet.

Qualifying households

A qualifying household is defined as a household making 80% or less of the AMFI.
Developers may include wages, salaries, tips, commissions, social security income, etc. to certify a household's income. The method used to determine income should be the same for qualifying and market rate households.

Lease terms

Households that qualify at the beginning of a lease will be assumed to qualify for the entirety of the term of that lease. Recertification is therefore only necessary during lease renewal.

At the end of the lease, the new lease rates will be set based on the household's current income at the time of renewal.

If the household no longer qualifies for an affordable unit, the lease may be renewed at market rate and another unit made available for a qualifying household in order to maintain the 20% affordability requirement.

Fees and leasing requirements

In general, all leasing requirements and all fees, utility charges, assessments, fines, etc. charged by the apartment community must be applied uniformly to qualifying households and market rate households, with the exception that the developer may choose to waive or reduce fees for qualifying households and the developer may choose to set specific lease lengths for affordable units.

Reporting Requirements

Adequate reporting by developer, owner, or property manager shall be required to ensure that the City can appropriately monitor compliance with the guidelines. Projects receiving affordable housing funding under federal or state programs may choose to submit copies of compliance reports specific to the federal or state program in lieu of the TIF program report. Specific reporting requirements will be updated as necessary.

Compliance

The developer assumes all liability for compliance with these requirements and with all applicable laws. By participating in the City's TIF program, the developer agrees to report all information accurately and on time. At the City's request, the developer agrees to produce necessary documentation for determining full compliance with this program.

The affordability period shall be extended by six months for any number of units by which the affordable housing provided during a semi-annual period falls short of the number of units required to meet the affordable housing requirements. Noncompliance may result in termination of the development agreement, a reduction in TIF reimbursement, or other action as determined by the Office of Economic Development.

Request for waiver or minor modification of these requirements shall be submitted to the Office of Economic Development and will be negotiated on a project by project basis with the City and the County.

The City may consider retaining a percentage of TIF funding to ensure that in the event that the property is sold prior to the end of the 15 year compliance period, all subsequent owners will be required to provide affordable housing for the remainder of the affordability period.

The TIF program does not alter, modify, or reduce any affordable housing requirements, duties, or obligations imposed on the developer because of receipt of funds or other assistance from other programs or persons.

Alternative Methods

A developer may propose alternative methods of meeting the requirements such as providing equivalent affordable housing units in a comparable location within or adjacent to the TIF district. All proposed alternative methods will be considered on a case by case basis and must be approved by both the City and Dallas County.

Affirmative Fair Housing Marketing Plan

An affirmative fair housing marketing plan is required for all projects with a residential component that are supported with TIF funding. This requirement is detailed in each project's development agreement. Each project will be evaluated individually to ensure that it furthers affirmative fair housing goals.

Effective Date

These guidelines are effective in each district as of the date they are approved by that district's TIF board. The guidelines apply to developments with first occupancy on October 1, 2011 or later. These guidelines will not alter the terms of development agreements authorized prior to the approval of this document.

Guideline Modifications

As needed, the City may make modifications or corrections to these guidelines to increase their effectiveness. Where these guidelines may conflict with a district's Final Plan language concerning housing provisions, the Director of the Office of Economic Development will make a final determination of project requirements.

AGENDA ITEMS # 57,58

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 1, 6

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 44 P T

SUBJECT

Fort Worth Avenue TIF District

* Authorize rescission of Resolution Nos. 14-0841 and 14-0842, previously approved on March 28, 2014, which authorized a development agreement with Henry S. Miller and/or its affiliates HSM Multifamily Development LLC and/or HSM Cliff View Associates Ltd., in an amount not to exceed $4,650,000, payable from future Fort Worth Avenue TIF District funds in consideration of the proposed Cliff View Project in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) - Financing: No cost consideration to the City

* Authorize **(1)** a development agreement with HSM Cliff View Associates Ltd. to dedicate future Fort Worth Avenue TIF District revenues in amounts not to exceed: **(a)** $6,654,303 for on-site eligible project costs related to public infrastructure, affordable housing, environmental remediation and demolition, and park and open space improvements at 2002, 2010, and 2120 North Willomet Avenue; 1020, 1024, and 1028 Seale Street; 1019 and 1023 Stafford Avenue; and the adjacent Stafford Park at 1103 Stratford Avenue in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and **(b)** $651,304 for off-site eligible project costs related to public infrastructure improvements along Seale Street between Ormsby Street and Sylvan Avenue in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and **(2)** the Fort Worth Avenue TIF District Board of Directors to dedicate up to $7,305,607 from future Fort Worth Avenue TIF District revenues in accordance with the development agreement – Not to exceed $7,305,607 – Financing: Fort Worth Avenue TIF District Funds

BACKGROUND

This item commits TIF funding in amounts not to exceed $6,654,303 and $651,304 to enable the development of the Cliff View multi-family housing project and the reconstruction of Seale Street between the project site and Sylvan Avenue, respectively.

City Council previously approved up to $4,650,000 in TIF Funding for the Project on May 28, 2014. However, the Project was not feasible with this level of subsidy due to increased project costs, an unexpected issue with a mandatory Oncor transformer that required design modifications and efforts to save "specimen trees on the project site. As a result, HSM Cliff View Associates Ltd. has requested City Council to rescind the funding award to accommodate their modified TIF Funding request for the Project which includes modifications to its design and added off-site public infrastructure improvements.

The Project, which will provide a mixed-income alternative to the recent influx of market rate apartment units within the Fort Worth Avenue TIF District, consists of two components:

1. On-site improvements at 2002, 2010, and 2120 North Willomet Avenue; 1020, 1024, and 1028 Seale Street; 1019 and 1023 Stafford Avenue; and 2203 Ormsby Street that will include: (a) environmental remediation and demolition activities that will consist of the assessment and removal of environmental hazards and a dilapidated house; (b) construction of a multi-family housing development with 326 units with approximately 247,693 square feet of total residential rental space and a parking garage; and (c) infrastructure, streetscaping, and landscaping improvements that will consist of the burial of overhead utilities; the construction of water utilities, storm water drainage, sanitary sewers and new sidewalks; the replacement and repair of existing sidewalks; the planting of native plants and trees; and the addition of pedestrian lighting. The Project's new sidewalks shall be variable widths and include a minimum 7' wide **clear** pedestrian zone except for the segment along North Willomet Avenue between Stafford Street and the driveway for the private property at 2006 North Willomet Avenue, which shall be a minimum of 6' and include a minimum 6' wide **clear** pedestrian zone to accommodate the anticipated installation of an Oncor transformer.

2. Off-site improvements will consist of the reconstruction of Seale Street between Ormsby Street and Sylvan Avenue in response to a neighborhood request.

BACKGROUND (Continued)

The anticipated total cost for the Project's on-site improvements is approximately $58,005,570 and consists of the following components: (i) land acquisition costs of approximately $3,007,500; (ii) hard construction costs of approximately $46,827,534; (iii) soft costs of approximately $5,357,597; and (iv) public improvement costs and contingencies of approximately $2,812,939. The anticipated total cost for its off-site improvements is approximately $651,304, all of which consists of public improvement costs and contingencies.

Specific terms for the deal are included in the resolutions.

ESTIMATED PROJECT SCHEDULE

Begin Construction	June 1, 2016
Complete Construction	December 31, 2018

PRIOR ACTION/REVIEW (COUNCIL. BOARDS, COMMISSIONS)

On June 13, 2007, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Fifteen, the Fort Worth Avenue TIF District, by Ordinance No. 26798, as amended.

On March 26, 2008, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Fort Worth Avenue TIF District by Ordinance No. 27129, as amended.

On, May 28, 2014, City Council authorized (1) a development agreement with Henry S. Miller and/or its affiliates HSM Multifamily Development LLC and/or HSM Cliff View Associates Ltd., in an amount not to exceed $4,650,000, payable from future Fort Worth Avenue TIF District funds in consideration of the development of Cliff View in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and (2) the Fort Worth Avenue TIF District Board of Directors to dedicate up to $4,650,000 from future Fort Worth Avenue TIF revenues in accordance with the development agreement by Resolution Nos. 14-0841 and 14-0842.

On February 12, 2016, the Fort Worth Avenue TIF Board of Directors reviewed the modified TIF Funding request for the Cliff View Project and recommended City Council consideration of a development agreement with HSM Cliff View Associates Ltd., and for authority to dedicate future Fort Worth Avenue TIF District revenues in amounts not to exceed $6,654,303 and $651,304 for certain on-site and off-site TIF-eligible public improvements.

Information about this item was provided to the Economic Development Committee on April 4, 2016.

FISCAL INFORMATION

$7,305,607 – Fort Worth Avenue TIF District Funds

PROJECT COUNCIL DISTRICT

6

OWNER

HSM Cliff View Associates Ltd.
A Texas Limited Partnership

William Bush, Managing Director

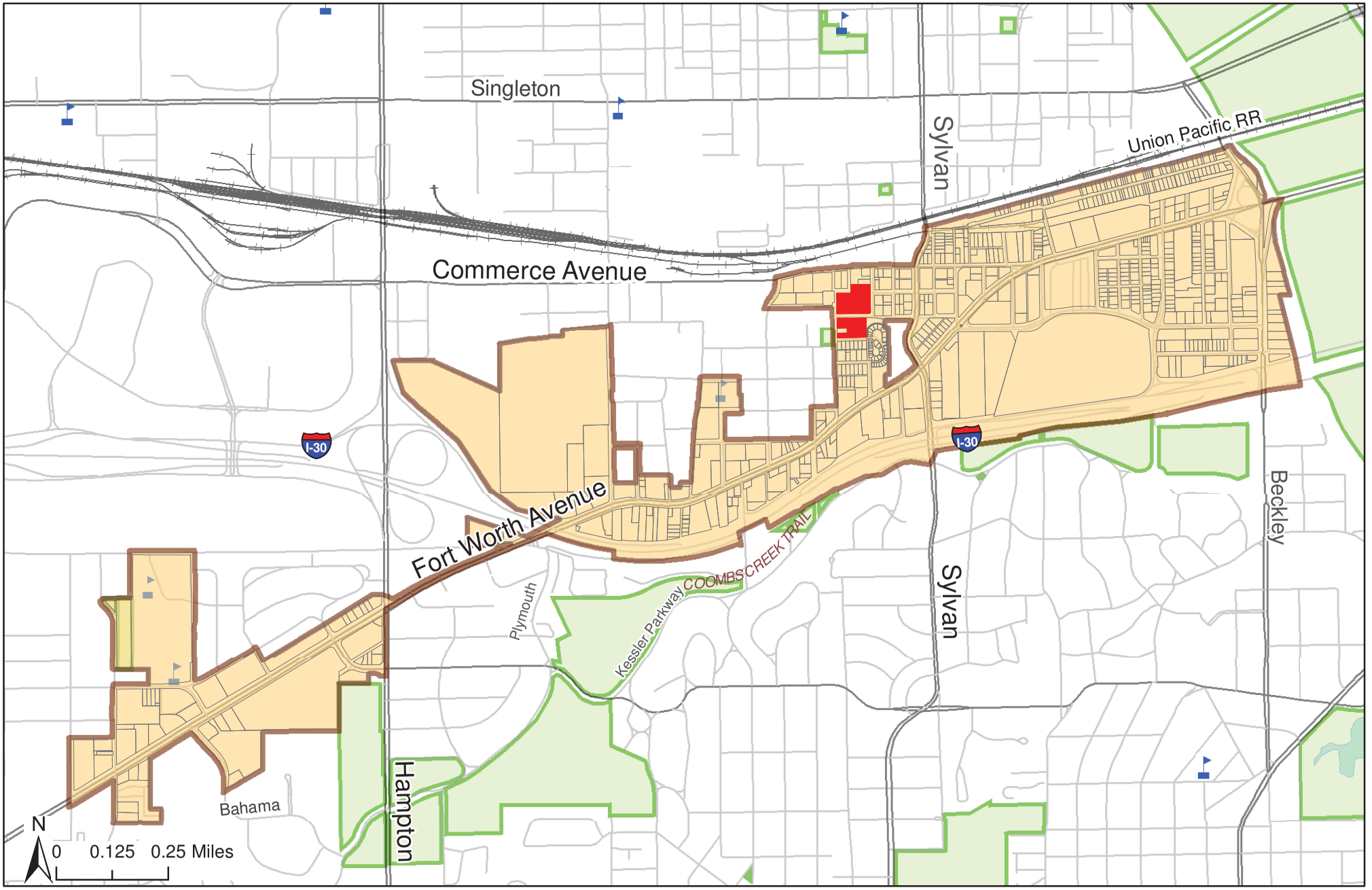
DEVELOPER

HSM Cliff View Associates Ltd.
A Texas Limited Partnership

William Bush, Managing Director

MAP

Attached.



Fort Worth Avenue TIF District
Cliff View

Parks
Fort Worth Avenue TIF District
Cliff View

City of Dallas

Office of Economic Development
April 2014

April 27, 2016

WHEREAS, on May 28, 2014, pursuant to Resolution Nos. 14-0841 and 14-0842, City Council authorized a development agreement with Henry S. Miller and/or its affiliates HSM Multi-family Development LLC and/or HSM Cliff View Associates Ltd. in an amount not to exceed $4,650,000, payable from future Fort Worth Avenue TIF District funds in consideration of the proposed Cliff View Project in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District), and

WHEREAS, HSM Cliff View Associates Ltd. has requested City Council to rescind both Resolution Nos. 14-0841 and 14-0842 to accommodate a modified TIF funding request for the proposed Cliff View Project in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District), which includes modifications to its design and added off-site public infrastructure improvements.

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 rescind Resolution Nos. 14-0841 and 14-0842.

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

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

WHEREAS, on June 13, 2007, City Council authorized the creation of Tax Increment Reinvestment Zone Number Fifteen, (the "Fort Worth Avenue TIF District"), in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311) to promote development and redevelopment in the Fort Worth Avenue area through the use of tax increment financing by Ordinance No. 26798, as amended; and

WHEREAS, on March 26, 2008, City Council authorized the Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27129, as amended; and

WHEREAS, on May 28, 2014, pursuant to Resolution Nos. 14-0841 and 14-0842, City Council authorized a development agreement with Henry S. Miller and/or its affiliates HSM Multi-family Development LLC and/or HSM Cliff View Associates Ltd., in an amount not to exceed $4,650,000, payable from future Fort Worth Avenue TIF District funds in consideration of the proposed Cliff View Project in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District), and

WHEREAS, HSM Cliff View Associates Ltd. has requested that City Council rescind both Resolution Nos. 14-0841 and 14-0842 to accommodate a modified TIF funding request for the proposed Cliff View Project in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District), which includes modifications to its design and added off-site public infrastructure improvements; and

WHEREAS, on February 12, 2016, the Fort Worth Avenue TIF District Board of Directors reviewed the modified Cliff View Project in the Fort Worth Avenue TIF District and recommended City Council consideration for a development agreement with HSM Cliff View Associates Ltd. and for authority to dedicate amounts not to exceed $6,654,303 and $651,304 in future TIF revenues from the Fort Worth Avenue TIF District for certain on-site and off-site TIF-eligible public improvements; and

WHEREAS, the creation of additional residential development in the core of the Fort Worth Avenue TIF District is necessary for the future growth and expansion of residential and commercial activity within the City of Dallas; and

WHEREAS, City Council finds this expenditure necessary or convenient to the implementation of the project plans for the zone; and

WHEREAS, in furtherance of the Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan, the City desires to reimburse HSM Cliff View Associates Ltd. for the costs of: (A) public infrastructure, affordable housing, environmental remediation and demolition, and park and open space improvements at 2002, 2010, and 2120 North Willomet Avenue; 1020, 1024, and 1028 Seale Street; 1019 and 1023 Stafford Avenue in the Fort Worth Avenue TIF District as described in the Conceptual Site Plan attached hereto as **Exhibit A** and Conceptual Elevations attached hereto as **Exhibit B**; and (B) public infrastructure improvements along Seale Street between Ormsby Street and Sylvan Avenue in the Fort Worth Avenue TIF District as described in the Conceptual Seale Street Improvement Plan attached hereto as **Exhibit C**.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a development agreement between HSM Cliff View Associates Ltd. and the City of Dallas, on behalf of the Fort Worth Avenue TIF District, thereby confirming the Fort Worth Avenue TIF District Board of Director's dedication of future tax increment revenues in amounts not to exceed $7,305,607 ($6,654,303 for on-site TIF-eligible project cost and $651,304 for off-site TIF-eligible project cost) as shown in the TIF Funded Project Budgets attached hereto as **Exhibit D**. This project includes public infrastructure, affordable housing, environmental remediation and demolition, and park and open space improvements as part of the implementation of the Fort Worth Avenue District Project Plan and Reinvestment Zone Financing Plan.

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

Section 3. That Chief Financial Officer is hereby authorized to encumber and disburse funds from:

Fort Worth Avenue TIF District Fund - Fund 0058, Department ECO, Unit P887, Activity FWTI, Object 4510, Program No. FWATIF0006, CT ECOP887H269-01, Vendor No. VS91372, in an amount not to exceed $2,712,939;

Fort Worth Avenue TIF District Fund - Fund 0058, Department ECO, Unit P887, Activity FWTI, Object 3016, Program No. FWATIF0006, CT ECOP887H269-04, Vendor No. VS91372, in an amount not to exceed $3,841,364;

Fort Worth Avenue TIF District Fund - Fund 0058, Department ECO, Unit P887, Activity FWTI, Object 3072, Program No. FWATIF0006, CT ECOP887H269-03, Vendor No. VS91372, in an amount not to exceed $25,000;

Section 3. (Continued)

Fort Worth Avenue TIF District Fund - Fund 0058, Department ECO, Unit P887, Activity FWTI, Object 4599, Program No. FWATIF0006, CT ECOP887H269-02, Vendor No. VS91372, in an amount not to exceed $75,000;

Amount for the Project's on-site improvements not to exceed $6,654,303

Fort Worth Avenue TIF District Fund - Fund 0058, Department ECO, Unit P887, Activity FWTI, Object 4510, Program No. FWATIF0006, CT ECOP887H269-05, Vendor No. VS91372, in an amount not to exceed $651,304; and

Amount for the Project's off-site improvements not to exceed $651,304. Total amount not to exceed $7,305,607.

Section 4. That HSM Cliff View Associates Ltd. shall fund public infrastructure, affordable housing, environmental remediation and demolition, and park and open space at 2002, 2010, and 2120 North Willomet Avenue; 1020, 1024, and 1028 Seale Street; 1019 and 1023 Stafford Avenue; the adjacent Stafford Park at 1103 Stratford Avenue; and along Seale Street between Ormsby Street and Sylvan Avenue in the Fort Worth Avenue TIF District, in amounts not to exceed $6,654,303 and $651,304 for the costs of on-site and off-site TIF-eligible public improvements in the Fort Worth Avenue TIF District. HSM Cliff View Associates Ltd. will be paid solely from the Fort Worth Avenue TIF District Funds in accordance with the terms of the development agreement, but only to the extent such Fort Worth Avenue TIF District funds are available for such purpose. No interest will be paid on this award since funds are not advanced to the City for these improvements.

Section 5. That Fort Worth Avenue TIF District funds are allocated to projects proportionately, dependent on the portion of the increment created by the Project and other projects in the District by the same developer. In compliance with the adopted Fort Worth Avenue TIF District Increment Allocation Policy attached hereto as **Exhibit E** , annually, after administrative fees have been paid and funds are set aside for District-wide improvements, the Owner will be eligible to receive the portion of the increment that the Project generates and a pro rata portion of Shared Increment, if any.

Section 6. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds other than the Fort Worth Avenue TIF District Fund and/or Tax Increment Bonds. Any funds expended under the development agreement that remain unpaid upon termination of the Fort Worth Avenue TIF District, due to lack or unavailability of Fort Worth Avenue TIF District Funds, shall no longer be considered project costs of the Fort Worth Avenue TIF District or the City and the obligation of the Fort Worth Avenue TIF District to pay HSM Cliff View Associates Ltd. shall automatically expire.

Section 7. That in addition to the conditions set out in the Sections above, the development agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

A. A minimum private investment of $40,000,000 which is defined as including land acquisition, site preparation, and hard construction costs incurred by the Developer/Owner with respect to the Project as evidenced by an audit of its applicable invoices and contractor payments. The term "Invest" or "Investment" means the sum of all acquisition costs, construction costs (hard and soft) paid, payable or actually incurred by or on behalf of the Developer/Owner, with respect to the Project and the improvements thereon. Construction related soft costs include the following items: architecture and engineering, and construction management. Construction management is solely intended to cover fees paid to an outside consultant or third party who confirms the quality of the work. Construction management fees must be invoiced with a detailed description of work performed. Carrying or other similar costs shall not be considered toward this definition of project investment. Developer/Owner must provide verification of all expenditures.

B. Developer/Owner must complete all required environmental remediation and demolition activities at the Project site by March 31, 2017. The completion dates for environmental remediation activities shall be evidenced by environmental site assessment reports and, if required based on contaminant concentrations detected in soil and groundwater, site closure documents or a certificate of completion provided by the Texas Commission of Environmental Quality (TCEQ).

C. The residential portion of the completed Project shall satisfy the following criteria:

- Contain a minimum of 292 residential units and 222,000 square feet of total residential rental space.

- Set aside a minimum of 20% of the Project's residential units to meet the affordability requirements of the Fort Worth Avenue TIF District Final Plan and the City of Dallas Mixed Income Housing Guidelines attached hereto as **Exhibit F** for a period of 15 years from the date the Developer/Owner receives its Certificate of Occupancy ("Affordability Period"). In accordance with the guidelines, the maximum rent shall be no more than 30% of the monthly income of a family earning at or below 80% of the area median family income, as determined annually by the United States Department of Housing and Urban Development ("HUD"). The affordability requirement shall be impressed upon the property by deed restrictions by December 31, 2018.

Section 7.

- This requirement shall not be made null and void by any sales. In addition to the Mixed Income Housing Guidelines for the District, the affordable units shall be of identical finish-out and materials as market rate units, shall float within each unit type, shall not be fixed to specific unit numbers and shall not be segregated or concentrated in any one floor or area of the Project, but shall be dispersed throughout the residential component of the Project. Specialty units such as club suites and penthouse suites, not making up a significant percentage or number of the units in the Project, may be excluded from the requirement to have 20% of each unit type utilized under these guidelines, if the Developer/Owner so chooses (although specialty units shall count towards the overall total of units for the project requirement, if applicable). Tenants occupying the affordable units shall not be restricted in any way from common areas or amenities within the Project, unless such restrictions apply to all tenants. Additionally, the affordable units shall be dispersed pro-rata among unit types by the number of bedrooms that are in each unit so that not all the affordable units are the smallest units. Furthermore, the lease terms available to tenants belonging to qualified households shall be the same lease terms that are available to tenants of market rate households. Modifications to this provision and the Mixed Income Housing Guidelines are subject to the Director and City Attorney's Office approval. If HUD imposes additional requirements on the City's housing programs, Developer/Owner shall cooperate in good faith to reach a mutual agreement on reasonable modifications to the mixed income housing requirements and citywide housing guidelines to comply with such requirements.

D. Developer/Owner shall cause the residential portion of the Project to be marketed pursuant to the City's Affirmative Fair Housing Marketing Program.

E. Developer/ Owner shall obtain a building and/or demolition permit from the City and start construction for the Project by December 31, 2016.

F. Developer/Owner must complete and receive a Certificate of Occupancy for the residential portion of the Project by December 31, 2018.

G. Developer/Owner must complete all public infrastructure improvements related to the Project and receive a Certificate of Acceptance from the City's Department of Public Works by December 31, 2018.

Section 7.

H. The Project must be consistent in substantial form and character with the attached Conceptual Site Plan, Conceptual Elevations and Conceptual Seale Street Improvements Plan which reflect the City's Urban Design Peer Review Panel's recommendations from the design review session that was conducted on March 21, 2014 **(Exhibits A, B and C)**. Those recommendations include the following specific design elements:

- The Project shall incorporate the use of integrated storm water management techniques throughout the site as a method of managing storm water runoff.
- Ground level units along Willomet Avenue should be designed to utilize the proposed setback as front yard areas for the individual units as a means to further integrate into the form and organization of the neighborhood.
- The majority of residential units on the ground floor facing a public street, private street, or green space shall have direct access (i.e. a door) to the public street, private street, or green space.
- Exposed garage faces should be visually integrated into the development through facade articulation and materials. Final screening material specifications shall be submitted to the Design Studio prior to construction.
- The utilities on the Project site shall be buried.
- The Project's patio railings and walls should be designed to encourage transparency.
- The Project's site furnishings shall include multiple bike racks, including both secure on-site bike parking (such as in a garage) and bike racks available to visitors.

Any modifications to these plans must be approved by the Fort Worth Avenue TIF Board of Directors.

I. Developer/Owner shall submit the Project's permit drawings to the Dallas CityDesign Studio for review to ensure their compliance with the Urban Design Peer Review Panel's recommendations.

Section 7.

J. The Project's new sidewalks shall be variable widths and include a minimum 7' wide **clear** pedestrian zone except for the segment along North Willomet Avenue between Stafford Street and the driveway for the private property at 2006 North Willomet Avenue, which shall be a minimum of 6' and include a minimum 6' wide **clear** pedestrian zone to accommodate the anticipated installation of an Oncor transformer.

K. Developer/Owner shall submit the Project's pedestrian lighting plans to the City's Department of Street Services (Brad Moss is the current contact person) for review and approval. Pedestrian lights, generally, will be located in bulb-out areas outside of the 6' and 7' wide clear pedestrian zone for sidewalks.

L. Developer/Owner shall make good faith efforts to comply with the Business Inclusion and Development (BID) process and goals established by the City in its BID Plan with the City's Fair Share Goals. Specifically, the Developer/Owner's goals shall be 25% participation by M/WBE firms for all construction work related to the Project that is a TIF Eligible Project Cost and 10% participation by M/WBE firms for the remainder of the Project construction.

M .An operating and maintenance agreement must be executed and funded for non-standard public improvements associated with the Project by December 31, 2018, for a period of at least 20 years. Compliance with the executed operating and maintenance agreement shall be required of all future owners for the entire period of the operating and maintenance agreement. If the Developer/Owner chooses to forgo the TIF Subsidy, they shall remain responsible for the maintenance of the non-standard public improvements through the term of the operation and maintenance agreement. Any assignment of the Developer/Owner maintenance obligations under the development agreement to another entity shall require the prior written approval of the Director. The assignment document must be approved by the City.

N. Developer/Owner shall submit a quarterly status report for all ongoing work on the Project, including public improvements, to the Office of Economic Development. Such status reports will be due at the end of each calendar quarter after the City Council approval date, if any.

O. Assignment of the development agreement, in whole or in part, shall require prior written approval from the Director.

P. Developer/Owner shall provide evidence to the Office of Economic Development that reasonable efforts were made to promote the hiring of neighborhood residents for any new jobs created by the Project.

Section 7.

Q. The Project's developer fee shall not exceed $1,590,000 (2.7% of the costs for the Project's on-site improvements).

Section 8. That the Director of the Office of Economic Development, after approval and recommendation of the Fort Worth Avenue TIF District Board of Directors, may authorize minor modifications to the project including development site plan and/or an extension of the project deadlines up to six months.

Section 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A
Conceptual Site Plan

PREVIOUS SITE PLAN

CURRENT SITE PLAN

SITE PLAN COMPARISON

Cliff View Apartments
Dallas, Texas

HENRY S. MILLER 1914

Good Fulton & Farrell Architects
2808 Fairmount Street
Suite 300
Dallas, Texas 75201
214.303.1500/Tel
214.303.1512/Fax
www.gff.com

Job #: 13266.02 File Name: 2015-01-22-Cliff View Site Plan Comparison Date: 01/22/2015 Drawn by: RTW, ELB

Exhibit B
Conceptual Renderings

PREVIOUS SEALE AND ORMSBY VIEW

CURRENT SEALE AND ORMSBY VIEW

ARCHITECTURAL COMPARISON PERSPECTIVES

Cliff View Apartments
Dallas, Texas

1914 HENRY S. MILLER

gff
Good Fulton & Farrell Architects
2808 Fairmount Street
Suite 300
Dallas, Texas 75201
214.303.1500/Tel
214.303.1512/Fax
www.gff.com

Job #: 13266 File Name: DesignUpdateExhibit.psd Date: 12/10/2014 Drawn by: RTW, ELB, JW

PREVIOUS SOUTH ORMSBY VIEW

CURRENT SOUTH ORSMBY VIEW

ARCHITECTURAL COMPARISON PERSPECTIVES

Cliff View Apartments
Dallas, Texas

HENRY S. MILLER

Good Fulton & Farrell Architects
2808 Fairmount Street
Suite 300
Dallas, Texas 75201
214.303.1500/Tel
214.303.1512/Fax
www.gff.com

Job #: 13266.02 File Name: 2015-01-22-Cliff View Site Plan Comparison Date: 01/22/2015 Drawn by: RTW, ELB

PREVIOUS SOUTH STAFFORD VIEW

CURRENT SOUTH STAFFORD VIEW

PREVIOUS WEST WILLOMET VIEW

CURRENT WEST WILLOMET VIEW

ARCHITECTURAL COMPARISON PERSPECTIVES

Cliff View Apartments
Dallas, Texas

HENRY S. MILLER

Good Fulton & Farrell Architects
2808 Fairmount Street
Suite 300
Dallas, Texas 75201
214.303.1500/Tel
214.303.1512/Fax
www.gff.com

Job #: 13266.02 File Name: 2015-01-22-Cliff View Site Plan Comparison Date: 01/22/2015 Drawn by: RTW, ELB

PREVIOUS POOL COURT VIEW

CURRENT POOL COURT VIEW

PREVIOUS SEALE STREET SECTION

CURRENT SEALE STREET SECTION

ARCHITECTURAL COMPARISON PERSPECTIVES

Cliff View Apartments
Dallas, Texas

HENRY S. MILLER

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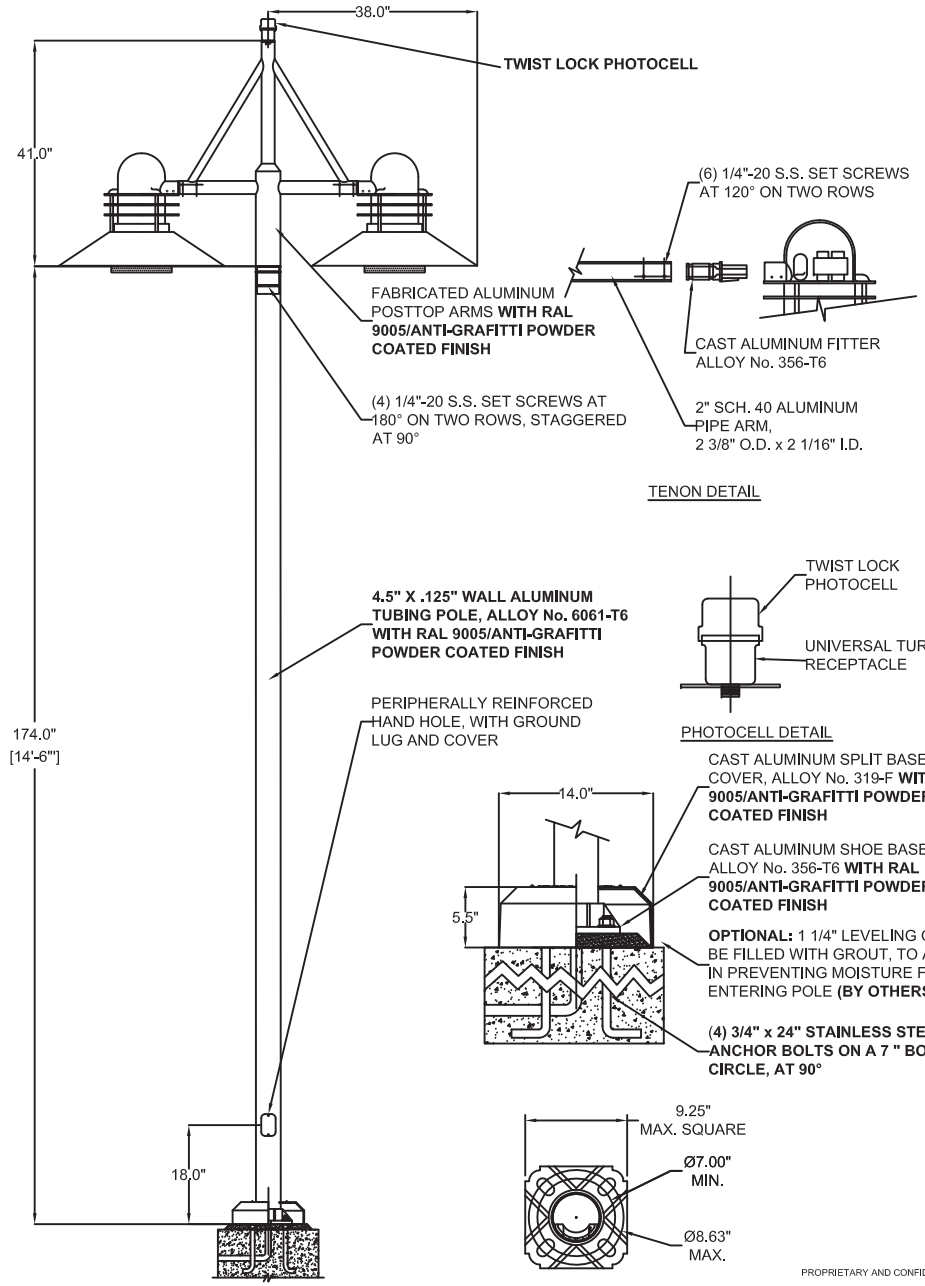
www.gff.com

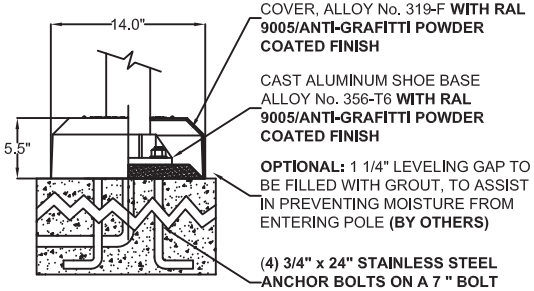
Job #: 13266.02 File Name: 2015-01-22-Cliff View Site Plan Comparison Date: 01/22/2015 Drawn by: RTW, ELB

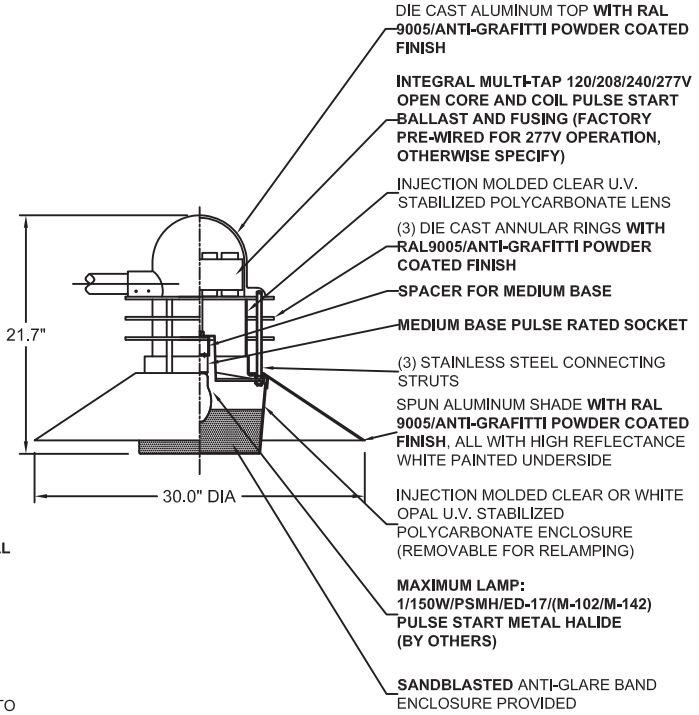
VER.	BY	DATE	DESCRIPTION
01	THU	01-21-11	REVISE FROM 480V TO 120/208/240/277V
02	THU	02-11-11	REVISE POLE FROM 13FT TO 14.5FT



TENON DETAIL

PHOTOCELL DETAIL





NOTES:
1. FINISH: **RAL 9005/ANTI-GRAFITTI**
2. VOLTAGE: **120/208/240/277V (SPECIFY)**
3. POLE IS RATED FOR 70MPH WITH WIND GUST FACTOR OF 1.3

PROPRIETARY AND CONFIDENTIAL

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TARGETTI POULSEN USA, INC.
3260 MERIDIAN PKWY
FT LAUDERDALE FL. 33331
PHONE: (954) 349 2525
FAX (954) 349 2550

INCHES
THIRD ANGLE PROJECTION
TOLERANCE:
DECIMAL: X.XX = ± .03
X.XXX = ± .010
ANGULAR: ± 1/2°

JOB NAME: COMMERCE STREET DALLAS - JOB #20316			
TITLE: AHN/1/**150W/PSMH**/ED-17 medium/**120-277VCC**/RAL 9005/GRAFITTI/ CLR/TRI/CSTM TWIN/RSA-4.5"/14.5'/RAL 9005/GRAFITTY/PC/SS A.B.			
MOD. FROM: AHN/1/175W/MH/ED-28 mogul/ 120/208/240/277V/LP BLK/CLEAR			QUOTE NO.: 5802003612
DRAWN BY: THU	DATE: 01-14-11	APPROVED BY: -	TYPE: -
MATERIAL: AS NOTED			VERSION: 02
SCALE: NTS	SHEET: 1 OF 1	DWG. NO.: 131-14570-002	

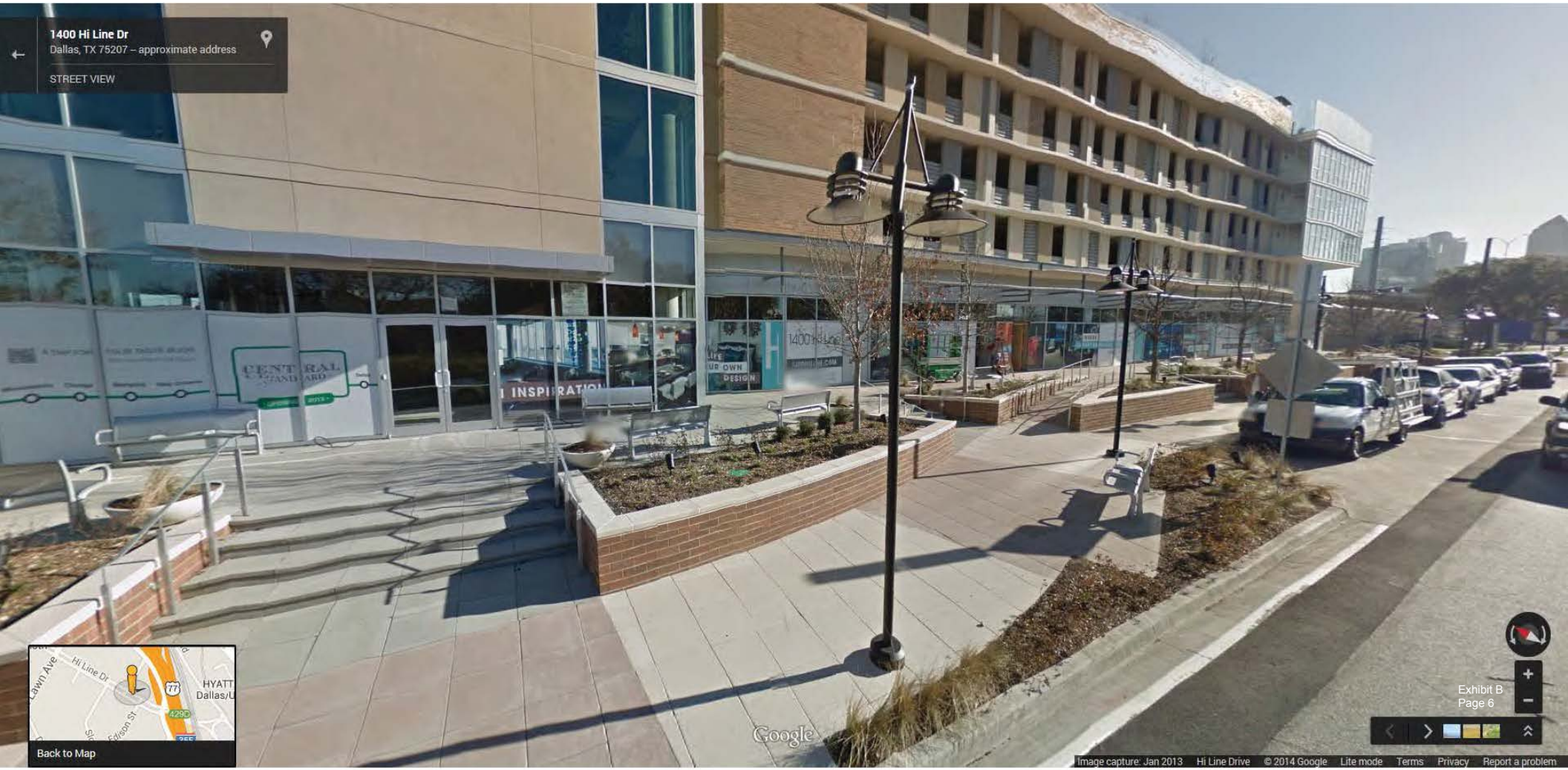
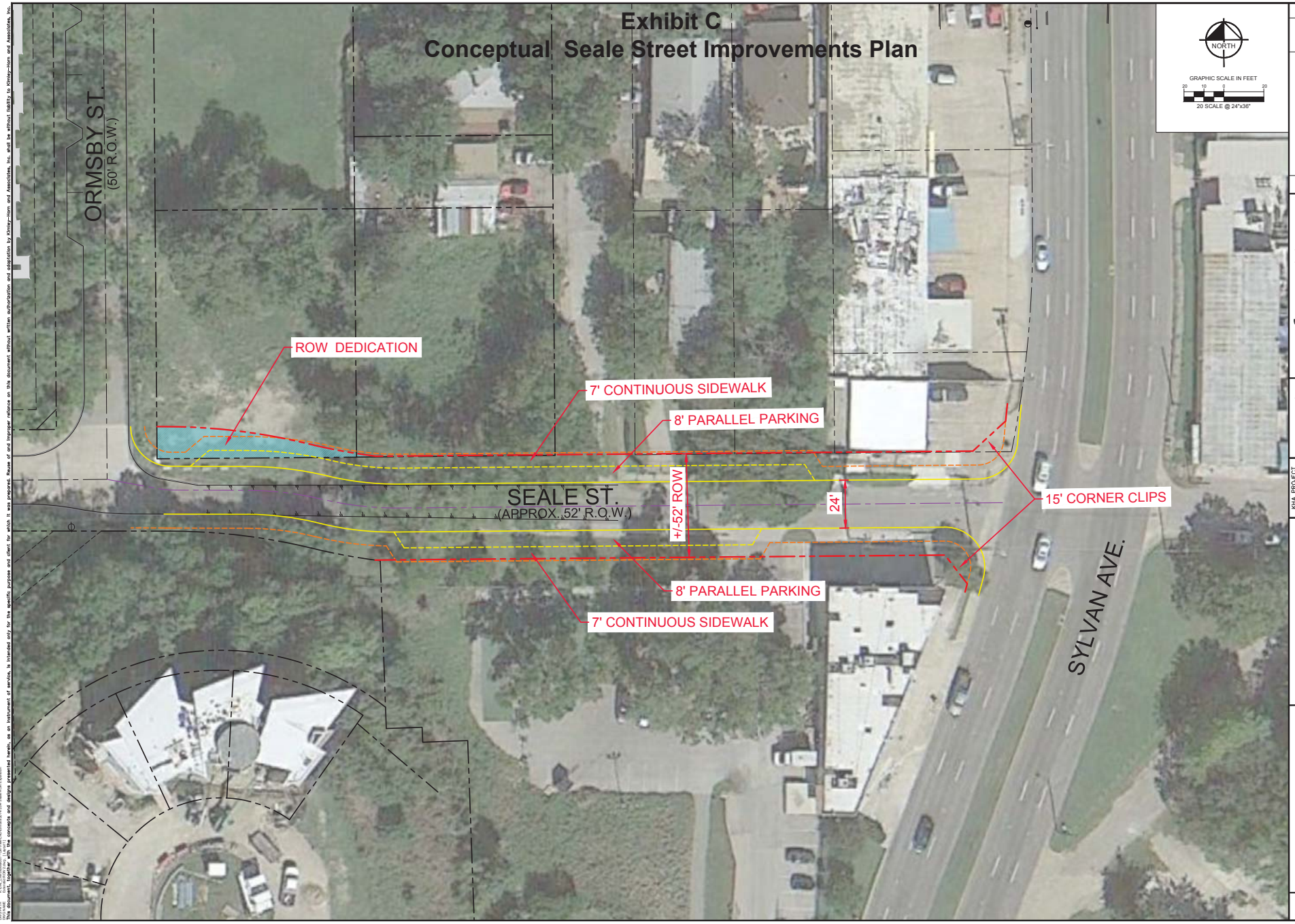

1400 Hi Line Dr
Dallas, TX 75207 – approximate address
STREET VIEW
Back to Map
Hi Line Dr
HYATT
Dallas/U
Google
Image capture: Jan 2013
Hi Line Drive
© 2014 Google
Lite mode
Terms
Privacy
Report a problem

Exhibit C
Conceptual Seale Street Improvements Plan



This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

No.	REVISIONS	DATE	BY

Kimley»Horn
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PHONE: 972-770-1300 FAX: 972-239-3820
WWW.KIMLEY-HORN.COM TX F-928

PRELIMINARY
FOR REVIEW ONLY
Not for construction or permit purposes.
Engineer: DAVID A. MCCOMB
Firm No. 010512 Date: 01/29/16

KHA PROJECT 063889009
DATE 01/29/16
SCALE AS SHOWN
DESIGNED BY: JLP
DRAWN BY: TCP
CHECKED BY: DEM

SEALE STREET IMPROVEMENTS

CLIFF VIEW APARTMENTS
CITY OF DALLAS
DALLAS COUNTY, TEXAS

SHEET NUMBER

Exhibit D
TIF Funded Project Budgets

TIF Eligible Project Costs (On-site Improvements)	Amount
Public Infrastructure Improvements (design & construction)	$2,712,939
Affordable Housing	$3,841,364
Environmental Remediation & Demolition (site prep, assessments and remediation)	$25,000
Parks, Open Space, Trails and Gateways	$75,000
Total TIF Eligible Funding Request	**$6,654,303**

** Cost maybe reallocated among categories as long as the total TIF funding commitment for the project's on-site improvements does not exceed $6,654,303. No interest shall accrue on any portion of the TIF subsidy.*

TIF Eligible Project Costs (Off-site Improvements along Seale Street)	Amount
Public Infrastructure Improvements (design & construction)	$651,304
Total TIF Eligible Funding Request	**$651,304**

EXHIBIT E
TIF Increment Allocation Policy
Fort Worth Avenue TIF District

It is important for the City of Dallas to encourage as many projects as possible in the Fort Worth Avenue TIF District ("District"). In that spirit, after Administrative Expenses and the District-Wide Improvement Allocation have been paid or set aside, Fort Worth Avenue TIF District funds will be allocated to Developers proportionately, based on the increment created by the Project (as defined below) and Related Projects/Developers (as defined below) within the District.

Definitions

Administrative Expenses – the City will take a share of TIF revenue from this District for the amount it bills to the District for costs necessary for administration of the TIF District program, which may include charges from other departments, each year.

Available Cash - cash in the Fort Worth Avenue TIF District fund that is not already allocated, encumbered, or otherwise set aside for other purposes.

Developer – A person or entity that has completed all requirements for a TIF-eligible Project as set out in the fully executed development agreement for the Project.

District-Wide Improvement Allocation: Ten percent (10%) of the Total Increment will be set aside for District-Wide improvements to be used towards specific improvement projects as determined by the TIF Board. This set-aside will be reviewed by the TIF Board annually based on updated financial projections and District needs.

District-Wide Improvements – improvements that are not specific to a single development site such as gateways, trails, open space, public facilities, or utility/streetscape improvements benefiting multiple properties or blocks.

Individual Increment – the portion of the increment that a Project or Related Project creates each year.

Net Individual Increment – Individual Increment less the Project's and/or Related Project's portion of Administrative Expenses each year. This portion will be based on the ratio of Individual Increment to Total Increment.

Project – Development, redevelopment, or rehabilitation that adds taxable real property value at a particular site, or is a space or facility of public benefit such as open space, trails, or cultural facilities. To be eligible, the Project must have been approved for TIF funds and must have completed all requirements set forth in the development agreement.

Related Project/Developer – If a Developer or a Developer's affiliate (as defined in a development agreement) has other development or redevelopment projects in addition to a TIF-eligible Project, increment from those Related Project(s) may be included in Individual Increment for reimbursement of the TIF-eligible Project expenses, subject to TIF board approval. A Developer of a TIF-eligible Project must have at least 50% ownership in any Related Project. These requirements will be further specified in a development agreement where applicable.

Related Projects must create new taxable real property value for the District based on the following criteria:

- New development on previously vacant land or demolished structures.

- Redevelopment or major modification of an existing building if this results in an increased taxable value of 50% or more of the original building.

Shared Increment – the Total Increment less (1) the portion of Administrative Expenses not already deducted from Individual Increment, (2) District-Wide Improvement Allocation, and (3) the sum of the Individual Increments of all eligible Developers.

Total Increment – the annual amount of increment deposited into the TIF fund from the participating jurisdictions.

Increment Allocation Procedure

Dallas Central Appraisal District (DCAD) certified values for each tax year will be the data source used to determine values for the increment allocation procedure. However, no increment allocation will be made unless a total Project or specific phase as defined in a development agreement is completed by May 1st of a given year. (See Note 1 for exceptions.) The City's Director of Economic Development will make the final determination in applying future available revenues in the TIF Fund among Projects.

Annually, after the Total Increment has been deposited in the TIF fund, the fund will pay or set aside Administrative Expenses and a District Wide Improvement Allocation. After Administrative Expenses and the District-Wide Improvement Allocation have been paid or set aside, Developers approved for TIF funding from the Fort Worth Avenue TIF District will be eligible to receive their Net Individual Increment.

In addition to their Net Individual Increment, all eligible Developers will be able to receive a portion of any Shared Increment. The Shared Increment allotted to an eligible Developer shall be a ratio of an eligible Developer's Individual Increment to the sum of the Individual Increments for all Projects eligible for reimbursement for that year.

Thus, the fund will be allocated in the following order: Administrative Expenses, District-Wide Improvement Allocation, Net Individual Increment (for all eligible Projects), pro-rata portions of Shared Increment.

Notes:
1. In general, the assignment of increment will be done annually, after each participating jurisdiction has deposited its annual increment into the TIF fund. However, upon completion of a Project, developers may apply to be reimbursed for TIF eligible expenditures from Available Cash currently in the TIF fund, if any.

2. If the appraised value of the remaining property in the TIF District decreases in value despite new development and as additional TIF Projects are approved and completed, the TIF subsidy for Projects that year may be reduced or unpaid. Similarly, if the sum of (1) Administrative Expenses and (2) the sum of the Individual Increments is greater than the Total Increment, then the Individual Increments shall be allotted on a proportional basis based on the ratio of each Developer's Individual Increment to the sum of the Individual Increments for that year. If there is no revenue available after administrative expenses, there will be no increment payments or funds for District-Wide Improvements that year.

3. Specific District-Wide Improvement Projects are to be determined and the amount of this set-aside will be reviewed annually based on updated financial projections and District needs. As needed, the Fort Worth Avenue TIF District TIF Board may make modifications or corrections to this Policy to increase its effectiveness.

AGENDA ITEM # 59

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

CMO: Ryan S. Evans, 671-9837

MAPSCO: 11A-K, Q

SUBJECT

Authorize a Chapter 380 economic development grant agreement with Zale Delaware, Inc. ("Zale"), a wholly-owned subsidiary of Signet Jewelers Limited ("Signet"), in an amount not to exceed $450,000 for the relocation and expansion of its operating headquarters to a new build-to-suit office facility and an associated new build-to-suit jewelry repair facility within the Cypress Waters development in the City of Dallas, pursuant to the Public/Private Partnership Program - Not to exceed $450,000 - Financing: Public/Private Partnership Funds

BACKGROUND

For the past year, city staff has been in discussions with representatives of Zale as they have been evaluating sites across the North Central Texas region for the location of its new operating headquarters and associated new jewelry repair facility.

The proposed economic development grant will stimulate Zale to relocate and expand its operating headquarters to a new approximately $45 million build-to-suit office facility (approximately 225,000 square feet) and a new approximately $5.5 million build-to-suit jewelry repair facility (approximately 31,000 square feet) developed by Billingsley Company within the Cypress Waters development in Dallas. Zale will lease the two new facilities for ten (10) years with two (2) 5-year renewal options. The two sites do not currently have addresses and are situated on unimproved property, but their locations are depicted on the attached map.

At the new headquarters office facility, Zale plans to have approximately 700 to 800 full-time employees (most of which will be relocated from other locations in the region) when it is ready for occupancy in spring 2018. By the end of 2020, Zale plans to have approximately 1,000 full-time employees (including approximately 200 to 300 newly created jobs) at the headquarters office facility.

At the new jewelry repair facility, Zale plans to have approximately 90 to 115 full-time employees (most of which will be relocated from other locations in the region) when it is ready for occupancy in spring 2017.

BACKGROUND (Continued)

By the end of 2020, Zale plans to have approximately 185 full-time employees (including approximately 70 to 95 newly created jobs) at the jewelry repair facility.

The key terms of the proposed Chapter 380 economic development grant agreement with Zale are as follows:

- Zale will be eligible for the first installment ($250,000) of the proposed grant upon verification on or before June 30, 2018 of: (1) substantial completion on at least $35 million in real property improvements associated with design, engineering, and construction (including agreed-upon hard and soft costs) of the headquarters office facility, (2) substantial completion on at least $4 million in real property improvements associated with design, engineering, and construction (including agreed-upon hard and soft costs) of the jewelry repair facility, (3) at least 700 full-time employees at the headquarters office facility, and (4) at least 90 full-time employees at the jewelry repair facility.

- Zale will be eligible for the second installment ($200,000) of the proposed grant upon verification on or before December 31, 2020 of: (1) at least 950 full-time employees at the headquarters office facility, and (2) at least 150 full-time employees at the jewelry repair facility.

- If Zale attains at least 950 full-time employees at the headquarters office facility and at least 150 full-time employees at the jewelry repair facility but fails to maintain at least those employment levels for a period of five (5) years beginning from the date of the second installment, then Zale will be required to reimburse the City in the amount of $200,000.

- If Zale relocates its operating headquarters outside of the City of Dallas prior to December 31, 2025, then Zale will reimburse the City in the amount of $200,000.

- Zale will comply with the City's Business Inclusion and Development ("BID") good faith effort goal of twenty-five percent (25%) participation by Minority/Women-owned Business Enterprises ("M/WBE") for all construction expenditures in contracts entered into relating to tenant finish-out or tenant allowances included with the minimum required investments described above and will meet all reporting requirements for this obligation.

The proposed project surpasses minimum Public/Private Partnership Program guidelines and results in an estimated 10-year net fiscal impact to the City (after payment of the proposed grant) of approximately $11.3 million and an estimated 20-year net fiscal impact to the City (after payment of the proposed grant) of approximately $37 million.

BACKGROUND (Continued)

Signet, formerly known as the Ratner Group from 1949 to 1993, is a holding company incorporated in Bermuda but headquartered in Akron, Ohio. Signet is the largest retailer of diamond jewelry in the world and the largest specialty retail jeweler by sales in the United States, United Kingdom, and Canada. Signet operates entirely through its 100 percent owned subsidiaries.

In May 2014, in the largest transaction in the history of the jewelry industry, Signet acquired its nearest competitor, Zale Corporation (legally known as Zale Delaware, Inc.), which is currently headquartered in Irving, Texas.

With approximately 30,000 employees, Signet operates approximately 3,600 stores worldwide primarily under the name brands of Kay Jewelers, Zales, Jared The Galleria of Jewelry, Gordon's Jewelers, H. Samuel, Ernest Jones, Peoples, and Piercing Pagoda. Signet's annual sales of approximately $6 billion derive from the retailing of jewelry, watches, and associated services.

ESTIMATED SCHEDULE OF PROJECT

Begin construction of headquarters office building	October 2016
Complete construction of headquarters office building	April 2018
Begin construction of jewelry repair building	June 2016
Complete construction of jewelry repair building	May 2017

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on April 18, 2016.

FISCAL INFORMATION

$450,000 - Public/Private Partnership Funds

OWNER

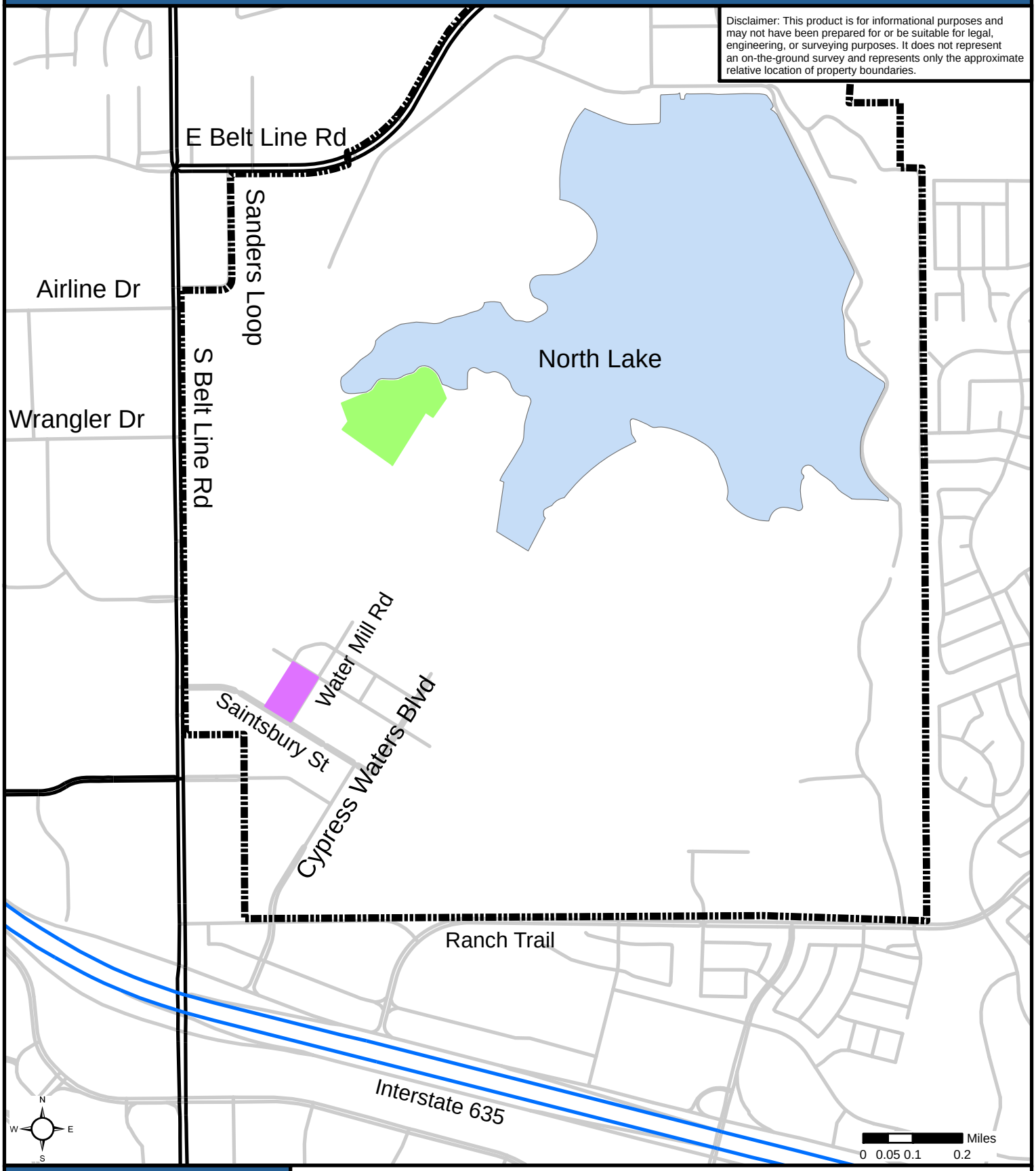
Zale Delaware, Inc.

Lynn Dennison, Chief Legal, Risk & Corporate Affairs Officer

MAP

Attached.

SUBJECT PROPERTY



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ECONOMIC DEVELOPMENT

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214.670.1685
dallas-ecodev.org

Created 02.16.16, Last Updated 02.16.16 - Project Diamond Property

Legend

- HQ Site
- Repair Center Site
- Dallas City Limit

Data Source: City of Dallas

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

WHEREAS, many municipalities within the North Central Texas region have economic development programs to compete with the City of Dallas for expansions and relocations of business entities; and

WHEREAS, site selection decisions made by business entities are often significantly influenced by a municipality's ability to provide competitive economic development incentives; and

WHEREAS, it is in the interest of the City of Dallas to support and secure the expansions and relocations of business entities within the city of Dallas and the employment opportunities that these business entities bring for Dallas residents; and

WHEREAS, Zale Delaware, Inc. ("Zale"), a wholly-owned subsidiary of Signet Jewelers Limited ("Signet"), has been considering sites across the North Central Texas region for the location of its operating headquarters facility and associated jewelry repair facility; and

WHEREAS, the City of Dallas desires to support and secure the location of Zale's operating headquarters and associated jewelry repair facility within the city of Dallas; and

WHEREAS, the location of Zale's operating headquarters and the associated jewelry repair facility will not occur within the city of Dallas without an offer of economic development incentives from the City of Dallas; and

WHEREAS, the mix of new employment positions secured by this economic development incentive, including full-time headquarters and repair facility jobs, provides access to opportunity that would not otherwise exist in this area of Dallas and is expected to contribute to more integrated and balanced living patterns than would otherwise occur; and

WHEREAS, on June 25, 2014, pursuant to Resolution No. 14-0993, the City Council elected to continue its authorization of the City of Dallas' Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements as specified in the Property Redevelopment and Tax Abatement Act and other City of Dallas economic development programs including the Business Development Chapter 380 Grant/Loan Program for the period June 25, 2014 through June 25, 2016; and

WHEREAS, the City of Dallas desires to enter into an economic development grant agreement with Zale to promote economic development, stimulate private sector investment, encourage job creation, and grow the tax base in the city of Dallas.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute an economic development grant agreement with Zale Delaware, Inc. ("Zale"), a wholly-owned subsidiary of Signet Jewelers Limited ("Signet"), for the relocation and expansion of its operating headquarters to a new build-to-suit office facility and an associated new build-to-suit jewelry repair facility within the Cypress Waters development in the City of Dallas.

Section 2. That the real property, which shall be described in the economic development grant agreement, is depicted on the attached location map as **Exhibit A**.

Section 3. That the economic development grant shall be in an amount not to exceed $450,000 provided Zale meets its obligations under the grant agreement with the City.

