


**APRIL 24, 2013 CITY COUNCIL AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated April 24, 2013. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



Mary K. Suhm
City Manager

4.12.13

Date



Edward Scott
City Controller

4.11.13

Date

RECEIVED

2013 APR 12 PM 6:26

CITY SECRETARY
DALLAS, TEXAS



COUNCIL AGENDA

April 24, 2013

Date

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

General Information

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

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

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

Rules of Courtesy

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

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

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

Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes.

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

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

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

Reglas de Cortesía

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

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

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

**AGENDA
CITY COUNCIL MEETING
WEDNESDAY, APRIL 24, 2013
ORDER OF BUSINESS**

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

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

OPEN MICROPHONE

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 30

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 31 - 41

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 42 - 49

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

AGENDA
CITY COUNCIL MEETING
APRIL 24, 2013
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the April 10, 2013 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize a one-year construction service contract for the installation of a pipe fence for the Trinity River levee system - Moir Watershed Services, LLC, lowest responsible bidder of seven - Not to exceed \$517,800 - Financing: Stormwater Drainage Management Capital Construction Funds
3. Authorize a two-year service contract for barricade services - Dallas Lite & Barricade, Inc., lowest responsible bidder of two - Not to exceed \$71,812 - Financing: Water Utilities Current Funds (subject to annual appropriations)
4. Authorize a three-year service contract for sewer camera maintenance, repair services and parts - Atlas Inspection Technologies, LLC in the amount of \$290,174, CLS Sewer Equipment Co., Inc. in the amount of \$285,800 and Green Equipment Company in the amount of \$143,375, lowest responsible bidders of three - Total not to exceed \$719,349 - Financing: Stormwater Drainage Management Current Funds (\$285,800) and Water Utilities Current Funds (\$433,549) (subject to annual appropriations)

CONSENT AGENDA (Continued)**Business Development & Procurement Services** (Continued)

5. Authorize a three-year service contract for maintenance and support of Oracle database licenses - Mythics, Inc., most advantageous proposer of two - Not to exceed \$2,527,348 - Financing: Current Funds (subject to annual appropriations)
6. Authorize Supplemental Agreement No. 1 to exercise the one-year contract renewal for general home repairs under the People Helping People Program administered by Housing/Community Services - Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors - Not to exceed \$121,952 - Financing: 2011-12 Community Development Block Grant Funds

Economic Development

7. Authorize a public hearing to be held on May 22, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: **(1)** increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars), an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); **(2)** expand the District's focus of redevelopment efforts; and **(3)** make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan; and at the close of the public hearing consideration of an ordinance amending Ordinance No. 26020, previously approved on June 8, 2005, as amended and Ordinance No. 26096, previously approved on August 25, 2009, as amended, to reflect these amendments - Financing: No cost consideration to the City

Equipment & Building Services

8. Authorize Supplemental Agreement No. 1 to the contract with Dewberry Architects, Inc. for Phase 2 design services, security system and fire alarm upgrades for the lobby renovation project at Dallas City Hall - Not to exceed \$157,573, from \$38,335 to \$195,908 - Financing: Capital Construction Funds

Housing/Community Services

9. Authorize **(1)** the acceptance of additional grant funds from the Dallas Housing Finance Corporation (DHFC) for the purpose of providing warranty home repairs for low-income qualified families under the Home Repair Program; and **(2)** an increase in appropriations in the amount of \$50,000, from \$263,272 to \$313,272 for warranty home repairs - Not to exceed \$50,000 - Financing: Dallas Housing Finance Corporation Grant Funds

CONSENT AGENDA (Continued)**Housing/Community Services** (Continued)

10. Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development in the amount of \$363,333, to provide project-based rental assistance for permanent housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2013 through May 11, 2014 and encumber \$2,769 for administrative costs for the City; **(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 \$321,000 to provide \$300,000 for project-based rental assistance for permanent housing for homeless persons with HIV/AIDS and \$21,000 for administrative costs at Hillcrest House for the period May 12, 2013 through May 11, 2014; and **(3)** execution of any and all agreements and other documents required by the grant - Total not to exceed \$363,333 - Financing: U.S. Department of Housing and Urban Development Grant Funds
11. Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Shelter Plus Care II project to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2013 through April 30, 2014; and **(2)** execution of the grant agreement - Not to exceed \$475,033 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Office of Financial Services

12. Authorize a public hearing to be held on May 22, 2013 to receive comments on the proposed FY 2013-14 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Office of Management Services

13. A resolution naming the Dallas Convention Center in honor of retired U.S. Senator Kay Bailey Hutchison - Financing: No cost consideration to the City

Park & Recreation

14. Authorize a contract for construction of a new playground at Casa Linda Park located at 1500 San Saba Drive - Henneberger Construction, Inc., lowest responsible bidder of five - Not to exceed \$171,800 - Financing: 2006 Bond Funds
15. Authorize a professional services contract with Quimby McCoy Preservation Architecture, LLP for design services for renovations to the Bachman Recreation Center located at 2750 Bachman Drive - Not to exceed \$124,150 - Financing: 2003 Bond Funds

CONSENT AGENDA (Continued)**Public Works Department**

16. Authorize an additional payment to the Texas Department of Transportation for the City's share of the preliminary engineering costs for improvements on Hatcher Street from Haskell Avenue to Spring Avenue - Not to exceed \$75,000 - Financing: 2003 Bond Funds (\$58,000) and General Obligation Commercial Paper Funds (\$17,000)
17. Authorize a professional services contract with DAL-TECH Engineering, Inc. for land surveying services to prepare and record the final plat of the Dallas Love Field Airport - Not to exceed \$598,810 - Financing: Aviation Capital Construction Funds
18. Authorize a contract with MACVAL Associates, LLC, second lowest responsible bidder of eight, for the construction of sidewalk enhancement improvements for Coit Road from Spring Valley Road to Haymeadow Drive - Not to exceed \$262,766 - Financing: 2003 Bond Funds
19. Authorize an increase in the construction contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center to include additional fire alarm requirements for the Arena, Administration Area, the Parking Garage, Vertiport, A, D and F Halls and rooftop mechanical areas - Not to exceed \$244,810, from \$3,903,451 to \$4,148,261 - Financing: 2009 Convention Center Revenue Bonds
20. Authorize an increase in the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications that comply with the amended program requirements including additional security features, card readers, window film, cameras, security vestibule and changes to the mechanical, electrical and plumbing systems required due to plan alterations - Not to exceed \$297,074, from \$9,981,276 to \$10,278,350 - Financing: 2006 Bond Funds (\$294,683) and Current Funds (\$2,391)

Sanitation Services

21. Authorize **(1)** a contract for the construction of a 15-acre waste cell, with composite liner and leachate collection system, at the McCommas Bluff Landfill - Hammett Excavation, Inc., lowest responsible bidder of six; and **(2)** an increase in appropriations in the Sanitation Waste Cell Sinking Fund in the amount of \$1,608,810, from \$7,401,528 to \$9,010,338 - Total not to exceed \$1,608,810 - Financing: Sanitation Waste Cell Sinking Funds

Street Services

22. Authorize a contract for bridge repair on Hampton Road between Commerce Street and Singleton Boulevard - Gibson and Associates, Inc., lowest responsible bidder of two - \$218,848 - Financing: Current Funds

CONSENT AGENDA (Continued)**Sustainable Development and Construction**

23. Authorize acquisition from Linda Torres Velo of approximately 5,720 square feet of land improved with a single-family dwelling located near the intersection of Gloyd and Nolen Streets for future cities facilities - Not to exceed \$34,000 (\$32,500, plus closing costs and title expenses not to exceed \$1,500) - Financing: 2006 Bond Funds
24. Authorize acquisition of approximately 2 acres of land from White Property Co. #2, LTD, located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$332,341 (\$329,141, plus closing costs and title expenses not to exceed \$3,200) - Financing: Water Utilities Capital Improvement Funds
25. An ordinance abandoning portions of Harrison, Clarence, Myrtle and Atlanta Streets, two alleys, three street easements, a sight easement, two sanitary sewer main easements, a water and sewer main easement, and a utility easement to Dallas Independent School District, the abutting owner, containing a total of approximately 123,876 square feet of land located near the intersection Good-Latimer Expressway and Grand Avenue, authorizing the quitclaim and providing for the dedication of approximately 2,472 square feet of land needed for street right-of-way - Revenue: \$361,779, plus the \$20 ordinance publication fee

Trinity Watershed Management

26. Authorize an increase in the contract with S J Louis Construction of Texas, Ltd. for the construction of the Rush Creek Diversion System and Drainage Improvements to additional paving, wastewater main and utility support and relocation - Not to exceed \$273,372, from \$9,216,515 to \$9,489,887 - Financing: General Obligation Commercial Paper Funds (\$82,105), Water Capital Improvement Funds (\$189,132) and Water Capital Construction Funds (\$2,135)
27. Authorize an increase in the contract with Magnus Pacific Corporation for additional work associated with the installation of underground slurry cutoff walls, Hampton Pump Station outfall improvements, construction of maintenance roads within the levees for the 100-Year Levee Remediation - cutoff wall improvements - Not to exceed \$510,577, from \$10,048,605 to \$10,559,182 - Financing: 2006 Bond Funds

Water Utilities

28. Authorize a three-year contract with the North Texas Municipal Water District to: **(1)** purchase Dallas owned untreated water supply; and **(2)** transport North Texas Municipal Water District owned water supply from Lake Fork to Lake Tawakoni from April 24, 2013 through April 23, 2016 - Estimated Annual Revenue: \$9,200,000

CONSENT AGENDA (Continued)

Water Utilities (Continued)

29. Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city - NPL Construction Co., only bidder - Not to exceed \$31,505,044 - Financing: Water Utilities Capital Construction Funds (\$17,279,298), Current Funds (\$10,116,846) (subject to annual appropriations) and General Obligation Commercial Paper Funds (\$4,108,900)
30. Authorize Supplemental Agreement No. 1 to the design-build contract with CH2M HILL Engineers, Inc. for the replacement of the Sunbeam Junction Structure located within the City of Dallas wastewater collection system - Not to exceed \$3,507,083, from \$273,673 to \$3,780,756 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

31. 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)

Sustainable Development and Construction

32. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Advance Brake and Clutch Services, of approximately 3,725 square feet of land improved with a commercial building located near the intersection of Exposition Avenue and Main Street for the CBD-Fair Park Link Project - Not to exceed \$253,833 (\$248,833, plus closing costs and title expenses not to exceed \$5,000) - Financing: 2003 Bond Funds
33. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lucille Joy Frank, Trustee of the David A. Frank Testamentary Trust, Katherine F. Gayle and Susan Gayle Needham, Co-Trustees of the Katherine F. Gayle Living Trust, Carolyn Parker Schum, Trustee of the Schum Living Trust and Sandra Parker Adams, of a tract of land containing approximately 19,714 square feet located near the intersection of Bonnie View and Telephone Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$16,000 (\$13,800, plus closing costs and title expenses not to exceed \$2,200) - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

34. Authorize **(1)** a development and operating agreement with the Cypress Waters Municipal Management District (“CWMMMD”) to promote development and redevelopment in the CWMMMD pursuant to Special District Local Laws Code Chapter 3874 (the “Act”), to ensure the City maintains exclusive rule making authority over the mineral estates in the CWMMMD, and to authorize a land substitution in accordance with Texas Water Code Section 54.739; **(2)** approval of the CWMMMD Economic Development Grant Program (“Grant Program”) pursuant to Section 3874.107(b) of the Act to be adopted by the CWMMMD Board of Directors on April 30, 2013, and approval of a grant agreement between the CWMMMD and Luminant Mineral Development Company, LLC, and Luminant Generation Company, LLC, along with their successors and assigns (collectively, “Luminant”) under such program to be funded by the CWMMMD; and **(3)** certain amendments to Resolution No. 09-0458, previously approved on February 11, 2009, to replace the draft legislation in Exhibit A with the final version of the Act that created and governs the CWMMMD and to allow for a City approval process in compliance with state law in the event there are any discrepancies between the conditions for the City’s consent to the creation of the CWMMMD per Resolution No. 09-0458 and the Act - Financing: No cost consideration to the City
35. Authorize certain amendments to the real property tax abatement agreement with Turnpike West, LLC, authorized on March 8, 2006, by Resolution No. 06-0838 to: **(1)** extend the substantial completion date of improvements to the real property located in the City of Dallas at Interstate 30 and Cockrell Hill Road in Reinvestment Zone No. 64 from December 31, 2008 to December 31, 2013; and **(2)** approve the assignment of the tax abatement agreement from Turnpike West, LLC to United States Cold Storage, L.P. - Financing: No cost consideration to the City

Note: Item Nos. 36 and 37
must be considered collectively.

Lancaster Opal Project

36. * Authorize an amendment to the City of Dallas Public/Private Partnership Program Guidelines and Criteria, governing City incentives promoting private investment, tax base growth and job creation to include the authority to administer and accept resources from other political subdivision of the state to support this program and to accept and administer resources from the federal government to implement the City’s economic development programs, in particular, incentives supporting transit-oriented and mixed-use commercial developments within the city in accordance with Local Government Code Chapter 380.001 (b)(2) and (3) - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)Lancaster Opal Project (Continued)

Note: Item Nos. 36 and 37
must be considered collectively.

37. * Authorize a Chapter 380 grant agreement pursuant to the City of Dallas Public/Private Partnership Program, as amended, in the amount of \$135,000 to City Wide Community Development Corporation (CDC), for the purpose of planning and preconstruction activities related to mixed-use development as part of the Lancaster Opal Project - Not to exceed \$135,000 - Financing: HUD Community Challenge Planning Grant Funds

Housing/Community Services

38. Authorize a housing development loan in an amount not to exceed \$713,675 with Neighborhood Builders Community Development Corporation (NBCDC), a certified nonprofit organization, for the development of six affordable single family homes to be located between 8502-8645 Bearden Lane - Not to exceed \$713,675 - Financing: 2011-12 HOME Investment Partnership Program Funds
39. Authorize a loan in the amount of \$250,000 at 0% interest to East Dallas Community Organization (EDCO) for the development of unimproved properties located at 5300 Bexar Street to construct a portion of the residential component of the Economic Development Project on Bexar Street - Not to exceed \$250,000 - Financing: 2006 Bond Funds
40. Authorize an amendment to Resolution No. 12-3019, previously approved on December 12, 2012, to increase the existing economic development loan with South Dallas/Fair Park Inncity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties, located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, demolition costs, predevelopment costs and development costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area - Not to exceed \$200,000, from \$3,100,000 to \$3,300,000 - Financing: 2006 Bond Funds
41. Authorize an amendment to Resolution No. 12-3075, previously approved on December 12, 2012, to increase the existing economic development loan with City Wide Community Development Corporation for acquisition of improved and unimproved properties, including associated closing costs, relocation, environmental, and predevelopment costs - Not to exceed \$150,000, from \$450,000 to \$600,000 - Financing: 2006 Bond Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

42. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an A(A) Agricultural District in the northeast quadrant of Illinois Avenue and Spur 408/Loop 12
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan and conditions
Z123-176(RB)
43. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northeast corner of Gross Road and Peavy Road
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan and conditions
Z123-190(MW)
44. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a personal service use limited to a spa in Subdistrict B within Planned Development District No. 619 on the south side of Main Street, west of South Ervay Street
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions
Z123-200(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL

45. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 385 for a Private school, a Convent or Monastery, and Single Family Dwellings, on property zoned Planned Development District No. 385 and an R-1ac(A) Single Family District in the southwest quadrant of Walnut Hill Lane and Inwood Road with consideration given to and an ordinance granting a Specific Use Permit for an Illuminated competitive athletic field on a portion of the property
Recommendation of Staff: Approval of an amendment to and expansion of Planned Development District No. 385, subject to a revised development plan, traffic management plan-school section and athletic field section, competitive athletic field landscape plan, and staff's recommended conditions, and approval of a Specific Use Permit for an Illuminated competitive athletic field for a three-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan and staff's recommended conditions
Recommendation of CPC: Approval of an amendment to and expansion of Planned Development District No. 385, subject to a revised development plan, traffic management plan-school section and athletic field section, competitive athletic field landscape plan, and conditions and approval of a Specific Use Permit for an Illuminated competitive athletic field for a five-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan and conditions
Z112-290(RB)

DESIGNATED ZONING CASES - INDIVIDUAL

46. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development Subdistrict No. 75 for MF-2 Subdistrict Uses, on property zoned Planned Development Subdistrict No. 75 and an MF-2 Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property fronting on Lucas Drive, Cotton Belt Avenue and Arroyo Avenue, north of Brown Street
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z123-178(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES - INDIVIDUAL (Continued)

47. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District on property zoned an IM Industrial Manufacturing District, an R-7.5(A) Single Family District, an IR/IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay on a portion, an LI Light Industrial District with Specific Use Permit No. 383 on a portion, an A(A) Agricultural District with Specific Use Permit No. 383 and a CS/CS-D-1 Commercial Service District with Specific Use Permit No. 383 and a D-1 Liquor Control Overlay on a portion on the south side of CF Hawn Freeway, west side of Pemberton Hill Road and South Longacre Lane and on both sides of Great Trinity Forest Way
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, development plan and conditions
Z123-195(MW)

MISCELLANEOUS HEARINGS

Mayor and City Council

48. A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, in an area generally bound by the T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L. Thornton Freeway on the south, and North Central Expressway on the west with consideration given to amending certain use regulations and development standards – Financing: No cost consideration to the City (via Mayor Pro Tem Medrano, Deputy Mayor Pro Tem Atkins, and Councilmembers Caraway, Hill, and Allen)

Park & Recreation

49. A public hearing to receive comments on the proposed use of a portion of the Runyon Creek Greenbelt, consisting of approximately 12,184 square feet of land, by Dallas Area Rapid Transit (DART) for a public mass transit easement to accommodate the South Oak Cliff Corridor SOC-3 Blue Line Extension Project; and at the close of the public hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City

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.

April 24, 2013

13

PUBLIC MEETINGS FOR APRIL 16 - APRIL 30, 2013

Tuesday, April 30, 2013

Municipal Library Board

4:00 p.m.

J. Erik Jonsson Central Library, Municipal Library Board Room

AGENDA DATE April 24, 2013

ITEM #	OK	IND	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1				All	V	NA	NA	NA	NA	Approval of Minutes of April 10, 2013 City Council Meeting
2				All	C	PBD, TWM	\$517,800.00	0.00%	33.51%	Authorize a one-year construction service contract for the installation of a pipe fence for the Trinity River levee system
3				All	C	PBD, WTR	\$71,811.20	100.00%	0.00%	Authorize a two-year service contract for barricade services
4				All	C	PBD, TWM, WTR	\$719,349.00	59.66%	1.21%	Authorize a three-year service contract for sewer camera maintenance, repair services and parts
5				All	C	PBD, CIS	\$2,527,347.80	0.00%	0.00%	Authorize a three-year service contract for maintenance and support of Oracle database licenses
6				All	C	PBD, HOU	GT	100.00%	100.00%	Authorize Supplemental Agreement No. 1 to exercise the one-year contract renewal for general home repairs under the People Helping People Program administered by Housing/Community Services
7				2, 14	C	ECO	NC	NA	NA	Authorize a public hearing to be held on May 22, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars), an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); expand the District's focus of redevelopment efforts; make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan; and at the close of the public hearing consideration of an ordinance amending Ordinance No. 26020, previously approved on June 8, 2005, as amended and Ordinance No. 26096, previously approved on August 25, 2009, as amended, to reflect these amendments
8				2	C	EBS	\$157,573.00	99.37%	36.62%	Authorize Supplemental Agreement No. 1 to the contract with Dewberry Architects, Inc. for Phase 2 design services, security system and fire alarm upgrades for the lobby renovation project at Dallas City Hall
9				All	C	HOU	GT	NA	NA	Authorize the acceptance of additional grant funds from the Dallas Housing Finance Corporation (DHFC) for the purpose of providing warranty home repairs for low-income qualified families under the Home Repair Program
10				1	C	HOU	GT	NA	NA	Authorize the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development to provide project-based rental assistance for permanent housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2013 through May 11, 2014; a contract with Hillcrest House Partnership, Ltd. (as Owner) and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (as Subrecipient) for project-based rental assistance for permanent housing for homeless persons with HIV/AIDS at Hillcrest House for the period May 12, 2013 through May 11, 2014; and execution of any and all agreements and other documents required by the grant
11				All	C	HOU	GT	NA	NA	Authorize the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Shelter Plus Care II project to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2013 through April 30, 2014; and execution of the grant agreement
12				N/A	C	OFS	NC	NA	NA	Authorize a public hearing to be held on May 22, 2013 to receive comments on the proposed FY 2013-14 Operating, Capital, Grant, and Trust budgets
13				2	C	MGT, IGS, CES	NC	NA	NA	A resolution naming the Dallas Convention Center in honor of retired U.S. Senator Kay Bailey Hutchison
14				9	C	PKR	\$171,800.00	67.03%	39.03%	Authorize a contract for construction of a new playground at Casa Linda Park located at 1500 San Saba Drive
15				6	C	PKR	\$124,150.00	100.00%	100.00%	Authorize a professional services contract with Quimby McCoy Preservation Architecture, LLP for design services for renovations to the Bachman Recreation Center located at 2750 Bachman Drive
16				2, 7	C	PBW	\$75,000.00	NA	NA	Authorize an additional payment to the Texas Department of Transportation for the City's share of the preliminary engineering costs for improvements on Hatcher Street from Haskell Avenue to Spring Avenue
17				14	C	PBW, AVI	\$598,810.00	94.02%	98.00%	Authorize a professional services contract with DAL-TECH Engineering, Inc. for land surveying services to prepare and record the final plat of the Dallas Love Field Airport
18				11	C	PBW	\$262,765.50	100.00%	100.00%	Authorize a contract with MACVAL Associates, LLC, second lowest responsible bidder of eight, for the construction of sidewalk enhancement improvements for Coit Road from Spring Valley Road to Haymeadow Drive

AGENDA DATE April 24, 2013

ITEM #	IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
	OK	DEF							
19			2	C	PBW, CES	\$244,809.11	99.02%	64.61%	Authorize an increase in the construction contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center to include additional fire alarm requirements for the Arena, Administration Area, the Parking Garage, Vertiport, A, D and F Halls and rooftop mechanical areas
20			14	C	PBW, CDS	\$297,073.05	98.54%	28.37%	Authorize an increase in the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications that comply with the amended program requirements including additional security features, card readers, window film, cameras, security vestibule and changes to the mechanical, electrical and plumbing systems required due to plan alterations
21			8	C	SAN	\$1,608,809.94	0.00%	47.41%	Authorize a contract for the construction of a 15-acre waste cell, with composite liner and leachate collection system, at the McCommas Bluff Landfill
22			3	C	STS	\$218,847.50	99.84%	16.55%	Authorize a contract for bridge repair on Hampton Road between Commerce Street and Singleton Boulevard
23			2	C	DEV, PBW	\$34,000.00	NA	NA	Authorize acquisition from Linda Torres Velo of approximately 5,720 square feet of land improved with a single-family dwelling located near the intersection of Gloyd and Nolen Streets for future cities facilities
24			Outside	C	DEV, WTR	\$332,341.00	NA	NA	Authorize acquisition of approximately 2 acres of land from White Property Co. #2, LTD, located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project
25			7	C	DEV	REV \$361,779	NA	NA	An ordinance abandoning portions of Harrison, Clarence, Myrtle and Atlanta Streets, two alleys, three street easements, a sight easement, two sanitary sewer main easements, a water and sewer main easement, and a utility easement to Dallas Independent School District, the abutting owner, containing a total of approximately 123,876 square feet of land located near the intersection Good-Latimer Expressway and Grand Avenue, authorizing the quitclaim and providing for the dedication of approximately 2,472 square feet of land needed for street right-of-way
26			9	C	TWM	\$273,371.89	100.00%	28.85%	Authorize an increase in the contract with S J Louis Construction of Texas, Ltd. for the construction of the Rush Creek Diversion System and Drainage Improvements to additional paving, wastewater main and utility support and relocation
27			All	C	TWM	\$510,576.39	38.89%	0.00%	Authorize an increase in the contract with Magnus Pacific Corporation for additional work associated with the installation of underground slurry cutoff walls, Hampton Pump Station outfall improvements, construction of maintenance roads within the levees for the 100-Year Levee Remediation - cutoff wall improvements
28			All	C	WTR	REV \$9,200,000	NA	NA	Authorize a three-year contract with the North Texas Municipal Water District to: purchase Dallas owned untreated water supply; and transport North Texas Municipal Water District owned water supply from Lake Fork to Lake Tawakoni from April 24, 2013 through April 23, 2016
29			All	C	WTR, PBW, STS	\$31,505,043.18	85.00%	25.00%	Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city
30			7	C	WTR	\$3,507,083.00	37.30%	25.66%	Authorize Supplemental Agreement No. 1 to the design-build contract with CH2M HILL Engineers, Inc. for the replacement of the Sunbeam Junction Structure located within the City of Dallas wastewater collection system
31			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)
32			2	I	DEV, PBW	\$253,833.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Advance Brake and Clutch Services, of approximately 3,725 square feet of land improved with a commercial building located near the intersection of Exposition Avenue and Main Street for the CBD-Fair Park Link Project
33			8	I	DEV, WTR	\$16,000.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lucille Joy Frank, Trustee of the David A. Frank Testamentary Trust, Katherine F. Gayle and Susan Gayle Needham, Co-Trustees of the Katherine F. Gayle Living Trust, Carolyn Parker Schum, Trustee of the Schum Living Trust and Sandra Parker Adams, of a tract of land containing approximately 19,714 square feet located near the intersection of Bonnie View and Telephone Roads for the Southwest 120/96-inch Water Transmission Pipeline Project

AGENDA DATE April 24, 2013

ITEM		IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF								
34				6	I	ECO	NC	NA	NA	("CWMMMD") to promote development and redevelopment in the CWMMMD pursuant to Special District Local Laws Code Chapter 3874 (the "Act"), to ensure the City maintains exclusive rule making authority over the mineral estates in the CWMMMD, and to authorize a land substitution in accordance with Texas Water Code Section 54.739; approval of the CWMMMD Economic Development Grant Program ("Grant Program") pursuant to Section 3874.107(b) of the Act to be adopted by the CWMMMD Board of Directors on April 30, 2013, and approval of a grant agreement between the CWMMMD and Luminant Mineral Development Company, LLC, and Luminant Generation Company, LLC, along with their successors and assigns (collectively, "Luminant") under such program to be funded by the CWMMMD; and certain amendments to Resolution No. 09-0458, previously approved on February 11, 2009, to replace the draft legislation in Exhibit A with the final version of the Act that created and governs the CWMMMD and to allow for a City approval process in compliance with state law in the event there are any discrepancies between the conditions for the City's consent to the creation of the CWMMMD per Resolution No. 09-0458 and the Act
35				3	I	ECO	NC	NA	NA	Authorize certain amendments to the real property tax abatement agreement with Turnpike West, LLC, authorized on March 8, 2006, by Resolution No. 06-0838 to: extend the substantial completion date of improvements to the real property located in the City of Dallas at Interstate 30 and Cockrell Hill Road in Reinvestment Zone No. 64 from December 31, 2008 to December 31, 2013; and approve the assignment of the tax abatement agreement from Turnpike West, LLC to United States Cold Storage, L.P.
36				4	I	ECO	NC	NA	NA	Lancaster Opal Project: Authorize an amendment to the City of Dallas Public/Private Partnership Program Guidelines and Criteria, governing City incentives promoting private investment, tax base growth and job creation to include the authority to administer and accept resources from other political subdivision of the state to support this program and to accept and administer resources from the federal government to implement the City's economic development programs, in particular, incentives supporting transit-oriented and mixed-use commercial developments within the city in accordance with Local Government Code Chapter 380.001 (b)(2) and (3)
37				4	I	ECO	GT	NA	NA	Lancaster Opal Project: Authorize a Chapter 380 grant agreement pursuant to the City of Dallas Public/Private Partnership Program, as amended, to City Wide Community Development Corporation (CDC), for the purpose of planning and preconstruction activities related to mixed-use development as part of the Lancaster Opal Project
38				5	I	HOU	GT	NA	NA	Authorize a housing development loan with Neighborhood Builders Community Development Corporation (NBCDC), a certified nonprofit organization, for the development of six affordable single family homes to be located between 8502-8645 Bearden Lane
39				7	I	HOU	\$250,000.00	NA	NA	Authorize a loan in the amount of \$250,000 at 0% interest to East Dallas Community Organization (EDCO) for the development of unimproved properties located at 5300 Bexar Street to construct a portion of the residential component of the Economic Development Project on Bexar Street
40				7	I	HOU	\$200,000.00	NA	NA	Authorize an amendment to Resolution No. 12-3019, previously approved on December 12, 2012, to increase the existing economic development loan with South Dallas/Fair Park Innercity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties, located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, demolition costs, predevelopment costs and development costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area
41				4	I	HOU	\$150,000.00	NA	NA	Authorize an amendment to Resolution No. 12-3075, previously approved on December 12, 2012, to increase the existing economic development loan with City Wide Community Development Corporation for acquisition of improved and unimproved properties, including associated closing costs, relocation, environmental, and predevelopment costs
42				3	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an A(A) Agricultural District in the northeast quadrant of Illinois Avenue and Spur 408/Loop 12
43				7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northeast corner of Gross Road and Peavy Road

AGENDA DATE April 24, 2013

ITEM		IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF								
44				14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a personal service use limited to a spa in Subdistrict B within Planned Development District No. 619 on the south side of Main Street, west of South Ervay Street
45				13	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 385 for a Private school, a Convent or Monastery, and Single Family Dwellings, on property zoned Planned Development District No. 385 and an R-1ac(A) Single Family District in the southwest quadrant of Walnut Hill Lane and Inwood Road with consideration given to and an ordinance granting a Specific Use Permit for an Illuminated competitive athletic field on a portion of the property
46				2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development Subdistrict No. 75 for MF-2 Subdistrict Uses, on property zoned Planned Development Subdistrict No. 75 and an MF-2 Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property fronting on Lucas Drive, Cotton Belt Avenue and Arroyo Avenue, north of Brown Street
47				4, 5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District on property zoned an IM Industrial Manufacturing District, an R-7.5(A) Single Family District, an IR/IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay on a portion, an LI Light Industrial District with Specific Use Permit No. 383 on a portion, an A(A) Agricultural District with Specific Use Permit No. 383 and a CS/CS-D-1 Commercial Service District with Specific Use Permit No. 383 and a D-1 Liquor Control Overlay on a portion on the south side of CF Hawn Freeway, west side of Pemberton Hill Road and South Longacre Lane and on both sides of Great Trinity Forest Way
48				2, 7, 14	PH	DEV, MCC	NC	NA	NA	A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, in an area generally bound by the T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L. Thornton Freeway on the south, and North Central Expressway on the west with consideration given to amending certain use regulations and development standards
49				8	PH	PKR	NC	NA	NA	A public hearing to receive comments on the proposed use of a portion of the Runyon Creek Greenbelt, consisting of approximately 12,184 square feet of land, by Dallas Area Rapid Transit (DART) for a public mass transit easement to accommodate the South Oak Cliff Corridor SOC-3 Blue Line Extension Project; and at the close of the public hearing, consideration of a resolution authorizing the use

TOTAL \$44,628,194.56

AGENDA ITEM # 2

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Trinity Watershed Management

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

MAPSCO: N/A

SUBJECT

Authorize a one-year construction service contract for the installation of a pipe fence for the Trinity River levee system - Moir Watershed Services, LLC, lowest responsible bidder of seven - Not to exceed \$517,800 - Financing: Stormwater Drainage Management Capital Construction Funds

BACKGROUND

This construction service contract will provide installation and painting of up to 60,000 linear feet of pipe fence along the Trinity River Levees in various areas to be designated by the Trinity Watershed Management Department. The purpose of the fence is to restrict motorized access to the Trinity River levee system.

Trinity Watershed Management, along with the City Marshal's office and internal security, have been trying to reduce illegal, off-road traffic. This traffic is causing severe damage to the levees by creating levee scars, illegal dumping, and depletion of the grass which prevents erosion and slides to the levee system that can result in levee failure. Additionally, there is a large amount of construction work within the levee system and the presence of unauthorized vehicles and/or personnel creates a safety and security issue. Placing the pipe fence in areas where the levee is open will provide controls to reduce damage to the levees. Pipe fencing is more durable than chain link fence and barriers that get moved and destroyed.

BACKGROUND (Continued)

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 1157 email bid notifications to vendors registered under respective commodities. To further increase competition, Business Development and Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLink Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$517,800.00 - Stormwater Drainage Management Capital Construction Funds

M/WBE INFORMATION

- 256 - Vendors contacted
- 255 - No response
 - 1 - Response (Bid)
 - 0 - Response (No bid)
 - 0 - Successful

1157 - 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

Moir Watershed Services, LLC

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

BID INFORMATION

The following bids were received from solicitation number BK1301 and were opened on January 24, 2013. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Moir Watershed Services, LLC	206 Cole Road Red Oak, TX 75154	\$517,800.00
Construction Rent-A-Fence, Inc.	102 South Main Street Thrall, TX 76578	\$589,800.00
K.K. Maintenance, Inc.	840 Oak Landing Circle Kemp, TX 75143	\$660,000.00
LoneStar Fence & Supply, LLC	2200 West I-35 Denton, TX 76207	\$768,750.00
TinMan Enterprises, LLC	6731 Bridge Street, Suite 64 Fort Worth, TX 76112	\$795,000.00
Wall Enterprises	5425 CR 309 Cleburne, TX 76031	\$957,000.00
Penaco Construction Industries Group, LLC	3015 Main Street Dallas, TX 75226	\$1,080,000.00

OWNER

Moir Watershed Services, LLC

James Moir, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a one-year construction service contract for the installation of a pipe fence for the Trinity River levee system - Moir Watershed Services, LLC, lowest responsible bidder of seven - Not to exceed \$517,800 - Financing: Stormwater Drainage Management Capital Construction Funds

Moir Watershed Services, 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$517,800.00	100.00%
TOTAL CONTRACT	\$517,800.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
QMF Steel, Inc.	WFWB57124N0414	\$173,508.00	33.51%
Total Minority - Non-local		\$173,508.00	33.51%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$173,508.00	33.51%
Total	\$0.00	0.00%	\$173,508.00	33.51%

April 24, 2013**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

Section 1. That the City Manager is authorized to execute a construction contract with Moir Watershed Services, LLC (VS0000071835) for the installation of a pipe fence for the Trinity River levee system for a term of one year in an amount not to exceed \$517,800.00, 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 Moir Watershed Services, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Moir Watershed Services, LLC under the contract.

Section 2. That the City Controller is authorized to disburse funds from the following appropriation in an amount not to exceed \$517,800.00:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object</u>	<u>Encumbrance</u>	<u>Program Number</u>	<u>Amount</u>
0063	TWM	4793	4599	SDM4793BM01	PBSWM009	\$517,800.00

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

AGENDA ITEM # 3

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

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

MAPSCO: N/A

SUBJECT

Authorize a two-year service contract for barricade services - Dallas Lite & Barricade, Inc., lowest responsible bidder of two - Not to exceed \$71,812 - Financing: Water Utilities Current Funds (subject to annual appropriations)

BACKGROUND

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

This service contract will provide for barricade services including rental, delivery, setup, and removal during the repair and maintenance activities on city streets. Barricading major thoroughfares in conformance with the Texas Manual on Uniform Traffic Controls is essential to protect the safety of the citizens and workers. This service contract will allow the City flexibility in managing water main repairs by using this contract to supplement Water Utilities' barricade equipment on an as needed basis. This service contract will allow for up to 108 scheduled barricading rental services and 68 emergency barricading rental services.

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 126 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.

BACKGROUND (Continued)

Additionally, in an effort to secure more bids, notifications were sent by BDPS' ResourceLink Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council-Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$71,811.20 - Water Utilities Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

126 - 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

Dallas Lite & Barricade, Inc.

White Male	13	White Female	7
Black Male	13	Black Female	1
Hispanic Male	15	Hispanic Female	3
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation BA1303 and opened on February 14, 2013. This service contract is being awarded in its entirety to the lowest responsible and responsive bidder.

*Denotes successful bidder

BID INFORMATION (Continued)

<u>Bidder</u>	<u>Address</u>	<u>Amount</u>
*Dallas Lite & Barricade, Inc.	1607 Ft. Worth Avenue Dallas, TX 75208	\$71,811.20
Buyers Barricades, Inc.	3075 East 1st Street Fort Worth, TX 76111	\$99,980.00

OWNER

Dallas Lite & Barricade, Inc.

Shane D. Howell, President
Jay Galler, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a two-year service contract for barricade services - Dallas Lite & Barricade, Inc., lowest responsible bidder of two - Not to exceed \$71,812 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Dallas Lite & Barricade, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$71,811.20	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$71,811.20	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

April 24, 2013

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

Section 1. That the City Manager is authorized to execute a service contract with Dallas Lite & Barricade, Inc. (053684) for barricade services for a term of two years in an amount not to exceed \$71,811.20, 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 Dallas Lite & Barricade, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Dallas Lite & Barricade, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$71,811.20 (subject to annual appropriations).

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

AGENDA ITEM # 4

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): All

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

CMO: Jeanne Chipperfield, 670-7804
Jill A. Jordan, P.E., 670-5299
Forest E. Turner, 670-3390

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for sewer camera maintenance, repair services and parts – Atlas Inspection Technologies, LLC in the amount of \$290,174, CLS Sewer Equipment Co., Inc. in the amount of \$285,800 and Green Equipment Company in the amount of \$143,375, lowest responsible bidders of three - Total not to exceed \$719,349 - Financing: Stormwater Drainage Management Current Funds (\$285,800) and Water Utilities Current Funds (\$433,549) (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 maintenance, repair service and parts for sewer camera systems utilized by various departments. The City's personnel utilize the video cameras in the inspection of storm drains, sewer and wastewater lines for structural integrity and failures. Additionally, as part of the structural integrity inspection process, Water Utilities and Trinity Watershed Management also use the cameras as a proactive measure to aid in preventative maintenance against build-up of debris in the sewer mains, overflows and storm drains. These cameras aid in identifying potential back ups before they occur, odor control and prioritizing maintenance cleaning and repair. Removing blockages and debris from storm drains, sewer and wastewater lines helps to maintain line capacity and reduce the potential for localized flooding.

The City utilizes 15 main line cameras, 21 lateral cameras, 4 storm sewer cameras and 9 video vans which contain crawlers, cables and winches. Cameras and/or cables are serviced monthly due to environmental conditions in which this equipment is used. Normal damage is caused by caved in pipe, protruding lateral pipe cables and frequent utilization.

BACKGROUND (Continued)

Maintaining this equipment in operational readiness is essential in ensuring the City's 4,200 miles of wastewater mains and 1,800 miles of storm sewers are structurally-sound, and operating as intended.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing and percentage discount from manufacturer catalog. This bid resulted in a 13.66% increase over comparable unit prices and average discount of 1.53% compared to an average discount of 3.84% 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 499 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 26, 2009, City Council authorized a thirty-six-month service contract for factory authorized equipment, parts and service to provide maintenance and repair of sewer inspection television camera systems by Resolution No. 09-2049.

FISCAL INFORMATION

\$285,800.00 - Stormwater Drainage Management Current Funds (subject to annual appropriations)

\$433,549.00 - Water Utilities Current Funds (subject to annual appropriations)

M/WBE INFORMATION

73 - Vendors contacted

73 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

499 - 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

Atlas Inspection Technologies, LLC

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

CLS Sewer Equipment Co., Inc.

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

Green Equipment Company

White Male	11	White Female	3
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 BM1308 and were opened on December 6, 2012. This service contract is being awarded to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Atlas Inspection Technologies, LLC	11011 Brooklet Drive Houston, TX 77099	Multiple Groups
*CLS Sewer Equipment Co., Inc.	726 South Sherman Street Richardson, TX 75081	Multiple Groups
*Green Equipment Company	2563 Gravel Drive Fort Worth, TX 76118	Multiple Groups

OWNERS

Atlas Inspection Technologies, LLC

Robert L. Arnold, Jr., President
Robert Graham Arnold, Vice President

CLS Sewer Equipment Co., Inc.

Jerry Sonnier, President

Green Equipment Company

Edgar L. Green, President
Zane S. Smith, Vice President
Carol Morris, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for sewer camera maintenance, repair services and parts – Atlas Inspection Technologies, LLC in the amount of \$290,174, CLS Sewer Equipment Co., Inc. in the amount of \$285,800 and Green Equipment Company in the amount of \$143,375, lowest responsible bidders of three - Total not to exceed \$719,349 - Financing: Stormwater Drainage Management Current Funds (\$285,800) and Water Utilities Current Funds (\$433,549) (subject to annual appropriations)

Atlas Inspection Technologies, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. CLS Sewer Equipment Co., Inc. and Green Equipment Company are local, non-minority firms, have signed the "Business Inclusion & Development" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$429,175.00	59.66%
Total non-local contracts	\$290,174.00	40.34%
TOTAL CONTRACT	\$719,349.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Ultimate Freight Solutions, Inc. dba BTX Air Exp	WFDB50452Y0913	\$8,705.22	2.03%
Total Minority - Local		\$8,705.22	2.03%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$8,705.22	2.03%	\$8,705.22	1.21%
Total	\$8,705.22	2.03%	\$8,705.22	1.21%

April 24, 2013

WHEREAS, on August 26, 2009, City Council authorized a thirty-six-month service contract for factory authorized equipment, parts and service to provide maintenance and repair of sewer inspection television camera systems by Resolution No. 09-2049;

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 Atlas Inspection Technologies, LLC (VS0000076769) in the amount of \$290,174.00, CLS Sewer Equipment Co., Inc. (VS0000018694) in the amount of \$285,800.00 and Green Equipment Company (266153) in the amount of \$143,375.00, for sewer camera maintenance, repair services and parts for a term of three years in a total amount not to exceed \$719,349.00, 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 Atlas Inspection Technologies, LLC, CLS Sewer Equipment Co., Inc. and Green Equipment Company shall be based only on the amount of the services directed to be performed by the City and properly performed by Atlas Inspection Technologies, LLC, CLS Sewer Equipment Co., Inc. and Green Equipment Company under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$719,349.00 (subject to annual appropriations).

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

AGENDA ITEM # 5

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services

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

MAPSCO: N/A

SUBJECT

Authorize a three-year service contract for maintenance and support of Oracle database licenses - Mythics, Inc., most advantageous proposer of two - Not to exceed \$2,527,348 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This service contract will provide ongoing maintenance and support for Oracle database licenses utilized by the City. Maintenance and support includes software upgrades to current releases of software and technical support with the installation of such software. Renewing the maintenance contract is a cost effective method to acquire licenses as they become available. The database licenses provide the use of Oracle's Relational Database Management System to manage and secure data within the City enterprise applications.

Providing the proper support allows the Communication and Information Services (CIS) department to respond quickly and effectively to a wide variety of critical issues including but not limited to database outages, data corruption, performance issues, and connectivity issues. Oracle support and maintenance also allows access to the most recent database and tool upgrades and patches, as well as security alerts and other information that allows CIS staff to provide the best possible service to client departments.

Oracle products provide support for major applications within the City such as:

- Advantage Financial
- Citizen Request Management System (CRMS)

BACKGROUND (Continued)

- Human Resources Information System (HRIS)
- Computer Aided Dispatch System (CAD)
- Geographic Information System (GIS)
- Police Records Management System (RMS)
- Traffic Management System

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

- Business Development & Procurement Services (2)*
- Communication and Information Services (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 75%
- Business Inclusion and Development Plan 15%
- Experience and Capability 10%

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 25, 2010, City Council authorized a thirty-six month service contract for maintenance and support of Oracle database licenses by Resolution No. 10-2110.

FISCAL INFORMATION

\$2,527,347.80 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

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

957 - 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

Mythics, Inc.

White Male	106	White Female	38
Black Male	7	Black Female	7
Hispanic Male	3	Hispanic Female	2
Other Male	14	Other Female	6

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1305 and opened on February 21, 2013. This contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Mythics, Inc.	1439 N. Great Neck Rd. Virginia Beach, VA 23454	89.00%	\$2,527,347.80
Insight Public Sector	444 Scott Dr. Bloomington, IL 60108	86.56%	\$2,542,188.94

OWNER

Mythics, Inc.

R. Scott LaRose, President
Gary Newman, Vice President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract for maintenance and support of Oracle database licenses - Mythics, Inc., most advantageous proposer of two - Not to exceed \$2,527,348 - Financing: Current Funds (subject to annual appropriations)

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

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$2,527,347.80	100.00%
TOTAL CONTRACT	\$2,527,347.80	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

April 24, 2013

WHEREAS, on August 25, 2010, City Council authorized a thirty-six month service contract for maintenance and support of Oracle database licenses by Resolution No. 10-2110;

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 Mythics, Inc. (515615) for maintenance and support of Oracle database licenses for a term of three years in an amount not to exceed \$2,527,347.80, 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 Mythics, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Mythics, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed \$2,527,347.80 (subject to annual appropriations):

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>AMOUNT</u>	<u>FY</u>	<u>ENCUMBRANCE</u>
0198	DSV	1665	3438	\$842,449.26	2013	CTDSV13ORACLE
0198	DSV	1665	3438	\$842,449.27	2014	CTDSV14ORACLE
0198	DSV	1665	3438	\$842,449.27	2015	CTDSV15ORACLE

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

KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Housing/Community Services

CMO: Jeanne Chipperfield, 670-7804
Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to exercise the one-year contract renewal for general home repairs under the People Helping People Program administered by Housing/Community Services – Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors – Not to exceed \$121,952 – Financing: 2011-12 Community Development Block Grant Funds

BACKGROUND

This item authorizes the one-year renewal option for a service contract to provide contractor labor for minor home repairs for the People Helping People (PHP) Program.

This service contract will provide contractor labor for minor home repairs for the People Helping People (PHP) Program. The PHP program is designed to help low-income, elderly (62 or older) and disabled residents of Dallas to receive minor exterior home repairs. Available funds will serve households that meet low-income level guidelines established by the U.S. Department of Housing and Urban Development (HUD). It is estimated that each repair will average \$900 per household based on previous history of the program, however each household is allowed a maximum of \$5,000. This program previously relied solely on volunteers, the contracted vendor will be a supplement to the volunteers and will be used when special expertise is required.

BACKGROUND (Continued)

The goal of this year’s program is to assist approximately 200 households utilizing grant funds. Once a home is verified as meeting the guidelines of the program, a Housing Inspector is sent out to the home to assess the work to be done. If the scope of repairs is beyond the skills and experience of a volunteer group the Housing Inspector then provides a work write up to the contractor to execute the repairs. Some examples of repairs to be provided by the contractor under this program are:

- Repair the exterior of homes
- Repair porches and steps
- Install/repair ramps and handrails
- Remove unsafe garages and sheds
- Remove trash and debris

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 25, 2012, the City Council authorized a one-year service contract, with a one-year renewal option, for general home repairs under the People Helping People Program administered by Housing/Community Services by Resolution No. 12-1167.

FISCAL INFORMATION

\$121,952.00 - 2011-12 Community Development Block Grant Funds

ETHNIC COMPOSITION

Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors

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

OWNER

Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors

Franklin Harris, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to exercise the one-year contract renewal for general home repairs under the People Helping People Program administered by Housing/Community Services – Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors – Not to exceed \$121,952 – Financing: 2011-12 Community Development Block Grant Funds

Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$121,952.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$121,952.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors	BMMB55253N1013	\$121,952.00	100.00%
Total Minority - Local		\$121,952.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$121,952.00	100.00%	\$121,952.00	100.00%
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	\$121,952.00	100.00%	\$121,952.00	100.00%

April 24, 2013

WHEREAS, on April 25, 2012, the City Council authorized a one-year service contract, with a one-year renewal option, for general home repairs under the People Helping People Program administered by Housing/Community Services by Resolution No. 12-1167;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute Supplemental Agreement No. 1 to exercise the one-year contract renewal option with Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors (242068) for general home repairs under the People Helping People Program administered by Housing/Community Services for a term of one-year, in an amount not to exceed \$121,952.00, 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 Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors shall be based only on the amount of the services directed to be performed by the City and properly performed by Nationwide Carpet Cleaning Service, Inc. dba Nationwide Contractors under the contract.

Section 2. That the City Controller is authorized to disburse funds from the following appropriation in an amount not to exceed \$121,952.00:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>ENCUMBRANCE</u>	<u>AMOUNT</u>
CD11	HOU	721D	3099	HOU721D F099	\$121,952.00

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 2, 14
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 670-3314
MAPSCO: 45 A B E F G K L P & Q

SUBJECT

Authorize a public hearing to be held on May 22, 2013, to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) and the Project and Reinvestment Zone Financing Plans for the Downtown Connection TIF District to: **(1)** increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars), an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); **(2)** expand the District's focus of redevelopment efforts; and **(3)** make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan; and at the close of the public hearing consideration of an ordinance amending Ordinance No. 26020, previously approved on June 8, 2005, as amended and Ordinance No. 26096, previously approved on August 25, 2009, as amended, to reflect these amendments - Financing: No cost consideration to the City

BACKGROUND

A public hearing is required any time the boundaries or budget of an existing TIF District is expanded. In 2009, state law was amended to allow the extension of a reinvestment zone's termination date.

This action authorizes a public hearing to be held on May 22, 2013, to hear comments on the following proposed amendments to Downtown Connection TIF District (the District) and its Project and Reinvestment Zone Financing Plans to:

1. Increase the District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars), an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars);

BACKGROUND (Continued)

2. Continue the District's focus of redevelopment efforts in the downtown core and work to expand the core area; and
3. Make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plans.

The Downtown Connection TIF District was created in 2005 to develop an attractive, sustainable urban core by generating cash to reimburse costs of public improvements and redevelopment of vacant or underutilized buildings downtown. The District's creation helped to protect major investment in downtown and encourage redevelopment of the cores' assets, as its land use mix transitioned from at one time a heavy concentration of office space to an increasing concentration of residential, hotel, restaurants and retail, which would not have occurred otherwise.

In the fifteen years since the adoption of the original plan for the District, significant private investment has occurred, but there are remaining deficiencies. While larger vacant buildings within the district have been repurposed, some vacant buildings still remain. Vacant ground floors of unoccupied buildings coupled with scattered and disconnected retail detract from all of the redevelopment that has occurred in the last fifteen years.

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

In conjunction with the Downtown Dallas 360 Area Plan, a Main Street District Retail Activation Strategy was completed. The strategy aims to create a contiguous downtown core that eliminates gaps in the pedestrian experience created by vacant buildings and ground level space and disjointed streetscape improvements. The Main Street District Retail Activation Strategy's Tool Box provides techniques and methods for achieving a vibrant and active ground level experience for downtown residents, workers and visitors and will be used to guide the District's Ground Floor Activation Program.

BACKGROUND (Continued)

The purpose of this amendment is to: (1) expand the downtown core and redevelopment momentum outside of the immediate Main Street area; (2) increase the district's budget to continue to provide a funding source for redevelopment within the downtown core by redeveloping last remaining vacant buildings; (3) continue debt service payments on the district's bonds in the later years of the TIF without using increment needed to fund redevelopment in the district; (4) strengthen connections between redevelopment occurring in the Main Street district to other destinations downtown; (5) support ground floor activation and occupancy that is contiguous by filling vacant gaps at the street level in accordance with the Downtown Dallas 360's activation strategy; and (6) provide a source of funding for the next phase of development within the District which is redevelopment of surface parking lots, undeveloped or underdeveloped parcels, and underutilized buildings.

The anticipated effect of these amendments include redevelopment of remaining vacant buildings such as 1900 Pacific Avenue, 1712 Commerce Street, tenanting of the old Statler Hilton, old Library and 1600 Pacific Avenue, buildings and increased occupancy at the ground floor level throughout the core that will foster a sustainable neighborhood that connects the core of downtown to the Farmers Market, West End, Arts District and Uptown, while providing more residential, retail and office opportunities.

Financially, the proposed amendments will cause the tax base of the City to increase by approximately \$2.5 billion between now and the district's expiration in 2035 as a result of anticipated private investment in the TIF district.

On May 22, 2013, following the public hearing, the requested amendments will be considered by City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 8, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) by Ordinance No. 26020, as amended.

On August 29, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District); and authorized a participation agreement with Dallas County for the Downtown Connection TIF District by Ordinance No. 26096, as amended.

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

On October 19, 2005, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to: (1) allow for commercial tax abatements pursuant to Chapter 312 of the Texas Tax Code, Vernon's Texas Codes Annotated (the Act); (2) designate the City's participation level of 90% in the Downtown Connection TIF District as required by Chapter 311 of the Act; (3) adjust the Dallas County's participation in the Downtown Connection TIF District from \$24,000,000 net present value to \$18,500,000 net present value; and (4) correct a typographical error in Section 2, Part VII of the Project Plan, titled Non-Project Cost, from an amount to exceed \$15,000,000 to an amount not to exceed \$15,000,000 by Ordinance No. 26143 and Resolution No. 05-2993.

On March 8, 2006, City Council authorized amendments to the Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan to amend the Downtown Connection TIF District boundary to exclude 2400 Bryan Street and 2215 Bryan Street (Crozier Tech) by Ordinance No. 26291 and Resolution No. 07-3698.

On December 12, 2007, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to: (1) provide for affordable housing program requiring Downtown Connection TIF District funded project to set aside ten percent of the units as affordable and specifying alternatives to providing such units within the TIF funding project; (2) reprogram \$2,500,000 from the Park and Plaza Design and Acquisition budget line item to a new budget line item for Retail Initiatives/Streetscape Improvements; (3) expand the use of TIF funds for Grants, in accordance with the Downtown Connection TIF District Grant Program and Criteria, and for affordable housing assistance; (4) correct the principal amount of bonds to be sold from \$65,000,000 to \$66,000,000; and (5) update Exhibits G, H and J, Appendix A and modify the plan to reflect 2007 property value and adjusted base year value and make any other necessary adjustments to implement the plan amendment by Ordinance No. 27032 and Resolution No. 07-3698.

On October 22, 2008, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to permit the direct lease or sale of City-owned/City-controlled property without auction and bidding requirements on the condition that the property is redeveloped in accordance with the Downtown Connection TIF District Plan by Ordinance No. 27377 and Resolution No. 08-2917.

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

On December 10, 2008, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to increase the geographic area of the Downtown Connection TIF District to include 2307 Caroline Street, 2311 Caroline Street, 1600 Ashland Street, and 1601 Cedar Springs Road by Ordinance No. 27434 and Resolution No. 08-3396.

On February 11, 2009, City Council authorized amendments to the Project and Reinvestment Zoning Financing Plan for Tax Increment Financing Reinvestment Zoning Number Eleven Downtown Connection TIF District) to: (1) expand the development goals and specific objectives to the Project Plan; (2) expand the Redevelopment of Vacant/ Underutilized Downtown Buildings budget line item to include the Development of Underdeveloped Parcels and Surface Parking Lots; and (3) update Exhibits G and J to reflect updated base value, 2008 increment corrections and future increment assumptions under the authority of the Tax Increment Financing Act by Ordinance No. 27489 and Resolution No. 09-0469.

On April 22, 2009, City Council authorized amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) to: (1) amend the affordable housing policy to: (a) permit additional assistance in the form of Affordable Housing Economic Development Grant to those project providing affordable housing units, (b) extend the eligibility date for additional affordable housing assistance to project which are approved by City Council from December 31, 2008 to December 31, 2011, (c) update the household income limit charts contained within to reflect the Dallas Area Median Household Income Limits for 2009; and (2) revise the budget to: (a) reprogram \$515,000 from the Retail Initiative/Streetscape Improvements budget line item to a new Downtown Area Plan budget line item; and (b) update Exhibit G to reflect the budget reprogramming and new additional budget line item and making any other necessary adjustments to implement the plan amendment by Ordinance No. 27529 and Resolution No. 09-1108.

On March 21, 2013, the Downtown Connection TIF District Board of Directors discussed and recommended approval of the proposed TIF District and Project and Reinvestment Zone Financing Plan amendments, including an increase in the budget of the District, and all other related changes.

On April 15, 2013, a briefing was submitted to the Economic Development Committee to call a public hearing for May 22, 2013, and consider the proposed TIF District and Project and Reinvestment Zone Financing Plan amendments, including an increase in the budget of the District, and all other related changes for the Downtown Connection TIF District.

FISCAL INFORMATION

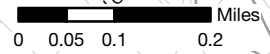
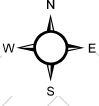
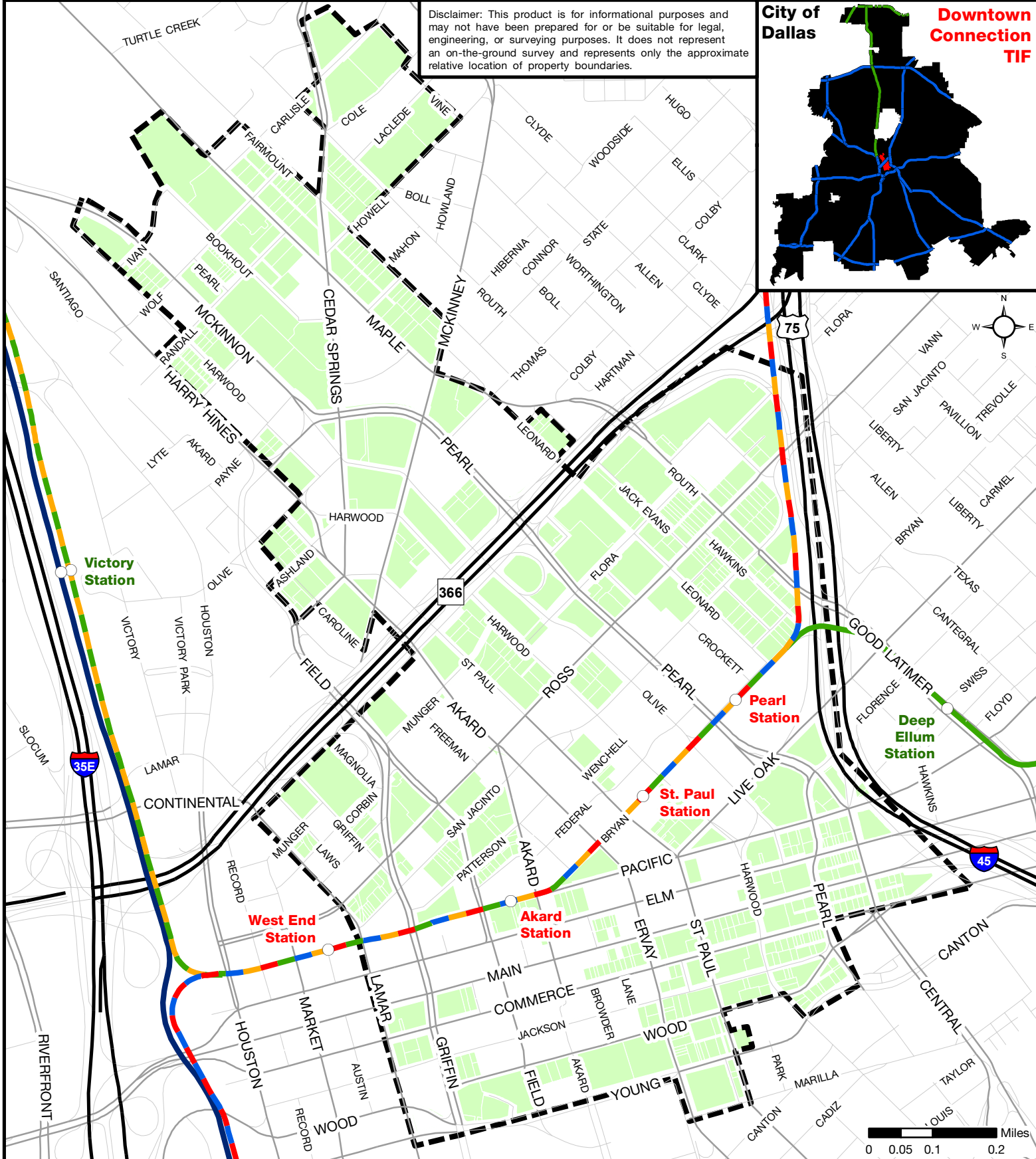
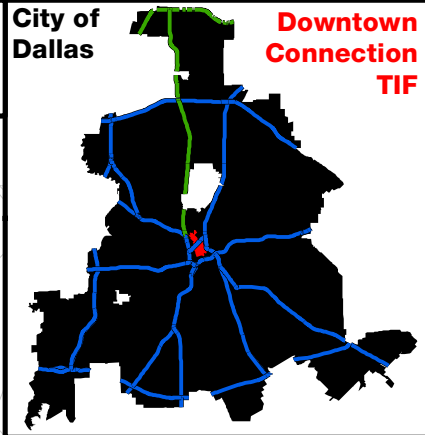
No cost consideration to the City

MAP

Attached.

Downtown Connection TIF District

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



DALLAS ECONOMIC DEVELOPMENT
Research & Information Division
214.670.1685
dallas-ecodev.org

Legend

- Downtown Connection TIF Parcels
- Downtown Connection TIF Boundary
- DART Blue Line
- DART Green Line
- DART Orange Line
- DART Red Line
- Trinity Railway Express
- Rail Station
- Freeway or Tollway
- Arterial
- Local Road

April 24, 2013

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

WHEREAS, the City Council authorized Ordinance No. 26020, on June 8, 2005, as amended, which created Tax Increment Financing Reinvestment Zone Number Eleven, City of Dallas, Texas (the "Downtown Connection TIF District") in accordance with V.T.C.A. Tax Code, Chapter 311 ("Act"), as amended; and

WHEREAS, the City Council authorized Ordinance No. 26096, on August 29, 2005, as amended, approving the Project Plan and Reinvestment Zone Financing Plan for the Downtown Connection TIF District; and

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

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

WHEREAS, the Downtown Connection TIF District Board of Directors recommended approval of the following amendments to the Downtown Connection TIF District's Project and Reinvestment Zone Financing Plans to: (1) increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars), an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); (2) expand the District's focus of redevelopment efforts; and (3) make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan on March 21, 2013, consistent with the requirements and limitations of the Act.

NOW, THEREFORE,

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

Section 1. That a public hearing shall be held at 1:00 p.m. on May 22, 2013, in the City Council Chambers, Dallas City Hall, 6th Floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against an amendment to increase the budget of the Downtown Connection TIF District.

April 24, 2013

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

Section 3. That after the public hearing is closed; City Council shall consider an ordinance amending Ordinance Nos. 26020 and 26096, as amended, to (1) increase the Downtown Connection TIF District's budget from \$189,807,592 NPV (approximately \$391,744,162 total dollars) to \$231,593,554 NPV (approximately \$545,726,096 total dollars), an increase of \$41,785,962 NPV (approximately \$153,981,934 total dollars); (2) expand the District's focus of redevelopment efforts; and (3) make corresponding modifications to the Downtown Connection TIF District's budget and Project and Reinvestment Zone Financing Plan; attached here to as **(Exhibit A)**.

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

Exhibit A
Downtown Connection
Tax Increment Financing District



Project Plan
&
Reinvestment Zone Financing Plan

ADOPTED – AUGUST 29, 2005

AMENDED – OCTOBER 19, 2005

AMENDED – MARCH 8, 2006

AMENDED – DECEMBER 12, 2007

AMENDED – OCTOBER 22, 2008

AMENDED – DECEMBER 10, 2008

AMENDED – FEBRUARY 11, 2009

AMENDED – APRIL 22, 2009

AMENDED – APRIL 24, 2013

Section 1: Project Plan

Background

The Downtown Connection TIF District represents the outgrowth of the City of Dallas' effort to create a downtown neighborhood with 10,000 plus residents, supporting retail establishments, adequate parks and open space, an attractive employment environment, and a variety of arts venues.

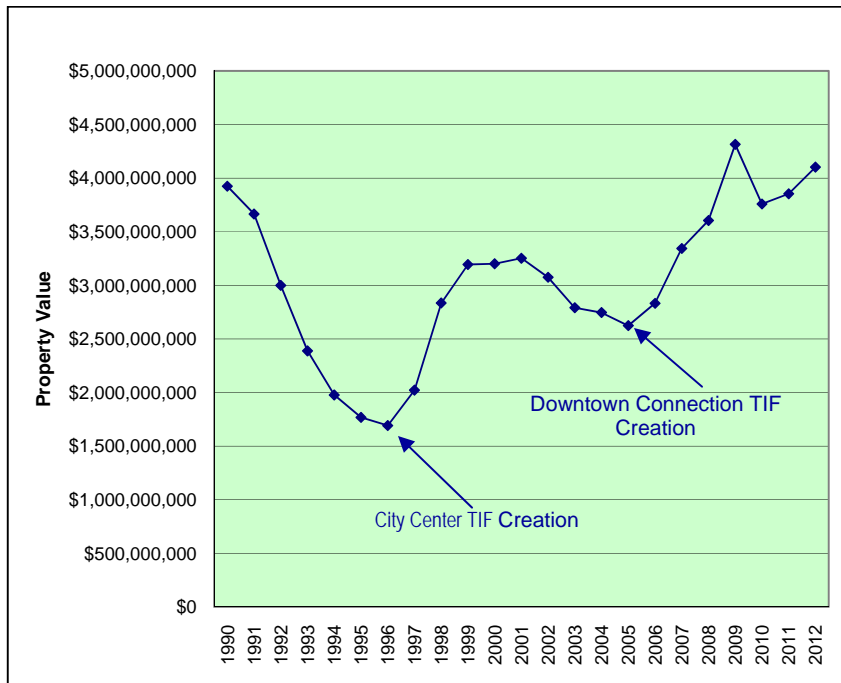
The City of Dallas created the first tax increment financing ("TIF") district for downtown, the City Center TIF District, in 1996. Its purpose was, and is, to create a fund for public capital improvements in the core of Downtown essential for redevelopment of key spaces and buildings. The City Center TIF District has collected \$52 million, all of which has been spent or allocated, creating the beginning of a vibrant downtown. This existing TIF zone is expected to generate tax growth to fund approximately \$29 million of remaining improvements from a total budget of \$87.6 million (total budget includes parking revenue and interest earnings). City Center TIF District projects relying on future increment for reimbursement include Republic Center Tower I, the Interurban Building, Eureka/Joule Hotel, Fidelity Union Tower (Mosaic), 1200 Main, 1608 Main, Dallas County Plaza and affordable housing.

In May 2003, the City Center TIF District Board of Directors attended a workshop to assess the direction in which unallocated TIF funds should be spent. At the time, because there was no application for a large catalyst project, the Board made a decision to focus the remaining funds on seed projects within the Main Street core area. This approach successfully brought projects such as Stone Street Gardens and the Thompson Building at Pegasus Plaza.

The Downtown Connection TIF District, while sharing similar goals of the City Center TIF District, focuses on catalyst projects to create a greater density and critical mass of development within the Main Street core area. This shift in approach will further develop downtown, making it a vibrant, destination neighborhood.

Even though the City Center TIF District increased private investment in Downtown and zone values have increased since inception in 1996, a sluggish office market has pushed zone values down from a 2001 high. Because office buildings are more than 80% of appraised real property value in Downtown, their value will continue to drive total Downtown appraisals for years. The decrease in office values has diluted the accomplishment and added value generated by City Center TIF District projects. Exhibit A graphs taxable appraisals inside the Downtown freeway ring since 1990.

Exhibit A Downtown Improvement District Real Property Value



In response to a depressed office market's impact on increment collections for the City Center TIF fund, the Downtown Improvement District and the Uptown Public Improvement District jointly proposed to remove selected properties from the existing City Center TIF District and create a second TIF district in parts of Downtown and Uptown. See Appendix B for a map of the amended City Center TIF District. Exhibit B is a map of the Downtown Connection TIF District

The Downtown Connection TIF District ("Zone") was initiated by petition, pursuant to Section 311.005 (a)(5), Texas Tax Code through the sponsorship of the Downtown Improvement District and Uptown Public Improvement District. The City Council, using the authority of the Tax Increment Financing Act (Chapter 311, Tax Code) established the Downtown Connection TIF District pursuant to Ordinance Number 26020 on June 8, 2005:

- Declaring portions of the Downtown/Uptown areas as a "reinvestment zone"
- Establishing the boundaries of Downtown Connection TIF District
- Adopting a preliminary project and financing plan
- Establishing a Board of Directors for the Downtown Connection TIF District

On June 8, 2005, the City Center TIF District boundary was amended. Although no properties were added to the existing City Center TIF District, some, but not all, properties removed from the City Center TIF District became part of the new Downtown Connection TIF District. The advantage of the new TIF zone is it includes no major occupied office buildings and relatively few recently renovated buildings. Consequently, it leaves potential value increases for such buildings available to the general operating

funds of the City and other taxing entities participating in the TIF program and it makes the tax increments for the new TIF fund less susceptible to fluctuation in the office market.

A successful Downtown Connection TIF District program will mean that most of the historic sites in the heart of Downtown and the surrounding area will have been adapted for reuse, most vacant buildings will no longer be vacant, and Downtown will have over 10,000 residences inside the freeway ring. These achievements are “must-do” items for a vibrant Downtown. A vibrant Downtown is essential for a first-class, competitive city.

The Downtown Connection TIF District Board of Directors include nine members consisting of six City Council appointees, one appointee by the State Senator (currently Royce West), one appointee from the State Representative (currently Dan Branch), and one member from Dallas County.

The duration of the Downtown Connection TIF District is 30 years; it is scheduled to terminate December 31, 2035.

Zone Description

The Downtown Connection TIF District is located in the core of Downtown Dallas and portions of Uptown. The District is generally bounded by the Katy Trail, Maple Avenue, Kittrell Street, Cedar Springs Road, Routh Street, Carlisle Street, Vine Street, Howell Street, Fairmount Street, McKinney Avenue, Maple-Routh Connection, Woodall Rodgers Freeway, Central Expressway, I-45, Commerce Street, Young Street, Marilla Street, Lamar Street, Caroline Street, Wichita Street, Harry Hines Boulevard, Randall Street, Harwood Street, Jack Street, McKinnon Street, and Ivan Street (see Exhibit B).

Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way, measured from the reinvestment zone. Boundaries that approximate property lines shall be construed as following such property lines. Any real property account within the City Center TIF zone after the date of designation of the Downtown Connection TIF zone is not within the Downtown Connection TIF zone. Rights of-ways, however, may lie within multiple zones unless a future interpretation of law precludes such a construction.

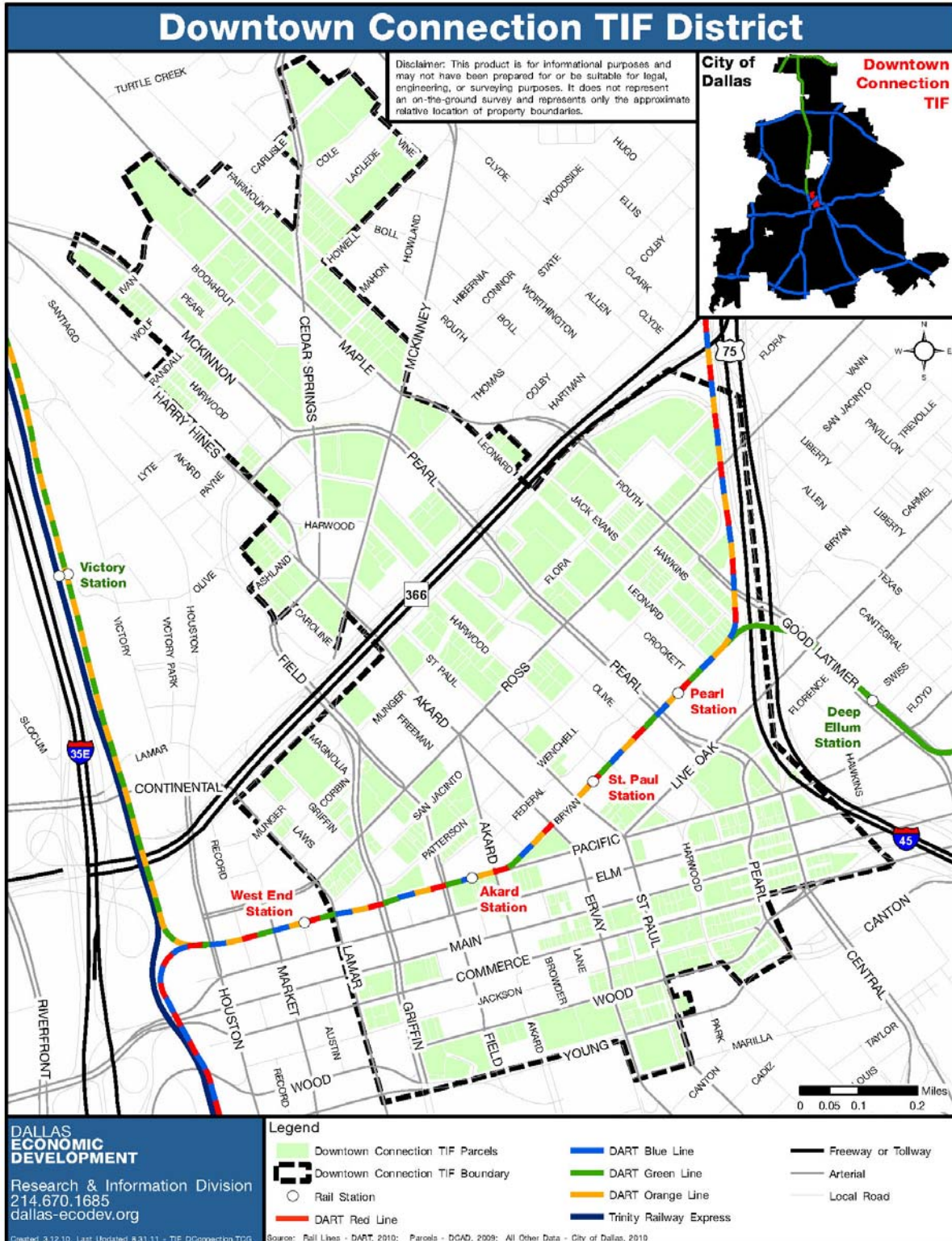
Appendix A attempts to identify all real property accounts within the Downtown Connection TIF zone boundary. Parcels identified as outparcels in Exhibit B are not within the TIF zone unless the boundaries are further amended in accordance with the law. The base value of the zone will be the total appraised value of all taxable real property in the zone as determined by the Dallas Central Appraisal District in the certified roll for 2005.

The Downtown Connection TIF District essentially includes vacant and underutilized buildings in the downtown core that are not being redeveloped as part of the City Center TIF District program, surface parking lots, and portions of the Uptown area.

EXHIBIT A

The total taxable appraised value of the Downtown Connection TIF District for the 2005 base year is \$561,696,137, adjusted. Exhibit J and Appendix A reflect the adjusted base year value for the District.

Exhibit B:



Development Goals and Objectives

The Board of Directors adopted development goals that are expected to meet the specific needs of the Downtown Connection TIF District:

- Improve pedestrian connections between and within the Uptown and Downtown areas.
- Improve the appearance of the buildings, surface parking lots, undeveloped sites and parks and open spaces within Downtown Connection area.
- Support redevelopment of the existing building supply and surface parking lots located within the area.
- Develop a more diverse mixture of land uses within the Downtown Connection area
- Increase open space and recreational opportunities in the Downtown Connection area
- After providing incentives for selected catalyst project to accelerate residential development, initiate a long-term plan to achieve critical mass goals related to housing and retail development, and public space amenities needed for a vibrant downtown
- Facilitate private development within the Downtown Connection TIF District for the public purpose of developing and diversifying the economy of the District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

The following specific objectives set the framework for the planned public improvements within the Downtown Connection TIF District:

- Improve street and pedestrian lighting within the Downtown Connection TIF District.
- Offset the costs of environmental remediation, interior and exterior demolition, fire corridor improvements and facade improvements to encourage redevelopment of underutilized downtown buildings.
- Encourage the redevelopment of surface parking lots and undeveloped/underdeveloped sites, especially those located on key pedestrian linkages, to create residential and retail opportunities and achieve critical mass goals within the district.

- Ensure new construction and/or redevelopment projects are compatible with surrounding historic buildings, particularly with regard to building design, material quality and pedestrian appeal at ground level.
- Improve key linkages between the DART light rail transit mall and other significant Downtown and Uptown venues by extending streetscape improvements and encouraging street level pedestrian oriented development.
- Promote higher quality development in the Zone through the application of design standards for public improvements and design guidelines for private development within the district.
- Encourage the strategic development of residential housing within the area, including redevelopment of existing buildings, and new construction on existing surface parking lots and currently underdeveloped sites.
- Encourage redevelopment of sites, such as the Arts District Garage site, where development activity was started over fifteen years ago but not completed and are not likely to be completed without some public financial incentives.
- Complement and protect existing historic structures.
- Expand the success of the downtown core to other downtown destinations including the West End, Farmers Market, Klyde Warren Park, and Arts District.
- Provide TIF incentives to fund a Ground Floor Activation Program based on the recommendations of the Downtown Dallas 360 Plan's retail activation strategy.
- Encourage Mixed Income Housing in the Zone and surrounding downtown area by providing TIF incentives to offset the costs of providing affordable housing.

The project costs enumerated in the Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan ("Project Plan") require the expenditure of approximately \$231 million, primarily for the Mercantile Block, Atmos Complex and Continental Building ("Catalyst Project") and the redevelopment of vacant and underutilized buildings in downtown, including environmental remediation, interior and exterior demolition assistance, facade improvement assistance, purchase of facade beautification easements, fire corridor improvements, streetscape, street and utility improvements, land acquisition for pedestrian safety and accessibility, park sites, and key development sites, acquisition and restoration of historic sites and grants. In addition, the Project Plan makes Uptown/Downtown connectivity improvements a priority. The Woodall Rodgers Deck/Park will be undertaken early in the term of the TIF District, to the extent funds are available, to create a seamless link between Uptown and Downtown. The Project Plan also provides for a cash contribution for Affordable

EXHIBIT A

Housing that will be funded jointly with the Catalyst Project. These improvements planned for the Downtown Connection TIF District are designed to meet the long-term public needs to secure the growth and investment of the area.

Tax increment financing will be used to assist with these improvements. Utilizing this economic development tool to encourage public infrastructure improvements, the economics of developing market rate housing in the Downtown Connection area and attracting more commercial investment is greatly improved. The Project Plan also provides for extensive public improvements for the redevelopment of vacant and underutilized downtown buildings, streetscaping, connectivity and public use improvements and other amenities which complement existing and anticipated investment in the Downtown Connection area.

2013 Project Plan Amendment

Since 1996, the City Center and Downtown Connection TIF Districts have been successful in incentivizing redevelopment of once vacant or nearly vacant buildings in downtown's core. The TIF District's focus on the downtown core has resulted in 6,765 residential units, 3,589 hotel rooms, 10.3 million square feet of renovated vacant office space and 8.44 acres of park space added within the freeway loop.

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

In conjunction with the Downtown Dallas 360 Plan, a Main Street District Retail Activation Strategy was completed. The strategy aims to create a contiguous downtown core that eliminates gaps in the pedestrian experience created by vacant buildings and ground level space and disjointed streetscape improvements. The Main Street District Retail Activation Strategy's Tool Box provides techniques and methods for achieving a vibrant and active ground level experience for downtown residents, workers and visitors and will be used to guide the district's Ground Floor Activation Program.

The purpose of this amendment is to: (1) expand the downtown core and redevelopment momentum outside of the immediate Main Street area; (2) increase the district's budget to continue to provide a funding source for redevelopment within the downtown core by redeveloping last remaining vacant buildings; (3) strengthen connections between redevelopment occurring in the Main Street district to other destinations downtown; (4) support ground floor activation and occupancy that is contiguous by filling vacant gaps at the ground floor plane in accordance with the Downtown Dallas 360's activation strategy; and (5) provide a source of funding for the

next phase of development within the District which is the redevelopment of surface parking lots, undeveloped or underdeveloped parcels, and underutilized buildings.

Additional increment collections resulting from increasing the Zone's budget should be focused to assist in redevelopment of the remaining vacant and/or underutilized building in the downtown core. A secondary focus of funds should be projects in areas that are contiguous to the core whose improvement will create and/or enhance linkages to other destinations, specifically the West End and Farmers Market where recent TIF District extensions have provided funding for development in those areas.

To be most effective, Downtown Connection TIF District funds should be concentrated in areas where TIF projects are in close proximity to other TIF projects or Districts or areas of City investment, creating large areas of contiguous redevelopment. Providing TIF funding to singular projects scattered throughout downtown is not encouraged.

Economic Development TIF Grant Program

Catalyst Project Economic Development TIF Grant Program

Certain costs of improvements of Mercantile Block, Atmos Complex, and Continental Building catalyst project, as further discussed herein, have become eligible for funding with tax increment revenues under legislative actions taken in 2005. These improvements enumerated in the Project Plan provide for approximately \$39 million in grants of TIF revenues, subject to final construction plans, for costs associated with redevelopment of vacant structures and costs of new development including, but not limited to, equipment, machinery, supplies and materials, to be purchased for the benefit of the catalyst project. The City implemented controls per contract documents sufficient to ensure that all funds provided for the catalyst project are used to fulfill the public purposes of developing and diversifying the economy of the District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

Excluding only the Catalyst Project approved prior to the issuance of any debt obligations, no other projects receiving TIF funds may be categorized as a catalyst project or shall receive tax abatements within the Zone.

Economic Development TIF Grant Program

TIF grants may be provided to projects that meet Downtown Connection TIF District development goals and specific development objectives. Grants may be provided to facilitate redevelopment of vacant/underutilized buildings, undeveloped/underdevelopment parcels, existing surface parking lots and ground floor activation and occupancy, as well as mixed income housing. An economic development TIF Grant may be used to fund a project in excess of non-grant TIF eligible expenditures, if the project is not feasible but for a TIF Grant.

Direct Lease or Sale of City-owned/ City-controlled Property

The City of Dallas is permitted to directly lease or sell City-owned/City-controlled property within the Downtown Connection TIF District without complying with auction and bidding requirements with the condition that the property is redeveloped in accordance with the Downtown Connection TIF District Plan.

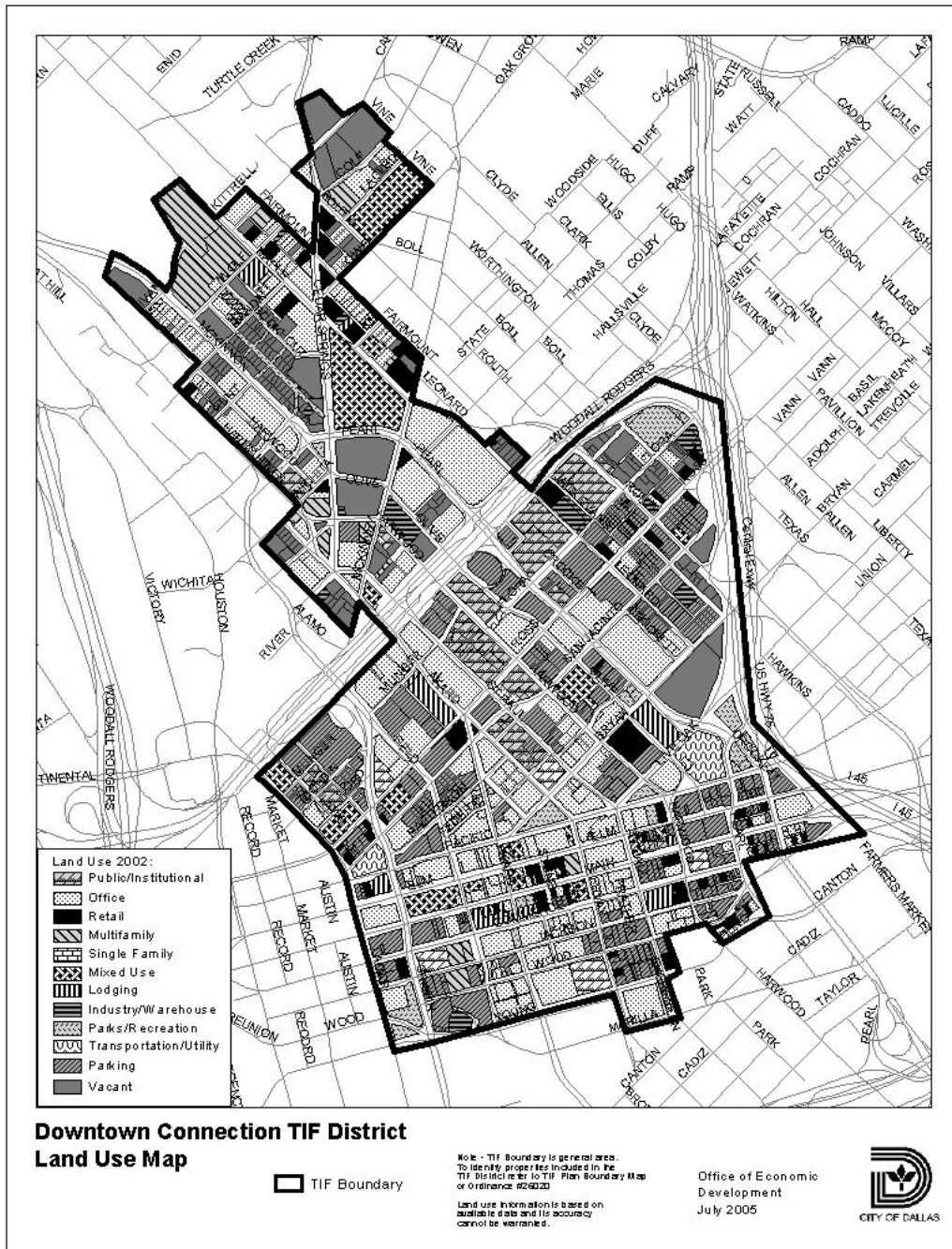
The City of Dallas owned the Dallas Arts District Garage when the Downtown Connection TIF District was established, and the Dallas Arts District Garage is located within the boundaries of the Downtown Connection TIF District. The City of Dallas entered into a new 80-year sub-lease with an option to purchase the Dallas Arts District Garage to a developer, for a minimum of fair market value, beginning January 1, 2009 and assigned the leasehold for the underdeveloped site to a developer for the purpose of, and subject to, restoration and redevelopment in accordance with the objectives of the City in stabilizing Tax Increment Financing Zone Number Eleven, City of Dallas, Texas, and as provided in the Act.

The Atmos Complex, which was donated to the City of Dallas and transferred to Forest City for redevelopment in accordance with the Downtown Connection TIF District Project Plan and is located within the boundaries of the Downtown Connection TIF District. The Atmos Complex was to be redeveloped by Forest City pursuant to the development agreement ("Development Agreement") executed on October 5, 2005. On October 22, 2008, Dallas City Council directed the transfer of the Atmos Complex to Hamilton Atmos LP for redevelopment in accordance with the Downtown Connection TIF District Plan. Should Hamilton Atmos LP fail to obtain a building permit by October 20, 2010, ownership will revert back to Forest City pursuant to the provisions of the City's Development Agreement.

Existing Uses

The Downtown Connection TIF District is a mixed-use area, primarily composed of existing office or vacant office structures, surface parking lots, and undeveloped property. Exhibit C shows the existing land use for the area within the Downtown Connection TIF Boundary (for specific parcels included in the TIF District refer to Exhibit B the TIF Boundary Map).

Exhibit C: Downtown Connection TIF District Land Use



Downtown Connection Area Zoning

The Downtown Dallas area has the highest zoning district classification in the City. Revisions to the central area zoning districts were made at the request of the CDA Housing Committee in 2002 to eliminate some of the less desirable uses and to reduce the parking requirement for residential uses. The encouragement of mixed uses permitted by the zoning district could be a positive force in the creation of an urban neighborhood.

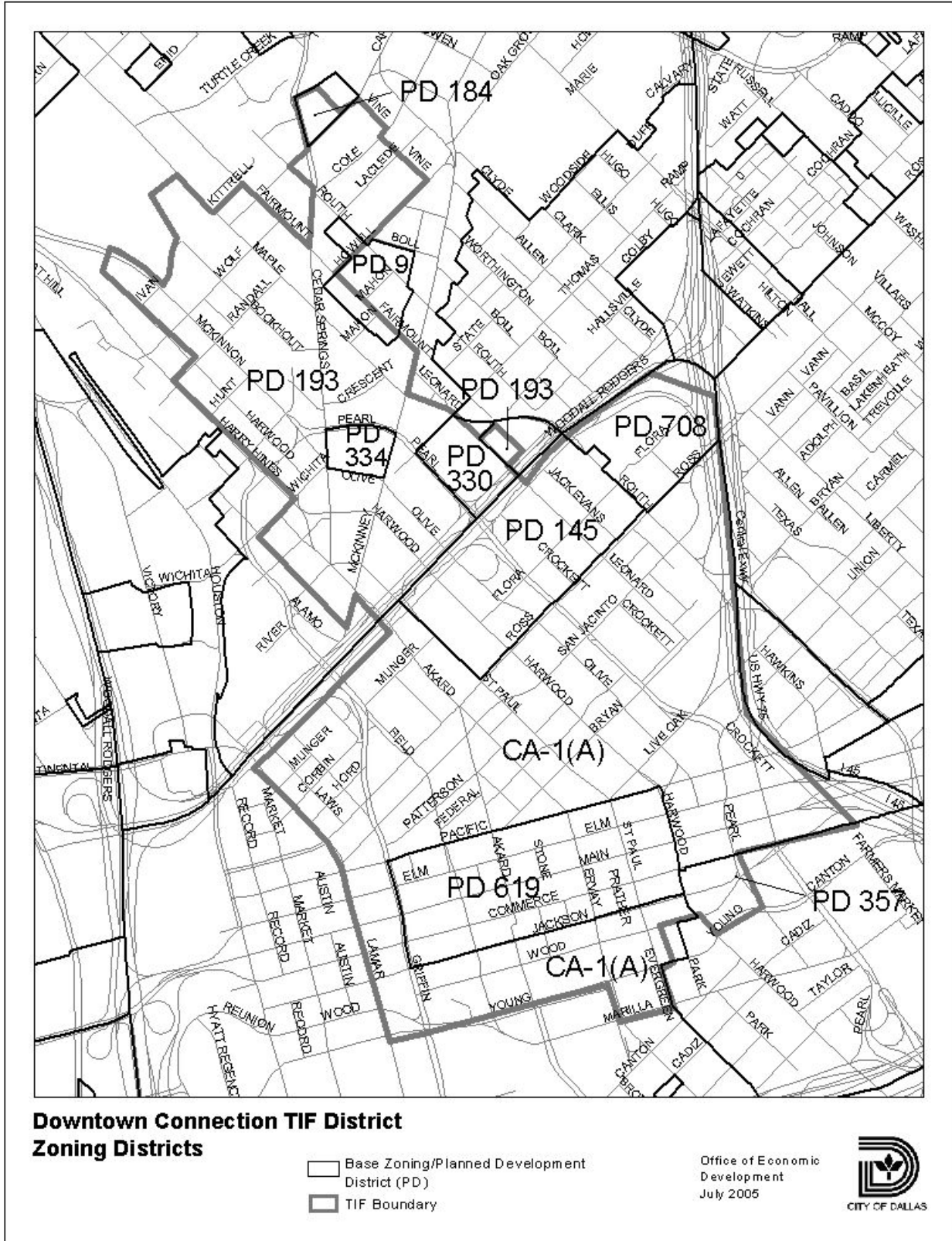
On June 12, 2002, City Council approved Planned Development (PD) District No. 619, establishing use regulations and development standards for the core downtown area bounded by the centerlines of Pacific Avenue, Harwood Street, Jackson Street, and Griffin Street. Other zoning districts in downtown include CA-1(A) Central Area, a portion of PD 357 near the Farmers Market, PD 145 in the Arts District, and PD 708 in the northeast corner.

Zoning districts in the Uptown portion of the TIF District include PD 193 (Oak Lawn), and smaller PDs 9,184, 330, and 334.

Exhibit D shows existing zoning and the Planned Development Districts in Downtown and Uptown.

The only zoning change contemplated at this time is an amendment for a special provision sign district.

Exhibit D: Downtown Connection TIF District Zoning



Market Feasibility

The predominant land use in the planned 30-year Downtown Connection TIF District development program is for mixed-use development. If built as planned, the residential and commercial development will create a market for the planned retail component. In addition, the residential development should also drive the demand for new commercial office investment. Therefore, the market feasibility evaluation conducted by the City Center Advisory Committee in January, 1996 is correct in its conclusion that the Dallas Intown/CBD residential development market is still relevant, and is intended, in connection with the preparation of this Plan, to be used as part of the economic feasibility study for the Downtown Connection TIF District in accordance with the provisions of Section 311.011, Texas Tax Code.

The past two decades of Downtown-related urban development activity in the larger U.S. cities has indicated that there is a “pent-up” demand for market rate housing development, but that other land uses more often “outbid” residential projects for prime locations. In addition, the most successful downtown-oriented market rate housing projects have required large enough sites to implement multi-stage developments after an “urban village” atmosphere and residential locational identity are established.

While the appeal of being in downtown has been a key feature of these other projects, both within Dallas and in other cities, the greatest increases in the number of downtown residential units has occurred where a true sense of neighborhood has been created. In addition, there has been a demonstrated need to provide a multi-faceted and self-sustaining destination neighborhood where shopping, professional services, recreation, and suitable entertainment are readily available and accessible in the context of a pedestrian environment.

The type of high density urban development contemplated in the plan will most certainly lead to a need for conveniently located parking facilities. Experience in other downtown districts indicates that high density urban residential development requires convenient, secured parking facilities.

Exhibit E shows a forecast for downtown housing construction comparing the North Central Texas Council of Governments (NCTCOG) Household Forecast for downtown and the residential Pro Forma Downtown Housing Construction Schedule. By 2030, it is estimated that downtown will reach capacity of over 10,600 residential units.

Exhibit E

Comparison of NCTCOG Household Forecast for Downtown and Pro Forma Downtown Housing Construction Schedule

Conclusion:

The pro forma's pace of Downtown housing additions tracks the forecast by the North Central Texas Council of Governments.

NCTCOG

		Compare							
(a)	(b)	(c)	(d)	(e)	(f)	(g)			
NCTCOG Forecast of Downtown Households	Residences Needed to Meet NCTCOG Forecast @ 92% Occupancy	Cumulative Downtown Residential Units	After Completion of	Estimated Building Floor Area (SF) (excl. parking)	Approximate Residential Units Added @ 1,000 SF per Unit If Unknown	Status			
2000	1,654	1,798	1,798 **						
2001	2,090 *	2,272	1,806	1611 Main Street Lofts***		8	Complete		
2002	2,526 *	2,746	2,426	Camden Farmers Market, Ph. 1***		620	Complete		
2002	2,526 *	2,746	2,443	Camden Farmers Market Townhouses***		17	Complete		
2003	2,962 *	3,220	2,451	Residences at Jackson***		8	Complete		
2004	3,398 *	3,694	2,634	Davis Building***		183	Complete		
2004	3,398 *	3,694	2,701	1505 Elm Street Condominiums***		67	Complete		
2005	3,835 *	4,168	2,859	Dallas Power and Light***		158	Complete		
2005	3,835 *	4,168	3,063	West End Complex (1001 Ross)		204	Complete		
2005	3,835 *	4,168	3,197	Interurban Building***		134	Under Construction		
2006	4,271 *	4,642	3,482	Camden Farmers Market, Ph. 2***		285	Under Construction		
2007	4,707 *	5,116	3,572	1407 Main***		90	Under Construction		
2007	4,707 *	5,116	3,640	1415 Main (Gulf States Building)***		68	Under Construction		
2007	4,707 *	5,116	3,800	Santa Fe #4	159,791	160	Planned		
2007	4,707 *	5,116	3,891	The Lofts at Thanksgiving Square***		91	Planned		
2007	4,707 *	5,116	3,995	Merryvale***		104	Planned		
2007	4,707 *	5,116	4,222	Gables at Republic Center***		227	Under Construction		
2007	4,707 *	5,116	4,505	1200 Main (Metropolitan)***		283	Under Construction		
2008	5,143	5,590	4,937	Fidelity Union***		432	Planned		
2008	5,143 *	5,590	4,962	1414 Elm	35,000	25	Planned		
2008	5,143 *	5,590	5,337	Mercantile block	500,000	375	Planned		
2009	5,579 *	6,064	5,397	One Arts Plaza***		60	Planned		
2009	5,579 *	6,064	5,557	Continental Building	304,860	160	Planned		
2009	5,579 *	6,064	5,737	211 N. Ervay***	180,000	180	Developer Interest		
2009	5,849 *	6,357	6,137	Tower Petroleum/1900 Pacific	400,328	400	Planned		
2009	5,849 *	6,357	6,156	1600 Elm	19,210	19	Planned		
2009	5,849 *	6,357	6,654	1600 Pacific	498,270	498	Planned		
2009	5,849 *	6,357	6,702	1604 Main	47,720	48	Developer Interest		
2009	5,849 *	6,357	6,860	Praetorian Building	157,991	158	Developer Interest		
2010	6,015 *	6,538	6,860						
2010	6,015 *	6,538	7,062	Atmos block	86,586	202	Planned		
2010	6,015 *	6,538	7,642	511 Akard	580,000	580	Developer Interest		
2011	6,181 *	6,719	7,880	Federal Reserve Building	237,643	238	Developer Interest		
2015	6,846 *	7,442	8,070	Mercantile Commerce Building	190,221	190	Developer Interest		
2020	7,678 *	8,345	8,152	1954 Commerce	81,800	82	Developer Interest		
2022	8,010 *	8,707	8,389	500 South Ervay	614,176	237	Developer Interest		
2023	8,176 *	8,887	8,514	Crozier Tech	125,058	125	Developer Interest		
2026	8,675 *	9,429	8,836	Jackson Building	322,596	323	Developer Interest		
2027	8,841 *	9,610	9,348	Dallas Grand	511,584	512	Developer Interest		
2027	8,841 *	9,610	10,685	Elm Place	1,336,894	1,337	Developer Interest		
2030	9,340 *	10,152	10,685						
						8,887			

*Straight-line interpolation between NCTCOG estimates

**Assumes NCTCOG household count and 92% occupancy

***Outside Downtown Connection TIF Zone

Section 2 Project Plan Improvements

The public improvements enumerated in the Project Plan provide for approximately \$231 million for the public improvement categories listed below:

I. Catalyst Project – The Zone’s only catalyst project included the Mercantile block, Continental Building, and Atmos Energy Buildings (including, but not limited to, environmental remediation, demolition, historic façade restoration, street and utility improvements, streetscape improvements, machinery, equipment, materials, and supplies). The Mercantile Block was completed 2009, the Phase I of the Atmos Complex project and the Continental Building were completed in 2013. Phase II of the Atmos Complex project will be completed 2016.

II. Redevelopment of Vacant/Underutilized Downtown Buildings, Undeveloped/Underdeveloped Parcels, and Surface Parking Lots – This category includes TIF eligible expenditures for design, engineering and construction costs for environmental remediation, interior and exterior demolition, façade improvements, historic façade restoration and Economic Development TIF Grants for TIF projects in the Zone further described below.

I and II:

A. Environmental Remediation, Interior/Exterior Demolition, Historic Facade Restoration Improvements/ Easements and Fire Safety Improvements/Grants. Downtown Dallas has several buildings that have been financially unfeasible to redevelop because of the cost of environmental remediation of asbestos, lead-based paint and other contaminants, interior and exterior demolition costs, façade improvement costs and fire accessibility issues. Interior and external demolition expenses are tied directly to the remediation expenses. These costs are TIF eligible expenditures. Remediation of environmentally hazardous materials and associated improvements, using TIF funds, greatly improves the marketability of these buildings. This budget category is necessary for attracting a high impact mixed use project to the TIF District and to attract new retail activity in the ground floor of buildings in the downtown area.

Historic facade restoration improvements and new construction under this program will be reviewed for compliance with design guidelines to ensure compatibility with other improved structures and investment in the area.

B. Acquisition and restoration of historic sites. The vacancy rate in historic buildings in the downtown area is high. Acquisition and restoration of historic buildings by public entities will be supported as an eligible Project Cost to enable the redevelopment of these structures. Only buildings that are designated as a local historic landmark or listed on the National Register of Historic Places will be eligible for assistance under this program. The intent of this program is to

support and preserve these recognized historic landmarks within the Downtown Connection TIF District.

Acquisition of a conservation or beautification easement may preserve the architectural (i.e., aesthetic) effects of these buildings enhancing the facade of new or redeveloped structures downtown. The City of Dallas, using TIF funds, can acquire such an interest in these architecturally or aesthetically significant structures in the District, leaving the maintenance to the property owner. Facade easements may include funding for projects where additional facade expenditures are needed to ensure that new construction is compatible with historic buildings, particularly with regard to building quality.

State law has been amended to permit the Downtown Connection TIF District to consider making direct grants to accomplish these purposes.

As part of the Catalyst Project, TIF funds may be used to purchase or re-purchase a vacant property or building and costs related to purchasing the building and developing a redevelopment plan for the building, consistent with the economic development objectives of the Downtown Connection TIF District.

C. Street and utility improvements. This category includes TIF eligible expenditures for street paving and related items, infrastructure upgrades/relocation (water, wastewater, storm sewer), and burial of overhead utilities.

D. Streetscape Improvements. The category includes lighting, sidewalk and infrastructure improvements, expanding linkages between the downtown core, the DART light rail system, the Farmers Market, the Arts District, the Convention Center, Deep Ellum, Dallas County offices and Uptown Districts to enhance pedestrian and vehicle continuity and other streetscape improvements related to specific projects.

E. Land Acquisition. The City may consider acquiring property by using eminent domain, if necessary and to the extent permitted by law, to implement the TIF Plan. Potential land acquisitions may include: Properties needed for pedestrian safety and accessibility;

- Park sites described in the Downtown Park Master Plan, that supports the Downtown Connection TIF District, in accordance with Downtown Dallas 360 Area Plan;
- Key development sites, which may be:
 - a) Locations adjacent to park sites in the Downtown core, or
 - b) Locations identified in the City Center TIF District Parking Strategy study as priority locations for public parking, or
 - c) Land or rights to land obtained for a redevelopment project in accordance with a development agreement.

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

G. Economic Development TIF Grants. Direct TIF grants for vacant/underutilized buildings, undeveloped/underdeveloped parcels and existing surface parking lots may be provided if TIF funds necessary to make a project feasible exceed TIF eligible costs. The project must support the Zone's goals and objectives.

II. Uptown/Downtown Connection Improvements. This category included projects that enhance pedestrian accessibility and provide public activity areas, as well as other enhancements for the Uptown and Downtown areas. Development of the Woodall Rodgers Deck/Park was a priority project for the Downtown Connection TIF District and funds dedicated to this line item were to be used to fund the City portion of the project's cost. Alternatively, the City used 2006 General Obligation Bond proceeds to fund the City's portion of the Klyde Warren Deck Park and Cedar Springs Median improvements because TIF funds were not available. The Klyde Warren Deck Park opened in 2012. As a result of the completion of the deck park and median improvements, funds originally allocated to this line item will be reprogrammed to the Redevelopment of Vacant/Underutilized Downtown Buildings, Undeveloped/Underdeveloped Parcels, and Existing Surface Parking Lots budget line item.

IV. Park and plaza design and acquisition. Public open space is an important amenity in a Downtown area. Several projects can help accomplish this objective using the Downtown Dallas 360 Area Plan as a primary guide. Funding would be provided for design and land acquisition as necessary for implementation.

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

VI. Ground Floor Activation/Streetscape Improvements. This category supports ground floor activation and/or occupancy that is contiguous by filling vacant gaps at the ground floor plane and will be in the form of a TIF Grant. The use of funds in this category will be guided by the Downtown 360 Plan's Main Street Activation Strategy which provides recommendations for street level vibrancy, including retail activation, tenant mix, branding and design as well as storefront improvements, façade renovation, blank wall activations, outdoor/patio dining, cafes in public open spaces and glass box retail. Funds from this line item will be used in the Zone and the greater downtown area, if it benefits the Zone, in accordance with a Ground Floor Activation Program.

This category funded streetscape improvement projects, including decorative screening of surface parking lots within the District. A fencing program was completed in 2007 installing enhanced fencing along commercial surface parking lots located within the City Center TIF District. Remaining funds in this line item will be dedicated solely to funding a Ground Floor Activation Program.

VII. Administration and Implementation. Administrative costs, including reasonable charges for the time spent by employees of the municipality and/or employees associated with any non-profit groups established to assist with implementation within the TIF District will be eligible for reimbursement as project costs, upon approval by the TIF Board of Directors and in connection with the implementation of the Downtown Connection TIF Project Plan and Reinvestment Zone Financing Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures and equipment are included in this category.

VIII. Non-project Costs. It is anticipated that the City may make economic development loans or grants either to the Downtown Connection TIF District or to the DDDA (hereinafter defined), in furtherance of implementing this Plan. Should such loans or grants be made, consistent with the financing documents authorizing the issuance of bonds or other obligations issued by the DDDA to finance project costs, tax increments may be transferred to the City, in an amount not to exceed \$15,000,000, to reimburse the City for the funds made available by any such Chapter 380 economic development loans or grants in furtherance of the implementation of this Plan, and fulfilling the public purposes of developing and diversifying the economy of the District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District. All bonds issued by the DDDA are subject to City Council approval and to minimize the exposure to the City's general funds revenues, the DDDA shall maintain sufficient debt reserve accounts and coverage ratios.

Planned Private Development

- 5,600 residential units in Downtown
- 3,200 additional units in Uptown
- Absorption of 3,000,000 square feet of the currently vacant office space in the District
- Absorption of 125,000 square feet of retail space in Downtown
- Absorption of 250,000 square feet of retail space in Uptown
- Absorption of 800,000 square feet of new office space in Downtown
- Absorption of 800,000 square feet of new office space in Uptown
- Creation of 20 acres of park and open space
- Leverage funding for improved connectivity between Downtown and Uptown.
- Restore property value "inside the Loop" to levels above the 1990 value

The total increased property value is forecasted to be approximately \$4 billion. The Downtown Connection TIF District's assessed tax value in 2004 was \$465,185,699.

EXHIBIT A

The cumulative incremental property tax revenue potential of the planned development will be approximately \$231 million (net present value) in public improvement projects.

TIF District Policy Considerations

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

Business Inclusion and Development (BID) Plan. All TIF-funded projects must follow the City's adopted Business Inclusion and Development Plan. This policy outlines goals for certified Minority and Women-Owned Business (M/WBE) participation in publicly funded infrastructure projects. The BID Plan goal is 25 percent for construction of public improvements. The goal for private improvements is negotiated in the development agreement. The process for BID compliance and City oversight will be negotiated with City staff and included in the development agreement for each individual project.

Creating Permanent Jobs for Area Residents. TIF applicants must agree to sponsor job fairs or other programs to attract neighborhood residents to any permanent jobs created in the development.

Design Review/Peer Review Process. All new projects developed in the district shall be required to follow a peer review process. Conformance to design standards for non-TIF funded projects is voluntary but strongly encouraged to maintain the design focus of the implementation of the Downtown Connection TIF Plan.

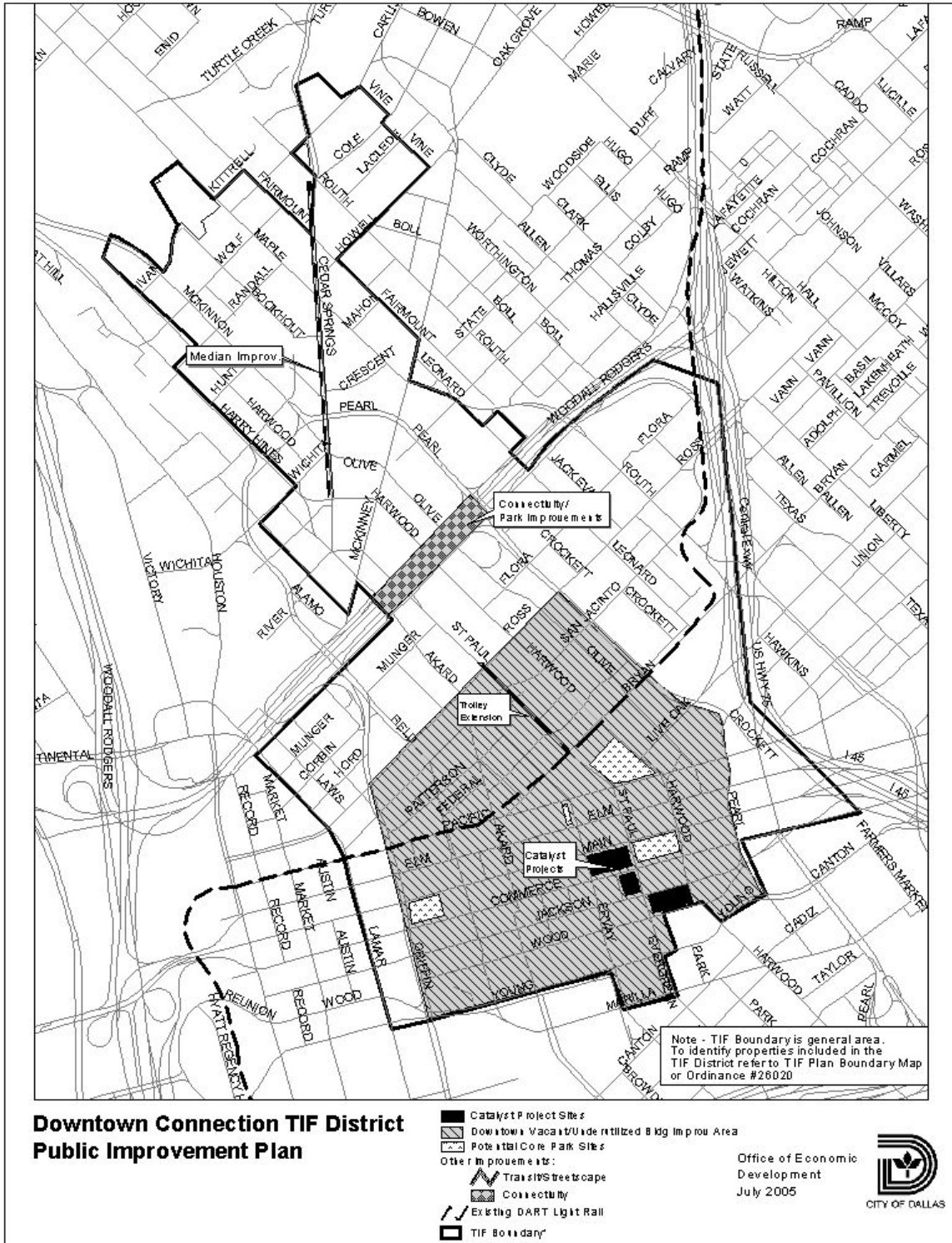
Existing Resident Displacement. The Act requires that existing resident displacement be minimized.

Eminent Domain. The City may consider the use of eminent domain as necessary and convenient to implement the Downtown Connection TIF project and financing plan. Potential land acquisitions with eminent domain may include:

- Properties needed for pedestrian safety and accessibility;
- Park sites described in the CBD Park Master Plan;
- Key development sites, which may be:
 - a) Locations adjacent to park sites in the Downtown core; or
 - b) Locations identified in the City Center TIF District Parking Strategy study as priority locations for public parking, or

- c) Catalyst Project.
- d) Land or rights to land obtained for a redevelopment project in accordance with a development agreement.

Exhibit F Downtown Connection TIF District Public Improvement Plan



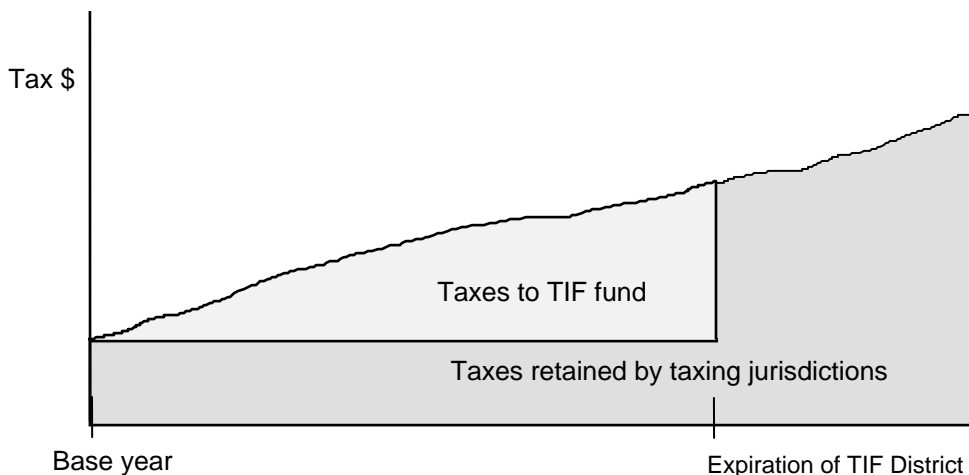
Section 3: Financing Plan

Tax increment financing (“TIF”) is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. The improvements strengthen existing communities and attract investment. Statutes governing TIF are in Chapter 311 of the Texas Tax Code.

A municipality makes an area eligible for tax increment financing by designating a reinvestment zone. The additional tax dollars generated by growth of real property value flow to a “tax increment financing fund” (“TIF fund”) for a specified term of years. Money flowing to the TIF fund each year is disbursed according to a plan approved by a TIF board and the City Council, as prescribed by statutes and the ordinance designating the reinvestment zone. The Fund may be used to make grants in furtherance of the development for the District and for public improvements within the reinvestment zone. TIF funds may also to be used for public improvements at places of public assembly, such as a park, or for affordable housing, even though outside the zone.

The illustration below shows how tax from real properties in a TIF zone flows to a taxing jurisdiction and to a TIF fund. This assumes real property values in the TIF zone rise soon after the zone’s designation.

Real Property Tax Flow with Tax Increment Financing



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

Once the public improvements are completed and paid for, the TIF is dissolved and the full amount of the taxes collected in area are kept by the taxing jurisdictions. In effect, the taxing jurisdictions are “investing” future earnings to receive the benefit of higher tax

EXHIBIT A

revenues from new development. Also, taxing jurisdictions are not restricted from raising their tax rates during the life of the zone.

Financing Plan

The Reinvestment Zone Financing Plan provides for incremental financing, and predicts revenues for the Downtown Connection TIF District. Exhibit L compares the last adopted budget for the Zone to the amended budget below.

Exhibit G: Downtown Connection TIF District Amended Improvements Budget

*Project costs are public improvements and grants paid or reimbursed by the District.
Projects cost may be changed in subsequent project and financing plan amendments.*

Category	Amended NPV Budget (2006) ¹	Estimated Total Dollars TIF Budget ²
Catalyst Projects: - Environmental remediation, demolition, historic façade, restoration, street/utility improvements & streetscape improvements, land acquisition, and non project costs, including, but not limited to machinery, equipment, materials and supplies	\$68,000,000	\$68,000,000
Redevelopment of Vacant/Underutilized Downtown Buildings, Underdeveloped Parcels, Surface Parking Lots - Environmental remediation, interior/exterior demolition, historic façade restoration, street/utility improvements, land acquisition, Economic Development TIF grants, affordable housing	\$152,653,168	\$309,043,392
Uptown/Downtown connection improvements³	\$0	\$0
Park and plaza design and acquisition	\$1,500,000	\$3,534,594
Affordable Housing⁴	\$3,000,000	\$3,000,000
Ground Floor Activation/Streetscape Improvements⁴	\$1,985,000	\$1,985,000
Downtown Area Plan⁴	\$515,000	\$515,000
Administration and Implementation	\$3,940,386	\$9,285,109
Debt Service (Interest Only)		\$150,363,000
Total	\$231,593,554	\$545,726,096

¹Amended NPV Budget values discounted to 2006 dollars at 5% discount rate.

²Amended Total Dollar values reflect estimated total collections over the life of the District. These values will fluctuate annually.

³Funds allocated to the Uptown/Downtown connection improvements line item have been reprogrammed to the Redevelopment line item.

⁴Funds for the Affordable Housing, Ground Floor Activation/Streetscape Improvements, and Downtown line items are in cash.

Financing Method. The City's current policy for financing TIF projects is for private groups to advance funds for public improvements in the reinvestment zone or to have funds paid directly from the Downtown Connection TIF District Fund as funds become available. The City has financed all its prior TIF District projects on a pay-as-you-go basis. Advances may be repaid by the future cash flows to the Downtown Connection TIF District fund. Taxing jurisdictions need not guarantee these loan repayments with any other source. The City of Dallas, using TIF funds, may purchase facade easements for specific buildings. In addition, other public improvements included in the Project Plan may be funded directly from the Downtown Connection TIF District funds, as incremental revenue is available.

In connection with the shift in approach from funding seed project to focusing resources into a large catalyst project, the City may consider using the TIF fund to reimburse project cost principal and interest and other financing costs. The City may negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of two categories of projects within the TIF zone, using any financial instrument, subject to City Council approval of the note or credit line or issue bonds or other obligations for:

- Catalyst Project: These were public improvements related to the Mercantile Block, Atmos Complex and Continental Building for which total project investment from all sources will exceed \$100,000,000;
- Accessibility/safety projects: These are public improvements to achieve greater safety or accessibility and to foster redevelopment of small commercial structures.
- Other projects so determined by the Downtown Connection TIF District Board of Directors and the City Council.

The City of Dallas created a local government corporation called the Dallas Downtown Development Authority ("DDDA") to assist with the development of TIF improvements in the zone. The City, in its name or through the DDDA, may issue bonds or other obligations ("Bonds") in an aggregate principal amount estimated to be \$66 million to aid in the funding of project costs within the Downtown Connection TIF District, secured in whole or in part with City general fund annual appropriation of Chapter 380 grants and/or tax increment revenues, subject to City Council approval of the issuance of such Bonds. Bonds may be issued to fund capitalized interest and reserve funds for the Bonds. In addition, the DDDA may seek to obtain a line or letter of credit to support activities consistent with the objectives of this Plan.

Financing Policy and Long Term Financing. The goal of the Downtown Connection TIF District is to leverage increment accrued to maximize development in the District. It is the intention of the Board of Directors that the increment received initially goes to catalyst projects such as the Mercantile block, Continental Building, and Atmos Energy Buildings.

It is anticipated that the City, the Downtown Connection TIF District Board of Directors and the will DDDA enter into an agreement pursuant to which:

- TIF revenues would be transferred from the TIF fund to the DDDA.
- The City delegates to the DDDA certain duties and responsibilities concerning implementation of the project plan
- The DDDA agrees to use the funds received to secure bonds and agrees to assume the duties and responsibilities delegated to it by the City, subject to the conditions of the agreement.

Expected Revenues. Exhibit H is a list of developments anticipated in the Downtown Connection TIF zone through 2027. Some of the identified developments will probably not occur, while other development projects likely will replace them. This schedule represents the best estimate of anticipated development in the area. Actual timing, floor area, uses and other attributes of the identified developments may differ from the schedule.

Unit values supporting appraisal estimates in Exhibit H are based on observations of values assigned to comparable developments by the Dallas Central Appraisal District (DCAD). Actual construction costs or trading prices may differ. Because tax increments are measured by DCAD values, these are the relevant measures of value for a TIF financing plan. To show the reasonableness of appraisal estimates in this plan, Exhibit I presents 2004 appraisals by DCAD of several properties in the TIF zone and nearby that are believed similar to the forecast development.

Within the next twenty years, the anticipated pace of development will likely consume much of the vacant land in the zone north of Woodall Rodgers Freeway. There is also strong probability that some land with existing structures in 2005 will redevelop within that time horizon.

The sites anticipated for redevelopment with the Downtown Connection TIF zone may constitute most of the redevelopment in the zone through 2027, although some unnamed sites will inevitably substitute for listed sites. Further redevelopment on both sides of Woodall Rodgers Freeway after 2027 is likely, but not forecast in this analysis for two reasons: (1) Tax increments are estimated to flow to the TIF zone for only twenty-two years (the legal life of the TIF is thirty years); (2) Forecasts further into the future become marginally reliable.

Based on the development projects identified in Exhibit H and other stated assumptions, Exhibit J estimates annual City/County real property taxes from the TIF zone and annual percentages and amounts of the real property tax growth increment reinvested each year in the Downtown Connection TIF fund. Cumulative increased property value is expected to be approximately \$4 billion during the 30-year term of the TIF District. Projects assume a 90% reinvestment rate for the City during the 30-year life of the TIF and 55% from the County with a term of 20 years or until the Project Cost Budget of \$231 million is reached. The County's contribution is capped at a net present value of \$18.5 million. The final terms of the County's contribution of its tax increment has been set forth in an inter-local participation agreement between the City and the County.

Financial Assumptions

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions that have been adopted.

Inflation. The generally accepted inflation for construction costs and the value of improvements is 3.0% per annum. Based on current market rates, net present values of the tax increment were calculated at a discount rate of five percent per annum.

Appreciation. Property appreciation is assumed to be 2.5% per annum on average.

Tax Rate Changes. Although tax rates will certainly increase during the 30-year development period, the financial plan conservatively assumes that the tax rate will remain constant for the life of the Downtown Connection TIF District, except to incorporate tax rate changes when known.

Remittance to the TIF Fund. The City of Dallas will participate at a rate equal to approximately 90% of incremental value during the 30 year term of the TIF or until the budget of \$231 million (net present value) is reached and Dallas County will participate at a rate of 55% of incremental value during the first 20 years of the term. Dallas County's participation is capped at a net present value of \$18.5 million.

Financial Feasibility

The private development plans, public improvement program, general financing strategy and financial assumptions were all included in an economic feasibility study prepared by Stein Planning and Management. The study is intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011, Texas Tax Code, and is available upon request.

Cumulative increased property value is expected to be approximately \$4 billion during the 30-year term of the TIF District.

The TIF District projections provide for increment collections over the entire 30-year life of the District.

On a strict "pay-as-you-go" basis, the progress of the public improvements portion of the development program is a direct result of the revenues received (and matched by the City's contributions). Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not meet expectations, then the pace of public improvements will be slowed or discontinued altogether based upon the advice of the Board of Directors and the approval of the City Council.

Based upon a set of TIF District assumptions and analysis of the project and financing plan, the Downtown Connection Board of Directors has concluded that the plan is feasible.

Financial Policies

General financial policies are governed by the City of Dallas Public/Private Partnership Program that was first approved by the City Council on March 13, 1996. This program provides a framework for development incentives in a variety of areas. Within this framework the Downtown Connection Board of Directors has adopted specific policies for the Downtown Connection TIF District:

- The Catalyst Project (Mercantile Block, Atmos Complex, and Continental Building) was recognized as a major component of the Downtown Connection TIF District Public Improvement Plan, therefore, the majority of increment accrued will be set aside for such projects.
- Public improvements will be phased at a pace that coincides with private development.
- Private developers desiring City participation in cost-sharing for infrastructure improvement needs for their projects must sign a Development Agreement with the City.
- Each Development Agreement is mutually exclusive - that is, the nature and extent of support with public funds may change over time as the District becomes more developed.
- The City may negotiate with financial institutions to secure notes or lines of credit to aid in the funding of two categories of projects within the TIF zone, using any financial instrument, subject to City Council approval of the note or credit line, or issue certificates of obligation or TIF bonds for catalyst projects and accessibility/safety projects as described earlier in the Project Plan.
- If a developer needs infrastructure improvements constructed at a time when sufficient funds are not available in the TIF Reserve Fund, then improvements may be:
 - ~ deferred until funds are available
 - ~ constructed at the sole expense of the developer
 - ~ constructed at developer expense, with the City reimbursing the developer as funds become available

- Private development must substantially conform to "private development design guidelines" adopted by the Downtown Connection Board of Directors in order to receive cost participation benefits for infrastructure improvements.

The Downtown Connection TIF Board may from time-to-time recommend amendments to these financial policies which will affect the operations of the TIF District.

Should project costs be paid that directly benefit the developer of a catalyst project, such as the acquisition of machinery, equipment, materials and supplies, or grants made to a developer as permitted by Chapter 311, Texas Tax Code, the City will establish sufficient controls to ensure that the expenditure does result in the public purpose being carried out and that the public is protected in the use of public funds, such as the tax increment revenues, for the intended result.

The DDDA may undertake such activities as determined by the City Council to be necessary or convenient to implement the Plan, including the issuance of bonds or other obligations to finance the payment of project costs. No such bonds or other obligations shall be issued by the local government corporation without prior City Council approval.

The City reserves the right to amend this plan to provide for the establishment of a "sales tax increment" collection process, as permitted by Chapter 311, Texas Tax Code.

Other Financial Benefits

New residents of Downtown will spend for goods and services subject to sales tax. Because the City has a one-cent sales tax, this generates municipal revenue. Exhibit K estimates City sales tax attributed to new Downtown residences. The schedule makes no allowance for a share of purchases by Downtown residents outside Downtown, but it assumes these external purchases will be offset by purchases from tourists, convention attendees and visitors from outside Downtown who will be drawn to spend more time Downtown. Many of the buildings that will be adapted for residential use with help from the TIF program are expected to use ground level space for retail tenants or restaurants.

The Dallas Independent School District is not expected to participate in the Downtown Connection TIF program. State law governing school funding since September 1999 makes TIF participation generally unattractive for a school district. Nevertheless, the DISD will receive a windfall from the Downtown Connection zone estimated at roughly \$1.8 billion over forty years. All DISD tax projections bear risk that new Texas law may cap the rate of local property tax a school district may levy.

Conclusions

Based upon a set of assumptions and analysis of the Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan, the Downtown Connection TIF District Board of Directors has concluded that the Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan is feasible.

The success of the Downtown Connection TIF District development will allow downtown Dallas to become more of an activity center. The new residential population base will support downtown Dallas' expanding retail and entertainment activities and enhance the area's overall market image. The success of this program will protect and build on the region's greatest real estate asset.

The Downtown Connection TIF District Project Plan and Reinvestment Zone Financing Plan was developed with these specific needs in mind.

