

May 13, 2020

**WHEREAS**, in 2010, the City of Dallas entered into a Memorandum of Understanding with Cypress Waters Land Development, LLC, and created the Cypress Waters TIF District for the economic development of a 948-acre site surrounding North Lake, near the intersection of Lyndon B. Johnson (LBJ) Freeway) Interstate Highway 635 and South Beltline Road ("Cypress Waters"); and

**WHEREAS**, the MOU detailed the major water and wastewater infrastructure needed for the development and when such infrastructure would be built; and

**WHEREAS**, the City of Dallas and Billingsley have provided for water and wastewater service to the Cypress Waters area through previous development agreements; and

**WHEREAS**, the City of Dallas wishes to enter into a Development Participation Agreement to facilitate the expansion of basic utility service and the enhancement of system reliability, and to meet water and wastewater demands resulting from the continued growth in the Cypress Waters Development; and

**WHEREAS**, the City of Dallas has agreed to participate in the costs of certain water and wastewater infrastructure improvements pursuant to the terms of the Development Participation Agreement and in compliance with Chapter 49 of the Dallas City Code, as amended, and Chapter 212, Subchapter C of the Texas Local Government Code, as amended.

**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 Development Participation Contract with Billingsley LD, Ltd., approved as to form by the City Attorney, for City participation in the actual engineering and construction costs for certain Cypress Waters water and wastewater facilities to be constructed by Billingsley LD, Ltd. in accordance with the requirements of Chapter 212, Subchapter C of the Texas Local Government Code, as amended, and Chapter 49 of the Dallas City Code, as amended, such City participation not to exceed 30 percent of the actual total engineering and construction cost, in an amount not to exceed \$5,689,542.30.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to encumber and disburse funds in an amount not to exceed \$5,689,542.30 to Billingsley LD, Ltd., as follows:

Water Capital Improvement E Fund	
Fund 3115, Department DWU, Unit PW40	
Object 4111, Program 720131, Vendor VS0000063575	
Encumbrance/Contract No. CX-DWU-2020-00013473	\$4,758,042.30

May 13, 2020

**SECTION 2.** (continued)

Wastewater Capital Improvement D Fund

Fund 2116, Department DWU, Unit PS40

Object 4111, Program 720132, Vendor VS0000063575

Encumbrance/Contract No. CX- DWU-2020-00013473

\$ 931,500.00

Total amount not to exceed

\$5,689,542.30

**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.