Section 4. That the key terms of the grant payment shall be as follows:

1. Zale will be eligible for the first installment ($250,000) of the proposed grant upon verification on or before June 30, 2018 of: (1) substantial completion on a minimum of $35 million in real property improvements associated with design, engineering, and construction (including agreed-upon hard and soft costs) of the headquarters office facility, (2) substantial completion on a minimum of $4 million in real property improvements associated with design, engineering, and construction (including agreed-upon hard and soft costs) of the jewelry repair facility, (3) a minimum of 700 full-time employees at the headquarters office facility, and (4) a minimum of 90 full-time employees at the jewelry repair facility.

2. Zale will be eligible for the second installment ($200,000) of the proposed grant upon verification on or before December 31, 2020 of: (1) a minimum of 950 full-time employees at the headquarters office facility, and (2) a minimum of 150 full-time employees at the jewelry repair facility.

3. If Zale attains a minimum of 950 full-time employees at the headquarters office facility and a minimum of 150 full-time employees at the jewelry repair facility but fails to maintain each of those minimum employment levels for a period of five (5) years beginning from the date of the second installment, then Zale will be required to reimburse the City in the amount of $200,000.

Section 4. (Continued)

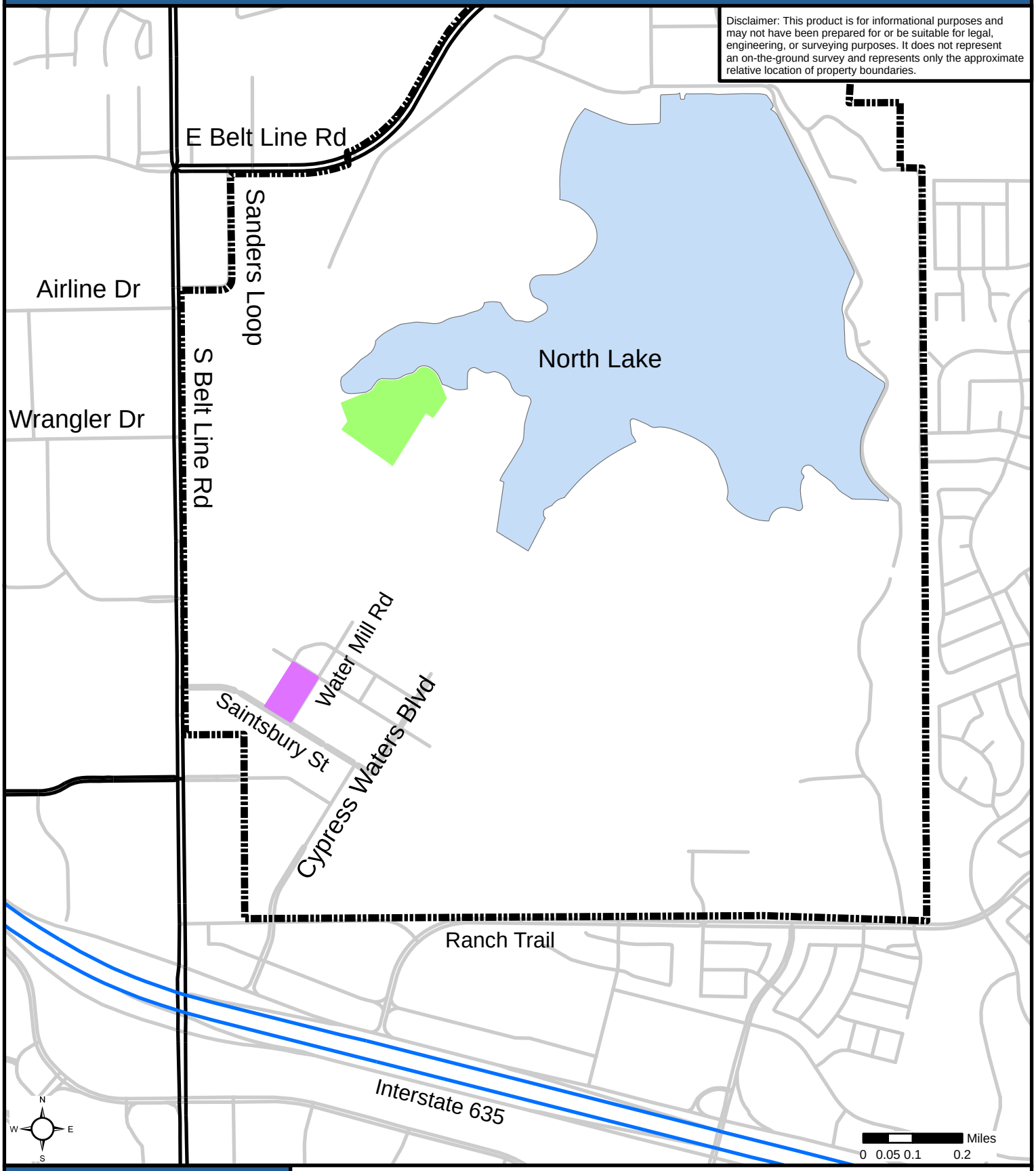
4. If Zale relocates its operating headquarters outside of the City of Dallas prior to December 31, 2025, then Zale will reimburse the City in the amount of $200,000.

5. Zale will comply with the City's Business Inclusion and Development ("BID") good faith effort goal of twenty-five percent (25%) participation by Minority/Women-owned Business Enterprises ("M/WBE") for all construction expenditures in contracts entered into relating to tenant finish-out or tenant allowances included with the minimum required investments described above in Section 4.1 and will meet all reporting requirements for this obligation.

Section 5. That the Chief Financial Officer is hereby authorized to encumber and disburse future funds from: Fund 0352, Department ECO, Unit 9992, Object 3016, Activity PPPF, Encumbrance No. ECO9992E271, Vendor No. VS90991, in an amount not to exceed $450,000.

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

EXHIBIT A



DALLAS
ECONOMIC
DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 02.16.16, Last Updated 02.16.16 - Project Diamond Property

Legend

- HQ Site
- Repair Center Site
- Dallas City Limit

Data Source: City of Dallas

AGENDA ITEM # 60

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 46 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District on the northeast line of South Barry Avenue, north of South Haskell Avenue

Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions

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

Z156-112(WE)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, APRIL 27, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z156-112(WE) **DATE FILED:** October 13, 2015

LOCATION: Northeast line of South Barry Avenue, north of South Haskell Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 46M

SIZE OF REQUEST: Approx. 7.994 acres **CENSUS TRACT:** 25.00

APPLICANT: Texas Recycling & Surplus, Inc.

OWNER: City Warehouse, L.P.

REPRESENTATIVE: Robert Miklos

REQUEST: An application for a Specific Use Permit for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District.

SUMMARY: The purpose of this request is to permit the operation of a recycling buy-back center of household metals and industrial metals within a portion of an existing facility [Texas Recycling & Surplus, Inc.]. There is currently warehousing of paper and paper recycling, neither of which require a Specific Use Permit. The limited area for the use will be contained inside the structure. The hours of operations will be from 7:00 a.m. to 7:30 p.m., Monday through Friday and 7:00 a.m. to 11:30 a.m., Saturday. The operators of the Texas Recycling & Surplus are in the process of relocating their existing operation (SUP No. 2010 expires on December 10, 2016) from northeast of the intersection of Congressman Lane and Denton Drive.

CPC RECOMMENDATION: **Approval** for a one-year period, subject to a site plan and conditions

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to a site plan and conditions

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 7.994 acre site is developed with several industrial and warehouse uses. The limited area for the use will be contained inside the structure.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use will not contribute to, nor be a detriment to adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – This use will not be a detriment to the public health, safety or general welfare of the community. In addition, the Dallas Police Department will monitor the facility for compliance with Chapter 40B for operation of a recycling buy-back center. The Dallas Police Department also requires a license for a recycling buy-back center.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request site will conform to all applicable zoning regulations and standards.

Zoning History: There have not been any zoning cases in the area over the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Barry Avenue	Local	50 ft.	50 ft.
South Haskell Avenue	Local	60 ft.	60 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site 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 predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include 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 use may not be consistent with the vision from a long-term perspective. But, a Specific Use Permit is a zoning tool that permits uses in locations for a specified period that may be compatible in the short term. The Development Code recognizes types of uses as temporary and only permits them for a maximum of two years.

The use is consistent with the following land use policy:

ENVIRONMENT USE

GOAL 6.6 INCREASE RECYCLING AND CONSERVATION OF RENEWABLE RESOURCES

Policy 6.6.1 Increase recycling and composting

	Zoning	Land Use
Site	IM	Industrial and warehouse
Northeast	IM	Industrial and warehouse
Southeast	CS	Industrial and warehouse
Southwest	MF-2(A)	Multifamily, Single family
Northwest	IM	Industrial and warehouse

Land Use Compatibility: The Development Code requires a Specific Use Permit for a recycling buy-back center for the collection of household and industrial metals; but does not require a Specific Use Permit for recyclable materials such as clothing, aluminum cans, steel cans, glass, paper, and plastic products in the IM District. In addition, the code limits a recycle buy-back center to a maximum of 10,000 square feet of floor area. In addition, there can be no other recycling facilities within 1,000 feet.

There are different regulations for the types of materials that are collected in a recycle buy-back center. These regulations affect: 1) household metals, 2) industrial metals, and 3) recyclable materials.

The request site is located within an industrial area and is adjacent to several warehouse and industrial uses. Properties that are generally located northeast of South Barry Avenue, east of East Grand Avenue are located within heavy intense industrial and commercial zoning districts. This area has been zoned for industrial and light commercial uses since the 1970s. The properties to the northwest of South Barry Avenue are developed with a mix of multifamily and single family uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Staff has reviewed the applicant's request and recommends approval of a Specific Use Permit for a two year period, subject to a site plan and conditions. The Development Code requires a time period no more than two years for the proposed use.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IM Industrial manufacturing	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

Parking: The parking regulations require 1 space per 500 square feet of floor area for a recycling buy-back center. Based on the building's square footage, the applicant is required to provide 20 off-street parking spaces for the use in addition to the parking spaces for the remainder of the building.

The building official may request that the applicant provide a parking analysis showing the parking requirement for the existing and proposed uses.

Police Department: The Dallas Police Department will monitor the proposed site and determine if the applicant is in compliance with Chapter 40B in operating the proposed recycling buy-back center. The Dallas Police Department requires a license for a recycling buy-back center.

CPC Action

February 18, 2016
This item was held under advisement.

March 17, 2016

Motion: It was moved to recommend **approval** of a Specific Use Permit for a recycling buy-back center for the collection of household metals and industrial metals for a one-year period, subject to a revised site plan and conditions to include a provision for maximum floor area of 2,000 sq. ft. on property zoned an IM Industrial Manufacturing District on the northeast line of South Barry Avenue, north of South Haskell Avenue.

Maker: Emmons
Second: Abtahi
Result: Carried: 11 to 2

For: 11 - Anglin, Emmons, Houston, Shidid, Abtahi, Haney, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 2 - Davis, Housewright
Absent: 2 - Anantasomboon, Peadon
Vacancy: 0

Notices: Area: 400 Mailed: 62
Replies: For: 2 Against: 6

Speakers: For: Robert Miklos, 1800 Valley View Ln., Farmers Branch, TX, 75234
Joel Litman, 1420 S. Barry Ave., Dallas, TX, 75223
Anna Hill, 4819 Silver Ave., Dallas, TX, 75223
Marsha Burton, 1624 S. Barry Ave., Dallas, TX, 75223
James Reed, 3412 Detonte St., Dallas, TX, 75223
Woodrow W. Austin Jr., 3311 Fairview Ave., Dallas, TX, 75223
Mariano Lopez, 425 Edgemere Ct., Garland, TX, 75043
Against: Ovidia Amaya, 1405 S. Fitzhugh Ave., Dallas, TX, 75223

LIST OF OFFICERS
Texas Recycling/Surplus, Inc.

- Joel Litman CEO
- Craig Litman CFO

LIST OF OFFICERS
City Warehouse, L.P.

- Holt Lunford President
- Doug Lueders Vice President

CPC PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a recycling buy-back center for the collection of household metals and industrial metals. No other materials may be collected or recycled.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation

3. TIME LIMIT: This specific use permit expires on _____(one years from the passage of this ordinance).

Staff's Recommendation

3. TIME LIMIT: This specific use permit expires on _____(two years from the passage of this ordinance).

4. FLOOR AREA: A maximum of 2,000 square feet of floor area is permitted for the recycling buy-back center for the collection of household and industrial metals.

5. HOURS OF OPERATION: The recycling buy-back center may only operate between 7:00 a.m. to 7:30 p.m., Monday through Friday and 7:00 a.m. to 11:30 a.m., Saturday.

6. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.

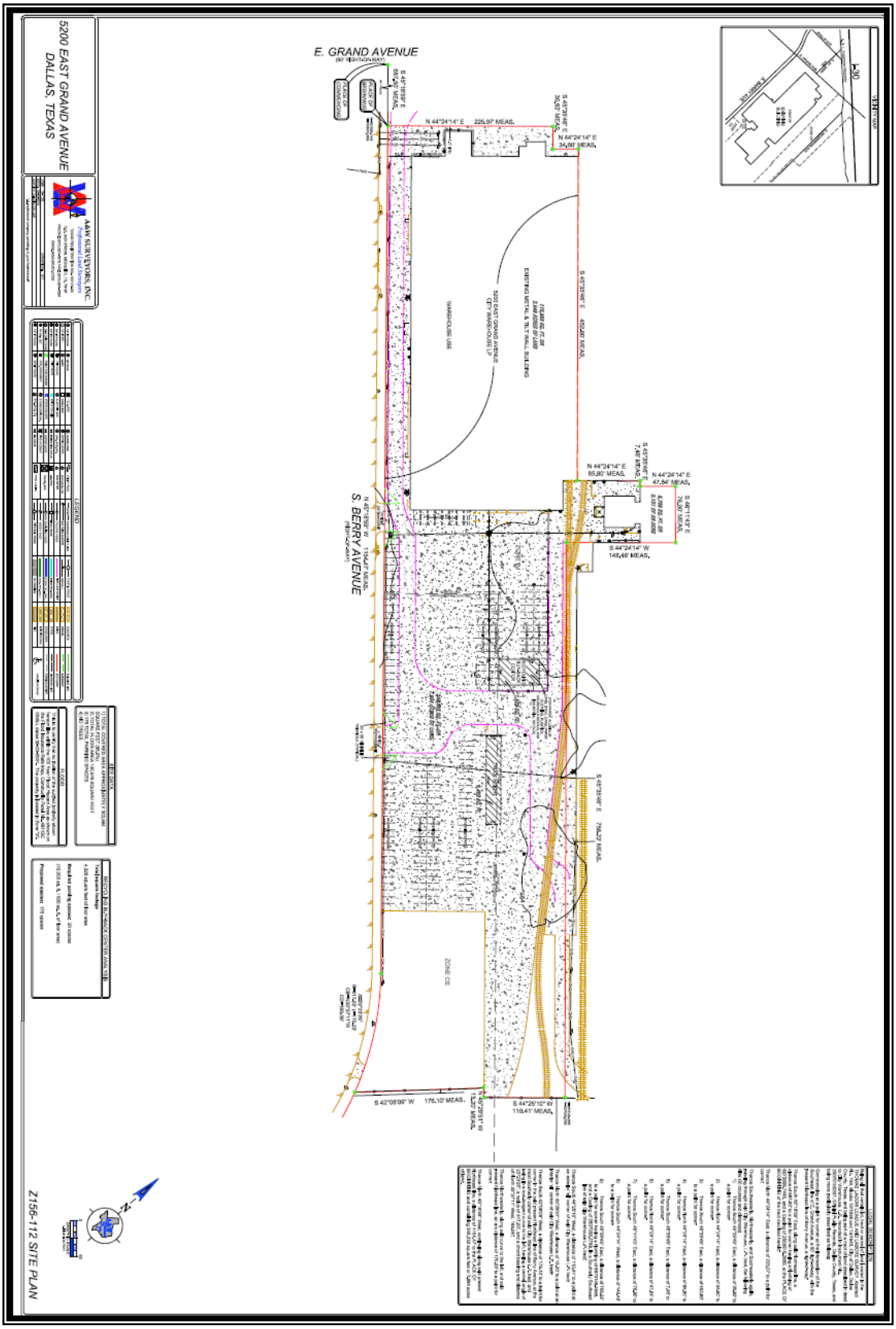
7. LICENSE: The Operator must obtain a secondary metals recyclers license in accordance with Chapter 40B of the Dallas City Code within 45 days from the passage of this ordinance.

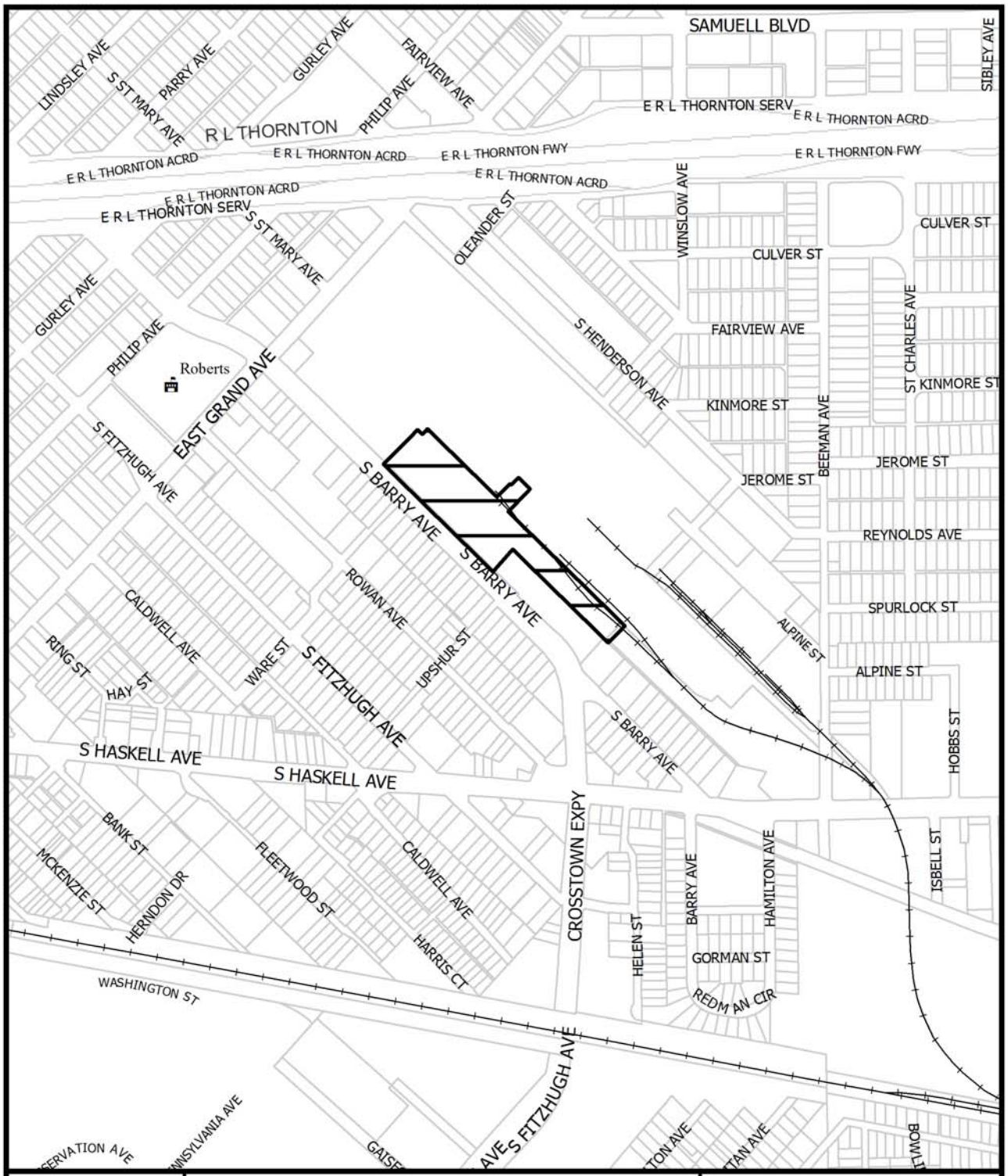
8. OUTSIDE STORAGE: Outside storage is prohibited.

9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN





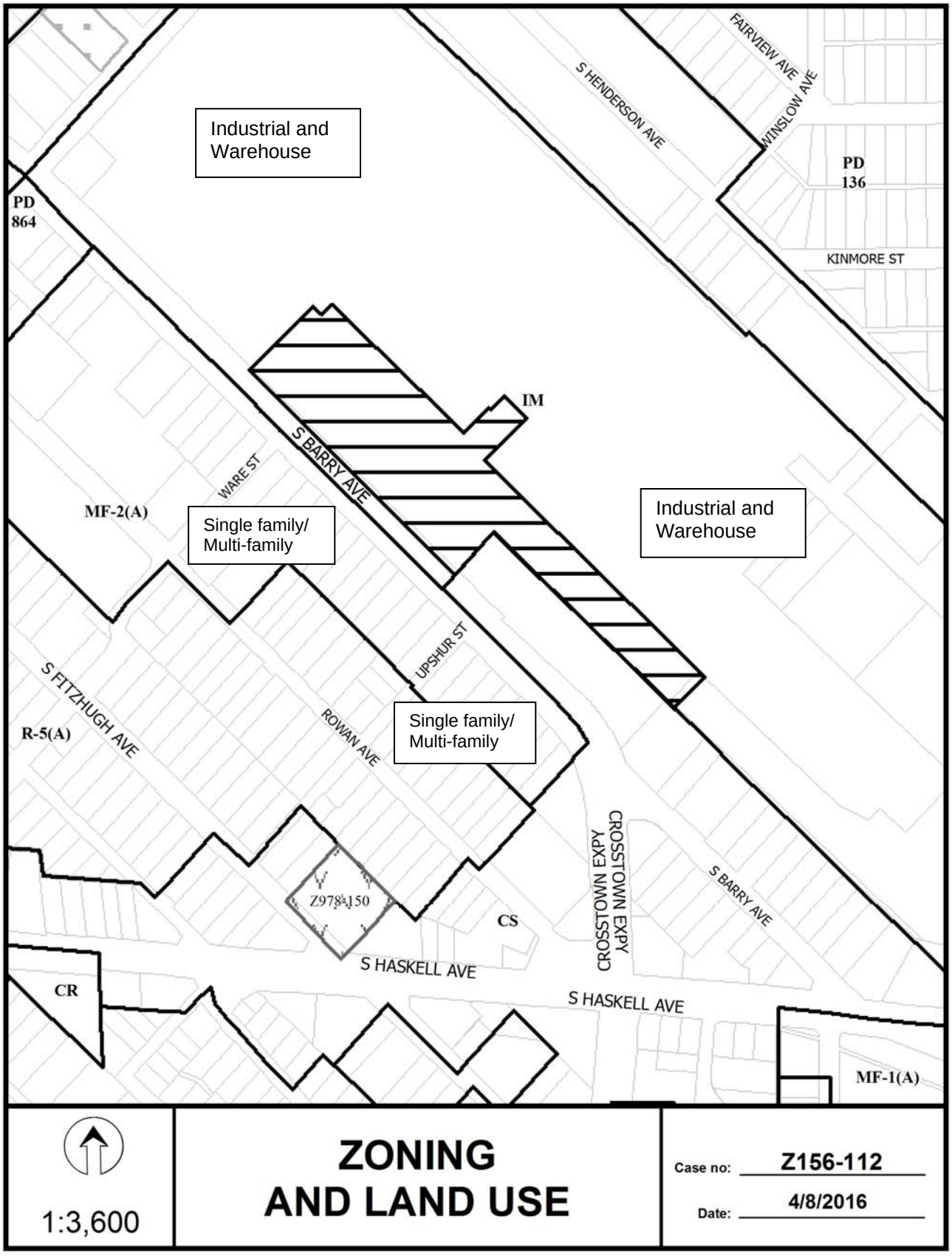
1:7,200

VICINITY MAP

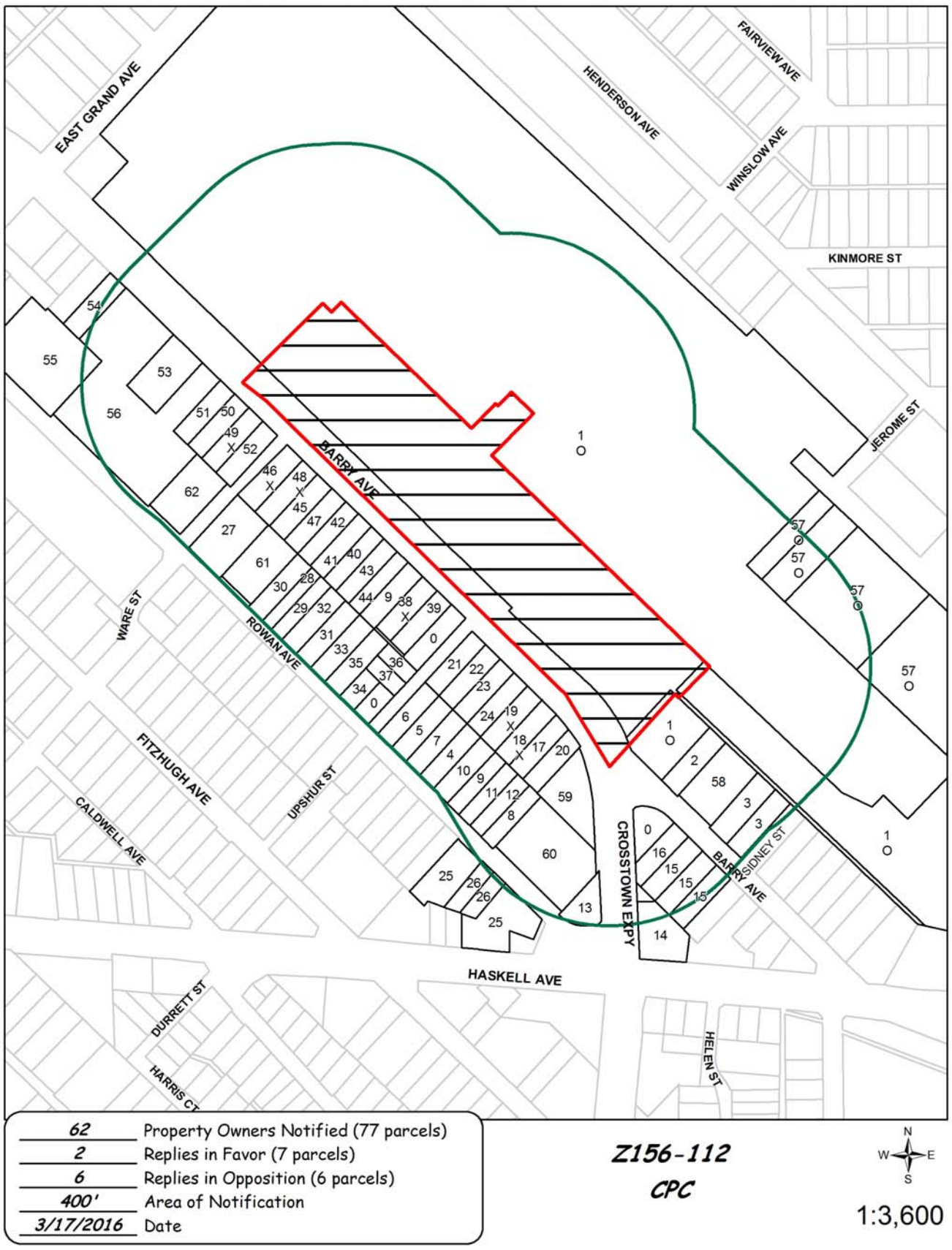
Case no: Z156-112

Date: 4/8/2016

EAST GRAND AVE
S BARRY AVE
S BARRY AVE
FAIRVIEW AVE
WINSLOW AVE
S HENDERSON AVE
KINMORE ST
JEROME ST
WARE ST
ROWAN AVE
TUPSHUR ST
GROSSTOWN EXPY
S BARRY AVE
S HASKELL AVE
S HASKELL AVE
DURRETT ST
S FITZHUGH
EXPY
1:3,600
AERIAL MAP
Case no: Z156-112
Date: 4/8/2016


Industrial and Warehouse
PD 864
S HENDERSON AVE
FAIRVIEW AVE
WINSLOW AVE
PD 136
KINMORE ST
IM
S BARRY AVE
WARE ST
MF-2(A)
Single family/ Multi-family
Industrial and Warehouse
UPSHUR ST
S FITZHUGH AVE
R-5(A)
ROWAN AVE
Single family/ Multi-family
Z978-150
CS
CROSSTOWN EXPY
CROSSTOWN EXPY
S BARRY AVE
S HASKELL AVE
CR
S HASKELL AVE
MF-1(A)
1:3,600
ZONING AND LAND USE
Case no: Z156-112
Date: 4/8/2016

CPC RESPONSES



Notification List of Property Owners

Z156-112

62 Property Owners Notified 2 Property Owners in Favor 6 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
O	1	5001	BEEMAN AVE	CITY WAREHOUSE LP
	2	1616	S BARRY AVE	RAMOS JAIME & JUDITH
	3	1628	BARRY AVE	BURTON MATT & MARSHA
	4	1512	ROWAN AVE	TAYLOR WILLIAM JR
	5	1510	ROWAN AVE	REYES VICTORIANO GONZALEZ
	6	4910	UPSHUR ST	REIGER ASSOC 90 I LTD
	7	1504	ROWAN AVE	GONZALES VICTORIANO R &
	8	1530	ROWAN AVE	SKY 1530 ROWAN SERIES LLC
	9	1520	ROWAN AVE	DALLAS HOUSING ACQUISITION & DEV CORP
	10	1518	ROWAN AVE	JIMENEZ DE ORTIZ MA CONCEPCION
	11	1522	ROWAN AVE	RUFINO CRISTINA
	12	1526	ROWAN AVE	HERNANDEZ VICENTE
	13	1610	ROWAN AVE	TOMAINO PPTIES LP
	14	1906	S HASKELL AVE	MATA EDGAR
	15	1703	BARRY AVE	EJAZ INVESTMENT GROUP INC
	16	1623	BARRY AVE	NELSON KENNETH
	17	1527	BARRY AVE	VARELA JOSE
X	18	1521	BARRY AVE	FAUSTINO UBALDO DELEON &
X	19	1519	BARRY AVE	COLLAZO ROBERTO M &
	20	1531	BARRY AVE	JOHNSON VEOLA &
	21	1501	BARRY AVE	PACKER DETROIT MICHIGAN SR
	22	1507	BARRY AVE	GIPSON CHARLES & BARBARA
	23	1511	BARRY AVE	CHAMBLEE ETHEL E
	24	1515	BARRY AVE	JUAREZ OLEGARIO
	25	1820	S HASKELL AVE	CERVANTES EDGAR
	26	1611	ROWAN AVE	CERVANTES EDGAR O

03/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	1402	ROWAN AVE	ADDYSON ROSENTHAL LIVING TRUST THE &
	28	1422	ROWAN AVE	LINCHON SIE
	29	1424	ROWAN AVE	FLORES JUANA &
	30	1426	ROWAN AVE	COLON ALMA
	31	1432	ROWAN AVE	PERRY ARGUSTA
	32	1416	ROWAN AVE	PIZANA JUAN ALEJANDRO &
	33	1434	ROWAN AVE	VILLA JOSE &
	34	1444	ROWAN AVE	GARCIA ANTONIO
	35	1440	ROWAN AVE	VILLA JOSE LUIS &
	36	4913	UPSHUR ST	VILLA GUILLERMO
	37	4911	UPSHUR ST	REED FRANKIE J
X	38	1443	BARRY AVE	MARTINEZ MARCIAL & BENITA
	39	1447	BARRY AVE	VALLES JAVIER H
	40	1427	BARRY AVE	SEATON ELLA MAE ESTATE OF
	41	1431	BARRY AVE	SEATON ELLA M
	42	1419	BARRY AVE	GARCIA JUAN ANTONIO
	43	1423	BARRY AVE	ALAMO CARMELO &
	44	1435	BARRY AVE	GOMEZ ANTONIO & ELVIRA
	45	1411	BARRY AVE	DUNCAN NEAL
X	46	1401	BARRY AVE	OLIVARES MARYBEL PEREZ
	47	1415	BARRY AVE	DE LA GARZA UVALSO
X	48	1407	BARRY AVE	OLIVARES MARIANO &
X	49	1343	BARRY AVE	JOBE ALINE
	50	1341	BARRY AVE	KAGNEW FASIL
	51	1337	BARRY AVE	ALMEIDA FRANCISCO ULISES
	52	1353	BARRY AVE	GORROSTIETA MARCO
	53	1323	S BARRY AVE	DELAY JANICE W
	54	1305	N BARRY AVE	GUNTER VIRGIL
	55	1216	ROWAN AVE	GUNTER VIRGIL &
	56	1315	S BARRY AVE	CASA GRANDE VILLAGE LLC
O	57	1745	ALPINE ST	CITY WAREHOUSE LP

03/16/2016

Reply	*Label #*	*Address*		*Owner*
	58	1624	S BARRY AVE	BURTON MATT &
	59	4640	CROSSTOWN EXPY	DOMINGUEZ VILIULFO &
	60	1602	ROWAN AVE	SITST 1602 ROWAN SERIES LLC
	61	1408	ROWAN AVE	UGWUMBA INC
	62	4901	WARE ST	KHRAISH HANNA

AGENDA ITEM # 61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 57 L

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an Historic Overlay on property zoned Subarea 1 (Texas Horse Park) of Planned Development District No. 883 with Specific Use Permit No. 383 for a sand and gravel mine on a portion west of the intersection of Pemberton Hill Road and Sarah Lee Drive

Recommendation of Staff and CPC: Approval, subject to preservation criteria
Recommendation of Landmark Commission: Approval, subject to preservation criteria
Z156-120(MP)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, APRIL 27, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z156-120(MP) **DATE FILED:** November 18, 2015

LOCATION: West of intersection of Pemberton Hill Road and Sarah Lee Drive

COUNCIL DISTRICT: 7 **MAPSCO:** 57-L

SIZE OF REQUEST: 15.42 acres **CENSUS TRACT:** 0093.03

APPLICANT/OWNER: City of Dallas, Trinity Watershed Management

REPRESENTATI VE: Sarah Standifer

REQUEST: An application for an Historic Overlay on property zoned Subarea 1 (Texas Horse Park) of Planned Development District No. 883 with Specific Use Permit No. 383 for a sand and gravel mine on a portion west of the intersection of Pemberton Hill Road and Sarah Lee Drive.

SUMMARY: The Big Spring Site contains both natural and cultural features of significance, such as unique natural features that reveal the evolving physical environment include a Pleistocene-age terrace, the spring itself, and old growth trees. In turn, human populations were drawn to the area beginning at least 2,500 years ago. The existing archeological site, a 1934 concrete ring, the location of a former dairy operation and Depression-era outbuildings, and the tree with a metal spike marking the crest of a 1942 flood are all cultural features that demonstrate the relationship between humans and their environment over time. Of historical significance, the Big Spring Site was patented (i.e., applied for title to property) by one of Dallas County's earliest permanent settlers—John Beeman; became home to Margaret Beeman Bryan and the founder of Dallas, John Neely Bryan after John Beeman died; and *may* have been associated with Sam Houston, President of the Republic of Texas, when traveling to Bird's Fort in 1843. A significant property must meet 3 of 10 designation criteria. This property has been determined to meet 6.

CPC RECOMMENDATION: **Approval**, subject to preservation criteria

LANDMARK COMMISSION RECOMMENDATION: **Approval**, subject to preservation criteria.

STAFF RECOMMENDATION: **Approval**, subject to preservation criteria.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon the following:

1. Both the Landmark Commission and its Designation Committee have determined this complex to be historically significant under six designation criteria. These criteria are: history, heritage and culture; historic event; significant persons; unique visual feature; archeological; and historic education.

2. The use of the land will change from private to public and will be used for conservation and educational purposes upon approval of the historic overlay.

3. The overlay designation does not change the base zoning or permitted uses for the property.

4. The request complies with the Comprehensive Plan.

BACKGROUND INFORMATION:

- Since 2004, the property has belonged to the City of Dallas.

- The City of Dallas Trinity Watershed Management (TWM) has worked closely over the past several years with groups and individuals who expressed interest in the maintenance, preservation, and future of the Big Spring Site.

- As long as the historic overlay district is in effect and not amended, development on this site will be restricted.

- The Designation Committee approved the designation report, comprised of the landmark nomination form and preservation criteria, on November 18, 2015.

- The Landmark Commission met January 5, 2016, and voted to hold under advisement until February 1, 2016, to allow additional time to address comments submitted by several interested parties.

- The Landmark Commission approved the designation on February 1, 2016.

STAFF ANALYSIS:

Comprehensive Plan:

The historic overlay is consistent with the Land Use, Environment and Neighborhoods Elements of the Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation of open spaces that are historically and environmentally significant creates a direct, visual link to the past, contributing to a "sense of place."

Goal 1.4 Coordinate Planning Activities to Balance Transportation, Land Use,

Infrastructure and the Environment
Policy 1.4.3 Embrace environmental sustainability.

Goal 6.4 Identify, Protect and Restore Open Space
Policy 6.4.1 Identify and prioritize ecologically sensitive areas.
Policy 6.4.2 Protect open space.
Policy 6.4.3 Acquire natural areas.
Policy 6.4.4 Restore and manage sensitive areas.

Goal 7.2 Preservation of Historic and Cultural Assets
Policy 7.2.3 Support education and community awareness.
Policy 7.2.4 Protect historic and cultural assets.

CPC ACTION – March 17, 2016

Z156-120(MP)

Motion: It was moved to recommend **approval** of an Historic Overlay, subject to preservation criteria with the following modifications: 1) Under Section 3.3, Subsection (c) to read as follows: "Permanent outdoor lighting is prohibited. Temporary outdoor lighting must be appropriate and enhance the natural and cultural features and may not be lite more than 30 consecutive days", and 2) Under Section 3.4, (b) to read as follows: "Interior fences must be constructed of wood, wire, stacked local stone, or other appropriate materials." on property zoned Subarea 1 (Texas Horse Park) of Planned Development District No. 883 with Specific Use Permit No. 383 for a sand and gravel mine on a portion west of the intersection of Pemberton Hill Road and Sarah Lee Drive.

Maker: Abtahi
Second: Houston
Result: Carried: 10 to 0

For: 10 - Emmons, Houston, Shidid, Abtahi, Haney, Jung, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anantasomboon, Peadon
Vacancy: 0
Abstained: 3 - Anglin**, Davis**, Housewright**

**abstained from voting, due to bus tour requirement

Notices: Area: 400 Mailed: 5
Replies: For: 1 Against: 0

Speakers: For: Veletta Forsythe Lill, 622 Blair Blvd., Dallas, TX, 75223
Becky Rader, 9703 Champa Dr., Dallas, TX, 75218
Richard Grayson, 6230 Vanderbilt Ave., Dallas, TX, 75214
Ben Sandifer, 8610 Southwestern Blvd., Dallas, TX, 75206
Tim Dalbey, 2719 Santa Cruz Dr., Dallas, TX, 75227
Against: None
Staff: Mark Doty, Chief Historic Planner

LANDMARK COMMISSION ACTION – February 1, 2016

This item appeared on the Commission's discussion agenda.
Motion: Approval, subject to preservation criteria.

Maker:	*Montgomery
Second:	Tapscott
Results:	15/0

Ayes:	Amonett, Birrer, Bowers, *Childers, Jordan, Gadberry, Maten, *Montgomery, Parsons, Seale, State, *Sherman, Tapscott, Thomas-Drake, Williams
Against:	None
Absent:	Flabiano, Johnson
Vacancies:	Dist 10

Dallas Landmark Commission
Landmark Nomination Form

1. Name

***Historic*: Big Spring**
and/or common: White Rock Spring, Bryan Spring, Sam Houston Spring
Date: November 18, 2015

2. Location

***Address:* 1121 Pemberton Hill Road (aka 925 Pemberton Hill Road)**

Location/neighborhood: Mapsco 57-L (west of intersection of Pemberton Hill Road and Sarah Lee Drive
Block and lot: Blk 6239 land survey: John Beeman Survey Abstract No. 97
tract size: 15.42 acres

3. Current Zoning

current zoning: PD 883

4. Classification

Category	*Ownership*	*Status*	*Present Use*	
____*district*	_x__*public*	____*occupied*	____*agricultural*	____*museum*
____*building(s)*	____*private*	__x__*unoccupied*	____*commercial*	____*park*
____*structure*	____*both*	____*work in progress*	_x__*educational*	____*religious*
_x__*site*	*Public Acquisition*	*Accessibility*		__x__*scientific*
__x__*object(s)*	____*in progress*	_x_*yes: restricted*	____*entertainment*	
	____*being consider'd*	__*yes: unrestricted*	____*government*	*transportation*
		___*no*	____*industrial*	____*other, specify*
			____*military*	_____

5. Ownership

Current Owner: City of Dallas - TWM
Contact: Sarah Standifer ***Ph:*** 214-671-9500
Address: 1500 Marilla St., 6BS ***City:*** Dallas ***State:*** TX ***Zip:*** 75201

6. Form Preparation

Date: November 18, 2015
Name & Title: Marsha Prior, Planner
Organization: Sustainable Development & Construction – Historic Preservation
Contact: marsha.prior@dallascityhall.com

7. Representation on Existing Surveys

Alexander Survey (citywide): local state national
National Register
H.P.L. Survey (CBD) A B C D Recorded TX Historic Ldmk
Oak Cliff TX Archaeological Ldmk
Victorian Survey
Dallas Historic Resources Survey, Phase ____ ___ high ___ medium ___ low

For Office Use Only

Date Rec'd:_____ Survey Verified: Y N by:_____ Field Check by:_____ Petitions Needed: Y N
Nomination: Archaeological Site Structure(s) Structure & Site District

8. Historic Ownership

Original owner: John Beeman, 1842 – 1856 (death)
Significant later owner(s): Margaret Beeman Bryan, 1856-1880 (sold)
Edward Case Pemberton, 1880 – 1914 (death)
Mary E. Pemberton et al. 1914 - ca. 1930s – (widow and administrix of estate)
Edward Pemberton, ca. 1930s – ca. 1950s (sold)
Oliver Pemberton, ca. 1950s – 1966 (death)
Lola Pemberton (widow), 1966 – ca. 1973 (death)
Phyllis Fort Skinner (daughter) ca. 1973 – ca. 2002 (death)
Matthew Fort et al., 2003 (administrator)
Larry Koehler, 2004
City of Dallas, 2004 – present

9. Construction Dates

Original: Not Applicable
Alterations/additions: Known alterations to the landscape began ca. 1868 with building of log cabin and cultivation. Major alterations to landscape occurred in the mid-1900s from gravel mining and infill with construction debris. In the 1980s, a sewage line was installed cutting across the site north to south.

10. Architect

Original construction: Not Applicable

Alterations/additions: Not Applicable

11. Site Features

- Big Spring
- Site 41DL72
- 150–200 year old Bur Oak Tree
- Drilled well with concrete ring dated 1934
- Walnut tree with metal spike denoting 1942 flood level
- Old pecan tree grove
- T-2 Pleistocene Terrace
- Location of Edward Case Pemberton dairy operation, and Depression-era outbuildings and corral/animal pen
- Mesquite tree near assumed location of Bryan's cabin

12. Physical Description

Condition, check one:			*Check one:*
____ *excellent*	___x__ *deteriorated*	____ *unaltered*	_x_____*original site*
____ *good*	____ *ruins*	_x_ *altered*	*Moved (date_____)*
___ *fair*	____ *unexposed*		

The Big Spring Historic and Environmental Conservation Easement (Big Spring Site) is a 15.42 acre of land that is part of a larger 320-acre tract claimed by the early Dallas pioneer, John Beeman in 1842. Located in southeast Dallas, the site sits between Oak Creek (also known as Bryan's Slough) to the west, Pemberton Hill Road to the east, Highway 175 to the north, and Elam Road to the south (Figure 1). Oak Creek meets White Rock Creek approximately one-half mile south where the two creeks combine and flow into the Trinity River. Overall, the area has a rural feel with trees, brush, grasses, streams, the spring itself, and a sparse built environment. The area is not pristine, however. Human activities have greatly impacted the natural environment. Prior to the historic period, the area would have contained a forest with Post oaks, pecan, walnut, cedar elm, juniper, box elder, bois d'arc, and hackberry trees interspersed with grassy clearings, water marshes, and ponds (Dalbey 2013b, 2015b).

During prehistoric times, human impact on the land was minimal as populations manufactured stone tools, and possibly gathered vegetation, hunted, prepared food, and set up temporary shelters. This use of the land occurred for over 2,500 years. When European American settlers arrived in the 1840s, they encountered bobwhite, quail, pheasant, meadowlark, field sparrow, sage grouse, lark bunting, various species of turtle, cottontail, swamp rabbit, squirrel, muskrat raccoon, gray fox, red wolf, and white tailed deer. Their arrival marked an era when human activity took on a more discernible impact. Over time, ground was ploughed; crops cultivated; houses and outbuildings constructed; and fences erected. Adjacent to the site, old trails or wagon roads were paved, and new roads constructed. The greatest impact to the site, however, was due to gravel mining that occurred in the mid-1900s, disturbing the topography, vegetation, and archeological sites.

After John Beeman's death, his daughter Margaret Beeman Bryan inherited 161.6 acres of the northern portion of the Big Spring Tract (Survey 4A) where the spring is located (Figure 2) (Toyer 2013b). The Big Spring Site, which is the subject of this Landmark nomination, falls within the eastern portion of Margaret Beeman Bryan's inheritance (Figure 3). Although the Big Spring Site is 15.42 acres, the following description of the larger area provides a physical and cultural context to the prehistory and history of the area.

The lower elevation riverine western and central portion of John Beeman's Big Spring tract (not a part of this Landmark designation) contains alluvial soils (annually deposited fertile floodplain soil), and includes a recovering riverine forest and Oak Creek. The creek supports beaver, otters, fish, and fresh water mollusks. An archeological site (41DL73) was originally recorded by Forrest Kirkland in 1940. As late as 2010, part of this area was under cultivation, but since then farming has been abandoned (Dalbey 2013a, 2014, 2015a, 2015b; Naumann et al. 2013).

Overview of the upper eastern portion of original John Beeman Big Spring tract, including the Big Spring Site Landmark designation

The east part of the northern half of Beeman's Big Spring tract includes the actual spring named Big Spring in a deed, and other natural and cultural features of interest, including old growth trees, archeological site 41DL72, and possibly remnants 41DL73 that was recorded (Dalbey 2015b), and may have been destroyed. The eastern most portion of the tract consists of a high Pleistocene age T-2 terrace (Dalbey 2008, 2015c; Shuler 1935; Slaughter 1966) that has been reported along the Trinity River from as far north as Denton, Texas, to south of the McCommas Bluff in southern Dallas County, a distance of approximately 100 miles. The higher T-2 terrace within the Big Spring Site that rises up to 40 feet above the spring consists of mostly sand and gravel that supported a Post oak savanna grassland (Dalbey 2013a, 2013b). Over 100 Pleistocene species, dating back to 143,000 years ago would have characterized the area indicating a different environment that was possibly seasonally warmer (Dalbey 2015c). Some of the Pleistocene species include megafauna such as Columbian mammoth, sabre-toothed cats (*Smilodon* sp.), camel, horse, tapir, antelope, dire wolves, large ground sloths, short-faced bears, glyptodons (large armadillo-like animals), and giant beaver to list a few (Dalbey 2008; Shuler 1923, 1935; Slaughter 1960, 1966; Slaughter et al. 1962). These species compare to the famous Rancholabrean fauna of the La Brea Tar Pits in Los Angeles, California (a National Natural Landmark) that date later (Dalbey 2016).

The prehistoric Site 41DL72 runs through most of the Big Spring Site. The area surrounding the spring includes a large bur oak tree, approximately four feet in diameter, estimated to be 150 to 200 years old. This tree would have been growing when Margaret Beeman Bryan and John Neely Bryan were living on this property. It has been recognized for its age by the Texas Historic Tree Coalition. Other trees that represent features of interest include a walnut tree with a railroad spike driven into the trunk (Figure 4). The spike marks the height of the 1942 Trinity River flood waters (Toyer 2015). There is also a lone mesquite tree that stands near the assumed location of the cabin that Margaret Beeman Bryan and John Neely Bryan occupied, and there is a grove of old pecan trees toward the north eastern boundary of the Big Spring Site (Figure 5). This grove contains trees that are four feet in diameter (i.e., 100+ years old) (Dalbey 2015b).

The Big Spring Site also contains features or locations that mark nineteenth and twentieth century economic and recreational activities. Near the old pecan grove is where Edward Case Pemberton had his dairy operation at the turn of the twentieth century. A concrete ring with "1934" inscribed, marks where a well once was placed for use in the dairy operation and is the only remnant of the that operation (Figure 6). This same area is where a few outbuildings and a corral stood during the twentieth century Great Depression. When the corral was taken down, the posts were in filled with dirt (Pemberton 2006). The most recent use for this same location is an outdoor recreational area with a fire pit that was traditionally used by the Pemberton family as a picnic area with tables, chairs, and a makeshift grill using a halved 55-gallon drum (Figure 7).

13. Historical Significance

Statement of historical and cultural significance. Include: cultural influences, special events and important personages, influences on neighborhood, on the city, etc.

Prehistoric Period

Based on a small sample of lithics recovered from a portion of 41DL72 that is located in the Big Spring Site, this area has been occupied for over 2,500 years. The oldest lithic artifacts discovered at the Big Spring Site are several Yarbrough points associated with the Late Archaic period, which ranges from 1050 BC to AD 700. Dart points associated with the Transitional Archaic (AD 200-700) (Edgewood, Zephyr, and a reused Carrollton biface) have also been recovered. Representing phases I and II of the Late Prehistoric (AD 800 to 1600) are several arrow points. Although the archeological record establishes a long phase of human occupation, it is not known at this time if it was a continuous occupation that evolved over time. It is evident, though, that the stone tools represent several different cultural groups that occupied the site through time (Dalbey 2013a, 2014, 2015b; Naumann et al. 2013).

41DL72 is an expansive archeological site that extends beyond the boundaries of the Big Spring Site. A recent archeological investigation was performed on a portion of 41DL72 that is located south of the Big Spring Site on land now associated with the Texas Horse Park (THP). This portion of 41DL72 is less disturbed than that which lies within the Big Spring Site where gravel mining was conducted. This southern portion contains a greater sample of lithics, ceramics, and faunal remains. Based on analysis, 41DL72 is acknowledged to be a prehistoric hunting camp that was occupied from at least the Middle Archaic period. The intensity of occupation increased during the Late Archaic and Late Prehistoric periods, and it was occupied on a seasonal basis. The faunal remains indicate that the populations relied on white-tailed deer for subsistence, with freshwater mussels and turtle rounding out their diet. A relatively large sample of lithic tools manufactured from chert, suggests that either the later populations were highly mobile or had established trade relations with groups outside of the area where chert is more prolific. It is reported that Big Spring was located near a Native American route connecting a Trinity River crossing to eastern Texas (Dalbey 2013a, 2014, 2015a, 2015b; Goodmaster 2015; Toyer 2015).

Historic Period

<u>The John Beeman Family</u>

Historically, the Big Spring Site is located on land associated with Dallas County's earliest permanent settlers, the Beeman families; the founder of Dallas, John Neely Bryan; and possibly Sam Houston, the President of the Republic of Texas. Although colonization occurred under Spanish and Mexican rule, not long after Texas was recognized as a republic in 1836, settlement, especially among the European American population from the United States, began in earnest. The Republic readily contracted with land granting agencies such as the Mercer and Peters colonies. The Peters Colony was largely responsible for the settlement of north central Texas, especially the Three Forks area of the Trinity River. Heads of families and single men alike were tempted by the promise of free land for the price of improvements. Thus, large numbers of extended

families and their friends took off from various states to head toward Texas. Although the Peters Colony had a significant impact on settlement, not everyone migrating to this portion of Texas was a Peters, nor Mercer, Colonist—including John Neely Bryan and the Beeman families. The Beemans had already migrated to Texas, and John Neely Bryan had visited with plans to return to the present-day Dallas area (Connor 1959; Dallas Historical Society 2005; Ericson 2015; Lang and Long 2013; Wade 2015).

John Neely Bryan was born in Fayetteville, Tennessee in 1810. He studied law, but moved to Arkansas in 1833, where he lived among and traded with Native Americans. Moving further west, he acted as a land agent for John Drennen and David Thompson, the founders of Van Buren, Arkansas, whom Bryan had known in Tennessee. He traveled west across the Kiamichi Mountains in Indian Territory and into Texas where he clerked at Holland Coffee's Trading House on Washita Bend of the Red River. Bryan first arrived in the present Dallas area in 1839 where he set up camp on the east side of the Trinity River (near Elm and Houston streets in downtown Dallas). Bryan's chosen location was near a point in the Trinity River that was relatively easy to cross, and was also close to Indian trails that would facilitate travel to and from the area. Bryan then left for Arkansas to settle his affairs, returning to Dallas in November 1841 whereby he commenced to establish a town (Dallas Historical Society 2005; Hazel 1997; Toyer 2013b, 2015).

Meanwhile, a group of families, including John and Emily Hunnicutt Beeman and their children; James Beeman (John's half-brother) and his wife and children; and John S. Beeman (John's and James' nephew) left Calhoun, Illinois, in 1840 for Texas. In 1837, before leaving for Texas, John Beeman purchased a land scrip from the Toby and Brother Company. Upon reaching northeast Texas, the Beeman entourage set up a temporary home. In 1841 and 1842, most of the men from the 1840 group of Illinois immigrants, plus many others from northeast Texas, participated in several volunteer militia campaigns to the Three Forks area. The militia established Bird's Fort in the fall of 1841 on the West Fork of the Trinity River in present-day north Arlington to protect the frontier and Military Road in accordance with the 1838 Act of the Texas Legislature. Volunteering for military campaigns was a common practice among newly arrived male settlers. Their travels allowed them to explore the north central Texas region before deciding where to stake their claim. When Bird's Fort was completed, John Beeman gathered his extended family and friends to join others who were settling near the new fort (J. Beeman 1886; Brown 1887; *Dallas Morning News* 1935; Toyer 2013c, 2015).

Seeing the Bird's Fort settlers as potential recruits for his new town, Bryan traveled there, hoping to convince them to join him. He found the Beemans, as well as others, eager to leave. Although the threat of attack and presence of malaria were of concern, the newly created Peters Colony had expanded into Bird's Fort territory, forcing the settlers to leave. The John, James, and John S. Beeman families set out in an ox cart, following an old trail that led eastward toward the Dallas vicinity. Wishing to avoid settling within the current boundaries of the Peters Colony, the Beemans traveled toward White Rock Creek, stopping at a Post oak grove near today's Munger Place on April 4, 1842. John Beeman went on to claim 640 acres of land a little further east, along the western edge of White Rock Creek (near today's Interstate 30 and Dolphin Road (Figure 3). Nearby was a trail that continued to lead eastward across White Rock Creek. Although John Beeman had intentionally settled outside of the Peters Colony domain, his head right was later encompassed by the colony when it expanded (J.

Beeman 1886; S. Beeman 1927a, 1927b; Brown 1887:12-13; *Dallas Morning News* 1902, 1935; Harper 2006; Toyer 2013a, 2013b, 2013c, 2015).

For protection, the Beemans immediately constructed a block house near the center of a pecan grove. It is believed to be the only one ever built in Dallas County. Although no sketch is known to exist, the lower portion of the house was 15 square feet with the upper portion projecting two feet on all sides. The purpose of this top heavy construction was to prevent the enemy from scaling the wall. A typical blockhouse also includes narrow openings on the upper portion from which to shoot firearms (Figure 8) (J. Beeman 1886:9; Brown 1887; Cochran 1928; Lewis Publishing Company 1892; Toyer 2013a).

In addition to the blockhouse, the Beemans built a permanent cabin, established a cemetery nearby, and later built a grist mill on the west bank of White Rock Creek at present-day Military Parkway. The original entrance to the cemetery was on Mingo Street (the address for Beeman Memorial Cemetery is now 3598 Osage Circle). In early 1843, James Beeman built a cabin approximately one mile southwest of John Beeman's blockhouse. The Beeman families appear to have been living fairly well during this time. They planted corn, pumpkins, and peas; gathered wild rye; and hunted buffalo and other wild game (J. Beeman 1886; James 1996; Lewis Publishing Company 1892; Toyer 2013c, 2015).

Unbeknownst to John Beeman, he had staked his claim on the Thomas Lagow Survey. Not wishing to move, in 1844 he made a bond to purchase the 640 acres for $1.00 per acre from Thomas Lagow. James, however, decided to lay claim to a 640-acre tract on the east side of White Rock Creek where Oak Creek crossed his tract. Lagow died in 1845 and the deed was delivered by the administrator of Lagow's estate in 1850. John Beeman had also increased his landholdings in 1842 when he used his scrip and head right to claim three 320-acre tracts on the east side of White Rock Creek and one 320-acre tract on the west side of the Trinity River. When John Beeman died in 1856, his executor, William Hunnicutt, referred to the three tracts east of White Rock Creek by prominent features. Survey 1A was the Prairie Tract, 2A was the Cedar Brake Tract, and 4A was the Big Spring Tract (Figure 9). The Big Spring Site is located within John Beeman's Survey 4A (J. Beeman 1886; Toyer 2013a, 2013b, 2013c, 2015).

In August 1843, soon after the Beemans were well established, Sam Houston and party set out from Crockett, Texas, headed for Bird's Fort. As President of the Republic of Texas, Houston had hopes of meeting with East Texas tribes for treaty negotiations. During the course of their journey, they crossed Dallas County, stopping to interact with the Beemans, John Neely Bryan, and other colonists. The Sam Houston party may have camped at the Big Spring Site, though irrefutable evidence is currently lacking. Edward Parkinson, a member of Houston's party, kept a diary while on the trip. Although the diary provides invaluable information, at times, key details are vague or missing. Unfortunately, this is the case during the time in which they were in the Big Spring vicinity (Parkinson n.d.).

On August 12, Sam Houston and party came to Kingsboro (present-day Kaufman) to the east of Dallas County. From there, they headed northwest to fight off dense brush and cross the East Fork of the Trinity River. They camped that night by the fork. The next day, August 13, the company cleared a path through thickets for two miles and camped at White Rock Springs, one mile from the confluence of White Rock Creek and Trinity

River. The following day, they were met by "settlers from the colony." They all crossed White Rock Creek and went to one of the colonist's cabins (Parkinson does not name the colonist). There, they were "regaled with an acceptable and plentiful supply of buttermilk." Parkinson stayed the night with this colonist, allowing his injured horse to rest. Another party member, John Reagan, had fallen ill and was taken to John Beeman's cabin to rest. The remainder of the party went on to Cedar Springs. Parkinson left the colonist's cabin and spent two nights at John Neely Bryan's place near today's downtown Dallas. Afterwards, he left to catch up with Houston's party (Parkinson n.d.).

Based on Parkinson's diary, it is clear that the Beemans were involved in the events surrounding Sam Houston in mid-August 1843. Parkinson specifically notes that his ill comrade was taken to John Beeman's cabin. James Beeman reveals in his memoir that he agreed to serve as Sam Houston's guide to Bird's Fort. It is not clear, however, as to whose cabin the party visited for buttermilk and with whom Parkinson stayed for an extra night. It seems that James Beeman's cabin can be ruled out because he had most likely moved to the east side of White Rock Creek by that time to vacate Lagow's property.

There is also a lack of definitive proof that the party camped on John Beeman's Survey 4A, the Big Spring tract. Parkinson refers to, "White Rock Springs," noting it was a mile from the confluence of the Trinity River and White Rock Creek, which puts it in the same vicinity as Big Spring. It is certainly possible that the spring went by two names. The Beemans may have called it Big Spring, while others used a geographic name to note its proximity to White Rock Creek or a descriptive name to describe the chalky white rock for which it was associated. It should also be noted, though, that there were other springs in the area. Thus, without a document or map that clearly indicates that Big Spring and White Rock Spring are one and the same, it is necessary to exercise caution in assuming that the site is significant for its association with Sam Houston.

The Margaret Beeman Bryan and John Neely Bryan Family

John and Emily Hunnicutt Beeman had 11 children, one of them being a daughter, Margaret. On February 26, 1843, Margaret married John Neely Bryan. The family lived in a series of cabins near the present-day Dallas County Courthouse. After Bryan agreed to sell his real property to Alexander Cockrell in 1852, they temporarily exchanged residences, thus, the Bryan family moved to Mountain Creek. Approximately two years later, they returned to the cabin that was located at the southwest corner of Commerce and Houston streets. Cockrell built his own home at the foot of Commerce Street on the river (Toyer 2015, 2016).

John Beeman died in 1856. His 640-acre homestead had been placed in wife Emily's name soon after he received the deed from Lagow's estate and she later dispersed that to her children. John Beeman's estate included three of the four 320-acre tracts originally acquired with his scrip and headright grant, and two additional 320-acre tracts purchased from their grantees. These and other assets were appraised by the executor, brother-in-law William Hunnicutt, and subdivided in nearly equal shares among his 10 surviving children. Margaret received 161.6 acres out of the Big Spring tract. Her portion, being the upper part of the original tract, included the spring. Around 1868, Margaret and John Neely Bryan moved to the Big Spring tract where they lived for nearly ten years. John Neely Bryan built a cabin where he, Margaret, and

their three children—Lizzie, Alexander Luther, and Edward Tarrant—lived. An older son, John Neely, Jr., with his wife, Sarah Thompson, relocated a cabin from Dallas to the Big Spring Site and lived close by until 1872 when John, Jr. left for south central Texas. The 1870 Agricultural Census of Dallas County shows that John Neely Bryan had ten acres of improved tilled land and 150 acres of woodland. Also listed were three horses, two working oxen, four milch cows, and twelve swine. John Jr. had ten acres tilled and fifteen acres unimproved, plus six horses, six milch cows, ten other cows, and twelve swine on an adjacent tract rented from one of Margaret's siblings who had inherited the south portion of the Big Spring Survey. In 1877, John Neely Bryan was admitted to the State Lunatic Asylum in Austin. He died there in September that same year and was buried in the Asylum Cemetery (Cockrell 1944; Dallas Historical Society 2005; Harper 2006; Toyer 2013a, 2013c, 2015, 2016).

In his 1932 memoirs, *A History of Early Dallas*, Frank Marion Cockrell speaks of John Neely Bryan's final eight years at Big Spring, referring to the setting as a picturesque place surrounded by timber and the sound of the "gushing spring from the hillside." Bryan is described as having lost interest in the town that he established, but remaining very patriotic and maintaining sobriety. In 1872, Bryan accompanied by his two sons, visited his daughter Lizzie in Illinois. Sometime around 1874, he travelled a much shorter distance to visit his nephew, Jim Bryan, Jr., at Mountain Creek where his nephew was in charge of the Cockrell Ranch. There, he seemed at peace as he rode about the ranch and assisted with chores.

The Pemberton Families

Margaret sold her land to Edward Case Pemberton in 1880, at which time she lived with various relatives until her death in 1919. Edward Case Pemberton paid off his note in three years, and operated a successful dairy farm and mercantile store on Kaufman Road not far from his property. He was also known to take buttermilk into town where he sold it for five cents a gallon. Family members say he bought the land from Margaret Beeman Bryan specifically for the spring, which he used for his dairy operation. He added additional lands to his homestead, including 45 acres in the Cornelius Cox Survey, south of the Big Spring Survey along present Elam Road, 86 acres in the Amon McCommas Survey at McCommas Bluff, and ¼ acre on the Kaufman Road in the John Beeman Prairie Survey where he located his store (Billingsly 2006; Pemberton 2006; Toyer 2016).