Exhibit I

Comparable Developments based on DCAD 2004 Appraisals

(a)	(b)	(c)	9d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
Development Name	Address	Improvements	Land	Total Value	Bldg. SF	IV per BSF	Land SF	Land per LSF	Total per BSF	FAR
Mixed use centers										
The Crescent	500 Crescent	\$242,570,000	\$25,984,920	\$268,554,920	1,722,192	\$141	433,082	\$60	\$156	3.98
	3699 McKinney	\$33,269,340	\$6,745,320	\$40,014,660	315,535		224,844			
	3699 McKinney	\$4,255,070	\$1,730,070	\$5,985,140	34,336		57,669			
West Village		\$37,524,410	\$8,475,390	\$45,999,800	349,871	\$107	282,513	\$30	\$131	1.24
Mockingbird Station	5307 Mockingbird	\$51,224,220	\$10,627,060	\$61,851,280	565,675	\$91	379,538	\$28	\$109	1.49
Retail centers										
One-Stop Mini-Mart	2324 McKinney	\$576,860	\$1,423,080	\$1,999,940	3,509	\$164	23,718	\$60	\$570	0.15
Knox Park Village	3001 Knox	\$12,182,090	\$2,798,910	\$14,981,000	81,893	\$149	87,172	\$32	\$183	0.94
Lincoln Park (retail with. grocery)	7700 W. Northwest	\$20,260,770	\$11,299,680	\$31,560,450	153,642	\$132	502,208	\$23	\$205	0.31
Highland Park Village	4201 Mockingbird	\$28,648,860	\$15,918,560	\$44,567,420	230,948	\$124	397,964	\$40	\$193	0.58
HPV parking north of M'bird	4200 Mockingbird	\$0	\$4,108,360	\$4,108,360	0	N.A.	102,709	\$40	N.A.	0.00
Highland Park Village total		\$28,648,860	\$20,026,920	\$48,675,780	230,948	\$124	500,673	\$40	\$211	0.46
Best Buy, CompUSA, Office Max	9358 N. Central	\$21,310,230	\$9,544,770	\$30,855,000	184,996	\$115	636,318	\$15	\$167	0.29
Office buildings										
Chase Tower	2200 Ross	\$151,599,640	\$2,799,830	\$154,399,470	1,250,000	\$121	111,993	\$25	\$124	11.16
Trammell Crow Center	2001 Ross	\$140,591,200	\$2,851,440	\$143,442,640	1,245,324	\$113	95,048	\$30	\$115	13.10
2100 McKinney	2100 McKinney	\$39,810,540	\$8,189,460	\$48,000,000	374,654	\$106	136,491	\$60	\$128	2.74
Fountain Place	1445 Ross	\$121,795,310	\$2,204,690	\$124,000,000	1,297,418	\$94	78,739	\$28	\$96	16.48
1845 Woodall Rodgers	1845 Woodall Rodgers	\$10,278,510	\$1,266,650	\$11,545,160	185,007	\$56	36,190	\$35	\$62	5.11
Residences										
1999 McKinney condos (62)	1999 McKinney	\$32,925,450	\$1,309,414	\$34,234,864	175,482	\$188	29,098	\$45	\$195	6.03
		(Improvement figures are estimates based on 100% of three middle floors.)								
Portobello townhouse condo unit	33xx Blackburn	\$415,870	\$59,130	\$475,000	2,606	\$160	N.A.	N.A.	N.A.	N.A.
Travis Terrace townhouse condo	39xx Travis	\$400,610	\$42,420	\$443,030	2,782	\$144	2,121	\$20	\$159	1.31
Lincoln Park	5445 Caruth Haven	\$35,455,780	\$9,544,220	\$45,000,000	395,377	\$90	636,281	\$15	\$114	0.62
The Abbey	2521 Worthington	\$4,155,550	\$944,450	\$5,100,000	48,082	\$86	29,514	\$32	\$106	1.63
Heights of State Thomas	3015 State	\$14,778,910	\$3,921,090	\$18,700,000	173,545	\$85	122,534	\$32	\$108	1.42
Knox Travis Park	4611 Travis	\$10,962,040	\$537,960	\$11,500,000	137,331	\$80	26,898	\$20	\$84	5.11
	2816 Guillot	\$10,364,586	\$3,185,490	\$13,550,076	171,403		91,014			
	2518 Colby	\$14,849,970	\$5,889,960	\$20,739,930	275,636		175,982			
	2427 Allen	\$8,687,790	\$1,962,210	\$10,650,000	123,754		61,319			

Uptown Village		\$33,902,346	\$11,037,660	\$44,940,006	570,793	\$59	328,315	\$34	\$79	1.74
Gables at Routh	2600 Cole	\$9,033,540	\$2,128,460	\$11,162,000	142,507	\$63	60,813	\$35	\$78	2.34
Mirabella	2600 Cole	\$9,033,540	\$2,128,460	\$11,162,000	142,507	\$63	60,813	\$35	\$78	2.34
Jefferson at Gaston	2752 Gaston	\$26,158,960	\$4,665,280	\$30,824,240	417,815	\$63	548,856	\$9	\$74	0.76
Block 588 Condos	3110 Thomas	\$13,603,550	\$1,636,450	\$15,240,000	229,074	\$59	51,139	\$32	\$67	4.48
Heights of State Thomas	3110 Thomas	\$16,111,970	\$3,688,030	\$19,800,000	299,362	\$54	115,251	\$32	\$66	2.60
Davis Building	1309 Main	\$12,876,320	\$873,000	\$13,749,320	241,481	\$53	14,550	\$60	\$57	16.60
Majestic Lofts Residences	1900 Elm	\$6,553,000	\$1,200,000	\$7,753,000	126,000	\$52	20,000	\$60	\$62	6.30
Kirby Building	1501 Main	\$9,849,880	\$900,120	\$10,750,000	203,824	\$48	15,002	\$60	\$53	13.59
Gables Concord	3003 Bookhout	\$6,044,580	\$4,755,420	\$10,800,000	138,390	\$44	158,514	\$30	\$78	0.87
Jefferson at the North End	2323 N. Field	\$25,754,460	\$16,395,540	\$42,150,000	623,997	\$41	468,444	\$35	\$68	1.33
Camden Farmers Market	2210 Canton	\$15,823,610	\$5,676,390	\$21,500,000	381,441	\$41	306,832	\$18	\$56	1.24
Wilson Building	1623 Main	\$8,985,000	\$1,740,000	\$10,725,000	250,778	\$36	29,000	\$60	\$43	8.65
Rovello	2610 Allen	\$13,960,180	\$4,727,740	\$18,687,920	397,294	\$35	132,117	\$36	\$47	3.01
Hotels										
The Mansion on Turtle Creek	2821 Turtle Creek	\$16,504,480	\$5,495,420	\$21,999,900	82,976	\$199	157,012	\$35	\$265	0.53
Hotel Zaza	2332 Leonard	\$11,782,940	\$2,918,340	\$14,701,280	102,010	\$116	48,639	\$60	\$144	2.10
	2007 Live Oak	\$3,898,390	\$1,521,000	\$5,419,390	0		43,457			
	2117 Live Oak	\$68,759,606	\$3,484,460	\$72,244,066	535,478		99,556			
	443 Olive	\$5,722,150	\$2,777,810	\$8,499,960	292,056		79,366			
	400 Olive	\$0	\$94,550	\$94,550	0		7,879			
Adam's Mark Hotel		\$78,380,146	\$7,877,820	\$86,257,966	827,534	\$95	230,258	\$34	\$104	3.59
	300 Reunion	\$62,744,660	\$3,287,340	\$66,032,000	657,212		205,549			
	500 S. Stemmons	\$0	\$2,491,750	\$2,491,750	0		177,982			
	201 Reunion	\$0	\$916,180	\$916,180	0		76,348			
	400 S. Stemmons	\$0	\$811,640	\$811,640	0		57,974			
	311 Reunion	\$0	\$237,240	\$237,240	0		16,946			
	300 Hyatt Regency	\$0	\$41,060	\$41,060	0		9,165			
Hyatt Regency Hotel		\$62,744,660	\$7,785,210	\$70,529,870	657,212	\$95	543,964	\$14	\$107	1.21
Hotel St. Germain	2516 Maple	\$500,790	\$540,400	\$1,041,190	8,273	\$61	15,440	\$35	\$126	0.54
	1717 N. Akard	\$24,721,980	\$2,462,520	\$27,184,500	579,037		87,947			
	1717 N. Akard	\$0	\$315,500	\$315,500	0		11,268			
Fairmont Hotel		\$24,721,980	\$2,778,020	\$27,500,000	579,037	\$43	99,215	\$28	\$47	5.84
Building floor area measurements exclude parking garages. Improvement appraisals include garages.										
Grocery stores										
Whole Foods Market	4100 Lomo Alto	\$3,382,000	\$1,775,900	\$5,157,900	35,600	\$95	70,236	\$25	\$145	0.51
Kroger Signature	5665 E. Mockingbird	\$2,623,330	\$4,188,550	\$6,811,880	79,228	\$33	349,046	\$12	\$86	0.23

Exhibit J

Downtown Connection TIF District Increment Projections

Projected TIF Increment Schedule

Tax Year	Total Property Value Estimate ¹	Property Value Growth	Comp. Value Growth	Anticipated Captured Value	Anticipated Accumulated Revenue (NPV)	Tax Increment Revenue into TIF * CITY @ 90%	Tax Increment Revenue into TIF ** COUNTY @ 55%	Anticipated Increment Revenue	NPV Anticipated Increment Revenue (2006)
Base 2005	\$561,696,137	(1)							
Base 2009	\$564,917,317	(2)							
1 2006	\$759,033,448	35.13%	35.13%	\$197,337,311	\$1,370,108	\$1,208,059		\$1,438,614	\$1,370,108
County 2007	\$759,016,948			\$197,320,811			\$230,555		
2 2007	\$989,078,707	30.31%	76.09%	\$427,382,570	\$4,450,867	\$2,844,731		\$3,396,536	\$4,450,867
County 2008	\$988,341,787			\$426,645,650			\$551,805		
3 2008	\$1,515,616,786	53.24%	169.83%	\$953,920,649	\$10,691,983	\$6,065,898		\$7,224,872	\$10,691,983
County 2009	\$1,595,047,713			\$1,033,501,376			\$1,158,974		
4 2009	\$1,512,292,589	-0.22%	169.24%	\$947,375,272	\$17,179,939	\$6,768,369		\$7,886,151	\$17,179,939
County 2010	\$1,559,199,640			\$994,432,123			\$1,117,782		
5 2010	\$1,539,047,900	1.77%	174.00%	\$974,130,583	\$23,590,942	\$6,849,382		\$8,182,245	\$23,590,942
County 2011	\$1,583,755,734			\$1,018,988,217			\$1,332,864		
6 2011	\$1,546,807,101	0.50%	175.38%	\$981,889,784	\$29,976,530	\$7,235,640		\$8,557,298	\$29,976,530
County 2012	\$1,589,222,014			\$1,024,304,697			\$1,321,658		
7 2012	\$1,762,069,405	13.92%	213.71%	\$1,197,152,088	\$37,259,180	\$8,587,172		\$10,247,420	\$37,259,180
County 2013	\$1,806,641,969			\$1,241,724,652			\$1,660,248		
8 2013	\$1,804,258,824	2.39%	221.22%	\$1,239,341,507	\$44,397,709	\$8,889,797	\$1,657,062	\$10,546,858	\$44,397,709
9 2014	\$1,877,874,888	4.08%	234.32%	\$1,312,957,571	\$51,600,140	\$9,417,845	\$1,755,490	\$11,173,335	\$51,600,140
10 2015	\$2,188,793,720	16.56%	289.68%	\$1,623,876,403	\$60,083,973	\$11,648,065	\$2,171,204	\$13,819,269	\$60,083,973
11 2016	\$2,464,529,254	12.60%	338.77%	\$1,899,611,937	\$69,535,777	\$13,625,916	\$2,539,876	\$16,165,793	\$69,535,777
12 2017	\$2,692,987,250	9.27%	379.44%	\$2,128,069,933	\$79,620,092	\$15,264,646	\$2,845,336	\$18,109,982	\$79,620,092
13 2018	\$2,823,996,995	4.86%	402.76%	\$2,259,079,678	\$89,815,457	\$16,204,379	\$3,020,502	\$19,224,881	\$89,815,457
14 2019	\$3,137,771,849	11.11%	458.62%	\$2,572,854,532	\$100,873,981	\$18,455,086	\$3,440,035	\$21,895,121	\$100,873,981
15 2020	\$3,351,229,853	6.80%	496.63%	\$2,786,312,536	\$112,279,694	\$19,986,220	\$3,725,439	\$23,711,659	\$112,279,694
16 2021	\$3,443,788,100	2.76%	513.11%	\$2,878,870,783	\$122,601,641	\$20,650,140	\$1,881,376	\$22,531,517	\$122,601,641
17 2022	\$3,512,663,862	2.00%	525.37%	\$2,947,746,545	\$131,826,780	\$21,144,186	\$0	\$21,144,186	\$131,826,780
18 2023	\$3,586,106,060	2.09%	538.44%	\$3,021,188,743	\$140,831,522	\$21,670,987	\$0	\$21,670,987	\$140,831,522
19 2024	\$3,657,828,181	2.00%	551.21%	\$3,092,910,864	\$149,611,058	\$22,185,450	\$0	\$22,185,450	\$149,611,058
20 2025	\$3,736,318,125	2.15%	565.18%	\$3,171,400,808	\$158,184,713	\$22,748,458	\$0	\$22,748,458	\$158,184,713
21 2026	\$3,811,044,487	2.00%	578.49%	\$3,246,127,170	\$166,542,495	\$23,284,470	\$0	\$23,284,470	\$166,542,495
22 2027	\$3,887,265,377	2.00%	592.06%	\$3,322,348,060	\$174,689,189	\$23,831,203	\$0	\$23,831,203	\$174,689,189
23 2028	\$3,972,098,184	2.18%	607.16%	\$3,407,180,867	\$182,646,057	\$24,439,708	\$0	\$24,439,708	\$182,646,057
24 2029	\$4,051,540,148	2.00%	621.30%	\$3,486,622,831	\$190,400,714	\$25,009,546	\$0	\$25,009,546	\$190,400,714
25 2030	\$4,115,568,049	1.58%	632.70%	\$3,550,650,732	\$197,921,727	\$25,468,818	\$0	\$25,468,818	\$197,921,727
26 2031	\$4,156,723,730	1.00%	640.03%	\$3,591,806,413	\$205,167,621	\$25,764,027	\$0	\$25,764,027	\$205,167,621
27 2032	\$4,198,290,967	1.00%	647.43%	\$3,633,373,650	\$212,148,334	\$26,062,189	\$0	\$26,062,189	\$212,148,334
28 2033	\$4,240,273,877	1.00%	654.91%	\$3,675,356,560	\$218,873,453	\$26,363,333	\$0	\$26,363,333	\$218,873,453
29 2034	\$4,282,676,616	1.00%	662.45%	\$3,717,759,299	\$225,352,221	\$26,667,487	\$0	\$26,667,487	\$225,352,221
30 2035	\$4,325,503,382	1.00%	670.08%	\$3,760,586,065	\$231,593,554	\$26,974,684	\$0	\$26,974,684	\$231,593,554
Total						\$515,315,889	\$30,410,206	\$545,726,096	\$231,593,554
2006 NPV @ 5%						\$213,093,554	\$18,500,000	\$231,593,554	

Assumptions:

- a. City of Dallas expected to participate in the Downtown Connection TIF District for 30 years at a rate of 90%.
- b. Dallas County participation rate is 55% and is capped at \$18.5M.
- c. Stream of annual investments in TIF reflects intent to retire TIF obligations after 30 years.
- d. Property value estimates assume 1% to 2% annual property appreciation and 3% annual inflation.
- e. The base year was adjusted to \$561,696,137 to accommodate boundary additions and deletions made prior to 2006 bonds sale and to accommodate account consolidations/duplications.
- f. The base year was adjusted in 2009 to \$564,917,317 to accommodate boundary additions and deletions made in 2008 and to accommodate account consolidations/duplications.
- g. The projections in this chart are estimated and may fluctuate as a result of any of the following occurrences:
 - (1) Changes in date in which the TIF District may begin releasing TIF funds;
 - (2) Changes in the real property tax rates of participating taxing jurisdictions (City of Dallas and Dallas County);
 - (3) Changes in the participation rate of participating taxing jurisdictions; and/or
 - (4) Completion dates of projects listed in the district's reimbursement queue

Notes:

¹District values in bold print are actual collection amounts for the district; Remaining values are projections.

Exhibit K

Additional City Sales Tax Attributed to New Downtown Residences in the TIF District

Assumptions:

- Average household has AGI of \$60,000 to \$70,000.
- Average household has 1.3 people (1.3 exemptions).
- Sales tax is based on 2004 IRS tables for Texas.
- City sales tax rate remains at 1% of taxable sales.
- Sales tax paid by Downtown residents outside Downtown equals tax on additional Downtown purchases by non-residents.
- No increase of households after 2028.
- No sales tax has been added for building construction materials.

(a) Year	(b) Anticipated Downtown Residential Units	(c) Households @ 92% Occupancy	(d) Households Added After 2005	(e) New Municipal Sales Tax @ \$131 per Added Household Plus Inflation @ 3.00%
2005	2,701	2,485	0	\$0
2006	3,482	3,203	719	\$96,950
2007	4,222	3,884	1,399	\$194,448
2008	5,397	4,965	2,480	\$355,023
2009	5,557	5,112	2,627	\$387,378
2010	7,062	6,497	4,012	\$609,344
2011	7,880	7,249	4,765	\$745,289
2012	7,880	7,249	4,765	\$767,647
2013	6,137	5,646	3,161	\$524,596
2014	6,137	5,646	3,161	\$540,334
2015	8,070	7,424	4,940	\$869,639
2016	8,070	7,424	4,940	\$895,728
2017	6,702	6,166	3,681	\$687,557
2018	6,702	6,166	3,681	\$708,184
2019	6,702	6,166	3,681	\$729,430
2020	8,152	7,500	5,015	\$1,023,509
2021	8,152	7,500	5,015	\$1,054,214
2022	8,389	7,718	5,233	\$1,133,051
2023	8,514	7,833	5,348	\$1,192,702
2024	6,860	6,311	3,827	\$878,998
2025	6,860	6,311	3,827	\$905,368
2026	8,836	8,130	5,645	\$1,375,624
2027	8,836	8,130	5,645	\$1,416,893
2028	10,685	9,830	7,345	\$1,899,073
2029	10,685	9,830	7,345	\$1,956,045
2030	10,685	9,830	7,345	\$2,014,726
2031	10,685	9,830	7,345	\$2,075,168
2032	10,685	9,830	7,345	\$2,137,423
2033	10,685	9,830	7,345	\$2,201,546
2034	10,685	9,830	7,345	\$2,267,592
2035	10,685	9,830	7,345	\$2,335,620
2036	10,685	9,830	7,345	\$2,405,688
2037	10,685	9,830	7,345	\$2,477,859
2038	10,685	9,830	7,345	\$2,552,195
2039	10,685	9,830	7,345	\$2,628,761
2040	10,685	9,830	7,345	\$2,707,624
2041	10,685	9,830	7,345	\$2,788,852
2042	10,685	9,830	7,345	\$2,872,518
2043	10,685	9,830	7,345	\$2,958,693
2044	10,685	9,830	7,345	\$3,047,454
2045	10,685	9,830	7,345	\$3,138,878
Sum for 40 years:				\$61,557,619

Exhibit J

Comparison of Downtown Connection TIF District Budget

Downtown Connection TIF District Budget Comparison 2013 Amendment				
Category	Current NPV Budget (2006) ¹	Current Total Dollars TIF Budget ²	Amended NPV Budget (2006) ¹	Estimated Total Dollars TIF Budget ²
Catalyst Projects: - <i>Environmental remediation, demolition, historic façade, restoration, street/utility improvements & streetscape improvements, land acquisition, and non project costs, including, but not limited to machinery, equipment, materials and supplies</i>	\$68,000,000	\$68,000,000	\$68,000,000	\$68,000,000
Redevelopment of Vacant/Underutilized Downtown Buildings, Underdeveloped Parcels, Surface Parking Lots - <i>Environmental remediation, interior/exterior demolition, historic façade restoration, street/utility improvements, land acquisition, TIF grants, affordable housing</i>	\$90,367,206	\$156,652,741	\$152,653,168	\$309,043,392
Uptown/Downtown connection improvements³	\$20,500,000	\$0	\$0	\$0
Park and plaza design and acquisition	\$1,500,000	\$3,095,852	\$1,500,000	\$3,534,594
Affordable Housing⁴	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Ground Floor Activation/Streetscape Improvements⁴	\$1,985,000	\$1,985,000	\$1,985,000	\$1,985,000
Downtown Area Plan⁴	\$515,000	\$515,000	\$515,000	\$515,000
Administration and Implementation	\$3,940,386	\$8,132,568	\$3,940,386	\$9,285,109
Debt Service (Interest Only)		\$150,363,000		\$150,363,000
Total Project Costs	\$189,807,592	\$391,744,162	\$231,593,554	\$545,726,096
<p>¹ Current and Amended values discounted to 2006 dollars at 5% discount rate.</p> <p>² Current and Amended Total Dollar values are estimated based on annual TIF District value, project costs, increment collections and Debt Service schedules. These values will fluctuate annually.</p> <p>³ Funds allocated to this line item have been reprogrammed to the Redevelopment line item.</p> <p>⁴ Funds for the Affordable Housing, Ground Floor Activation/Streetscape Improvements, and Downtown Area Plan line items are in cash.</p>				

Appendix A

Real Property Accounts in the Downtown Connection TIF District (Base Year, Adjusted)

ACCOUNT NUMBER	PROPERTY ADDRESS	CITY TAXABLE BASE
00000100393000000	900 MAIN ST	\$2,836,620.00
00000100405000000	909 COMMERCE ST	\$112,500.00
00000100411000000	908 COMMERCE ST	\$500,000.00
00000100414000000	903 JACKSON ST	\$600,000.00
00000100417000000	907 JACKSON ST	\$500,000.00
00000100441000000	1401 ELM ST	\$5,648,680.00
00000100441000100	1403 ELM ST	\$600,060.00
00000100441000200	1405 ELM ST	\$1,199,880.00
00000100441000300	1407 ELM ST	\$300,060.00
00000100441000400	1409 ELM ST	\$600,060.00
00000100441000500	1411 ELM ST	\$150,000.00
0000010044100D100	1401 ELM ST	\$4,261,290.00
00000100492000000	1014 MAIN ST	\$1,964,700.00
00000100498000000	1100 MAIN ST	\$364,410.00
00000100498000100	1100 MAIN ST	\$535,320.00
00000100555000000	1100 JACKSON ST	\$441,000.00
00000100558000000	1016 JACKSON ST	\$421,800.00
00000100561000000	1109 WOOD ST	\$168,750.00
00000100564000000	1104 JACKSON ST	\$125,550.00
00000100565000000	300 S GRIFFIN ST	\$0.00
00000100565000100	1000 WOOD ST	\$157,710.00
00000100576000000	1114 WOOD ST	\$2,522,040.00
00000100594000000	1033 YOUNG ST	\$1,788,780.00
00000100801009700	403 S AKARD ST	\$270.00
00000100801009900	403 S AKARD ST	\$7,310.00
00000100876000000	1600 PACIFIC AVE	\$6,337,990.00
00000100876000100	1600 PACIFIC AVE	\$440,000.00
00000100882000000	1511 ELM ST	\$912,010.00
00000100966000000	1604 ELM ST	\$600,000.00
00000100969000000	1606 ELM ST	\$191,450.00
00000100972000000	1600 ELM ST	\$347,730.00
00000100975000000	1607 MAIN ST	\$1,326,170.00
00000100984009900	1614 ELM ST	\$113,530.00
00000100987000000	1612 ELM ST	\$189,930.00
00000100990000000	1610 ELM ST	\$326,000.00
00000100996000000	1615 MAIN ST	\$623,650.00
00000101005009900	1603 COMMERCE ST	\$4,828,340.00
00000101008000000	1622 MAIN ST	\$600,000.00
00000101011000000	1618 MAIN ST	\$150,000.00
00000101017000000	1604 MAIN ST	\$464,050.00
00000101050000000	1417 COMMERCE ST	\$305,630.00
00000101053000000	1503 COMMERCE ST	\$225,970.00
00000101056000000	1505 COMMERCE ST	\$226,950.00
00000101062000000	1513 COMMERCE ST	\$300,000.00
00000101065000000	1517 COMMERCE ST	\$300,000.00
00000101068000000	1523 COMMERCE ST	\$300,000.00
00000101071000000	1525 COMMERCE ST	\$272,080.00
00000101074000000	1603 COMMERCE ST	\$300,000.00
00000101077000000	1607 COMMERCE ST	\$150,000.00

00000101080000000	1609 COMMERCE ST	\$600,000.00
00000101083000000	1616 MAIN ST	\$300,000.00
00000101119000000	1610 JACKSON ST	\$294,940.00
00000101125000000	315 S ERVAY ST	\$472,500.00
00000101128000000	1600 JACKSON ST	\$89,480.00
0000010112800D100	1600 JACKSON ST	\$89,480.00
0000010112800D200	1600 JACKSON ST	\$44,740.00
0000010112800D300	1600 JACKSON ST	\$44,740.00
0000010112800D400	1600 JACKSON ST	\$22,370.00
0000010112800D500	1600 JACKSON ST	\$22,370.00
0000010112800D600	1600 JACKSON ST	\$22,370.00
0000010112800D700	1600 JACKSON ST	\$22,370.00
00000101136000000	400 S AKARD ST	\$8,272,000.00
00000101257000000	1515 YOUNG ST	\$0.00
00000101530000000	1907 ELM ST	\$5,000,000.00
00000101689100000	1808 MAIN ST	\$3,177,550.00
00000101689500000	1807 COMMERCE ST	\$500,000.00
00000101692000000	1954 COMMERCE ST	\$1,131,790.00
00000101695000000	1902 COMMERCE ST	\$2,510,000.00
00000101698000000	1712 COMMERCE ST	\$300,000.00
00000101698000100	1712 COMMERCE ST	\$4,907,100.00
00000101701000000	1810 COMMERCE ST	\$2,208,600.00
00000101707000000	208 S ERVAY ST	\$207,900.00
00000101710100000	1709 JACKSON ST	\$337,500.00
00000101713000000	1810 JACKSON ST	\$1,583,660.00
00000101734000000	1708 JACKSON ST	\$240,450.00
00000101746000000	1710 JACKSON ST	\$333,950.00
00000101752000000	308 S ERVAY ST	\$68,850.00
00000101755000000	302 S ERVAY ST	\$203,850.00
00000101758000000	312 S ERVAY ST	\$155,460.00
00000101764000000	1900 JACKSON ST	\$2,600,000.00
00000101767000000	1915 WOOD ST	\$994,080.00
00000101770000000	1815 WOOD ST	\$1,433,030.00
00000101779000000	1916 JACKSON ST	\$111,720.00
00000101782000000	301 S HARWOOD ST	\$1,298,790.00
00000101788000000	416 S ERVAY ST	\$39,410.00
00000101791000000	420 S ERVAY ST	\$105,000.00
00000101797000000	1707 YOUNG ST	\$91,920.00
00000101800000000	1713 YOUNG ST	\$34,880.00
00000101803000000	1715 YOUNG ST	\$38,750.00
00000101806000000	1705 YOUNG ST	\$80,100.00
00000101815000000	418 S ERVAY ST	\$88,830.00
00000101818000000	400 S ERVAY ST	\$312,000.00
00000101821000000	404 S ERVAY ST	\$50,000.00
00000101824000000	408 S ERVAY ST	\$99,830.00
00000101827000000	1706 WOOD ST	\$113,220.00
00000101830000000	1714 WOOD ST	\$318,600.00
00000101833009900	1721 YOUNG ST	\$116,030.00
00000101834009900	1721 YOUNG ST	\$20,480.00
00000101836000000	1717 YOUNG ST	\$70,530.00
00000101839000000	1727 YOUNG ST	\$77,000.00
00000101842000000	500 S ERVAY ST	\$2,500,000.00
00000101944000000	1933 MAIN ST	\$5,000,000.00
00000101974009900	1928 MAIN ST	\$500,000.00
00000101977000000	1924 MAIN ST	\$301,000.00
00000101980000000	1920 MAIN ST	\$343,330.00

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00000101983000000	1916 MAIN ST	\$300,000.00
00000101986000000	1912 MAIN ST	\$300,000.00
00000101989000000	1910 MAIN ST	\$660,000.00
00000101992000000	1906 MAIN ST	\$1,133,400.00
00000101995000000	1913 COMMERCE ST	\$300,000.00
00000101998000000	1917 COMMERCE ST	\$0.00
00000102004000000	1921 COMMERCE ST	\$950,000.00
00000102007000000	1775 YOUNG ST	\$249,380.00
00000102016000000	401 N ST PAUL ST	\$67,500.00
00000102025000000	1801 YOUNG ST	\$316,440.00
00000102040000000	509 S ST PAUL ST	\$26,500.00
00000102049000000	515 S ST PAUL ST	\$92,220.00
00000102064000000	1800 YOUNG ST	\$53,000.00
00000102389000000	2001 ELM ST	\$956,480.00
00000102391000000	2009 ELM ST	\$45,000.00
00000102394000000	2115 ELM ST	\$154,240.00
00000102397000000	2120 PACIFIC AVE	\$228,160.00
00000102403000000	2101 ELM ST	\$112,000.00
00000102406000000	2108 PACIFIC AVE	\$181,200.00
00000102409000000	210 OLIVE ST	\$42,000.00
00000102412000000	2104 PACIFIC AVE	\$126,560.00
00000102415000000	2111 ELM ST	\$140,700.00
00000102418000000	2107 ELM ST	\$80,000.00
00000102481000000	2009 COMMERCE ST	\$0.00
00000102484000000	2033 COMMERCE ST	\$199,800.00
00000102487000000	2019 COMMERCE ST	\$0.00
00000102490000000	2020 MAIN ST	\$0.00
00000102493000000	2030 MAIN ST	\$0.00
00000102496000000	2012 COMMERCE ST	\$326,240.00
00000102499500000	210 S HARWOOD ST	\$0.00
00000102502000000	2002 COMMERCE ST	\$160,200.00
00000102505000000	2007 JACKSON ST	\$108,000.00
00000102508000000	2013 JACKSON ST	\$207,000.00
00000102514000000	2008 COMMERCE ST	\$333,820.00
00000102517000000	2016 COMMERCE ST	\$100,000.00
00000102520000000	2015 JACKSON ST	\$102,960.00
00000102523000000	2037 JACKSON ST	\$120,000.00
00000102526000000	2031 JACKSON ST	\$69,700.00
00000102529000000	2027 JACKSON ST	\$194,280.00
00000102538000000	2020 COMMERCE ST	\$45,000.00
00000102541000000	2022 COMMERCE ST	\$60,460.00
00000102544000000	2024 COMMERCE ST	\$150,000.00
00000102547000000	2026 COMMERCE ST	\$330,340.00
00000102550000000	2030 COMMERCE ST	\$45,000.00
00000102553000000	2032 COMMERCE ST	\$45,000.00
00000102556000000	2036 COMMERCE ST	\$0.00
00000102559000000	2036 COMMERCE ST	\$0.00
00000102562000000	2038 COMMERCE ST	\$0.00
00000102565009900	408 S HARWOOD ST	\$32,530.00
00000102568009900	408 S HARWOOD ST	\$32,530.00
00000102571009900	408 S HARWOOD ST	\$32,530.00
00000102574000000	2012 JACKSON ST	\$576,820.00
00000102592000000	2027 WOOD ST	\$95,580.00
00000102598000000	404 S HARWOOD ST	\$78,540.00
00000102601000000	300 S HARWOOD ST	\$170,560.00
00000102604000000	308 S HARWOOD ST	\$151,360.00

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00000102607000000	412 S HARWOOD ST	\$135,000.00
0000010260700HS00	412 S HARWOOD ST	\$84,859.00
00000102610000000	2008 JACKSON ST	\$186,176.00
00000102613000000	312 S HARWOOD ST	\$0.00
0000010261300HS00	312 S HARWOOD ST	\$0.00
00000102616000000	2011 YOUNG ST	\$128,790.00
00000102619000000	2010 JACKSON ST	\$45,000.00
00000102622000000	317 S PEARL EXPY	\$1,000,000.00
00000102625000000	2027 YOUNG ST	\$260,000.00
00000102629000000	2023 YOUNG ST	\$200,000.00
00000102631000000	2017 YOUNG ST	\$243,020.00
00000102635000000	2011 YOUNG ST	\$267,520.00
00000102637000000	307 S PEARL EXPY	\$108,900.00
00000102766000000	2200 PACIFIC AVE	\$99,280.00
00000102769000000	210 S PEARL EXPY	\$37,910.00
00000102772000000	2221 ELM ST	\$73,340.00
00000102775000000	2222 PACIFIC AVE	\$204,000.00
00000102778000000	2219 ELM ST	\$46,660.00
00000102787000000	2217 ELM ST	\$70,000.00
00000102790000000	2210 PACIFIC AVE	\$221,500.00
00000102796000000	2213 ELM ST	\$35,000.00
00000102799000000	2211 ELM ST	\$35,000.00
00000102802000000	2209 ELM ST	\$70,000.00
00000102805000000	2208 PACIFIC AVE	\$55,130.00
00000102808000000	2205 ELM ST	\$40,000.00
00000102811000000	2203 ELM ST	\$27,880.00
00000102814000000	2125 MAIN ST	\$90,000.00
00000102817000000	2121 MAIN ST	\$1,400,640.00
00000102820000000	2107 MAIN ST	\$110,060.00
00000102823000000	2101 MAIN ST	\$182,340.00
00000102824000000	108 N PEARL EXPY	\$127,500.00
00000102829000000	2206 ELM ST	\$95,460.00
00000102832000000	2210 ELM ST	\$45,000.00
00000102835000000	2212 ELM ST	\$45,000.00
00000102838000000	2214 ELM ST	\$45,000.00
00000102841000000	2216 ELM ST	\$90,000.00
00000102844000000	2220 ELM ST	\$45,000.00
00000102847000000	2222 ELM ST	\$255,270.00
00000102850000000	2224 ELM ST	\$51,540.00
00000102853000000	2226 ELM ST	\$126,000.00
00000102856500000	2125 COMMERCE ST	\$0.00
00000102859000000	2121 COMMERCE ST	\$78,750.00
00000102862000000	2117 COMMERCE ST	\$155,070.00
00000102865000000	2113 COMMERCE ST	\$106,200.00
00000102868000000	2109 COMMERCE ST	\$500,900.00
00000102871000000	2105 COMMERCE ST	\$1,400,000.00
00000102874009900	2101 COMMERCE ST	\$39,380.00
00000102874509900	2101 COMMERCE ST	\$39,380.00
00000102877009900	2100 MAIN ST	\$59,060.00
00000102877509900	2100 MAIN ST	\$59,060.00
00000102880000000	2106 MAIN ST	\$241,360.00
00000102883000000	2110 MAIN ST	\$78,750.00
00000102886000000	2114 MAIN ST	\$114,750.00
00000102889000000	2120 MAIN ST	\$78,750.00
00000102892000000	2124 MAIN ST	\$78,750.00
00000103081000000	2306 PACIFIC AVE	\$594,100.00

00000103144400000	2214 MAIN ST	\$300,000.00
00000103144800000	2210 MAIN ST	\$236,250.00
00000103145000000	2208 MAIN ST	\$590,630.00
00000103159000000	2215 COMMERCE ST	\$207,000.00
00000103168000000	2211 COMMERCE ST	\$675,000.00
00000103174009900	2207 COMMERCE ST	\$450,000.00
00000103186400000	2222 MAIN ST	\$273,440.00
00000103187000000	2201 COMMERCE ST	\$105,080.00
00000104380000000	1910 N LAMAR ST	\$174,920.00
00000104383000000	906 MUNGER AVE	\$157,410.00
00000104386000000	1901 LAWS ST	\$248,580.00
00000104389000000	1902 N LAMAR ST	\$386,820.00
00000104392000000	911 CORBIN ST	\$423,680.00
00000104395000000	1914 N LAMAR ST	\$174,960.00
00000104419000000	1012 MCKINNEY AVE	\$1,916,110.00
00000104485000000	912 ROSS AVE	\$648,830.00
00000104488000000	406 N LAMAR ST	\$89,780.00
00000104491000000	400 N LAMAR ST	\$222,130.00
00000104500009900	913 SAN JACINTO ST	\$25,310.00
00000104503000000	915 SAN JACINTO ST	\$262,500.00
00000104506000000	505 N GRIFFIN ST	\$403,530.00
00000104509000000	911 SAN JACINTO ST	\$83,130.00
00000104515000000	1001 SAN JACINTO ST	\$246,440.00
00000104518000000	902 ROSS AVE	\$160,920.00
00000104521000000	1012 ROSS AVE	\$254,390.00
00000104527000000	1003 SAN JACINTO ST	\$141,990.00
00000104533000000	909 SAN JACINTO ST	\$83,130.00
00000104536000000	907 SAN JACINTO ST	\$128,250.00
00000104536500000	905 SAN JACINTO ST	\$90,010.00
00000104539009900	913 SAN JACINTO ST	\$53,440.00
00000104578000000	1108 CORBIN ST	\$198,170.00
00000104581000000	1110 CORBIN ST	\$143,150.00
00000104584000000	1102 CORBIN ST	\$242,130.00
00000104590000000	1810 N GRIFFIN ST	\$253,540.00
00000104597000000	1210 CORBIN ST	\$0.00
00000104602000000	1206 CORBIN ST	\$362,570.00
00000104617000000	1802 N GRIFFIN ST	\$525,530.00
00000104645000000	660 N GRIFFIN ST	\$0.00
00000104650000000	1102 HORD ST	\$225,610.00
00000104653000000	1708 N GRIFFIN ST	\$391,980.00
00000104683000000	1110 ROSS AVE	\$157,460.00
00000104686000000	1115 SAN JACINTO ST	\$130,000.00
00000104689000000	500 N GRIFFIN ST	\$231,910.00
00000104707000000	1205 PATTERSON AVE	\$722,570.00
00000104716000000	1100 PATTERSON AVE	\$1,294,800.00
00000104812000000	611 N FIELD ST	\$411,940.00
00000104815000000	1300 ROSS AVE	\$624,810.00
00000104857000000	500 N FIELD ST	\$95,810.00
00000104860000000	511 N AKARD ST	\$2,000,000.00
00000104872000000	1414 SAN JACINTO ST	\$150,900.00
00000104875000000	1406 SAN JACINTO ST	\$221,880.00
00000104878000000	1404 SAN JACINTO ST	\$152,050.00
00000104881000000	1402 SAN JACINTO ST	\$178,070.00
00000104884000000	1338 SAN JACINTO ST	\$85,960.00
00000104887000000	1320 SAN JACINTO ST	\$149,500.00
00000104890000000	1217 PATTERSON AVE	\$319,800.00

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00000104893000000	1216 SAN JACINTO ST	\$74,750.00
00000104896000000	1214 SAN JACINTO ST	\$74,750.00
00000104899000000	1212 SAN JACINTO ST	\$282,570.00
00000104902000000	1215 PATTERSON AVE	\$149,500.00
00000104905000000	501 N FIELD ST	\$91,490.00
00000104908000000	512 N FIELD ST	\$84,140.00
00000104911000000	1309 PATTERSON AVE	\$159,900.00
00000104914000000	1407 PATTERSON AVE	\$309,400.00
00000104917000000	1411 PATTERSON AVE	\$154,700.00
00000104920000000	1415 PATTERSON AVE	\$211,460.00
00000104923000000	505 N AKARD ST	\$2,150,160.00
00000104926000000	1310 PATTERSON AVE	\$146,200.00
00000104929000000	409 N AKARD ST	\$164,320.00
00000104932000000	413 N AKARD ST	\$50,910.00
00000104935000000	1411 FEDERAL ST	\$158,260.00
00000104938000000	1405 FEDERAL ST	\$284,750.00
00000104941000000	1414 PATTERSON AVE	\$202,980.00
00000104944000000	1403 FEDERAL ST	\$188,550.00
00000104947000000	1319 FEDERAL ST	\$94,280.00
00000104950000000	1314 PATTERSON AVE	\$94,280.00
00000104953009900	411 N AKARD ST	\$8,208,980.00
00000104956000000	1311 FEDERAL ST	\$30,500.00
00000104959000000	1313 FEDERAL ST	\$98,000.00
00000104962000000	1317 FEDERAL ST	\$90,650.00
00000104965000000	415 N AKARD ST	\$115,700.00
00000104968000000	417 N AKARD ST	\$56,990.00
00000105196000000	504 N ST PAUL ST	\$331,140.00
00000105198000000	400 N ST PAUL ST	\$0.00
00000105208000000	502 N ST PAUL ST	\$355,600.00
00000105235000000	2020 ROSS AVE	\$868,270.00
00000105241000000	2013 SAN JACINTO ST	\$649,920.00
00000105250000000	2016 ROSS AVE	\$191,730.00
00000105253000000	2000 ROSS AVE	\$564,540.00
00000105256000000	2010 ROSS AVE	\$298,800.00
00000105259000000	2014 ROSS AVE	\$192,540.00
00000105262000000	2021 SAN JACINTO ST	\$848,400.00
00000105265000000	820 N HARWOOD ST	\$419,490.00
00000105397000000	1901 PACIFIC AVE	\$0.00
00000105534000000	2318 ROSS AVE	\$2,332,530.00
00000105592000000	2300 LIVE OAK ST	\$0.00
00000105607000000	435 N CENTRAL EXPY	\$0.00
00000105616000000	318 CROCKETT ST	\$0.00
00000105628000000	2201 PACIFIC AVE	\$0.00
00000105634000000	312 N PEARL EXPY	\$0.00
00000105646000000	2211 PACIFIC AVE	\$0.00
00000105652000000	2411 SAN JACINTO ST	\$158,400.00
00000105655000000	2401 SAN JACINTO ST	\$52,500.00
00000105658000000	810 LEONARD ST	\$36,000.00
00000105661000000	812 LEONARD ST	\$86,220.00
00000105664000000	2403 SAN JACINTO ST	\$60,000.00
00000105667000000	2407 SAN JACINTO ST	\$90,000.00
00000105676000000	2415 SAN JACINTO ST	\$48,570.00
00000105679000000	2419 SAN JACINTO ST	\$48,570.00
00000105682000000	2421 SAN JACINTO ST	\$48,570.00
00000105685000000	2425 SAN JACINTO ST	\$110,250.00
00000105688000000	2510 SALINA ALLEY DR	\$69,380.00

00000105691000000	2516 SALINA ALLEY DR	\$69,380.00
00000105694000000	2520 SALINA ALLEY DR	\$76,320.00
00000105697000000	1109 HAWKINS ST	\$41,630.00
00000105700000000	2425 FEDERAL ST	\$0.00
00000105703000000	2431 FEDERAL ST	\$0.00
00000105706000000	1015 HAWKINS ST	\$1,057,000.00
00000105718000000	1025 HAWKINS ST	\$502,340.00
00000105727000000	732 LEONARD ST	\$458,160.00
00000105739250000	700 LEONARD ST	\$141,280.00
00000105739500000	702 LEONARD ST	\$141,460.00
00000105739750000	722 LEONARD ST	\$178,910.00
00000105742000000	2401 FEDERAL ST	\$196,860.00
00000105757000000	2401 BRYAN ST	\$0.00
00000105760000000	2411 BRYAN ST	\$0.00
00000105763000000	2409 BRYAN ST	\$0.00
00000105766000000	2419 BRYAN ST	\$0.00
00000105769000000	2415 BRYAN ST	\$0.00
00000105790000000	2520 ROSS AVE	\$463,680.00
00000105799000000	2503 SAN JACINTO ST	\$318,470.00
00000105808000000	2508 ROSS AVE	\$98,550.00
00000105811000000	2501 SAN JACINTO ST	\$58,410.00
00000105814000000	2512 ROSS AVE	\$302,950.00
00000105817000000	2504 ROSS AVE	\$103,500.00
00000105820000000	2504 SALINA ALLEY DR	\$83,050.00
00000105823000000	2526 ROSS AVE	\$240,890.00
0000010582300D100	2526 ROSS AVE	\$33,460.00
0000010582300D200	2526 ROSS AVE	\$16,730.00
00000105826000000	2500 ROSS AVE	\$143,780.00
00000105829000000	1018 HAWKINS ST	\$0.00
00000105835000000	2500 SAN JACINTO ST	\$0.00
00000105838000000	2502 SAN JACINTO ST	\$0.00
00000105841000000	1039 ROUTH ST	\$0.00
00000105844000000	1026 HAWKINS ST	\$0.00
00000105845000000	2700 ROUTH ST	\$36,750.00
00000105853000000	1022 HAWKINS ST	\$0.00
00000105856000000	1010 HAWKINS ST	\$145,080.00
00000105859000000	1023 ROUTH ST	\$0.00
00000105862000000	904 HAWKINS ST	\$0.00
00000105997000000	2600 ROSS AVE	\$0.00
00000106000000000	2620 ROSS AVE	\$168,700.00
00000106003000000	2608 ROSS AVE	\$173,020.00
00000106006000000	2625 SAN JACINTO ST	\$192,890.00
00000106009000000	2615 ROSS AVE	\$199,260.00
00000106012000000	2615 SAN JACINTO ST	\$134,600.00
00000106015000000	2632 ROSS AVE	\$243,160.00
00000106018000000	2624 ROSS AVE	\$134,960.00
00000106021000000	2619 SAN JACINTO ST	\$148,650.00
00000106024000000	2616 ROSS AVE	\$168,700.00
00000106027000000	2603 SAN JACINTO ST	\$354,810.00
00000106030000000	2611 SAN JACINTO ST	\$136,760.00
00000106033500000	845 N CENTRAL EXPY	\$0.00
00000106105000000	400 N CENTRAL EXPY	\$0.00
00000106108000000	400 N CENTRAL EXPY	\$0.00
00000106687000000	2421 N AKARD ST	\$174,150.00
00000106690000000	2417 N AKARD ST	\$149,850.00
00000106693000000	2413 N AKARD ST	\$162,000.00

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00000106696000000	2411 N AKARD ST	\$162,000.00
00000106699000000	2407 N AKARD ST	\$162,000.00
00000106702000000	2403 N AKARD ST	\$161,640.00
00000106705000000	2412 CAROLINE ST	\$324,000.00
00000106708000000	2416 CAROLINE ST	\$1,233,090.00
00000106711000000	2325 N AKARD ST	\$272,090.00
00000106714000000	2301 N AKARD ST	\$1,700,000.00
00000106726000000	1703 CEDAR SPRINGS RD	\$1,958,500.00
00000106741000000	1712 CEDAR SPRINGS RD	\$499,590.00
00000106744000000	2203 N AKARD ST	\$398,550.00
00000106747000000	1709 MCKINNEY AVE	\$224,210.00
00000106750000000	1708 CEDAR SPRINGS RD	\$373,980.00
00000106753000000	1701 MCKINNEY AVE	\$690,130.00
00000106756000000	2210 CAROLINE ST	\$450,630.00
00000106759000000	2222 CAROLINE ST	\$217,000.00
00000106762000000	2216 CAROLINE ST	\$217,000.00
00000106765000000	2215 N AKARD ST	\$208,250.00
00000106768000000	1899 MCKINNEY AVE	\$1,600,000.00
00000106936009900	2503 ROSS AVE	\$0.00
00000106939000000	2526 FLORA ST	\$0.00
00000106942009900	2501 ROSS AVE	\$162,980.00
00000106945000000	2509 ROSS AVE	\$89,480.00
00000106945000200	2511 ROSS AVE	\$0.00
00000106945000300	2507 ROSS AVE	\$0.00
00000106948000000	2513 ROSS AVE	\$0.00
00000106954000000	2515 ROSS AVE	\$0.00
00000106957000000	2525 ROSS AVE	\$0.00
00000106960000000	2500 FLORA ST	\$0.00
00000106963000000	2504 FLORA ST	\$0.00
00000106966000000	2508 FLORA ST	\$0.00
00000106969000000	2510 FLORA ST	\$133,350.00
00000106972000000	2512 FLORA ST	\$0.00
00000106975000000	2514 FLORA ST	\$200,100.00
00000106978000000	2518 FLORA ST	\$200,100.00
00000106981000000	1725 ROUTH ST	\$0.00
00000106984000000	1715 ROUTH ST	\$0.00
00000106987000000	1719 ROUTH ST	\$27,330.00
00000106990000000	1723 ROUTH ST	\$22,380.00
00000106993000000	2524 FLORA ST	\$0.00
00000106996000000	2522 FLORA ST	\$0.00
00000106999000000	2501 FLORA ST	\$0.00
00000107002000000	1901 ROUTH ST	\$0.00
00000107005000100	2706 WOODALL RODGERS FWY	\$80,610.00
00000107008000000	2702 WOODALL ROGERS FWY	\$127,880.00
00000107011000000	1904 ROUTH ST	\$33,330.00
00000107014000000	1902 ROUTH ST	\$26,270.00
00000107017000000	2704 WOODALL ROGERS FWY	\$56,530.00
00000107020000000	2609 WADE RD	\$473,330.00
00000107068000000	2600 MUNGER AVE	\$0.00
00000107071000000	2606 MUNGER AVE	\$0.00
00000107074000000	2605 WADE RD	\$0.00
00000107086000000	2607 WADE RD	\$18,010.00
00000107089000000	2608 MUNGER AVE	\$17,930.00
00000107110000000	2603 ROSS AVE	\$295,230.00
00000107113000000	2613 ROSS AVE	\$162,530.00
00000107116000000	2613 ROSS AVE	\$162,530.00

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00000107374000000	1909 FAIRMOUNT ST	\$0.00
00000107374000100	1907 FAIRMOUNT ST	\$0.00
00000107419000000	2403 FLORA ST	\$0.00
00000107431000000	2401 FLORA ST	\$0.00
00000107449000000	1725 FAIRMOUNT ST	\$0.00
00000107452000000	2411 ROSS AVE	\$0.00
00000107455000000	1707 FAIRMOUNT ST	\$0.00
00000107458000000	2400 FLORA ST	\$0.00
00000107784509600	1035 YOUNG ST	\$0.00
00000107795000000	400 S GRIFFIN ST	\$0.00
00000107796000000	1002 WOOD ST	\$2,669,180.00
00000107845000000	1900 N AKARD ST	\$3,700,000.00
00000107908000000	2422 AKARD ST	\$0.00
00000107911000000	2402 HARRY HINES BLVD	\$0.00
00000107986000000	2607 N HARWOOD ST	\$150,000.00
00000107989000000	2611 N HARWOOD ST	\$150,000.00
00000107992000000	2617 N HARWOOD ST	\$270,000.00
00000107995000000	2614 HARRY HINES BLVD	\$120,000.00
00000108001000000	2612 HARRY HINES BLVD	\$150,000.00
00000108002000000	2610 HARRY HINES BLVD	\$128,970.00
00000108004000000	2501 N HARWOOD ST	\$2,710,000.00
00000110720000000	1627 PACIFIC AVE	\$0.00
00000110749000000	306 N ST PAUL ST	\$150,160.00
0000011074900D100	306 N ST PAUL ST	\$119,710.00
0000011074900D200	306 N ST PAUL ST	\$95,770.00
0000011074900D300	306 N ST PAUL ST	\$63,850.00
0000011074900D400	306 N ST PAUL ST	\$63,850.00
0000011074900D500	306 N ST PAUL ST	\$63,850.00
0000011074900D600	306 N ST PAUL ST	\$52,330.00
0000011074900D700	306 N ST PAUL ST	\$51,420.00
0000011074900D800	306 N ST PAUL ST	\$41,370.00
0000011074900D900	306 N ST PAUL ST	\$23,940.00
000001107490D1000	306 N ST PAUL ST	\$23,940.00
000001107490D1100	306 N ST PAUL ST	\$23,940.00
000001107490D1200	306 N ST PAUL ST	\$23,940.00
00000110773000000	308 N ST PAUL ST	\$97,786.00
00000110773000100	308 N ST PAUL ST	\$122,194.00
00000110836000000	401 N HARWOOD ST	\$1,124,870.00
00000110836000100	322 N ST PAUL ST	\$77,145.00
00000110836000300	413 N HARWOOD ST	\$462,420.00
00000110836000400	300 N ST PAUL ST	\$123,200.00
00000110836000500	322 N ST PAUL ST	\$208,105.00
00000110848000000	312 N ST PAUL ST	\$374,080.00
00000110848000100	312 N ST PAUL ST	\$41,815.00
00000112297000100	1717 N AKARD ST	\$315,000.00
00000112324000000	1616 WOODALL RODGRS FWY	\$7,500,000.00
00000112348000000	2012 N FIELD ST	\$2,800,000.00
00000112360000000	1820 N ST PAUL ST	\$0.00
00000112363000000	1701 N HARWOOD ST	\$0.00
00000112366000000	1730 N ST PAUL ST	\$0.00
00000112369000000	1811 N HARWOOD ST	\$0.00
00000112372000000	1807 N HARWOOD ST	\$0.00
00000112375000000	1903 ROSS AVE	\$0.00
00000112378000000	1729 N HARWOOD ST	\$0.00
00000112381000000	1717 N HARWOOD ST	\$0.00
00000112384000000	1727 N HARWOOD ST	\$0.00

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00000112387000000	1735 N HARWOOD ST	\$0.00
00000112393000000	1919 ROSS AVE	\$0.00
00000112396000000	1802 N ST PAUL ST	\$0.00
00000112399000000	1810 N ST PAUL ST	\$0.00
00000112402000000	1901 MUNGER AVE	\$0.00
00000112405000000	1901 N HARWOOD ST	\$0.00
00000112408000000	1915 MUNGER AVE	\$0.00
00000112411000000	1922 N ST PAUL ST	\$0.00
00000112414000000	1915 N HARWOOD ST	\$0.00
00000112417000000	1916 N ST PAUL ST	\$0.00
00000112420000000	1912 N ST PAUL ST	\$0.00
00000112423000000	1936 MCKINNEY AVE	\$1,272,840.00
00000112456000000	1920 MCKINNEY AVE	\$320,200.00
00000112549000100	2001 PEARL ST	\$0.00
00000112579000100	1700 N HARWOOD ST	\$0.00
00000112636000000	1722 PEARL ST	\$0.00
00000112636000100	1726 PEARL ST	\$0.00
00000112636000200	2200 ROSS AVE	\$0.00
00000112636000300	2251 PEARL ST	\$0.00
00000112636009900	2251 PEARL ST	\$0.00
00000112708000000	2212 WOODALL RODGERS FWY	\$0.00
00000112723000000	1901 CROCKETT ST	\$0.00
00000112750000000	2101 PEARL ST	\$4,146,520.00
00000112753000000	2130 OLIVE ST	\$283,680.00
00000112765000000	2110 COLBY ST	\$257,250.00
00000112771000000	2122 OLIVE ST	\$713,760.00
00000112774000000	2121 PEARL ST	\$532,910.00
00000112777000000	2127 PEARL ST	\$195,510.00
00000112780000000	2131 PEARL ST	\$195,510.00
00000112969000000	2125 FAIRMOUNT ST	\$165,900.00
00000112970000000	2124 LEONARD ST	\$242,000.00
00000112972000000	2122 LEONARD ST	\$165,900.00
00000112975000000	2121 FAIRMOUNT ST	\$166,950.00
00000112978000000	2118 LEONARD ST	\$167,030.00
00000112981000000	2113 FAIRMOUNT ST	\$2,145,480.00
00000113647000000	1710 BOLL ST	\$0.00
00000113650000000	2701 ROSS AVE	\$0.00
00000113674000000	2700 FLORA ST	\$0.00
00000113692000000	1800 BOLL ST	\$1,301,590.00
00000113693000000	2802 WOODALL ROGERS FWY	\$320.00
00000113693000100	1802 BOLL ST	\$48,850.00
00000113785000000	2815 FLORA ST	\$56,840.00
00000113788000000	2880 WOODALL RODGERS FWY	\$0.00
00000113791000000	1817 WOODALL RODGERS FWY	\$9,810.00
00000113792000000	1900 BOLL ST	\$6,140.00
00000134365000000	2728 MCKINNON ST	\$6,595,340.00
00000134395000000	2819 MCKINNON ST	\$187,500.00
00000134398000000	2823 MCKINNON ST	\$187,500.00
00000134401000000	2825 MCKINNON ST	\$243,750.00
00000134404000000	2826 N HARWOOD ST	\$213,000.00
00000134407000000	2822 N HARWOOD ST	\$150,000.00
00000134410000000	2818 N HARWOOD ST	\$150,000.00
00000134413000000	2814 N HARWOOD ST	\$125,700.00
00000134431000000	2821 N HARWOOD ST	\$108,120.00
00000134434000000	2818 HARRY HINES BLVD	\$150,360.00
00000134437000000	2825 N HARWOOD ST	\$325,910.00

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0000013444000000	2807 N HARWOOD ST	\$126,000.00
0000013444300000	2806 HARRY HINES BLVD	\$148,470.00
0000013444600000	2801 N HARWOOD ST	\$173,250.00
0000013444900000	2810 HARRY HINES BLVD	\$203,010.00
0000013445200000	2805 N HARWOOD ST	\$110,250.00
0000013445500000	2830 HARRY HINES BLVD	\$462,530.00
0000013445800000	2814 HARRY HINES BLVD	\$183,940.00
0000013446100000	2804 HARRY HINES BLVD	\$149,490.00
0000013446400000	2800 HARRY HINES BLVD	\$158,010.00
0000013446700000	2815 N HARWOOD ST	\$128,875.00
0000013447000000	2809 N HARWOOD ST	\$103,950.00
0000013447300000	2819 N HARWOOD ST	\$138,600.00
0000013447600000	2813 N HARWOOD ST	\$150,000.00
0000013451800000	3015 MCKINNON ST	\$170,950.00
0000013452100000	3009 MCKINNON ST	\$173,191.00
0000013452400000	3019 MCKINNON ST	\$195,760.00
0000013452700000	3023 MCKINNON ST	\$184,668.00
0000013453300000	3000 N HARWOOD ST	\$192,950.00
0000013453600000	3004 N HARWOOD ST	\$173,250.00
0000013453900000	3008 N HARWOOD ST	\$172,480.00
0000013454200000	3012 N HARWOOD ST	\$173,670.00
0000013454500000	3016 N HARWOOD ST	\$186,340.00
0000013454800000	3020 N HARWOOD ST	\$177,610.00
0000013455100000	3005 MCKINNON ST	\$175,480.00
0000013455400000	3024 N HARWOOD ST	\$249,180.00
0000013455700000	3003 MCKINNON ST	\$180,040.00
0000013492300000	2817 MAPLE AVE	\$870,000.00
0000013492700000	2905 MAPLE AVE	\$1,303,610.00
0000013494700000	2425 CEDAR SPRINGS RD	\$358,090.00
0000013494700HS00	2425 CEDAR SPRINGS RD	\$236,912.00
0000013496200000	2912 MAPLE AVE	\$545,380.00
0000013496500000	2917 FAIRMOUNT ST	\$308,800.00
0000013496800000	2921 FAIRMOUNT ST	\$400,120.00
0000013497100000	2926 MAPLE AVE	\$623,900.00
0000013497400000	2923 FAIRMOUNT ST	\$314,500.00
0000013497700000	2925 FAIRMOUNT ST	\$303,360.00
0000013498000000	3000 MAPLE AVE	\$900,000.00
0000013498100000	3008 MAPLE AVE	\$1,650,000.00
0000013498300000	3001 FAIRMOUNT ST	\$340,000.00
0000013498600000	3005 FAIRMOUNT ST	\$200,880.00
0000013499100000	3033 FAIRMOUNT ST	\$142,176.00
00000134991050000	3011 FAIRMOUNT ST	\$160,264.00
00000134991100000	3013 FAIRMOUNT ST	\$152,400.00
00000134991150000	3015 FAIRMOUNT ST	\$148,000.00
00000134991200000	3017 FAIRMOUNT ST	\$168,400.00
00000134991250000	3019 FAIRMOUNT ST	\$210,500.00
00000134991300000	3021 FAIRMOUNT ST	\$200,000.00
00000134991350000	3023 FAIRMOUNT ST	\$199,460.00
00000134991400000	3025 FAIRMOUNT ST	\$202,000.00
00000134991450000	3027 FAIRMOUNT ST	\$161,600.00
00000134991500000	3029 FAIRMOUNT ST	\$137,600.00
00000134991550000	3031 FAIRMOUNT ST	\$160,000.00
00000134995000000	3012 MAPLE AVE	\$389,790.00
00000135001000000	2902 MAPLE AVE	\$370,120.00
00000135106000000	3131 MAPLE AVE	\$10,000,000.00
00000135202000000	2222 N HARWOOD ST	\$2,066,140.00

00000135214000000	2001 MCKINNEY AVE	\$6,027,720.00
00000135301000000	2521 FAIRMOUNT ST	\$578,430.00
00000135304000000	2507 FAIRMOUNT ST	\$1,745,890.00
00000135307000000	2425 MCKINNEY AVE	\$1,720,260.00
00000135313000000	2515 FAIRMOUNT ST	\$234,300.00
00000135316000000	2519 FAIRMOUNT ST	\$580,000.00
00000135322000000	2421 MCKINNEY AVE	\$494,730.00
00000135340000000	2516 MAPLE AVE	\$900,000.00
00000135343000000	2525 FAIRMOUNT ST	\$700,200.00
00000135346000000	2527 FAIRMOUNT ST	\$440,000.00
00000135355000000	2504 MAPLE AVE	\$315,000.00
00000135356000000	2508 MAPLE AVE	\$746,220.00
00000135367000000	2603 FAIRMOUNT ST	\$1,032,470.00
00000135370000000	2611 FAIRMOUNT ST	\$737,510.00
00000135376000000	2701 FAIRMOUNT ST	\$380,000.00
00000135382000000	2707 FAIRMOUNT ST	\$371,700.00
00000135385000000	2628 MAPLE AVE	\$2,191,620.00
00000135388000000	2711 FAIRMOUNT ST	\$167,300.00
0000013538800HS00	2711 FAIRMOUNT ST	\$111,064.00
00000135391000000	2715 FAIRMOUNT ST	\$331,470.00
00000135394000000	2719 FAIRMOUNT ST	\$430,920.00
00000135397000000	2723 FAIRMOUNT ST	\$726,470.00
00000135400000000	2408 CEDAR SPRINGS RD	\$1,072,620.00
00000135403000000	2812 FAIRMOUNT ST	\$297,000.00
00000135406000000	2816 FAIRMOUNT ST	\$1,931,540.00
00000135409000000	2911 ROUTH ST	\$2,651,020.00
00000135415000000	2907 ROUTH ST	\$487,000.00
00000135418000000	2901 ROUTH ST	\$472,500.00
00000135421000000	2821 ROUTH ST	\$487,000.00
00000135424000000	2808 FAIRMOUNT ST	\$270,000.00
00000135427000000	2808 FAIRMOUNT ST	\$2,844,180.00
00000135430000000	2817 ROUTH ST	\$473,500.00
00000135433000000	2813 ROUTH ST	\$472,500.00
00000135436000000	2811 ROUTH ST	\$866,250.00
00000135439000000	2803 ROUTH ST	\$456,750.00
000063000A0010000	1000 COMMERCE ST	\$1,608,120.00
000073000A0010100	1301 YOUNG ST	\$2,258,890.00
00007701220210000	1511 COMMERCE ST	\$303,180.00
000114206901A0000	1414 ELM ST	\$975,000.00
00012500000010000	2000 ELM ST	\$4,000,010.00
00012500000019700	2000 ELM ST	\$7,070.00
00012500000019900	2000 ELM ST	\$611,360.00
000125003301A0000	2102 ELM ST	\$5,166,890.00
00012800300000000	317 S PEARL ST	\$29,880.00
00021700000000000	406 N LAMAR ST	\$20,510.00
00021700000030000	908 ROSS AVE	\$7,770.00
00021700000030100	908 ROSS AVE	\$129,560.00
00021700000030200	900 SAN JACINTO ST	\$112,910.00
00021900170010000	1100 MCKINNEY AVE	\$6,853,930.00
0002220B000090000	1704 N GRIFFIN ST	\$307,970.00
00022700000010000	704 N GRIFFIN ST	\$2,737,280.00
000228000A0030000	706 N GRIFFIN ST	\$191,720.00
000229000001A0000	1407 SAN JACINTO ST	\$1,602,900.00
00023500000010200	615 N AKARD ST	\$38,110.00
00024300010000000	608 N ST PAUL ST	\$2,208,770.00
00025500000010000	2110 LIVE OAK ST	\$0.00

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00025500000010100	300 OLIVE ST	\$0.00
0002610A000010000	2400 ROSS AVE	\$2,052,120.00
000301000003A0000	2521 ROSS AVE	\$0.00
000301000004A0000	2525 ROSS AVE	\$176,900.00
000306000003A0000	2623 ROSS AVE	\$699,600.00
00036000020010000	2414 N AKARD ST	\$3,900,000.00
0004780A000010000	401 N HARWOOD ST	\$743,200.00
000524000003A0000	1900 MCKINNEY AVE	\$4,194,840.00
000525000A0010000	2000 MCKINNEY AVE	\$6,304,950.00
000527000A01A0000	2021 FLORA ST	\$0.00
00052800000010000	901 PEARL ST	\$2,699,820.00
000529000A0010000	2101 ROSS AVE	\$3,752,280.00
00053000000010000	2301 ROSS AVE	\$4,364,500.00
00053000000019800	2301 ROSS AVE	\$0.00
00053000000019900	2301 ROSS AVE	\$899,990.00
0005310A000010000	1800 N PEARL EXPY	\$0.00
0005340A000010000	1825 LEONARD ST	\$0.00
000541000A01B0000	2222 MCKINNEY AVE	\$5,870,800.00
000541000A02B0000	2212 MCKINNEY AVE	\$2,629,180.00
000566000A03A0000	2809 ROSS AVE	\$0.00
000929000J06A0000	2101 CEDAR SPRINGS RD	\$4,174,050.00
000930000201A0000	2828 N HARWOOD ST	\$30,975,560.00
000930000202A0000	2815 MCKINNON ST	\$152,250.00
00093200020010000	3130 N HARWOOD ST	\$2,379,954.00
000933000201C0000	2840 BOOKHOUT ST	\$812,820.00
00093300030010000	2215 CEDAR SPRINGS RD	\$46,750,950.00
000938000H01A0000	2820 MCKINNON ST	\$12,870,730.00
000939000E02A0000	2925 BOOKHOUT ST	\$305,848.00
000939000E02B0000	2923 BOOKHOUT ST	\$392,150.00
000939000E04A0000	2921 BOOKHOUT ST	\$309,696.00
000939000E04B0000	2919 BOOKHOUT ST	\$313,016.00
000939000E06A0000	2917 BOOKHOUT ST	\$313,848.00
000939000E08A0000	2915 BOOKHOUT ST	\$309,784.00
000939000E08B0000	2911 BOOKHOUT ST	\$305,032.00
000939000E09C0000	2912 N PEARL ST	\$284,000.00
000939000E09D0000	2910 N PEARL ST	\$286,368.00
000939000E10A0000	2909 BOOKHOUT ST	\$309,696.00
000939000E10B0000	2907 BOOKHOUT ST	\$309,696.00
000939000E11C0000	2908 N PEARL ST	\$295,296.00
000939000E11D0000	2906 N PEARL ST	\$231,840.00
000939000E12A0000	2905 BOOKHOUT ST	\$392,150.00
000939000E12B0000	2903 BOOKHOUT ST	\$301,536.00
0009390E0001A0000	2920 PEARL ST	\$0.00
000942000I01A0000	2826 BOOKHOUT ST	\$2,112,530.00
000943000604A0000	2811 MAPLE AVE	\$1,734,880.00
000943000803A0000	2927 MAPLE AVE	\$436,530.00
000944000501A0000	2401 CEDAR SPRINGS RD	\$18,440,000.00
000944000702A0000	2905 FAIRMOUNT ST	\$1,429,910.00
000944000702A0100	2913 FAIRMOUNT ST	\$772,920.00
000944000702A0200	2915 FAIRMOUNT ST	\$270,380.00
000944000703A0000	2906 MAPLE AVE	\$423,000.00
000947001601A0000	2605 CEDAR SPRINGS RD	\$1,149,880.00
00094800030010000	2510 CEDAR SPRINGS RD	\$3,686,760.00
00094800030010100	2121 MCKINNEY AVE	\$8,741,160.00
000949000101A0000	2401 MCKINNEY AVE	\$1,921,140.00
000949000110A0000	2512 MAPLE AVE	\$2,333,330.00

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000950000301A0000	2610 MAPLE AVE	\$938,520.00
000950000301A0100	2616 MAPLE AVE	\$952,380.00
000950000309A0000	2620 MAPLE AVE	\$441,540.00
000956000001A0000	2800 ROUTH ST	\$16,056,500.00
000956000001A0300	2717 HOWELL ST	\$4,900,500.00
000956000001A9900	2800 ROUTH ST	\$0.00
000958001301E0000	2728 CEDAR SPRINGS RD	\$4,525,250.00
000959001202D0000	2650 CEDAR SPRINGS RD	\$7,797,552.00
000959001202D0100	2707 COLE AVE	\$11,942,590.00
00C03660000000301	2900 MCKINNON ST	\$9,613.48
00C03660000000302	2900 MCKINNON ST	\$4,798.21
00C03660000000303	2900 MCKINNON ST	\$5,245.53
00C03660000000304	2900 MCKINNON ST	\$8,053.57
00C03660000000305	2900 MCKINNON ST	\$8,335.98
00C03660000000306	2900 MCKINNON ST	\$5,245.53
00C03660000000307	2900 MCKINNON ST	\$4,798.21
00C03660000000308	2900 MCKINNON ST	\$9,543.35
00C03660000000401	2900 MCKINNON ST	\$9,613.48
00C03660000000402	2900 MCKINNON ST	\$4,798.21
00C03660000000403	2900 MCKINNON ST	\$5,245.53
00C03660000000404	2900 MCKINNON ST	\$8,053.57
00C03660000000405	2900 MCKINNON ST	\$8,335.98
00C03660000000406	2900 MCKINNON ST	\$5,245.53
00C03660000000407	2900 MCKINNON ST	\$4,798.21
00C03660000000408	2900 MCKINNON ST	\$9,543.35
00C03660000000501	2900 MCKINNON ST	\$9,613.48
00C03660000000502	2900 MCKINNON ST	\$4,798.21
00C03660000000503	2900 MCKINNON ST	\$5,245.53
00C03660000000504	2900 MCKINNON ST	\$8,053.57
00C03660000000505	2900 MCKINNON ST	\$8,335.98
00C03660000000506	2900 MCKINNON ST	\$5,245.53
00C03660000000507	2900 MCKINNON ST	\$4,798.21
00C03660000000508	2900 MCKINNON ST	\$9,543.35
00C03660000000601	2900 MCKINNON ST	\$9,613.48
00C03660000000602	2900 MCKINNON ST	\$4,798.21
00C03660000000603	2900 MCKINNON ST	\$5,245.53
00C03660000000604	2900 MCKINNON ST	\$8,053.57
00C03660000000605	2900 MCKINNON ST	\$8,335.98
00C03660000000606	2900 MCKINNON ST	\$5,245.53
00C03660000000607	2900 MCKINNON ST	\$4,798.21
00C03660000000608	2900 MCKINNON ST	\$9,543.35
00C03660000000701	2900 MCKINNON ST	\$14,529.21
00C03660000000702	2900 MCKINNON ST	\$4,798.21
00C03660000000703	2900 MCKINNON ST	\$5,245.53
00C03660000000704	2900 MCKINNON ST	\$8,053.57
00C03660000000705	2900 MCKINNON ST	\$8,335.98
00C03660000000706	2900 MCKINNON ST	\$5,245.53
00C03660000000707	2900 MCKINNON ST	\$4,798.21
00C03660000000708	2900 MCKINNON ST	\$14,576.59
00C03660000000801	2900 MCKINNON ST	\$9,613.48
00C03660000000802	2900 MCKINNON ST	\$4,798.21
00C03660000000803	2900 MCKINNON ST	\$5,245.53
00C03660000000804	2900 MCKINNON ST	\$8,053.57
00C03660000000805	2900 MCKINNON ST	\$8,335.98
00C03660000000806	2900 MCKINNON ST	\$5,245.53
00C03660000000807	2900 MCKINNON ST	\$4,798.21

00C0366000000808	2900 MCKINNON ST	\$19,951.01
00C0366000000901	2900 MCKINNON ST	\$14,529.21
00C0366000000902	2900 MCKINNON ST	\$4,798.21
00C0366000000903	2900 MCKINNON ST	\$5,245.53
00C0366000000904	2900 MCKINNON ST	\$8,053.57
00C0366000000905	2900 MCKINNON ST	\$8,335.98
00C0366000000906	2900 MCKINNON ST	\$5,245.53
00C0366000000907	2900 MCKINNON ST	\$4,798.21
00C0366000000908	2900 MCKINNON ST	\$9,543.35
00C0366000001001	2900 MCKINNON ST	\$9,613.48
00C0366000001002	2900 MCKINNON ST	\$4,798.21
00C0366000001003	2900 MCKINNON ST	\$5,245.53
00C0366000001004	2900 MCKINNON ST	\$8,053.57
00C0366000001005	2900 MCKINNON ST	\$8,335.98
00C0366000001006	2900 MCKINNON ST	\$5,245.53
00C0366000001007	2900 MCKINNON ST	\$4,798.21
00C0366000001008	2900 MCKINNON ST	\$9,543.35
00C0366000001101	2900 MCKINNON ST	\$14,635.35
00C0366000001102	2900 MCKINNON ST	\$4,798.21
00C0366000001103	2900 MCKINNON ST	\$5,245.53
00C0366000001104	2900 MCKINNON ST	\$8,053.57
00C0366000001105	2900 MCKINNON ST	\$8,335.98
00C0366000001106	2900 MCKINNON ST	\$5,245.53
00C0366000001107	2900 MCKINNON ST	\$4,798.21
00C0366000001108	2900 MCKINNON ST	\$14,570.91
00C0366000001201	2900 MCKINNON ST	\$14,635.35
00C0366000001202	2900 MCKINNON ST	\$4,798.21
00C0366000001203	2900 MCKINNON ST	\$5,245.53
00C0366000001204	2900 MCKINNON ST	\$8,053.57
00C0366000001205	2900 MCKINNON ST	\$8,335.98
00C0366000001206	2900 MCKINNON ST	\$5,245.53
00C0366000001207	2900 MCKINNON ST	\$4,798.21
00C0366000001208	2900 MCKINNON ST	\$20,004.08
00C0366000001401	2900 MCKINNON ST	\$14,635.35
00C0366000001402	2900 MCKINNON ST	\$4,798.21
00C0366000001403	2900 MCKINNON ST	\$5,245.53
00C0366000001404	2900 MCKINNON ST	\$13,528.44
00C0366000001405	2900 MCKINNON ST	\$13,970.06
00C0366000001406	2900 MCKINNON ST	\$5,245.53
00C0366000001407	2900 MCKINNON ST	\$4,798.21
00C0366000001408	2900 MCKINNON ST	\$14,576.59
00C0366000001501	2900 MCKINNON ST	\$14,635.35
00C0366000001502	2900 MCKINNON ST	\$4,798.21
00C0366000001503	2900 MCKINNON ST	\$5,227.52
00C0366000001504	2900 MCKINNON ST	\$8,053.57
00C0366000001505	2900 MCKINNON ST	\$13,970.06
00C0366000001506	2900 MCKINNON ST	\$5,245.53
00C0366000001507	2900 MCKINNON ST	\$4,798.21
00C0366000001508	2900 MCKINNON ST	\$9,536.72
00C0366000001601	2900 MCKINNON ST	\$14,635.35
00C0366000001602	2900 MCKINNON ST	\$4,798.21
00C0366000001603	2900 MCKINNON ST	\$5,227.52
00C0366000001604	2900 MCKINNON ST	\$8,053.57
00C0366000001605	2900 MCKINNON ST	\$8,335.98
00C0366000001606	2900 MCKINNON ST	\$5,345.04
00C0366000001607	2900 MCKINNON ST	\$4,798.21

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00C0366000001608	2900 MCKINNON ST	\$14,576.59
00C0366000001701	2900 MCKINNON ST	\$14,635.35
00C0366000001702	2900 MCKINNON ST	\$4,798.21
00C0366000001703	2900 MCKINNON ST	\$5,227.52
00C0366000001704	2900 MCKINNON ST	\$13,528.44
00C0366000001705	2900 MCKINNON ST	\$13,964.38
00C0366000001706	2900 MCKINNON ST	\$5,345.04
00C0366000001707	2900 MCKINNON ST	\$4,798.21
00C0366000001708	2900 MCKINNON ST	\$14,576.59
00C0366000001801	2900 MCKINNON ST	\$14,635.35
00C0366000001802	2900 MCKINNON ST	\$4,798.21
00C0366000001803	2900 MCKINNON ST	\$5,245.53
00C0366000001804	2900 MCKINNON ST	\$8,053.57
00C0366000001805	2900 MCKINNON ST	\$8,335.98
00C0366000001806	2900 MCKINNON ST	\$5,386.73
00C0366000001807	2900 MCKINNON ST	\$4,798.21
00C0366000001808	2900 MCKINNON ST	\$14,576.59
00C0366000001901	2900 MCKINNON ST	\$11,380.00
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00C0366000001903	2900 MCKINNON ST	\$5,245.53
00C0366000001904	2900 MCKINNON ST	\$8,053.57
00C0366000001905	2900 MCKINNON ST	\$8,335.98
00C0366000001906	2900 MCKINNON ST	\$5,386.73
00C0366000001907	2900 MCKINNON ST	\$4,798.21
00C0366000001908	2900 MCKINNON ST	\$14,576.59
00C0366000002001	2900 MCKINNON ST	\$9,613.48
00C0366000002002	2900 MCKINNON ST	\$4,798.21
00C0366000002003	2900 MCKINNON ST	\$5,245.53
00C0366000002004	2900 MCKINNON ST	\$8,053.57
00C0366000002005	2900 MCKINNON ST	\$8,424.12
00C0366000002006	2900 MCKINNON ST	\$5,386.73
00C0366000002007	2900 MCKINNON ST	\$4,798.21
00C0366000002008	2900 MCKINNON ST	\$19,992.71
00C0366000002101	2900 MCKINNON ST	\$9,613.48
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00C0366000002103	2900 MCKINNON ST	\$5,245.53
00C0366000002104	2900 MCKINNON ST	\$13,528.44
00C0366000002105	2900 MCKINNON ST	\$13,876.24
00C0366000002106	2900 MCKINNON ST	\$5,386.73
00C0366000002107	2900 MCKINNON ST	\$4,798.21
00C0366000002108	2900 MCKINNON ST	\$14,576.59
00C0366000002201	2900 MCKINNON ST	\$9,554.72
00C0366000002202	2900 MCKINNON ST	\$4,798.21
00C0366000002203	2900 MCKINNON ST	\$5,245.53
00C0366000002204	2900 MCKINNON ST	\$13,587.19
00C0366000002205	2900 MCKINNON ST	\$13,869.61
00C0366000002206	2900 MCKINNON ST	\$5,386.73
00C0366000002207	2900 MCKINNON ST	\$4,798.21
00C0366000002208	2900 MCKINNON ST	\$9,549.04
00C0366000002301	2900 MCKINNON ST	\$14,659.04
00C0366000002302	2900 MCKINNON ST	\$4,798.21
00C0366000002303	2900 MCKINNON ST	\$5,227.52
00C0366000002304	2900 MCKINNON ST	\$8,053.57
00C0366000002305	2900 MCKINNON ST	\$13,887.61
00C0366000002306	2900 MCKINNON ST	\$5,386.73
00C0366000002307	2900 MCKINNON ST	\$4,798.21

00C0366000002308	2900 MCKINNON ST	\$9,549.04
00C0366000002401	2900 MCKINNON ST	\$9,613.48
00C0366000002402	2900 MCKINNON ST	\$4,798.21
00C0366000002403	2900 MCKINNON ST	\$5,227.52
00C0366000002404	2900 MCKINNON ST	\$8,053.57
00C0366000002405	2900 MCKINNON ST	\$8,324.61
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00C0366000002503	2900 MCKINNON ST	\$5,227.52
00C0366000002504	2900 MCKINNON ST	\$8,053.57
00C0366000002505	2900 MCKINNON ST	\$13,887.61
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00C0366000002507	2900 MCKINNON ST	\$4,798.21
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00C0366000002601	2900 MCKINNON ST	\$9,613.48
00C0366000002602	2900 MCKINNON ST	\$4,798.21
00C0366000002603	2900 MCKINNON ST	\$5,227.52
00C0366000002604	2900 MCKINNON ST	\$8,053.57
00C0366000002605	2900 MCKINNON ST	\$8,335.98
00C0366000002606	2900 MCKINNON ST	\$5,245.53
00C0366000002607	2900 MCKINNON ST	\$4,798.21
00C0366000002608	2900 MCKINNON ST	\$9,549.04
00C0366000002701	2900 MCKINNON ST	\$14,653.36
00C0366000002702	2900 MCKINNON ST	\$4,798.21
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00C0366000002707	2900 MCKINNON ST	\$4,798.21
00C0366000002708	2900 MCKINNON ST	\$14,641.04
00C0366000002801	2900 MCKINNON ST	\$13,540.76
00C0366000002802	2900 MCKINNON ST	\$10,762.10
00C0366000002803	2900 MCKINNON ST	\$12,863.15
00C0366000002804	2900 MCKINNON ST	\$13,581.51
00C0366000002901	2900 MCKINNON ST	\$13,575.82
00C0366000002902	2900 MCKINNON ST	\$10,655.95
00C0366000002903	2900 MCKINNON ST	\$12,934.23
00C0366000002904	2900 MCKINNON ST	\$13,587.19
00C0366000003001	2900 MCKINNON ST	\$29,518.05
00C0366000003002	2900 MCKINNON ST	\$29,800.47
00C452800000H101	3001 MAPLE AVE	\$40,667.95
00C452800000H102	3001 MAPLE AVE	\$28,022.49
00C452800000H103	3001 MAPLE AVE	\$42,769.16
00C452800000H104	3001 MAPLE AVE	\$52,401.30
00C452800000H106	3001 MAPLE AVE	\$32,778.87
00C452800000H107	3001 MAPLE AVE	\$32,659.48
00C452800000H109	3001 MAPLE AVE	\$57,869.22
00C452800000H110	3001 MAPLE AVE	\$36,150.35
00C452800000H111	3001 MAPLE AVE	\$28,022.49
00C452800000H112	3001 MAPLE AVE	\$40,667.95
00C452800000H201	3001 MAPLE AVE	\$40,667.95
00C452800000H202	3001 MAPLE AVE	\$28,022.49
00C452800000H203	3001 MAPLE AVE	\$52,124.32

EXHIBIT A

00C452800000H204	3001 MAPLE AVE	\$38,132.17
00C452800000H206	3001 MAPLE AVE	\$54,383.12
00C452800000H207	3001 MAPLE AVE	\$37,573.44
00C452800000H209	3001 MAPLE AVE	\$60,247.40
00C452800000H210	3001 MAPLE AVE	\$46,771.01
00C452800000H211	3001 MAPLE AVE	\$28,022.49
00C452800000H212	3001 MAPLE AVE	\$40,667.95
00C452800000H301	3001 MAPLE AVE	\$40,667.95
00C452800000H302	3001 MAPLE AVE	\$28,022.49
00C452800000H303	3001 MAPLE AVE	\$52,124.32
00C452800000H304	3001 MAPLE AVE	\$38,132.17
00C452800000H306	3001 MAPLE AVE	\$54,383.12
00C452800000H307	3001 MAPLE AVE	\$37,573.44
00C452800000H309	3001 MAPLE AVE	\$60,247.40
00C452800000H310	3001 MAPLE AVE	\$46,771.01
00C452800000H311	3001 MAPLE AVE	\$28,022.49
00C452800000H312	3001 MAPLE AVE	\$40,667.95
00C452800000H401	3001 MAPLE AVE	\$40,667.95
00C452800000H402	3001 MAPLE AVE	\$28,022.49
00C452800000H403	3001 MAPLE AVE	\$52,124.32
00C452800000H404	3001 MAPLE AVE	\$38,132.17
00C452800000H406	3001 MAPLE AVE	\$54,383.12
00C452800000H407	3001 MAPLE AVE	\$37,573.44
00C452800000H409	3001 MAPLE AVE	\$60,247.40
00C452800000H410	3001 MAPLE AVE	\$46,771.01
00C452800000H411	3001 MAPLE AVE	\$28,022.49
00C452800000H412	3001 MAPLE AVE	\$40,667.95
00C452800000H501	3001 MAPLE AVE	\$40,667.95
00C452800000H502	3001 MAPLE AVE	\$28,022.49
00C452800000H503	3001 MAPLE AVE	\$52,124.32
00C452800000H504	3001 MAPLE AVE	\$38,132.17
00C452800000H506	3001 MAPLE AVE	\$54,383.12
00C452800000H507	3001 MAPLE AVE	\$37,573.44
00C452800000H509	3001 MAPLE AVE	\$60,247.40
00C452800000H510	3001 MAPLE AVE	\$46,771.01
00C452800000H511	3001 MAPLE AVE	\$28,022.49
00C452800000H512	3001 MAPLE AVE	\$40,667.95
00C452800000H601	3001 MAPLE AVE	\$40,667.95
00C452800000H602	3001 MAPLE AVE	\$28,022.49
00C452800000H603	3001 MAPLE AVE	\$52,124.32
00C452800000H604	3001 MAPLE AVE	\$38,132.17
00C452800000H606	3001 MAPLE AVE	\$54,383.12
00C452800000H607	3001 MAPLE AVE	\$37,573.44
00C452800000H609	3001 MAPLE AVE	\$60,247.40
00C452800000H610	3001 MAPLE AVE	\$46,771.01
00C452800000H611	3001 MAPLE AVE	\$28,022.49
00C452800000H612	3001 MAPLE AVE	\$40,667.95
00C452800000H701	3001 MAPLE AVE	\$40,667.95
00C452800000H702	3001 MAPLE AVE	\$28,022.49
00C452800000H703	3001 MAPLE AVE	\$52,124.32
00C452800000H704	3001 MAPLE AVE	\$38,132.17
00C452800000H706	3001 MAPLE AVE	\$54,383.12
00C452800000H707	3001 MAPLE AVE	\$37,573.44
00C452800000H709	3001 MAPLE AVE	\$60,247.40
00C452800000H712	3001 MAPLE AVE	\$103,217.14
00C452800000T101	3001 MAPLE AVE	\$28,094.12

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00C452800000T103	3001 MAPLE AVE	\$28,094.12
00C452800000T105	3001 MAPLE AVE	\$28,094.12
00C452800000T107	3001 MAPLE AVE	\$28,094.12
00C452800000T109	3001 MAPLE AVE	\$28,094.12
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00C452800000T115	3001 MAPLE AVE	\$28,094.12
00C452800000T600	3001 MAPLE AVE	\$15,467.77
00C452800000T601	3001 MAPLE AVE	\$10,730.49
00C452800000T602	3001 MAPLE AVE	\$10,415.31
00C452800000T603	3001 MAPLE AVE	\$16,413.31
00C452800000T604	3001 MAPLE AVE	\$16,413.31
00C452800000T605	3001 MAPLE AVE	\$8,839.41
00C452800000T606	3001 MAPLE AVE	\$10,415.31
00C452800000T607	3001 MAPLE AVE	\$10,730.49
00C452800000T608	3001 MAPLE AVE	\$10,730.49
00C452800000T609	3001 MAPLE AVE	\$11,045.68
00C452800000T610	3001 MAPLE AVE	\$14,202.27
00C452800000T611	3001 MAPLE AVE	\$15,782.95
00C452800000T612	3001 MAPLE AVE	\$15,782.95
00C452800000T614	3001 MAPLE AVE	\$10,730.49
00C452800000T616	3001 MAPLE AVE	\$10,730.49
00C452800000T700	3001 MAPLE AVE	\$15,467.77
00C452800000T701	3001 MAPLE AVE	\$10,730.49
00C452800000T702	3001 MAPLE AVE	\$10,415.31
00C452800000T703	3001 MAPLE AVE	\$16,413.31
00C452800000T704	3001 MAPLE AVE	\$16,413.31
00C452800000T705	3001 MAPLE AVE	\$8,839.41
00C452800000T706	3001 MAPLE AVE	\$10,415.31
00C452800000T707	3001 MAPLE AVE	\$10,730.49
00C452800000T708	3001 MAPLE AVE	\$10,730.49
00C452800000T709	3001 MAPLE AVE	\$11,045.68
00C452800000T710	3001 MAPLE AVE	\$14,202.27
00C452800000T712	3001 MAPLE AVE	\$15,782.95
00C452800000T714	3001 MAPLE AVE	\$10,730.49
00C452800000T716	3001 MAPLE AVE	\$10,730.49
00C452800000T800	3001 MAPLE AVE	\$15,467.77
00C452800000T801	3001 MAPLE AVE	\$10,730.49
00C452800000T802	3001 MAPLE AVE	\$10,415.31
00C452800000T803	3001 MAPLE AVE	\$16,413.31
00C452800000T804	3001 MAPLE AVE	\$16,413.31
00C452800000T805	3001 MAPLE AVE	\$8,839.41
00C452800000T806	3001 MAPLE AVE	\$10,415.31
00C452800000T807	3001 MAPLE AVE	\$10,730.49
00C452800000T808	3001 MAPLE AVE	\$10,730.49
00C452800000T809	3001 MAPLE AVE	\$11,045.68
00C452800000T810	3001 MAPLE AVE	\$14,202.27
00C452800000T811	3001 MAPLE AVE	\$15,782.95
00C452800000T812	3001 MAPLE AVE	\$15,782.95
00C452800000T814	3001 MAPLE AVE	\$10,730.49
00C452800000T816	3001 MAPLE AVE	\$10,730.49
00C452800000T900	3001 MAPLE AVE	\$15,467.77
00C452800000T901	3001 MAPLE AVE	\$10,730.49
00C452800000T902	3001 MAPLE AVE	\$10,415.31
00C452800000T903	3001 MAPLE AVE	\$16,413.31
00C452800000T904	3001 MAPLE AVE	\$16,413.31

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00C452800000T905	3001 MAPLE AVE	\$8,839.41
00C452800000T906	3001 MAPLE AVE	\$30,634.68
00C452800000T907	3001 MAPLE AVE	\$10,730.49
00C452800000T908	3001 MAPLE AVE	\$10,730.49
00C452800000T909	3001 MAPLE AVE	\$11,045.68
00C452800000T910	3001 MAPLE AVE	\$14,202.27
00C452800000T911	3001 MAPLE AVE	\$15,782.95
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00C452800000T914	3001 MAPLE AVE	\$10,730.49
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00C452800000T1000	3001 MAPLE AVE	\$15,467.77
00C452800000T1001	3001 MAPLE AVE	\$10,730.49
00C452800000T1002	3001 MAPLE AVE	\$10,415.31
00C452800000T1003	3001 MAPLE AVE	\$16,413.31
00C452800000T1004	3001 MAPLE AVE	\$16,413.31
00C452800000T1005	3001 MAPLE AVE	\$26,169.61
00C452800000T1006	3001 MAPLE AVE	\$10,415.31
00C452800000T1007	3001 MAPLE AVE	\$10,730.49
00C452800000T1009	3001 MAPLE AVE	\$11,045.68
00C452800000T1010	3001 MAPLE AVE	\$14,202.27
00C452800000T1012	3001 MAPLE AVE	\$15,782.95
00C452800000T1014	3001 MAPLE AVE	\$10,730.49
00C452800000T1016	3001 MAPLE AVE	\$10,730.49
00C452800000T1100	3001 MAPLE AVE	\$15,467.77
00C452800000T1101	3001 MAPLE AVE	\$10,730.49
00C452800000T1102	3001 MAPLE AVE	\$10,415.31
00C452800000T1103	3001 MAPLE AVE	\$16,413.31
00C452800000T1104	3001 MAPLE AVE	\$16,413.31
00C452800000T1105	3001 MAPLE AVE	\$8,839.41
00C452800000T1106	3001 MAPLE AVE	\$10,415.31
00C452800000T1107	3001 MAPLE AVE	\$10,730.49
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00C452800000T1109	3001 MAPLE AVE	\$11,045.68
00C452800000T1110	3001 MAPLE AVE	\$14,202.27
00C452800000T1111	3001 MAPLE AVE	\$15,782.95
00C452800000T1112	3001 MAPLE AVE	\$15,782.95
00C452800000T1114	3001 MAPLE AVE	\$10,730.49
00C452800000T1116	3001 MAPLE AVE	\$10,730.49
00C452800000T1200	3001 MAPLE AVE	\$15,467.77
00C452800000T1201	3001 MAPLE AVE	\$10,730.49
00C452800000T1202	3001 MAPLE AVE	\$10,415.31
00C452800000T1203	3001 MAPLE AVE	\$16,413.31
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00C452800000T1209	3001 MAPLE AVE	\$11,045.68
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00C452800000T1211	3001 MAPLE AVE	\$15,782.95
00C452800000T1212	3001 MAPLE AVE	\$15,782.95
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00C452800000T1301	3001 MAPLE AVE	\$10,730.49
00C452800000T1302	3001 MAPLE AVE	\$10,415.31

EXHIBIT A

00C452800000T1303	3001 MAPLE AVE	\$16,413.31
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00C452800000T1306	3001 MAPLE AVE	\$10,415.31
00C452800000T1307	3001 MAPLE AVE	\$10,730.49
00C452800000T1308	3001 MAPLE AVE	\$10,730.49
00C452800000T1309	3001 MAPLE AVE	\$11,045.68
00C452800000T1310	3001 MAPLE AVE	\$14,202.27
00C452800000T1311	3001 MAPLE AVE	\$15,782.95
00C452800000T1312	3001 MAPLE AVE	\$15,782.95
00C452800000T1314	3001 MAPLE AVE	\$10,730.49
00C452800000T1316	3001 MAPLE AVE	\$10,730.49
00C452800000T1400	3001 MAPLE AVE	\$15,467.77
00C452800000T1401	3001 MAPLE AVE	\$10,730.49
00C452800000T1402	3001 MAPLE AVE	\$10,415.31
00C452800000T1403	3001 MAPLE AVE	\$16,413.31
00C452800000T1404	3001 MAPLE AVE	\$16,413.31
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00C452800000T1406	3001 MAPLE AVE	\$10,415.31
00C452800000T1407	3001 MAPLE AVE	\$10,730.49
00C452800000T1408	3001 MAPLE AVE	\$10,730.49
00C452800000T1409	3001 MAPLE AVE	\$11,045.68
00C452800000T1410	3001 MAPLE AVE	\$14,202.27
00C452800000T1411	3001 MAPLE AVE	\$15,782.95
00C452800000T1412	3001 MAPLE AVE	\$15,782.95
00C452800000T1414	3001 MAPLE AVE	\$10,730.49
00C452800000T1416	3001 MAPLE AVE	\$10,730.49
00C452800000T1500	3001 MAPLE AVE	\$15,467.77
00C452800000T1501	3001 MAPLE AVE	\$10,730.49
00C452800000T1502	3001 MAPLE AVE	\$10,415.31
00C452800000T1503	3001 MAPLE AVE	\$16,413.31
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00C452800000T1507	3001 MAPLE AVE	\$10,730.49
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00C452800000T1509	3001 MAPLE AVE	\$11,045.68
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00C452800000T1512	3001 MAPLE AVE	\$15,782.95
00C452800000T1514	3001 MAPLE AVE	\$10,730.49
00C452800000T1516	3001 MAPLE AVE	\$10,730.49
00C452800000T1600	3001 MAPLE AVE	\$20,200.26
00C452800000T1601	3001 MAPLE AVE	\$10,415.31
00C452800000T1603	3001 MAPLE AVE	\$16,728.49
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00C452800000T1606	3001 MAPLE AVE	\$8,839.41
00C452800000T1607	3001 MAPLE AVE	\$10,415.31
00C452800000T1608	3001 MAPLE AVE	\$10,415.31
00C452800000T1610	3001 MAPLE AVE	\$14,837.40
00C452800000T1611	3001 MAPLE AVE	\$23,987.22
00C452800000T1612	3001 MAPLE AVE	\$15,152.58
00C452800000T1614	3001 MAPLE AVE	\$10,730.49
00C47770000000301	800 OLIVE ST	\$31,770.00
00C47770000000302	800 OLIVE ST	\$31,710.00

EXHIBIT A

00C47770000000303	800 OLIVE ST	\$31,710.00
00C47770000000401	800 OLIVE ST	\$31,710.00
00C47770000000402	800 OLIVE ST	\$31,710.00
00C47770000000403	800 OLIVE ST	\$31,710.00
00C47770000000501	800 OLIVE ST	\$31,710.00
00C47770000000502	800 OLIVE ST	\$31,710.00
00C47770000000503	800 OLIVE ST	\$31,710.00
00C47770000000601	800 OLIVE ST	\$31,710.00
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EXHIBIT A

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EXHIBIT A

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EXHIBIT A

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EXHIBIT A

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EXHIBIT A

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EXHIBIT A

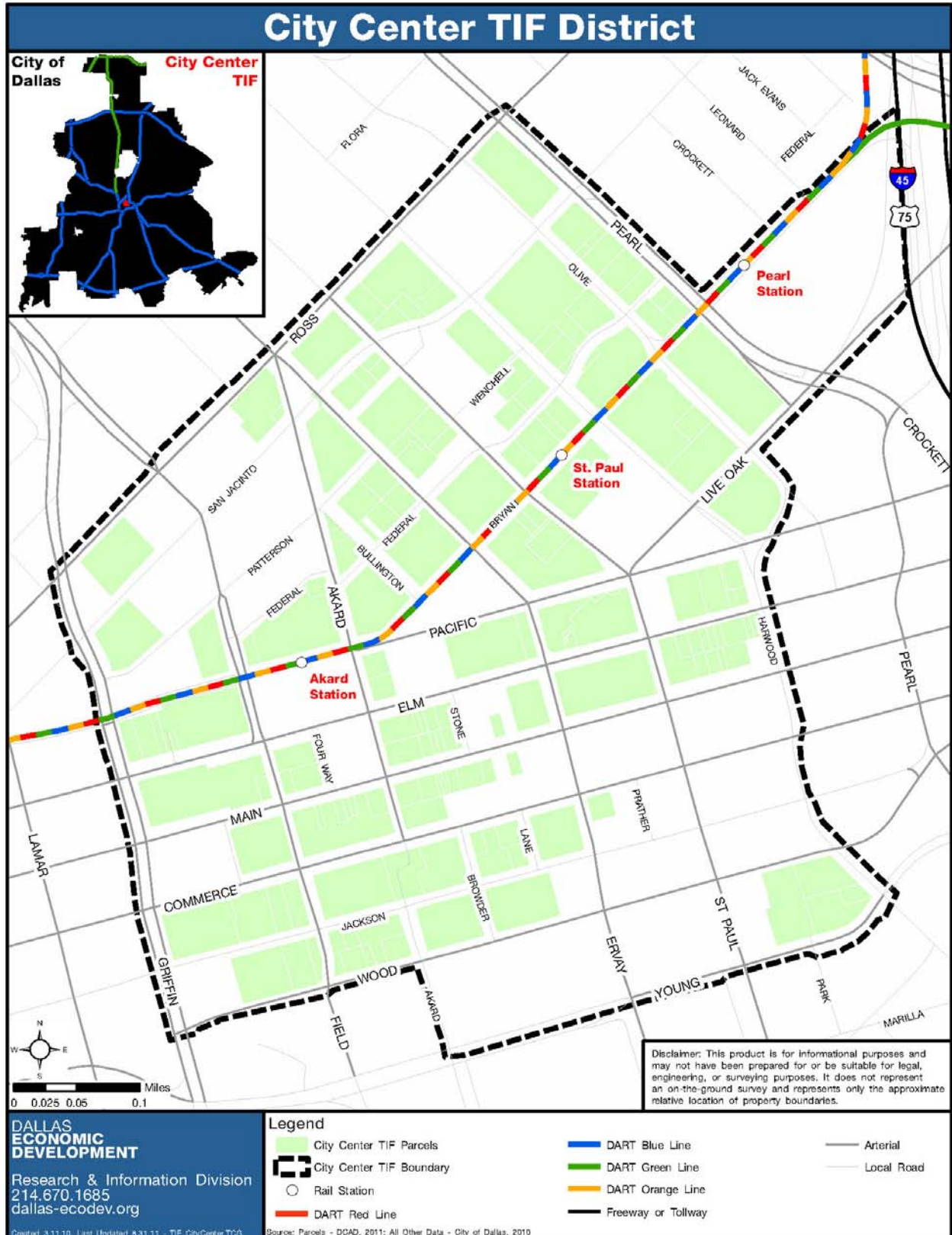
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00C72700000002200	2555 N PEARL ST	\$0.00
00C72700000002300	2555 N PEARL ST	\$0.00

\$561,696,137.00

TO BE ADDED WITH 2009 VALUES

'00029600030070000	1600 ASHLAND ST	\$421,350.00
00000106810000000	2311 CAROLINE ST	\$1,580,250.00
00000106822000000	2307 CAROLINE ST	\$966,080.00
00000106846000000	1601 CEDARS SPRINGS RD	\$253,500.00

Appendix B: As Amended on February 8, 2006



AGENDA ITEM # 8

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Equipment & Building Services

CMO: Forest E. Turner, 670-3390

MAPSCO:
45-Q

SUBJECT

Authorize Supplemental Agreement No. 1 to the contract with Dewberry Architects, Inc. for Phase 2 design services, security system and fire alarm upgrades for the lobby renovation project at Dallas City Hall - Not to exceed \$157,573, from \$38,335 to \$195,908 - Financing: Capital Construction Funds

BACKGROUND

This project includes design services for City Hall lobby renovations and development of system criteria and performance requirements for upgrades to the City Hall fire alarm and security systems. On February 1, 2013, Administrative Action No. 135284, authorized a professional services architectural contract to perform Phase 1 design services (preliminary conceptual design and cost estimates) for the lobby renovations and an assessment of the existing fire and security systems.

Lobby renovations will replace the existing maintenance-intensive escalators with a nearly maintenance-free grand staircase and improve lighting and acoustics in the lobby. Supplemental Agreement No. 1 includes developing final design and construction documents. The existing fire alarm panels and system are aged and in need of upgrades in order to continue to meet fire codes. The existing security system is in need of upgrades in order to improve system reliability and provide an interface with the fire alarm system. Supplemental Agreement No.1 will (1) develop security system criteria for access control and video surveillance; and (2) establish minimum performance requirements of the master fire alarm panel and the remote fire alarm panels. These two items are necessary to facilitate a subsequent procurement of upgrades to the fire alarm and access control/security system.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2013
Complete Design	May 2013
Begin Construction	June 2013
Complete Construction	August 2013

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a contract with Dewberry Architects, Inc. to perform professional architectural design and engineering services for the lobby renovations at City Hall locations on February 1, 2013, by Administrative Action No. 135284.

FISCAL INFORMATION

Capital Construction Funds - \$157,573.00

Phase 1 Design	\$ 38,335.00
Phase 2 Services to Construction Documents (this action)	\$107,760.00
Security System and Fire Alarm upgrades (this action)	<u>\$ 49,813.00</u>
Total	<u>\$195,908.00</u>

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Dewberry Architects, Inc.

White Male	7	White Female	10
Black Male	1	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

OWNER

Dewberry Architects, Inc.

Jim Draheim, President
Tim S. Kraft, Office Director/Principal
Susan Wright, Project Manager

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the contract with Dewberry Architects, Inc. for Phase 2 design services, security system and fire alarm upgrades for the lobby renovation project at Dallas City Hall - Not to exceed \$157,573, from \$38,335 to \$195,908 - Financing: Capital Construction Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$156,573.00	99.37%
Non-local contracts	\$1,000.00	0.63%
TOTAL THIS ACTION	\$157,573.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

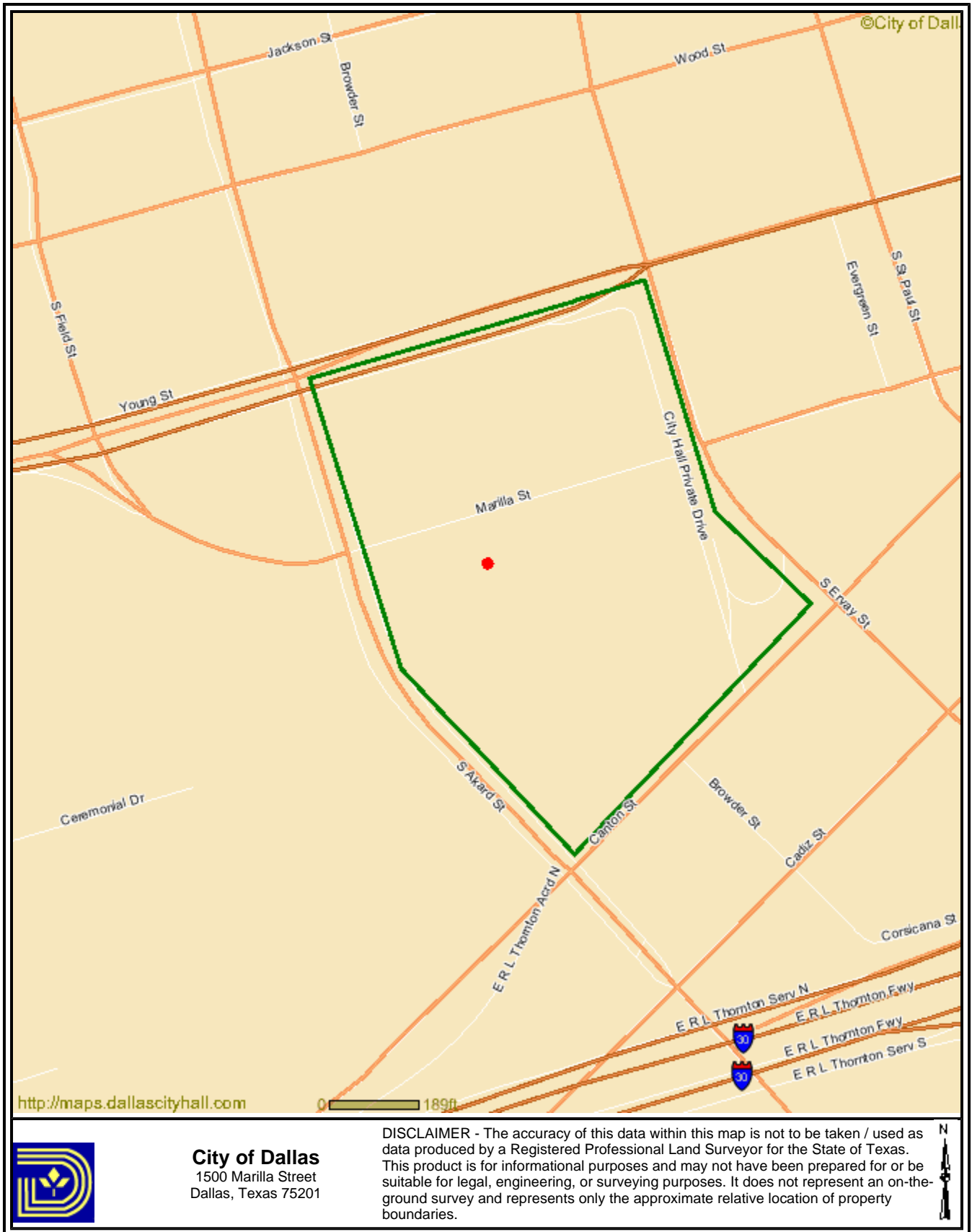
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Jaster-Quintanilla Dallas, LLP	HMMB56427N0114	\$16,500.00	10.54%
M.E.P. Consulting Engineers	WFWB55270Y1013	\$24,975.00	15.95%
Wrightson, Johnson, Haddon & Williams	WFDB55483Y1113	\$8,000.00	5.11%
Total Minority - Local		\$49,475.00	31.60%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Halford Busby, LLC	WFWB54515N0813	\$1,000.00	100.00%
Total Minority - Non-local		\$1,000.00	100.00%

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$16,500.00	10.47%	\$25,000.00	12.76%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$33,975.00	21.56%	\$46,740.00	23.86%
Total	\$50,475.00	32.03%	\$71,740.00	36.62%



April 24, 2013

WHEREAS, it was determined there was a need to renovate the Dallas City Hall lobby and evaluate the existing security and fire alarm systems; and,

WHEREAS, on February 1, 2013, Administrative Action No. 135284 authorized a contract with Dewberry Architects, Inc. to perform professional architectural design and engineering services for the lobby renovations at City Hall locations; and,

WHEREAS, it is now desirable to authorize Supplemental Agreement No. 1 to the contract with Dewberry Architects, Inc. for Phase 2 system upgrades and construction services for the renovations project at Dallas City Hall Lobby in an amount not to exceed \$157,573, increasing the contract from \$38,335 to \$195,908.

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. 1 to the contract with Dewberry Architects, Inc. for Phase 2 system upgrades and construction services for the renovations project at Dallas City Hall Lobby in an amount not to exceed \$157,573, increasing the contract from \$38,335 to \$195,908, after it has been approved as to form by the City Attorney.

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

Capital Construction Fund
Fund 0671, Dept. EBS, Unit P479
Obj. 3095, CT EBS13P479CT40
Vendor # 150561, in an amount not to exceed \$157,573.00

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): All
DEPARTMENT: Housing/Community Services
CMO: Ryan S. Evans, 670-3314
MAPSCO: N/A

SUBJECT

Authorize **(1)** the acceptance of additional grant funds from the Dallas Housing Finance Corporation (DHFC) for the purpose of providing warranty home repairs for low-income qualified families under the Home Repair Program; and **(2)** an increase in appropriations in the amount of \$50,000, from \$263,272 to \$313,272 for warranty home repairs - Not to exceed \$50,000 - Financing: Dallas Housing Finance Corporation Grant Funds

BACKGROUND

The City created the Dallas Housing Finance Corporation (DHFC) in April of 1984 to provide financing for affordable single-family home ownership and multifamily rehabilitation and development within the City.

Periodically the DHFC makes funds available for additional affordable housing purposes. In 2004, the DHFC voted to provide \$27,300 to the City of Dallas to continue to provide low-income and moderate-income elderly and/or disabled homeowners with minor home repair services. The City accepted the funding and appropriated it for those services.

In June 2006, the Dallas Housing Finance Corporation voted to provide \$100,000 to the Home Repair Program for necessary and emergency home repair services for low-income families.

In December 2011, the DHFC voted to provide \$100,000 to the Home Repair Program for necessary warranty repair services for low-income families.

The City's Home Repair Program receives and processes applications on a first come - first serve basis given available grant funding. Currently, there is no available funding for income-eligible homeowners facing minor home warranty repairs.

BACKGROUND (continued)

This resolution authorizes the City of Dallas to accept \$50,000 from the Dallas Housing Finance Corporation (DHFC) 2013 Fiscal Year for warranty home repairs; authorizes the City Controller to deposit the funds and disburse the funds; and authorizes the City Manager to appropriate the funds for warranty repairs in the Home Repair Program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 28, 1998, the City Council approved the Program Statement authorizing the Housing Department to implement the Home Improvement Loan Program by Resolution No. 98-3157.

On August 23, 2000, the City Council authorized approval of the program statement for the Home Improvement Loan Program by Resolution No. 00-2656.

On June 27, 2001, the City Council authorized approval of a program statement for the Home Repair Program by Resolution No. 01-2049.

On August 14, 2002, the City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-2272.

On October 23, 2002, the City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-3047.

On May 26, 2004, the City Council accepted \$27,300 from the Dallas Housing Finance Corporation by Resolution No. 93-1822.

On February 14, 2007, the City Council accepted \$100,000 from the Dallas Housing Finance Corporation by Resolution No. 07-0521.

On December 10, 2008, the City Council accepted \$125,000 from the Dallas Housing Finance Corporation by Resolution No. 08-3342.

On February 22, 2012, the City Council accepted \$50,000 from the Dallas Housing Finance Corporation by Resolution No. 12-0551.

On September 12, 2012, the City Council accepted \$50,000 from the Dallas Housing Finance Corporation by Resolution No. 12-2251.

FISCAL INFORMATION

Dallas Housing Finance Corporation Grant Funds- \$50,000

April 24, 2013

WHEREAS, the City has previously accepted Dallas Housing Finance Corporation funds to provide Dallas low-income and moderate-income elderly and/or disabled homeowners with minor repair services; and

WHEREAS, on May 26, 2004, the City Council accepted \$27,300 from the Dallas Housing Finance Corporation by Resolution No. 04-1725; and

WHEREAS, on February 14, 2007, the City Council accepted \$100,000 from the Dallas Housing Finance Corporation by Resolution No. 07-0521; and

WHEREAS, on December 10, 2008, the City Council accepted \$125,000 from the Dallas Housing Finance Corporation by Resolution No. 08-3342; and

WHEREAS, on February 22, 2012, the City Council accepted \$50,000 from the Dallas Housing Finance Corporation for the purpose of providing warranty repair services for low income families under the Home Repair Program by Resolution No. 12-0551; and

WHEREAS, on September 12, 2012, the City Council accepted \$50,000 from the Dallas Housing Finance Corporation for the purpose of providing warranty repair services for low income families under the Home Repair Program by Resolution No. 12-2251; and

WHEREAS, the Dallas Housing Finance Corporation has voted to provide \$50,000 funding to the City of Dallas to provide warranty home repair services to low-income homeowners; and

WHEREAS, the City Council desires to offer health and safety solutions for low-income homeowners with warranty repair services; **NOW, THEREFORE,**

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

Section 1. That the City of Dallas accepts \$50,000 from the Dallas Housing Finance Corporation for the purpose of funding warranty repair services for low-income families under the Home Repair Program.

Section 2. That the City Controller is authorized to deposit funds in an amount not to exceed \$50,000 into Fund 0319, Agency HOU, Unit 9815, Revenue Source 8411.

Section 3. That the City Manager is authorized to increase appropriations in the amount of \$50,000 from \$263,272 to \$313,272 in Fund 0319, Agency HOU, Unit 9815, OBJ 3099.

April 24, 2013

Section 4. That the City Controller is authorized to disburse these funds under the Home Repair Program as follows: Fund 0319, Agency HOU, Unit 9815, OBJ 3099.

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

KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 1

DEPARTMENT: Housing/Community Services

CMO: Ryan S. Evans, 670-3314

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 \$363,333, to provide project-based rental assistance for permanent housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2013 through May 11, 2014 and encumber \$2,769 for administrative costs for the City; **(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 \$321,000 to provide \$300,000 for project-based rental assistance for permanent housing for homeless persons with HIV/AIDS and \$21,000 for administrative costs at Hillcrest House for the period May 12, 2013 through May 11, 2014; and **(3)** execution of any and all agreements and other documents required by the grant - Total not to exceed \$363,333 - Financing: U.S. Department of Housing and Urban Development Grant Funds

BACKGROUND

In 1992, the City of Dallas as grantee, together with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (ASD) as project sponsor, applied for and was 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.

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 ASD as sole general partner and, through a wholly owned subsidiary, sole limited partner.

BACKGROUND (Continued)

Beginning in May 2006, the Hillcrest House Shelter Plus Care/SRO grant has been renewed by the U.S. Department of Housing and Urban Development (HUD) to provide ongoing rental assistance for the facility. In June 2012, HUD issued new regulations merging Shelter Plus Care and Supportive Housing Program (SHP) grants into a single Continuum of Care grant and converting Shelter Plus Care/SRO projects (like Hillcrest House) into project-based rental assistance.

Pursuant to these new regulations, HUD has approved the City of Dallas FY2012 renewal application for Continuum of Care Grant funds (formerly Shelter Plus Care) for project-based rental assistance at Hillcrest House, with the City of Dallas as grantee administering the rental assistance directly through contract with ASD. Under prior regulations, a public housing authority (Dallas Housing Authority) was required to act as rental assistance administrator for the grant, but that is no longer the case under the new regulations.

Grantees are required to share at least 50 percent of funding for administrative costs with project sponsors. Likewise, all recipients are required to match 25 percent of Continuum of Care grant funds with funds or in-kind contributions from other sources.

Grant funds and match are shared with ASD as follows:

	City	ASD	Total
Project-Based Rental Asst	\$39,564	\$300,000	\$339,564
Administrative Costs	<u>\$ 2,769</u>	<u>\$ 21,000</u>	<u>\$ 23,769</u>
Total	\$42,333	\$321,000	\$363,333
Match Required (25%)	\$10,584	\$ 80,250	\$ 90,834

The City of Dallas provides match through partial salary for a City of Dallas case manager housed at Hillcrest House providing homeless outreach services for the facility. ASD provides match through cash sources that fund salary and benefits for supportive service staff at Hillcrest House.

PERFORMANCE MEASURES

Number of Persons Assisted

	2012-13 <u>Goal</u>	2012-13 <u>Actual*</u>	2013-14 <u>Goal</u>
Persons served at Hillcrest	79	63	79
Persons in stable housing at Hillcrest	58	61	58

*YTD data through 2/28/13 (10 months)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the FY2011 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on February 22, 2012, by Resolution No. 12-0553.

Authorized the FY2010 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 13, 2011, by Resolution No. 11-0916.

Authorized the FY2009 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 14, 2010, by Resolution No. 10-0866.

Authorized the FY2008 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 22, 2009, by Resolution No. 09-1055.

Authorized the FY2007 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 23, 2008, by Resolution No. 08-1251.

FISCAL INFORMATION

\$363,333 - 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	3	White Male	15
Hispanic Female	0	Hispanic Male	2
Other Female	0	Other Male	0

OWNER(S)

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

Board of Directors

Dennis Kershner, Chair
Wayne Thomas, Vice Chair
Don Neubauer, Secretary
William Early, Treasurer
Jacque Borel
Charles Calise
Karen Charleston
Sergio Delgado
David Floyd
Larry Gibson
Robert Goldberg, Esq.

Jennifer Greenlee
Robert Helm
Gretchen Kelly
Jon Paul Martinez
Beth McFarland
Buddy Mercer
Jay Oppenheimer
Richard A. Perry, Jr.
Hon. Craig Smith
Budi Sutomo
Hon. Ernie White

April 24, 2013

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 (formerly Shelter Plus Care) to assist homeless persons living with HIV/AIDS with project-based rental assistance; and

WHEREAS, HUD has approved the City of Dallas FY2012 renewal application for Continuum of Care Grant funds (formerly Shelter Plus Care) to provide rental assistance for homeless persons living 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 \$363,333 (Grant No. TX0060L6T001205 and CFDA No. 14.267) to provide project-based rental assistance for permanent housing for homeless persons with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2013 through May 11, 2014 and encumber \$2,769 for administrative costs for the City; **(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 \$321,000 to provide \$300,000 for project-based rental assistance for permanent housing for homeless persons with HIV/AIDS and \$21,000 for administrative costs at Hillcrest House for the period May 12, 2013 through May 11, 2014; and **(3)** execute any and all agreements and other documents required by the grant.

Section 2. That the City Controller is hereby authorized to receive and deposit grant funds in Fund F400, Dept. HOU, Unit 013C, Revenue Source Code 6506, in an amount not to exceed \$363,333.

Section 3. That the City Manager is hereby authorized to establish appropriations in Fund F400, Dept. HOU, Unit 013C, in an amount not to exceed \$363,333, according to the attached schedule.

April 24, 2013

Section 4. That the City Controller is hereby authorized to disburse funds from Fund F400, Dept. HOU, Unit 013C, in an amount not to exceed \$42,333 for City expenses according to the attached schedule; and in periodic payments an amount not to exceed \$300,000 to Hillcrest House Partnership, Ltd. from Fund F400, Dept. HOU, Unit 013C, Object 3099, Encumbrance No. CTGH184581, Vendor No. VC0000011725, and an amount not to exceed \$21,000 to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas from Fund F400, Dept. HOU, Unit 013C, Object 3099, Encumbrance No. CTGH184582, Vendor No. 268632.

Section 5. That the City Manager is hereby authorized to reimburse to HUD any expenditures identified as ineligible.

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.

SCHEDULE

U.S. Department of Housing and Urban Development Continuum of Care Grant

May 12, 2013 through May 11, 2014

Fund F400, Dept. HOU, Unit 013C

<u>Object Code</u>	<u>Description</u>	<u>Amount</u>
1101	Salaries	\$ 30,333
1203	SIP	2,100
1301	Pensions	3,000
1303	Life Insurance	100
1304	Health Insurance	2,700
1306	FICA	400
2110	Supplies	250
2252	Postage	250
3363	Mileage	500
3851	Pension Bond Debt Service	<u>2,700</u>
		\$ 42,333
3099	Misc. Special Services	<u>\$321,000</u>
	TOTAL	\$363,333

Matching Funds

Fund HW12, Dept. HOU, Unit 915E

<u>Description</u>	<u>Amount</u>
Case Manager Salary	\$10,584

Cash Match

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

<u>Description</u>	<u>Amount</u>
Support Service Staff Salary/ Benefits	\$80,250

KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing/Community Services

CMO: Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize **(1)** the acceptance of a Continuum of Care Grant from the U.S. Department of Housing and Urban Development for the Shelter Plus Care II project to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2013 through April 30, 2014; and **(2)** execution of the grant agreement - Not to exceed \$475,033 - Financing: U.S. Department of Housing and Urban Development Grant Funds

BACKGROUND

The City of Dallas Housing/Community Services Department will continue using Shelter Plus Care II Grant Funds (Grant No. TX0073L6T001205 and CFDA No. 14.267) to provide rental assistance to the hard-to-serve homeless persons with disabilities and their families. This service includes homeless persons who are seriously mentally ill, have chronic problems with alcohol, drugs or both or have AIDS and related diseases.

Under the grant agreement, the program will provide full or partial rental payments for 50 households. Clients will select the site in which they choose to reside based on their individual needs. Rental payments will be made at the Fair Market Rent (FMR) rate. Clients with incomes are required to pay 30% of their adjusted income toward the payment of their rent.

The Shelter Plus Care program requires that social or rehabilitative services be provided to all persons for whom rental payments are made. Out of the \$475,033 awarded, \$5,000 has been set aside to pay for clients utilities. These services are provided by community agencies, through non-financial agreements with the City, and city caseworkers. These services include case management, drug treatment, medication, psychiatric counseling, legal aid, employment, and training classes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on March 28, 2012, by Resolution No. 12-0911.

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 13, 2011, by Resolution No. 11-0917.

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 28, 2010, by Resolution No. 10-1052.

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 22, 2009, by Resolution No. 09-1054.

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 23, 2008, by Resolution No. 08-1250.

FISCAL INFORMATION

\$475,033 - U.S. Department of Housing and Urban Development Grant Funds

April 24, 2013

WHEREAS, there is a need to assist homeless persons by providing rental assistance, in conjunction with support services; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides Continuum of Care Grant funds (formerly Shelter Plus Care II) to assist the homeless with rental assistance; and

WHEREAS, HUD has approved the City of Dallas' renewal application for Continuum of Care Grant funds (formerly Shelter Plus Care II) totaling \$475,033;

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 \$475,033 (Grant No. TX0073L6T001205 and CFDA No. 14.267) for the Shelter Plus Care II project to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2013 through April 30, 2014; and **(2)** execute any and all agreements and other documents required by this grant.

Section 2. That the City Controller is hereby authorized to receive and deposit grant funds in Fund F395, Dept. HOU, Unit 1656, Revenue Source 6506, in an amount not to exceed \$475,033.

Section 3. That the City Manager is hereby authorized to establish appropriations in Fund F395, Dept. HOU, Unit 1656, Object Code 3330, in the amount of \$470,033 and Object Code 2140, in the amount of \$5,000.

Section 4. That the City Controller is hereby authorized to disburse grant funds from Fund F395, Dept. HOU, Unit 1656, Object Code 3330, in the amount of \$470,033 and Object Code 2140, in the amount of \$5,000.

Section 5. That the City Manager is hereby authorized to reimburse to HUD any expenditures identified as ineligible.

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

AGENDA ITEM # 12

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a public hearing to be held on May 22, 2013 to receive comments on the proposed FY 2013-14 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

BACKGROUND

Each year the City of Dallas holds a series of public hearings to provide the citizens of Dallas the opportunity to speak on next year's budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

April 24, 2013

WHEREAS, the City Council is committed to providing the citizens of Dallas with the opportunity to speak on the City's proposed FY 2013-14 budget;

Now, Therefore,

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

Section 1. That a public hearing on the City's proposed FY 2013-14 Operating, Capital, Grant and Trust budgets will be held on May 22, 2013 in the Council Chambers.

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 # 13

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Management Services
Intergovernmental Services
Convention and Event Services

CMO: Jeanne Chipperfield, 670-7804
Mary K. Suhm, 670-5306
Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

A resolution naming the Dallas Convention Center in honor of retired U.S. Senator Kay Bailey Hutchison - Financing: No cost consideration to the City

BACKGROUND

Kay Bailey Hutchison is a former United States Senator with over 40 years of service in the public sector. In 1967, she received her Bachelor of Arts Degree from the University of Texas at Austin. After graduating, she became a television reporter in Houston. In 1972, she was elected to the Texas House of Representatives. In 1976, she was vice-chair of the National Transportation Board. In 1990, Senator Hutchison was elected as the Texas State Treasurer. Then in 1993, she was elected to the United States Senate, as the first woman Senator from the State of Texas. During her years of service she served on various Senate committees, including Appropriations, Commerce, Justice and Science, Energy and Water Development, Labor, Health and Human Services and Education, Transportation, and Housing and Urban Development.

Senator Hutchison's many accomplishments include working with the Dallas area Congressional delegation to secure over \$225 million for the Trinity Corridor Project. This Project includes the Dallas Floodway Extension, Margaret McDermott Bridge, Margaret Hunt Hill Bridge and the I35-E Bridge. She led the effort to rescind the Wright Amendment and ensure federal support for the Love Field Modernization Program. Additionally, she has worked continuously with DART to help create the nation's largest light rail system. During her tenure she served as a champion for local governments, leading Congressional efforts to preserve local authority to manage public rights-of-way and ensure that cities receive fair compensation for their use and management, as well as ensuring that Texas received a higher return from its contributions to the federal highway trust fund.

BACKGROUND (Continued)

Senator Hutchison retired from the United States Senate in January 2013. The City of Dallas wishes to acknowledge her contributions to Dallas and the State of Texas by naming the Dallas Convention Center the Kay Bailey Hutchison Convention Center in her honor.

PRIOR ACTION (COUNCIL, BOARD, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

April 24, 2013

WHEREAS, Kay Bailey Hutchison served with distinction in the United States Senate since 1993; and

WHEREAS, during her tenure, Senator Hutchison served in a number of leadership positions, including Vice Chairman of the Republican Conference and senior positions on the Appropriations and Commerce Committees; and

WHEREAS, Senator Hutchison has been a steadfast supporter of Dallas and has unselfishly given her time and efforts to further the interests of the city and its citizens; and

WHEREAS, Senator Hutchison was a champion of local governments, leading congressional efforts to preserve local authority to manage public rights-of-way and ensure that the cities received fair compensation for their use and management; and

WHEREAS, Senator Hutchison was key to the repeal of the Wright Amendment in 2006 and subsequently ensured federal support for the Love Field Modernization Program, which will significantly improve air travel and create jobs in Dallas; and

WHEREAS, the designation of Interstate 35 as a NAFTA superhighway, which improved Dallas's importance in the global economy, would not have been possible without Senator Hutchison's leadership; and

WHEREAS, Senator Hutchison ensured that Texas received a higher return from its contributions to the federal highway trust fund on each major transportation reauthorization bill during her tenure; and

WHEREAS, Senator Hutchison's valiant efforts preserved Amtrak's Texas Eagle service and helped launched the Heartland Flyer, cementing the Dallas' connection to the national passenger rail network; and

WHEREAS, Senator Hutchison championed construction of DART light rail, the nation's largest light rail system; and

WHEREAS, other notable work in Senator Hutchison's career has provided the City of Dallas with substantial assistance for improvements that have contributed to the safety and revitalization of downtown Dallas, construction of affordable housing and improved regional mobility in the North Texas region; and

WHEREAS, Senator Hutchison retired from the United States Senate when her term ended in January 2013; and

April 24, 2013

WHEREAS, Senator Hutchison's legacy of achievements in Dallas and the State of Texas will be enjoyed and appreciated for generations to come; and

WHEREAS, the City of Dallas gives thanks to Senator Hutchison for her years of public service and her dedication to the State of Texas and the United States.

NOW, THEREFORE,

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

Section 1. That the Dallas Convention Center is to be named in honor of Kay Bailey Hutchison.

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 # 14

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 9
DEPARTMENT: Park & Recreation
CMO: Willis Winters, 670-4071
MAPSCO: 38-S

SUBJECT

Authorize a contract for construction of a new playground at Casa Linda Park located at 1500 San Saba Drive - Henneberger Construction, Inc., lowest responsible bidder of five - Not to exceed \$171,800 - Financing: 2006 Bond Funds

BACKGROUND

On March 7, 2013, five bids were received for construction of a new playground at Casa Linda Park. This item authorizes award of the construction contract to Henneberger Construction, Inc. for the Base Bid and Alternate Nos. 3, 7 and 8, with a total bid amount of \$171,800.

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

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>
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 August 2012
Completed Design January 2013
Begin Construction May 2013
Complete Construction July 2013

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the advertisement for bids on January 24, 2013.

The Park and Recreation Board authorized award of the contract on April 4, 2013.

FISCAL INFORMATION

2006 Bond Funds - \$171,800

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Henneberger Construction, Inc.

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

BID INFORMATION

The following five bids were received and opened on March 7, 2013:

*Denotes successful bidder

<u>Bidders</u>	<u>Base Bid</u>	<u>Alt. Nos. 3, 7 & 8**</u>	<u>Total Bid</u>
*Henneberger Construction, Inc. 8928 Fairglen Drive Dallas, TX	\$92,500.00	\$79,300.00	\$171,800.00
A S Con, Inc.	\$93,900.00	\$77,925.00	\$171,825.00
Wall Enterprises	\$104,919.00	\$81,050.00	\$185,969.00
HQS Construction, LLC dba Irricon Construction	\$136,786.00	\$93,940.00	\$230,726.00
Joe Funk Construction, Inc.	\$220,857.00	\$82,273.00	\$303,130.00

**Alternate No. 3 - provides for installation of playground equipment from GameTime.

**Alternate No. 7 - provides for installation of benches.

**Alternate No. 8 - provides for installation of a drinking fountain.

OWNERS

Henneberger Construction, Inc.

Cynthia Henneberger, President
Dwight Henneberger, Vice President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for construction of a new playground at Casa Linda Park located at 1500 San Saba Drive - Henneberger Construction, Inc., lowest responsible bidder of five - Not to exceed \$171,800 - Financing: 2006 Bond Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$115,165.00	67.03%
Total non-local contracts	\$56,635.00	32.97%
TOTAL CONTRACT	\$171,800.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
The PlayWell Group, Inc.	HFDB56451Y0114	\$5,894.40	5.12%
Universal Fence Company, Inc.	WFDD53113Y0313	\$4,525.40	3.93%
Total Minority - Local		\$10,419.80	9.05%

Non-Local Contractors / Sub-Contractors

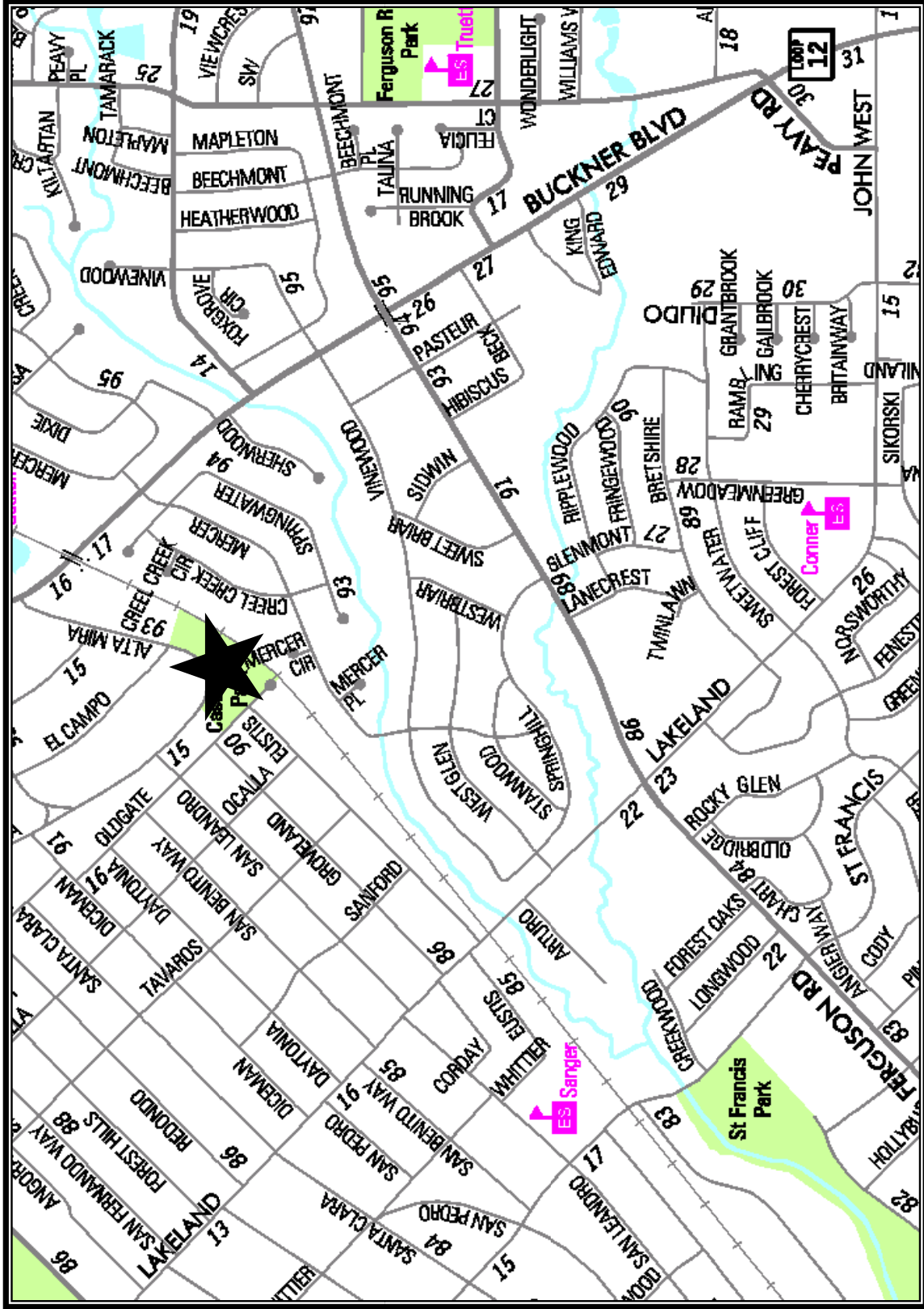
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
S & L Construction	HMMB55625N1113	\$56,635.00	100.00%
Total Minority - Non-local		\$56,635.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$5,894.40	5.12%	\$62,529.40	36.40%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$4,525.40	3.93%	\$4,525.40	2.63%
Total	\$10,419.80	9.05%	\$67,054.80	39.03%

Casa Linda Park

Council District 9



1500 San Saba

Mapsc0 # 38-S

April 24, 2013

WHEREAS, on March 7, 2013, five bids were received for construction of a new playground at Casa Linda Park located at 1500 San Saba Drive.

<u>Bidders</u>	<u>Base Bid</u>	<u>Alt. Nos. 3, 7 & 8**</u>	<u>Total Bid</u>
Henneberger Construction, Inc.	\$92,500.00	\$79,300.00	\$171,800.00
A S Con, Inc.	\$93,900.00	\$77,925.00	\$171,825.00
Wall Enterprises	\$104,919.00	\$81,050.00	\$185,969.00
HQS Construction, LLC dba Irricon Construction	\$136,786.00	\$93,940.00	\$230,726.00
Joe Funk Construction, Inc.	\$220,857.00	\$82,273.00	\$303,130.00

**Alternate No. 3 - provides for installation of playground equipment from Gametime.

**Alternate No. 7 - provides for installation of benches.

**Alternate No. 8 - provides for installation of a drinking fountain.

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 Henneberger Construction, Inc. for construction of a new playground at Casa Linda Park, in an amount not to exceed \$171,800.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Henneberger Construction, Inc., after approval as to form by the City Attorney.

SECTION 3. That the City Controller is hereby authorized to pay the amount of \$171,800 to Henneberger Construction, Inc. from (2006) Park and Recreation Facilities Improvement Fund, Fund BT00, Department PKR, Unit T034, Object 4599, Activity RFSI, Program PK06T034, CT-PKR13019367, Commodity 91200, Vendor 331939.

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 # 15

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 6
DEPARTMENT: Park & Recreation
CMO: Willis Winters, 670-4071
MAPSCO: 33-C

SUBJECT

Authorize a professional services contract with Quimby McCoy Preservation Architecture, LLP for design services for renovations to the Bachman Recreation Center located at 2750 Bachman Drive - Not to exceed \$124,150 - Financing: 2003 Bond Funds

BACKGROUND

Quimby McCoy Preservation Architecture, LLP will provide design services for renovations to the Bachman Recreation Center.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	June 2013
Complete Design	December 2013
Begin Construction	April 2014
Complete Construction	December 2014

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the award of the professional services contract on April 4, 2013.

FISCAL INFORMATION

2003 Bond Funds - \$124,150

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Quimby McCoy Preservation Architecture, LLP

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

OWNERS

Quimby McCoy Preservation Architecture, LLP

Macel Quimby, FAIA, Principal

Nancy McCoy, FAIA, Principal

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Quimby McCoy Preservation Architecture, LLP for design services for renovations to the Bachman Recreation Center located at 2750 Bachman Drive - Not to exceed \$124,150 - Financing: 2003 Bond Funds

Quimby McCoy Preservation Architecture, LLP is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$124,150.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$124,150.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Abadi Architecture & Accessibility	HFMB55850N1213	\$2,250.00	1.81%
Nova Engineering, Inc.	HMMB55371Y1013	\$5,000.00	4.03%
Jaster Quintanilla Dallas, LLP	IMDB53888Y0613	\$15,000.00	12.08%
Quimby McCoy Preservation Architecture, LLP	WFWB54799N0913	\$101,900.00	82.08%
Total Minority - Local		\$124,150.00	100.00%

Non-Local Contractors / Sub-Contractors

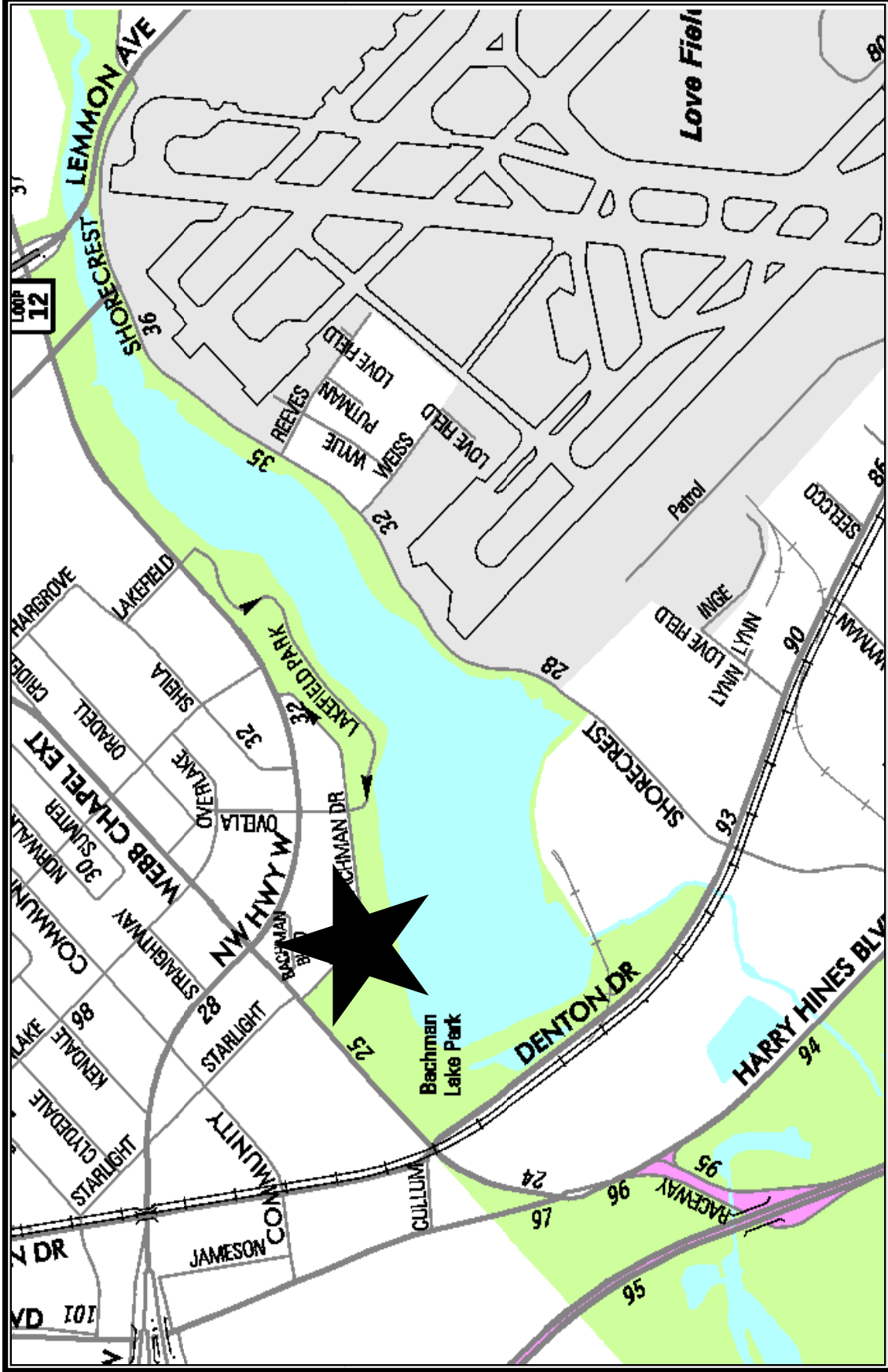
None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$7,250.00	5.84%	\$7,250.00	5.84%
Asian American	\$15,000.00	12.08%	\$15,000.00	12.08%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$101,900.00	82.08%	\$101,900.00	82.08%
Total	\$124,150.00	100.00%	\$124,150.00	100.00%

Bachman Recreation Center

Council District 6



2750 Bachman Drive

Mapsco # 33-C

April 24, 2013

WHEREAS, it is necessary to hire a firm to provide design services for renovations to the Bachman Recreation Center located at 2750 Bachman Drive and the firm of Quimby McCoy Preservation Architecture, LLC has presented a proposal dated March 25, 2013 to provide for these services for a fee not to exceed \$124,150.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into a professional services contract with Quimby McCoy Preservation Architecture, LLC for design services for renovations to the Bachman Recreation Center, in an amount not to exceed \$124,150.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Quimby McCoy Preservation Architecture, LLC, after approval as to form by the City Attorney.

SECTION 3. That the City Controller is hereby authorized to pay the amount of \$124,150 to Quimby McCoy Preservation Architecture, LLC, as follows:

(2003) Neighborhood Park and Recreation Facilities Fund Fund 5R05, Department PKR, Unit T013, Object 4112 Activity MMCF, Program PK06T013, CT-PKR13019372 Commodity 92500, Vendor VS0000017961	\$10,548
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(2003) Neighborhood Park and Recreation Facilities Fund Fund 6R05, Department PKR, Unit T013, Object 4112 Activity MMCF, Program PK06T013, CT-PKR13019372 Commodity 92500, Vendor VS0000017961	<u>\$113,602</u>
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Total amount not to exceed	\$124,150
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SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 2, 7
DEPARTMENT: Public Works Department
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 47J N

SUBJECT

Authorize an additional payment to the Texas Department of Transportation for the City's share of the preliminary engineering costs for improvements on Hatcher Street from Haskell Avenue to Spring Avenue – Not to exceed \$75,000 – Financing: 2003 Bond Funds (\$58,000) and General Obligation Commercial Paper Funds (\$17,000)

BACKGROUND

An Interlocal Agreement with the Texas Department of Transportation (TxDOT) was previously authorized by the City Council for TxDOT to administer the design and construction for improvements on Hatcher Street from Haskell Avenue to Spring Avenue. TxDOT has completed the design and requested the City of Dallas to provide additional funds to cover the overrun costs for this project. This action will authorize an additional payment to TxDOT for the City's share of design costs.

Hatcher Street from Haskell Avenue to Spring Avenue is a four lane, undivided concrete roadway, and was selected as a candidate project for federal Intermodal Surface Transportation Efficiency Act (ISTEA) funds. An Interlocal Agreement with TxDOT was authorized in 1997, and because of TxDOT priorities and funding constraints, the project has not advanced as planned and scheduled. The scope of this project is to widen Hatcher Street from Haskell Avenue to Spring Avenue to five lanes to include a continuous left turn lane. The City has made payments to TxDOT in the amount of \$142,829 for the local share of the engineering design. An additional \$75,000 is now needed to cover the currently revised estimated preliminary costs for this project. The project is currently in the right of way acquisition phase to acquire 13 parcels needed for the improvements.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 1997
Completed Design	December 2010
Begin Construction	August 2015
Complete Construction	June 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an Interlocal Agreement with the Texas Department of Transportation on January 8, 1997, by Resolution No. 97-0098.

Authorized payment to the Texas Department of Transportation for the City's share of design of paving and drainage improvements on August 22, 2007, by Resolution No. 07-2398.

FISCAL INFORMATION

2003 Bond Funds - \$58,000

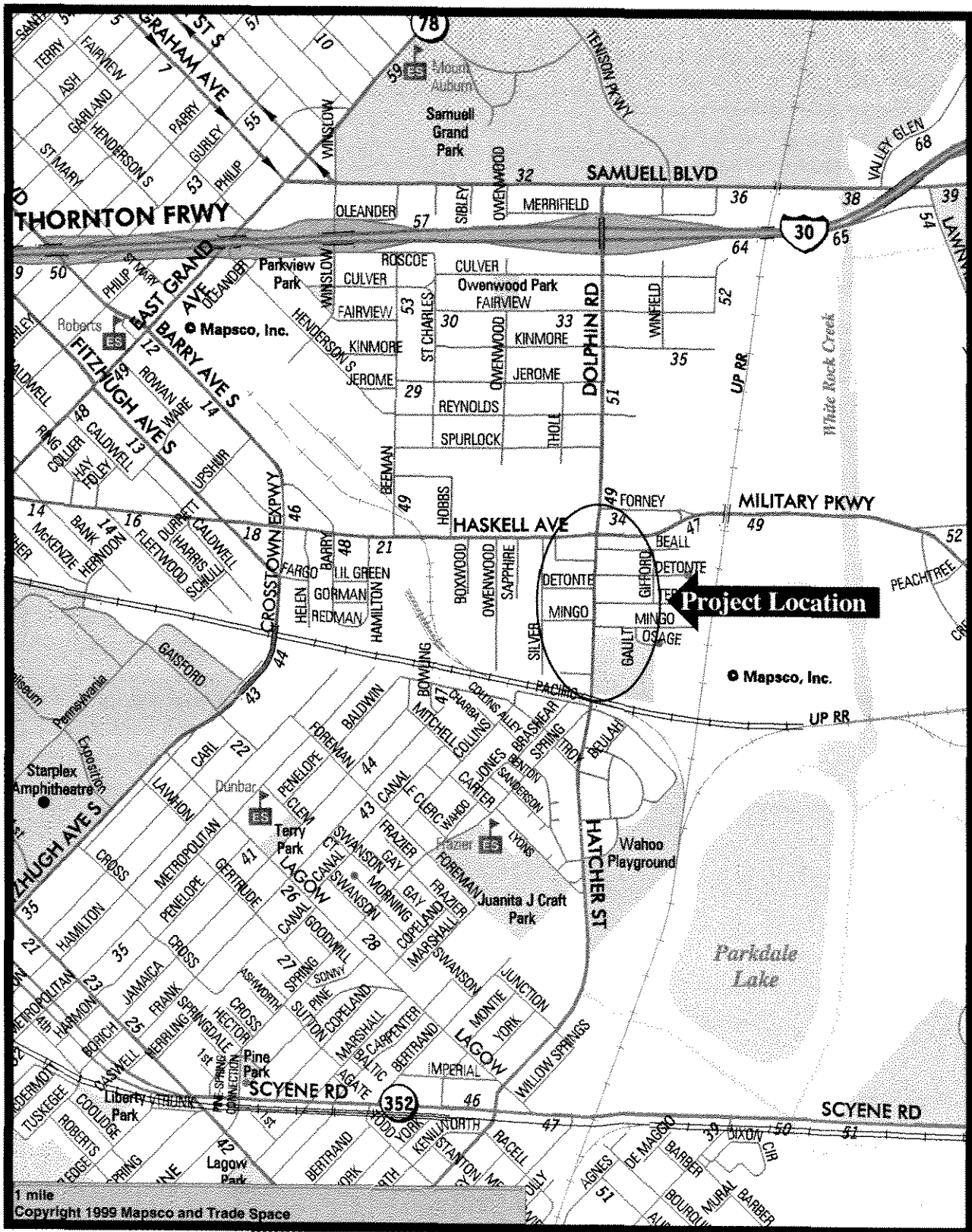
2006 Bond Program (General Obligation Commercial Paper Funds) - \$17,000

<u>Council District</u>	<u>Amount</u>
2	\$ 3,000
7	<u>\$72,000</u>
Total	\$75,000

MAP

Attached.

Hatcher Street



Mapsco 47J, N

April 24, 2013

WHEREAS, Hatcher Street from Haskell Avenue to Spring Avenue was nominated as a candidate project in the Surface Transportation Program – Metropolitan Mobility (STP-MM) provided for by the Intermodal Surface Transportation Efficiency Act (ISTEA); and,

WHEREAS, the City of Dallas entered into an Interlocal Agreement with the Texas Department of Transportation (TxDOT) in order for TxDOT to administer the design and construction on January 8, 1997, by Resolution No. 97-0098; and

WHEREAS, the City of Dallas previously made a payment in the amount of \$22,829 to TxDOT; and,

WHEREAS, on August 22, 2007, Resolution No. 07-2398 authorized an additional payment to TxDOT for the City’s share of design costs for paving and drainage improvements associated with this project in the amount of \$120,000; and,

WHEREAS, it is now necessary to authorize an additional payment to the Texas Department of Transportation for the City’s share of the preliminary engineering costs associated with this 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 make an additional payment to the Texas Department of Transportation for the City’s share of preliminary engineering costs for Hatcher Street from Haskell Avenue to Spring Avenue, after it has been approved as to form by the City Attorney.

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

Street and Transportation Improvements Fund Fund 4R22, Department PBW, Unit L137, Act. INTS Obj 4111, Program #PB95L137, CT PBW95L194K1 Vendor #239588, in an amount not to exceed	\$58,000.00
Street and Transportation Improvements Fund Fund 1T22, Department PBW, Unit N073, Act. THRG Obj 4111, Program #PB98N073, CT PBW95L194K1 Vendor #239588, in an amount not to exceed	<u>\$17,000.00</u>
Total in an amount not to exceed	\$75,000.00

April 24, 2013

Section 3. That the City Controller is hereby authorized to deposit any unused Bond Funds advanced to TxDOT pertaining to this project into Fund 4R22, Department PBW, Unit L137, Object 4111.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Public Works Department
Aviation

CMO: Jill A. Jordan, P.E., 670-5299
A. C. Gonzalez, 671-8925

MAPSCO: 23Z 24W 33CDGHM 34ABEFGJKLP

SUBJECT

Authorize a professional services contract with DAL-TECH Engineering, Inc. for land surveying services to prepare and record the final plat of the Dallas Love Field Airport - Not to exceed \$598,810 - Financing: Aviation Capital Construction Funds

BACKGROUND

On November 10, 2010, Resolution No. 10-2874 authorized a professional services contract for land surveying services with BDS Technologies, Inc. to prepare the documentation to plat Dallas Love Field Airport. BDS's work culminated in extensive deed research and cataloguing and preparation of the preliminary plat which was approved by the City Plan Commission on July 7, 2011. This action will authorize a professional services contract with DAL-TECH Engineering, Inc. for land surveying services to prepare and record the final plat for the Dallas Love Field Airport.

Since 1917, Dallas Love Field Airport has expanded from 650 acres to its present land mass of 1300 acres by the accumulation of various parcels of land. The Love Field Modernization program (LFMP) initiated the need to plat these various parcels of land into one block which will provide the Department of Aviation flexibility in managing the use of the land. The Federal Aviation Administration (FAA) has requested that the Airport Layout Plan of Dallas Love Field Airport be up to date at the completion of the LFMP. The survey information collected for platting will also be used in updating the Airport Layout Plan.

ESTIMATED SCHEDULE OF PROJECT

Began Plat Survey/Document Research	November 2010
Preliminary Plat Approval	July 2011
Begin Final Survey	June 2013
Complete and Record Final Plat	October 2014

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for land surveying with BDS Technologies, Inc. on November 10, 2010 by Resolution No. 10-2874.

Preliminary plat approved by the City Plan Commission on July 7, 2011.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$598,810

Survey for deed research and preliminary plat	\$ 526,493.93
Survey for final plat (this action)	<u>\$ 598,810.00</u>
Total Project Cost	\$1,125,303.93

M/WBE INFORMATION

See attached

ETHNIC COMPOSITION

DAL-TECH Engineering, Inc.

Hispanic Female	0	Hispanic Male	1
African-American Female	3	African-American Female	0
Other Female	1	Other Male	4
White Female	4	White Male	6

OWNER

DAL-TECH Engineering, Inc.

Sedi Toumani, P.E., President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with DAL-TECH Engineering, Inc. for land surveying services to prepare and record the final plat of the Dallas Love Field Airport - Not to exceed \$598,810 - Financing: Aviation Capital Construction Funds

DAL-TECH Engineering, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$562,981.67	94.02%
Total non-local contracts	\$35,828.33	5.98%
TOTAL CONTRACT	\$598,810.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Technical Associates Services, Inc.	BMDB53651Y0513	\$30,000.00	5.33%
DAL-TECH Engineering, Inc.	WFWB55313Y1013	\$431,183.97	76.59%
Nathan D. Maier	WFWB54327Y0713	\$89,821.50	15.95%
Total Minority - Local		\$551,005.47	97.87%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Lamb-Star Engineering, LP	NMDB55159Y1013	\$35,828.33	100.00%
Total Minority - Non-local		\$35,828.33	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$30,000.00	5.33%	\$30,000.00	5.01%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$35,828.33	5.98%
WBE	\$521,005.47	92.54%	\$521,005.47	87.01%
Total	\$551,005.47	97.87%	\$586,833.80	98.00%

April 24, 2013

WHEREAS, on August 23, 2010, Administrative Action No. 10-2248 authorized a professional services contract with DAL-TECH Engineering, Inc., to develop a work plan for the platting of Dallas Love Field Airport in support of the Dallas Love Field Modernization Program in the amount of \$15,000; and,

WHEREAS, on November 10, 2010, Resolution No. 10-2874 authorized a professional services contract for land surveying services with BDS Technologies, Inc. for extensive research and cataloguing to prepare the documentation to for the plat of Dallas Love Field Airport in an amount not to exceed \$605,177.50; and,

WHEREAS, on July 7, 2011, the preliminary plat was approved by the City Plan Commission; and,

WHEREAS, it is now necessary to authorize a professional services contract with DAL-TECH Engineering, Inc. for land surveying services to prepare and record the final plat for the Dallas Love Field Airport in an amount not to exceed \$598,810.

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 DAL-TECH Engineering, Inc. for land surveying services to prepare and record the final plat for the Dallas Love Field Airport in an amount not to exceed \$598,810.00, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to encumber an amount not to exceed \$598,810 to be paid to DAL-TECH Engineering, Inc. out of the Aviation Capital Construction Fund 0131 upon approval of the invoice by the Director of Aviation as follows:

Aviation Capital Construction Fund	
Fund 0131, Dept. AVI, Unit 1456, Act. AAIP	
Obj. 3070, Program 1456PLT, CT AVIDALTECH0413	
Vendor #262063, in an amount not to exceed	\$598,810

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 11
DEPARTMENT: Public Works Department
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 16F K

SUBJECT

Authorize a contract with MACVAL Associates, LLC, second lowest responsible bidder of eight, for the construction of sidewalk enhancement improvements for Coit Road from Spring Valley Road to Haymeadow Drive - Not to exceed \$262,766 - Financing: 2003 Bond Funds

BACKGROUND

A professional services contract with Huitt-Zollars, Inc. for engineering design of Coit Road from Spring Valley Road to Haymeadow Drive was authorized by City Council on June 27, 2007, by Resolution No. 07-1983. This action will authorize a contract with MACVAL Associates, LLC for the construction of the sidewalk enhancement improvement project which includes the installation of a 6-foot wide reinforced concrete sidewalk along the west side of Coit Road from Spring Valley Road to Haymeadow Drive, barrier free ramps, driveway approaches, benches, trash receptacles, irrigation system, and landscape/streetscape.

On February 14, 2013, the City received bid proposals for the Coit Road Sidewalk Enhancement project. Norstino Construction was the apparent low bidder. However, during the evaluation of the low bidder, staff discovered that Norstino Construction has no prior experience with the City of Dallas as a prime contractor and lacks the required experience to complete this type of project.

Staff recommends the project be awarded to the second low bidder, MACVAL Associates, LLC, who has completed several projects with the City of Dallas as a prime contractor and has proven good performance and workmanship.

BACKGROUND (Continued)

The following chart shows MACVAL Associates, LLC completed contractual activities for the past three years:

	<u>PBW</u>	<u>WTR</u>	<u>PKR</u>
Projects Completed	4	0	0
Change Orders	1	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	July 2007
Completed Design	November 2012
Begin Construction	May 2013
Complete Construction	July 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services on June 27, 2007, by Resolution No. 07-1983.

Authorized the rejection of bids due to right-of-way issues on February 10, 2010, by Resolution No. 10-0477.

Authorized Supplemental Agreement No. 1 to the professional services contract on August 8, 2012, by Resolution No. 12-1918.

FISCAL INFORMATION

2003 Bond Funds - \$262,765.50

Design	\$ 51,545.00
Supplemental Agreement No. 1	\$ 20,830.00
Construction	
Paving & Landscaping - (PBW)	<u>\$262,765.50</u>

Total Project Cost \$335,140.50

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

MACVAL Associates, LLC

Hispanic Female	0	Hispanic Male	5
African-American Female	1	African-American Male	3
Other Female	0	Other Male	0
White Female	0	White Male	0

BID INFORMATION

The following bids with quotes were received and opened on February 14, 2013:

*Denotes successful bidder(s)

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Norstino Construction Company	\$226,930.75
*MACVAL Associates, LLC 8500 N. Stemmons Freeway Dallas, Texas 75247	\$262,765.50
PAEE Corporation	\$291,808.45
Texas Standard Construction, Ltd.	\$293,397.60
Axis Contracting, Inc.	\$295,804.45
Camino Construction, L.P.	\$313,045.25
Jeske Construction Company	\$313,219.15
2CMD	\$318,980.21
Engineer's Estimate: PBW	\$264,000.00

OWNER

MACVAL Associates, LLC

Aloysius A. Attah, P.E., President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with MACVAL Associates, LLC, second lowest responsible bidder of eight, for the construction of sidewalk enhancement improvements for Coit Road from Spring Valley Road to Haymeadow Drive - Not to exceed \$262,766 - Financing: 2003 Bond Funds

MACVAL Associates, LLC is a local, 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$262,765.50	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$262,765.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
MACVAL Associates, LLC	BMBD56449Y0114	\$192,475.73	73.25%
NASH CM, Inc.	IMDB56647Y0214	\$70,289.77	26.75%
Total Minority - Local		\$262,765.50	100.00%

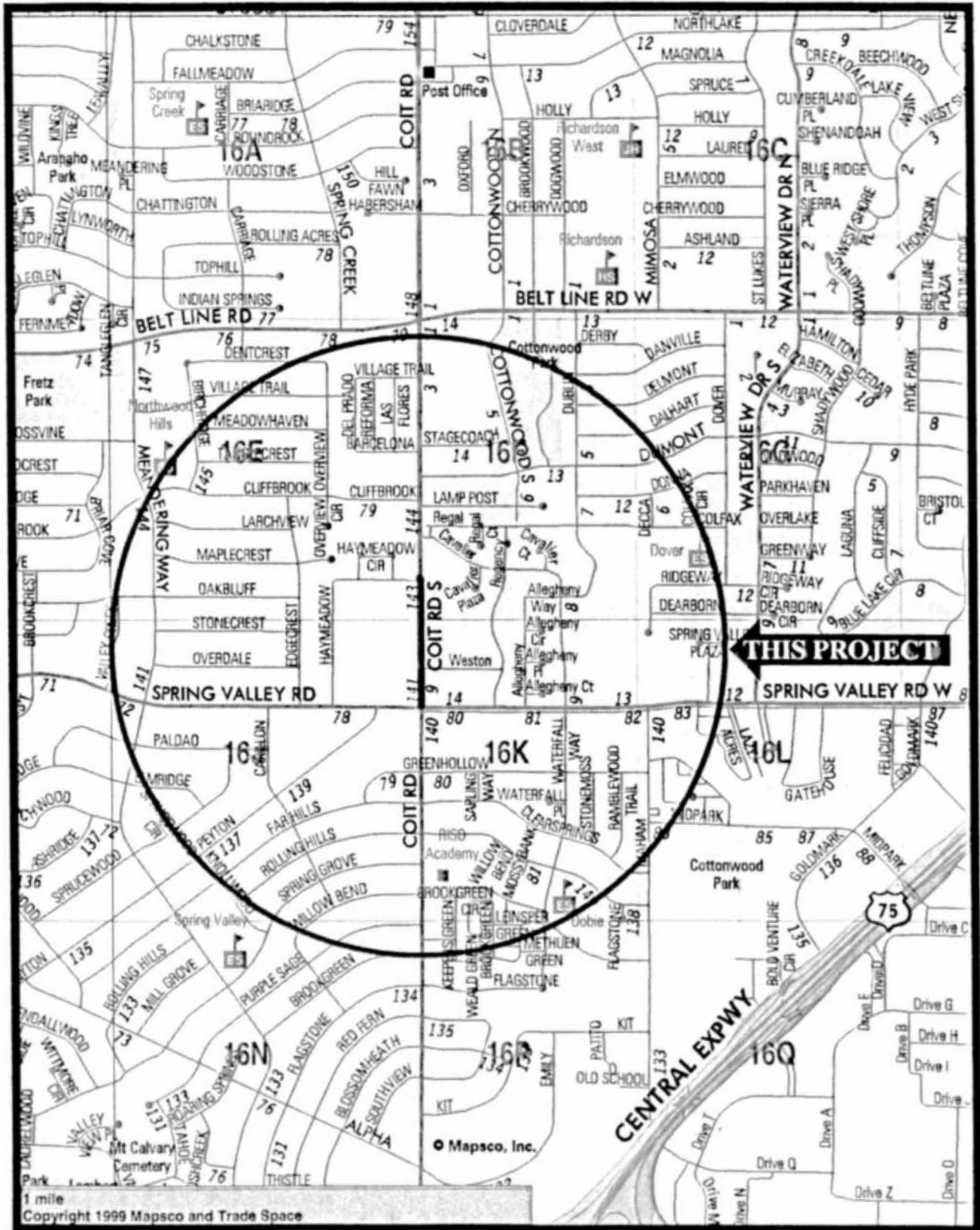
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$192,475.73	73.25%	\$192,475.73	73.25%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$70,289.77	26.75%	\$70,289.77	26.75%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$262,765.50	100.00%	\$262,765.50	100.00%

COIT ROAD SIDEWALK ENHANCEMENT FROM SPRING VALLEY ROAD TO HAYMEADOW DRIVE



MAPSCO 16F & 16K

April 24, 2013

WHEREAS, on June 27, 2007, Resolution No. 07-1983 authorized a professional services contract with Huitt-Zollars, Inc. for the engineering design of Coit Road from Spring Valley Road to Haymeadow Drive; and,

WHEREAS, on February 10, 2010, Resolution No. 10-0477 authorized the rejection of bids due to right-of-way issues; and,

WHEREAS, on August 8, 2012, Resolution No. 12-1918 authorized Supplemental Agreement No. 1 to the professional services contract; and,

WHEREAS, bids were received on February 14, 2013, for the construction of sidewalk enhancement improvements for Coit Road from Spring Valley Road to Haymeadow Drive, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Norstino Construction Company	\$226,930.75
MACVAL Associates, LLC	\$262,765.50
PAEE Corporation	\$291,808.45
Texas Standard Construction, Ltd.	\$293,397.60
Axis Contracting	\$295,804.45
Camino Construction, L.P.	\$313,045.25
Jeske Construction Company	\$313,219.15
2CMD	\$318,980.21

WHEREAS, Norstino Construction was the apparent low bidder; however, during the evaluation of the low bidder, staff discovered that Norstino Construction has no prior experience with the City of Dallas as a prime contractor and lacks the required experience to complete this type of project; and,

WHEREAS, staff recommends the project be awarded to the second low bidder, MACVAL Associates, LLC, who has completed several projects with the City of Dallas as a prime contractor and has proven good performance and workmanship.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with MACVAL Associates, LLC for the construction of sidewalk enhancement improvements for Coit Road from Spring Valley Road to Haymeadow Drive in an amount not to exceed \$262,765.50, this being the second lowest responsible bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

April 24, 2013

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

Street and Transportation Improvements Fund
Fund 4R22, Department PBW, Unit P374, Act. INGV
Obj. 4510, Program #PB03P374, CT PBW03P374G1
Vendor #VS0000025999, in an amount not to exceed \$ 18,752.94

Street and Transportation Improvements Fund
Fund 5R22, Department PBW, Unit P374, Act. INGV
Obj. 4510, Program #PB03P374, CT PBW03P374G1
Vendor #VS0000025999, in an amount not to exceed \$ 78,187.56

Street and Transportation Improvements Fund
Fund 6R22, Department PBW, Unit P374, Act. INGV
Obj. 4510, Program #PB03P374, CT PBW03P374G1
Vendor #VS0000025999, in an amount not to exceed \$165,825.00

Total in an amount not to exceed \$262,765.50

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 # 19

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Convention and Event Services

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 670-3314

MAPSCO: 45P

SUBJECT

Authorize an increase in the construction contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center to include additional fire alarm requirements for the Arena, Administration Area, the Parking Garage, Vertiport, A, D and F Halls and rooftop mechanical areas - Not to exceed \$244,810, from \$3,903,451 to \$4,148,261 - Financing: 2009 Convention Center Revenue Bonds

BACKGROUND

On June 13, 2012, Resolution No. 12-1535 authorized a contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center. This action will authorize Change Order No. 2 to the contract with System Electric Company to furnish materials and labor for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center to comply with the current code requirements. The fire alarm system and emergency lighting upgrade project is included in the Dallas Convention Center Facility Improvement Program.

Change Order No. 2 includes all conduit and associated wiring for power to the additional booster power supplies, auxiliary power supplies, amplifier and all other associated electrical panel conduit for the Arena, Administration Area, F Hall, Parking Garage, Vertiport, A Hall, D Hall and rooftop mechanical areas.

BACKGROUND (Continued)

The overall scope of work includes: a new master fire alarm control panel to serve portions of D Hall, E Hall, F Hall, the Prefunction Area, and interface with the firefighters' smoke control panel; additional fire alarm control panels will be provided for A Hall, B Hall, C Hall, the Administration Area, Arena, and the Black Academy of Arts and Letters. These panels will function as network nodes with built-in voice evacuation audio amplifiers serving these areas. All panels will be networked together to provide a single fire alarm system with a voice evacuation system for the entire facility. Also included is the installation and/or replacement of the emergency lighting system serving the Arena, Black Academy of Arts and Letters Theater, Administration Area, A Hall, B Hall, and C Hall with LED units.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2011
Completed Design	January 2012
Began Construction	July 2012
Complete Construction	January 2014

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

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

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

Authorized a contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center on June 13, 2012, by Resolution No. 12-1535.

FISCAL INFORMATION

2009 Convention Center Revenue Bonds - \$244,809.11

Design	\$ 731,670.00
Construction	\$3,893,704.00
Change Order No. 1	\$ 9,747.00
Change Order No. 2 (this action)	<u>\$ 244,809.11</u>
Total Project Cost	\$4,879,930.11

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

System Electric Company

Hispanic Female	5	Hispanic Male	76
African-American Female	0	African-American Male	2
White Female	10	White Male	110
Other Female	0	Other Male	0

OWNER

System Electric Company

James Gomes, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center to include additional fire alarm requirements for the Arena, Administration Area, the Parking Garage, Vertiport, A, D and F Halls and rooftop mechanical areas - Not to exceed \$244,810, from \$3,903,451 to \$4,148,261 - Financing: 2009 Convention Center Revenue Bonds

System Electric Company is a non-local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$242,401.11	99.02%
Non-local contracts	\$2,408.00	0.98%
TOTAL THIS ACTION	\$244,809.11	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

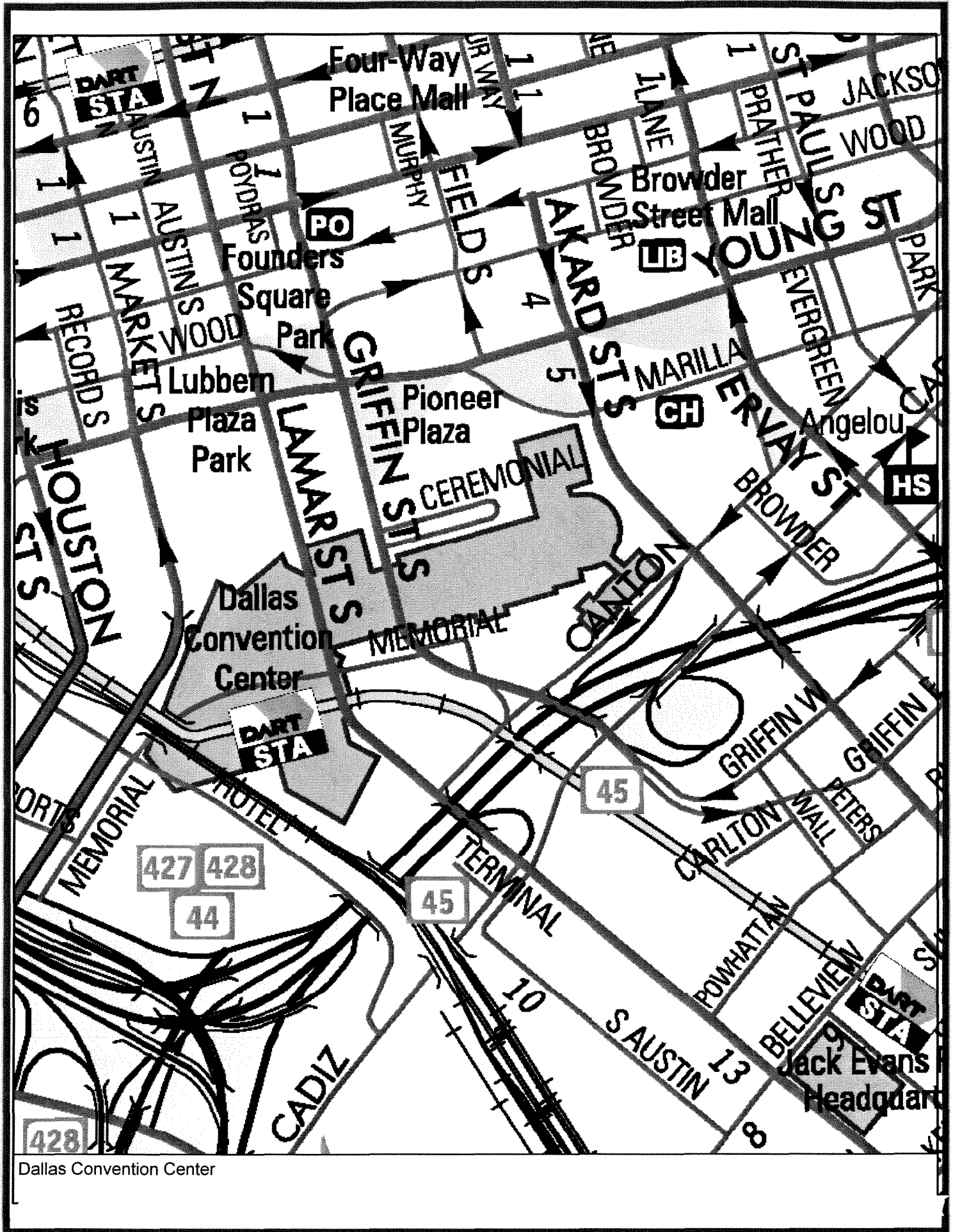
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
System Electric	HMMB55314Y1013	\$59,141.11	24.40%
Total Minority - Local		\$59,141.11	24.40%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
PDN Group	NMMB54910N0913	\$2,408.00	100.00%
Total Minority - Non-local		\$2,408.00	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$59,141.11	24.16%	\$2,029,622.11	48.93%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$2,408.00	0.98%	\$472,884.00	11.40%
WBE	\$0.00	0.00%	\$177,494.00	4.28%
Total	<u>\$61,549.11</u>	<u>25.14%</u>	<u>\$2,680,000.11</u>	<u>64.61%</u>



Dallas Convention Center

April 24, 2013

WHEREAS, on January 27, 2010, Resolution No. 10-0328 authorized a professional services contract with HKS, Inc. for architectural and engineering design for the Dallas Convention Center Improvement Program in the amount of \$2,616,466.00; and,

WHEREAS, on August 25, 2010, Resolution No. 10-2142 authorized Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Dallas Convention Center Improvement Program in an amount not to exceed \$54,625.00, increasing the contract from \$2,616,466.00 to \$2,671,091.00; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1709 authorized Supplemental Agreement No. 2 to the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Dallas Convention Center Improvement Program in an amount not to exceed \$1,437,740.00, increasing the contract from \$2,671,091.00 to \$4,108,831.00; and,

WHEREAS, on June 13, 2012, Resolution No. 12-1535 authorized a construction contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center in an amount not to exceed \$3,893,704.00; and,

WHEREAS, on March 1, 2013, Administrative Change Order No. 13-5282 authorized Change Order No. 1 to the construction contract with System Electric Company for fixture changes and additions to emergency lighting, including changes of exit lighting in A Ballroom and the addition of required emergency light fixtures in Arena vestibule and C-100 meeting room areas at the Dallas Convention Center in an amount not to exceed \$9,747.00, increasing the contract from \$3,893,704.00 to \$3,903,451.00; and,

WHEREAS, it is now necessary to authorize Change Order No. 2 to the construction contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center to include additional fire alarm requirements for the Arena, Administration Area, the Parking Garage, Vertiport, A, D and F Halls and rooftop mechanical areas in an amount not to exceed \$244,809.11, increasing the contract from \$3,903,451.00 to \$4,148,260.11.

Now, Therefore,

April 24, 2013

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 2 to the construction contract with System Electric Company for the fire alarm system and emergency lighting upgrade at the Dallas Convention Center to include additional fire alarm requirements for the Arena, Administration Area, the Parking Garage, Vertiport, A, D and F Halls and rooftop mechanical areas in an amount not to exceed \$244,809.11, increasing the contract from \$3,903,451.00 to \$4,148,260.11, after it has been approved as to form by the City Attorney.

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

2009 Convention Center Revenue Bonds
Fund 0568, Dept. CCT, Unit 4722, Act. CCIM
Obj. 4311, Program No. PBC00038, CT PBWC0003811
Vendor #503959, in an amount not to exceed \$244,809.11

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

KEY FOCUS AREA: Economic Vibrancy
Education Enhancements

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 14

DEPARTMENT: Public Works Department
Court & Detention Services

CMO: Jill A. Jordan, P.E., 670-5299
A. C. Gonzalez, 671-8925

MAPSCO: 45L

SUBJECT

Authorize an increase in the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications that comply with the amended program requirements including additional security features, card readers, window film, cameras, security vestibule and changes to the mechanical, electrical and plumbing systems required due to plan alterations - Not to exceed \$297,074, from \$9,981,276 to \$10,278,350 - Financing: 2006 Bond Funds (\$294,683) and Current Funds (\$2,391)

BACKGROUND

A construction contract for renovations to the 2014 Main Street Municipal Building was awarded in March 2011. Following completion of the original design, there have been staff, function, program and process changes within Court Services Department, and all four floor plans require modification in order for this facility to comply with amended program requirements. This action will authorize Change Order No. 6 to the construction contract.

In addition to construction of the necessary plan modifications, the following items are necessary in order to continue construction and meet current court services program requirements:

- Provide and install additional access card readers on interior doors.
- Provide and install frosted window film on the interior windows at the Administration Conference Room.
- Provide and install blast-resistant window film to the exterior windows in the staff area behind the Public Transaction Cashier Counter.
- Provide and install a two-way audio system at a Public Transaction Cashier station.
- Provide and install a closed-circuit camera in the Law Enforcement Waiting Room.
- Provide and install heat detectors in the Elevator Penthouse.

BACKGROUND (Continued)

- Construct a cashier vestibule in the Public Transaction Lobby.
- Remove a wall portion to provide an area for an ATM in Transaction Lobby.
- Modify Training Room #135 into Pre-Trial Waiting Room.
- Modify Courtroom #155 into Pre-Trial Courtroom.
- Modify Break Room #162.
- Modify Conference Room #164 into Juvenile Caseworker Offices #164 and #164.1.
- Modify Courtroom #166 into Juvenile Courtroom.
- Relocate door #167.
- Remove wall between Juvenile Caseworker Offices #206A and #206B.
- Provide and install gypsum board on existing framing in Attorney Area #214.
- Modify furrdown in Break Room #244.
- Provide and install additional electrical receptacles in Workroom #277.
- Construct a wall in Reviewing Area #279.
- Provide and install gypsum board on existing framing in Corridor #282.
- Remove ceiling in Conference Room #283, provide and install four light fixtures, relocate two light fixtures to Corridor #282.
- Modify Staff Lounge #296, provide and install door #296B.
- Modify Juvenile Caseworker Office Area #297 into Training Room.
- Modify Exam Rooms #297.1 and #297.2 into Storage Room.
- Provide and install miscellaneous mechanical, plumbing and electrical modifications on the first and second floors.

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2008
Completed Design	July 2011
Began Construction	October 2011
Complete Construction	May 2013

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with the Conley Group, Inc. to provide architectural and engineering services for the Renovation of the Municipal Building Annex on October 8, 2008, by Resolution No. 08-2761.

Authorized Supplemental Agreement No. 1 to the contract with the Conley Group, Inc. on June 23, 2010, by Resolution No. 10-1589.

Authorized a construction contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation on March 9, 2011, by Resolution No. 11-0685.

Authorized Supplemental Agreement No. 2 to the contract with the Conley Group, Inc. on June 22, 2011, by Resolution No. 11-1710.

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

Authorized a contract for the purchase and installation of furniture for Phase I with Workplace Resource Group - DFW on December 14, 2011, by Resolution No. 11-3346.

Authorized Change Order No. 1 to the contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation on February 8, 2012, by Resolution No. 12-0465.

Authorized Change Order No. 4 to the contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation on June 27, 2012, by Resolution No. 12-1726.

Authorized a contract for the purchase and installation of furniture for Phases II and III with Workplace Resource Group - DFW on October 10, 2012, by Resolution No. 12-2564.

FISCAL INFORMATION

2006 Bond Funds - \$294,682.86
Current Funds - \$2,390.19

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Ratcliff Constructors, LP

Hispanic Female	0	Hispanic Male	4
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	6	White Male	22

OWNER(S)

Ratcliff Constructors, LP

Max K. Young, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications that comply with the amended program requirements including additional security features, card readers, window film, cameras, security vestibule and changes to the mechanical, electrical and plumbing systems required due to plan alterations - Not to exceed \$297,074, from \$9,981,276 to \$10,278,350 - Financing: 2006 Bond Funds (\$294,683) and Current Funds (\$2,391)

Ratcliff Constructors, LP is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$292,743.05	98.54%
Non-local contracts	\$4,330.00	1.46%
TOTAL THIS ACTION	\$297,073.05	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
JP Paint	HMDB56573Y0214	\$8,001.00	2.73%
KL Enterprises	WFWB57051Y0314	\$45,902.00	15.68%
A&F Elevators	WFWB55785Y1213	\$6,780.00	2.32%
Total Minority - Local		\$60,683.00	20.73%

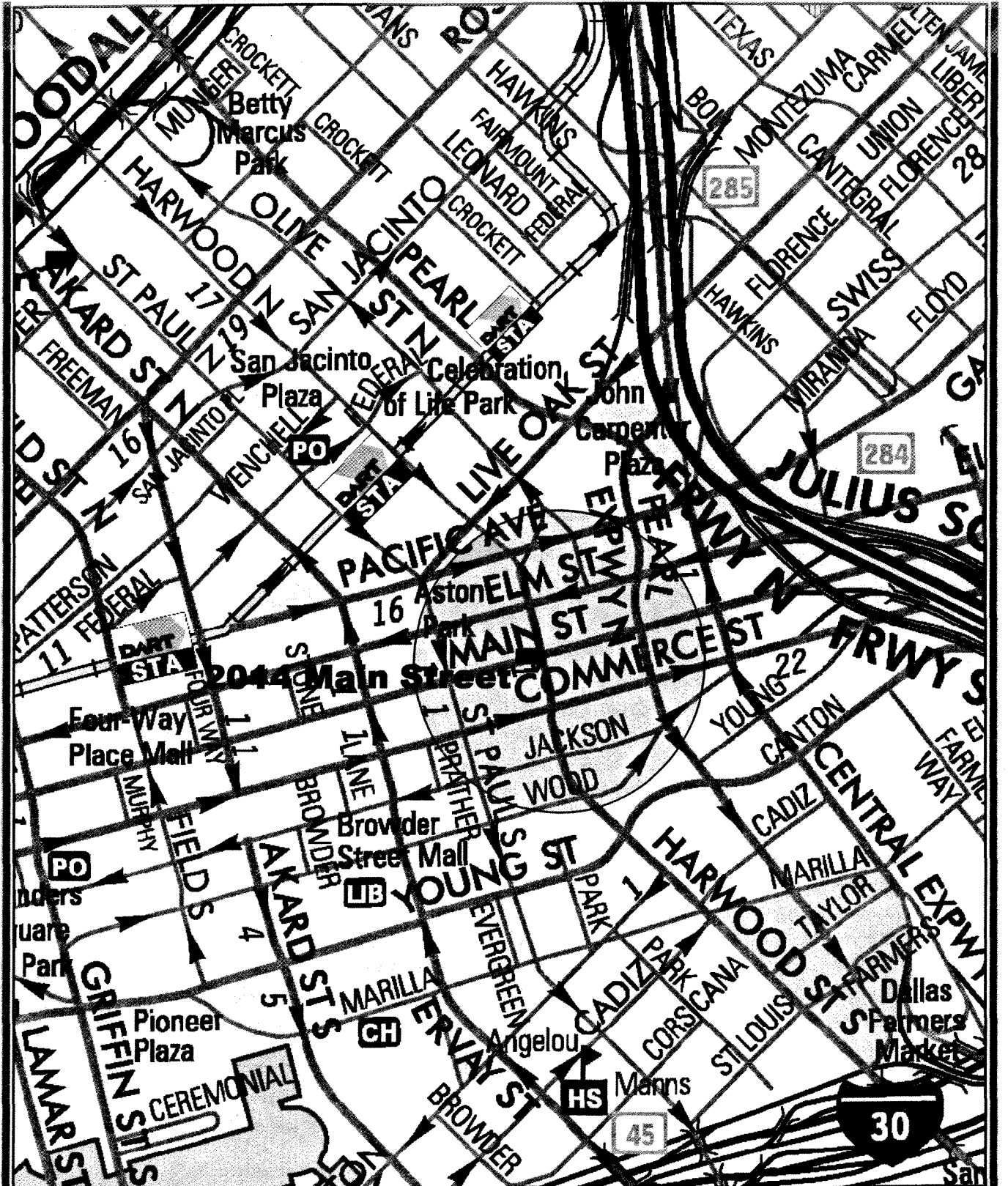
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Terrell Glass	WFWB53889N0613	\$1,520.00	35.10%
Total Minority - Non-local		\$1,520.00	35.10%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$8,001.00	2.69%	\$556,745.50	5.42%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$54,202.00	18.25%	\$2,358,970.55	22.95%
Total	\$62,203.00	20.94%	\$2,915,716.05	28.37%

2014 Main St Municipal Building Annex Renovation



2014 Main St Municipal Building Annex

April 24, 2013

WHEREAS, on October 8, 2008, Resolution No. 08-2761 authorized a professional services contract with the Conley Group, Inc. to provide architectural and engineering services for the Renovation of the Municipal Building Annex located at 2014 Main Street in the amount of \$1,142,700; and,

WHEREAS, on June 23, 2010, Resolution No. 10-1589 authorized Supplemental Agreement No. 1 to the contract with the Conley Group, Inc. in the amount of \$110,100, increasing the contract from \$1,142,700 to \$1,252,800; and,

WHEREAS, on March 9, 2011, Resolution No. 11-0685 authorized a construction contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation in the amount of \$8,859,334; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1710 authorized Supplemental Agreement No. 2 to the contract with the Conley Group, Inc. in the amount of \$109,700, increasing the contract from \$1,252,800 to \$1,362,500; and,

WHEREAS, on December 14, 2011, Resolution No. 11-3346 authorized a service contract with WRG LLC through the U.S. Communities Government Purchasing Alliance for the purchase and installation of furniture for the 2014 Main Street Municipal Building Annex (Dallas Judicial Center) in an amount not to exceed \$800,000; and

WHEREAS, on February 8, 2012, Resolution No. 12-0465 authorized Change Order No. 1 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$380,989, increasing the contract from \$8,859,334 to \$9,240,323; and,

WHEREAS, on February 17, 2012, Administrative Change Order No. 12-0635 authorized Change Order No. 2 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$22,089, increasing the contract from \$9,240,323 to \$9,262,412; and,

WHEREAS, on April 12, 2012, Administrative Change Order No. 12-0839 authorized Change Order No. 3 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$24,232, increasing the contract from \$9,262,412 to \$9,286,644; and,

WHEREAS, on June 27, 2012, Resolution No. 12-1726 authorized Change Order No. 4 to the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation for updated plan modifications that comply with amended program requirements in the amount of \$646,172, increasing the contract from \$9,286,644 to \$9,932,816; and,

April 24, 2013

WHEREAS, on October 10, 2012, Resolution No. 12-2564 authorized a service contract with WRG LLC through the U.S. Communities Government Purchasing Alliance for the purchase and installation of furniture for Phases II and III for the 2014 Main Street Municipal Building Annex (Dallas Judicial Center) in an amount not to exceed \$740,000; and,

WHEREAS, on February 1, 2013, Administrative Change Order No. 13-5143 authorized Change Order No. 5 to the construction services contract with Ratcliff Constructors, LP for modifications to the 2014 Main Street Municipal Building Annex Renovation in the amount of \$48,460.36, increasing the contract from \$9,932,816.00 to \$9,981,276.36; and,

WHEREAS, it is now necessary to authorize Change Order No. 6 to the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications that comply with the amended program requirements including additional security features, card readers, window film, cameras, security vestibule and changes to the mechanical, electrical and plumbing systems required due to plan alterations in the amount of \$297,073.05, increasing the contract from \$9,981,276.36 to \$10,278,349.41.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 6 to the construction services contract with Ratcliff Constructors, LP for the 2014 Main Street Municipal Building Annex Renovation Project for updated plan modifications that comply with the amended program requirements including additional security features, card readers, window film, cameras, security vestibule and changes to the mechanical, electrical and plumbing systems required due to plan alterations in the amount of \$297,073.05, increasing the contract from \$9,981,276.36 to \$10,278,349.41 after it has been approved as to form by the City Attorney.

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

Court Facilities Funds
Fund BT30, Department PBW, Unit T830, Act. CFCR
Obj. 4310, Program No. PB06T830, CT PBW06T830E1
Vendor No. VS0000002167 in an amount not to exceed \$294,682.86

April 24, 2013

Current Funds

Fund 0001, Department CTS, Unit 1056, Act. CFCR

Obj. 3099, Program No. PB06T830, CT PBW06T830E1

Vendor No. VS0000002167 in an amount not to exceed \$ 2,390.19

Total amount not to exceed \$297,073.05

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.

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sanitation Services

CMO: Forest E. Turner, 670-3390

MAPSCO: 67P

SUBJECT

Authorize **(1)** a contract for the construction of a 15-acre waste cell, with composite liner and leachate collection system, at the McCommas Bluff Landfill - Hammett Excavation, Inc., lowest responsible bidder of six; and **(2)** an increase in appropriations in the Sanitation Waste Cell Sinking Fund in the amount of \$1,608,810, from \$7,401,528 to \$9,010,338 - Total not to exceed \$1,608,810 - Financing: Sanitation Waste Cell Sinking Funds

BACKGROUND

The McCommas Bluff Landfill is a 2,048-acre property, of which 965 acres are dedicated to waste disposal. As one cell is being filled, another is being planned and prepared for use. Current waste cells will reach capacity in October 2014. For all new waste disposal areas, or landfill cells, the state and federal regulations require excavation of soil to the designed depth and the construction of a composite liner consisting of compacted clay covered by a synthetic flexible membrane with a leachate collection system above the membrane. This contract will allow an approximately 15-acre landfill cell to be constructed. Construction of this waste cell provides needed disposal capacity for the landfill's waste stream until approximately 2017.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction June 2013
Complete Construction September 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 9, 2012, by Resolution No. 12-1272, City Council awarded a professional service contract to Biggs and Mathews Environmental, Inc., for the design/construction oversight of a sector of waste cell 6.

FISCAL INFORMATION

\$1,608,809.94 - Sanitation Waste Cell Sinking Funds

M/WBE INFORMATION

See attached

ETHNIC COMPOSITION

Hammett Excavation, Inc.

Hispanic Female	0	Hispanic Male	14
African American Female	0	African American Male	0
Other Female	0	Other Male	0
White Female	0	White Male	18

BID INFORMATION

The following bids with quotes were received and opened on January 24, 2013.

*Denotes successful bidder

<u>Bidders</u>	<u>Amount of Bid</u>
*Hammett Excavation, Inc. 1545 CR 2917 Dodd City, TX 75438	\$1,608,809.94
L.D. Kemp Excavating, Inc.	\$1,695,833.34
Longhorn Excavators, Inc.	\$2,210,054.64
FCS Construction, LLC	\$1,920,336.28
Big Iron Heavy Equipment	\$1,921,675.01
SFC Contract Services	\$2,106,680.95

OWNER

Hammett Excavation, Inc.

Gaylon Hammett, President

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize **(1)** a contract for the construction of a 15-acre waste cell, with composite liner and leachate collection system, at the McCommas Bluff Landfill - Hammett Excavation, Inc., lowest responsible bidder of six; and **(2)** an increase in appropriations in the Sanitation Waste Cell Sinking Fund in the amount of \$1,608,810, from \$7,401,528 to \$9,010,338 - Total not to exceed \$1,608,810 - Financing: Sanitation Waste Cell Sinking Funds

Hammett Excavation, Inc. is a non-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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$1,608,809.94	100.00%
TOTAL CONTRACT	\$1,608,809.94	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Falcon Environmental	WFWB53228N0413	\$762,693.77	47.41%
Total Minority - Non-local		\$762,693.77	47.41%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$762,693.77	47.41%
Total	\$0.00	0.00%	\$762,693.77	47.41%

April 24, 2013

WHEREAS, the continued development of the McCommas Bluff Landfill requires the construction of cell 6D1; and

WHEREAS, the City advertised construction bid documents of waste cell 6D1 and invited and received six qualified bids to perform this work; and

WHEREAS, bids were received and opened on January 24, 2013 for the construction of waste cell 6D1, with a composite liner and leachate collection system, at the McCommas Bluff Landfill.

*Denotes successful bidder(s)

<u>Bidder(s)</u>	<u>Amount of Bid</u>
*Hammett Excavation, Inc. 1545 CR 2917 Dodd City, TX 75438	\$1,608,809.94
L.D. Kemp Excavating, Inc.	\$1,695,833.34
Longhorn Excavators, Inc.	\$2,210,054.64
FCS Construction, LLC	\$1,920,336.28
Big Iron Heavy Equipment	\$1,921,675.01
SFC Contract Services	\$2,106,680.95

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to enter into a contract for the construction of waste cell 6D1, with a composite liner and leachate collection system, at the McCommas Bluff Landfill with Hammett Excavation Inc., lowest responsible bidder of six, in the amount not to exceed \$1,608,809.94.

Section 2. That the City Manager is hereby authorized to increase appropriations in the Sanitation Waste Cell Sinking Funds 0593, Dept SAN, Unit P309, Obj 4599 in an amount not to exceed \$1,608,809.94 from \$7,401,528 to \$9,010,337.94.

Section 3. That the City Controller is hereby authorized to disburse the following funds in an amount not to exceed \$1,608,809.94:

Fund 0593, Dept SAN; Unit P309, Amount \$1,608,809.94, Obj 4599, Encumbrance CT-SAN-Cell6, Vendor No. VS0000075903, Program No. SANCell 6

April 24, 2013

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 3
DEPARTMENT: Street Services
CMO: Forest E. Turner, 670-3390
MAPSCO: 43R

SUBJECT

Authorize a contract for bridge repair on Hampton Road between Commerce Street and Singleton Boulevard - Gibson and Associates, Inc., lowest responsible bidder of two - \$218,848 - Financing: Current Funds

BACKGROUND

This project is located in the west part of Dallas on Hampton Road between Commerce Street and Singleton Boulevard.

Bids were received on August 9, 2012. Those bids were rejected and the re-advertisement for new bids was authorized on October 24, 2012, by Resolution No. 12-2697.

This action will provide for the repair of concrete piers that have experienced deterioration due to salt exposure from nearby salt/sand storage that is used to treat icy roads during inclement winter weather. The Hampton Road bridge site is one of six locations throughout the city where salt/sand mix is stockpiled to reload sanding trucks during icy road conditions. The project consists of repairing the deteriorated piers by patching and covering bad areas with new reinforcing steel and concrete, and treating the piers with a special surface coating to prevent future exposure.

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2012
Completed Design	May 2012
Begin Construction	May 2013
Complete Construction	August 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the rejection of bids and re-advertisement for new bids on October 24, 2012, by Resolution No. 12-2697.

FISCAL INFORMATION

\$218,847.50 - Current Funds

Design	\$ 10,856.00
Construction support	3,352.00
Construction	<u>218,847.50</u>
 Total Project Cost	 \$233,055.50

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gibson and Associates, Inc.

Hispanic Female	0	Hispanic Male	58
African-American Female	1	African-American Male	0
Other Female	0	Other Male	2
White Female	4	White Male	21

BID INFORMATION

The following bids with quotes were received and opened on December 6, 2012:

*Denotes successful bidder

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*Gibson and Associates, Inc. 11210 Ryliecrest Balch Springs, TX 75180	\$218,847.50
Texas Standard Construction, Ltd.	\$279,050.00

OWNER

Gibson and Associates, Inc.

William J. Gibson, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for bridge repair on Hampton Road between Commerce Street and Singleton Boulevard - Gibson and Associates, Inc., lowest responsible bidder of two - \$218,848 - Financing: Current Funds

Gibson 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: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$218,507.50	99.84%
Total non-local contracts	\$340.00	0.16%
TOTAL CONTRACT	\$218,847.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Jaster-Quintalla	HMMB52187N0113	\$6,250.00	2.86%
W.O.E. Construction	WFWB52471Y0213	\$22,500.00	10.30%
Ram-Tool	WFWB52857N0313	\$7,122.50	3.26%
Total Minority - Local		\$35,872.50	16.42%

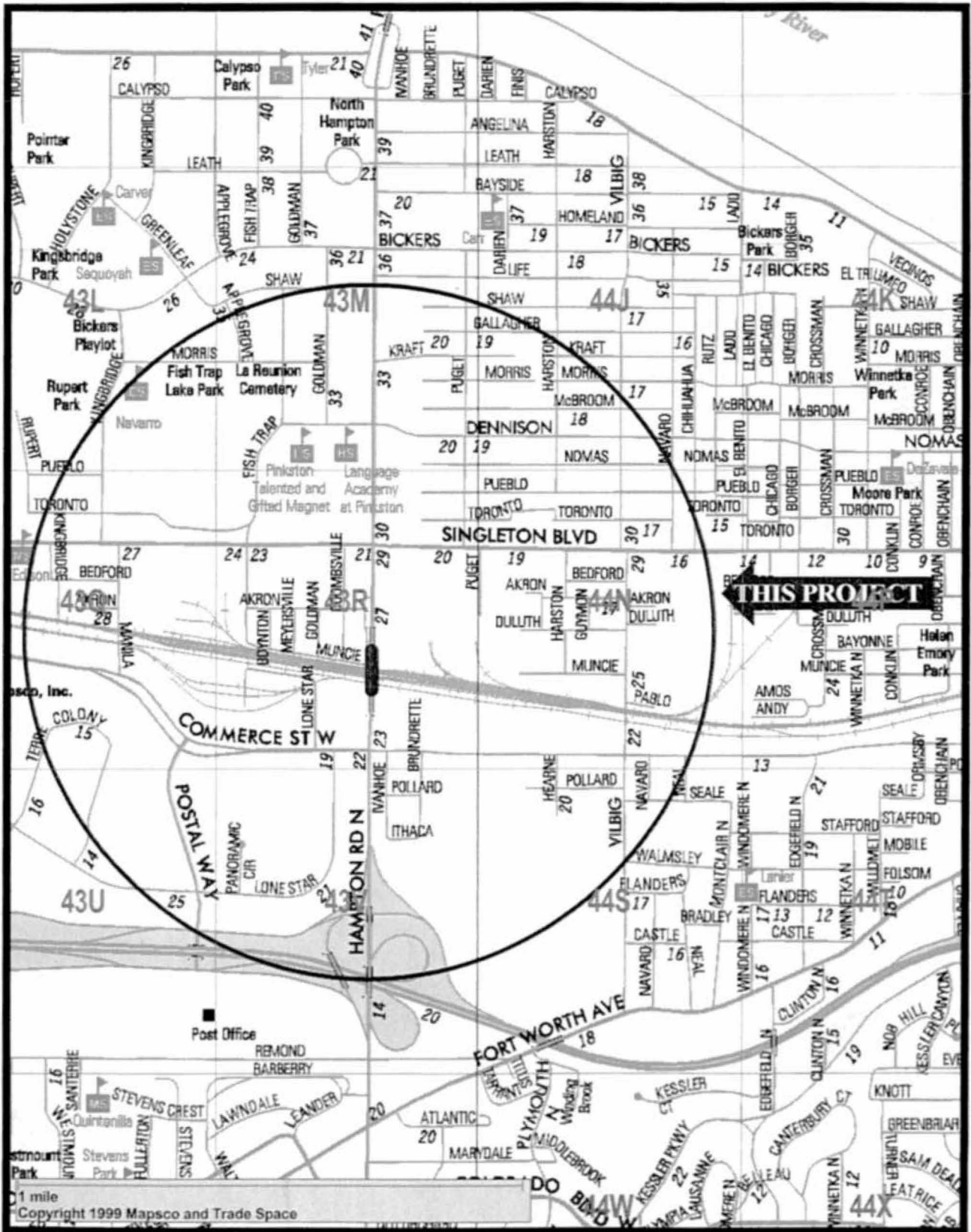
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alpha Erosion & Products	WFDB52159Y0113	\$340.00	100.00%
Total Minority - Non-local		\$340.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$6,250.00	2.86%	\$6,250.00	2.86%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$29,622.50	13.56%	\$29,962.50	13.69%
Total	\$35,872.50	16.42%	\$36,212.50	16.55%

HAMPTON RD. BRIDGE REPAIR



MAPSCO 43 R

April 24, 2013

WHEREAS, bids were received on August 9, 2012, for bridge repair on Hampton Road between Commerce Street and Singleton Boulevard; and,

WHEREAS, the rejection of bids and re-advertisement for new bids was authorized on October 24, 2012, by Resolution No. 12-2697; and,

WHEREAS, bids were received on December 6, 2012, for bridge repair on Hampton Road between Commerce Street and Singleton Boulevard, as follows:

<u>BIDDERS</u>	<u>AMOUNT OF BID</u>
Gibson and Associates, Inc.	\$218,847.50
Texas Standard Construction	\$279,050.00

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 contract with Gibson and Associates, Inc., for bridge repair on Hampton Road between Commerce Street and Singleton Boulevard in an amount not to exceed \$218,847.50, this being the lowest responsive bid received, as indicated by the tabulation of bids.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Current Funds	
Fund 0001, Dept. STS, Unit 3432, Act. ST09	
Obj. 3070, Vendor #230445	\$218,847.50

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
Public Works Department
CMO: Ryan S. Evans, 670-3314
Jill A. Jordan, P.E., 670-5299
MAPSCO: 55H

SUBJECT

Authorize acquisition from Linda Torres Velo of approximately 5,720 square feet of land improved with a single-family dwelling located near the intersection of Gloyd and Nolen Streets for future cities facilities - Not to exceed \$34,000 (\$32,500, plus closing costs and title expenses not to exceed \$1,500) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 5,720 square feet of improved land located near the intersection of Gloyd and Nolen Streets. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

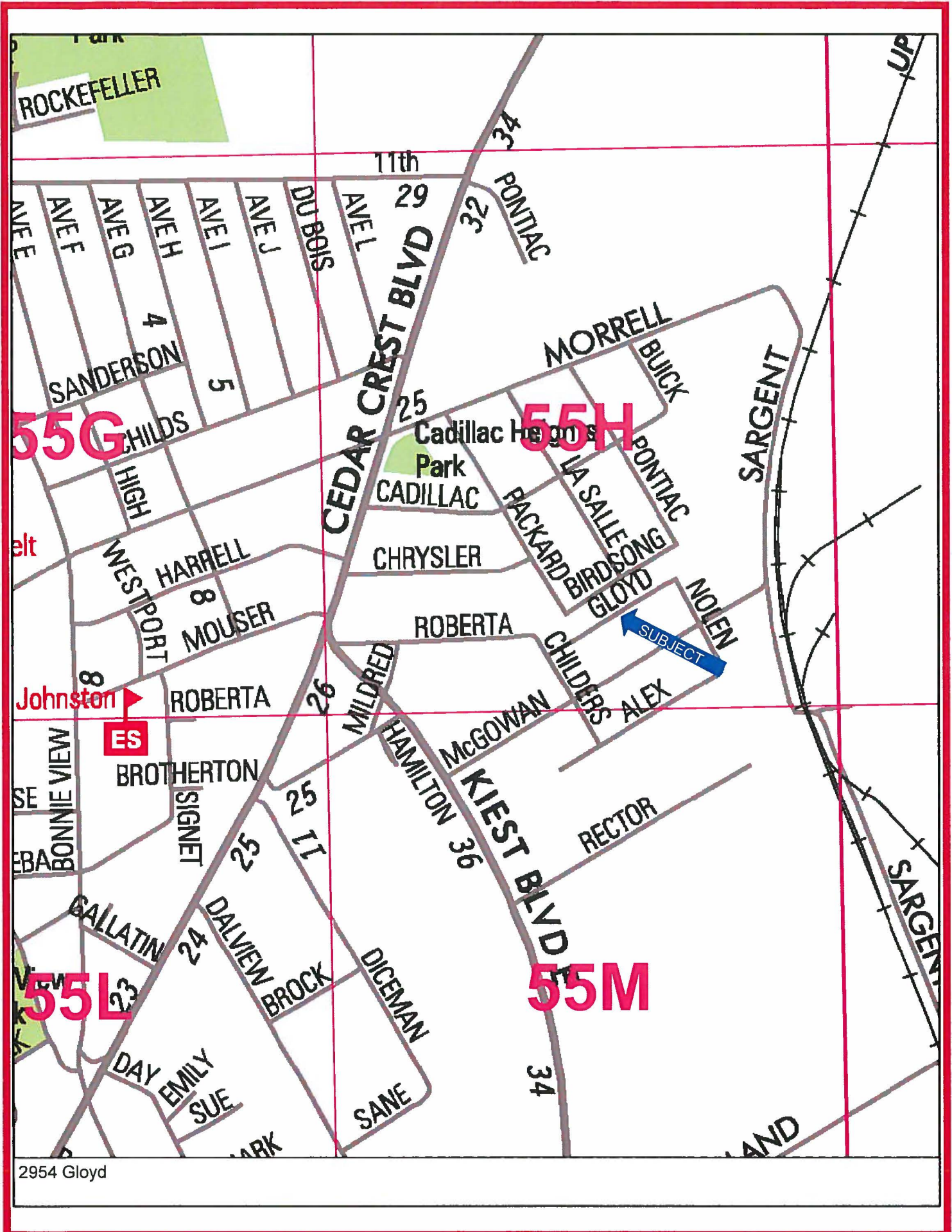
2006 Bond Funds - \$34,000 (\$32,500, plus closing costs and title expenses not to exceed \$1,500)

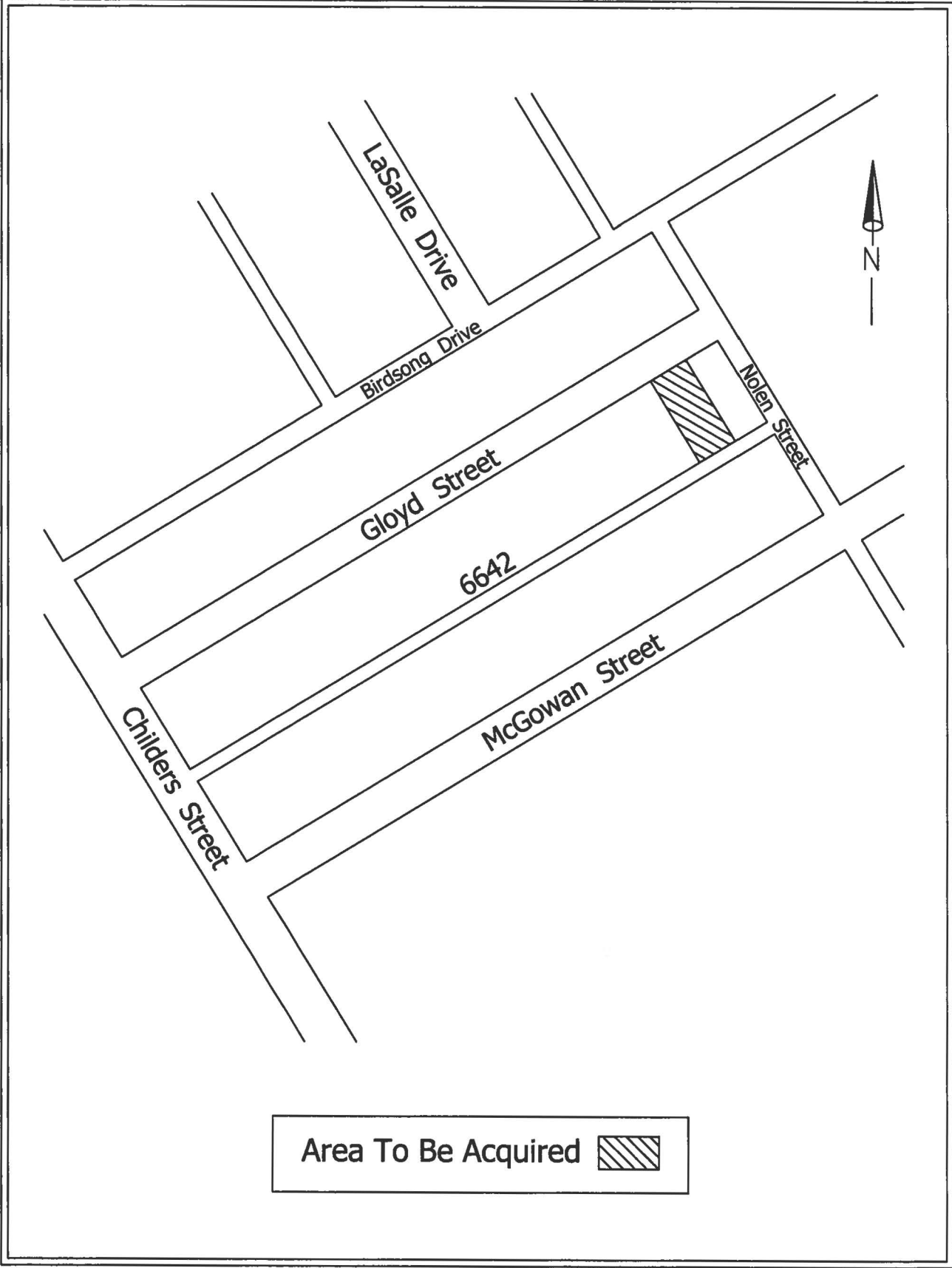
OWNER

Linda Torres Velo

MAPS

Attached





Area To Be Acquired



April 24, 2013

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 5,720 square feet of improved land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Future City Facilities

"USE": The construction, use, and maintenance of future City facilities provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit "B"

"OWNER": Linda Torres Velo provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": \$32,500

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$1,500

"AUTHORIZED AMOUNT": Not to exceed \$34,000

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

April 24, 2013

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds, Fund No. PB06T825, Department PBW, Unit T825, Activity LAAQ, Program No. PB06T825, Object 4210, Encumbrance No. SUSTVLT82541. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY 
Assistant City Attorney

EXHIBIT A

Being Lot 29 in Block 6642, of MEADOW GARDENS, an Addition to the City of Dallas, Dallas County, Texas, according to the Map recorded in Volume 7, Page 465, Map Records, Dallas County.

NOTICE OF CONFIDENTIALITY OF RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

THE STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF DALLAS

§

§

That Linda Torres Velo, a single woman (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of THIRTY TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$32,500.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED and does hereby GRANT, SELL AND CONVEY unto City, its successors and assigns, the following (all said property and interests being collectively referred to herein as the "Property"):

(a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;

(b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;

(c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;

(d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and

(e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators, or successors to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

Linda Torres Velo

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Linda Torres Velo.

Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 36846

EXHIBIT A

Being Lot 29 in Block 6642, of MEADOW GARDENS, an Addition to the City of Dallas, Dallas County, Texas, according to the Map recorded in Volume 7, Page 465, Map Records, Dallas County.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Ryan S. Evans, 670-3314
Forest E. Turner, 670-3390

MAPSCO: 60AT

SUBJECT

Authorize acquisition of approximately 2 acres of land from White Property Co. #2, LTD, located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project – Not to exceed \$332,341 (\$329,141, plus closing costs and title expenses not to exceed \$3,200) - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition of approximately 2 acres of land in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project. This property will be used for the construction of a 96-inch and 12-inch diameter treated water transmission line from the East Side Water treatment Plant to Southwest Dallas. The consideration is based on an independent appraisal.

This acquisition is part of the Long Range Water Master Plan and the Water Distribution Master Plan. The water transmission main is required to facilitate conveyance of treated water to the South and Southwest portions of Dallas and its customer cities. Installation of approximately 32 miles of 96-inch and 12-inch water transmission pipeline is needed to meet near term critical demands associated with the population growth as determined through master planning efforts. The overall pipeline is sized to meet future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$332,341 (\$329,141, plus closing costs and title expenses not to exceed \$3,200)

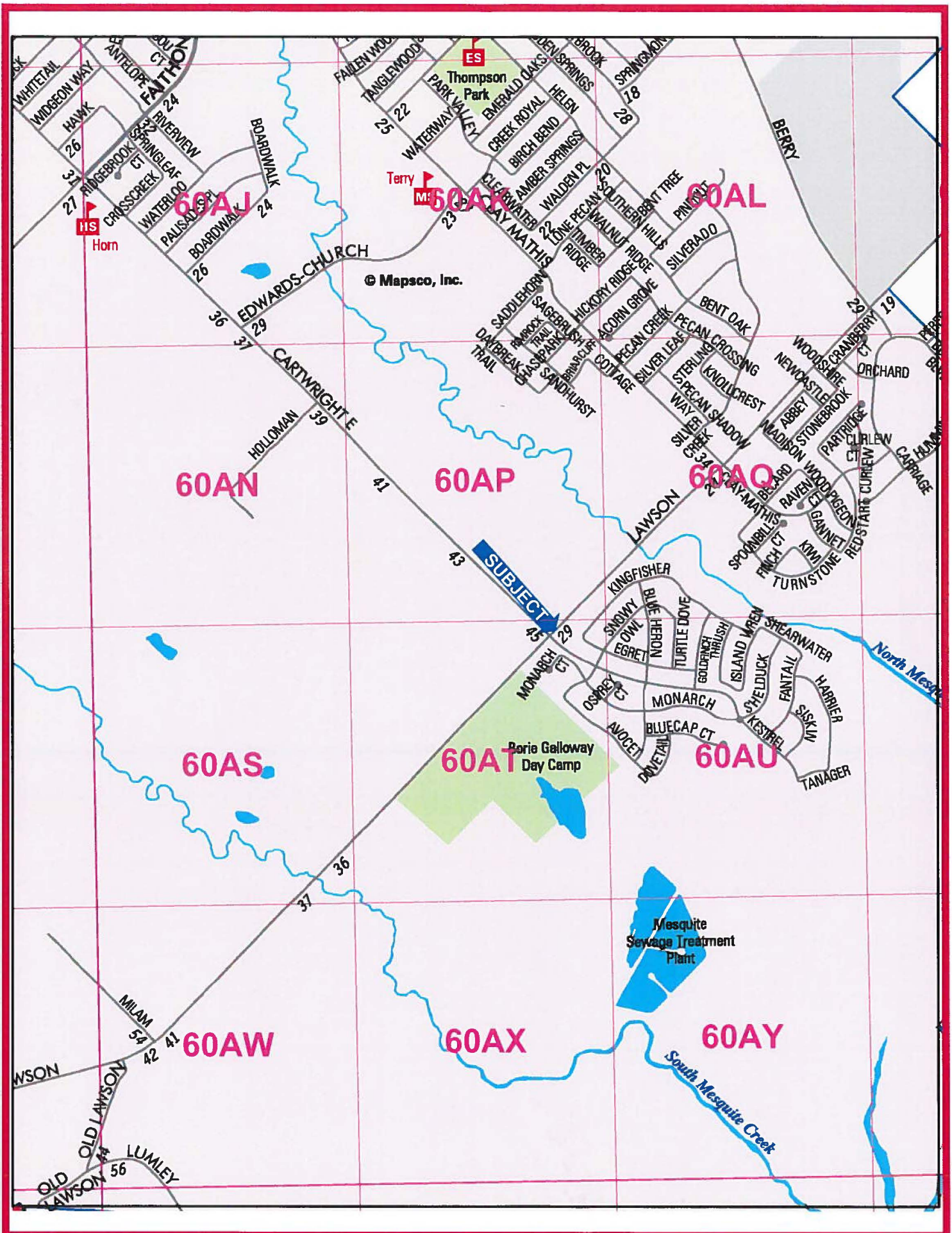
OWNER

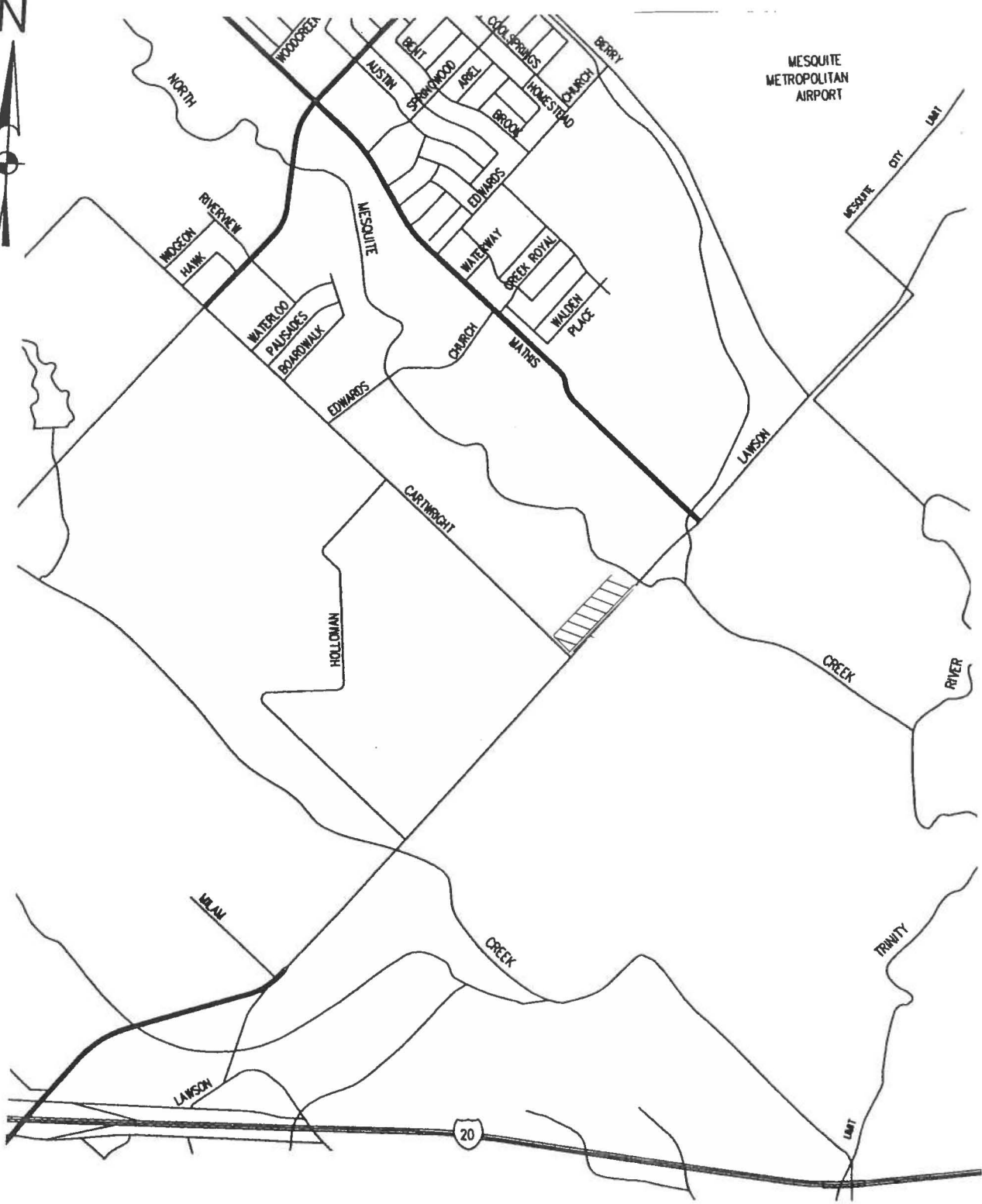
White Property Co. #2, LTD

Billy W. White, Sr., President

MAPS

Attached





SUBJECT: 

April 24, 2013

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 1.644 acres of land located in Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Southwest 120/96-inch Water Transmission Pipeline Project

"USE": The construction, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary. provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the instrument more particularly described in Exhibit "B"

"OWNER": White Property Co. #2, LTD, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": \$329,141

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,200

"AUTHORIZED AMOUNT": Not to exceed \$332,341

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

April 24, 2013

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Water Capital Improvement Funds, Fund No 0115, Department DWU, Unit PW40, Activity MPSA, Program No. 706623, Object 4210, Encumbrance No. CT-DWU706623CPCI. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY 
Assistant City Attorney

EXHIBIT A

**PARCEL E-23
FIELD NOTES DESCRIBING PART OF
THE WHITE PROPERTY COMPANY # 2, LTD TRACT,
IN THE JOHN P. ANDERSON SURVEY, ABST. NO. 1,
IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS
TO BE ACQUIRED FOR A 120 INCH WATER LINE**

BEING a 1.644 acre tract of land situated in the John P. Anderson Survey, Abstract Number 1, in the City of Mesquite, Dallas County, Texas, and being part of that tract of land described in Special Warranty Deed to White Property Company # 2, LTD, as recorded in Instrument No. 200600225782 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a found 1/2 inch iron rod with a yellow plastic cap stamped "NDM" for the east end of a corner clip at the intersection of the northwest right-of-way line of Lawson Road (a variable width right-of-way) and the northeast right-of-way line of Cartwright Road (a 120 foot wide right-of-way);

THENCE South 89 degrees 16 minutes 50 seconds West, with said corner clip, a distance of 42.41 feet to a point for corner and the west end of said corner clip, from which a found 60d nail bears North 36 degrees 24 minutes 50 seconds West, a distance of 0.67 feet;

THENCE North 45 degrees 40 minutes 58 seconds West, with said northeast right-of-way line of Cartwright Road, a distance of 80.19 feet to a set 1/2 inch iron rod with a yellow cap stamped "GLD";

THENCE North 44 degrees 14 minutes 28 seconds East, departing said northeast right-of-way line, a distance of 653.75 feet to a set 1/2 inch iron rod with a yellow cap stamped "GLD" on the common line of said White Property Company tract and that tract of land described in Warranty Deed to Walter T. Hardi and wife, Doris Jim Hardi, as recorded in Volume 72054, Page 212, of the Deed Records of Dallas County, Texas;


THENCE South 45 degrees 40 minutes 58 seconds East, with said common line, a distance of 110.20 feet to a found 1/2 inch iron rod with a yellow plastic cap stamped "NDM" on said northwest right-of-way line of Lawson Road;

REVIEWED BY *AKC 8/19/10*

PARCEL E-23
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BASIS OF BEARINGS: 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. Basis of Bearings rotated counterclockwise 00 degrees 01 minute 18 seconds from deed as described by Warranty Deed to White Property Company # 2, LTD, as recorded in Instrument No. 200600225782 of the Dallas County Official Public Records, with a bearing of South 44 degrees 15 minutes 46 seconds West along the northwest right-of-way line of Lawson Road.

René M. Salinas

08/20/2010

REVIEWED BY *DR JOST*

EXHIBIT A

WALTER T. HARDI AND WIFE,
DORIS JIM HARDI
VOL. 72054, PG. 0212

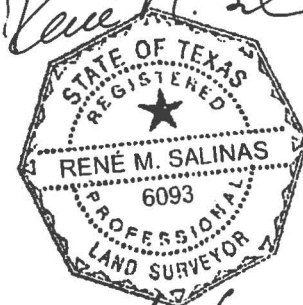
JOHN P ANDERSON SURVEY
ABSTRACT NO. 1

WHITE PROPERTY
COMPANY #2, LTD.
DOC.# 200600225782

WHITE PROPERTY COMPANY #2, LTD.
DOC.# 200600225782
PARCEL E-23
1.644 ACRES
71,593 SQ. FT.

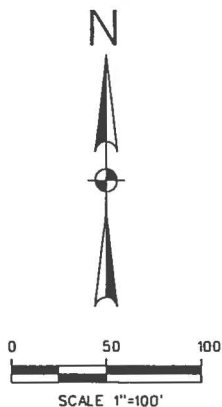
LAWSON ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)
APPROXIMATE
ABSTRACT LINE

M L SWING SURVEY
ABSTRACT NO. 1398



08/20/2010

REVIEWED BY DA 8/25/10



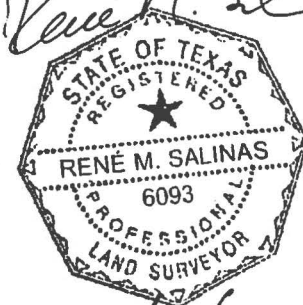
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COMPANY #2, LTD.
DOC.# 200600225782

WHITE PROPERTY COMPANY #2, LTD.
DOC.# 200600225782
PARCEL E-23
1.644 ACRES
71,593 SQ. FT.

LAWSON ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)
APPROXIMATE
ABSTRACT LINE

M L SWING SURVEY
ABSTRACT NO. 1398



08/20/2010

REVIEWED BY DA 8/25/10

1/2" IRF BEARS
N72°19'13"E-0.29'

N45°40'58"W-169.15'
THE CITY OF MESQUITE
VOL. 2003109, PG. 10392

CARTWRIGHT ROAD
(120-FOOT WIDE PUBLIC RIGHT-OF-WAY)
THE CITY OF MESQUITE
VOL. 2003109, PG. 10386

W.A. RIDGE
RANCH, LLC
DOC.#20080025063

JOHN P ANDERSON SURVEY
ABSTRACT NO. 1
M L SWING SURVEY
ABSTRACT NO. 1398

S89°16'50"W
42.41'

N45°40'58"W
80.19'

600 NAIL FND. BEARS
N36°24'50"W-0.67'

POINT OF
BEGINNING

S44°14'28"W 623.74'

THE CITY OF MESQUITE
VOL. 2003109, PG. 10392

CARTWRIGHT ROAD-PHASE ONE
VOL. 2001143, PG. 2

TRACT 1- COMMON AREA

FALCON'S LAIR - PARCEL 1A
VOL. 2002248, PG. 272

1/2" IRF
S45°40'58"E
110.20'

BASIS OF BEARING ROTATED
COUNTER-CLOCKWISE
0°01'18" FROM DEED
BEARING OF S44°13'46"W

1/2" IRFC (CM)

THE CITY OF MESQUITE
VOL. 2003248, PG. 2600

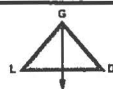
LEGEND:

- IRF IRON ROD FOUND
- IRS IRON ROD SET W/
YELLOW "GLD" CAP
- IRFC IRON ROD FOUND W/CAP
- (CM) CONTROL MONUMENT

NOTES:

1.) BEARINGS SYSTEM: NORTH AMERICAN
DATUM OF 1983, TEXAS STATE PLANE
COORDINATE SYSTEM, NORTH CENTRAL ZONE
4202, SURFACE ADJUSTMENT SCALE FACTOR
1.0001365060

PARCEL E-23
FIELD NOTES DESCRIBING A PORTION OF
WHITE PROPERTY COMPANY #2, LTD. TRACT
IN THE JOHN P ANDERSON SURVEY, ABST. NO. 1
CITY OF MESQUITE, DALLAS COUNTY, TEXAS
TO BE ACQUIRED FOR A 120-INCH WATER LINE



Garcia Land Data, Inc.

T 214-987-0149 6210 Campbell Rd., Ste. 110
F 214-987-4026 Dallas, TX 75248-1388

DATE: 08/19/10

PROJ: 5330

PAGE 3 OF 3

EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That White Property Company No. 2, LTD, a Texas limited partnership (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of THREE HUNDRED TWENTY-NINE THOUSAND ONE HUNDRED FORTY-ONE AND NO/100 DOLLARS (\$329,141.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: This conveyance is made and accepted subject to the reservation provided in Exhibit "B" which is attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

White Property Company No. 2, LTD,
a Texas limited partnership

By: White Properties, Inc.,
a Texas corporation its general partner

By: _____
Name: Billy W. White, Sr., President

EXHIBIT B

* * * * *

STATE OF TEXAS '
COUNTY OF DALLAS '

This instrument was acknowledged before me on _____
by Billy W. White, Sr., President of White Properties, Inc., a Texas corporation, general
partner of White Property Company No. 2, LTD, a Texas limited partnership on behalf of
said limited partnership.

Notary Public, State of TEXAS

* * * * *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Mark Proctor

Warranty Deed Log No. 36379 / Parcel E-23

EXHIBIT A

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REVIEWED BY *abc 8/25/10*


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René M. Salinas



08/20/2010

REVIEWED BY *dkh d2570*

EXHIBIT A

WALTER T. HARDI AND WIFE,
DORIS JIM HARDI
VOL. 72054, PG. 0212

JOHN P ANDERSON SURVEY
ABSTRACT NO. 1

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DOC.# 200600225782

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DOC.# 200600225782
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1.644 ACRES
71,593 SQ. FT.

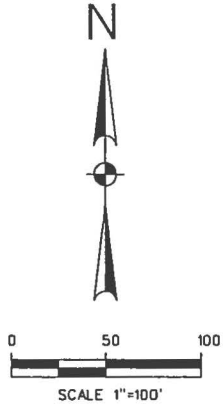
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LAWSON ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)
APPROXIMATE
ABSTRACT LINE

M L SWING SURVEY
ABSTRACT NO. 1398



08/20/2010

REVIEWED BY DA 8/25/10



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THE CITY OF MESQUITE
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CARTWRIGHT ROAD
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W.A. RIDGE
RANCH, LLC
DOC.#20080025063

- LEGEND:
- IRF IRON ROD FOUND
 - IRS IRON ROD SET W/ YELLOW "GLD" CAP
 - IRFC IRON ROD FOUND W/CAP
 - (CM) CONTROL MONUMENT
- NOTES:

1.) BEARINGS SYSTEM: NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, SURFACE ADJUSTMENT SCALE FACTOR 1.0001365060



Garcia Land Data, Inc.
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PAGE 3 OF 3

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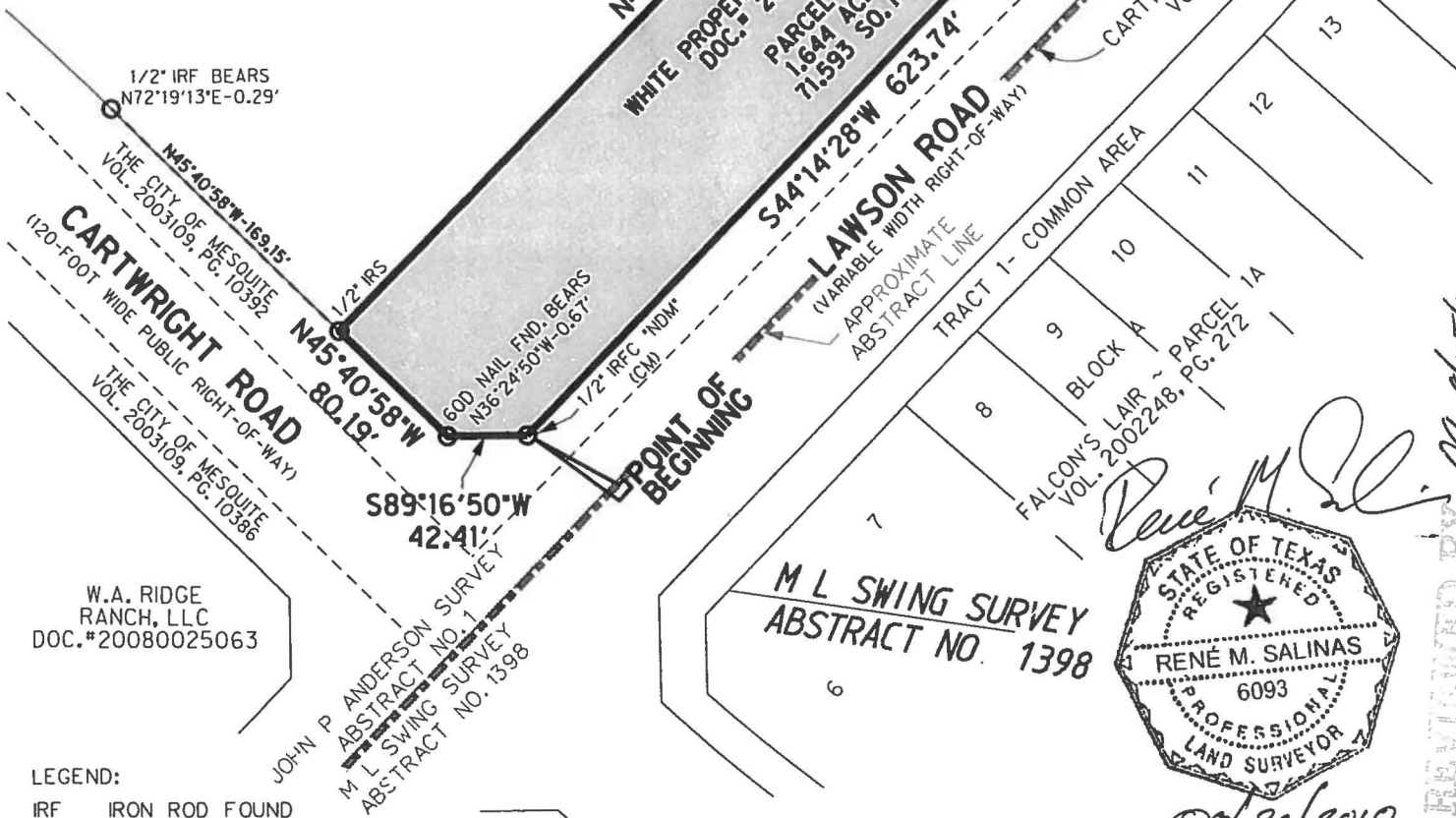


EXHIBIT "B"

EASEMENT – ACCESS

[To Be Located]

Grantor, for Grantor and Grantor's heirs, successors and assigns ("the holder of the easement") does hereby reserve an easement over, on and across the property described in Exhibit "A" to provide free and uninterrupted pedestrian, vehicular and utility access at one location to and from Grantor's adjoining or abutting property, being more fully described in Attachment "1", attached hereto and made a part hereof by reference for all purposes, (the "Dominant Estate Property") and portions thereof, in a manner as not to endanger or interfere with the safe, efficient and/or convenient use of and activity on the property described in Exhibit "A" by City.

The easement is appurtenant to and runs with the Dominant Estate Property and all portions of it, whether or not the easement is referenced in any conveyance of the Dominant Estate Property or any portion of it. The easement binds and inures to the benefit of Grantor and City and their respective heirs, successors, and assigns.

The easement is perpetual.

This easement is nonexclusive, and City reserves for City and City's successors and assigns the right to convey the same or similar easement or other rights or easements to others. Notwithstanding any provision of this easement reservation to the contrary, City and City's successors and assigns shall in all respects and at all times have the superior and paramount right of use, access and control of the property described in Exhibit "A" and covered by this easement, without any liability for damages, destruction or injury to any improvements located in the easement, from time to time.

Professionally engineered plans and specifications bearing the seal of a professional engineer currently registered in the State of Texas showing the exact location of the access and any and all improvements desired by the holder of the easement, including without limitation, fill or removal of soil within the easement, paving, support, protection of City's uses, utility lines, structures and facilities, must be submitted to and approved in writing by the City of Dallas Water Department ("DWU") in advance of any construction by the holder of the easement. No vehicle, equipment or machinery exceeding a total weight of 15,000 lbs may come on the easement or any use be allowed to exist that would exceed said weight limit at any time during normal use unless confined to the designated access points on improvements the plans and specifications for which are structurally designed and constructed with supporting appurtenances that meet or exceed H20 highway design capacity and that protect the City's facilities from all imposed loading. The parties acknowledge and agree that the paramount consideration in the evaluation of any access location and/or proposed improvements is to fully and completely accommodate City's uses (current, anticipated, and/or potential) of the property described in Exhibit "A" and any facilities it may install. Consequently, City's determinations in this regard are conclusive and final. All such improvements and maintenance of the access location will be at the sole expense of the holder of the easement and must be constructed in a good and workmanlike manner in

conformity with the approved plans and specifications. The holder of the easement will maintain the access location in a neat, clean and safe condition at all times.

Once the exact location of the access has been identified by the holder of the easement and approved by City, the remainder of the property described by Exhibit "A" shall be released from this easement and the parties shall execute and deliver any and all instruments reasonably necessary, appropriate and/or convenient to document same. If City desires to have the access location identified and established before the holder of the easement has requested to identify and establish the exact location of same, City may require the easement holder to identify a location acceptable to both parties in the reasonable good faith exercise of their discretion, in which case the remainder of the property described by Exhibit "A" shall be released from this easement and the parties shall execute and deliver any and all instruments reasonably necessary, appropriate and/or convenient to document same. In such event if the parties cannot reach agreement on the location of the access, City may unilaterally identify and establish same, in which case the remainder of the property described by Exhibit "A" shall be released from this easement and the parties shall execute and deliver any and all instruments reasonably necessary, appropriate and/or convenient to document same.

The holder of the easement agrees to indemnify, defend and hold City and City's successors in interest harmless from any loss, attorney's fees, court and other costs, expenses or claims attributable to any breach or default of any provision of this easement by the holder and/or any negligent act or omission by the holder with regard to this easement. In the event the holder of the easement shall place any unpermitted structure, improvement, use or material within the easement and fails to remove same immediately upon receipt of notice from City, City shall have the right, but not the obligation, to remove such structure, improvement, use and/or material, and the holder of the easement shall reimburse City for any and all costs connected with such action immediately upon demand.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 7
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 670-3314
MAPSCO: 46S

SUBJECT

An ordinance abandoning portions of Harrison, Clarence, Myrtle and Atlanta Streets, two alleys, three street easements, a sight easement, two sanitary sewer main easements, a water and sewer main easement, and a utility easement to Dallas Independent School District, the abutting owner, containing a total of approximately 123,876 square feet of land located near the intersection Good-Latimer Expressway and Grand Avenue, authorizing the quitclaim and providing for the dedication of approximately 2,472 square feet of land needed for street right-of-way – Revenue: \$361,779, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of Harrison, Clarence, Myrtle and Atlanta Streets, two alleys, three street easements, a sight easement, two sanitary sewer main easements, a water and sewer main easement, and a utility easement to Dallas Independent School District, the abutting owner, containing a total of approximately 123,876 square feet of land and providing for the dedication of approximately 2,472 square feet of land needed for street right-of-way. The abandonment areas will be included with the property of the abutting owner for expansion of Billy Dade Middle School campus. The abandonment fee is based on an independent appraisal.

Notices were sent to 78 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION /REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$361,779, plus the \$20 ordinance publication fee

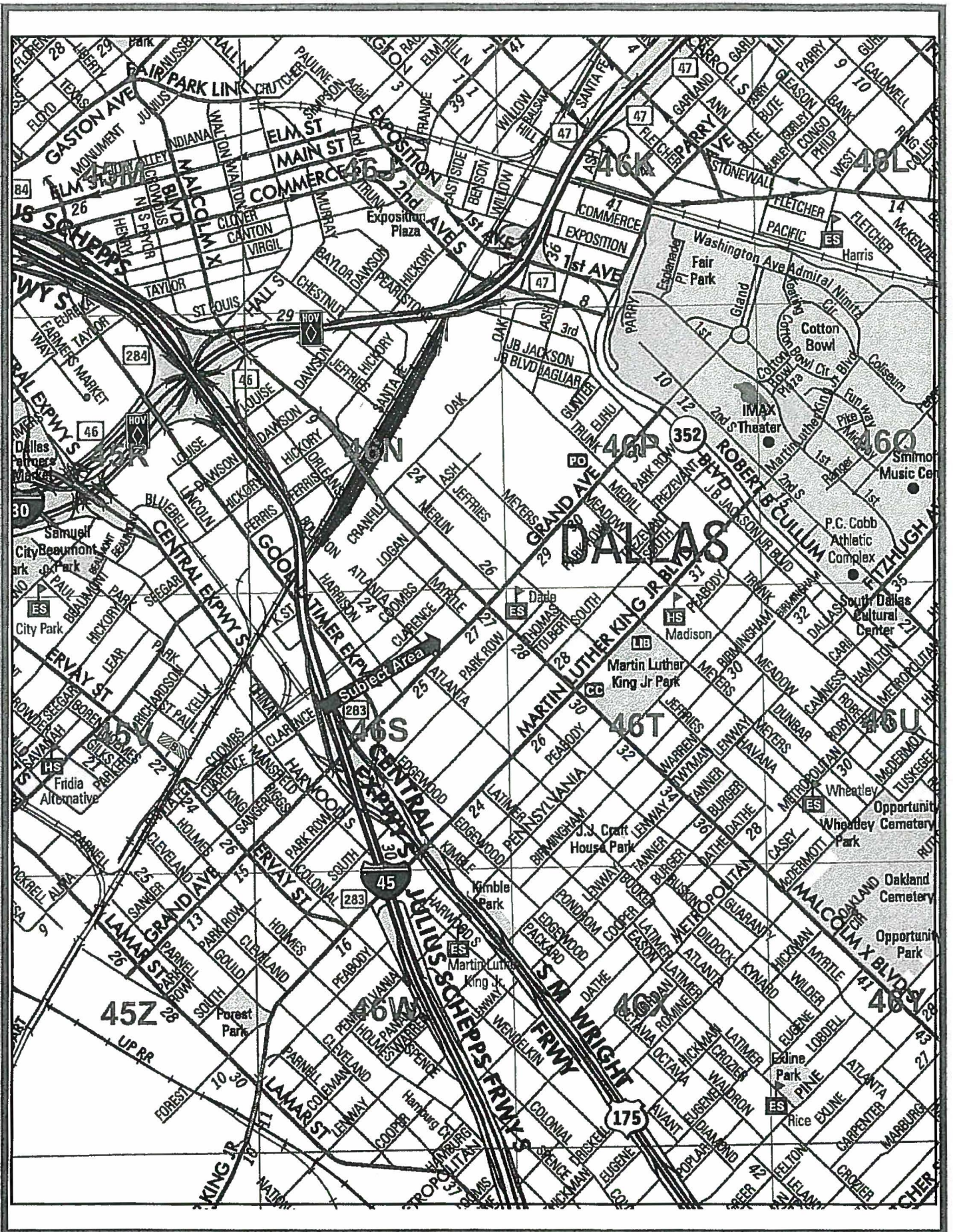
OWNER

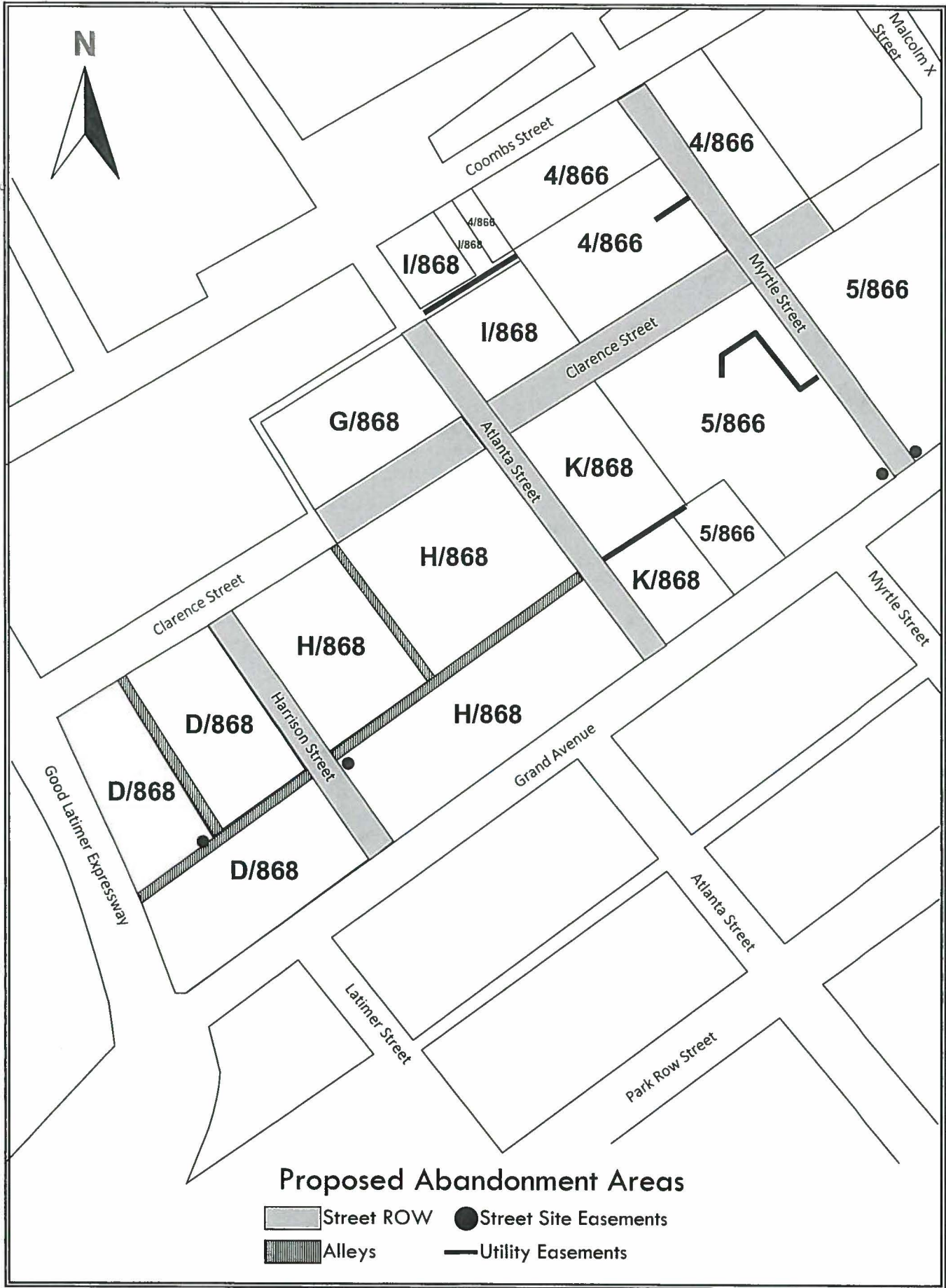
Dallas Independent School District

Dr. Lew Blackburn, Ph. D., Board President

MAPS

Attached





ORDINANCE NO. _____

An ordinance providing for the abandonment of portions of Harrison, Clarence, Myrtle and Atlanta streets, two alleys, three street easements, a sight easement, two sanitary sewer main easements, a water and sewer main easement, and a utility easement located in and adjacent to City Blocks D/868, G/868, H/868, I/868, K/868, 4/866, 5/866 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Dallas Independent School District; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing for the waiver of certain provisions of the Dallas Development Code; providing a future effective date for this abandonment, relinquishment and quitclaim made herein; 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 Dallas Independent School District, a governmental instrumentality, hereinafter referred to as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the hereinafter described tracts of land and easements to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portions of streets and alley rights-of-way are not needed for public use and easements not needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning, 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 those certain provisions of Section 51A-8.506(b) of the Dallas Development Code regarding dead-end streets, to the extent not required by state law of City Charter, are hereby waived with respect to this ordinance.

SECTION 2. That the tracts of land described in Exhibit A, which are attached hereto and made a part hereof for all purposes, be and the same is abandoned, relinquished, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 3. That for and in monetary consideration of the sum of **THREE HUNDRED SIXTY-ONE THOUSAND SEVEN HUNDRED SEVENTY-NINE AND NO/100 (\$361,779.00) DOLLARS** paid by **GRANTEE**, and the further consideration described in Sections 9, 10, 11 and 12, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to those certain tracts of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 4. That upon payment of the monetary consideration set forth in Section 3, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 5. That the City Controller is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 3 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 6. 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, and are further subject to the conditions contained in Exhibit B; as to Exhibit A-Tracts 1, 2, 3, 4, 5, 6, 7 and 8, which is attached hereto and made a part hereof for all purposes.

SECTION 7. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 8. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to those interests the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish, vacate and quitclaim.

SECTION 9. That as a condition of this abandonment and as part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold whole and harmless the City of Dallas of, from and against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, “Hazardous Substance” means the following: (a) any “hazardous substances” under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any “hazardous substance” under the Texas

Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any “hazardous chemicals” or “toxic chemicals” under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within one year of the effective date of this ordinance showing the fee simple dedication of not less than a total of 2,472 square feet of needed right-of-way in City Blocks 5/566, D/868, G/868 and H/868. This final replat shall be recorded by **GRANTEE** in the official real property records of the counties in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) submit engineering plans for the area covered by the replat required in Section 10 above to the Department of Sustainable Development and Construction - Engineering Division, for approval and acceptance of infrastructure; and **GRANTEE** shall execute a Private Development Contract within one year of the effective date of this ordinance. This abandonment shall not be effective unless and until a Private Development Contract is completed as herein provided and failure to execute said contract as set forth shall render this ordinance null and void and of no further effect.
- b) maintain all fire code and regulations before, during and post construction; particularly referring to fire access and water (hydrant) supply.
- c) provide a cul-de-sac or hammerhead for Clarence Street on the west side of the proposed school's location where Clarence Street intersects Good Latimer Expressway.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall immediately upon the passage of this ordinance, close, barricade and/or place signs in the areas described in Exhibit A-Tracts, 1, 2, 3, 4, 5, 6, 7 and 8, in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE'**s responsibility for keeping the areas described in Exhibit A-Tracts 1, 2, 3, 4, 5, 6, 7 and 8, closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 13. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to the easements described in Exhibit A-Tracts 9, 10, 11 and 12 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 14. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment areas are located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 3, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 10, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance; and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the areas abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 15. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

**APPROVED AS TO FORM:
THOMAS P. PERKINS, JR.
City Attorney**

**THERESA O'DONNELL
Director of Department of Sustainable
Development and Construction**

BY  _____
Assistant City Attorney

BY  _____
Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

STREET RIGHT-OF-WAY ABANDONMENT

Harrison Street
Adjacent to Blocks D/868 and H/868
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 17,032 square foot (0.391 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas and adjacent to Blocks D/868 and H/868, Official Numbers of the City of Dallas, Texas; said tract being all of that certain portion of Harrison Street (a variable width right-of-way) dedicated by the plat of Eakins, Hughes and Eakins Subdivision, an addition to the City of Dallas, Texas recorded in Volume 106, Page 149 and Replat of the Eakins, Hughes & Eakins Addition, Lot 17 & 18, Block H/868, an addition to the City of Dallas, Texas recorded in Volume 87017, Page 2352, both of the Deed Records of Dallas County, Texas; said tract also being bounded by the projected southeast right-of-way line of Clarence Street, the northeast right-of-way line of said Harrison Street, the projected northwest right-of-way line of Grand Avenue and the southwest right-of-way line of said Harrison Street; said 17,032 square foot tract being more particularly described as follows (bearing system based on a bearing of North 53 degrees, 42 minutes, 35 seconds East for the southeast right-of-way line of Clarence Street according to the Special Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100079559 of the Official Public Records of Dallas County, Texas):

BEGINNING, at a 1/2-inch iron pipe found for corner at the intersection of the said southeast line of Clarence Street (a variable width right-of-way, 50 feet wide at this point) and the said northeast line of Harrison Street (a variable width right-of-way, 50 feet wide at this point); said point being the westernmost corner of said Block H/868 of said Eakins, Hughes and Eakins Subdivision;

THENCE, departing the said southeast line of Clarence Street and along the said northeast line of Harrison Street and the southwest line of said Block H/868, the following three (3) calls:

South 36 degrees, 17 minutes, 25 seconds East, a distance of 174.15 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found at an angle point; said point being at the intersection of the said northeast line of Harrison Street and the northwest line of a 14-foot wide alley across said Block H/868;

South 48 degrees, 38 minutes, 41 seconds East, a distance of 14.02 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found at an angle point; said point being at the intersection of the said northeast line of Harrison Street and the southeast line of said alley; said point also being the westernmost corner of Lot 17-A, Block H/868 of said Replat of the Eakins, Hughes & Eakins Addition;

South 36 degrees, 17 minutes, 25 seconds East, a distance of 129.29 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the west end of a right-of-way corner clip at the intersection of the said northeast line of Harrison Street and the said northwest line of Grand Avenue (a variable width right-of-way, 62 feet wide at this point); said point being the westernmost south corner of said Lot 17-A;

South 85 degrees, 51 minutes, 39 seconds East, departing the said northeast line of Harrison Street and along said corner clip, a distance of 12.97 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner in the said northwest line of Grand Avenue; said point being the easternmost south corner of said Lot 17-A and at the east end of said corner clip;

(For SPRG use only)

Reviewed By: JL
Date: 8-8-12
SPRG NO: 2401

EXHIBIT A-TRACT 1
STREET RIGHT-OF-WAY ABANDONMENT

Harrison Street
Adjacent to Blocks D/868 and H/868
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

THENCE, South 45 degrees, 38 minutes, 30 seconds West, departing said corner clip and along the said projected northwest line of Grand Avenue, a distance of 63.50 feet to a "+" cut in concrete found for corner at the intersection of the said southwest line of Harrison Street and the said northwest line of Grand Avenue; said point being in the northeast line of said Block D/868, Eakins, Hughes and Eakins Subdivision;


THENCE, North 36 degrees, 17 minutes, 25 seconds West, departing the said northwest line of Grand Avenue and along the said southwest line of Harrison Street and the said northeast line of Block D/868, a distance of 334.45 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said southwest line of Harrison Street and the said southeast line of Clarence Street; said point being the northernmost corner of said Block D/868;

THENCE, North 53 degrees, 42 minutes, 35 seconds East, departing the said southwest line of Harrison Street and along the said projected southeast line of Clarence Street, a distance of 50.00 feet to the POINT OF BEGINNING;

CONTAINING, 17,032 square feet or 0.391 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the right-of-way abandonment tract described.


Michael C. Clover Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00



2673-11.053EX1
EX1.doc jsa

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-8-12</u>
SPRG NO:	<u>2401</u>

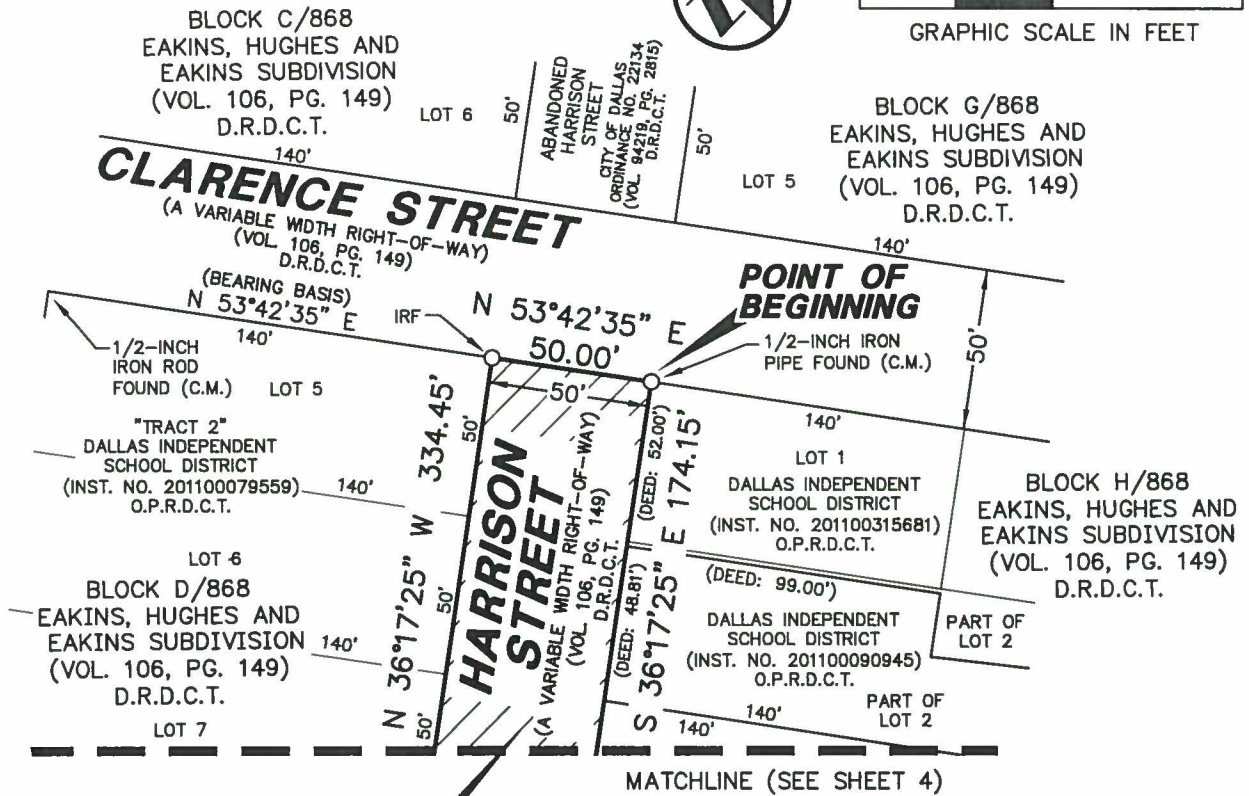
EXHIBIT A-TRACT 1



0 30 60 120



GRAPHIC SCALE IN FEET



**RIGHT-OF-WAY
ABANDONMENT
17,032 SF
(0.391 ACRES)**

LEGEND

	PROPERTY LINE
	ABANDONMENT LINE
IRF	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
XF	"+" CUT IN CONCRETE FOUND
(C.M.)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

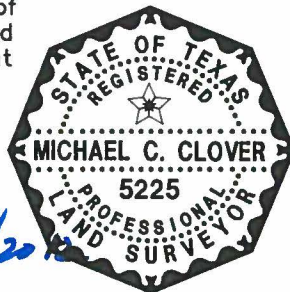
(For SPRG use only)

Reviewed By: JL
Date: 8-8-12
SPRG NO: 2401

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 53 degrees, 42 minutes, 35 seconds East for the southeast right-of-way line of Clarence Street according to the Special Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100079559 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the right-of-way abandonment tract described.



Michael C. Clover
Michael C. Clover
Registered Professional
Land Surveyor No. 5225

Date

4/19/2012

STREET RIGHT-OF-WAY ABANDONMENT

HARRISON STREET
ADJACENT TO BLOCKS D/868 AND H/868
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 4

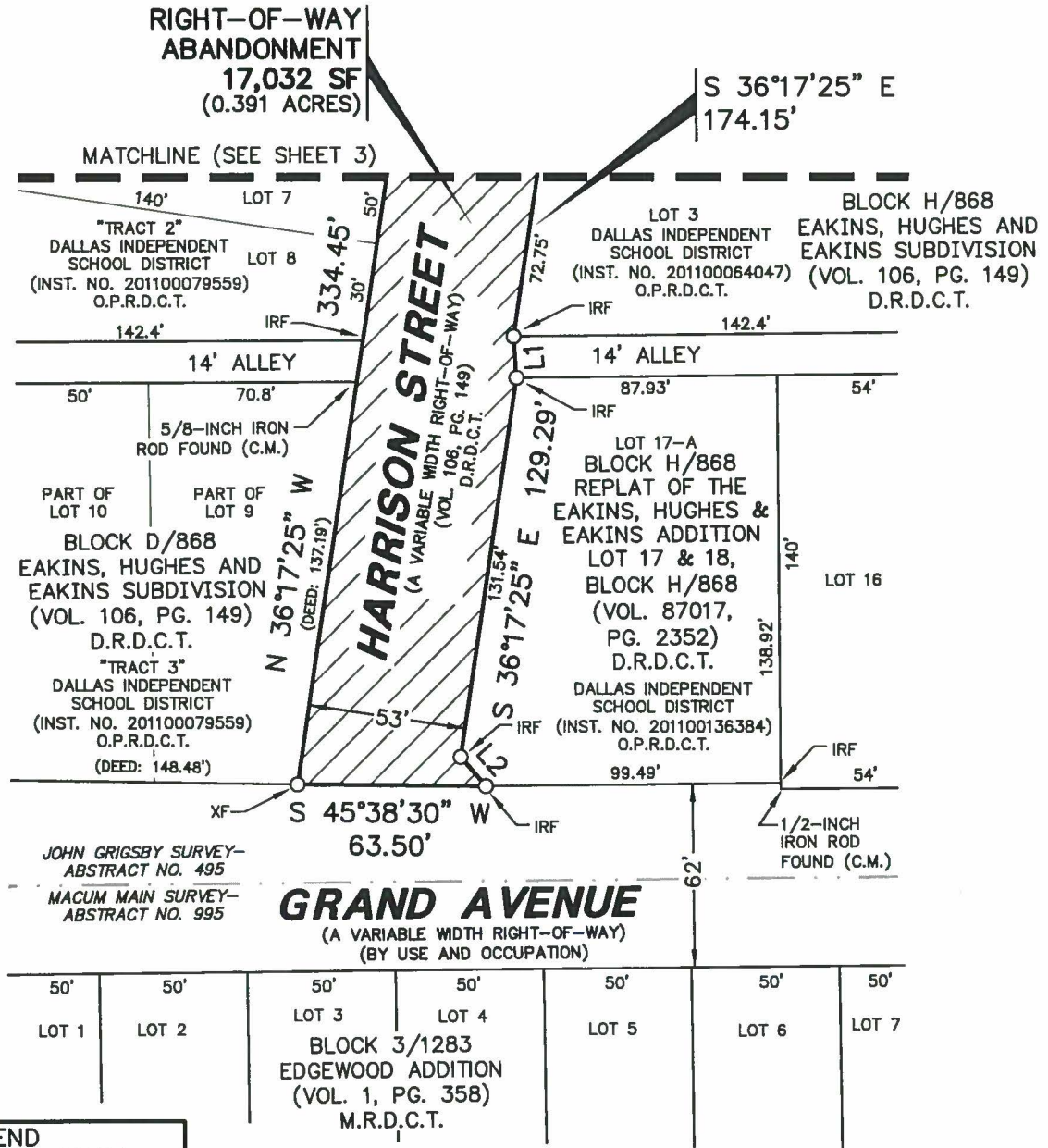
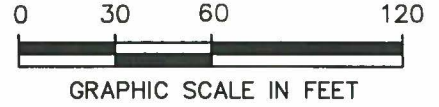
Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-469
DALLAS ■ FORT WORTH ■ HOUSTON TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JSA	MCC	1"=60'	APRIL 2012	2673-11.053

LINE TABLE

LINE	BEARING	LENGTH
L1	S 48°38'41" E	14.02'
L2	S 85°51'39" E	12.97'

EXHIBIT A-TRACT 1



LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
IRF	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
XF	"+" CUT IN CONCRETE FOUND
(C.M.)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)
 Reviewed By: JL
 Date: 8-8-12
 SPRG NO: 2461

SEE SHEET 3 FOR SURVEYOR'S CERTIFICATE AND NOTES

STREET RIGHT-OF-WAY ABANDONMENT
 HARRISON STREET
 ADJACENT TO BLOCKS D/868 AND H/868
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 4 OF 4

Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
 DALLAS, TX 75206 972.235.3031
 DALLAS ■ FORT WORTH ■ HOUSTON TX REG. ENGINEERING FIRM F-489
 TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JSA	MCC	1"=60'	OCT. 2011	2673-11.053

08/06/2012 - 7:48PM M:\DWG-26\2673-11.053\DWG\SURVEY\2673-11.053EX1.DWG MCLOVER

STREET RIGHT-OF-WAY ABANDONMENT

Part of Clarence Street, Myrtle Street and Atlanta Street
Adjacent to Blocks G/868, H/868, I/868, K/868, 4/866 and 5/866
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 2

DESCRIPTION, of a 1.976 acre (86,082 square foot) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas and adjacent to Blocks G/868, H/868, I/868, K/868, 4/866 and 5/866, Official Numbers of the City of Dallas, Texas; said tract being all of those certain portions of Clarence Street (a variable width right-of-way) and Atlanta Street (a 50-foot wide right-of-way) dedicated by the plat of Eakins, Hughes and Eakins Subdivision, an addition to the City of Dallas, Texas recorded in Volume 106, Page 149 of the Deed Records of Dallas County, Texas; all of that certain portion of Myrtle Street (a 40-foot wide right-of-way) described in Quit Claim Deed to the City of Dallas recorded in Volume 1076, Page 527 of said Deed Records and all of that certain portion of said Clarence Street (created by use and occupation); said tract also being bounded by the projected southeast right-of-way line of Coombs Street, the northeast and southwest right-of-way lines of said Myrtle Street, the northwest and southeast right-of-way lines of said Clarence Street, the projected northwest right-of-way line of Grand Avenue, the northeast and southwest right-of-way lines of said Atlanta Street, the projected northeast right-of-way line and the projected southeast right-of-way line of a 14-foot wide alley across said Block G/868 and by a line perpendicular to the said southeast line of Clarence Street, extending in a southeast direction from the southernmost corner of Lot 10A, Block 4/866, Replat of Lots 10, 11 & 12, Block 4/866, E. Nitsche's Grand Ave. Add., an addition to the City of Dallas, Texas according to the plat recorded in Volume 90180, Page 1863 of said Deed Records, to the said southeast line of Clarence Street; said 1.976 acre tract being more particularly described as follows (bearing system for this survey based on a bearing of South 44 degrees, 34 minutes, 06 seconds West for the northwest right-of-way line of Grand Avenue according to General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas):

BEGINNING, at a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner in the said northwest line of Clarence Street (50 feet wide at this point) and the southeast line of Lot 6 of said Block G/868; said point being North 53 degrees, 42 minutes, 35 seconds East, a distance of 11.37 feet from a "+" cut in concrete found at the intersection of the said northwest line of Clarence Street and the northeast line of said 14-foot wide alley across said Block G/868 and the southernmost corner of said Lot 6;

THENCE, along the said northwest line of Clarence Street and the southeast line of said Block G/868, the following two (2) calls:

North 53 degrees, 42 minutes, 35 seconds East, a distance of 31.57 feet to a "+" cut in concrete found at an angle point;

North 44 degrees, 31 minutes, 40 seconds East, a distance of 237.50 feet to a "V" cut in concrete wall found for corner at the intersection of the said northwest line of Clarence Street and the said southwest line of Atlanta Street; said point being the easternmost corner of Lot 10 of said Block G/868;

THENCE, North 45 degrees, 13 minutes, 10 seconds West, departing the said northwest line of Clarence Street and along the said southwest line of Atlanta Street and the northeast line of said Block G/868, a distance of 120.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said southwest line of Atlanta Street and the southeast line of said alley; said point being the northernmost corner of said Lot 10, Block G/868;

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing the said southwest line of Atlanta Street and along the projected southeast line of said alley, into and across said Atlanta Street, a distance of 50.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said northeast line of Atlanta Street and the southeast right-of-way line of a 14-foot wide alley across said Block I/868 of said Eakins, Hughes and Eakins Subdivision; said point being the westernmost corner of Lot 6 of said Block I/868;

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-16-12</u>
SPRG NO:	<u>2466</u>

STREET RIGHT-OF-WAY ABANDONMENT

Part of Clarence Street, Myrtle Street and Atlanta Street
Adjacent to Blocks G/868, H/868, I/868, K/868, 4/866 and 5/866
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 2

THENCE, South 45 degrees, 13 minutes, 10 seconds East, along the said northeast line Atlanta Street and the southwest line of said Block I/868, a distance of 120.00 feet to a "+" cut in concrete found for corner at the intersection of the said northeast line of Atlanta Street and the said northwest line of Clarence Street; said point being the southernmost corner of said Lot 6, Block I/868;

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing the said northeast line of Atlanta Street and along the said northwest line of Clarence Street and the southeast line of said Block I/868, at a distance of 150.00 feet passing the easternmost corner of Lot 4 of said block I/868 and the southernmost corner of Lot 1, Block 4/866, E. Nitsche's Grand Ave Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 58 of the Map Records of Dallas County, Texas, then continuing along the southeast line of said Block 4/866, in all a total distance of 465.00 feet to a "+" cut in concrete found for corner at the intersection of the said northwest line of Clarence Street and the said southwest line of Myrtle Street;

THENCE, North 45 degrees, 13 minutes, 10 seconds West, departing the said northwest line of Clarence Street and the said southeast line of Block 4/866 and along the said southwest line of Myrtle Street, a distance of 250.01 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said southwest line of Myrtle Street and the said southeast line of Coombs Street (a variable width right-of-way); said point being in the northwest line of said Block 4/866;

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing the said southwest line of Myrtle Street and the said northwest line of Block 4/866 and along the said projected southeast line of Coombs Street, a distance of 40.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said southeast line of Coombs Street and the said northeast right-of-way line of Myrtle Street; said point being in the said northwest line of Block 4/866;

THENCE, South 45 degrees, 13 minutes, 10 seconds East, departing the said southeast line of Coombs Street and the said northwest line of Block 4/866 and along the said northeast line of Myrtle Street, a distance of 250.01 feet to a "+" cut in concrete found for corner at the intersection of the said northeast line of Myrtle Street and the said northwest line of Clarence Street; said point being in the said southeast line of Block 4/866;

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing the said northeast line of Myrtle Street and along the said northwest line of Clarence Street and the said southeast line of Block 4/866, a distance of 93.63 feet to a 1/2-inch iron rod with illegible cap found for corner; said point being the easternmost corner of Lot 9 of said Block 4/866 and the southernmost corner of said Lot 10A;

THENCE, South 45 degrees, 28 minutes, 20 seconds East, departing the said northwest line of Clarence Street and the said southeast line of Block 4/866 and into and across said Clarence Street, a distance of 44.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner in the said southeast right-of-way line of Clarence Street and the northwest line of said Block 5/866;

THENCE, South 44 degrees, 31 minutes, 40 seconds West, along the said southeast line of Clarence Street and the said northwest line of Block 5/866, a distance of 93.83 feet to a "+" cut in concrete found for corner at the intersection of the said southeast line of Clarence Street and the said northeast line of Myrtle Street;

THENCE, South 45 degrees, 13 minutes, 10 seconds East, departing the said southeast line of Clarence Street and the said northwest line of Block 5/866 and along the said northeast line of Myrtle Street, a distance of 300.09 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said northeast line of Myrtle Street and the said northwest line of Grand Avenue (a variable width right-of-way); said point being in the southeast line of said Block 5/866;

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-16-12</u>
SPRG NO:	<u>2466</u>

STREET RIGHT-OF-WAY ABANDONMENT

Part of Clarence Street, Myrtle Street and Atlanta Street
Adjacent to Blocks G/868, H/868, I/868, K/868, 4/866 and 5/866
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 2

THENCE, South 44 degrees, 34 minutes, 06 seconds West, departing the said northeast line of Myrtle Street and the said southeast line of Block 5/866 and along the said projected northwest line of Grand Avenue, a distance of 40.00 feet to a "+" cut in concrete found for corner at the intersection of the said northwest line of Grand Avenue and the said southwest line of Myrtle Street; said point being in the said southeast line of Block 5/866;

THENCE, North 45 degrees, 13 minutes, 10 seconds West, departing the said northwest line of Grand Avenue and the said southeast line of Block 5/866 and along the said southwest line of Myrtle Street, a distance of 300.06 feet to a "+" cut in concrete found for corner at the intersection of the said southwest line of Myrtle Street and the said southeast line of Clarence Street; said point being in the said northwest line of Block 5/866;

THENCE, in a southwesterly direction, departing the said southwest line of Myrtle Street and along the said southeast line of Clarence Street, the following three (3) calls:

South 44 degrees, 31 minutes, 40 seconds West, along the said northwest line of Block 5/866, a distance of 315.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at an angle point in the said southeast line of Clarence Street; said point being the westernmost corner of said Block 5/866;

South 45 degrees, 13 minutes, 10 seconds East, along an offset in the said southeast line of Clarence Street and the southwest line of said Block 5/866, a distance of 6.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at an angle point in the said southeast line of Clarence Street; said point being the northernmost corner of Lot 1, Block K/868 of said Eakins, Hughes and Eakins Subdivision;

South 44 degrees, 31 minutes, 40 seconds West, departing the said southwest line of Block 5/866 and along the northwest line of said Block K/868, a distance of 150.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said southeast line of Clarence Street and the said northeast line of Atlanta Street; said point being the westernmost corner Lot 3 of said Block K/868;

THENCE, South 45 degrees, 13 minutes, 10 seconds East, departing the said southeast line of Clarence Street and along the said northeast line of Atlanta Street and the southwest line of said Block K/868, a distance of 293.73 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said northeast line of Atlanta Street and the said northwest line of Grand Avenue; said point being the southernmost corner of Lot 4 of said Block K/868;

THENCE, South 44 degrees, 34 minutes, 06 seconds West, departing the said northeast line of Atlanta Street and along the said projected northwest line of Grand Avenue, a distance of 50.00 feet to a "+" cut in concrete found for corner at the intersection of the said northwest line of Grand Avenue and the said southwest line of Atlanta Street; said point being the easternmost corner of Lot 10, Block H/868 of said Eakins, Hughes and Eakins Subdivision;

THENCE, North 45 degrees, 13 minutes, 10 seconds West, departing the said northwest line of Grand Avenue and along the said southwest line of Atlanta Street and the northeast line of said Block H/868, a distance of 293.70 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said southwest line of Atlanta Street and the said southeast line of Clarence Street; said point being the northernmost corner of Lot 9 of said Block H/868;

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-16-12</u>
SPRG NO:	<u>2466</u>

STREET RIGHT-OF-WAY ABANDONMENT
Part of Clarence Street, Myrtle Street and Atlanta Street
Adjacent to Blocks G/868, H/868, I/868, K/868, 4/866 and 5/866
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 2

THENCE, departing the said southwest line of Atlanta Street and along the said southeast line of Clarence Street and the northwest line of said Block H/868, the following two (2) calls:

South 44 degrees, 31 minutes, 40 seconds West, a distance of 241.30 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found at an angle point;

South 53 degrees, 42 minutes, 35 seconds West, a distance of 35.58 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner;

THENCE, North 36 degrees, 17 minutes, 25 seconds West, departing the said southeast line of Clarence Street and the said northwest line of Block H/868 and across said Clarence Street, a distance of 50.00 feet to the POINT OF BEGINNING;

CONTAINING, 86,082 square feet or 1.976 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the right-of-way abandonment tract described.