In 1914, Pemberton was shot and killed in his store. The killer was never identified. Edward Case had seven sons: two (Claude and Fred) were by his second wife; and five (Hubert, Luther, Oliver, Otto, and Edward) were by his third wife. All seven sons eventually inherited some of Edward Case Pemberton's property, with his youngest son, Edward, inheriting the portion that includes the Big Spring Site. Bill Pemberton, a nephew of Edward, grew up near the area on the property that his father (Luther) inherited. Bill Pemberton recalled that Edward's property had a frame house (constructed in the 1940s), windmill, a well (dug in 1934), and outbuildings associated with a small farm. He also noted that during the Great Depression era (late 1929 to 1930s), a circular livestock pen was erected on the property, but was subsequently taken down. The posts were removed and the holes filled in (Billingsly 2006; *Dallas Morning News* 1914; Pemberton 2006).

During the mid-1900s, gravel mining was undertaken by Edward's brother Oliver Pemberton, whose property adjoined Edward's on the south. Oliver later purchased a portion of Edward's land including the spring to expand his mining operation. When that began to impact the spring, a nephew, John Case Pemberton, who lived on the north part of the 160-acre tract inherited from his father Claude, offered to pay a sum comparable to potential earnings if the uncle would cease his mining operation, which he did. In the 1970s, when Bill Pemberton was taking care of the property, he tried to mitigate some of the impact from the gravel mining by allowing contractors working on a nearby road to deposit construction waste into the empty gravel pits. He then contoured the area (Pemberton 2006).

In the 1980s, the City of Dallas placed a sewer line and established a right-of-way (ROW), running north to south, west of the spring and along the western boundary of the Big Spring Site. The sewer line impacted an existing wetland. Oliver Pemberton's descendants sold their remaining parcels to Larry A. Koehler in 2003, who in 2004 agreed to a settlement from the City of Dallas in lieu of condemnation. Historically, this parcel of land has been in the hands of early Dallas settlers and their immediate descendants for over 160 years. Land use activities during the historic period include farming, dairying, and gravel mining (Pemberton 2006).

Summary of Land Use and Significance of the Big Spring Site

The Big Spring Site is important for understanding the connection between humans and the natural environment as it manifested in this part of Dallas County. The area that now makes up Dallas County contained numerous, and varied, sources of water, including springs—many of which have been lost to development. Today, Big Spring is one of the last intact springs in the county.

Big Spring has provided for human populations for at least 2,500 years, but before that it contributed to a diverse and complex ecosystem. Reaching as far back as 143,000 years ago, the area was characterized by approximately 100 Pleistocene species. Prehistorically, the area was an attractive location for a camp where stone tools were manufactured (41DL72). During the Protohistoric period (1600 to 1800) Caddoan speakers, Wichita, and others, were known to use the area as they established trails and routes, hunted, gathered, and manufactured tools (Dalbey 2013a, 2014, 2015b).

Throughout its historic period, the Big Spring Site represented a typical rural landscape that changed over time as humans occupying the site accessed different resources and redefined the land use. As north central Texas became home to European American settlers in the mid-1800s, the site shifted to reflect land use patterns of nineteenth century farmers. Although it is unclear as to how John Beeman used the Big Spring tract, when his daughter Margaret acquired the upper portion she and her husband, John Neely Bryan, lived there in a log cabin and grew crops. John Neely Bryan was listed as a farmer in 1877 when he was committed to an insane asylum (Toyer 2015). When Edward Case Pemberton bought the property in 1880, the site shifted to a new purpose—dairy farming. Expanding on this venture, Pemberton developed a small commercial business, selling dairy products in town, and eventually selling from a store near his property. During the twentieth century Great Depression, the Big Spring Site offered its owner, Edward Pemberton (son of Edward Case Pemberton), the means to survival as a small farmstead with livestock. Finally, one of the more adverse impacts to

the land occurred during the mid-1900s as the area was mined for gravel. The last several decades at Big Spring, however, have been a period of stewardship, where efforts are underway to mitigate some of the adverse impacts, and preserve the site's natural and cultural features.

As a source of water, springs everywhere play an important role in both the development of the surrounding natural environment and human history. The water itself and the associated ecosystem are part of a complex relationship that sustains plant, animal, and human life. During the course of human travel, exploration, hunting, gathering, cultivation, manufacturing, and establishment of settlements, springs (as have other sources of water) provided humans with resources necessary to survive and thrive. At one time, portions of Texas were replete with springs. Sixteenth century European explorers noted that Native American trails often ran from one spring to another. When European Americans began settling in Texas in the 1800s, they often chose their site near a spring where the water was used to irrigate crops (Brune 2002).

The Big Spring Site presents a unique opportunity for understanding the delicate balance of ecosystems and the dynamics that occur over long periods of time. This complex, organic relationship touches upon varied, and overlapping, disciplines and fields within the natural (biological, physical, and earth) and social (anthropological and historical) sciences. The Big Spring Site offers a unique and rare opportunity to study the hydrology, botany, chemistry, and geologic impact the aquifer has on the local environment. Furthermore, the site promotes the holistic science of anthropology that examines the symbiotic relationship between the environment and humans. Prehistorically, the site provides information on early human activity in north central Texas, including but not limited to migration patterns, subsistence activities, trade, nutrition, and manufacturing. From a historical perspective, the Big Spring Site is significant as a vernacular rural landscape associated with the earliest settlers of Dallas County (the Beemans), the founder of Dallas (Bryan), late nineteenth and twentieth century families (the Pembertons), and perhaps, Sam Houston. It demonstrates the wide range of economic activities—agriculture, dairying, and gravel mining, as well as settlement patterns, recent historical events, and environmental stewardship. Ultimately, through this long history of natural and social development, the Big Spring Site promotes an appreciation for those before us and for the environment that sustained them.

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Lois Billingsly, descendant of Edward Case Pemberton, 2006
Bill Pemberton, descendant of Edward Case Pemberton, 2006
M C Toyer, descendant of Beeman Family, 2013c

15. Attachments

_x__District or Site Map ***___Additional descriptive material***

____Site Plan ***___Footnotes***

_x__Photos (historic & current)

_x__Other__figures from cultural resources

management report (Naumann et al. 2013).

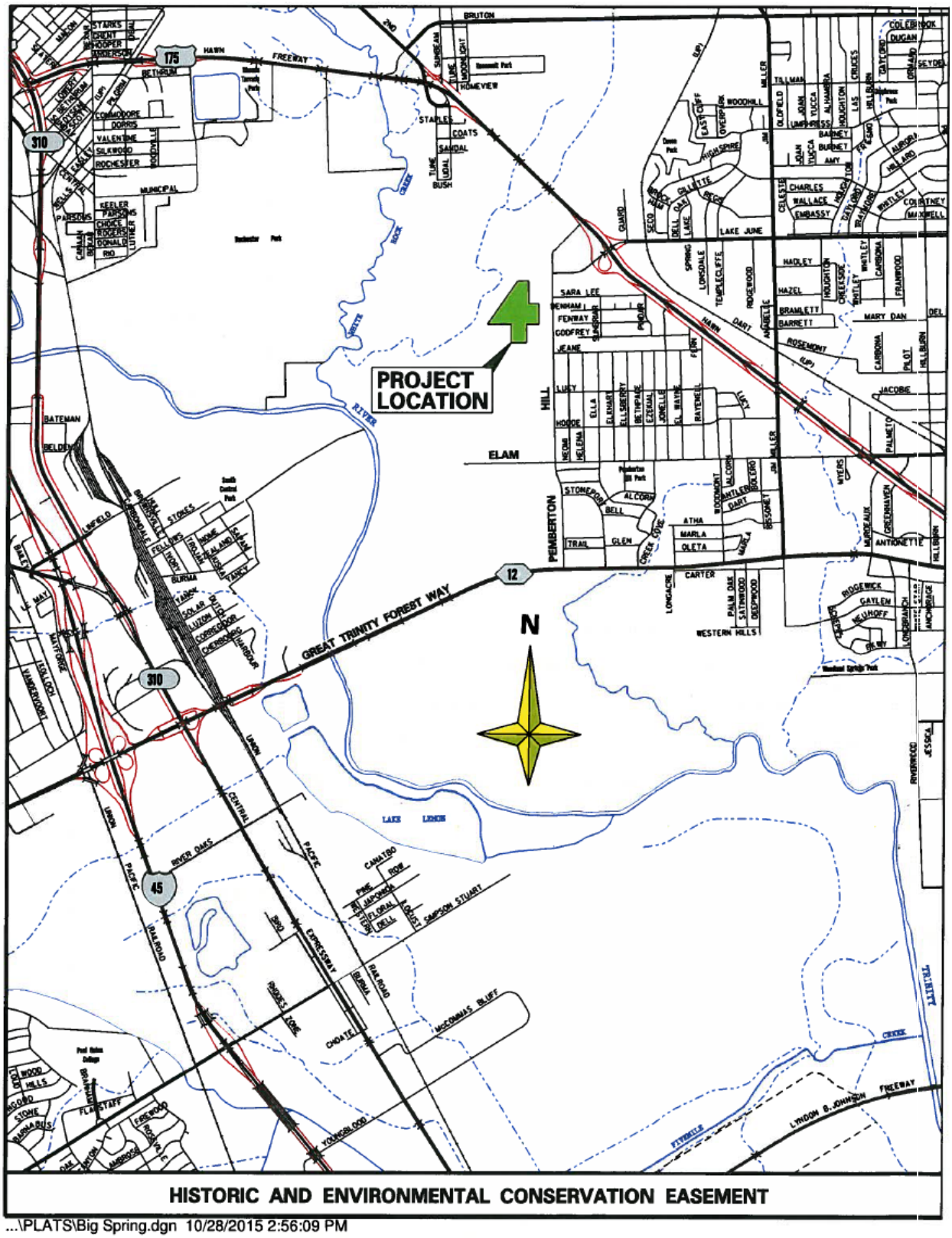

Figure 1. Location of Big Spring Site.

Figure 2. Big Spring (figure adapted from 2013 report by Geo-Marine, Inc., see Naumann et al.).

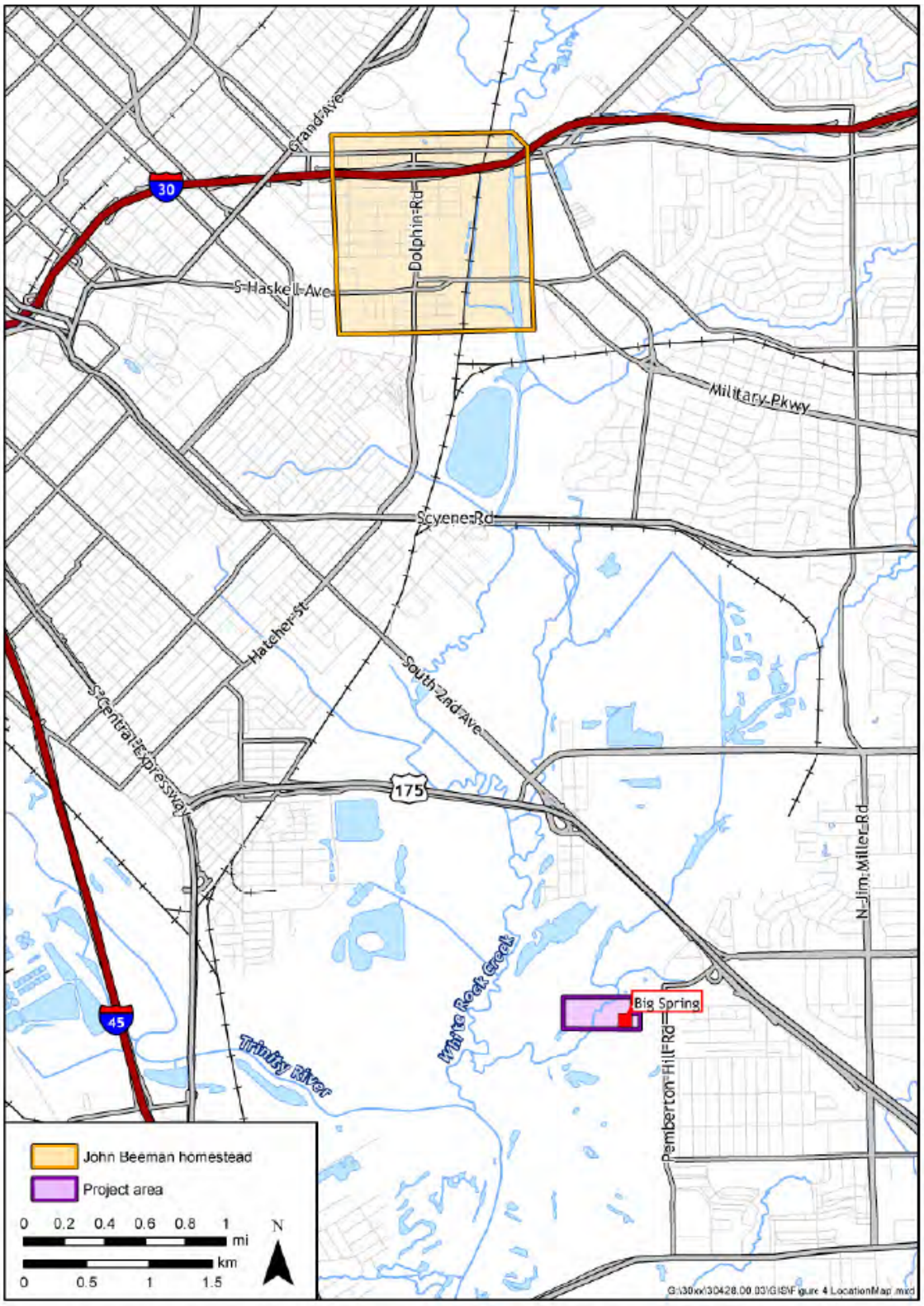

Figure 3. Location of John Beeman's 640-acre homestead and the upper portion of his original Big Spring Tract (figure adapted from 2013 report by Geo-Marine, Inc., see Naumann et al.).

Figure 4. Walnut tree with railroad spike showing crest level of 1942 flood (figure adapted from 2013 report by Geo-Marine, Inc., see Naumann et al.).

Figure 5. Old pecan grove. This grove is a remnant of a once extensive bottomland hardwood forest (figure adapted from 2013 report by Geo-Marine, Inc., see Naumann et al.).

Figure 6. 1934 well head (figure adapted from 2013 report by Geo-Marine, Inc., see Naumann et al.).

Figure 7. Old pecan grove and outdoor recreational items near the location of Edward Case Pemberton's dairy operation and Great Depression-era outbuildings (figure adapted from 2013 report by Geo-Marine, Inc., see Naumann et al.).

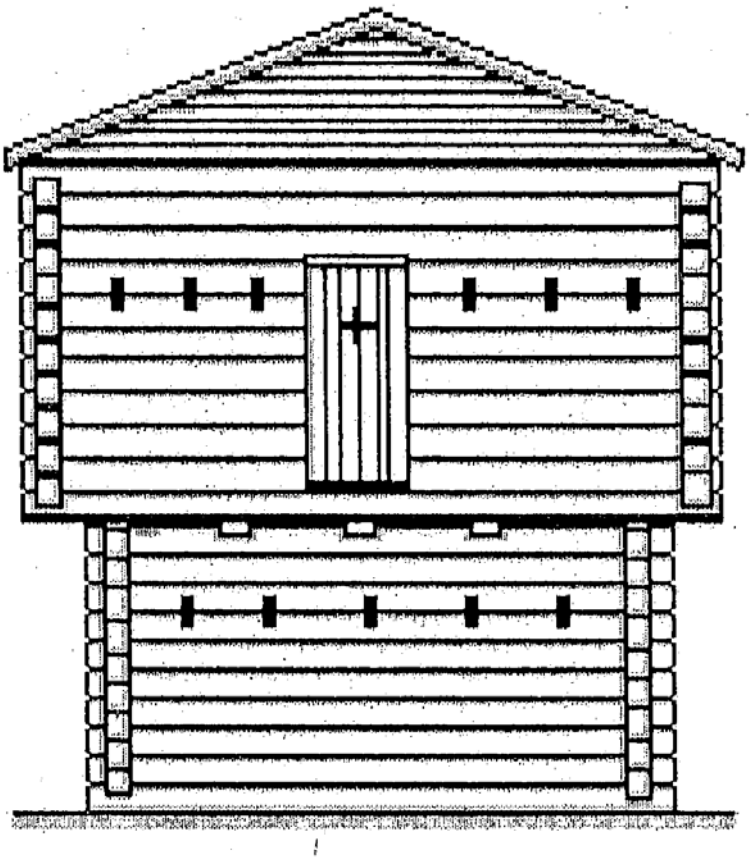

Figure 8. Sketch of typical block house (figure adapted from 2013 report by Geo-Marine, Inc., see Naumann et al.).

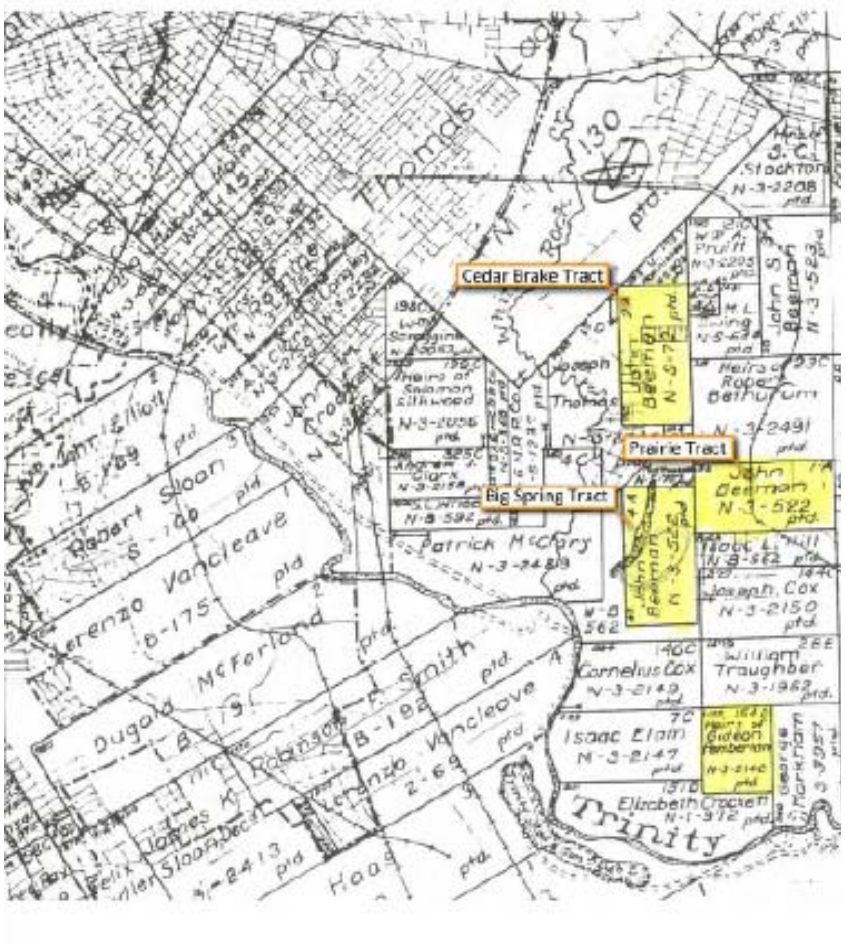

Figure 9. Location of John Beeman's Cedar Brake, Prairie, and Big Spring tracts (figure adapted from 2013 report by Geo-Marine, Inc., see Naumann et al.).

16. Designation Criteria

__X_ History, heritage and culture: *Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.*

_X__ Historic event: *Location of or association with the site of a significant historic event.*

__X_ Significant persons: *Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.*

____ Architecture: *Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.*

____ Architect or master builder: *Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country.*

__ Historic context: *Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.*

__X_ Unique visual feature: *Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.*

_X__ Archeological: *Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.*

__ National and state recognition: *Eligible of or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.*

__X__ Historic education: *Represents as era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.*

Recommendation

The Designation Committee requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.

Further, the Designation Committee endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Department of Development Services.

Date:

_____

Daron Tapscott - Chair
Designation Committee

_____

Marsha Prior
Historic Preservation Planner

1. GENERAL

1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.

1.2 Any alterations to the property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. If there is a conflict, these preservation criteria control.

1.3 Certificate of appropriateness.

a. The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.

b. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.

c. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

1.4 A person may not demolish or remove any feature in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.

1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.

1.6 Preservation and restoration materials and methods used must comply with the University of North Texas, Institute of Applied Sciences, management plans, Vegetation Management Recommendations for Big Spring, Dallas, Texas (Exhibit A), Ecosystem Management Task Schedule: Big Spring, Dallas, Texas 2014-2015 (Exhibit B).

1.7 No person shall allow a feature in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a feature that results in deterioration of the feature and threatens preservation of the feature. All features in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.

1.8 Consult Article XI, "Development Incentives," of the Dallas Development Code, as amended, for tax incentives that may be available in this district.

1.9 Although there is a prehistoric component to this site, the period of historic significance is 1842 thru 1965.

2. DEFINITIONS

2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.

2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.

2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.

2.4 CULTURAL FEATURE means an element that was constructed, made, created, developed, crafted, designed, manipulated, or altered by human activity.

2.5 INVASIVE PLANT means a non-native plant to the ecosystem that is likely to cause economic or environmental harm, or harm to human health.

2.6 DIRECTOR means the Director of the Department of Sustainable Development and Construction of the Director's representative.

2.7 DISTRICT means Historic Overlay District No. ____, the Big Spring Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibits C and D.

2.8 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.

2.9 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

2.10 NATURAL FEATURE means an element that is part of the physical environment that is not man-made.

2.11 PROTECTED means an architectural, landscaping, natural, or cultural feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.

3. SITE AND LANDSCAPING

3.1 New driveways, sidewalks, steps, walkways, trails, and parking lots must be constructed of gravel, decomposed granite, dirt, stone, or other appropriate hard surface material. Brick, artificial grass, asphalt, exposed aggregate, and outdoor carpet are not permitted.

3.2 Brush finish concrete, artificially colored concrete, or other permeable concrete are allowed for ADA compliant pathways only.

3.3 Landscaping

a. All vegetative maintenance and planting shall follow the Vegetation Management Recommendations for Big Spring, Dallas, Texas (Exhibit A).

b. No CA is required for vegetative planting or mowing as long as it follows the Vegetation Management Recommendations for Big Spring, Dallas, Texas (Exhibit A).

c. Outdoor lighting must be appropriate and enhance the natural and cultural features.

3.4 Fences

a. Perimeter fences

1. Perimeter chain link fences may not exceed nine feet in height.

2. Perimeter wire or split rail fences may not exceed three feet in height.

b. Interior fences

1. Interior fences are allowed to define and protect natural or cultural features.

2. Interior fences must be constructed of chain link, wood, wire, stacked local stone, or other appropriate materials.

3. Interior fences may not exceed three feet in height.

3.5 No earth-moving activities that would, potentially, adversely affect a protected natural or cultural feature are allowed.

3.6 The following natural and cultural features are protected (Exhibit E):

a. Big Spring.

b. Site 41DL72.

c. 150- to 200-year-old Bur Oak Tree.

d. Drilled well with concrete ring dated 1934.

e. Walnut tree with metal spike denoting 1942 flood level.

f. Old pecan tree grove.

g. T-2 Pleistocene Terrace.

h. Location of Edward Case Pemberton dairy operation and Depression-era outbuildings and corral/animal pen.

i. Mesquite tree near assumed location of Bryan's cabin.

4. ARCHEOLOGICAL ARTIFACTS AND STUDIES

4.1 A person commits an offense if he loots or destroys any prehistoric or historic archeological site.

4.2 A person commits an offense if he removes, collects, or destroys any prehistoric or historic archeological artifact, including but not limited to: debitage, lithic tools (arrowheads, points, scrapers, blades, choppers, awls), ceramics, bone, glass, shell, beads, buttons, or metal. This refers to any artifacts on the surface, partially covered, or buried.

4.3 Any archeological study must have a certificate of appropriateness prior to any ground-disturbing activities. Archeological studies must be performed by a professionally-trained archeologist who meets the Secretary of the Interior's professional qualification standards for archeology.

4.4 Any archeological study must follow the Secretary of the Interior's Standards for Archaeological Documentation.

5. NEW CONSTRUCTION

5.1 No new construction is allowed.

6. SIGNS

6.1 Placards may be erected if appropriate and if they are intended to protect, enhance, and perpetuate places and areas within the overlay district which represent distinctive and important elements of the districts historical, cultural, social, economic, archeological, paleontological, ethnic, political, and architectural history.

6.2 Temporary political campaign signs and temporary real estate signs may be erected without a certificate of appropriateness.

6.3 All signs must comply with the provisions of the Dallas City Code, as amended.

7. PRESERVATION, REHABILITATION, RESTORATION, AND RECONSTRUCTION

7.1 Efforts to protect and develop a sustainable, healthy, and preserved ecosystem, as defined in the April 2015 *Ecosystem Management Task Schedule* for the Big Spring Historic and Environmental Conservation Easement, are recommended.

7.2 Prior to December 31, 2016, a certificate of appropriateness is NOT required for the following tasks, addressed in the ecosystem management plan, when performed under the supervision of the University of North Texas Institute of Applied Sciences (Exhibit B):

a. management and control of nuisance or invasive aquatic, herbaceous, and woody plant species;

b. conduct succession supplementation, establishment, and restoration of native species;

c. assess requirements, necessity, and demarcations for mowing;

d. assess damage by invasive plants;

e. conduct macroinvertebrate sampling;

f. conduct hydrology monitoring;

g. monitor disturbances;

7.3 Any monitoring, assessment, or recommendations for the health of natural features and the ecosystem at large must be conducted by a qualified, professionally trained ecologist, botanist, hydrologist, arborist, forester, biologist, or other appropriate environmental specialist; or by a qualified environmental services firm or organization.

7.4 In the event of natural or man-made disasters (including, but not limited to storms, flooding, tornados, lightening, fire, vandalism, heavy winds, freezing temperatures, drought, insects, or disease) a qualified, professionally trained ecologist, botanist, hydrologist, arborist, forester, biologist, or other appropriate environmental specialist; or a qualified environmental services firm or organization shall assess the damage as soon as possible and develop a plan to recover, restore, replace, or mitigate the damage.

8. EDUCATION AND INTERPRETATION

8.1 Efforts to promote a better understanding and appreciation for nature, culture, and history; and to gain greater knowledge of the human past, environment, ecology, and conservation are encouraged.

9. ENFORCEMENT

9.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

9.2 A person is criminally responsible for a violation of these preservation criteria if:

a. the person knowingly commits the violation or assists in the commission of the violation;

b. the person owns part or all of the property and knowingly allows the violation to exist;

c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or

d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.

9.3 Any person who adversely affects or demolishes a feature in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the feature to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the feature. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.

9.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

10. RESOURCES FOR ADDITIONAL INFORMATION

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EXHIBIT A of PRESERVATION CRITERIA
“Vegetation Management
Recommendations for Big Spring,
Dallas, Texas”
January 2015

Vegetation Management Recommendations for Big Spring, Dallas, Texas

Aaron N. Schad[1,2], Lynde L. Dodd[2], Gary O. Dick[2], Sam Atkinson[1]

[1]*Institute of Applied Sciences, University of North Texas*
[2]*U.S. Army Engineer Research and Development Center Environmental Lab, Lewisville Aquatic Ecosystem Research Facility, U.S. Army Corps of Engineers*

January 2015

Concept

The following report provides vegetation management and restoration plan recommendations for the Big Spring Historic and Environmental Conservation Easement, Dallas, Texas. The recommendations were developed by the University of North Texas (UNT) with technical advice from the U.S. Army Engineer Research and Development Center Environmental Lab's Lewisville Aquatic Ecosystem Research Facility (ERDC LAERF). Additionally, many well-taken suggestions were implemented from naturalists and concerned stakeholders. This vegetation management plan is based upon an adaptive management approach through minimizing disturbances, invasive species control, native species installation, and conservation management. The long-term goal is to both protect the area from disturbances and promote a diversity of habitat types to support a sustainable, healthy, and preserved ecosystem. Vegetation management was initiated in July 2014 (late summer mowing of adjacent grasslands) based upon early recommendations by UNT, with additional management and restorative measures to begin in 2015. Although this general vegetation management plan, specific to the aforementioned area, may be applied broadly to other adjacent bottomlands in Dallas' Great Trinity Forest, those decisions should be made carefully on a case by case basis by knowledgeable personnel. The areas designated for vegetation management and restoration documented throughout this report are explicit to the Big Spring Historic and Environmental Conservation Easement.

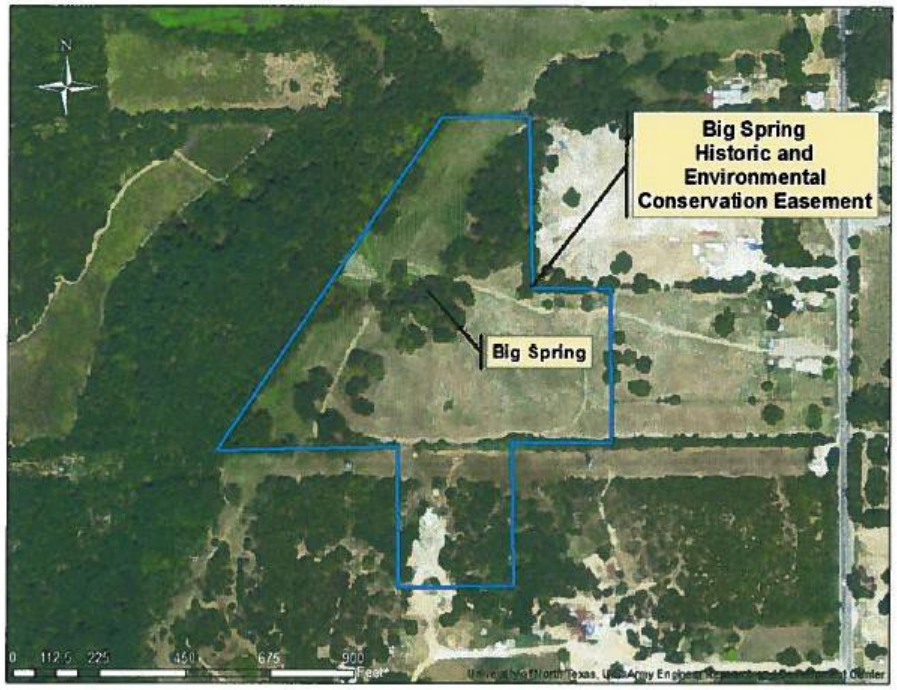
Background

In 2013, after acquisition of properties within the Great Trinity Forest, the City of Dallas (COD) requested that the UNT with advice from ERDC LAERF develop, implement, and supervise a vegetation management plan for one of the only natural springs remaining in its urban footprint and located within acquired areas, Big Spring. The ecological and archeological or anthropological context of Big Spring and its surrounding areas is far-reaching, dating back 1,200 years to Native American inhabitants and to the eventual first European settlers of Dallas, thus highlighting the need for COD, with assistance from stakeholders, managers, and conservationists, to preserve this unique ecosystem and historical site. Although several areas necessitate conservation management plans in the bottomland hardwood forests of the Great Trinity Forest, this scope of work and vegetation management plan focuses on the area encompassed by the Big Spring Historic and Environmental Conservation Easement (Figure 1, approximately 15.42 acres, based upon City of Dallas' Department of Public Works' boundary description for the Big Spring Historic and Environmental Conservation Easement, Holt, 1-17-2014).

Stakeholders associated with the preservation of Big Spring include the Flora and Fauna (or Naturalist) Committee, represented by members of the Texas Master Naturalists, Texas Stream Team, Texas Parks and Wildlife, the Connemara Conservancy, and the Pemberton family, among others. In addition to interest in preservation and restoration of Big Spring, these groups possessed preliminary baseline biotic and abiotic data valuable to decision-making on management approaches best suited for the site.

While the preservation plan for this distinctive ecosystem is extensive, the primary objective of UNT's participation is the ecological management and conservation of Big Spring's vegetation communities and associated biota. Many factors, especially in an urban setting, can detrimentally influence high-quality biodiversity, such as invasive species, erosion, sedimentation, eutrophication due to run-off, development, human interactions, flooding, and vegetation control. All of these are central to Big Spring's ecosystem management plan.

To begin formulating a vegetation management plan for Big Spring, in 2014 UNT, with technical advice from ERDC LAERF, assessed available baseline biotic and abiotic data, conducted biological surveys (vegetation community structure, invertebrates, and fish) of the project area, as well as gathered and examined stakeholder opinions of applicable factors that could affect preservation and restoration of Big Spring. In addition, several meetings, discussions, and management plan peer reviews were accomplished with environmental managers, technical advisors, stakeholders, and COD personnel to develop plan details.



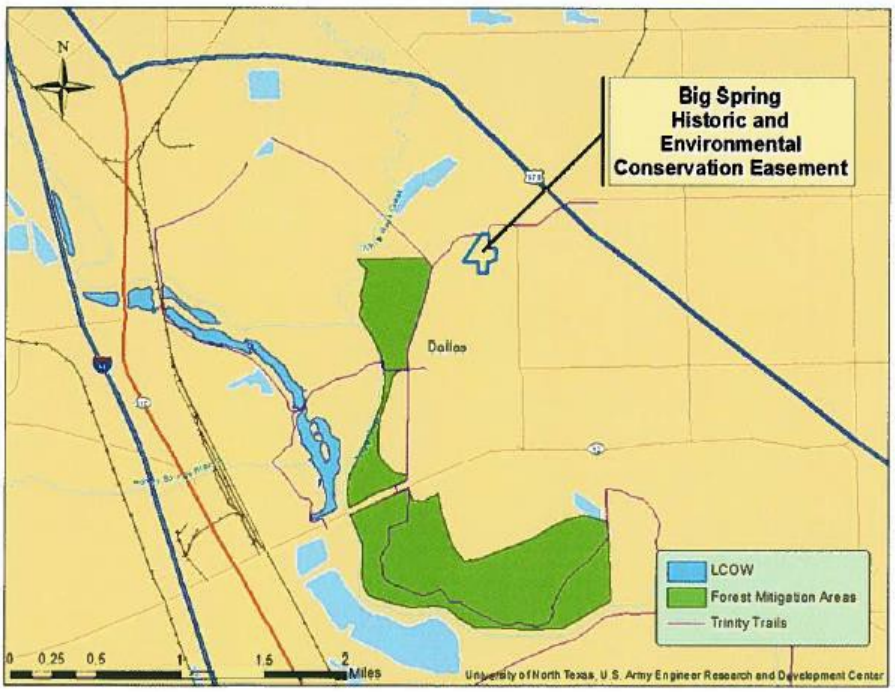


Figure 1. Big Spring Historic and Environmental Conservation Easement, Dallas, TX.

3

Approach

The general approach to Big Spring's vegetation management recommendation specifics is one that is adaptive. This means that the timing of maintenance cycles, invasive species management, and restoration or plant establishment efforts may change through time as plant community structure changes / progresses, with the documentation of restoration results, disturbances and various human interactions, and other factors that may affect management outcomes. This concept is vital to the understanding and potential success of the plan as well as the eventual sustainable conservation of Big Spring.

To reach the long-term objective of promoting a diversity of habitat types to support a sustainable, healthy, and preserved Big Spring ecosystem, a set of specific management strategies must be accomplished in the short-term (2014 - plan development and implementation, 2015 - continued implementation, and 2016 and beyond – monitoring and management response). The remainder of this report highlights these specific strategies, supported through surveys and interviews, of Big Spring's vegetation management plan recommendations in order of priority and schedule, to maximize vegetative and associated biodiversity of the area.

Vegetation Management

1. *Access (to prevent detriments to ecosystem)*

    A. Human interaction

        All access is to be cleared with COD.

        No vehicular access, unless to assist in ecosystem management goals.

        No vegetation management / mowing / trail-mowing / disturbances by unauthorized personnel.

        No hydrological or faunal management by unauthorized personnel. This includes any prohibiting of natural hydrologic features to develop post-Trinity River overbanking events and potential development of beaver dams / lodges.

        Partial or limited foot-access in small groups, primarily for educational purposes.

        No direct access to water, other than research personnel to continue ongoing research such as vegetation categorizing, biotic surveys, and water testing.

        No equestrian trails or access.

        Small 3 ft wide, marked walking access trail terminating on one side of spring, outside of buffer zone.

B. Signage / fencing

No immediate signage or fencing (although considered for future addition) until vegetation management has been completed or a factor necessitates them, such as unauthorized access.

2. *Hydrology*

A. Flow / pooling

Promote natural processes to restore hydrology to a more natural setting. Allow flood events from the overbanking of the Trinity River to restore spring to historic flow and permit beaver dams (if constructed) to remain in place to aid in habitat type development.

Maintain / manage nuisance vegetation that can significantly alter hydrology.

No spring or stream dredging, silt dynamics will be altered by natural processes such as Trinity River overbanking events.

B. Culverts

Consider removal of all concrete and PVC culverts to aid in hydrological restoration. These will be made on a case by case basis by UNT and COD after careful consideration by December 2015, with additional input from stakeholders. The greatest impact of this removal would likely include loss of pools formed by culvert dams currently in place within the stream, of which ongoing research is being conducted.

3. *Nuisance or invasive species (management and control)*

**Table 1 includes, but is not limited or boundless to, invasive species to be addressed.*

A. Aquatic

Hand-removal of invasive aquatic vegetation, such as watercress, should be conducted within the spring and stream.

B. Herbaceous

Selective management of invasive grass, forb, and vine species (not controlled by periodic mowing) should be made by hand or in combination with EPA-registered aquatic herbicides, if deemed necessary (e.g., hand removal of nodding thistle and bastard cabbage).

C. Woody

Selective management of invasive woody and other vegetation should be made by hand or in combination with EPA- registered aquatic herbicides.

D. Fauna

Prevent disturbances to site by large animals. COD should strongly consider a feral hog trapping program if disturbances are observed. Alternatively, or in conjunction, fencing can be installed around the immediate area of the spring and creek to limit access by large fauna, although not preferred.

E. Mowing

Mowing requirements, necessity, and demarcations should be assessed annually by COD with technical advice from UNT and LAERF.

To be used only as a physical technique to remove or reduce the occurrence of nuisance or invasive vegetation, increase habitat diversity, or create small access paths for researchers and educational purposes. Not to be used as a tool to promote superficial aesthetic value or convenience of access.

Aquatic and native woody vegetation areas are to be avoided and buffered (by a minimum of 100 ft and increasing annually) as to encourage succession, natural recruitment, and eventual restoration to the area's historic and native land type as a floodplain and low terrace of the Texas Blackland Prairie ecoregion, and specifically a bottomland hardwood forest associated with the Trinity River.

If mowing is thought to be required, timing and height is to-be-determined by target species' life history and phenology, typically (not always) late summer / early fall at 8 - 10" height. July 2014 mowing strategy is highlighted in figure 2.

A professional ecologist, botanist, vegetation restoration biologist, or conservation manager is recommended to be onsite during such mowing event (UNT or LAERF are sources).

Table 1. Nuisance or invasive aquatic, herbaceous, and woody plant species and candidates for management and control at Big Spring, Dallas, TX.

Scientific name	Common name
Ambrosia trifida	Giant ragweed
Bothriochloa ischaemum var. songarica	King Ranch bluestem
Bromus japonicus	Japanese brome
Carduus nutans	Nodding thistle
Convolvulus arvensis	Bindweed
Cynodon dactylon	Bermuda grass
Ligustrum sinese	Chinese privet
Lolium perenne ssp. multiflorum	Italian ryegrass
Lonicera japonica	Japanese honeysuckle
Melia azadarach	China berry
Nasturtium officinale	Watercress
Rapistrum rugosum	Bastard cabbage
Sorghum halepense	Johnsongrass
Torillis arvensis	Hedge parsley
Triadica sebifera	Chinese tallow
Typha sp.	Cattails
Vitex agnus-castus	Chaste tree

4. *Native species (succession supplementation, establishment, and restoration)*

**Table 2 includes, but is not limited or boundless to, native plant candidates to be supplemented or restored during management.*

A. Aquatic

Add suitable obligate and facultative native wetland plants to the spring and stream in order to increase biodiversity.

B. Herbaceous

Supplement grass dominated areas with additional species of native grasses, herbs, forbs, and wildflowers suitable for management strategies planned for those areas.

C. Woody

Supplement natural recruitment and succession with native riparian and bottomland, understory and overstory vegetation to ensure increased habitat types and resulting biodiversity.

D. Erosion Control

Implement erosion control measures through native vegetative soft armoring and in extreme cases, artificial measures (only if supported by environmental scientists, COD, consulted advisors and stakeholder group).

Table 2. Aquatic, herbaceous, and woody plant species native to North Texas and candidates for vegetation community establishment, succession supplements, restoration, or erosion control at Big Spring, Dallas, TX.

Scientific name	Common name
Aquatic	
Acmella oppositifolia	Oppositeleaf spotflower
Bacopa monnieri	Water hyssop
Carex cherokeensis	Cherokee sedge
Carex emoryi	Emory's sedge
Echinodorus berteroi	Tall burhead
Eleocharis acicularis	Slender spikerush
Eleocharis macrostachya	Flatstem spikerush
Eleocharis quadrangulata	Squarestem spikerush
Equisetum hyemale	American scouring-rush
Potamogeton nodosus	American pondweed
Sagittaria latifolia	Arrowhead
Sagittaria platyphylla	Delta arrowhead
Schoenoplectus pungens	Common threesquare bulrush
Herbaceous	
Amsonia tabernaemontana	Eastern bluestar
Andropogon gerardii	Big bluestem
Andropogon glomeratus	Bushy bluestem
Bouteloua curtipendula	Side-oats grama
Bouteloua gracilis	Blue grama
Chasmanthium latifolium	Inland sea oats
Helianthus grosseserratus	Sawtooth sunflower
Helianthus maximiliani	Maximilian sunflower
Panicum virgatum	Switchgrass
Passiflora incarnata	Passion flower
Phyla lanceolata	Lanceleaf frogfruit
Phyla nodiflora	Texas frogfruit
Salvia coccinea	Scarlet sage
Schizachyrium scoparium	Little bluestem
Sorghastrum nutans	Indiangrass
Tridens albescens	White tridens
Tripsacum dactyloides	Eastern gamagrass
Woody	
Ampelopsis arborea	Peppervine
Ampelopsis cordata	Heartleaf peppervine
Callicarpa americana	American beautyberry
Campsis radicans	Trumpet creeper
Carya illinoinensis	Pecan
Celtis laevigata	Sugarberry
Cercis canadensis	Eastern redbud
Cornus drummondii	Roughleaf dogwood
Crataegus spathulata	Hawthorn
Diospyros virginiana	Common persimmon
Juglans nigra	Black walnut
Lonicera sempervirens	Coral honeysuckle
Morus rubra	Red Mulberry
Prunus angustifolia	Chickasaw plum
Prunus mexicana	Mexican plum
Prunus rivularis	River plum
Quercus macrocarpa	Bur oak
Quercus muehlenbergii	Chinquapin oak
Quercus shumardii	Shumard oak
Quercus stellata	Post oak
Rhus lanceolata	Flameleaf sumac
Sambucus nigra	Elderberry

8

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Acknowledgements

We would like to thank all concerned Big Spring stakeholders for their contribution to this management plan and their continued support and expressions of importance for the preservation of this unique and special ecosystem gem in the Dallas, TX area. A special thanks goes to Texas Master Naturalists, Texas Stream Team, Texas Parks and Wildlife Department, the Connemara Conservancy, the Pemberton family, Tim Dalbey, Becky Rader, Jim Flood, Ben Sandifer, Roy Appleton, Brett Johnson, Hal and Ted Barker, Richard Greyson, RJ Taylor, and Sean Fitzgerald for their resources, surveys, assistance, and helpful comments and criticism of this management plan, which improved it greatly.

Figure 2. Example of late July 2014's mowing / vegetation management strategy ("no mow - aquatic and riparian restoration, natural recruitment" and "managed mowing") within Big Spring's Historic & Environmental Conservation Easement.

EXHIBIT B of PRESERVATION CRITERIA
"Ecosystem Management Task Schedule: Big Spring, Dallas, Texas 2014 – 2015" Updated April 2015

Ecosystem Management Task Schedule:

Big Spring, Dallas, Texas

2014 - 2015

Aaron N. Schad[1, 2], Lynde L. Dodd[2], Gary O. Dick[2], and Sam Atkinson[1]

[1]*Institute of Applied Sciences, University of North Texas*
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Updated April 2015

Background

The following document provides the ecosystem management and restoration plan task schedule and 2015 management event details for the Big Spring Historic and Environmental Conservation Easement, Dallas, Texas (Figure 1). This is based upon the original vegetation management recommendation plan developed by the University of North Texas (UNT) with technical advice from the U.S. Army Engineer Research and Development Center Environmental Lab's Lewisville Aquatic Ecosystem Research Facility (ERDC LAERF) and accepted by the City of Dallas (COD) in January 2015. Additionally, many well-taken suggestions were implemented from naturalists and concerned stakeholders. These management activities are based upon an adaptive management approach through minimizing disturbances, invasive species control, native species installation, and conservation management. The long-term goal is to both protect the area from disturbances and promote a diversity of habitat types to support a sustainable, healthy, and preserved ecosystem.

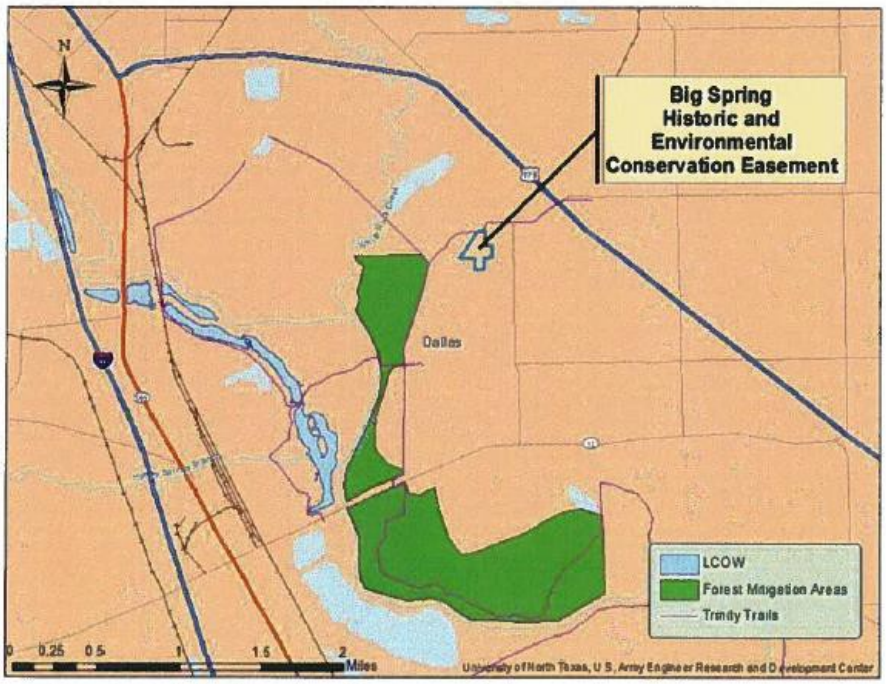


Figure 1. Big Spring Historic and Environmental Conservation Easement, Dallas, TX.

2

Schedule

Table 1. Current (as of April 2015) Big Spring ecosystem management schedule and tasks; to-be-completed are in bold.

Date	Task
September 2013 - January 2014	Big Spring, Texas Horse Park, and COD cooperative support proposals submitted by UNT / LAERF to COD, Big Spring accepted; POC list developed
February 2014	Initial project meeting with COD and naturalists or stakeholders at Dallas City Hall, questionnaires developed and provided to stakeholders
March 2014	Big Spring site visit; initial biological monitoring including vegetation, macroinvertebrates, and fish
April - May 2014	Continued detailed biological monitoring (fish, macroinvertebrates, and vegetation); Stakeholder questionnaires collected, organized, and utilized; Site meeting with UNT / LAERF, COD, and stakeholders with Schad presentation on UNT's biological monitoring and development of the collaborative Big Spring vegetation management plan
June 2014	UNT / LAERF Big Spring management plan draft developed and submitted to COD
July 2014	Coordinated COD vegetation management, delineated mowing area and observed implementation; CCFF wildfire proposal developed and submitted to COD
August 2014	CCFF wildfire proposal revised for COD; Big Spring management plan revised based upon comments from COD and stakeholders; assisted COD with tree species identification and allocation for the Texas Discovery Gardens as Fair Park; Met with COD about "no name" pond and provided recommendations and submitted a proposal to COD for the restitution of this pond
September 2014	Met with COD personnel at DFE LCOW to talk O&M; Big Spring vegetation management plan revised and draft submitted to COD
October 2014	Advised, coordinated, and implemented plant relocation event from "Borrow A" to LAERF for propagation and quarantine and eventually for establishment in Great Trinity Forest; provided recommendations and insight on potential reseeding of "Borrow A"
November 2014	Big Spring vegetation management plan revised and draft submitted to COD; continued propagation of native plants for installation to meet project goals
December 2014	Meeting with COD and stakeholders to finalize management plan; continued propagation of native plants for installation to meet project goals
January 2015	Final management plan submitted to and accepted by COD; continued propagation of native plants for installation to meet project goals
February 2015	Spring vegetation management event at Big Spring organized with UNT, LAERF, COD, and naturalist stakeholders; continued propagation of native plants for installation to meet project goals
March 2015	Ecosystem management task schedule submitted to COD; Spring (March 17-18) vegetation management event with COD and naturalist stakeholders
Spring 2015	Invasive species management and select native species installations (erosion control and open niches by invasive removal); March 17-19
Summer 2015	**Invasive species management and mowing coordination and recommendations; monitor management response**
Autumn / winter 2015	**Invasive species management and native species installations; monitor management response**

2015 Ecosystem Management Tasks

The general approach to Big Spring's management plan is one that is adaptive. This means that the timing of maintenance cycles, invasive species management, and restoration or plant establishment efforts may change through time as plant community structure changes / progresses, with the documentation of restoration results, disturbances and various human interactions, and other factors that may affect management outcomes. For this reason, specific task details may change slightly throughout 2015 based on priority. Seasonal, specific, management task goals to aid in the conservation of Big Spring are provided below.

Spring 2015 – March 17 & 19 (completed)

1. *Nuisance or invasive species (management and control; Table 2)*

Table 2. Nuisance or invasive aquatic, herbaceous, and woody plant species for management and control at Big Spring, Dallas, TX. Those in bold were the focus of spring season efforts.

Scientific name	Common name
Ambrosia trifida	Giant ragweed
Bothriochloa ischaemum var. songarica	King Ranch bluestem
Bromus japonicus	Japanese brome
Carduus nutans	**Nodding thistle**
Convolvulus arvensis	Bindweed
Cynodon dactylon	Bermuda grass
Ligustrum sinese	**Chinese privet**
Lolium perenne ssp. multiflorum	Italian ryegrass
Lonicera japonica	**Japanese honeysuckle**
Melia azadarach	**China berry**
Nasturtium officinale	**Watercress**
Sorghum halepense	Johnsongrass
Triadica sebifera	**Chinese tallow**
Typha sp.	Cattails
Vitex agnus-castus	**Chaste tree**

A. Aquatic

Hand-removed watercress from spring and associated aquatic areas and disposed of at LAERF (30+ 15 gallon tubs).

***Nasturtium officinale* – watercress**

B. Herbaceous

Management of invasive nodding thistle made by hand or hand-tools (250+ plants).
Selective herbicide determined not necessary at this point.

***Carduus nutans* – nodding thistle**

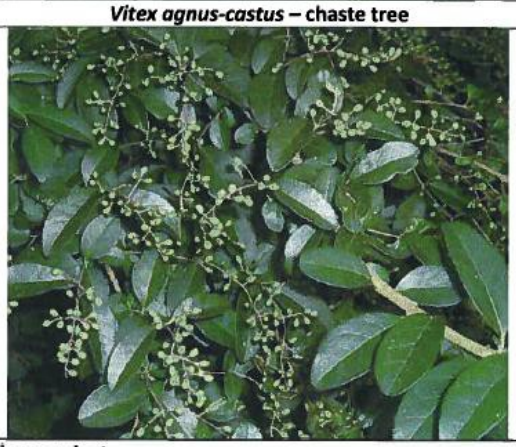
5

C. Woody

Flagged invasive woody vegetation for removal (Chinese tallow, Chinese privet, Chinaberry, Japanese honeysuckle, chaste trees, and non-native plums). This will be accomplished by LAERF personnel before summer 2015 by hand where possible or potential herbicide injection or cut-and-paint methods with selective EPA-registered aquatic herbicides for larger trees (ex. Triclopyr).

Lonicera japonica **– Japanese honeysuckle**

Vitex agnus-castus **– chaste tree**



Ligustrum sinese **– Chinese privet**

6

***Melia azedarach* - Chinaberry**

***Triadica sebifera* – Chinese tallow**

2. *Assessed damage by invasive fauna and determine action plan*

Extensive hog damage noted / photographed around spring and 2-ft x 3-ft patch in 2-in to 6-in water; other COD / stakeholder grant to be utilized for potential trapping / management.

3. *Native species (succession supplementation, establishment, and restoration; Table 3)*

Species installed at a "test" level (larger-scale plantings will be done in autumn and winter 2015). The primary focus of native plantings was in (a) open niches or holes left by invasive species management and (b) areas in need to soft-armoring erosion control (Figure 2). Grasses and sunflowers were planted in divots left by nodding thistle removal. Silver bluestem and Indian blanket seeds were also broadcast in certain divots left from nodding thistle removal. Planting also occurred directly by the spring for erosion control and vegetation supplementation: woody vegetation was planted within buffer zone of spring; beauty berry and

river plum planted on west side in woods; Virginia wildrye, elderberry, inland sea oats were planted along west side of spring at ridge; 25 plugs of inland sea oats were also planted into face of erosion prone area on west side of spring and the remaining grasses on slope connecting terrace to spring (north of Big Spring). A small planting was also conducted at the Horse Park at the request of COD (Table 3).

Table 3. Herbaceous and woody plant species native to north Texas and planted for vegetation community establishment, succession supplements, restoration, or erosion control at Big Spring, Dallas, TX in spring 2015.

Scientific name	Common name	Numbers	Subtotals	Terrace/HP	Spring
	Herbaceous			**17-Mar-2015**	**19-Mar2015**
Andropogon gerardii	Big bluestem	3		3	-
Asclepias viridis	Green milkweed	16		16	-
Bouteloua dactyloides	buffalograss	12		12	12
Chasmanthium latifolium	Inland sea oats	37		12	25
Elymus virginicus	Virginia wildrye	12	134	-	12
Helianthus grosseserratus	Sawtooth sunflower	6		6	-
Helianthus maximiliani	Maximilian sunflower	6		6	-
Nassella leucotricha	Texas wintergrass	12		-	12
Schizachyrium scoparium	Little bluestem	6		6	-
Tripsacum dactyloides	Eastern gamagrass	24		12	12
	Woody				
Callicarpa americana	American beautyberry	5		-	5
Cercis canadensis	Eastern redbud	2		-	2
Cornus drummondii	Roughleaf dogwood	5		-	5
Lonicera sempervirens	Coral honeysuckle	4		-	4
Prunus mexicana	Mexican plum	1	38	-	1
Prunus rivularis	River plum	5		-	5
Sambucus nigra	Elderberry	10		-	10
Symphoricarpos orbiculatus	Coral berry	5		-	5
Viburnum rufidulum	Rusty blackhaw	1		-	1
	Horse Park				
Eragrostis trichodes	Sand lovegrass	20		20	-
Elymus virginicus	Virginia wildrye	22	48	22	-
Callirhoe involucrata	winecup	6		6	-
Total			220	121	99

Figure 2. Eroding slope (red arrows) planted for vegetative soft armoring at Big Spring, Dallas, TX

4. *Hydrology monitoring*

   No issues

5. *Monitored other disturbances*

   None present except invasive fauna (feral hogs)

6. *Discussed other COD grant*

   Agreed upon feral hog management and concrete / debris removal

Summer 2015

1. *Monitor management response*

2. *Nuisance or invasive species (management and control)*

9

Continue selective management of invasive species. Summer phenological candidates include Johnsongrass, Hedge parsley, Bermuda grass, exotic bromes, and cattails (if deemed invasive).

3. *Mowing coordination*

   Assess mowing requirements, necessity, and demarcations with the idea to be used only as a physical technique to remove or reduce the occurrence of nuisance or invasive vegetation, increase habitat diversity, or create small access paths for researchers and educational purposes. If mowing is required, timing and height is to-be-determined by target species' life history and phenology, usually late summer / early autumn at 8 - 10" height.

4. *Assess damage by invasive fauna*

5. *Hydrology monitoring*

6. *Macroinvertebrate sampling*

7. *Monitor other disturbances*

8. *General trash and debris pick-up*

9. *Monitor previous native plantings to guide full-scale plantings in dormant season*

Autumn and winter 2015

1. *Monitor management response*

2. *Nuisance or invasive species (management and control)*

   Continue selective management of invasive species. Autumn and winter phenological candidates include woody exotic vegetation and giant ragweed.

3. *Assess damage by invasive fauna; provide recommendations*

4. *Native species (succession supplementation, establishment, and restoration)*

   Full-scale planting efforts will be completed on an as needed basis. Native species candidates included below (Table 4).

Table 4. Aquatic, herbaceous, and woody plant species native to north Texas and candidates for vegetation community establishment, succession supplements, restoration, or erosion control at Big Spring, Dallas, TX in autumn and winter 2015.