Michael C. Clover
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00
Revised 8/08/2012

Date 4/19/2012



2673-11.053EX2-1
EX2-1.doc jsa

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-26-12</u>
SPRG NO:	<u>2466</u>

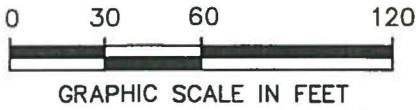
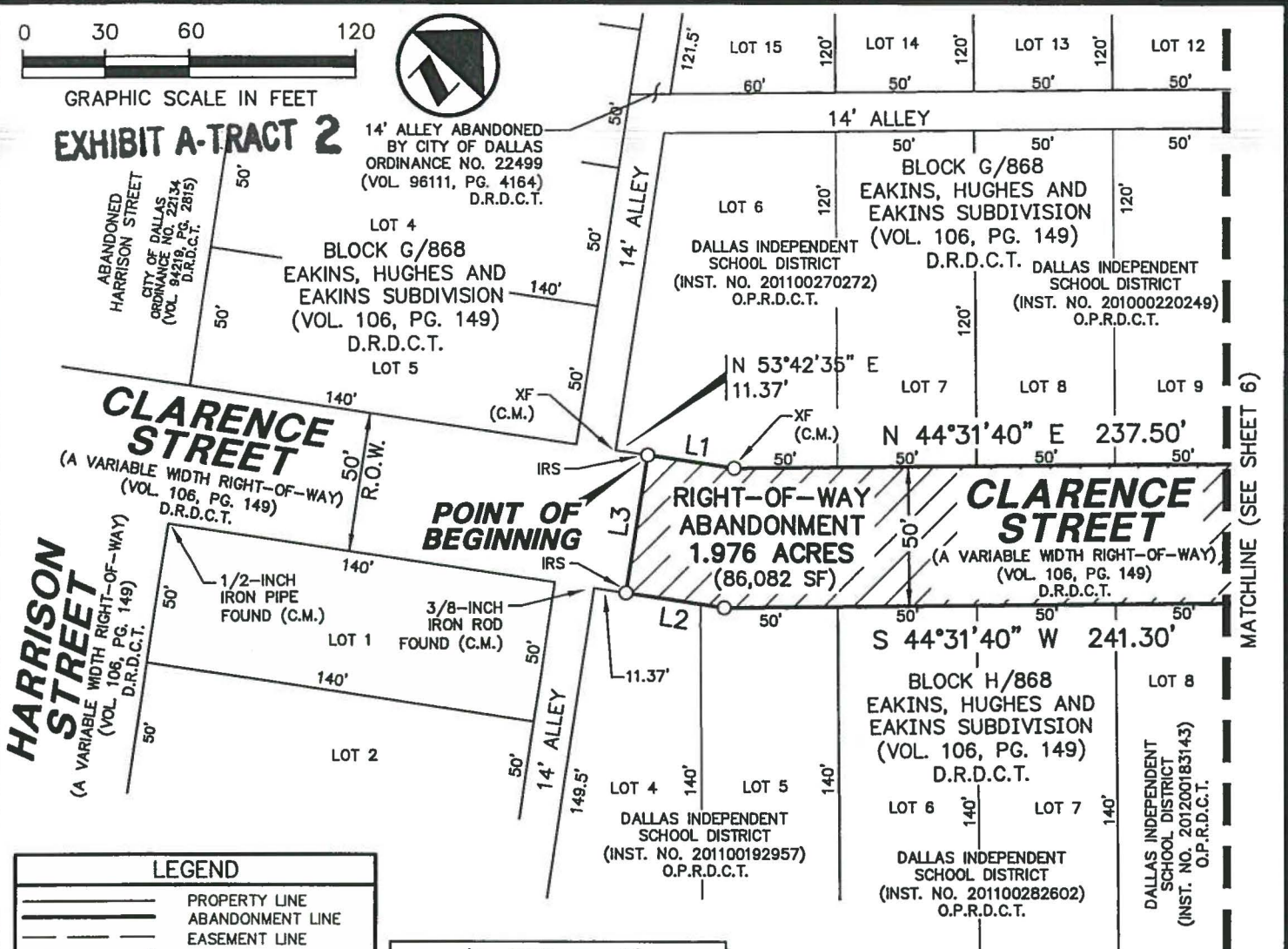


EXHIBIT A-TRACT 2



MATCHLINE (SEE SHEET 6)

LEGEND

	PROPERTY LINE
	ABANDONMENT LINE
	EASEMENT LINE
O	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND (UNLESS OTHERWISE NOTED)
IRS	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP SET
XF	"+" CUT IN CONCRETE FOUND
(C.M.)	CONTROLLING MONUMENT
PFC	POINT FOR CORNER
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: JL

Date: 8-16-12

SPRG NO: 2Aldo

LINE TABLE

LINE	BEARING	LENGTH
L1	N 53°42'35" E	31.57'
L2	S 53°42'35" W	35.58'
L3	N 36°17'25" W	50.00'

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of South 44 degrees, 34 minutes, 06 seconds West for the northwest right-of-way line of Grand Avenue according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas.
3. The survey abstract line shown hereon is approximate and is not located on the ground.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the right-of-way abandonment tract of land described.



Michael C. Clover
 Michael C. Clover Date 4/19/2012
 Registered Professional Surveyor REVISED 8/08/2012
 Land Surveyor No. 5225 REVISED 8/14/2012

STREET RIGHT-OF-WAY ABANDONMENT

PART OF CLARENCE STREET,
 MYRTLE STREET AND ATLANTA STREET
 ADJACENT TO BLOCKS G/868, H/868,
 I/868, K/868, 4/866 AND 5/866
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 5 OF 9

Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
 DALLAS, TX 75206 972.235.3031
 TX REG. ENGINEERING FIRM F-489
 DALLAS • FORT WORTH • HOUSTON TX REG. SURVEYING FIRM LS-100080-00

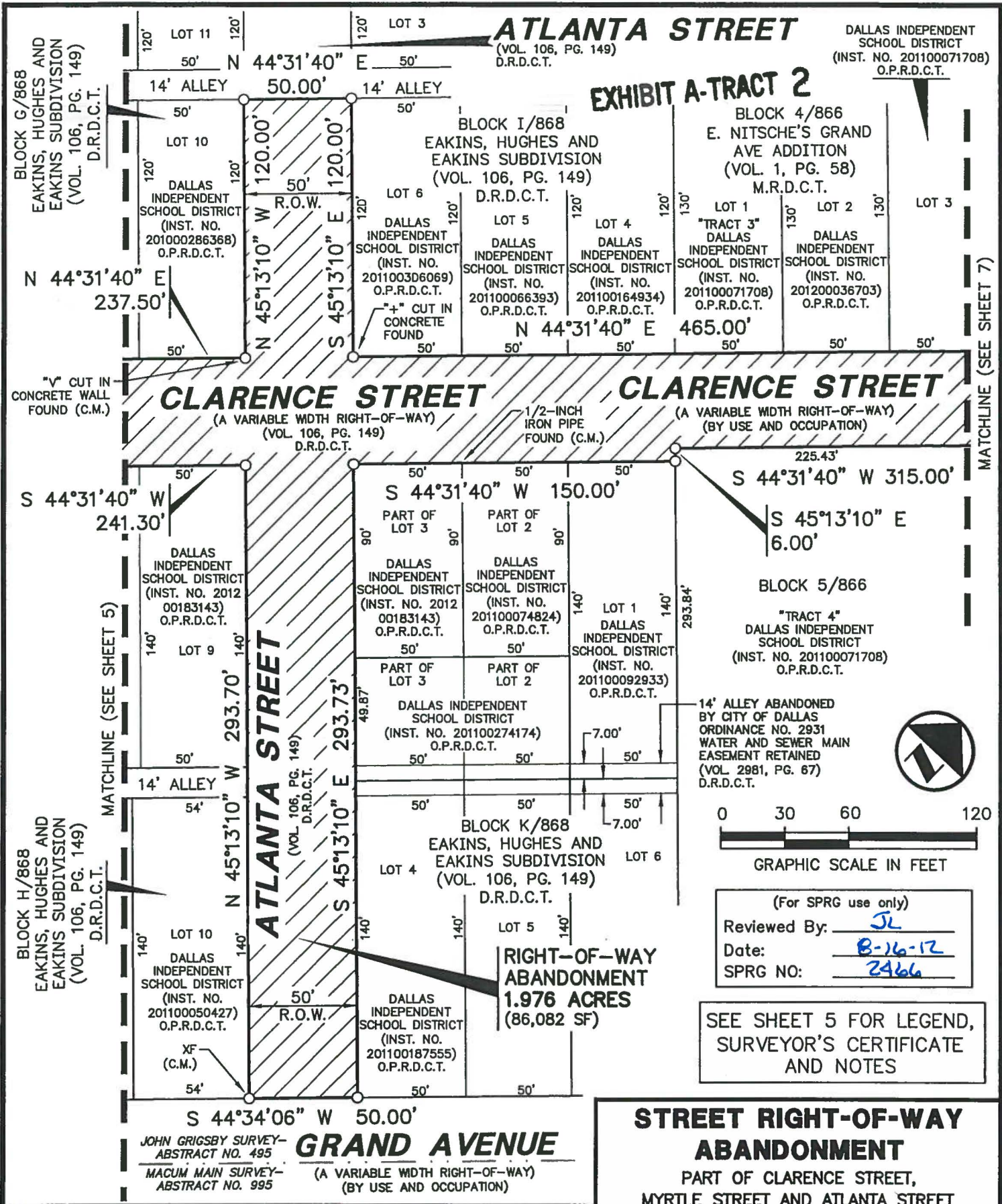
DRAWN BY JSA	CHECKED BY MCC	SCALE 1"=60'	DATE APRIL 2012	JOB NUMBER 2673-11.053
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08/14/2012 - 3:15PM

MCLOVER



(For SPRG use only)
 Reviewed By: JL
 Date: 8-16-12
 SPRG NO: 2466

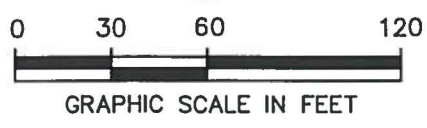
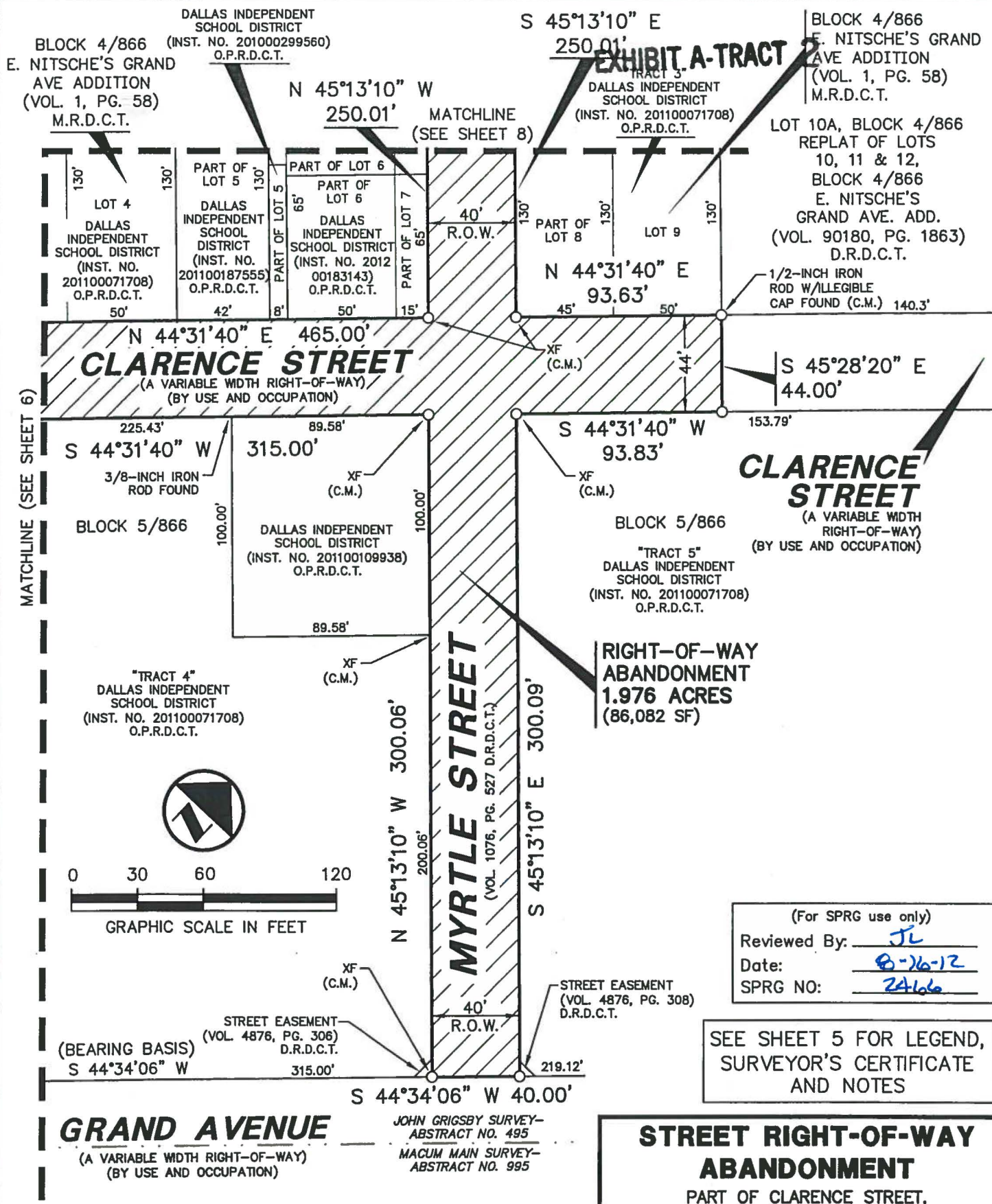
SEE SHEET 5 FOR LEGEND,
 SURVEYOR'S CERTIFICATE
 AND NOTES

**STREET RIGHT-OF-WAY
 ABANDONMENT**
 PART OF CLARENCE STREET,
 MYRTLE STREET AND ATLANTA STREET
 ADJACENT TO BLOCKS G/868, H/868,
 I/868, K/868, 4/866 AND 5/866
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 6 OF 9

Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
 DALLAS, TX 75206 972.235.3031
 TX REG. ENGINEERING FIRM F-489
 DALLAS • FORT WORTH • HOUSTON TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY JSA	CHECKED BY MCC	SCALE 1"=60'	DATE APRIL 2012	JOB NUMBER 2673-11.053
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(For SPRG use only)
 Reviewed By: JL
 Date: 8-26-12
 SPRG NO: 2466

SEE SHEET 5 FOR LEGEND,
 SURVEYOR'S CERTIFICATE
 AND NOTES

**STREET RIGHT-OF-WAY
 ABANDONMENT**
 PART OF CLARENCE STREET,
 MYRTLE STREET AND ATLANTA STREET
 ADJACENT TO BLOCKS G/868, H/868,
 I/868, K/868, 4/866 AND 5/866
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 7 OF 9

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-100080-00

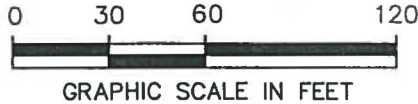
DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JSA	MCC	1"=60'	APRIL 2012	2673-11.053



MYRTLE STREET

(BY USE AND OCCUPATION)

EXHIBIT A-TRACT 2



BLOCK 3/866

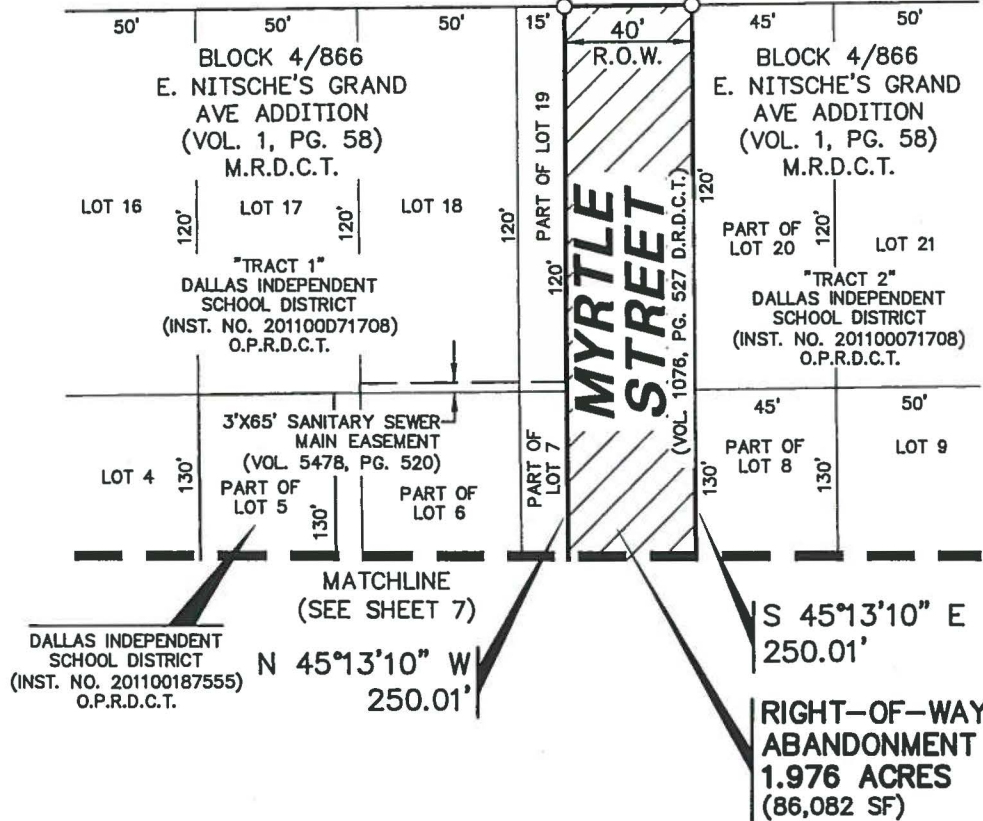
"TRACT TWO"
GABRIEL CAMACHO
(VOL. 70177, PG. 1509)
(VOL. 77192, PG. 2210)
D.R.D.C.T.

BLOCK 3/866
PART OF "TRACT ONE"
GABRIEL CAMACHO
(VOL. 70177, PG. 1509)
(VOL. 77192, PG. 2210)
D.R.D.C.T.
244.8'

COOMBS STREET

(VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

N 44°31'40" E
40.00'



LEGEND

	PROPERTY LINE
	ABANDONMENT LINE
	EASEMENT LINE
O	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND (UNLESS OTHERWISE NOTED)
IRS	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP SET
XF	"+" CUT IN CONCRETE FOUND
(C.M.)	CONTROLLING MONUMENT
PFC	POINT FOR CORNER
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)

Reviewed By: JL
Date: 8-16-12
SPRG NO: 2466

SEE SHEET 5 FOR
SURVEYOR'S CERTIFICATE
AND NOTES

STREET RIGHT-OF-WAY ABANDONMENT

PART OF CLARENCE STREET,
MYRTLE STREET AND ATLANTA STREET
ADJACENT TO BLOCKS G/868, H/868,
I/868, K/868, 4/866 AND 5/866
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 8 OF 9

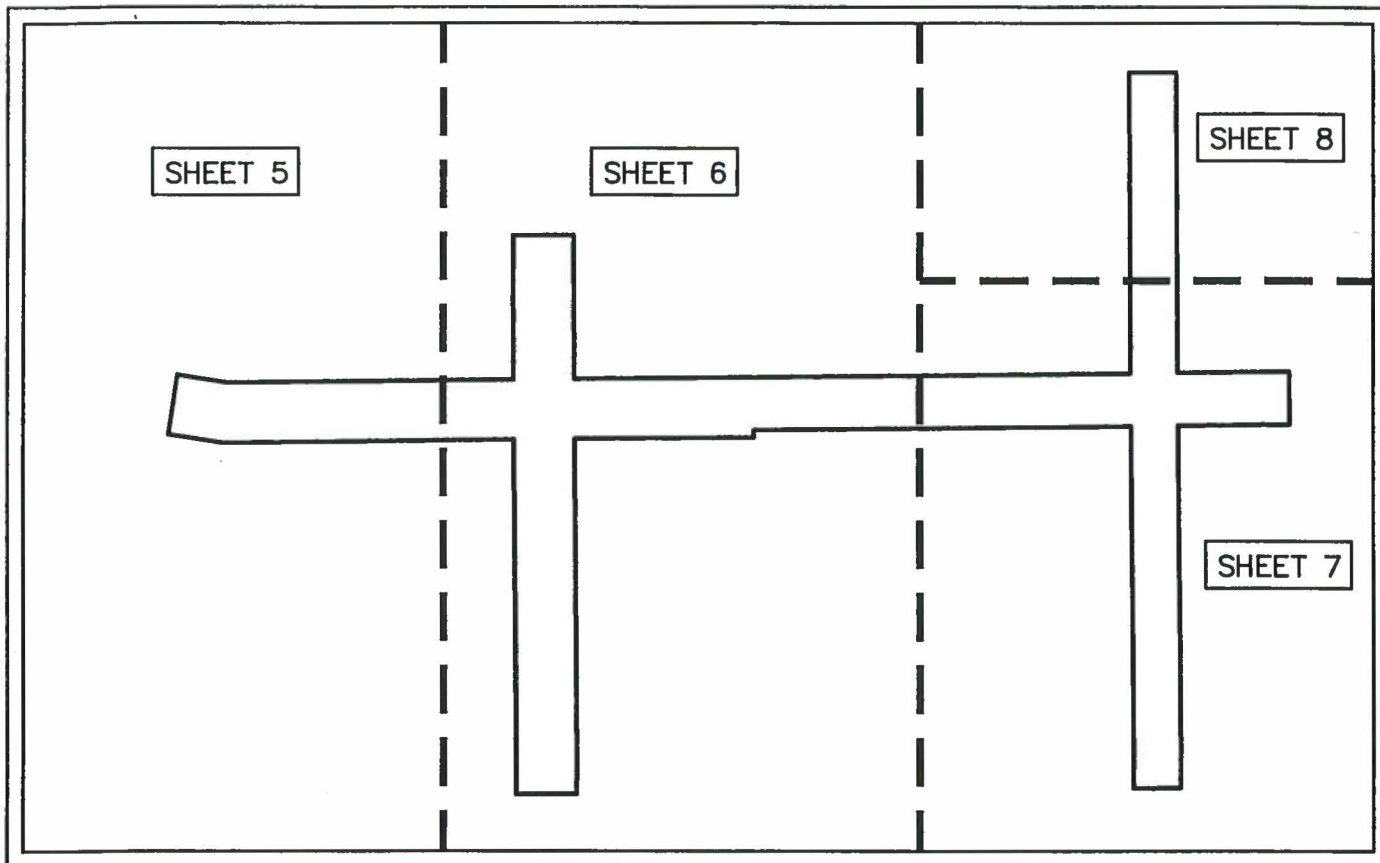


Pacheco Koch
DALLAS ■ FORT WORTH ■ HOUSTON

8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75208 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JSA	MCC	1"=60'	APRIL 2012	2673-11.053

EXHIBIT A-TRACT 2



NOT TO SCALE

(For SPRG use only)

Reviewed By: JL
 Date: 8-16-12
 SPRG NO: 2466

SEE SHEET 5 FOR
 SURVEYOR'S CERTIFICATE
 AND NOTES

STREET RIGHT-OF-WAY ABANDONMENT

PART OF CLARENCE STREET,
 MYRTLE STREET AND ATLANTA STREET
 ADJACENT TO BLOCKS G/868, H/868,
 I/868, K/868, 4/866 AND 5/866
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 9 OF 9



Pacheco Koch
 DALLAS ■ FORT WORTH ■ HOUSTON

8350 N. CENTRAL EXPWY. SUITE 1000
 DALLAS, TX 75206 972.235.3031
 TX REG. ENGINEERING FIRM F-469
 TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JSA	MCC	NONE	APRIL 2012	2673-11.053

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MCLOVER

EXHIBIT A-TRACT 3
VARIABLE WIDTH ALLEY
RIGHT-OF-WAY ABANDONMENT
Part of Block D/868
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 6,773 square foot (0.155 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being all of a 14-foot wide alley across Block D/868, Eakins, Hughes and Eakins Subdivision, an addition to the City of Dallas, Texas recorded in Volume 106, Page 149 of the Deed Records of Dallas County, Texas and part of that certain tract of land described in Warranty Deed to the City of Dallas, Texas recorded in Volume 2518, Page 632 of said Deed Records; said 6,773 square foot tract being more particularly described as follows (bearing system based on a bearing of North 53 degrees, 42 minutes, 35 seconds East for the southeast right-of-way line of Clarence Street according to the Special Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100079559 of the Official Public Records of Dallas County, Texas):

BEGINNING, 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of a northwest right-of-way line of said alley and the southwest right-of-way line of Harrison Street (a variable width right-of-way); said point being the easternmost corner of Lot 8 of said Block D/868;

THENCE, South 36 degrees, 17 minutes, 25 seconds East, along the projected southwest right-of-way line of Harrison Street, a distance of 14.16 feet to a 5/8-inch iron rod found for corner at the intersection of the said southwest line of Harrison Street and the southeast right-of-way line of said alley; said point being the northernmost corner of Lot 9 of said Block D/868;

THENCE, South 44 degrees, 59 minutes, 16 seconds West, departing the said southwest line of Harrison Street and along the southeast line of said alley and the northwest line of Lots 9, 10, 11, 12 and 13, a distance of 266.19 feet to a "+" cut in concrete found for corner at the intersection of the southeast line of said alley and the northeast right-of-way line of South Good Latimer Expressway (a variable width right-of-way); said point being in a non-tangent curve to the left;

THENCE, in a northwesterly direction, departing the southeast line of said alley and along the said northeast line of South Good Latimer Expressway and said curve to the left, having a central angle of 01 degrees, 06 minutes, 34 seconds, a radius of 809.08 feet, a chord bearing and distance of North 28 degrees, 14 minutes, 19 seconds West, 15.67 feet, an arc distance of 15.67 feet to a "+" cut in concrete found for corner at the intersection of the said northeast line of South Good Latimer Expressway and a northwest right-of-way line of said alley;

THENCE, North 44 degrees, 59 minutes, 16 seconds East, departing the said northeast line South Good Latimer Expressway and along the second referenced northwest line of said alley, a distance of 93.44 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the southernmost end of a right-of-way corner clip at the intersection of the second referenced northwest line of said alley and the southwest right-of-way line of said alley;

THENCE, departing the second referenced northwest line of said alley and along said corner clip, the following two (2) calls:

North 02 degrees, 16 minutes, 25 seconds East, a distance of 10.16 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner;

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>7-16-12</u>
SPRG NO:	<u>2407</u>

EXHIBIT A-TRACT 3

VARIABLE WIDTH ALLEY RIGHT-OF-WAY ABANDONMENT

Part of Block D/868
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

North 53 degrees, 42 minutes, 35 seconds East, a distance of 8.23 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner in the southwest line of said alley and the northeast line of Lot 4 of said Block D/868; said point being the easternmost corner of said corner clip;

THENCE, North 36 degrees, 17 minutes, 25 seconds West, departing the said corner clip and along the southwest line of said alley, the said northeast line of Lot 4 and the northeast line of Lots 3, 2 and 1 of said Block D/868, a distance of 200.00 feet to a 3/8-inch iron rod found for corner at the intersection of the southwest line of said alley and the said southeast line of Clarence Street (a variable width right-of-way, 50 feet wide at this point); said point being the northernmost corner of said Lot 1;

THENCE, North 53 degrees, 42 minutes, 35 seconds East, departing the southwest line of said alley and along the projected southeast right-of-way line of Clarence Street, a distance of 14.00 feet to a 1/2-inch iron rod found for corner at the intersection of the said southeast line of Clarence Street and the northeast right-of-way line of said alley;

THENCE, South 36 degrees, 17 minutes, 25 seconds East, departing the said southeast line of Clarence Street and along the northeast line of said alley and the southwest line of Lots 5, 6, 7 and 8 of said Block D/868, a distance of 204.57 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the northeast line of said alley and the first referenced northwest line of said alley; said point being the southernmost corner of said Lot 8;

THENCE, North 44 degrees, 59 minutes, 16 seconds East, departing the northeast line of said alley and along the first referenced northwest line of said alley and the southeast line of said Lot 8, a distance of 141.64 feet to the POINT OF BEGINNING;

CONTAINING, 6,773 square feet or 0.155 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the right-of-way abandonment tract described.



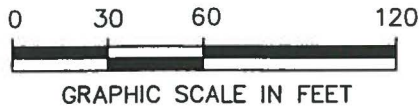
Michael C. Clover Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00



2673-11.053EX4
EX4.doc jsa

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>7-16-12</u>
SPRG NO:	<u>2407</u>

EXHIBIT A-TRACT 3



CLARENCE STREET
(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 106, PG. 149)
D.R.D.C.T.

BLOCK 870 1/2,
RYDER RENTAL
SUBDIVISION
(VOL. 74046, PG. 331)
D.R.D.C.T.

SOUTH GOOD LATIMER EXPRESSWAY
(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 88, PG. 356)
D.R.D.C.T.

BLOCK 871
ROYCE RENFRO
(VOL. 82117, PG. 1848)
D.R.D.C.T.

PART OF
LOT 1

BLOCK 871,
MARDERS
SUBDIVISION
(VOL. 1, PG. 556)
M.R.D.C.T.

GRAND AVENUE
(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

PART OF
LOT 4
BLOCK C/868
EAKINS, HUGHES AND
EAKINS SUBDIVISION
(VOL. 106, PG. 149)
PART OF
LOT 5

14' ALLEY ABANDONED
BY CITY OF DALLAS
ORDINANCE NO. 17722
(VOL. 83087, PG. 2071)
D.R.D.C.T.

(BEARING BASIS)
N 53°42'35" E

PART OF
LOT 1
BLOCK D/868
EAKINS, HUGHES AND
EAKINS SUBDIVISION
(VOL. 106, PG. 149)
D.R.D.C.T.
PART OF
LOT 2

PART OF
LOT 3
"TRACT 1"
DALLAS INDEPENDENT
SCHOOL DISTRICT
(INST. NO. 201100079559)
O.P.R.D.C.T.
PART OF
LOT 4

N 44°59'16" E
93.44'

VARIABLE WIDTH ALLEY

S 44°59'16" W 266.19'

5/8-INCH IRON
PIPE FOUND (C.M.)
(1/2-INCH IRON ROD FOUND
N 62°13' E - 0.2')

PART OF
LOT 12
PART OF
LOT 11
"TRACT 3"
DALLAS INDEPENDENT
SCHOOL DISTRICT
(INST. NO. 201100079559)
O.P.R.D.C.T.

MATCHLINE (SEE SHEET 3)

STREET EASEMENT
(VOL. 80118, PG. 123)
D.R.D.C.T.

N 44°59'16" E
141.64'

VARIABLE
WIDTH ALLEY
RIGHT-OF-WAY
ABANDONMENT
6,773 SF
(0.155 ACRES)

(For SPRG use only)
Reviewed By: JL
Date: 7-16-12
SPRG NO: 2407

SEE SHEET 3 FOR LINE
AND CURVE TABLES,
LEGEND, SURVEYOR'S
CERTIFICATE AND NOTES

VARIABLE WIDTH ALLEY RIGHT-OF-WAY ABANDONMENT

PART OF BLOCK D/868
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 4 OF 4

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JANDRICOPOULOS



Pacheco Koch
DALLAS ■ FORT WORTH ■ HOUSTON

8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY JSA	CHECKED BY MCC	SCALE 1"=60'	DATE OCT. 2011	JOB NUMBER 2673-11.053
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EXHIBIT A-TRACT 4

14' ALLEY
RIGHT-OF-WAY ABANDONMENT
Part of Block H/868
Eakins, Hughes and Eakins Subdivision
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of an 8,238 square foot (0.189 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being all of a 14-foot wide alley across Block H/868, Eakins, Hughes and Eakins Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 106, Page 149 of the Deed Records of Dallas County, Texas; said 8,238 square foot tract being more particularly described as follows (bearing system based on a bearing of South 45 degrees, 13 minutes, 10 seconds East for the southwest right-of-way line of Atlanta Street according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100050427 of the Official Public Records of Dallas County, Texas):

BEGINNING, at a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the southeast right-of-way line of said alley and the said southwest line of Atlanta Street (a 50-foot wide right-of-way); said point being the northernmost corner of Lot 10 of said Block H/868;

THENCE, South 44 degrees, 31 minutes, 40 seconds West, departing the said southwest line of Atlanta Street and along the southeast line of said alley, the northwest lines of Lots 10, 11, 12, 13, 14, 15 and 16 of said Block H/868 and the northwest line of Lot 17-A of Block H/868, Replat of the Eakins, Hughes and Eakins Addition Lot 17 & 18, Block H/868, an addition to the City of Dallas, Texas according to the plat recorded in Volume 87017, Page 2352 of said Deed Records, a distance of 466.01 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the southeast line of said alley and the northeast right-of-way line of Harrison Street (a variable width right-of-way, 53 feet wide at this point); said point being the westernmost corner of said Lot 17-A;

THENCE, North 48 degrees, 38 minutes, 41 seconds West, departing the southeast line of said alley and along the projected northeast right-of-way line of said Harrison Street, a distance of 14.02 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of a northwest line of said alley and the said northeast line of Harrison Street; said point being the southernmost corner of Lot 3 of said Block H/868;

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing the said northeast line of Harrison Street and along the northwest line of said alley and the southeast line of said Lot 3, a distance of 141.82 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the northwest line of said alley and the southwest right-of-way line of said alley;

THENCE, North 36 degrees, 17 minutes, 25 seconds West, departing the northwest line of said alley and along the southwest line of said alley and the northeast line of said Lot 3 and the northeast line of Lots 2 and 1 of said Block H/868, a distance of 151.52 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the southwest line of said alley and the southeast right-of-way line of Clarence Street (a variable width right-of-way, 50 feet wide at this point); said point being the northernmost corner of said Lot 1 and the beginning of a non-tangent curve to the right;

THENCE, in a southeasterly direction, departing the said southeast line of Clarence Street, crossing said alley and along said curve to the right, having a central angle of 28 degrees, 56 minutes, 11 seconds, a radius of 27.00 feet, a chord bearing and distance of South 50 degrees, 45 minutes, 31 seconds East, 13.49 feet, an arc distance of 13.64 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set at the end of said curve;

THENCE, South 36 degrees, 17 minutes, 25 seconds East, continuing across said alley, a distance of 23.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner;

(For SPRG use only)	
Reviewed By:	<u> JL </u>
Date:	<u> 8-6-12 </u>
SPRG NO:	<u> 2402 </u>

EXHIBIT A-TRACT 4

14' ALLEY
RIGHT-OF-WAY ABANDONMENT
Part of Block H/868
Eakins, Hughes and Eakins Subdivision
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

THENCE, North 53 degrees, 42 minutes, 35 seconds East, continuing across said alley, a distance of 10.63 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner in the northeast right-of-way line of said alley and the southwest line of Lot 4 of said Block H/868;

THENCE, South 36 degrees, 17 minutes, 25 seconds East, along the northeast line of said alley and the said southwest line of Lot 4, a distance of 113.19 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the northeast line of said alley and a northwest right-of-way line of said alley; said point being the southernmost corner of said Lot 4;

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing the northeast line of said alley and along the second referenced northwest line of said alley and the southeast line of said Lot 4 and the southeast line of Lots 5, 6, 7, 8 and 9 of said Block H/868, a distance of 310.85 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the second referenced northwest line of said alley and the said southwest line of Atlanta Street;

THENCE, South 45 degrees, 13 minutes, 10 seconds East, departing the second referenced northwest line of said alley and along the projected southwest right-of-way line of Atlanta Street, a distance of 14.00 feet to the POINT OF BEGINNING;

CONTAINING, 8,238 square feet or 0.189 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the right-of-way abandonment tract described.

 4/19/2012

Michael C. Clover Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00
REVISED 7/30/2012



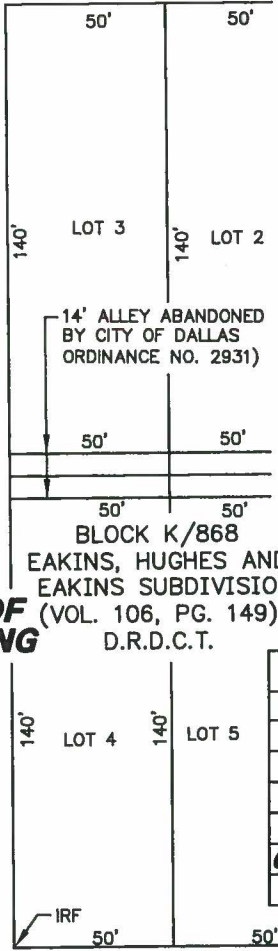
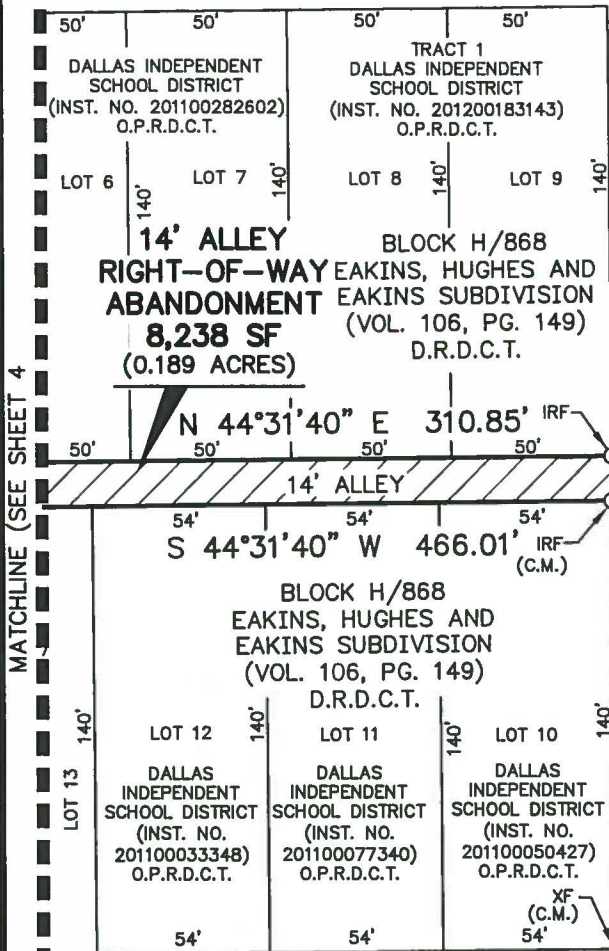
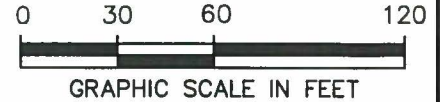
2673-11.053EX3-1
EX3-1.doc mww

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-6-12</u>
SPRG NO:	<u>2402</u>

CLARENCE STREET

(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 106, PG. 149)
D.R.D.C.T.

EXHIBIT A-TRACT 4



LEGEND	
—	PROPERTY LINE
—	ABANDONMENT LINE
○	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP SET (UNLESS OTHERWISE NOTED)
XF	"+" CUT IN CONCRETE FOUND
IRF	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
(C.M.)	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

CURVE TABLE	
CURVE	C1
DELTA	28°56'11"
RADIUS	27.00'
LENGTH	13.64'
TANGENT	6.97'
CHORD BEARING	S 50°45'31" E
CHORD	13.49'

GRAND AVENUE

(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

LINE TABLE		
LINE	BEARING	LENGTH
L4	S 45°13'10" E	14.00'

(For SPRG use only)

Reviewed By: JL


Date: 8-6-12

SPRG NO: 2402

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of South 45 degrees, 13 minutes, 10 seconds East for the southwest right-of-way line of Atlanta Street according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100050427 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the right-of-way abandonment tract described.


Michael C. Clover Date 4/19/2012
Registered Professional
Land Surveyor No. 5225 REVISED 7/30/2012



14' ALLEY RIGHT-OF-WAY ABANDONMENT

PART OF BLOCK H/868
EAKINS, HUGHES AND EAKINS SUBDIVISION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 4

Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75208 972.235.3031
DALLAS ■ FORT WORTH ■ HOUSTON TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
MWW	MCC	1"=60'	APRIL 2012	2673-11.053

M:\DWG-26\2673-11.053\DWG\SURVEY\2673-11.053EX3-1.DWG 07/30/2012 6:40PM M.CLOVER

EXHIBIT A-TRACT 5
STREET EASEMENT ABANDONMENT

Part of Block D/868
Eakins, Hughes and Eakins Subdivision
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 40 square foot (0.001 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being part of Lot 4, Block D/868 of Eakins, Hughes and Eakins Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 106, Page 149 of the Deed Records of Dallas County, Texas; said tract also being all of that certain tract of land described as Street Easement in Easement to City of Dallas, Texas recorded in Volume 80118, Page 123 of said Deed Records and part of that certain tract of land described as "Tract 1" in Special Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100079559 of the Official Public Records of Dallas County, Texas; said 40 square foot tract being more particularly described as follows (bearing system based on a bearing of North 53 degrees, 42 minutes, 35 seconds East for the southeast right-of-way line of Clarence Street according to the said Special Warranty Deed to Dallas Independent School District):

COMMENCING, at a "+" cut in concrete found at the intersection of the northeast right-of-way line of South Good Latimer Expressway (a variable width right-of-way) and the northwest right-of-way line of a variable width alley across said Block D/868);

THENCE, North 44 degrees, 59 minutes, 16 seconds East, departing the said northeast line of South Good Latimer Expressway and along the northwest line of said alley, a distance of 93.44 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found at the southernmost end of a right-of-way corner clip at the intersection of the northwest line of said alley and the southwest right-of-way line of said alley;

THENCE, North 02 degrees, 16 minutes, 25 seconds East, departing the northwest line of said alley and along said corner clip, a distance of 10.16 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the POINT OF BEGINNING;

THENCE, North 04 degrees, 07 minutes, 38 seconds East, departing the said corner clip, a distance of 12.69 feet to a point for corner (not set) in the northeast line of said Lot 4 and the southwest line of said alley;

THENCE, South 36 degrees, 17 minutes, 25 seconds East, along the said northeast line of Lot 4 and the southwest line of said alley, a distance of 9.66 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the north end of said corner clip;

THENCE, South 53 degrees, 42 minutes, 35 seconds West, departing the said northeast line of Lot 4 and the southwest line of said alley and along the said corner clip, a distance of 8.23 feet to the POINT OF BEGINNING;

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>7-16-12</u>
SPRG NO:	<u>2405</u>

EXHIBIT A-TRACT 5

STREET EASEMENT ABANDONMENT

Part of Block D/868

Eakins, Hughes and Eakins Subdivision


John Grigsby Survey, Abstract No. 495

City of Dallas, Dallas County, Texas

CONTAINING, 40 square feet or 0.001 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00

Date



2673-11.053EX5
EX5.doc mww/jsa

(For SPRG use only)

Reviewed By: JL
Date: 7-16-12
SPRG NO: 2405

LINE TABLE

LINE	BEARING	LENGTH
L1	N 02°16'25" E	10.16'
L2	N 04°07'38" E	12.69'
L3	S 36°17'25" E	9.66'
L4	S 53°42'35" W	8.23'

EXHIBIT A-TRACT 5

CLARENCE STREET

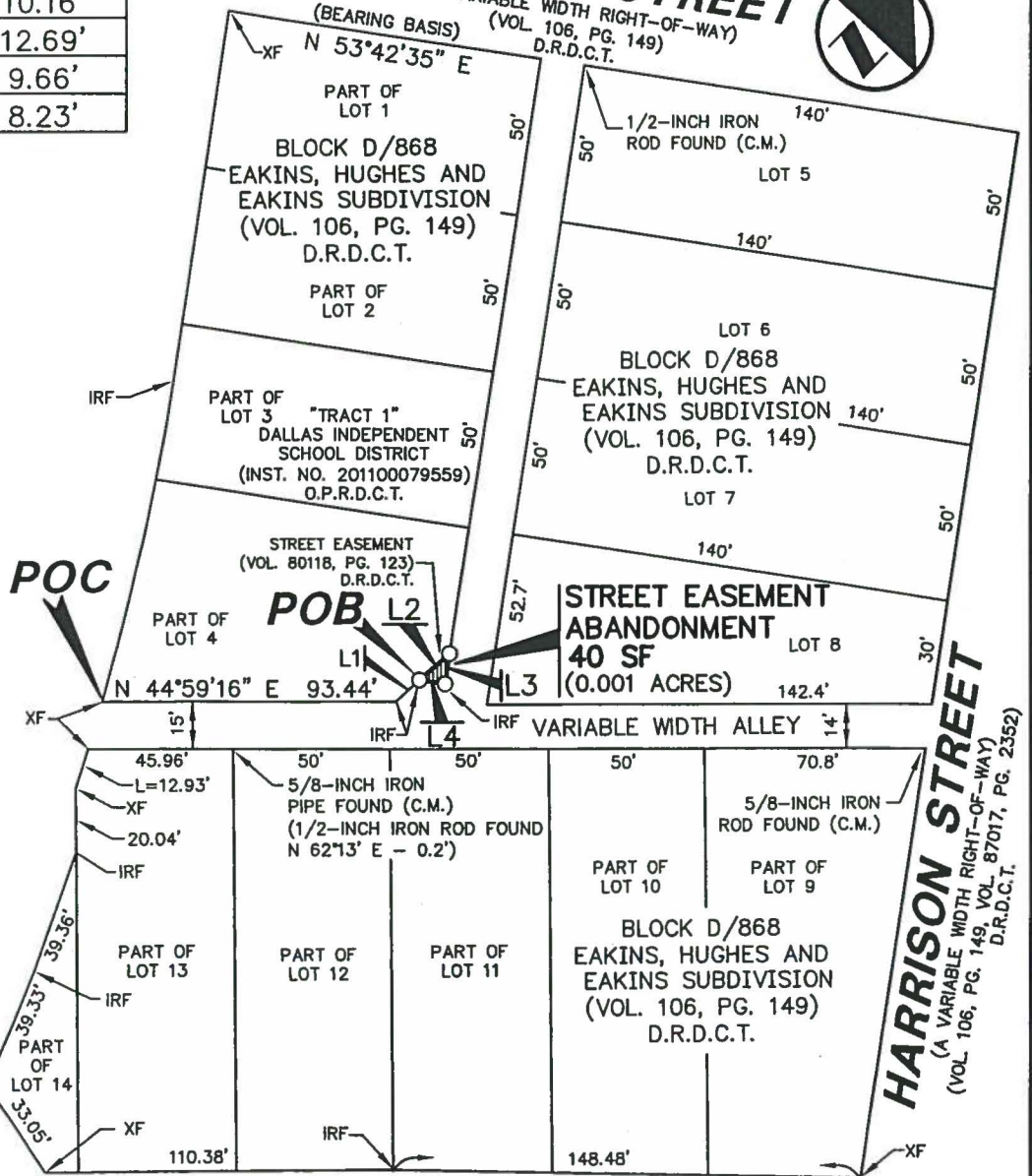
(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 106, PG. 149)
D.R.D.C.T.

0 30 60 120

GRAPHIC SCALE IN FEET



LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
POB	POINT OF BEGINNING
POC	POINT OF COMMENCING
IRF	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
XF	"+" CUT IN CONCRETE FOUND
(C.M.)	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS



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10/03/2011 - 4:58PM

JANDRICOPOULOS

SOUTH GOOD LATIMER
(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 88, PG. 396)
D.R.D.C.T.

(For SPRG use only)
Reviewed By: JL
Date: 7-16-12
SPRG NO: 2405

GRAND AVENUE

(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 53 degrees, 42 minutes, 35 seconds East for the southeast right-of-way line of Clarence Street according to the Special Warranty Deed to the Dallas Independent School District recorded in Instrument No. 201100079559 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.

Michael C. Clover
Registered Professional
Land Surveyor No. 5225
Date: 10/03/11



STREET EASEMENT ABANDONMENT

PART OF BLOCK D/868
EAKINS, HUGHES AND EAKINS SUBDIVISION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

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-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
MWW/JSA	MCC	1"=60'	OCT. 2011	2673-11.053

STREET EASEMENT ABANDONMENT

Part of Block 5/866

John Grigsby Survey, Abstract No. 495

City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 6

DESCRIPTION, of a 32 square foot (0.001 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas and in Block 5/866, Official Numbers of the City of Dallas, Texas; said tract being part of that certain tract of land described as "Tract 4" in General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas; said tract also being all of that certain tract of land described as Street Easement in Instrument to the City of Dallas, Texas recorded in Volume 4876, Page 306 of the Deed Records of Dallas County, Texas; said 32 square foot tract being more particularly described as follows (bearing system based on a bearing of South 45 degrees, 13 minutes, 10 seconds East for the southwest right-of-way line of Myrtle Street according to said General Warranty Deed to Dallas Independent School District):

BEGINNING, at a "+" cut in concrete found for corner at the intersection of the northwest right-of-way line of Grand Avenue (a variable width right-of-way, 60-feet wide at this point) and the said southwest line of Myrtle Street (a 40-foot wide right-of-way); said point being the easternmost corner of said "Tract 4";

THENCE, South 44 degrees, 34 minutes, 06 seconds West, departing the said southwest line of Myrtle Street and along the said northwest line of Grand Avenue and the southeast line of said "Tract 4", a distance of 8.00 feet to a point for corner (not set);

THENCE, North 00 degrees, 19 minutes, 32 seconds West, departing the said northwest line of Grand Avenue and the said southeast line of "Tract 4", a distance of 11.33 feet to a point for corner (not set) in the said southwest line of Myrtle Street and the northeast line of said "Tract 4";

THENCE, South 45 degrees, 13 minutes, 10 seconds East along the said southwest line of Myrtle Street and the said northeast line of "Tract 4", a distance of 8.00 feet to the POINT OF BEGINNING;

CONTAINING, 32 square feet or 0.001 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.

Michael C. Clover

Michael C. Clover
Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00
REVISED 07/31/2012



2673-11.053EX6
EX6.doc jsa

(For SPRG use only)
Reviewed By: JL
Date: 8-6-12
SPRG NO: 2400



0 30 60 120



GRAPHIC SCALE IN FEET

EXHIBIT A-TRACT 6

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 44°34'06" W	8.00'
L2	N 00°19'32" W	11.33'
L3	S 45°13'10" E	8.00'

LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
IRF	- 1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
(C.M.)	- CONTROLLING MONUMENT
M.R.D.C.T.	- MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	- DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	- OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)

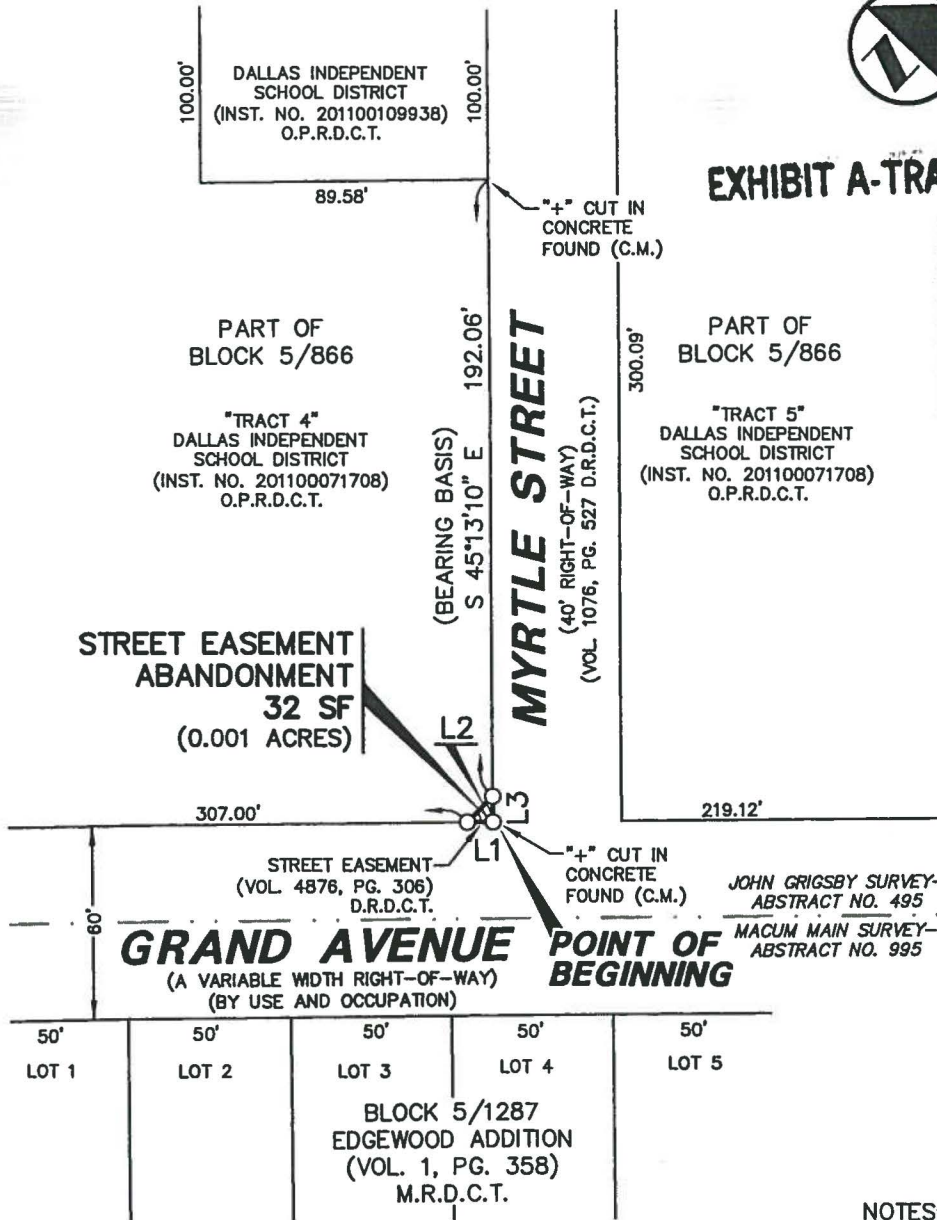
Reviewed By: JL

Date: 8-6-12

SPRG NO: 2400

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of South 45 degrees, 13 minutes, 10 seconds East for the southwest right-of-way line of Myrtle Street according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas.
3. The survey abstract line shown hereon is approximate and is not located on the ground.



The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover Date 10/05/12
 Registered Professional Land Surveyor No. 5225 REVISED 07/31/2012

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-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
JSA	MCC	1"=60'	OCT. 2011	2673-11.053

STREET EASEMENT ABANDONMENT
 PART OF BLOCK 5/866
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 2 OF 2

STREET EASEMENT ABANDONMENT

Part of Block 5/866

John Grigsby Survey, Abstract No. 495

City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 7

DESCRIPTION, of a 24 square foot (0.001 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas and in Block 5/866, Official Numbers of the City of Dallas, Texas; said tract also being part of that certain tract of land described as "Tract 5" in General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas; said tract also being all of that certain tract of land described as Street Easement in Instrument to the City of Dallas, Texas recorded in Volume 4876, Page 308 of the Deed Records of Dallas County, Texas; said 24 square foot tract being more particularly described as follows (bearing system based on a bearing of North 45 degrees, 13 minutes, 10 seconds West for the northeast right-of-way line of Myrtle Street according to said General Warranty Deed to Dallas Independent School District):

BEGINNING, at a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the northwest right-of-way line of Grand Avenue (a variable width right-of-way, 60-feet wide at this point) and the said northeast line of Myrtle Street (a 40-foot wide right-of-way); said point being the southernmost corner of said "Tract 5";

THENCE, North 45 degrees, 13 minutes, 10 seconds West, departing the said northwest line of Grand Avenue and along the said northeast line of Myrtle Street and the southwest line of said "Tract 5", a distance of 7.00 feet to a point for corner (not set);

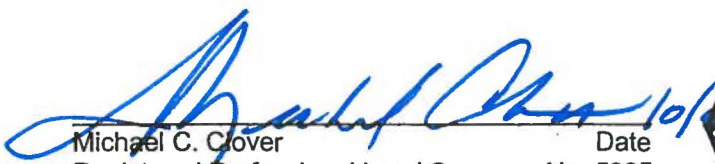
THENCE, North 89 degrees, 40 minutes, 28 seconds East, departing the said northeast line of Myrtle Street and the said southwest line of "Tract 5", a distance of 9.88 feet to a point for corner (not set) in the said northwest line of Grand Avenue and the southeast line of said "Tract 5";

THENCE, South 44 degrees, 34 minutes, 06 seconds West, along the said northwest line of Grand Avenue and the said southeast line of "Tract 5" a distance of 7.00 feet to the POINT OF BEGINNING;

CONTAINING, 24 square feet or 0.001 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00
REVISED 07/31/2012



2673-11.053EX7
EX7.doc jsa

(For SPRG use only)
Reviewed By: JL
Date: 8-6-12
SPRG NO: 2399

CLARENCE STREET

(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)



EXHIBIT A-TRACT 7

0 30 60 120

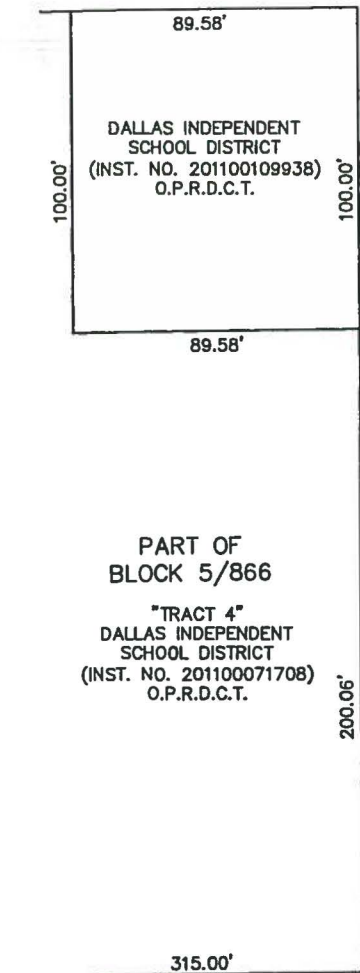


GRAPHIC SCALE IN FEET

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 45°13'10" W	7.00'
L2	N 89°40'28" E	9.88'
L3	S 44°34'06" W	7.00'

LEGEND	
—	PROPERTY LINE
—	ABANDONMENT LINE
○	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
IRF	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
(C.M.)	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JL
Date: 8-6-12
SPRG NO: 2399



MYRTLE STREET
(40' RIGHT-OF-WAY)
(VOL. 1076, PG. 527 D.R.D.C.T.)

PART OF
BLOCK 5/866

"TRACT 5"
DALLAS INDEPENDENT
SCHOOL DISTRICT
(INST. NO. 201100071708)
O.P.R.D.C.T.

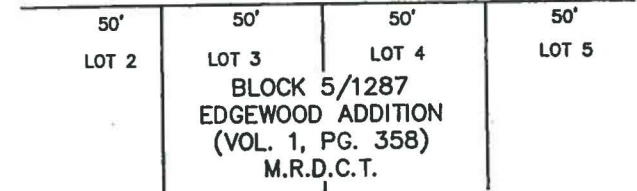
**STREET EASEMENT
ABANDONMENT
24 SF
(0.001 ACRES)**

GRAND AVENUE

(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

JOHN GRIGSBY SURVEY-
ABSTRACT NO. 495
MACUM MAIN SURVEY-
ABSTRACT NO. 995

**POINT OF
BEGINNING**
STREET EASEMENT
(VOL. 4876, PG. 308)
D.R.D.C.T.



The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover
Michael C. Clover
Registered Professional
Land Surveyor No. 5225
Date 10/05/2012
REVISED 07/31/2012

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of North 45 degrees, 13 minutes, 10 seconds West for the northeast right-of-way line of Myrtle Street according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas.
3. The survey abstract line shown hereon is approximate and is not located on the ground.

**STREET EASEMENT
ABANDONMENT**
PART OF BLOCK 5/866
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 2 OF 2

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-100080-00

DRAWN BY JSA	CHECKED BY MCC	SCALE 1"=60'	DATE OCT. 2011	JOB NUMBER 2673-11.053
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M:\DWG-26\2673-11.053\DWG\SURVEY\2673-11.053EX7.DWG 07/31/2012 9:32AM M.CLOVER

EXHIBIT A-TRACT 8
15'x15' SIGHT EASEMENT ABANDONMENT

Part of Lot 17-A, Block H/868,
Replat of the Eakins, Hughes & Eakins Addition Lot 17 & 18, Block H/868
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 111 square foot (0.003 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being part of Lot 17-A, Block H/868 of Replat of the Eakins, Hughes and Eakins Addition Lot 17 & 18, Block H/868, an addition to the City of Dallas, Texas according to the plat recorded in Volume 87017, Page 2352 of the Deed Records of Dallas County, Texas and part of that certain tract of land described in General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100136384 of the Official Public Records of Dallas County, Texas; said tract also being all of a 15-foot x 15-foot sight easement as shown on said Replat of Eakins, Hughes and Eakins Addition, Lot 17 & 18, Block H/868; said 111 square foot tract being more particularly described as follows (bearing system based on a bearing of South 44 degrees, 34 minutes, 06 seconds West for the northwest right-of-way line of Grand Avenue according to said General Warranty Deed to Dallas Independent School District):

BEGINNING, at a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the northeast right-of-way line of Harrison Street (a variable width right-of-way, 53 feet wide at this point) and the southeast right-of-way line of a 14-foot wide alley across said Block H/868; said point being the westernmost corner of said Lot 17-A;

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing the said northeast line of Harrison Street and along the southeast line of said alley and the northwest line of said Lot 17-A, a distance of 15.00 feet to a point for corner (not set);

THENCE, South 04 degrees, 07 minutes, 07 seconds West, departing the southeast line of said alley and the said northwest line of Lot 17-A, a distance of 22.84 feet to a point for corner (not set) in the said northeast line of Harrison Street and the southwest line of said Lot 17-A;

THENCE, North 36 degrees, 17 minutes, 25 seconds West, along the said northeast line of Harrison Street and the said southwest line of Lot 17-A, a distance of 15.00 feet to the POINT OF BEGINNING;

CONTAINING, 111 square feet or 0.003 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.

 10/05/11

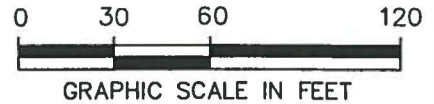
Michael C. Clover Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00



2673-11.053EX8
EX8.doc MWW

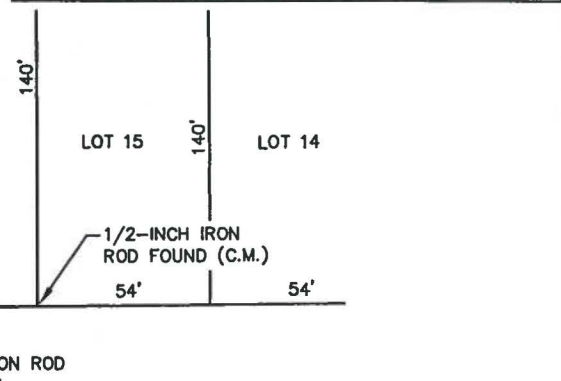
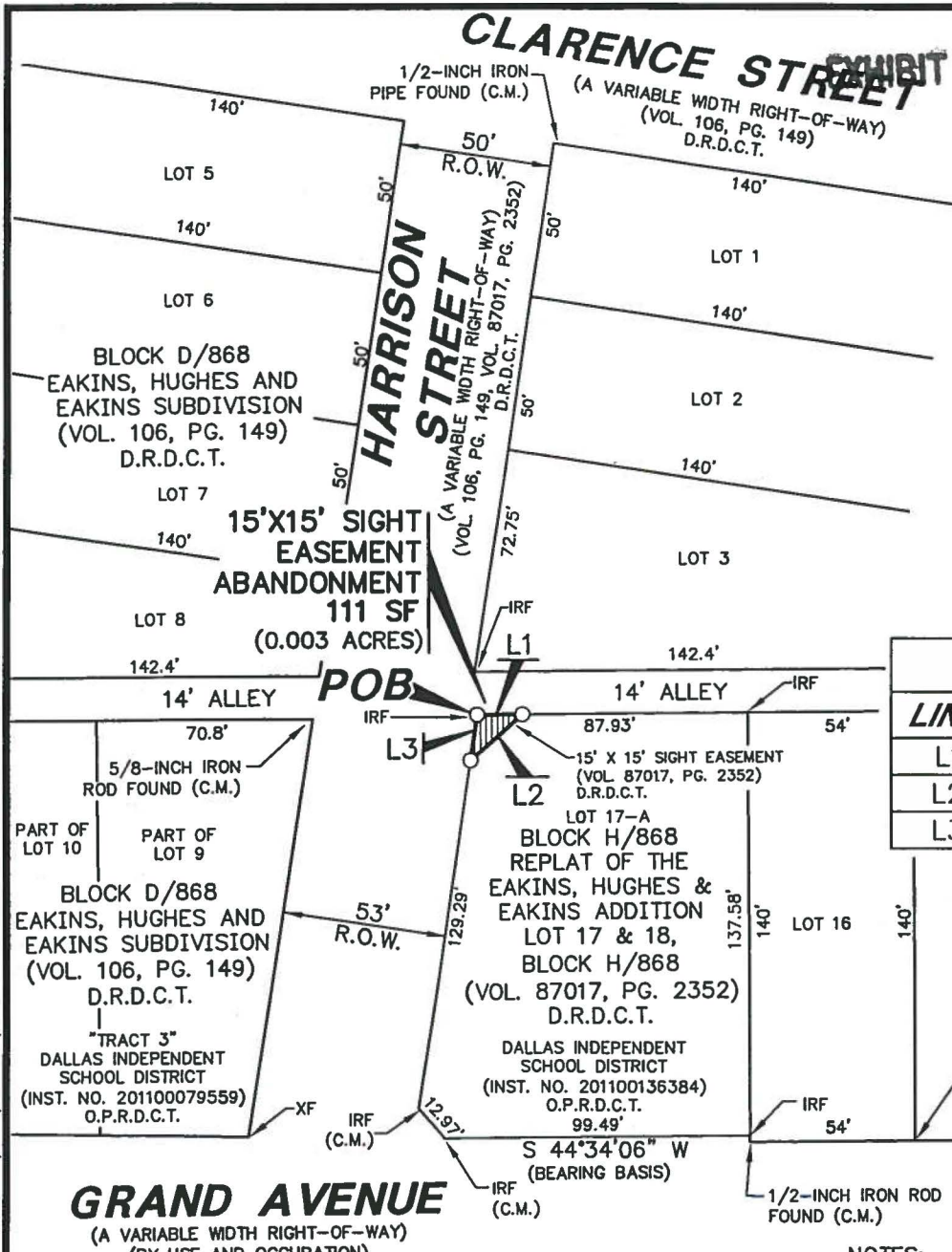
(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>7-16-12</u>
SPRG NO:	<u>2406</u>

CLARENCE STREET EXHIBIT A-TRACT 8



LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
POB	POINT OF BEGINNING
IRF	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
XF	"+" CUT IN CONCRETE FOUND
(C.M.)	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 44°31'40" E	15.00'
L2	S 04°07'07" W	22.84'
L3	N 36°17'25" W	15.00'



GRAND AVENUE

(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

(For SPRG use only)
 Reviewed By: JL
 Date: 7-16-12
 SPRG NO: 2456

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of South 44 degrees, 34 minutes, 06 seconds West for the northwest right-of-way line of Grand Avenue according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100136384 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.

Michael C. Clover
 Registered Professional Land Surveyor No. 5225
 Date: 10/05/11



15'X15' SIGHT EASEMENT ABANDONMENT
 PART OF LOT 17-A, BLOCK H/868
 REPLAT OF THE EAKINS, HUGHES & EAKINS
 ADDITION LOT 17 & 18, BLOCK H/868
 JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 SHEET 2 OF 2

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-100080-00

DRAWN BY MWW	CHECKED BY MCC	SCALE 1"=60'	DATE OCT. 2011	JOB NUMBER 2673-11.053
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M:\DWG-26\2673-11.053\DWG\SURVEY\2673-11.053EX8.DWG 10/03/2011 - 5:06PM JANDRICOPOULOS

**3'x65' SANITARY SEWER MAIN
EASEMENT ABANDONMENT**

EXHIBIT A-TRACT 9

Part of Lots 18 & 19, Block 4/866
E. Nitsche's Grand Ave Addition
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 195 square foot (0.004 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being part of Lots 18 and 19, Block 4/866, E. Nitsche's Grand Ave Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 58 of the Map Records of Dallas County, Texas; said tract also being part of that certain tract of land described as "Tract 1" in General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas and all of that certain tract of land described as 3'x65' Sanitary Sewer Main Easement to the City of Dallas, Texas recorded in Volume 5478, Page 520 of the Deed Records of Dallas County, Texas; said 195 square foot tract being more particularly described as follows (bearing system based on a bearing of South 45 degrees, 13 minutes, 10 seconds East for the southwest right-of-way line of Myrtle Street according to said General Warranty Deed to Dallas Independent School District):

COMMENCING, at a 1/2-inch iron rod with "PACHECO KOCH" cap found at the intersection of the southeast right-of-way line of Coombs Street (a variable width right-of-way) and the said southwest line of Myrtle Street (a variable width right-of-way, 40 feet wide at this point);

THENCE, South 45 degrees, 13 minutes, 10 seconds East, departing the said southeast line of Coombs Street along the said southwest line of Myrtle Street, a distance of 117.00 feet to the POINT OF BEGINNING (not set);

THENCE, South 45 degrees, 13 minutes, 10 seconds East, continuing along the said southwest line of Myrtle Street, a distance of 3.00 feet to a point for corner (not set) in the southeast line of said Lot 19 and the northwest line of Lot 7 of said Block 4/866;

THENCE, South 44 degrees, 31 minutes, 40 seconds West, departing the said southwest line of Myrtle Street and along the said southeast line of Lot 19 and the said northwest line of Lot 7, at a distance of 14.89 feet passing the southernmost corner of said Lot 19, the westernmost corner of said Lot 7, the northernmost corner of Lot 6 of said Block 4/866 and the easternmost corner of said Lot 18, then continuing along the northwest line of said Lot 6 and the southeast line of said Lot 18 in all a total distance of 64.89 feet to a point for corner (not set); said point being the westernmost corner of said Lot 6, the southernmost corner of said Lot 18, the northernmost corner of Lot 5 and the easternmost corner of Lot 17, both of said Block 4/866;

THENCE, North 45 degrees, 25 minutes, 52 seconds West, along the northeast line of said Lot 17 and the southwest line of said Lot 18, a distance of 3.00 feet to a point for corner (not set);

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing the said northeast line of Lot 17 and the said southwest line of Lot 18, a distance of 64.90 feet to the POINT OF BEGINNING;

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-6-12</u>
SPRG NO:	<u>2397</u>

**3'x65' SANITARY SEWER MAIN
EASEMENT ABANDONMENT**
Part of Lots 18 & 19, Block 4/866
E. Nitsche's Grand Ave Addition
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

EXHIBIT A-TRACT 9

CONTAINING, 195 square feet or 0.004 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00
REVISED 07/31/2012



2673-11.053EX10
EX10.doc mww/jjsa

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-6-12</u>
SPRG NO:	<u>2397</u>

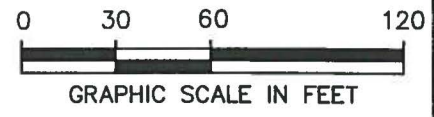
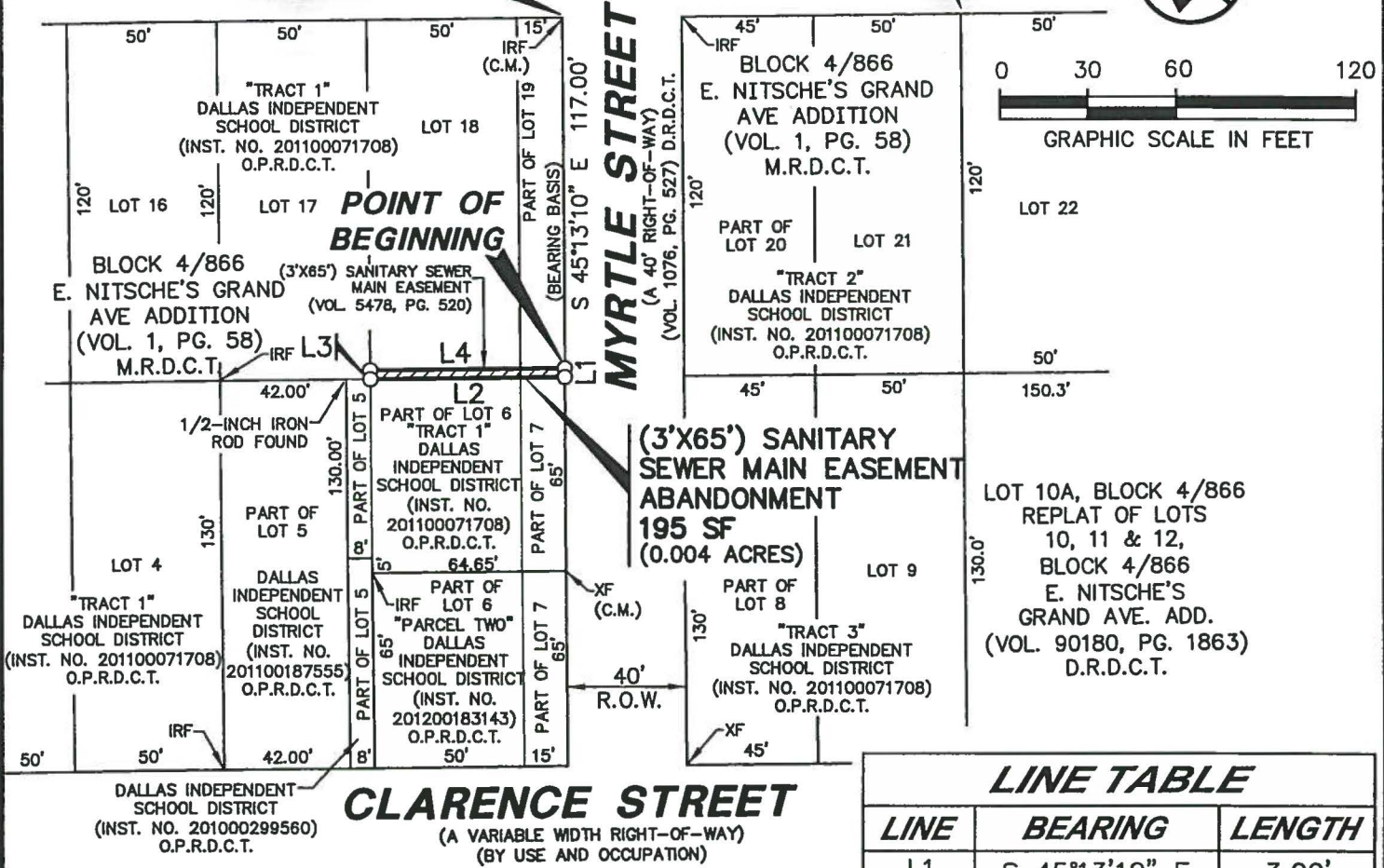
BLOCK 3/866
314.2'

BLOCK 3/866
244.8'

EXHIBIT A-TRACT 9

POINT OF COMMENCING
COOMBS STREET
(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

5/8-INCH IRON
ROD FOUND



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 45°13'10" E	3.00'
L2	S 44°31'40" W	64.89'
L3	N 45°25'52" W	3.00'
L4	N 44°31'40" E	64.90'

LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
IRF	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
(C.M.)	CONTROLLING MONUMENT
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: JL
Date: 8-6-12
SPRG NO: 2397

- NOTES:**
1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
 2. Bearing system for this survey is based on a bearing of South 45 degrees, 13 minutes, 10 seconds East for the southwest right-of-way line of Myrtle Street according to the General Warranty Deed to the Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover
Michael C. Clover
Registered Professional
Land Surveyor No. 5225
Date
REVISED: 04/19/2012
07/31/2012

**3'X65' SANITARY
SEWER MAIN EASEMENT
ABANDONMENT**

PART OF LOTS 18 & 19, BLOCK 4/866
E. NITSCHÉ'S GRAND AVE ADDITION
JOHN GRIGSBY SURVEY,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75208 972.235.3031
TX REG. ENGINEERING FIRM F-489
DALLAS • FORT WORTH • HOUSTON TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
MWW/JSA	MCC	1"=60'	APRIL 2012	2673-11.053

M:\DWG-26\2673-11.053\DWG\SURVEY\2673-11.053EX10-1.DWG 07/31/2012 - 8:26AM M.CLOVER

EXHIBIT A-TRACT 10

**6' SANITARY SEWER MAIN
EASEMENT ABANDONMENT**

Part of Block 5/866
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of an 883 square foot (0.020 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas and in Block 5/866, Official Numbers of the City of Dallas, Texas; said tract being part of that certain tract of land described as "Tract 4" in General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas and all of that certain tract of land described as Sanitary Sewer Main Easement in instrument recorded in Volume 5438, Page 203 of the Deed Records of Dallas County, Texas; said 883 square foot tract being more particularly described as follows (bearing system based on a bearing of South 44 degrees, 34 minutes, 06 seconds West for the northwest right-of-way line of Grand Avenue according to said General Warranty Deed to Dallas Independent School District):

COMMENCING, at a "+" cut in concrete found at the intersection of the said northwest line of Grand Avenue (a variable width right-of-way) and the southwest right-of-way line of Myrtle Street (a 40-foot wide right-of-way); said point being the easternmost corner of said "Tract 4";

THENCE, South 44 degrees, 34 minutes, 06 seconds West, departing the said southwest line of Myrtle Street and along the said northwest line of Grand Avenue and the southeast line of said "Tract 4", a distance of 122.65 feet to a point;

THENCE, North 45 degrees, 25 minutes, 54 seconds West, departing the said northwest line of Grand Avenue and the said southeast line of "Tract 4", a distance of 111.00 feet to the POINT OF BEGINNING (not set);

THENCE, South 44 degrees, 34 minutes, 06 seconds West, a distance of 9.18 feet to a point for corner (not set);

THENCE, North 45 degrees, 25 minutes, 54 seconds West, a distance of 44.00 feet to a point for corner (not set);

THENCE, South 44 degrees, 34 minutes, 06 seconds West, a distance of 69.44 feet to a point for corner (not set);

THENCE, South 12 degrees, 40 minutes, 00 seconds West, a distance of 24.69 feet to a point for corner (not set);

THENCE, North 45 degrees, 05 minutes, 54 seconds West, a distance of 6.55 feet to a point for corner (not set);

THENCE, South 43 degrees, 35 minutes, 17 seconds West, a distance of 0.90 feet to a point for corner (not set);

THENCE, North 12 degrees, 40 minutes, 00 seconds East, a distance of 23.69 feet to a point for corner (not set);

THENCE, North 44 degrees, 34 minutes, 06 seconds East, a distance of 77.16 feet to a point for corner (not set);

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-6-12</u>
SPRG NO:	<u>2398</u>

EXHIBIT A-TRACT 10
6' SANITARY SEWER MAIN
EASEMENT ABANDONMENT

Part of Block 5/866
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

THENCE, South 45 degrees, 25 minutes, 54 seconds East, a distance of 44.00 feet to a point for corner (not set);

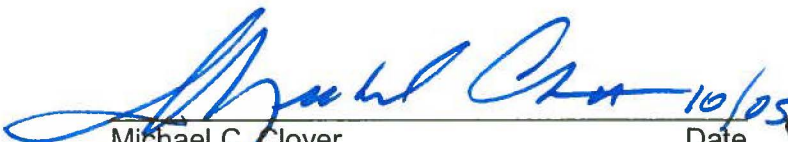
THENCE, North 44 degrees, 34 minutes, 06 seconds East, a distance of 3.20 feet to a point for corner (not set);

THENCE, South 45 degrees, 13 minutes, 10 seconds East, a distance of 6.00 feet to the POINT OF BEGINNING;

CONTAINING, 883 square feet or 0.020 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00
REVISED 07/31/2012



2673-11.053EX9
EX9.doc MWW

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-6-12</u>
SPRG NO:	<u>2398</u>

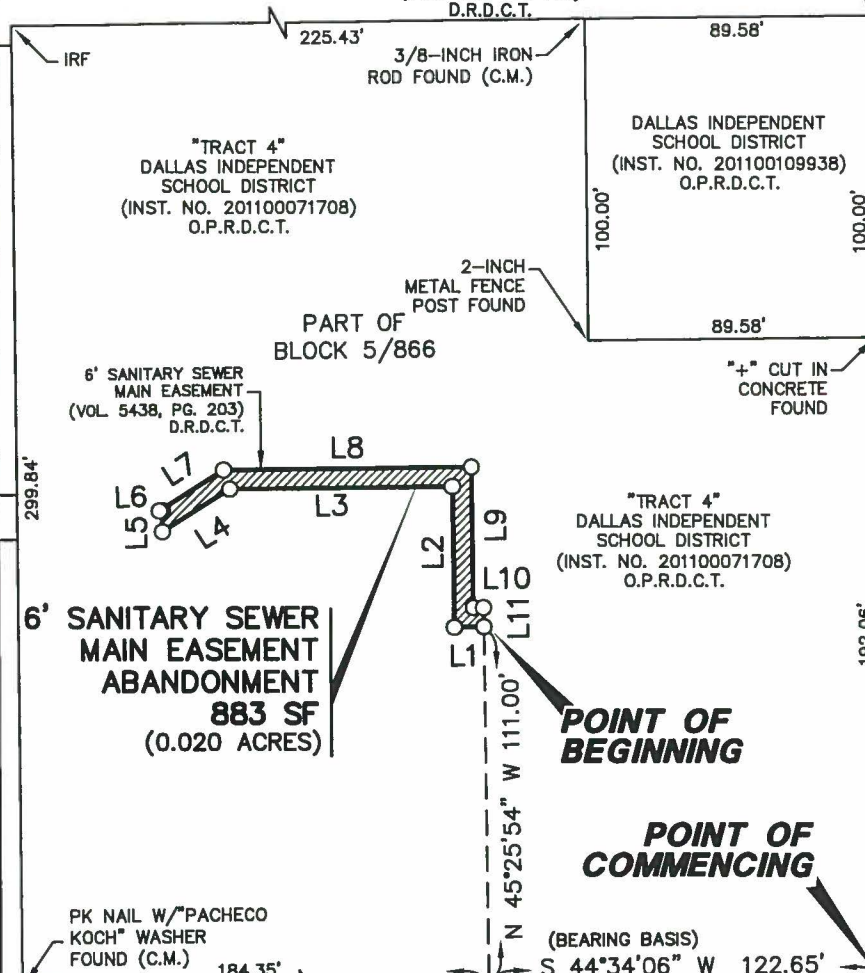
CLARENCE STREET

(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 106, PG. 149)
D.R.D.C.T.

"+" CUT
IN CONCRETE
FOUND

LINE TABLE

LINE	BEARING	LENGTH
L1	S 44°34'06" W	9.18'
L2	N 45°25'54" W	44.00'
L3	S 44°34'06" W	69.44'
L4	S 12°40'00" W	24.69'
L5	N 45°05'54" W	6.55'
L6	S 43°35'17" W	0.90'
L7	N 12°40'00" E	23.69'
L8	N 44°34'06" E	77.16'
L9	S 45°25'54" E	44.00'
L10	N 44°34'06" E	3.20'
L11	S 45°13'10" E	6.00'



MYRTLE STREET
(VOL. 1076, PG. 527)
D.R.D.C.T.

PART OF
BLOCK 5/866

"TRACT 5"
DALLAS INDEPENDENT
SCHOOL DISTRICT
(INST. NO. 201100071708)
O.P.R.D.C.T.

**POINT OF
BEGINNING**

**POINT OF
COMMENCING**

GRAND AVENUE

(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

"+" CUT IN CONCRETE
FOUND (C.M.)

LEGEND

	PROPERTY LINE
	ABANDONMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
IRF	- 1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
(C.M.)	- CONTROLLING MONUMENT
D.R.D.C.T.	- DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	- OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

(For SPRG use only)

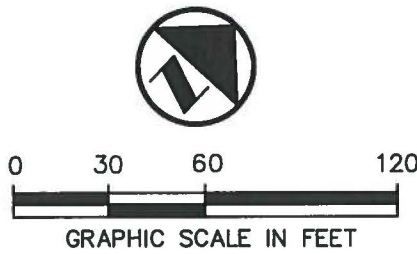
Reviewed By: JL

Date: 8-6-12

SPRG NO: 2398

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of South 44 degrees, 34 minutes, 06 seconds West for the northwest right-of-way line of Grand Avenue according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas.



The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover
Michael C. Clover
Registered Professional
Land Surveyor No. 5225 REVISD 07/31/2012

Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75208 972.235.3031
DALLAS • FORT WORTH • HOUSTON TX REG. ENGINEERING FIRM F-489
TX REG. SURVEYING FIRM LS-100080-00

**6' SANITARY SEWER
MAIN EASEMENT
ABANDONMENT**
PART OF BLOCK 5/866
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

DRAWN BY MWW	CHECKED BY MCC	SCALE 1"=60'	DATE OCT. 2011	JOB NUMBER 2673-11.053
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07/31/2014 9:01AM
MCCLOVER

EXHIBIT A-TRACT 11
WATER AND SEWER MAIN
EASEMENT ABANDONMENT

Part of Block K/868
Eakins, Hughes and Eakins Subdivision
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

DESCRIPTION, of a 2,100 square foot (0.048 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being all of that certain 14-foot wide alley across Block K/868 (Eakins, Hughes and Eakins Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 106, Page 149 of the Deed Records of Dallas County, Texas) abandoned by City of Dallas Ordinance No. 2931, recorded in Volume 2981, Page 67 of said Deed Records, Water and Sewer Main Easement retained; said tract also being part of those certain tracts of land described in General Warranty Deeds to Dallas Independent School District recorded in Instrument No. 201100092933, Instrument No. 201100187555, Instrument No. 201100064047 and Instrument No. 201100274174 and part of that certain tract of land described in Final Judgment to Dallas Independent School District recorded in Instrument No. 201100277186, all of the Official Public Records of Dallas County, Texas; said 2,100 square foot tract being more particularly described as follows (bearing system for this survey based on a bearing of South 44 degrees, 34 minutes, 06 seconds West for the northwest right-of-way line of Grand Avenue according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of said Official Public Records):

BEGINNING, at a point for corner (not set) at the intersection of the southeast line of said abandoned alley and the northeast right-of-way line of Atlanta Street (a 50-foot wide right-of-way); said point being the westernmost corner of Lot 4 of said Block K/868; said point also being North 45 degrees, 13 minutes, 10 seconds West, a distance of 139.87 feet from a 1/2-inch iron rod with "PACHECO KOCH" cap found at the intersection of the said northeast line of Atlanta Street and the said northwest line of Grand Avenue (a variable width right-of-way);

THENCE, North 45 degrees, 13 minutes, 10 seconds West, along the said northeast line of Atlanta Street, a distance of 14.00 feet to a point for corner (not set); said point being the southernmost corner of Lot 3 of said Block K/868 and the westernmost corner of said abandoned alley;

THENCE, North 44 degrees, 32 minutes, 53 seconds East, departing the said northeast line of Atlanta Street and along the northwest line of said abandoned alley, the southeast line of said Lot 3 and the southeast line of Lots 2 and 1 of said Block K/868, a distance of 150.00 feet to a point for corner (not set) in the southwest line of "Tract 4" of the sixth referenced Dallas Independent School District tract; said point being the easternmost corner of said Lot 1 and the northernmost corner of said abandoned alley;

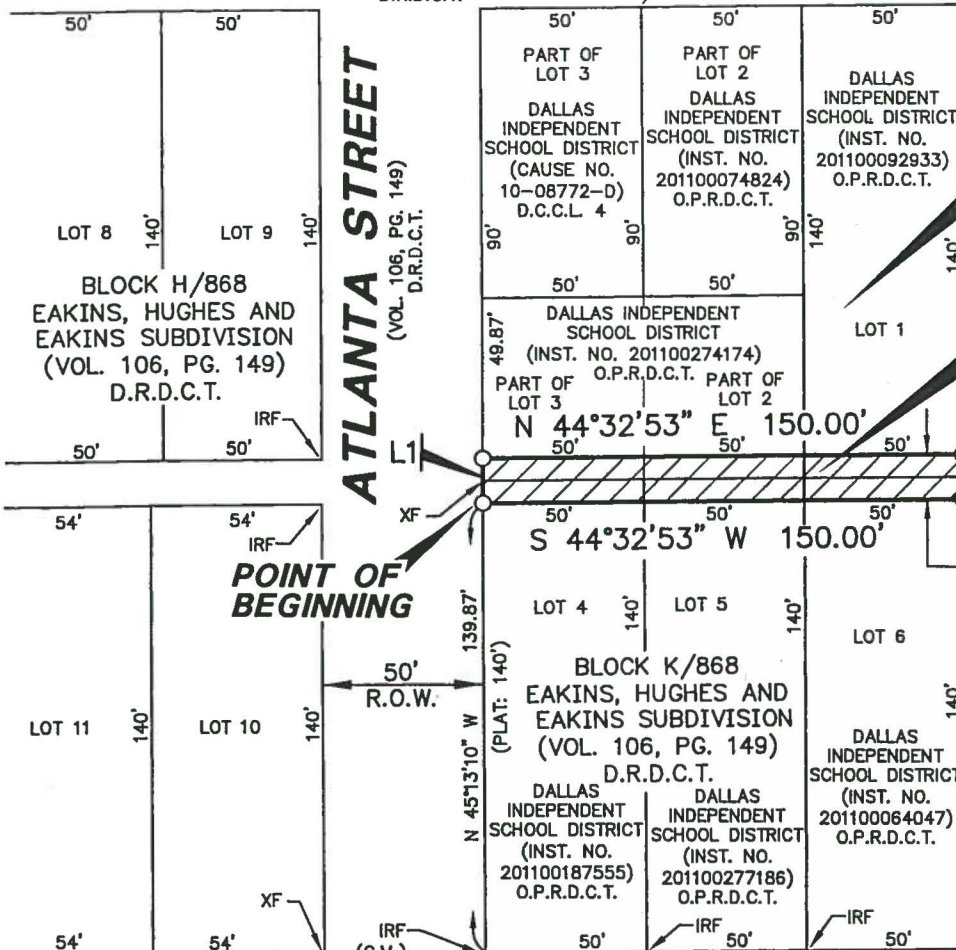
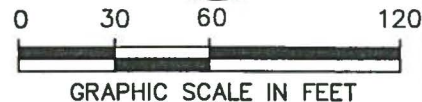
THENCE, South 45 degrees, 13 minutes, 10 seconds East, along the said southwest line "Tract 4" and the northeast terminus of said abandoned alley, a distance of 14.00 feet to a point for corner (not set); said point being the northernmost corner of Lot 6 of said Block K/868 and the easternmost corner of said abandoned alley;

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>7-16-12</u>
SPRG NO:	<u>2404</u>

CLARENCE STREET

(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 106, PG. 149)
D.R.D.C.T.

EXHIBIT A-TRACT 11



BLOCK K/868
EAKINS, HUGHES AND
EAKINS SUBDIVISION
(VOL. 106, PG. 149)
D.R.D.C.T.

**WATER & SEWER
MAIN EASEMENT
ABANDONMENT
2,100 SF
(0.048 ACRES)**

PART OF
BLOCK 5/866

LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
IRF	- 1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
XF	- "+" CUT IN CONCRETE FOUND (C.M.) - CONTROLLING MONUMENT
D.R.D.C.T.	- DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	- OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.C.C.L. 4	- DALLAS COUNTY COURT AT LAW NO. 4

GRAND AVENUE

(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 45°13'10" W	14.00'
L2	S 45°13'10" E	14.00'

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of South 44 degrees, 34 minutes, 06 seconds West for the northwest right-of-way line of Grand Avenue according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201100071708 of the Official Public Records of Dallas County, Texas.

(For SPRG use only)
Reviewed By: JL
Date: 7-16-12
SPRG NO: 2404

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover
Registered Professional
Land Surveyor No. 5225
Date: 4/19/2012

**WATER AND SEWER
MAIN EASEMENT
ABANDONMENT**
PART OF BLOCK K/868,
EAKINS, HUGHES AND EAKINS SUBDIVISION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75206 972.235.3031
TX REG. ENGINEERING FIRM F-489
DALLAS • FORT WORTH • HOUSTON TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
MWW/JSA	MCC	1"=60'	APRIL 2012	2673-11.053

M:\DWG-26\2673-11.053\DWG\SURVEY\2673-11.053EX11.DWG 04/19/2012 - 11:21AM JANDRICOPOULOS

**WATER AND SEWER
EASEMENT ABANDONMENT EXHIBIT A-TRACT 11**

Part of Block K/868
Eakins, Hughes and Eakins Subdivision
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

THENCE, South 44 degrees, 32 minutes, 53 seconds West, departing the said southwest line of "Tract 4" and along the said southeast line of the abandoned alley, the northwest line of said Lot 6 and the northwest line of Lots 5 and 4 of said Block K/868, a distance of 150.00 feet to the POINT OF BEGINNING;

CONTAINING, 2,100 square feet or 0.048 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.

 4/19/2012

Michael C. Clover Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00



2673-11.053EX11
EX11.doc mww/jsa

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>7-26-12</u>
SPRG NO:	<u>2404</u>

UTILITY EASEMENT ABANDONMENT EXHIBIT A-TRACT 12

Part of Block I/868

Eakins, Hughes and Eakins Subdivision

John Grigsby Survey, Abstract No. 495

City of Dallas, Dallas County, Texas

DESCRIPTION, of a 1,400 square foot (0.032 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being all of that certain portion of a 14-foot wide alley across Block I/868 (Eakins, Hughes and Eakins Subdivision, an addition to the City of Dallas, Texas according to the plat recorded in Volume 106, Page 149 of the Deed Records of Dallas County, Texas) abandoned by City of Dallas Ordinance No. 23187, Utility Easement retained; said tract also being part of that certain tract of land described in Confirmation Special Warranty Deed to the Dallas Independent School District recorded in Instrument No. 201200183143 of the Official Public Records of Dallas County, Texas; said 1,400 square foot tract being more particularly described as follows (bearing system for this survey based on a bearing of South 45 degrees, 13 minutes, 10 seconds East for the southwest right-of-way line of Atlanta Street according to the General Warranty Deed to the Dallas Independent School District recorded in Instrument No. 201000286368 of said Official Public Records):

BEGINNING, at a point for corner (not set) at the northernmost end of the northeast terminus of a 14-foot wide alley across said Block I/868; said point being the westernmost corner of said abandoned alley, the easternmost corner of Lot 3 and the southernmost corner of Lot 2, both of said Block I/868;

THENCE, North 44 degrees, 31 minutes, 40 seconds East, departing said alley terminus and along the northwest line of said abandoned alley, the southeast line of said Lot 2 and the southeast line of Lot 1 of said Block I/868, a distance of 100.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner in the southwest line of Lot 13, Block 4/866, E. Nitsche's Grand Ave Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 1, Page 58 of the Map Records of Dallas County, Texas; said point being the northernmost corner of said abandoned alley and the easternmost corner of said Lot 1;

THENCE, South 45 degrees, 13 minutes, 10 seconds East, along the said southwest line of Lot 13, the southwest line of Lot 1 of said Block 4/866 and the northeast line of said abandoned alley, a distance of 14.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner; said point being the easternmost corner of said abandoned alley and the northernmost corner of Lot 4 of said Block I/868;

THENCE, South 44 degrees, 31 minutes, 40 seconds West, departing the said southwest line of the second referenced Lot 1 and along the southeast line of said abandoned alley, the northwest line of said Lot 4 and the northwest line of Lot 5 of said Block I/868, a distance of 100.00 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the east end of said alley terminus; said point being the southernmost corner of said abandoned alley, the westernmost corner of said Lot 5 and the northernmost corner of Lot 6 of said Block I/868;

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-6-12</u>
SPRG NO:	<u>2403</u>

UTILITY EASEMENT ABANDONMENT

EXHIBIT A-TRACT 12

Part of Block I/868
Eakins, Hughes and Eakins Subdivision
John Grigsby Survey, Abstract No. 495
City of Dallas, Dallas County, Texas

THENCE, North 45 degrees, 13 minutes, 10 seconds West, along said alley terminus and the southwest line of said abandoned alley, a distance of 14.00 feet to the POINT OF BEGINNING;

CONTAINING, 1,400 square feet or 0.032 acres of land, more or less.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.

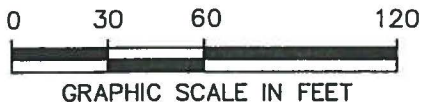
Michael C. Clover 4/19/12

Michael C. Clover Date
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00
REVISED 07/31/2012



2673-11.053EX12
EX11.doc jsa

(For SPRG use only)	
Reviewed By:	<u>JL</u>
Date:	<u>8-6-12</u>
SPRG NO:	<u>2403</u>



COOMBS STREET

(A VARIABLE WIDTH RIGHT-OF-WAY)
(BY USE AND OCCUPATION)

BLOCK 3/866 EXHIBIT A-TRACT 12
314.2'

1/2-INCH IRON ROD
W/"PACHECO KOCH"
CAP FOUND (C.M.)

(BEARING BASIS)
N 44°31'40" E

1/2-INCH IRON ROD
W/"PACHECO KOCH"
CAP FOUND (C.M.)

BLOCK G/868
EAKINS, HUGHES AND
EAKINS SUBDIVISION
(VOL. 106, PG. 149)
D.R.D.C.T.

ATLANTA STREET
(VOL. 106, PG. 149)
D.R.D.C.T.

BLOCK I/868
EAKINS, HUGHES AND
EAKINS SUBDIVISION
(VOL. 106, PG. 14)
D.R.D.C.T.

PART OF LOT 1
DALLAS INDEPENDENT
SCHOOL DISTRICT
(INST. NO. 201100
305976)
O.P.R.D.C.T.

1/2-INCH IRON ROD
W/"RPLS 3963"
CAP FOUND (C.M.)

LOT 13 LOT 14
14' ALLEY ABANDONED
BY CITY OF DALLAS
ORDINANCE NO. 23187
(UTILITY EASEMENT RETAINED)

POINT OF BEGINNING

1/2-INCH IRON
ROD W/"PACHECO
KOCH" CAP
FOUND (C.M.)

DALLAS INDEPENDENT
SCHOOL DISTRICT
(INST. NO. 201200183143)
O.P.R.D.C.T.

14' ALLEY

14' ALLEY

BLOCK 4/866
E. NITSCH'S GRAND
AVE ADDITION
(VOL. 1, PG. 58)
M.R.D.C.T.

BLOCK G/868
EAKINS, HUGHES AND
EAKINS SUBDIVISION
(VOL. 106, PG. 149)
D.R.D.C.T.

BLOCK I/868
EAKINS, HUGHES AND
EAKINS SUBDIVISION
(VOL. 106, PG. 149)
D.R.D.C.T.

LOT 2
**UTILITY EASEMENT
ABANDONMENT
1,400 SF
(0.032 ACRES)**

DALLAS
INDEPENDENT
SCHOOL DISTRICT
(INST. NO.
201000286368)
O.P.R.D.C.T.

"V" CUT IN
CONCRETE
WALL FOUND
(C.M.)

"+" CUT IN
CONCRETE
FOUND

LOT 4
DALLAS
INDEPENDENT
SCHOOL DISTRICT
(INST. NO.
201100164934)
O.P.R.D.C.T.

LOT 1
DALLAS
INDEPENDENT
SCHOOL DISTRICT
(INST. NO.
201100071708)
O.P.R.D.C.T.

LEGEND

	PROPERTY LINE
	ABANDONMENT LINE
	1/2-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND (UNLESS OTHERWISE NOTED)
	PFC - POINT FOR CORNER (C.M.) - CONTROLLING MONUMENT
	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

CLARENCE STREET

(A VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 106, PG. 149)
D.R.D.C.T.

LINE TABLE

LINE	BEARING	LENGTH
L1	N 44°31'40" E	100.00'
L2	S 45°13'10" E	14.00'
L3	S 44°31'40" W	100.00'
L4	N 45°13'10" W	14.00'

(For SPRG use only)

Reviewed By: JL
Date: 8-6-12
SPRG NO: 2403

NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on a bearing of South 45 degrees, 13 minutes, 10 seconds East for the southwest right-of-way line of Atlanta Street according to the General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201000286368 of the Official Public Records of Dallas County, Texas.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.



Michael C. Clover Date 4/19/12
Registered Professional
Land Surveyor No. 5225 REVISED 07/31/2012

UTILITY EASEMENT ABANDONMENT

PART OF BLOCK I/868,
EAKINS, HUGHES AND EAKINS SUBDIVISION
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
SHEET 3 OF 3

Pacheco Koch 8350 N. CENTRAL EXPWY. SUITE 1000
DALLAS, TX 75208 972.235.3031
TX REG. ENGINEERING FIRM F-489
DALLAS ■ FORT WORTH ■ HOUSTON TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY JSA	CHECKED BY MCC	SCALE 1"=60'	DATE APRIL 2012	JOB NUMBER 2673-11.053
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EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 9
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 36H 37E and 37J

SUBJECT

Authorize an increase in the contract with S J Louis Construction of Texas, Ltd. for the construction of the Rush Creek Diversion System and Drainage Improvements to additional paving, wastewater main and utility support and relocation - Not to exceed \$273,372, from \$9,216,515 to \$9,489,887 – Financing: General Obligation Commercial Paper Funds (\$82,105), Water Capital Improvement Funds (\$189,132) and Water Capital Construction Funds (\$2,135)

BACKGROUND

Rush Creek flooding has been problematic since the 1960's when the neighborhood was constructed too close to the creek and was fully developed in the 1970's. The project design was initiated in the 2003 Bond Program and the construction funded as part of the 2006 Bond Program. The project improvements remove twenty homes from the 100-year floodplain and reduce potential flooding to additional homes. On June 22, 2011, the City Council awarded the construction of Rush Creek Diversion System and Drainage Improvements to S J Louis Construction of Texas, Ltd.

This change order includes relocation of several utilities including a fiber optic line, water and wastewater pipeline modifications and an electrical pole to accommodate construction, drainage improvements for erosion control, and additional pavement replacement. Construction is anticipated to be complete by the end of October 2013.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2006
Completed Design	April 2010
Began Construction	October 2011
Complete Construction	October 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HDI Group Inc. for engineering services for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings on April 12, 2006, by Resolution No. 06-1036.

Authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc. for additional engineering services for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings on May 23, 2007, by Resolution No. 07-1545.

Authorized a professional services contract with LopezGarcia Group, Inc. for engineering services for the Rush Creek Relief/Diversion System on September 26, 2007, by Resolution No. 07-2831.

Authorized Supplemental Agreement No. 1 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering services for the Rush Creek Relief/Diversion System on October 28, 2009, by Resolution No. 09-2645.

Authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering services for the Rush Creek Relief/Diversion System on February 10, 2010, by Resolution No. 10-0480.

Authorized Supplemental Agreement No. 3 with LopezGarcia Group Inc., a wholly owned subsidiary of URS Corporation for additional engineering services for additional engineering design services of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings on October 26, 2010, by Resolution No. 10-2750.

Authorized a construction contract with S J Louis Construction of Texas Ltd. for the construction of Rush Creek Diversion System and Drainage Improvements on June 22, 2011, by Resolution No. 11-1727.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - \$82,105

Water Utilities Capital Improvement Funds - \$189,132

Water Utilities Capital Construction Funds - \$2,135

Design	\$924,015.00
Supplemental Agreement No. 1	\$ 72,915.00
Supplemental Agreement No. 2	\$646,000.00
Supplemental Agreement No. 3	\$ 60,007.00

FISCAL INFORMATION (Continued)

Construction	
Paving & Drainage	\$8,327,531.39
Water & Wastewater (DWU)	\$ 864,084.00
Change Order No. 1	\$ 24,900.00
Change Order No. 2 (this action)	<u>\$ 273,371.89</u>
Total Cost	\$11,192,824.28

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

S J Louis Construction of Texas, Ltd.

Hispanic Female	3	Hispanic Male	227
African-American Female	0	African-American Male	1
Other Female	0	Other Male	0
White Female	11	White Male	65

OWNER(S)

S J Louis Construction of Texas, Ltd.

Les V. Whitman, General Manager

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with S J Louis Construction of Texas, Ltd. for the construction of the Rush Creek Diversion System and Drainage Improvements to additional paving, wastewater main and utility support and relocation - Not to exceed \$273,372, from \$9,216,515 to \$9,489,887 – Financing: General Obligation Commercial Paper Funds (\$82,105), Water Capital Improvement Funds (\$189,132) and Water Capital Construction Funds (\$2,135)

S J Louis Construction of Texas, Ltd. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$273,371.89	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$273,371.89	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
J.E. Guzman Construction, Inc.	HMMB56905N0314	\$11,000.00	4.02%
S.Y B. Construction Comapny, inc	WFDB55940Y0114	\$134,767.16	49.30%
Total Minority - Local		\$145,767.16	53.32%

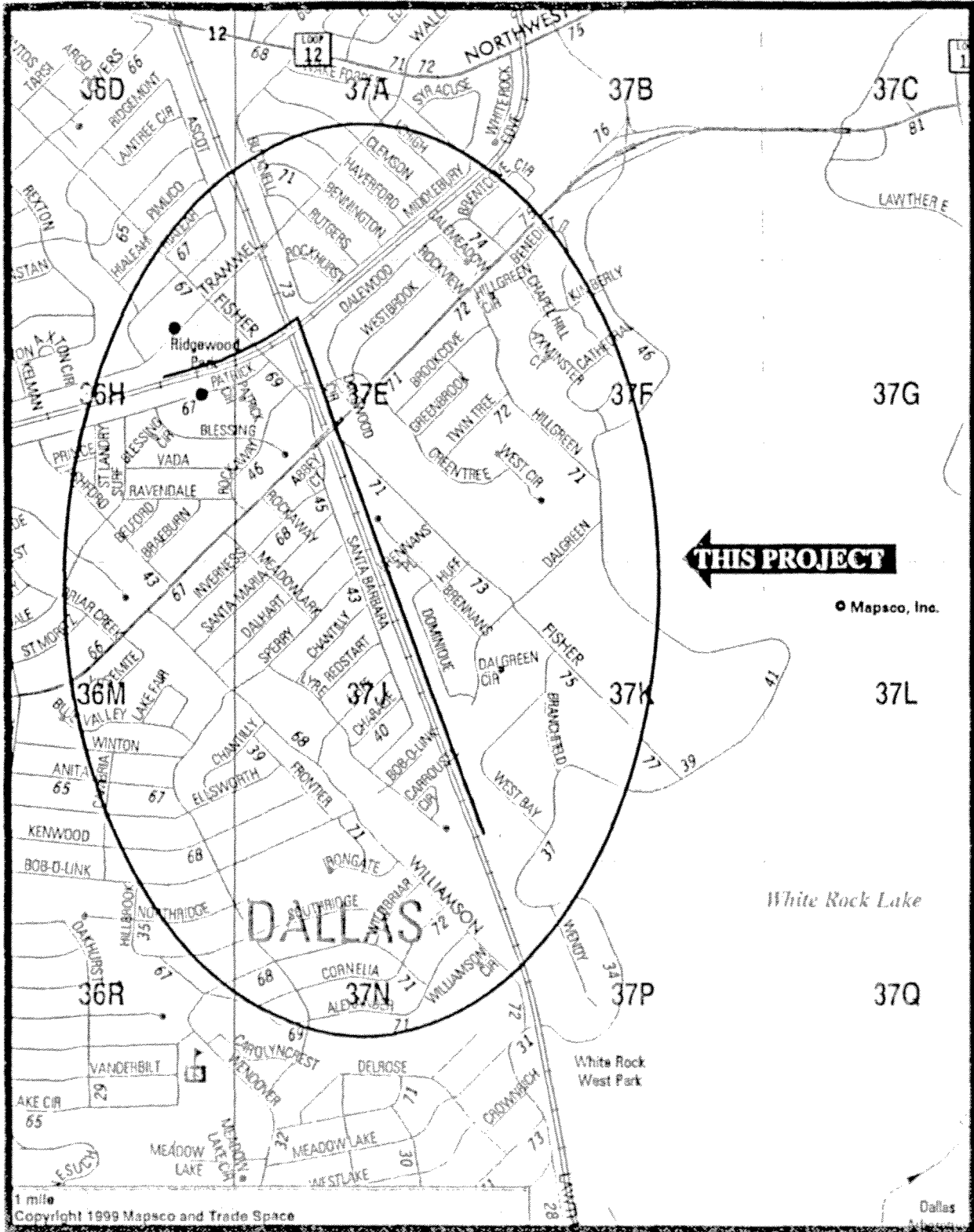
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$11,000.00	4.02%	\$654,900.00	6.90%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$134,767.16	49.30%	\$1,798,011.16	18.95%
Total	\$145,767.16	53.32%	\$2,452,911.16	25.85%

RUSH CREEK DIVERSION SYSTEM AND DRAINAGE IMPROVEMENTS



MAPSCO 36-H, 37-E, & J

April 24, 2013

WHEREAS, on April 12, 2006, Resolution No. 06-1036 authorized a professional services contract with HDI Group Inc. for engineering services for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings; and,

WHEREAS, on January 10, 2007, Administrative Action No. 07-0242 authorized Supplemental Agreement No. 1 with HDI Group Inc. for the reassignment of the contract with HDI Group Inc. to LopezGarcia Group, Inc.; and,

WHEREAS, on May 23, 2007, Resolution No. 07-1545 authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc. for additional engineering design and surveying services related to the hydraulic modeling for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings in the amount of \$48,790, from \$147,670 to \$147,670 to \$196,460; and,

WHEREAS, on September 26, 2007, Resolution No. 07-2831 authorized a professional services contract with LopezGarcia Group, Inc. for engineering services for the Rush Creek Relief/Diversion System; and,

WHEREAS, on October 13, 2009, Administrative Action No. 09-2849 authorized Supplemental Agreement No. 1 with Newman, Jackson, Bieberstein Landscape Architecture for Ridgewood Park Playground and Site Improvements related to the Rush Creek Relief/Diversion System in the amount of \$20,505; and,

WHEREAS, on October 28, 2009, Resolution No. 09-2645 authorized Supplemental Agreement No. 1 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering design and surveying services related to the water and wastewater main relocations at various locations in close proximity to the proposed local drainage system in the amount of \$69,140 from \$755,840 to \$824,980; and,

WHEREAS, on February 10, 2010, Resolution No. 10-0480 authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering design and surveying services related to the new alignment for the Rush Creek Relief/Diversion System in the amount of \$597,210, from \$824,980 to \$1,422,190; and,

WHEREAS, on October 26, 2010, Resolution No. 10-2750 authorized Supplemental Agreement No. 3 with LopezGarcia Group Inc., a wholly owned subsidiary of URS Corporation for additional engineering design services for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings in the amount of \$60,007, from \$196,460 to \$256,467; and,

April 24, 2013

WHEREAS, on November 19, 2010 Administrative Action No. 11-0454 authorized Supplemental Agreement No. 2 with Newman, Jackson, Bieberstein Landscape Architecture for Ridgewood Park Playground and Site Improvements related to the Rush Creek Relief/Diversion System in the amount of \$3,575.00; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1727 authorized reprogramming of the following two canceled projects from the 2003 Bond Program: Rush Creek Culvert at Fisher (\$284,870) and Rush Creek Culvert at Dalgreen (\$292,754); and,

WHEREAS, on June 22, 2011, Resolution No. 11-1727 authorized a construction contract with S J Louis Construction of Texas, Ltd., Inc. for construction services for the Rush Creek Relief/Diversion System; and

WHEREAS, on February 9, 2012, Administrative Change Order No. 12-0436 authorized Change Order No. 1 to the contract with S J Louis Construction of Texas Ltd., for construction services for the Rush Creek Relief/Diversion System in the amount of \$24,900.00 increasing the contract from \$9,191,615.39 to \$9,216,515.39; and

WHEREAS, it is necessary to authorize Change Order No. 2 to the contract with S J Louis Construction of Texas, Ltd. for the Rush Creek Relief/Diversion System in the amount of \$273,371.89 increasing the contract from \$9,216,515.39 to \$9,489,887.28, and

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 2 to the contract with S J Louis Construction of Texas Ltd. for the construction of Rush Creek Diversion System and Drainage Improvements in an amount not to exceed \$273,371.89 increasing the contract from \$9,216,515.39 to \$9,489,887.28.

Section 2. That the City Manager is hereby authorized to execute the change order No. 2 after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facility Fund
Fund 1T23, Department TWM, Unit T533, Act. SDRS
Object 4540, Program #PB06T533,
Commodity 91200, CT PBW06T533I2
Vendor #356847, in an amount not to exceed \$ 82,105.14

April 24, 2013

Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Act. RELP Object, 4560, Program 710136, REP T20L Commodity 91200 CT DWU710136CP Vendor #356847, in an amount not to exceed	\$110,306.75
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Act. RELP Object 3222, Program 710136X, REP T20L Commodity 91200 Ct DWU710136EN Vendor 356847, in an amount not to exceed	\$ 525.00
Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42, Act. RELP Object 4550, Program 710135, REP W2ZZ Commodity 91200 CT DWU710135CP Vendor 356847, in an amount not to exceed	\$ 78,825.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Act. RELP Object 3222, Program 710136X, REP T2QA Commodity 91200 CT DWU710136EN Vendor 356847, in an amount not to exceed	\$ 1,610.00

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): All
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: N/A

SUBJECT

Authorize an increase in the contract with Magnus Pacific Corporation for additional work associated with the installation of underground slurry cutoff walls, Hampton Pump Station outfall improvements, construction of maintenance roads within the levees for the 100-Year Levee Remediation – cutoff wall improvements – Not to exceed \$510,577, from \$10,048,605 to \$10,559,182 – Financing: 2006 Bond Funds

BACKGROUND

This project was initiated in March 2009 when the United States Army Corps of Engineers (USACE) issued Periodic Inspection Report 9 which rated the Dallas Levee System “unacceptable”, and as a result, the Federal Emergency Management Association (FEMA) began the decertification process of the Dallas Levee System in April 2009 which potentially added more homes to the 100-year levee remediation.

After extensive study by the USACE and our design consultant HNTB, the City developed a plan to bring the Dallas Levee System up to the FEMA standard. As a result, the City authorized construction of the cutoff wall and Hampton Pump Station outfall improvements, and awarded the contract to Magnus Pacific Corporation on March 28, 2012. This change order for the Cutoff Wall Improvements project is necessary for additional work that was not included in the original contract and required to complete construction. It includes additional cutoff wall construction, gabion wall construction for slope stability of the Old Hampton Outfall, modifications to the New Hampton Outfall, additional coring, structural repairs to the headwall of the outfall structure of Pavaho Pump Station, additional demolition, and debris removal. Completion of all work is anticipated in June 2013.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2009
Completed Design	December 2011
Began Construction	May 2012
Complete Construction	June 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Trinity River Committee on Flood Management and Storm Drainage Full-Service Project delivery on May 21, 2007.

Authorized a professional services contract on June 13, 2007, by Resolution No. 07-1833.

Briefed City Council on combined solution for Mill Creek Peaks Branch Storm Drainage Relief System through Phase II on August 6, 2008.

Briefed the City Council on Periodic Inspection Report No. 9 on April 1, 2009.

Briefed the City Council on Periodic Inspection Report 9 Update on June 3, 2009.

Authorized Supplemental Agreement No. 2, on June 10, 2009, by Resolution No.09-1498.

Briefed the Trinity River Corridor Project Committee on Program Management Services Supplemental Agreement No. 3 on December 8, 2009.

Authorized Supplemental Agreement No. 3, on December 9, 2009, by Resolution No. 09-3045.

Briefed the Trinity River Corridor Project Committee on Periodic Inspection Report No. 9 update on April 21, 2010.

Briefed the Trinity River Corridor Project Committee on Periodic Inspection Report No. 9 Update on October 12, 2010.

Briefed the Trinity River Corridor Project Committee on the Dallas Floodway System Update on the 100-Year Levee Remediation on February 8, 2011.

Authorized Supplemental Agreement No. 6, on May 25, 2011, by Resolution No. 11-1385.

Briefed the Trinity River Corridor Project Committee on the Dallas Floodway System Update on the 100-Year Levee Remediation on October 3, 2011.

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

Authorized Supplemental Agreement No. 7, on December 14, 2011, by Resolution No. 11-3286.

Authorized a construction contract with Magnus Pacific Corporation on March 28, 2012, by Resolution No. 12-0993.

Authorized a construction contract with Omega Contracting, Inc. on March 28, 2012, by Resolution No. 12-0945.

Authorized Change Order No. 1 with Omega Contracting, Inc. on June 27, 2012, by Resolution No. 12-1660.

FISCAL INFORMATION

2006 Bond Funds - \$510,576.39

<u>Design Cost</u>	<u>Amount</u>
Supplemental Agreement No. 1	\$ 24,990.00
Supplemental Agreement No. 2	\$25,503,520.00
Supplemental Agreement No. 6	\$ 3,621,052.34
Supplemental Agreement No. 7	<u>\$ 426,890.00</u>
Total Design Cost	\$29,576,452.34
<u>Construction Cost</u>	<u>Amount</u>
Construction - Utility Mitigation & Other Improvements (Original)	\$ 577,223.80
Change Order No.1	\$ 39,926.20
Change Order No.2	\$ 0.00
Construction - Cutoff Wall (Original)	\$ 10,048,605.00
Change Order No.1 (this action)	<u>\$ 510,576.39</u>
Total Project Cost	\$40,752,783.73

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Magnus Pacific Corporation

Hispanic Female	2	Hispanic Male	17
African-American Female	1	African-American Male	4
Other Female	4	Other Male	8
White Female	13	White Male	120

OWNER

Magnus Pacific Corporation

Louay Owaidat, President/Chief Executive Officer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Magnus Pacific Corporation for additional work associated with the installation of underground slurry cutoff walls, Hampton Pump Station outfall improvements, construction of maintenance roads within the levees for the 100-Year Levee Remediation – cutoff wall improvements – Not to exceed \$510,577, from \$10,048,605 to \$10,559,182 – Financing: 2006 Bond Funds

Magnus Pacific Corporation is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$198,551.20	38.89%
Non-local contracts	\$312,025.19	61.11%
TOTAL THIS ACTION	\$510,576.39	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Q. Roberts Trucking Incorporated	BMDB53678Y0513	\$49,645.00	25.00%
Alliance Geotechnical Group, Inc.	BMDB55425Y1113	\$5,244.80	2.64%
EBG Engineering, LLC	WFWB54182N0713	\$1,850.00	0.93%
Total Minority - Local		\$56,739.80	28.58%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Brock Environmental Services, LLC	WFWB52521Y0213	(\$1,702.50)	-0.55%
Total Minority - Non-local		(\$1,702.50)	(0.55%)

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$54,889.80	10.75%	\$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	\$147.50	0.03%	\$0.00	0.00%
Total	<u>\$55,037.30</u>	<u>10.78%</u>	<u>\$0.00</u>	<u>0.00%</u>

April 24, 2013

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized a professional services contract for program management of major flood management and storm drainage projects; and,

WHEREAS, on November 10, 2008, Resolution No. 08-3133, authorized funding allocated for Levee Drainage System Eagle Ford Sump and Levee Drainage System Trinity Portland sump were reprogrammed to fund the work required by the Water Resources Development Act (WRDA) 2007; and,

WHEREAS, on May 12, 2009, Administrative Action No. 09-1265, authorized Supplemental Agreement No. 1 to the contract with HNTB for the program management of major flood management and storm drainage projects included in the 2006 Bond Program, for engineering review, analysis, and design related to specific levee deficiencies, in the amount of \$24,990, increasing the contract from \$8,423,300 to \$8,448,290; and,

WHEREAS, on June 10, 2009, Resolution No. 09-1498 authorized Supplemental Agreement No. 2 to the professional services contract with HNTB Corporation for additional engineering services to provide analysis, modeling, planning and design for the Dallas Floodway System Study in the amount of \$25,503,520, increasing the contract from \$8,448,290 to \$33,951,810; and reprogramming of 2006 Bond Funds in the amount of \$25,503,520 from the Levee Drainage System - Sump A to the Dallas Floodway System Study; and,

WHEREAS, on December 9, 2009, Resolution No. 09-1498 authorized Supplemental Agreement No. 3 to the professional services contract with HNTB Corporation for program management of major flood management and storm drainage projects adding program management services to the following projects: combined Mill Creek/Middle Peaks Branch, Storm Drainage Relief Systems through Phase II; Levee Drainage System - Sump A (Able Pump Station); and 35% design in support of Water Resources Development Act 2007 projects including Trinity-Portland, Charlie and Hampton Pump Stations, rehabilitation of Old Hampton and Delta Pump Stations, and Nobles Branch Sluice Structure Improvements in the amount of \$4,020,900, increasing the contract from \$33,951,810 to \$37,972,710; and,

WHEREAS, on January 24, 2011, Administrative Action No. 11-0498, authorized Supplemental Agreement No. 5 to the contract with HNTB for the program management of major flood management and storm drainage projects included in the 2006 Bond Program, for engineering review, analysis, and design related to specific levee deficiencies, with no increase to the current contract of \$37,972,710; and,

April 24, 2013

WHEREAS, on May 19, 2011, Administrative Action No. 11-1245, authorized Supplemental Agreement No. 4 to the contract with HNTB for the program management of major flood management and storm drainage projects included in the 2006 Bond Program, for engineering review, analysis, and design related to specific levee deficiencies, with no increase in the current contract of \$37,972,710; and,

WHEREAS, on May 25, 2011, Resolution No. 11-1385 authorized Supplemental Agreement No. 6 to the professional services contract with HNTB Corporation for additional engineering services to provide analysis, modeling, planning and design for the Dallas Floodway System Study in the amount of \$3,621,052.34, increasing the contract from \$37,972,710 to \$41,593,762.34; and,

WHEREAS, on December 14, 2011, Resolution No. 11-3286 authorized Supplemental Agreement No. 7 to the professional services contract with HNTB Corporation to assist on the United States Army Corps of Engineers' Risk Assessment process of the Dallas Floodway Feasibility Study in the amount of \$426,890.00, increasing the contract from \$41,593,762.34 to \$42,020,652.34, and,

WHEREAS, on March 28, 2012, Resolution No. 12-0933 authorized a construction contract with Magnus Pacific Corporation the installation of underground slurry cutoff walls, Hampton Pump Station outfall improvements, and maintenance roads within the levees for the 100-Year Levee Remediation– Cutoff Wall Improvements in the amount of \$10,048,605.00, and,

WHEREAS, on March 28, 2012, Resolution No. 12-0945 authorized a construction contract with Omega Contracting, Inc. for the repair of existing levee utility line crossings and existing mechanically stabilized earth (MSE) wall improvements at Rochester Park for 100-Year Levee Remediation — Utility Mitigation and Other Improvements in the amount of \$577,223.80, and

WHEREAS, on June 27, 2012, Resolution No. 12-1660 authorized Change Order No.1 with Omega Contracting, Inc., for the construction repair of an additional levee utility line crossing for the 100-Year Levee Remediation — Utility Mitigation and Other Improvements, in the amount of \$39,926.20, increasing the contract from \$577,223.80 to \$617,150.00; and,

WHEREAS, on December 17, 2012, Administrative Action No. 12-3113, authorized Change Order No.2 with Omega Contracting, Inc., for the additional adjustments needed for an existing 36-inch water line for the 100-Year Levee Remediation — Utility Mitigation and Other Improvements with no increase to the current contract of \$617,150.00; and,

April 24, 2013

WHEREAS, it is now necessary to authorize Change Order No. 1 to the construction contract with Magnus Pacific Corporation for additional work associated with the installation of underground slurry cutoff walls, Hampton Pump Station outfall improvements, and maintenance roads within the levees for the 100-Year Levee Remediation – Cutoff Wall Improvements – in the amount of \$510,576.39, from \$10,048,605.00 to \$10,559,181.39.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 1 to the construction contract with Magnus Pacific Corporation for additional work associated with the installation of underground slurry cutoff walls, Hampton Pump Station outfall improvements, and maintenance roads within the levees for the 100-Year Levee Remediation– Cutoff Wall Improvements and project close-out in the amount of \$510,576.39, from \$10,048,605.00 to \$10,559,181.39, after it has been approved as to form by the City Attorney.