Scientific name	Common name
Aquatic	
Acmella oppositifolia	Oppositeleaf spotflower
Bacopa monnieri	Water hyssop
Carex cherokeensis	Cherokee sedge
Carex emoryi	Emory's sedge
Echinodorus berteroi	Tall burhead
Eleocharis acicularis	Slender spikerush
Eleocharis macrostachya	Flatstem spikerush
Eleocharis quadrangulata	Squarestem spikerush
Equisetum hyemale	American scouring-rush
Potamogeton nodosus	American pondweed
Sagittaria latifolia	Arrowhead
Sagittaria platyphylla	Delta arrowhead
Schoenoplectus pungens	Common threesquare bulrush
Herbaceous	
Amsonia tabernaemontana	Eastern bluestar
Andropogon gerardii	Big bluestem
Andropogon glomeratus	Bushy bluestem
Asclepias viridis	Green milkweed
Bouteloua curtipendula	Side-oats grama
Bouteloua gracilis	Blue grama
Chasmanthium latifolium	Inland sea oats
Helianthus grosseserratus	Sawtooth sunflower
Helianthus maximiliani	Maximilian sunflower
Panicum virgatum	Switchgrass
Passiflora incarnata	Passion flower
Phyla lanceolata	Lanceleaf frogfruit
Phyla nodiflora	Texas frogfruit
Salvia coccinea	Scarlet sage
Schizachyrium scoparium	Little bluestem
Sorghastrum nutans	Indiangrass
Tridens albescens	White tridens
Tripsacum dactyloides	Eastern gamagrass
Woody	
Ampelopsis arborea	Peppervine
Ampelopsis cordata	Heartleaf peppervine
Callicarpa americana	American beautyberry
Campsis radicans	Trumpet creeper
Carya illinoinensis	Pecan
Celtis laevigata	Sugarberry
Cercis canadensis	Eastern redbud
Cornus drummondii	Roughleaf dogwood
Crataegus spathulata	Hawthorn
Diospyros virginiana	Common persimmon

Juglans nigra	Black walnut
Lonicera sempervirens	Coral honeysuckle
Morus rubra	Red Mulberry
Prunus angustifolia	Chickasaw plum
Prunus mexicana	Mexican plum
Prunus rivularis	River plum
Quercus macrocarpa	Bur oak
Quercus muehlenbergii	Chinquapin oak
Quercus shumardii	Shumard oak
Quercus stellata	Post oak
Rhus lanceolata	Flameleaf sumac
Sambucus nigra	Elderberry
Sapindus saponaria	Western soapberry
Sophora affinis	Eve's necklace
Symphoricarpos orbiculatus	Coral berry
Viburnum rufidulum	Rusty blackhaw
Vitis mustangensis	Mustang grape

5. *Hydrology monitoring*
6. *Macroinvertebrate sampling*
7. *Monitor other disturbances*
8. *General trash and debris pick-up*
9. *Final recommendations and status reporting*

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EXHIBIT C of PRESERVATION CRITERIA
LOCATION OF BIG SPRING HISTORIC AND
ENVIRONMENTAL CONSERVATION DISTRICT

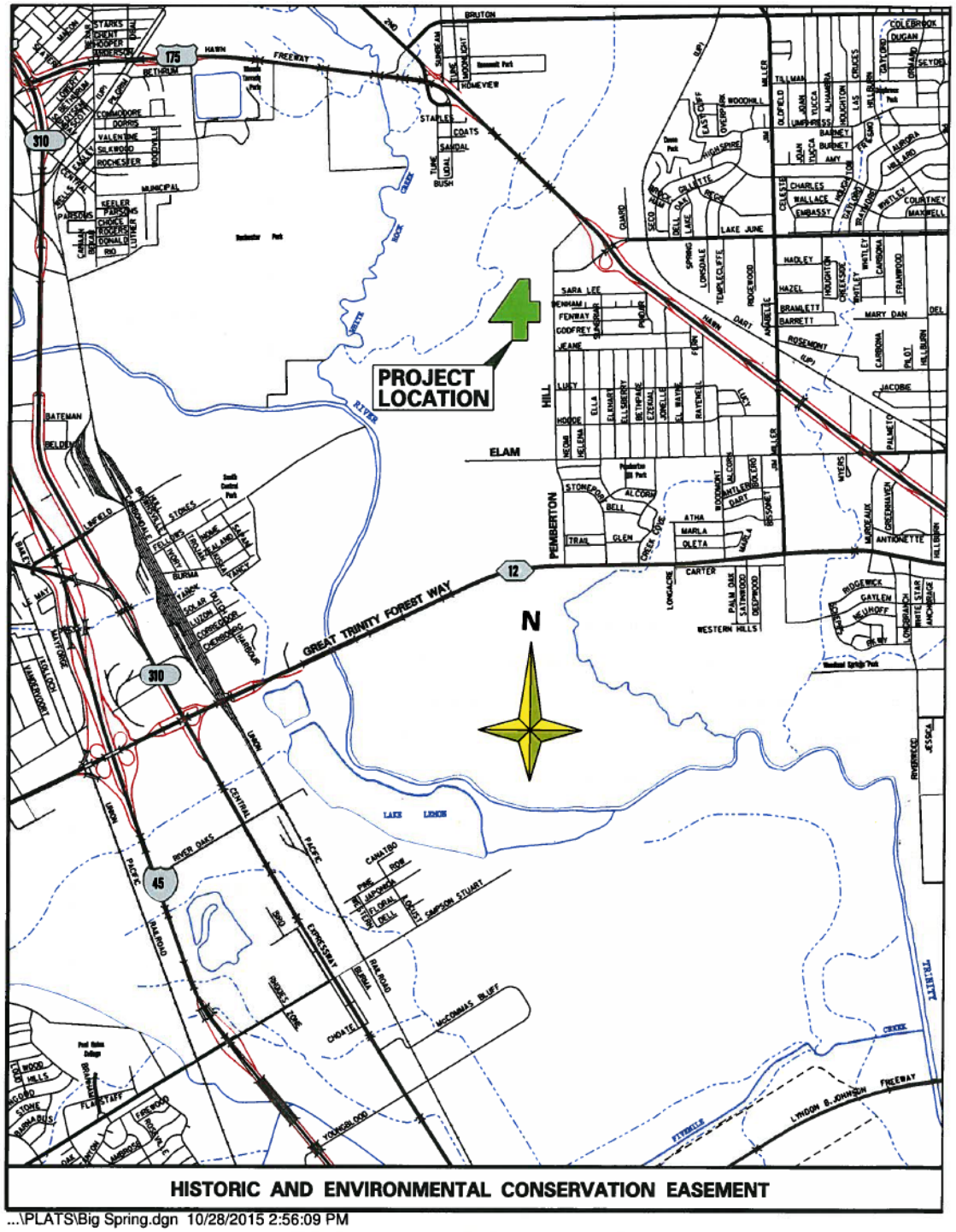


EXHIBIT D OF PRESERVATION CRITERIA

EXHIBIT D
PLAT OF BIG SPRING HISTORIC AND ENVIRONMENTAL CONSERVATION EASEMENT

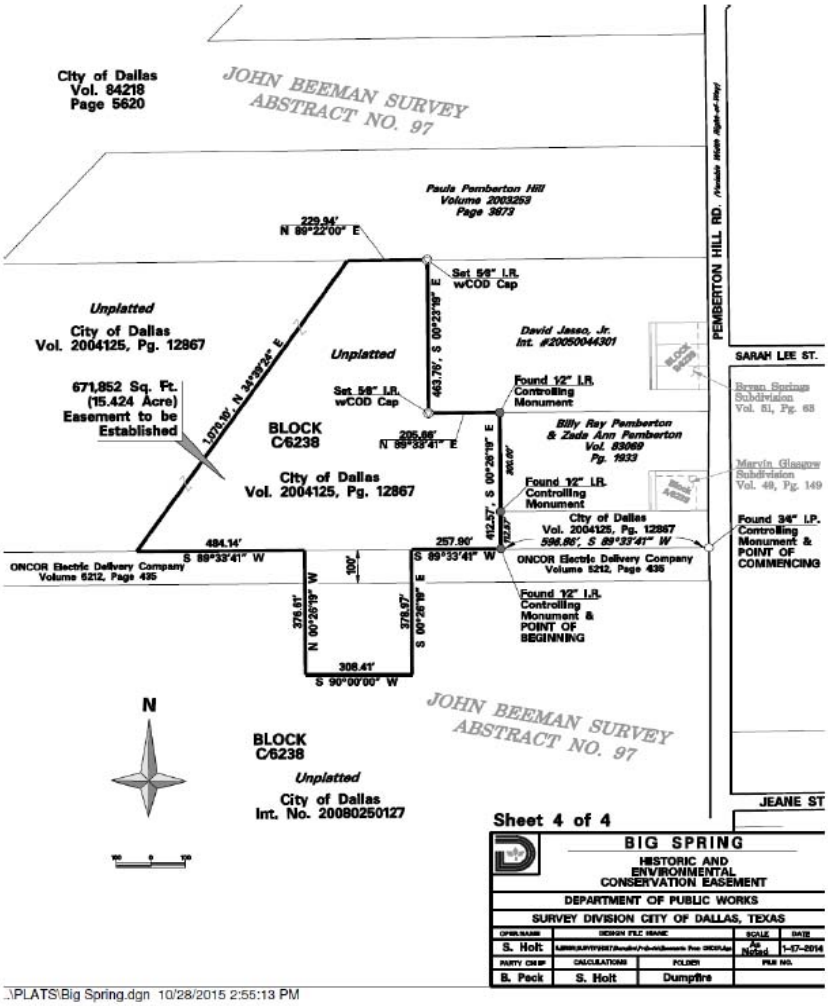
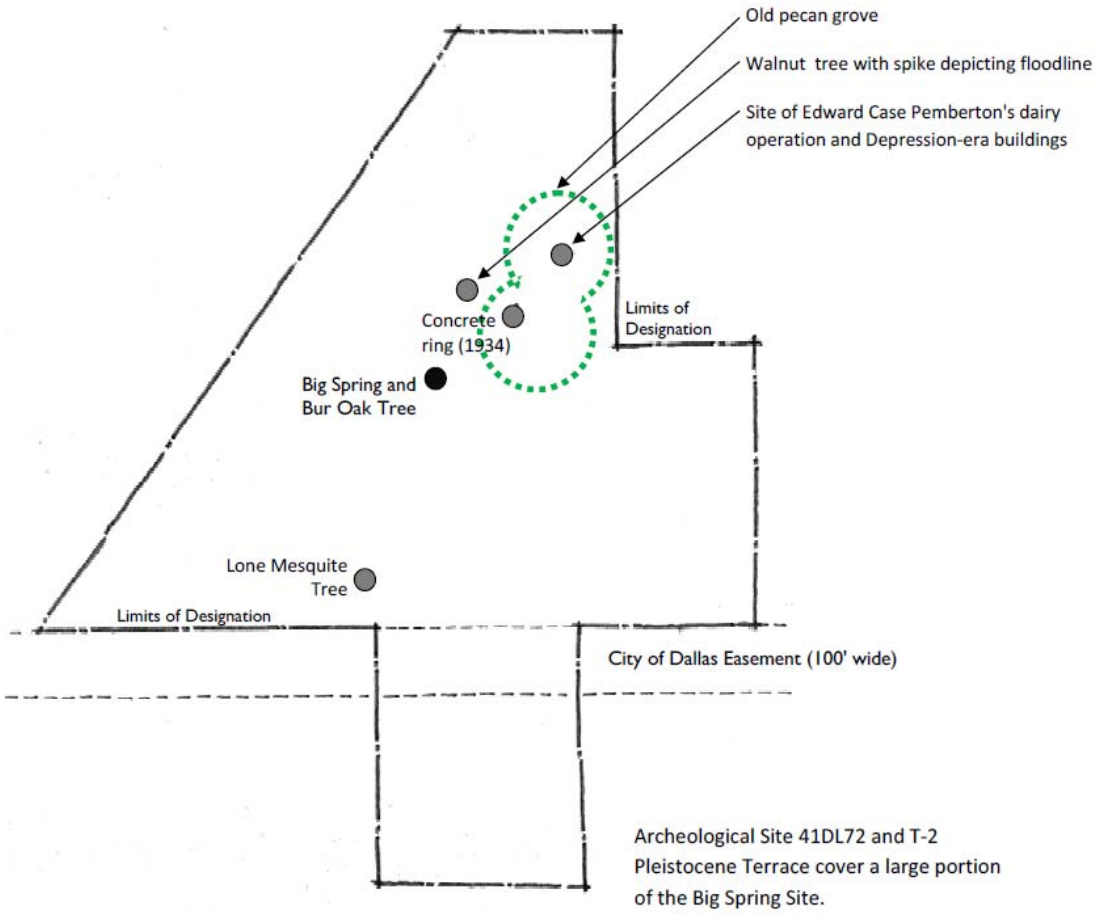


EXHIBIT E of PRESERVATION CRITERIA

Exhibit E
Big Spring Site
1121 Pemberton Hill Road
Dallas, Texas

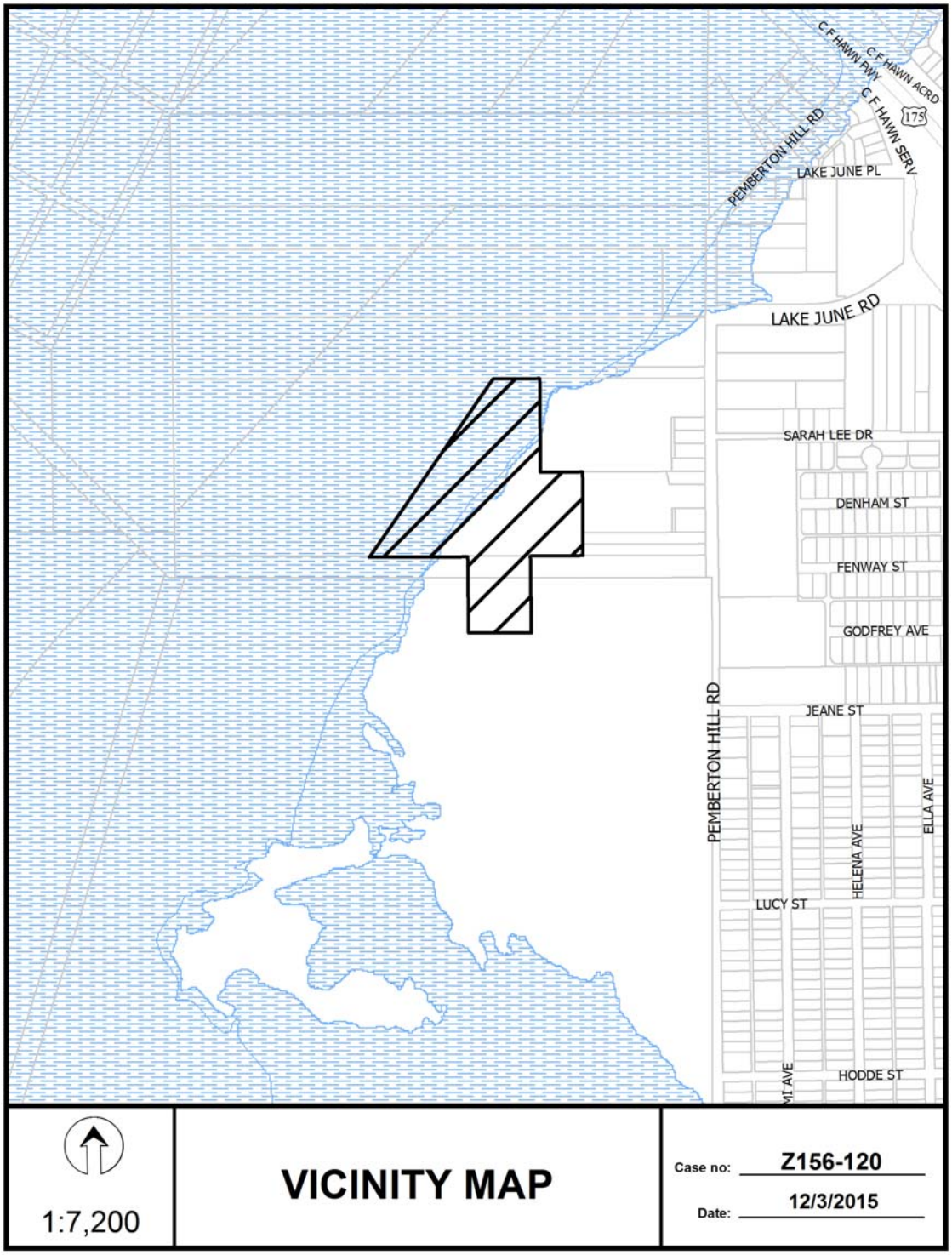


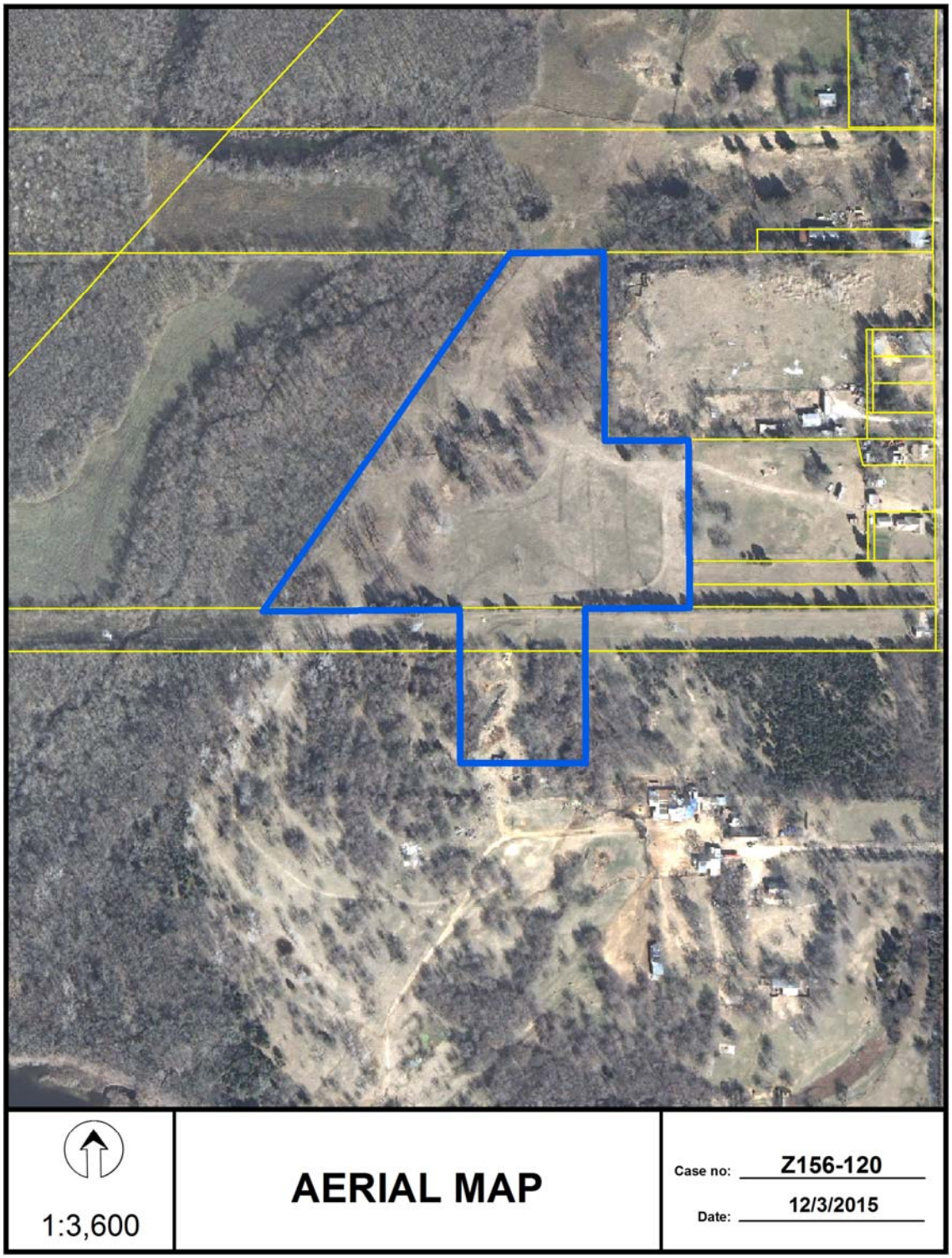
LEGEND

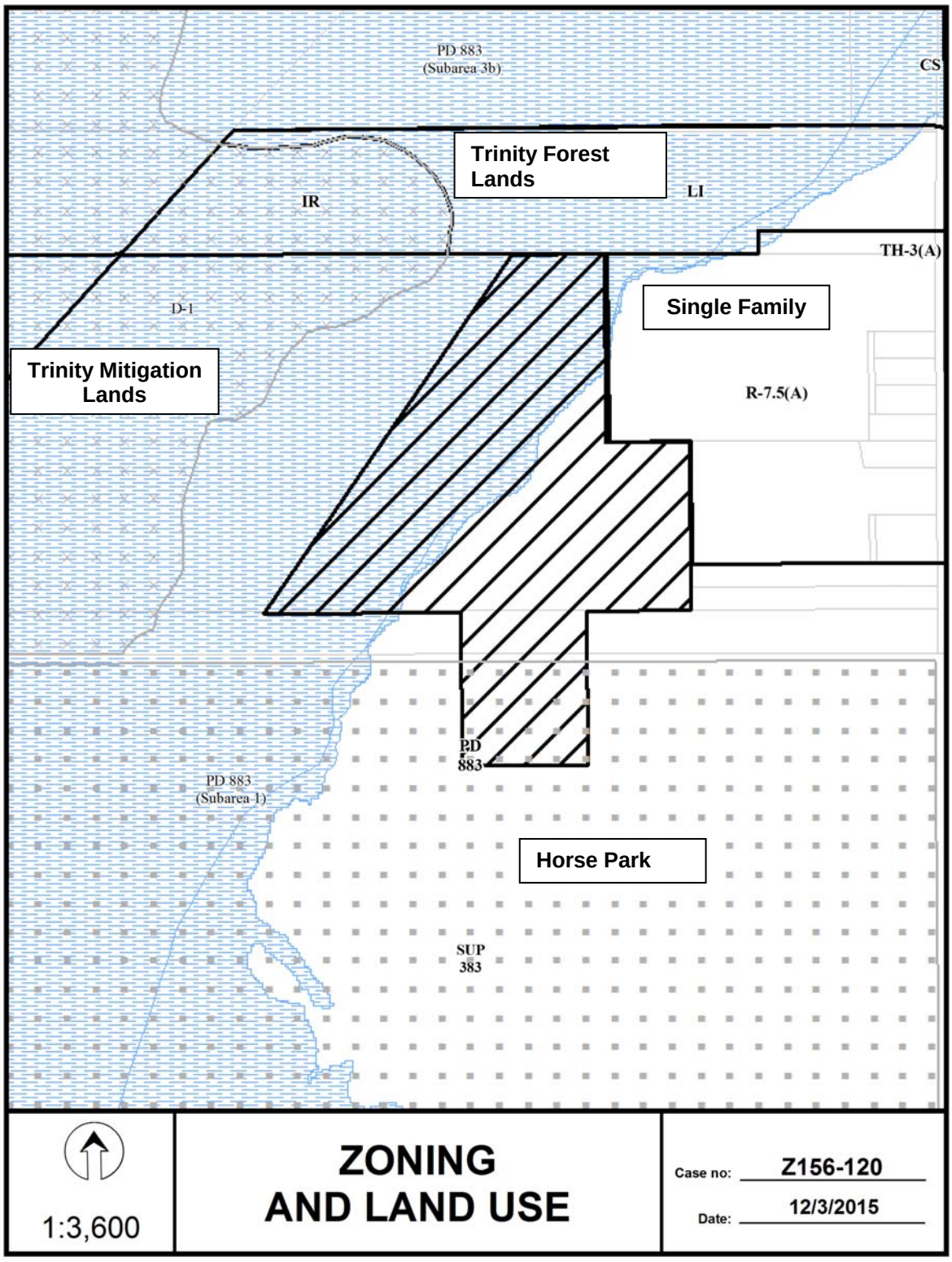
Limits of Designation

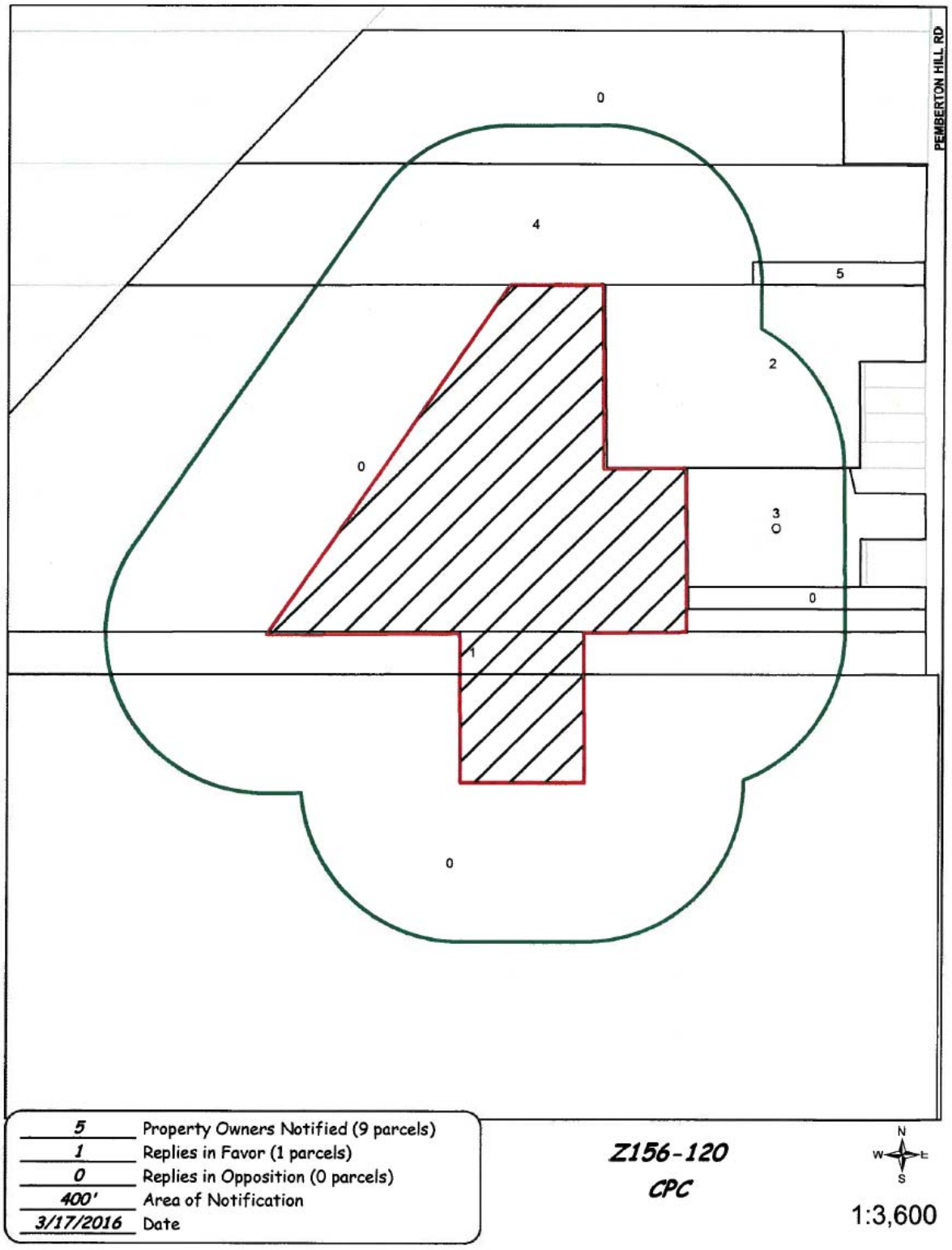
December 31, 2015
Revised January 21, 2016

0' 100' 200'


C F HAWN FWY
C F HAWN ACRD
C F HAWN SERV
175
PEMBERTON HILL RD
LAKE JUNE PL
LAKE JUNE RD
SARAH LEE DR
DENHAM ST
FENWAY ST
GODFREY AVE
JEANE ST
PEMBERTON HILL RD
ELLA AVE
HELENA AVE
LUCY ST
MI AVE
HODDE ST
1:7,200
VICINITY MAP
Case no: Z156-120
Date: 12/3/2015


1:3,600
AERIAL MAP
Case no: Z156-120
Date: 12/3/2015


PD 883
(Subarea 3b)
CS
Trinity Forest Lands
IR
LI
TH-3(A)
Single Family
D-1
Trinity Mitigation Lands
R-7.5(A)
PD 883
PD 883
(Subarea 1)
Horse Park
SUP 383
1:3,600
ZONING AND LAND USE
Case no: Z156-120
Date: 12/3/2015


PEMBERTON HILL RD
0
4
5
2
0
3
0
0
1
0
5 Property Owners Notified (9 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
400' Area of Notification
3/17/2016 Date
Z156-120
CPC
N
W
E
S
1:3,600

03/16/2016

Reply List of Property Owners

Z156-120

5 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	901	PEMBERTON HILL RD	TEXAS UTILITIES ELEC CO
	2	1117	PEMBERTON HILL RD	JASSO DAVID JR
O	3	911	PEMBERTON HILL RD	PEMBERTON BILLY R
	4	1125	PEMBERTON HILL RD	PEMBERTON PAULA HILL
	5	1125	PEMBERTON HILL RD	HILL PAULA PEMBERTON

AGENDA ITEM # 62

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 57 M

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a mini-warehouse use, an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, and a resolution accepting an amendment to deed restrictions volunteered by the applicant on property zoned an MU-1 Mixed Use District with deed restrictions, on the northeast corner of Lake June Road and Guard Drive

Recommendation of Staff: Approval of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan, landscape plan, elevation plans, and conditions; approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions; and approval of an amendment to deed restrictions including additional restrictions volunteered by the applicant

Recommendation of CPC: Approval of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan, landscape plan, revised elevation plans, and conditions; approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions; and approval of an amendment to deed restrictions including additional restrictions volunteered by the applicant

Z156-163(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, APRIL 27, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z156-163(SM) **DATE FILED:** December 11, 2015

LOCATION: Northeast corner of Lake June Road and Guard Drive

COUNCIL DISTRICT: 5 **MAPSCO:** 57-M

SIZE OF REQUEST: Approx. 3.7 acres **CENSUS TRACT:** 115.00

REPRESENTATIVE: Michael R. Coker

APPLICANT / OWNER: Lindsay A. Fleck, Trustee

REQUEST: An application for a Specific Use Permit for a mini-warehouse use, a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, and an amendment to deed restrictions volunteered by the applicant on property zoned an MU-1 Mixed Use District with deed restrictions.

SUMMARY: The purpose of this request is to: (1) allow for the construction of a mini-warehouse and an accessory office use on the northern half of the request site, (2) allow for the sale of alcohol for off-premise consumption in conjunction with a general merchandise or food store on the southern half of the request site, and (3) amend deed restrictions to allow a mini-warehouse use and a motor vehicle fueling station use.

CPC RECOMMENDATION: **Approval** of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan, landscape plan, revised elevation plans, and conditions; **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions; and **approval** of an amendment to deed restrictions including additional restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval** of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan, landscape plan, elevation plans, and conditions; **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions; and **approval** of an amendment to deed restrictions including additional restrictions volunteered by the applicant.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings of the **mini-warehouse** specific use permit based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed mini-warehouse facility is located on the northern part of the property and shares its vehicular access with the other uses on the property. The buildings are limited to 24 feet in height, which restricts the use to a compatible scale to surrounding properties. It also is required to comply with proposed elevations that prohibit blank walls facing the residential neighbors. Finally, the specific use permit is tied to an enhanced landscape plan that softens its presence on Guard Drive and encourages pedestrian mobility.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use neither contributes to nor is detrimental to the public welfare.

3. *Not a detriment to the public health, safety, or general welfare* – This use will not be a detriment to the public health, safety or general welfare of the community.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The proposed use will comply with all applicable zoning regulations and standards.

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 of **the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less** specific use permit based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The sale of alcoholic beverages in conjunction with other retail sales will not affect compatibility with surrounded uses.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale of alcoholic beverages in conjunction with an existing general merchandise or food store does not appear to negatively impact the adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The general merchandise or food store uses must comply with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution

of crime that occurs in convenience stores in the city. In addition, conditions and time periods for the use provide opportunity for continued evaluation of the site.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, it complies with all applicable zoning regulations and standards.

BACKGROUND INFORMATION

On July 30, 2008, an application was submitted for an MU-1 Mixed Use District with deed restrictions and a D-1 Liquor Control Overlay on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay (Z078-272).

On September 18, 2008, the City Plan Commission held the case under advisement in order to allow the applicant to facilitate a neighborhood meeting to discuss the revised deed restrictions and on October 16, 2008, the City Plan Commission recommended approval of the application. 42 property owners were notified; one property owner was in favor (the area of request's property owner) and two property owners were opposed.

On December 10, 2008, the City Council approved the application. 42 property owners were notified; 2 property owners were in favor (one was the area of request's property owner) and three property owners were opposed.

Zoning History: There has been one recent zoning case in the area in the past five years.

1. **Z145-322** On January 13, 2016, the City Council approved an application for a Specific Use Permit for a utility or government installation other than listed on property zoned an LI Light Industrial District located on the east line of Guard Drive, north of Lake June Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	ROW
Lake June Road	Principal Arterial	Minimum-6 lanes-Divided; 100' ROW
Guard Drive	Local	100 ft.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system. A traffic impact analysis is included in the CPC docket for this hearing.

STAFF ANALYSIS

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* designates the area of request in the Urban Neighborhood Building Block.

The Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include 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.

While the mini-warehouse use could provide a service to neighborhood residents, it may not be a desirable long-term use envisioned by the Comprehensive Plan. Consequently, staff does not recommend automatic renewals.

Land Use Compatibility:

	Zoning	Land Use
Site	MU-1 with deed restrictions	Undeveloped
North	LI	Future park maintenance facility
East and West	R-7.5(A)	Single Family
South	PD 533 (Subdistrict 2)	Auto repair use

The site is currently undeveloped and is surrounded by a vacant armory building (future site of a park maintenance facility) to the north, auto repair uses to the south, and single family uses to the east and west (immediately west of the site is a DART light railway). The most sensitive surrounding use is the residential neighborhood to the west, across Guard Drive. The request is compatible with these surrounding uses because the mini-warehouse use will be constricted by conditions will limit the hours of operation and is proposed to be granted for ten years so that the site can be re-evaluated at that time. The request also seeks a specific use permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet. The

period of approval recommended for alcohol sales in conjunction with the general merchandise or food store less than 3,500 square feet provides an opportunity to review the site to ensure it is compatible with the surrounding properties with periodic reviews.

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.

Lastly, the request seeks to amend the deed restrictions that were adopted by Council in 2008. The original deed restrictions are included in this report and the request seeks to not prohibit mini-warehouse and motor vehicle fueling stations and therefore have them revert to the underlying zoning district. The MU-1 District allows motor vehicle fueling stations by right and allows mini-warehouse uses by specific use permit. The applicant has volunteered additional landscaping requirements and a pedestrian access point, be added to the deed restriction amendments to ensure that the addition of a motor vehicle fueling station use is compatible with surrounding land uses.

Parking: Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Parking will be provided as shown in the site plans. The off-street parking requirements for a general merchandise or food store 3,500 square foot or less is one space for each 200 square feet of floor area. The building's floor area totals approximately 9,940 square feet, but only one suite is included in the SUP request. The suite that is requesting this specific use permit to sell alcohol for off-premise consumption will not exceed 3,500 square feet.

Landscaping: Landscaping must be provided in accordance with Article X, as amended. The applicant has volunteered additional landscaping in the deed restrictions to ensure compatibility with surrounding uses.

Prior CPC Action – March 17, 2016:

Z156-163(SM)

Motion: It was moved to recommend **approval** of a Specific Use Permit for a mini-warehouse use for a ten-year period, subject to a site plan, landscape plan, revised elevation plans, and conditions; and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions; and **approval** of an amendment to deed restrictions volunteered by the applicant on property zoned an MU-1 Mixed Use District with a D-1 Liquor Control Overlay and with deed restrictions, on the northeast corner of Lake June Road and Guard Drive.

Maker: Shidid
Second: Schultz
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi, Haney, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anantasomboon, Peadon
Vacancy: 0

Notices: Area: 300 Mailed: 50
Replies: For: 1 Against: 6

Speakers: For (Did not speak): Michael Coker, Address not given
Against: None

LIST OF OFFICERS

WINTERBERRY DEVELOPMENT LLC
P.O. BOX 113267
CARROLLTON, TEXAS 75011
214-253-2444 OFC 888-731-6911 FAX

Noorallah Jooma, Manager

PROPOSED SUP CONDITIONS FOR A MINI-WAREHOUSE

1. USE: The only use authorized by this specific use permit is a mini-warehouse.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on_____, (ten-year period from the passage of this ordinance).

4. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan.

5. ELEVATION PLANS: Use and development of the property must comply with the attached elevation plans.

6. FLOOR AREA:

   a. The maximum floor area for a mini-warehouse use is 45,800 square feet.

   b. Maximum floor area for the accessory office is 1,000 square feet in the location shown on the attached site plan.

7. HOURS OF OPERATION: The mini-warehouse may only operate between 8:00 a.m. and 9:00 p.m., Monday through Sunday.

8. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

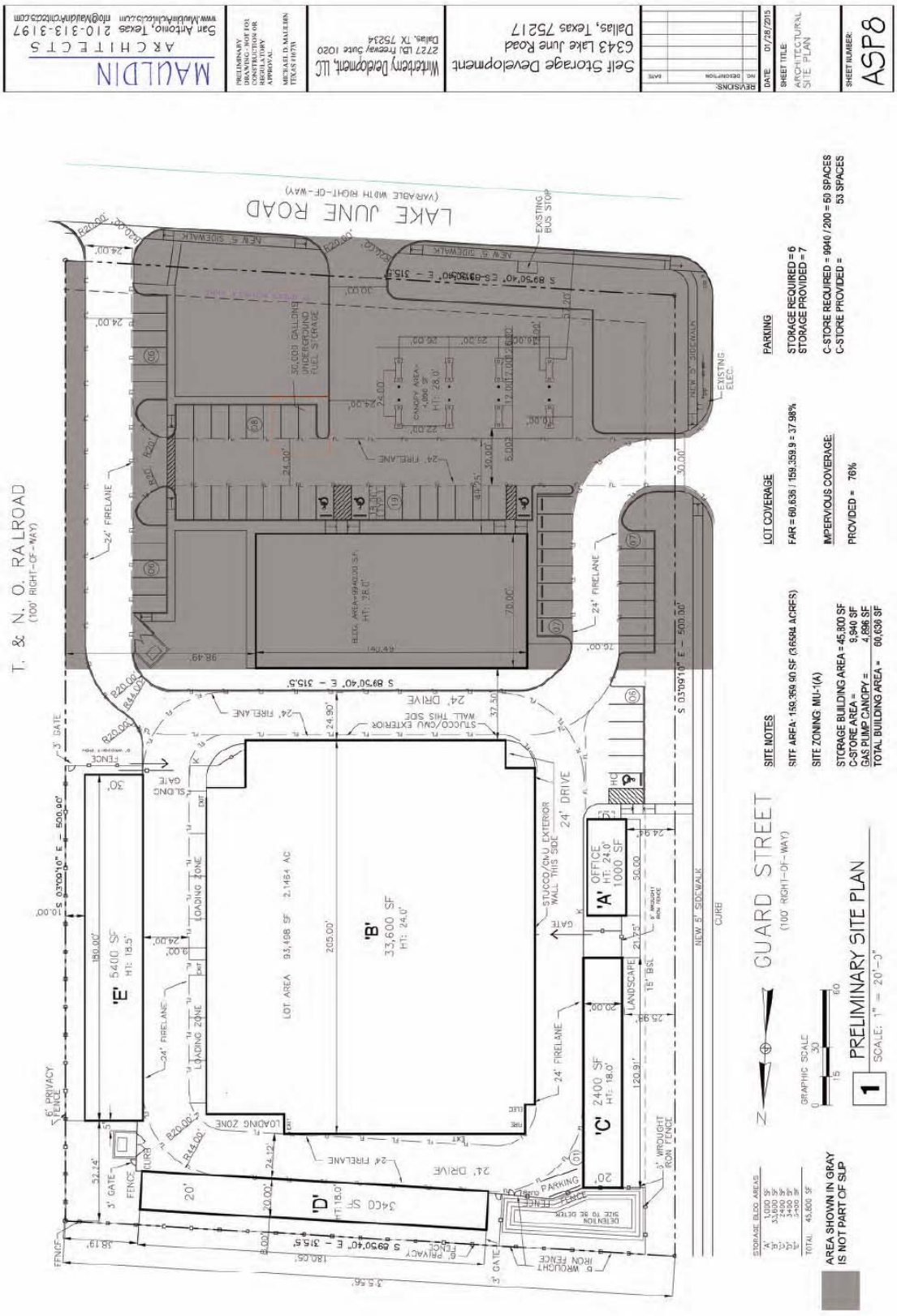
9. OUTSIDE STORAGE: Outside storage of vehicles, parking for vehicles for rent, and parking of boats or equipment is prohibited.

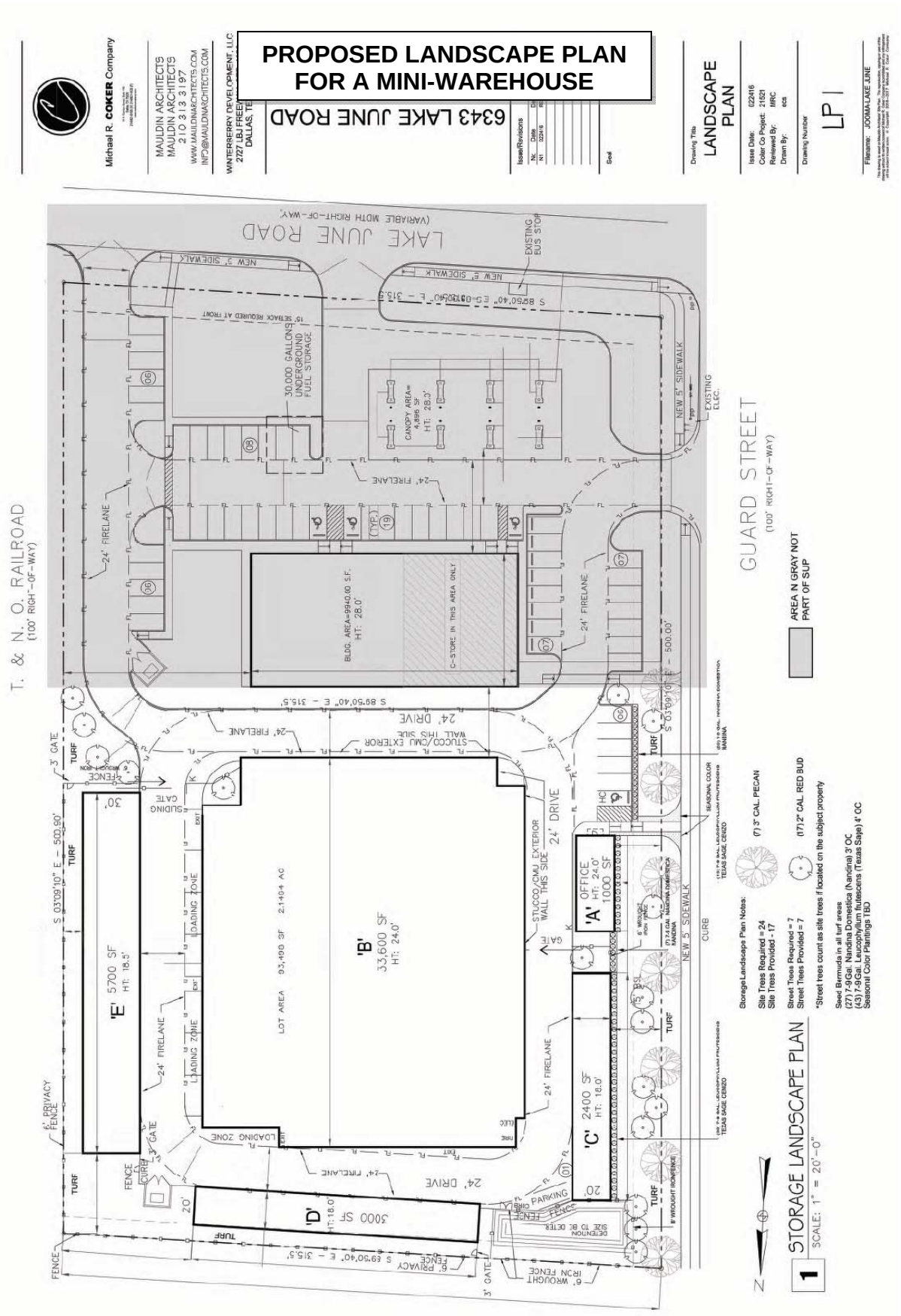
10. SCREENING: An eight-foot-high solid screening fence must be provided and maintained along Guard Drive in the location shown on the attached site plan.

11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

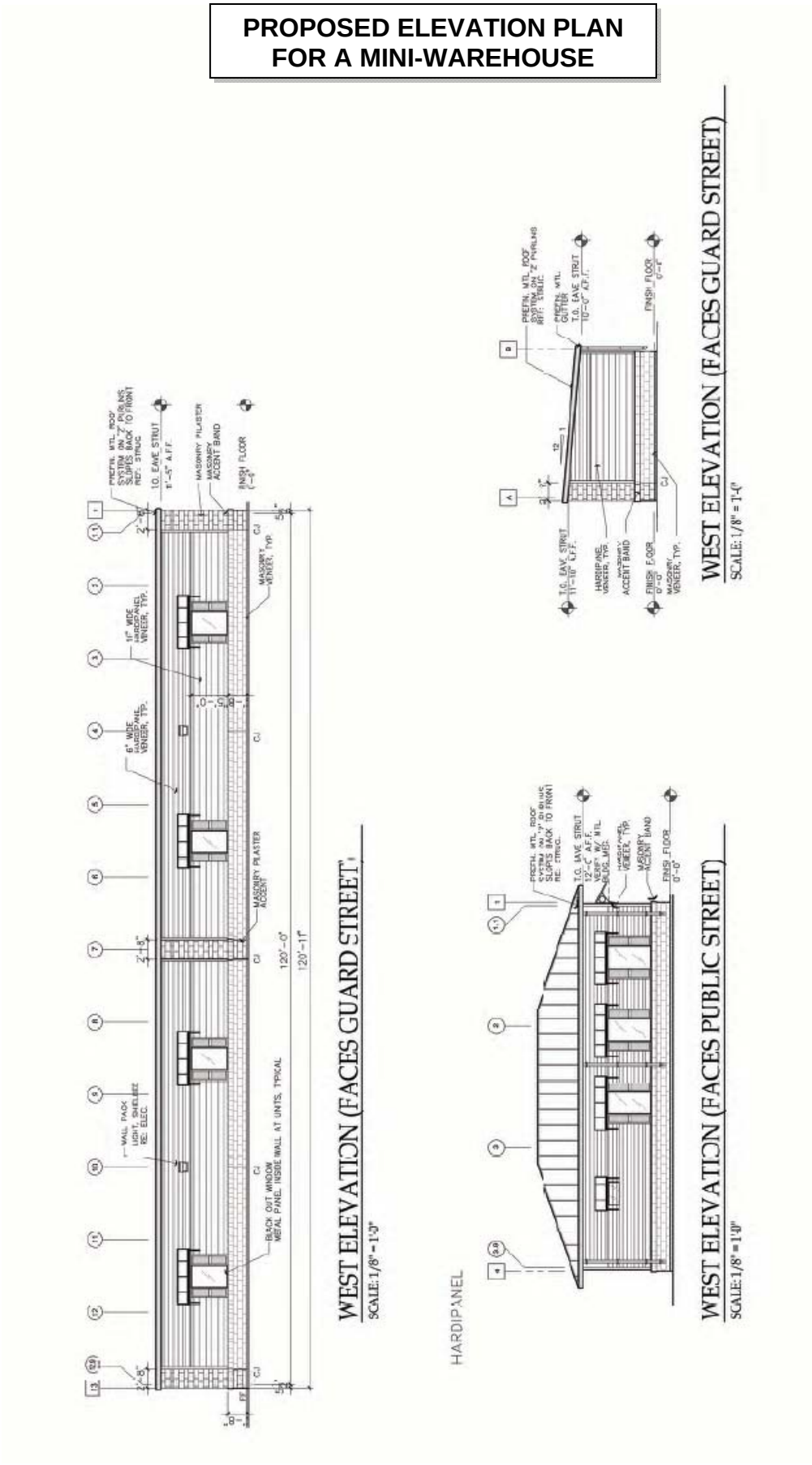
12. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN FOR A MINI-WAREHOUSE




PROPOSED LANDSCAPE PLAN
FOR A MINI-WAREHOUSE
6343 LAKE JUNE ROAD
Michael R. COKER Company
MAULDIN ARCHITECTS
MAULDIN ARCHITECTS
210 313 3197
WWW.MAULDINARCHITECTS.COM
INFO@MAULDINARCHITECTS.COM
WINTERBERRY DEVELOPMENT, LLC
2227 LBJ FREE
DALLAS, TE
Issue/Revisions
No. Date
1 022416
Seal
Drawing Title
LANDSCAPE PLAN
Issue Date: 022416
Coker Co Project: 21621
Reviewed By: MRC
Drawn By: ecs
Drawing Number
LP 1
Filename: JOOMA-LAKE JUNE
LAKE JUNE ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)
NEW 5' SIDEWALK
NEW 5' SIDEWALK
EXISTING BUS STOP
S 89°50'40" E - 315.5'
15' SETBACK REQUIRED AT FRONT
30,000 GALLONS UNDERGROUND FUEL STORAGE
CANOPY AREA= 4,899 SF HT: 28.0'
NEW 5' SIDEWALK
EXISTING ELEC.
24' FIRELANE
(TYP.)
BLDG. AREA=99940.60 S.F. HT: 28.0'
C-STORE IN THIS AREA ONLY
T. & N. O. RAILROAD
(100' RIGHT-OF-WAY)
GUARD STREET
(100' RIGHT-OF-WAY)
AREA N GRAY NOT PART OF SUP
S 03°09'10" E - 500.00'
24' DRIVE
STUCCO/CMU EXTERIOR WALL THIS SIDE
3' GATE
TURF
FENCE
SLIDING GATE
EXIT
'E' 5700 SF HT: 18.5'
30'
LOADING ZONE
LOT AREA 93,499 SF 2.1464 AC
'B' 33,600 SF HT: 24.0'
'A' OFFICE HT: 24.0' 1000 SF
GATE
6' WROUGHT IRON FENCE
(7) 3" CAL. PECAN
CURB
NEW 5' SIDEWALK
6' PRIVACY FENCE
'C' 2400 SF HT: 16.0'
20'
'D' 3000 SF HT: 18.0'
PARKING
DETENTION SIDE TO BE DETER
S 89°50'40" E - 315.5'
6' PRIVACY FENCE
6' WROUGHT IRON FENCE
3' GATE
STORAGE LANDSCAPE PLAN
SCALE: 1" = 20'-0"
Storage Landscape Plan Notes:
Site Trees Required = 24
Site Trees Provided - 17
Street Trees Required = 7
Street Trees Provided = 7
(17) 2" CAL. RED BUD
*Street trees count as site trees if located on the subject property
Seed Bermuda in all turf areas
(27) 7-9 Gal. Nandina Domestica (Nandina) 3' OC
(43) 7-9 Gal. Leucophyllum flutescens (Texas Saye) 4' OC
Seasonal Color Plantings TBD

PROPOSED ELEVATION PLAN FOR A MINI-WAREHOUSE



PROPOSED SUP CONDITIONS FOR ALCOHOL SALES IN CONJUNCTION WITH A GENERAL MERCHANDISE OR FOOD STORE < 3,500 sf

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

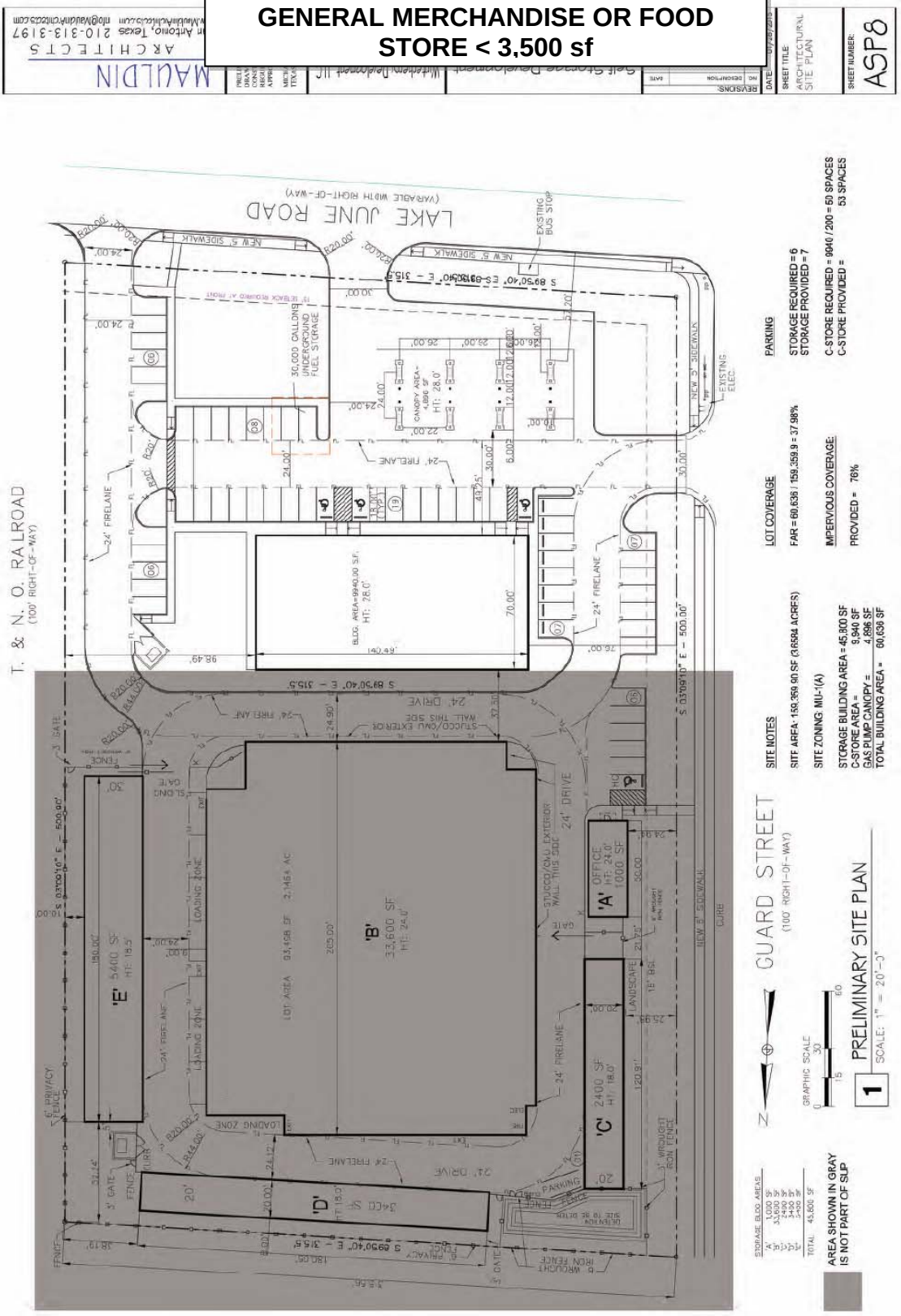
3. TIME LIMIT: This specific use permit expires on _____ (two years).

4. FLOOR AREA: The maximum floor area is 9,940 square feet.

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN FOR ALCOHOL SALES IN CONJUNCTION WITH A GENERAL MERCHANDISE OR FOOD STORE < 3,500 sf



EXISTING DEED RESTRICTIONS

COUNCIL CHAMBER
083375
December 10, 2008

WHEREAS, the deed restrictions in the attached instrument have been volunteered in connection with property located on the northeast corner of Guard Drive and Lake June Road, which is the subject of zoning case No. Z078-272(WE); and

WHEREAS, the City Council desires to accept the deed restrictions in the attached instrument; Now, Therefore,

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

Section 1. That the deed restrictions in the attached instrument are accepted by the City Council of the City of Dallas to be used in conjunction with the development of property that is the subject of Zoning Case No. Z078-272(WE).

Section 2. That these deed restrictions must be filed in the Deed Records of Dallas County, Texas.

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

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

APPROVED BY
CITY COUNCIL

DEC 10 2008

City Secretary

APPROVED _____ APPROVED _____ APPROVED _____
HEAD OF DEPARTMENT DIRECTOR OF FINANCE CITY MANAGER

Z078-272(WE)

083375

DEED RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF DALLAS)

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, Lindsay A. Fleck, a Trustee ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the John Beeman Survey, Abstract No. 98, City Block 6235, City of Dallas ("City"), Dallas, County, Texas, and being that same tract of land conveyed to the Owner by Lindsey A. Fleck, Trustee by deed dated January 23, 2001, and recorded in Volume 2001015, Page 4690, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Beginning at a point of the intersection of the north line of Lake June Road with the east line of Guard Drive; thence north along the east line of Guard Drive 520.9 feet to point for corner; thence east 315.6 feet to a point for corner on the west right of way line of the T. & N. O. Railroad; thence south 520.9 feet along the west right of way line of the T. & N.O. Railroad to a point for corner on the north line of Lake June Road; thence west along the north line of Lake June Road 315.6 feet to the place of beginning and containing approximately 3.7 acres of land.

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

Definition: Check cashing - a business other than a state or federally chartered bank, credit union, mortgage lender, or savings and loan association, that offers check cashing services and/or loans for payment of a percentage fee for cashing a check or negotiable instrument, "payday loan" businesses that make loans upon assignments of wages received, or businesses that function as deferred presentment companies.

The following uses are prohibited:

(1) Commercial and business service uses.
--Labor hall.

(2) Industrial uses.
--Gas drilling and production.
--Temporary concrete or asphalt batching plant.

(3) Institutional and community service uses.
--Adult day care facility.
--Cemetery or mausoleum.
--College, university or seminary.
--Foster home.
--Hospital.

(4) Lodging uses.
--Extended stay hotel or motel.
--Hotel or motel.

(5) Miscellaneous uses.
--Carnival or circus (temporary).

(6) Residential uses.
--College dormitory, fraternity, or sorority house.
--Multifamily.
--Residential hotel.

(7) Retail and personal service uses.
--Alcoholic beverage establishments. (includes taverns, nightclubs, and lounges)
--Animal shelter or clinic without outside runs.
--Auto service center.
--Car wash.
--Check cashing (includes payday loan establishments)
--Commercial amusement (inside).
--Commercial amusement (outside).
--Commercial parking lot or garage.
--General merchandise or food store 100,000 square feet or more.
--Mortuary, funeral home, or commercial wedding chapel.
--Motor vehicle fueling station.
-- Pawn shops
--Swap or buy shop
--Theater.

(8) Utility and public service uses.
--Commercial radio or television transmitting station.
--Tower/antenna for cellular communication.

(9) Wholesale, distribution, and storage uses.
--Mini-warehouse.
--Recycling buy-back center
--Recycling collection center.
--Recycling drop-off container.
--Recycling drop-off for special occasion collection.

Design Guidelines are as follows:

1. Building facade. To ensure compatibility with the surrounding land uses, a minimum of 50 percent of a building facade, excluding windows and doors, must be masonry materials including stone, cementitious simulated stone, brick, and Portland cement stucco or a combination thereof.

2. Attached dwelling units. Single family structures must be attached dwelling units. Attached dwelling unit means a maximum of five single family structures attached together with a minimum of 60 feet between each group. Each single family structure must have at least two

enclosed off-street parking spaces for each dwelling unit that has direct access to the dwelling unit from the enclosed off-street parking space. Single family structures may not have a dwelling unit above another dwelling unit.

3. Lot size. Minimum lot size is 2,500 sq. ft.

4. Screening.

(a) For residential uses, a minimum eight-foot-high solid screening fence must be provided along the perimeter of the property using wood or masonry materials, (stone, cementitious simulated stone, or brick).

(b) All non-residential uses must be screened if adjacent to residential uses with a minimum eight-foot-high solid screening fence that is setback at least two feet from the shared property line and constructed of wood or masonry materials, (stone, cementitious simulated stone, or brick).

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner

agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

XI.

The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

XII.

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

083375

EXECUTED this the 25th day of August, 2008.

Lindsay A. Fleck Trustee
Owner

By: Lindsay A. Fleck
Printed Name: Lindsay A. Fleck
Title: Trustee

CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

None
Property Lienholder or Mortgagee

By: (Not applicable)
Printed Name: _____
Title: _____

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

By: _____
Assistant City Attorney

083375

Sample Signature Blocks and Acknowledgments

Form of acknowledgment if the owner is a person.

State of Texas

County of Dallas

This instrument was acknowledged before me on 8.25.08 (date of acknowledgment) by Lindsay A. Fleck (name of person who signed the deed restrictions).

(Notary's stamp here)

Wynn Moore (Notary's signature)
Notary Public in and for
the State of Texas

Wynn Moore
Notary Public, State of Texas
My Commission Expires:
March 11, 2011

PROPOSED AMENDMENT TO DEED RESTRICTIONS

AMENDMENT TO DEED RESTRICTIONS

THE STATE OF TEXAS)
) KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS)

I.

The undersigned, Lindsay A. Fleck, Trustee ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the John Beeman Survey, Abstract No. 98, part of City Block 6235, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Jennifer Grace Jacobie Ewing , by deed dated January 20, 2001, and recorded in Volume 2001015, Page 4690, in the Deed Records of Dallas County, Texas, and being more particularly described in Exhibit “A”, attached hereto and made a part hereof for all purposes.

II.

That the Property was impressed with certain deed restrictions ("Original Restrictions") as shown in an instrument dated December 10, 2008, signed by Lindsay A. Fleck, Trustee and recorded in Instrument Number 20080395243 of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "B" and made a part of this instrument.

III.

That the Owner does hereby amend the prohibited uses restriction in the Original Restrictions to read as follows:

“The following uses are prohibited:

(1) Commercial and business service uses.
-- Labor hall.

(2) Industrial uses.
-- Gas drilling and production.
-- Temporary concrete or asphalt batching plant.

(3) Institutional and community service uses.
-- Adult day care facility.

-- Cemetery or mausoleum.
-- College, university or seminary.
-- Foster home.
-- Hospital.

(4) Lodging uses.
-- Extended stay hotel or motel.
-- Hotel or motel.

(5) Miscellaneous uses.
-- Carnival or circus.

(6) Residential uses.
-- College dormitory, fraternity, or sorority house.
-- Multifamily.
-- Residential hotel.

(7) Retail and personal service uses.
-- Alcoholic beverage establishments. (includes taverns, nightclubs, and lounges)
-- Animal shelter or clinic without outside runs.
-- Auto service center.
-- Car wash.
-- Check cashing (includes payday loan establishments).
-- Commercial amusement (inside).
-- Commercial amusement (outside).
-- Commercial parking lot or garage.
-- General merchandise or food store 100,000 square feet or more.
[~~-- Motor vehicle fueling station.~~]
-- Mortuary, funeral home, or commercial wedding chapel.
-- Pawn shops.
-- Swap or buy shop.
-- Theater.

(8) Utility and public service uses.
-- Commercial radio or television transmitting station.
-- Tower/antenna for cellular communication.

(9) Wholesale, distribution, and storage uses.
[~~-- Mini-warehouse.~~]
-- Recycling buy-back center.
-- Recycling collection center.
-- Recycling drop-off container.
-- Recycling drop-off for special occasion."

IV.

That the preceding amendment was made following notice and public hearing before the City Plan Commission and City Council of the City as required in the Original Restrictions, and notice of such public hearing was given as would have been required by law for a zoning change on the Property. The Owner must file this instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment becomes effective.

V.

That the Owner certifies and represents that there are no liens or mortgages, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

VI.

That the invalidation of any provision in this instrument by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

VII.

That it is expressly stipulated and understood that the preceding amendment of the prohibited uses restriction accomplished hereby shall in no manner operate to impair or reduce the enforceability of the Original Restrictions, as originally written, and that all restrictions and provisions contained in the deed restriction instrument dated December 10, 2008, and recorded in Clerk's File No. 20080395243 of the Deed Records of Dallas County, Texas, shall remain in full force and effect except as amended by Paragraph III of this instrument. Furthermore, it is expressly stipulated and understood that all provisions contained in the aforementioned deed restriction instrument apply to this instrument as if recited herein.

EXECUTED at the City of Dallas, _____ County, Texas, this the ____ day of _____, 20__.

_____
Owner
By:_____
Printed Name:_____
Title:_____

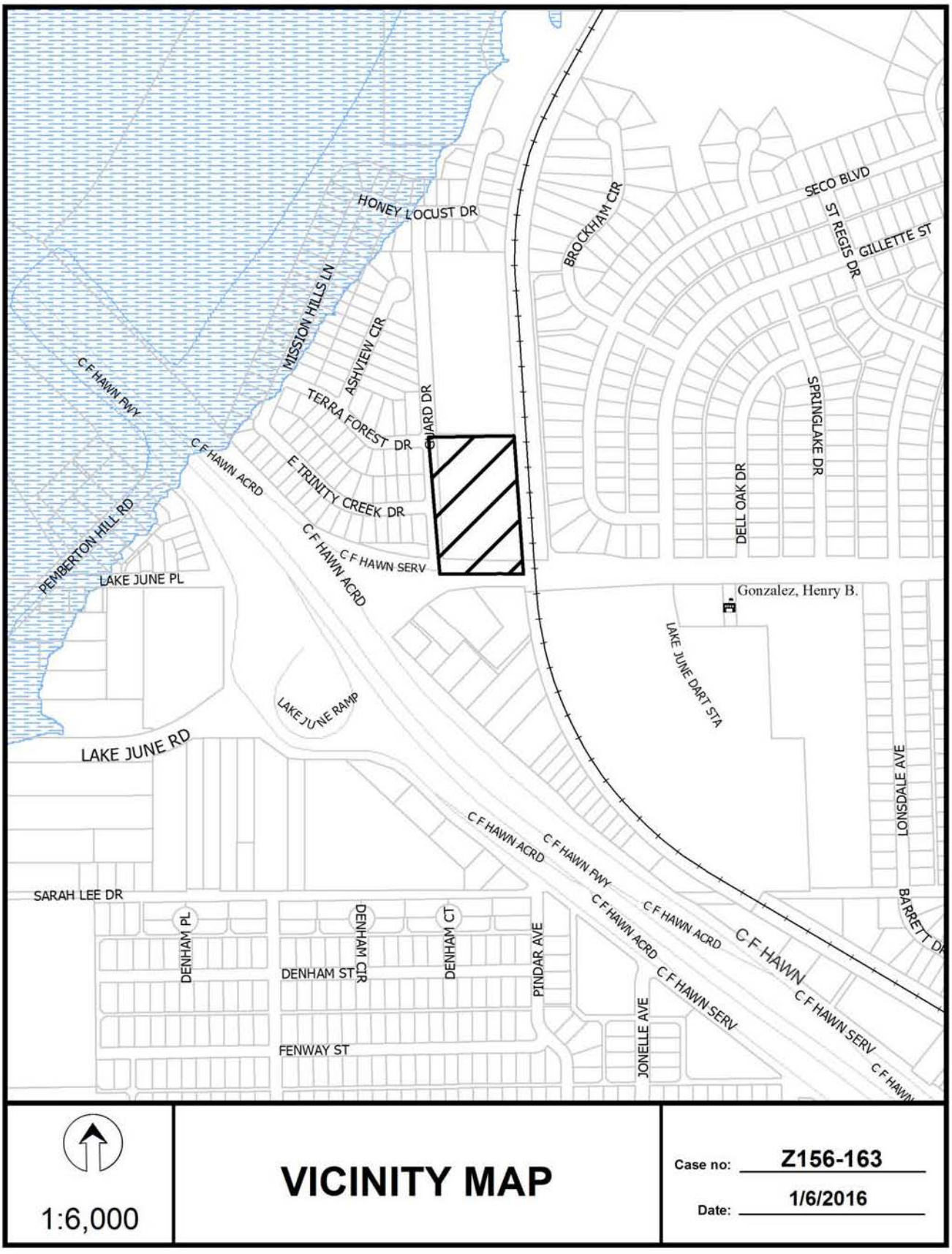
CONSENT AND CONCURRENCE OF
LIENHOLDER OR MORTGAGEE

_____
Owner
By:_____
Printed Name:_____
Title:_____

APPROVED AS TO FORM:
WARREN M.S. ERNST, City Attorney

By:_____
Assistant City Attorney

[Attach an acknowledgment for <u>each</u> signer]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GILLETTE ST
MISSION HILLS LN
ASHVIEW CIR
GUARD DR
SPRINGLAKE DR
C F HAWN FWY
TERRA FOREST DR
C F HAWN ACRD
E TRINITY CREEK DR
DELL OAK DR
PEMBERTON HILL RD
C F HAWN SERV
LAKE JUNE PL
Gonzalez, Henry B.
LAKE JUNE DART STA
LAKE JUNE RAMP
LAKE JUNE RD
LONSDALE AVE
C F HAWN ACRD
C F HAWN FWY
SARAH LEE DR
C F HAWN ACRD
C F HAWN
BARRETT DR
DENHAM PL
DENHAM CIR
DENHAM CT
PINDAR AVE
C F HAWN SERV
DENHAM ST
JONELLE AVE
FENWAY ST
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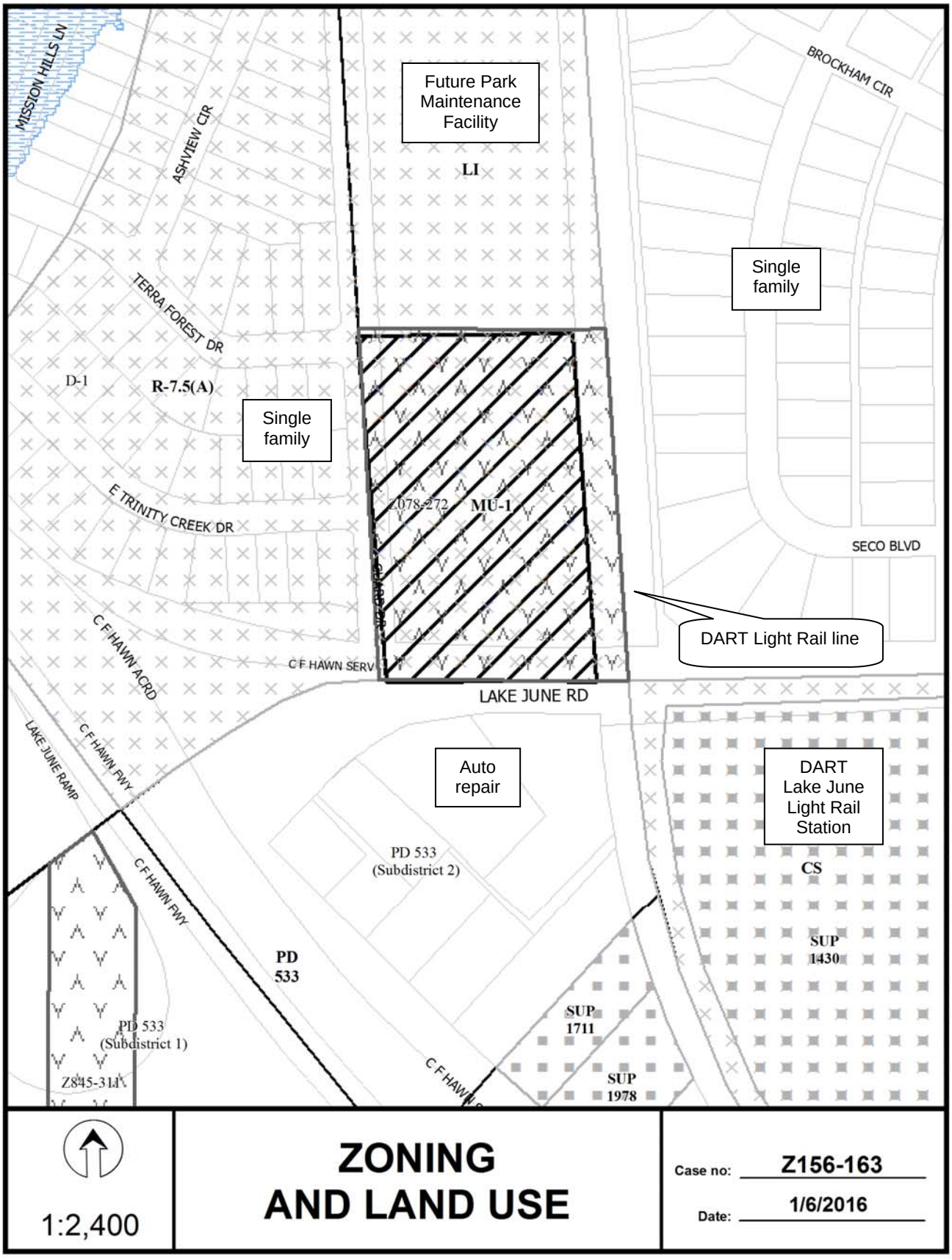
Case no: Z156-163
Date: 1/6/2016

1:2,400

AERIAL MAP

Case no: Z156-163

Date: 1/6/2016


Future Park Maintenance Facility
LI
Single family
Single family
DART Light Rail line
Auto repair
DART Lake June Light Rail Station
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ASHVIEW CIR
BROCKHAM CIR
TERRA FOREST DR
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R-7.5(A)
E TRINITY CREEK DR
Z078-272
MU-1
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C F HAWN ACRD
C F HAWN SERV
LAKE JUNE RD
LAKE JUNE RAMP
C F HAWN FWY
PD 533 (Subdistrict 2)
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SUP 1430
PD 533
PD 533 (Subdistrict 1)
Z845-311
SUP 1711
SUP 1978
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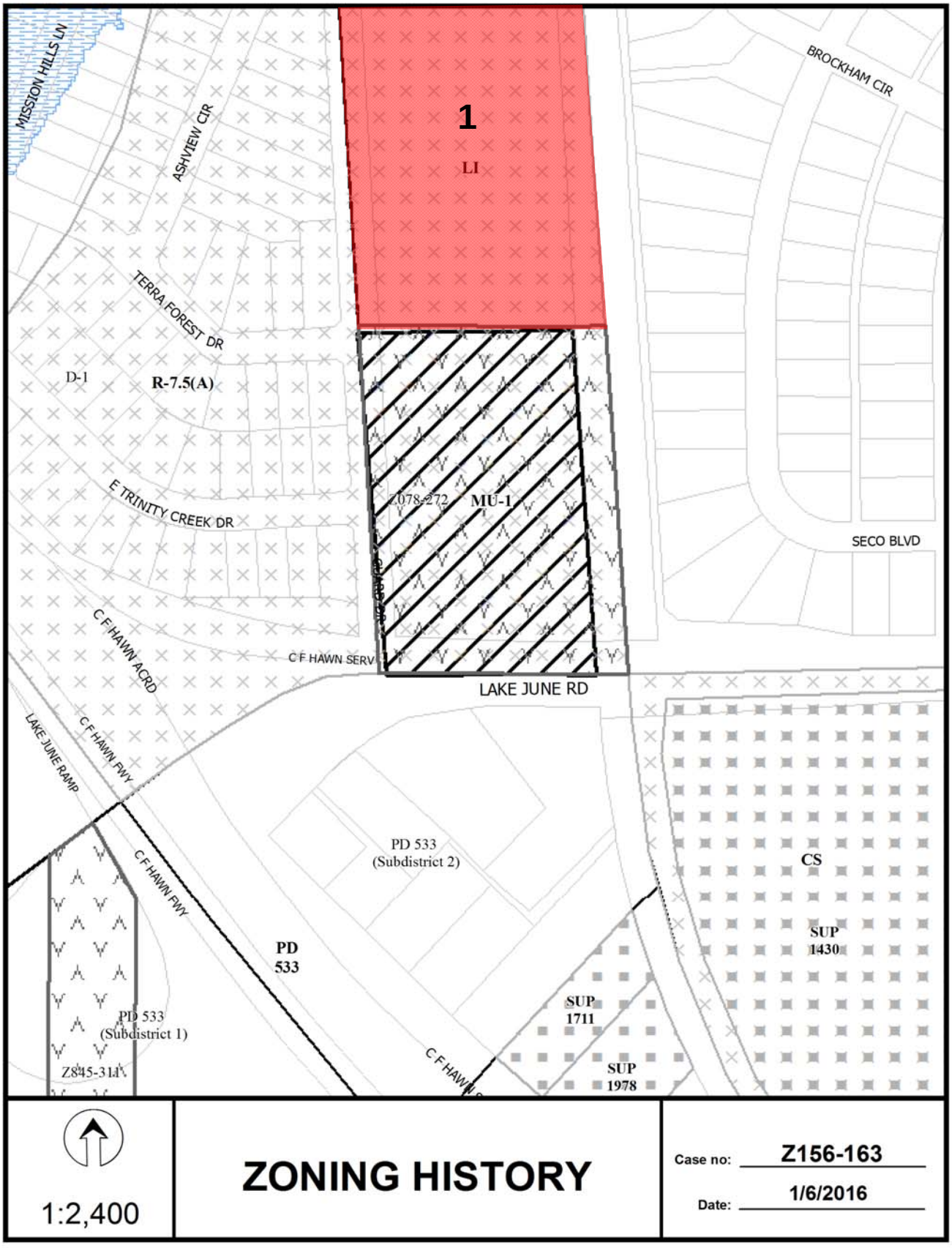
ZONING AND LAND USE
Case no: Z156-163
Date: 1/6/2016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SUP
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(Subdistrict 1)
Z845-314
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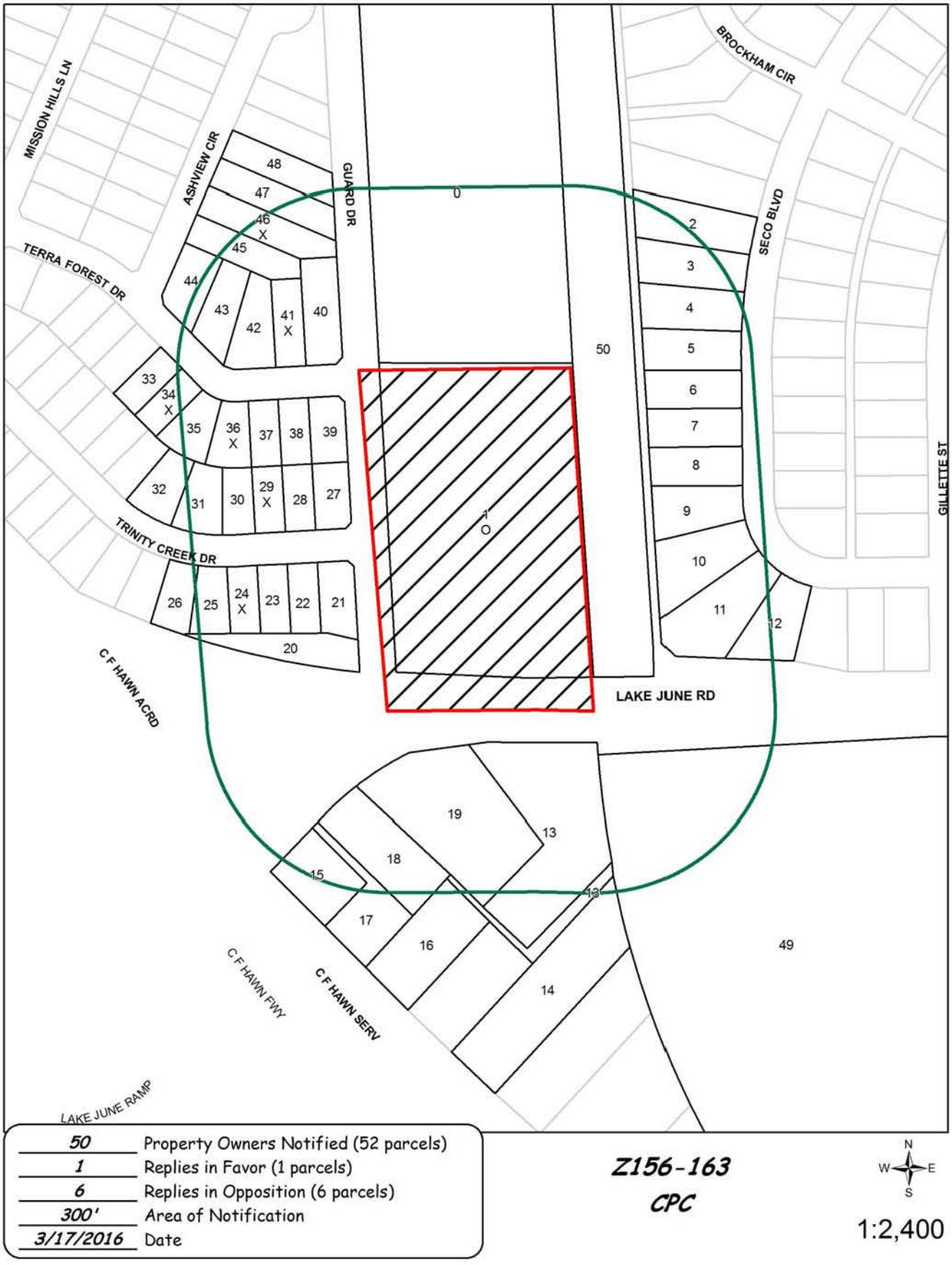
ZONING HISTORY
Case no: Z156-163
Date: 1/6/2016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19
13
18
15
17
16
14
49
50 Property Owners Notified (52 parcels)
1 Replies in Favor (1 parcels)
6 Replies in Opposition (6 parcels)
300' Area of Notification
3/17/2016 Date
Z156-163
CPC
N
W
E
S
1:2,400

03/16/2016

Reply List of Property Owners

Z156-163

50 Property Owners Notified ***1 Property Owners in Favor*** ***6 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	6343	LAKE JUNE RD	FLECK LINDSAY A TRUSTEE
	2	6469	SECO BLVD	VILLEGAS MARIA
	3	6465	SECO BLVD	RODRIGUEZ CRESCENCIO
	4	6459	SECO BLVD	PATTERSON CAROLYN J
	5	6453	SECO BLVD	WARREN MARY R
	6	6449	SECO BLVD	BOCANEGRA ROSENDO ALMANZA & OLGA EQUIA
	7	6443	SECO BLVD	BUTLER ANNETTA AVERY
	8	6439	SECO BLVD	YATES ANITA
	9	6435	SECO BLVD	GONZALEZ VINCENTE &
	10	6429	SECO BLVD	PRICE CAMERON
	11	6425	SECO BLVD	BROGDON WALLACE E
	12	6419	SECO BLVD	VEGA ROGELIO L
	13	6312	LAKE JUNE RD	REYES GERARDO
	14	6406	C F HAWN FWY	HENDERSON BILLY J
	15	6310	C F HAWN FWY	BROWN RICHARD
	16	6334	C F HAWN FWY	BROWN RICHARD E
	17	6326	C F HAWN FWY	BROWN RICHARD E
	18	6326	LAKE JUNE RD	MELENDEZ SONIA E
	19	6320	LAKE JUNE RD	REBOLLOSO RODOLFO
	20	6010	C F HAWN FWY	WHITEROCK HOLDING LTD
	21	6266	TRINITY CREEK DR	RESIDENTIAL RESERVICES LLC
	22	6262	TRINITY CREEK DR	HOLLAND KELVIN
	23	6258	TRINITY CREEK DR	GUTIERREZ RODRIGO S &
X	24	6254	TRINITY CREEK DR	MARTINEZ VALENTIN
	25	6250	TRINITY CREEK DR	IVY GERALD & LUELLA
	26	6246	TRINITY CREEK DR	GONZALEZ IVAN & ROSEMARY

03/16/2016

Reply	*Label #*	*Address*		*Owner*
	27	6255	TRINITY CREEK DR	GUADALUPE JOSE &
	28	6251	TRINITY CREEK DR	ROBINSON KEN
X	29	6247	TRINITY CREEK DR	GUTIERREZ RODRIGO & MARIA A
	30	6243	TRINITY CREEK DR	ADAMS GODFREY A
	31	6239	TRINITY CREEK DR	ESCOBOSA JORGE R
	32	6235	TRINITY CREEK DR	MOIBI MOJISOLA O
	33	6222	TERRA FOREST DR	RUNNELS GLENN
X	34	6226	TERRA FOREST DR	HOUGH AVA GWENETTE
	35	6230	TERRA FOREST DR	WOODS KENETRA & KERRY
X	36	6234	TERRA FOREST DR	MYERS LETRECIA
	37	6238	TERRA FOREST DR	ESCOBAR EDWIN
	38	6242	TERRA FOREST DR	PERETTE ERICK G & FABIOLA
	39	6246	TERRA FOREST DR	ZUNIGA BONIFACIO &
	40	6241	TERRA FOREST DR	IBARRA JOSE G &
X	41	6237	TERRA FOREST DR	TRINITY FOREST HOMEOWNERS ASSOCIATION
	42	6233	TERRA FOREST DR	SAUCEDO URBANO &
	43	6229	TERRA FOREST DR	CANELO SERAFIN & M CONSUELO
	44	6225	TERRA FOREST DR	RODRIGUEZ IGNACIO & CONSUELO
	45	1406	ASHVIEW CIR	HERNANDEZ FELIX J
X	46	1410	ASHVIEW CIR	HERNANDEZ MARIA A
	47	1414	ASHVIEW CIR	PRECIADO CARLOS &
	48	1418	ASHVIEW CIR	HERNANDEZ TERESA
	49	6414	LAKE JUNE RD	DALLAS AREA RAPID TRANSIT
	50	401	S BUCKNER BLVD	DART

AGENDA ITEM # 63

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 43 R

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial/Research District on the south line of West Commerce Street, between Ivanhoe Lane and Brundrette Street
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions
Z145-329(OTH)
Note: This item was considered by the City Council at a public hearing on March 23, 2016, and was deferred until April 27, 2016, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, APRIL 27, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z145-329(OTH) **DATE FILED:** August 20, 2015

LOCATION: South line of West Commerce Street, between Ivanhoe Lane and Brundrette Street

COUNCIL DISTRICT: 6 **MAPSCO:** 43-R

SIZE OF REQUEST: Approx. 2.27 acres **CENSUS TRACT:** 43.00

OWNER/APPLICANT: Listocon Group, LLC

REPRESENTATIVE: Tailim Song, Tailim Song Law Firm

REQUEST: An application for a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial/Research District.

SUMMARY: The applicant proposes to utilize the property for a concrete batch plant. The proposed use will serve new construction within a twenty-mile radius. The use is permitted in the IR Industrial/Research District by SUP only. All other IR uses are also allowed on the property.

CPC RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – While it may not be a desirable use from a long-term perspective, the proposed concrete batch plant is an acceptable use for this location given construction activity in the vicinity.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use neither contributes nor is it a detriment to the welfare of adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety or general welfare of the public. The proposed conditions help mitigate potential negative impacts to the area.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all applicable zoning regulations and city codes.

Zoning History: There have been no zoning applications in the vicinity in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
North Hampton Road	Principal Arterial	100 feet
West Commerce Street	Principal Arterial	100 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Industrial Building Block. Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry

with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

The IR District contains lesser intense industrial uses. As a result, a concrete batch plant may not be appropriate at this location on a permanent basis. The SUP requirement affords the city and surrounding neighbors an opportunity to periodically evaluate whether or not the use is continuing to be compatible with the surrounding area. Furthermore, conditions can establish performance standards such as operating hours, screening and landscaping, site layout, ground and dust control, traffic circulation, and the location of outdoor storage.

Surrounding Land Uses:

	Zoning	**Land Use**
Site	IR	Vacant structures
North	IR	Vehicle related uses and warehouse
South	IR	Vehicle storage and outside storage
West	IR	Vehicle service center, vehicle storage and warehouse
East	IM	Office/warehouse

Land Use Compatibility:

The 2.27 acres of land have several structures that total approximately 10,500 square feet. Approximately 4,885 square feet will be utilized for the outside manufacturing process. The SUP requirement for certain land uses in particular zoning districts affords the city and surrounding neighbors an opportunity to periodically evaluate whether or not the use is continuing to be compatible with the surrounding area. Furthermore, the conditions establish performance standards such as operating hours, screening, site layout, ground and dust control, traffic circulation, stacking height, and the location of outdoor storage.

Development Standards:

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
IR Industrial/Research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. The required parking for the batch plant use is one space per 600 square feet of manufacturing area and one space per 1,000 square feet for the warehousing. For a total required number of spaces of 19. The proposed number of spaces exceeds the requirement.

Landscaping and Sidewalks:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code. At its hearing on January 21, 2016, the City Plan Commission recommended that the applicant incorporate a six-foot wide sidewalk along the property.

CPC ACTION – January 21, 2016

Z145-329(OTH) Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant for a five-year period, subject to a site plan and conditions with an additional condition to provide for construction and maintenance of 6 ft. wide sidewalks on all frontages (at the expense of the applicant), subject to the City's approval on property zoned an IR Industrial/Research District on the south line of West Commerce Street, between Ivanhoe Lane and Brundrette Street.

Note: Commissioner Abtahi requested minutes reflect that when Specific Use Permit No. 1804 is considered for renewal, the docket include the Commission deliberation on this specific use permit.

Maker: Anantasomboon
Second: Emmons
Result: Carried: 11 to 4

For: 11 - Emmons, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright, Peadon, Murphy, Ridley, Tarpley

Against: 4 - Anglin, Houston, Davis Schultz
Absent: 0
Vacancy: 0

Notices: Area: 300 Mailed: 27
Replies: For: 0 Against: 2

Speakers: For: Tailim Song, 13140 Coit Rd., Dallas, TX, 75240
Walter Huerta, 1025 W. Commerce St., Dallas, TX, 752
Against: Mike Rasmussen, 1915 W. Commerce St., Dallas, TX,
Bill Betzen, 6717 Cliffwood Dr., Dallas, TX, 75237
Stephanie Hanson, 1914 Nomas St., Dallas, TX, 75212
Paula Hutchison, 2617 Obenchain St., Dallas, TX, 7521
Ronnie Mestas, 3215 Rutz St., Dallas, TX, 75212

SUP Proposed Conditions
Z145-329

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use limited to a concrete batch plant.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on ___ (five years from the passage of this ordinance).

3. DUST CONTROL:

   A. The following conditions must be met on an ongoing basis:

      i. Trucks must be loaded through a discharge equipped with a water ring or equivalent dust control system that eliminates visible dust emissions.

      ii. All permanent roads or vehicular maneuvering area inside the plant must be paved, watered, and swept to eliminate visible dust emissions.

      iii. The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate visible dust emissions.

      iv. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.

      v. The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.

      vi. During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions or the conveyor charge hopper must be completely enclosed to contain dust.

      vii. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.

      viii. Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.

B. Prior to the issuance of a certificate of occupancy, a written ground and dust control plan that reflects existing and proposed infrastructure needed to comply with conditions 4(A)(i) through 4(A)(viii) must be delivered to the director of environmental and health services and the director of development services.

4. OUTSIDE MANUFACTURING AREA: The maximum area for outside manufacturing is 4,885 square feet in the location shown on the attached site plan.

5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

6. PARKING: Pursuant to the Dallas Development Code, off-street parking and loading must be provided as shown in the site plan.

7. SCREENING: Solid screening must be provided in the height and locations shown on the site plan.

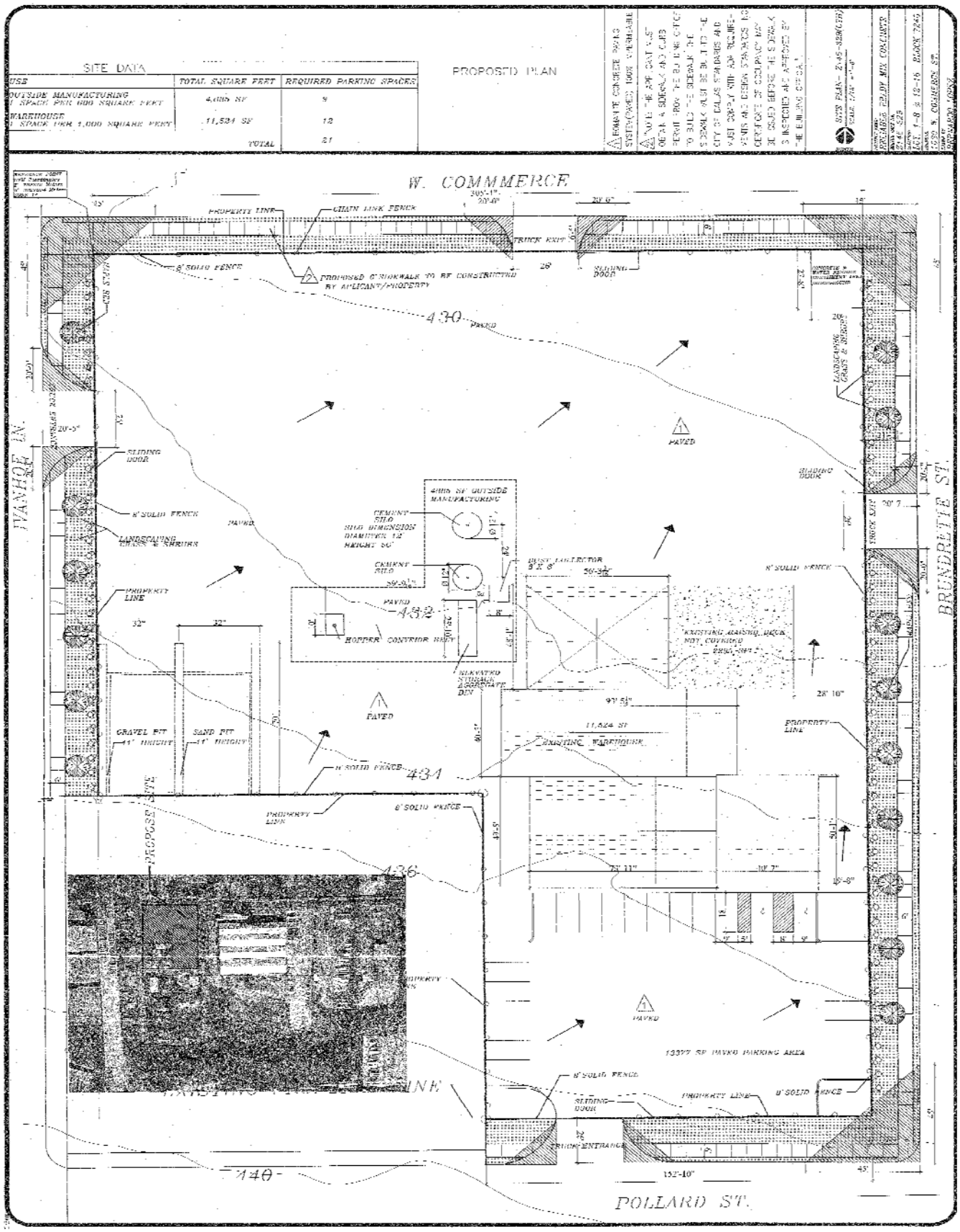
8. SIDEWALK: A 6-foot wide sidewalk shall be installed along all street frontages of the property as shown on the attached site plan.

9. STOCKPILE HEIGHT: Maximum stockpile height for materials in the sand/gravel stockpile is eight feet.

10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

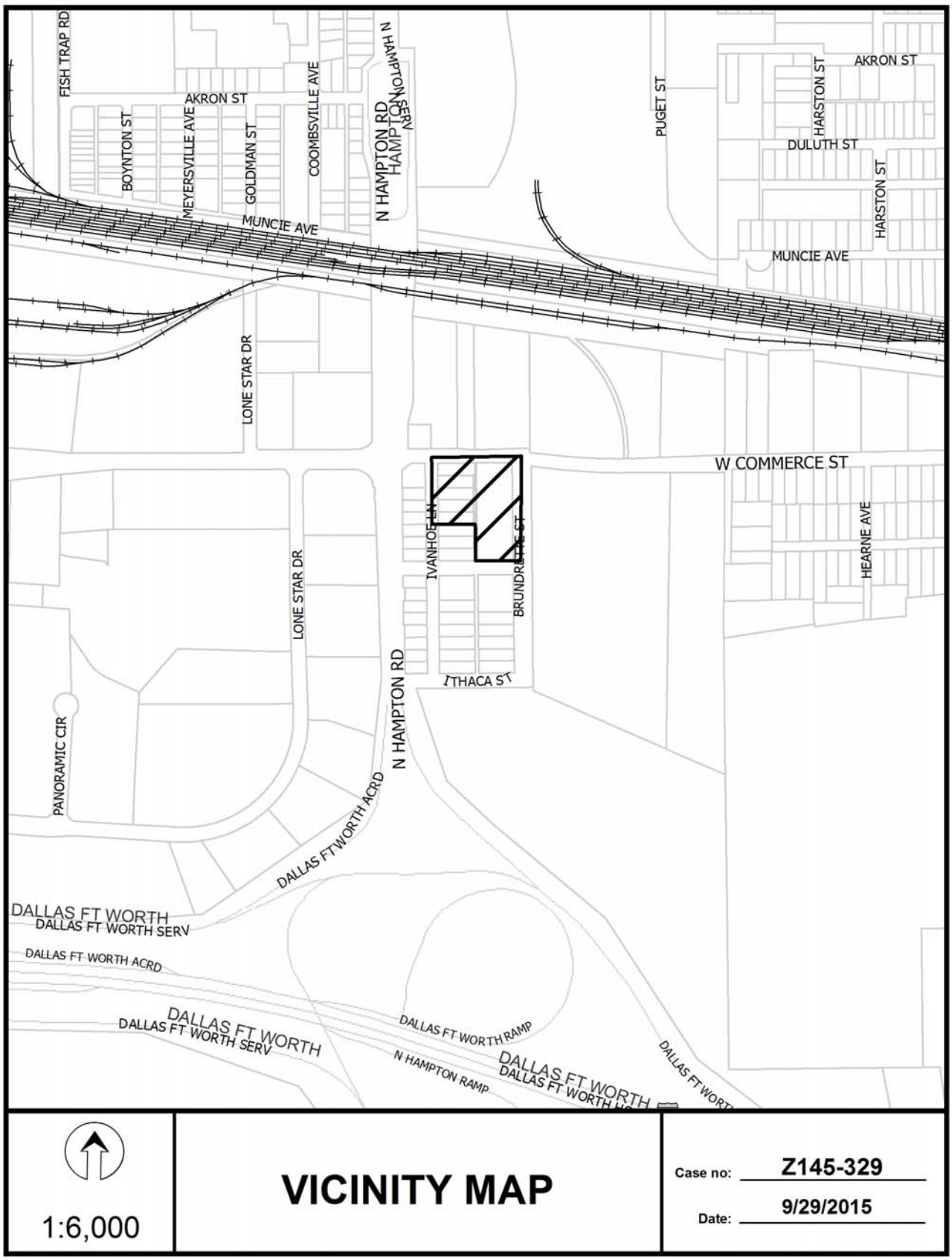
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

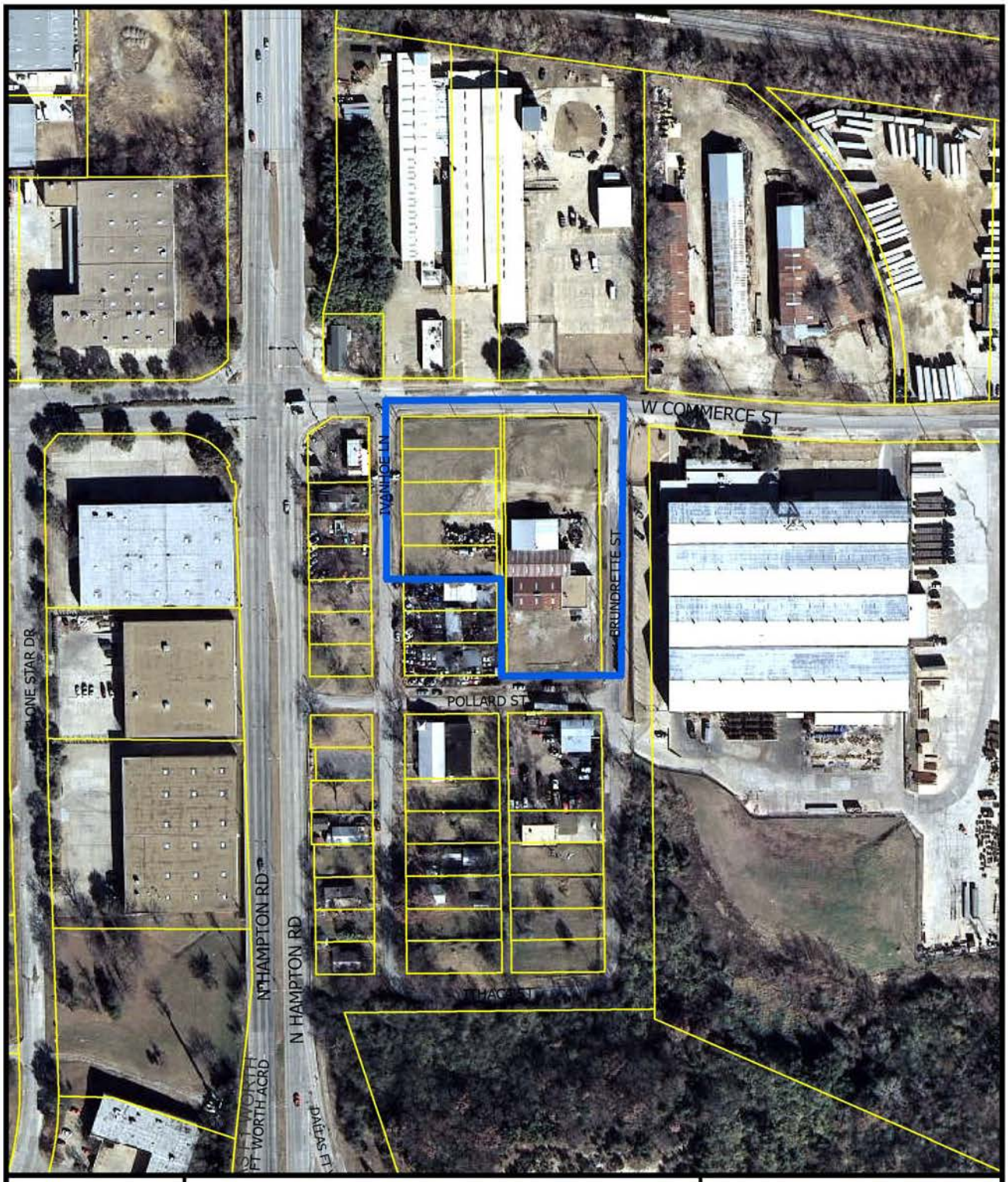
PROPOSED SITE PLAN



Partners and Principles

Augusta Huerta Jr.
Walter A, Huerta


FISH TRAP RD
AKRON ST
BOYNTON ST
MEYERSVILLE AVE
GOLDMAN ST
COOMBSVILLE AVE
N HAMPTON RD SERV
N HAMPTON RD
PUGET ST
HARSTON ST
AKRON ST
DULUTH ST
HARSTON ST
MUNCIE AVE
MUNCIE AVE
LONE STAR DR
W COMMERCE ST
IVANHOE LN
BRUNDRETT CT
HEARNE AVE
LONE STAR DR
ITHACA ST
N HAMPTON RD
PANORAMIC CIR
DALLAS FT WORTH ACRD
DALLAS FT WORTH
DALLAS FT WORTH SERV
DALLAS FT WORTH ACRD
DALLAS FT WORTH
DALLAS FT WORTH SERV
DALLAS FT WORTH RAMP
N HAMPTON RAMP
DALLAS FT WORTH
DALLAS FT WORTH
1:6,000
VICINITY MAP
Case no: Z145-329
Date: 9/29/2015



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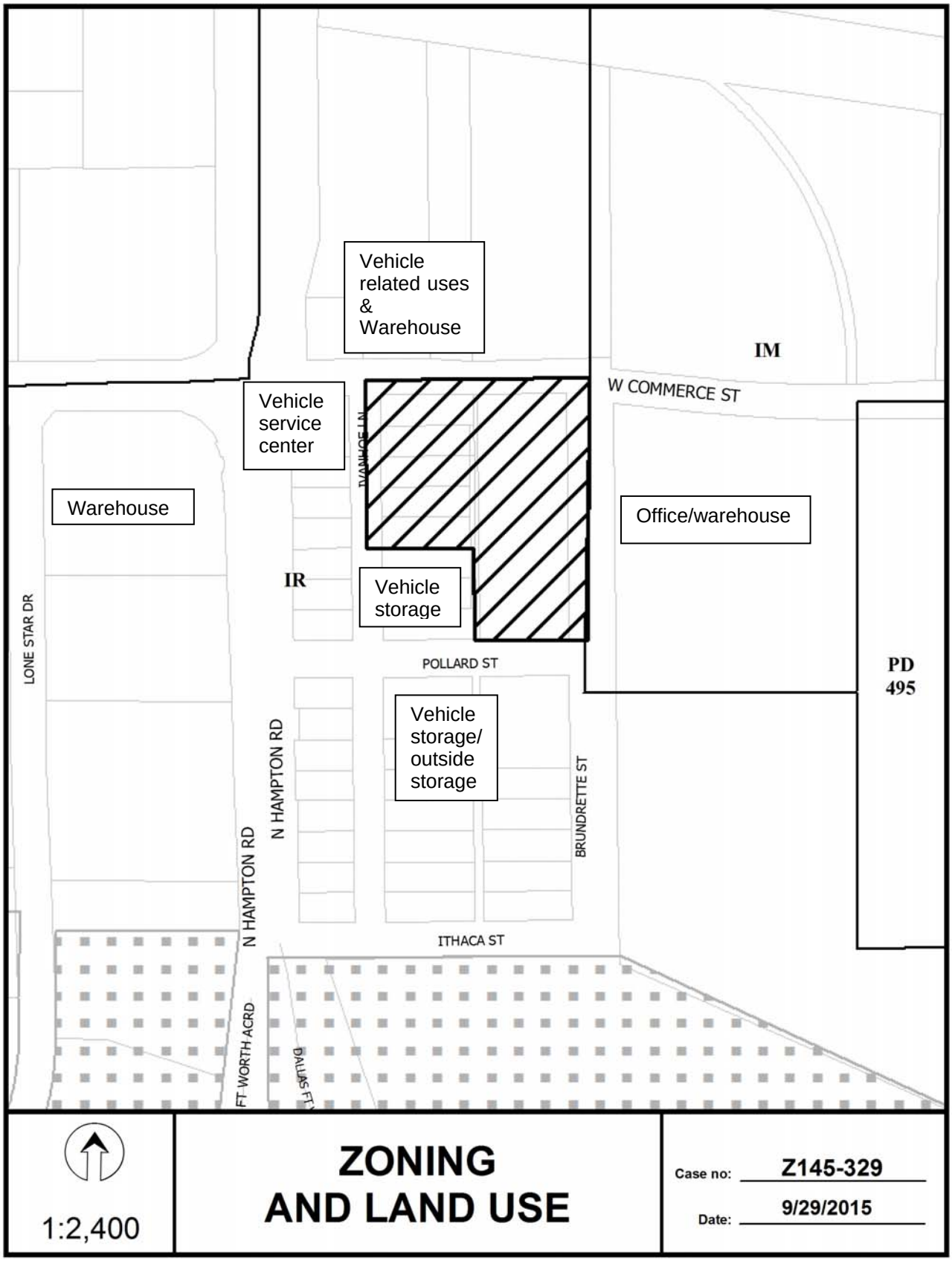
AERIAL MAP

Case no: Z145-329

Date: 9/29/2015


Vehicle related uses & Warehouse
IM
W COMMERCE ST
Vehicle service center
IVANHOE LN
Warehouse
Office/warehouse
IR
Vehicle storage
LONE STAR DR
POLLARD ST
PD 495
Vehicle storage/ outside storage
N HAMPTON RD
N HAMPTON RD
BRUNDRETTE ST
ITHACA ST
FT WORTH ACRD
DALLAS FT
1:2,400
ZONING AND LAND USE
Case no: Z145-329
Date: 9/29/2015

CPC RESPONSES

01/20/2016

Reply List of Property Owners

Z145-329

27 Property Owners Notified ***0 Property Owners in Favor*** ***2 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2060	W COMMERCE ST	LISTOCON GROUP LLC
	2	2062	W COMMERCE ST	LISTOCON GROUP LLC
	3	10	IVANHOE LN	MILLER CHARLES GARY
	4	2202	IVANHOE LN	BUCCOLA ANTONIO EST
	5	2210	IVANHOE LN	MILSAP VALORIE TRUSTEE
	6	2000	LONE STAR DR	5323 TEX OAK LLC
	7	1900	LONE STAR DR	6 BROTHERS REALTY LTD
X	8	2055	W COMMERCE ST	DALLAS HOUSING AUTHORITY
	9	2077	W COMMERCE ST	RIVERA DAVID
	10	2102	IVANHOE LN	ABUSAADA LUAY
	11	2106	IVANHOE LN	RODRIGUEZ JORGE &
	12	2015	BRUNDRETTE ST	NAVA ALFONSO &
	13	2003	BRUNDRETTE ST	SMITHKIRKLEY LILLIAN &
	14	1912	IVANHOE LN	MARTINEZ JORGE
	15	2002	IVANHOE LN	DALLAS INDIAN REVIVAL CENTER
	16	2006	IVANHOE LN	DALLAS INDIAN REVIVAL
	17	2010	IVANHOE LN	DALLAS INDIAN REVIVAL CTR
	18	2015	IVANHOE LN	MARTINEZ RUDOLFO
	19	2007	IVANHOE LN	WHITE ESTHER MRS ESTATE
	20	2003	IVANHOE LN	MANRRIQUEZ MAURA T EST OF
	21	2212	N HAMPTON RD	GARZA DAVID RAY
	22	2207	IVANHOE LN	SKY CUSTOM HOMES INC
	23	2111	IVANHOE LN	ROUSE GERTRUDE
	24	2103	IVANHOE LN	ALEJANDRE PEDRO & ELSA G
	25	2041	W COMMERCE ST	HUFFHINES PHILLIP A
	26	2151	W COMMERCE ST	RIDGEWAY MAILING CO INC

01/20/2016

Reply	*Label #*	*Address*		*Owner*
X	27	2030	W COMMERCE ST	JORGENSEN EARLE M CO

AGENDA ITEM # 64

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 43 N

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2053 for outside salvage or reclamation on property zoned an IM Industrial Manufacturing District on the south side of Bedford Street, east of Norwich Street

Recommendation of Staff and CPC: Approval for a five-year period, subject to a revised site plan and conditions

Z156-128(OTH)

Note: This item was considered by the City Council at a public hearing on March 23, 2016, and was deferred until April 27, 2016, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, APRIL 27, 2016**

ACM: Ryan. S Evans

FILE NUMBER: Z156-128(OTH) **DATE FILED:** August 20, 2015

LOCATION: South side of Bedford Street, east of Norwich Street

COUNCIL DISTRICT: 6 **MAPSCO:** 43-N

SIZE OF REQUEST: Approx. 1.294 acres **CENSUS TRACT:** 105.00

APPLICANT / OWNER: Ignacio Hernandez

REPRESENTATIVES: Ignacio Hernandez and Lorena Hernandez

REQUEST: An application for the renewal of Specific Use Permit No. 2053 for outside salvage or reclamation on property zoned an IM Industrial Manufacturing District.

SUMMARY: The applicant proposes to continue the use of the property for an outside salvage or reclamation use. In addition, a vehicle, display sales and service use and an auto service center are operated on the site as allowed by right. All other IM uses are also allowed in the property. The outside salvage and reclamation use was in operation prior to the issuance of the initial SUP that was approved in November 2013. The site plan was revised to include an existing, 650-square-foot covered concrete pad. Also, the interior fence has been re-labeled to 9 feet (previously 8 feet).

CPC RECOMMENDATION: **Approval** for a five-year period subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a revised site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The property is located at the corner of Bedford Street and Norwich Street and it is surrounded by various outside commercial and industrial uses. Some nonconforming residential uses also exist in the surrounding area. The continuation of the use is compatible with the surrounding area. Code requirements for the use include solid screening, and stacking height limitation. Additionally, increased setbacks are required with the maximum stacking height internalized to the site as depicted on the site plan.

2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use does not contributes to, enhance, or promote the welfare of adjacent properties.

3. *Not a detriment to the public health, safety, or general welfare* – Staff's conditions established in the SUP ordinance and the site plan provide for a dedicated non-permeable surface area for draining of fluids prior to vehicles being placed in the outside storage area. This condition in addition to the others ensures that the use does not pose a detriment to the public health, safety, or general welfare.

4. *Conforms in all other respects to all applicable zoning regulations and standards* – The use of the property and the revised site plan conform to all applicable zoning regulations and standards.

Zoning History: There have been no zoning applications in the vicinity in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing & Proposed ROW
Norwich Street	Collector	80 feet
Bedford Street	Local	50 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Industrial Building Block. Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

Surrounding Land Uses:

	Zoning	Land Use
Site	IM	Outside salvage and reclamation, vehicle display sales and service
North	IM	Nonconforming single family and vehicle related uses
South	IM	Industrial outside/contractor's maintenance yard
West	IM	Industrial, retail
East	IM	Nonconforming single family, undeveloped, vehicle related use

Land Use Compatibility:

The property is located on an oddly shaped corner lot, with the outside salvage and reclamation use extending internally into the lot. Solid screening (a minimum nine feet in height) is provided around the perimeter of the outside stacking areas as well as a

designated non-permeable surface area for fluids to be removed and captured from the vehicles, and for other uses as required by the Development Code.

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 the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. Parking is provided as shown on the revised site plan. No additional parking is required with the revisions of the plan.

Landscaping:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code. No additional landscape is required with the renewal.

CPC ACTION – January 21, 2016

Z156-128(OTH) Planner: Olga Torres Holyoak

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2053 for outside salvage or reclamation for a five-year period, subject to a revised site plan and conditions on property zoned an IM Industrial Manufacturing District on the south side of Bedford Street, east of Norwich Street.

Maker: Anantasomboon
Second: Davis
Result: Carried: 15 to 0

For: 15 - Anglin, Emmons, Houston, Davis, Shidid, Anantasomboon, Abtahi, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 300 Mailed: 26
Replies: For: 0 Against: 0

Speakers: For (Did not speak): Ignacio Hernandez, 3720 Bedford St., Dallas
Lorena Hernandez, 3720 Bedford St., Dallas
Against: None

SUP Proposed Conditions
Z156-128(OTH)

1. USE**:** The only use authorized by this specific use permit is outside salvage and reclamation.

2. SITE PLAN: Use and development of the Property must comply with the attached revised site plan.

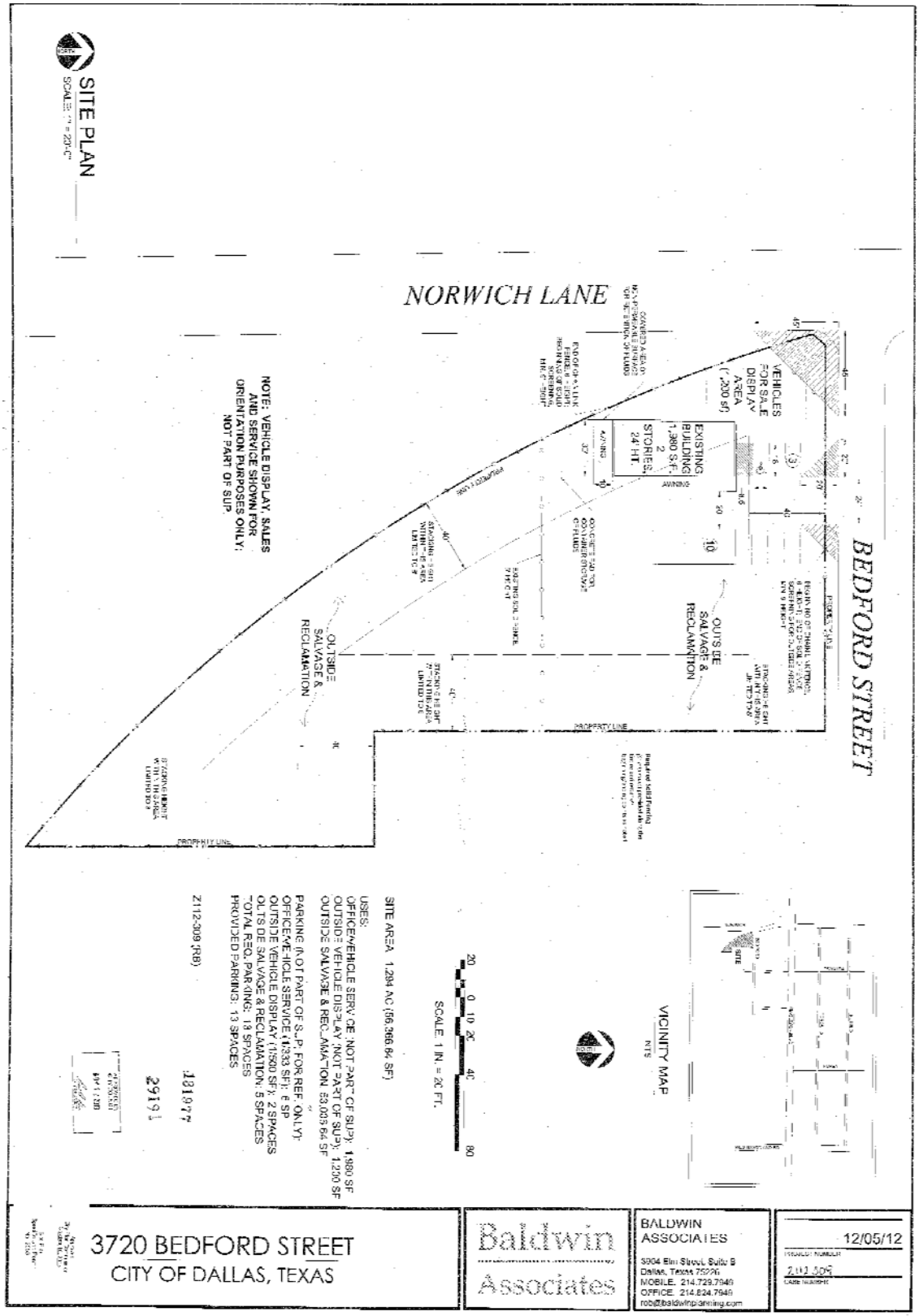
3. TIME LIMIT: This specific use permit expires on ~~November 12, 2015~~ (five years).

4. FLUID REMOVAL: Draining of fluids from vehicles must be performed within the covered non-permeable surface area located as shown on the attached site plan.

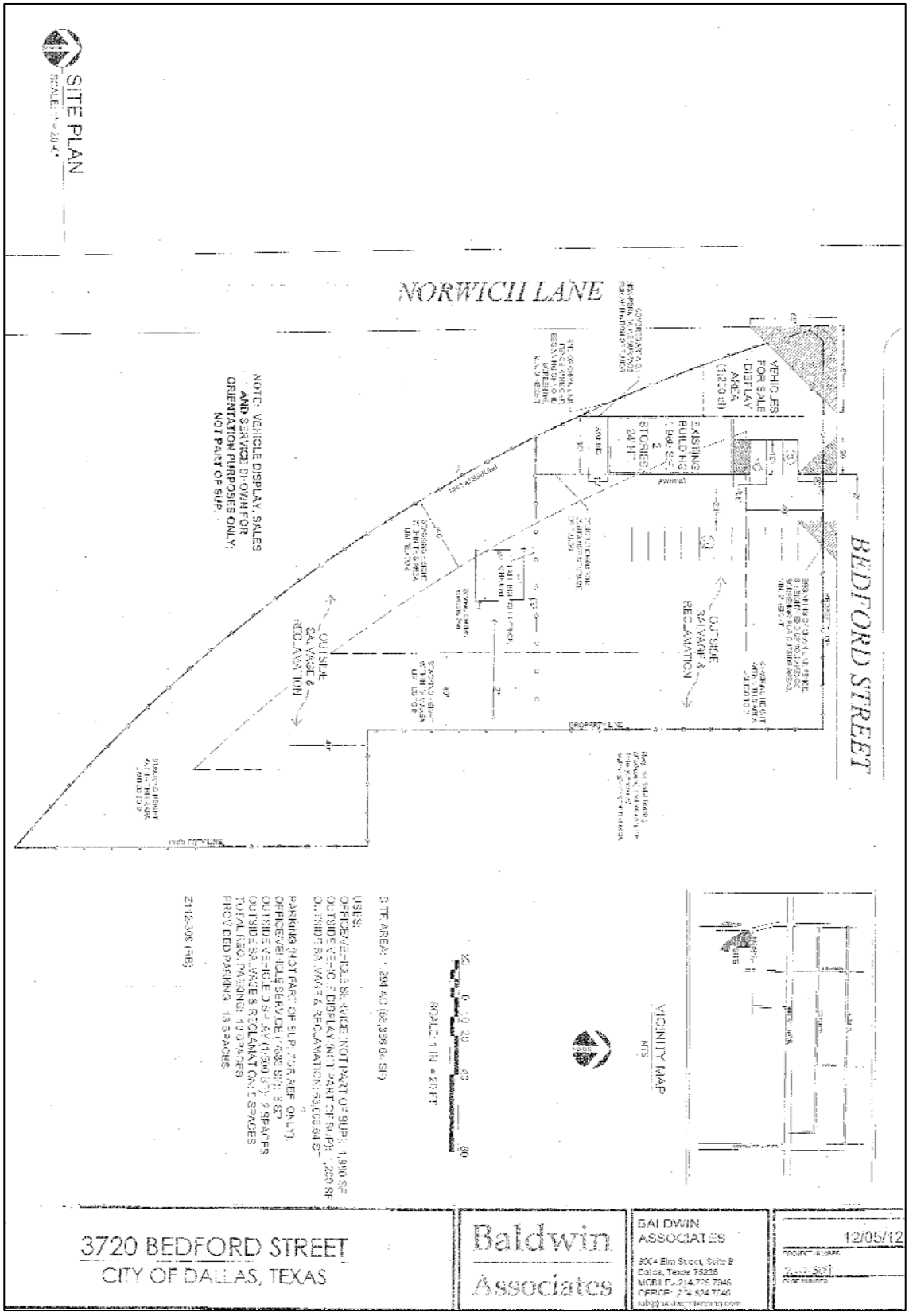
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

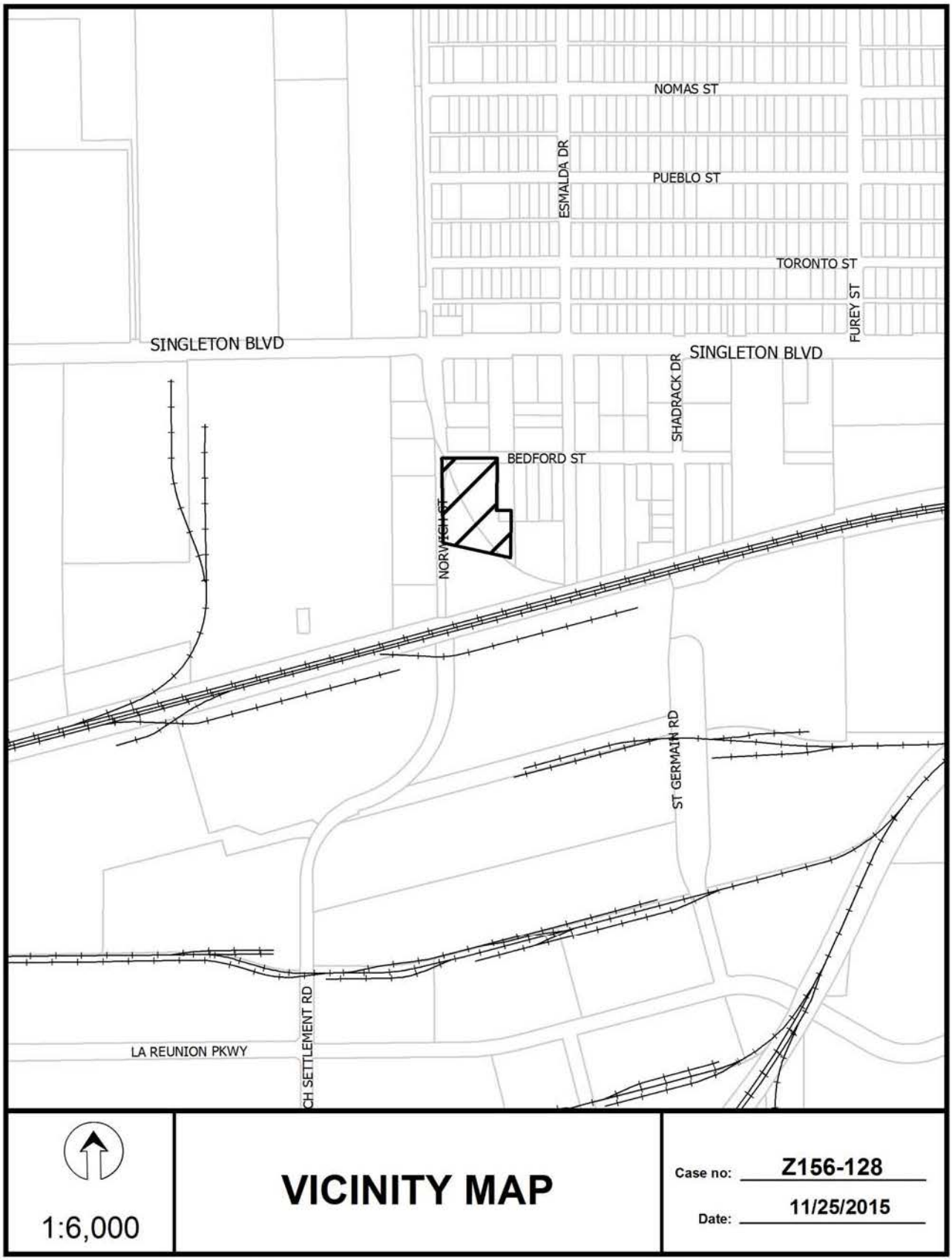
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

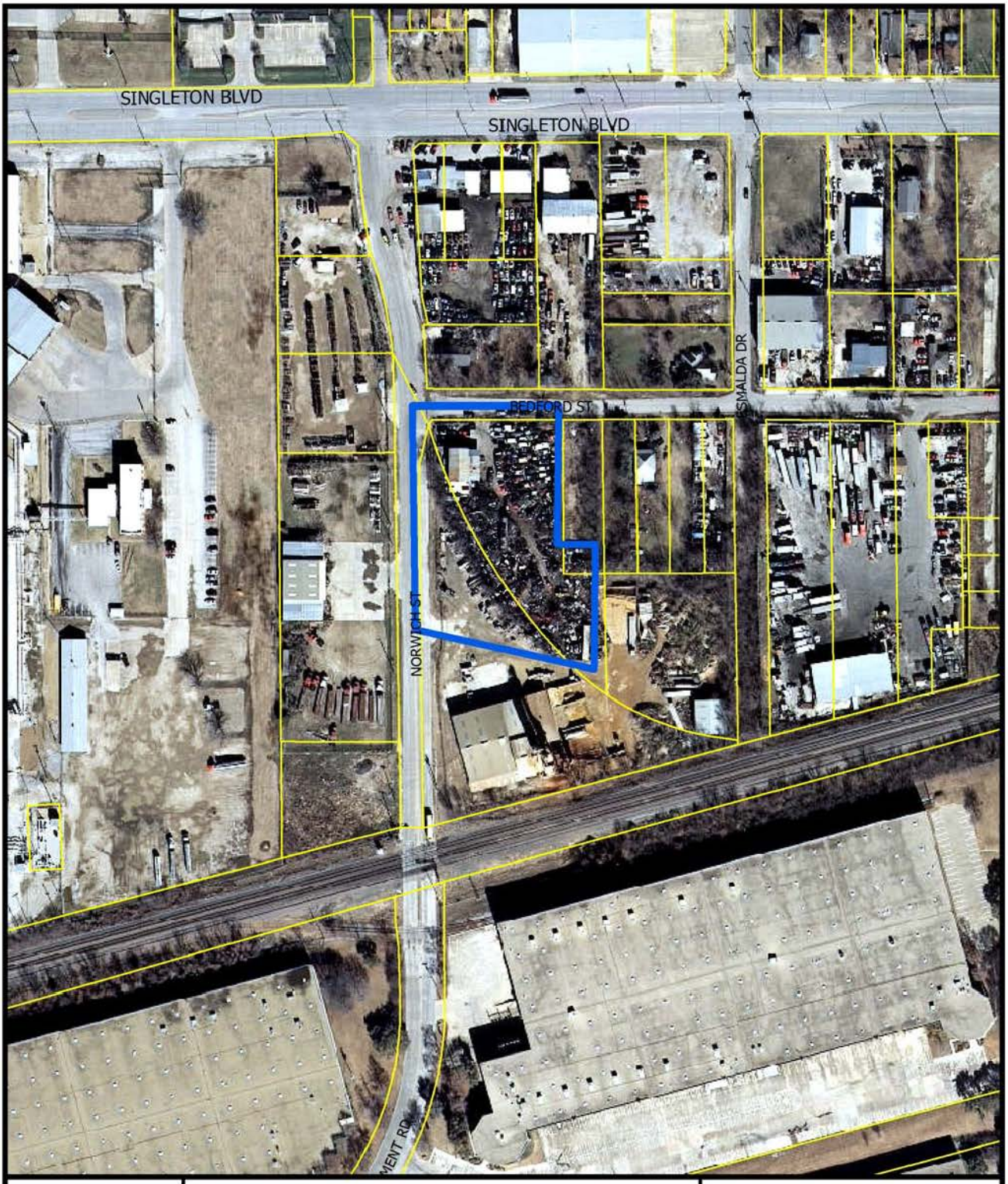
EXISTING SITE PLAN



PROPOSED SITE PLAN




NOMAS ST
ESMALDA DR
PUEBLO ST
TORONTO ST
FUREY ST
SINGLETON BLVD
SINGLETON BLVD
SHADRACK DR
BEDFORD ST
NORWICH ST
ST GERMAIN RD
CH SETTLEMENT RD
LA REUNION PKWY
1:6,000
VICINITY MAP
Case no: Z156-128
Date: 11/25/2015



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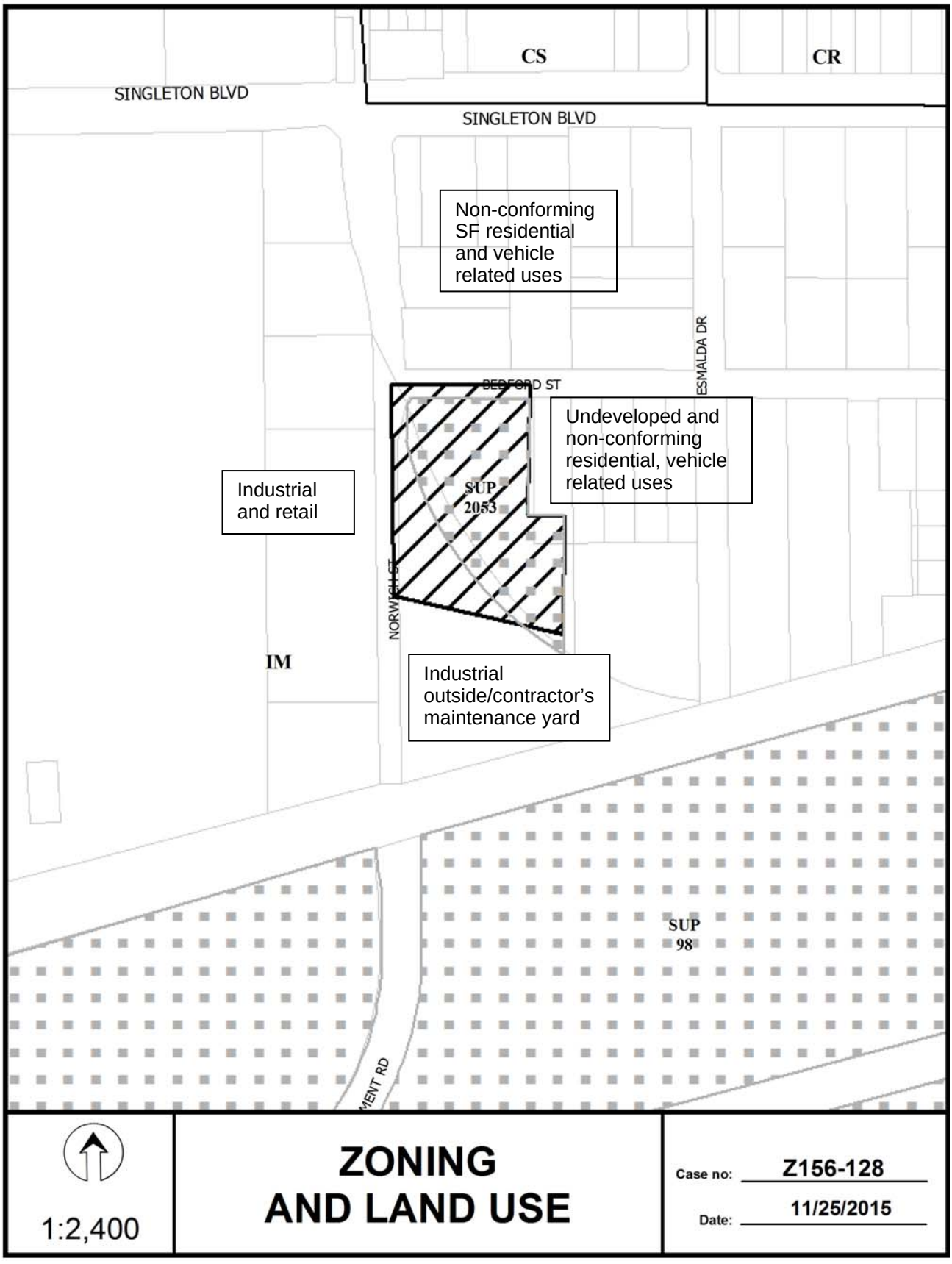
AERIAL MAP

Case no: Z156-128

Date: 11/25/2015


CS
CR
SINGLETON BLVD
SINGLETON BLVD
Non-conforming SF residential and vehicle related uses
ESMALDA DR
BEDFORD ST
Undeveloped and non-conforming residential, vehicle related uses
Industrial and retail
SUP 2053
NORWICH ST
IM
Industrial outside/contractor's maintenance yard
SUP 98
MENT RD
1:2,400
ZONING AND LAND USE
Case no: Z156-128
Date: 11/25/2015

CPC RESPONSES

01/20/2016

Reply List of Property Owners

Z156-128

26 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*		*Address*	*Owner*
	1	2624	NORWICH ST	DAVIS CHARLES W
	2	3720	BEDFORD ST	HERNANDEZ IGNACIO SR ETAL
	3	3716	BEDFORD ST	ORNELAS NORBERTO
	4	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	5	9999	NO NAME ST	UNION PACIFIC RR CO
	6	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
	7	3900	SINGLETON BLVD	STAR ENTERPRISES
	8	2901	NORWICH ST	REYES JACINTO E
	9	3728	SINGLETON BLVD	NATHAL RODRIGUEZ CORP
	10	3724	SINGLETON BLVD	NATHAL RODRIGUEZ CORP
	11	3722	SINGLETON BLVD	JDS DIESEL AND GAS REPAIR INC
	12	3714	SINGLETON BLVD	STEPHYS INC
	13	2811	ESMALDA DR	ROMERO GILBERT
	14	2803	ESMALDA DR	RICO LEOPOLDO & MARIA G
	15	2802	NORWICH ST	CASTRO JUAN JOSE &
	16	2810	NORWICH ST	NATHAL RODRIGUEZ CORP
	17	2700	ESMALDA DR	DAVIS CHARLES W
	18	2700	ESMALDA DR	TEXACO INC
	19	3712	BEDFORD ST	ORNELAS NOLBERTO
	20	3708	BEDFORD ST	REYES JOSE F
	21	3704	BEDFORD ST	REYES SIMON GARCIA
	22	3702	BEDFORD ST	CASTANEDA ELIZABETH
	23	2777	NORWICH ST	PFEIL GARY ARTHUR
	24	2701	NORWICH ST	PFEIL GARY A
	25	3806	SINGLETON BLVD	PFEIL GARY
	26	2322	FRENCH SETTLEMENT RD	TURNPIKE SUB LLC

AGENDA ITEM # 65

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 3

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 52 W

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial/Research District on property zoned an A(A) Agricultural District on the southeast corner of West Kiest Boulevard and Ledbetter Drive
Recommendation of Staff and CPC: Approval
Z156-178(OTH)
Note: This item was considered by the City Council at a public hearing on April 13, 2016, and was held under advisement until April 27, 2016, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, APRIL 27, 2016**

ACM: Ryan S. Evans

FILE NUMBER: Z156-178(OTH) **DATE FILED:** January 6, 2016

LOCATION: Southeast corner of West Kiest Boulevard and Ledbetter Drive

COUNCIL DISTRICT: 3 **MAPSCO:** 52-W

SIZE OF REQUEST: Approx. 13.05 acres **CENSUS TRACT:** 165.20

APPLICANT / OWNER: WWF Operating Company c/o Harold Gingsburg

REPRESENTATIVE: Barry Knight & Brad Williams, Winstead PC

REQUEST: An application for an IR Industrial/Research District on property zoned an A(A) Agricultural District.