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

Flood Protection and Storm Drainage Facilities Fund
Fund BT23, Dept. TWM, Unit P558, Act. FLDM
Obj. 4540, Program PB98P558, CT PBW98P558G1
Vendor # VS0000069814, in an amount not to exceed \$ 510,576.39

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.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): All
DEPARTMENT: Water Utilities
CMO: Forest E. Turner, 670-3390
MAPSCO: N/A

SUBJECT

Authorize a three-year contract with the North Texas Municipal Water District to: **(1)** purchase Dallas owned untreated water supply; and **(2)** transport North Texas Municipal Water District owned water supply from Lake Fork to Lake Tawakoni from April 24, 2013 through April 23, 2016 – Estimated Annual Revenue: \$9,200,000

BACKGROUND

This item is for authorization to enter into an interim untreated water purchase and water transport contract with the North Texas Municipal Water District (NTMWD).

The NTMWD is a regional wholesale treated water provider to 1.6 million residents in the North Texas service area. The NTMWD has an established water supply and holds water rights for raw water supplies from Lavon Lake, Lake Texoma, Jim Chapman Lake, Lake Bonham, and reuse water along the East Fork of the Trinity River. Additional supplies are available through contracts with the Sabine River Authority (SRA) and the Greater Texoma Utility Authority. However, due to the discovery of zebra mussels in Lake Texoma, the NTMWD has been restricted from utilizing water from this water source.

NTMWD requests the purchase of up to sixty million gallons per day (MGD) of untreated water from Dallas for municipal water supply purposes from Dallas' Lake Tawakoni, Lake Fork and Lake Ray Hubbard water supplies during the period April 24, 2013 thru April 23, 2016. City staff has completed an evaluation of NTMWD's request and have determined the sale of up to 60 MGD will not impact the timing of any of the City's potential drought triggers if the drought of record reoccurs.

BACKGROUND (Continued)

NTMWD will be billed for the untreated water purchased from Dallas at a rate based on Dallas' ordinance rate for regular untreated water service. In addition, Dallas shall assess the NTMWD an annual "Reservation Fee" per 1,000 gallons of untreated water up to 60 MGD required to be reserved by Dallas for the use of and future diversion by NTMWD. NTMWD will notify Dallas on an annual basis of the amount of water requested for the upcoming year. NTMWD shall pay the Reservation Fee regardless of whether any untreated water is diverted or used by NTMWD pursuant to the terms of the contract.

Additionally, NTMWD has a contract with the SRA for the purchase of 17.85 MGD of Lake Fork water. However, neither NTMWD nor SRA have diversion facilities or infrastructure for transporting their water supply from Lake Fork to Lake Tawakoni. Therefore, NTMWD requested for Dallas to transport the water via Dallas' Lake Fork Pump Station and Lake Fork to Lake Tawakoni pipeline. The NTMWD will pay to Dallas a "Water Transport Fee" per 1,000 gallons of untreated water which is based on the Dallas Water Utilities' 2012 Untreated Water Cost Study.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

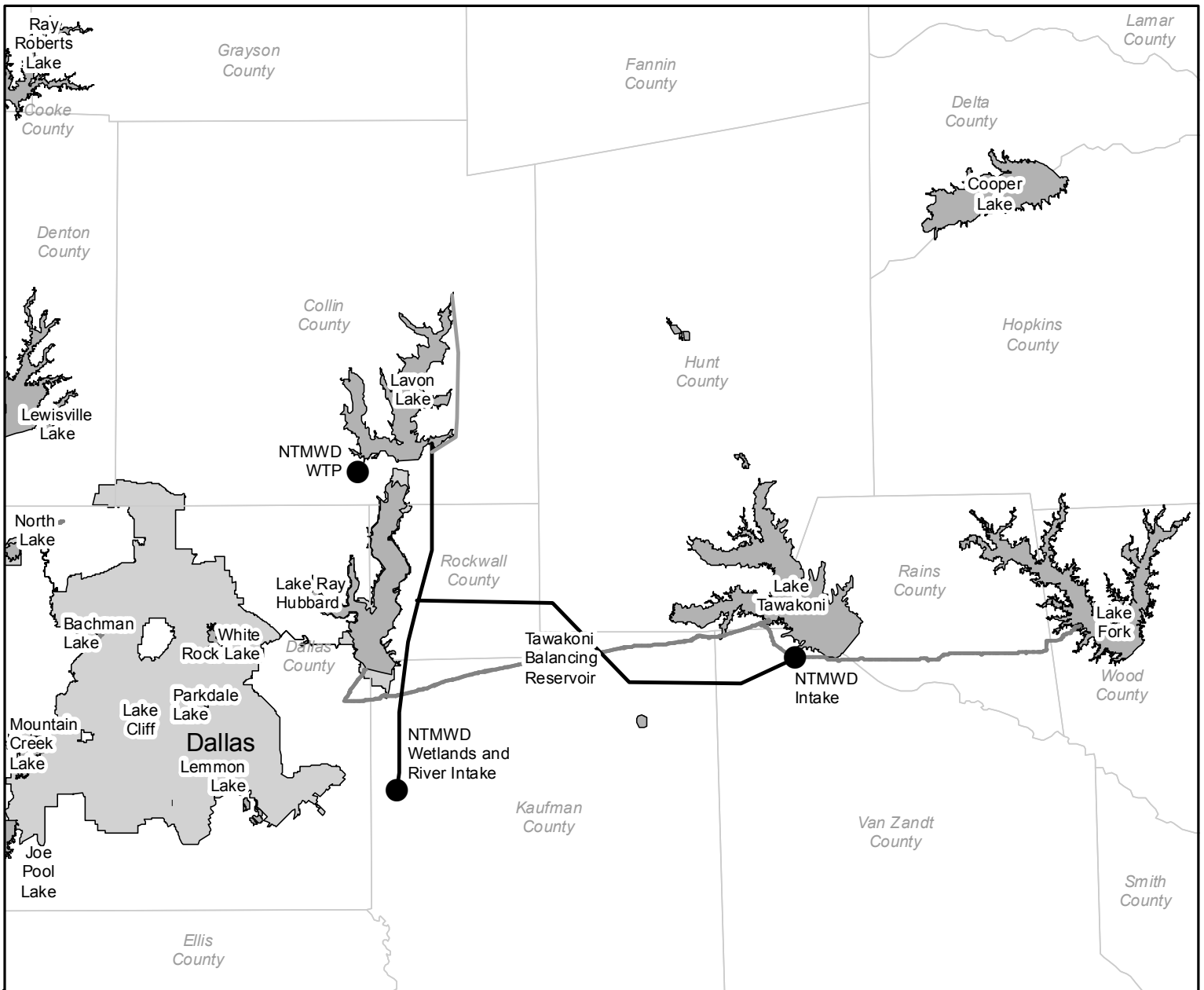
Authorized Interim Untreated Water Supply Contract with the North Texas Municipal Water District on December 8, 2010, by Resolution No. 10-3075.

FISCAL INFORMATION

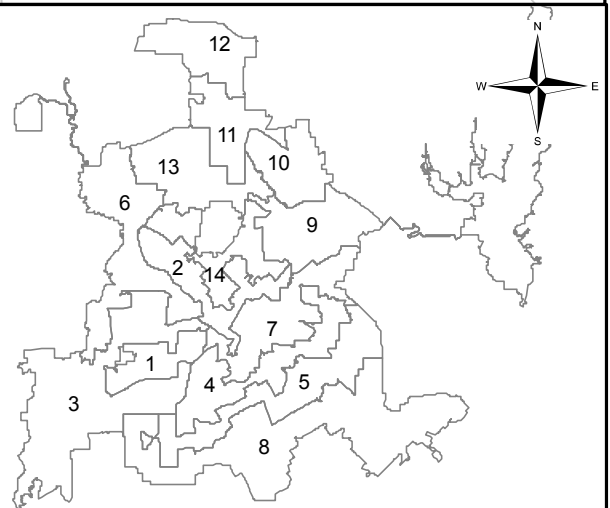
Estimated Annual Revenue: \$9,200,000

MAP

Attached



Location: Outside City of Dallas
 Mapsco: Outside City of Dallas Mapsco grid
 Department: DWU



**Interim Untreated Water Purchase and Water Transport Contract with
 the North Texas Municipal Water District**

April 24, 2013

WHEREAS, the City of Dallas has water rights in Lake Ray Hubbard and the right to use water in Lake Fork and Lake Tawakoni for municipal use purposes; and,

WHEREAS, the City of Dallas has the Lake Fork Pump Station and Pipeline diversion facilities to transfer water from Lake Fork to Lake Tawakoni; and,

WHEREAS, the North Texas Municipal Water District requests to purchase up to 60 million gallons per day of untreated water from the City of Dallas for municipal water supply purposes; and,

WHEREAS, the North Texas Municipal Water District requests for Dallas to transport up to 17.85 MGD of its Lake Fork water to Lake Tawakoni for diversion by NTMWD at its diversion facilities at Lake Tawakoni; and,

WHEREAS, the term of the new three-year Contract will be April 24, 2013 through April 23, 2016; and,

WHEREAS, approval of the new contract would be in the best interest of the City of Dallas as well as the North Texas Municipal Water District; **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 three-year contract with the North Texas Municipal Water District to (1) purchase Dallas owned untreated water supply and (2) transport North Texas Municipal Water District owned water supply from Lake Fork to Lake Tawakoni from April 24, 2013 through April 23, 2016 in the estimated annual revenue amount of \$9,200,000 after approval of the contract documents by the City Attorney.

SECTION 2. That the City Controller is hereby authorized and directed to deposit receipts for services provided under this contract to the Water Utilities Current Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>FUNC</u>	<u>RESOURCE REVENUE CODE</u>
0100	DWU	7005	7REV	7836

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities
Public Works Department
Street Services

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

MAPSCO: All

SUBJECT

Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city - NPL Construction Co., only bidder - Not to exceed \$31,505,044 - Financing: Water Utilities Capital Construction Funds (\$17,279,298), Current Funds (\$10,116,846) (subject to annual appropriations) and General Obligation Commercial Paper Funds (\$4,108,900)

BACKGROUND

This project provides for pavement and surface repairs to streets, alleys, sidewalks, medians, parkways, parking lots, and other areas resulting from water and wastewater main repairs at various locations throughout the city. This project also includes paving replacements and reconstruction of asphalt streets in support of the Street Services Department.

The Public Works Department will utilize this service contract to provide paving services to their various sidewalk replacement programs and other miscellaneous sidewalk and barrier-free ramp projects to residents and businesses in Dallas.

NPL Construction Co. contractual activities in the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>
Projects Authorized	0	0	0
Change Orders	0	1	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Begin Construction May 2013
Complete Construction May 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$17,279,297.50 - Water Utilities Capital Construction Funds
\$10,116,845.68 - Water Utilities Current Funds (subject to annual appropriations)
\$ 4,108,900.00 - 2006 Bond Program (General Obligation Commercial Paper Funds)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

NPL Construction Co.

Hispanic Female	1	Hispanic Male	92
Black Female	0	Black Male	15
Other Female	0	Other Male	1
White Female	2	White Male	41

BID INFORMATION

The following was the only bid with quotes that was received and opened on February 21, 2013:

*Denotes successful bidder

<u>Bidder</u>	<u>Bid Amount</u>
*NPL Construction Co. 2820 Market Street Garland, Texas 75041	\$31,505,043.18

Auditor's Note: The City Auditor's Office has reviewed this procurement and has determined that the bid was conducted according to Administrative Directive 4-5 for processing this single bid item and that reasonable efforts were made to increase bid participation. The City Auditor's Office has also determined that this procurement meets the requirements for a single bid.

OWNER

NPL Construction Co.

Jim Kane, President and Chief Executive Officer

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city - NPL Construction Co., only bidder - Not to exceed \$31,505,044 - Financing: Water Utilities Capital Construction Funds (\$17,279,298), Current Funds (\$10,116,846) (subject to annual appropriations) and General Obligation Commercial Paper Funds (\$4,108,900)

NPL Construction Co. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$26,779,286.70	85.00%
Total non-local contracts	\$4,725,756.48	15.00%
TOTAL CONTRACT	\$31,505,043.18	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

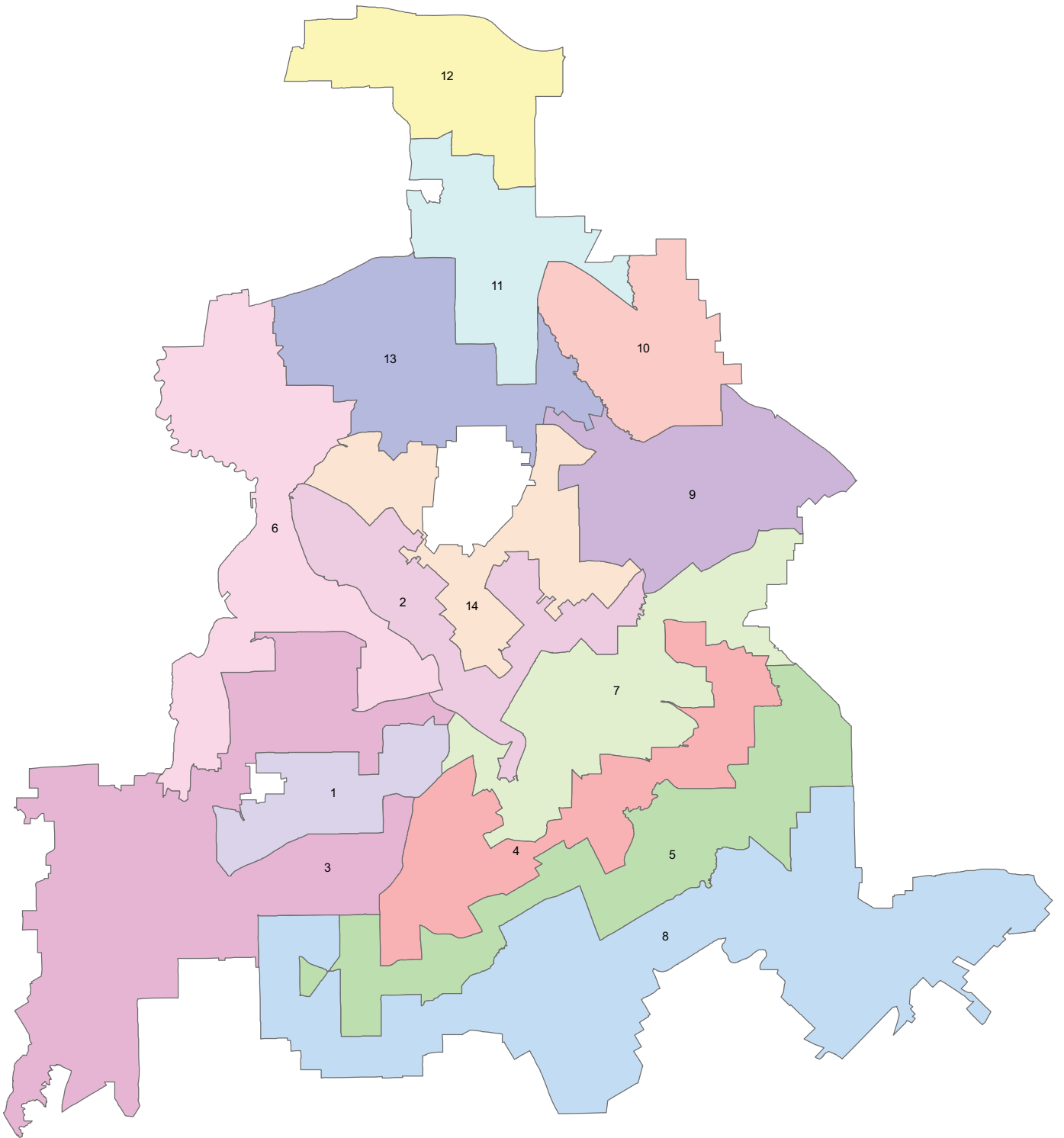
<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Rodriguez Concrete Construction	HMMB53312N0413	\$3,150,504.32	11.76%
Total Minority - Local		\$3,150,504.32	11.76%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Shea Services, Inc.	WFDB53934Y0613	\$3,150,504.32	66.67%
Ram Tool & Supply Company, Inc.	WFWB52857N0313	\$1,575,252.16	33.33%
Total Minority - Non-local		\$4,725,756.48	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$3,150,504.32	11.76%	\$3,150,504.32	10.00%
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%	\$4,725,756.48	15.00%
Total	\$3,150,504.32	11.76%	\$7,876,260.80	25.00%



Pavement Repairs on City of Dallas
Infrastructures at Various Locations
Contract No. 7

April 24, 2013

WHEREAS, on February 21, 2013, only one bid was received for pavement repairs at various locations throughout the city, Contract No. 7; and,

WHEREAS, the bid submitted by NPL Construction Co., 2820 Market Street, Garland, Texas 75041, is the single bid received in the amount of \$31,505,043.18; and,

WHEREAS, the City Auditor's Office has reviewed this procurement and has determined that the bid was conducted according to Administrative Directive 4-5 for processing this single bid item and that reasonable efforts were made to increase bid participation. The City Auditor's Office has also determined that this procurement meets the requirements for a single bid.

Now, Therefore,

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

Section 1. That the bid submitted by NPL Construction Co., in the amount of \$31,505,043.18, for doing the work covered by the plans, specifications, and contract documents, Contract No. 7, be accepted.

Section 2. That the City Manager is hereby authorized to execute a thirty-six-month service contract with NPL Construction Co. for pavement repairs at various locations throughout the city, in an amount not to exceed \$31,505,043.18, 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 NPL Construction Co. shall be based only on the amount of the services directed to be performed by the City and properly performed by NPL Construction Co. under the contract.

Section 3. That the City Controller is hereby authorized to disburse funds in an amount not to exceed \$31,505,043.18 from the Water Construction Fund, Wastewater Construction Fund, Street Services General Fund and General Obligation Commercial Paper as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>VENDOR</u>
0102	DWU	CW50	REEQ	3221	7WPAVING	W3CV	335435

NPL Construction Co. - \$11,838,995.80

April 24, 2013

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>VENDOR</u>
0103	DWU	CS50	REEQ	3222	7TPAVING	T2QH	335435

NPL Construction Co. - \$5,190,301.70

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>VENDOR</u>
0102	DWU	CW42	REEQ	3221	7WPAVING	W3CY	335435

NPL Construction Co. - \$235,000.00

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>VENDOR</u>
0103	DWU	CS42	REEQ	3222	7TPAVING	T2QJ	335435

NPL Construction Co. - \$15,000.00

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0001	STS	3431	3072	STS-3431PAVING7	335435

NPL Construction Co. - \$3,000,000.00 (subject to annual appropriations)

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0001	STS	3432	3072	STS-3432PAVING7	335435

NPL Construction Co. - \$7,116,845.68 (subject to annual appropriations)

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>VENDOR</u>
1T22	PBW	Various	4530	335435

NPL Construction Co. - \$4,108,900.00

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 7
DEPARTMENT: Water Utilities
CMO: Forest E. Turner, 670-3390
MAPSCO: 57 B

SUBJECT

Authorize Supplemental Agreement No. 1 to the design-build contract with CH2M HILL Engineers, Inc. for the replacement of the Sunbeam Junction Structure located within the City of Dallas wastewater collection system - Not to exceed \$3,507,083, from \$273,673 to \$3,780,756 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

As authorized by the City Council on August 10, 2011, this item will utilize the design-build delivery method to design and construct the replacement of the Sunbeam Junction Structure. This project was planned to be awarded in two phases: one for the design services and one for the construction of the structure. On June 27, 2012, the City Council approved the funding for the design services for this project. This item is the second award and consists of the remaining design and construction services defined by the Guaranteed Maximum Price provided by the Design-Builder.

The Sunbeam Junction Structure receives approximately 60 million gallons of wastewater per day through a 60-inch wastewater main from the Upper White Rock sewer shed and through a 78-inch wastewater main from the Lower White Rock sewer shed. The Sunbeam Junction Structure is a critical part of the collection system because it must be able to reliably divert wastewater flows between the two wastewater treatment plants owned by the City of Dallas Water Utilities Department. Flow diversion is a strategy used by our operations personnel to minimize the risk of system overflows within the wastewater collection system. Additionally, flow diversion is utilized to facilitate activities related to construction, maintenance, or process downtimes at the wastewater treatment plants.

BACKGROUND (Continued)

The Sunbeam Junction Structure system was built in the early 1980s and has exceeded its service life. Due to the harsh environment, corrosion has eroded the concrete walls to the point where the aggregate is exposed. Further deterioration could lead to structural failure and possible permit violations.

This Supplemental Agreement consists of the construction, engineering, and permitting services during construction required for the Sunbeam Junction Structure improvements. These improvements will provide the new structure, slide gates, corrosion control measures, piping, access road, electrical improvements, instrumentation controls, flow meters, programming, and training.

ESTIMATED SCHEDULE OF PROJECT

Began Design	August 2012
Complete Design	April 2013
Begin Construction	May 2013
Complete Construction	April 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the use of the design-build delivery method pursuant to Texas Local Government Code, Section 271.185(d) for improvements necessary at the Sunbeam Junction Structure located in the City of Dallas wastewater collection system on August 10, 2011, by Resolution No. 11-2020.

Authorized a design-build contract with CH2M HILL Engineers, Inc. for the renewal of the Sunbeam Junction Structure located within the City of Dallas wastewater collection system on June 27, 2012, by Resolution No. 12-1667.

FISCAL INFORMATION

\$3,507,083.00 - Water Utilities Capital Improvement Funds

Design-Build Contract	\$ 273,673.00
Supplemental Agreement No. 1 (this action)	<u>\$3,507,083.00</u>
Total Project Cost	\$3,780,756.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

CH2M HILL Engineers, Inc.

Hispanic Female	3	Hispanic Male	4
Black Female	4	Black Male	2
Other Female	3	Other Male	4
White Female	37	White Male	88

OWNER

CH2M HILL Engineers, Inc.

Gregory Welch, Vice President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the design-build contract with CH2M HILL Engineers, Inc. for the replacement of the Sunbeam Junction Structure located within the City of Dallas wastewater collection system - Not to exceed \$3,507,083, from \$273,673 to \$3,780,756 - Financing: Water Utilities Capital Improvement Funds

CH2M HILL Engineers, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants and sub-contractors.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$1,308,160.00	37.30%
Non-local contracts	\$2,198,923.00	62.70%
TOTAL THIS ACTION	\$3,507,083.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
North Texas Trucking, Inc.	HMDB56914Y0314	\$147,421.00	11.27%
Bluebonnet Waste Control, Inc.	HMMB54855N0913	\$4,000.00	0.31%
ARS Engineers, Inc.	IMDB53188Y0413	\$8,748.80	0.67%
Gupta & Associates, Inc.	PMMB53601Y0513	\$28,146.00	2.15%
METCO Engineering, Inc.	WFDB50427Y0913	\$235,400.00	17.99%
Magnum Manhole & Underground Company	WFDB56863Y0314	\$59,509.00	4.55%
Lindamood Demolition, Inc.	WFDB50648Y0913	\$33,200.00	2.54%
Walker Consultants Inc.	WFDB53766Y0613	\$21,160.00	1.62%
Total Minority - Local		\$537,584.80	41.09%

Non-Local Contractors / Sub-Contractors

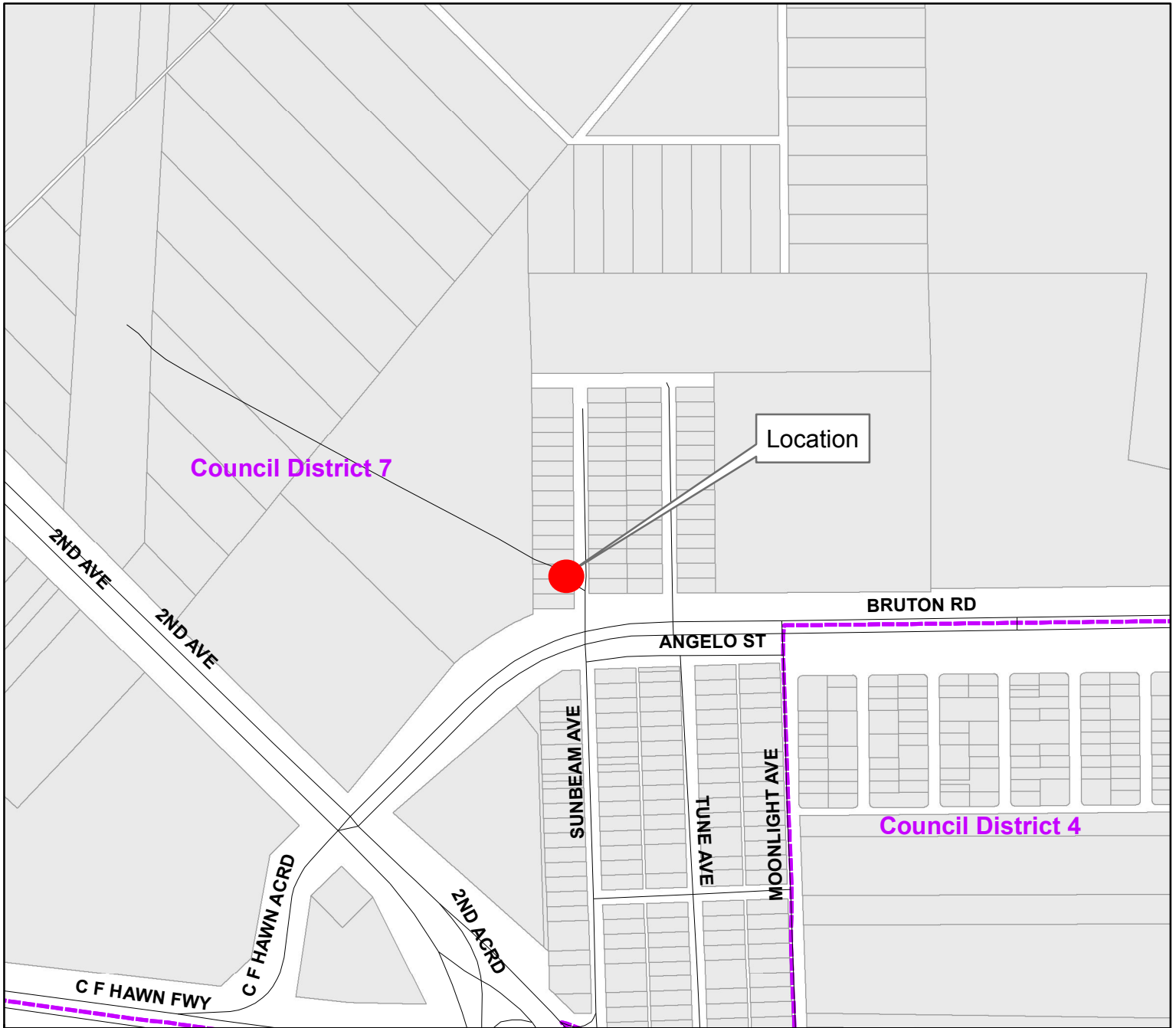
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
AZ Rebar Construction, Inc.	HMDB12309N0413	\$84,156.00	3.83%
LKT & Associates, LLC	WFDB55111Y1013	\$199,891.00	9.09%
R.E. Campbell Company, Ltd.	WFWB25049N0713	\$63,717.00	2.90%
MMG Building Svcs & Construction Svcs, LLC	WFWB53549N0513	\$2,555.00	0.12%
Total Minority - Non-local		\$350,319.00	15.93%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

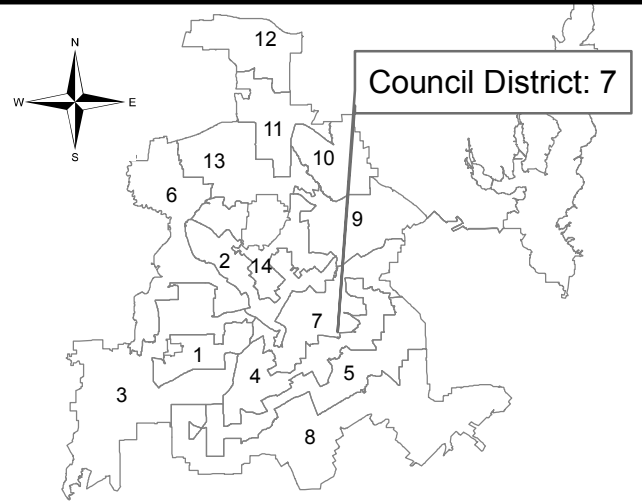
Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$235,577.00	6.72%	\$235,577.00	6.23%
Asian American	\$36,894.80	1.05%	\$98,207.80	2.60%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$615,432.00	17.55%	\$636,406.20	16.83%
Total	<u>\$887,903.80</u>	<u>25.32%</u>	<u>\$970,191.00</u>	<u>25.66%</u>



Mapsc0: 57 B



Water Utilities Department
 Contract No. 11-046E, Supplemental Agreement No. 1
 Sunbeam Junction Structure Improvements

April 24, 2013

WHEREAS, on August 10, 2011, the City Council authorized the use of the design-build delivery method pursuant to Texas Local Government Code, Section 271.185(d) for improvements necessary at the Sunbeam Junction Structure located in the City of Dallas wastewater collection system, by Resolution No. 11-2020; and,

WHEREAS, on June 27, 2012, the City Council awarded Contract No. 11-046E in the amount of \$273,673.00, by Resolution No. 12-1667, to CH2M HILL Engineers, Inc., 12750 Merit Drive, Suite 1100, Dallas, Texas 75251, for the renewal of the Sunbeam Junction Structure located within the City of Dallas wastewater collection system; and,

WHEREAS, additional engineering services and construction activities are required for the replacement of the Sunbeam Junction Structure located within the City of Dallas wastewater collection system; and,

WHEREAS, CH2M HILL Engineers, Inc. has submitted an acceptable proposal to provide these engineering and construction services; and,

WHEREAS, the Water Utilities Department recommends that Contract No. 11-046E be increased by \$3,507,083.00, from \$273,673.00 to \$3,780,756.00.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement No. 1 be accepted and that Contract No. 11-046E with CH2M HILL Engineers, Inc., be revised accordingly.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to pay the amount of \$3,507,083.00 from the Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2116	DWU	PS30	WWTP	4560	711046	T2PX	CTDWU711046CP	VS0000065954

CH2M HILL Engineers, Inc. - (Contract No. 11-046E) - \$3,507,083.00

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
Public Works Department
CMO: Ryan S. Evans, 670-3314
Jill A. Jordan, P.E., 670-5299
MAPSCO: 46J

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Advance Brake and Clutch Services, of approximately 3,725 square feet of land improved with a commercial building located near the intersection of Exposition Avenue and Main Street for the CBD-Fair Park Link Project - Not to exceed \$253,833 (\$248,833, plus closing costs and title expenses not to exceed \$5,000) - Financing: 2003 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 3,725 square feet of land located near the intersection of Exposition Avenue and Main Street from Advance Brake and Clutch Services. This property will be used for future extension of the CBD-Fair Park Link thoroughfare. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2003 Bond Funds - \$253,833 (\$248,833, plus closing costs and title expenses not to exceed \$5,000)

OWNERS

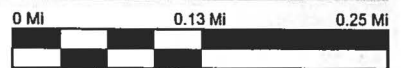
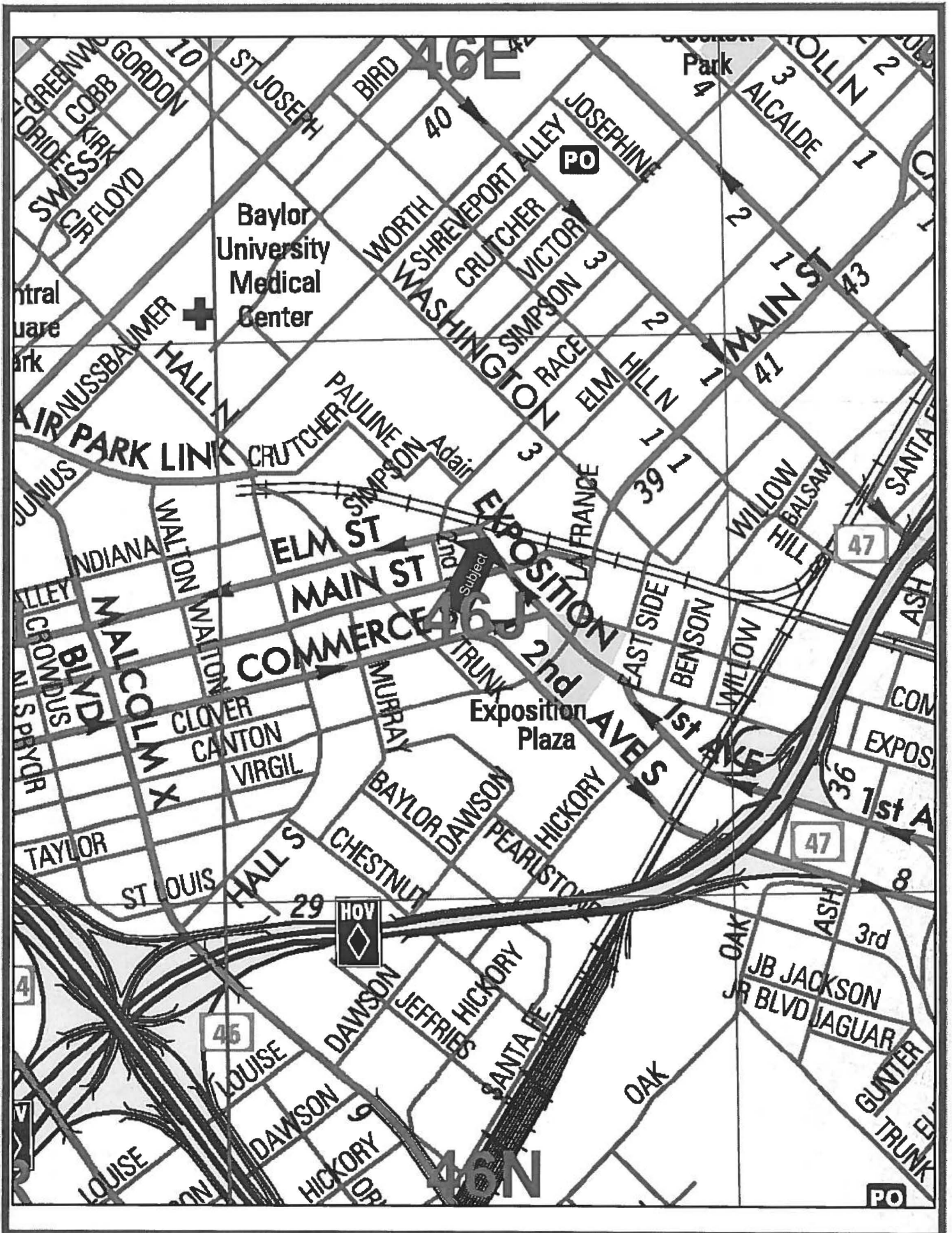
Advance Brake and Clutch Services

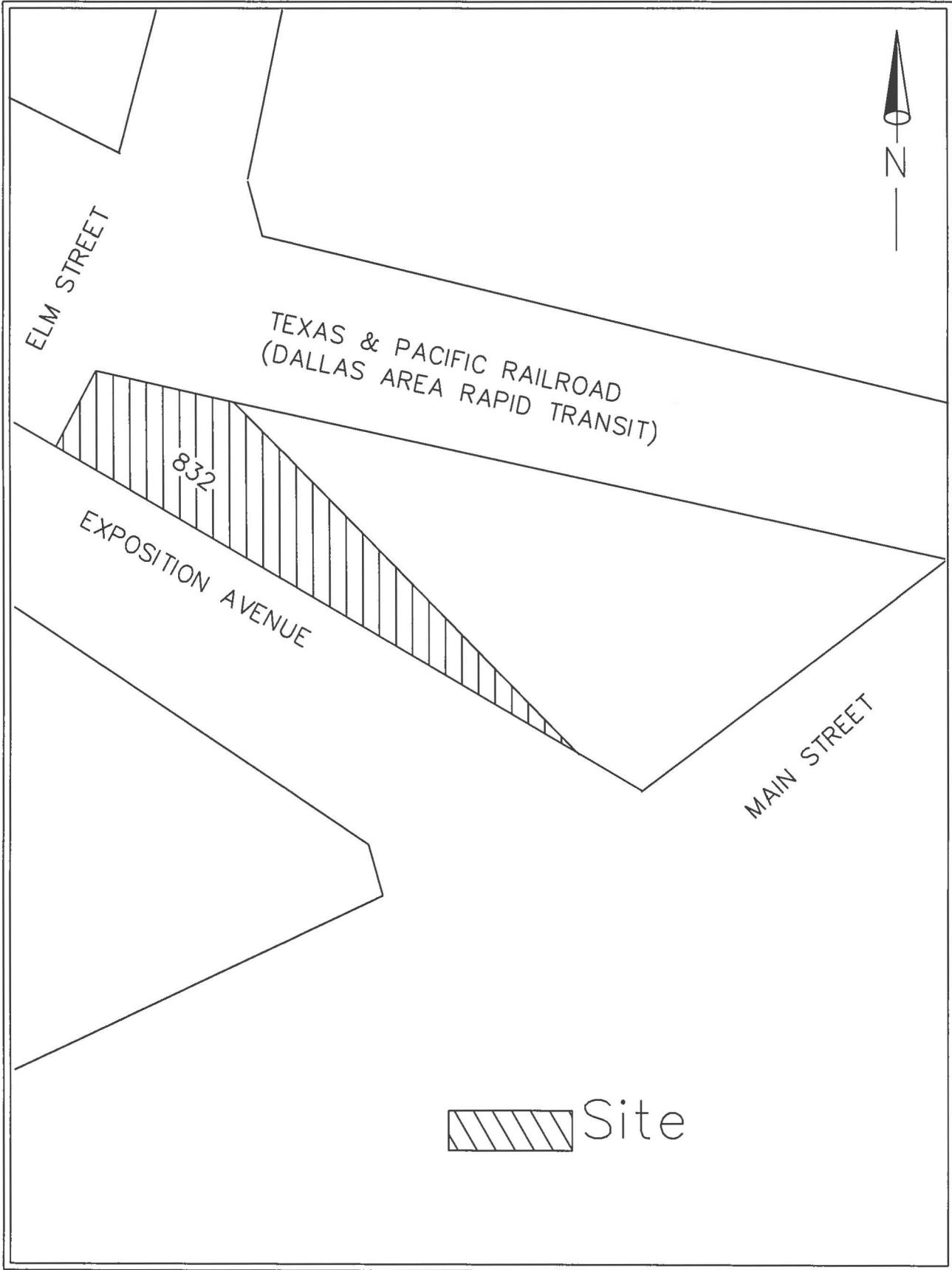
Raymond Brown, Owner

Marilyn Brown, Owner

MAPS

Attached





April 24, 2013

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 3,725 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": CBD-Fair Park Link Project

"USE": Future extension of the CBD-Fair Park Link thoroughfare

"PROPERTY INTEREST": Fee Simple

"OWNER": Advance Brake and Clutch Services, 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": \$248,833

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$5,000

"AUTHORIZED AMOUNT": \$253,833 (\$248,833, plus closing costs and title expenses not to exceed \$5,000)

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of 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.

April 24, 2013

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of 2003 Bond Funds, Fund No. 5R22, Department PBW, Unit R157, Activity INGV, Program No. PB03R157, Object 4210, Encumbrance No. CT-SUSR157LK04. 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 any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

April 24, 2013

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY 
Assistant City Attorney

EXHIBIT 1

**Field Notes Describing a 3,725 Square Foot (0.086 Acre)
Tract of Land To Be Acquired in City Block 832
From Advance Brake and Clutch Service Company**

Being a 3,725 Square Foot (0.086 Acre) Tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, City of Dallas, Texas, and lying in Block 832, Official City of Dallas Block Numbers, being part of Lots 13, 14 and 15, of the "Gaston Homestead Unrecorded Addition", an addition to the City of Dallas, recorded in Book 2, Page 222 ½ of the Map Records of Dallas County, Texas, and being a part of the property conveyed to Advance Break and Clutch Service Company by deed dated July 2, 1990 and recorded in Volume 90132, Page 855 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at an "X" cut in concrete pavement at the intersection of the Northeast Right-of-Way line of Exposition Avenue (a variable width Right-of-Way) with the Southeast Right-of-Way line of Elm Street (a variable width Right-of-Way), same being the most Westerly Northwest corner of the herein described tract of land:

THENCE North 75°29'54" East, departing the last said Northeast line of Exposition Avenue and with the said Southeast line of Elm Street, a distance of 24.92 feet to a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" (hereinafter referred to as a "5/8" I.R. w/COD Cap") set at the intersection with the Southwest line of the Texas and Pacific Railroad (80 feet in width; current ownership is in the Dallas Area Rapid Transit authority (DART)):

THENCE South 73°27'39" East, departing the last said Southeast line of Elm Street and with the Southwest line of said DART property, a distance of 23.85 feet to a 5/8" I.R. w/COD Cap set at the most Easterly Northeast corner of the herein described tract of land:

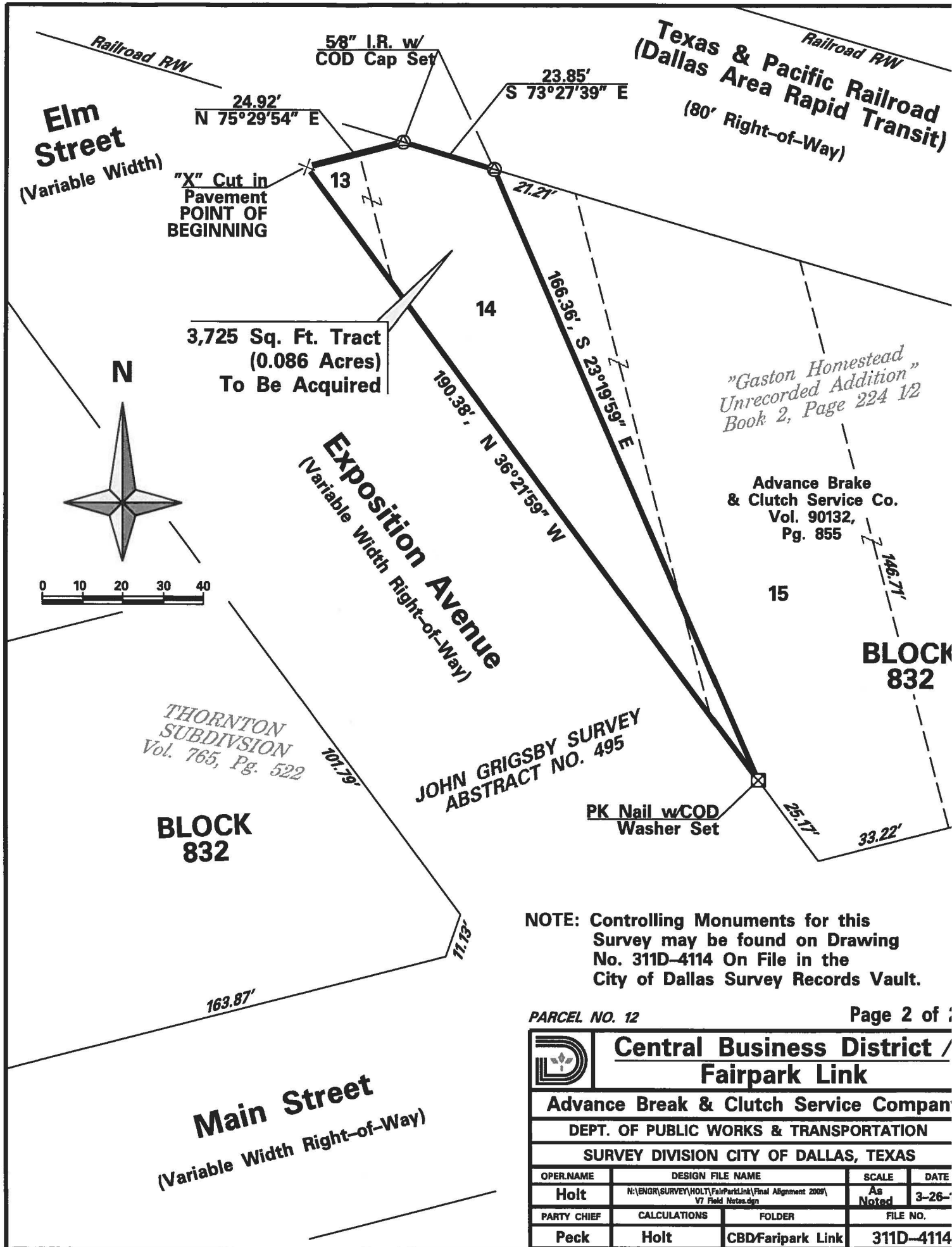
THENCE South 23°19'59" East, departing the Southwest line of said DART property, over and across a portion of said Lots 14 and 15, a distance of 166.36 feet to a PK Nail with washer marked "CITY OF DALLAS" set at the intersection with the above said Northeast line of Exposition Avenue, at the most Southerly corner of the herein described tract of land:

THENCE North 36°21'59" West with the said Northeast line of Exposition Avenue a distance of 190.38 feet to the **POINT OF BEGINNING**, containing 3,725 Square Feet, or 0.086 Acre of land.

BASIS OF BEARINGS: Bearings are based on the Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983.

Scott Holt
3/30/12





NOTE: Controlling Monuments for this Survey may be found on Drawing No. 311D-4114 On File in the City of Dallas Survey Records Vault.

PARCEL NO. 12 Page 2 of :

Central Business District / Fairpark Link			
Advance Break & Clutch Service Company			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
Holt	N:\ENGR\SURVEY\HOLT\FairParkLink\Final Alignment 2009\ V7 Field Notes.dgn	As Noted	3-26-
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
Peck	Holt	CBD/Fairpark Link	311D-4114

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 8

DEPARTMENT: Sustainable Development and Construction
Water Utilities

CMO: Ryan S. Evans, 670-3314
Forest E. Turner, 670-3390

MAPSCO: 76K

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lucille Joy Frank, Trustee of the David A. Frank Testamentary Trust, Katherine F. Gayle and Susan Gayle Needham, Co-Trustees of the Katherine F. Gayle Living Trust, Carolyn Parker Schum, Trustee of the Schum Living Trust and Sandra Parker Adams, of a tract of land containing approximately 19,714 square feet located near the intersection of Bonnie View and Telephone Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$16,000 (\$13,800, plus closing costs and title expenses not to exceed \$2,200) – Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This item authorizes the acquisition of a tract of land containing approximately 19,714 square feet, located in Dallas County for the Southwest Water Transmission Pipeline Project. This property will be used for the construction of a 96-inch and 120-inch diameter treated water transmission line from the Eastside Water Treatment Plant to Southwest Dallas. The consideration is based on an independent appraisal.

This acquisition is part of the Long Range Water Master Plan and the Water Distribution Master Plan. The water transmission main is required to facilitate conveyance of treated water to the South and Southwest portions of Dallas and its customer cities. Installation of approximately 32 miles of 96-inch and 120-inch water transmission pipeline is needed to meet near-term critical demands associated with the population growth as determined through master planning efforts. The overall pipeline is sized to meet future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on February 23, 2011, by Resolution No. 11-0555.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$16,000 (\$13,800, plus closing costs and title expenses not to exceed \$2,200)

OWNERS

Lucille Joy Frank, Trustee

Katherine F. Gayle, Co-Trustee

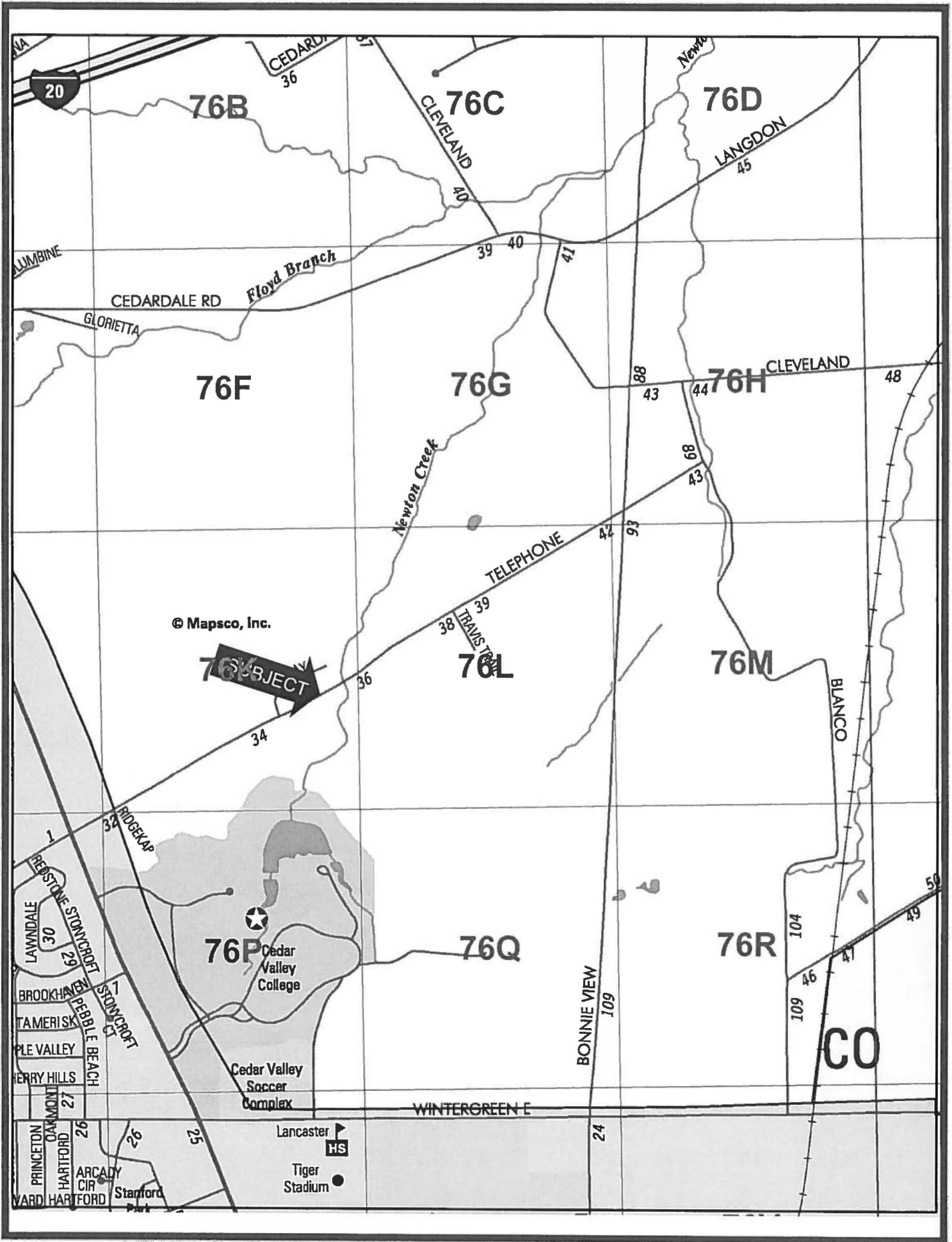
Susan Gayle Needham, Co-Trustee

Carolyn Parker Schum, Trustee

Sandra Parker Adams

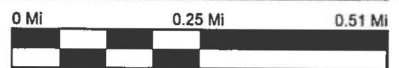
MAPS

Attached



© Mapsco, Inc.

76K SUBJECT



DALLAS
LANCASTER

342

CITY
CITY

TELEPHONE
ROAD

LIMIT
LIMIT

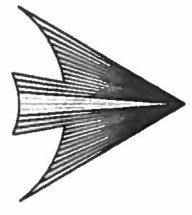
PARCEL W-105
RIGHT-OF-WAY ACQUISITION FOR WATER
19,714 SQ. FT. PARCEL

Cedar Valley
College

Newton

Ray Road

Creek



NORTH
NOT TO SCALE

April 24, 2013

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 19,714 square feet of land located in Dallas County and being the same property more particularly described on the "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Southwest 120/96-inch Water Transmission Pipeline Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": Lucille Joy Frank, Trustee of David A. Frank Testamentary Trust, Katherine F. Gayle and Susan Gayle Needham, Co-Trustees of the Katherine F. Gayle Living Trust, Carolyn Parker Schum, Trustee of the Schum Living Trust and Sandra Parker Adams, 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": \$13,800

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,200

"AUTHORIZED AMOUNT": \$16,000 (\$13,800, plus closing costs and title expenses not to exceed \$2,200)

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

April 24, 2013

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of Sustainable Development and Construction, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES payable out of Water Utilities Capital Improvement Funds, Fund No. 2115, Department DWU, Unit PW40, Activity MPSA, Program No. 706035, Object 4210, Encumbrance No. CT-DWU706035CPF. The OFFER AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That owner has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

April 24, 2013

SECTION 10. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

BY 
Assistant City Attorney

RIGHT-OF-WAY ACQUISITION FOR WATER

19,714 SQ. FT. PARCEL

JAMES H. HOLLOWAY SURVEY, ABSTRACT NO. 659

CITY BLOCK 8326

CITY OF DALLAS, DALLAS COUNTY, TEXAS

DESCRIPTION

BEING a 19,714 square foot tract of land situated in the James H. Holloway Survey, Abstract No. 659, being in Block 8326 of the City of Dallas, Dallas County, Texas, and being a portion of the remainder of a called 7.35 acre tract of land conveyed to Lucille Joy Frank, Trustee of the David A. Frank Testamentary Trust created under the Will of David A. Frank, Katherine F. Gayle and Susan Gayle Needham, Co-Trustees, or their successors in trust, under the Katherine F. Gayle Living Trust dated January 24, 1994, Carolyn W. Schum, Trustee of the Schum Living Trust, dated August 8, 2007 and Sandra Parker Adams by virtue of the following instruments: that certain Warranty Deed as recorded in Volume 4440, Page 345 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), that certain Warranty Deed as recorded in Volume 4440, Page 347, D.R.D.C.T., that certain Warranty Deed as recorded in Volume 70156, Page 1967, D.R.D.C.T., that certain Warranty Deed as recorded in Volume 76206, Page 2020, D.R.D.C.T., that certain Warranty Deed as recorded in Volume 84192, Page 2776, D.R.D.C.T., that certain Special Warranty Deed as recorded in Volume 89202, Page 1442, D.R.D.C.T., that certain Warranty Deed as recorded in Volume 99194, Page 70, D.R.D.C.T., that certain General Warranty Deed as recorded in Instrument No. 20070309716 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), Cause No. 69-02039-2, as recorded in the Minutes of Probate Court No. 2, Dallas County, Texas, Cause No. 86-03833-1, as recorded in the Minutes of the Probate Court, Dallas County, Texas, and Cause No. 29379-4, as recorded in the Minutes of Probate Court No. 4, Nueces County, Texas and further recorded in Volume 88159, Page 524, D.R.D.C.T., said 19,714 square foot tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "DCA" found for the northwest corner of the remainder of the aforementioned 7.35 acre tract, said corner being in the southerly right-of-way line of Telephone Road (variable width right-of-way);

THENCE N 63°13'05" E, with said southerly right-of-way line of Telephone Road, 295.49 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner at the beginning of a curve to the left, said curve having a central angle of 04°16'00", a radius of 2905.30 feet, a tangent length of 108.23 feet and a chord which bears N 61°05'05" E, 216.30 feet;

11/4/10
Dob

Dallas Water Utilities
Southwest Water Transmission Pipeline

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00

AECOM

AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

NOVEMBER 23, 2009

7059-EX105.dwg

W-105

RIGHT-OF-WAY ACQUISITION FOR WATER

19,714 SQ. FT. PARCEL

JAMES H. HOLLOWAY SURVEY, ABSTRACT NO. 659

CITY BLOCK 8326

CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE, with said curve to the left and continuing with said southerly right-of-way line of Telephone Road, an arc distance of 216.35 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 58°57'05" E, continuing with said southerly right-of-way line of Telephone Road, 120.16 feet to a railroad spike with punchmark set for corner in the easterly line of said 7.35 acre tract, said easterly line being the center of Newton Creek and also being the westerly line of the remainder of a called 15 acre tract of land as described in that certain Warranty Deed to Thomas Lane Allen and Dianne McBride Allen, husband and wife, as recorded in Volume 2003134, Page B484, D.R.D.C.T.;

THENCE S 19°47'56" E (deed-S 22° E), departing said southerly right-of-way line of Telephone Road and with the easterly line of said 7.35 acre tract and said center of Newton Creek, 51.22 feet to a railroad spike with punchmark set for corner;

THENCE S 58°54'23" W, departing the easterly line of said 7.35 acre tract, said center of Newton Creek and said westerly line of said 15 acre tract, 286.68 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 76°03'12" W, 68.23 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 63°14'41" W, 286.88 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the westerly line of said 7.35 acre tract, said westerly line also being the easterly line of the remainder of a called 7.35 acre tract as described in that certain Warranty Deed to Don Anyanwu and Joel Okere, as recorded in Instrument No. 200600352805, O.P.R.D.C.T.;

THENCE N 30°55'55" W (deed-N 29°30' W), with the westerly line of said 7.35 acre tract and the easterly line of said Anyanwu and Okere tract, 10.78 feet to the POINT OF BEGINNING and containing 0.4526 acres or 19,714 square feet of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.

John L. Melton, R.P.L.S. No. 4268
Registered Professional Land Surveyor



1/4/11
JLM

Dallas Water Utilities
Southwest Water Transmission Pipeline

NDM
NATHAN D. MAIER
CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-358
TBPLS FIRM REG. NO. 100189-00

Two Northpark / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / (214) 739-4741

AECOM

AECOM USA GROUP, INC.
17300 DALLAS PARKWAY, SUITE 1010
DALLAS, TEXAS 75248-1157
WWW.AECOM.COM
TBPE REG. NO. F-3082

NOVEMBER 23, 2009

7059-EX105.dwg

EXHIBIT "A"
PAGE 3 OF 4 W-105
RIGHT-OF-WAY ACQUISITION FOR WATER
19,714 SQ. FT. PARCEL
JAMES H. HOLLOWAY SURVEY, ABSTRACT NO. 659
CITY BLOCK 8326
CITY OF DALLAS, DALLAS COUNTY, TEXAS

NOTES:

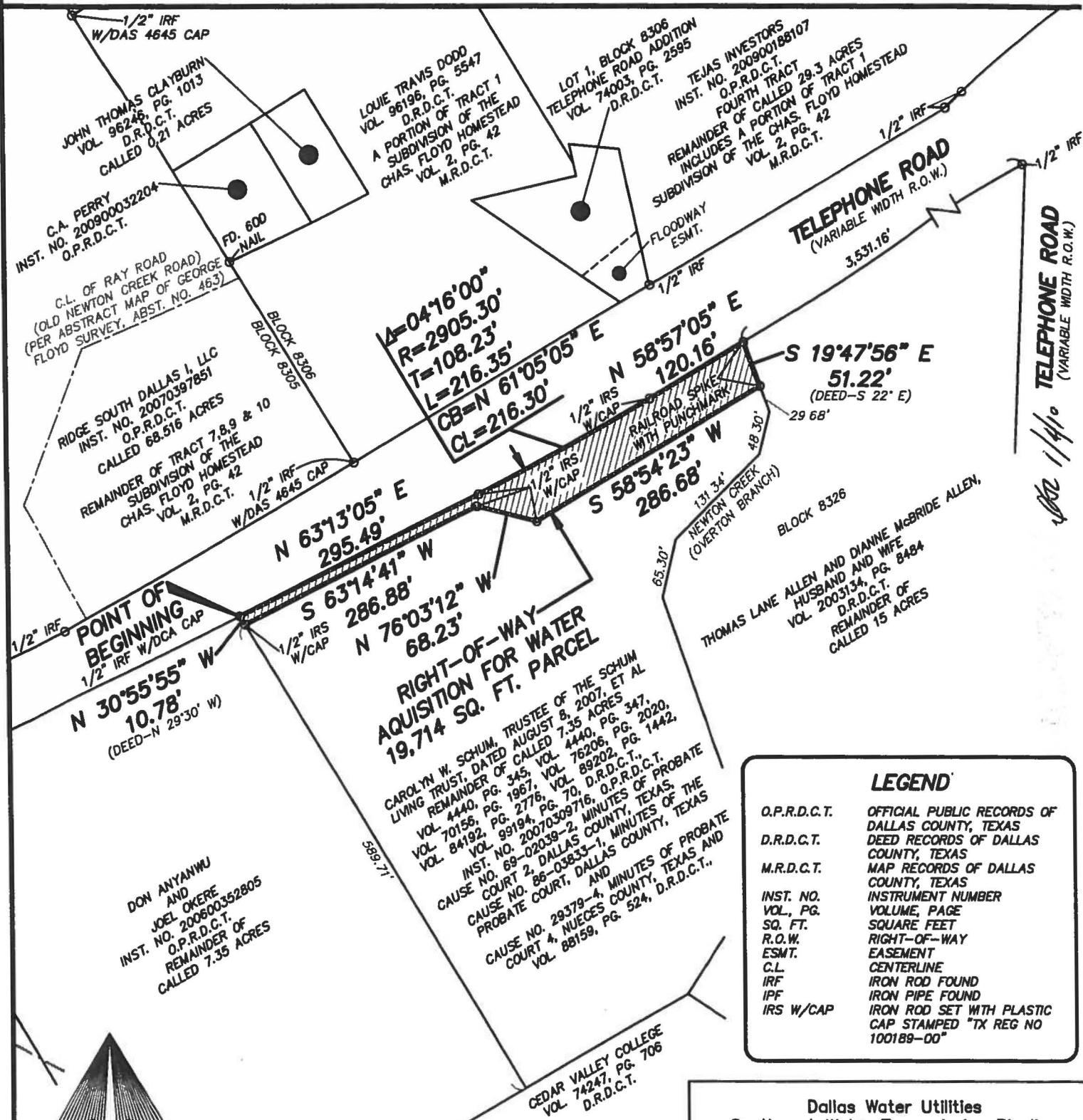
Bearings for this survey are based on the Western Data Systems Texas Cooperative Network (www.txrtk.com) and are referenced to NAD83 State Plane Coordinate System, Texas North Central Zone 4202. Stations DPKC, DTNA and DUNP were utilized as base stations during GPS data collection sessions and serve as controlling monuments.

The easement and right-of-way granted to Texas Power & Light Company as recorded in Volume 2540, Page 111 of the Deed Records of Dallas County, Texas affects the subject property but is not described well enough to determine its exact location.

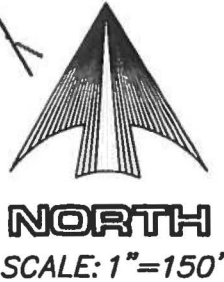
11/16/10
DTR

NDM NATHAN D. MAIER CONSULTING ENGINEERS, INC. TBPE FIRM REG. NO. F-358 TBPLS FIRM REG. NO. 100189-00 <small>Two Northpark / 8080 Park Lane / Suite 600 Dallas, Texas 75251 / (214) 739-4741</small>		Dallas Water Utilities Southwest Water Transmission Pipeline	
		AECOM AECOM USA GROUP, INC. 17300 DALLAS PARKWAY, SUITE 1010 DALLAS, TEXAS 75248-1157 WWW.AECOM.COM TBPE REG. NO. F-3082	NOVEMBER 23, 2009

EXHIBIT "A"
PAGE 4 OF 4 **W-105**
RIGHT-OF-WAY ACQUISITION FOR WATER
19,714 SQ. FT. PARCEL
JAMES H. HOLLOWAY SURVEY, ABSTRACT NO. 659
CITY BLOCK 8326
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND	
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
C.L.	CENTERLINE
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"



Dallas Water Utilities
 Southwest Water Transmission Pipeline

NDM
 NATHAN D. MAIER
 CONSULTING ENGINEERS, INC.
 TBPE FIRM REG. NO. F-356
 TBPLS FIRM REG. NO. 100189-00

AECOM

AECOM USA GROUP, INC.
 17300 DALLAS PARKWAY, SUITE 1010
 DALLAS, TEXAS 75248-1157
 WWW.AECOM.COM
 TBPE REG. NO. F-3082

Two Northpark / 8080 Park Lane / Suite 600
 Dallas, Texas 75231 / (214) 739-4741

NOVEMBER 23, 2009

7059-EX105.dwg

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 6
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 670-3314
MAPSCO: 11A B, C, D, F, G, H, K, L, M, P, Q & R

SUBJECT

Authorize **(1)** a development and operating agreement with the Cypress Waters Municipal Management District (“CWMMMD”) to promote development and redevelopment in the CWMMMD pursuant to Special District Local Laws Code Chapter 3874 (the “Act”), to ensure the City maintains exclusive rule making authority over the mineral estates in the CWMMMD, and to authorize a land substitution in accordance with Texas Water Code Section 54.739; **(2)** approval of the CWMMMD Economic Development Grant Program (“Grant Program”) pursuant to Section 3874.107(b) of the Act to be adopted by the CWMMMD Board of Directors on April 30, 2013, and approval of a grant agreement between the CWMMMD and Luminant Mineral Development Company, LLC, and Luminant Generation Company, LLC, along with their successors and assigns (collectively, “Luminant”) under such program to be funded by the CWMMMD; and **(3)** certain amendments to Resolution No. 09-0458, previously approved on February 11, 2009, to replace the draft legislation in Exhibit A with the final version of the Act that created and governs the CWMMMD and to allow for a City approval process in compliance with state law in the event there are any discrepancies between the conditions for the City’s consent to the creation of the CWMMMD per Resolution No. 09-0458 and the Act – Financing: No cost consideration to the City

BACKGROUND

These items represent the next steps in the establishment and operation of the Cypress Waters Municipal Management District (CWMMMD), which was created to support the Cypress Waters TIF District, near LBJ Freeway (I-635) and Belt Line Road and within City boundaries. In 2011, Billingsley Development Corporation began to develop 948 acres around the 362-acre North Lake, and the first phase of the multifamily portion of the development is due to be completed in 2014.

The next phase of Cypress Waters requires that the water level of the adjacent North Lake be lowered to increase the buildable area of the development.

BACKGROUND (Continued)

The City of Coppell owns the lake's spillway and has agreed to lower the spillway (thus lowering the lake level). Luminant owns property next to the lake's spillway and has agreed to grant the City of Coppell the rights it needs to do this, provided that (since Luminant will not benefit from the MMD) the MMD take some actions to protect Luminant from any MMD-related expenses.

Luminant has requested three actions from the Cypress Waters MMD board, all of which require Council approval:

- (1) a land substitution to include in the MMD three parcels Luminant is trading to Billingsley and to remove from the MMD one parcel Luminant is receiving from an entity related to Billingsley. In addition to Council approval, this action requires a now-pending minor amendment to state legislation that governs the district.
- (2) a grant agreement to repay Luminant (from future MMD revenues, if any) expenses it incurs from being in the MMD, in case the state legislation allowing the land substitution is not approved this session.
- (3) assurance that the City retains exclusive rule making authority over any mineral rights in the MMD. That is, Luminant would be required to follow City regulations regarding any drilling or extraction inside the MMD boundary.

These actions require a development and operating agreement between the City and the Cypress Waters MMD. This item proposes a partial development and operating agreement that only provides for these necessary actions. Any other potential Cypress Waters MMD activity requiring City approval, including building public improvements, levying taxes, etc., would require an amendment to the development and operating agreement and future Council action.

The development and operating agreement (1) gives the City exclusive rule making authority over any mineral estates in the CWMMMD; (2) authorizes the land substitution; and (3) authorizes the economic development grant.

The final portion of the item amends Resolution No. 09-0458 (which consented to the creation of the CWMMMD) by replacing the draft legislation in Exhibit A with the final state enabling legislation. Revision of Section 4 of the consent resolution to provides for an approval process in the event there are any discrepancies between state law and Resolution 09-0458.

The CWMMMD was created by a special act of state legislature codified as Special District Local Laws Code, Chapter 3874 on June 19, 2009, to promote development and redevelopment in the CWMMMD.

BACKGROUND (Continued)

The final build out of Cypress Waters includes 10,000 residential units, 4 million square feet of commercial space, and an estimated 150,000 square feet of pedestrian-oriented retail space.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 11, 2009, City Council declared its support of and consent to the establishment of the CWMMD by Resolution No. 09-0458.

On June 19, 2009, the CWMMD was created by the special act of legislature codified as Special District Laws Code, Chapter 3874 (the "Act") to promote development and redevelopment in the CWMMD.

On April 12, 2013, after notice as required by Section 3874.005(d) of the Act, the CWMMD accepted the substitution applications and called a public hearing for April 30, 2013, to consider the substitutions.

On April 30, 2013, after notice as required by Section 3874.005(d) and Section 3874.107(b) of the Act, the CWMMD considered: (1) the substitution of land; (2) the adoption of the CWMMD Economic Development Program to promote within the CWMMD: (a) development and diversification of the economy; (b) elimination of unemployment and underemployment; and (c) development and expansion of commerce; and (3) the economic development grant with Luminant. The 30-day notice required by Section 3874.107(b) of the Act for adoption of economic development programs was received on March 28, 2013.

FISCAL INFORMATION

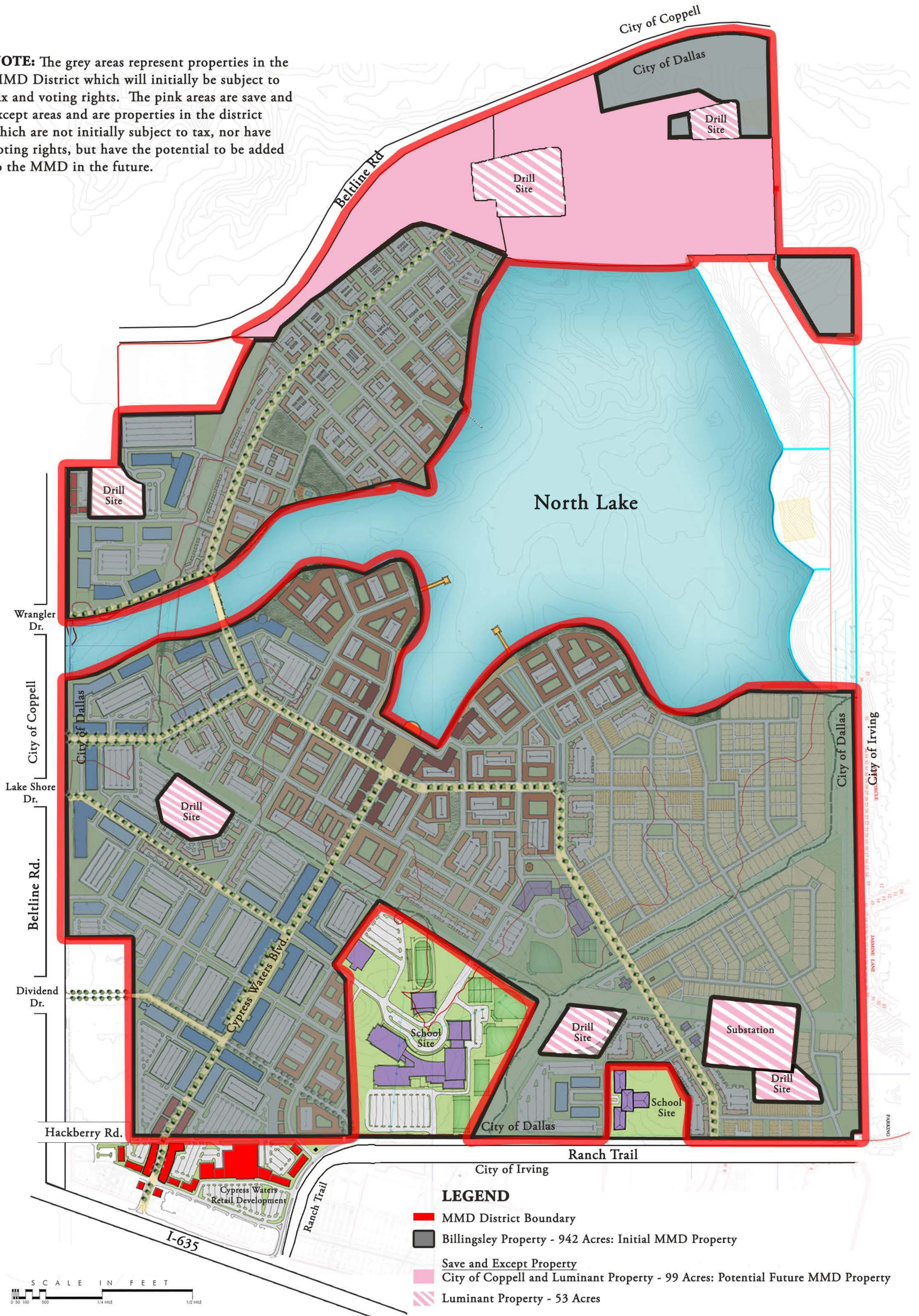
No cost consideration to the City

MAP

Attached.

CYPRESS WATERS MMD AND TIF AREA MAP

NOTE: The grey areas represent properties in the MMD District which will initially be subject to tax and voting rights. The pink areas are save and except areas and are properties in the district which are not initially subject to tax, nor have voting rights, but have the potential to be added to the MMD in the future.



April 24, 2013

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

WHEREAS, on February 11, 2009, City Council declared its support of and consent to the establishment of the Cypress Waters Municipal Management District (the "CWMMD") by Resolution No. 09-0458; and

WHEREAS, Exhibit A to the City's consenting resolution for the creation of the CWMMD contained the proposed draft legislation for the creation and governance of the CWMMD; and

WHEREAS, on June 19, 2009, the CWMMD was created by the special act of legislature codified as Special District Local Laws Code, Chapter 3874 (the "Act") to promote development and redevelopment in the CWMMD; and

WHEREAS, Section 3874.160(a)(1) of the Act further provides that before the CWMMD may exercise the powers under the Act, including the organization, development, and operation of the CWMMD, it and the City must execute a development and operating agreement, attached here as **Exhibit A**; and

WHEREAS, Section 3874.107 of the Act provides that the CWMMD has the economic development powers that Chapter 380, Local Government Code, provides to a municipality with a population of more than 100,000, but that the CWMMD may not adopt an economic development program unless: (a) the CWMMD gives the City 30-days written notice before the date the CWMMD adopts such an economic development program; and (b) the governing body of the City has first approved the program by ordinance, order, or resolution; and

WHEREAS, on April 12, 2013, after notice as required by Section 3874.005(d) of the Act, the CWMMD accepted the substitution applications and called a public hearing for April 30, 2013, to consider the substitutions; and

WHEREAS, pursuant to Section 3874.107(b) of the Act, the CWMMD notified the City on March 28, 2013, that the CWMMD Board of Directors plans to meet on April 30, 2013, in the board room at 1722 Routh Street, Suite 1313, Dallas, Texas 75201, to consider the adoption of the CWMMD Economic Development Program attached hereto as **Exhibit B** to promote within the CWMMD: (1) development and diversification of the economy; (2) elimination of unemployment and underemployment; and (3) development and expansion of commerce; and

April 24, 2013

WHEREAS, on April 30, 2013, after notice as required by Section 3874.005(d) and Section 3874.107(b) of the Act, the CWMMMD considered: (1) the substitution of land; (2) the adoption of the CWMMMD Economic Development Program to promote within the CWMMMD: (a) development and diversification of the economy; (b) elimination of unemployment and underemployment; and (c) development and expansion of commerce; and (3) the economic development grant with Luminant; and

WHEREAS, the CWMMMD Board of Directors wishes to adopt the CWMMMD Economic Development Program at its board meeting on April 30, 2013, and to approve qualified projects to participate in such program as authorized by the Act which ultimately can be funded by the CWMMMD; and

WHEREAS, the operating and development agreement shall also provide that the CWMMMD Board of Directors may adopt the Cypress Waters Municipal Management District Economic Development Grant Program and proceed with making a grant to Luminant according to the agreement attached as **Exhibit C** under such program, which ultimately can be funded by the CWMMMD; and

WHEREAS, the operating and development agreement shall further clarify the City's exclusive rule making authority over mineral estates; and

WHEREAS, Texas Water Code Section 54.739 authorizes land substitutions to include certain parcels previously excluded from the CWMMMD and exclude certain parcels previously included, attached here as **Exhibit D**; and

WHEREAS, the City Manager wishes to update Exhibit A to the City's consenting resolution so that the official record for the CWMMMD contains the final version of the Act and to amend Section 4 of the consent resolution to provide for an approval process for any discrepancies between Resolution No. 09-0458 and the Act.

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 development and operating agreement attached hereto as **Exhibit A** between the CWMMMD and the City of Dallas in accordance with the requirements of the Act.

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

April 24, 2013

Section 3. That the development and operating agreement shall provide that the City has exclusive rule making authority over the mineral estate and the use of the surface estate in support of the mineral estate, including, but not limited to, the production of minerals or the use of the surface estate related to such production and that CWMMMD may not adopt a rule pursuant to Section 3874.104 of the Act that would directly or indirectly affect the use of the mineral estate or the use of the surface estate in support of the mineral estate, including, but not limited to the production of minerals or the use of the surface estate related to such production.

Section 4. That once the development and operating agreement is executed, CWMMMD may, without further City consent, substitute land in accordance with Texas Water Code Section 54.739 as shown on **Exhibit D**, CWMMMD Land Substitution.

Section 5. That the CWMMMD is authorized to proceed with adopting the Cypress Waters Municipal Management District Economic Development Grant Program (“Grant Program”) attached hereto as **Exhibit B** and incorporated herein by reference and contemplated by Section 3874.107 of the Act and proceed with making grants under such program to qualified projects which grants must each individually be approved by the governing body of the City by ordinance, order, or resolution.

Section 6. That the CWMMMD is authorized to execute a grant agreement attached hereto as **Exhibit C** between the CWMMMD and Luminant pursuant to the Grant Program to provide for an economic development grant which grant will be capped at the revenues raised by the CWMMMD, if any.

Section 7. That nothing contained in this resolution shall be construed to authorize the CWMMMD to levy assessments, including assessments in support of the Grant Program, and that any assessments shall require separate City Council actions.

Section 8. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds and that any specific request to create a special financing district or for individual funding requests shall require separate City Council actions.

Section 9. That Resolution No. 09-0458 is amended to replace the draft legislation that comprised Exhibit A with the Act, as amended.

Section 10. That Section 4 of Resolution No. 09-0458 is further amended to provide for an approval process in compliance with state law in the event of any discrepancies between the conditions for the City’s consent to creation of the CWMMMD per Resolution No. 09-0458 and state law:

April 24, 2013

Section 10. (Continued)

“Section 4. That should legislation not be enacted in the current legislative session to create the District, or should such legislation not contain the minimum requirements outlined, or should the Act ever grant to the District any powers that may be exercised beyond the limitations provided in Section 3 above, the support of the City Council as stated in this resolution shall terminate unless the City Council consents to the exercise of such powers as provided under Section 3874.253 of the Act.”

Section 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A

DEVELOPMENT AND OPERATING AGREEMENT
BY AND BETWEEN
CYPRESS WATERS MUNICIPAL MANAGEMENT DISTRICT
AND
THE CITY OF DALLAS

THIS DEVELOPMENT AND OPERATING AGREEMENT (“Agreement”) is entered into by and between the City of Dallas, a Texas municipal corporation located in Dallas County (“City”), and the Cypress Waters Municipal Management District, a conservation and reclamation district (“District”) effective the Effective Date.

RECITALS:

WHEREAS, the District was created by special act of the legislature codified as V.T.C.A. Special District. Local Laws Code, Section 3874 (the “Act”); and

WHEREAS, owners of taxable real property representing more than sixty five percent (65%) of the appraised value of taxable real property in the District, record owners of taxable real property who constitute more than sixty five percent (65%) of all record owners of taxable real property in the District, and record owners of taxable real property constituting more than sixty five percent (65%) of the area of all taxable real property in the District, through that one certain Petition for Maintenance Tax and Bond Election dated March 1, 2010, petitioned the District for a District election to put to a vote the levy of a maintenance and operation tax and authority to issue bonds to fund all improvement projects and services allowable under the Act; as required under City of Dallas Resolution Number 09-0458, approved by the City Council of the City on February 11, 2009; and

WHEREAS, in such District election held November 2, 2010, the voters of the District approved the ballot measures; and

WHEREAS, the Board of Directors of the District has been appointed and organized in accordance with the Act; and

WHEREAS, Section 3874.160 of the Act provides that before the District may undertake an Improvement project (as defined in the Act), issue bonds, impose taxes, levy assessments or fees, or borrow money, it and the City must execute a development and operating agreement; and

WHEREAS, Section 3874.160(a)(1) of the Act provides that before the District may exercise the powers under the Act, including the organization, development, and operation of the District, it and the City must execute a development and operating agreement; and

WHEREAS, the District is desirous of adopting an economic development program and approving qualified projects to participate in such program as authorized by the Act; and

WHEREAS, the City is desirous of the District proceeding with such economic development program and approving such projects; and

WHEREAS, the District is desirous of clarifying its rule making authority over mineral estates; and

WHEREAS, the City is desirous of the District acknowledging that the City has exclusive rule making authority over mineral estates; and

WHEREAS, the parties wish to enter into this Agreement so that the District may adopt an economic development program and proceed with making grants to qualified applicants under such program which ultimately can be funded by the District; and

WHEREAS, the parties wish to enter into this Agreement to clarify each party's rule making authority over mineral estates.

NOW, THEREFORE, in consideration of the foregoing Recitals and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and District hereby agree as follows:

1. GRANT PROGRAM AND GRANT PROJECT APPROVAL. The District is authorized to proceed with adopting the economic development grant program attached hereto as Exhibit A and incorporated herein by reference and contemplated by Section 3874.107 of the Act and proceed with making grants under such program to qualified projects which grants must be approved by the governing body of the City by ordinance, order, or resolution. The parties acknowledge that the 30-day notice requirement of Section 3874.107(b) of the Act has been satisfied. The parties further acknowledge that the grant program and grant project approval are limited to the revenue generated by the District and that

nothing contained in this Agreement shall be construed to authorize the CWMMD to levy assessments or taxes, including assessments or taxes in support of the grant program, and that any assessments or taxes shall require future City Council actions.

2. LIMITATION ON RULE MAKING AUTHORITY. The District may not adopt a rule pursuant to Section 3874.104 of the Act that would directly or indirectly affect the use of the mineral estate or the use of the surface estate in support of the mineral estate, including, but not limited to the production of minerals or the use of the surface estate related to such production. As between the parties, the City has exclusive rule making authority over the mineral estate and the use of the surface estate in support of the mineral estate, including, but not limited to, the production of minerals or the use of the surface estate related to such production.

3. LAND SUBSTITUTION. In accordance with Texas Water Code Section 54.739, the District may substitute land as described on the substitution applications attached hereto as **Exhibit B**.

4. LEVY OF ASSESSMENTS AND TAXES. The District shall not be authorized to levy any assessments or taxes unless or until specifically authorized by resolution of the City Council of the City.

5. IMPROVEMENT PROJECTS. The District shall not be authorized to proceed with Improvement Projects contemplated by Section 3874.102 of the Act, nor shall the District be authorized to issue any bonds, notes or other evidences of indebtedness to fund its operating costs or Improvement projects, unless specifically authorized by future resolution of the City Council of the City and an amendment to this Agreement.

6. NOTICES. Any notice sent under this Agreement (except as otherwise expressly required) shall be written and mailed, or sent by electronic or facsimile transmission confirmed by mailing written confirmation at substantially the same time as such electronic or facsimile transmission, or personally delivered to an officer of the receiving party at the following addresses:

Director, Office of Economic Development
City of Dallas
City Hall, Room 5CS
1500 Marilla Street
Dallas, Texas 75201

With a copy to: City Attorney's Office
City Hall, Room 7DN
1500 Marilla Street
Dallas, Texas 75201
Attn: Barbara Martínez
Assistant City Attorney

Cypress Waters Municipal Management District

Kelly Hart & Hallman LLP
201 Main Street, Suite 2500
Fort Worth, Texas

Each party may change its address by written notice in accordance with this Section. Any communication addressed and mailed in accordance with this Section shall be deemed to be given when so mailed, any notice so sent by electronic or facsimile transmission shall be deemed to be given when receipt of such transmission is acknowledged, and any communication so delivered in person shall be deemed to be given when received for, or actually received by, the City Manager of the City, or the District, as the case may be.

7. AMENDMENTS; ENTIRE AGREEMENT.

A. Amendments. This Agreement may be modified or amended only by written agreement of the parties, to be attached to and made a part of this Agreement.

B. Entire Agreement. This Agreement embodies the entire agreement of both parties, superseding all oral or written previous and contemporary agreements between the parties relating to matters set forth in this Agreement.

8. ADDITIONAL ACTIONS. The parties agree to take such actions consistent with the Act, including the execution and delivery of such documents, instruments, petitions and certifications as may be necessary or appropriate, from time to time, to carry out the terms, provisions and intent of this Agreement and to aid and assist each other in carrying out said terms, provisions and intent.

9. CAPTIONS. The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

10. LEGAL CONSTRUCTION. In the case that any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

11. GOVERNING LAW. This Agreement is made subject to the provisions of the Charter and ordinances of City, as amended, and all applicable State and federal laws. This Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Texas, without regard to conflict of law or choice of law principles of Texas or of any other state.

12. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument. If this Agreement is executed in counterparts, then it shall become fully executed only as of the execution of the last such counterpart called for by the terms of this Agreement to be executed.

13. INDEMNITY. To the maximum extent allowed by law the District agrees to defend, indemnify and hold City, its officers, agents, and employees harmless against any and all claims, lawsuits, judgments, costs, and expenses for personal 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 District's breach of any of the terms or provisions of this Agreement, or by any negligent or strictly liable act or omission of District or the "District Agents" (defined to mean the District's officers, agents, associates, employees, affiliates, contractors, or subcontractors, including specifically any owner of property or developer of property within the boundaries of the District who is acting on behalf of the District as contemplated by Section 1 of this Agreement), in the performance of this Agreement; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of City, its officers, agents, employees, or separate contractors, and in the event of joint and concurrent negligence/breach of both District (either acting independently or through a District Agent) and City, responsibility and indemnity, if any, shall be apportioned in accordance with the law of the State of Texas, without waiving any governmental immunity available to City or District under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties to this Agreement and are not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

14. ENTIRE AGREEMENT. THIS WRITTEN AGREEMENT REPRESENTS THE FINAL AGREEMENT BETWEEN THE PARTIES AND MAY NOT BE CONTRADICTED BY EVIDENCE OF PRIOR, CONTEMPORANEOUS, OR SUBSEQUENT ORAL AGREEMENTS OF THE PARTIES. THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES.

15. EFFECTIVE DATE. This Agreement shall be effective as of the last date this Agreement is approved by the Board of Directors of the District and City Council of the City.

[Signature pages follow]

Approved by Resolution of the Board of Directors and Executed as of the _____ day of _____, 2013.

ATTEST:

Cypress Waters Municipal Management District

By: _____

Name: _____

Its: _____

By: _____

Name: _____

Its: _____

EXECUTED and effective as of the _____ day of _____, 2013, by City, signing by and through its City Manager, duly authorized to execute same by Resolution No. _____, approved by the City Council on April 24, 2013.

APPROVED AS TO FORM:

CITY OF DALLAS

THOMAS P. PERKINS, JR.
City Attorney

MARY K. SUHM,
City Manager

By: _____

By: _____

Assistant City Attorney

Assistant City Manager

Exhibit B

Cypress Waters Municipal Management District (CWMMMD) Grant Program

CWMMMD wishes to establish the Cypress Waters Municipal Management District Grant Program pursuant to Special District Local Laws Code, Chapter 3874 (the “Grant Program”).

Program Purpose

The purpose of the Grant Program is to promote within the CWMMMD: (1) development and diversification of the economy; (2) elimination of unemployment and underemployment; and (3) development and expansion of commerce. The CWMMMD will achieve these objectives by providing economic incentives to select owners and tenants, as described herein. Specific actions allowed under this program include providing grants to:

1. Offset financial costs of financing large scale utilities and other public improvements (by a private entity);
2. Offset the direct financial costs of mineral owners complying with CWMMMD rules and regulations;
3. Offset the direct financial costs of mineral owners providing and maintaining landscaping within or adjacent to CWMMMD; and
4. Offset CWMMMD taxes, assessment and fees imposed on owners that are not consuming utility resources or amenities provided by CWMMMD.

Use of Funds

Each project that will receive public funds under an economic development program must be approved by the City by ordinance, order, or resolution prior to the project receiving funds.

Upon City Council approval, the Board of Directors of the CWMMMD makes the final determination of all grant award amounts and awardees. Nothing contained herein shall obligate the CWMMMD Board to provide grant awards as this Grant Program does not constitute an entitlement.

Payment of Funds

No grant funds will be distributed until all conditions of the grant agreement have been fulfilled.

Eligible Types of Businesses

- Owners and tenants within the CWMMMD.
- For-profit, sales-tax paying businesses.
- The applicant may own the real estate in which a business is located. Alternatively, an applicant must have a fully executed lease for a term of at least five years.

Ineligible Types of Businesses

- Non-profit agencies and entities.

Exhibit B

- Schools.
- Day care centers.
- Currency exchanges including check cashing agencies.
- Non-bank financial retail outlets.
- Liquor stores.
- Convenience stores.
- Gun shops.
- Pawn shops.
- Sexually oriented businesses.
- Bars.

CWMMD may decide on a case-by-case basis to exclude other business activities that do not benefit the health, safety, and welfare of the community or that do not meet the objectives of this Grant Program.

Eligibility Criteria

The applicant's eligibility for funding will be determined based on factors that may include, but are not limited to: the financial viability of the applicant's business; the track record of the applicant's business at other locations; the financial costs described and associated with Program Purposes above, the ability of the applicant's business to benefit from national or regional marketing resources; the applicant's existing or proposed investment; the lease term applicable to the applicant's leased property, which shall be a minimum period of five years; and the number and type of jobs created.

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

ECONOMIC DEVELOPMENT GRANT AGREEMENT

THIS ECONOMIC DEVELOPMENT GRANT AGREEMENT (“Agreement”) is entered into by and between the Cypress Waters Municipal Management District, a conservation and reclamation district (“District”), acting by and through its duly authorized board of directors, and Luminant Mineral Development Company, LLC, a Texas limited liability company with its principal place of business at _____ and Luminant Generation Company, LLC, a Texas limited liability company with its principal place of business at _____ along with their successors and assigns (collectively, “Grantee”), acting by and through their authorized officers.

WITNESSETH:

WHEREAS, the District was created by special act of the legislature codified as V.T.C.A. Spec. Dist. Code Section 3874 (the “Act”); and

WHEREAS, the Board of Directors of the District has been appointed and organized in accordance with the Act; and

WHEREAS, the City of Dallas, a Texas municipal corporation, located in Dallas County, Texas (“City”) and the District executed a Development and Operating Agreement consistent with the requirements of Section 3874.160 of the Act; and

WHEREAS, City and the District recognize the importance of their continued roles in local economic development; and

WHEREAS, pursuant to Resolution No. _____, approved by the City Council on April 24, 2013, the City approved the District’s Economic Development Grant Program, which established certain guidelines and criteria for the making of grants by the District pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code and Section 3874.107 of the Act; and

WHEREAS, consistent with the District’s Economic Development Grant Program, it is in the best interest of the District to enter into this Agreement and provide these incentives as a part

Exhibit C

of the District's ongoing program to offset financial costs of mineral owners (a) complying with District rules and regulations and (b) providing and maintaining landscaping within or adjacent to the District, all of which promotes local economic development and stimulates business and commercial activity in the District and the City; and

WHEREAS, Grantee's property described in **Exhibit A** (the "Property") is located in the District and Grantee's contemplated use of and investment in the Property is consistent with encouraging development of the District and is in compliance with the District's Economic Development Grant Program, and all applicable laws; and

WHEREAS, pursuant to Resolution No. _____, approved by the City Council on April 24, 2013, and Section 3874.107 of the Act, the City approved the District entering into this Agreement; and

WHEREAS, pursuant to Resolution No. _____, approved by the District on April ____, 2013, the District authorized this Agreement with Grantee in an effort to promote economic development and stimulate business and commercial activity in the District; and

NOW THEREFORE, in consideration of the mutual covenants and obligations herein, the parties agree as follows:

SECTION 1. AGREEMENT ADMINISTRATION

This Agreement shall be administered by the District's designee.

SECTION 2. GRANTEE'S OBLIGATIONS

A. Compliance with City Regulations. As a condition precedent to the payment of the Grant pursuant to this Agreement, Grantee shall comply with all applicable City regulations over the mineral estate and the use of the surface estate in support of the mineral estate, including, but not limited to the production of minerals or the use of the surface estate related to such production.

B. Certification Regarding Undocumented Workers. Grantee has signed the statement attached here to as **Exhibit B** certifying that the business, or a branch, division, or department of the business, does not or will not knowingly employ an undocumented worker, and has agreed to abide by the requirements of Chapter 2264 of the Government Code.

SECTION 3. ECONOMIC DEVELOPMENT GRANT

Consistent with the Economic Development Programs provisions of Section 380.001 of the Texas Local Government Code and the District's Economic Development Grant Program, and in consideration of Grantee's satisfying the obligations in Section 2 of this Agreement, Grantee is hereby granted an economic development grant (the "Grant") in an amount equal to and not to exceed (a) amounts Grantee pays to the District or any collection agent of the District

Exhibit C

plus Grantee's actual costs of complying with District rules, (b) amounts paid to third parties for direct or indirect actual costs resulting from Grantee complying with District rules and regulations and (c) amounts Grantee pays for installing and maintaining landscaping within or adjacent to the District (collectively, the "Grant Eligible Costs"). So long as the City maintains exclusive rule making authority over any mineral estates in the CWMMD and the use of the surface estate in support of the mineral estate, including, but not limited to the production of minerals or the use of the surface estate related to such production, Grantee anticipates the Grant Eligible Costs will be limited.

Payment of the Grant will be made annually on each March 15th for so long as the Property remains in the District and is subject to the District's revenue generating and rule making authority. Each annual payment will equal the amount of the Grant Eligible Costs for the prior calendar year which costs will be evidenced by Grantee's submission of receipts and related documentation to the District no later than January 31st of each year for the preceding calendar year. The Grant will be paid from taxes, assessments, fees or other lawfully available funds of the District, if any, and from no other sources.

If Grantee is unable to meet any of the obligations specified in Section 2 above during any calendar year, the portion of the Grant payable in the subsequent year shall expire and the District's obligation to pay that portion of the Grant shall terminate.

SECTION 4. TERM

The term of this Agreement shall begin on the date of execution and continue for so long as the Property remains in the District and is subject to the District's revenue generating and rule making authority. This Agreement will terminate the earlier of the date the Property is excluded from the District or the date the District is dissolved. Grantee's liability for Recapture Liability, however, shall survive the expiration of this Agreement.

SECTION 5. DEFAULT, RIGHT TO CANCEL, RECAPTURE OF GRANT PAYMENT AND ENFORCEMENT OF RECAPTURE LIABILITY

A. A default shall exist if any one or more of the following occurs and is continuing:
(i) The failure by Grantee to perform or observe any covenant contained herein; or (2) Grantee is convicted of a violation under 8 U.S.C. Section 1324a(f) related to the unlawful employment of aliens.

Grantee shall immediately notify the District in writing upon becoming aware of any change in the existence of any condition or event which would constitute a default or, with the giving of notice or passage of time, or both, would constitute a default under this Agreement. Such notice shall specify the nature and the period of existence thereof and what action, if any, the notifying party is taking or proposes to take with respect thereto. In the event of any default, then the District shall give Grantee written notice of such default and if Grantee has not cured such default within 30 days of said written notice, the portion of the Grant payable for the year of default shall be forfeited. Notice shall be in accordance with Section 7 hereof.

Exhibit C

B. Recapture Liability. In the event that Grantee is ever convicted of a violation under 8 U.S.C. Section 1324a(f), the portion of the Grant paid to Grantee pursuant to this Agreement during the year of conviction ("Recapture Liability"), will become a debt to the District and shall be due, owing and paid to the District within sixty (60) days after notice of the default.

C. Enforcement. This Agreement inures to the benefit of, and is enforceable by the parties hereto. Grantee does hereby grant to the District the right to prosecute or take appropriate action, at law or in equity, against Grantee to recover any Recapture Liability or to enforce any other covenant or agreement contained in this Agreement.

SECTION 6. FORCE MAJEURE

It is expressly understood and agreed by the parties to this Agreement that Grantee shall perform its commitments detailed above; provided however, that Grantee shall have such additional time to perform as may be required in the event of force majeure, defined herein, if Grantee is diligently and faithfully pursuing cure of a default. For this purpose, "force majeure" shall mean any contingency or cause beyond the reasonable control of Grantee including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, state, federal or municipal government, or de facto governmental action (unless caused by acts or omissions of Grantee), fires, explosions, floods, and strikes. In an event of force majeure, Grantee shall be excused from doing or performing the same during such period of delay so that the cure dates applicable to such performance shall be extended for a period of time equal to the period Grantee was delayed.

SECTION 7. NOTICES

Any notice, payment, statement, or demand required or permitted to be given under this Agreement by either party to the other may be effected by personal delivery in writing or deposited in the U.S. mail by certified letter, return receipt requested. Mailed notices shall be addressed to the parties at the addresses appearing below, but each party may change its address by written notice in accordance with this Section. Mailed notices shall be deemed communicated as of three (3) days after mailing.

If intended for District, to

If intended for Grantee, to:

Lila Marsh

Dallas, Texas 75226-1419

SECTION 8. VENUE

The obligations of the parties to this Agreement shall be performable in Dallas County, Texas. And, if legal action is necessary in connection with or to enforce rights under this Agreement, exclusive venue shall lie in Dallas County, Texas.

SECTION 9. CONFLICT OF INTEREST OF CITY EMPLOYEES

The following section of the Charter of City of Dallas shall be one of the conditions, and a part of, the consideration of this Agreement, to wit:

“CHAPTER XXII. Sec. 11. FINANCIAL INTEREST OF EMPLOYEE OR OFFICER PROHIBITED --

(a) No officer or employee shall have any financial interest, direct or indirect, in any contract with City or be financially interested, directly or indirectly, in the sale to City of any land, materials, supplies or services, except on behalf of City as an officer or employee. Any violation of this section shall constitute malfeasance in office, and any officer or employee guilty thereof shall thereby forfeit the officer’s or employee’s office or position with City. Any violation of this section, with knowledge, express or implied, of the person or corporation contracting with City shall render the contract involved voidable by City Manager or The City Council.

(b) The alleged violations of this section shall be matters to be determined either by the Trial Board in the case of employees who have the right to appeal to the Trial Board, and by The City Council in the case of other employees.

(c) The prohibitions of this section shall not apply to the participation by City employees in federally-funded housing programs, to the extent permitted by applicable federal or state law.”

SECTION 10. GIFT TO PUBLIC SERVANT

A. District may terminate this Agreement immediately if Grantee has offered, agreed to confer, or conferred any benefit upon a District or City employee or official that the District or City employee or official is prohibited by law from accepting. City has been advised by the prosecuting authorities that Section 36.10(b) and (c) exceptions to Section 36.08 and 36.09, respectively, of the Texas Penal Code are not available to public servants who have no legal reporting requirements.

B. For purposes of this Section 10, “benefit” means anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare the beneficiary has a direct or substantial interest, but does not include a contribution or expenditure made and reported in accordance with the law.

C. Notwithstanding any other legal remedies, District may ask Grantee to remove any employee of Grantee who has violated the restrictions of this Section 10 or any similar state or federal law as evidenced by a conviction or a guilty or *nolo contendere* plea to such offense, and District may obtain reimbursement for any expenditures made to Grantee as a result of the improper offer, agreement to confer, or conferring of a benefit to a District or City employee or official.

SECTION 11. GOVERNING LAW

This Agreement is made subject to the provisions of the Act, as amended, and all applicable State and federal laws. This Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Texas, without regard to conflict of law or choice of law principles of Texas or of any other state.

SECTION 12. LEGAL CONSTRUCTION

In the case that any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

SECTION 13. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument. If this Agreement is executed in counterparts, then it shall become fully executed only as of the execution of the last such counterpart called for by the terms of this Agreement to be executed.

SECTION 14. CAPTIONS

The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

SECTION 15. ASSIGNMENT AND SUCCESSORS AND ASSIGNS

Grantee may assign all or any portion of this Agreement without approval of the District. If assigned, all of the terms and conditions of this Agreement shall be binding upon the successors and assigns of all parties hereto.

SECTION 16. AMENDMENTS; ENTIRE AGREEMENT

A. Amendments. This Agreement may be modified or amended only by written agreement of the parties, to be attached to and made a part of this Agreement.

B. Entire Agreement. This Agreement (with all referenced Exhibits, attachments, and provisions incorporated by reference) embodies the entire agreement of the parties, superseding all oral or written previous and contemporary agreements between the parties relating to matters set forth in this Agreement.

Exhibit C

[SIGNATURES APPEAR ON THE FOLLOWING PAGE.]

EXECUTED on _____, 2013 and effective as of April ____, 2013, by District, signing by and through its Board President, duly authorized to execute same by resolution approved by the District Board on April ____, 2013, and by Grantee, acting through its authorized officials.

[Insert signature blocks]

ATTACHMENTS & EXHIBITS

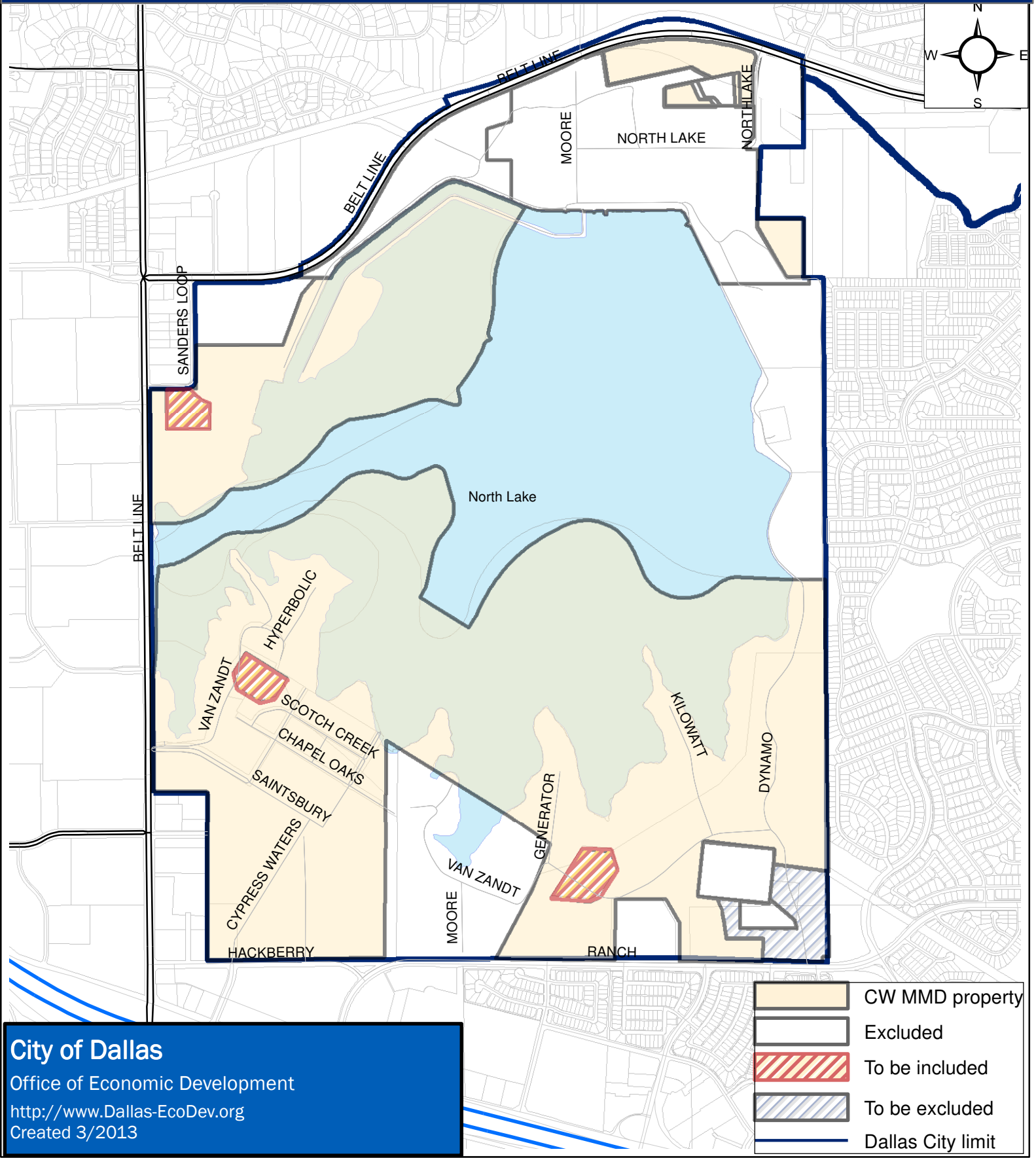
Authorizing resolution Approved April ____, 2013






Exhibit A Property

Exhibit B Signed Certification Regarding Undocumented Workers

Exhibit D

Cypress Waters Municipal Management District (MMD) Inclusion/Exclusion Map



	CW MMD property
	Excluded
	To be included
	To be excluded
	Dallas City limit

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 3
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 670-3314
MAPSCO: 42 U& V

SUBJECT

Authorize certain amendments to the real property tax abatement agreement with Turnpike West, LLC, authorized on March 8, 2006, by Resolution No. 06-0838 to: **(1)** extend the substantial completion date of improvements to the real property located in the City of Dallas at Interstate 30 and Cockrell Hill Road in Reinvestment Zone No. 64 from December 31, 2008 to December 31, 2013; and **(2)** approve the assignment of the tax abatement agreement from Turnpike West, LLC to United States Cold Storage, L.P. – Financing: No cost consideration to the City

BACKGROUND

On March 8, 2006, City Council authorized a 10-year, 90 percent tax abatement on added value of real property with Turnpike West, LLC associated with a potential new development by United States Cold Storage, L.P. (US Cold Storage). The anticipated development by US Cold Storage included the construction of a 500,000 square foot industrial/warehouse facility at an estimated cost of \$16,500,000.

As anticipated, US Cold Storage acquired the property in 2007 from Turnpike West, LLC with plans to build a large climate controlled warehouse that would meet the requirements of the approved tax abatement agreement. The date of substantial completion for the project was December 31, 2008. US Cold Storage put the project on hold indefinitely in 2008 due to the economic downturn.

In late 2012, US Cold Storage decided to move forward with plans to build a new facility and requested a modification of the original abatement agreement. City staff agreed to pursue City Council consideration of extending the required substantial completion of the project from December 31, 2008 to December 31, 2013 but not extend the term of the agreement. The modification will allow US Cold Storage to potentially benefit from the remaining 5-years of the original tax abatement agreement. US Cold Storage has not received any benefit from the agreement to date.

BACKGROUND (Continued)

The original agreement required a minimum investment of \$16,500,000. The current anticipated investment for the new facility is over \$25,000,000 in real property and over \$2,700,000 in equipment. Estimated benefit from the tax abatement agreement to US Cold Storage over the proposed remaining term of the agreement is approximately \$897,638. US Cold Storage anticipates 60 employees at the facility.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 8, 2006, City Council authorized a 90 percent real property tax abatement for a period of 10 years with Turnpike West, LLC located in the City of Dallas at Interstate 30 and Cockrell Hill Road in Reinvestment Zone No. 64, by Resolution No. 06-0838.

On April 15, 2013, Economic Development Committee was briefed regarding an amendment to Resolutions No. 06-0838.

FISCAL INFORMATION

No cost consideration to the City

OWNER

**United States Cold Storage, L.P.
A Texas Limited Partnership**

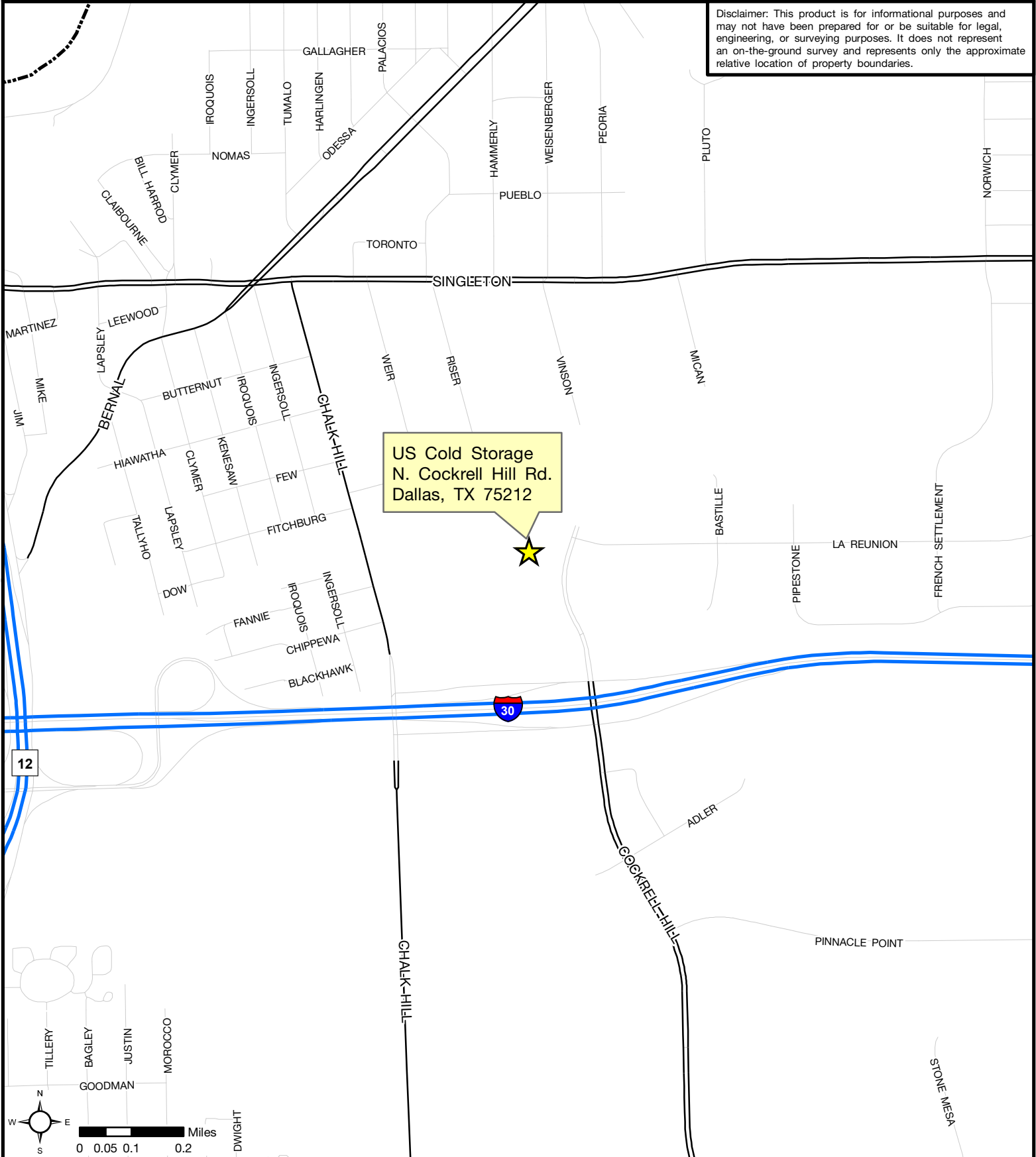
James Slamon, Vice President of Finance & Chief Financial Officer

MAP

Attached.

US Cold Storage

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



DALLAS ECONOMIC DEVELOPMENT
Research & Information Division
214.670.1685
dallas-ecodev.org

- Legend**
- City of Dallas
 - Freeway
 - Arterial
 - Local Road

April 24, 2013

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

WHEREAS, on June 13, 2012, City Council elected to continue its participation in tax abatement and the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act") by Resolution No. 12-1520; and

WHEREAS, on March 8, 2006, City Council authorized Ordinance No. 06-1105, creating Reinvestment Zone Number 64 for the purposes of promoting economic development on the property included within the Reinvestment Zone including the construction of a new commercial building of approximately 500,000 square feet; and

WHEREAS, on March 8, 2006, City Council pursuant to Resolution No. 06-0838, authorized a real property tax abatement with Turnpike West, LLC; and

WHEREAS, the real property tax abatement agreement with Turnpike West, LLC was executed, but no benefit was received; and

WHEREAS, United States Cold Storage, L.P. (US Cold Storage) acquired the property in 2007; and

WHEREAS, due to market conditions, US Cold Storage's construction of the planned facility was delayed by several years; and

WHEREAS, the City Council desires to amend the real property tax abatement agreement with Turnpike West, LLC.

NOW, THEREFORE,

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

Section 1. That the date of substantial completion in the Tax Abatement Agreement be changed from December 31, 2008 to December 31, 2013.

Section 2. That the City hereby acknowledges and approves the assignment of the Tax Abatement Agreement from Turnpike West, LLC to US Cold Storage.

Section 3. That the other terms and conditions contained in the Tax Abatement Agreement remain unchanged.

April 24, 2013

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 4
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 670-3314
MAPSCO: N/A

SUBJECT

Lancaster Opal Project

- * Authorize an amendment to the City of Dallas Public/Private Partnership Program Guidelines and Criteria, governing City incentives promoting private investment, tax base growth and job creation to include the authority to administer and accept resources from other political subdivision of the state to support this program and to accept and administer resources from the federal government to implement the City's economic development programs, in particular, incentives supporting transit-oriented and mixed-use commercial developments within the city in accordance with Local Government Code Chapter 380.001 (b)(2) and (3) - Financing: No cost consideration to the City
- * Authorize a Chapter 380 grant agreement pursuant to the City of Dallas Public/Private Partnership Program, as amended, in the amount of \$135,000 to City Wide Community Development Corporation (CDC), for the purpose of planning and preconstruction activities related to mixed-use development as part of the Lancaster Opal Project - Not to exceed \$135,000 – Financing: HUD Community Challenge Planning Grant Funds

BACKGROUND

In 2010, the City was awarded a \$2,225,000 grant under the HUD Sustainable Communities Challenge Grants program. The HUD Sustainable Communities Challenge Grant effort included planning for appropriate transit-oriented development (TOD) including affordable housing at seven DART stations at five locations. These locations include the Lancaster Corridor area between Kiest and VA Medical Center stations on the DART Blue line.

BACKGROUND (Continued)

On April 10, 2013, City Council approved the "Dallas TOD Lancaster Corridor Area Plan". The area plan identified the Lancaster Opal Project as a catalyst project for the corridor to spur further development.

The Lancaster Opal Project is a mixed-use development that includes construction of new office/retail space along Lancaster Road and 50 apartments (one and two bedroom) along Opal Road. The total project cost is approximately \$23,000,000. The second phase involves for sale houses (town homes). Up to 40% of these units will be affordable.

In addition to funding planning activities, the HUD Community Challenge Grant can also support eligible planning and preconstruction activities. The City is proposing to use \$135,000 of these funds to support the following preconstruction activities for this project: planning (\$45,000), architectural services (\$75,000) and zoning and replatting (\$15,000). These funds will allow the project to move forward from its current conceptual stage. This project is consistent with the Dallas TOD Lancaster Corridor Area Plan recently adopted by Council and also supports HUD's Sustainable Communities Livability Principles to 1) promote equitable, affordable housing and 2) support existing communities.

The amendment to the 380 grant program will allow the city to administer and accept resources from other political subdivision of the state to support this program and to administer and accept resources from the Federal government to administer the City's economic development program in accordance with the Local Government Code Chapter 380.001 (b)(2) and (3) and to expand existing 380 programs to support mixed-use, commercial development leading to private investment and job creation with the assistance of these Federal funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 18, 2011, the Economic Development Committee was briefed regarding an application for and acceptance of an application for and acceptance of the Community Challenge Planning Grant from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development.

On January 26, 2011, City Council authorized an application for, acceptance of and the establishment of appropriations for the Community Challenge Planning Grant Funds from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development by Resolution No. 11-0260.

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

On June 13, 2012, City Council authorize re-adoption of the City of Dallas Public/Private Partnership Program Guidelines and Criteria, pursuant to the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax Code, Chapter 312), governing tax abatement agreements and other City incentives intended to promote private investment, tax base growth and job creation by Resolution No. 12-1520.

On April 1, 2013, the Economic Development committee received a memo about the Lancaster Opal Project.

On April 10, 2013, City Council approved the HUD Challenge Grant-funded "Dallas TOD Lancaster Corridor Area Plan", which defines issues, sets goals, and provides recommendations related to urban design and planning, as well as providing an implementation guide for future development in the area generally within 1,800 feet of Lancaster Road between the VA Medical Center DART Station, located at South Lancaster Road and Mentor Avenue, and the Kiest DART Station, located south of Kiest Boulevard and South Lancaster Road, and an area generally within a half mile around those stations.

FISCAL INFORMATION

\$135,000 - HUD Community Challenge Planning Grant Funds

OWNER

City Wide CDC

Sherman Roberts, CEO and President

April 24, 2013

WHEREAS, the City of Dallas seeks to support new transit-oriented and mixed-use development which contains affordable workforce housing in order to attract and retain economic growth, including private investment and job creation; and

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

WHEREAS, there is a need for general policy guidelines to coordinate various City incentive programs to assure judicious use of economic development resources in order to safeguard the financial position of the City; and

WHEREAS, on June 13, 2012, pursuant to Resolution No. 12-1520, the City Council authorized the adoption of the City of Dallas' Public/Private Partnership Program Guidelines & Criteria governing tax abatement agreements and other economic development incentives including infrastructure cost participation, development fee rebates, right-of-way abandonment rebates and credits, and a program for loans and grants; and

WHEREAS, it is in the best interest of the City of Dallas to adopt Guidelines & Criteria for the Public/Private Partnership Program in order to make use of available economic development incentives for the promotion of new businesses, the retention and expansion of existing businesses, enhancement of the tax base, and the creation and retention of job opportunities for Dallas citizens; and

WHEREAS, it is in the best interest of the City of Dallas to amend Guidelines & Criteria for the Public/Private Partnership Program in order to have the ability to receive resources from other political subdivisions for Economic Development purposes; and

WHEREAS, the City of Dallas' Public/Private Partnership Program Guidelines & Criteria shall not be construed as implying or suggesting that the City of Dallas is under obligation to provide tax abatement or other incentive to any applicant, and all applicants shall be considered on a case-by-case basis.

NOW, THEREFORE,

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

April 24, 2013

Section 1. That an amendment to the City of Dallas Public/Private Partnership Program Guidelines and Criteria, pursuant to the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax Code, Chapter 312), governing tax abatement agreements and other City incentives intended to promote private investment, tax base growth and job creation is authorized to include the authority to administer and accept resources from other political subdivision of the state to support this program and to accept and administer resources from the federal government to implement the City's economic development programs, in accordance with the Local Government Code Chapter 380.001 (b)(2) and (3), to support transit-oriented mixed-use commercial developments within the city and that the City elects to create a program under the 380 grant program to support mixed-use, commercial development leading to private investment and job creation with the assistance of these federal funds.

Section 2. That the documents attached hereto and made a part of this Resolution entitled "Public/Private Partnership Program Summary" and "Public/Private Partnership Program Guidelines and Criteria", **Exhibit A**, are hereby adopted as Guidelines and Criteria for governing abatement agreements, as specified in the Property Redevelopment and Tax Abatement Act, as well as for other City of Dallas economic development programs.

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

City of Dallas Public/Private Programs

It is the purpose of the following programs to provide assistance only for projects where such assistance is necessary to stimulate private investment. Accordingly, these programs are available when agreements between the City and private parties that are not tax-exempt are approved by City Council prior to private investment occurring. Projects seeking economic incentives must provide written assurance that 'but for' the incentives sought, the proposed project would be substantially altered such that the project would not otherwise occur in the city or the economic returns to the city would be reduced. Projects occurring in Southern Dallas are provided special consideration.

The information contained herein shall not be construed as implying or suggesting that the City of Dallas is offering or is under any obligation to provide tax abatement or other incentives to any applicant, and all applicants shall be considered on a case-by-case basis. Pawnshops, sexually-oriented businesses, bars, truck stops, and truck dealerships are excluded from consideration for incentives provided under this program.

Eligibility Requirements

Each geographic area of the City has a minimum requirement in order to be considered for incentives:

- **Southern Dallas:** Projects must create/retain 25 jobs or provide \$1 million of investment;
- **Northern Dallas and Central Business District:** Projects must create/retain 150 jobs or provide \$10 million of investment; and
- **Non-Conforming Projects:** Projects will be considered on a case-by-case basis.

Tax Abatement

Temporary abatement of either real estate or personal property taxes. Recipient firms must meet primary considerations of capital improvements and job creation/retention. City staff may consider secondary considerations such as Dallas resident employment, efforts to exceed minimum environmental regulations, wage rates, community activities, target industry projects, and M/WBE participation when negotiating this incentive. A firm's tax abatement percentage will be reduced by 25 percent for any single year of the tax abatement term in which secondary considerations included in the agreement are not met unless an alternative method is prescribed by City Council in a project specific resolution. Real property tax abatement is not available in TIF Districts. In limited cases, projects may be considered for a combination of both real and personal property tax abatement when the combined amount does not exceed 90 percent of the City taxes on total new improvement value. All tax abatements must begin by January 1 of the second calendar year following City Council authorization.

Abatement Benefits

- **Southern Dallas:** Real property tax abatement up to 90 percent for 10 years and/or a business personal property tax abatement of up to 50 percent for five years;
- **North Dallas:** Real property tax abatement up to 50 percent for 10 years and/or a business personal property tax abatement of up to 50 percent for five years;
- **Central Business District:** Business personal property tax abatement of up to 75 percent for five years and/or for non-TIF District sites real property tax abatement of up to 90 percent for 10 years; and
- **Non-Conforming Projects:** Projects will be considered on a case-by-case basis.

INCENTIVES NEGOTIATED OR PROPOSED BY CITY STAFF ARE SUBJECT TO SPECIFIC FEDERAL, STATE AND LOCAL GUIDELINES, FUNDING AVAILABILITY AND CITY COUNCIL APPROVAL. DEPENDING ON THE INCENTIVE, THERE MAY BE ADDITIONAL RESTRICTIONS BASED ON GEOGRAPHY, PROJECT SIZE AND OTHER FACTORS.

Business Development Chapter 380 Grant/Loan Program

Companies considering a relocation/expansion or new commercial development may be eligible for a loan or grant in lieu of tax abatement or to defray project costs such as: land purchase, building costs, public infrastructure costs, development fees, right of way abandonment fees, loan guarantees, training costs, relocation costs, etc. Grants or loans will be considered on a case-by-case basis and are subject to funding limitations and investment/job eligibility requirements. Companies will be required to meet eligibility requirements of the Public/Private Partnership Program. Pursuant to this program the City may administer and accept resources from other political subdivisions of the state to support this program and may administer and accept resources from the Federal government to support transit-oriented and mixed-use commercial developments.

Transit-Oriented Development (TOD) Program

Minimum eligibility for consideration of city incentives through the Public/Private Partnership Program will require a cumulative investment of \$300 million for new mixed-use, commercial, retail and/or residential development in proximity of at least two DART light-rail transit stations (with one or both in Southern Dallas). TOD projects are eligible for consideration for the full complement of necessary and appropriate incentives available through this program including, but not limited to, tax increment financing, tax abatement, grants and loans, and infrastructure cost participation. Residential developments seeking incentives will be required to have a 20 percent affordable housing set aside in North Dallas and mixed-income housing in Southern Dallas. Further, projects must meet the City's established Good Faith Effort guidelines for M/WBE participation.

Economic Development GO Bond Program for Southern Dallas

General Obligation Bond funding may be used as described in this paragraph for private commercial, industrial, retail, residential, and mixed-use development in the Southern area of the city that promotes economic development. Funding may be provided as a catalyst to promote private economic development and may be used for planning, designing, extending, constructing and acquiring land for public streets, utilities and other related infrastructure facilities or uses consistent with this purpose. Funding is also available in support of mixed-use or residential development, for the acquisition of improved and unimproved properties and for the cost of demolition of existing structures. Private developments may be eligible for economic development grants and loans pursuant to Chapter 380 of the Texas Local Government Code. Grants and loans will be considered for infrastructure improvements and/or land acquisition consistent with the scope of funding and other uses described above. Grants or loans will be considered on a case-by-case basis subject to funding limitations and development agreements approved by City Council, which agreements will contain appropriate conditions, safeguards and benchmarks to ensure that the public purpose of economic development will be carried out. Residential developments will be required to have a mixed-income set aside. Further, it is anticipated that resources and other forms of development assistance from other applicable City economic development programs may be utilized to support this program.

Local Government Corporation (LGC) Chapter 380 Grant Program

The City of Dallas will consider making grants from its general fund to a LGC, subject to annual appropriation of funds and the approval of the Dallas City Council. These funds will be restricted to the

INCENTIVES NEGOTIATED OR PROPOSED BY CITY STAFF ARE SUBJECT TO SPECIFIC FEDERAL, STATE AND LOCAL GUIDELINES, FUNDING AVAILABILITY AND CITY COUNCIL APPROVAL. DEPENDING ON THE INCENTIVE, THERE MAY BE ADDITIONAL RESTRICTIONS BASED ON GEOGRAPHY, PROJECT SIZE AND OTHER FACTORS.

payment of project costs, including the payment of debt service on any bonds issued by the LGC to finance project costs, and the funding of any necessary reserve fund or capitalized interest accounts and the payment of the cost of issuance of bonds.

Target Industry Projects

Target Industry projects are provided special consideration for economic incentives and are generally defined as follows: Brownfields or recycling, information technology, building materials and furnishings, company headquarters, logistics, telecommunications, transportation manufacturing and assembly, film/television/media, advanced instruments and food processing/distribution. Due to the temporary nature of film/television production, projects in this industry are not required to meet minimum job or investment eligibility established for the Public/Private Partnership Program. Rather, these projects are considered on a case-by-case basis with consideration given to the positive economic returns projects bring to the City. Target Industry projects must be confirmed in advance by the City in order to receive consideration under this designation.

Non-Conforming Projects

Non-Conforming projects are considered on a case-by-case basis for high impact projects, unique developments and competitive situations where projects may receive competing offers of incentives. These projects require a simple majority vote of City Council in Southern Dallas and a 3/4 vote of City Council in the CBD and in Northern Dallas. High Impact Project - Projects creating/retaining a minimum of 500 jobs with substantial capital investment. In addition, this status may be granted to major projects by Fortune 500, Manufacturers 400, or Global 500 listed firms.

Competitive and Retention Projects

In special cases, companies receiving competing offers of incentives or those currently located in the city of Dallas considering a relocation/expansion are eligible to apply for financial incentives with negotiable terms. Existing firms must expand job base by 25 percent to be eligible for consideration. Incentives may be offered in specific cases to 'match other offers.' Companies may be required to demonstrate competing cities, offers, land/lease costs, taxes at current rates, utility rates, relocation costs, other significant costs and 'gap' to be filled, etc.

Other Sources of Financial Assistance

Tax Increment Districts

Special districts funding public improvements (not services) with increased tax revenues resulting from new private development. Tax rates are the same as elsewhere in the City and no added cost to private parties is incurred.

Public Improvement Districts

Special districts created by petition to privately fund public improvements or special supplemental services over and above those provided by City, when such services are supportive of related City investments in capital improvements.

City of Dallas Regional Center - EB-5

The City of Dallas Regional Center (CDRC) is designed to open a new source of foreign private capital that can be aligned with Dallas' Public/Private Partnership Program to fuel the City of

INCENTIVES NEGOTIATED OR PROPOSED BY CITY STAFF ARE SUBJECT TO SPECIFIC FEDERAL, STATE AND LOCAL GUIDELINES, FUNDING AVAILABILITY AND CITY COUNCIL APPROVAL. DEPENDING ON THE INCENTIVE, THERE MAY BE ADDITIONAL RESTRICTIONS BASED ON GEOGRAPHY, PROJECT SIZE AND OTHER FACTORS.

Dallas' economic growth strategy. The CDRC encompasses the entire City of Dallas geographical area, with an emphasis on Targeted Employment Areas (TEA) such as Southern Dallas. CDRC capital is aggregated from foreign investors into limited partnerships and then invested as debt and/or equity into developments or businesses that meet stringent underwriting criteria. The CDRC is structured specifically to attract high net worth investors, who must pass rigorous screening tests in order to receive a conditional investment visa in exchange for investing a minimum of \$500,000 (for investments in a TEA) or \$1,000,000 in businesses or projects that generate real and permanent jobs for the City of Dallas.

New Markets Tax Credits

The City of Dallas, through the Dallas Development Fund, participates in the New Markets Tax Credit Program (NMTC), a federal program operated by the Department of Treasury, that provides opportunities for new development in traditionally underserved areas. The program provides NMTC investors with a 39% federal tax credit payable over seven years. These investments are partnered with additional funds for businesses and real estate development in Low Income Communities.

Foreign Trade Zone

Allows duty-free importing of foreign-made components into the Zone, where they may be assembled, manufactured, processed or packaged. Duties are charged only when products are subsequently distributed into the U.S. market - if they are shipped to international markets, no duty is levied.

State Incentives

The City of Dallas will facilitate applications for assistance from State programs including Enterprise Zone Projects, Texas Enterprise Fund, and the Texas Emerging Technology Fund.

Contact Us

To obtain more detail on these programs, or to inquire regarding other assistance, contact:
Office of Economic Development, Dallas City Hall, 1500 Marilla Street, Room 5CS, Dallas, Texas 75201,
Phone: (214) 670-1685, Fax: (214) 670-0158.

Approved on 6.13.12 pursuant to Res. No. 12-1520
As amended on 4.10.13

INCENTIVES NEGOTIATED OR PROPOSED BY CITY STAFF ARE SUBJECT TO SPECIFIC FEDERAL, STATE AND LOCAL GUIDELINES, FUNDING AVAILABILITY AND CITY COUNCIL APPROVAL. DEPENDING ON THE INCENTIVE, THERE MAY BE ADDITIONAL RESTRICTIONS BASED ON GEOGRAPHY, PROJECT SIZE AND OTHER FACTORS.

April 24, 2013

WHEREAS, the City of Dallas seeks to support new transit-oriented and mixed-use development which contains affordable workforce housing in order to attract and retain economic growth, including private investment and job creation; and

WHEREAS, on January 26, 2011, the City Council authorized an application for, acceptance of and the establishment of appropriations for the Community Challenge Planning Grant Funds from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development by Resolution No. 11-0260; and

WHEREAS, on April 10, 2013, City Council adopted the HUD Challenge Grant Dallas TOD Plan for the Lancaster Corridor Area, which defines issues, sets goals, and provides recommendations related to urban design and planning, as well as providing an implementation guide for future development in the area generally within 1,800 feet of Lancaster Road between the VA Medical Center DART Station, located at South Lancaster Road and Mentor Avenue, and the Kiest DART Station, located south of Kiest Boulevard and South Lancaster Road, and an area generally within a half mile around those stations; and

WHEREAS, the City supports the project as proposed by City Wide CDC to construct a 2.8 acre, two-phase, mixed-use development that will consist of 50 multi-family housing units and 10,000 sq feet of commercial space as transit-oriented development; and

WHEREAS, City desires to enter into a Chapter 380 economic development grant agreement with City Wide CDC in order to promptly complete the planning and preconstruction activities to allow for the development of a mixed-use, transit-oriented development.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a Chapter 380 economic development grant agreement with City Wide CDC that includes the following:

- (a) That the actual amount and payment of the grant shall equal the actual costs incurred that include: planning, architectural and engineering for public improvements, offsite improvements, and the development of mixed-use and commercial development associated with the project up to \$135,000 from the City to be reimbursed by the U.S. Department of Housing and Urban Development Community Challenge Grant.

April 24, 2013

Section 1. (Continued)

- (b) City Wide CDC shall comply with the rules, regulations and requirements of all City, State and Federal law. City Wide CDC intends to treat all reimbursements it receives from the City for the Project costs as an Economic Development Grant pursuant to Section 380.001 of the Texas Local Government Code and the City's Public/Private Partnership Program Guidelines and Criteria.
- (c) That the proposed mixed-use planning and preconstruction work will be substantially completed by January 2014. The Director of the Office of Economic Development may, at his sole discretion, extend the substantial completion date for a period up to six months for just cause.

Section 2. That the City Controller is hereby authorized to encumber and disburse funds from: Fund F324, Department ECO, Unit 4725, Object 3016, Activity HUDG, Encumbrance No. ECO4725F215, Vendor No. VS0000026872, in an amount not to exceed \$135,000.

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 5
DEPARTMENT: Housing/Community Services
CMO: Ryan S. Evans, 670-3314
MAPSCO: 48Z

SUBJECT

Authorize a housing development loan in an amount not to exceed \$713,675 with Neighborhood Builders Community Development Corporation (NBCDC), a certified nonprofit organization, for the development of six affordable single family homes to be located between 8502- 8645 Bearden Lane – Not to exceed \$713,675 - Financing: 2011-12 HOME Investment Partnership Program Funds

BACKGROUND

In February 2013, Neighborhood Builders Community Development Corporation submitted a proposal to the City of Dallas for the development of six (6) affordable housing units for low and moderate income families.

Neighborhood Builders Community Development Corporation (NBCDC) is a certified nonprofit organization and has a current contract with the City of Dallas to construct and rent or sell eight (8) homes along the 8500 Block of Bearden. The homes are complete and occupants have been identified to rent and/or buy the units.

The funds for the housing development loan will be provided through FY 2011-12 HOME Investment Partnership Program Funds from the Department of Housing and Urban Development (HUD) which the City Council appropriated for housing developments such as this. The City of Dallas would provide interim construction financing for the units to be built and rented or sold to eligible low and moderate income families. The construction work will be completed within a year with occupancy within the same year. NBCDC will repay the loan minus allowable closing costs upon the sale of each home. If the home is rented, NBCDC must remit rental payments to the City of Dallas minus: property management costs, taxes, insurance, or other agreed upon costs for the rental of the units.

BACKGROUND (continued)

City Council approval of this agenda item will authorize the City Manager to execute the loan documents with Neighborhood Builders Community Development Corporation for these HOME Investment Partnership Funds, subject to environmental review by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 22, 2011, the City Council approved the FY 2011-12 Consolidated Plan Budget which included the HOME Investment Partnership Program Funds by Resolution No. 11-1679.

On August 22, 2012, the City Council approved a housing development loan in the amount of \$554,659 to Neighborhood Builders Community Development Corporation (NBCDC) for the development of five affordable single family homes by Resolution No. 12-2162.

FISCAL INFORMATION

2011-12 HOME Investment Partnership Program Funds - \$713,675

OWNERS

**Neighborhood Builders
Community Development
Corporation**

Yigal Lelah, Executive Director

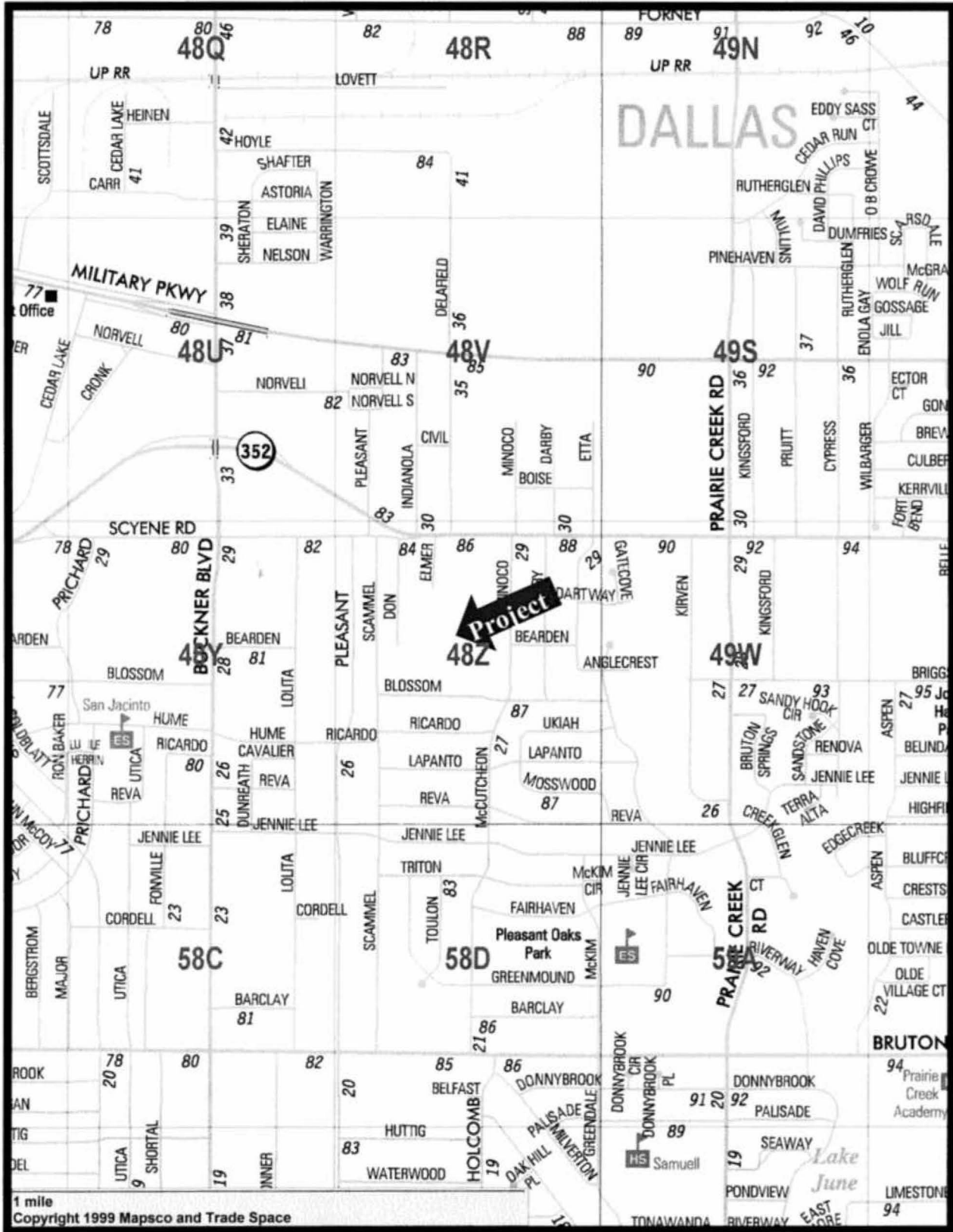
DEVELOPER

**Neighborhood Builders
Community Development
Corporation**

Yigal Lelah, Executive Director

MAP(S)

Attached



MAPSCO 48Z

April 24, 2013

WHEREAS, affordable housing for low and moderate income families is a high priority of the City of Dallas; and

WHEREAS, on June 22, 2011, the City Council approved the FY 2011-12 Consolidated Plan Budget which included the HOME Investment Partnership Program Funds by Resolution No. 11-1679; and

WHEREAS, on August 22, 2012, the City Council approved a housing development loan in the amount of \$554,659 to Neighborhood Builders Community Development Corporation (NBCDC) for the development of five affordable single family homes by Resolution No. 12-2162; and

WHEREAS, Neighborhood Builders Community Development Corporation proposed to work with the City of Dallas to undertake the development of six (6) affordable units on Bearden Street; and

WHEREAS, the City desires for Neighborhood Builders Community Development Corporation to develop affordable units for low and moderate income families, **NOW THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed \$713,675 with Neighborhood Builders Community Development Corporation (NBCDC), a certified nonprofit organization, for the development of six (6) affordable single family homes to be located between 8502- 8645 Bearden Lane

Section 2. The terms of the loan agreement include:

- (a) Neighborhood Builders Community Development Corporation (NBCDC) must execute a note payable to the City of Dallas for \$713,675 for the loan.
- (b) NBCDC will execute a lien through a Deed of Trust and a Deed Restriction on the property which will carry a 20 year term for the affordable units.
- (c) NBCDC will repay the loan minus allowable closing costs upon the sale of each home.
- (d) If the home is rented, NBCDC must remit rental payments to the City of Dallas minus: property management costs, taxes, insurance, or other agreed upon costs for the rental of the units.

April 24, 2013

Section 2. (continued)

- (e) NBCDC will have one (1) year to fully complete the project.
- (f) NBCDC must build and occupy the affordable units to low and moderate income families with incomes at or below 80% of area median family income.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That the City Controller is hereby authorized to disburse funds in accordance with this Resolution and the terms and conditions of the loan agreement as follows:

Neighborhood Builders Community Development Corporation
 VENDOR # VS0000070076

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>CT</u>	<u>AMOUNT</u>
HM11	HOU	745D	3015	HOU745DG104	\$713,675

Section 5. That the City Controller is hereby authorized to set up Notes Receivable-NBCDC balance sheet account 033F and Interest Receivable Accrual due from NBCDC balance sheet account 028C.

Section 6. That the City Controller is hereby authorized to modify receivable balance sheet account (033F) and an allowance for uncollectible debt (022D) in fund HM11, for the amount of the loan.

Section 7. 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 loan, until such time as the loan documents are duly approved by all parties and executed.

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.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: Ryan S. Evans, 670-3314
MAPSCO: 56C

SUBJECT

Authorize a loan in the amount of \$250,000 at 0% interest to East Dallas Community Organization (EDCO) for the development of unimproved properties located at 5300 Bexar Street to construct a portion of the residential component of the Economic Development Project on Bexar Street - Not to exceed \$250,000 - Financing: 2006 Bond Funds

BACKGROUND

On February 26, 2003, City Council approved the Neighborhood Investment Program (NIP) target areas. The Bexar Street Redevelopment Project was one of the approved target areas (CT 39.02/115.00). The Bexar Street Redevelopment Project is being implemented in two phases. Phase I is north of Interstate 175 and Phase II is south of Interstate 175. Phase IV of townhomes will be built along the 5300 block of Bexar, north of 175.

East Dallas Community Organization (EDCO) proposed to work with the City of Dallas to undertake the development of townhomes along Bexar Street. The Bexar Street Redevelopment Project is a component of the Economic Development master plan. EDCO began construction of townhome units in August 2008. Since that time, EDCO has built twenty-one (21) units and sold seventeen (17) of the units. Phase IV of the townhomes will be built on the west side of Bexar Street at the 5300 block and include six (6) homes. Bond funding will be combined with Community Development Block Grant funds to allow for low and middle income homebuyers.

City Council approval of this agenda item from 2006 Bond proceeds will provide a loan in the amount of \$250,000 at 0% interest to EDCO for the development of the residential portion of the Economic Development Project on Bexar Street. This Council action will allow for construction of two townhomes at 5300 Bexar Street which facilitates implementation of master planned economic development projects.

BACKGROUND (continued)

EDCO's loan will carry zero interest with a two year term subject to acceleration for failure to complete and sell the residential housing to eligible persons. EDCO will be required to file deed restrictions and liens on developed properties in order to assure their redevelopment in accordance with Bond Program requirements. The loan to EDCO will be forgiven upon sale or transfer to the eligible buyer. Deed Restrictions will remain on the property to limit subsequent sales or transfers for a five year period.

The 2006 Bond Election provided \$41,495,000 in general obligation bonds to provide funds for promoting economic development in the Southern Sector. On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to set forth the Economic Development Program for Southern Dallas. This project will be implemented under the amended program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas.

FISCAL INFORMATION

2006 Bond Funds - \$250,000

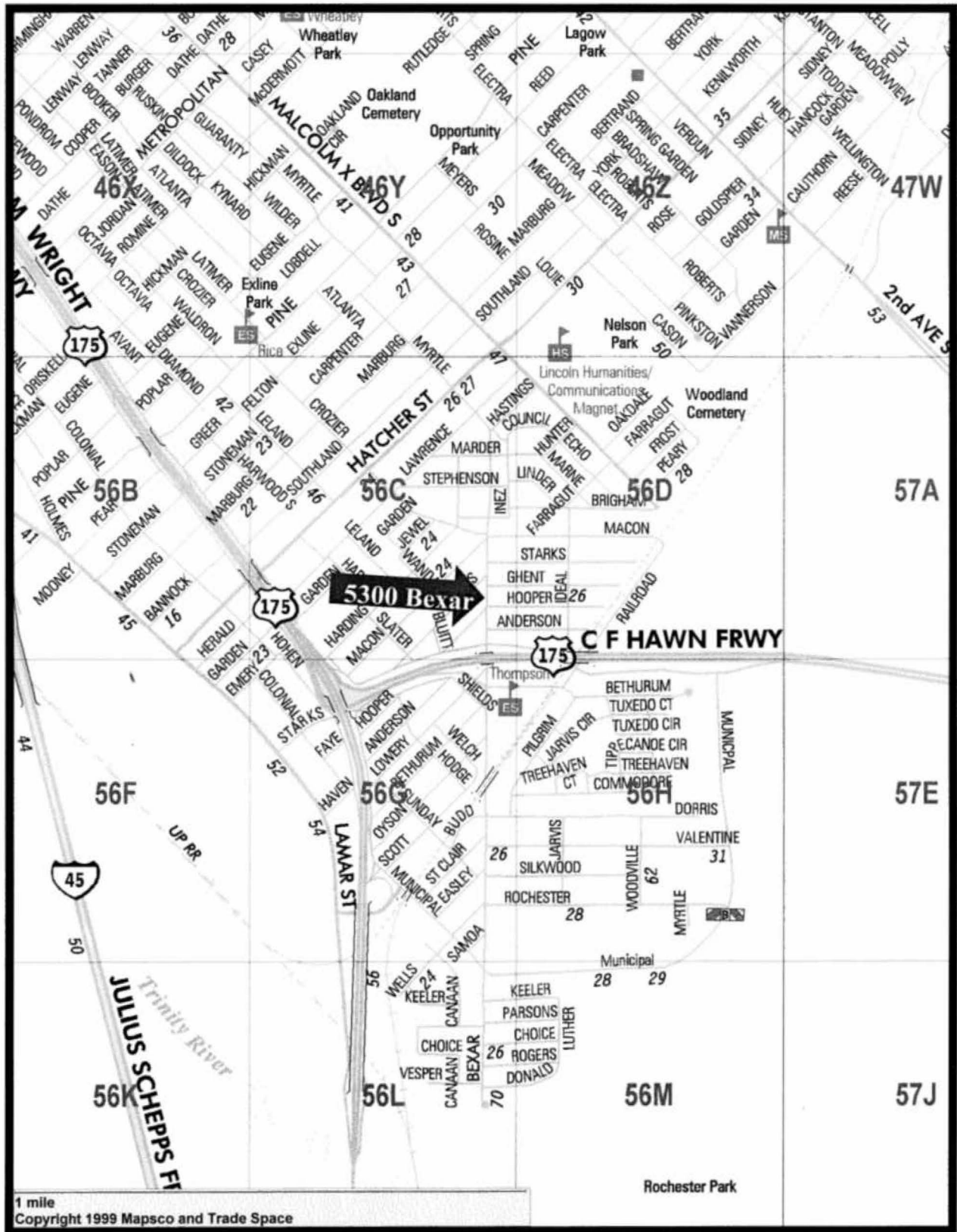
OWNERS

East Dallas Community Organization (EDCO)

Gerald Carlton, Chief Operating Officer

MAP

Attached



MAPSCO 56C

April 24, 2013

WHEREAS, the City of Dallas seeks to increase the supply of new affordable workforce housing in order to attract and retain economic growth; and

WHEREAS, on February 26, 2003, the City Council approved the designation of five (5) census tracts, (CT 25.00, CT 39.02, CT 49.00, CT 89.00, and CT 101.01) as Neighborhood Investment Program (NIP) target areas; and

WHEREAS, on August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements; and

WHEREAS, On November 7, 2006, the voters of Dallas approved a \$1.35 billion General Obligation Bond Program of which \$41,495,000 was set aside for the purpose of providing funds for promoting economic development in the Southern area of the city, and promoting economic development in other areas of the city in connection with transit-oriented development.

WHEREAS, on December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas; and,

WHEREAS, East Dallas Community Organization (EDCO) proposes to work with the City of Dallas for the Bexar Street Redevelopment Project; **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 execute loan documents for the City's loan in the amount of \$250,000 at 0% interest to East Dallas Community Organization (EDCO) for the development of unimproved properties located at 5300 Bexar Street to construct a portion of the residential component of the Economic Development Project on Bexar Street

Section 2. That some of the terms of the loan documents include:

- a. Borrower's note payable to the City of Dallas will have a maturity date of two (2) years; provided, however, if Borrower fails to complete and sell the residential housing to eligible persons, then the entire amount of the loan becomes due and payable. To be considered "completed," the properties must be residential units that have all been constructed and sold, as evidenced by a certificate of occupancy having been obtained from the City of Dallas for each unit in all the structures or projects and settlement statements from each homebuyer closing.

April 24, 2013

- b. If Borrower fails to timely comply with the expenditure or construction requirements in Section 2(a) hereof, the City of Dallas has the option to require Borrower to convey fee simple title to the properties acquired with the bond funds under the loan to the City of Dallas, free of any liens or encumbrances not acceptable to the City.
- c. Borrower shall execute deed restrictions and a deed of trust on each property developed for which construction costs have been expended from loan proceeds.
- d. No approval by the City of the expenditure of any loan funds shall bind or obligate the City to approve any zoning or replat change that Borrower may request for the properties.
- e. Borrower will be forgiven of the loan upon sale or transfer of each of the two homes to City approved homebuyers.
- f. Deed Restrictions will remain with the property for five years to maintain homeownership use.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute lien releases and terminate deed restrictions on the properties upon compliance with the terms.

Section 4 That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

East Dallas Community Organization Vendor # 354413
Fund 8T52 Dept HOU, Unit T807 Obj 3015,
CT HOU&807F104 - in an amount not to exceed \$250,000

Section 5. That the City Controller is hereby authorized to set up receivable balance sheet account (033F) and an allowance for uncollectible debt (022D) in funds 8T52 for the amount of the loan.

Section 6. 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 loan, until such time as the loan documents are duly approved by all parties and executed.

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.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: Ryan S. Evans, 670-3314
MAPSCO: 47N

SUBJECT

Authorize an amendment to Resolution No. 12-3019, previously approved on December 12, 2012, to increase the existing economic development loan with South Dallas/Fair Park Inncity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties, located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, demolition costs, predevelopment costs and development costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area – Not to exceed \$200,000, from \$3,100,000 to \$3,300,000 - Financing: 2006 Bond Funds

BACKGROUND

Over the period of 2003-2008, master planning, leveraging of capital investments, public/private developments, and redevelopment has begun in the Frazier Neighborhood Investment Program (NIP) Area. In order to implement components of the master plan, catalyst projects for new public/private development and redevelopment have been considered by the City Council on an individual basis.

The 2006 Bond Election provided \$41.495 million in general obligation bonds to provide funds for promoting economic development in the Southern Sector. On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to set forth the Economic Development Program for Southern Dallas. This project will be implemented under the amended program.

One of the key Frazier Neighborhood community stakeholders, South Dallas/Fair Park Inncity Community Development Corporation (ICDC), who is a certified Community Housing Development Organization (CHDO), proposed to work with the City of Dallas to undertake the Spring Avenue Revitalization which is a component of the master plan.

BACKGROUND (continued)

On February 20, 2008, the City Council approved an the first economic development loan for ICDC to begin acquisition of improved and unimproved properties, address any relocation issues, address environmental remediation, and demolish existing improvements in order to begin revitalization efforts.

ICDC has already purchased a number of improved and unimproved properties within the Frazier area. To date, they have expended \$2,212,912 of the allocated amounts. The additional \$200,000 will allow ICDC to continue their efforts to construct residential, retail, commercial, or mixed-use redevelopment in accordance with the Economic Development Master Plan for the Frazier area.

ICDC's loan will continue to be a zero percent interest rate, subject to multiple acceleration for failure to expend the additional funds within two years or complete and sell or lease the residential housing to persons at 140% or less of area median family income or obtain a certificate of occupancy for completed non-residential structures and projects within two years of execution of the amended note. ICDC will have to continue to file deed restrictions and liens on acquired properties in order to assure their redevelopment in accordance with Bond Program requirements.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 26, 2003, the City Council approved the designation of five (5) census tracts, (CT 25.00, CT 39.02, CT 49.00, CT 89.00, and CT 101.01) as Neighborhood Investment Program (NIP) target areas for two years beginning October 1, 2003.

On September 28, 2005, the City Council approved the redesignation and expansion of three of the existing five NIP targeted areas as follows: CT 25.00 expanded to include CT 27.01 and CT 27.02; CT 39.02 expanded to include CT 115.00 (part); and CT 101.01 expanded to include CT 101.02. These census tracts were designated for a minimum of three years, beginning October 1, 2005.

On August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas.

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

On January 22, 2008, the Housing Committee of the City Council was briefed on the Frazier Neighborhood Investment Area and the Spring Avenue Revitalization Project.

On February 20, 2008, the City Council approved an economic development loan in the amount of \$500,000 at 0% interest to South Dallas/Fair Park Innercity Community Development Corporation by Resolution No. 08-0595.

On August 26, 2009, April 28, 2010, and September 22, 2010, the City Council approved increases in the economic development loan to ICDC from \$500,000 to \$2,500,000 by Resolutions No. 09-2085, 10-1101, and 10-2419 respectively.

On December 12, 2012, the City Council approved an increase in the economic development loan to ICDC from \$2,500,000 to \$3,100,000 by Resolution No. 12-3019

FISCAL INFORMATION

2006 Bond Funds - \$200,000

OWNERS

**South Dallas/Fair Park Innercity
Community Development
Corporation**

Diane Ragsdale, Executive Director

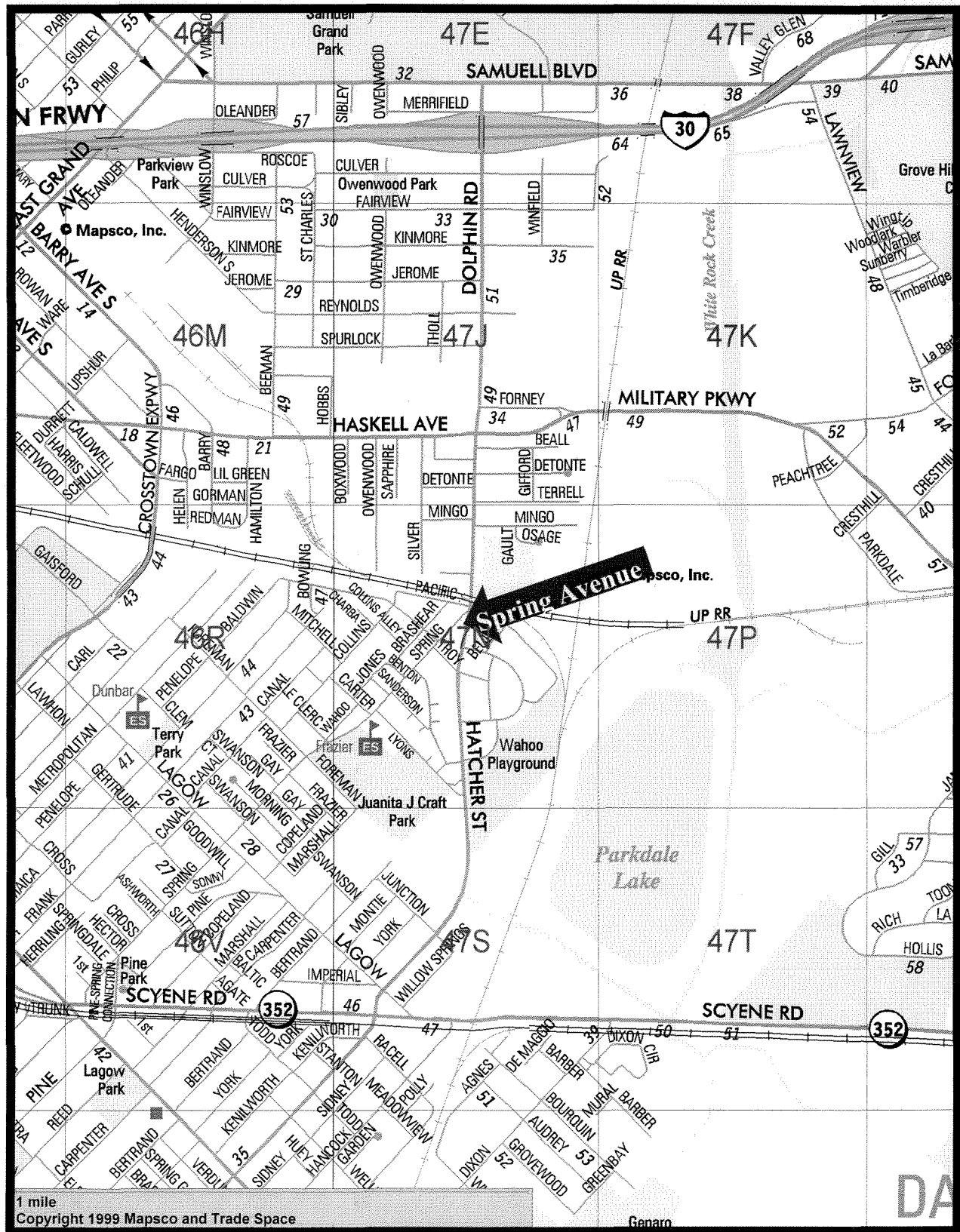
DEVELOPER

**South Dallas/Fair Park Innercity
Community Development
Corporation**

Diane Ragsdale, Executive Director

MAP(S)

Attached



MAPSCO 47N

April 24, 2013

WHEREAS, the City of Dallas seeks to increase the supply of new affordable workforce housing in order to attract and retain economic growth; and

WHEREAS, on February 26, 2003, the City Council approved the designation of five (5) census tracts, (CT 25.00, CT 39.02, CT 49.00, CT 89.00, and CT 101.01) as Neighborhood Investment Program (NIP) target areas for two years beginning October 1, 2003; and

WHEREAS, on September 28, 2005, the City Council approved the redesignation and expansion of three of the existing five NIP targeted areas as follows: CT 25.00 expanded to include CT 27.01 and CT 27.02; CT 39.02 expanded to include CT 115.00 (part); and CT 101.01 expanded to include CT 101.02. These census tracts were designated for a minimum of three years, beginning October 1, 2005; and

WHEREAS, on August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements; and

WHEREAS, On November 7, 2006, the voters of Dallas approved a \$1.35 billion General Obligation Bond Program of which \$41,495,000 was set aside for the purpose of providing funds for promoting economic development in the Southern area of the city, and promoting economic development in other areas of the city in connection with transit-oriented development; and

WHEREAS, on December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas; and

WHEREAS, on January 22, 2008, the Housing Committee of the City Council was briefed on the Frazier Neighborhood Investment Area and the Spring Avenue Revitalization Project; and

WHEREAS, on February 20, 2008, the City Council approved an economic development loan in the amount of \$500,000 at 0% interest to South Dallas/Fair Park Inncity Community Development Corporation; and

WHEREAS, On August 26, 2009, April 28, 2010, September 22, 2010, and December 12, 2012, the City Council approved increases in the economic development loan to ICDC from \$500,000 to \$3,100,000 to further the redevelopment efforts; and

April 24, 2013

WHEREAS, South Dallas/Fair Park Inncity Community Development Corporation (ICDC) proposes to continue to work with the City of Dallas for the Frazier Neighborhood Investment Program Area-Spring Avenue Revitalization Project; **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 increase the existing economic development loan with South Dallas/Fair Park Inncity Community Development Corporation (ICDC) by \$200,000, from \$3,100,000 to \$3,300,000 for the acquisition of improved and unimproved properties, located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, demolition costs, predevelopment costs and development costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute modifications to South Dallas/Fair Park Inncity Community Development Corporation's (ICDC's) loan documents.

Section 3. That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

South Dallas/Fair Park Inncity Development Corp. Vendor # VS266539
Fund 8T52, Dept HOU, Unit T807, Act AQDM, Obj 3015 - \$108,443
Fund 9T52, Dept HOU, Unit T808, Act AQDM, Obj 3015 - \$ 91,557
Program # FRAZIER1, CT HOUT807F105 - in an amount not to exceed \$200,000

Section 4. That the City Controller is hereby authorized to set up receivable balance sheet account (033F) and an allowance for uncollectible debt (022D) in funds 8T52 and 9T52 for the amount of the loan.

Section 5. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available bond funding, and there will be no liability or obligation on the City until final contract documents are approved, executed, and final closing completed.

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing/Community Services
CMO: Ryan S. Evans, 670-3314
MAPSCO: 55X

SUBJECT

Authorize an amendment to Resolution No. 12-3075, previously approved on December 12, 2012, to increase the existing economic development loan with City Wide Community Development Corporation for acquisition of improved and unimproved properties, including associated closing costs, relocation, environmental, and predevelopment costs - Not to exceed \$150,000, from \$450,000 to \$600,000 - Financing: 2006 Bond Funds

BACKGROUND

The 2006 Bond Election provided \$41,495,000 in general obligation bonds to provide funds for promoting economic development in the Southern Sector. On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to set forth the Economic Development Program for Southern Dallas. This project is being implemented under the amended program.

One of the key Lancaster Corridor stakeholders, City Wide Community Development Corporation (CWCDC), who is a certified Community Based Development Organization (CBDO), proposed to work with the City of Dallas to undertake the Lancaster/Kiest Redevelopment Project which is a part of the Economic Development Plan for the Lancaster Corridor.

The project is proposed to be four phases of redevelopment: 1) Retail Redevelopment, 2) Retail/Office New Construction, 3) High Density Live/Work affordable housing, and 4) High Density Multifamily affordable housing. CWCDC is currently under a contract for sale with multiple property owners for the purchase of their property (Property) for the use in this redevelopment and has requested that the City accept assignment of CWCDC's purchase rights and proceed with the acquisition of the Property in order to secure it for redevelopment, pending additional financing for the construction of each phase.

BACKGROUND (continued)

CWCDC has already purchased a number of improved and unimproved properties for the Lancaster/Kiest redevelopment. To date, they have expended \$403,008 of the original \$450,000 loan. The additional \$150,000 will allow CWCDC to continue their efforts to work on all four Phases of redevelopment in accordance with the Economic Development Master Plan for the Lancaster Corridor, particularly with appraisals, environmental reviews, relocation costs, demolition costs, and other predevelopment costs. The loan will remain at 0% interest with a maturity date of December 2015.

The acquisition and redevelopment of the property will further the City’s goals for economic development in the Southern Sector.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas.

On December 12, 2012, the City Council approved an economic development loan in the amount of \$450,000 with City Wide CDC for the Lancaster/Kiest project by Resolution No. 12-3075.

FISCAL INFORMATION

2006 Bond Funds - \$150,000

OWNER(S)

City Wide CDC

Sherman Roberts, President

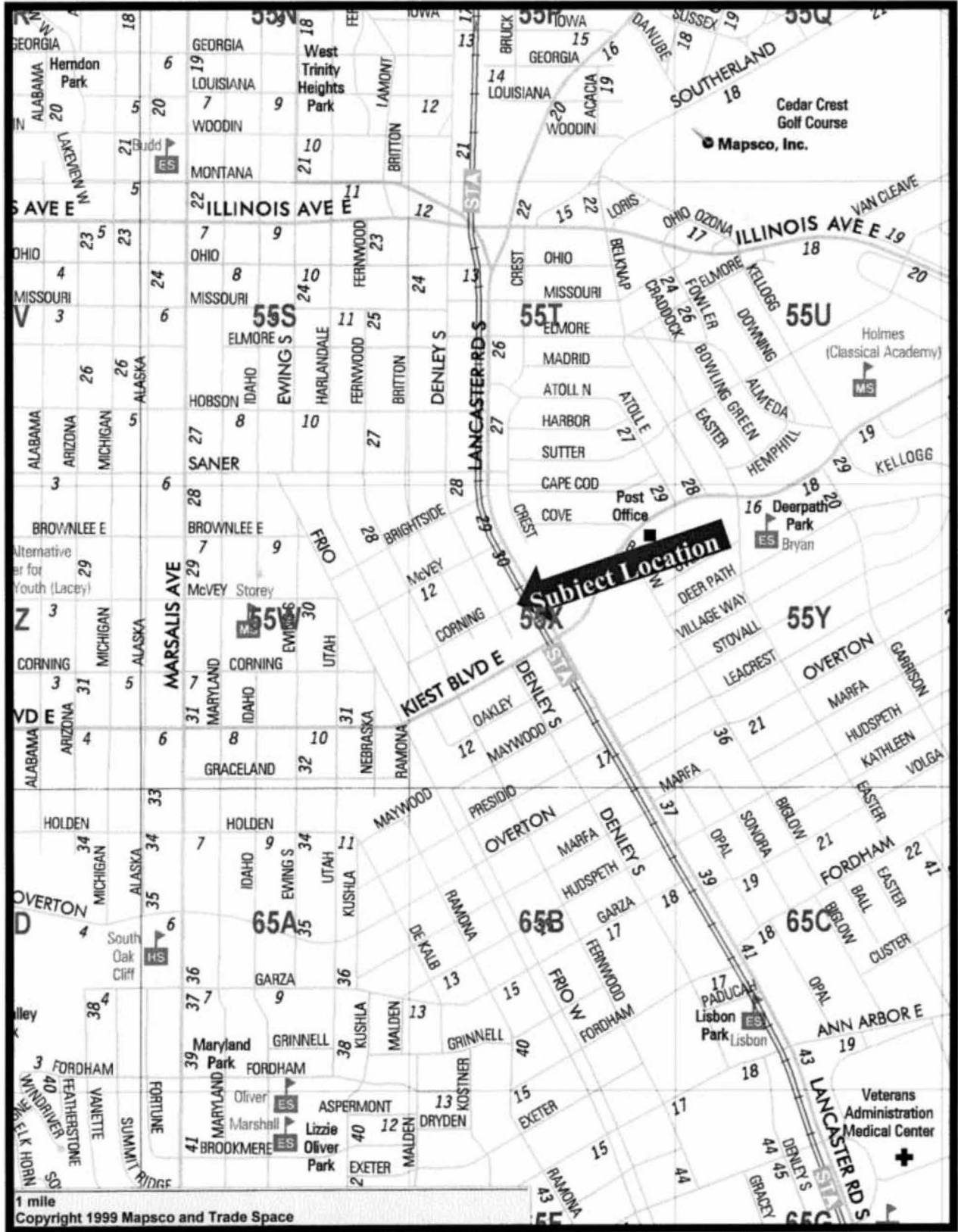
DEVELOPER

City Wide CDC

Sherman Roberts, President

MAP

Attached



MAPSCO 55X

April 24, 2013

WHEREAS, on August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements; and

WHEREAS, on November 7, 2006, the voters of Dallas approved a \$1.35 billion General Obligation Bond Program of which \$41,495,000 was set aside for the purpose of providing funds for promoting economic development in the Southern area of the city, and promoting economic development in other areas of the city in connection with transit-oriented development; and

WHEREAS, on December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas by Resolution No. 12-3075; and

WHEREAS, City Wide CDC proposes to continue to work with the City of Dallas for the Lancaster/Kiest Project; and

WHEREAS, the acquisition and redevelopment of the Property will further the City's goals for economic development in the Southern Sector; **NOW, THEREFORE**

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is authorized to increase the loan amount on an existing economic development loan with City Wide Community Development Corporation for acquisition of improved and unimproved properties, including associated closing costs, relocation, environmental, and predevelopment costs

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute modifications to City Wide Community Development Corporation's (CWCDC's) loan documents.

SECTION 3. That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

City Wide Community Development Corp. Vendor #VS0000026872
Fund 9T52, Dept HOU, Unit T808, Act AQDM, Obj 3015
In an amount not to exceed \$150,000

April 24, 2013

SECTION 4. That the City Controller is hereby authorized to set up receivable balance sheet account (033F) and an allowance for uncollectible debt (022D) in fund 9T52 for the amount of the loan.

SECTION 5. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available bond funding, and there will be no liability or obligation on the City until final contract documents are approved, executed and final closing completed.

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

AGENDA ITEM # 42

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 3
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 670-3314
MAPSCO: 52 P; T

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an A(A) Agricultural District in the northeast quadrant of Illinois Avenue and Spur 408/Loop 12

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

Z123-176(RB)

FILE NUMBER: Z123-176(RB) **DATE FILED:** January 14, 2013

LOCATION: Illinois Avenue and Spur 408/Loop 12, Northeast Quadrant

COUNCIL DISTRICT: 3 **MAPSCO:** 52 P, T

SIZE OF REQUEST: Approx. 22.397 Acres **CENSUS TRACT:** 107.04

APPLICANT: John Thomas

REPRESENTATIVE: John Blacker

OWNER: The Gospel Lighthouse Church

REQUEST: An application for a Specific Use Permit for an Open-enrollment charter school on property zoned an A(A) Agricultural District.

SUMMARY: The applicant is proposing to operate an open-enrollment charter school within a portion of an existing church campus with a projected enrollment of 750 students, grades K-six.

CPC RECOMMENDATION: Approval for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The request site is partially developed with a multiple buildings/areas utilized for a church campus. The eastern half is undeveloped, with a portion of it located within a designated flood plain.
- The applicant proposes to provide for an open-enrollment charter school utilizing specific buildings within the existing improvements as well as an approximate 21,000 square foot (land area) expansion area.
- The proposed school will accommodate an anticipated enrollment of 750 students, grades K through six.

Zoning History: There have been no recent zoning requests in the area.

<u>Thoroughfare</u>	<u>Designation; Existing & Proposed ROW</u>
Illinois Avenue	Principal Arterial; 100' & 100' ROW
Spur 408/Loop 12	Freeway; Variable ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

The site is located in an area that most closely resembles the Campus Building Block, which focuses on areas around large master-planned educational, institutional or business facilities outside the Downtown. This 26-acre parcel is located in close proximity to Molina High School/ Mary McLeod Bethune Elementary School, a 77 acre (aggregate) institutional campus to the east/northeast, with Pinnacle Park partially developed to the southwest.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The request site is partially developed with a multiple buildings/areas utilized for a church campus. The eastern half is undeveloped, with a portion of it located within a designated flood plain. The applicant proposes to provide for an open-enrollment charter school utilizing specific buildings within the existing improvements as well as an approximate 21,000 square foot (land area) expansion area.

The site is situated at a high elevation with unobstructed views to the northwest/west. Undeveloped property abuts the site's northern and eastern property lines, with a public elementary school (Mary McLeod Bethune Elementary School) and high school (Moises E. Molina High School) further east/northeast. Single family detached uses are developed to the south/southwest, with another institutional (church) use to the southwest.

Staff has worked with the applicant to ensure the above referenced residential areas are not impacted by a school at this location. Certain site design (location of outdoor play areas, on-site circulation as required by the traffic management plan) has been incorporated into the applicant's request. It should be noted that the site possesses a significant number of parking spaces that serve the church, and with most of these activities taking place outside of projected school hours, staff does not envision any impact on surrounding uses or the abutting public roadways.

As a result of this analysis, staff supports the request, subject to the attached site plan, traffic management plan (providing for biennial updates), and conditions.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's traffic management plan and supports as an acceptable analysis.

Landscaping: The site possesses landscape materials provided during the initial construction of improvements associated with the church. While initial plans will not trigger a recommendation for additional landscaping, the proposed expansion will. This will be addressed at the time permits are submitted for this expansion. Staff envisions that an artificial lot will be created to address the expansion area.

CPC ACTION

(March 21, 2013)

Motion: It was moved to recommend **approval** of a Specific Use Permit for an Open-enrollment charter school for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan and revised conditions on property zoned an A(A) Agricultural District in the northeast quadrant of Illinois Avenue and Spur 408/Loop 12.

Maker: Anglin
Second: Wally
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Culbreath, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 400 Mailed: 44
Replies: For: 1 Against: 1

Speakers: None

November 26, 2012

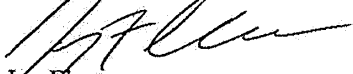
To whom it may concern:

The following is a list of officers/board members for Gospel Lighthouse Church:

Gregg Headley (President)
Barry Gordon (Secretary)
Pam Moss (Treasurer)
Carl Cathey
Dan Craig
Ken Pierce
Adam Pacheco

If you have any additional questions please feel free to contact me at 214-331-6516 or by email at jfleener@lighthouseofdallas.org.

Warmest Regards,



Jay Fleener
Associate Pastor

Z123-176

**CPC RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT
FOR AN OPEN ENROLLMENT CHARTER SCHOOL**

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. CLASSROOMS: The maximum number of classrooms is 28.
5. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
6. OFF-STREET PARKING: Parking must be located as shown on the attached site plan.
7. TRAFFIC MANAGEMENT PLAN:
 - A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.
 - B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
 - C. Traffic study.
 - i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2014. 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 even-numbered year.

ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- a. ingress and egress points;
- b. queue lengths;
- c. number and location of personnel assisting with loading and unloading of students;
- d. drop-off and pick-up locations;
- e. drop-off and pick-up hours for each grade level;
- f. hours for each grade level; and
- g. circulation.

iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

(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.

8. ROADWAY IMPROVEMENTS: Prior to a certificate of occupancy, a No U-Turn sign on eastbound Illinois Avenue at the median opening in the vicinity of Driveway 1 must be installed, subject to approval of Street Services.

9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

Z123-176(RB)

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.

**TRAFFIC MANAGEMENT PLAN FOR
LIFE SCHOOL AT GOSPEL LIGHTHOUSE CHURCH
IN DALLAS, TEXAS**

Prepared for:
Life School of Dallas
5525 W. Illinois Avenue
Dallas, TX 75211

Prepared by:
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
Engineers • Planners
400 South Houston Street
Suite 330 • Union Station
Dallas, Texas 75202
Phone 214/748-6740

February 15, 2013



Traffic Management Plan for
Life School at Gospel Lighthouse Church
< DeShazo Project No. 13020 >

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Technical Memorandum

To: Mr. John Blacker — Hart, Gaugler & Associates, Inc.
From: DeShazo Group, Inc.
Date: February 15, 2013
Re: Traffic Management Plan for the proposed Life School at Gospel Lighthouse Church in Dallas, Texas
(DeShazo Project No. 13020)

INTRODUCTION

The services of DeShazo Group, Inc. (DeShazo) were retained by retained by Hart, Gaugler & Associates, Inc. on behalf of Life School at Gospel Lighthouse Church ("the school") to conduct a traffic management plan (TMP) for their proposed campus planned to be located at 5525 W. Illinois Avenue in Dallas, Texas. The school will be located in the existing Gospel Lighthouse Church building. [NOTE: The church also has an existing daycare learning center facility (NOT affiliated with the school) located on the church campus.] The proposed school is an open-enrollment charter school that is being designed to accommodate up to 744 students from Kindergarten through 6th grades at the school opening year. This TMP is developed for and applicable to the school opening year (2013-14) conditions.

DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering.

Purpose

The purpose of this report is to develop procedures to promote traffic safety and efficiency to be used by the school during the morning drop-off and afternoon pick-up peak periods. The TMP will be provided to the City of Dallas staff ("the Staff") for review as to fulfill the associated requirements of the local approval process.

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. The analysis summarized below utilizes the school site plan to identify the queuing (i.e., vehicle stacking) space needed on site to accommodate the observed peak demands related to student drop-

February 15, 2013

off and pick-up at the school. A concerted effort by the school administration and the parents is encouraged to provide and maintain safe and efficient traffic operations.

School Operational Characteristics

For the proposed Life School at Gospel Lighthouse Church, the following information was provided by the School:

- Estimated enrollment of 744 students
- No students will be transported via public school buses
- No appreciable number of students will be walking to/from the school

School Hours

The school is expected to operate on a uniform daily schedule. Classes on typical school days for all grades are planned to begin at 8:00 AM and conclude at 3:15 PM. While class times are established, it can be assumed that not all students will enter/exit the site at these exact times based upon normal distribution patterns. Occasional special events at the school that generate traffic may also occur outside the traditional peak drop-off and pick-up periods; while some of the measures presented in this report may be applicable in conjunction with special events, these traffic characteristics are not covered in this analysis.

Circulation

The site contains five driveways on Illinois Avenue and two driveways on northbound Walton Walker Boulevard frontage road. According to the information obtained from the Client, majority of the morning drop-off and afternoon pick-up related vehicles are expected to come from/going back to the east. Primary inbound access to the school campus during the morning drop-off and afternoon pick-up periods will be provided at Driveway 1 on Illinois Avenue. Primary outbound access from the campus during the drop-off/pick-up periods will be provided at Driveway 1 and at Driveway 5 on Illinois Avenue and at Driveway 6 on northbound Walton Walker Boulevard frontage road. It is recommended that the access at Driveways 2, 3, and 4 on Illinois Avenue be temporarily prohibited during the morning drop-off and afternoon pick-up periods in order to maintain safe and efficient traffic operations on campus. The overall circulation pattern on the school campus will be counterclockwise.

Passenger vehicles dropping-off/picking-up students will enter the school site via Driveway 1 form a single queue lane, circulate one-way northbound in the parking aisle. Vehicles will circulate counterclockwise around the parking lot and the school/church building and enter the loading/unloading area located along the west side of the main building. The designated start of the loading/unloading area is located in the drive aisle adjacent to the northwest corner of the sanctuary building. Following the pick-up/drop-off, vehicles going to the east should drive around the sanctuary building and circulate clockwise through the parking lot to exit the campus via Driveway 1 onto Illinois Avenue. Vehicles going to the north should exit the campus via Driveway 6 onto northbound Walton Walker Boulevard frontage road. Vehicles going to the west and south should continue to drive southbound along the west side of the parking lot and exit the campus via Driveway 5 onto Illinois Avenue.

*Life School at Gospel Lighthouse Church
Traffic Management Plan
Page 2*

Except at the driveways (or otherwise noted), all internal site circulation used for student loading/unloading shall be operated as one-way, counter-clockwise flow. Stacking for pick-up/drop-off in the right lane between around the school building (except in the loading/unloading area) is discouraged in order to provide a continuous by-pass ("escape") lane and to prevent traffic congestion from accumulating where traffic flow is needed. On-site activity including traffic circulation and student loading/unloading should be facilitated by staff members of the school. Detailed illustrations of the proposed circulation plan are provided in Exhibit 1.

NOTE: Also see important instructions in the next section: "Staff Assistance".

Queue Lengths

A goal for any school should be to accommodate all vehicular queuing and drop-off/pick-up procedures on private property (i.e., not utilize public right-of-way for passenger loading/unloading). To facilitate this goal, the schools should try to minimize the number of vehicles present on site at any given time in order to minimize potential of vehicles queuing and/or parking in public right-of-way. DeShazo has observed vehicle queuing characteristics at similar schools to estimate peak vehicular queue demand on the school campus.

Maximum queuing at schools consistently occurs during the afternoon peak period when students are being picked-up by private automobiles – traffic queuing during the morning period is typically less significant than the afternoon period since the drop-off activity is more temporally distributed and occurs much more quickly than student pick-up. The DeShazo model projects the peak queue conditions experienced during the afternoon peak period.

Based upon the DeShazo model, the maximum number of vehicles in queue during the PM peak hour is equivalent to approximately 40% of the total inbound PM peak hour traffic volume. [NOTE: Since, this TMP is designed for the ultimate scenario, the total enrollment of 744 students was used to calculate the total inbound PM peak hour inbound volume.] The PM peak hour inbound volume is calculated for "private schools" based upon the projected number of students using the ITE *Trip Generation* equations. [ITE *Trip Generation* is a compilation of actual traffic generation data by land use as collected over several decades by creditable sources across the country, and it is accepted as the standard methodology to determine trip generation volumes for various land uses where sufficient data exists.]

For the proposed Life School at Gospel Lighthouse Church, the following assumptions were employed in the DeShazo Model:

- 744 total students
- No students will be transported via school buses
- No students will be walking to/from the school

Trip generation equations/rates for the ITE Land Use Code 534 - Private School (K-8) were used in the DeShazo model (excerpts from the ITE *Trip Generation* are provided in Appendix). Based on DeShazo's methodology the maximum passenger vehicle queue for the school was estimated to be 84 vehicles or 1,848 linear feet (@ 22 feet/vehicle). More information and detailed queue calculations are also provided in Appendix.

DeShazo Group, Inc.
February 15, 2013

The proposed school campus as shown on the site plan provides a primary queuing space of approximately 2,072 feet (about 93 vehicles @ 22 feet per vehicle) in the queue lanes (#1 and #2) as shown in Exhibit 1. An additional queue length of approximately 495 feet (about 22 vehicles @ 22 feet per vehicle) from Driveway 6 through the parking lot located on the south side of the sanctuary building (as illustrated in Exhibit 1) can also be made available, as needed. The site plan also shows approximately 91 parking spaces located on the west side of the school/church building that are intended to be available for use by parents during student pick-up/drop-off. [NOTE: According to the information obtained from the Client, some parents prefer to park and walk in to the school to drop-off/pick-up the students (in lieu of entering the queue line).]

A supplemental strategy to be considered by the school (in order to reduce the peak queuing demand) is to introduce staggered release times during the afternoon pick-up period. With proper management, vehicular traffic can be dispersed over a longer period of time and peak queue can be further reduced.

Staff Assistance

To optimize safety, it is important to have staff from the school present where- and whenever students are dropped-off or picked-up. The general responsibility of the authorized staff is to ensure all vehicles in the immediate vicinity of the designated loading area are in a fully stopped condition before loading/unloading occurs and where pedestrians are present, and to provide general oversight and limited assistance (where practical to do so). At the appropriate interval, the authorized staff should instruct motorists when it is safe to advance/exit.

Placement of temporary traffic control devices (e.g., traffic cones, STOP signs, etc. as shown on Exhibit 1) within the site by school personnel should be used to assist and guide motorists through the intended circulation patterns during peak drop-off and pick-up periods.

NOTE: Only deputized officers of the law (including school crossing guards) may place traffic control devices or instruct traffic within public rights-of-way.

In the morning, at least two staff members should be available at the designated passenger drop-off area to guide and assist vehicles to designated locations and direct students into the school building. Likewise, during the afternoon, at least three staff members should be available at the designated passenger loading area to facilitate orderly and expedient passenger loading.

It is recommended that the staff should oversee operations within the site and ensure traffic flows according to the TMP. Other general protocols to be imposed:

- enforce no parking of passenger vehicles in the queue lanes
- passenger loading and unloading should primarily occur at the curbside and, in some cases, other areas specially designated for passenger loading/unloading on private property (NOT on public right-of-way)

Bus Circulation

--Not Applicable (no buses)--

Life School at Gospel Lighthouse Church
Traffic Management Plan
Page 4

*DeShazo Group, Inc.
February 15, 2013*

ADDITIONAL RECOMMENDATIONS

1. Subject to approval by the City of Dallas Department of Street Services: Install "No U-Turn" sign on eastbound Illinois Avenue at the median opening at Driveway 1.

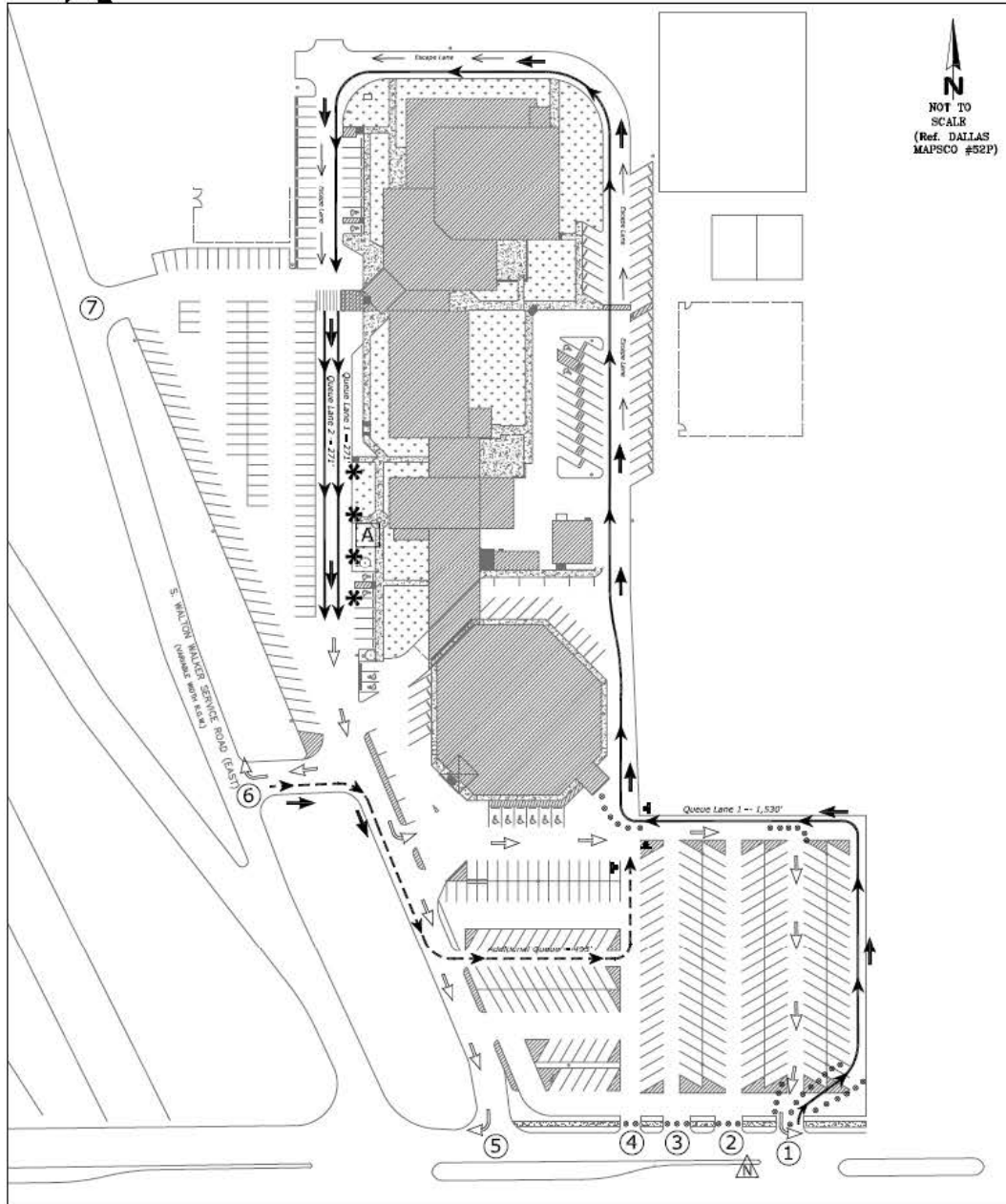
SUMMARY

This TMP is to be used by Life School at Gospel Lighthouse Church to provide safe and efficient transportation of students, staff, and faculty to and from the site. The Plan was developed with the intent of optimizing passenger vehicle loading/unloading within the site and to avoid vehicle queuing and passenger loading/unloading within the City right-of-way. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness and compliance and to consider adjustments as needed to provide overall safety.

END OF MEMO



DeShazo Group, Inc. File No. 130920 Exhibit Created on 02-18-2013



School Information
 Current Enrollment: 744 Students
 Academic: Kindergarten - 6th
 Hours: 8:00 AM-3:15 PM

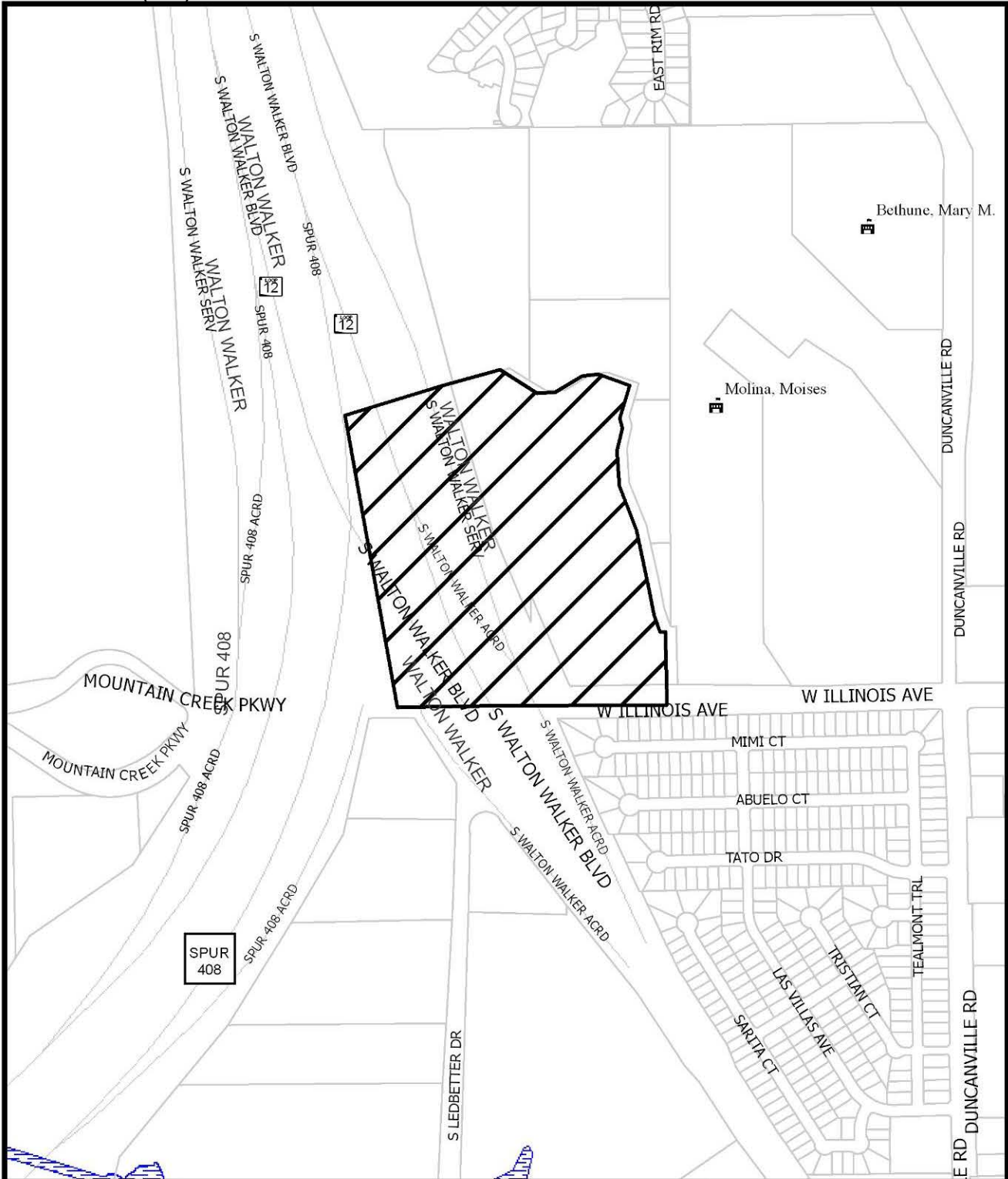
	Primary Queue		Additional		Total
	veh./ft.	ft.	veh./ft.	ft.	
Projected Demand*	84 {1,848'}	--	--	--	84 {1,848'}
Available Capacity	93 {2,072'}	22 {495'}	91**	206 {2,567'}	206 {2,567'}
NET Surplus/(Deficiency)	9 {224'}		113 {495'}	122 {719'}	122 {719'}

* Based upon DeShazo Queuing Model
 ** Estimated parking supply available for afternoon pick-up operations.
 NOTE: Vehicular queue in linear feet is calculated at 22 ft. per passenger vehicle.

- Legend**
- ➔ Circulation Path (Inbound)
 - ➞ Circulation Path (Outbound)
 - ➔ Passenger Vehicle Queue (Primary)
 - ➞ Passenger Vehicle Queue (Additional)
 - A Drop-off/Pick-up Area (Primary)
 - ** Staff Assistance
 - # School Driveway Nomenclature
 - ⊠ Temporary STOP Signs
 - ⊗ Temporary Traffic Cones
 - ⚡ "No U-Turn" Sign

NOTE: This Traffic Management Plan was developed to prevent the queuing of drop-off/pick-up related vehicles within the city right-of-way. The school administration should adhere to this TMP and any deficiency due to spill over of queuing into undesignated areas of the city right-of-way, including roadway travel lanes, should be corrected by the school immediately.



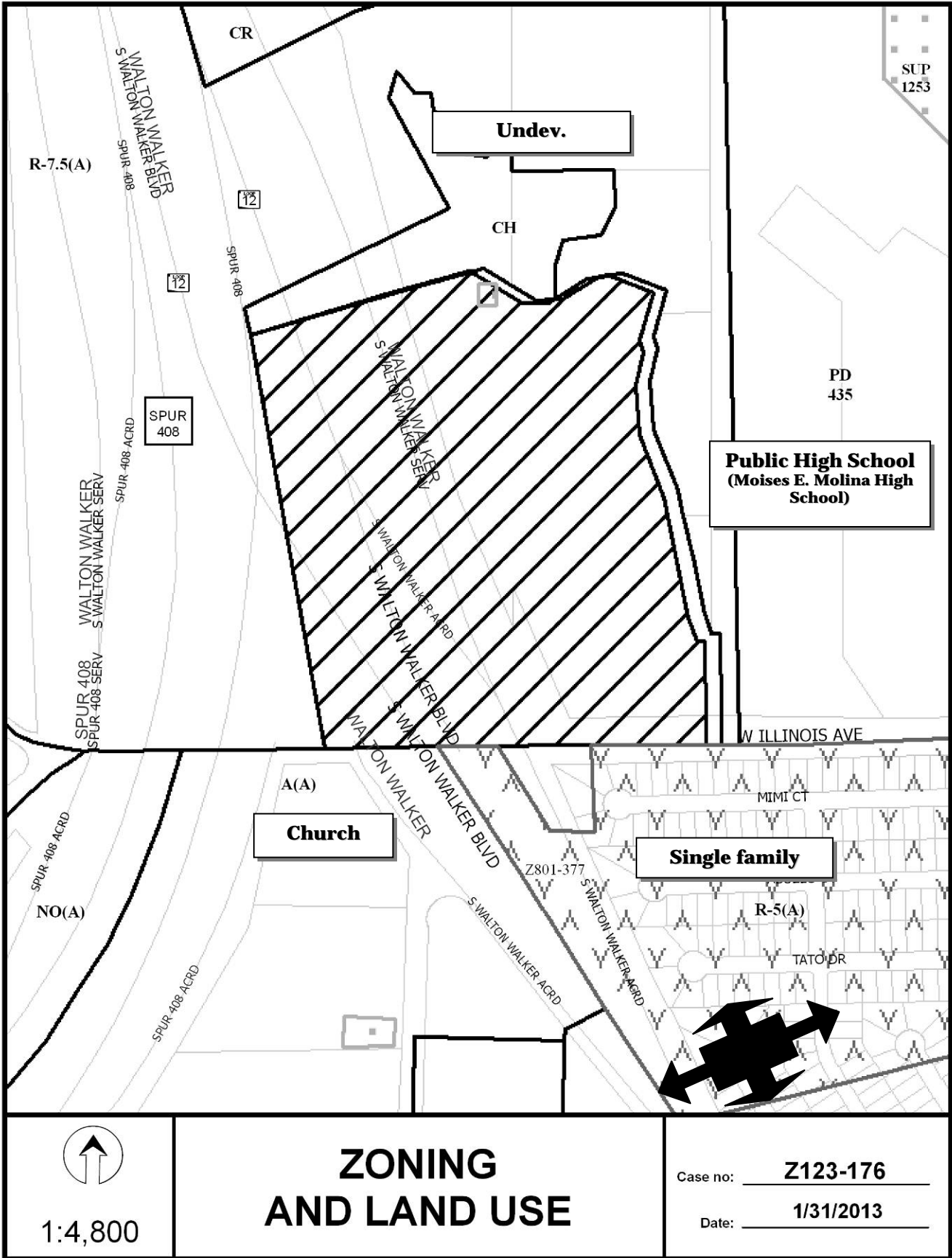


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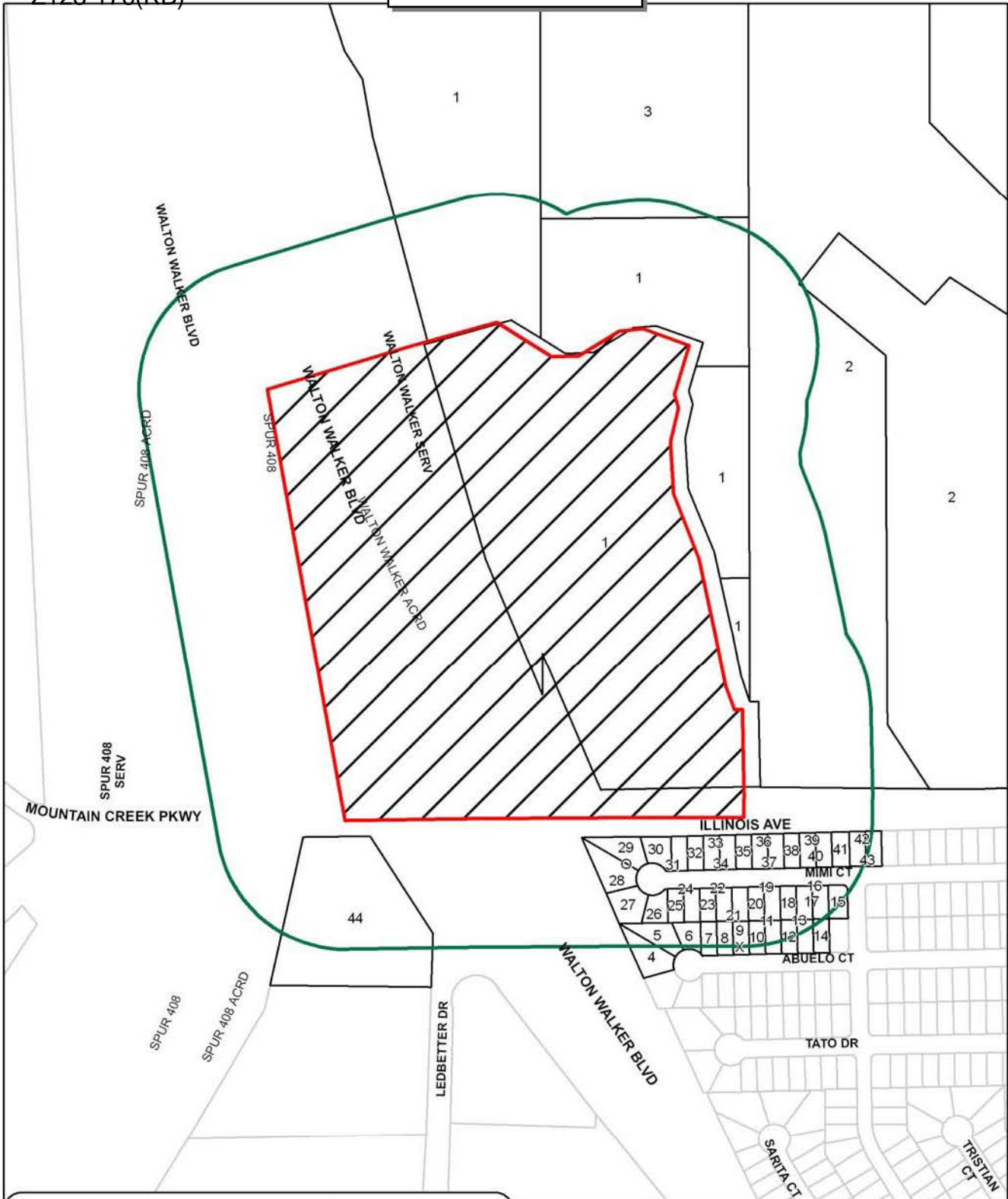
VICINITY MAP

Case no: **Z123-176**

Date: **1/31/2013**



CPC RESPONSES



<u>44</u>	Property Owners Notified (49 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>400'</u>	Area of Notification
<u>3/21/2013</u>	Date

Z123-176
CPC



1:4,800

3/22/2013

Reply List of Property Owners***Z123-176******44 Property Owners Notified
Owners Opposed******1 Property Owners in Favor******1 Property***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	5355 ILLINOIS AVE	GOSPEL LIGHTHOUSE CHURCH THE
	2	2355 DUNCANVILLE RD	Dallas ISD
	3	5525 ILLINOIS AVE	YAQUINTO ROBERT JR &
	4	5257 ABUELO CT	MATTHEWS RANDALL R &
	5	5253 ABUELO CT	VALENZUELA OLIVIA C &
	6	5249 ABUELO CT	RUBI WILMER A
	7	5245 ABUELO CT	GOMEZ JESUS R
	8	5241 ABUELO CT	JIMENEZ PORFIRIO
X	9	5237 ABUELO CT	CASTILLO MARIA
	10	5233 ABUELO CT	ESCALANTE CANDY
	11	5229 ABUELO CT	LLANES GRICELDA &
	12	5225 ABUELO CT	YASSIN FERNANDO
	13	5221 ABUELO CT	QUINTANA JOSE P &
	14	5217 ABUELO CT	BARBOZA ANTONIO FLORES
	15	5208 MIMI CT	SUAREZ MARTINIANO FELIX
	16	5212 MIMI CT	RAMIREZ EFRAIN
	17	5216 MIMI CT	HASTINGS DONALD S
	18	5220 MIMI CT	MORENO DAVID V
	19	5224 MIMI CT	LARA JUAN
	20	5228 MIMI CT	GUILLEN ANDRES RIVAS &
	21	5232 MIMI CT	DURAN FRANCISCO & LETICIA
	22	5236 MIMI CT	AGUIRRE CELSO &
	23	5240 MIMI CT	LEMUS IDDO N &
	24	5244 MIMI CT	TANNER EVA E
	25	5248 MIMI CT	VALENCIA ALEJANDRO
	26	5252 MIMI CT	MUNOS MARTHA E

3/22/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5256 MIMI CT	LOERA MARTIN &
	28	5257 MIMI CT	GANDARILLA MARTIN &
O	29	5253 MIMI CT	NIETO JOSE L
	30	5249 MIMI CT	RUBIO NOEL ANTONIO
	31	5245 MIMI CT	DELEON ROBERTO & MAYRA V
	32	5241 MIMI CT	BURCIAGA BERTHA
	33	5237 MIMI CT	HOWARD TAMEKA
	34	5233 MIMI CT	AVILA JOSE H &
	35	5229 MIMI CT	MILLER JEANELL B
	36	5225 MIMI CT	BENAVIDEZ JOSE
	37	5221 MIMI CT	HERNANDEZ MARIA P
	38	5217 MIMI CT	PINEDA JOSE &
	39	5213 MIMI CT	CENICEROS SANDRA E
	40	5209 MIMI CT	SANCHEZ JUAN FRANCISCO & KATHERINE PUERT
	41	5205 MIMI CT	PICHE ELMER A
	42	5165 MIMI CT	CAMPOS RENE
	43	5161 MIMI CT	RIVERA NICOLAS Y
	44	5606 ILLINOIS AVE	FIRST UNITED PENTECOSTAL

AGENDA ITEM # 43

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 7
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 670-3314
MAPSCO: 38 U

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northeast corner of Gross Road and Peavy Road
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan and conditions
Z123-190(MW)

FILE NUMBER: Z123-190(MW)

DATE FILED: January 31, 2013

LOCATION: Northeast corner of Gross Road and Peavy Road

COUNCIL DISTRICT: 7

MAPSCO: 38-U

SIZE OF REQUEST: ±11.59 acres

CENSUS TRACT: 123.01

REPRESENTATIVE: Karl Crawley, Masterplan

OWNER/APPLICANT: Dallas Independent School District

REQUEST: An application for a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open enrollment charter school on property zoned an R-7.5(A) Single Family District

SUMMARY: The applicant proposes to expand the school's cafeteria and kitchen by ±3,200-square feet, which will result in the loss of the nonconforming status. The proposed Planned Development District will permit the school by right.

CPC RECOMMENDATION: Approval, subject to a development plan, traffic management plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan, traffic management plan and conditions.

BACKGROUND INFORMATION:

- The ±11.59-acre request site is development with a ±73,133-square foot elementary school (George W. Truett Elementary School), which was constructed in 1950 and is a nonconforming use.
- The applicant proposes to expand the school’s cafeteria and kitchen by ±3,200-square feet to serve more students during each lunch period and, therefore, reduce the number of lunch periods required to serve all students. However, the proposed expansion will result in the loss of the school’s nonconforming status.
- The Dallas Independent School District (DISD) is not acquiring property to accommodate this request.
- George W. Truett Elementary School serves pre-kindergarten through grade five (5) and has a current enrollment of approximately 1,000 students. The proposed addition will not impact school enrollment.
- The request site is surrounded by a private school to the north (Bishop Lynch High School); a park to the east; and single family residential to the south and west.

Zoning History:

There have been no recent zoning requests within the vicinity of the request site.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Gross Road	Local	60 feet
Inadale Avenue	Local	50 feet
Peavy Road	Collector	60 feet

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	PDD No. 490	School
East	R-7.5(A)	Park
South	R-7.5(A)	Single family
West	R-7.5(A)	Single family

STAFF ANALYSIS:

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominant land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

In general, the applicant's request is consistent with the *forwardDallas! Vision* and further complies with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

URBAN DESIGN ELEMENT

GOAL 5.1 Promote a sense of place, safety and walkability

Policy 5.1.3: Encourage complementary building height, scale, design and character.

Land Use Compatibility:

The ±11.59-acre request site is developed with a ±73,133-square foot elementary school (George W. Truett Elementary School), which was constructed in 1950 and is a nonconforming use. The applicant proposes to expand the school's cafeteria and kitchen by ±3,200-square feet to serve more students during each lunch period and, therefore, reduce the number of lunch periods required to serve all students. However, the proposed expansion will result in the loss of the school's nonconforming status.

George W. Truett Elementary School serves pre-kindergarten through grade five (5) and has a current enrollment of approximately 1,000 students. The proposed addition will not impact school enrollment. The request site is surrounded by a private school to the north (Bishop Lynch High School); a park to the east; and single family residential to the south and west.

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

Pursuant to §51A-4.204 of the Dallas Development Code, the off-street parking requirement for a school is 1.5 spaces for each kindergarten/elementary school classroom. Therefore, the existing 39 classrooms require 59 off-street parking spaces. The applicant will provide 79 off-street parking spaces, as depicted on the proposed development plan. The applicant proposes provisions to allow parking in a required yard and to exempt parking or loading from screening requirements.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code.

CPC Action: April 4, 2013

Motion: It was moved to recommend **approval** of a Planned Development District for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school, subject to a development plan, traffic management plan and revised conditions on property zoned an R-7.5(A) Single Family District on the northeast corner of Gross Road and Peavy Road.

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

For: 15 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 110
Replies: For: 5 Against: 1

Speakers: None

Partners/Principals/Officers:

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Elizabeth Jones
District 2	Mike Morath
District 3	Dan Micciche
District 4	Nancy Bingham, Board Secretary
District 5	Lew Blackburn, Ph.D., President
District 6	Carla Ranger
District 7	Eric Cowan, 2 nd Vice President
District 8	Adam Medrano, 1 st Vice President
District 9	Bernadette Nutall

Z123-190

**Z123-190
CPC Recommended Conditions**

SEC. 51P-____.101. LEGISLATIVE HISTORY.

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

SEC. 51P- _____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located at the northeast corner of Gross Road and Peavy Road. The size of PD _____ is approximately 11.59 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

- a. Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- b. Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions or sections in Chapter 51A.
- c. This district is considered to be a residential zoning district.

SEC. 51P-____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: development plan.
- (2) Exhibit ____B: traffic management plan.

EC. 51P- _____.105. DEVELOPMENT PLAN.

- (a) For a public school other than an open-enrollment charter school, development and use of the Property must comply with the development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of this article controls.
- (b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P- ____ .106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(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-7.5(A) Single Family District is subject to DIR in this district; etc.

(b) A public school other than an open-enrollment charter school is permitted by right.

SEC. 51P- ____ .107. ACCESSORY USES.

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

SEC. 51P- ____ .108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot and space regulations for the R-7.5(A) Single Family District apply.

(b) Residential proximity slope. If any portion of a structure used for an institutional use or a utility and public service use is over 26 feet in height, that portion may not be located above a residential proximity slope.

(c) Public school other than an open-enrollment charter school.

(1) Front yard. Minimum front yard is 20 feet.

(2) Floor area. Maximum floor area is 78,000 square feet.

(3) Lot coverage. Maximum lot coverage is 30 percent.

SEC. 51P- ____ .109. OFF-STREET PARKING AND LOADING.

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

(b) For a public school other than an open-enrollment charter school:

- (1) Parking may be provided in a required yard.
- (2) Screening of parking and loading areas is not required.

SEC. 51P- _____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.111. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) A tree removal permit may be issued by the building official prior to the issuance of a building permit.
- (c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII and the attached development plan.

SEC. 51P- _____.113. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit ____B).

(b) 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 **March 1, 2014**. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each even-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;

(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 the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) In order to amend a traffic management plan, the Property owner or operator must provide data showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation.

(3) 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- _____.114.

ADDITIONAL PROVISIONS.

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

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

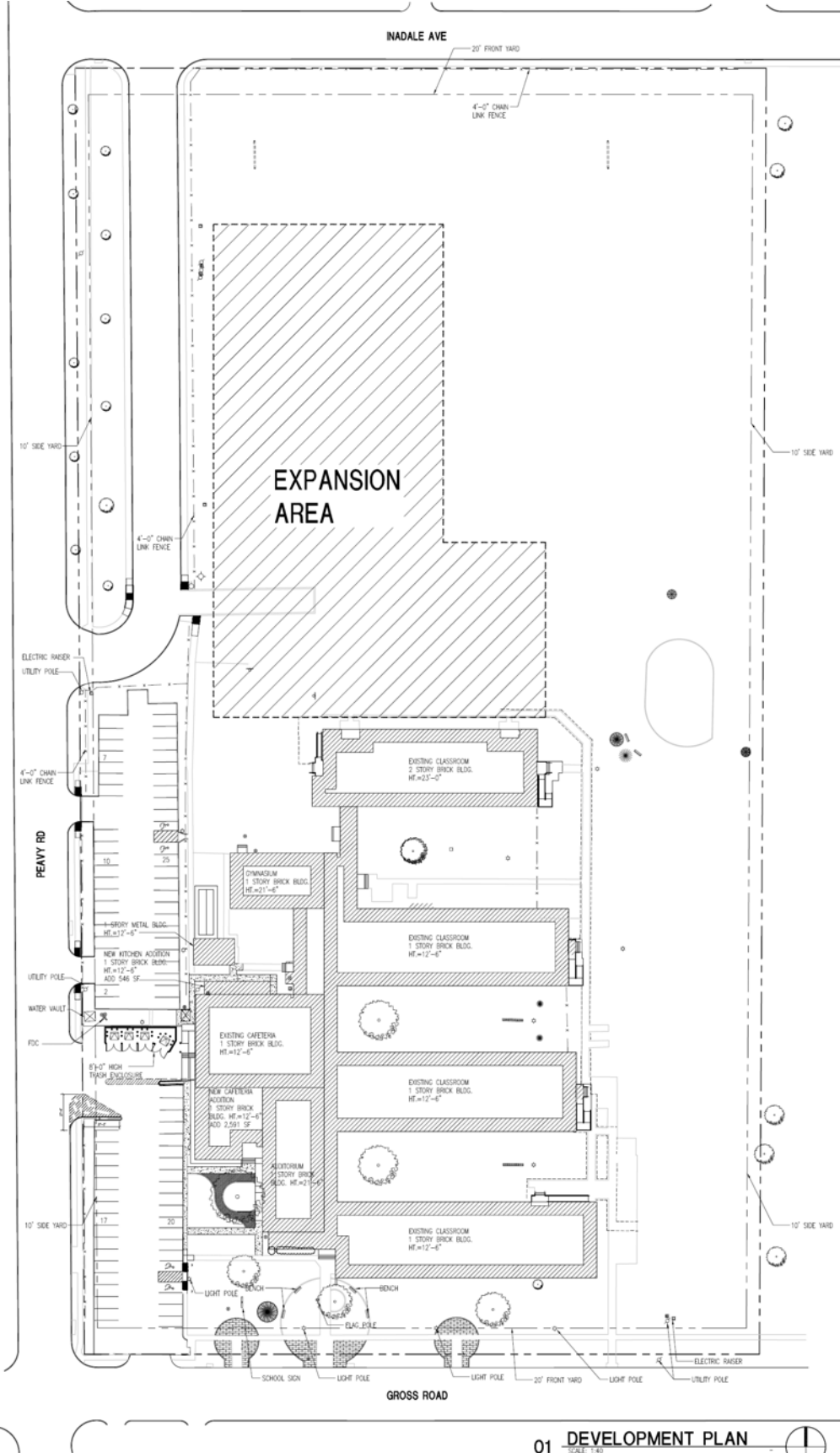
SEC. 51P-____.115.

COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

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

Proposed Development Plan



01 DEVELOPMENT PLAN



Proposed Traffic Management Plan



Technical Memorandum

To: Karl Crawley — Masterplan Consultants
From: DeShazo Group, Inc.
Date: January 18, 2013
Re: Traffic Management Plan for the DISD-George W. Truett Elementary School in Dallas, Texas
(DeShazo Project No. 12175)

INTRODUCTION

The services of DeShazo Group, Inc. (DeShazo) were retained by Masterplan Consultants (Client) on behalf of Dallas Independent School District (DISD) to conduct a traffic management plan (TMP) for the existing George W. Truett Elementary School (the "School") located at 1811 Gross Road in Dallas, Texas. The school is currently in operation at the site with an enrollment of 1,104 students from Pre-Kindergarten through 5th grade.

The school will undergo minor facilities and equipment upgrades for maintenance, though no change in enrollment is anticipated. This TMP was developed as part of the approval processes triggered by those improvements.

DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering.

Purpose

The purpose of this report is to develop procedures to promote traffic safety and efficiency to be used by the school during the morning drop-off and afternoon pick-up peak periods. The TMP will be provided to the City of Dallas staff ("the Staff") for review as to fulfill the associated requirements of the local approval process.

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. The analysis summarized below utilizes the school site plan to identify the queuing (i.e., vehicle stacking) space needed on site to accommodate the observed peak demands related to student drop-off and pick-up at the school. A concerted effort by the school administration and the parents is encouraged to provide and maintain safe and efficient traffic operations.

School Operational Characteristics

For the DISD-George W. Truett Elementary School, the following information was provided by the DISD representatives:

- Current enrollment of 1,104 students
- Approximately 100 students are transported via school buses (two buses)
- No appreciable number of students walk to/from the school

Based upon the information obtained from the DISD representatives, no appreciable change in the student enrollment is anticipated following the redesign of the school campus.

School Hours

The school operates on a uniform daily schedule. Classes on typical school days begin and conclude at following times.

- All grades start at 8:00 AM and end at 3:15 PM

While class times are established, it can be assumed that not all students will enter /exit the site at these exact times based upon normal distribution patterns. Occasional special events at the school that generate traffic may also occur outside the traditional peak drop-off and pick-up periods; while some of the measures presented in this report may be applicable in conjunction with special events, these traffic characteristics are not covered in this analysis.

Circulation

DeShazo observed the afternoon pick-up related activities at the school campus on Monday, November 5, 2012. The following description of the existing circulation pattern is based upon those observations. [NOTE: The following summary pertains to the afternoon pick-up period only; however, the morning drop-off/unloading is expected to be somewhat similar. Traffic observations focus on the afternoon/loading period since those traffic conditions typically represent the worst-case scenario from a traffic and queuing standpoint. Generally, achieving efficiency during the afternoon/loading traffic operations translates into efficiency during the morning/unloading period, therefore priority is given to the afternoon operations.]

The site contains one driveway in the northwest quadrant of the school campus with access from Inadale Avenue and Peavy Road. Access to this driveway is restricted to "ingress only" from Inadale Avenue and "egress only" on Peavy Road during the morning drop-off and afternoon pick-up peak periods. The overall circulation pattern on the school driveway is counterclockwise. Although, the school driveway has 3 lanes, the inside lane is assigned for bus pick-up/drop-off, the center lane is used for passenger vehicle stacking and the outside lane is used for bypassing. Most passenger loading occurs in front of the school along curbside on westbound Gross Road. Gross Road is a two lane undivided roadway 40 feet wide pavement in the vicinity of the school. The curbside along westbound Gross Road is marked with signs for student loading zone. Parking along westbound Gross Road is also prohibited during drop-off/pick-up peak periods on schooldays. Under existing conditions, traffic congestion on Gross Road adjacent to the school is significant during the morning drop-off and particularly during the afternoon pick-up period due to

the prevalence of vehicles parking on the street (along eastbound Gross Road), and an overall lack of traffic management.

Currently, passenger vehicles loading/unloading students from the internal roadway enter the school site from Inadale Avenue, form a single queue lane, circulate one-way southbound in the school driveway and approach the loading/unloading area located just north of the faculty and staff parking lot. The designated start of the loading/unloading area is located on the west side of the temporary buildings just north of the service dock. Following the pick-up, vehicles exit the campus via from the school driveway onto Peavy Road. On-site activity and circulation is facilitates by staff members of the school.

Passenger vehicles loading/unloading students from the curbside on Gross Road approach the designated loading/unloading area from westbound Gross Road in a single queue lane. [NOTE: The "Student Loading Zone" was established by the City of Dallas Department of Street Services.] The designated start of the student loading zone is located on the south side of the school building just east of the faculty and staff parking lot. Following the pick-up, vehicles exit the student loading zone and continue on westbound Gross Road. During the afternoon loading period, school staff also places temporary traffic cones along westbound Gross Road in order to delineate the student pick-up related queue from other vehicular traffic.

The majority of the vehicles display a "hang tag" with appropriate identification information; vehicles without a hang tag are approached by the school staff on duty in the queue area. Upon entry into the student loading zone on Gross Road, School staff note the corresponding student identification for each vehicle and relay the information by walkie-talkie to the staff positioned in the student waiting areas. Student loading along the north driveway is less coordinated, however security officers and school staff were present to facilitate safe loading.

In order to better-utilize the limited queuing opportunities for the school, it is recommended that the existing bus pick-up/drop-off area be relocated to the curbside along westbound Gross Road in front of the student loading zone for passenger vehicles. This will allow for two, full lanes of queuing with an "escape" lane for bypassing within the school driveway. Passenger vehicles should continue to enter the school driveway from Inadale Avenue, form two queue lanes, circulate southbound and approach the loading/unloading area located just north of the faculty and staff parking lot. Following the pick-up, vehicles should exit the campus from the school driveway onto Peavy Road (same as existing).

For the afternoon pick-up period, however, the projected queue length exceeds the available curbside length along the internal roadway. Some of the pick-up queue can be accommodated internally but, it will be necessary to continue to utilize Gross Road to accommodate a portion of the vehicular queue generated during the afternoon pick-up period. No significant change is recommended in the circulation procedures in the student loading process along Gross Road. However, the designated start of student loading zone should be relocated slightly east towards the school building in order to accommodate the recommended bus loading zone along westbound Gross Road.

Detailed illustrations of the proposed circulation plan are provided in Exhibit 1.

NOTE: Also see important instructions in the next section: "Staff Assistance".

Queue Lengths

A goal for any school should be to accommodate all vehicular queuing and drop-off/pick-up procedures on private property (i.e., not utilize public right-of-way for passenger loading/unloading). To facilitate this goal, the schools should try to minimize the number of vehicles present on site at any given time in order to minimize potential of vehicles queuing and/or parking in public right-of-way. DeShazo has collected data at the existing school to identify peak vehicular queue on the school campus.

Maximum queuing at schools consistently occurs during the afternoon peak period when students are being picked-up by private automobiles – traffic queuing during the morning period is typically less significant than the afternoon period since the drop-off activity is more temporally distributed and occurs much more quickly than student pick-up. The data provided in this study represent the peak queue conditions experienced during the afternoon peak period.

DeShazo conducted site observations of the afternoon pick-up-related queuing conditions on Monday, November 5, 2012 at the existing school. The existing school features two designated areas from where the students are released. Most students are released from the south side of the school building along Gross Road. The remaining students are released from the north side of the school building just west of the temporary buildings.

It was observed that the majority of the parents/care takers pick-up the student(s) from the designated pick-up area. During the afternoon peak period, a maximum of 79 personal vehicles were observed to be on site concurrently (incorporating vehicles queued in the streets adjacent to the school campus). Existing pick-up related queue observations are summarized in the Appendix.

Following the redesign of the school campus, it is recommended that the bus loading zone be relocated to Gross Road in front of the student loading zone for passenger vehicles. This will allow for two lanes of queuing along the school driveway with a center "escape" lane for bypassing. The recommended modifications in the loading areas would provide passenger vehicle queuing space for a maximum queue length of approximately 819 feet (about 40 vehicles @ 20 feet per vehicle) within the internal driveway. The remaining passenger vehicle queue space of approximately 780 feet (about 39 vehicles @ 20 feet per vehicle) will have to continue to queue up on Gross Road as shown in Exhibit 1. [NOTE: The school may assign parents to a specific pick-up area/queue lane in order to balance the traffic demand with the queue space provided.]

Staff Assistance

To optimize safety, it is important to have staff from the school present where- and whenever students are dropped-off or picked-up. The general responsibility of the authorized staff is to ensure all vehicles in the immediate vicinity of the designated loading area are in a fully stopped condition before loading/unloading occurs and where pedestrians are present, and to provide

general oversight and limited assistance (where practical to do so). At the appropriate interval, the authorized staff should instruct motorists when it is safe to advance/exit.

Option: Placement of temporary traffic control devices (e.g., traffic cones, barricades, signs, etc.) within the site by school personnel may be used to assist and guide motorists through the intended circulation patterns during peak drop-off and pick-up periods.

NOTE: Only deputized officers of the law (including school crossing guards) may place traffic control devices or instruct traffic within public rights-of-way.

It is recommended that the school continue to provide staff members on site to facilitate internal traffic circulation and assist student unloading and loading. In the morning, at least two staff members should be available at each designated passenger drop-off area to guide and assist vehicles to designated locations and direct students into the school building. Likewise, during the afternoon, at least three staff members should be available at each designated passenger loading area to facilitate orderly and expedient passenger loading. Two staff members with walkie-talkie system (one for each queue lane) should be stationed near the middle of the school driveway on both sides. Another staff member with walkie-talkie system should be stationed on south side of the school building along Gross Road.

It is recommended that the staff should oversee operations and ensure traffic flows according to the TMP. Other general protocols to be imposed:

- enforce no parking of passenger vehicles in the queue lanes (i.e., leaving vehicles unattended)
- passenger loading and unloading should primarily occur at the curbside and in some cases other areas specially designated for passenger loading/unloading

Bus Circulation

DeShazo observed the afternoon bus pick-up related activities at the school campus on Monday, November 5, 2012. Currently, the bus loading area is located along the internal school driveway just west of the temporary buildings. Buses enter the school driveway from Inadale Avenue, circulate southbound along the internal lane to enter the student loading area. DeShazo observed approximately 100 students (~10% of the total student enrollment) being picked-up by two buses during the afternoon pick-up period.

As stated in the previous section, it is recommended that the bus loading area be relocated to south side of the school building along Gross Road. Currently the students are loaded into the buses from the driving lane in the school driveway. The recommended relocation of the bus loading area would improve the student safety by allowing the students to be loaded into the school buses directly from the curbside and not walk in the driveway.

Based upon information provided by DISD representatives, no change is expected in the number of buses serving the school or the number of students travelling to/from school by bus following the redesign of the school campus. Up to two school buses are expected to continue to serve the school

requiring a loading zone of approximately 100 feet (@ 50 feet per school bus). The bus loading zone can be provided immediately south of the school's main building entrance along the curbside on westbound Gross Road. Buses should approach the designated drop-off/pick-up area from westbound Gross. Bus arrival/ departure should, preferably, be scheduled to minimize conflict with passenger vehicles.

At least one staff member should be present at the bus unloading/loading area to direct students into/out of the school building. If necessary, the bus loading zone should be reserved by the use of traffic cones or similar devices during the appropriate time period leading up to the school release time.

RECOMMENDATIONS

1. Create a designated school bus loading zone on Gross Road (within the existing student loading zone) immediately adjacent to the school building entrance. This will improve the safety of student loading and unloading to/from school buses and will increase the number of passenger vehicles that can utilize the existing driveway for queuing.

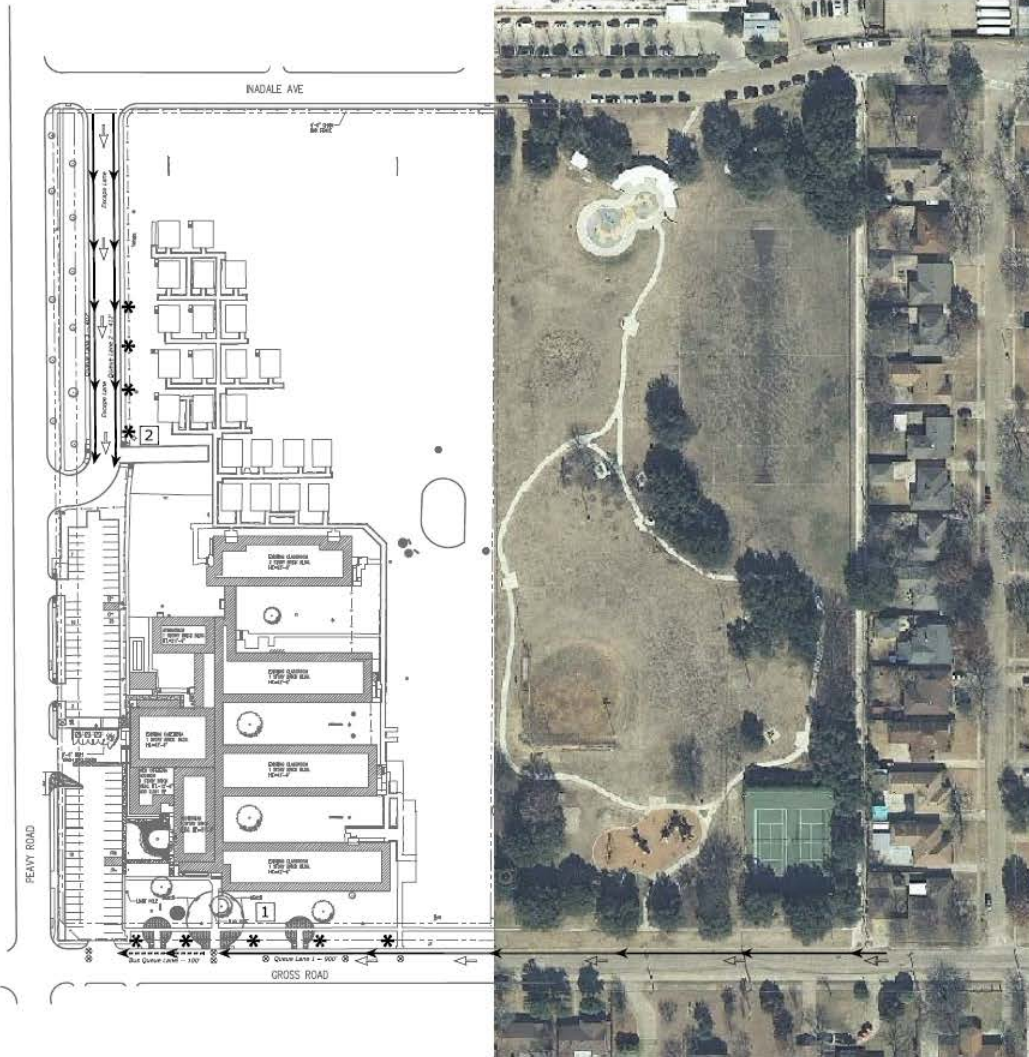
SUMMARY

This TMP is to be used by DISD-George W. Truett Elementary School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The Plan was developed with the intent of optimizing passenger vehicle loading/unloading within the site and to avoid vehicle queuing and passenger loading/unloading within the City right-of-way. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness and compliance and to consider adjustments as needed to provide overall safety.

END OF MEMO



NOT TO SCALE
(Ref. DALLAS MAPSCO #980)



School Information
 Current Enrollment: 1,104 Students
 Projected Enrollment: 1,104 Students
 Academic: Pre-Kindergarten - 5th
 Hours: 8:00 AM-3:15 PM

NOTE:
 This Traffic Management Plan was developed to prevent the queuing of drop-off/pick-up related vehicles within the City right-of-way except in designated areas. The school administration should adhere to this TMP and any deficiency due to spill over of queuing into undesignated areas of the City right-of-way, including roadway travel lanes, should be corrected by the school immediately.

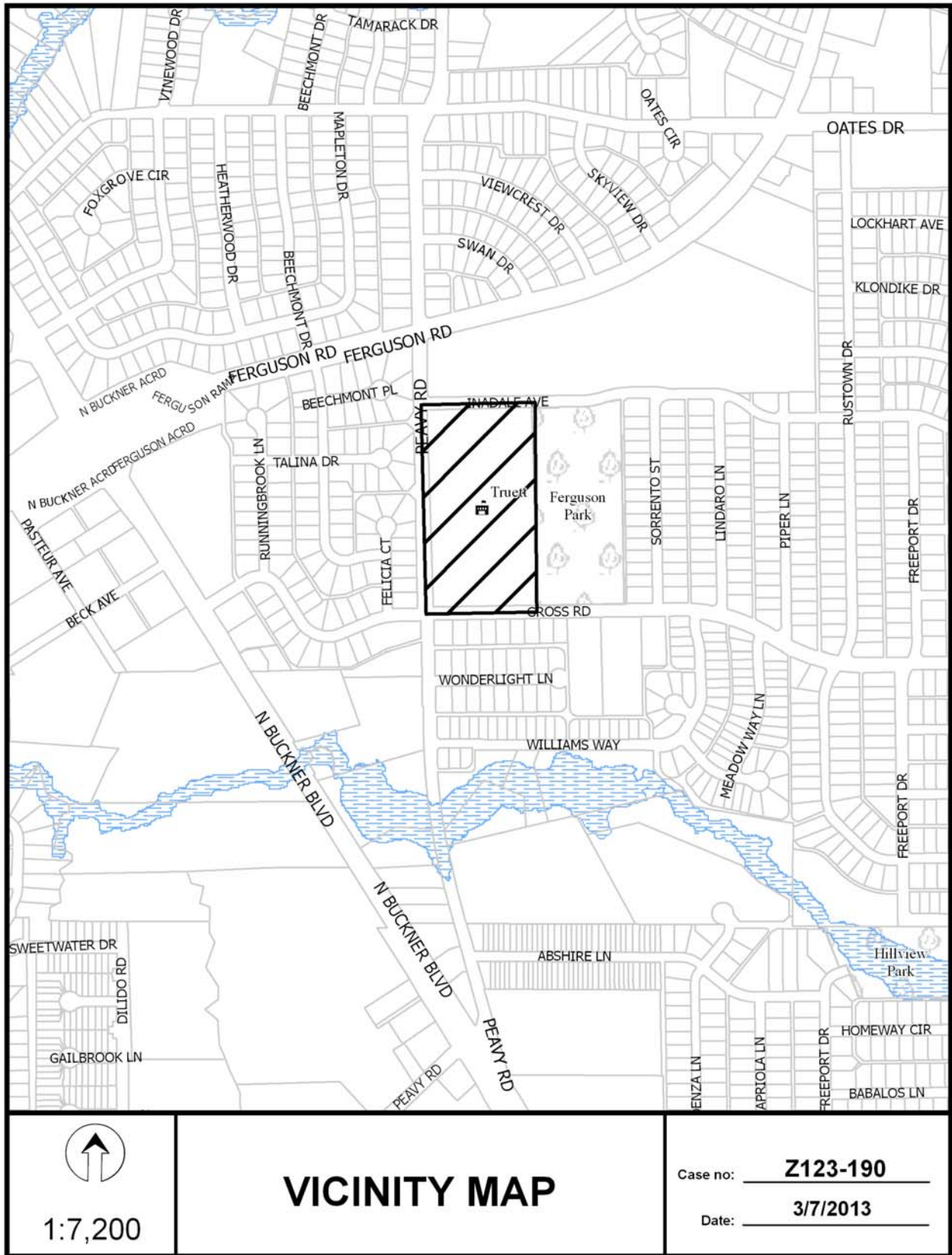
Queuing (Passenger Vehicles)
 Current Demand*: 1,580 ft (≈79 veh.)
 Projected Demand*: 1,580 ft (≈79 veh.)
 Available Capacity:
 Queue (Gross Road)- 780 ft (≈39 veh.)
 Queue (School Drive)- 819 ft (≈40 veh.)
 NET Surplus/Deficiency: 0 ft (≈0 veh.)

Queuing (School Buses)
 Current Demand*: 100 ft (≈2 buses)
 Projected Demand*: 100 ft (≈2 buses)
 Available Capacity:
 Queue (Gross Road)- 100 ft (≈2 buses)
 NET Surplus/Deficiency: 0 ft (≈0 buses)
 * Observed peak number of student-pick-up related vehicles

- Legend**
- ⇨ Circulation Path
 - Passenger Vehicle Queue
 - School Bus Queue
 - 1 Drop-off/Pick-up Area 1
 - 2 Drop-off/Pick-up Area 2
 - * * Staff Assistance
 - ⊗ Temporary Traffic Cones

Traffic Management Plan
 DISD-George W. Truett Elementary School Traffic Management Plan

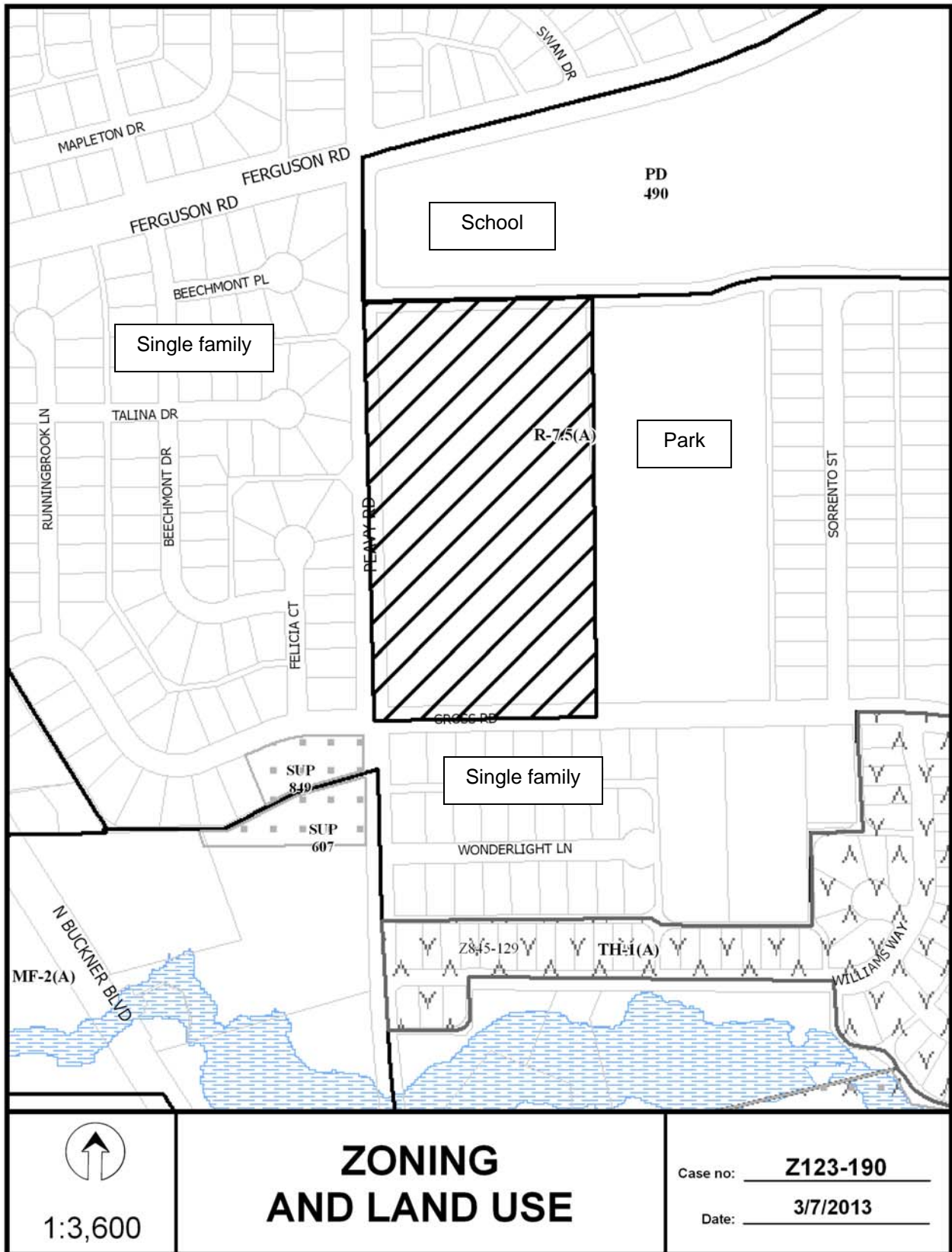
EXHIBIT
1



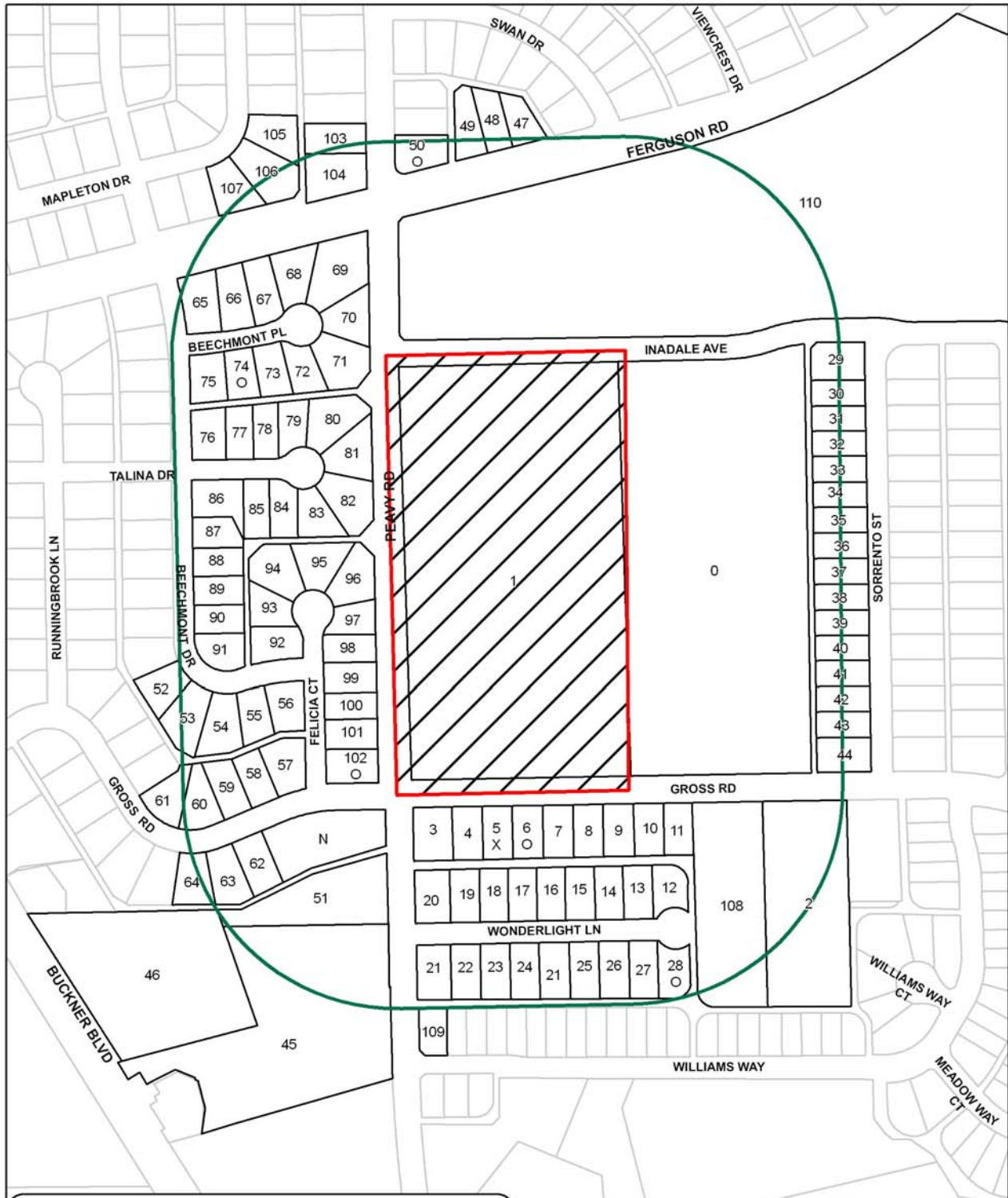
1:7,200

VICINITY MAP

Case no: **Z123-190**
Date: **3/7/2013**



CPC Responses



<u>110</u>	Property Owners Notified (113 parcels)
<u>5</u>	Replies in Favor (5 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>500'</u>	Area of Notification
<u>4/4/2013</u>	Date

Z123-190
CPC



1:3,600

4/4/2013

Reply List of Property Owners***Z123-190******110 Property Owners Notified 5 Property Owners in Favor 1Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1811 GROSS RD	Dallas ISD
	2	2002 GROSS RD	GUTIERREZ FERNANDO
	3	1808 GROSS RD	HATHAWAY LANNY & YOLANDA
	4	1812 GROSS RD	CRABTREE TOM B &
X	5	1818 GROSS RD	NAVARRETE JOSE S
O	6	1822 GROSS RD	THOMAS JESSE
	7	1828 GROSS RD	DELEON MARTIN S &
	8	1832 GROSS RD	HAWKINS ALECIA ROSE
	9	1838 GROSS RD	SALAS MARIO & CLARISSA
	10	1906 GROSS RD	PEREZ MARIA LEONOR
	11	1912 GROSS RD	PERIN CORAZON M
	12	1847 WONDERLIGHT LN	LAUGHRIDGE RALPH E JR
	13	1841 WONDERLIGHT LN	TRUONG THANH THAI T
	14	1837 WONDERLIGHT LN	MAROTTA PATRICIA
	15	1831 WONDERLIGHT LN	GARVEY DAVID L & ANITA
	16	1827 WONDERLIGHT LN	LOZANO JOSE E & KAREN D
	17	1821 WONDERLIGHT LN	MAHDAK BERNARD W &
	18	1817 WONDERLIGHT LN	SOMMER LENIS R
	19	1811 WONDERLIGHT LN	MARSHALL HAROLD
	20	1807 WONDERLIGHT LN	YATES ELBERT E
	21	1808 WONDERLIGHT LN	GANTER CHRISTOPHER D
	22	1812 WONDERLIGHT LN	ROSALES SONIA C
	23	1818 WONDERLIGHT LN	CANADA HELEN VICTORIA
	24	1822 WONDERLIGHT LN	JACKSON NOLA BELINDA
	25	1832 WONDERLIGHT LN	SABA BARBARA
	26	1838 WONDERLIGHT LN	REYNA PEDRO E

4/4/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	1842 WONDERLIGHT LN	FOIL RONEY ANN WALKER &
O	28	1848 WONDERLIGHT LN	WALKER DAVID MICHAEL
	29	9317 SORRENTO ST	SMART BRITTANY A
	30	9309 SORRENTO ST	UJAQUE PESANTE MARIZA &
	31	9303 SORRENTO ST	STEELE JANET M
	32	9215 SORRENTO ST	ARMSTRONG MARY C
	33	9209 SORRENTO ST	JACKSON L M
	34	9203 SORRENTO ST	ROESLE MICHELE K
	35	9119 SORRENTO ST	TUNKS TERRY L
	36	9111 SORRENTO ST	ROJAS ABEL &
	37	9107 SORRENTO ST	GALEAS CARLOS A &
	38	9103 SORRENTO ST	EMERALD INVESTMENT CO
	39	9015 SORRENTO ST	KLEIN DANIEL E &
	40	9009 SORRENTO ST	KING SIDNEY W
	41	9003 SORRENTO ST	YOUNG CLAUDELL &
	42	8915 SORRENTO ST	ESCUTIA NICOLAS R
	43	8911 SORRENTO ST	NGUYEN DUC ANH &
	44	8907 SORRENTO ST	GOODNIGHT JEARL
	45	2815 PEAVY RD	FUQUEZ COMPANY NO 102 LLC
	46	2728 BUCKNER BLVD	RHP GROUP INC
	47	9719 FERGUSON RD	SULLIVAN VERNA JO
	48	9715 FERGUSON RD	HERNANDEZ SADIE
	49	9711 FERGUSON RD	DUFFY JOHN F III
O	50	2676 PEAVY RD	VOLANTE JEROME PETER
	51	2805 PEAVY RD	CCI PPTIES LLC
	52	2783 BEECHMONT DR	WILDER BARBARA J
	53	2787 BEECHMONT DR	ULLOA JOSE CHRISTIAN
	54	2791 BEECHMONT DR	MIRANDA EUSEBIO & MARIA
	55	2795 BEECHMONT DR	HUERTA JAMIE &
	56	2799 BEECHMONT DR	LITTLETON MICHAEL A &
	57	1769 GROSS RD	LAZICH DOROTHY

4/4/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	1763 GROSS RD	DAVIS PEGGY J LIFE ESTATE
	59	1759 GROSS RD	PARKER GEORGIA L
	60	1749 GROSS RD	DOUGLAS STEPHANIE R
	61	1739 GROSS RD	KIMMEL CODY & LAUREN
	62	1760 GROSS RD	ARROYO VICENTE RAMOS &
	63	1754 GROSS RD	MARTINEZ BLANCA E &
	64	1748 GROSS RD	RICAMORE ROBERT
	65	2704 BEECHMONT PL	OXLEY DAVIS BEVERLY ANN
	66	2708 BEECHMONT PL	MARTINEZ JESUS ANDREW & VITIA B
	67	2712 BEECHMONT PL	TUCKER LAURA
	68	2716 BEECHMONT PL	REYES ARIZBE M & JOSE L
	69	2720 BEECHMONT PL	VARELA ISRAEL R &
	70	2724 BEECHMONT PL	CHEEVER TRINA D ETAL
	71	2728 BEECHMONT PL	SMITH DAVID G & J CAROL
	72	2732 BEECHMONT PL	ROUSSIN THOMAS
	73	2736 BEECHMONT PL	WESTBAY MABEL LIFE ESTATE
O	74	2742 BEECHMONT PL	DELEON DORILA
	75	2746 BEECHMONT PL	GALVEZ IRENE
	76	9605 TALINA DR	TURNER DIANE WIBBENMEYER
	77	9611 TALINA DR	WILLIAMS CHARLIE H JR
	78	9617 TALINA DR	BAYVIEW LOAN SERVICING LLC
	79	9623 TALINA DR	OLIVERI ROSARIO &
	80	9629 TALINA DR	PIERCE CHARLES H
	81	9635 TALINA DR	KUNDL JOHN
	82	9630 TALINA DR	TURNER RICHARD A
	83	9624 TALINA DR	PATTERSON OLLIE R
	84	9618 TALINA DR	DUNNAM SUSETTE
	85	9612 TALINA DR	BUNTON ALICE
	86	2760 BEECHMONT DR	JONES JOHN EST OF
	87	2764 BEECHMONT DR	NORTHBAY HOLDINGS LP
	88	2768 BEECHMONT DR	MARTENSEN KARL E

4/4/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	2772 BEECHMONT DR	SLATE LOIS L
	90	2776 BEECHMONT DR	HORNE GERALD RAY
	91	2782 BEECHMONT DR	PEREZ VERONICA
	92	2719 FELICIA CT	STEPHEN CURTIS E
	93	2711 FELICIA CT	FIENEN JOHN P JR & GLADYS
	94	2705 FELICIA CT	MCCOY JULIE D
	95	2702 FELICIA CT	REESE BETTY
	96	2708 FELICIA CT	SCALES REIGH M
	97	2714 FELICIA CT	STILWELL RODERICK B
	98	2720 FELICIA CT	PRADO UBALDO &
	99	2726 FELICIA CT	COLLETT REBECCA SUE
	100	2732 FELICIA CT	FUENTES RUBEN A
	101	2738 FELICIA CT	FIERRO RAFAEL &
O	102	2742 FELICIA CT	MCKINNEY WILLIAM J
	103	2677 PEAVY RD	STILLWELL RONAL F
	104	2683 PEAVY RD	STOVALL BETTY
	105	1720 MAPLETON DR	SMITH JOYCE L
	106	1716 MAPLETON DR	BARTON GEORGE E
	107	1712 MAPLETON DR	HERNDON MARY CHRISTINE
	108	1920 GROSS RD	FIRST PRIMITIVE BAPTIST
	109	1803 WILLIAMS WAY	KULATUNG ARUNA S
	110	9750 FERGUSON RD	BISHOP LYNCH HIGH SCHOOL

AGENDA ITEM # 44

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 670-3314
MAPSCO: 45 L; Q

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a personal service use limited to a spa in Subdistrict B within Planned Development District No. 619 on the south side of Main Street, west of South Ervay Street
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions Z123-200(OTH)

FILE NUMBER: Z123-200 (OTH)

DATE FILED: January 20, 2013

LOCATION: South side of Main Street, west of South Ervay Street

COUNCIL DISTRICT: 14

MAPSCO: 45- L & Q

SIZE OF REQUEST: Approx. .293 acres

CENSUS TRACT: 31.01

APPLICANT / OWNER: 1600 Main Street Holdings, Ltd.

REQUEST: An application for a Specific Use Permit for a personal service use limited to a spa in Subdistrict B within Planned Development District No. 619.

SUMMARY: The purpose of the request is to provide a spa to serve the patrons of the existing/expanding hotel and outside customers.

CPC RECOMMENDATION: Approval for a ten-year period with eligibility for automatic renewals of additional ten-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval for a ten-year period with eligibility for automatic renewals of additional ten-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The site is located on the basement of an existing hotel that is presently being renovated and expanded. Subdistrict B within Planned Development District No. 619 allows a Personal service use by right below street level, if it does not exceed 2,000 square feet. The proposed spa is a 12,639 square feet facility and thus requires an SUP.
- Planned Development District No. 619 was created to promote the downtown core as a “full time” activity area. Moreover, the goal was to encourage the development of retail and service uses in the area and create a mixed use urban activity center.

Zoning History:

There has been one recent zoning case in the area.

1. Z112-177 On March 28, 2012, the City Council approved a new Subdistrict within Planned Development District No. 619 for mixed uses and Specific Use Permit No. 1947 for an alternate financial institution, on the South side of Elm Street, west of South Ervay Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Main Street	Local Street	80 ft.	80 ft.
Ervay Street	Local Street	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 619	Hotel, Presently under construction
North	PDD No. 619	Retail, Multifamily, Restaurant
South	PDD No. 619	Retail, Restaurant, Residential
East	PDD No. 619	Retail
West	PDD No. 619	Retail, Off-street parking

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 the Downtown Building Block.

The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing. A Downtown includes pedestrian-oriented and mixed-use development and offers multiple transportation options. Ground floors of tall buildings feature shops with many windows for visual interest and safety while the streetscape incorporates trees for shade, wide sidewalks and easy-to-use signs for finding points of interest. Civic and open spaces provide an inviting atmosphere for pedestrians as well as a diversity of uses, generating activity throughout the day and evening.

The applicant's proposal for a Personal Service Use limited to a spa meets the goals in the *fowardDallas! Comprehensive Plan* as it relates to business expansion and retention within the downtown area.

LAND USE

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.3 Build a dynamic and expanded Downtown

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

ECONOMIC DEVELOPMENT:

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.1 Restore Downtown Dallas as the economic and cultural heart of North Central Texas

STAFF ANALYSIS:

Land Use Compatibility: The request site is located in the basement of an existing hotel, which is undergoing renovation and expansion. The site is contiguous to a variety of mixed uses, which consist of retail, multifamily, restaurant and off-street parking uses. The size of the proposed spa is approximately 12,639 square feet. Subdistrict B within Planned Development District No. 619 allows a Personal Service Use by right below street level, if it does not exceed 2,000 square feet.

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 recommends approval of the applicant’s request for a ten-year period with eligibility for automatic renewal for additional ten-year periods.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 619 Sub district B (below street level)	0'	0'	20.0 FAR	Any legal height	100%	75% of street frontage retail	Retail, Office High Density Residential

Landscaping: The proposed use and improvements do not trigger any landscape requirements.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

CPC ACTION:

April 4, 2013

Motion: It was moved to recommend **approval** of a Specific Use Permit for a personal service use limited to a spa for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions in Subdistrict B within Planned Development District No. 619 on the south side of Main Street, west of South Ervay Street.