SUMMARY: The applicant requests to rezone property adjacent to property they own that is already zoned IR. The applicant is not proposing any specific use or development on the property at this time.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district will be consistent with the existing development in the surrounding area. The property is surrounded by industrial, institutional and undeveloped uses.

2. *Traffic impact* – The proposed development is located on a principal arterial street. The existing street system can accommodate the request.

3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas!* Comprehensive Plan states that this area is within the Industrial Building Block. The requested zoning district is consistent with the Industrial Building Block.

Zoning History: There have not been any recent zoning changes in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
West Kiest Blvd.	Principal Arterial	120 feet
Ledbetter Drive	Local	100 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan classifies the area as Industrial Building Block.

Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail

for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

IR Industrial Research districts have the least intense industrial uses. They also exclude more intense commercial uses. Given the existing area, the request is generally in conformance with the Comprehensive Plan.

Surrounding Land Uses:

	Zoning	Land Use
Site	A(A)	Undeveloped
North	A(A)	Undeveloped
East	IR	Undeveloped & industrial complex
South	IR	Industrial and warehouse use
West	MF-1(A)	Institutional (Centro Parroquial Comunitario)

Land Use Compatibility:

The request site is approximately 1.99 acres and is currently undeveloped. The property is currently surrounded by undeveloped land and industrial and warehouse uses. There are no residential or retail uses in the area.

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Landscaping:

All landscaping for any development must comply with the requirements of Article X.

CPC ACTION – March 3, 2016

Motion: It was moved to recommend **approval** of an IR Industrial/Research District on property zoned an A(A) Agricultural District on the southeast corner of West Kiest Boulevard and Ledbetter Drive.

Maker: Peadon
Second: Anglin
Result: Carried: 14 to 0

For: 14 - Anglin, Emmons, Houston, Davis, Shidid, Anantasomboon, Haney, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

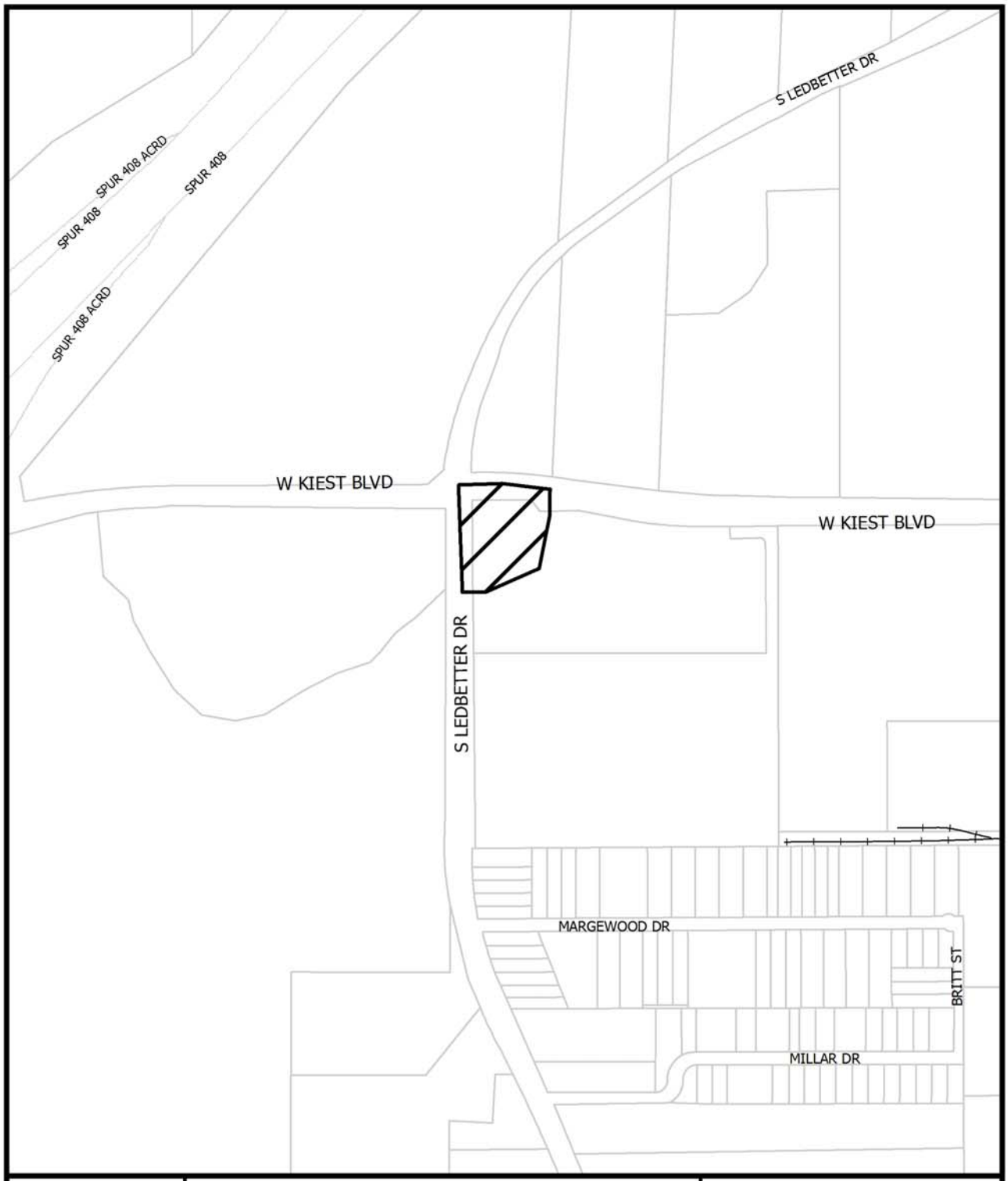
Against: 0
Absent: 1 - Abtahi
Vacancy: 0

Notices: Area: 300 Mailed: 7
Replies: For: 1 Against: 0
Speakers: None

Partners & Principles

WWF Operating Company

Gregg L. Engles
Kelly J. Haecker
Blaine E. McPeak
Kevin C. Yost
Bernard P.J. Deryckere
Edward F. Fugger
Roger E. Theodoredi
Thomas N. Zanetich



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VICINITY MAP

Case no: Z156-178

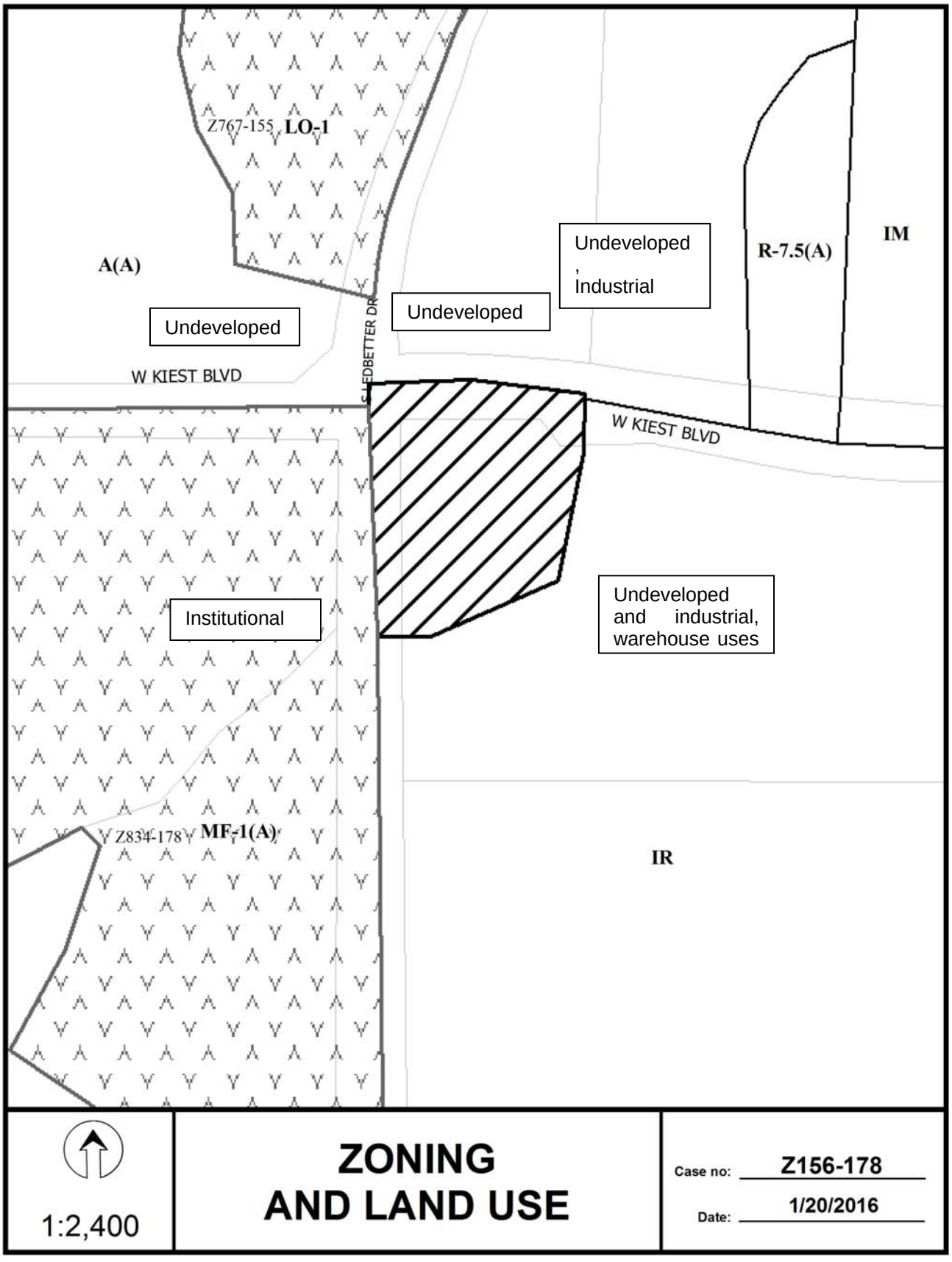
Date: 1/20/2016

1:2,400

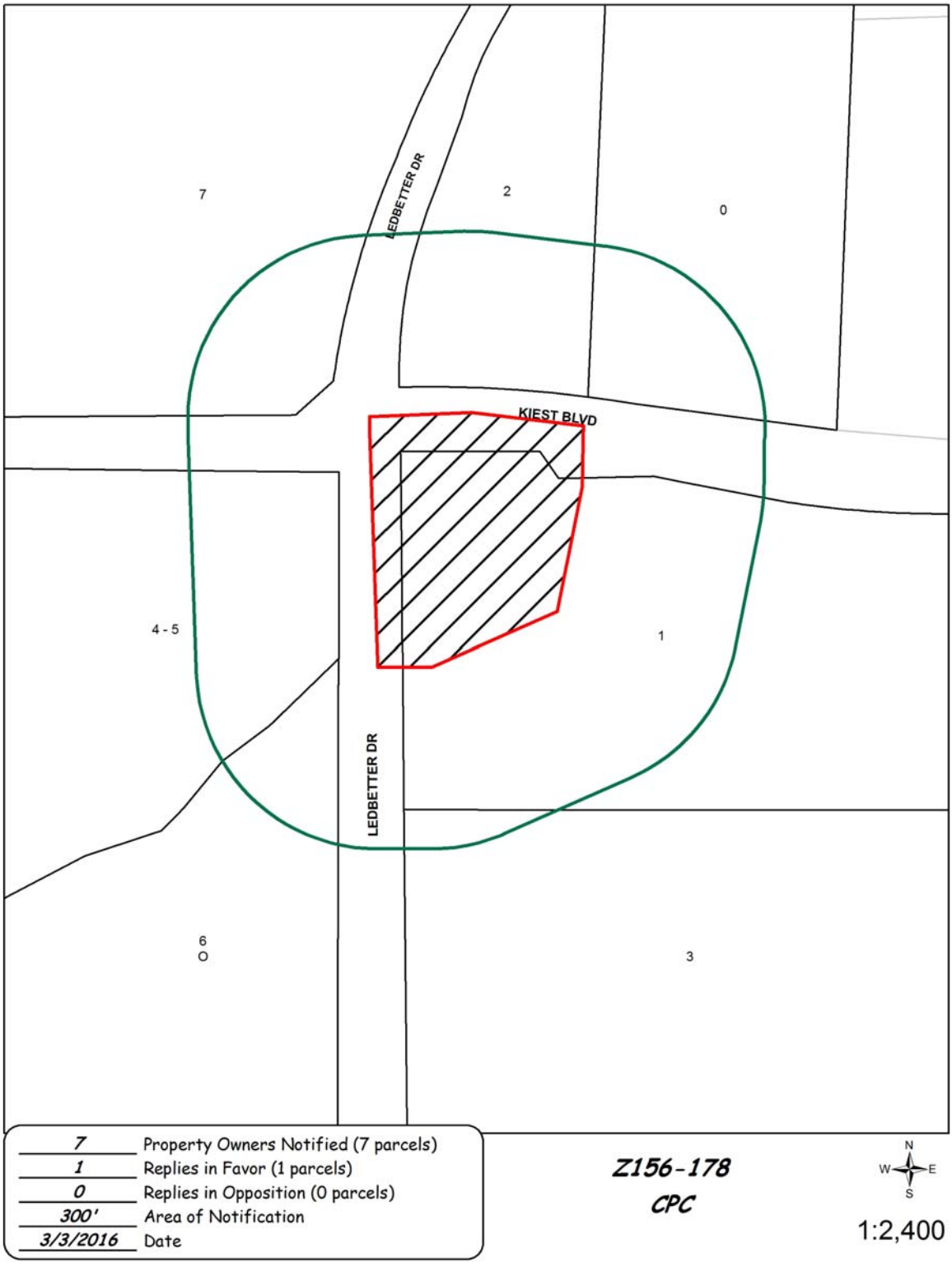
AERIAL MAP

Case no: Z156-178

Date: 1/20/2016


Z767-155
LO-1
A(A)
Undeveloped
W KIEST BLVD
SLEDBETTER DR
Undeveloped
Undeveloped , Industrial
R-7.5(A)
IM
W KIEST BLVD
Institutional
Undeveloped and industrial, warehouse uses
Z834-178
MF-1(A)
IR
1:2,400
ZONING AND LAND USE
Case no: Z156-178
Date: 1/20/2016

CPC RESPONSES



03/02/2016

Reply List of Property Owners

Z156-178

7 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	5800	W KIEST BLVD	8600 ROYAL INC
	2	3000	S LEDBETTER DR	UNITED STATES OF AMERICA
	3	5800	W KIEST BLVD	LBA RV COMPANY I LLC
	4	6000	W KIEST BLVD	ROMAN CATHOLIC DIOCESE OF DALLAS
	5	6000	W KIEST BLVD	ROMAN CATHOLIC DIOCESE OF DALLAS
	7	3001	S LEDBETTER DR	UNITED STATES OF AMERICA
O	A1	7500	W KIEST BLVD	SOUTHWEST REG CONF ASSN OF

AGENDA ITEM # 66

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 14 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 696 on property bound by Welch Road, Rickover Drive, Crestline Avenue, and Ridgeside Drive
Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan, traffic management plan, and conditions
Z156-137(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, APRIL 27, 2016**
ACM: Ryan S. Evans

FILE NUMBER: Z156-137(SM) **DATE FILED:** November 23, 2015

LOCATION: Property bound by Welch Road, Rickover Drive, Crestline Avenue, and Ridgeside Drive

COUNCIL DISTRICT: 13 **MAPSCO:** 14U

SIZE OF REQUEST: Approximately 28.78 acres **CENSUS TRACT:** 96.03

APPLICANT/ OWNER: Dallas Independent School District

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application for an amendment to Planned Development District No. 696.

SUMMARY: The applicant proposes to: (1) construct a three-story, 30 classroom, 49,500-square-foot addition to the existing W. T. White High School; (2) decrease parking requirements for the school from 611 to 560 off-street parking spaces; and (3) add 48 head-in parking spaces in front of the school's main entrance adjacent to Ridgeside Drive. The addition will match the architecture of the existing school. Also, some of the surface parking will be replaced with an area for the marching band to practice. The total building area is proposed to be 328,302 square feet and have 84 classrooms. The traffic management plan states that, "based on recent growth trends evident from middle schools, school officials anticipate a student enrollment of 2,372 students." The total enrollment is anticipated to increase by 62 students.

CPC RECOMMENDATION: **Approval**, subject to a revised development/landscape plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development/landscape plan, traffic management plan, and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval of the planned development district based upon:

1. *Performance impacts upon surrounding property* – No direct performance impacts are foreseen upon the surrounding properties at this time. The school addition is compatible in size and character to the existing school and surrounding properties.

2. *Traffic impact* – The Traffic Safety and Engineering Sections have approved the application and the proposed reduction in parking requirements. The summary of the parking reduction findings can be found on pages 20 and 21 of this report.

3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* indicates that this area is in a Residential Neighborhood Building Block. The request is consistent with this building block.

BACKGROUND INFORMATION:

- The school was originally constructed in 1964 and received updates and additions in 2005 and 2013, according to Dallas Central Appraisal District records.

- On February 4, 2015, a building permit application was filed and is currently pending review according to permit records.

Zoning History: There have been no recent zoning cases in the vicinity in the last five years.

Thoroughfare/Street	Designation	Dimension Explanation
Crestline Avenue	Local	60’ ROW
Rickover Drive	Local	60’ ROW
Ridgeside Drive	Local	60’ ROW
Welch Road	Local	60’ ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in

these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

Land Use Compatibility:

The request site is developed with improvements that have supported W.T. White High School for over fifty years.

Surrounding uses consist of single family on all sides with the exception of a small pocket park to the southwest and a church to the northeast.

Staff recommends approval of the amendment to the planned development regulations because the applicant has obtained approval from both the Traffic Safety Engineering Section of the Street Services Department and the Engineering Section of Sustainable Development and Construction and the addition is compatible in size and character to the existing school.

Landscaping: The changes to the landscaping shown on the revised development/landscape plan, essentially removing trees where the addition is proposed, has been reviewed and recommended for approval from the Chief Arborist.

Parking: The application includes a request to decrease the amount of off-street parking required for the school and the proposed addition by 51 spaces (or 8%) of the current parking requirement. David Navarez, P.E. of DeShazo Group, Inc. evaluated the proposal and concluded that the decrease in overall parking requirements will not negatively impact the parking of the school with the current and projected enrollments. From field observation he concluded the site currently provides more parking than needed and with the addition of spaces on the Ridgeside Drive, as proposed with this application, the site will be able to accommodate the anticipated enrollment increase of the proposed addition. His full analysis can be found on pages 20-21 of this report. The Engineering Section of Sustainable Development and Construction reviewed the parking needs study and has recommended approval based on the findings in the study.

CPC Action – March 17, 2016

Z156-137(SM)

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 696, subject to a revised development/landscape plan (as briefed by applicant) to be submitted before Council meeting, revised traffic management plan (dated 3-16-2016), and revised conditions (as briefed) with the following modifications: include in Traffic Management Plan: 1) Restrict exit from student parking lot as right-turn only on Crestline, 2) Strike Subsection (b) which does not allow for queuing in public right-of-way, 3) Require initial traffic study be submitted by January 30, 2018, 4) Under Traffic Study add a subsection "h" to require a list of the number of buses and the number of students riding those buses, 5) Under Traffic Study add a subsection "i" to require a list of parking permits issued to faculty, staff and students, and 6) Under Additional Provisions add subsection (d) to say: For public school, the building designated as a weight room on the development/landscape plan must be relocated within the area of expansion within 6 months of the issuance of a Certificate of Occupancy or final inspection of the addition shown on the landscape/development plan, 7) Under Additional Provisions add subsection (c) to say: For a public school, a maximum of 84 classrooms allowed. As per Code, 9.5 parking spaces are required per classroom. With 84 classrooms, code would require 798 parking spaces. This Planned Development District reduces the parking requirement to 560 spaces. Result a deficit of 127 parking spaces. There is no physical space to add additional parking spaces to the site based on its current configuration. If classrooms are added some consideration must be given to parking and traffic, and 8) Planned Development District conditions: Under Parking, Subsection (c) "For a public school use with 84 classrooms, 560 off-street parking spaces must be provided" on property bound by Welch Road, Rickover Drive, Crestline Avenue, and Ridgeside Drive.

Maker: Murphy
Second: Schultz
Result: Carried: 13 to 0

For: 13 - Anglin, Emmons, Houston, Davis, Shidid, Abtahi*, Haney, Jung, Housewright, Schultz, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Anantasomboon, Peadon
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 162
Replies: For: 11 Against: 17

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Louisa Meyer, 4635 Sugar Mill Rd., Dallas, TX, 75244
Mary Fent, 4606 Gulfstream Dr., Dallas, TX, 75244
For (Did not speak): Marie-Louise Van Hummel, 4623 Gulfstream Dr., Dallas, TX, 75244
Against: None

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

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District 2	vacant
District 3	Dan Micciche
District 4	Nancy Bingham, Board Secretary
District 5	Lew Blackburn, Ph.D., 2nd Vice President
District 6	Joyce Foreman
District 7	Eric Cowan, President
District 8	Miguel Solis, 1st Vice President
District 9	Bernadette Nutall

CPC Recommended Conditions:

ARTICLE 696.

PD 696.

SEC. 51P-696.101. LEGISLATIVE HISTORY.

PD 696 was established by Ordinance No. 25725, passed by the Dallas City Council on September 8, 2004. (Ord. 25725)

SEC. 51P-696.102. PROPERTY LOCATION AND SIZE.

PD 696 is established on property bounded by Welch Road, Ridgeside Drive, Crestline Avenue, and Rickover Drive. The size of PD 696 is approximately 28.78 acres. (Ord. 25725)

SEC. 51P-696.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district. (Ord. 25725)

SEC. 51P-696.104. DEVELOPMENT/LANDSCAPE PLAN.

(a) For a public school use, development and use of the Property must comply with the development/landscape plan (Exhibit 696A). In the event of a conflict between the text of this article and the development/landscape plan, the text of this article controls.

(b) For all other uses, no development/landscape plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply. (Ord. Nos. 25725; 27401)

SEC. 51P-696.105. MAIN USES PERMITTED.

The only main uses permitted in this district are:

(a) a public school other than an open-enrolment charter school (permitted by right); and

(b) all other main uses permitted in the R-16(A) Single Family District, subject to the same conditions applicable in the R-16(A) Single Family District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the R-16(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-16(A) Single Family District is subject to DIR in this district; etc. (Ord. 25725)

SEC. 51P-696.106. 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. (Ord. 25725)

SEC. 51P-696.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. In the event of a conflict, between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as otherwise provided in this section, the yard, lot, and space regulations applicable in the R-16(A) Single Family District apply in this district.

(b) Front yard. For a public school, the minimum front yard is as shown on the development/landscape plan.

(c) Side and rear yard. For a public school, the minimum side and rear yard is as shown on the development/landscape plan.

(d) Height. For a public school only, maximum structure height is 75 feet.

(e) Lot coverage. For a public school, maximum lot coverage is 20 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. (Ord. 25725)

SEC. 51P-696.108. OFF-STREET PARKING AND LOADING.

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

(b) Off-street parking for a public school use is allowed in the required yards.

CPC recommendation:

(c) For a public school use with 84 classrooms, 560 [~~a minimum of 611~~] off-street parking spaces must be provided. [~~Any additional classrooms added to the Property must comply with the off-street parking regulations contained in Division 51A-4.200.~~]

Staff recommendation:

(c) For a public school use with 84 classrooms, 560 [~~a minimum of 611~~] off-street parking spaces must be provided. Any additional classrooms added to the Property must comply with the off-street parking regulations contained in Division 51A-4.200.

(d) For a public school use, a hedge consisting of evergreen plant materials (e.g. holly) capable of reaching three feet in height within three years of planting must be provided to screen parking areas when adjacent to residential uses. (Ord. Nos. 25725; 27401)

SEC. 51P-696.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 25725)

SEC. 51P-696.110. LANDSCAPING.

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

(b) For a public school use, landscaping must be provided as shown on the development/landscape plan.

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

(d) For a public school use, street trees must be planted along the portion of the street within a 300-foot-radius of any structure within the expansion area shown on the development/landscape plan. These street trees must be planted no later than March 8, 2007, for an existing structure, and within six months after issuance of a building permit for any new structure. The trees listed in Subsection (2), "Species," of Section 51A-10.134, "Replacement of Removed or Seriously Injured Trees," must be used. These trees must be a minimum of three caliper inches. Any trees required to be planted under this section must be planted so that the spacing of trees along the street does not exceed 30 feet on center. Additional street trees do not need to be planted where street trees have already been provided pursuant to this provision. The additional trees shown on the development/landscape plan must be provided within 60 days of the installation of the new modular classrooms shown on the development/landscape plan, must be at least 10 feet in height, and must have a caliper

of at least three inches. The additional trees must comply with the Article X street tree regulations. (Ord. Nos. 25725; 27401)

SEC. 51P-696.111. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) For a public school use, signage must be provided as shown on the development/landscape plan. (Ord. 25725)

SEC.51P-696.111.1. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit 696B).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by January 30, 2018. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level;

(G) circulation;

(H) the number of buses and the number of students riding the bus; and

(I) the number of parking permits issued to faculty, staff, and students.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-696.112. 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.

CPC recommendation:

(c) For a public school, a maximum 84 classrooms are allowed.

CPC recommendation:

(d) For a public school, the building designated as the weight room on the development/landscape plan must be relocated within the area of expansion within six months of the issuance of a certificate of occupancy or final inspection of the addition shown on the development/landscape plan.

SEC. 51P-696.113. COMPLIANCE WITH CONDITIONS.

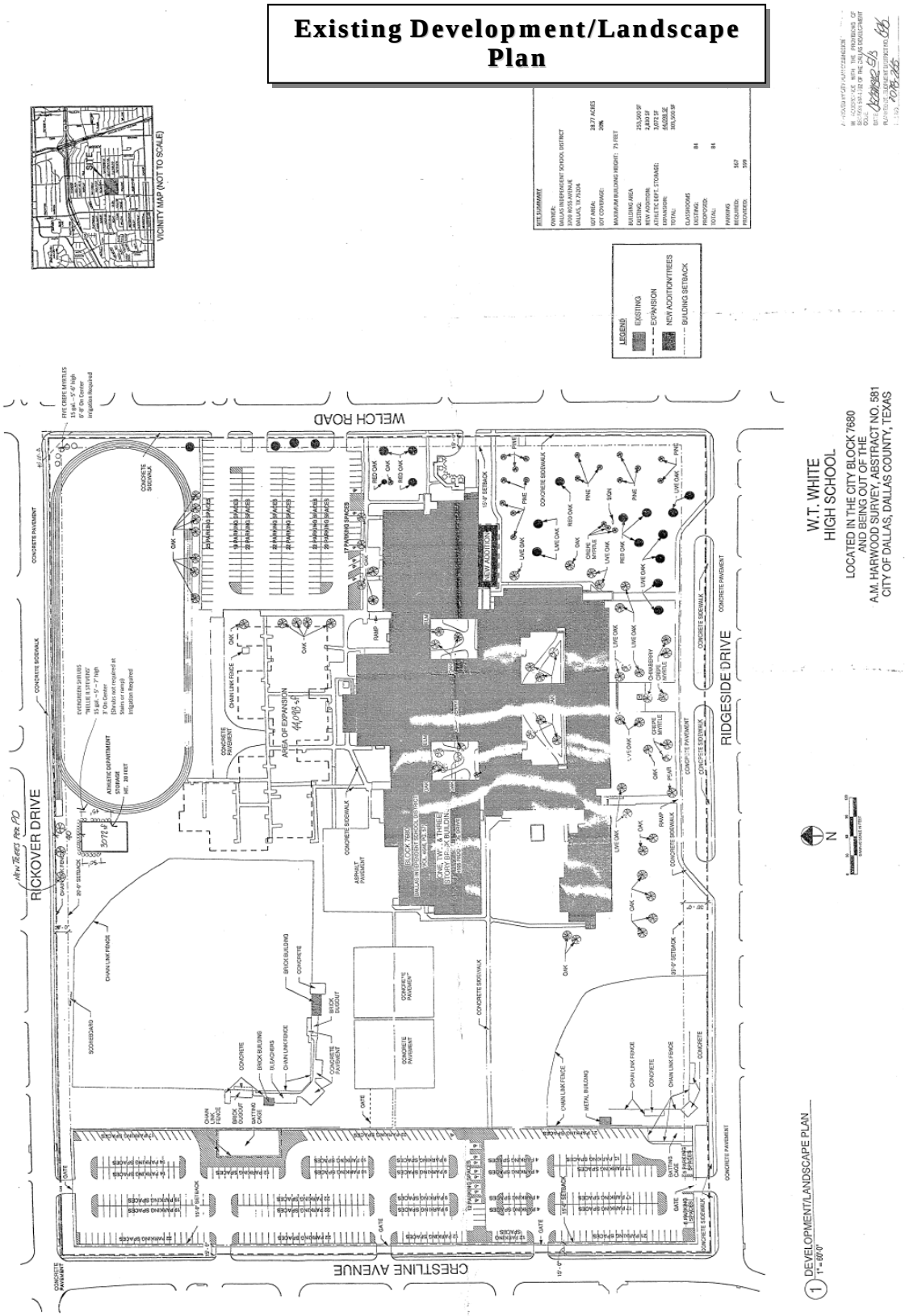
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

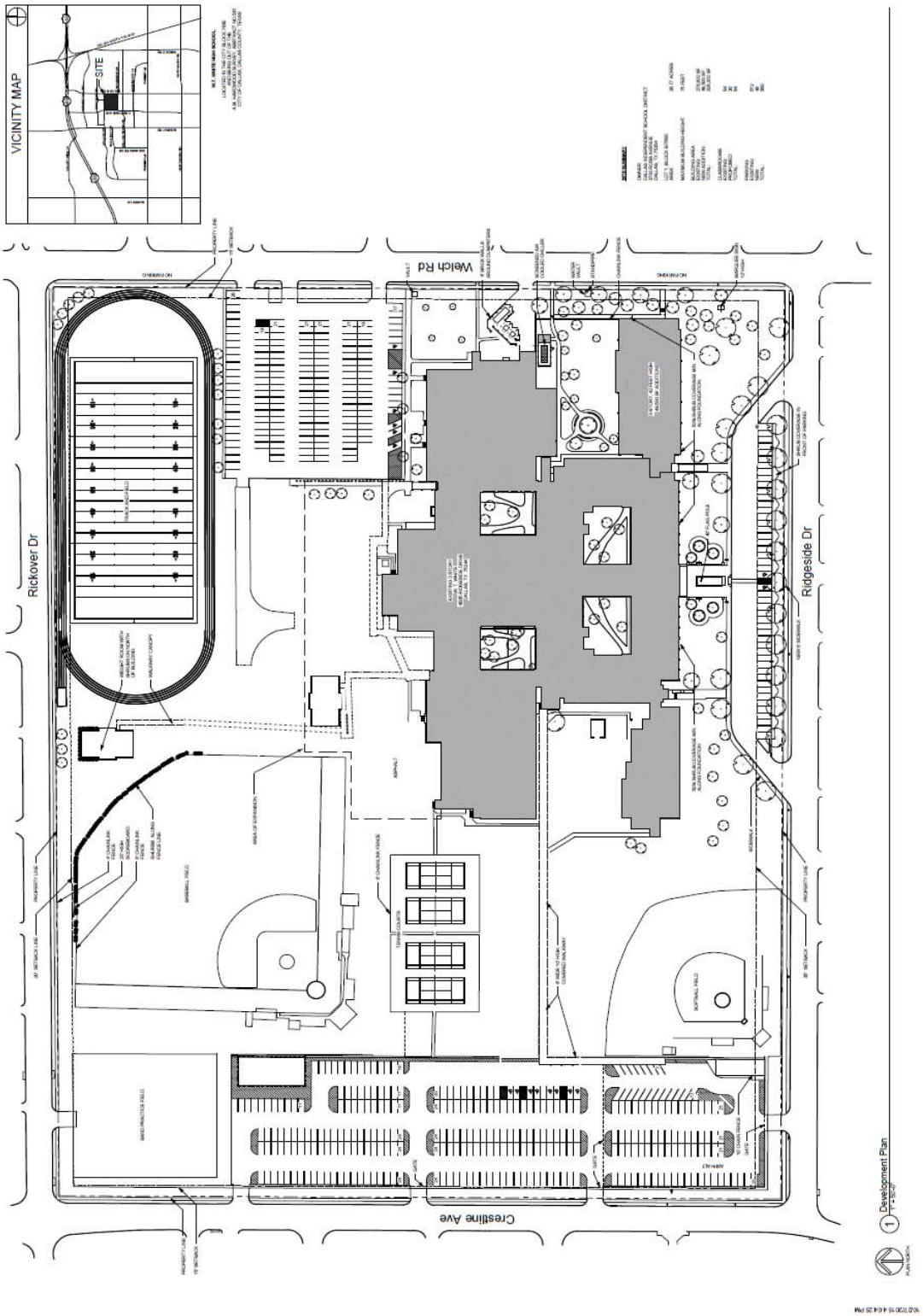
[~~SEC. 51P-696.114. ZONING MAP.~~

~~PD 696 is located on Zoning Map No. D-6.~~]

Existing Development/Landscape Plan



Proposed Development/Landscape Plan



Z156-137

TRAFFIC MANAGEMENT PLAN FOR

W.T. WHITE HIGH SCHOOL

DALLAS, TEXAS

DeShazo Project No. 15191

Prepared for:

Masterplan
900 Jackson Street, Suite 640
Dallas, Texas 75202

Prepared by:

DeShazo Group
35 Years of Excellence!

Traffic. Transportation Planning. Parking. Design.
Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

March 16, 2016

Traffic Management Plan for

W.T. White High School

~ DeShazo Project No. 15191 ~

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Table 1. School Operational Characteristics

LIST OF EXHIBITS:

Exhibit 1. Recommended Site Circulation Plan

DeShazo Group

35 Years of Excellence!

Traffic. Transportation Planning. Parking. Design.

Technical Memorandum

To: Mr. Karl Crawley — Masterplan

From: David Nevarez, P.E. — DeShazo Group, Inc.

Date: March 16, 2016

Re: Traffic Management Plan for DISD W.T. White High School in Dallas, Texas
DeShazo Project Number 15191 Z156-137

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm based in Dallas, Texas, providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by Masterplan on behalf of the Dallas Independent School District to provide a requisite traffic management plan (TMP) for the W.T. White High School campus located at 4505 Ridgeside Drive in Dallas, Texas. The school is currently in operation at the subject site with grades 9 through 12. The school proposes to expand the current facilities with floor area for 30 additional classrooms. However, the expansion is attributed to a remodeling of the existing modular and didactic floor areas. The school capacity will remain within the most recent trends. The school has an existing enrollment of 2,310 students. Based upon recent growth tends evident from middle schools in the district, school officials anticipate a student enrollment of 2,372. The attached site plan, prepared by Masterplan, shows the proposed modifications.

The school property is currently zoned Plan Development (PD) District 696. In order to gain entitlements for the proposed improvements, DISD is seeking approval of a change to the development plan. If approved, the implementation of the proposed site and operational modifications are anticipated to take place before the start of the 2017-2018 school year.

As part of the approval process for changes to the PD, submittal of a TMP to the City of Dallas is required as a record of the preferred strategies to be used by the school to ensure overall traffic safety and efficiency. A TMP is intended to assess the existing and/or anticipated traffic conditions at the school during the morning drop-off and afternoon pick-up peak periods on the basis of satisfying these objectives. By consent of the TMP submittal, the school is agreeing to the strategies presented herein for which the school will be held self-accountable until and unless the City of Dallas deems further measures are appropriate.

NOTE: In this report, the term "parent" refers to any parent, family member, legal guardian, or other individual who is involved in the pick-up or drop-off of one or more students at the school.

400 S Houston St, Suite 330 Dallas, TX 75202 P. 214.748.6740 F. 214.748.7037 www.deshazogroup.com

TRAFFIC MANAGEMENT PLAN

A traffic management plan (TMP) is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. By properly managing the vehicular traffic generated during these critical periods, the safety and efficiency of other modes of travel – including walking – will also inherently improve, and the operational impact on the public street system should also be minimized. The TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it should be used as a tool to facilitate a safer and more efficient environment.

This analysis utilizes the proposed school site plan to evaluate aspects such as passenger loading/unloading and vehicle queuing (i.e., stacking) that occur at the school in order to accommodate the observed peak demands within the site. A concerted effort and full participation by the school administration, staff, students, and parents are encouraged to provide and maintain safe and efficient traffic operations.

School Operational Characteristics

Table 1 summarizes the operational characteristics for W.T. White High School assumed in this analysis.

Table 1. School Operational Characteristics

	Existing Conditions	Proposed Conditions
Enrollment:	*Total (all grades): approximately 2,310 students in 9th through 12th grade.*	*Total (All grades): approximately 2,372 students in 9th through 12th grade.*
Daily Start/End Schedule	Grades 9-12th: > 9:15 AM – 4:15 PM	Grades 9-12th: > 9:15 AM – 4:15 PM *(no change)*
Student Pick-Up Modes of Transportation *(shown as a percent of student population)*:	By School Bus: > 30% *(22 buses with approx.720 students total)* By Walking: < 5% Student Drivers: < 10% *(based on field observations of up to 214 parked vehicles; 176 parking permits)* Parent Pick-Up: > 55% Student Population: 100%	By School Bus: > 30% *(no change)* By Walking: <5% *(no change)* Student Drivers: <10% *(no change)* Parent Pick-Up: >55% *(no change)* Student Population: 100%

NOTE #1: To the highest degree practical, the accounts of existing conditions presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day(s) conditions and from personal interviews of school representatives. The analyses and recommendations presented in this report for proposed conditions were based upon evaluations of existing conditions and may be supplemented by DeShazo's professional judgment and experience. Proposed conditions are intended to reflect the anticipated day-to-day conditions at full occupancy.

Site Access and Circulation

The School provides assigned parking lots for faculty and staff on Welch Road; students, visitor, and staff park on Crestline Avenue. DISD buses load students in front of the school building along Ridgeside Drive. The School does not currently provide a dedicated area for student drop-off or pick-up operations on site—most loading/unloading takes place within public rights-of-way. Some parents park on available spaces in the student parking lot during the afternoon pick-up period. Parents park or stand on public streets surrounding the School during the peak dismissal period—primarily on Crestline Avenue and Welch Road. All adjacent streets are two-lane, two-way, undivided roadways.

Afternoon School traffic starts around 3:30 with a couple of parents arriving early for student pick-up and continues through student dismissal for approximately one hour. Based upon field observations during typical school-day conditions, traffic operations present an evident obstruction to background (through) traffic on Crestline Avenue for no more than 13-15 minutes.

Passenger Unloading/Loading and Vehicle Queuing

DeShazo conducted qualitative observations of traffic during typical school-day conditions in the *Fall 2015* and *Spring 2016* school semester. Observations of peak traffic associated with student pick-up activities indicate a maximum of approximately 117 vehicles. The vast majority of students are transported by parents who drop-off/pick-up their children.

These observations also indicate that inbound vehicles circulate around the perimeter of the school property. However, student pick-up traffic is concentrated on Crestline Avenue. Parents approach the School from different directions and park on both sides of Crestline Avenue and Welch Road. Once dismissed, students proceed to exit the school property through one of several access points towards Welch Road or Crestline Avenue.

Recommendations

The following recommendations are provided to W.T. White High School for the management of vehicular traffic generated by the school during peak traffic conditions. Generally, traffic delays and congestion that occurs during the afternoon pick-up period is notably greater than the traffic generated during the morning drop-off period due to the timing and concentration characteristics. In most instances, achieving efficiency during the afternoon period is more critical, while the morning traffic operations require nominal active management. Therefore, except where stated otherwise, the recommendations provided herein pertain specifically to the afternoon period operations.

Current traffic conditions are generally acceptable and do not show any indications of unsafe operations. The following recommendations are presented to better organize school traffic during peak periods.

1. Upon approval of the City of Dallas, implement temporary one-way operations on Crestline Avenue northbound from Ridgeside Drive to Rickover Drive during the afternoon student dismissal period (e.g., 3:15 PM to 4:45 PM). The time period should include and address the neighbors' perceived length of traffic concerns. Permanent traffic signs should be placed at the Crestline Avenue/Rickover Drive intersection to discourage southbound access onto Crestline Avenue. As a result, southbound traffic on Crestline Avenue (north of Rickover Drive) will be encouraged to turn left onto Rickover Drive, effectively creating a clockwise route around the perimeter of the school.

   NOTE: These operations will inherently encourage parents to pick up students on Rickover Drive. The School will need to provide pedestrian amenities for students to walk between the school's athletic fields.

2. In order to facilitate access to the parking lot on Crestline Avenue for student pick-up operations, it is necessary to relocate all visitor and staff parking from the current Visitor/Staff Lot on Crestline Avenue to the proposed new lot on Ridgeside Drive and/or the Faculty Lot on Welch Road. Based upon a parking study performed by DeShazo Group on January 26, 2016, there are approximately 10-15 spaces currently available in the Faculty Lot. As needed, the School should assign additional spaces along the northeastern-most parking bays of the Student Lot. Furthermore, the School should remove the recently erected wire fence between the current Visitor/Staff Lot and Student Lot to combine both lots.

3. Install "right-turn only" signs that are temporarily in effect during the one-way traffic operations on Crestline Avenue (see Item 1).
4. Access to the Student Lot should be restricted to the two northernmost driveways on Crestline Avenue. In lieu of an actual gate, the School should use traffic cones to temporarily restrict access to other driveways during school peak hours as shown on Exhibit 1—Traffic Management Plan.
5. The School should temporarily reserve up to 71 spaces conveniently located around the perimeter of the Student Parking Lot for parents' use during the student dismissal period. Signs should also indicate the specific time reserved parking is in effect. The number of spaces and time should be continuously assessed by the School throughout the school semester.
6. Re-stripe pavement markings on all parking facilities. Pavement markings should also route parents picking up students in a systematic queue leading toward the proposed student loading zone adjacent to the proposed covered walkway.
7. Establish all school bus egress routes on Welch Road and restrict their operation on Crestline Ave.
8. Enforce absolute restriction on parking, standing or student pick-up operations on Welch Road. As needed, invite the corresponding authorities to render citations to enforce existing restrictions.

The following additional recommendations will further accommodate the traffic needs of the school and facilitate an enforceable and safe management plan.

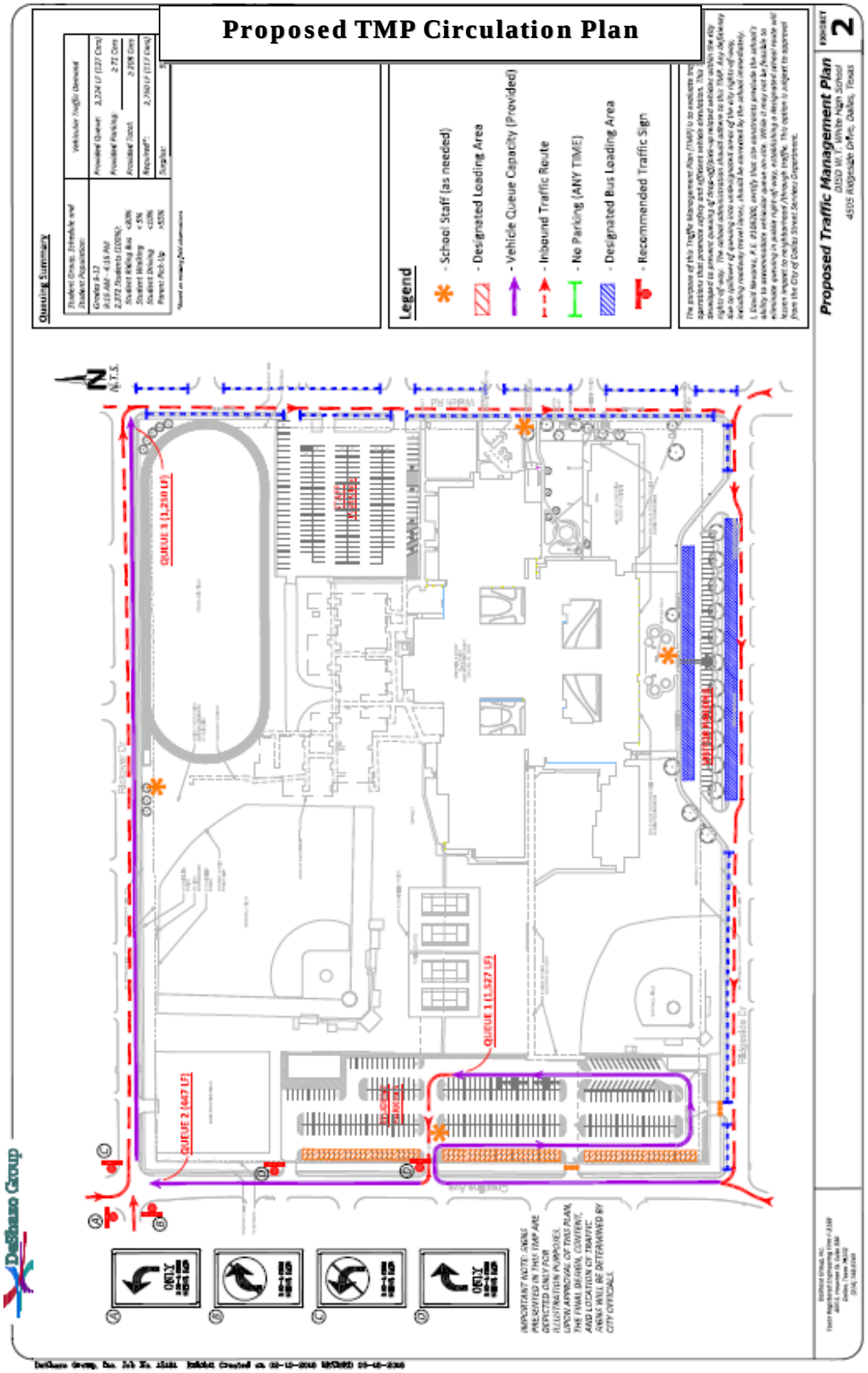
- Passenger loading/unloading within the public right-of-way should strive to occur only in areas designated by the City of Dallas to maximize personal safety.
- No persons other than deputized officers of the law (including crossing guards) should engage or attempt to influence traffic operations in public right-of-way to minimize liabilities.
- The full cooperation of staff, students, and parents is crucial for the success of a traffic management plan. Proper training of staff on the duties and expectations pertaining to the TMP is recommended. Sufficient communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended.

Although traffic congestion is currently appreciable, there is no known history of traffic accidents. Based upon DeShazo's review of the proposed site conditions and the anticipated needs of traffic during peak conditions, it is recommended that the proposed circulation plan and traffic operations be implemented and maintained. Given that no additional resources or space for expansion options are available, the status quo is considered adequate to provide the best alternatives and has the advantage of familiarity. **Exhibit 1** provides a graphical summary of the recommended circulation plan.

SUMMARY

This TMP is to be used by W.T. White High School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The TMP was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school at peak traffic periods within the site. The details of the TMP shall be reviewed by the School on a regular basis to confirm its effectiveness.

END OF MEMO


Proposed TMP Circulation Plan
Queuing Summary
Legend
- School Staff (as needed)
- Designated Loading Area
- Vehicle Queue Capacity (Provided)
- Inbound Traffic Route
- No Parking (ANY TIME)
- Designated Bus Loading Area
- Recommended Traffic Sign
QUEUE 3 (1,250 LF)
QUEUE 1 (1,327 LF)
QUEUE 2 (667 LF)
Proposed Traffic Management Plan
2 of 2
DeShazo Group

Proposed Parking Needs Study

DeShazo Group
35 Years of Excellence!
Traffic. Transportation Planning. Parking. Design.

January 26, 2016

Mr. Karl A. Crawley
Masterplan Consultants
900 Jackson Street, Suite 640
Dallas, Texas 75202

RE: Parking Needs for DISD W. T. White in Dallas, Texas *(DeShazo #15191)*

Dear Mr. Crawley:

I have reviewed the information provided for the proposed expansion of the didactical facilities at W. T. White High School—a public secondary school in the Dallas Independent School District. The school is located at 4505 Ridgeside Drive and comprises an entire 28.78-acre block bounded by Rickover Drive, Welch Road, Crestline Avenue and Ridgeside Drive. The property is zoned Planned Development (PD) District 696. In accordance with the parking requirements stipulated in section 51P-696.108, for a "*public school use with 84 classrooms* (the anticipated maximum), *a minimum of 611 off-street parking spaces must be provided.*"

The school currently provides 54 classrooms and a total of 512 off-street parking spaces. These parking spaces are apportioned in three separate lots. The faculty and staff lot with direct access onto Welch Road provides 167 spaces. The west lot, located at the southwest corner of the subject property, is divided into two areas: the visitor and staff section provides 110 spaces; the remaining lot provides 235 spaces for students. I personally visited the school on Tuesday, October 27, 2015, at 2:00 PM and again on Thursday, January 7, 2016 at 10:30 AM to document the existing parking demand. Field observations revealed a total of 363 and 412 parked cars on each day of our field observations in October and January, respectively. The following table presents a summary of the parking distribution by lot.

Table 1. Actual Parking Demand

Parking Area	Parking Supply	Parking Demand: Tuesday, October 27, 2015 2:00 PM	Parking Demand: Thursday, January 7, 2016 10:30 AM
Faculty Lot	165	129 *(78%)*	149 *(90%)*
Visitor/Staff Lot	110	39 *(35%)*	49 *(45%)*
Student Lot	237	195 *(82%)*	214 *(90%)*
Total	512	363 *(71%)*	412 *(80%)*

The proposed school modifications entail an increase in the number of didactical facilities (or classrooms) to 84 classrooms. The proposed school modifications also include a new 48-space parking bay in front of the building along Ridgeside Drive. A site plan illustrating the proposed school expansion plan is attached as reference. However, the anticipated enrollment is not expected to increase proportionally with the expansion. **Table 1** summarizes the anticipated changes.

400 South Houston Street, Suite 330 Dallas, Texas 75202 P. 214.748.6740 F. 214.748.7037 www.deshazogroup.com

Table 2. School Information

	Existing Conditions	Anticipated Conditions	Change
Building Area	278,802 SF *(54 classrooms)*	328,302 SF *(84 classrooms)*	+49,500 SF *(+30 classrooms)*
Enrollment	2,310 students	2,372 students	+62 students
Parking Supply	512 spaces	560 spaces	+48 spaces
Parking Demand	412 cars	423 cars*	+11 cars

Source: Mr. Syed Zafar, DISD Bond Project Manager
**Projected peak parking demand based on anticipated student enrollment*

Review of the parking needs for the W.T. White High School indicates that the proposed parking supply of 560 spaces does not meet a requirement of 611 off-street parking spaces as established in 2004 at the time when PD 696 was enacted. The proposed parking supply provides a 51-space deficit (or 8 percent of the requirement). However, the proposed parking supply exceeds the projected peak parking demand of 423 cars and provides a surplus of 137 spaces (or 24 percent of the supply). **Table 3** provides a summary of these findings.

Table 3. Parking Analysis Summary

	Parking Spaces
PD 696 Requirement	611
Proposed Supply	560
Projected Peak Demand	423

Based upon my professional judgment and a detailed evaluation of the proposed didactical facilities and activities, it is my opinion that the proposed site plan will provide an adequate parking supply to support the parking needs of the school without any impact to adjacent properties or public right-of-way.

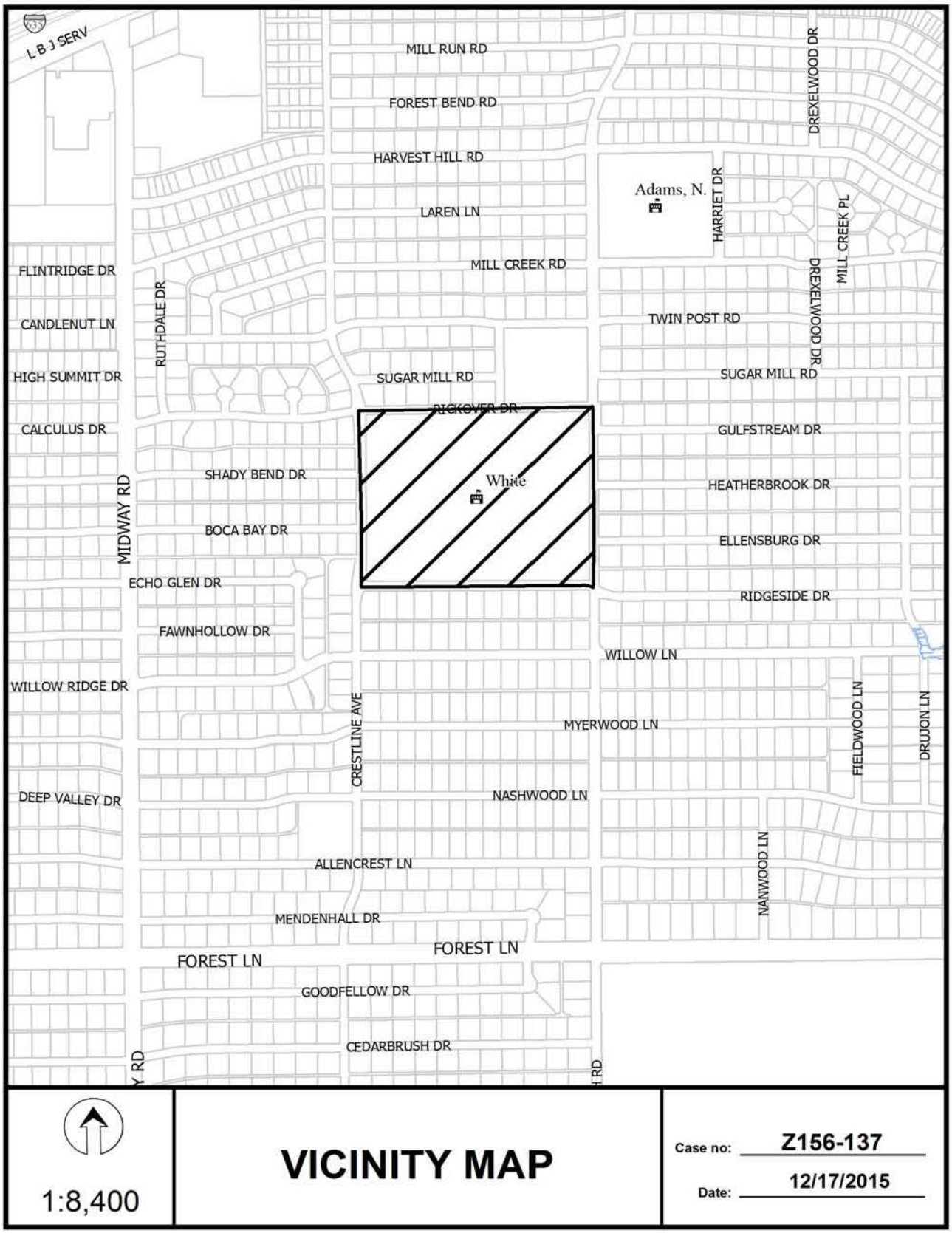
Please contact me if you have any further questions.

Sincerely,
DeShazo Group, Inc.

David Nevarez, P.E.

STATE OF TEXAS
GABRIEL DAVID NEVAREZ
106200
LICENSED
PROFESSIONAL ENGINEER

January 26, 2016


L B J SERV
MILL RUN RD
FOREST BEND RD
HARVEST HILL RD
LAREN LN
MILL CREEK RD
DREXELWOOD DR
HARRIET DR
MILL CREEK PL
Adams, N.
FLINTRIDGE DR
CANDLENUT LN
HIGH SUMMIT DR
CALCULUS DR
RUTHDALE DR
TWIN POST RD
SUGAR MILL RD
RICKOVER DR
GULFSTREAM DR
HEATHERBROOK DR
ELLENSBURG DR
RIDGESIDE DR
White
SHADY BEND DR
BOCA BAY DR
ECHO GLEN DR
FAWNHOLLOW DR
MIDWAY RD
WILLOW LN
WILLOW RIDGE DR
CRESTLINE AVE
MYERWOOD LN
FIELDWOOD LN
DRUJON LN
DEEP VALLEY DR
NASHWOOD LN
NANWOOD LN
ALLENCREST LN
MENDENHALL DR
FOREST LN
FOREST LN
GOODFELLOW DR
CEDARBRUSH DR
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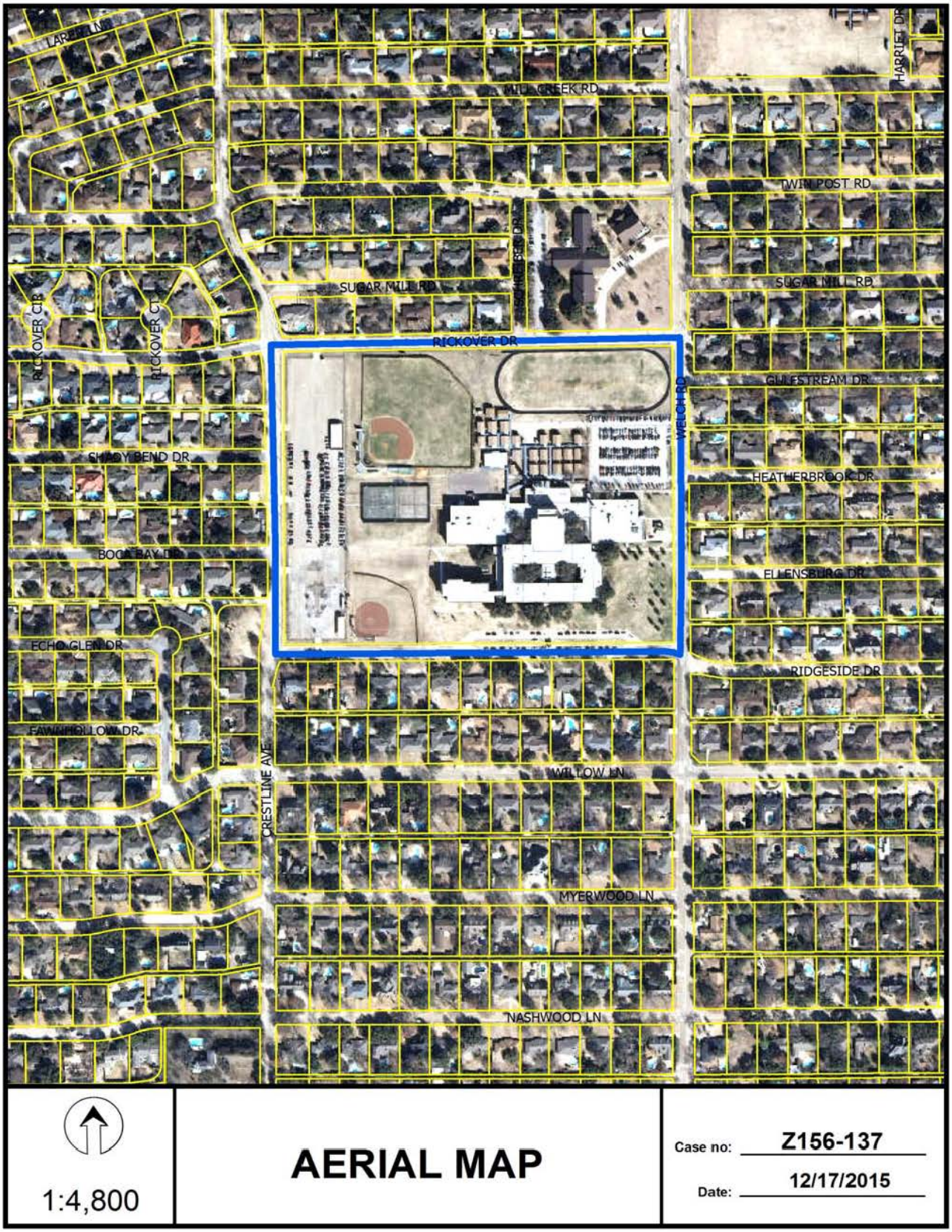
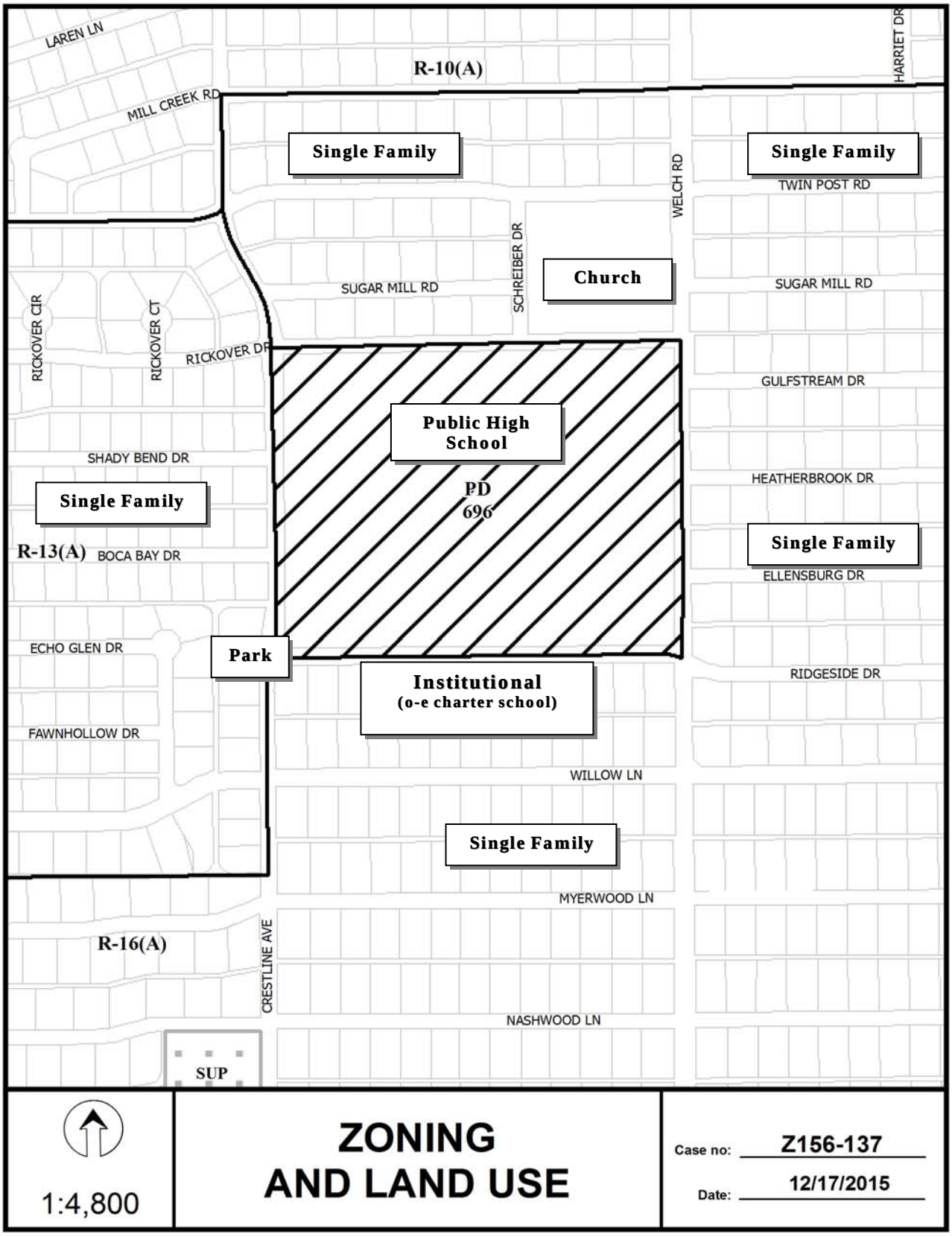
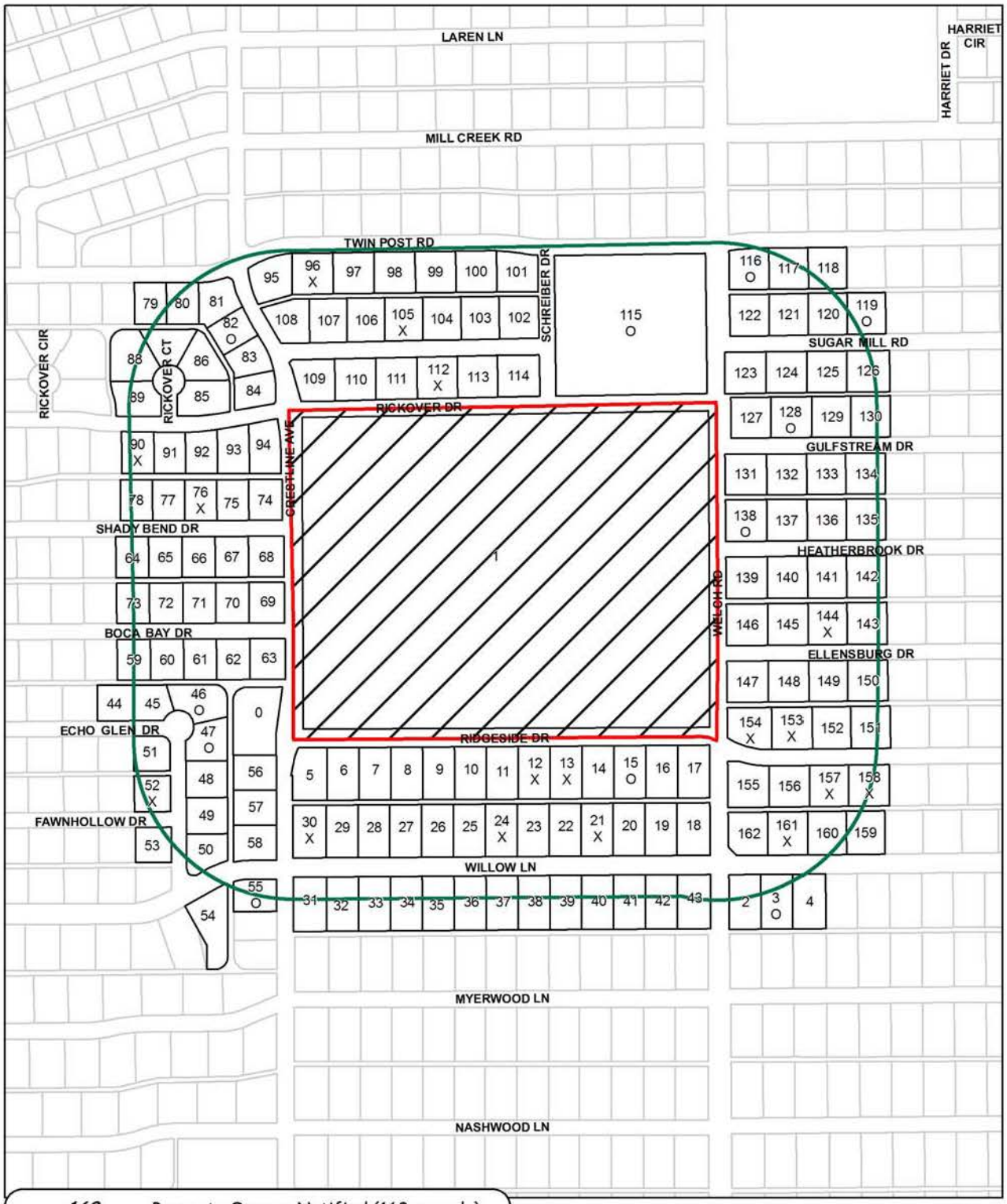
VICINITY MAP
Case no: Z156-137
Date: 12/17/2015


LARKIN LN
MILL CREEK RD
HARRIET DR
TWIN POST RD
SUGAR MILL RD
SUGAR BEND DR
RICKOVER CIR
RICKOVER CT
RICKOVER DR
GULFSTREAM DR
WELCH RD
SHADY BEND DR
HEATHERBROOK DR
BOCA RAY DR
ELLENSBURG DR
ECHO GLEN DR
RIDGESIDE DR
FAWN HOLLOW DR
CRESTLINE AVE
WILLOW LN
MYERWOOD LN
NASHWOOD LN
1:4,800
AERIAL MAP
Case no: Z156-137
Date: 12/17/2015


LAREN LN
R-10(A)
HARRIET DR
MILL CREEK RD
Single Family
Single Family
TWIN POST RD
WELCH RD
SCHREIBER DR
Church
SUGAR MILL RD
SUGAR MILL RD
RICKOVER CIR
RICKOVER CT
RICKOVER DR
GULFSTREAM DR
Public High School
PD 696
SHADY BEND DR
HEATHERBROOK DR
Single Family
R-13(A)
BOCA BAY DR
Single Family
ELLENSBURG DR
ECHO GLEN DR
Park
Institutional
(o-e charter school)
RIDGESIDE DR
FAWNHOLLOW DR
WILLOW LN
Single Family
MYERWOOD LN
R-16(A)
CRESTLINE AVE
NASHWOOD LN
SUP
1:4,800
ZONING
AND LAND USE
Case no: Z156-137
Date: 12/17/2015

CPC Responses



03/16/2016

Reply List of Property Owners

Z156-137

162 Property Owners Notified ***11 Property Owners in Favor*** ***17 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4505	RIDGESIDE DR	Dallas ISD
	2	4608	WILLOW LN	MCCLUNG LARRY &
O	3	4616	WILLOW LN	TAYLOR TIMOTHY A & DENISE L
	4	4624	WILLOW LN	GREENBERG MARK TR & RHONDA TR
	5	4406	RIDGESIDE DR	GIESING ROSE F
	6	4414	RIDGESIDE DR	KEY KEENAN
	7	4422	RIDGESIDE DR	MITCHELL TIMOTHY T &
	8	4430	RIDGESIDE DR	MARLEY SUSANNE M
	9	4438	RIDGESIDE DR	AROCHA STEVE G
	10	4446	RIDGESIDE DR	KRUEGER DIANNA J
	11	4454	RIDGESIDE DR	HERZ JOACHIM J &
X	12	4508	RIDGESIDE DR	VALLALA JOHN
X	13	4516	RIDGESIDE DR	SINGER PAUL & EDITH
	14	4524	RIDGESIDE DR	BLOOM WILLIAM DENNIS
O	15	4532	RIDGESIDE DR	CRUMBLEY MARK D &
	16	4540	RIDGESIDE DR	KASPER BRIAN & ABHA
	17	4548	RIDGESIDE DR	DISORI FRANK A & KRISTIN M
	18	4547	WILLOW LN	MCCALISTER SHAWN D
	19	4539	WILLOW LN	GRAUBARD LISA CARREN &
	20	4531	WILLOW LN	FRANCIS MOLLY
X	21	4523	WILLOW LN	WINTERS BRITTANY DIANE
	22	4515	WILLOW LN	SEELIGSON VIRGINIA B
	23	4507	WILLOW LN	WILSON ERIK J & AMELA
X	24	4455	WILLOW LN	YUNG KEVIN H & TAMMY P
	25	4447	WILLOW LN	WOOD DAVID A
	26	4439	WILLOW LN	GUAJARDO MARIO

Reply	*Label #*	*Address*		*Owner*
	27	4431	WILLOW LN	RANDS JOHN J JR &
	28	4423	WILLOW LN	REDMOND TANYA L & ROBERT JR
	29	4415	WILLOW LN	BUXT PAUL & SHARON B
X	30	4407	WILLOW LN	FLOHR LUCY &
	31	4408	WILLOW LN	HOUSER ELIZABETH
	32	4416	WILLOW LN	LANGLANDS CYNTHIA &
	33	4424	WILLOW LN	NORMAN JEFFREY A & MICHELLE A
	34	4432	WILLOW LN	NESS NORMAN O III &
	35	4440	WILLOW LN	BOND MARK ALAN & LEA ROSENTHAL
	36	4448	WILLOW LN	WHITSON CORNELIA
	37	4456	WILLOW LN	CUTCHALL CLAYTON D &
	38	4506	WILLOW LN	FRASER ALEXANDER M &
	39	4514	WILLOW LN	BROOM CHRISTOPHER KENT & TERI MCGHEE
	40	4522	WILLOW LN	WILLIAMS WILEY L &
	41	4530	WILLOW LN	GOYNE CARLOS
	42	4538	WILLOW LN	COGGINS DAVID D &
	43	4546	WILLOW LN	HIEBER TATYANA V & J PATRICK
	44	4357	ECHO GLEN DR	CHAN EDDIE
	45	4365	ECHO GLEN DR	REISCH ROBERT J &
O	46	4373	ECHO GLEN DR	LEMONS MARK S & MELISSA P
O	47	4409	ECHO GLEN DR	FREUND JANICE M
	48	4417	ECHO GLEN DR	MAVERICK SPECIAL INVESTMENTS INC
	49	4425	ECHO GLEN DR	BRAMHALL PARTICIA L
	50	4433	ECHO GLEN DR	SANCHEZ PHILLIP & CYNTHIA
	51	4366	ECHO GLEN DR	BERGLUND DAVID B LIFE ESTATE
X	52	4365	FAWNHOLLOW DR	LAWRENCE DAVID L &
	53	4366	FAWNHOLLOW DR	MCMULLEN MCIHAEL
	54	4382	WILLOW LN	LAMANTIA GREGORY JR &
O	55	12127	CRESTLINE AVE	HAYES GERALD W JR &
	56	12151	CRESTLINE AVE	SIMMONS BENJAMIN P &
	57	12143	CRESTLINE AVE	BRYAN WILLIAM R

03/16/2016

Reply	*Label #*	*Address*		*Owner*
	58	12135	CRESTLINE AVE	MOSS TRAVIS P & TESSA B
	59	4366	BOCA BAY DR	MCNEIL DARIN H &
	60	4374	BOCA BAY DR	KNIGHT ELSIE P
	61	4382	BOCA BAY DR	GIGUERE LOUIS A & BREANNE D
	62	4390	BOCA BAY DR	EARNSHAW ERIK O & JULIE C
	63	4398	BOCA BAY DR	CONTRERAS CALIXTO &
	64	4366	SHADY BEND DR	KAISER DOUGLAS &
	65	4374	SHADY BEND DR	ROMANS GLENNA M
	66	4382	SHADY BEND DR	FILLINGIM CAROLYN
	67	4390	SHADY BEND DR	TYLER RICHARD K &
	68	4398	SHADY BEND DR	KENNA MICHAEL & JENNIFER MCCLAIN TWICHELL
	69	4397	BOCA BAY DR	LAYCOCK ROYCE & NORMA TRUST
	70	4389	BOCA BAY DR	NAILE CAROLYN SCOTT
	71	4381	BOCA BAY DR	VANDEVENTER JANE
	72	4373	BOCA BAY DR	STRYHAL ELEANOR CAROL &
	73	4365	BOCA BAY DR	HARRIS LAURIE & MAURY
	74	4399	SHADY BEND DR	YOSS HARRISON H
	75	4391	SHADY BEND DR	HEFFLER KATHRYN
X	76	4383	SHADY BEND DR	MCFARLAND LAWRENCE & CARRIE
	77	4375	SHADY BEND DR	SMITH JIM & KATHY
	78	4367	SHADY BEND DR	LAND GREGORY & JULIE
	79	4332	TWIN POST RD	LASSBERG MARLENE E SURVIVORS TRUST
	80	4340	TWIN POST RD	LUO SIWEI & HOU YANXIN
	81	4348	TWIN POST RD	LAZIER BRUCE E
O	82	12411	CRESTLINE AVE	DELSANTER KATHLEEN
	83	12395	CRESTLINE AVE	SMITH RAY A
	84	12387	CRESTLINE AVE	ZWERNER RUTH
	85	4355	RICKOVER CT	FEAGINS KENNETH R &
	86	4347	RICKOVER CT	JOHNSON ASHLEY &
	87	4343	RICKOVER CT	DREWRY JOSEPHINE
	88	4339	RICKOVER CT	PETERMAN DAVID A JR

03/16/2016

Reply	*Label #*	*Address*		*Owner*
	89	4335	RICKOVER CT	BLACKWELL L KEITH
X	90	4324	RICKOVER DR	LAVALLE PATRICIA S
	91	4332	RICKOVER DR	SEGOVIA ARTURO A
	92	4340	RICKOVER DR	DOHERTY PATRICK R
	93	4348	RICKOVER DR	SCHIERMANN FAMILY JOINT
	94	4356	RICKOVER DR	HOENIG JOHN & AVERY
	95	4408	TWIN POST RD	ZAUGG JOHN M & MICHELLE M
X	96	4418	TWIN POST RD	MADDEN CHRISTY E &
	97	4428	TWIN POST RD	TIMM DON P II
	98	4438	TWIN POST RD	LANDIG NANCY
	99	4448	TWIN POST RD	LIDDELL BRIAN D &
	100	4458	TWIN POST RD	HALL ALAN S & SUSAN N
	101	4468	TWIN POST RD	BOUSQUET JOHN A JR TR &
	102	4463	SUGAR MILL RD	PICKRELL LESTER &
	103	4453	SUGAR MILL RD	MCDONNELL ALMER C &
	104	4443	SUGAR MILL RD	LEE RONALD E & CORNELIA M
X	105	4435	SUGAR MILL RD	CALDWELL ROBERT KENT
	106	4425	SUGAR MILL RD	THOMASSON DAVID
	107	4415	SUGAR MILL RD	BURKE WILLIAM L
	108	4405	SUGAR MILL RD	DEURTUBEY JUAN
	109	4414	SUGAR MILL RD	LOHR YARON
	110	4424	SUGAR MILL RD	OHARA DENNIS M & KATHRYN
	111	4434	SUGAR MILL RD	BARTEL NICHOLAS W
X	112	4442	SUGAR MILL RD	SINGH HARI P &
	113	4452	SUGAR MILL RD	STERN KAREN S TRUSTEE
	114	4462	SUGAR MILL RD	DIAZ FELIPE JR
O	115	4525	RICKOVER DR	SCHREIBER MEM METH CHURCH
O	116	4608	TWIN POST RD	CHU IRENE YORK LING FAMILY TRUST
	117	4618	TWIN POST RD	MARCUS KENNETH J &
	118	4628	TWIN POST RD	MOSER MARY K C & PAUL MURRIN
O	119	4635	SUGAR MILL RD	MEYER JAMES S & LOUISA

03/16/2016

Reply	*Label #*	*Address*		*Owner*
	120	4625	SUGAR MILL RD	REAGOR LEE C & CAROLINA A
	121	4615	SUGAR MILL RD	BUECHLER ALFRED D
	122	4605	SUGAR MILL RD	HOAGLAND JOHN R
	123	4606	SUGAR MILL RD	STEPHENS L
	124	4616	SUGAR MILL RD	AGUILAR SILVESTER & MARIA
	125	4626	SUGAR MILL RD	JAMESON CHRISTOPHER J & KELLY H
	126	4636	SUGAR MILL RD	RAMAGE CALVIN &
	127	4605	GULFSTREAM DR	KRYSTINIK JAY L & SARA L STOLTZ
O	128	4611	GULFSTREAM DR	HENTON LORIN & BETH
	129	4617	GULFSTREAM DR	PSISEL PROPERTIES LLC
	130	4623	GULFSTREAM DR	GOLASZEWSKI LAWRENCE E &
	131	4606	GULFSTREAM DR	FENT DAVID J & MARY M
	132	4612	GULFSTREAM DR	ZINN ANDREW R &
	133	4618	GULFSTREAM DR	RENO SAMUEL D
	134	4624	GULFSTREAM DR	ELLIOTT SHARON
	135	4623	HEATHERBROOK DR	FARELLI VINCENT P &
	136	4617	HEATHERBROOK DR	GRIFFITTS NORMA JEAN
	137	4611	HEATHERBROOK DR	JACKSON JANN CLAIRE LAWS
O	138	4605	HEATHERBROOK DR	JOHNSON ROBERT J &
	139	4606	HEATHERBROOK DR	LEWIS CHERYL M & CHIP A
	140	4612	HEATHERBROOK DR	ST NICHOLAS HOMES LP
	141	4618	HEATHERBROOK DR	COATS DEBRA I & LOY G
	142	4624	HEATHERBROOK DR	MANNAS JOHN & SONBOL
	143	4623	ELLENSBURG DR	STADLER RONNEY F &
X	144	4617	ELLENSBURG DR	SCHOTTLAENDER H M
	145	4611	ELLENSBURG DR	USVOLK SCOTT & MARSHA J
	146	4605	ELLENSBURG DR	THOMPSON GARY E JR & JENNIFER P
	147	4606	ELLENSBURG DR	DOSS THOM
	148	4612	ELLENSBURG DR	DUERNBERGER SALLY SUE
	149	4618	ELLENSBURG DR	MENDOZA MARY
	150	4624	ELLENSBURG DR	CHRISTENSEN WILLIAM T &

03/16/2016

Reply	*Label #*	*Address*		*Owner*
	151	4629	RIDGESIDE DR	HESSONG MICHAEL WAYNE
	152	4621	RIDGESIDE DR	PRIDDY STEVEN
X	153	4615	RIDGESIDE DR	WINNIFORD KATHERINE ANN
X	154	4607	RIDGESIDE DR	LIPSKY KATHERINE L
	155	4606	RIDGESIDE DR	MEAZELL DUEWANE & PATSY R
	156	4614	RIDGESIDE DR	AUSTIN WILLIAM D
X	157	4620	RIDGESIDE DR	MELLE MELVIN J &
X	158	4628	RIDGESIDE DR	WRIGHT FRANK B & GAYLE H
	159	4633	WILLOW LN	TROY JAMES ALFRED TRIAY
	160	4625	WILLOW LN	FRANKLIN BARBARA J
X	161	4617	WILLOW LN	MADDUX EVELYN I
	162	4609	WILLOW LN	MITCHELL RYAN JAMESON &

AGENDA ITEM # 67

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Housing/Community Services

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

MAPSCO: 55B

SUBJECT

A public hearing to receive comments on the proposed sale of one unimproved property acquired by the taxing jurisdictions from the Sheriff to Dallas Housing Acquisition and Development Corporation, a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim one unimproved property to Dallas Housing Acquisition and Development Corporation, under the HB110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: $1,000

BACKGROUND

The HB110 process of the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions.

Property eligible for the HB110 process of the City's Land Transfer Program may be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed. The quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code. Per the Code, the sales price of each property is $1,000 for up to 7,500 square feet of land plus $0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records.

BACKGROUND (continued)

Prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public.

Dallas Housing Acquisition and Development Corporation (DHADC) will construct one (1) single-family home on the unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached to the resolution, for purchase by a low to moderate income homebuyer with construction to begin in the Fall of 2016.

This item calls for a public hearing to allow the public an opportunity to comment on the proposed sale of the one unimproved property to DHADC and, at the close of the public hearing, authorizes the sale of the property to DHADC by quitclaim deed and the release of the City's non-tax liens included in the foreclosure judgment and the post-judgment non-tax liens, if any.

In conformance with the Code, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing was placed on the property, notification of the public hearing was mailed to property owners within 200 feet of the property, and notice of the public hearing was published in the Dallas Morning News.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On March 23, 2016, City Council authorized a public hearing to receive comments on the proposed sale by quitclaim deed of one unimproved property acquired by the taxing jurisdictions from the Sheriff to Dallas Housing Acquisition and Development Corporation by Resolution No. 16-0490.

Information about this item will be provided to the Housing Committee on April 18, 2016.

FISCAL INFORMATION

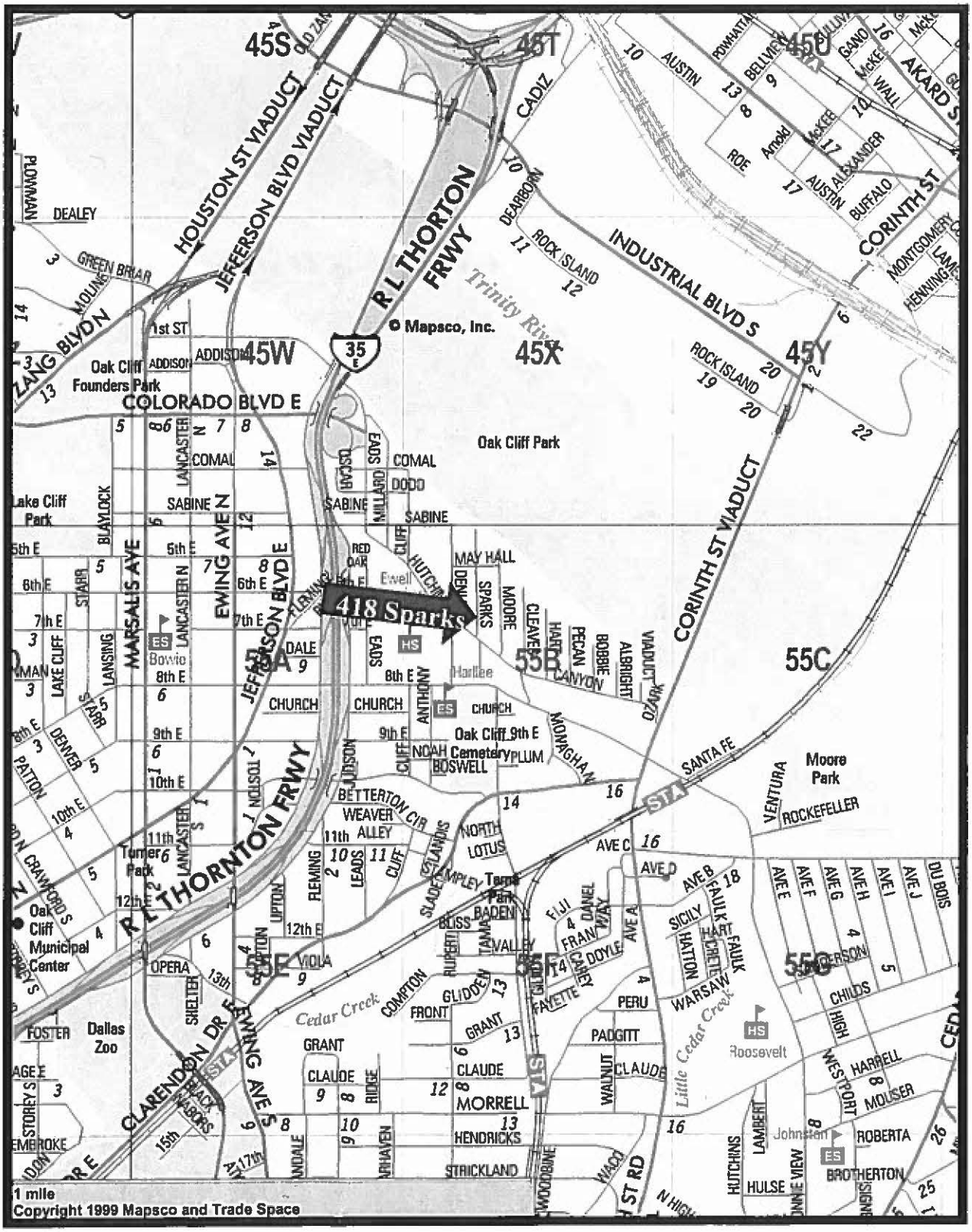
Revenue - $1,000

MAP

Attached

Tax Foreclosure and Seizure Property Resale

Parcel No.	Address	Non-Profit Organization	Mapsco	DCAD Amount	Sale Amount	Vac/ Imp	Zoning
1.	418 Sparks	Dallas Housing Acquisition and Development Corporation	55B	$7,000	$1,000	V	R-5(A)


418 Sparks
R L THORNTON FRWY
HOUSTON ST VIADUCT
JEFFERSON BLVD VIADUCT
CORINTH ST VIADUCT
INDUSTRIAL BLVD S
COLORADO BLVD E
Oak Cliff Park
Trinity River
Cedar Creek
Little Cedar Creek
Oak Cliff Founders Park
Lake Cliff Park
Oak Cliff Municipal Center
Dallas Zoo
Tenison Park
Moore Park
Roosevelt
Johnston ES
Bowie ES
Harllee MS
45S
45T
45U
45W
45X
45Y
55A
55B
55C
55E
55F
55G
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1 mile
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MAPSCO 55B

April 27, 2016

WHEREAS, the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions; and

WHEREAS, property eligible for the HB110 process of the City's Land Transfer Program may be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed; and

WHEREAS, the quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code; and

WHEREAS, per the Code, the sales price of each property is $1,000 for up to 7,500 square feet of land plus $0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records; and

WHEREAS, prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public; and

WHEREAS, Dallas Housing Acquisition and Development Corporation (DHADC) proposes to construct one (1) single-family home on the unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached hereto and made a part hereof (hereinafter the "property"), for purchase by a low to moderate income homebuyer with construction to begin in the Fall of 2016; and

WHEREAS, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing was placed on the property, notification of the public hearing was mailed to property owners within 200 feet of the property, and notice of the public hearing was published in the Dallas Morning News;

NOW, THEREFORE,

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

Section 1. That upon receipt of the requisite monetary consideration from DHADC, (hereinafter the "non-profit organization") and the approval of the governing bodies of the other affected taxing jurisdictions, the City Manager is hereby authorized to execute a quitclaim deed, approved as to form by the City Attorney and attested by the City Secretary, quitclaiming the property, acquired by the taxing jurisdictions from the Sheriff, to the non-profit organization, subject to the conditions contained in this resolution.

Section 2. That the City Manager is hereby authorized to execute instruments, approved as to form by the City Attorney, releasing the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any, on the property.

Section 3. That the quitclaim deed shall contain:

(a) A possibility of reverter with right of re-entry if the director determines that the non-profit organization:

(i) has failed to take possession of the property within ninety calendar days after receiving the quitclaim deed;

(ii) has failed to complete construction of affordable housing on the property within three years after receiving the quitclaim deed or by the end of any extended development period approved by the City Council in accordance with Section 2-26.6(c) of the Code;

(iii) is unable to develop the land because a request for a zoning change has been denied;

(iv) has incurred a lien on the property because of violations of the Code or other City ordinances within three years after receiving the quitclaim deed ; and

(v) has sold, conveyed, or transferred the property without the consent of the City and the other affected taxing jurisdictions within three years after receiving the quitclaim deed.

(b) Deed restrictions requiring the purchaser to:

(i) restrict the sale and resale of owner-occupied property to low-income individuals or families for five years after the date the deed from the non-profit organization to the initial homebuyer is filed in the real property records of the county in which the property is located;

Section 3. (Continued)

(ii) require the non-profit organization to develop all proposed housing units on the property in accordance with the Code and all applicable City ordinances and state and federal laws within three years after receiving the quitclaim deed or by the end of any extended development period approved by the City Council in accordance with Section 2-26.6(c) of the Code, and to obtain inspections and approval of the housing units by the City before initial occupancy; and

(iii) require any low-income individual or family who purchases a housing unit on a property to maintain the housing unit in accordance with the Code and all applicable City ordinances and state and federal laws for a period of five years after the date the deed from the non-profit organization to the initial homebuyer is filed in the real property records of the county in which the property is located.

(c) An indemnification by the non-profit organization of the City and other affected taxing jurisdictions.

(d) A statement and acknowledgment that the property is quitclaimed subject to all redemption rights provided by state law.

(e) The non-profit organization's representation and agreement that it did not purchase the property on behalf of a "prohibited person" and will not sell or lease the property to a "prohibited person" for five years from the date of the quitclaim deed. A "prohibited person" is any party who was named as a defendant in the legal proceedings where the City obtained a final judgment for delinquent taxes and an order to foreclose its tax lien on the property or person in the judgment or seizure tax warrant, or the Sheriff's deed as the owner of the property, authorized seized and ordered sold for delinquent taxes and any municipal health and safety liens.

Section 4. That the City Manager is authorized to execute instruments, approved as to form by the City Attorney, releasing the City's possibility of reverter with right of re-entry and terminating the deed restrictions to the property upon compliance with all terms and conditions of Section 2-26 of the Code and the quitclaim deed, including the deed restrictions and the proposal.

Section 5. That the non-profit organization shall be responsible for the pro-rata taxes assessed on the property from the date of closing for the remaining part of the then-current calendar year. The property shall be placed back on the tax rolls effective as of the date of execution of the quitclaim deed.

Section 6. That any procedures required by Section 2-24 of the Code that are not required by state law are hereby waived with respect to conveyance of the property.

Section 7. That the monetary consideration received from the non-profit organization shall be distributed pursuant to the Section 34.06 of the Texas Tax Code.

Section 8. That any and all proceeds for the City's sale of the property to the non-profit organization be deposited to General Fund 0001, Agency DEV, Balance Sheet Account 0519.

Section 9. That upon receipt of the monetary consideration from the non-profit organization, the Chief Financial Officer is authorized to disburse proceeds of the sale of the property in accordance Section 34.06 of the Texas Tax Code, which calculations for disbursement shall be provided by the Director of Sustainable Development and Construction, to the City of Dallas Land Based Receivables, the Dallas County District Clerk and the Dallas County Tax Office from the account specified in Section 8 above.

Section 10. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT "A"

LAND TRANSFER PROPERTY				
PARCEL NUMBER	**STREET ADDRESS LEGAL DESCRIPTION**	**QUALIFIED PURCHASER**	**NUMBER OF HOMEOWNER UNITS**	**SALE AMOUNT**
1	**418 Sparks** South 18.75 Ft of Lot 19 & Lot 20, Dewberry's Addition Block 2/7675	Dallas Housing Acquisition and Development Corporation	1	$1,000.00
TOTAL				**$1,000.00**

AGENDA ITEM # 68

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office Of Environmental Quality

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

MAPSCO: 33 T

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by GMA Development Corp, LLC and BK Ambassador Row, LTD, located near the intersection of Ambassador Row and Metromedia Place and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to GMA Development Corp, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by groundwater encountered at approximately 12 to 15 feet below ground surface (bgs) and extends to approximately 50 feet bgs above the Eagle Ford Group. The Eagle Ford Group is considered a regional aquitard and is comprised mainly of shale, sandstone, and limestone. The estimated thickness of the Eagle Ford Group in the area is approximately 200 to 300 feet. The direction of groundwater flow beneath the northern portion of the designated property is to the northwest. However, groundwater flow in the area is generally south towards the Trinity River. The groundwater has been affected by trichloroethene (TCE) at concentrations above groundwater ingestion standards. The probable onsite source of TCE is historical printing operations conducted at 8000 and 8120 Ambassador Row. Potential offsite sources located outside the designated property include several historical printing and metal fabrication and painting operations that were formerly located along Ambassador Row.

A portion of the designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in April 2015 and is designated as VCP Facility ID No. 2730.

BACKGROUND (Continued)

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting was held on March 21, 2016 to receive comments and concerns. Notices of the meeting were sent to 258 property owners within 2,500 feet of the property and 131 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Ambassador Row and Metromedia Place including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, the portion of the designated property located at 8000 Ambassador Row is being redeveloped for technology staging and warehousing and will be occupied by General Datatech upon completion of redevelopment. The portion of the property located at 8120 Ambassador Row is currently vacant, but will potentially be redeveloped in 2017 for occupation by General Datatech. The portion of the designated property located at 8220 Ambassador Row is currently occupied by Delivery Limited which provides high-end moving, relocation, and furniture storage services and anticipated future use is expected to remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City

OWNERS

GMA Development Corp, LLC

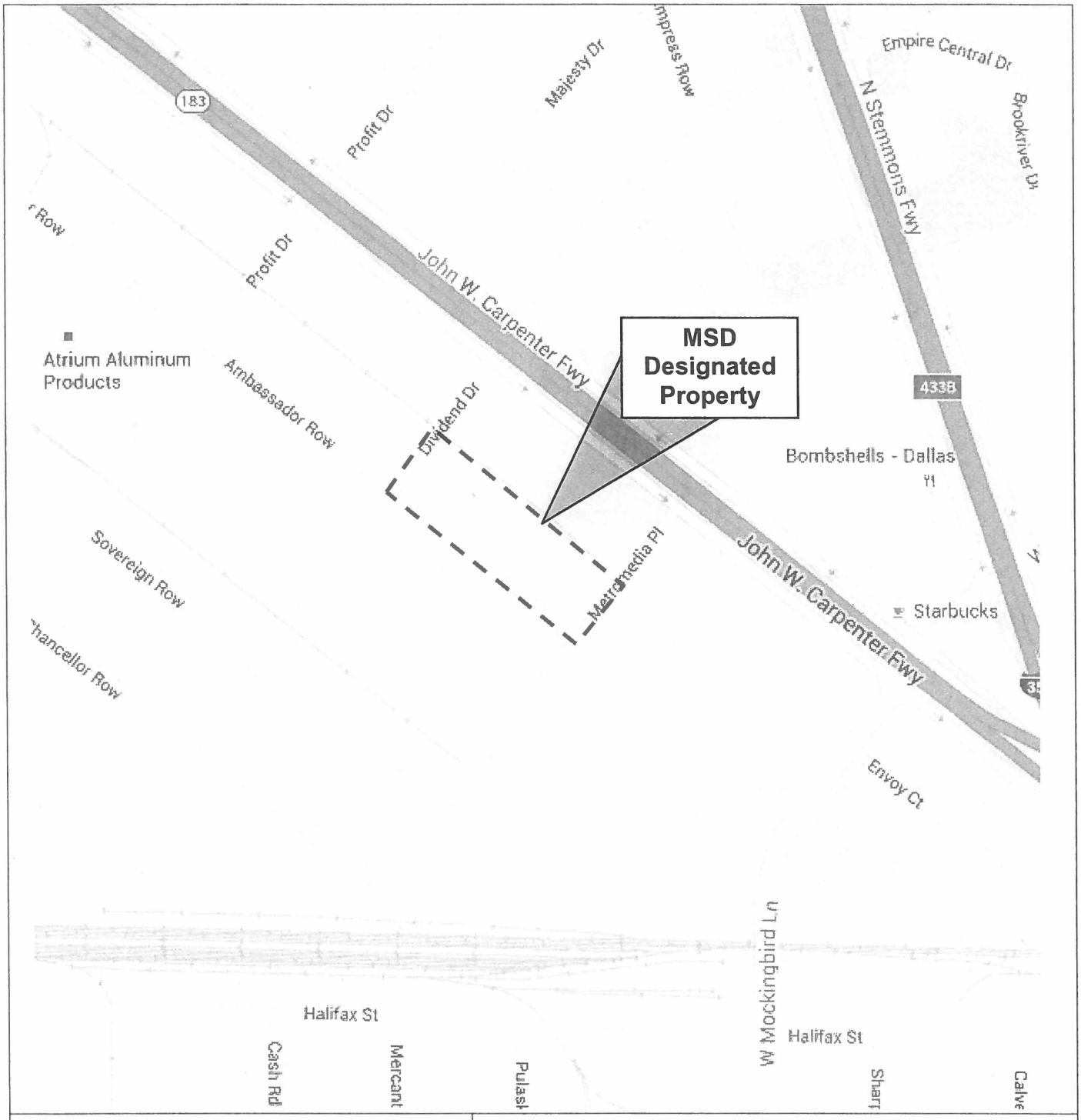
John W Roberts, Manager

BK Ambassador Row, LTD

BKAR GP, LLC, General Partner
Bruce L Wilson, Manager

MAP

Attached



CITY OF DALLAS

Municipal Setting Designation
Designated Property Boundary Map
MSD Log OEQ0054
Applicant – GMA Development Corp, LLC
8000, 8120, and 8220 Ambassador Row
Dallas, TX 75247

April 27, 2016

ORDINANCE NO. _____

A municipal setting designation ordinance prohibiting the use of designated groundwater from beneath property generally located at 8000, 8120, and 8220 Ambassador Row and supporting issuance of a municipal setting designation certificate by the Texas Commission on Environmental Quality; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality to create municipal setting designations; and

WHEREAS, Section 51A-6.108, "Municipal Setting Designation Ordinance," of Article VI, "Environmental Performance Standards," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code authorizes municipal setting designation ordinances prohibiting the use of designated groundwater as potable water and thereby enable the Texas Commission on Environmental Quality to certify a municipal setting designation for designated property; and

WHEREAS, the city council finds that:

(1) the eligibility criteria of Section 361.803 of the Texas Health and Safety Code have been met;

(2) this municipal setting designation ordinance will not have an adverse effect on the current or future water resource needs or obligations of the city of Dallas;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property; and

(4) this municipal setting designation ordinance is necessary because the concentration of contaminants of concern exceed ingestion protective concentration levels for human ingestion; and

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city of Dallas, have given the required notices and have held the required public hearings regarding this municipal setting designation ordinance; Now Therefore,

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

SECTION 1. That for purposes of this municipal setting designation ordinance, the "designated property" means the property described in Exhibit A, attached to the ordinance.

SECTION 2. That for purposes of this municipal setting designation ordinance, "designated groundwater" means water below the surface of the designated property to a depth of 200 feet.

SECTION 3. That use of the designated groundwater from beneath the designated property as potable water is prohibited.

SECTION 4. That the use of the designated groundwater from beneath public rights-of-way included in the designated property as potable water is prohibited.

SECTION 5. That the following uses of or contacts with the designated groundwater are prohibited:

(1) Human consumption or drinking.

(2) Showering or bathing.

(3) Cooking.

(4) Irrigation of crops for human consumption.

SECTION 6. That the following conditions are imposed on the designated property and designated groundwater:

(1) The potable use of the designated groundwater from beneath the designated property is prohibited.

(2) The potable use of the designated groundwater from beneath public rights-of-way included in the designated property is prohibited.

(3) The portion of the designated property assigned Voluntary Clean-up Program Identification No. 2730 must receive a Certificate of Completion from the Texas Commission on Environmental Quality by no later than April 27, 2018.

SECTION 7. That the city council supports the application to the Texas Commission on Environmental Quality for a municipal setting designation on the designated property, with the following comments:

(1) The Texas Commission on Environmental Quality, as the state agency chartered to protect human health and the environment, is requested to thoroughly review the conditions of the designated property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

SECTION 8. That the public rights-of-way immediately adjacent to the designated property must be included, at no additional cost to the city of Dallas, in the application to the Texas Commission on Environmental Quality.

SECTION 9. That a state or federal program must address the entire non-ingestion protective concentration level exceedence zone originating from sources on the designated property or migrating from the designated property no later than April 27, 2018. That within this time period, the applicant shall provide the managing director of the office of environmental quality documentation, including a certificate of completion from the Texas Commission on Environmental Quality, that it has been addressed to the satisfaction of the agency administering the program. If it has not been addressed, the managing director of the office of environmental quality may, for good cause, take any of the following actions:

(1) allow additional time to address the non-ingestion protective concentration level exceedence zone;

(2) request a review by the Texas Commission on Environmental Quality or the agency administering the program;

(3) recommend to the city council that this municipal setting designation ordinance be repealed;

(4) request additional information or documentation from the applicant; or

(5) pursue other actions that the managing director of the office of environmental quality believes may be warranted.

SECTION 10. That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations; all ordinances, rules, and regulations of the city of Dallas; and all environmental regulations, and that this municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

SECTION 11. That any person owning, operating, or controlling any portion of the designated property is responsible for ensuring compliance with this ordinance with respect to their portion of the designated property. Allowing use of designated ground water for potable purposes or failure to provide the managing director of the office of environmental quality with required documentation is a violation of this ordinance and may result in the ordinance being repealed for that portion of the designated property.

SECTION 12. That approval of this municipal setting designation ordinance shall not be construed to subject the city of Dallas to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

SECTION 13. That within 30 days after adoption of this municipal setting designation ordinance, the applicant shall provide the managing director of the office of environmental quality with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the city of Dallas' geographic information system.

SECTION 14. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall file a certified copy of this municipal setting designation ordinance in the deed records of the county where the designated property is located.

SECTION 15. That within 60 days after adoption of this municipal setting designation ordinance, the managing director of the office of environmental quality shall send a certified copy of this municipal setting designation ordinance to the applicant and the Texas Commission on Environmental Quality, and that the managing director of the office of environmental quality shall notify the Texas Commission on Environmental Quality 60 days prior to any amendment or repeal of this municipal setting designation ordinance.

SECTION 16. That the applicant shall provide the managing director of the office of environmental quality with a copy of the municipal setting designation certificate issued by the Texas Commission on Environmental Quality pursuant to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

SECTION 17. That the applicant shall provide the managing director of the office of environmental quality with a copy of the certificate of completion or other documentation issued by the Texas Commission on Environmental Quality showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the Texas Commission on Environmental Quality within the time period required. The managing director of the office of environmental quality may, for good cause, extend the time for submitting the documentation.

SECTION 18. That the applicant shall notify the managing director of the office of environmental quality in writing if the applicant determines that notice is required to be sent to an owner of other property beyond the boundaries of the designated property under Title 30 Texas Administrative Code, Chapter 30, Section 350.55(b), and provide the name of the property owner, the property address, and a copy of the notice sent to the property owner.

SECTION 19. That a person violating a provision of this municipal setting designation ordinance, upon conviction, is punishable by a fine not to exceed $2,000, and that the Texas Commission on Environmental Quality shall be notified of any violations.

SECTION 20. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this municipal setting designation ordinance.

SECTION 21. That the terms and provisions of this municipal setting designation ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 22. That this municipal setting designation ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

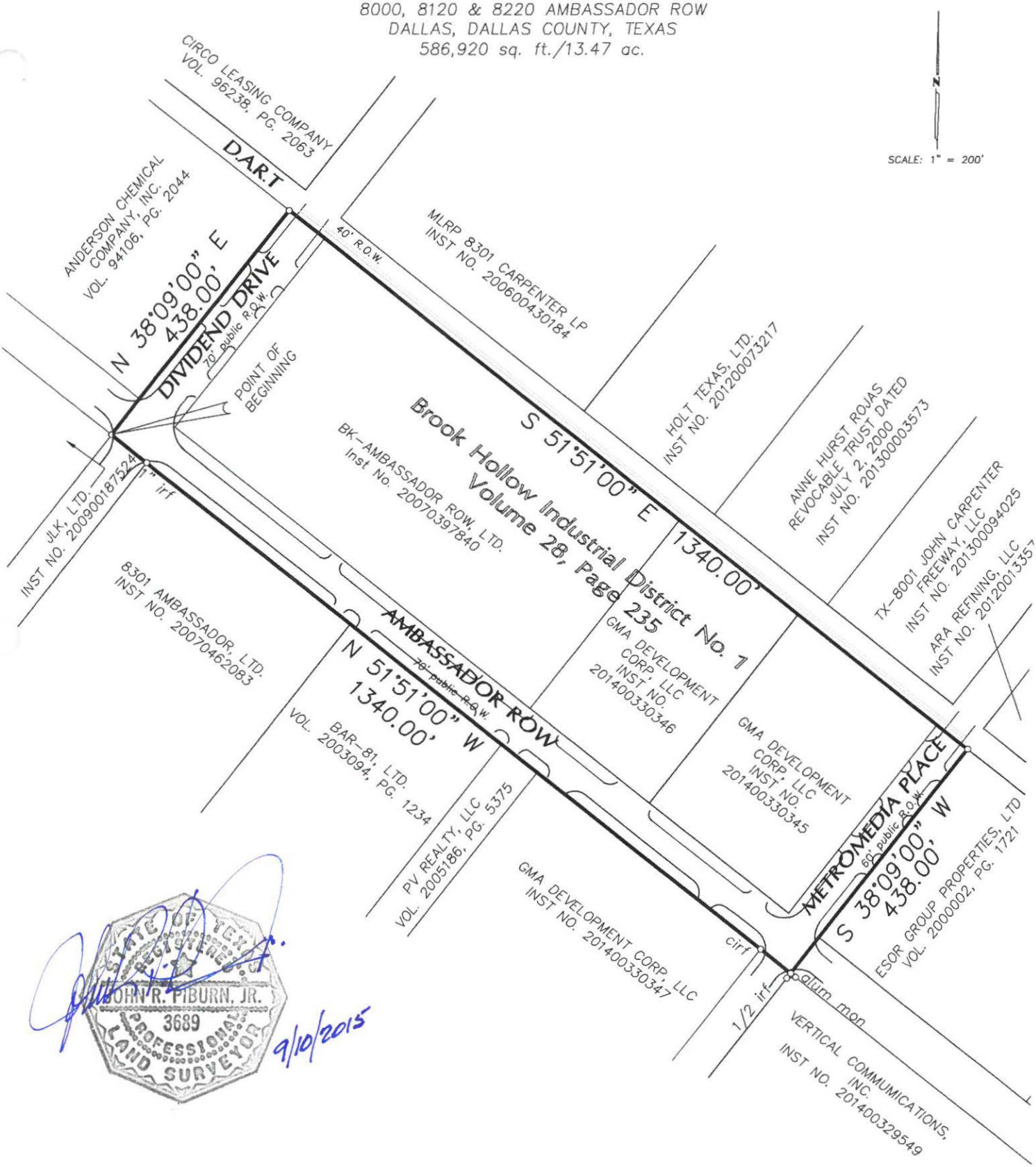
WARREN M.S. ERNST, City Attorney

By_____
Assistant City Attorney

Passed _____

MSD SURVEY

8000, 8120 & 8220 AMBASSADOR ROW
DALLAS, DALLAS COUNTY, TEXAS
586,920 sq. ft./13.47 ac.



STATE OF TEXAS
REGISTERED
BURN R. PIBURN, JR.
3689
PROFESSIONAL
LAND SURVEYOR

9/10/2015

NOTE:
The above exhibit was compiled from record information and limited field work.
REV: September 10, 2015
DATE: August 25, 2015
Project No. 15065

Sheet 1 of 3

PIBURN& CARSON
801 East Campbell Road – Suite 575
Richardson, Texas 75081
Ph: 214.328.3500 Fax: 214.328.3512
email@piburncarson.com

MSD SURVEY
8000, 8120 & 8220 AMBASSADOR ROW
DALLAS, DALLAS COUNTY, TEXAS
586,920 sq. ft./13.47 ac.

PROPERTY DESCRIPTION

BEING a tract of land situated in the JAMES M. LAUGHLIN SURVEY, ABSTRACT NO. 845 and being a portion of City Block No. 5/7940 of the Brook Hollow Industrial District No. 1, an addition to the City of Dallas according to the map thereof recorded in Volume 28, Page 235 of the Map Records of Dallas County, Texas and being all of the following three tracts conveyed to: BK–Ambassador Row, Ltd. in Instrument No. 20070397840, GMA Development Corp. LLC in Instrument No. 201400330346 and GMA Development Corp. LLC in Instrument No. 201400330345 all of the Real Property Records of Dallas County, Texas and also including portions of Dividend Drive, Ambassador Row and Metromedia Place rights–of–way and being more particularly described by metes and bounds as follows:

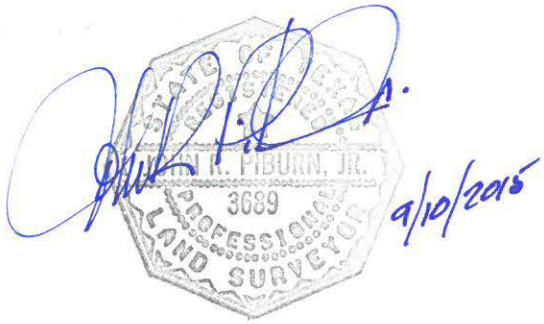
BEGINNING at a corner at the intersection of the southwesterly right–of–way line of Ambassador Row (a 70' right–of–way) and the northwesterly right–of–way line of Dividend Drive (a 70' right–of–way);

THENCE N 38°09'00" E, with the projected northwesterly right–of–way line of said Dividend Drive, crossing said Ambassador Row right–of–way and passing at a distance of 70.00 feet the intersection of the northeasterly right–of–way line of said Ambassador Row with the southeasterly right–of–way line of said Dividend Drive and continuing for a total distance of 438.00 feet to a corner, said corner being the intersection of said northwesterly right–of–way line of Dividend Drive with the southwesterly right–of–way line of a Dallas Area Rapid Transit (DART) right–of–way (a 40' right–of–way) in City of Dallas Block 7940:

THENCE S 51°51'00" E, with the projected right–of–way of said DART crossing said Dividend Drive and passing the intersection of the southwesterly right–of–way of said DART with the southeasterly right–of–way of said Dividend Drive at 70 feet and continuing with said DART right–of–way passing at 1280.00 feet the intersection of said DART right–of–way line with the northwesterly right–of–way line of Metromedia Place (a 60' right–of–way) and continuing for a total distance of 1340.00 feet to a corner at the intersection of said DART right–of–way line with the southeasterly right–of–way line of said Metromedia Place;

THENCE S 38°09'00" W departing said DART right–of–way with said southeasterly right–of–way line Metromedia Place passing at a distance of 368.00 feet the intersection of said southeasterly right–of–way line with the northeasterly right–of–way line of the aforementioned Ambassador Row and continuing a total distance of 438.00 feet to a corner at the intersection of said southeasterly right–of–way line with the aforementioned southwesterly right–of–way line of Ambassador Row;

THENCE N 51°51'00" W, with the projected southwesterly right–of–way line of said Ambassador Row, crossing said Metromedia Place right–of–way, passing at 60.00 feet the intersection of the northwesterly right–of–way line of said Metromedia Place with said southwesterly right–of–way line of Ambassador Row and continuing with said southwesterly right–of–way line passing, at 1270.00 feet, the intersection of said southwesterly right–of–way line with the southeasterly right–of–way line of the aforementioned Dividend Drive and continuing a total distance of 1340.00 feet to the **POINT OF BEGINNING** and containing 586,920 square feet or 13.47 acres of land.



NOTE:
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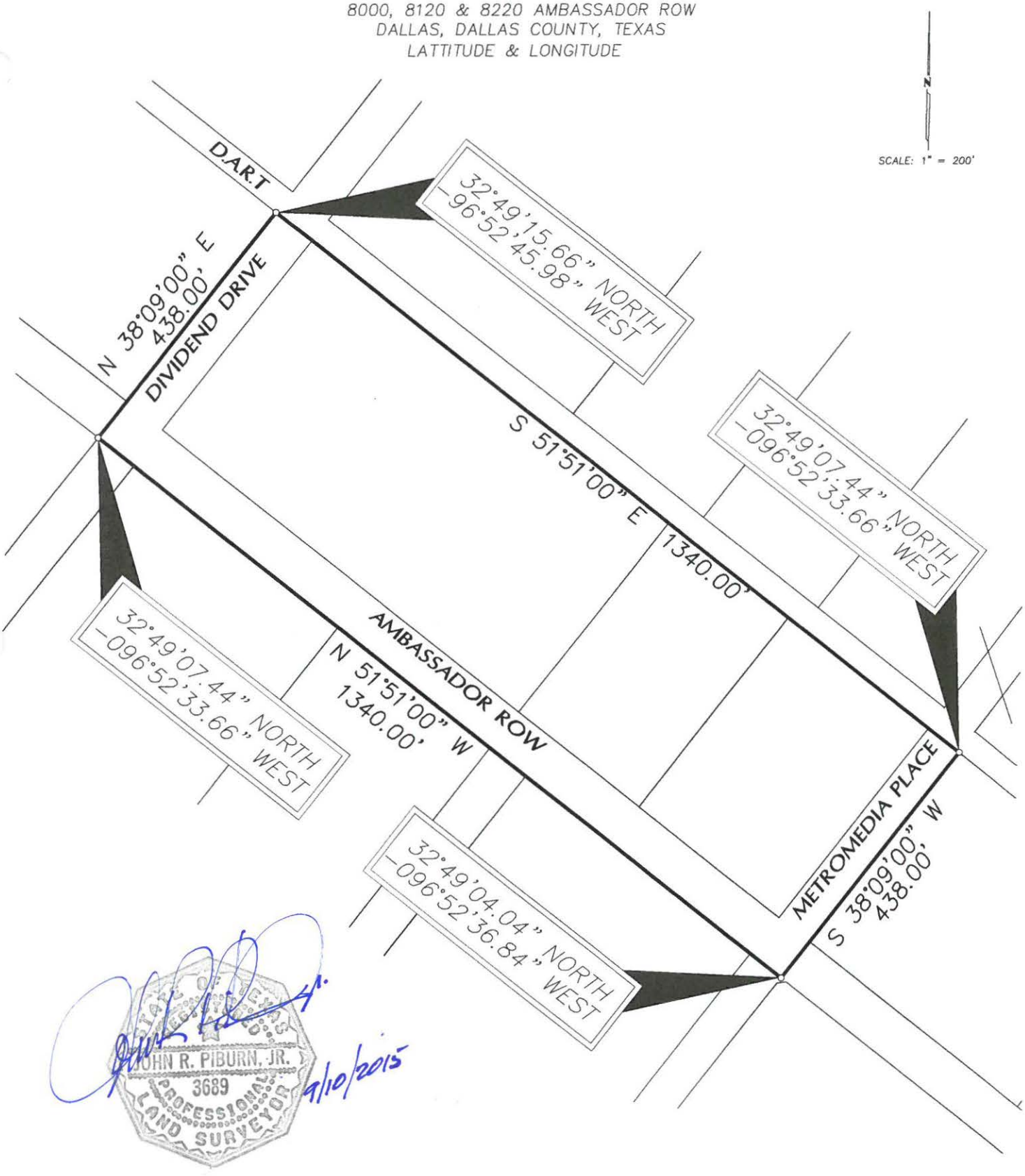
MSD SURVEY
8000, 8120 & 8220 AMBASSADOR ROW
DALLAS, DALLAS COUNTY, TEXAS
LATTITUDE & LONGITUDE



JOHN R. PIBURN, JR.
3689
PROFESSIONAL
LAND SURVEYOR
9/10/2015

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Sheet 3 of 3

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MSD SURVEY
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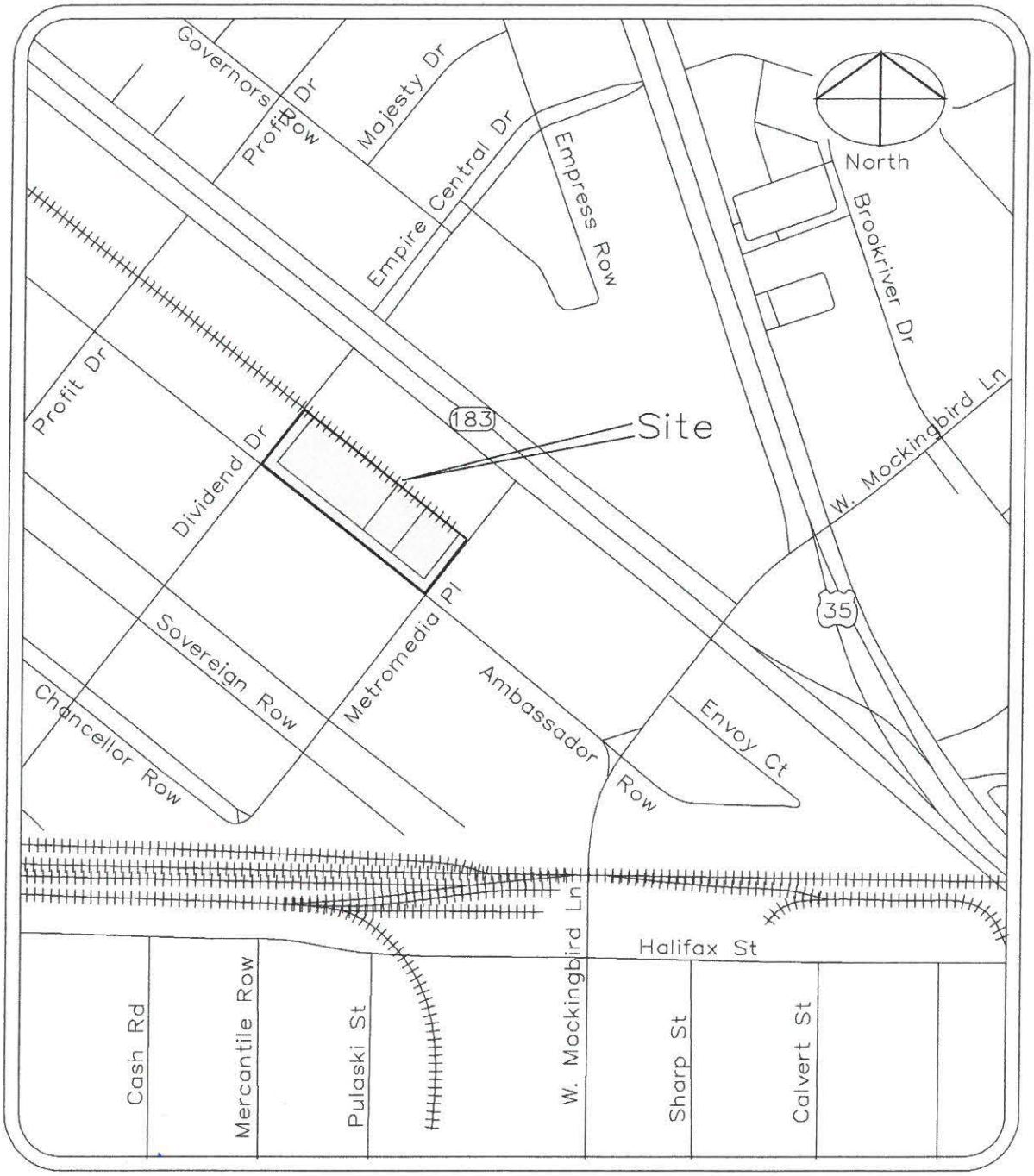
DALLAS, DALLAS COUNTY, TEXAS



VICINITY MAP
NOT TO SCALE

REV: September 10, 2015
DATE: August 25, 2015
Project No. 15065

PIBURN& CARSON
801 East Campbell Road – Suite 575
Richardson, Texas 75081
Ph: 214.328.3500 Fax: 214.328.3512
email@piburncarson.com

AGENDA ITEM # 69

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 54-M 55-E J

SUBJECT

A public hearing to receive comments on the proposed use of a portion of the Dallas Zoo located at 550 East Clarendon Drive for two drainage easements and one floodway easement for the Wilds of Africa plat, totaling approximately 116,015 square feet of land; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns approximately 127 acres of parkland located at 1021 South Ewing Street known as the Dallas Zoo. The Dallas Zoo is currently managed by Dallas Zoo Management, Inc. (DZM). In collaboration with the Park and Recreation Department, DZM is platting The Wilds of Africa section of the Dallas Zoo as required by City Code for current and future construction projects. As a condition of the plat one fifteen-foot wide drainage easement of 373 square feet, one variable width drainage easement of 45,985 square feet, and one floodway easement of 69,657 square feet are to be conveyed to the City of Dallas.