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

For: 15 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 200 Mailed: 28

Replies: For: 6 Against: 0

Speakers: None

List of Partners/Principals/Officers

Limited Partner

1600 Main Street Holdings, LP

General Partner

1600 Main Street Holdings GP, LLC

Officers:

Timothy C. Headington, President

Michael E. Tregoning, Vice President and CFO

John M. Ambler, Vice President

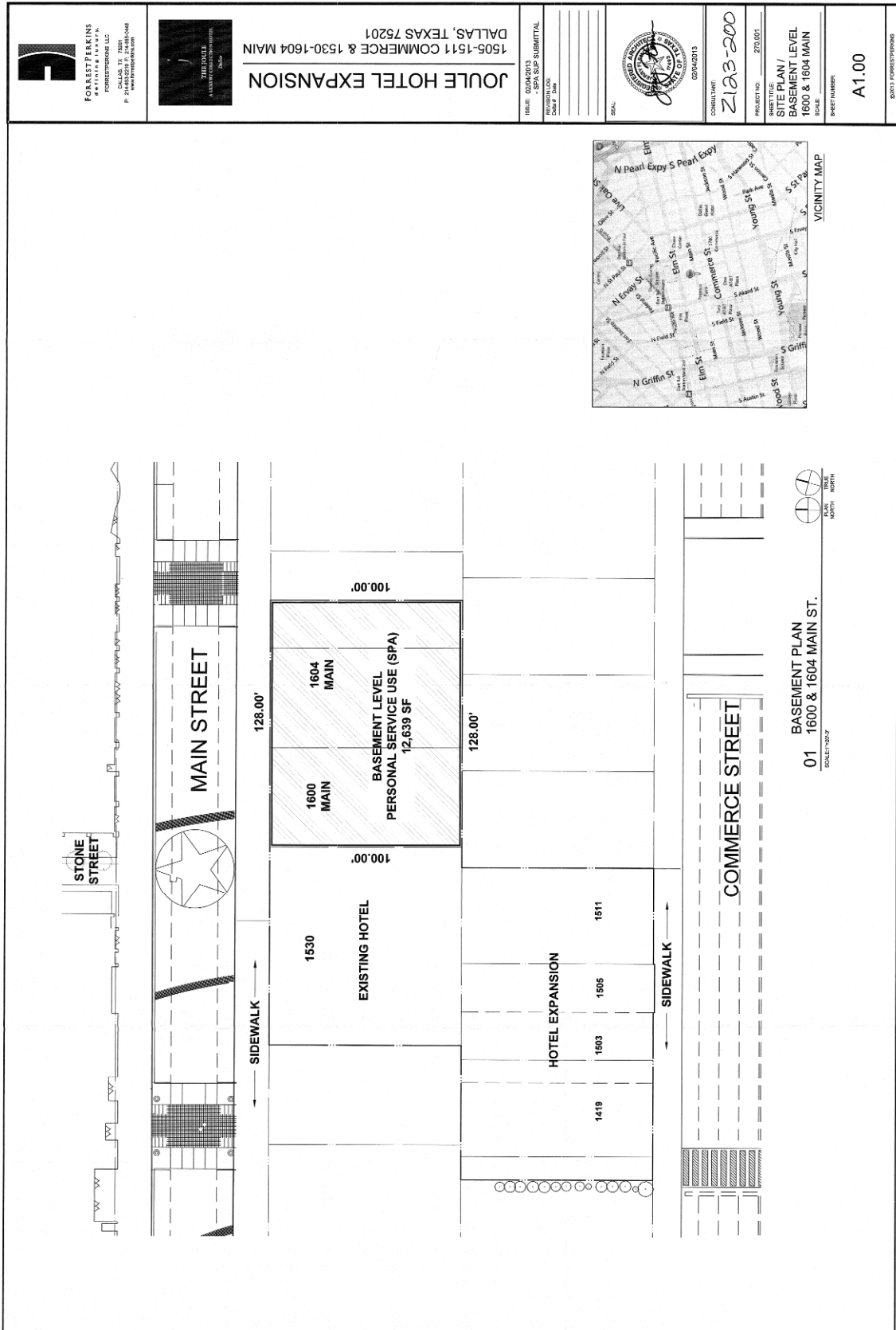
R. Keith Bunch, Treasurer

Julie Ciesielski, Secretary

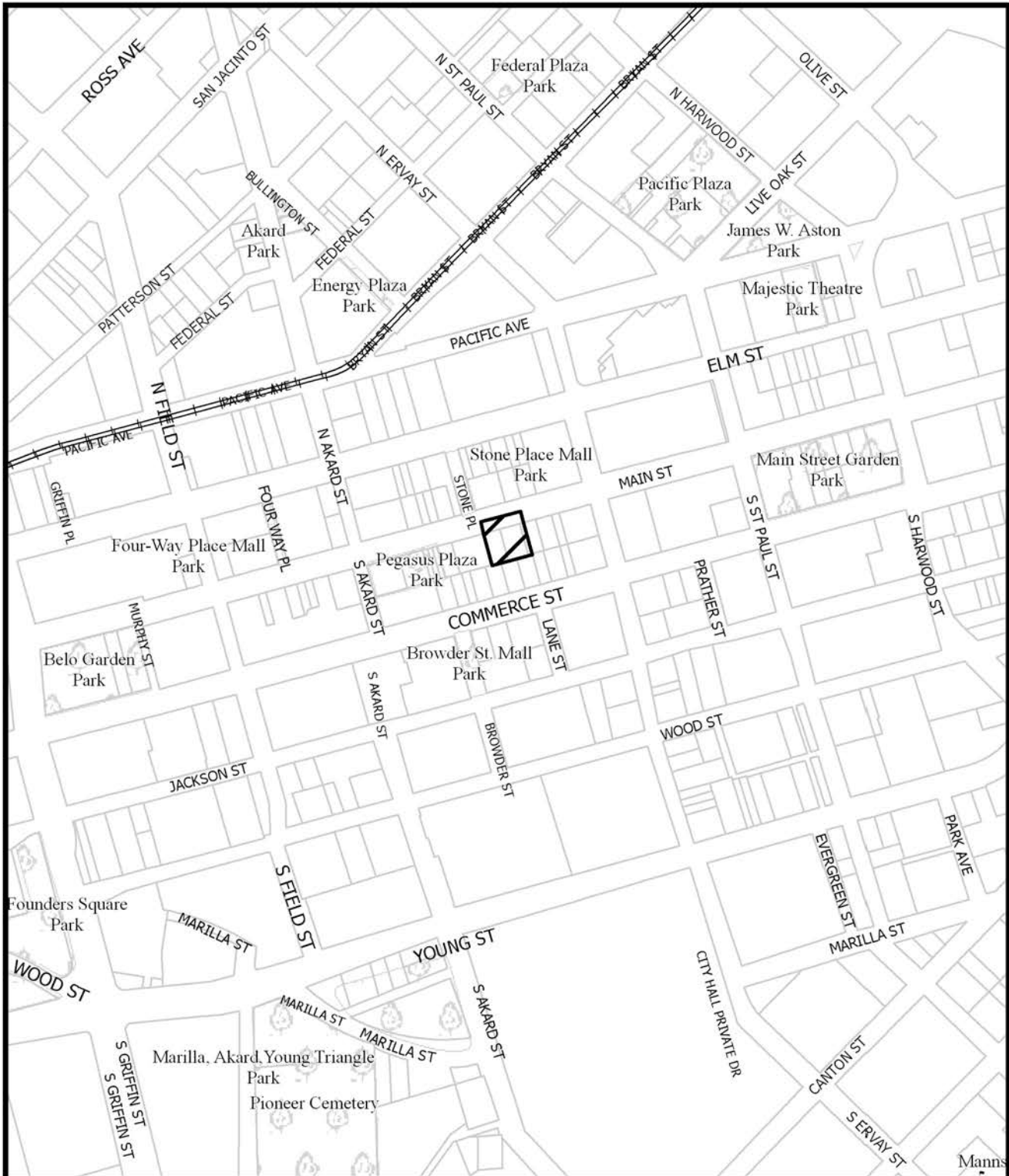
CPC Recommended Conditions

1. USE: The only use authorized by this specific use permit is a Personal Service Use limited to a spa.
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), but is eligible for automatic renewal for additional ten-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. FLOOR AREA: The maximum floor area for a Personal Service Use limited to a spa is 12,639 square feet.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



<p>FOREST PERKINS ARCHITECTS FOREST PERKINS LLC 1505-1511 Commerce & 1530-1604 Main P.O. Box 123456 Dallas, Texas 75201 www.forestperkins.com</p>	<p>JOLE A LUXURY COLLECTION HOTEL 2015</p>	<p>JOLE HOTEL EXPANSION 1505-1511 COMMERCE & 1530-1604 MAIN DALLAS, TEXAS 75201</p>	
		<p>REG: 02/04/2015 PROJECT NO: 2123-200</p>	<p>DATE: 02/04/2015 SHEET NO: 2123-200</p>

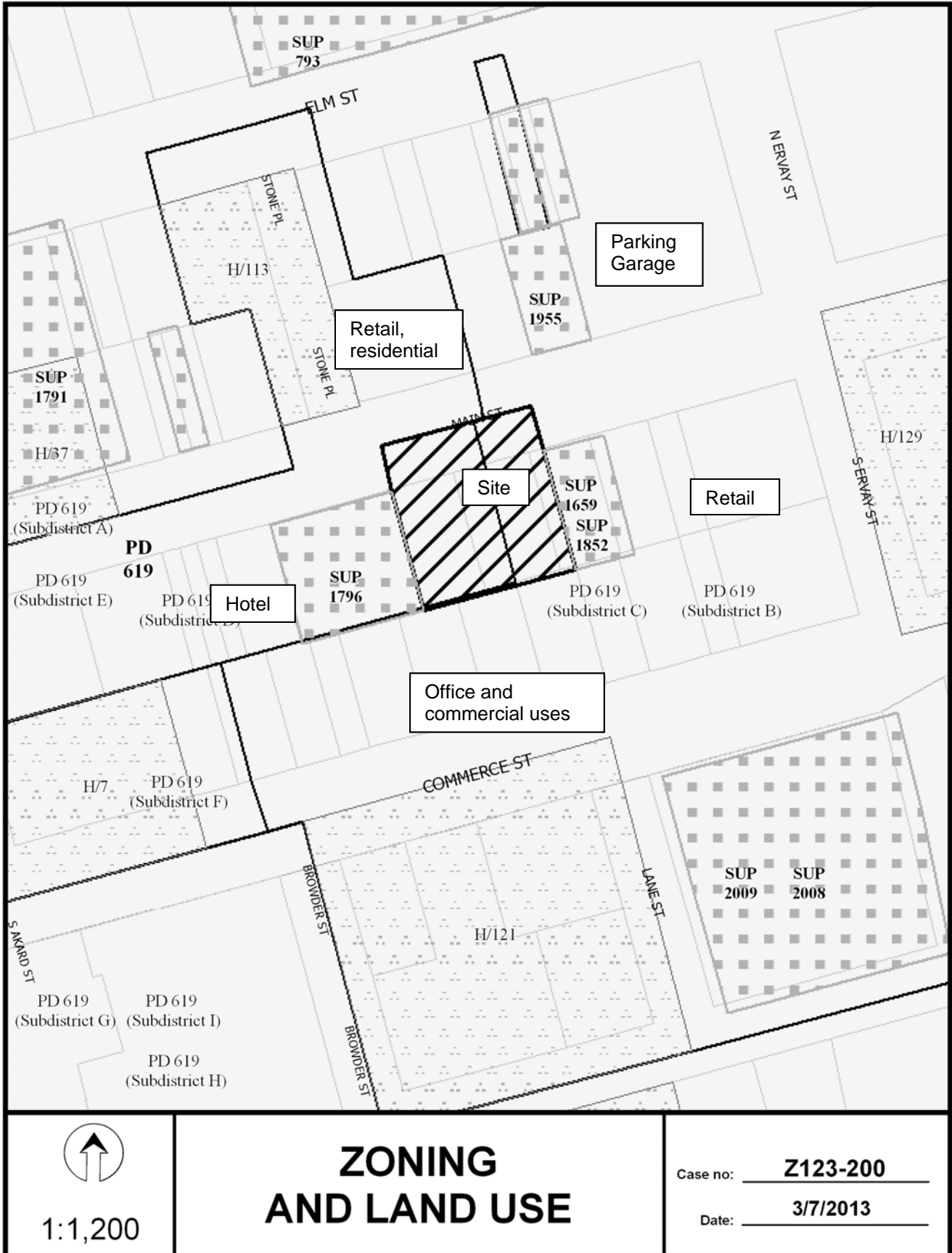


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VICINITY MAP

Case no: **Z123-200**

Date: **3/7/2013**

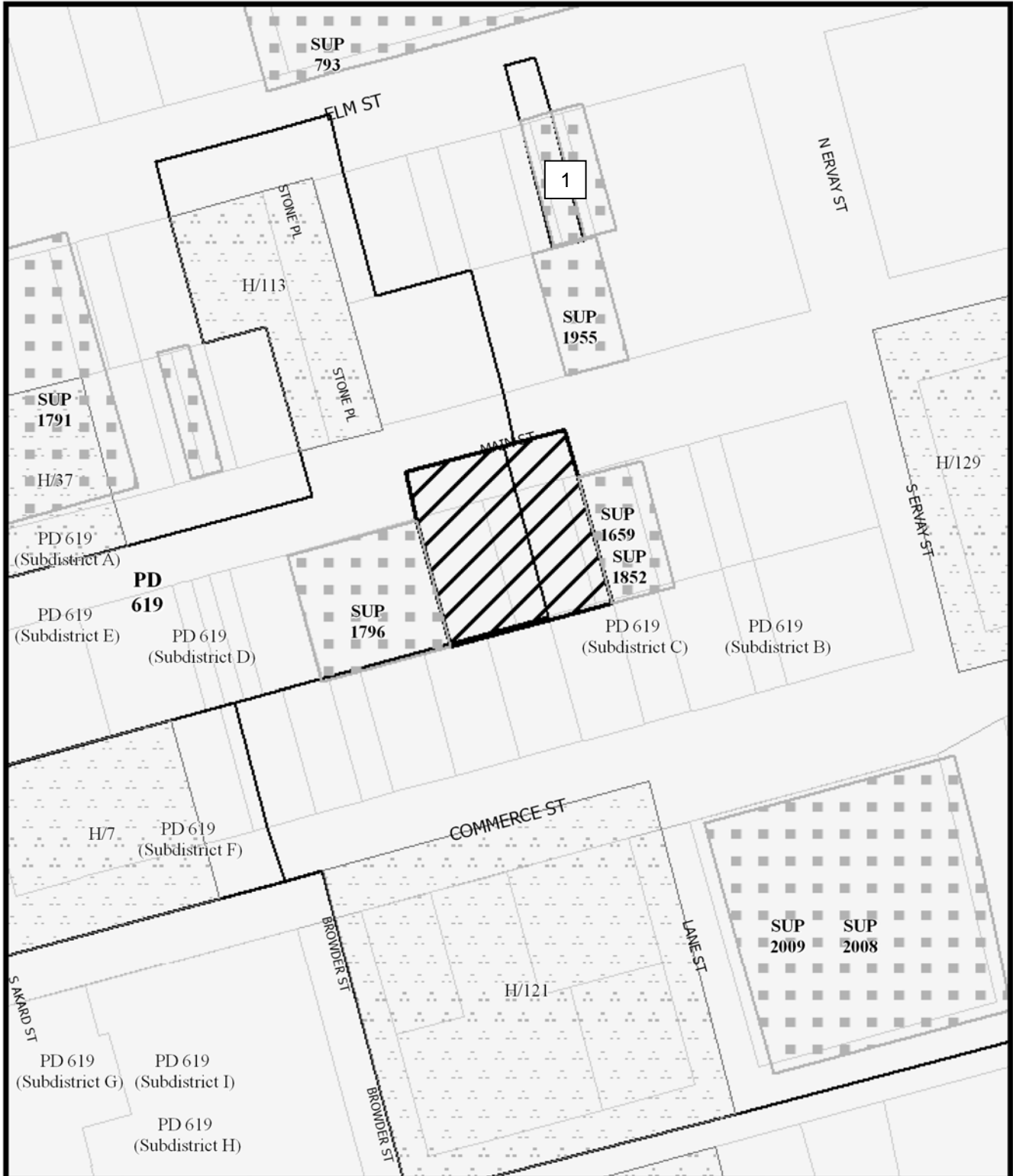


1:1,200

ZONING AND LAND USE

Case no: Z123-200

Date: 3/7/2013



1:1,200

ZONING HISTORY

Case no: Z123-200

Date: 3/7/2013

CPC RESPONSES



<u>28</u>	Property Owners Notified (44 parcels)
<u>6</u>	Replies in Favor (11 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>4/4/2013</u>	Date

Z123-200
CPC



1:1,200

4/4/2013

Reply List of Property Owners**Z123-200****28 Property Owners Notified
Owners Opposed****6 Property Owners in Favor****0 Property**

Reply	Label #	Address	Owner
O	1	1608 MAIN ST	1600 MAIN STREET HOLDINGS LP
	2	1604 MAIN ST	1600 MAIN STREET HOLDINGS LP
	3	1513 COMMERCE ST	PACIFICO PARTNERS LTD
	4	1517 COMMERCE ST	PACIFICO PARTNERS LTD
	5	1517 MAIN ST	FONBERG PETER D TR ET AL
	6	1521 MAIN ST	ROMAN CATH DIOCESE DALLAS
	7	1516 ELM ST	HARRIS LIPSITZ BUILDING LLC
	8	1519 MAIN ST	1519 MAIN LP
	9	1515 MAIN ST	LEGAL AID OF NORTHWEST TE
O	10	1604 ELM ST	ELM AT STONEPLACE HOLDINGS LLC
O	11	1606 ELM ST	ELM AT STONEPLACE HOLDINGS LLC
	12	1607 MAIN ST	ELM AT STONEPLACE HOLDINGS LLC
	13	1623 MAIN ST	FC WP BUILDING LLC
O	14	1612 ELM ST	ELM AT STONEPLACE HOLDINGS LLC
	15	1608 ELM ST	1610 ELM STREET LLC
	16	1622 MAIN ST	NEIMAN MARCUS CO LESSEE
	17	1603 COMMERCE ST	NEIMAN MARCUS CO
	18	1618 MAIN ST	THE NEIMAN MARCUS GROUP INC
	19	1520 MAIN ST	MAIN STREET INVESTORS JV
	20	1401 COMMERCE ST	HOLTZE MAGNOLIA LLLP
	21	1525 COMMERCE ST	POLLOCK ROBERT ETAL
	22	1607 COMMERCE ST	ROGERS WILLIAM S ETAL
	23	1609 COMMERCE ST	NEIMAN MARCUS GROUP INC
	24	1616 MAIN ST	THE DALLAS FOUNDATION
O	25	1512 COMMERCE ST	HAMILTON DPL LP
	26	1600 COMMERCE ST	DALPARK LAND LEASE LTD

Z123-200(OTH)

4/4/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	1520 ELM ST	STONE PLACE MALL INV1 LTD
O	28	1530 MAIN ST	DUNHILL 1530 MAIN LP

AGENDA ITEM # 45

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 13
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 670-3314
MAPSCO: 24 R

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 385 for a Private school, a Convent or Monastery, and Single Family Dwellings, on property zoned Planned Development District No. 385 and an R-1ac(A) Single Family District in the southwest quadrant of Walnut Hill Lane and Inwood Road with consideration given to and an ordinance granting a Specific Use Permit for an Illuminated competitive athletic field on a portion of the property

Recommendation of Staff: Approval of an amendment to and expansion of Planned Development District No. 385, subject to a revised development plan, traffic management plan-school section and athletic field section, competitive athletic field landscape plan, and staff's recommended conditions, and approval of a Specific Use Permit for an Illuminated competitive athletic field for a three-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan and staff's recommended conditions

Recommendation of CPC: Approval of an amendment to and expansion of Planned Development District No. 385, subject to a revised development plan, traffic management plan-school section and athletic field section, competitive athletic field landscape plan, and conditions and approval of a Specific Use Permit for an Illuminated competitive athletic field for a five-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan and conditions

Z112-290(RB)

FILE NUMBER: Z112-290(RB)

DATE FILED: July 25, 2012

LOCATION: Walnut Hill Lane and Inwood Road, Southwest Quadrant

COUNCIL DISTRICT: 13

MAPSCO: 24 R

SIZE OF REQUEST: Approx. 25.47 Acres

CENSUS TRACT: 26

APPLICANT/OWNER: Ursuline Academy of Dallas

REPRESENTATIVE: William S. Dahlstrom

REQUEST: An amendment to and expansion of Planned Development District No. 385 for a Private school, a Convent or Monastery, and Single Family Dwellings on property zoned Planned Development District No. 385 and R-1ac(A) Single Family District, with consideration given to a Specific Use Permit for an illuminated competitive athletic field on a portion of the property.

SUMMARY: The applicant proposes to provide for an illuminated competitive athletic field and accessory improvements for the existing private school.

CPC RECOMMENDATION: Approval of an amendment to and expansion of Planned Development District No. 385, subject to a revised development plan, traffic management plan-school section and athletic field section, competitive athletic field landscape plan, and conditions, and approval of a Specific Use Permit for an illuminated competitive athletic field for a five-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan, and conditions.

STAFF RECOMMENDATION: Approval of an amendment to and expansion of Planned Development District No. 385, subject to a revised development plan, traffic management plan-school section and athletic field section, competitive athletic field landscape plan, and staff's recommended conditions, and approval of a Specific Use Permit for an illuminated competitive athletic field for a three-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan, and staff's recommended conditions.

BACKGROUND INFORMATION:

- The site is developed with a private school and related structures/activity areas. The expansion area is undeveloped.
- On August 23, 1993, the City Council approved the creation of PDD No. 385. Various minor amendments have been approved during this period, most recently in 2005, providing for a modular classroom area for use during construction within the main campus.
- The applicant is requesting an amendment to and expansion of the PDD to provide for an illuminated athletic field within the expansion area.
- On October 24, 2001, the City Council denied a request for an amendment to and expansion of PDD No. 385 to provide for an illuminated soccer field.

Zoning History: There has been no recent zoning activity in the immediate area relevant to this request.

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Walnut Hill Lane	Principal Arterial; 100' & 100' ROW
Inwood Lane	Principal Arterial; 80' & 80' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: The site is developed with various structures and improvements that support the existing private school campus. The expansion area, located at the southwest corner of Walnut Hill Lane and Inwood Road, is undeveloped.

The PDD provides for other uses and development standards consistent with those found in an R-1ac(A) Single Family District.

The applicant is requesting an amendment to and expansion of the PDD to provide for an illuminated athletic field within the above referenced expansion area. It should be noted that no revisions are being requested for the approximate 23.57 acres currently regulated by the PDD.

The site is surrounded by low density residential uses. Access to the school campus is provided along Walnut Hill Lane (three ingress/egress points) and Inwood Road (one ingress/egress point), with no means of ingress/egress along the site's internal property lines.

The applicant has worked closely with staff as well as involving the surrounding property owners in dialogue during this process. As noted above, a similar request was denied by the City Council in 2001, thus many property owners in the immediate area were involved during the previous public hearing process as well.

While the built environment has not changed since that time, staff has approached this request from a somewhat refreshed perspective. The applicant has provided two forms of additional analysis not specifically provided during the 2001 rezoning; 1) a photometric study based on anticipated lighting infrastructure, and 2) a traffic management plan focusing on anticipated vehicular activity generated by providing for the athletic field.

Staff has determined that three main areas of 'impact' should be addressed regarding this request: 1) illumination of a new athletic field; 2) trip generations specific to utilization of the athletic field, whether illuminated or not; and, 3) noise levels generated by utilization of an athletic field outside of normal school hours (students have daily activities scheduled throughout normal classroom hours). Each is addressed below:

No. 1-Lighting of an athletic field provides for illumination to produce clear visibility (i.e., radiance or intensity of lighting at the source) without blinding glare cast onto adjacent properties. To address this situation, lighting experts must mathematically determine the precise level of foot-candles needed for the size of a particular field. Additionally, they must also take into account whether or not spectators will be watching the game, as this constitutes a second layer of light that must be evenly spread over the field.

A term that is somewhat misunderstood in its application is 'stadium lighting'. In this environment, lighting tends to 'rise' above the area of illumination. The type of fixtures utilized in this application tend to increase the chance of spillover lighting as there are many additional variables to address. It is anticipated lighting for this site will not be of this type, but rather more managed (reduced light standard height utilizing shielded fixtures) to keep the intensity of lighting directed downward onto the field.

Dallas City Code exists to ensure that spillover lighting generated from the source is minimized on adjacent properties. It should be noted that the existing 30 foot-tall light standards located in the medians of Inwood Road and Walnut Hill Lane emit approximately 2.5 footcandles at grade.

Lastly, staff requested a photometric plan to assess the anticipated impact of lighting the athletic field. As noted in staff's recommended conditions, a future study update of existing conditions will be required.

No. 2-Regardless of whether these fields are lighted or not, it is anticipated that additional vehicular traffic will present itself during competitive use of the field. As a result, staff requested the attached TMP address anticipated levels of additional vehicle trips associated with usage of the field for district games. As noted, there will be approximately 40 'home games' per year (approx. 20 for soccer, both varsity and junior varsity when applicable, and 20 for lacrosse, both varsity and junior varsity when applicable). As noted in the analysis, adequate ingress/egress points exist and there is no anticipated circulation issues that would force vehicles into the right-of-way.

Staff is recommending annual updates for the first three years of actual athletic field usage (biennially afterwards) to assess actual trip generation/circulation associated with the field once it becomes operational.

No.3-As is the situation with existing outside athletic activities, certain noise levels are anticipated and present during school hours as well as usage of these areas after classroom hours until dusk. Environmental staff has not expressed any concern related to potential noise intrusion, however a condition is being recommended that a minimum of four scheduled district and non-district games (during the first 20 games hosted on the property) be monitored to measure noise at adjacent property lines, with this study being submitted to city staff.

For comparison purposes, five PDD's exist that provide for athletic facilities for private schools, although one (PDD No. 143-Covenant School) prohibits lighting of its athletic field, thus it has been excluded from the table in this section. Each of these schools do have a residential adjacency. It should be noted that certain provisions exist regarding use of these improvements as ultimately adopted by the City Council during each respective zoning request.

PROVISION	ST. MARKS	JESUIT	ESD	HOCKADAY	URSULINE (REQ.)
PROXIMITY OF RESIDENTIAL ADJACENCY FROM ILLUMINATED FILED*	~245'	~150'	~140'	~320'	~150'
PROXIMITY OF RESIDENTIAL ADJACENCY FROM LIGHT STANDARDS**	~225'	~115'	~120'	~310'	~140'
ATHLETIC FIELD LIGHT STANDARDS	80'	70'-FOOTBALL (RPS DOES NOT APPLY TO WESTERNMOST LIGHT STDS. FOR FOOTBALL STADIUM) 80'-BASEBALL	60', SUBJECT TO RPS	60'	EIGHT @ 45' WITH IDA CERTIFICATION
DAYS/HOURS OF USE	N/A	LIGHTING FRI. AND SAT. PLUS TWO ADDL. NIGHTS/WEEK, 11 PM-FOOTBALL AND 10:30 PM OTHER ATHLETIC ACTIVITIES	N/A	N/A	MON-FRI UNTIL 9 PM***
ADDITIONAL REGULATIONS	PRESTON ROAD NETTING-40' AND PROHIBITED ALONG ORCHID LANE	AMPLIFICATION LIMITED TO 8 AM-11 PM;; OUTSIDE GROUPS PERMITTED USE SIX EVENTS/YEAR, FROM 9 AM-7 PM	N/A	N/A	LIMIT USE TO PRIVATE SCHOOL; 20' NETTING ON 4'6" RETAINING WALL***; PROHIBIT AMPLIFICATION; ONE SCOREBOARD***; LIGHTING, NOISE, TMP UPDATES***

*measured from closest point of athletic field to residential property line

**measured from closest light standard to residential property line

***see attached conditions for staff recommended provisions

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.

While each of the above referenced private schools with illuminated athletic fields/areas possess varied provisions adopted by their respective PDD regulating ordinance, one could deduce that the staff recommendation for this request appears much more restrictive. Staff has determined this focused approach is warranted in this situation for the following reasons:

- 1) more pronounced residential adjacency (only two of the four schools noted above possesses residential adjacency along all property lines);
- 2) minimal physical separation of proposed field area and light standards (see table); and,
- 3) timing of such request (i.e., proposed athletic field areas were part of the initial request to create specific zoning for each of the schools noted as compared to this school physically expanding to add the improvements).

As a result of this analysis, staff has determined the addition of an illuminated athletic field to the school campus should be permitted, subject to a certain level of on-going responsibilities to be exercised by both the property owner and city staff (see Nos. 1, 2 and 3, above). The vehicle to accomplish this is a specific use permit. Based on staff's recommended conditions, all parties must remain engaged to ensure the actual impact of the requested improvements (all analysis to date has generally been industry-based generated assumptions) is routinely monitored with an ability to engage surrounding property owners (automatic renewal process) in the process.

Structure Height: With respect to existing regulations, the PDD provides for specific structure height flexibility across the campus; none of these are being requested for amendments.

The expansion area will provide for consideration of structure height for the following: 1) light standards (eight) installed to a height of 45 feet, and 2) field netting installed to a height of 20 feet on top of a four foot/six inch retaining wall.

Traffic: As has been the situation for many years, staff generally has requested a traffic management plan for all public and private schools, whether they are to be newly established, or in the case of this school, an existing entity requesting an amendment to previously approved zoning for this institutional use category. Due to the operational characteristics of the applicant's request (consistent use of the school campus after normal school hours), staff requested the same analysis devoted to utilization of an athletic field.

As a result, the Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's request and Traffic Management Plan (divided into two sections; Traffic Management Plan-School, and Traffic Management Plan-Athletic Field) and determined that it will not significantly impact the surrounding street system, subject to the following improvements:

1. At Driveway A, install a No Left Turn sign and No Right Turn sign on Walnut Hill Lane; at Driveway C, install a No Right Turn sign on Walnut Hill Lane; and, at Driveway D, install a No Right Turn sign on Inwood Road.

2. Restripe the existing crosswalks on Walnut Hill Lane at Surrey Oaks Drive/Driveway B and at Strait Lane to improve their effectiveness.

3. Consider adjusting the time of the existing school zone operation on Walnut Hill Lane to better coincide with school hours of operation.

As has been a consistent provision (required updates) for uses that require a TMP, staff is recommending biennial updates (both sections of the TMP) to ensure sustained compatibility with the adjacent residential areas.

Off-Street Parking: Required off-street parking is provided per the PDD's permitted uses as required by the Dallas Development Code, with not less than 585 spaces for a private school. With respect to the athletic field, staff has determined additional off-street parking spaces will not be required. Competitive use of the field will occur after normal school hours, thus the vast majority of the existing spaces will be available for the competitive matches. The submitted TMP accounts for this scenario which is supported by staff.

Lastly, it should be noted that the required TMP updates will address actual vehicular movements to and from the property but actual parking demands for the respective reporting periods (see frequency in staff's recommended PDD conditions).

Landscaping: PDD No. 385 provides for landscaping per a specific landscape plan. Additionally, certain buffers must be provided around the practice fields located along the southern portion of the school campus. No revisions are proposed for that portion of the property currently zoned PDD No. 385.

With respect to the expansion area, the applicant has worked with the chief arborist to ensure the expansion area (illuminated athletic field) can sufficiently provide for a natural buffer, utilizing much of the existing tree line along both street frontages, and the addition of new plantings.

CPC ACTION

(February 21, 2012)

Motion I: It was moved to recommend **approval** of an amendment to and expansion of Planned Development District No. 385 for a Private school, a Convent or Monastery, and Single Family Dwellings, subject to a revised development plan, traffic management plan-school section of the traffic management plan, competitive athletic field landscape plan, and staff's recommended revised conditions with the following exceptions: 1) Approve applicant's request location of scoreboard as shown on the development plan; 2) Permit applicant's request that protective knitting located as shown on the development plan may remain up at all time; 3) Prohibit outdoor band practice or band events on the competitive athletic field; 4) Approve a new provision that limits capacity

of bleachers to 50 spectators and bleacher location as shown on the development plan; and 5) Deny a illuminated competitive athletic field as a permitted use in Planned Development District No. 385. with the expansion area zoned an R-1ac(A) Single Family District and **denial without prejudice** of a Specific Use Permit for an Illuminated competitive athletic field on a portion of the property in the southwest quadrant of Walnut Hill Lane and Inwood Road.

Maker: Schwartz
Second: Anglin
Result: Failed: 6 to 9

For: 6 - Davis, Anglin, Lavallaisaa, Shellene,
Bernbaum, Schwartz

Against: 9 - Wally, Culbreath, Rodgers, Hinojosa, Bagley,
Tarpley, Wolfish, Ridley, Alcantar

Absent: 0
Vacancy: 0

Motion II: It was moved to recommend **approval** of an amendment to and expansion of Planned Development District No. 385 for a Private school, a Convent or Monastery, and Single Family Dwellings, subject to a revised development plan, traffic management plan-school section of the traffic management plan, competitive athletic field landscape plan, and staff's recommended revised conditions with the following exceptions: 1) Approve applicant's request location of scoreboard as shown on the development plan; 2) Permit applicant's request that protective knitting located as shown on the development plan may remain up at all time; 3) Prohibit outdoor band practice or band events on the competitive athletic field; and 4) Approve a new provision that limits capacity of bleachers to 50 spectators and bleacher location as shown on the development plan with the expansion area zoned an R-1ac(A) Single Family District and **approval** of a Specific Use Permit for an Illuminated competitive athletic field for a five-year period with eligibility for automatic renewal for additional six-year periods, subject to site plan, traffic management plan-athletic field section of the traffic management plan, and staff's recommended revised conditions with the following exceptions: 1) Eliminate the IDSA conditions and 2) Applicant's request for light turn-off time of 9:00 p.m. on a portion of the property in the southwest quadrant of Walnut Hill Lane and Inwood Road.

Maker: Anglin
Second: Culbreath
Result: Carried: 14 to 1

For: 14 - Wally, Anglin, Culbreath, Rodgers, Hinojosa,
Bagley, Lavallaisaa, Tarpley, Shellene,
Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 1 - Davis
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 59
Replies: For: 15 Against: 30

Speakers: For: Bill Dahlstrom, 901 Main St., Dallas, TX, 75202
Reagan Fearon, 9785 Audubon Pl., Dallas, TX, 75220
Jacqueline Fojtasek, 4656 Meadowood Rd., Dallas, TX, 75215
Stephen Giles, 9949 Strait Ln., Dallas, TX, 75220
Carol Scott, 6410 Tuner Way, Dallas, TX, 75230
Jean Neil, 6231 Norway Rd., Dallas, TX, 75230
Richard Pollock, 9929 Strait Ln., Dallas, TX, 75220
Katherine McGovern, 4364 Royal Ridge Dr., Dallas, TX, 75229
Joe Barnes, 101 Turtle Creek Blvd., Dallas, TX, 75207
Jerrad Boyle, 3505 Main St, Dallas, TX,

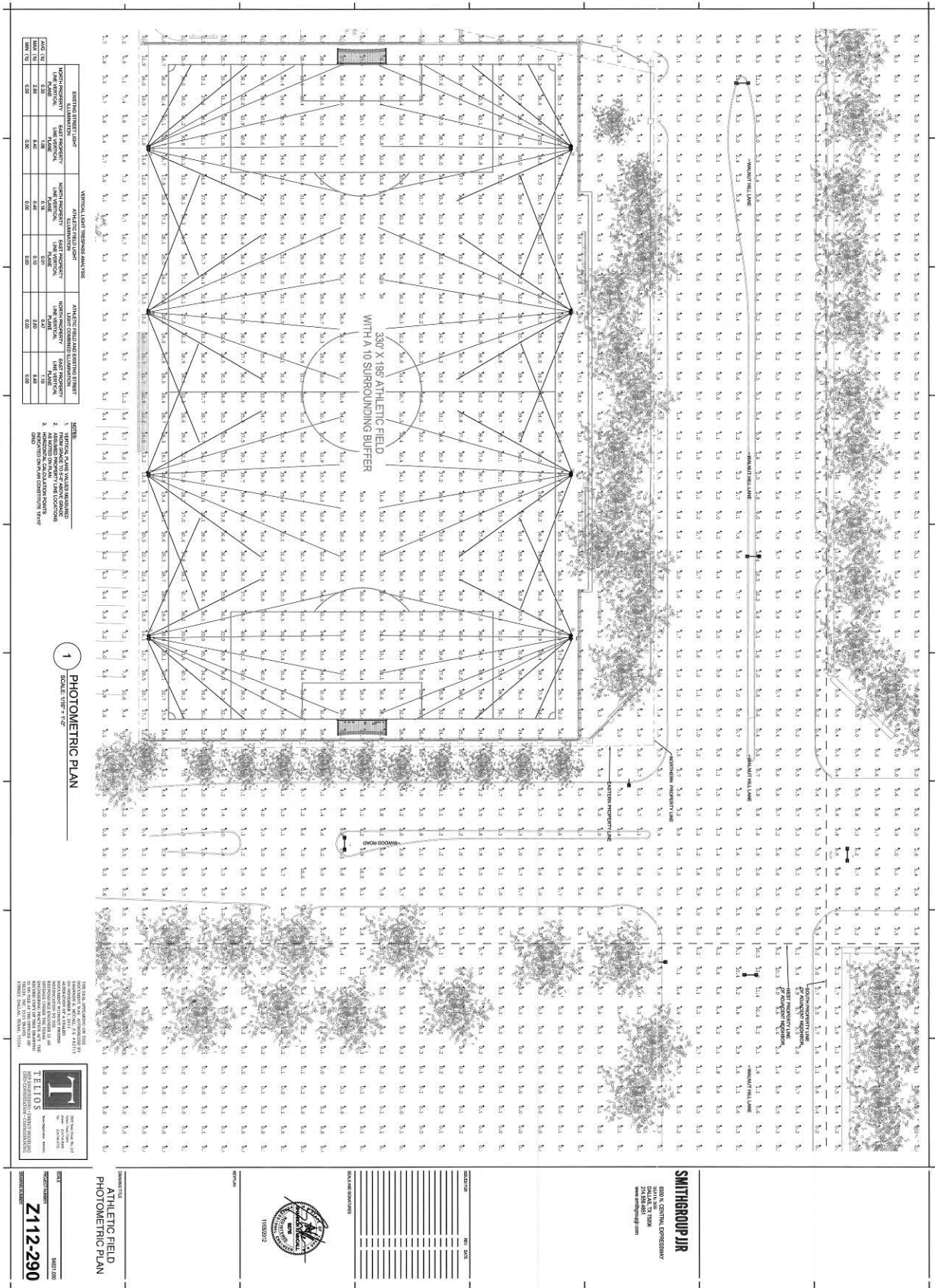
For (Did not speak): Maribeth Messing Peters, 5439 Wateka Dr., Dallas, TX, 75209
John Grimes, 5626 Stonegate Rd., Dallas, TX, 75209
Stephen Fox, 4218 Gloster Rd., Dallas, TX, 75220
Mary Rosenbleeth, 4611 Melissa Ln., Dallas, TX, 75229
Sharon Pedevilla, 3843 Martha Ln., Dallas, TX, 75229
Scot O'Brien, 4926 Heatherbrook Dr., Dallas, TX, 75224
Carly Weachock, 3510 Duchess Trl., Dallas, TX, 75229
Donna Hill, 4225 Southwestern Blvd., Dallas, TX, 75225
Michelle Grimes, 5626 Stonegate Rd., Dallas, TX, 75209
Suzan Kedron, 901 Main St., Dallas, TX, 75202
Ramona Locke, 2100 Ross Ave., Dallas, TX, 75201
Josh Jezek, 8350 N. Central Expwy., Dallas, TX, 75206
Robert Galecke, 5324 Livingston Ave., Dallas, TX, 75209
Gretchen Kane, 7700 Greenway Blvd., Dallas, TX, 75209
Roland Pedevilla, 3843 Martha Ln., Dallas, TX, 75229
Juan Cortez, 1123 Hoke Smith Dr., Dallas, TX, 75224
William Jaspersen, 4807 Crooked Ln., Dallas, TX, 75229
Bill Neuhoff, 3836 Weeburn Dr., Dallas, TX, 75229
Kara Gehan, 5330 Ursula Ln., Dallas, TX, 75229
Suzan Grossman, 6622 Robin Rd., Dallas, TX, 75209
Maria Brady, 8103 San Franando Way, Dallas, TX, 75218
Jenny Priddy, 4621 Ridgeside Dr., Dallas, TX, 75244
Isabella Martinez, 2004 Cartwright, Sachse, TX, 75048
Guadalupe Villalobos, 10971 Woodleaf Dr., Dallas, TX, 75227
Leslie Echols, 4411 Bowser Ave., Dallas, TX, 75219
Mike Jensen, 4900 Walnut Hill Ln., Dallas, TX, 75229
Jim Koehler, 2116 Gate Pointe Way, Arlington, TX, 76018
Robert Neuhoff, 4710 Dorset Rd., Dallas, TX, 75229
Veronica Moreno, 6605 Federal Hall St., Plano, TX, 75023
Ellen Crim, 4507 Lively Ln., Dallas, TX, 75220
Sharon Ackels, 4446 Alta Vista Ln., Dallas, TX, 75229

Tarra Loera, 3223 Lemmon Ave., Dallas, TX, 75204
Doug Van Voorhis, 3371 Regent Dr., Dallas, TX, 75229
Jana DeHaven, 3371 Regent DR., Dallas, TX, 75229
Karen Drawz, 1015 Billflower Dr., Carrollton, TX, 75007
Michael Wemberger, 4359 Shirley Dr., Dallas, TX, 75229
Meghan Fitzsimmons, 5003 Linnet Ln., Dallas, TX, 75209
Hayley Field, 6306 Lupton Dr., Dallas, TX, 75225
Jennifer Blum, 2618 Tallow Dr., Euless, TX, 76039
Karen Fox, 4218 Gloster Rd., Dallas, TX, 75220
Matthew Yaeger, 6306 Desco Dr., Dallas, TX, 75225
Lane Bogar, 8566 Santa Clara, Dallas, TX, 75218
Gabrielle Kilmer, 5808 Rosewell Dr., Plano, TX, 75093
Ellie Ward, 4832 Ellensburg Dr., Dallas, TX, 75244
Margaret Ana Moser, 6306 Diamond Head Cr., Dallas, TX, 75225
Mary Lee Duda, 3925 Glenwick, Dallas, TX, 75205
Dan Donohoe, 5824 Morning Gloria Ln., Plano, TX, 75093
Margot Murphy, 4817 Alta Vista Ln., Dallas, TX, 75229
Beverly Nicksic, 4407 Gloster Rd., Dallas, TX, 75220
Debbie McGowan, 1430 Charlotte Way, Carrollton, TX, 75007
Emy Franke, 6915 Hickory Creek Ln., Dallas, TX, 75252
Monet Van Voorhis, 3371 Regent Dr., Dallas, TX, 75229
Cami Pham, 5445 Caruth Haven Ln., Dallas, TX, 75225
Bria Burciaga, 4809 Amber Ct., Lower Mound, TX, 75028
Elizabeth Bourgeois, 4118 Park Ln., Dallas, TX, 75220
Grace Hill, 4225 Southwestern Blvd., Dallas, TX, 75225
Peyton Steiner, 4423 Melissa Ln., Dallas, TX, 75229
Shelia Patrick, 6023 Joyce Way, Dallas, TX, 75225
Karen Pollack, 9929 Strait Ln., Dallas, TX, 75220
Anne Dahlstrom, 3 Grantley Ct., Dallas, TX, 75230
Mariela Estrada, 1636 Cedar Hill Ave., Dallas, TX, 75208
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Ellen Yaeger, 6306 Desco Dr., Dallas, TX, 75225
Emily Garden, 6057 Deloache Ave., Dallas, TX, 75225
Nilla Paine, 6122 Woodland Dr., Dallas, TX, 75225
Faith Noah, 4330 Valley Ridge Rd., Dallas, TX, 75220
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Kennedi Henneberger, 236 Shady Hill Dr., Richardson, TX, 75080
Allison Dais, 3604 Cedar Springs Rd., Dallas, TX, 75219
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Christy Frazer, 12440 Montego Plaza, Dallas, TX, 75230
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Against: Bill Meyer, 5026 Lakehill Ct., Dallas, TX, 75220
P. Michael Jung, 4400 Bank of America Plaza, Dallas, TX, 75202
Windle Turley, 5025 Lakehill Ct., Dallas, TX, 75220
Anthony Francis, 5075 Lakehill Ct., Dallas, TX, 75220
Mindy Stenger, 4831 S. Lindhurst Ave., Dallas, TX, 75229
Hillary Hurst, 4645 Meadowood Rd., Dallas, TX, 75220
Stanley Zainfeld, 5045 Lakehill Ct., Dallas, TX, 75220
Joe Doye, 5202 Walnut Hill Ln., Dallas, TX, 75229
Meredith Lee, 4241 Buena Vista St., Dallas, TX, 75202
Alberto Rocha, 9807 Inwood Rd., Dallas, TX, 75220
Sharon Reese Niebuhr, 10010 Strait Ln., Dallas, TX, 75229
Karen Rader, 10035 Surrey Oaks Dr., Dallas, TX, 75229
Phyllis Glazer, 4668 Meadowood Rd., Dallas, TX, 75220
Ryan Spiritas, 10024 Surrey Oaks Dr., Dallas, TX, 75229

Against (Did not speak): Liz Whitfield, 10024 Surrey Oaks Dr., Dallas, TX, 75229
Mark Schwarz, 4645 Meadowood Rd., Dallas, TX, 75220
Stevan Hammond, 5054 Lakehill Ct., Dallas, TX, 75220



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Z112-290

CPC RECOMMENDED/STAFF RECOMMENDED AMENDING CONDITIONS

ARTICLE 385.

PD 385.

SEC. 51P-385.101. LEGISLATIVE HISTORY.

PD 385 was established by Ordinance No. 21788, passed by the Dallas City Council on August 25, 1993. Ordinance No. 21788 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 21788; 25850)

SEC. 51P-385.102. PROPERTY LOCATION AND SIZE.

PD 385 is established on property generally located ~~on the south line~~ at the southwest corner of Walnut Hill Lane and ~~[west of]~~ Inwood Road. The size of PD 385 is approximately ~~23.547~~ 25.747 acres. (Ord. Nos. 21788; 25850)

SEC. 51P-385.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations ~~[contained]~~ in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to code articles, divisions, or sections in this article refer to articles, divisions, or sections in Chapter 51A.

(c) Section 51A-2.101, "Interpretations," applies to this article.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol [SUP] appearing after a listed use means that the use is permitted by specific use permit only.

(e) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a residential zoning district. (Ord. Nos. 21788; 25850)

(f) COMPETITIVE ATHLETIC FIELD means an athletic field utilized for scheduled soccer and lacrosse games and practices where one of the teams utilizing the athletic field is comprised of athletes that attend the private school on the Property.

SEC. 51P-385.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 385A: development plan.
- (2) Exhibit 385B: landscape plan.
- (3) Exhibit 385C: competitive athletic field landscape plan.

SEC. 51P-385.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 385A). Prior to the issuance of a building permit for any other development, a development plan that complies with the requirements of Section 51A-4.702 must be submitted to and approved by the city plan commission. [Note: Exhibit 385A was erroneously stamped with Ordinance No. 21787 rather than Ordinance No. 21788.] (Ord. Nos. 21788; 25850)

SEC. 51P-385.105. USE REGULATIONS IN GENERAL.

The private school, theater, and private recreation center, club, or area may be used only for school-sponsored functions. (Ord. Nos. 21788; 25850)

SEC. 51P-385.106. MAIN USES PERMITTED.

- (a) Institutional and community service uses.
 - Church.
 - Competitive athletic field. [By SUP required if field is illuminated. Otherwise, by right.]
 - Convent or monastery.
 - Private school.
- (b) Recreation uses.
 - Private recreation center, club, or area.
- (c) Residential uses.
 - Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
 - Single family.
- (d) Retail and personal service uses.
 - Theater.
- (e) Utility and public service uses.
 - Local utilities. (Ord. Nos. 21788; 25850)

SEC. 51P-385.107. 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 contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 21788; 25850)

SEC. 51P-385.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(1) Except as provided in this section, ~~m~~Minimum front yard along Inwood Road and Walnut Hill Lane is 50 feet. All other front yards must comply with the setbacks indicated on the approved development plan.

(2) Competitive Athletic Field. Lighting, retaining walls, protective athletic field netting with supporting poles, and goals are permitted in the front yard.

(b) Side and rear yard. Minimum side and rear yard is 40 feet unless otherwise shown on the development plan.

(c) Dwelling unit density. Maximum dwelling unit density is one dwelling unit per net acre.

(d) Floor area ratio. Maximum floor area ratio is 0.3.

(e) Height.

(1) Residential proximity slope. Except for athletic playing field lighting standards and protective playing field netting and supporting poles, ~~i~~f any portion of a structure is over 36 feet in height, that portion may not be located above a residential proximity slope, as defined by Section 51A-4.412. The angle of projection of the slope must be set forth on the approved development plan. The extent of the slope is infinite. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope up to 12 feet above the slope.

(2) Maximum height. Maximum structure height is:

(i) 80 feet for the theater;

(ii) 46 feet for the bell tower;

(iii) 44 feet for the gymnasium; ~~and~~

(v) 25 feet for netting and support poles, inclusive of a four-foot, six-inch tall retaining wall.

(vi) 45 feet above finished grade of the field for light standards in conjunction with an illuminated competitive athletic field, as measured to the top of the fixture. Only permitted in conjunction with a specific use permit.

(vii) 36 feet for all other structures.

(f) Lot coverage. Maximum lot coverage is 60 percent. No more than two-thirds of the permitted coverage may be for residential, convent or monastery, and private school structures, and no more than one-third of the permitted coverage may be for accessory structures. Parking lots are not considered as main or accessory structures for purposes of lot coverage. Aboveground parking structures and surface parking lots are included in maximum lot coverage calculations; underground parking structures are not.

(g) Lot size. Minimum lot size is one acre.

(h) Stories. Maximum number of stories above grade is three. (Ord. Nos. 21788; 25850)

SEC. 51P-385.109. OFF-STREET PARKING AND LOADING.

(a) Parking.

(1) Required off-street parking:

(A) Two spaces for each single family dwelling and handicapped group dwelling unit.

(B) Six spaces for each classroom of the private school.

(C) One space for each three residents of the convent or monastery with a minimum of two spaces required.

(D) No spaces for the other uses.

~~[(2) Handicapped parking must be provided in accordance with Section 51A-4.305.]~~

(b) Loading. Consult Section 51A-4.303 for requirements regarding off-street loading generally. (Ord. Nos. 21788; 25850)

SEC. 51P-385.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 21788; 25850)

SEC. 51P-385.111. LANDSCAPING.

(a) In general. Except as provided in this section, aAll landscaping must be provided as shown on the landscape plan (Exhibit 385B). Unless otherwise stated below or shown on the landscape plan, all landscaping must be installed in accordance with Article X. All plant material must be maintained in a healthy, growing condition at all times. [Note: Exhibit 385B was erroneously stamped with Ordinance No. 21787 rather than Ordinance No. 21788.]

(b) For a competitive athletic field, landscaping must be provided as shown on the competitive athletic field landscape plan (Exhibit 385C).

(b) Playing field buffer. One tree must be planted in the playing field buffer shown on the landscape plan for each tree removed during installation of the playing field or compliance with Division 51A-10.130 is required. The replacement trees must be randomly distributed and each tree must have a minimum caliper of two inches. If the number of replacement trees to be planted exceeds the number the buffer can accommodate in accordance with standard landscaping practices, the excess required trees may be planted elsewhere in the Bachman Branch flood plain on the Property. Native privet and other naturally occurring evergreen materials may be installed. (Ord. Nos. 21788; 25850)

SEC. 51P-385.111.1. TRAFFIC MANAGEMENT PLAN FOR A PRIVATE SCHOOL.

(a) In general. The operation of a private school must comply with the traffic management plan-school section of the Traffic Management Plan (Exhibit ____).

(b) Queuing. Except as provided in the traffic management plan-school section, queuing is only permitted inside the Property. Except as provided in the traffic management plan-school section, student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan-school section. The initial traffic study must be submitted to the director by November 1, 2016. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1 of each even-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; and
- (G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan-school section is sufficient.

(A) If the director determines that the current traffic management plan-school section is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan-school section results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan-school section. If the Property owner fails to submit an amended traffic management plan-school section within 30 days, the director shall notify the city plan commission.

(d) Amendment process.

(1) The traffic management plan-school section may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan-school section if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-385.111.1. TRAFFIC MANAGEMENT PLAN FOR A COMPETITIVE ATHLETIC FIELD.

(a) In general. Operation of the competitive athletic field must comply with the attached traffic management plan-athletic field section of the traffic management plan.

(b) Queuing. Queuing is only permitted inside the Property. Student athlete and spectator drop-off and pick-up and are not permitted within city rights-of-way.

(c) Traffic management plan.

(1) The Property owner shall prepare an update to the traffic management plan-athletic field section of the traffic management plan evaluating the sufficiency of the plan. The initial update of the traffic management plan-athletic field section must be submitted to the director by November 1, 2015. After the initial update, the Property owner shall submit additional updates of the traffic management plan-athletic field section to the director by November 1 of each year for the first two years (2016, and 2017), and by November 1 every even-numbered year thereafter (beginning 2018). If a certificate of occupancy for a competitive athletic field is not issued by November 1, 2015, the property owner or operator shall notify the director in writing. If the director determines that a certificate of occupancy has not yet been issued and the competitive athletic field is not yet in use, the director shall grant an extension of up to one year for the initial update and subsequent updates.

(2) The traffic management plan-athletic field section must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different game days, one hour before the scheduled game(s) and one hour after the anticipated conclusion of the game(s) over a six-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 student athletes and spectators and the directing of buses and vehicles entering the property for the sole purpose of participating or attending the scheduled athletic event;
- (D) drop-off and pick-up locations;
- (E) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan-athletic field section is sufficient.

(A) If the director determines that the current traffic management plan-athletic field section is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan-athletic field section results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan-athletic field section. If the Property owner fails to submit an amended traffic management plan-athletic field section within 30 days, the director shall notify the city plan commission.

(4) Amendment process.

(A) A traffic management plan-athletic field section of the traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(B) The city plan commission shall authorize changes in a traffic management plan-athletic field section if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-385.111.2. TRAFFIC CIRCULATION IMPROVEMENTS.

(a) Prior to a certificate of occupancy providing for a competitive athletic field or six months after passage of this ordinance (date), whichever occurs first, the following improvements must be completed, with final approval by the Transportation Section of the Street Department:

(1) Install a No Left-Turn sign on Walnut Hill Lane at Driveway A and a No Right-Turn sign on Walnut Hill Lane at Driveways A and C, and on Inwood Road at Driveway D;

(2) Restripe the existing crosswalks on Walnut Hill Lane at Surrey Oaks Drive and Driveway B at Strait Lane; and,

(3) Adjust existing school zone warning signals on Walnut Hill to coincide with school hours of operation.

SEC. 51P-385.112. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 21788; 25850)

(b) One monument sign with a maximum effective area of 65 square feet and a maximum height of four feet may be located as shown on the development plan.

SEC. 51P-385.113. FLOOD PLAIN.

See Division 51A-5.100. (Ord. Nos. 21788; 25850)

SEC. 51P-385.114. PLAYING FIELD.

(a) Other than the playing fields shown on the development plan, no other playing fields may be installed in the Bachman Branch flood plain.

(b) No lighting may be installed or maintained for the playing field.

(c) No school-sponsored activity may be held at the playing field between the end of spring term and the beginning of the fall term of the private school.

SEC. 51P-385.114.1. ADDITIONAL REQUIREMENTS FOR A COMPETITIVE ATHLETIC FIELD.

CPC Recommendation permitting protective netting and support poles to remain up at all times.

Staff recommended:

(1) Protective netting must be removed after use of the field. Support poles to which the protective netting is attached may be permanently affixed to the Property.

(2) Loud speakers and other forms of amplification are prohibited.

CPC Recommended:

(3) One scoreboard is allowed in the area shown on the development plan.

Staff recommended:

(3) One scoreboard that is not viewable from a public right-of-way is allowed.

(A) Maximum effective area is 56 square feet as measured from the grade of the athletic field.

(B) Maximum height is 14 feet.

(C) Lighting is limited to internal sources to indicate time, score, and other pertinent items related to either soccer or lacrosse matches.

(D) All lighting sources must be turned off by 9:30 p.m.

(E) Advertising, other than the name of the school, field name, or its mascot, is prohibited.

(4) The playing field may only be used by students, alumni, and faculty of the private school located on the Property.

(5) Prior to the completion of the 20th scheduled District and Non-District athletic game on the Property, the Property owner must provide an analysis to the building official, prepared by a registered engineer, measuring noise generated during a minimum of four District or Non-District athletic games on adjacent residentially zoned properties north and east of the athletic field. If the director determines that the submitted noise analysis results in levels of noise that exceed City Code or otherwise creates a nuisance, the director shall require the Property owner to submit an outline of proposed improvements to mitigate reported noise levels that exceed City Code. If the Property owner fails to submit an outline of the required improvements within 30 days of the director's request, the director shall notify the city plan commission.

(6) Band practice and band events are prohibited.

(7) Bleachers with a maximum capacity of 50 spectators are permitted in the location as shown on the development plan.

SEC. 51P-385.115. GENERAL REQUIREMENTS.

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

(b) 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.

Z112-290(RB)

(c) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 21788; 25850)

SEC. 51P-385.116. ZONING MAP.

~~PD 385 is located on Zoning Map Nos. F-6 and F-7. (Ord. Nos. 21788; 2585~~

**CPC RECOMMENDED/STAFF RECOMMENDED CONDITIONS FOR A SPECIFIC
USE PERMIT
FOR AN ILLUMINATED COMPETITIVE ATHLETIC FIELD**

1. **USE:** The only use authorized by this specific use permit is an illuminated competitive athletic field.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.

CPC Recommended:

3. **TIME LIMIT:** This specific use permit expires on five years from passage of this ordinance (date), but is eligible for automatic renewal for additional six-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

Staff recommended:

3. **TIME LIMIT:** This specific use permit expires on three years from passage of this ordinance (date), but is eligible for automatic renewal for additional six-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. **LIGHTING:**

A. Maximum height of the eight light standards, as measured to the top of the fixture, is 45 feet above the finished grade of the field.

B. Lighting may not produce glare or direct illumination across a property line of an intensity that creates a nuisance or detracts from the use or enjoyment of adjacent property.

Applicant requested:

D. Lighting is permitted until 9:00 p.m., Monday through Friday.
--

Staff recommended:

D. Except as provided in this paragraph, lighting is permitted until 9:00 p.m., Monday through Friday, and further restricted to scheduled District and Non-District athletic games in which one of the teams utilizing the athletic field is comprised of athletes that attend the private school located on the Property. For purposes of this subparagraph, scheduled District and Non-District athletic games are those published on the official website of the private school located on the Property.
E. Lighting is permitted until 7:00 p.m., Monday through Friday for athletic practices involving teams comprised of students that attend the private school located on the Property.

5. INGRESS/EGRESS:

A. Ingress and egress must be provided as shown on the attached site plan.

B. Any changes to the ingress and egress must be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

6. PHOTOMETRIC STUDY: Prior to the completion of the 20th scheduled District and Non-District athletic game on the Property, the Property owner must provide a photometric analysis to the building official, prepared by a registered engineer, measuring spillover lighting during a minimum of four District or Non-District athletic games on adjacent residentially zoned properties north and east of the athletic field. If the director determines that the submitted photometric study results in levels of spillover lighting or glare that exceeds City Code or otherwise creates a nuisance, the director shall require the Property owner to submit an outline of proposed improvements to mitigate identified spillover lighting and glare that exceed City Code. If the Property owner fails to submit an outline of the required improvements within 30 days of the director's request, the director shall notify the city plan commission.

7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**TRAFFIC MANAGEMENT PLAN FOR
URSULINE ACADEMY OF DALLAS
IN DALLAS, TEXAS**

Prepared for:
Ursuline Academy of Dallas
4900 Walnut Hill Lane
Dallas, TX 75229

Prepared by:
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
Engineers • Planners
400 South Houston Street
Suite 330 • Union Station
Dallas, Texas 75202
Phone 214/748-6740

September 18, 2012



Traffic Management Plan for
Ursuline Academy of Dallas
< DeShazo Project No. 12083.2 >

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Technical Memorandum

To: Sister Margaret Ann Moser — Ursuline Academy of Dallas
Cc: Suzan Kedron — Jackson Walker
From: Steve E. Stoner, P.E., PTOE — DeShazo Group, Inc.
Date: September 18, 2012
Re: Traffic Management Plan for Ursuline Academy of Dallas and Athletic Field Addition
DeShazo Project No. 12083.2

INTRODUCTION

The services of DeShazo Group, Inc. (DeShazo) were retained by Ursuline Academy of Dallas (UA) to conduct a traffic management plan (TMP) for their existing campus located at 4900 Walnut Hill Lane in Dallas, Texas. The requirement for this document is precipitated by the proposed addition of an athletic field in the northeast portion of the campus, which is also included in this study.

DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering.

Background

The existing school has an enrollment of approximately 800 students from grades 9th through 12th. As part of the proposed athletic field entitlements, no changes to the student enrollment are proposed. Operational characteristics of the school will also remain unchanged aside from those directly related to the athletic field as described below.

Purpose

The purpose of this report is to document the existing traffic operations at Ursuline Academy during the morning drop-off and afternoon pick-up hours (to remain unchanged). In addition this report will document the anticipated traffic operations associated with athletic field (visitors) as requested by the City of Dallas — though, as described later in this study, the volume of visitors associated with the athletic field are quite low and only occur on approximately 20 days per year. Where applicable recommendations to traffic operations on public rights-of-way have been provided as needed to

facilitate safety and minimize impact. The TMP is available for distribution to the City of Dallas staff ("the Staff") for review as to fulfill the associated requirements of the local approval process.

TRAFFIC MANAGEMENT PLAN – SCHOOL

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. The following summary depicts the circulation plan, traffic management strategies, and observed queuing (i.e., vehicle stacking) space used on site to accommodate peak demands related to student drop-off and pick-up at the school as well as student drivers. A concerted effort by the school administration and the parents is encouraged to maintain safe and efficient traffic operations.

School Hours

The school operates on a regular schedule. Classes on typical school days begin and conclude at following times.

- Mondays – start: 9:30 AM, end: 3:45 PM
- Tuesdays-Fridays - start: 8:50 AM, end: 3:45 PM

Most peak traffic activity occurs within thirty minutes of the start and end times. A 20-MPH school zone is provided on Walnut Hill Lane adjacent to the school.

According to school representatives, approximately 37% of students park personal vehicles at the school; and, typically, approximately 5-20% of students stay at the school following dismissal for extra-curricular activities. School bus service is not provided.

Access and Circulation

The site provides three driveways on Walnut Hill Road (labeled "A", "B", and "C", on Exhibit 1) and one driveway (Driveway "D" on Exhibit 1) on Inwood Road. All driveways are secured and/or access-controlled when not in use.

All inbound traffic to the school enters at Driveway B on Walnut Hill Lane. Driveway B is one-way, inbound-only with a full median opening. During the morning peak period, an off-duty police officer is stationed on Walnut Hill Lane at Driveway B to assist entering traffic. Internally, access through Driveway B is monitored by a security guard.

Driveway A is one-way, outbound-only and serves most of the site's outbound traffic. An off-duty police officer controls traffic on Walnut Hill Lane at Driveway A during the afternoon egress peak.

Driveway C is a right-turn-, exit-only driveway serving the student parking lot. The driveway is closed except during the afternoon peak exit period.

Access to Driveway D, on Inwood Road, is controlled by an automatic gate at all times. Any vehicle may exit by pulling up to the gate, but only authorized vehicles are allowed to enter. Overall, Driveway D serves a very low volume of traffic.

During student drop-off/pick-up periods, parents enter via Driveway B, drive through the student parking lot to the peripheral campus loop road. Most student unloading and loading occurs in the designated loading areas at the southeast of the building. Most traffic exits via Driveway A, though some may opt to use Driveway D.

Queue Lengths

A goal for any school should be to accommodate all vehicular queuing and drop-off/pick-up procedures on private property (i.e., not utilize public right-of-way for passenger loading/unloading). At the same time the schools should try to minimize the number of vehicles present on site at any given time in order to minimize potential of vehicles queuing and/or parking in public right-of-way.

DeShazo conducted site observations of the afternoon pick-up-related queuing conditions at the school on Thursday, August 30, 2012. The existing school features a one-way loop road around the main school building from which parents may queue and load passengers. All queuing associated with student pick-up occurred in the loop road and did not extend to the public street. Exhibit 1 provides a graphical summary of the observed queue conditions.

Bus Circulation

–Not Applicable (no buses)–

TRAFFIC MANAGEMENT PLAN – ATHLETIC FIELD

By request of the City of Dallas staff, this analysis also provide a summary of the Traffic Management Plan for the proposed athletic field.

Traffic Characteristics

The following summary describes the planned use of the proposed athletic field based upon a phone interview conducted on May 23, 2012 with Mr. Mike Jensen, Athletic Director for UA. Traffic generation associated with the field can be intuitively projected according to the use characteristics.

- The proposed athletic field will be for the exclusive use of UA for school- and athletic-related activities and will not be available for use by unaffiliated persons.
- Specifically, the field will primarily be used for the UA lacrosse and soccer team practices and official games. Secondary uses of the field may include: practice area for other UA sports teams, UA wellness classes, and other UA-related athletic programs.
- The UA lacrosse season lasts from September through early May. Practices generally occur from 4:00-5:30 PM, weekdays. UA lacrosse teams may host up to ten game days per season. Most game days consist of doubleheaders (i.e., Junior Varsity followed by Varsity) and typically start at 5:00 PM and 6:30 PM (or, 5:30 PM and 7:00 PM). Occasionally, play-off games may occur on weekend afternoons (may be Saturday or Sunday), which have different start times. Practices consist of players and coaches who are already on the campus – no

*DeShazo Group, Inc.
February 15, 2013*

additional traffic or parking demand is generated (only the time of departure is adjusted, accordingly).

- The UA soccer season lasts from October through mid-March. Practices generally occur two-to-three days per week from 6:30-8:30 AM (to avoid conflict with lacrosse practices). UA soccer teams may host up to ten game days per season. About half of the game are doubleheaders (since not all teams have both Junior Varsity and Varsity squads), which typically start at 6:00 PM and 7:30 PM (or, 6:30 for single games). Occasional play-off games may occur on weekends (Saturday only), which have different start times. Practices consist of players and coaches who would otherwise already be on the campus – no additional traffic or parking demand is generated (only the time of arrival is adjusted, accordingly). Soccer games may attract up to 50 spectators (but, usually less than for lacrosse) from off site.
- Parking for game spectators can easily be accommodated in adjacent parking spaces which have been vacated by school traffic.

Circulation

As with general school traffic, all inbound traffic will enter the site via Driveway B. From the main driveway, vehicles may continue south through the circular driveway and travel toward the athletic field. Sufficient parking will be available immediately surround the field as shown in Exhibit 2. Upon exit, motorists may exit via Driveway A or Driveway D.

RECOMMENDATIONS

Exhibit 3 provides a summary of existing traffic signage within public right-of-way in the immediate vicinity of the school. Exhibit 4 provides a summary of traffic control recommendations, which are listed below:

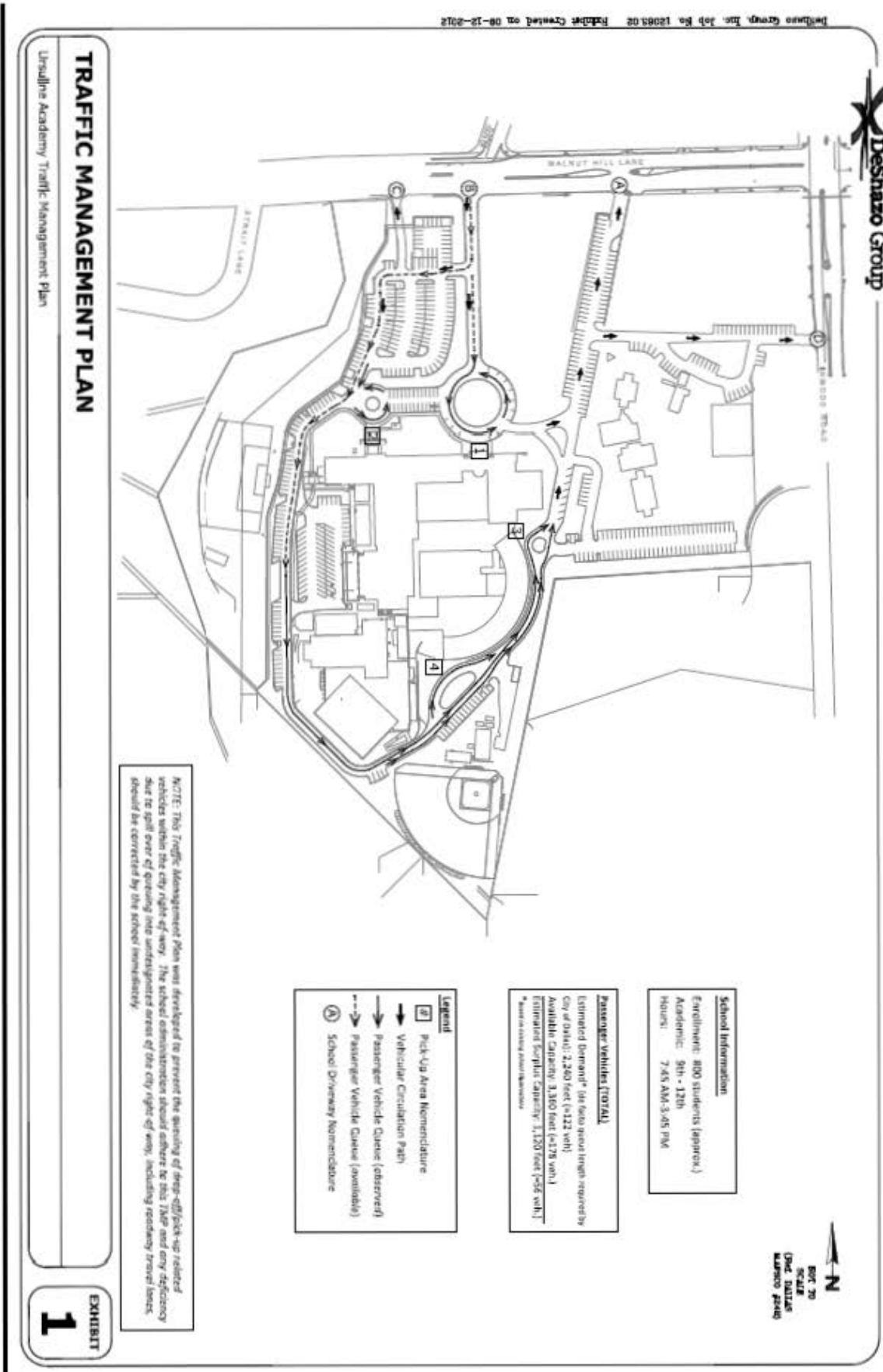
- I. To reduce the risk of wrong-way turning maneuvers: at Driveway A, install a No Left Turn sign and a No Right Turn sign on Walnut Hill Lane; at Driveway C, install a No Right Turn sign on Walnut Hill Lane; at Driveway D install a No Right Turn sign on Inwood Road.
- II. Restripe the existing crosswalks on Walnut Hill Lane at Surrey Oaks Drive/Driveway B and at Strait Lane to improve their effectiveness.
- III. Consider adjusting the time of the existing school zone operation on Walnut Hill Lane to better coincide with school hours of operation.

SUMMARY

This TMP is provided to summarize the traffic characteristics of Ursuline Academy of Dallas for general school traffic and traffic associated with the proposed athletic field. The Plan is intended to maintain passenger vehicle loading/unloading within the site and to avoid vehicle queuing and passenger loading/unloading within the City right-of-way. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness and compliance and to consider adjustments as needed to provide overall safety.

END OF MEMO

*Ursuline Academy of Dallas Athletic Field Addition
Traffic Management Plan
Page 4*



N
 NOT TO SCALE
 ONE INCH EQUALS
 FORTY FEET

School Information
 Enrollment: 800 students (approx.)
 Academic: 9th - 12th
 Hours: 7:45 AM-3:45 PM

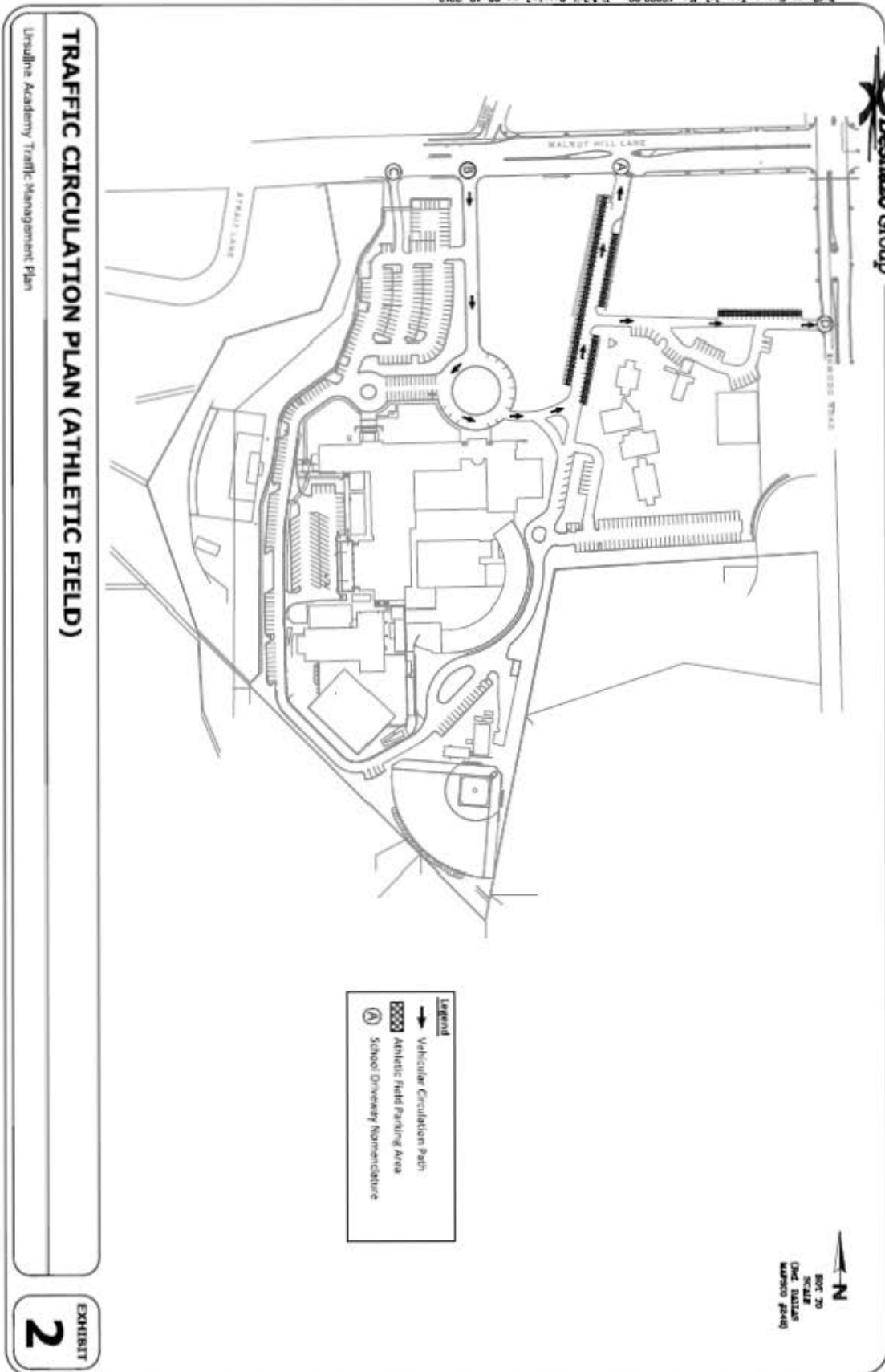
Passenger Vehicles (TOTAL)
 Estimated Demand* (in four 90-min length required by City of Dallas): 2,240 feet (4122 veh)
 Available Capacity: 3,360 feet (6178 veh.)
 Estimated Surplus Capacity: 1,120 feet (2056 veh.)
*Based on existing school transportation

Legend
 ② Pick-Up Area Nomenclature
 → Vehicular Circulation Path
 → Passenger Vehicle Queue (observed)
 → Passenger Vehicle Queue (available)
 ⓐ School Driveway Nomenclature

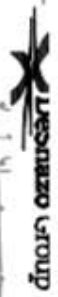
NOTE: This Traffic Management Plan was developed to prevent the queuing of deep-street-up related vehicles within the city right-of-way. The school administrators should adhere to this TMAP and any deficiency due to spill over of queuing into unright-of-way areas of the city right-of-way, including roadway travel lanes, should be corrected by the school immediately.

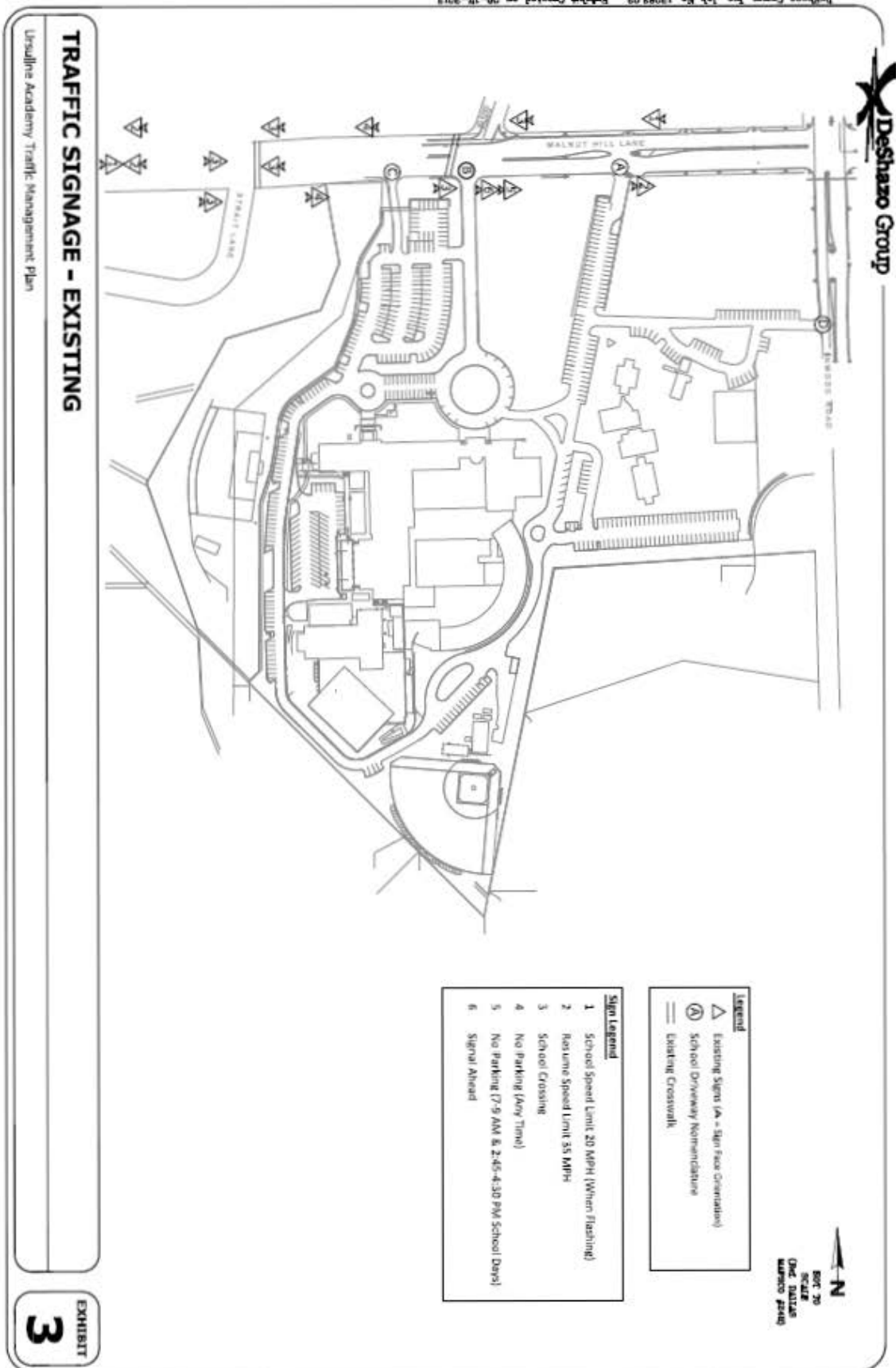
TRAFFIC MANAGEMENT PLAN
 Ursuline Academy Traffic Management Plan

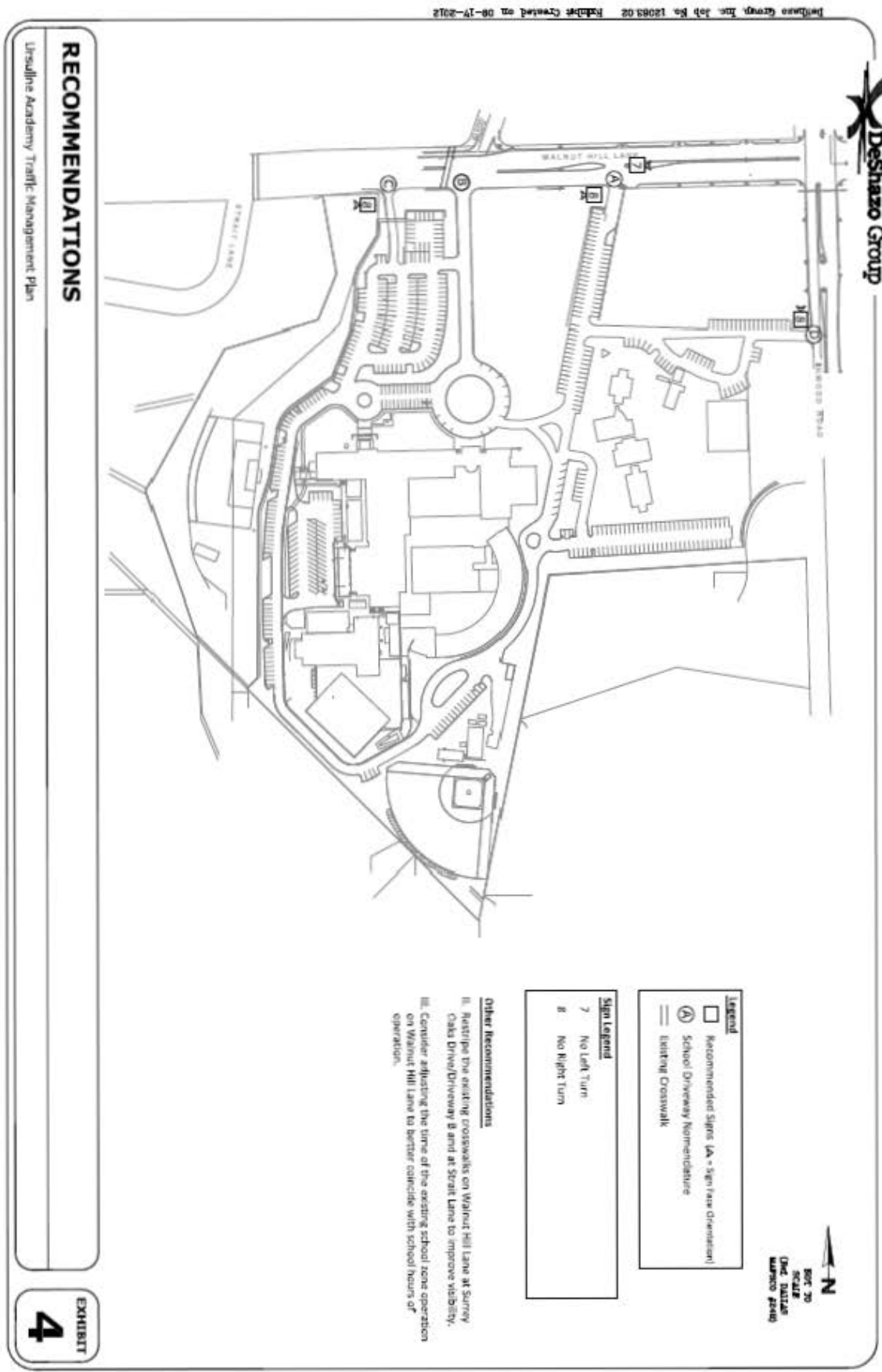
EXHIBIT 1



Delaware Group, Inc. Job No. 12083.02. Hublot Created on 08-12-2012







N
 80' = 1" SCALE
 DATE: 10/21/16
 DRAWING: 290RB

Legend

- Recommended Signs (A - Sign face Orientation)
- Ⓐ School Driveway Non-pedestrian
- Existing Crosswalk

Sign Legend

- 7 No Left Turn
- 8 No Right Turn

Other Recommendations

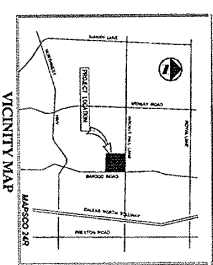
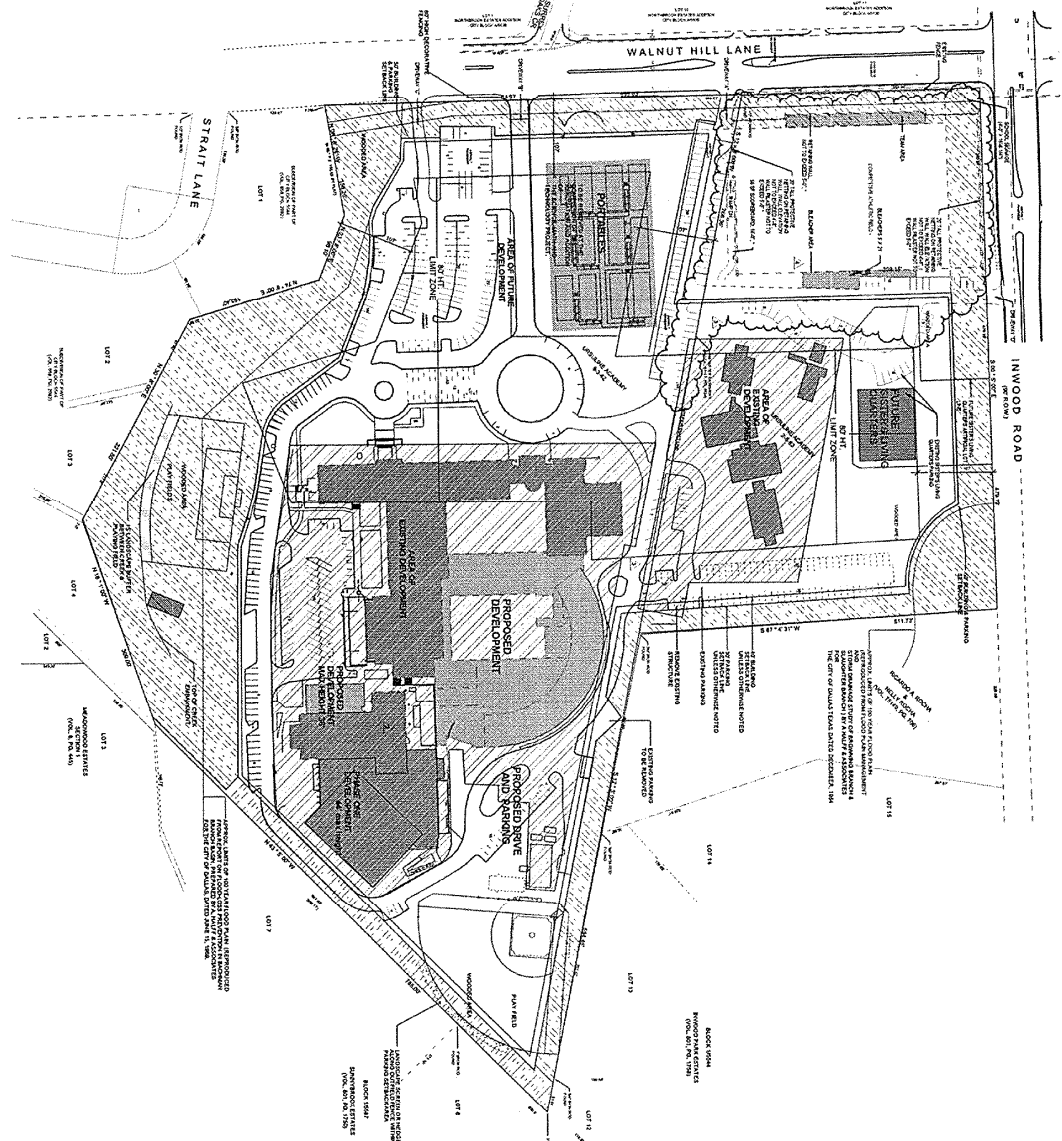
- ii. Restripe the existing crosswalks on Walnut Hill Lane at Surrey Oaks Drive/Driveway B and at Street Lane to improve visibility.
- iii. Consider adjusting the time of the existing school zone operation on Walnut Hill Lane to better coincide with school hours of operation.

RECOMMENDATIONS

Ursuline Academy Traffic Management Plan

Deshazo Group, Inc. Job No. 12083.02 Project Created on 08-17-2012

Plot Date: 1/7/2013 4:26:51 AM



PLANNED DEVELOPMENT DISTRICT

No. 385

Ordinance No. 10000, 10001, and 10002

Ordinance No. 10003

Ordinance No. 10004

Ordinance No. 10005

Ordinance No. 10006

Ordinance No. 10007

Ordinance No. 10008

Ordinance No. 10009

Ordinance No. 10010

Ordinance No. 10011

Ordinance No. 10012

Ordinance No. 10013

Ordinance No. 10014

Ordinance No. 10015

Ordinance No. 10016

Ordinance No. 10017

Ordinance No. 10018

Ordinance No. 10019

Ordinance No. 10020

Ordinance No. 10021

Ordinance No. 10022

Ordinance No. 10023

Ordinance No. 10024

Ordinance No. 10025

Ordinance No. 10026

Ordinance No. 10027

Ordinance No. 10028

Ordinance No. 10029

Ordinance No. 10030

Ordinance No. 10031

Ordinance No. 10032

Ordinance No. 10033

Ordinance No. 10034

Ordinance No. 10035

Ordinance No. 10036

Ordinance No. 10037

Ordinance No. 10038

Ordinance No. 10039

Ordinance No. 10040

Ordinance No. 10041

Ordinance No. 10042

Ordinance No. 10043

Ordinance No. 10044

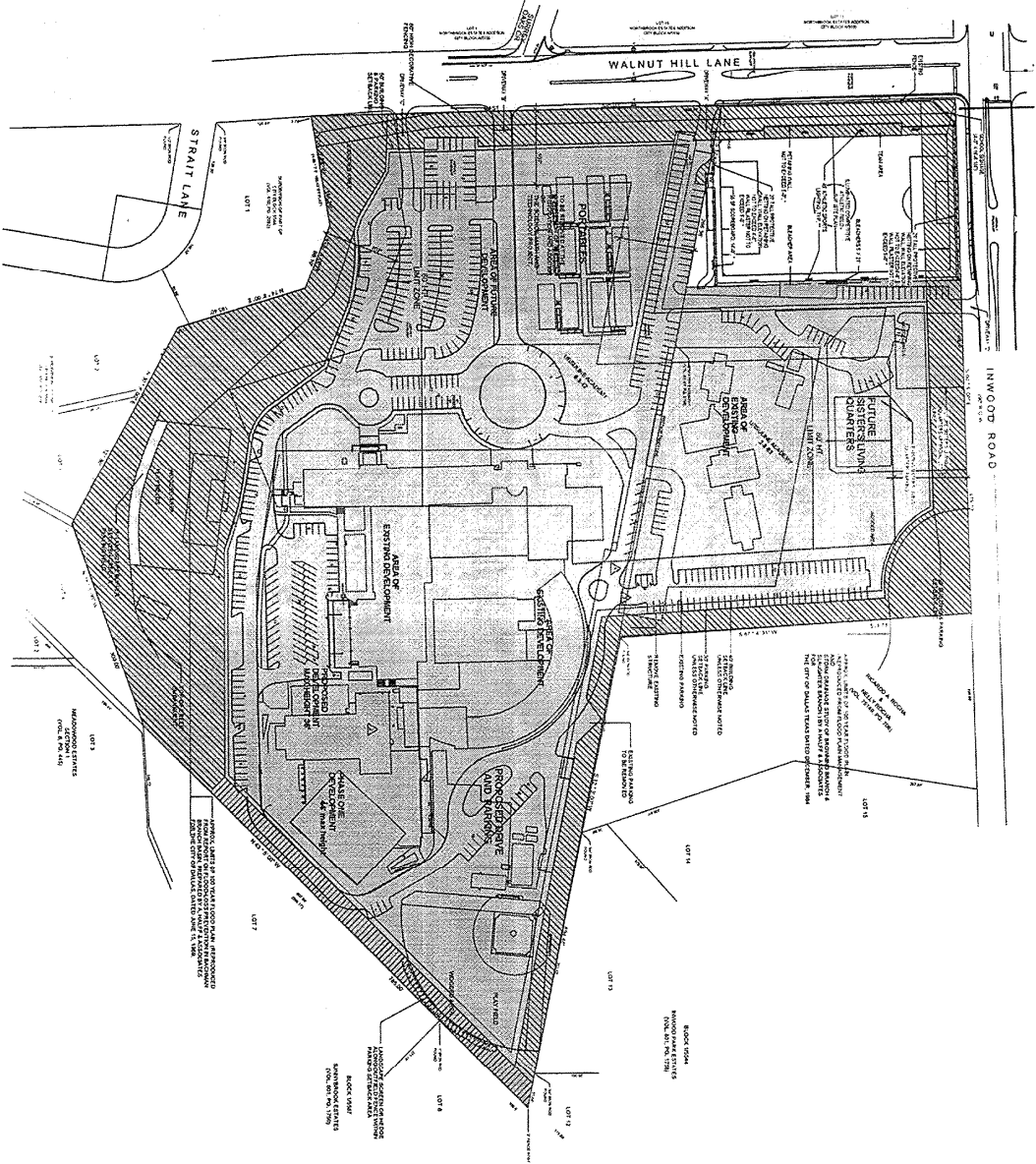
LEGEND
 PROPERTY LINE
 PARKING STRIP
 BUILDING STRIP

SMITHGROUP JIR
 1000 N. 10TH AVENUE
 SUITE 1500
 DENVER, CO 80202
 www.smithgroup.com

DEVELOPMENT PLAN
 2/12/2013
 1" = 60'
 400102
PD

Plot Date: 1/5/2013 1:55:55 PM

1 Day of Issue
 1/5/2013

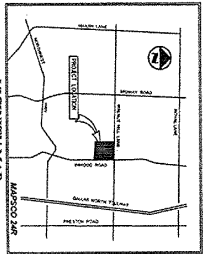


LEGEND
 --- PROPERTY LINE
 --- PLANNING STRIP/LINE
 --- BUILDING STRIP/LINE



LEGEND

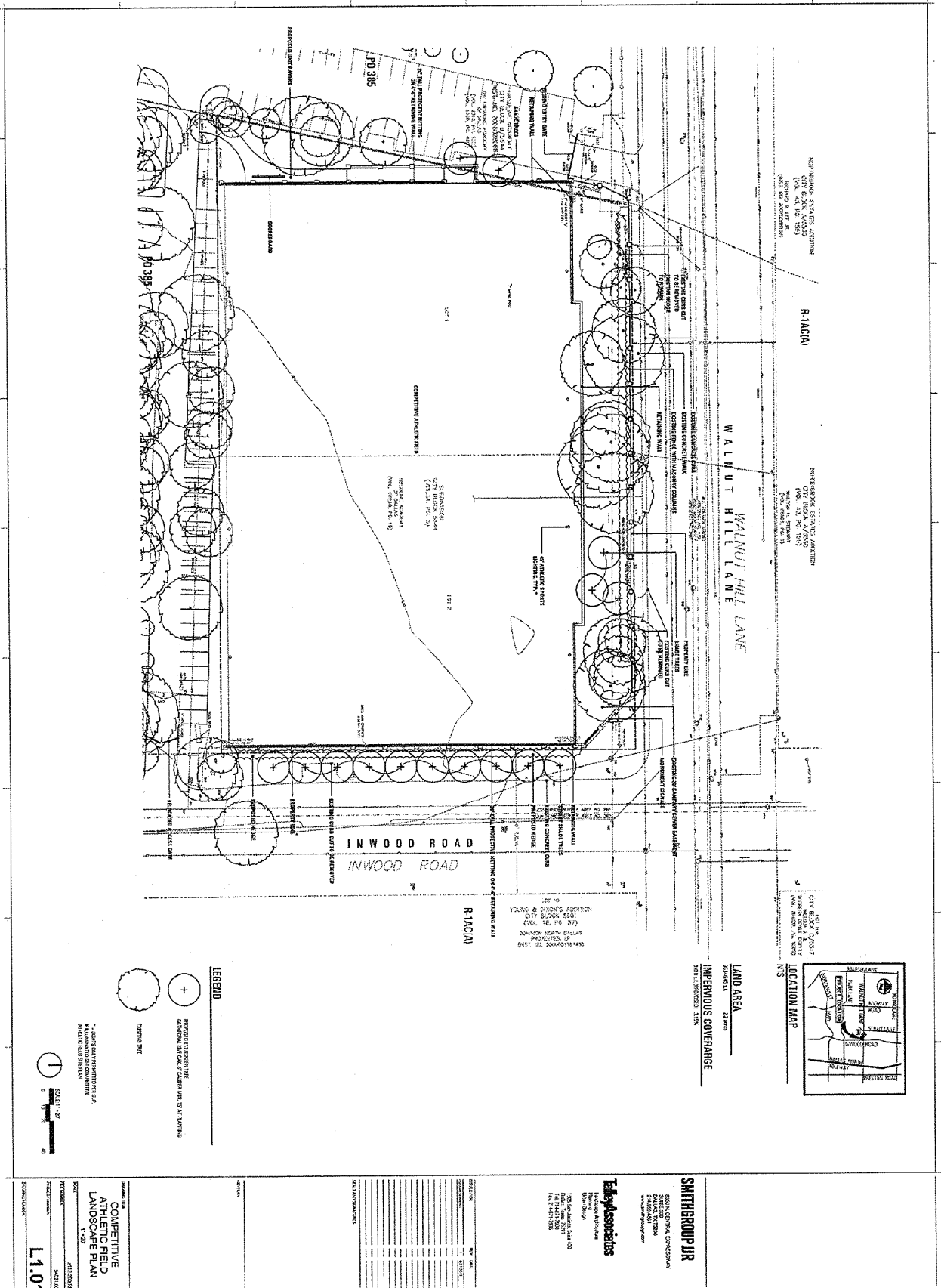
1. - - - - - INDICATES PROPERTY BOUNDARY
2. - - - - - INDICATES TO GO OR FROM PROPERTY BOUNDARY
3. - - - - - SHOWS HOW PROPERTY BOUNDARY IS ADJUSTED FOR EAP
4. - - - - - SHOWS HOW PROPERTY BOUNDARY IS ADJUSTED FOR EAP
5. - - - - - SHOWS HOW PROPERTY BOUNDARY IS ADJUSTED FOR EAP

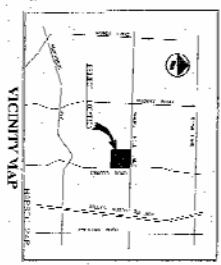
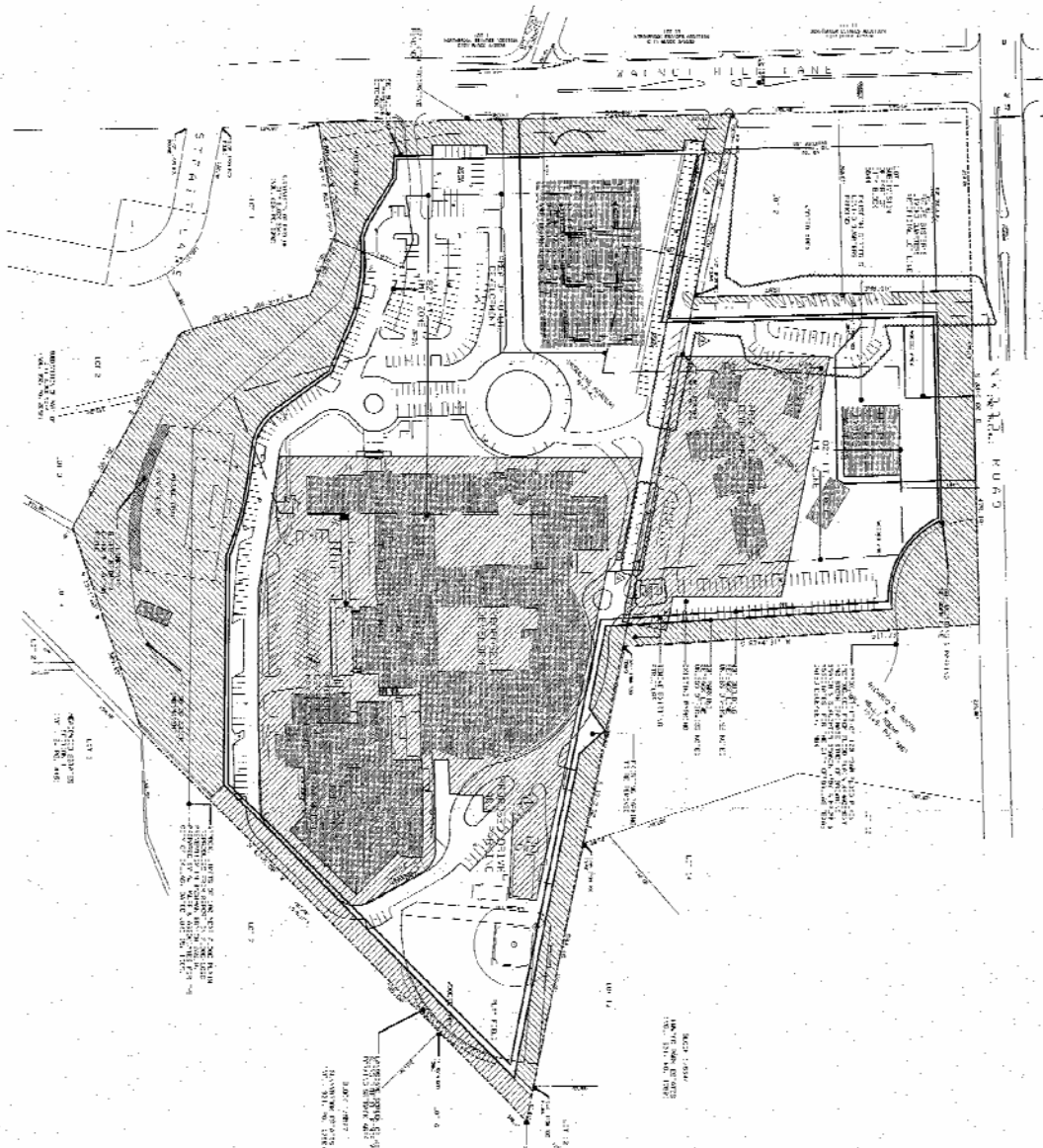


SITE PLAN
 2/15/2013
 1"=60'
 1001102
SUP

SMITHGROUP JJR
 300 N. CENTRAL EXPRESSWAY
 SUITE 1000
 CHARLOTTE, NC 28206
 www.smithgroup.com

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITTING	1/5/2013
2	ISSUED FOR PERMITTING	1/5/2013
3	ISSUED FOR PERMITTING	1/5/2013
4	ISSUED FOR PERMITTING	1/5/2013
5	ISSUED FOR PERMITTING	1/5/2013
6	ISSUED FOR PERMITTING	1/5/2013
7	ISSUED FOR PERMITTING	1/5/2013
8	ISSUED FOR PERMITTING	1/5/2013
9	ISSUED FOR PERMITTING	1/5/2013
10	ISSUED FOR PERMITTING	1/5/2013





**PLANNED DEVELOPMENT DISTRICT
No. 385**

As shown on the attached plat, the proposed development is located within the boundaries of the Planned Development District No. 385. The proposed development is shown in black on the attached plat. The proposed development is shown in black on the attached plat. The proposed development is shown in black on the attached plat.

The proposed development is shown in black on the attached plat. The proposed development is shown in black on the attached plat. The proposed development is shown in black on the attached plat. The proposed development is shown in black on the attached plat.

LEGEND
 PROPOSED BUILDING
 EXISTING BUILDING
 PARKING SPACE
 UTILITIES SERVICE

**URSULINE
ACADEMY
of Dallas**

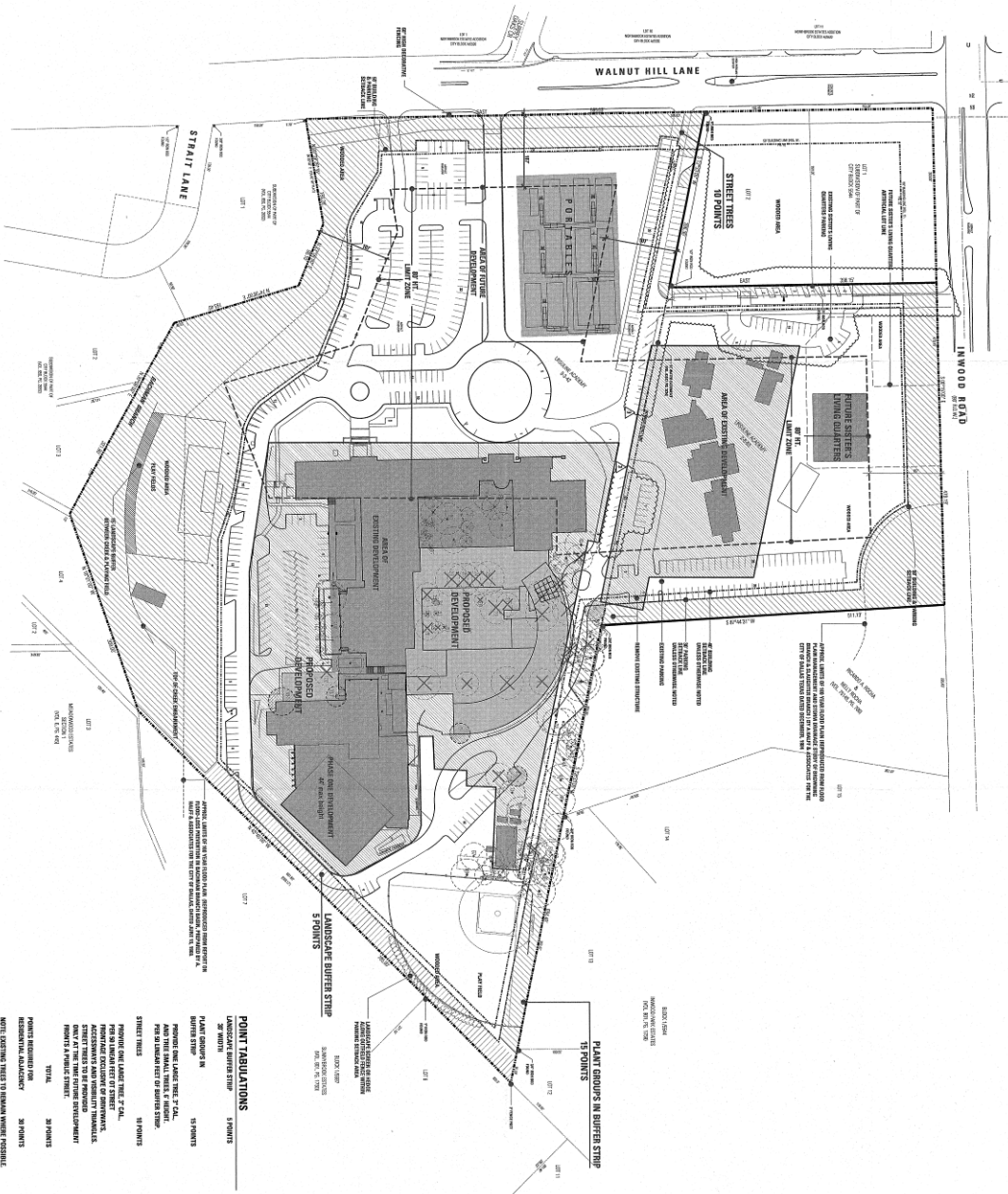
F&S Partners
 10000 FORT WORTH AVENUE
 SUITE 1000
 FORT WORTH, TEXAS 76134
 TEL: 817.339.1111
 FAX: 817.339.1112

Talley/Associates
 10000 FORT WORTH AVENUE
 SUITE 1000
 FORT WORTH, TEXAS 76134
 TEL: 817.339.1111
 FAX: 817.339.1112



DATE	11/11/11
SCALE	1" = 80'-0"
PROJECT	URSULINE ACADEMY OF DALLAS
OWNER	URSULINE ACADEMY OF DALLAS
DESIGNER	TALLEY/ASSOCIATES
DATE	11/11/11
SCALE	1" = 80'-0"
PROJECT	URSULINE ACADEMY OF DALLAS
OWNER	URSULINE ACADEMY OF DALLAS
DESIGNER	TALLEY/ASSOCIATES
DATE	11/11/11

SHEET NO. 1



- POINT TABULATIONS**
- 15 POINTS
 - 30 POINTS
 - 45 POINTS
 - 60 POINTS
 - 75 POINTS
 - 90 POINTS
 - 105 POINTS
 - 120 POINTS
 - 135 POINTS
 - 150 POINTS
 - 165 POINTS
 - 180 POINTS
 - 195 POINTS
 - 210 POINTS
 - 225 POINTS
 - 240 POINTS
 - 255 POINTS
 - 270 POINTS
 - 285 POINTS
 - 300 POINTS

PLANT GROUPS IN BUFFER STRIP

PLANT GROUP	PLANT SPECIES	PLANT SIZE	PLANT QUANTITY
1
2
3
4
5
6
7
8
9
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11
12
13
14
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28
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30

NOTE

LANDSCAPE PLAN SHALL BE DEVELOPED TO DISPLAY THE LAYOUT AND PLANTING SCHEDULES TO THE LANDSCAPE ARCHITECT AND ARCHITECT FOR REVIEW AND APPROVAL. ALL PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE DESIGN STANDARDS.

LEGEND

- PROPOSED PLANTING
- EXISTING PLANTING
- PROPOSED DRIVEWAY
- EXISTING DRIVEWAY
- PROPOSED SIDEWALK
- EXISTING SIDEWALK
- PROPOSED BIKEWAY
- EXISTING BIKEWAY
- PROPOSED STREET LIGHT
- EXISTING STREET LIGHT
- PROPOSED SIGN
- EXISTING SIGN
- PROPOSED FENCE
- EXISTING FENCE
- PROPOSED UTILITY
- EXISTING UTILITY
- PROPOSED EROSION CONTROL
- EXISTING EROSION CONTROL
- PROPOSED LANDSCAPE ARCHITECT
- EXISTING LANDSCAPE ARCHITECT
- PROPOSED HISTORIC STRUCTURE
- EXISTING HISTORIC STRUCTURE



URSULINE ACADEMY of Dallas

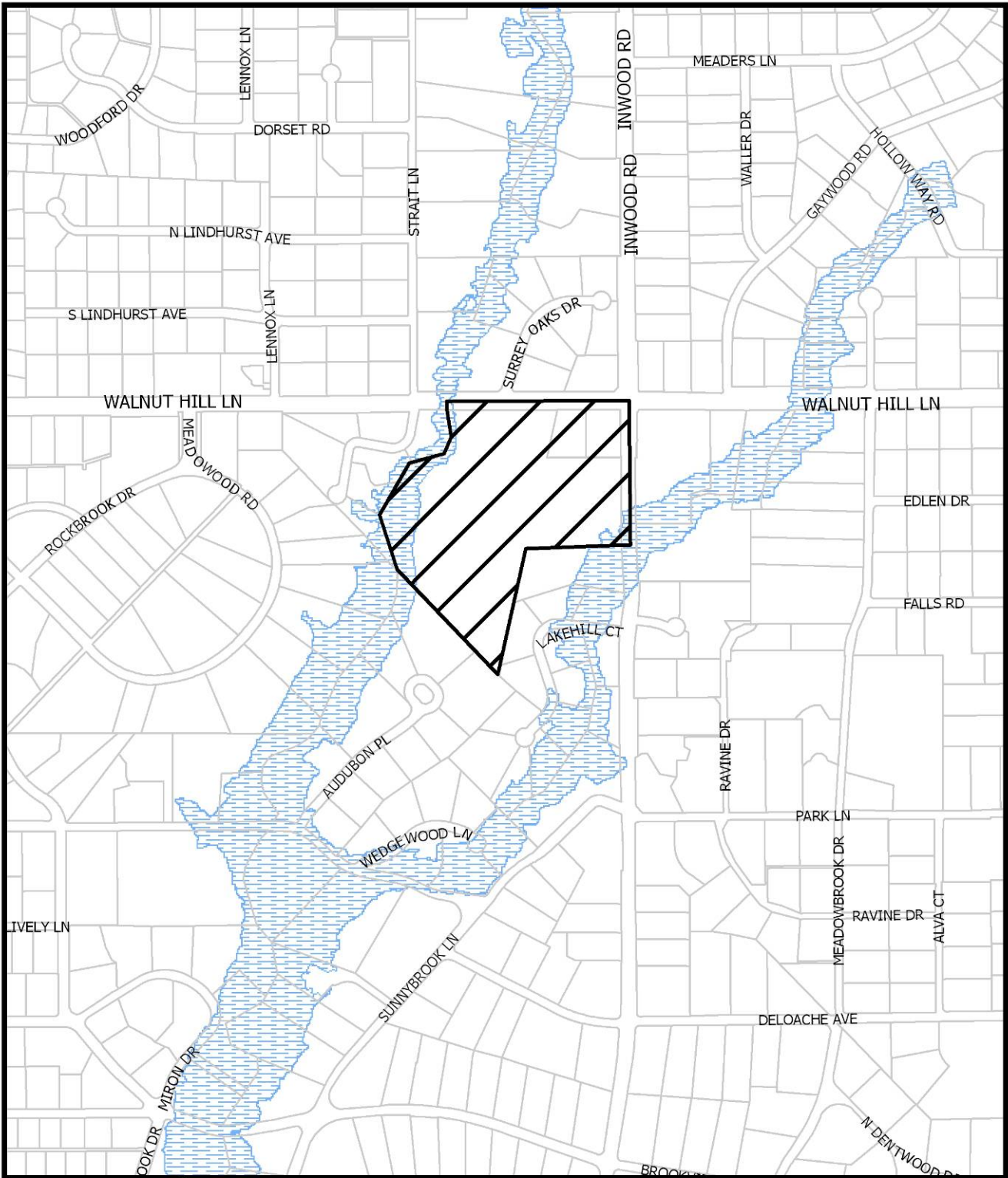
F&S Partners

TalbotAssociates

PLANNING AND ARCHITECTURE

URS

Sheet No. **L1**

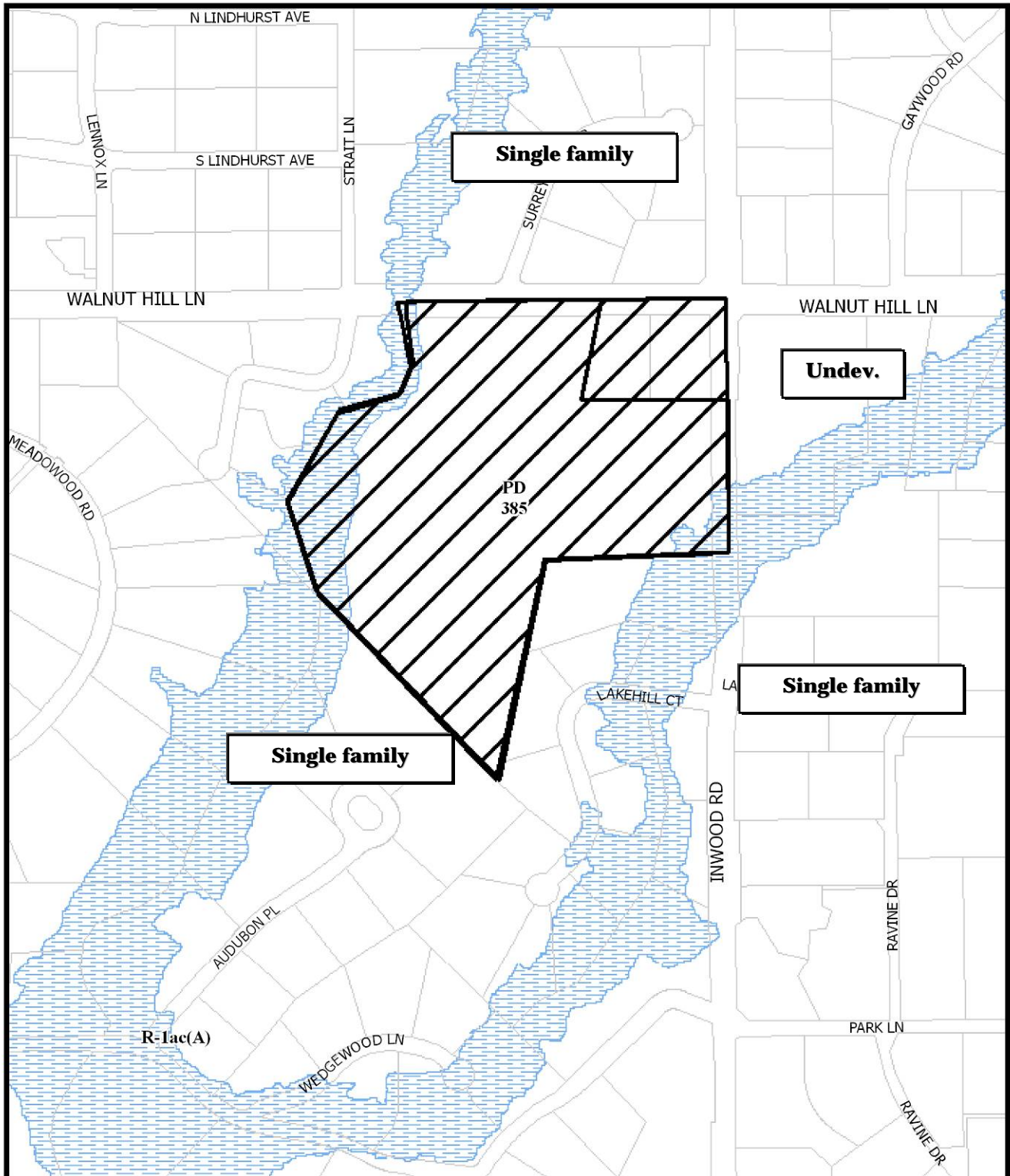


1:8,400

VICINITY MAP

Case no: **Z112-290**

Date: **8/23/2012**



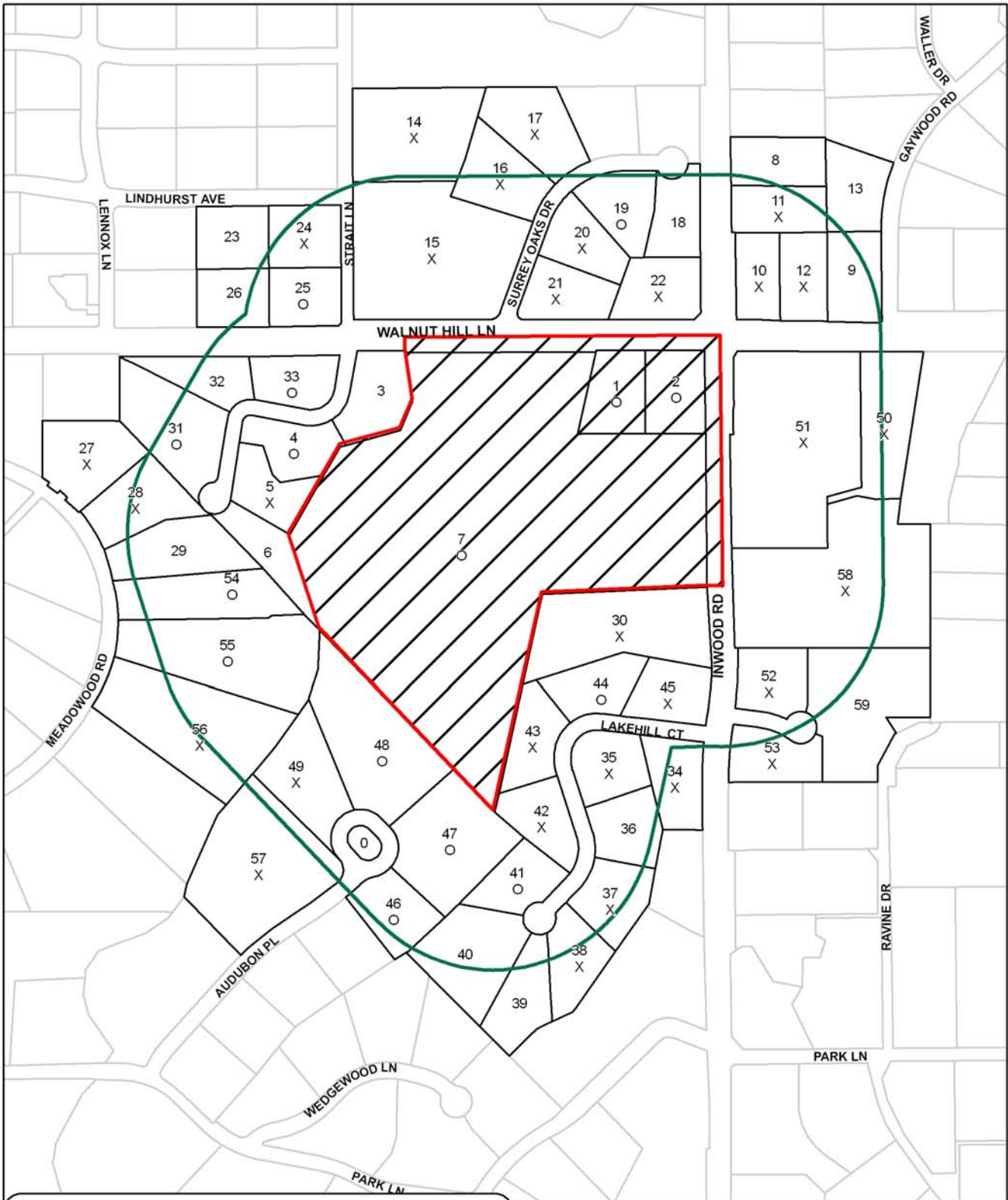
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ZONING AND LAND USE

Case no: Z112-290

Date: 8/23/2012

CPC RESPONSES



<u>59</u>	Property Owners Notified (60 parcels)
<u>15</u>	Replies in Favor (15 parcels)
<u>30</u>	Replies in Opposition (30 parcels)
<u>500'</u>	Area of Notification
<u>2/21/2013</u>	Date

Z112-290
CPC



1:4,800

2/21/2013

Reply List of Property Owners***Z112-290******59 Property Owners Notified
Owners Opposed******15 Property Owners in Favor******30 Property***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	1	5030 WALNUT HILL LN	URSULINE ACADEMY OF
O	2	9909 INWOOD RD	URSULINE ACADEMY OF
	3	9970 STRAIT LN	XL CAPITAL LLC
O	4	9950 STRAIT LN	SILCOCK JULIE E
X	5	9930 STRAIT LN	DAVIDSON ANNE L
	6	9920 STRAIT LN	SECOND PHOENIX GROWTH FUND LTD
O	7	4900 WALNUT HILL LN	URSULINE ACADEMY OF DALLAS
	8	10044 INWOOD RD	LIN WENN WED & BERNADETTE
	9	10001 GAYWOOD RD	BOWIE WILLIAM H
X	10	10000 INWOOD RD	COFFEY WILLIAM J &
X	11	10030 INWOOD RD	BUDNER KEITH H &
X	12	5115 WALNUT HILL LN	CASEY MARK &
	13	10035 GAYWOOD RD	ARMSTRONG WILLIAM MARK &
X	14	10050 STRAIT LN	BROADY GEORGE K & ELEANOR
X	15	10010 STRAIT LN	REESE NINETTA SPEARMAN REV TR
X	16	10035 SURREY OAKS DR	RADER HOMER J JR
X	17	10045 SURREY OAKS DR	SAGER RODNEY D &
	18	10064 SURREY OAKS DR	CONRAD EMILY BODINE & BARRY B
O	19	10056 SURREY OAKS DR	SHOUSE CLINTON BRADLEY &
X	20	10024 SURREY OAKS DR	SPIRITAS SS 2003 TRUST
X	21	10014 SURREY OAKS DR	LEE RICHARD R JR REVOCABLE TRUST
X	22	5055 WALNUT HILL LN	STEWART WALTON H
	23	4834 LINDHURST AVE	SHARIF & MUNIR
X	24	10095 STRAIT LN	MCINTYRE MICHAEL P &
O	25	10011 STRAIT LN	JENNINGS BRIAN J & LISA C
	26	4833 WALNUT HILL LN	SHANKLE JIMMY &

2/21/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	27	4674 MEADOWOOD RD	SPIRITAS STEVEN F
X	28	4668 MEADOWOOD RD	GLAZER PHYLLIS R
	29	4664 MEADOWOOD RD	HAYES COLLEEN A &
X	30	9807 INWOOD RD	ROCHA NELLY
O	31	9929 STRAIT LN	POLLOCK RICHARD & KAREN S
	32	9941 STRAIT LN	KING MARK A & MARCIA J
O	33	9949 STRAIT LN	GILES CLARICE T & STEPHEN
X	34	5074 LAKEHILL CT	REGNER LLOYD
X	35	5054 LAKEHILL CT	HAMMOND PROP INC
	36	5042 LAKEHILL CT	SCHULZE RICHARD H &
X	37	5026 LAKEHILL CT	MEYER WILLIAM E
X	38	5014 LAKEHILL CT	HAMMOND PROPERTIES INC
	39	5015 LAKEHILL CT	CHANCELLOR ERIC W
	40	5025 LAKEHILL CT	BRINKMANN J BAXTER
O	41	5035 LAKEHILL CT	FITTS JOHN STUART
X	42	5045 LAKEHILL CT	ZAINFELD STANLEY J & JEAN
X	43	5055 LAKEHILL CT	BECK MICHAEL R &
O	44	5065 LAKEHILL CT	THOMSON BONNIE & CLIFFORD REV TRUST THE
X	45	5075 LAKEHILL CT	TOROK A DAVID & SHIRLEY R
O	46	9770 AUDUBON PL	BEST NANCY
O	47	9784 AUDUBON PL	HUGHES JOSEPH V JR &
O	48	9785 AUDUBON PL	FEARON JEFFREY ARCHER &
X	49	9779 AUDUBON PL	DAYTON JOHN W
X	50	5202 WALNUT HILL LN	DOYE JOSEPH P JR
X	51	9910 INWOOD RD	DOMINION NORTH DALLAS PPTIES LP
X	52	5101 LAKEHILL CT	CAMPBELL DAVID A &
X	53	5102 LAKEHILL CT	BERLIN RONALD P & GAIL M
O	54	4660 MEADOWOOD RD	CARTY DONALD J &
O	55	4656 MEADOWOOD RD	FOJTASEK JACQUELINE ELAINE
X	56	4650 MEADOWOOD RD	FINN SHLOMO SAM &
X	57	9769 AUDUBON PL	MITCHELL LEE ROY &

Z112-290(RB)

2/21/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	58	9806 INWOOD RD	CEALES TRUST
	59	5105 LAKEHILL CT	TURLEY R WINDLE & SHIRLEY A

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 670-3314
MAPSCO: 34 V; Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development Subdistrict No. 75 for MF-2 Subdistrict Uses, on property zoned Planned Development Subdistrict No. 75 and an MF-2 Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property fronting on Lucas Drive, Cotton Belt Avenue and Arroyo Avenue, north of Brown Street

Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions

Z123-178(RB)

FILE NUMBER: Z123-178(RB)

DATE FILED: January 22, 2013

LOCATION: Property fronting on Lucas Drive, Cotton Belt Avenue, and Arroyo Avenue, north of Brown Street

COUNCIL DISTRICT: 2

MAPSCO: 34 V, Z

SIZE OF REQUEST: Approx. 6.066 Acres

CENSUS TRACT: 4.05

APPLICANT: Trinsic Residential

REPRESENTATIVE: Rob Baldwin

OWNERS: See Attached List of Owners

REQUEST: An application for an amendment to and expansion of Planned Development District No. 75 for MF-2 Subdistrict Uses on property zoned Planned Development Subdistrict No. 75 and an MF-2 Subdistrict, with both properties located within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant is proposing to expand the previously approved zoning (PDS No. 75) to permit a unified development for multiple family dwelling units.

CPC RECOMMENDATION: Approval, subject to a conceptual plan and conditions.

STAFF RECOMMENDATION: Approval, subject to a conceptual plan and conditions.

BACKGROUND INFORMATION:

- The request area is improved with multiple family uses.
- On February 14, 2007, the City Council approved PDS No. 75 for MF-2 Multiple Family Subdistrict Uses.
- The expansion area (approx. three acres) will provide for a larger development site for the applicant to expand on the anticipated redevelopment of multiple family uses.
- In conjunction with the consideration of the expansion of PDS No. 75, the following is being requested: 1) increase in structure height; 2) permit fences and patios in a required setback; 3) not require off-street parking for an community center (private) use; and, 4) alternative landscape requirements.

Zoning History: There has been no recent zoning activity in the immediate area relevant to the request

<u>Street</u>	<u>Existing & Proposed ROW</u>
Lucas Drive	Local; 50' ROW
Cotton Belt Avenue	Local; 50' ROW
Arroyo Drive	Local; 50' ROW

STAFF ANALYSIS

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The site will be redeveloped with multiple family uses, consistent with the previously constructed development. With respect to compliance with the above referenced objectives, staff has worked with the applicant to ensure the majority, if not all, applicable areas are provided for with the expansion of PDS No. 75. All objectives have been met with the exception of No. 2, which is not applicable to this development.

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

Land Use Compatibility: Both the existing PDS No. 75 boundary and the expansion area are developed with multiple family uses. The applicant proposes to remove all existing structures and redevelop with multiple family uses, permitting a maximum of 399 dwelling units. While the expansion area's MF-2 Subdistrict zoning provides for this use, the applicant has determined alternative development standards are necessary for the entire area, specifically: 1) allow balconies to encroach into the required setbacks; 2) increase in structure height; 3) permit fences and patios in a required setback; 4) not require off-street parking for an community center (private) use; and, 5) alternative landscape requirements.

Surrounding land use consists of residential uses of mixed densities, with a community service center (Dallas Housing Authority's Cedar Springs Multi-Purpose Center) abutting the southwestern property line. The depressed travel lanes of the Dallas North

Tollway are visible from the site's frontage along Cotton Belt Avenue, with additional medium-density residential uses fronting the site's boundary along the Arroyo Drive frontage.

As noted above, the existing and expanded land area includes two separate multiple family developments. The site now fronts approximately 1,000 feet along Lucas Drive, approximately 460 feet along Cotton Belt Avenue, and approximately 700 feet along Arroyo Drive. In consideration of this significant frontage, staff has worked with the applicant to provide for specific design criteria so as to create a visually pleasing street frontage, inclusive of articulations and change of materials along these lengthy street frontages.

In summary, staff supports the applicant's request, subject to the attached conceptual plan and conditions. It should be noted the previously approved development on the initial land area associated with PDS No. 75 will be terminated. The attached conditions will require CPC approval of a development plan prior to redevelopment of the site.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested amendment and expansion to PDS No. 75 and determined it will not impact the surrounding street system.

Off-Street Parking: With respect to multiple family uses, PDS No. 75 requires the greater of 1.5 spaces/dwelling unit or one space per bedroom. Additionally, 0.25/space of required parking must be reserved for guests. The applicant is requesting parking be provided at a ratio of 1.5 spaces/dwelling unit with the same guest parking provision.

With regard to the community center (private) use, staff has determined this use will be an integral part of the proposed residential project. Furthermore, the applicant has agreed to support staff's position of this use being considered a limited use for a multiple family development. With such designation, no separate entrance or exterior signage or advertising is permitted. As a result of this approach, staff is not recommending an off-street parking requirement for less than 4,000 square feet of floor area, however one space for each 1,000 square feet in excess of this amount will be required (with not less than one space).

Landscaping: PDS No. 75 requires specific landscape provisions for multiple-family uses. The applicant has requested subtle adjustments to this requirement. Staff is recommending that the two on-street loading areas provide for landscape materials in each respective island that separates the space from the travel lanes along the Arroyo Drive frontage, which the applicant supports.

CPC ACTION

Z123-178(RB)

(March 21, 2013)

Motion: It was moved to recommend **approval** of an amendment to and expansion of Planned Development Subdistrict No. 75 for MF-2 Subdistrict Uses, subject to a conceptual plan and revised conditions on property zoned Planned Development Subdistrict No. 75 and an MF-2 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property fronting on Lucas Drive, Cotton Belt Avenue and Arroyo Avenue, north of Brown Street.

Maker: Anglin
Second: Wally
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Culbreath, Rodgers,
Hinojosa, Bagley, Lavallaisaa, Tarpley,
Shellene, Bernbaum, Wolfish, Schwartz,
Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 174
Replies: For: 0 Against: 1

Speakers: None

Officer Information

2816 Lucas Drive
Melrose Capital, LLC
2828 South Routh Street – Suite 500
Dallas, TX 75201-1438

Richard M. Barge - Manager

2924 Lucas Street
Southwest Embarcadero, LP
2929 South Routh Street – Suite 500
Dallas, TX 75201-1416

Richard M. Barge - Manager

Trinisc Residential Group
3100 Monticello Avenue – Suite 900
Dallas, Texas 75205

Brian Tusa – Managing Director
S. Joseph Bennett – Managing Director
Adam Brown – Managing Director
Timothy Welsh – Vice President of Construction
Silas Graham – Managing Director
Gregory Jones – Managing Director

CPC RECOMMENDED AMENDING CONDITIONS
Division S-75. Subdistrict 75.

SEC. S-75.101. LEGISLATIVE HISTORY.

PD Subdistrict 75 was established by Ordinance No. 26593, passed by the Dallas City Council on February 14, 2007 and amended and expanded by Ordinance No. XXXXX, passed by the Dallas City Council on XXXX. (Ord. 26593)

SEC. S-75.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 75 is established on property bounded by ~~Cotton Belt Avenue, Lucas Drive and Arroyo Drive~~ Lucas Drive, Cotton Belt Avenue, and Arroyo Drive. The size of PD Subdistrict 75 is ~~3.05~~ 6.07 acres. ~~(Ord. 26593)~~

SEC. S-75.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division, SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a residential zoning district. (Ord. 26593)

SEC. s-75.103.1. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-75A: conceptual plan.

SEC. S-75.104. CONCEPTUAL PLAN.

~~(a) For multiple family uses, d~~ Development and use of the Property must comply with the conceptual plan (Exhibit S-75A). If there is a conflict between the text of this division and the concept plan, the text of this division controls

~~(b) For all other uses, development and use of the Property must comply with the conceptual plan (Exhibit S-XXA). If there is a conflict between the text of this division and the concept plan, the text of this division controls. (Ord. 26593)~~

SEC. S-75.104.1 DEVELOPMENT PLAN.

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. In the event of a conflict between the text of this division and an approved development plan, the text of this division controls. (Ord. 26593)

SEC. S-75.105. MAIN USES PERMITTED.

(a) Except as provided in this section, ~~t[]~~he only main uses permitted in this subdistrict are those main uses permitted in the MF-2 Multiple-family Subdistrict, subject to the same conditions applicable in the MF-2 Multiple-family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Multiple-family Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-2 Multiple-family Subdistrict is subject to DIR in this subdistrict; etc. ~~(Ord. 26593)~~

(b) Community center (private). [only as a limited use for a multiple-family development].

SEC. S-75.106. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51A-193.108.

(b) In this subdistrict, the following accessory uses are not permitted.

- Private stable.
- Amateur communication tower.
- Open storage. (Ord. 26593)

SEC. S-75.107. 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 Part I of this article. In the event of a conflict between this section and Part 1 of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-2 Multiple-family Subdistrict apply.

(b) Multiple-family uses.

(1) Front yard. Minimum front yard is 15 feet. ~~as shown on the multiple-family development plan.~~ For portions of structures exceeding 36 feet in height, minimum front yard setback is 30 feet. ~~an additional front yard setback must be provided as shown on the multiple-family development plan.~~

(2) Side and rear yard. Minimum side yard is ten feet ~~as shown on the conceptual plan.~~

(3) Density. The maximum number of dwelling units is 399 ~~250~~.

(4) Height. ~~Except as provide in this paragraph, m~~Maximum structure height is 65 feet for occupied floor area measured to the highest point of the structure.

(A) Elevator penthouse, mechanical equipment, or a clerestory may project a maximum of 12 feet above occupied floor area.

(B) A parapet wall, limited to a height of four feet, may project above the maximum structure height for occupied floor area.

(5) Lot coverage. Maximum lot coverage is 70 percent. Surface lots, underground parking structures, and aboveground parking structures for multiple-family uses do not count toward maximum lot coverage. Aboveground parking structures for other uses count toward maximum lot coverage. ~~(Ord. 26593)~~

SEC. S-75.108. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) Multiple-family uses.

(1) A minimum of 1.5 parking spaces for each dwelling unit ~~or one parking space per bedroom is required, whichever is greater.~~ Of the required parking spaces, a quarter space per dwelling unit must be reserved for guest parking.

(2) Of the required spaces, a A minimum of 0.25 visitor parking spaces for each dwelling unit ~~is required and~~ must remain unassigned and available for visitor use.

(c) Community center (private). No off-street parking is required for the first 4,000 square feet of floor area. For floor area over 4,000 square feet, one space is required for each 1,000 square feet of floor area, with not less than one space being provided.

SEC. S-75.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. ~~(Ord. 26593)~~

SEC. S-75.110. LANDSCAPING AND SCREENING.

(a) In general. Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this article.

(b) Landscape plan. A landscape plan must be approved by the building official before issuance of a building permit to authorize work in this subdistrict.

(c) Multiple-family uses.

(1) For purposes of landscaping and screening, all street frontages are front yards.

~~(2) If a structure exceeds 36 feet in height, street trees must be planted in accordance with the multiple-family development plan.~~

~~(3) A minimum of 70 percent of each landscaped plaza area as shown on the multiple-family development plan must comply with the standards for a general planting area in Section 51P-193.126(b).~~

(2) Islands that separate the loading areas from the travel lanes along Arroyo Drive must each include the following landscape materials:

(A) Street Trees: A minimum of three ornamental trees, each a minimum of sixty gallons, planted a minimum of ten feet on-center and planted outside of the visibility triangles at each end of the loading area.

(B) A minimum of seven low-growing, evergreen, shade-tolerant shrubs, each a minimum of five gallons, planted within the visibility triangles at each end of the island, maintained at a height of less than or equal to two and one-half feet above the street curb.

(d) Maintenance. Plant materials must be maintained in a healthy, growing condition.

~~(e) Sidewalks. A minimum sidewalk width of eight feet must be provided along Lucas Street. The sidewalk along Lucas Street is allowed to be placed along the back of curb. Sidewalks along Cotton Belt Avenue and Arroyo Street must have an unobstructed width of six feet.~~

SEC. S-75.110.1. SIDEWALKS.

(a) In general. Except as provided in this section, sidewalks must be provided in accordance with Part 1 of this article.

(b) Lucas Drive. Minimum sidewalk width is eight feet and may be located at back-of-curb.

(c) Cotton Belt Avenue and Arroyo Drive. Minimum sidewalk width is six feet.

(d) Variance. The Board of Adjustment may not grant a variance to the sidewalk requirements in this subsection.

(e) Waiver. Sidewalk waivers are not permitted.

SEC. S-75.111. SIGNS.

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

SEC. S-75.111.1. URBAN DESIGN ELEMENTS.

(a) Building site.