In compliance with the law, the City, through its Dallas City Council, must determine that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of park services.

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 parkland. At the close of the public hearing, Council will consider a resolution authorizing the proposed use of parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 18, 2016, the Park and Recreation Board authorized a public hearing to be held on April 27, 2016.

On March 23, 2016, City Council authorized a public hearing to be held on April 27, 2016, by Resolution No. 16-0440.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

0 245 490 980 1,470 Feet

February 18, 2016

Dallas Zoo Wilds of Africa Plat
(550 E Clarendon Dr)

Mapsco
54 M
55 E,J

District
4

April 27, 2016

WHEREAS, the City of Dallas owns land in southwest Dallas known as the Dallas Zoo, which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, portions of the southern section of the Zoo, known as the Wilds of Africa, currently contain platted and unplatted parcels of land and the City of Dallas desires to create one lot for the purpose of current and future development; and

WHEREAS, the Dallas City Code, Volume III, Chapter 51A, of the Dallas Development Code, Ordinance No. 19455, as amended, Article VIII, Plat Regulations are established in accordance with the city charter and state law in order to protect and provide for: the public health, safety, and general welfare of the city, guide future growth, guide public policy, provide for the proper location and width of streets and building lines, establish reasonable standards of design and provide for the orderly layout and use of land, insure that public infrastructure facilities required by city ordinance are available to serve the proposed plat, and prevent the pollution of air, streams, and ponds by assuring adequacy of drainage facilities and by safeguarding the escarpment, flood plains, and water table; and

WHEREAS, the City of Dallas requires floodway and drainage easements at the Dallas Zoo totaling approximately 116,015 square feet of land, as described in Exhibit A, as condition of plat, and the Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, a public hearing was held, as required by the Texas Parks 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 parkland and that all reasonable planning to minimize harm to the Dallas Zoo has been taken.

Now, Therefore,

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

SECTION 1. That as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to this use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park has been taken.

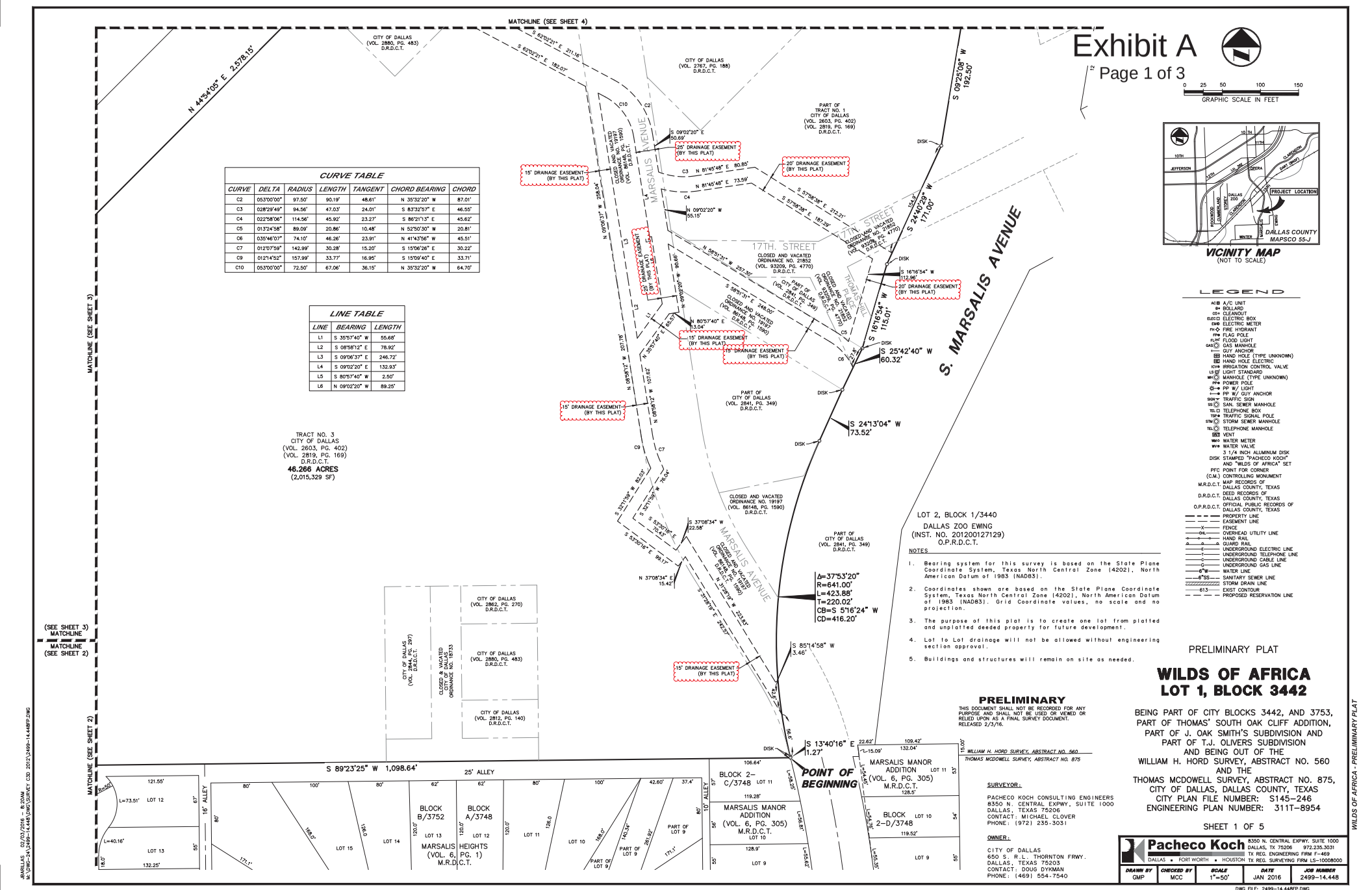
SECTION 2. That since the public hearing has been held, the use is authorized subject to the terms and conditions as required by plat and in accordance with the Plat Regulations of the City of Dallas as amended.

SECTION 3. That the City Plan Commission Chair is authorized to certify all plat documents necessary for the dedication of the easements to the City of Dallas.

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

Page 1 of 3



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C2	053°00'00"	97.50'	90.19'	48.61'	N 35°32'20" W	87.01'
C3	028°29'49"	94.56'	47.03'	24.01'	S 83°32'57" E	46.55'
C4	022°58'06"	114.56'	45.92'	23.27'	S 86°21'13" E	45.62'
C5	013°24'58"	89.09'	20.86'	10.48'	N 52°50'30" W	20.81'
C6	035°46'07"	74.10'	46.26'	23.91'	N 41°43'56" W	45.51'
C7	012°07'59"	142.99'	30.28'	15.20'	S 15°06'26" E	30.22'
C9	012°14'52"	157.99'	33.77'	16.95'	S 15°09'40" E	33.71'
C10	053°00'00"	72.50'	67.06'	36.15'	N 35°32'20" W	64.70'

LINE TABLE

LINE	BEARING	LENGTH
L1	S 35°57'40" W	55.68'
L2	S 08°58'12" E	78.92'
L3	S 09°06'37" E	246.72'
L4	S 09°02'20" E	132.93'
L5	S 80°57'40" W	2.50'
L6	N 09°02'20" W	89.25'

0 25 50 100 150
GRAPHIC SCALE IN FEET

VICINITY MAP
(NOT TO SCALE)

LEGEND

- AC A/C UNIT
- B BOLLARD
- CO CLEANOUT
- ELEC ELECTRIC BOX
- EM ELECTRIC METER
- FH FIRE HYDRANT
- FP FLAG POLE
- FL FLOOD LIGHT
- GAS GAS MANHOLE
- GUY ANCHOR
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- UGE UNDERGROUND ELECTRIC LINE
- UGT UNDERGROUND TELEPHONE LINE
- UGC UNDERGROUND CABLE LINE
- UGG UNDERGROUND GAS LINE
- 6"W WATER LINE
- 6"SS SANITARY SEWER LINE
- STORM DRAIN LINE
- 613 EXIST CONTOUR
- PROPOSED RESERVATION LINE

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SURVEYOR:

PACHECO KOCH CONSULTING ENGINEERS
8350 N. CENTRAL EXPWY, SUITE 1000
DALLAS, TEXAS 75206
CONTACT: MICHAEL CLOVER
PHONE: (972) 235-3031

OWNER:

CITY OF DALLAS
650 S. R.L. THORNTON FRWY.
DALLAS, TEXAS 75203
CONTACT: DOUG DYKMAN
PHONE: (469) 554-7540

PRELIMINARY PLAT

WILDS OF AFRICA
LOT 1, BLOCK 3442

BEING PART OF CITY BLOCKS 3442, AND 3753, PART OF THOMAS' SOUTH OAK CLIFF ADDITION, PART OF J. OAK SMITH'S SUBDIVISION AND PART OF T.J. OLIVERS SUBDIVISION AND BEING OUT OF THE WILLIAM H. HORD SURVEY, ABSTRACT NO. 560 AND THE THOMAS MCDOWELL SURVEY, ABSTRACT NO. 875, CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NUMBER: S145-246
ENGINEERING PLAN NUMBER: 311T-8954

SHEET 1 OF 5

Pacheco Koch
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-469
DALLAS ▪ FORT WORTH ▪ HOUSTON TX REG. SURVEYING FIRM LS-10008000

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
GMP	MCC	1"=50'	JAN 2016	2499-14.448

DWG FILE: 2499-14.448FP.DWG

WILDS OF AFRICA - PRELIMINARY PLAT

JBARILLAS - 02/03/2016 - 8:20AM
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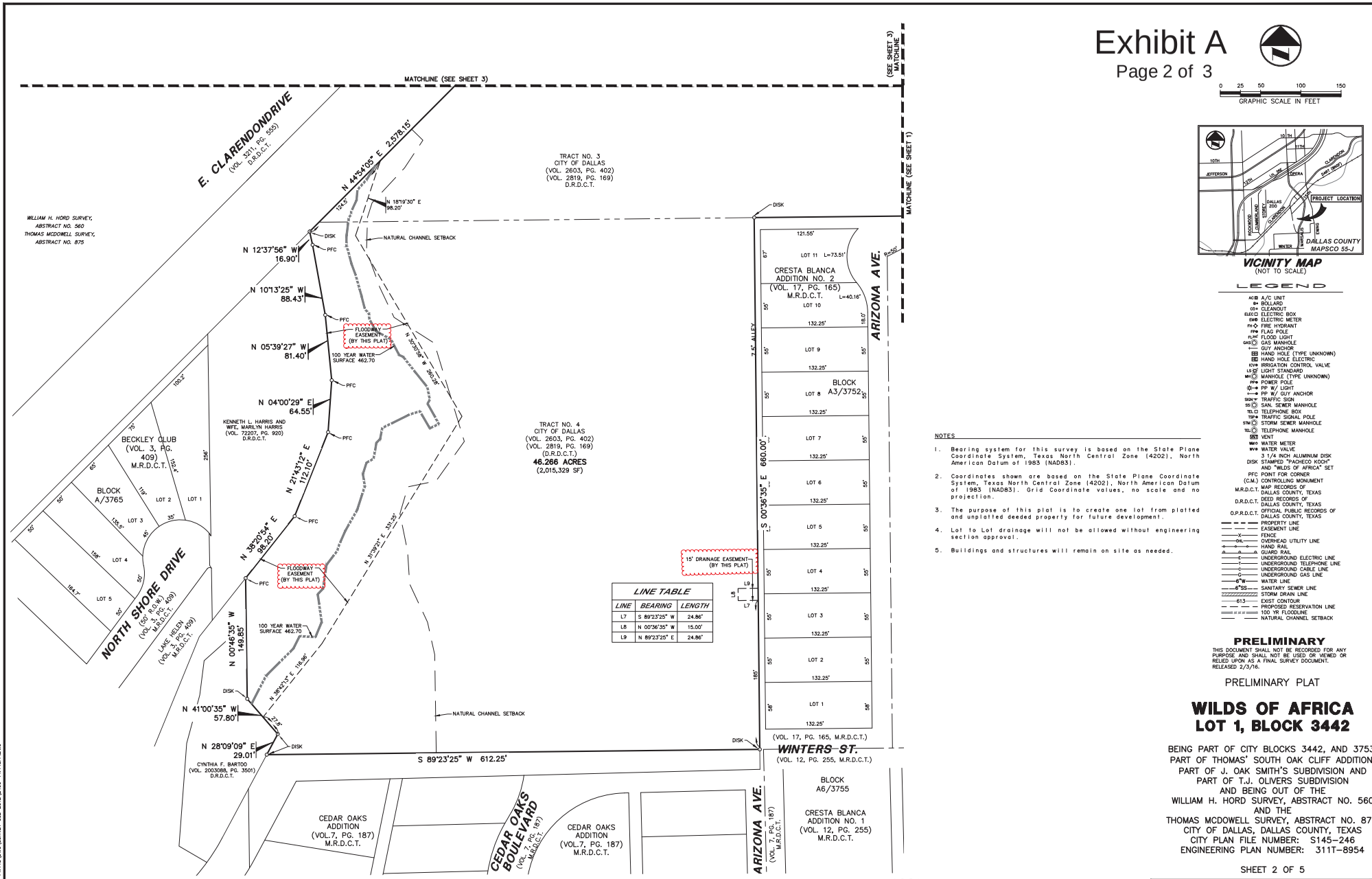
Exhibit A

Page 2 of 3



0 25 50 100 150

GRAPHIC SCALE IN FEET

VICINITY MAP
(NOT TO SCALE)

LEGEND

- A/C UNIT
- BOLLARD
- CLEANOUT
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- 613 EXIST CONTOUR
- PROPOSED RESERVATION LINE
- 100 YR FLOODLINE
- NATURAL CHANNEL SETBACK

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CITY PLAN FILE NUMBER: S145-246
ENGINEERING PLAN NUMBER: 311T-8954

SHEET 2 OF 5

SURVEYOR:
PACHECO KOCH CONSULTING ENGINEERS
8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TEXAS 75206
CONTACT: MICHAEL CLOVER
PHONE: (972) 235-3031

OWNER:
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DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
GMP	MCC	1"=50'	JAN 2016	2499-14.448

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JBARILLAS - 02/03/2016 - 8:21AM
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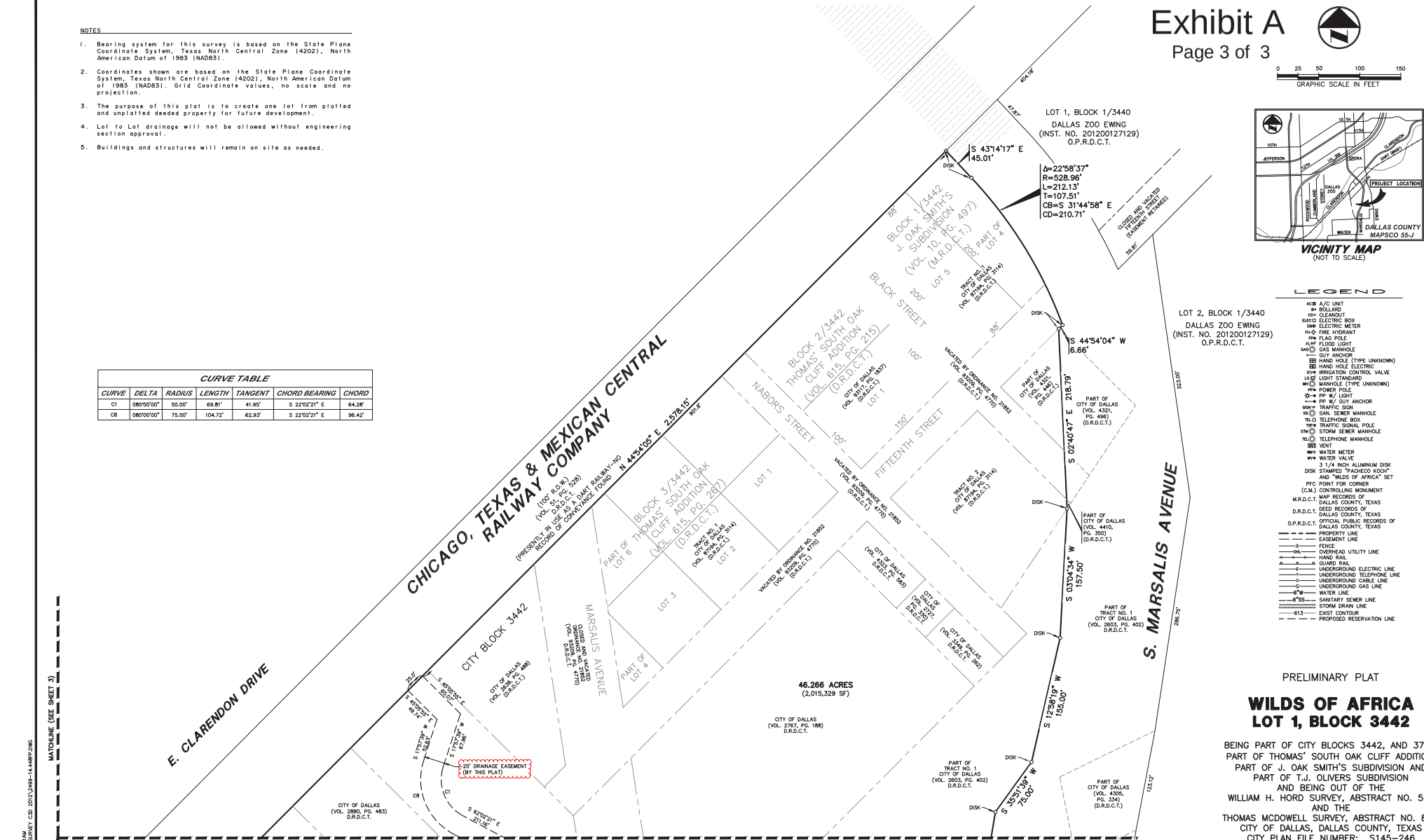
WILDS OF AFRICA - PRELIMINARY PLAT

Exhibit A

Page 3 of 3



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CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	080°00'00"	50.00'	69.81'	41.95'	S 22°02'21" E	64.28'
C8	080°00'00"	75.00'	104.72'	62.93'	S 22°02'21" E	96.42'

GRAPHIC SCALE IN FEET
0 25 50 100 150

VICINITY MAP
(NOT TO SCALE)

LEGEND

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SHEET 4 OF 5

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DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
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DWG FILE: 2499-14.448FP.DWG

JBARILLAS 02/03/2016 - 8:21AM
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WILDS OF AFRICA - PRELIMINARY PLAT

AGENDA ITEM # 70

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 671-9837

MAPSCO: 35 W

SUBJECT

A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a public school, Sam Houston Elementary School as required by Section 6-4 of the Dallas City Code to allow a mixed beverages permit (Chapter 28 of the Texas Alcoholic Beverage Code) for a restaurant without drive-in or drive-through service with a food and beverage certificate [Woodford Drive, LLC, dba Zephyr Bakery Cafe] on the west corner of Cedar Springs Road and Throckmorton Street - AV156-002 - Financing: No cost consideration to the City

BACKGROUND

Section 6-4 of Chapter 6, “Alcoholic Beverages,” of the Dallas City Code allows Council to grant a variance from the usual spacing required between an alcohol business and a protected use. The usual spacing requirement is 300 feet in a direct line from the property line of the public DISD school to the property line of the place of business.

The standard for approval of the variance is that:

A. the application is for one of the following permits pursuant to the following chapters of the Texas Alcoholic Beverage Code:

(i) a brewer’s permit, Chapter 12;
(ii) a distiller’s and rectifier’s permit, Chapter 14;
(iii) a winery permit, Chapter 16;
(iv) a wine and beer retailer’s permit, Chapter 25;
(v) a wine and beer retailer’s off-premise permit, Chapter 26;
(vi) a mixed beverage permit with a food and beverage certificate, Chapter 28; or
(vii) a manufacturer’s license, Chapter 62.

BACKGROUND (Continued)

B. the application is for one of the following land uses:

   (i) general merchandise or food store use with 10,000 square feet or more of floor area
   (ii) restaurant without drive-in or drive-through service with a food and beverage certificate pursuant to the Texas Alcoholic Beverage Code;
   (iii) alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery; or
   (iv) alcoholic beverage manufacturing.

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

D. enforcement of the spacing requirements in this particular instance:
   (i) is not in the best interest of the public;
   (ii) constitutes waste or inefficient use of land or other resources;
   (iii) creates an undue hardship on an applicant for an alcohol permit;
   (iv) does not serve its intended purpose;
   (v) is effective or necessary; or
   (vi) for any other reason that the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

An application for a waiver of the spacing requirements was submitted on March 7, 2016, by Woodford Drive, LLC, dba Zephyr Bakery Cafe. Sam Houston Elementary School, located to the southwest of the request site, creates the need for the variance.

The applicant has submitted the attached letter providing a statement of why the variance meets the standard of approval.

The approximately 1.4773 acre request site, which is located in Subarea B-1 of Planned Development Planned Development Subdistrict No. 19 within Planned Development District No. 193, contains an approximately 1,650 square foot restaurant suite previously occupied by Zini's Pizzeria. The previous occupant obtained its mixed beverage permit on January 23, 2006 and let the license expire on January 22, 2014, according to TABC license information. The restaurant's location is surrounded by restaurant and retail uses. The overall shopping center is surrounded by retail and restaurant uses in all direction with the exception of a large surface parking lot that separates the request site to the protected school.

The public school is located to the southwest of the request site. While the required spacing from a school is measured property line to property line, the walking distance from the entrance of the school to the proposed restaurant is approximately 801 feet, measured from the nearest public entrance of each site along connecting sidewalks.

BACKGROUND (Continued)

Due to the proposed site being approximately 801 feet away by walking distance and located on a major thoroughfare, staff has no objection to this request.

Two variances for the same public school, Sam Houston Elementary School were granted for restaurants with mixed beverage permits at 4123 Cedar Springs (Cedar Springs Tap House on April 9, 2014 and Xamach Mexican Cuisine & Bar on May 14, 2014).

This item requires two seconds to pass.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2009, the City Council approved an amendment to Section 6-4 of Chapter 6, "Alcoholic Beverages," of the Dallas City Code to allow a process for a variance to the spacing requirements between a business selling alcohol and a public or private school.

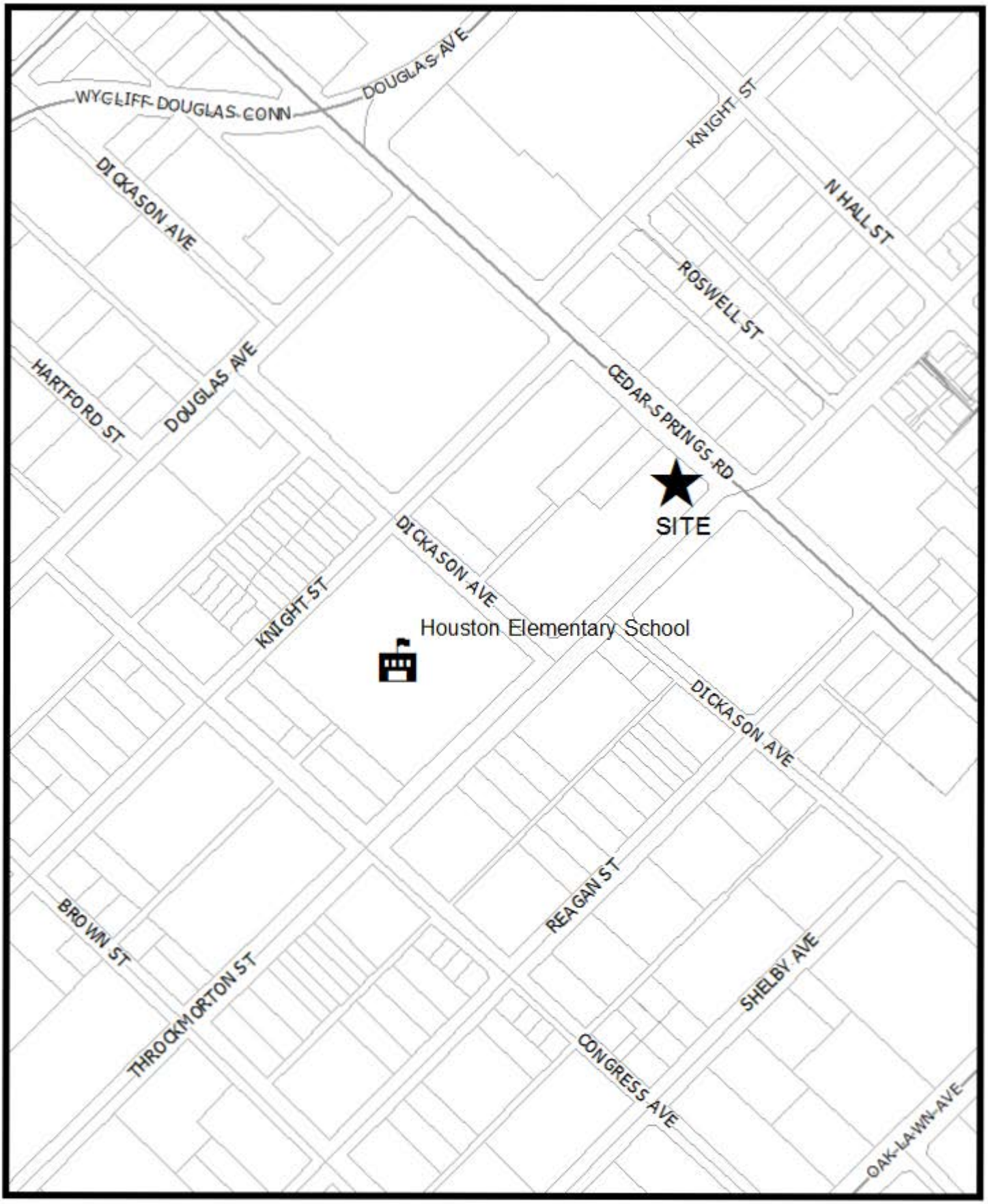
On October 26, 2011, September 26, 2012, and January 22, 2014, the City Council further amended Section 6-4 of Chapter 6.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.



AV156-002

1:3,000

★ Approximate location of business requesting alcohol variance

Land use requiring spacing from business requesting alcohol sales: school

CITY OF DALLAS

APPLICATION FOR A VARIANCE FROM THE MINIMUM DISTANCE REGULATIONS RELATED TO THE SALE OF ALCOHOLIC BEVERAGES

Chapter 6—Alcoholic Beverages, City of Dallas Code of Ordinances

Applicant: Woodford Drive LLC
(Must match the business name on TABC application)

Contact person, title: Joshua Friedman
(Land owner, business owner, representative)

Contact person's phone: 713-299-4461

Contact person's address: 1301 Richmond Ave. #250 Houston, TX 77006

Property owner's name: Caven Enterprises Inc.

Address of request site: 4001 Cedar Springs Rd Suite A

Protected use's address: 2827 Throckmorton Street

Type of protected use:
- o Church
- ☒ Public school / open-enrollment charter school
- o Private school
- o Public hospital
- o Daycare/child-care facility

Type of business seeking to sell alcohol:
- o Alcoholic beverage manufacturing
- o General merchandise or food store with 10,000 square feet or more floor area
- o Microbrewery, microdistillery, or winery
- ☒ Restaurant without drive-in or drive-through service

Type of TABC permit(s) to be sought:
- o Brewer's permit, "B" / Manufacturer's license, "BA"
- o Distiller's and rectifier's permit, "D"
- ☒ Food and beverage certificate, "FB"
- ☒ Mixed beverage permit,"MB"
- o Wine and beer retailer's off-premise permit, "BQ"
- o Wine and beer retailer's permit, "BG"
- o Winery, "G"

The nonrefundable variance application fee is $1,200.00 and the sign fee, which is between $10 and $50 depending on street frontages. A statement explaining how the request meets the standard below is required as part of this application. The burden of proving that the request meets the standard is solely the responsibility of the applicant. Additional evidence supporting the request may be submitted along with this application.

> Enforcement of the spacing requirements in this particular instance (1) is not in the best interest of the public; (2) constitutes waste or inefficient use of land or other resources; (3) creates an undue hardship on an applicant for an alcohol permit; (4) does not serve its intended purpose; is not effective or necessary; or (5) for any other reason that the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

REQUIRED ATTACHMENTS:

- ✓ Statement of request
- ✓ List of officers for alcohol business and property owner
- ✓ Sealed alcohol survey showing 300 foot radius and door to door measurements (*protected use must be indicated on this survey*)

AUTHORIZATION BY PROPERTY OWNER(S)

I, Gregg Kilhoffer the owner of the property to be considered, hereby authorize the above business and representative to file this application for a variance from the requirements of Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances.

Gregg Kilhoffer
Owner's Printed Name

Owner's Signature

APPLICANT ACKNOWLEDGEMENT AND AFFIDAVIT

I have read, examined, and completed this application; and know the information provided to be true and correct. I hereby apply for a variance from the distance requirements in Chapter 6, Section 6-4 of the City of Dallas Code of Ordinances. I understand that this application, including all submitted documentation, are public information and can be made available through an Open Records Request per the Texas Public Information Act (Texas Government Code, Chapter 552).

Joshua Friedman
Applicant's Printed Name

Applicant Signature

Sworn to and subscribed before me by on this day 23rd of February in the year 2016, to certify which witness my hand and seal of office.

ROBIN HARGENRADER
Notary Public, State of Texas
My Commission Expires
June 30, 2018

Robin Hargenrader
Notary Public in and for the State of Texas

Date received: 3/7/16 Receipt No.: _____ Case number: AV156-002

AV application 3-25-14

February 25, 2016

Mr. David Cossum
Department of Sustainable Development and Construction
City of Dallas
1500 Marilla, Room 5DS
Dallas, Texas 75201

RE: Variance for restaurant without drive-in or drive-through service to sell alcoholic beverages for on-premise consumption at 4001 Cedar Springs Road Suite A.

Dear Mr. Cossum:

Woodford Drive LLC seeks to operate Zephyr Bakery Café at the address listed above. The space was previously occupied by a restaurant "Zini's Pizzaria".

The previous tenant operated a restaurant with alcohol sales. Woodford Drive LLC would like to operate a restaurant in the same space with alcohol sales.

We have included a TABC field survey, list of officers, and application for this variance request. Please feel free to contact our offices if you need any additional information regarding this application.

Josh Friedman

SANTOS T. MARTINEZ
MY COMMISSION EXPIRES
April 2, 2019

4.2.19

Woodford Drive LLC

List of Officers

Joshua Friedman

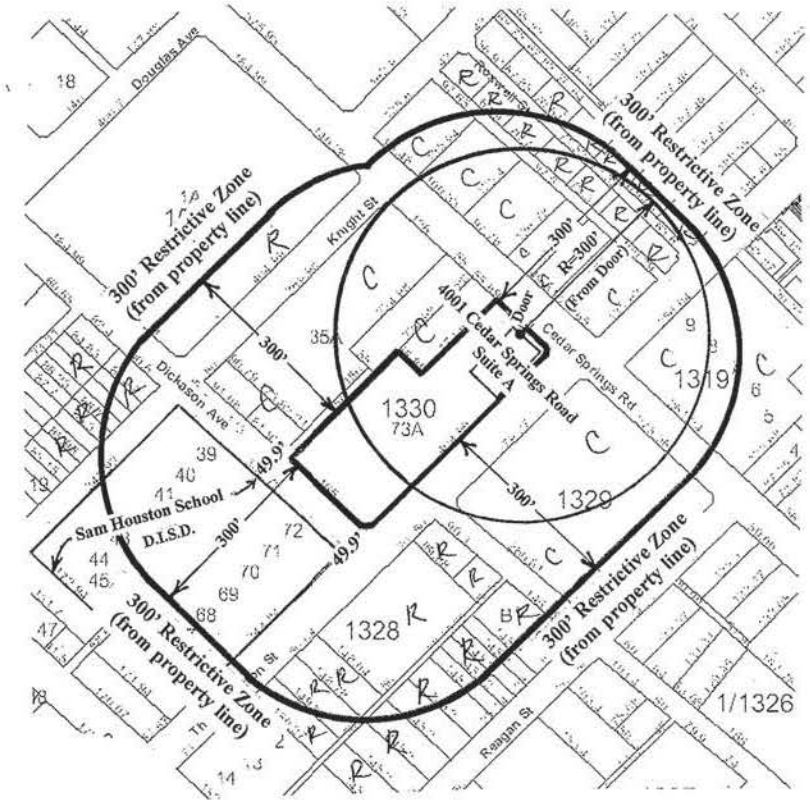
Daniel Sikora

Caven Enterprises Inc.
List of Officers

Gregg Kilhoffer	President
Ben Polachek	Treasurer
Christine Bengston	Officer

ZEPHYR BAKERY CAFE'
4001 CEDAR SPRINGS ROAD
SUITE A
DALLAS, TX. 75219
LaBarba Permit Service

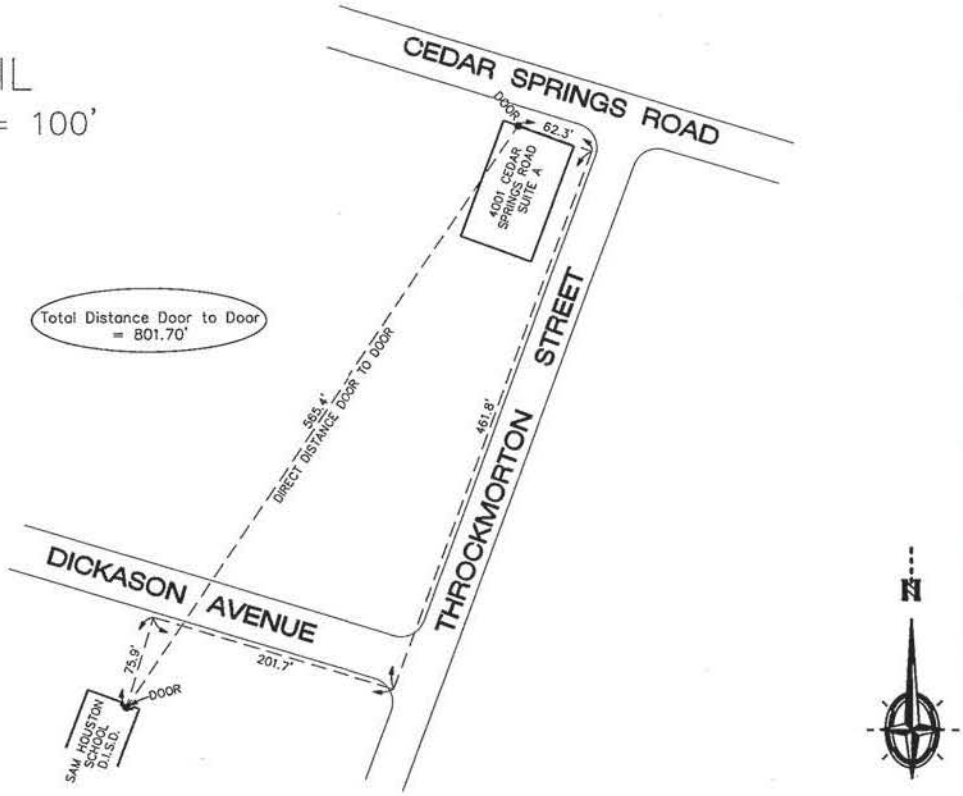
ALCOHOL MEASUREMENT PLAT



SCALE 1" = 200'

DETAIL

Scale: 1" = 100'



I have conducted (or caused to be conducted) a physical inspection of the area and a diligent search of public records to determine if the place of business is located near any protected uses. This survey map shows that the place of business where alcoholic beverages will be sold does not meet the location requirements in Dallas City Code 6-4.

The ZEPHYR BAKERY CAFE' located at 4001 Cedar Springs Road, Suite A, in the City of Dallas, is within 300 feet of a church, public or private school, day care center, child care facility or a public hospital as defined in Dallas City Code Section 6-4.

R = Residential
C = Commercial
V = Vacant

Date 3/2/2016

Job 16-127

This survey was performed for an alcohol-measurement certification. All improvements may not been shown as existed at the time of survey. Research of protected properties included a search of appraisal district records, parole evidence of the owner/manager and a physical inspection on the ground.

STATE OF TEXAS REGISTERED BEN D. RYCHLIK #1630 PROFESSIONAL LAND SURVEYOR

Registered Professional Land Surveyor 1630

SURVEYING ASSOCIATES
1018 S. Beckley, Dallas, Tx. 75203
Phone: (214) 948-3324
Fax: (214) 946-7540
FIRM Registration / License No. 10040200

WHEREAS, Subsection 6-4(g) of the Dallas City Code authorizes the City Council to grant variances from the alcohol spacing requirements prescribed by Subsection 6-4(a) of the Dallas City Code; and

WHEREAS, Woodford Drive, LLC, dba Zephyr Bakery Cafe has submitted an application for a mixed beverages permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code for a restaurant without drive-in or drive-through service with a food and beverage certificate, and is requesting a variance to the alcohol spacing requirements for a property on the west corner of Cedar Springs Road and Throckmorton Street, northeast of Sam Houston Elementary School, a public school; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds that enforcement of the alcohol spacing requirements in this particular instance:

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

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

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

(4) does not serve its intended purpose; and

(5) is not effective or necessary; and

WHEREAS, the City Council desires to grant the alcohol spacing variance; **Now, Therefore,**

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

Section 1. That the variance to the alcohol spacing requirements for Woodford Drive, LLC, dba Zephyr Bakery Cafe, for property on the west corner of Cedar Springs Road and Throckmorton Street, northeast of Sam Houston Elementary School, a public school, is granted, subject to the following conditions:

(1) This alcohol spacing variance is valid only for a mixed beverages permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code.

(2) This alcohol spacing variance is valid only for a restaurant without drive-in or drive-through service with a food and beverage certificate in the location shown on the attached location map.

(3) Alcoholic beverages may not be sold by drive-in or drive-through service.

(4) This alcohol spacing variance is valid for subsequent renewals of the alcohol permit.

(5) This alcohol spacing variance may not be transferred to another location or to another alcohol permit holder.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the 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 _____
Assistant City Attorney

AGENDA ITEM # 71

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

AGENDA DATE: April 27, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 23-Z 24-W

SUBJECT

A public hearing to receive comments for the proposed use of a portion of the Bachman Creek Greenbelt, totaling approximately 42,323 square feet, for driveway access and parking by QuikTrip Corporation; and at the close of the public hearing, consideration of a resolution authorizing the use – Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as Bachman Creek Greenbelt (approximately 42,323 square feet) located at 3900 Shorecrest Drive, just north of Love Field Airport. This passive-use park is used for open space. A trail runs through the park along the north side of Bachman Creek which connects to and is a part of the Bachman Lake Park Trail in adjacent Bachman Lake Park to the west. Currently, there is no direct public accessible access to Bachman Creek Greenbelt for residential neighborhoods to the north. There is a need for direct, publicly accessible access to Bachman Creek Greenbelt for the surrounding neighborhood. QuikTrip proposes to construct and maintain a trailhead which includes parking, landscaping, seating, paving, and a drinking fountain. QuikTrip is proposing to allow itself and patrons use of the proposed parkland access drive and parking lot. Because of the configuration and limited space available for development of the proposed trailhead, access drive, and parking lot there is a need and no feasible and prudent alternative to allowing access and use of the parkland parking lot by QuikTrip and its patrons.

In compliance with the law, ~~QuikTrip~~ the City, through its Dallas City Council, must determine ~~has determined~~ that there is a need and that there is no feasible and prudent alternative 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 park services.

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 use of parkland.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On December 3, 2015 the Park and Recreation Board authorized a public hearing to be held on February 10, 2016.

On January 13, 2016 City Council authorized a public hearing to be held on February 10, 2016, by Resolution No. 16-0088.

Information about this item was provided to the Quality of Life & Environment Committee on February 8, 2016.

This item was deferred by Councilmember Jennifer S. Gates on February 10, 2016.

FISCAL INFORMATION

No cost consideration to the City.

MAPS

Attached

0 155 310 620 930 Feet

December 3, 2015

Bachman Creek Greenbelt
(3900 Shorecrest Dr.)

Mapsco
23 Z
24 W

District
13

April 27, 2016

WHEREAS, the City of Dallas owns land in Dallas known as Bachman Creek Greenbelt, located at 3900 Shorecrest Drive, north of Love Field Airport, which has been maintained by the City as parkland since 1930; and

WHEREAS, QuikTrip Corporation (QuikTrip), an Oklahoma corporation, proposes to design, construct, and maintain a trailhead on approximately 42,323 square feet of parkland in Bachman Creek Greenbelt, which will provide accessible public access to the existing hike and bike trail; and

WHEREAS, QuikTrip Corporation has requested non-exclusive use of the trailhead access driveway and parking for itself and its patrons as identified in Exhibit A and Exhibit B, and the Park and Recreation Board is agreeable to providing the property for this non-exclusive use; and

WHEREAS, a public hearing was held, as required by the Texas Parks 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 parkland and that all reasonable planning to minimize harm to Bachman 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 use of the portion of Bachman Creek Greenbelt as described in Exhibit A is authorized and approved subject to this resolution, and to all of the following terms and conditions:

I. Construction work shall not begin until the City enters into a development and maintenance agreement (Agreement) with QuikTrip, approval of which is by separate Council resolution;

II. The plan of the Bachman Creek Greenbelt Trailhead project shall be based on the attached concept plan (Exhibit A), as approved by the Director of the Park and Recreation Department (PARD). Such improvements shall consist of in part the following elements:

a) Parking and driveway access including lighting;
b) Public access trail connection to Bachman Lake Hike and Bike Trail in accordance with PARD guidelines and in compliance with the Americans with Disabilities Act (ADA);
c) Pavilion, signage, seating, and trash receptacles;
d) Landscaping and irrigation.

SECTION 1. (Continued)

III. All health, safety, noise, environmental protection, waste disposal, and air quality regulations shall remain in compliance. Safety fencing shall be installed for pubic protection prior to and during construction.

IV. The City shall bear no cost for any part of the design or construction of the trailhead project.

V. QuikTrip will maintain and replace as needed, at its sole cost, the portion of the park as described in Exhibit A, for the length and terms specified in the Agreement, which includes existing and improved amenities and other elements and features:

a) Maintenance shall be in accordance with PARD standards;
b) No chemicals shall be used on park property without prior written permission by PARD.

VI. No construction equipment storage shall be allowed on park property without prior written permission by PARD.

VII. Construction shall provide minimal disturbance to the remainder of the Bachman Creek Greenbelt including use of the Bachman Lake Hike and Bike Trail:

a) After construction has commenced, the trailhead project shall be completed in a timely fashion without unreasonable delays.

SECTION 2. That the City of Dallas hereby approves the proposed non-exclusive use of parkland by QuikTrip Corporation and its patrons as identified in Exhibit A and Exhibit B for use of driveway access and parking, subject to the terms and conditions of the Agreement and this resolution.

SECTION 3. That the approval of the aforementioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use of parkland, consistent with the Texas Parks and Wildlife Code, and that all reasonable planning to minimize harm to parkland has been taken.

SECTION 4. 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 Bachman Creek Greenbelt for the purpose stated in this resolution and that all reasonable planning to minimize harm to the parkland has been taken.

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.

LICENSE AGREEMENT
42,323 SQUARE FEET (0.972 ACRE)
FORM THE CITY OF DALLAS
LEMMON AVE. & N.W. HIGHWAY
CITY BLOCK 4424

Exhibit A
1 of 3

BEING a 42,323 square foot (0.972 acre) tract of land (unplatted) located in the City of Dallas, Dallas County, Texas, part of City Block No. 4424, part of the William C. Trimble Survey, Abstract No. 1484, and being part of that called 22.1324 acre tract of land described in deed to the City of Dallas as recorded in Volume 280, Page 40, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3" brass disk in concrete monument (controlling monument) found for the northwest corner of Lot 5, Block A/5089, Northway Addition, an addition to the City of Dallas according to the plat thereof recorded in Volume 88231, Page 2676, Deed Records, Dallas County, Texas, said point being North 71 degrees 30 minutes 00 seconds East, a distance of 100.72 feet from the intersection of the southerly right-of-way line of Northwest Highway (100' R.O.W.) and the easterly right-of-way line of Lemmon Avenue (240' R.O.W.);

THENCE, along the westerly line of said Lot 5, South 18 degrees 30 minutes 00 seconds East, a distance of 209.00 feet to an "X" in concrete (controlling monument) found for the southwest corner of said Lot 5;

THENCE, along the southerly line of said Lot 5, South 84 degrees 42 minutes 48 seconds East, a distance of 173.76 feet to a "Mag-Nail" set for the southeast corner of said Lot 5, being the southwest corner of a 0.676 acre tract of land (part of Block 5089, unplatted) described in deed to Admiral Flag Inc. as recorded in Volume 91056, Page 4426, Deed Records, Dallas County, Texas;

THENCE, departing the south line of said Lot 5, over and across said 22.1324 acre City of Dallas tract of land as follows:
South 18 degrees 32 minutes 32 seconds East, a distance of 108.87 feet to a 5/8" iron rod set with red plastic cap stamped "SCI";

South 76 degrees 56 minutes 29 seconds West, a distance of 143.16 feet to an "X" in concrete set, being in the curving easterly right-of-way line of Lemmon Avenue (240' R.O.W.), said point being the beginning of a non-tangent curve to the right;

THENCE, along the easterly right-of-way line of Lemmon Avenue as follows:
Along said curve to the right through a central angle of 22 degrees 47 minutes 10 seconds, a radius of 453.69 feet, an arc length of 180.43 feet, a chord bearing of North 42 degrees 06 minutes 35 seconds West and a chord distance of 179.24 feet to a 5/8" iron rod set with red plastic cap stamped "SCI" ;

North 30 degrees 43 minutes 00 seconds West a distance of 215.00 feet to a 5/8" iron rod set with red plastic cap stamped "SCI", being the intersection of the easterly right-of-way of Lemmon Avenue and the southerly right-of-way line of Northwest Highway (100' R.O.W.);

THENCE, departing the easterly right-of-way line of Lemmon Avenue, along the southerly right-of-way line of Northwest Highway, North 71 degrees 30 minutes 00 seconds East, a distance of 100.72 feet to the **POINT OF BEGINNING** and containing 42,323 square feet or 0.972 acres of land more or less.

BASIS OF BEARINGS: West line of Lot 5, Block A/5089, Northway Addition, Volume 86231, Page 2676, Deed Records, Dallas County, Texas held as South 18 degrees 30 minutes 00 seconds East.

12/9/2015

William J. Johnson
Registered Professional Land Surveyor No. 5426

STATE OF TEXAS
REGISTERED
WILLIAM J. JOHNSON
5426
PROFESSIONAL
LAND SURVEYOR

SCI
Survey Consultants, Inc.
903 N. Bowser Road
Suite 240
Richardson, Texas 75081
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com

FIELD NOTES APPROVED:
DSR 12-10-15

LICENSE AGREEMENT
42,323 SQUARE FEET (0.972 ACRE)
FORM THE CITY OF DALLAS
LEMMON AVE. & N.W. HIGHWAY
CITY BLOCK 4424

Exhibit A

2 of 3

0 40 80

SCALE: 1"=80'

BASIS OF BEARINGS
WEST LINE OF LOT 5, BLOCK A/5089
NORTHWAY ADDITION
(S 18°30'00" E)
VOL. 88231, PG. 2676, D.R.D.C.T.

LEGEND

5/8" I.R.S.	5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "SCI"
(C.M.)	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
I.R.F.	IRON ROD FOUND
PG.	PAGE
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
VOL.	VOLUME

PART OF BLOCK 5087
0.5048 ACRES
LEAL PROPERTIES, INC.
VOL. 2002006, PG. 7150, D.R.D.C.T.
(UNPLATTED)

LOT 1, BLOCK 1/5087
NEC N.W. HWY. & MARSH ADDITION
VOL. 94188, PG. 4568
D.R.D.C.T.

NORTHWEST HIGHWAY
(100' R.O.W.)

P.O.B.
3" BRASS MON. FND. (CM)

5/8" I.R.S.

N 71°30'00" E
100.72'

N 71°30'00" E 158.79'

"X" SET

LEMMON AVENUE
(240' R.O.W.)

N 30°43'00" W 215.00'

S 18°30'00" E 209.00'
LINE OF DIRECTIONAL CONTROL

LOT 5, BLOCK A/5089
NORTHWAY ADDITION
VOL. 88231, PG. 2676
D.R.D.C.T.

0.676 ACRES
ADMIRAL FLAG, INC.
VOL. 91056, PG. 4426
D.R.D.C.T.

PART OF BLOCK 5089
(UNPLATTED)

LOT 1, BLOCK A/5089
SHERWOOD WEST NO. 3
VOL. 79162, PG. 1284
D.R.D.C.T.

"X" FND. (C.M.)

5/8" I.R.S.

S 84°42'48" E 173.76'

LOT 3, BLOCK A/5089
CROW-FARRELL PLAZA
ON BACHMAN CREEK
VOL. 85231, PG. 2664
D.R.D.C.T.

42,323 SQUARE FEET
0.972 ACRE

PART OF
CITY OF DALLAS TRACT
VOL. 280, PG. 40
D.R.D.C.T.

"MAG-NAIL" SET

Delta=22°47'10"
Radius=453.69'
Length=180.43'
CB=N 42°06'35" W
CL=179.24'

PART OF BLOCK 4424
(UNPLATTED)

S 18°32'32" E
108.87'

S 76°56'29" W 143.16'

"X" SET

5/8" I.R.S.

(BACHMAN LAKE PARK)
PART OF BLOCK 4424
(UNPLATTED)

REMAINDER OF
CITY OF DALLAS TRACT
VOL. 280, PG. 40
D.R.D.C.T.

12/9/2015

William J. Johnson
Registered Professional
Land Surveyor No. 5426

STATE OF TEXAS
REGISTERED
WILLIAM J. JOHNSON
5426
PROFESSIONAL
LAND SURVEYOR

SCI
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903 N. Bowser Road
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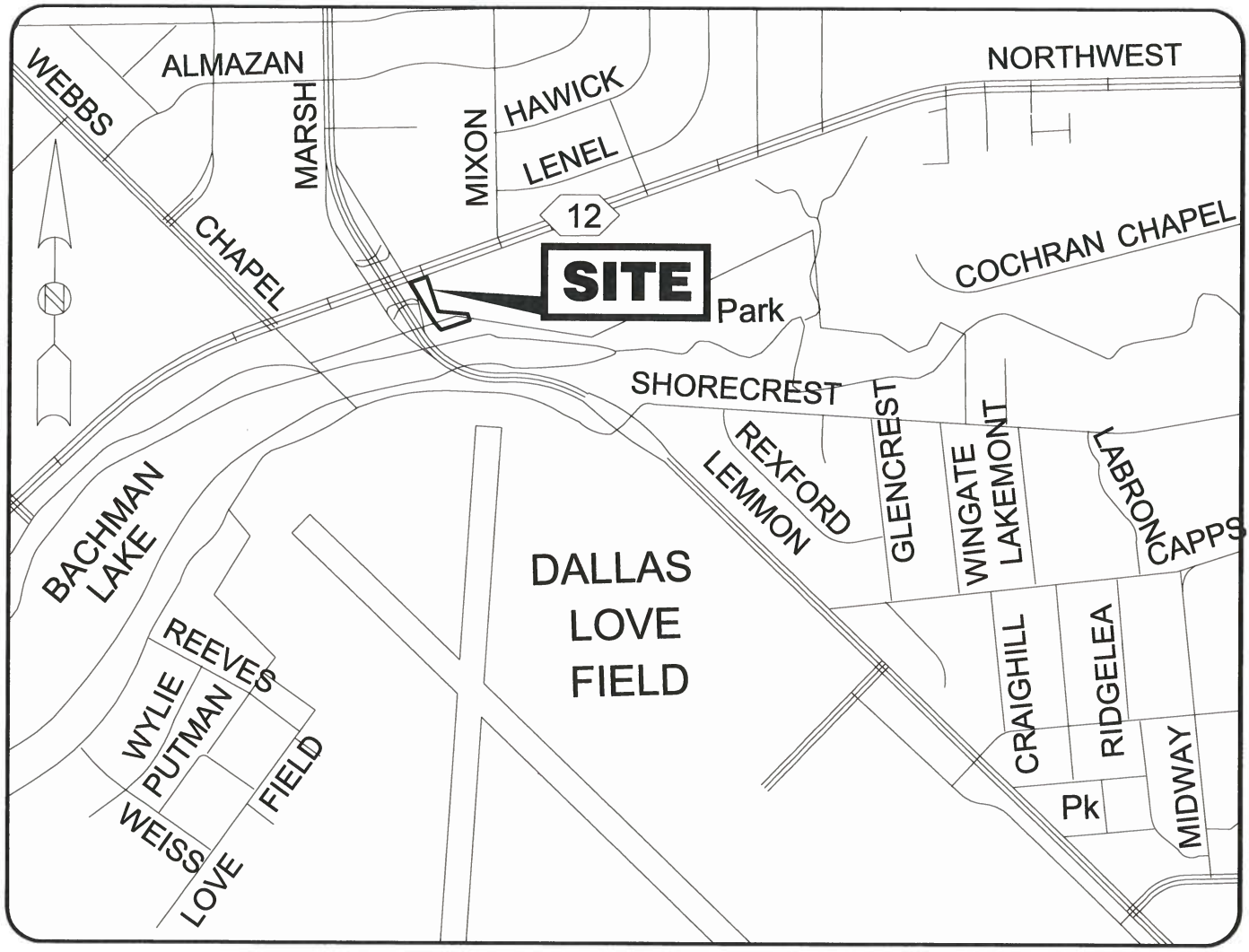
Richardson, Texas 75081
(972) 424-7002 Voice
(972) 633-1702 Fax
WWW.SurveyConsultantsInc.Com

Exhibit A
3 of 3



LOCATION MAP
SCALE: 1"=1000'

LANDSCAPE CHECK LIST

City of Dallas Landscape Ordinance

MANDATORY PROVISIONS:

- ✓ Tree Survey - must include trees 6" caliper and greater on the lot and/or within 50' of construction.
- ✓ Tree Protection - permanent protective fencing around the drip line of each protected tree to remain. Ref. A4B/L0.00.
- ✓ Protected Tree Mitigation - Replacement trees must equal, in caliper, the caliper of protected trees removed. Approved replacement trees to be 2" minimum caliper and be of a species on the approved tree list. See below.
- ✓ Site Trees - Must have one 2" caliper tree per 4,000 square feet of lot area with a minimum of 4 trees. All site trees must be located on the lot.

  39,805 sf / 4000 = 10 site trees
- NA Perimeter Landscape Buffer Strip - Must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists and at least be 10' wide. Must contain buffer plant material as defined in Sec. 51A-10.125(b)(1).
- NA Screening of off-street loading spaces - Must be screened from residential adjacent public streets. Minimum 6' height. See Sec. 51A-4.602(b)(3) for methods of screening and automatic irrigation required for any screening material.
- ✓ Street Trees - Must have one 3" caliper large tree per 50' of street frontage with a minimum of 2 trees. All street trees must be located within 30' of the projected street curb.

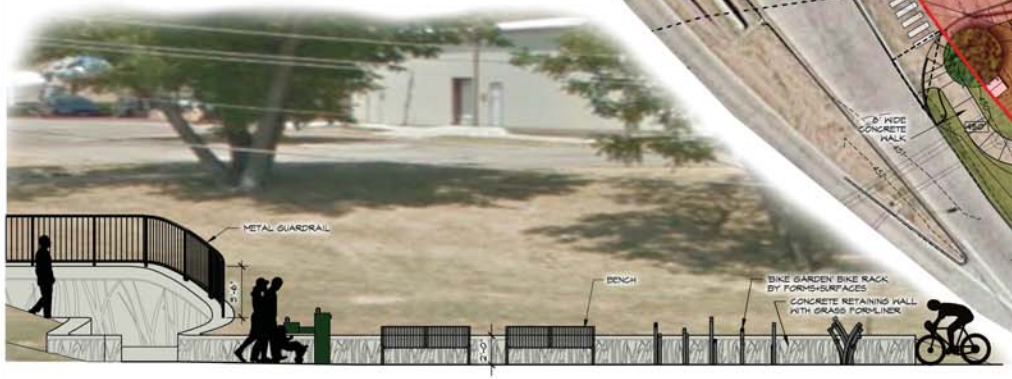
  184 linear ft.

  Required Street Trees = 0 (3" cal. min.)
- ✓ Parking Lot Trees - All required parking spaces must be located within 120' of the trunk of a 2" caliper (min.) large canopy tree. Parking lot trees may not be planted closer than 2.5' to the paved portion of the parking lot.

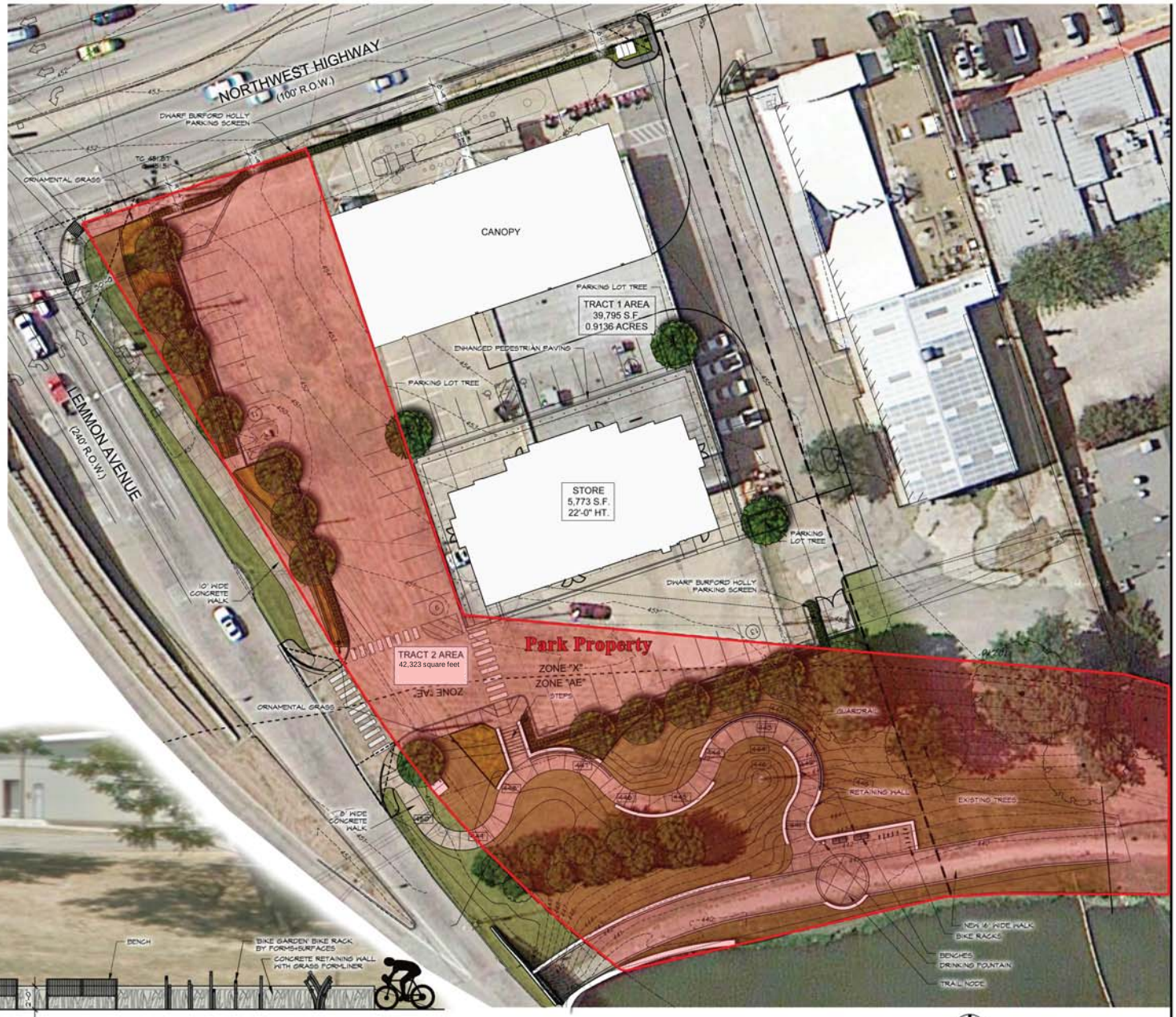
DESIGN STANDARDS

- ✓ Screening of off-street parking - Screen all parking lots on the building site or artificial lot. Must be voluntary, extend along entire street frontage excluding driveways and visibility triangles, and at least 3' in height (ex. large evergreen shrubs, 5' height, 7-#1 gallon, 3' on center, 3' wide bed, or 3' tall solid fence, or 3' tall berm, or a combination) with an automatic irrigation system required. Underground parking is considered to be screened for purposes of this subsection.

  - Northwest Highway - Provided shrub screen
- ✓ Enhanced Pedestrian Walkways - Walkways must consist of enhanced pavement intended for pedestrian use and occupy at least 5% of the lot.



B TRAIL CONNECTION ELEVATION — SCALE: 1/4" = 1'-0"



A LANDSCAPE PLAN — SCALE: 1" = 20'-0"

NORTH

0 10 20 40 60

GRAPHIC SCALE IN FEET

nelsonjacksonbicherstein
Newman, Jackson, Bicherstein
Landscape Architecture

Banner Place North
12770 Coit Road, Suite 210
Dallas, Texas 75251
tel: 972-233-3033
fax: 972-233-3022
njbinc@njbinc.net

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QuikTrip No. 0961

NORTHWEST HWY & LEMON AVE

DALLAS, TEXAS

Revisions

No.	Date	Item

Date	05/13/15
Drawn	MA
Checked	KVB
Project No.	

Sheet Title

Exhibit B

Scale : as noted

Sheet No.

Exhibit B

QuikTrip
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #		Address:	City, State:
0961	Overall aerial view looking NE	SEC of Lemmon and NW Hwy	Dallas, TX

Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
08-0961-PE02	NTS	12/01/15	BP	

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