(1) A minimum of one visible and usable building entrance is required Lucas Street and Arroyo Drive. The entrance must be clearly identified using an awning, paving treatments, a change in roofline, porticos, arcades, arches, integral planters, a stoop or front porch, color treatments, or similar means. Enhanced pedestrian building entrances must face the street and be recessed a minimum of four feet from the façade or provide covering extending a minimum of four feet from the façade.

(2) Special architectural elements, such as architecturally prominent public entrances, a canopy or awning, attached tower or turret, are required at the building corners at street intersections.

(3) A minimum of two of each of the following pedestrian amenities are required along the Lucas Street frontage: bench, trash receptacle, and bicycle rack.

(4) To help break up long facades along Lucas Street, Arroyo Drive and Cotton Belt Street and make appear as multiple structures, building facades along Lucas Drive must incorporate at least four of the following elements and facades along Cotton Belt and Arroyo must incorporate at least three of the following design features or architectural elements:

(A) A change in building material, color, and texture that effectively contrast from the rest of the façade.

(B) Vertical articulation of the façade and roofline with strong forms to help break up the building's mass.

(C) Accentuate the building's base, middle, and top through combination of materials, detailing, and building articulation.

(D) Step back upper floors.

(E) Incorporation of deep inset windows

(F) Use of architectural elements such as; inset and projecting volumes, awnings, or canopies.

(b) Streetscape

(1) Patios are encouraged along street frontages and can extend into the required front yard.

(2) Open decorative iron fences, up to six (6) feet in height are permitted in all required yards.

(3) A pedestrian trail or walkway is required to run in front of each ground floor, street facing unit along Lucas Street and Arroyo Drive. The purpose of the trail or walkway is to provide pedestrian connectivity between the units and the walkways leading to the street. These pedestrian walkways can be constructed of permeable material, such as decomposed granite and must have a minimum width of two feet.

(4) The drop-off area on Lucas must be have enhanced paving and landscape treatments.

(5) Along the Lucas Street frontage, the sidewalk can be located along the back of curb to eliminate the conflict between the required trees and the overhead power lines.

(6) If a surface parking lot is to be located on the south side of the building, it must include enhanced pavement for the pavement located in the required front yard and no parking is allowed within the required front yard in this area.

SEC. S-75.112. ADDITIONAL PROVISIONS.

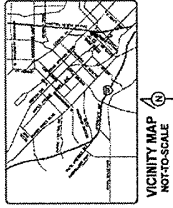
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
- (c) Except as provided in this division, development and use of the Property must comply with Part I of this article. ~~(Ord. 26593)~~

SEC. S-75.113. COMPLIANCE WITH CONDITIONS.

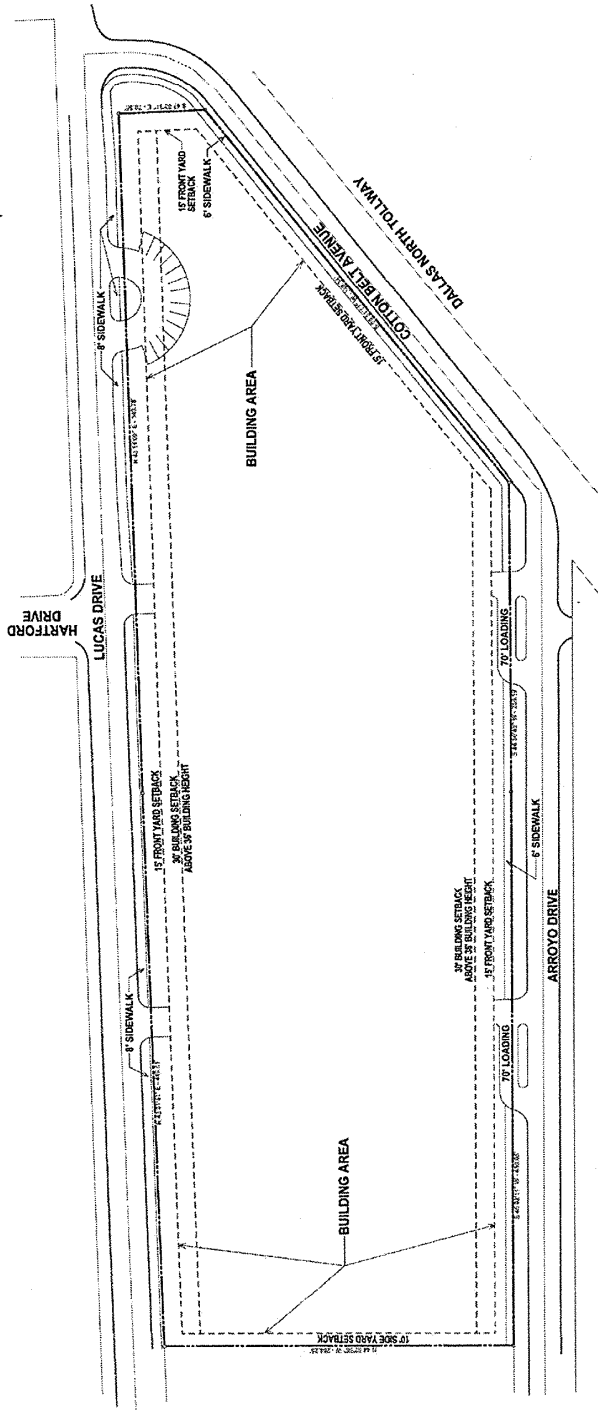
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. ~~(Ord. 26593)~~

SEC. S-75.116. ~~ZONING MAP.~~

~~PD Subdistrict S-75 is located on Zoning Map No. 1-7. (Ord. 26593)~~

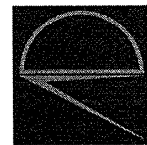


DENSITY: 399 DWELLING UNITS
STRUCTURE HEIGHT: 65' OCCUPIED FLOOR AREA PLUS 12' FOR MECHANICAL PLUS 4' ABOVE OCCUPIED FLOOR AREA FOR PARAPET WALL
LOT COVERAGE: 70%
FLOOR AREA RATIO: NO MAXIMUM



CONCEPTUAL PLAN
 SCALE: 1"=40'-0"
 0 20 40 80 160 FT

AURA CEDAR SPRINGS APARTMENTS
 DALLAS, TEXAS



ARCHITECTURE DEMAREST
 600 Green St., Suite 11, Dallas, TX 75207 | 214.742.6687 | 214.742.6399

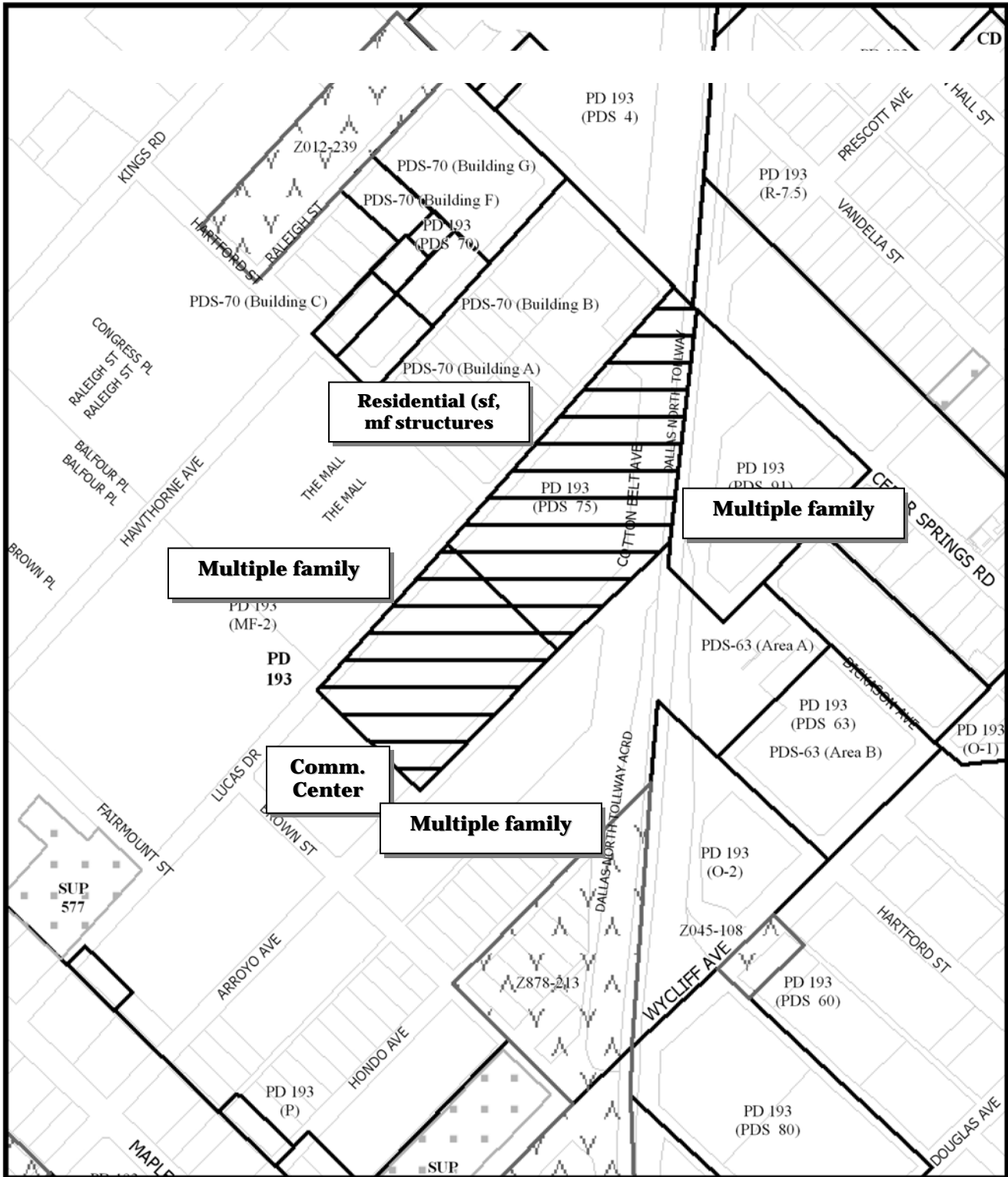


1:7,200

VICINITY MAP

Case no: **Z123-178**

Date: **2/11/2013**



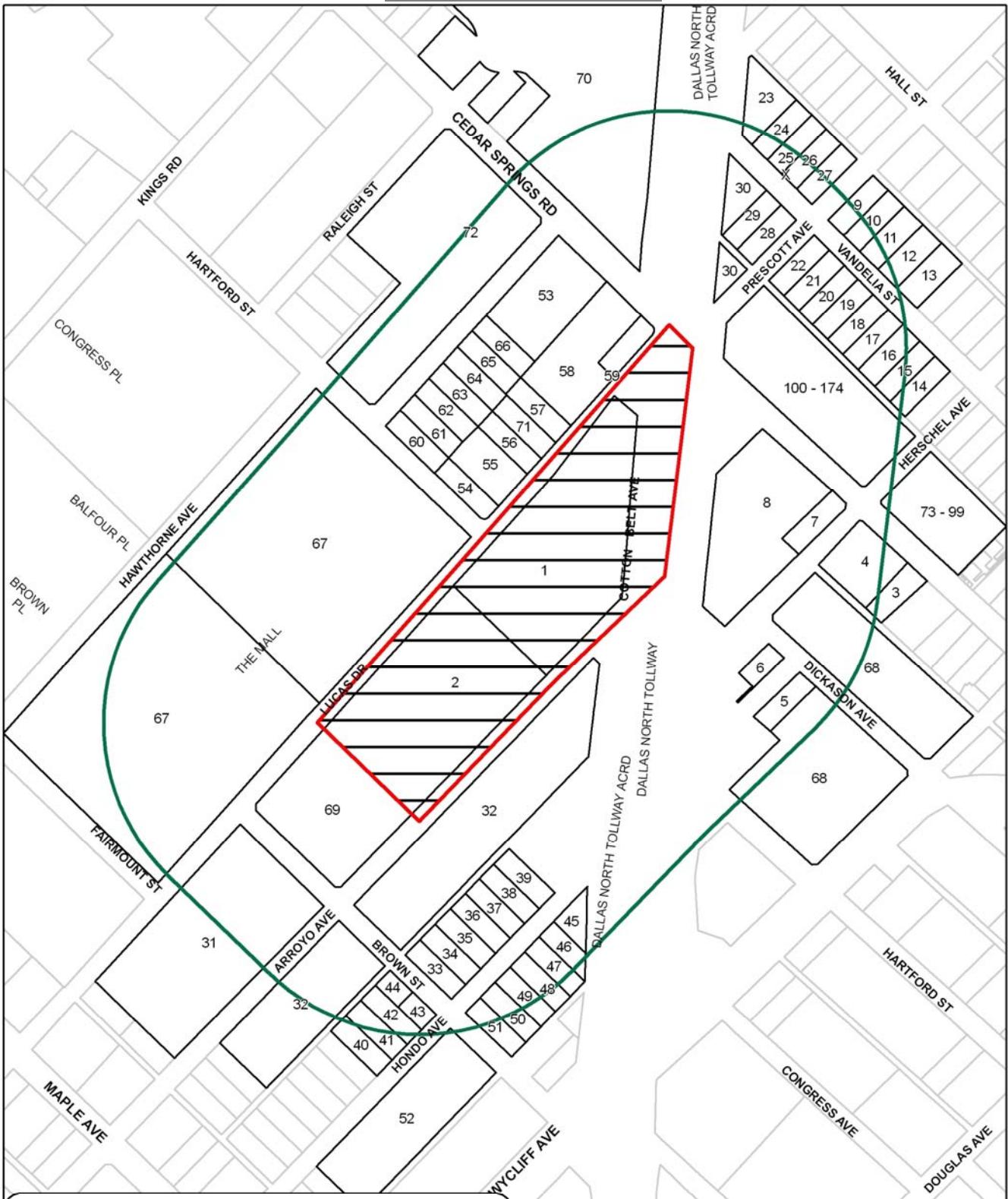
1:3,600

ZONING AND LAND USE

Case no: Z123-178

Date: 2/11/2013

CPC RESPONSES



<u>174</u>	Property Owners Notified (78 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>500'</u>	Area of Notification
<u>3/21/2013</u>	Date

Z123-178
CPC



1:3,600

3/22/2013

Reply List of Property Owners**Z123-178****174 Property Owners Notified
Owners Opposed****0 Property Owners in Favor****1 Property**

Reply	Label #	Address	Owner
	1	2924 LUCAS DR	SOUTHWEST EMBARCADERO LP
	2	2816 LUCAS DR	MELROSE CAPITAL LLC
	3	4325 CEDAR SPRINGS RD	NGUYEN VAN TRI &
	4	4335 CEDAR SPRINGS RD	TUBBS REALTY LLC
	5	4427 DICKASON AVE	NORTH TEXAS TOLLWAY
	6	4435 DICKASON AVE	TEXAS TURNPIKE AUTHORITY
	7	4401 CEDAR SPRINGS RD	DALLAS CEDAR POINT LTD
	8	4411 CEDAR SPRINGS RD	CEDAR POINTE MULTIFAMILY LLC
	9	4438 VANDELIA ST	WATKINS JEREMY &
	10	4434 VANDELIA ST	DEVENDORF MICHAEL A
	11	4428 VANDELIA ST	DAILY LOUIS R
	12	4424 VANDELIA ST	NICHOLSON FRANK R II
	13	4418 VANDELIA ST	DOWNER WILLIAM V III
	14	4407 VANDELIA ST	SCIANO DANIEL J T & DENISE L
	15	4411 VANDELIA ST	THOMAS MICHAEL
	16	4415 VANDELIA ST	SMITH EDGAR LEE
	17	4419 VANDELIA ST	SANCHEZ PABLO J
	18	4423 VANDELIA ST	WHITTEN ERIC
	19	4427 VANDELIA ST	SCHNEER KENNETH E &
	20	4431 VANDELIA ST	WATERS KAYCI C
	21	4435 VANDELIA ST	CED CHARLES & BETTY
	22	4439 VANDELIA ST	CUSTER DANIEL J
	23	4518 VANDELIA ST	MITCHELL DORIS J
	24	4512 VANDELIA ST	SCHWEND NICOLE
X	25	4508 VANDELIA ST	HARTLEY THOMAS G
	26	4506 VANDELIA ST	BOONE OLIVIA E

3/22/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4502	VANDELIA ST	HERNANDEZ LUIS A & NILSA
28	4503	VANDELIA ST	HUGGINS JASON
29	4507	VANDELIA ST	TEXAS TURNPIKE AUTHORITY
30	4509	VANDELIA ST	TEXAS UTILITIES ELEC CO
31	2601	ARROYO AVE	VILLA TORINO LLC
32	2702	ARROYO AVE	KNOT YOUR ORDINARY APTS LLC
33	2703	HONDO AVE	NGUYEN HAI HO
34	2707	HONDO AVE	LOPEZ ISABEL C &
35	2711	HONDO AVE	ACOSTA ALBINO &
36	2715	HONDO AVE	PALEO JOSE B & ELIZA D
37	2719	HONDO AVE	AVILA TOBIAS &
38	2723	HONDO AVE	SAVAGE ELLEN
39	2803	HONDO AVE	NORMANDY MAPLE LLC
40	2603	HONDO AVE	MORALES VICTOR &
41	2607	HONDO AVE	FRAGA TONY S
42	2611	HONDO AVE	PETERSON MARY L
43	2615	HONDO AVE	TORREZ RICHARD R JR
44	4443	BROWN ST	CARDENAS ROBERTO
45	2802	HONDO AVE	HOUPY JERRY JR ET AL
46	2722	HONDO AVE	TEXAS TURNPIKE AUTHORITY
47	2718	HONDO AVE	GARZA JORGE LUIS & LUZ M
48	2714	HONDO AVE	NAJERA SANDRA M
49	2710	HONDO AVE	LAGUNA FRANCISCO &
50	2704	HONDO AVE	HERRERA ISREAL &
51	2700	HONDO AVE	NGUYEN LIEN DUC &
52	2544	HONDO AVE	LBJ VENTURES LP
53	4515	CEDAR SPRINGS RD	BETHANY PRESBYTERIAN CH
54	2903	LUCAS DR	SOOCKAR KARL D
55	2909	LUCAS DR	KELCHER MANAGEMENT INC
56	2915	LUCAS DR	RODNEY E JOHNSON PPTIES LLC
57	2923	LUCAS DR	GREATER MOUNT ZION

3/22/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4505	CEDAR SPRINGS RD	CS VILLAS LLC
59	4503	CEDAR SPRINGS RD	TEXAS TURNPIKE AUTHORITY
60	2900	HAWTHORNE AVE	MUMM CHARLES
61	2906	HAWTHORNE AVE	MONZURES ERASMO &
62	2908	HAWTHORNE AVE	GUEVARA ANTONIO &
63	2912	HAWTHORNE AVE	ALEJANDRO JOSE ALFREDO
64	2916	HAWTHORNE AVE	ALEJANDRO JOSE A & BLANCA
65	2920	HAWTHORNE AVE	LARA PEDRO
66	3000	HAWTHORNE AVE	SKINNER LEO
67	2801	LUCAS DR	DALLAS HOUSING AUTHORITY
68	4420	DICKASON AVE	BROADSTONE WYCLIFF LP
69	4440	BROWN ST	HOUSING AUTHORITY OF THE
70	4606	CEDAR SPRINGS RD	M&A TEXAS MADISON LP
71	2919	LUCAS DR	IRVIN ROSS GREGORY
72	4533	CEDAR SPRINGS RD	CJUF III DYLAN LLC
73	4340	CEDAR SPRINGS RD	HERBERT ROBERT A
74	4340	CEDAR SPRINGS RD	BALLARD WILLIAM PAUL JR
75	4340	CEDAR SPRINGS RD	PAOLISSI HENRY J III
76	4340	CEDAR SPRINGS RD	LUU TYLER
77	4340	CEDAR SPRINGS RD	VARNER BROOK
78	4340	CEDAR SPRINGS RD	CLARK MATTHEW
79	4340	CEDAR SPRINGS RD	WITT KENT P & YOLANDA E
80	4340	CEDAR SPRINGS RD	CAMERON JOHN S & BEVERLY
81	4340	CEDAR SPRINGS RD	FITZGERALD DONNA
82	4340	CEDAR SPRINGS RD	SALIT CHAD
83	4340	CEDAR SPRINGS RD	DUPUY DAVID M
84	4340	CEDAR SPRINGS RD	HEIDBRINK CHARLES M
85	4340	CEDAR SPRINGS RD	DUBE CHARLES M
86	4324	CEDAR SPRINGS RD	HARTWICK TANYA R
87	4340	CEDAR SPRINGS RD	BEBEAU SAMUEL
88	4340	CEDAR SPRINGS RD	LAFLEUR TRACY J &

3/22/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4340	CEDAR SPRINGS RD	NOVELLO RODOLFO B
90	4340	CEDAR SPRINGS RD	JORY ROBERT
91	4340	CEDAR SPRINGS RD	MOSES RANDALL CRAIG &
92	4340	CEDAR SPRINGS RD	JACOBS BONIFACE J
93	4340	CEDAR SPRINGS RD	LOWE ETHEL A
94	4340	CEDAR SPRINGS RD	NOVELLO RODOLFO
95	4340	CEDAR SPRINGS RD	MIMS ELIZABETH ANN
96	4340	CEDAR SPRINGS RD	LIMBOC AUDIE P
97	4324	CEDAR SPRINGS RD	CASAS EDUARDO
98	4340	CEDAR SPRINGS RD	SKLOSS ALOIS H
99	4340	CEDAR SPRINGS RD	DUPUY DAVID MICHAEL
100	4414	CEDAR SPRINGS RD	SAMUEL STEVEN D
101	4414	CEDAR SPRINGS RD	HU JOSEPH
102	4414	CEDAR SPRINGS RD	PRICE LESLIE C
103	4414	CEDAR SPRINGS RD	ARMENDARIZ KARLA G
104	4414	CEDAR SPRINGS RD	ARONOWICZ JOEL
105	4414	CEDAR SPRINGS RD	CLENDANIEL JOHN J &
106	4414	CEDAR SPRINGS RD	SCHIAVONE JILL M
107	4414	CEDAR SPRINGS RD	THOMAS STEVEN C
108	4414	CEDAR SPRINGS RD	INKS ANGELA
109	4414	CEDAR SPRINGS RD	FLECHA LANE INC
110	4414	CEDAR SPRINGS RD	MCCREA ROBERT S
111	4414	CEDAR SPRINGS RD	REEVES SHAWN A
112	4414	CEDAR SPRINGS RD	LEAL ROBERTO
113	4414	CEDAR SPRINGS RD	LAPORTE MIKEL
114	4414	CEDAR SPRINGS RD	BOLDING GARY
115	4414	CEDAR SPRINGS RD	TERRELL PAUL & NORMA
116	4414	CEDAR SPRINGS RD	GOINS MICAH & TRACEY
117	4414	CEDAR SPRINGS RD	CHEN TING YU
118	4414	CEDAR SPRINGS RD	DAGROSA ANTHONY L
119	4414	CEDAR SPRINGS RD	PARK EDWARD

3/22/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	4414	CEDAR SPRINGS RD	PAULUS MICHAEL J
121	4414	CEDAR SPRINGS RD	CONNELL KATHERINE K
122	4414	CEDAR SPRINGS RD	PADDOCK LOUIS &
123	4414	CEDAR SPRINGS RD	LAI MY LINH
124	4414	CEDAR SPRINGS RD	KATES TIFFANY R
125	4414	CEDAR SPRINGS RD	THOMPSON WAYNE E
126	4414	CEDAR SPRINGS RD	KIM BILLY J
127	4414	CEDAR SPRINGS RD	PHAM RICHARD T
128	4414	CEDAR SPRINGS RD	HERCULES ELLSWORTH D
129	4414	CEDAR SPRINGS RD	JACKSON JENISE
130	4414	CEDAR SPRINGS RD	TERRELL PAUL A & NORMA L
131	4414	CEDAR SPRINGS RD	PLASTERER ROGER
132	4414	CEDAR SPRINGS RD	HEATH LEA ANNE
133	4414	CEDAR SPRINGS RD	HEIMBACH SARAH E
134	4414	CEDAR SPRINGS RD	MIHECOBY ALLEN F
135	4414	CEDAR SPRINGS RD	CUNNINGHAM SHANNON
136	4414	CEDAR SPRINGS RD	PETTIT STACY L
137	4414	CEDAR SPRINGS RD	BENNETT LORIE A
138	4414	CEDAR SPRINGS RD	ROSSER L B
139	4414	CEDAR SPRINGS RD	MUTREJA SWADESH & JAI G
140	4414	CEDAR SPRINGS RD	SHARMA DARPAN &
141	4414	CEDAR SPRINGS RD	FAROOQI MIDHAT S &
142	4414	CEDAR SPRINGS RD	HESS JENIFER D
143	4414	CEDAR SPRINGS RD	DO THAO
144	4414	CEDAR SPRINGS RD	APNAR JOHN
145	4414	CEDAR SPRINGS RD	RICE JAMES H JR
146	4414	CEDAR SPRINGS RD	HO ELIZABETH D
147	4414	CEDAR SPRINGS RD	BURGOON LARRY REV TRUST
148	4414	CEDAR SPRINGS RD	JOHNSON JILL
149	4414	CEDAR SPRINGS RD	VOLLMER DAVID W
150	4414	CEDAR SPRINGS RD	HARIRI WAHIB &

3/22/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	4414	CEDAR SPRINGS RD	HOSIER MEGAN
152	4414	CEDAR SPRINGS RD	REEVES JEFFREY S &
153	4414	CEDAR SPRINGS RD	SANFORD QUINN A
154	4414	CEDAR SPRINGS RD	PIRZADEH SARA
155	4414	CEDAR SPRINGS RD	GOH YEE KHAI & YIWEN LEE
156	4414	CEDAR SPRINGS RD	POWELL TIFFANY
157	4414	CEDAR SPRINGS RD	ODUNSI ABAYOMI N
158	4414	CEDAR SPRINGS RD	SCHULTHEIS KYLE
159	4414	CEDAR SPRINGS RD	DEUTSCHE BANK NATIONAL
160	4414	CEDAR SPRINGS RD	CHENET FLORENCE J
161	4414	CEDAR SPRINGS RD	TAVARES CARLOS L &
162	4414	CEDAR SPRINGS RD	GIDDENS CHRISTOPHER
163	4414	CEDAR SPRINGS RD	CHISOLM HENRY JR &
164	4414	CEDAR SPRINGS RD	PHAM LINH L
165	4414	CEDAR SPRINGS RD	LENG CHIH CHUN
166	4414	CEDAR SPRINGS RD	SANCHEZ MARIO H
167	4414	CEDAR SPRINGS RD	GRIMES STEPHANIE R
168	4414	CEDAR SPRINGS RD	BASHARA VIRGINIA &
169	4414	CEDAR SPRINGS RD	ANDERSON HEATHER L
170	4414	CEDAR SPRINGS RD	SAREMI YAVAR SHOKOUH
171	4414	CEDAR SPRINGS RD	CHEN JIAQIANG
172	4414	CEDAR SPRINGS RD	GOODWIN BOBBY A
173	4414	CEDAR SPRINGS RD	BROCKHOFF HANS C &
174	4414	CEDAR SPRINGS RD	AGUIRRE PATRICIA

AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 24, 2013
COUNCIL DISTRICT(S): 4, 5
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 670-3314
MAPSCO: 57 G; K; L; N; P; Q; S; T; U; W; X; Y; Z 67 B; C; D

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District on property zoned an IM Industrial Manufacturing District, an R-7.5(A) Single Family District, an IR/IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay on a portion, an LI Light Industrial District with Specific Use Permit No. 383 on a portion, an A(A) Agricultural District with Specific Use Permit No. 383 and a CS/CS-D-1 Commercial Service District with Specific Use Permit No. 383 and a D-1 Liquor Control Overlay on a portion on the south side of CF Hawn Freeway, west side of Pemberton Hill Road and South Longacre Lane and on both sides of Great Trinity Forest Way
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, development plan and conditions
Z123-195(MW)

FILE NUMBER: Z123-195 (MW)

DATE FILED: September 14, 2012

LOCATION: South side of CF Hawn Freeway, west side of Pemberton Hill Road and South Longacre Lane and on both sides of Great Trinity Forest Way

COUNCIL DISTRICT: 4 and 5

MAPSCO: 57-G,K,L,N,P,Q,S,T,U,W,X,Y,Z;
67-B,C,D

SIZE OF REQUEST: ±2,115 acres

CENSUS TRACT: 93.03; 115.00, 116.0,
2012.00

REPRESENTATIVE: Than Nguyen, City of Dallas Trinity Watershed Management Department

APPLICANT/OWNER: City of Dallas

REQUEST: An application for a Planned Development District on property zoned an IM Industrial Manufacturing District, an R-7.5(A) Single Family District, an IR/IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay on a portion, an LI Light Industrial District with Specific Use Permit No. 383 on a portion, an A(A) Agricultural District with Specific Use Permit No. 383 and a CS/CS-D-1 Commercial Service District with SUP No. 383 and a D-1 Liquor Control Overlay on a portion

SUMMARY: The request site comprises ±2,115 acres of property owned by the City of Dallas. The proposed project includes a ±379-acre horse park, a ±470-acre golf course, and ±1,260 acres of forest and mitigation land which will include recreational trails and amenities.

CPC RECOMMENDATION: Approval; subject to a conceptual plan; a development plan and conditions.

STAFF RECOMMENDATION: Approval; subject to a conceptual plan; a development plan and conditions.

BACKGROUND INFORMATION:

- The ±2,115-acre request site is predominantly undeveloped.
- Specific Use Permit No. 383 for a sand and gravel mine was approved on November 13, 1967 for a permanent time period.
- Approximately 400 acres of the request site served as the South Loop 12 and Elam Municipal Landfills from 1962 to 1984.
- From 1984 to 2010, numerous subsurface and environmental investigations were conducted on the closed landfills, and on October 27, 2009, both landfills entered into the Texas Commission on Environmental Quality (TCEQ) voluntary cleanup program (VCP).
- The City has set aside funds to remediate ±31.8 of the proposed golf course site; development of the golf course cannot begin until completion of the remediation process.
- As part of this application, a development plan for the first phase of the horse park has been submitted for Council approval. As depicted on the proposed development plan, this phase will include barns, covered arenas, riding paddocks, a visitor's center an administration building, a maintenance and storage building, a compost area and a trailhead.
- The request site is generally surrounded by US Highway 175/CF Hawn Freeway right-of-way and undeveloped land to the north; single family residential and undeveloped land to the east; the Trinity River, undeveloped land and a landfill the south and the Trinity River and undeveloped land west.
- There were two community meetings held on the proposal at the Audubon Center. One prior to the first City Plan Commission public hearing and one prior to the second City Plan Commission public hearing.

Zoning History:

There has been no recent zoning activity within the vicinity of the request site.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
CF Hawn Freeway	US Highway	Variable Width
Great Trinity Forest Way (Loop 12)	State Highway	Variable Width
Long Acre Lane	Collector	60 feet
Pemberton Hill Road	Collector	60 feet

Land Use:

	Zoning	Land Use
Site	AA; CS; IM; LI; IR; R-7.5(A); SUP No. 383;D-1 Overlay	Undeveloped
North	IR; SUP 261; IM	Undeveloped
East	R-7.5(A); PD No. 704; MF-1(A); MF-2(A); CS; PD No. 81	Undeveloped; single family
South	IM; SUP 705; IR	Trinity River; landfill; undeveloped
West	IR; R-5(A)	Trinity River; undeveloped

STAFF ANALYSIS:

Area Plans

The request site is identified as being within the South Trinity Forest District on the Trinity River Corridor Comprehensive Land Use Plan, adopted March 5, 2005, and revised December 9, 2009.

The preferred land use plan for this district builds on four key features of the district: its existing single family neighborhoods, the Great Trinity Forest, the future DART light rail line and IH-20. The plan retains the single family character of the neighborhoods in most of this district. Around the Lake June DART station, a mix of uses and intensities appropriate for transit-oriented development will add new retail and service choices, as well as housing options for residents who want an alternative to a single family home. The DART station itself will be an advantage for this district because it provides a transportation choice for district residents and businesses. The Great Trinity Forest will become a major identifier and asset for this district in the future. Trail connections between the Lake June DART station and the forest will provide non-auto travel options for neighborhood residents who want to use the DART system or are seeking recreational and exercise routes to the

amenities of the Great Trinity Forest. The Interpretive Center and the Equestrian Center will be located in this district, creating new assets for the community and new tourism destinations for visitors. Visitors to these centers, and the forest itself, are also expected to support new retail along the major roadways in this district and at the Lake June DART station. Lastly, a regional employment center is envisioned along IH-20, providing new employment opportunities for existing residents and making these neighborhoods attractive to the employees of businesses that will locate here.

Comprehensive Plan:

The request site is identified as being within the Floodplain and Open Space Building Blocks on the **forwardDallas! Vision Illustration**, adopted June 2006. The applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.1: Promote desired development

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

ENVIRONMENT ELEMENT

GOAL 6.4 IDENTIFY, PROTECT AND RESTORE OPEN SPACE

Policy 6.4.2 Protect open space.

GOAL 6.5 PROVIDE ACCESS TO PARKS, OPEN SPACES AND RECREATIONAL OPPORTUNITIES

Policy 6.5.2 Implement the citywide trails master plan.

Land Use Compatibility:

The request site is predominantly undeveloped and comprises ±2,115 acres of property owned by the City of Dallas. The proposed project includes a ±379-acre horse park, a ±470-acre golf course, and ±1,260 acres of forest and mitigation land which will include recreational trails and amenities.

Approximately 400 acres of the request site served as the South Loop 12 and Elam Municipal Landfills from 1962 to 1984. From 1984 to 2010, numerous subsurface and environmental investigations were conducted on the closed landfills, and on October 27, 2009, both landfills entered into the Texas Commission on Environmental Quality (TCEQ) voluntary cleanup program (VCP). The City has set aside funds to remediate ±31.8 of the proposed golf course site; development of the golf course cannot begin until completion of remediation process. A development plan for the proposed golf course has not been provided at this time.

As part of this application, a development plan for the first phase of the horse park has been submitted for Council approval. As depicted on the proposed development plan, this phase will include barns, covered arenas, riding paddocks, a visitor's center an administration building, a maintenance and storage building, a compost area and a trailhead.

The request site is generally surrounded by US Highway 175/CF Hawn Freeway right-of-way and undeveloped land to the north; single family residential and undeveloped land to the east; the Trinity River, undeveloped land and a landfill to the south and the Trinity River and undeveloped land west.

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

Parking:

In the proposed planned development district, parking will be required in accordance with Section 51A-4.200 of the Dallas Development Code except as provided below:

For a horse park, the following ratios apply:

- Arena. One space per four fixed seats. If fixed benches are provided, each 18 inches of length of the fixed bench constitutes one fixed seat. If portions of seating areas in the arena are not equipped with fixed seats or benches, the parking requirement for these portions is one space for each 28 square feet of floor area.
- Restaurant, retail, visitor's center and commercial amusement (inside). One space per 200 square feet of floor area.
- Stable. One space per two stalls.

As proposed, for an event for which a special events permit is required, parking is permitted on permeable surfaces, such as grass. Off-street parking, maneuvering areas and driveways may be constructed of permeable materials, such as, but not limited to

engineered alternate paving systems, grass/manufactured block combinations, other type of ground cover/manufactured block combinations, or crushed aggregate.

Landscaping:

The applicant proposes landscaping provisions intended to maintain indigenous vegetation and to encourage planting of native and drought-adaptive noninvasive plant materials.

Tree Mitigation:

Staff is working with the applicant and operators to develop alternative options for tree mitigation in recognition of the unique circumstances posed by the required remediation of former landfill areas and the development of public amenities such as trail systems. Typically, large tree species are discouraged on landfill areas due to the potential risk posed by root systems penetrating the cap required for these areas. In addition, a maximum 4:1 slope (one foot of rise for every four feet of length) must be maintained around the former landfill areas to prevent erosion. Adequate irrigation and top soil must also be provided to establish and maintain plantings on top of the landfill areas which will require excavation outside the landfill areas and creation of pond areas for reservoirs of untreated water for irrigation. Options include contributions to a fund established for the maintenance and care of the Great Trinity Forest and relief of mitigation for trees that need to be removed for the required remediation and ongoing monitoring of landfill areas and for the provision of public amenities such as trail systems. The City Plan Commission recommendation included some of these options as well as a provision for the development of alternative mitigation measures. Staff anticipates having additional options developed for City Council consideration.

CPC ACTION: APRIL 4, 2013:

Motion: It was moved to recommend **approval** of a Planned Development District, subject to a conceptual plan, development plan and revised conditions on property zoned an IM Industrial Manufacturing District, an R-7.5(A) Single Family District, an IR/IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay on a portion, an LI Light Industrial District with Specific Use Permit No. 383 on a portion, an A(A) Agricultural District with Specific Use Permit No. 383 and a CS/CS-D-1 Commercial Service District with Specific Use Permit No. 383 and a D-1 Liquor Control Overlay on a portion on the south side of CF Hawn Freeway, west side of Pemberton Hill Road and South Longacre Lane and on both sides of Great Trinity Forest Way.

Maker: Culbreath
Second: Rodgers
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Culbreath, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 0
Vacancy: 0
Conflict: 1 - Shellene

Notices: Area: 500 Mailed: 468
Replies: For: 26 Against: 7

Speakers: For: Craig Holcomb, 3601 Turtle Creek Blvd., Dallas, TX, 75219
Eugene Dawson, 9936 Mill Valley Ln., Dallas, TX, 75217
Against: None

CPC ACTION: MARCH 21, 2013:

Motion: In considering an application for a Planned Development District on property zoned an IM Industrial Manufacturing District, an R-7.5(A) Single Family District, an IR/IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay on a portion, an LI Light Industrial District with Specific Use Permit No. 383 on a portion, an A(A) Agricultural District with Specific Use Permit No. 383 and a CS/CS-D-1 Commercial Service District with Specific Use Permit No. 383 and a D-1 Liquor Control Overlay on a portion on the south side of CF Hawn Freeway, west side of Pemberton Hill Road and South Longacre Lane and on both sides of Great Trinity Forest Way, it was moved to **hold** this case under advisement until April 4, 2013.

Maker: Culbreath
Second: Wally

Z123-195(MW)

Result: Carried: 12 to 0
For: 12 - Wally, Anglin, Culbreath, Hinojosa, Bagley, Lavallaisaa,
Tarpley, Bernbaum, Wolfish, Schwartz, Ridley, Alcantar

Against: 0
Absent: 2 - Davis, Rodgers
Vacancy: 0
Conflict: 1 - Shellene

Notices: Area: 500 Mailed: 468
Replies: For: 19 Against: 5

Speakers: For: Jesse Greer, 7740 Brownsville Ave., Dallas, TX, 75316
Against: Eugene Dawson, 3738 Mill Valley Ln., Dallas, TX, 75215
Maria Puente, 619 Neomi Ave., Dallas, TX, 75217
Urbano Hernandez, 6114 Lake June Pl., Dallas, TX, 75217
Bobby Hicks, 1282 Pemberton Hill, Dallas, TX, 75217

Z123-195

CPC Recommended Conditions

SEC. 51P-___.101. LEGISLATIVE HISTORY.

PD ___ was established by Ordinance No. _____ passed by the Dallas City Council on _____.

SEC. 51P-___.102. PROPERTY LOCATION AND SIZE.

PD ___ is established on property located on the north and south lines of Great Trinity Forest Way. The size of PD ___ is approximately 2,115.142 acres.

SEC. 51P-___.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

(1) COTTAGE means a facility containing a minimum of one and a maximum of four living units provided in conjunction with a golf course.

(2) HORSE PARK means an equestrian facility that provides educational, recreational and therapeutic opportunities to the public. Incidental uses include, but are not limited to, agricultural, institutional and community service, lodging, miscellaneous, residential, retail and personal service and utility and public service uses.

(3) PUBLIC RECREATION AREA means land planned, developed, or used for recreational use by the public. Incidental uses include, but are not limited to crop production, community gardens, shade structures, and trails.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P-___.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ___A: conceptual plan.

(2) Exhibit ___B: Subarea 1, Phase 1 development plan.

SEC. 51P-____.105. CREATION OF SUBAREAS.

This district is divided into four subareas: Subarea 1 (Texas Horse Park), Subareas 2a and 2b (Trinity Championship Golf Course), Subareas 3a and 3b (Trinity Forest Lands), and Subareas 4a and 4b (Trinity Mitigation Lands) as shown on the conceptual plan (Exhibit A).

SEC. 51P-____.106. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-____.107. DEVELOPMENT PLAN

(a) Development and use of Subarea 1, Phase 1 must comply with the Subarea 1, Phase 1 development plan (Exhibit B). If there is a conflict between the text of this article and the Subarea 1, Phase 1 development plan, the text of this article controls.

(b) A development plan for Subarea 1, Phase 2 must be approved by the city plan commission before the issuance of any building permit to authorize work in that area.

(c) Except as provided below, development plans for Subareas 2a and 2b must be approved by the city plan commission before the issuance of a building permit to authorize work in those subareas. No development plan is required prior to issuance of a permit for:

(1) excavation, fill, or grading;

(2) tree removal;

(3) irrigation systems;

(4) paths, trails or roads associated with development of a golf course, golf driving range or practice facilities; or

(5) structures less than 2000 square feet in floor area that houses maintenance equipment such as pumps and irrigation equipment, sanitary facilities, or concession facilities.

(d) No development plan is required for Subareas 3a, 3b, 4a, and 4b.

SEC. 51P-____.108. LANDSCAPE PLAN

(a) In Subareas 1, 2a and 2b, a landscape plan must be approved by the city plan commission before the issuance of a required building permit.

(b) For all other subareas, no landscape plan is required.

SEC. 51P-____.109. MAIN USES PERMITTED

The following main uses are the only main uses permitted:

(1) Subarea 1 (Texas Horse Park).

- Campground with RV hook-ups.
- Commercial amusement (outside).
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Horse park.
- Hotel.
- Local utilities.
- Restaurant without drive-in or drive-through service.

(2) Subareas 2a and 2b (Trinity Championship Golf Course).

- Commercial amusement (outside).
- Country club with private membership.
- Local utilities.
- Cottage. [limited to a maximum of 80 dwelling units]
- Placement of fill material.
- Private recreation center, club, or area.

(3) Subareas 3a and 3b (Trinity Forest Lands).

- Local utilities.
- Public recreation area.
- Placement of fill material.

(4) Subareas 4a and 4b (Trinity Mitigation Lands).

- Local utilities.
- Public recreation area.
- Placement of fill material .

SEC. 51P-____.110. ACCESSORY USES.

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

(b) For purpose of this section, Subarea 2a and Subarea 2b are considered one lot.

(c) Accessory uses are not limited to the five percent area restriction as required by Section 51A-4.217(a)(3).

SEC. 51P-____.111. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Subarea 1 (Texas Horse Park) and Subareas 2a and 2b (Trinity Championship Golf Course).

(1) Front yard. Minimum front yard is 50 feet. Public art is allowed within the required front yard.

(2) Side and rear yard. Minimum side and rear yard is five feet.

(3) Height. Maximum structure height for a habitable structure is ~~55~~120 feet. Maximum structure height for a non-habitable structure is 100 feet.

(4) Lot coverage. Maximum lot coverage is 25 percent.

(b) Subareas 3a and 3b (Trinity Forest Lands) and Subareas 4a and 4b (Trinity Mitigation Lands).

(1) Front yard. Minimum front yard is 50 feet.

(2) Side and rear yard. Minimum side and rear yard is five feet.

(3) Height. Maximum structure height is 20 feet.

(4) Lot coverage. Maximum lot coverage is 5 percent.

SEC. 51P. ____112. OFF-STREET PARKING AND LOADING.

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

(b) For a horse park, the following ratios apply.

(1) Arena. One space per four fixed seats. If fixed benches are provided, each 18 inches of length of the fixed bench constitutes one fixed seat. If portions of the arena that are meant for audience and spectator viewing are not equipped with fixed seats or benches, the parking requirement for these portions is one space for each 28 square feet of floor area.

(2) Restaurant, retail or commercial amusement (inside). One space per 200 square feet of floor area.

(3) Stable. One space per two stalls.

(c) For an event for which a special events permit is required, parking is permitted on permeable surfaces.

(d) Off-street parking, maneuvering areas, and driveways may be constructed of permeable materials, such as engineered alternate paving systems, grass/manufactured block combinations, other type of ground cover/manufactured block combinations, or crushed aggregate.

(e) For a golf course, the following ratio applies.

(1) Cottage. One space per unit.

SEC. 51P-____113. ADMINISTRATIVE PARKING REDUCTION

(a) The director may grant a reduction in the number of off-street parking spaces required under this article for development within this district if the director finds that the parking demand generated by the use does not warrant the number of off-street parking spaces required, the reduction would not create a traffic hazard on adjacent or nearby streets, and adequate temporary parking on unimproved surfaces is available for peak demand periods and special events.

(b) In determining whether to grant a reduction under Subsection (a), the director shall consider the following factors:

(1) The extent to which the parking spaces provided will be assigned, compact, remote, shared, or packed parking.

(2) The parking demand and trip generation characteristics for the occupancy for which the reduction is requested.

(3) The number of individuals employed on the site of the occupancy for which the reduction is requested.

(4) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.

(5) The availability of alternative transportation modes.

(6) The feasibility of parking mitigation measures and the likelihood of their effectiveness.

(c) In granting a reduction under Subsection (a), the director shall specify the occupancy to which the reduction applies. A reduction granted by the director for a particular occupancy automatically and immediately terminates if and when the certificate of occupancy for the use is amended, changed, or terminated.

(d) In granting a reduction under Subsection (a), the director may:

(1) establish a termination date for the reduction or otherwise provide for the reassessment of conditions after a specified period of time;

(2) impose restrictions on access to or from the subject property;

(3) require that adequate lot area be available to comply with standard parking requirements; or

(4) impose any other reasonable condition that would have the effect of improving traffic safety or lessening congestion on the streets.

SEC. 51P-__. **TRANSPORTATION MANAGEMENT PLAN.**

(a) In general. For Subareas 1 and 2a, a transportation management plan (TMP) must be prepared by the owner of the Property or its agent. The TMP is a document containing strategies and mechanisms the owner or its agent must implement to insure the fluidity of vehicular movement on and surrounding the Property. The TMP must also offer methods of safely accommodating the transportation of visitors to and from remote parking locations in a safe and efficient manner while minimizing impacts on adjacent neighborhoods.

(b) Information required. If remote parking is provided to meet the off-street parking requirements, the TMP must contain the information required for a special parking application in the special parking regulations of the Dallas Development Code, as amended, except that a consent letter signed by the owner(s) of each remote site may be substituted for the remote parking agreement otherwise required under Section 51A-4.324 to authorize remote parking for special events. The TMP must also contain the following:

(1) A schedule of special events and an estimate of the number of remote parking spaces required to accommodate visitors of the event.

(2) A list of and the location of remote parking sites for special event days, the number of spaces needed for all uses on the Property at each remote site, the consent of the owner of each remote site for its use, and the distance of each remote site from the Property.

(3) The method, type, and quantity of vehicles to be used to transport visitors to and from the remote parking locations, and their frequency and hours of operation.

(4) The routes to be used by the transporting vehicles.

(5) Methods to be used to prevent visitor parking on neighborhood streets and to direct vehicles to remote parking sites from the Property.

(6) Promotional strategy outlining the educational and instructional material on remote parking availability and describing how this material will be conveyed to the visitor before coming to the Property.

(c) Approval. The initial TMP must be submitted and approved by the city traffic engineer within three months of issuance of a Certificate of Occupancy for a horse park use or golf course use. Updates to the TMP must be submitted to and approved by the city traffic engineer. The city traffic engineer shall furnish the city plan commission and the park and recreation board with copies of all approved TMP updates.

(d) Updates. Updates must address the issues in the TMP, detail the current level of development on the Property, demonstrate that current remote parking agreements are consistent with parking demand, and contain survey results and analyses. The first update must be submitted on or before 60 days prior to a special event which will draw more than 2,000 spectators per day. Subsequent updates are required annually, unless directed otherwise by the director based upon the director's determination that usage patterns have stabilized and proper implementation of the TMP has been accomplished.

(e) Surveys.

(1) Parking demand and supply must be surveyed for the following four events during the year:

(A) Major special event of the year (the special event attracting the greatest number of visitors to the Property).

(B) Another special event of the year.

(C) Two non-event weekends of the year.

(2) The surveys during special events must include five peak days. The surveys must measure and evaluate the remote parking operation and traffic conditions on and near the Property using methods and times approved by city traffic engineer. The survey and analysis must be undertaken by the owner or its agent using the services of a professional engineer skilled in transportation engineering. The survey must be approved by the city traffic engineer. If the city traffic engineer certifies to the director that any of the following improvements or actions are needed to facilitate safe access to and from the Property, the owner or its agent must construct and make operative those improvements or take those actions within 18 months of the date of certification:

- (A) Stop signs.
- (B) Traffic signals.
- (C) Pavement markings.
- (D) Additional storage space at entrances to the Property.
- (E) Free right turn lanes

(F) Implementation of a plan approved by the director of public works and transportation to prevent visitor parking on neighborhood streets.

(3) Surveys must be completed and resubmitted at the same time as the TMP updates.

SEC. 51P-872.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-872.112. LANDSCAPING.

(a) Except as provided, landscaping must be in compliance with Article X.

(b) Except as provided, a landscape plan must be submitted with each development plan. A minor amendment of the plan may be authorized by the director when additional indigenous protected trees are not removed for the alteration.

(c) A landscape plan must indicate the least disturbance of the area's indigenous vegetation as practicable. This may preclude all development in certain areas.

(d) For all construction, the following standards must be followed:

(1) Native and drought-adaptive noninvasive vegetation is required.

(2) Original topsoil must be stockpiled during building construction and restored upon completion when practicable.

(3) All construction staging and storage areas must be identified on a site plan for construction on the property. The areas must be designed to minimize impact to native vegetation.

(e) Subarea 1: Texas Horse Park. A landscape plan is not required with the development plan. A landscape plan must be approved by the Building Official prior to the issuance of any building permit for any work on the property.

(1) A perimeter buffer area must be provided along the street frontage of the development area with a minimum width of 50 feet measured from the projected right-of-way of Pemberton Hill Road. The landscape plan must designate areas of tree retention and tree planting with the purpose of maintaining a continuous landscaped buffer between the horse park facilities and Pemberton Hill Road before and after time of future street improvement.

(a) Indigenous vegetation must be maintained along the road perimeter unless removed for street improvement or utility vegetation management.

(b) A buffer plant group must be provided for each 50 feet of street frontage except where existing vegetation will maintain a natural screening buffer.

(c) A large tree must be provided for each 50 feet of street frontage along Pemberton Hill Road. These trees must be located within 50 feet of the projected street right-of-way of Pemberton Hill Road. Trees provided for the buffer plant group and natural screening may both account for street trees.

(2) Design standards under 51A-10.126 are not required.

(3) All parking lots within 150 feet of Pemberton Hill Road must be screened from the road.

(a) Subareas 2a and 2b: Trinity Forest Championship Golf Course Conceptual Design.

(1) A conceptual landscape plan for a golf course on designated landfill or remediation land must be approved by the city plan commission before implementing the landscape plan on the landfill and remediation areas. The plan must provide a listing of optional native and drought-adaptive noninvasive plant materials for use on the property.

(2) All improvements for amenities for a golf course, after remediation, must be identified on a landscape plan to be provided with a development plan for all areas of construction excluding landfill remediation land and its required construction access. The landscape plan must conform to Article X and be approved by the city plan commission before permits may be issued for grading or construction for a parking lot, roads, trails, clubhouse facilities, cottages, training facilities, other structures or other site grading or excavation for the golf course use.

(g) Subareas 3b, 4a and 4b: Trinity Forest Trail. A landscape plan is not required for a linear trail area, except if needed under condition of approval by the Director of Public Works per Section 51A-5.103.1. Designated parking areas with trail heads must be landscaped and conform to Article X requirements for landscaping, except for Section 51A-10.126, design standards. All parking areas must provide a minimum of 160 square feet surface landscape area per planted tree.

(h) ONCOR Utility Corridor. Tree planting is prohibited within electric transmission corridors. Trees planted within 20 feet of the transmission corridor are restricted to small trees with a maximum height of 20 feet. Landscaping per Article X is not required. Site construction staging, parking, and unimproved and improved surface vehicular access within the utility corridor are limited to maintain minimum practicable disturbance of indigenous vegetation.

SEC. 51P-872.113. TREE MITIGATION.

(a) Except as provided, tree replacement and mitigation, and tree protection, must be in compliance with Article X on all property, and additional vegetation protection for floodplain must be in compliance with Article V.

(b) Mitigation requirements for tree removal in swales must be in compliance with Article X requirements in replacement of the conditions of Section 51A-5.1.05(g)(9)(D).

(c) All replacement trees must be provided direct maintenance through an automatic irrigation system for a minimum of three years from time of installation or an alternative plan must be approved by the Director. All plant materials must be maintained in a healthy growing condition.

(d) All methods of tree mitigation for each development site must be identified on the landscape plan.

(e) Except as provided in this section, all methods of tree mitigation of 51A-10.134 and 51A-10.135 are authorized. Replacement of trees within the district is encouraged. In lieu of conservation easements, areas may be shown on approved development plans as tree preservation areas. For purposes of this section, a tree preservation area is an area determined by the building official to be suitable for conservation purposes based on the likelihood the area would preserve vegetation on a parcel otherwise attractive for development, the overall health and condition of the trees on the parcel, the suitability of the area as wildlife habitat, and other unique features worthy of preservation.

(1) An off-site conservation easement for mitigation purposes is restricted to the City of Dallas – White Rock Creek, Five Mile Creek – Trinity River, and the Upper Prairie Creek – Trinity River watersheds in the city of Dallas.

(f) Payment may be made into a special city account, to be known as the Great Trinity Forest Management Fund.

(1) The director shall administer the fund to apply and maintain planned forest vegetation management projects on public land within the Great Trinity Forest.

(2) Payment into the fund will be provided by tree mitigation and by donation. Payment into the fund by mitigation is calculated as \$100.00 for every inch of protected tree removed.

(g) Each phase of development within the district requires a separate tree removal permit. Mitigation must be completed separately for each permit unless an alternate combined mitigation plan is approved per this ordinance.

(h) All required tree mitigation must be completed in accordance with the timing requirements of Article X, unless an alternate 'Trinity Forest Mitigation Plan' that varies the time period for tree replacement with a landscape plan is approved by the City Plan Commission.

(1) The commission may allow an individual tree mitigation plan to extend for a maximum period of 36 months from the issue date of the tree removal permit. Additional time may be allotted to the active mitigation plan by adding the mitigation time period requirement for a subsequent tree removal permit into a comprehensive plan that is increased in duration by the number of months that has followed after the initial approval of the oldest active tree mitigation plan. A comprehensive mitigation plan cannot extend beyond 72 months from the initial tree removal permit issue date. An additional comprehensive tree replacement plan may be created only after the initial tree replacement comprehensive plan is completed, or if a new mitigation plan begins on, or after, the 60-month anniversary of the previous comprehensive plan.

(2) A mitigation plan must provide identification of the method of mitigation, locations for replacement trees, and a management plan for the maintenance of planted trees.

(i) Forest Protection and Preservation

(1) Tree protection on construction sites must be completed per Section 51A-10.136. All trees to be preserved in a construction area, regardless of species, must be properly protected so that the building official determines placement of protective fencing, or other protection procedures, will be sufficient to not be likely to result in damage to the tree.

(2) Indigenous vegetation must be retained and protected except in immediate areas of development so that a minimal amount of vegetation is removed or replaced.

(3) Shrub borders must be maintained around woodlands where practicable.

(4) Landscaping must consist of ecologically suitable plant species.

(j) An alternative mitigation plan may be approved by the city plan commission following the process for a development plan upon a finding the alternative mitigation plan:

- (1) encourages preservation of existing forested areas.
- (2) encourages the preservation of indigenous vegetation
- (3) when applicable, encourages the preservation and restoration of native grass species and habitat, and existing pervious areas
- (4) protects undeveloped sensitive environmental areas
- (5) and is consistent and complimentary with existing trails and recreational areas in the vicinity.

SEC. 51P-872.114. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(1) The entire property shall be considered a single building site for purposes of the sign regulations.

(2) One detached sign is permitted for each 400 feet of frontage along a public right-of-way, other than an alley.

(3) In Subarea 1, five detached wayfinding signs are allowed on the property subject to the following provisions:

(A) Wayfinding signs must be landscape or monument signs. For purposes of this subsection, LANDSCAPE SIGN means a sign that is part of a single landscape design that creates a base for the sign in conjunction with a retaining wall or an open space created with the use of water or planting material; a MONUMENT SIGN means a detached sign applied directly onto a ground-level support structure (instead of a pole support) with no separation between the sign and the ground.

(B) Wayfinding signs are limited to showing directional and event information.

(C) Each wayfinding sign is limited to a maximum effective area of 50 square feet per side and a maximum height of 7 feet.

(D) Wayfinding sign support elements must be brick, stone, or similar material.

(e) Wayfinding signs may be changeable message signs provided the changeable message display area does not exceed 20 square feet in effective area.

(f) Changeable message signs must be turned-off by 10:00 p.m. when located within 100 square feet of Pemberton Hill Road.

(g) Sign messages cannot change more frequently than one message per every twenty seconds.

SEC. 51P-872.116. ADDITIONAL PROVISIONS.

(a) For purposes of Section 51A-5.104 of the Dallas Development Code, a horse park is considered a private recreation club or area.

(b) The two-year limitation in Section 51A-4.701(d) of the Dallas Development Code is waived for applications for specific use permits.

(d) Sidewalks are not required along Texas Department of Transportation right-of-way.

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

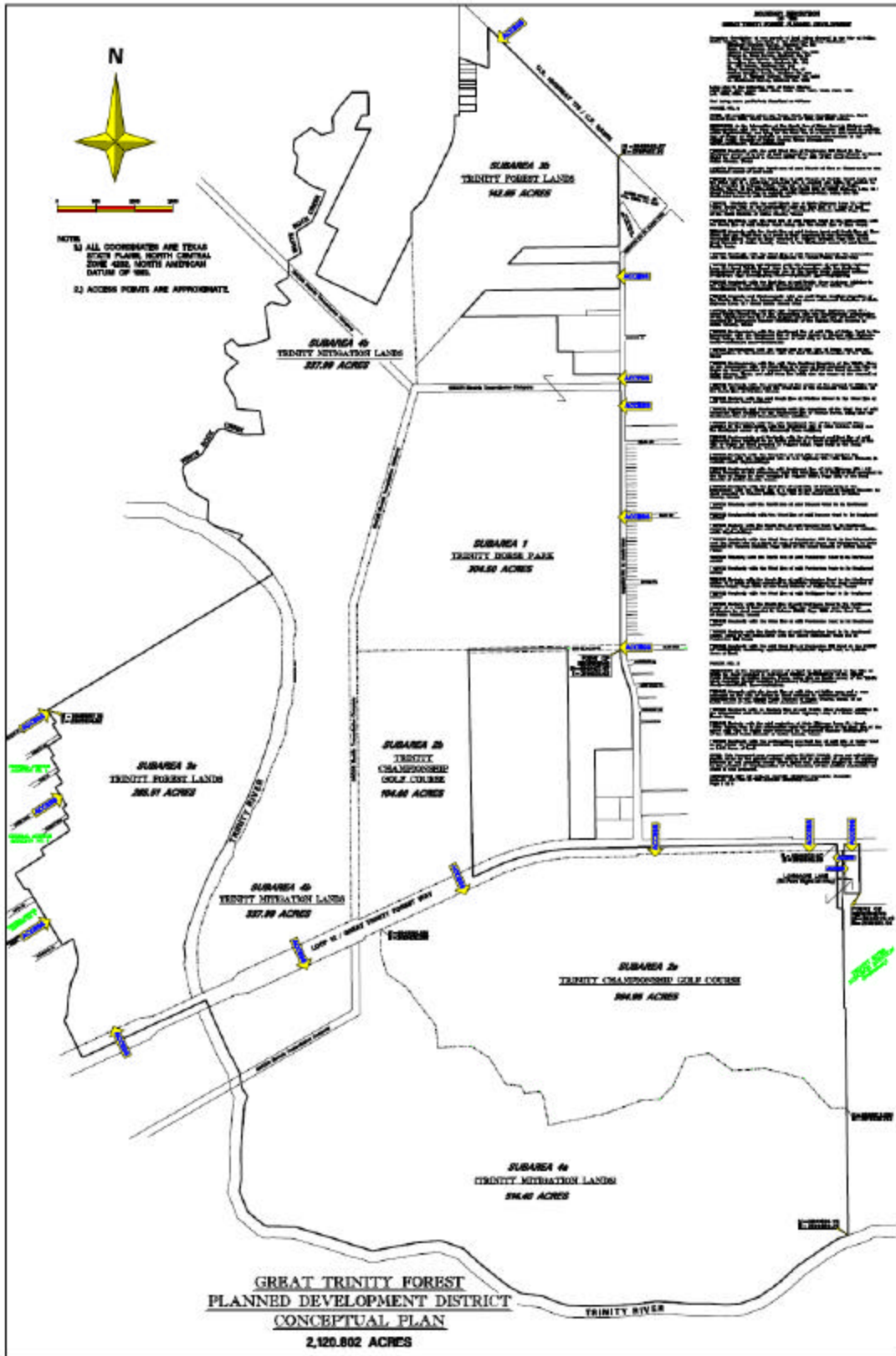
(f) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-872.117. COMPLIANCE WITH CONDITIONS.

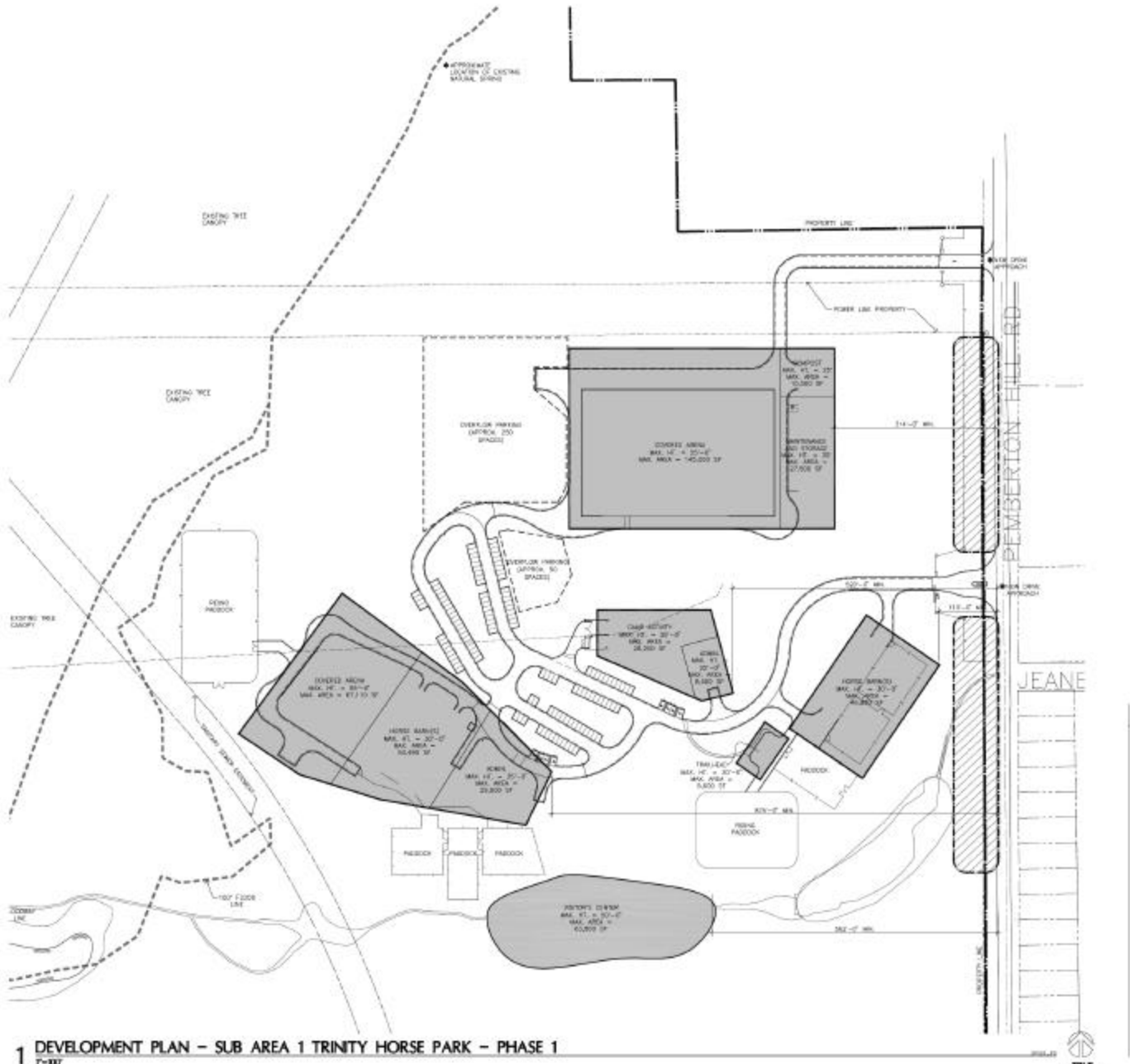
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

Proposed Conceptual Plan

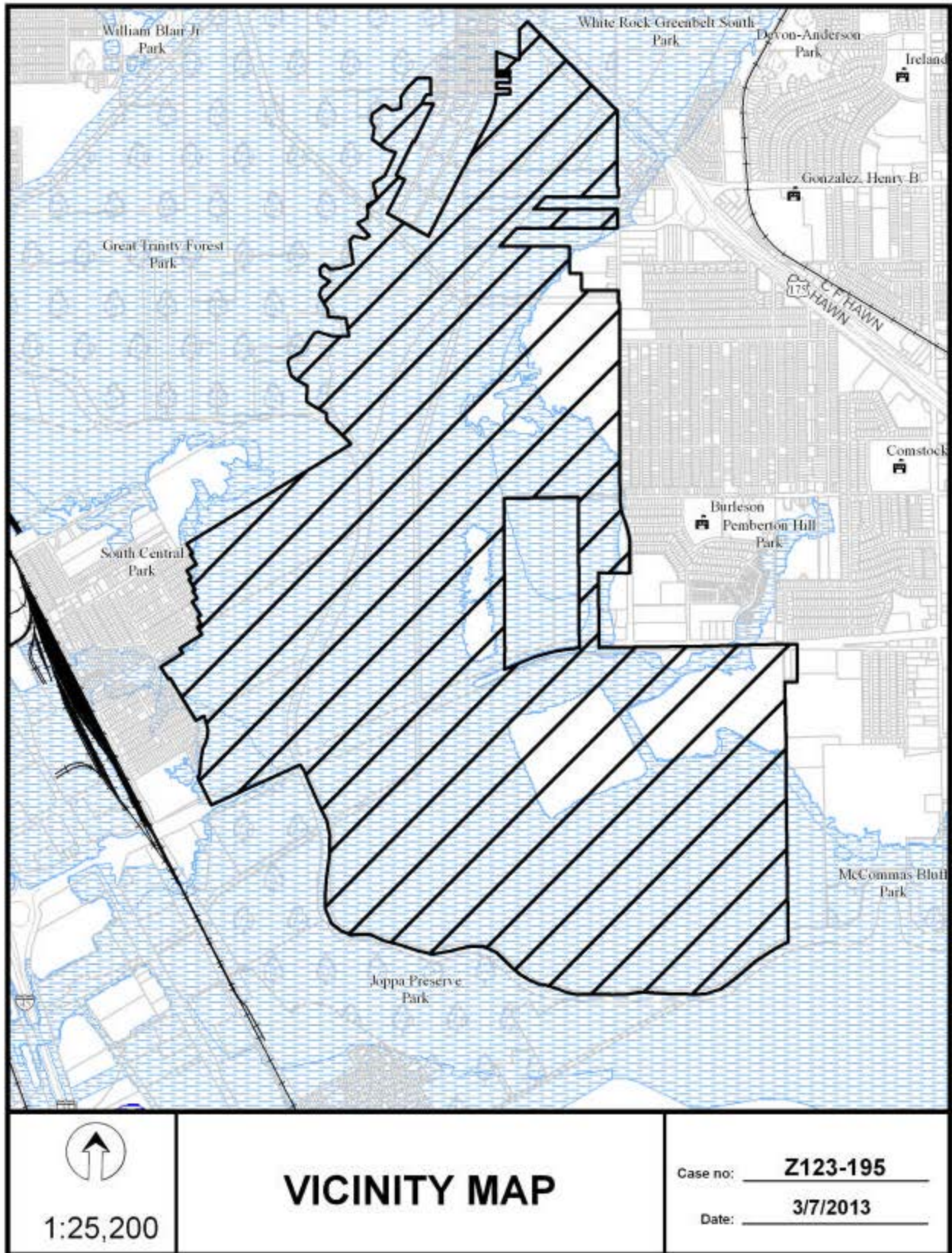


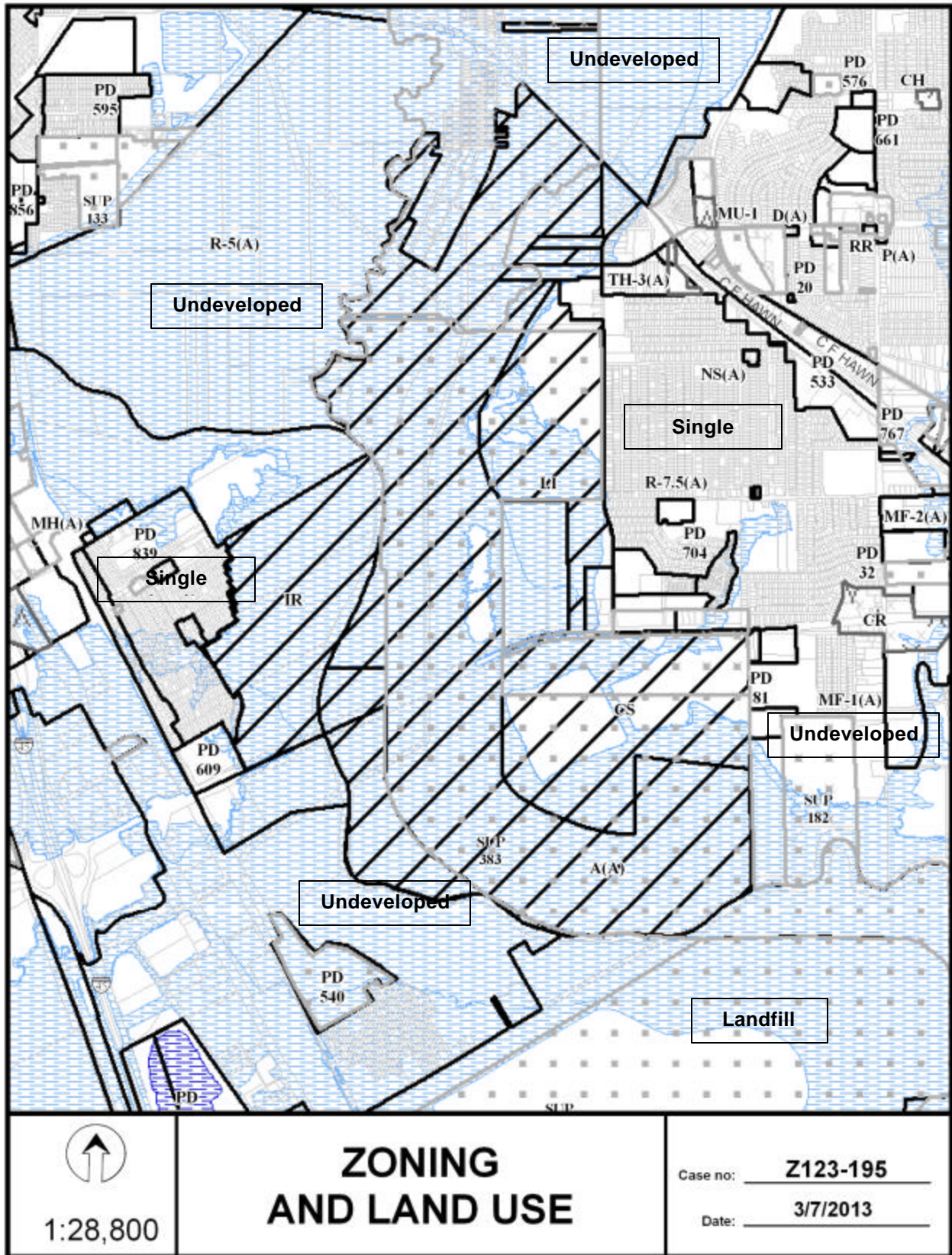
Proposed Subarea 1/Phase 1 Development Plan



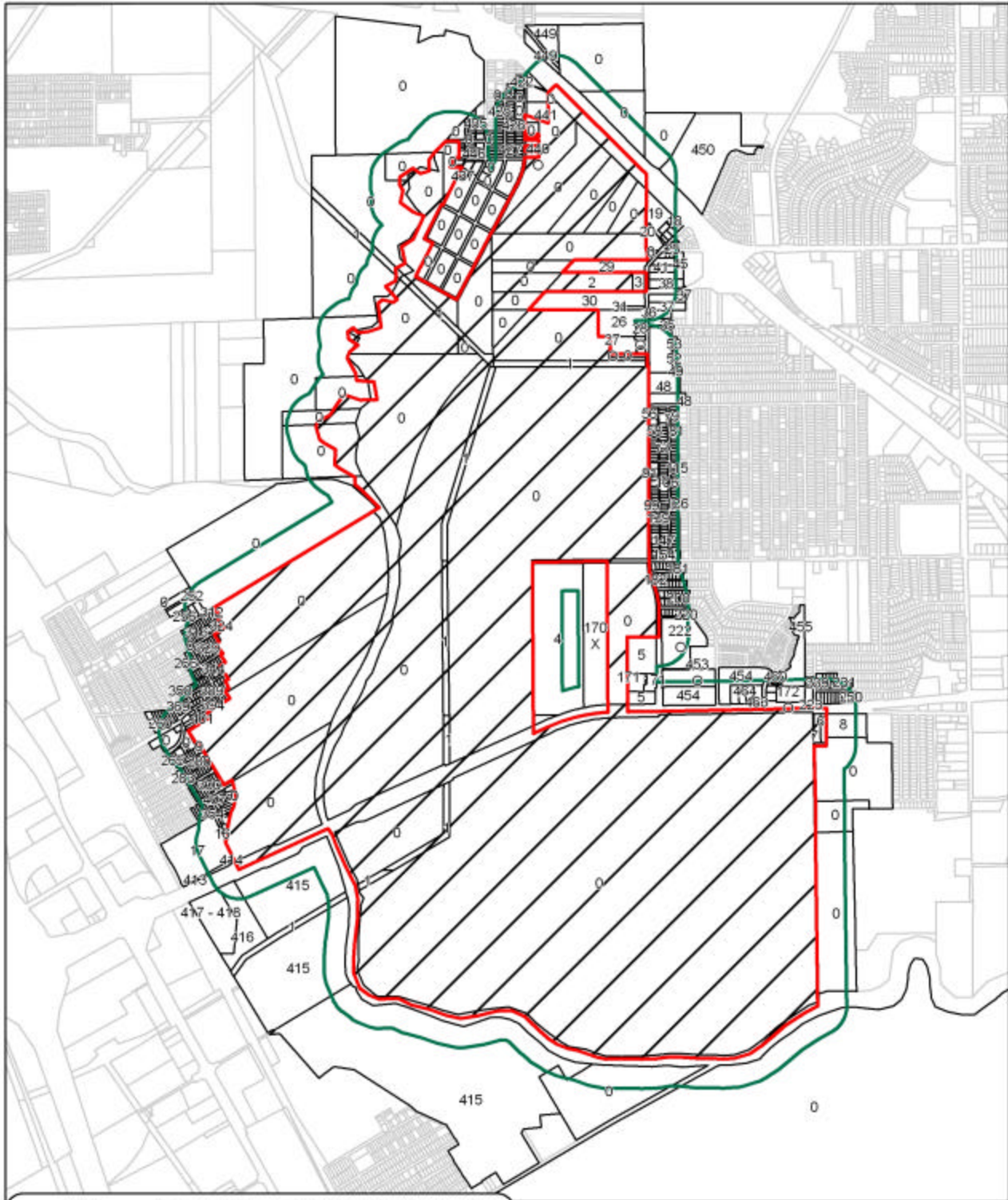
1 DEVELOPMENT PLAN - SUB AREA 1 TRINITY HORSE PARK - PHASE 1
7-2007







CPC Responses



468	Property Owners Notified (703 parcels)
26	Replies in Favor (27 parcels)
7	Replies in Opposition (7 parcels)
500'	Area of Notification
4/4/2013	Date <u>3/21/2013</u> Under Advisement

Z123-195
CPC



1:26,400

4/4/2013

Reply List of Property Owners***Z123-195******468 Property Owners Notified 26 Property Owners in Favor 7Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	901 PEMBERTON HILL RD	TEXAS UTILITIES ELEC CO
	2	1221 PEMBERTON HILL RD	BILLINGSLY DAVID
	3	1203 PEMBERTON HILL RD	BILLINGSLEY LOIS &
	4	5950 ELAM RD	BURRESCIA FAMILY
	5	300 PEMBERTON HILL RD	STRONG ARMS CHURCH OF
	6	6510 GREAT TRINITY FOREST WAY	MCDANIEL JAMES R
	7	6263 GREAT TRINITY FOREST WAY	GATLIN LANNY & STEVE
	8	6512 LOOP 12	KIDWILL INVESTMENTS INC
	9	4647 LUZON ST	JONES YUNDLANDER
	10	4648 LUZON ST	FERGUSON DON
	11	4643 CORREGIDOR ST	HUNTER H L
	12	4648 CORREGIDOR ST	MCGOWAN ALBERTA
	13	4643 CHERBOURG ST	LITTLE MARVIN & BURL
	14	8350 YUKON CIR	KING JAMES
O	15	8356 YUKON CIR	JACKSON ROBERT
	16	8325 YUKON CIR	TRUSTEES OF THE KINGDOM CENTER
	17	8336 CARBONDALE ST	BUFFALO SOLDIERS YOUTH GRO
	18	1273 PEMBERTON HILL RD	AYALA RICHARD H &
	19	1257 PEMBERTON HILL RD	GREEN WILLIE J &
	20	1251 PEMBERTON HILL RD	NEALY LAMAR JR
	21	1200 PEMBERTON HILL RD	FLORES JOSE & MIRIAM
	22	1261 PEMBERTON HILL RD	FLORES JOSE &
	23	1260 PEMBERTON HILL RD	ESTRADA ALEJO T LF EST
O	24	1266 PEMBERTON HILL RD	SANCHEZ RAYMUNDO
	25	1258 PEMBERTON HILL RD	ESTRADA ALEJO T LF EST
	26	1117 PEMBERTON HILL RD	JASSO DAVID JR

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	27	911 PEMBERTON HILL RD	PEMBERTON BILLY R
O	28	1019 PEMBERTON HILL RD	RODRIGUEZ MANUEL & MAURA
	29	1227 PEMBERTON HILL RD	DAWSON EUGENE
	30	1125 PEMBERTON HILL RD	PEMBERTON PAULA HILL
	31	1125 PEMBERTON HILL RD	HILL PAULA PEMBERTON
	32	1031 PEMBERTON HILL RD	AFFORDABLE COMMUNITY
	33	1103 PEMBERTON HILL RD	UMT PROPERTIES
	34	1107 PEMBERTON HILL RD	ROGERS OLIVIA
	35	1100 PEMBERTON HILL RD	APOSTOLIC ASSEMBLY OF THE
	36	1112 PEMBERTON HILL RD	TARANGO MANUEL
	37	1122 PEMBERTON HILL RD	MONAGHAN MALCOLM
	38	1210 PEMBERTON HILL RD	RIVERA NOE
	39	1216 PEMBERTON HILL RD	TAFOLLA ERENDIRA &
X	40	1224 PEMBERTON HILL RD	ESTRADA JOSE GUADALUPE
	41	1234 PEMBERTON HILL RD	GHANFILI SHAUN H
	42	1234 PEMBERTON HILL RD	GHANFILI SHAUN
	43	6114 LAKE JUNE PL	HERNANDEZ DOROTEO &
	44	6102 LAKE JUNE PL	HERNANDEZ DOROTEO & MARIA
	45	6126 LAKE JUNE RD	FORREST FRANK & KELLI
	46	924 PEMBERTON HILL RD	HORAK F J EST OF
	47	924 PEMBERTON HILL RD	HORAK F J ESTATE OF
	48	826 PEMBERTON HILL RD	MCHALE PROPERTIES INC
	49	6136 FENWAY ST	GARRETTE CHRISTINE
X	50	6140 FENWAY ST	NEELY CORINE LIFE EST
	51	6204 DENHAM DR	TZINTZUN JOSE MIGUEL &
	52	6137 FENWAY ST	SALAZAR ARMANDO
	53	6203 DENHAM DR	LAZARO RAYMUNDO
	54	770 PEMBERTON HILL RD	CASTILLO RODOLFO &
	55	766 PEMBERTON HILL RD	MACEDO LEONIDES OSORIO &
	56	758 PEMBERTON HILL RD	VALDEZ MATILDE OSORIO &
	57	754 PEMBERTON HILL RD	DOMINGUEZ ELEAZAR &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	742 PEMBERTON HILL RD	PALACIOS RICARDO
	59	734 PEMBERTON HILL RD	CUMMINGS JOHN E
	60	722 PEMBERTON HILL RD	BESHERSE ELAINE
	61	718 PEMBERTON HILL RD	BESHERSE ELAINE BREWER
	62	710 PEMBERTON HILL RD	NG SOK UN
	63	706 PEMBERTON HILL RD	FRIESEN ERVIN
O	64	702 PEMBERTON HILL RD	RUIZ JUAN & MICHELLE
	65	769 NEOMI ST	MENDEZ RODOLFO
	66	767 NEOMI ST	HAYES IRMA
	67	761 NEOMI ST	FREED RICHARD WILLIAM
	68	749 NEOMI ST	JOHNSON JEFFREY L
	69	743 NEOMI AVE	RANGEL JOSE RODRIGO &
	70	735 NEOMI ST	CALDERA ROGELIO &
	71	731 NEOMI ST	HARRIS LEE E
	72	725 NEOMI ST	ARANA MARIA D
	73	719 NEOMI ST	MORIN EFRAIN A &
	74	715 NEOMI ST	SANCHEZ FABIAN
	75	711 NEOMI ST	VARGAS JUAN R
	76	707 NEOMI ST	FIJI FINANCIAL LLC
	77	703 NEOMI ST	VALDERAS ALBERT LIFE EST
	78	770 NEOMI ST	BECERRIL MARIA D C &
	79	760 NEOMI AVE	RANGEL LUIS
	80	746 NEOMI ST	CALVILLO SAUL &
	81	738 NEOMI ST	DAVILA ANTONIO & JACINTA
X	82	732 NEOMI ST	BROWN TIFFANY L
	83	726 NEOMI ST	MARES IMELDA & ANTONIO
	84	722 NEOMI ST	GARCIA GUADALUPE & MARIA
	85	718 NEOMI ST	NUNO ARNULFO B
	86	714 NEOMI ST	MUNOS MIKE V
	87	710 NEOMI ST	MORIN EFRAIN & MARIA
	88	706 NEOMI ST	YOUNG ROY CLYDE

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	702 NEOMI ST	CHOICE VERA
	90	658 PEMBERTON HILL RD	WELCH EDGAR L EST OF
	91	650 PEMBERTON HILL RD	PALACIOS RICARDO
O	92	648 PEMBERTON HILL RD	PALACIOS RICARDO
	93	642 PEMBERTON HILL RD	YBARRA ADELA
	94	634 PEMBERTON HILL RD	ARBIZU CRESENCIO &
	95	630 PEMBERTON HILL RD	PALACIOS RICARDO
	96	626 PEMBERTON HILL RD	CAUDILLO TONY
	97	622 PEMBERTON HILL RD	VASQUEZ LUCRECIA
	98	614 PEMBERTON HILL RD	VAUGHN JAMES
	99	606 PEMBERTON HILL RD	LOGAN STERLING & MILDRED
	100	663 NEOMI ST	LUZ PATRICIA AGUILAR
	101	659 NEOMI ST	BURNETT SALLY A
	102	655 NEOMI ST	GOMEZ OSEAS
	103	651 NEOMI ST	GOMEZ OSEAS & HILDA
	104	647 NEOMI ST	GOMEZ OSEAS & CAROLINA
	105	643 NEOMI ST	GOMEZ BLAKE ISHMAEL
	106	639 NEOMI ST	TORRES MARIA M
	107	631 NEOMI ST	ESCANDON GONZALO
	108	623 NEOMI ST	ESCANDON GONZALO
	109	619 NEOMI ST	PUENTE MARIA ELENA
	110	615 NEOMI ST	ESCARENO JOSE JR &
X	111	611 NEOMI ST	RATSAVONG VON EST OF &
	112	607 NEOMI ST	RATSAVONG SOURIVONG &
	113	601 NEOMI ST	DELGADO NANCY LOPEZ
	114	662 NEOMI ST	JIMENEZ ARACELI
	115	654 NEOMI ST	ESCANDON JOSE ANTONIO
	116	650 NEOMI ST	TREJO ADRIAN HERNANDEZ &
O	117	646 NEOMI ST	HUDSPETH KATHERINE HODGE
	118	642 NEOMI ST	BORDERS NELDA JUNE HODGE
	119	638 NEOMI ST	BARNES HELERACE

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	630 NEOMI ST	ESCANDON GUADALUPE
	121	626 NEOMI ST	GONZALES MARTINA
	122	622 NEOMI ST	HURTADO JUAN MANUEL &
	123	618 NEOMI ST	VAZQUEZ BASILIO &
	124	614 NEOMI ST	VASQUEZ RAYMUNDO &
	125	610 NEOMI ST	MENEVILAY BOUNPONE &
	126	606 NEOMI ST	ROJAS JOSE RAUL
	127	602 NEOMI ST	TURNER MAE
	128	562 PEMBERTON HILL RD	RODRIGUEZ JACOB J
	129	558 PEMBERTON HILL RD	SMITH L V
	130	550 PEMBERTON HILL RD	GAMIZ ARTURO & MARIA V
	131	546 PEMBERTON HILL RD	LEYVA ALFONSO & ANGELITA
	132	542 PEMBERTON HILL RD	DANIEL & BROOK LAS VEGAS ONE LLC
	133	538 PEMBERTON HILL RD	VALLEJO LUIS REYES & GLORIA LOPEZ
	134	534 PEMBERTON HILL RD	HERNANDEZ ANTONIO C &
	135	526 PEMBERTON HILL RD	SANCHEZ LENORA R EST OF
	136	518 PEMBERTON HILL RD	HERNANDEZ BRENDA A
	137	514 PEMBERTON HILL RD	HERNANDEZ BRENDA A
	138	563 NEOMI ST	GRANADOS ANA E &
	139	559 NEOMI ST	GALLEGOS JOSE &
	140	551 NEOMI ST	TRUJILLO MIGUEL &
	141	549 NEOMI ST	TRUJILLO MIGUEL & MARIA
	142	541 NEOMI ST	MENDOZA SERGIO & MARIA
	143	543 NEOMI ST	JACKSON RODERICK
	144	535 NEOMI ST	GUZMAN ENRIQUE &
	145	533 NEOMI ST	HERNANDEZ SECUNDINO &
	146	531 NEOMI ST	OROZCO ALICIA FLORES &
	147	527 NEOMI ST	OROZCO JUAN TERCERO &
	148	523 NEOMI AVE	REED RONALD
	149	519 NEOMI AVE	MARTINEZ JOSE &
X	150	515 NEOMI AVE	GAMIZ JESUS & MARIA V

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	6103 ELAM RD	TRACEY SEAN M & RACHELLE
	152	6107 ELAM RD	BARGINEAR WAYNE N
	153	6111 ELAM RD	BARGINEAR WAYNE &
	154	6119 ELAM RD	TYSON ARTIS & ELOUISA
	155	6123 ELAM RD	MOGG ANDREW J
	156	562 NEOMI ST	ESTRADA JOSE LUIS
	157	558 NEOMI ST	TAYLOR BOB
	158	550 NEOMI ST	TAYLOR MATTIE LUE
	159	546 NEOMI ST	MARQUEZ PEDRO
	160	542 NEOMI ST	PALACIOS ROBERTO & MARIA
	161	538 NEOMI ST	SPIGNER CEDRICK HENRY
	162	534 NEOMI ST	LOPEZ MARIA R
	163	530 NEOMI ST	ESTRADA ARTEMIO
	164	526 NEOMI ST	VAZQUEZ MANUEL
	165	522 NEOMI ST	MARTINEZ HORTENCIA N
	166	514 NEOMI ST	ALVARADO JOSE
	167	6131 ELAM RD	VASQUEZ CARMELO &
	168	6135 ELAM RD	SANTOS ROMAULDO R &
	169	6139 ELAM RD	CANTU JOSE DE JESUS
X	170	5980 ELAM RD	SOLANO RHADAMES
	171	135 PEMBERTON HILL RD	STRONG ARMS CHURCH OF GOD
O	172	6439 GREAT TRINITY FOREST WAY	ORNELAS MANUEL
	173	6349 GREAT TRINITY FOREST WAY	ARLEDGE C D
	174	6103 CAPESTONE DR	STUBBERFIELD ANGELA
O	175	6107 CAPESTONE DR	ECHOLS RAYMOND &
	176	6111 CAPESTONE DR	MCNEAL JAMES WALTER
	177	6115 CAPESTONE DR	BIGGS LORETTA
	178	6119 CAPESTONE DR	GRAY NOAMI J
	179	6123 CAPESTONE DR	GARCIA JORGE A
	180	6127 CAPESTONE DR	WILBURN LESLIE M
	181	6131 CAPESTONE DR	FOSTER JAMES JR &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	6102 CAPESTONE DR	GROUP MICHAEL O LLC
	183	6106 CAPESTONE DR	BRANCH EUGENE
X	184	6110 CAPESTONE DR	BOWENS EULA MAE
	185	6114 CAPESTONE DR	RAY ROBERTA
	186	6120 CAPESTONE DR	JB III INV
	187	6124 CAPESTONE DR	PRITCHETT MARY LEFTWICH
	188	6128 CAPESTONE DR	BAKER FREDDIE MAE &
	189	6134 CAPESTONE DR	ALDACO EDNA
	190	6135 MISTY WOOD DR	ARRIAGA AURELIO
	191	6131 MISTY WOOD DR	WILLIAMS CHRISTI
	192	6127 MISTY WOOD DR	VENEGAS BENIGNO
	193	6123 MISTY WOOD DR	HILL ANNTRONETTE &
	194	6119 MISTY WOOD DR	CARRILLO DANIEL
	195	6115 MISTY WOOD DR	RUIZ JAMIE
	196	6111 MISTY WOOD DR	THOMPSON PATRICK C
	197	6107 MISTY WOOD DR	WEST HUBERT LEE
O	198	6106 MISTY WOOD DR	CAMPBELL MABLE MACON
	199	6110 MISTY WOOD DR	MARTINEZ BRUNO
O	200	6114 MISTY WOOD DR	DURHAM EARLIE J &
	201	6120 MISTY WOOD DR	JAMES RUTH E
	202	6124 MISTY WOOD DR	ORTA RAYMOND V
	203	6128 MISTY WOOD DR	ESCAMILLA SANDRA
	204	6134 MISTY WOOD DR	RAMOS SIMON
	205	6138 MISTY WOOD DR	MARTINEZ OTILIO
	206	350 STONEPORT DR	GREGG DORIS MARIE
	207	354 STONEPORT DR	NEST EGG PROPERTIES
	208	360 STONEPORT DR	MARSHALL AARON JR & ROSIE
	209	364 STONEPORT DR	WOODSON HAMPTON EVA
	210	370 STONEPORT DR	CASTILLO LUZ MARIA & ROBERT
	211	374 STONEPORT DR	BROOKS AUDREY M
	212	380 STONEPORT DR	WILLIAMS MIREL &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	384 STONEPORT DR	HAWKINS JO ANN
	214	385 STONEPORT DR	CAMPOS JOSE I
	215	381 STONEPORT DR	CASTILLO RAMON
	216	375 STONEPORT DR	JACKSON RAQUEL &
	217	371 STONEPORT DR	BREEDLOVE JEANETTE
	218	365 STONEPORT DR	EDMOND GEORGE EDDY
	219	361 STONEPORT DR	RANGEL MARTIN
	220	355 STONEPORT DR	MENDEZ JOSE & RAQUEL
	221	351 STONEPORT DR	LEWIS CHARLES E
O	222	320 PEMBERTON HILL RD	CHURCH OF CHRIST ON
	223	6451 GREAT TRINITY FOREST WAY	DAVIS B J INVESTMENTS LTD
	224	135 LONG ACRE LN	BECK FRANCES M
	225	131 LONG ACRE LN	ALLEN JAMES H
	226	6512 MARLA DR	EQUITY TRUST COMPANY
	227	6516 MARLA DR	EVANS JANICE M
O	228	6522 MARLA DR	MCCRADIC PAULINE
	229	6526 MARLA DR	WHITEMON WINSTON LEVAN
	230	6621 OLETA DR	MARKET HOMES LTD
	231	6615 OLETA DR	ADAMS IVORY LEE
	232	6609 OLETA DR	WILSON JESSIE JR
	233	6605 OLETA DR	ARRONA JOSE
	234	6529 OLETA DR	HILL LEWIS LEE
	235	6525 OLETA DR	RICHARDSON BOBBIE JEAN
O	236	6521 OLETA DR	HILL LEWIS LEE
	237	6515 OLETA DR	BULLARD JESSIE M
O	238	130 LONG ACRE LN	HUGHES HARVIE L
	239	134 LONG ACRE LN	WHITE JAMES E
	240	140 LONG ACRE LN	CORTEZ JESUS
	241	6506 OLETA DR	BOWMAN THEO K III
	242	6510 OLETA DR	BOWMAN THEO
	243	6516 OLETA DR	HUNT TONY D & HATTIE L

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244	6520 OLETA DR	BENT ALEX A
	245	6526 OLETA DR	CLAYBORN MARY
	246	6530 OLETA DR	ANDERSON SHARRON T
	247	6606 OLETA DR	JOHNSON ALBERT J
O	248	6610 OLETA DR	BERRY CHERYL LAFON
	249	6616 OLETA DR	JACKSON VERDENE LARUTH
	250	6622 OLETA DR	MENDOZA LINEY
	251	6626 OLETA DR	HOLMES ROSETTA
	252	4804 STOKES ST	DALLAS DEMOLITION
	253	4823 FELLOWS LN	HARRIS SEDALIA
	254	4819 FELLOWS LN	MONTGOMERY TANNER
	255	4831 FELLOWS LN	TOPLETZ INVESTMENTS
	256	4815 FELLOWS LN	TOPLETZ DENNIS
	257	4616 BURMA RD	PORTILLO MIGUEL
	258	4624 BURMA RD	PORTILLO MIGUEL A
	259	4628 BURMA RD	MARKHAM FLOYD
	260	4625 YANCY ST	PARNELL GORDIE R
	261	4636 BURMA RD	WHITTAKER ROBERT J
	262	4640 BURMA RD	RAY TIMOTHY
	263	4644 BURMA RD	DALLAS NEIGHBORHOOD
	264	4646 BURMA RD	MOUNT ELAM MISSIONARY
	265	4605 LUZON ST	DALLAS NEIGHBORHOOD ALLIANCE
	266	4611 LUZON ST	DALLAS HSG ACQUISITION & DEV CORP
	267	4615 LUZON ST	THOMAS TENNIS & EARLISA S
	268	4619 LUZON ST	MCILVEEN FINLEY ALMA R
	269	4627 LUZON ST	LEWIS ESSIE LEE ESTATE OF
	270	4631 LUZON ST	HUTCHENS JIMMIE E
	271	4635 LUZON ST	GOINES WENDY NELL
O	272	4639 LUZON ST	MILLER & ASSOC INC
	273	4643 LUZON ST	JONES CLARICE
	274	4612 LUZON ST	THORMAN RILLA ESTATE OF

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	275	4616 LUZON ST	ENGLISH MOLLIE M
	276	4618 LUZON ST	HERNANDEZ MARIA D LOS A
	277	4624 LUZON ST	ROSTON PAMELA CHARLENE
	278	4628 LUZON ST	TILLMAN FRANK
	279	4632 LUZON ST	BLUESTIL LLC
	280	4636 LUZON ST	TYREE MAUD E
	281	4640 LUZON ST	SMITH DEMORISE JR &
	282	4644 LUZON ST	JOHNSON DON JR
	283	4607 CORREGIDOR ST	TYRE M B EST
	284	4611 CORREGIDOR ST	DALLAS NEIGHBORHOOD
	285	4615 CORREGIDOR ST	GONZALEZ IRENE & TOBIAS
	286	4623 CORREGIDOR ST	ORNELAS NOLBERTO
	287	4627 CORREGIDOR ST	GILLS CLARENCE
	288	4631 CORREGIDOR ST	ROGERS ERMA JEAN WEBB
	289	4635 CORREGIDOR ST	JACKSON ROOSEVELT &
	290	4639 CORREGIDOR ST	RICHARDSON ALVIN
	291	4612 CORREGIDOR ST	JOHNSON NATHANIEL
	292	4620 CORREGIDOR ST	DIXON MARY
	293	4624 CORREGIDOR ST	DIXON DONALD RAY SR
	294	4628 CORREGIDOR ST	JEFFERSON ELLA
	295	4632 CORREGIDOR ST	BURLESON CORINE
	296	4644 CORREGIDOR ST	MCGOWAN ALBERTA
	297	4611 CHERBOURG ST	HARDEMAN ANTHONETTE EST
	298	4619 CHERBOURG ST	CARTWRIGHT JAMES
	299	4627 CHERBOURG ST	WHITEMAN STEVEN W
	300	4631 CHERBOURG ST	JEFFERSON R L EST OF
	301	4635 CHERBOURG ST	SANDERS VERA LEE
	302	4804 FELLOWS LN	SCRUGGS OTIS
O	303	4808 FELLOWS LN	CROCKETT HELEN RUTH
	304	4812 FELLOWS LN	PETAWAY HARRIET
	305	4816 FELLOWS LN	WILLIAMS ROSA LEE

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	306	4820 FELLOWS LN	KENNEDY PEARL
	307	4824 FELLOWS LN	TOPLETZ IRIS
O	308	4828 FELLOWS LN	BURRELL MATTIE LOUISE ALLEN &
	309	4836 FELLOWS LN	WILMER HUTCHINS ISD
	310	4840 FELLOWS LN	NOLLY JAMES L SR
	311	4844 FELLOWS LN	SOULS HARVEST CHURCH OF
	312	4852 FELLOWS LN	SOULS HARVEST CHURCH OF
	313	4807 NOME ST	HOWARD MARTIN F ESTATE OF
	314	4811 NOME ST	HOWARD MARTEN FLEATER
O	315	4815 NOME ST	BUNDRED DOROTHY EST OF
	316	4819 NOME ST	BUNDRED MARLENE
O	317	4823 NOME ST	LOGAN PAULINE LAVERN N
	318	4827 NOME ST	SHOFNER AUDREY
	319	4831 NOME ST	SHOFNER ISAIAH
	320	4835 NOME ST	JONES THELMA ESTATE OF
	321	4839 NOME ST	JONES THELMA
	322	4843 NOME ST	GROVES ROOSEVELT
	323	4847 NOME ST	SOULS HARVEST CHURCH
	324	4851 NOME ST	TACKETT JANIS
	325	4757 ZEALAND ST	JORDAN SALISTEEN
	326	4804 NOME ST	BUNDRED JESSIE JR &
	327	4808 NOME ST	DOUGLAS EVA JEAN M
	328	4816 NOME ST	DITTO LUCILLE
	329	4820 NOME ST	JONES ROGER
	330	4824 NOME ST	BAKER WILLIAM JR
	331	4828 NOME ST	BAKER WILLIAM JR
	332	4832 NOME ST	BAGBY RANDLE J
	333	4836 NOME ST	HEART OF TEXAS FOUNDATION
	334	4803 ZEALAND ST	PEACE OF GOD MBC
	335	4807 ZEALAND ST	TYRE M B EST
	336	4811 ZEALAND ST	MORGAN MARK A

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	337	4815 ZEALAND ST	JONES KIM LAVETTE &
	338	4819 ZEALAND ST	ALRIDGE ANGELA
	339	4823 ZEALAND ST	PACE SHERELL
O	340	4827 ZEALAND ST	WILLIAMS TOMARA
	341	4831 ZEALAND ST	NOLLY GREGORY NEAL
	342	4804 ZEALAND ST	DESQUARE KYNA
	343	4808 ZEALAND ST	MCCOY FRANCIS LORETTA
	344	4812 ZEALAND ST	TACKETT JANIS ETAL
	345	4816 ZEALAND ST	FRANKLIN JAMES
	346	4746 ZEALAND ST	PREES MICHAEL R &
	347	4750 ZEALAND ST	BRYANT NICOLE
	348	4754 ZEALAND ST	JONES YOULANDA
	349	4758 ZEALAND ST	OATMAN LAKEISHA
	350	4562 CHERBOURG ST	DALLAS NEIGHBORHOOD
	351	4604 CHERBOURG ST	CAREY WILLIE J & MAMIE
	352	4608 CHERBOURG ST	BRISBY BOBBY
	353	4612 CHERBOURG ST	FREDERICK BERTHA L
	354	4616 CHERBOURG ST	LOVELY LETHEA M
	355	4803 BURMA RD	BROWN WILLIE
	356	4811 BURMA RD	ADAMS JERRY
	357	4815 BURMA RD	ADAMS JERRY & FRANCES L
	358	4717 BURMA RD	ERBY NAFEESA
O	359	4721 BURMA RD	FRANKLIN ROSA MARIE
	360	4725 BURMA RD	JOHNSON MINOR
	361	4729 BURMA RD	RUEDA ELOY
O	362	4731 BURMA RD	CABRERA FRANK G
	363	4737 BURMA RD	COOPER CARLA C
	364	4741 BURMA RD	DALLAS NEIGHBORHOOD
	365	4745 BURMA RD	LENORD CLARA W
	366	4749 BURMA RD	GANTT RICHARD
	367	4753 BURMA RD	JOHNSON MELVIN

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	368	4759 BURMA RD	SHADY GROVE PRIMITIVE
	369	4704 BURMA RD	MONTGOMERY GLADYS L EST
	370	4708 BURMA RD	KIRKPATRICK DOUGLAS L
	371	4712 BURMA RD	BROWN THELMA
	372	4716 BURMA RD	MARTIN FLORA
	373	4720 BURMA RD	COCHRAN NANCY
	374	4726 BURMA RD	JOHNSON JUANE J &
	375	4730 BURMA RD	LEWIS SHARON
	376	4736 BURMA RD	SKYLER LEONARD L
	377	4740 BURMA RD	BALDWIN MARY ANN
	378	4744 BURMA RD	TUCKER PINK
	379	4750 BURMA RD	POSTIE LUCY M WELLS
	380	4756 BURMA RD	ROSE HOMES JR
	381	4705 YANCY ST	SOUTHERN DALLAS DEV'T CORP
	382	4709 YANCY ST	SCOTT WALTER ET AL
	383	4715 YANCY ST	DALLAS NEIGHBORHOOD
	384	4719 YANCY ST	STEWART CARISSA
	385	4725 YANCY ST	JONES LATASHA RENEE
	386	4739 YANCY ST	SEBASTIAN HOMES INC
	387	4745 YANCY ST	BARRON TERESA
	388	4755 YANCY ST	MITCHELL MELVIN & BOBBIE
	389	4759 YANCY ST	SHADY GROVE PRIMITIVE
	390	4802 BURMA RD	SHADY GROVE PRIMITIVE
	391	4738 YANCY ST	JAMES LORENZA
	392	4742 YANCY ST	ANSLEY DOROTHY EST OF
	393	4746 YANCY ST	JACKSON SHEILA
	394	4750 YANCY ST	MCDANIEL JOHNNY A
	395	4754 YANCY ST	WILLIAMS LOREAL
	396	4804 YANCY ST	CORRAL GERMAN G & PATRICIA
	397	4808 YANCY ST	SMITH DARRELL
	398	4734 YANCY ST	ALLISON GREGORY K & ETAL

4/4/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	399	8108 JOHN ST	ALLISON HOSEA & EVA
	400	8112 JOHN ST	WRIGHT BOBBIE
	401	8116 JOHN ST	TYREE M B
	402	4714 YANCY ST	ONE WAY CHRISTIAN CH TR
	403	4631 LUZON ST	WILMER HUTCHINS ISD
	404	4624 SOLAR LN	ANDERSON GENEVA
	405	4620 CHERBOURG ST	HAMILTON SHIRLEY
	406	4624 CHERBOURG ST	JONES JESSIE L ET AL
	407	4628 CHERBOURG ST	JONES JESSIE L ET AL
	408	4636 CHERBOURG ST	CHRISTIAN ALLIANCE
	409	4640 CHERBOURG ST	CHRISTIAN ALLIANCE
	410	8331 YUKON CIR	KING JAMES JR
	411	8339 YUKON CIR	SPENCER BEATRICE
	412	8312 YUKON CIR	KING JAMES JR
	413	8450 CARBONDALE ST	JAMESON JOSIE LEE
	414	4500 GREAT TRINITY FOREST WAY	WILMER HUTCHINS I S D
	415	4911 RIVER OAKS RD	County of Dallas
	416	4550 GREAT TRINITY FOREST WAY	APPERSON JACK &
	417	4516 GREAT TRINITY FOREST WAY	APPERSON JACK L & LOIS
	418	4500 GREAT TRINITY FOREST WAY	GO CRETE
	419	2003 UDAL AVE	GAZHAN MESERET A &
	420	1903 UDAL AVE	MADISON R L
	421	1907 UDAL AVE	CAMPBELL MATILDA
	422	1909 UDAL AVE	TURNER OSCAR
	423	1822 TUNE AVE	STEWART ANNA
	424	1807 TUNE AVE	KINNER WILL K
	425	1811 TUNE AVE	MITCHELL CATHRYN B
	426	1722 TUNE AVE	ABBAY REVOCABLE TRUST
	427	1704 TUNE AVE	JACKSON SHANNON D ET AL
	428	1702 TUNE AVE	SMITH ELBERT L
	429	1711 UDAL AVE	ABBAY WALTER L TRUSTEE

4/4/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	430	1713 UDAL AVE	ABBAY WALTER L
	431	1610 SUNBEAM AVE	DANIELS CLEVELAND JR
	432	1619 TUNE AVE	ROBERTSON JESSIE
	433	1719 TUNE AVE	WHITE BIRDIE MAE &
	434	1720 ROXANA AVE	WESTMORELAND HEIGHTS
	435	1725 SUNBEAM AVE	ABRAHAM CHAPEL CHURCH
	436	1504 ROXANA AVE	RUDBERG JOYCE A &
	437	1502 ROXANA AVE	PLEASANT GROVE BAPTIST
	438	1712 UDAL AVE	CANYON O C & DELMA
	439	1720 UDAL AVE	BROWN MAE WILLIAMS
O	440	1704 UDAL AVE	AGUILAR ANTHONY ARTHUR
	441	5705 2ND AVE	JACKSON CARL
	442	1615 SUNBEAM AVE	ALEXANDER LEON
	443	1611 SUNBEAM AVE	FENDER H R
	444	1604 ROXANA AVE	TAYLOR JACOB
	445	1616 ROXANA AVE	TOP TWENTY INV GROUP
	446	1612 ROXANA AVE	EAST DALLAS CHURCH
	447	1633 ROXANA AVE	LYMAN BARBARA & ET AL
	448	5701 C F HAWN FWY	MCDANIEL TED L
	449	5500 HOMEVIEW ST	GULYAS ELMER D JR
	450	6010 C F HAWN FWY	TRINITY FOREST DALLAS HOA
	451	754 NEOMI ST	CHIHUAHUA JOSE MANUEL
	452	750 NEOMI ST	TORRES JOSE
O	453	6161 TRAIL GLEN DR	LAS LOMAS ASSOCIATES LTD
	454	6301 GREAT TRINITY FOREST WAY	TX HILLSIDE APTS LP
	455	150 CREEK COVE DR	HANDSOME HOMES
	456	124 CREEK COVE DR	WALKER NEAL
	457	130 CREEK COVE DR	DEAN STEPHEN HOMES INC
	458	132 CREEK COVE DR	HOSHIN INVESTMENTS INC
	459	138 CREEK COVE DR	STEPHEN DEAN HOMES INC
	460	142 CREEK COVE DR	DIOGU EDWARD &

Z123-195(MW)

4/4/2013

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
461	144	CREEK COVE DR	DEAN STEPHEN HOMES INC
462	6365	GREAT TRINITY FOREST WAY	WRIGHT DURIE
463	6373	GREAT TRINITY FOREST WAY	PRICE A F FAMILY LP
464	6337	GREAT TRINITY FOREST WAY	HARTE SHERRI JEAN
465	6337	GREAT TRINITY FOREST WAY	TX BLUFFVIEW VILLAS LP
466	4604	LUZON ST	KATHYS SUNSHINE OUTREACH
467	4752	NOME ST	MOSQUE OF ALLAH INC
468	4729	YANCY ST	CABRERA RUDY

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Sustainable Development and Construction
Mayor and City Council

CMO: Ryan S. Evans, 670-3314

MAPSCO: 45 M; R 46 J; K; N

SUBJECT

A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, in an area generally bound by the T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L. Thornton Freeway on the south, and North Central Expressway on the west with consideration given to amending certain use regulations and development standards – Financing: No cost consideration to the City (via Mayor Pro Tem Medrano, Deputy Mayor Pro Tem Atkins, and Councilmembers Caraway, Hill, and Allen)

BACKGROUND

Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, was created on April 29, 1987. The PD has been amended several times since then, most recently in June 2006. Property owners in the area have been discussing amendments to the Planned Development District regulations for over a year. The amendments pertain to the allowed uses and development standards.

Five City Councilmembers, in a memo dated March 8, 2013, requested the Mayor place this item on the City Council agenda and advertised as a public hearing as required by 51A-4.701(a)(1) of the Dallas Development Code.

This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

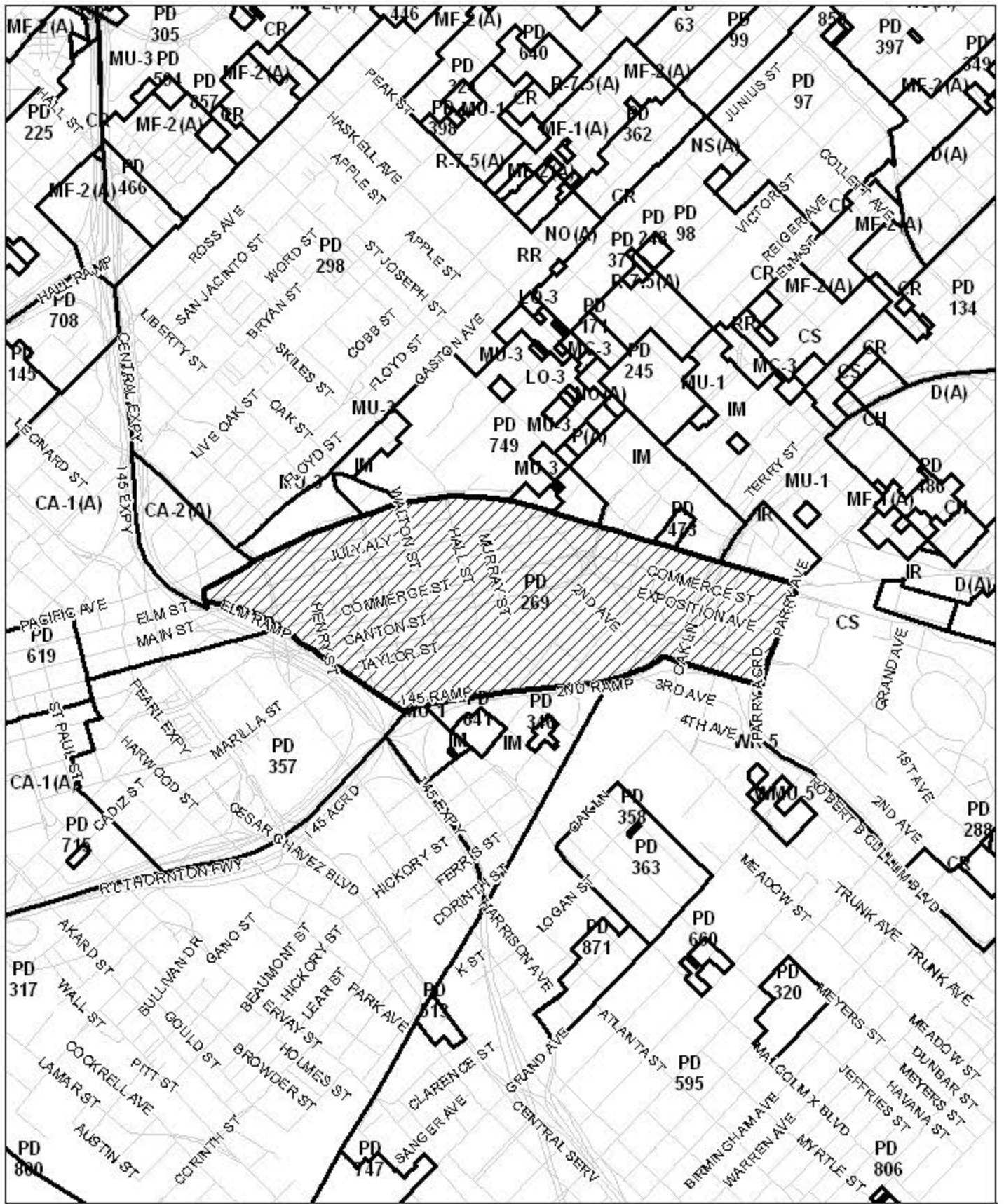
This item has no prior action

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.



1:19,900

Proposed Authorized Hearing Area

April 24, 2013

WHEREAS, property owners in the area have been discussing amendments to the Planned Development District regulations for over a year. The amendments pertain to the allowed uses and development standards.

WHEREAS, consideration is to be given to appropriate zoning for the area including amending certain use regulations and development standards; and

WHEREAS, in a March 8, 2013, memo, five City Council Members requested an item be placed on the Council agenda for consideration to authorize a hearing to consider amendments to Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District; **Now, therefore**,

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

Section 1. That pursuant to Section 51A-4.701(a)(1) of the Dallas Development Code, a public hearing is authorized to consider appropriate zoning the area generally bound by the T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L. Thornton Freeway on the south, and North Central Expressway on the west with consideration to be given to amending certain use regulations and development standards.

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

RECEIVED

2013 MAR 14 AM 8:33

CITY SECRETARY
DALLAS, TEXAS

Memorandum



CITY OF DALLAS

DATE March 8, 2013

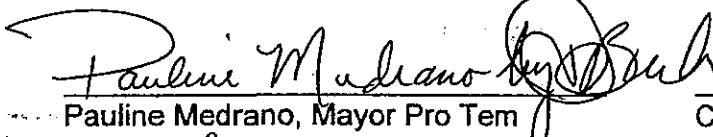
TO The Honorable Mike Rawlings, Mayor


SUBJECT Request for Agenda Item for Authorized Hearing; Deep Ellum Special Purpose District


We respectfully request that the following item be placed on the City Council agenda and advertised as required by Section 51A-7.701(a)(1) of the City of Dallas Development Code.

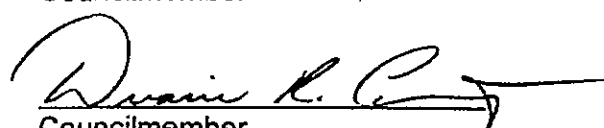
Consideration of authorizing a public hearing to determine the proper zoning on property zoned Planned Development District No. 269, the Deep Ellum/East Side District, in an area generally bounded by Parry Ave., R.L. Thornton Freeway, N. Central Expressway and the T&P RR. Consideration is to be given to amending certain use regulations and development standards for the Special Purpose District.

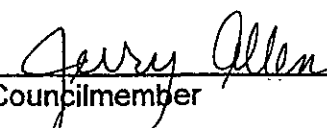
Thank you for your attention to this matter.


Pauline Medrano, Mayor Pro Tem


Councilmember


Councilmember


Councilmember


Councilmember

- c: Mary K. Suhm, City Manager
- Rosa Rios, City Secretary
- Ryan S. Evans, Assistant City Manager
- Theresa O'Donnell, Director, Sustainable Development and Construction

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: April 24, 2013

COUNCIL DISTRICT(S): 8

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 65-U or 65-Y

SUBJECT

A public hearing to receive comments on the proposed use of a portion of the Runyon Creek Greenbelt, consisting of approximately 12,184 square feet of land, by Dallas Area Rapid Transit (DART) for a public mass transit easement to accommodate the South Oak Cliff Corridor SOC-3 Blue Line Extension Project; 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 park land known as the Runyon Creek Greenbelt located in south Dallas. This is passive-use park land which is used for open space preservation and is proposed for the future Runyon Creek Greenbelt Hike and Bike Trail use, as prescribed by the Trail Network Master Plan.

Dallas Area Rapid Transit (DART) has requested a permanent public mass transit easement, totaling approximately 12,184 square feet of land, for installation of an aerial track structure. DART has confirmed and agreed that the use of the easement and other DART property within and adjacent to the park land for hike and bike trail purposes will be accommodated under and near the DART light rail structures as necessary when such projects are designed and implemented.

In compliance with the law, DART has determined that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services, including hike and bike trail development.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of park land.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized a public hearing on February 21, 2013.

City Council authorized a public hearing on March 27, 2013, by Resolution No. 13-0503.

FISCAL INFORMATION

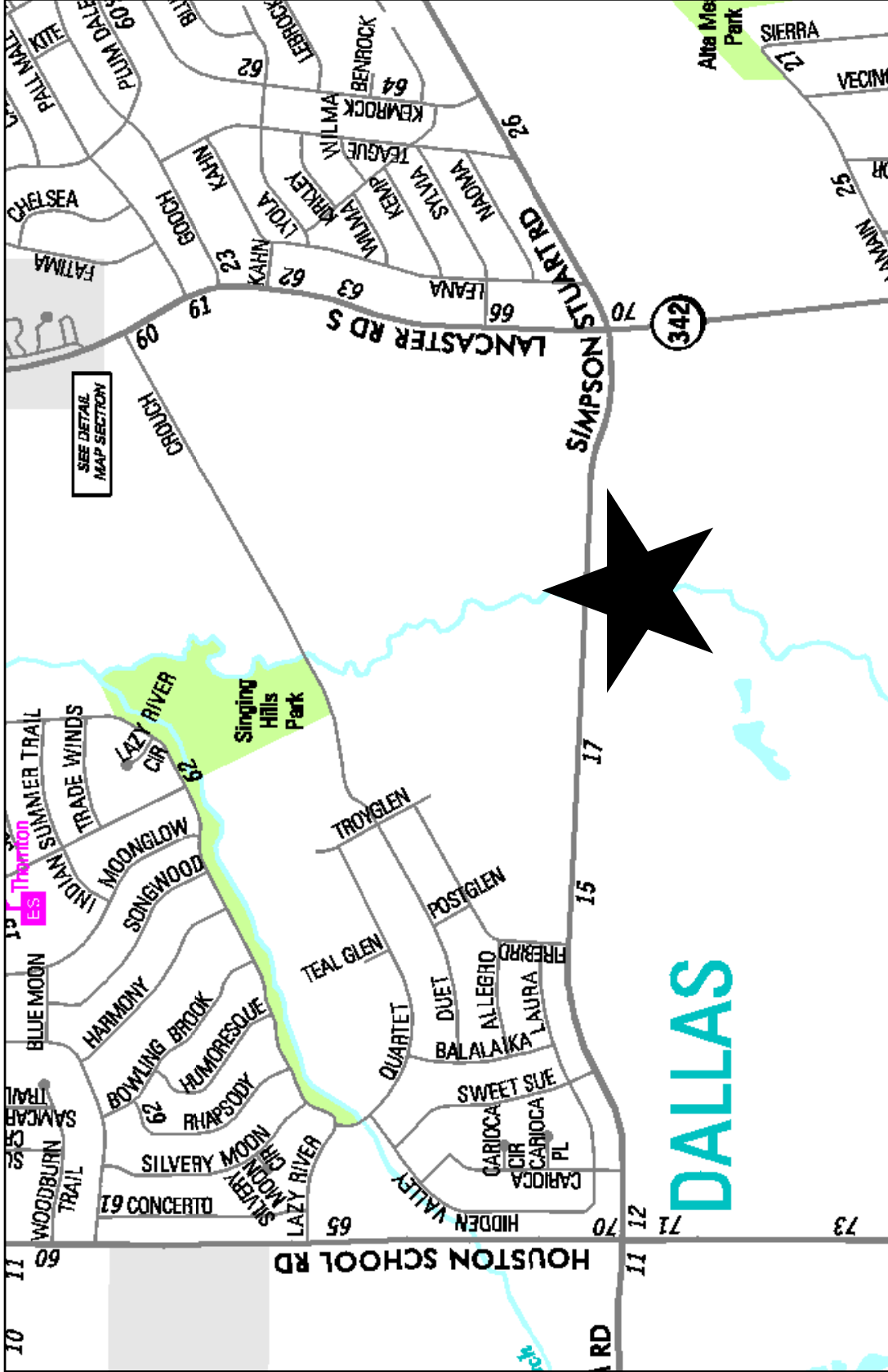
No cost consideration to the City.

MAP

Attached

Runyon Creek Greenbelt

Council District 8



1900 Camp Wisdom Road
Mapsc0 #65-Y

April 24, 2013

WHEREAS, on February 28, 1990, the Dallas City Council adopted Resolution No. 90-0810, approving the Master Interlocal Agreement between the City and Dallas Area Rapid Transit (DART); and

WHEREAS, on July 25, 1990, Supplemental Agreement No. 1 to the Master Interlocal Agreement was adopted by the Dallas City Council to address planning and development issues related to implementation of DART's transportation system; and

WHEREAS, on August 28, 1991, Supplemental Agreement No. 2 to the Master Interlocal Agreement was adopted by the Dallas City Council to address design and construction issues related to implementation of DART's transportation system; and

WHEREAS, the Master Interlocal Agreement, Supplemental Agreement No. 1, Supplemental Agreement No. 2, and any amendments thereto are herinafter collectively referred to as the "Agreement"; and

WHEREAS, the City of Dallas owns land known as Runyon Creek Greenbelt and DART has determined that a public mass transit easement is needed, in the public interest and is necessary for the proper construction or development of DART's South Oak Cliff Corridor Blue Line Extension (SOC-3); and

WHEREAS, said improvements require the conveyance of a permanent mass transit easement of approximately 12,184 square feet of land from the Lower White Rock Creek Greenbelt, set forth in one Tract described in Exhibit A, attached hereto and made a part hereof, because the use of this parkland is necessary to accomplish the purpose, and the Park and Recreation Board of the City of Dallas is agreeable to providing the property for this use; and

WHEREAS, in consideration for this conveyance by easement, DART will pay the fair market value of this easement, or equivalent in-kind value, as determined by an independent appraisal, which may include the use of the park land and other DART property within and adjacent to the easement for hike and bike trail purposes; and

WHEREAS, referendum, notice and bidding requirements of Chapter 253 and 272 of the Texas Local Government Code are not applicable when a municipality is conveying and interest in land to an entity with eminent domain authority; and

WHEREAS, a public hearing was held, as required by the Texas Park and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to this use of this park land and that all reasonable planning to minimize harm to the Lower White Rock Creek Greenbelt has been taken.

April 24, 2013

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby approves the proposed acquisition, including the exercise in the City of Dallas of the right of eminent domain, if such becomes necessary, by DART for interests in land by easement, as identified in Exhibit A for the public mass transit easement for the South Oak Cliff Corridor Blue Line Extension (SOC-3), subject to the terms and conditions of the Agreement and this resolution.

SECTION 2. That, since DART's use of eminent domain for acquiring this Tract by easement has been authorized, the Park and Recreation Board has approved, and the public hearing with appropriate determinations has been held, the City Manager, upon approval as to form by the City Attorney, is authorized to execute an easement and a Temporary Right of Entry Agreement for a portion of the Runyon Creek Greenbelt, subject to the Agreement, to this resolution and to all of the following terms and conditions:

DART shall covenant to the City:

To observe safety regulations;

To not be detrimental to the park;

To comply with health, safety, noise, environmental protection, waste disposal, water and air quality regulations;

To keep the adjacent park area free from construction debris and waste;

To bear the cost of construction, operation and maintenance of the transit line and improvements;

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; and

To not convey to another any interest in the easement tract, or any portion thereof, without prior, written consent of the City.

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.

April 24, 2013

SECTION 2. (Continued)

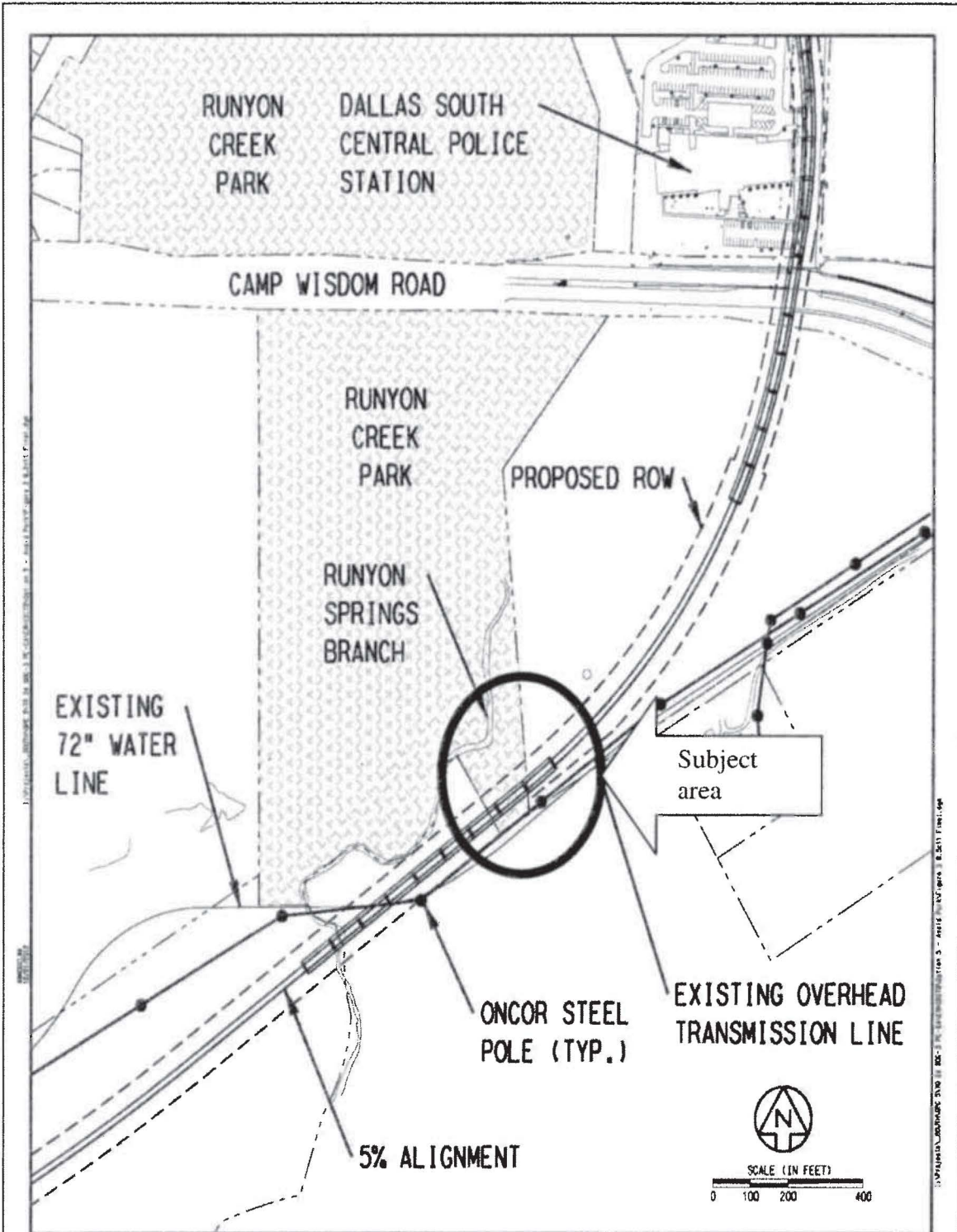
DART shall provide the City with a procedure for reentering and taking possession of the easement tract should DART abandon the tract or violate the covenants listed in subsection a.

DART shall not enter for work purposes or disturb the surface or Subsurface land of park property outside of the easement tract and what is allowed by the Temporary Right of Entry Agreement without consultation with the Director of the Park and Recreation Department.

SECTION 3. That, as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of the Runyon Creek Greenbelt for the purpose stated in this resolution and that all reasonable planning to minimize harm to the tract and the surrounding adjacent parkland has been taken.

SECTION 4. That the use of the easement tract at Runyon Creek Greenbelt as described in Exhibit A in connection with the DART South Oak Cliff Corridor Blue Line Extension (SOC-3), is authorized and approved subject to the terms and conditions of the Agreement and this resolution.

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



<p>IN-PROGRESS</p> <p>THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF: CHAD HANCOCK ALLEN, P.E., NO. 08487 ON 12/21/2012 WSP CORPORATION 30 # 3180</p> <p>IT IS NOT TO BE USED FOR CONSTRUCTION, RECORDS, OR PERMIT PURPOSES.</p>	<p>URS</p> <p>1950 NORTH STEWENS FREEWAY SUITE 9000 DALLAS, TEXAS 75207 214-741-7777 URS CORPORATION ID #3182</p>	<p>DART PROJECT</p>  <p>©DART, all rights reserved, 1997-2008</p>	<table border="1"> <tr><td>DATE</td><td>12/21/12</td></tr> <tr><td>BY</td><td>C. HANCOCK</td></tr> <tr><td>REVISION</td><td>C. HANCOCK</td></tr> <tr><td>DATE</td><td>P. 2/20/12</td></tr> <tr><td>BY</td><td>P. 2/20/12</td></tr> </table>	DATE	12/21/12	BY	C. HANCOCK	REVISION	C. HANCOCK	DATE	P. 2/20/12	BY	P. 2/20/12	<p>FIGURE 3 SOUTH OAK CLIFF CORRIDOR BLUE LINE EXTENSION EXISTING CONDITIONS/ PROPOSED LRT ALIGNMENT</p> <table border="1"> <tr> <td>CONTRACT</td> <td>ENG. No.</td> <td>REV</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	CONTRACT	ENG. No.	REV			
DATE	12/21/12																			
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