

December 14, 2022

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

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

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

**WHEREAS**, on June 6, 2004, City Council authorized adoption of the Downtown Parks Master Plan for the Park and Recreation Department, by Resolution No. 04-1833; and

**WHEREAS**, on December 12, 2012, City Council, conducted a public hearing, received comments and approved amendments to the Plan and authorized Ordinance No. 28865 amending Ordinance No. 22802, previously approved on June 26, 1996, and an Ordinance No. 23034, previously approved February 12, 1997, to: (1) create two sub-districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the City Center TIF District's budget from \$87,567,717 total dollars to \$151,968,546 total dollars; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Plan; and

**WHEREAS**, on February 7, 2013, the Downtown Parks Master Plan Update ("Updated Master Plan"), which included Pacific Plaza, Carpenter Park, Harwood Park and West End Plaza, as the four priority sites for recreation and dedicated parks, was briefed and adopted by the Park and Recreation Board; and

**WHEREAS**, on March 6, 2013, City Council was briefed on the Updated Master Plan; and

**WHEREAS**, Parks for Downtown Dallas (PfDD) is a 501(c)(3) foundation established in 2015 and is dedicated singularly to the long-term development and support of public parks within the Downtown Dallas geography and, specifically, the four priority downtown parks as further described in the Updated Master Plan; and

December 14, 2022

**WHEREAS**, on December 13, 2017, City Council adopted the 2017 updated Downtown 360 Plan, a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods, guiding the City Center to continued, long-term success and, as part of the Building Compete Neighborhoods Transformative Strategies, includes a directive to “create vibrant parks and neighborhood spaces” to “support the City Center’s growing population [which] will generate new demand for improved park and open space as development in emerging neighborhoods, including the Cedars, Dallas Farmers Market, South Dallas/Fair Park, and Deep Ellum, continues” by Resolution No. 17-1940; and

**WHEREAS**, on June 11, 2018, the City of Dallas and PfDD executed the Downtown Dallas Priority Parks Development and Funding Agreement (**Exhibit A**) to set forth the terms and conditions which the City will allow PfDD to manage the design and construction of the Harwood Park improvements (**Exhibit B**) and undertake procurement for construction of Harwood Park (as well as detailing the terms of the three other priority parks), as authorized by City Council on May 23, 2018 by Resolution No. 18-0762; and

**WHEREAS**, a funding gap caused by significant rising construction costs and additional City required infrastructure, including traffic signalization needs, would prevent the full delivery of Harwood Park as presented to the Park and Recreation Board, City Council and the public; and

**WHEREAS**, a City incentive application was submitted by PfDD in February 2022 to support the Park and Recreation Department’s request for additional Harwood Park construction funding that formally demonstrated the gap in funding the delivery of Harwood Park caused by significant construction cost increases and additional City required infrastructure and traffic signalization needs; and

**WHEREAS**, City Center TIF District district-wide set-aside funds (District Wide Improvement budget category) may fill the financial gap to deliver Harwood Park and to assist in fulfilling the terms and conditions of the Downtown Dallas Priority Parks Development and Funding Agreement as it relates to Harwood Park; and

**WHEREAS**, on September 22, 2022, the City Center TIF District Board of Directors approved forwarding to City Council an amendment to the Plan to shift and modify the set-asides established within the City Center TIF District budget including specifying that a) connecting and enhancing the greater city center, including, but not limited to the Farmers Market, is critical to supporting the goals and objectives of the Plan amendment, and as such, projects and initiatives furthering these goals and objectives may be eligible for City Center TIF District funding if the City Center TIF District Board of Directors and City Council find that such areas of public assembly benefit the City Center TIF District and b) funds for areas of public assembly inside or outside the City Center TIF District may be transferred to the Park and Recreation Department for disbursement or to a non-profit to ensure successful delivery of public parks in accordance with the Updated Master Plan; and

December 14, 2022

**WHEREAS**, on September 22, 2022, the City Center TIF District Board of Directors reviewed and unanimously recommended City Council approval of: (1) a request by the Dallas Park and Recreation Department and Parks for Downtown Dallas for a dedication of up to \$2,600,000 in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) district-wide set-aside funds to offset significant rising construction costs and additional City required infrastructure, including traffic signalization needs, and to ensure full delivery of Harwood Park, adjacent to the City Center TIF District, and (2) a finding that dedicating City Center TIF District funds outside the City Center TIF District on Harwood Park, as an area of public assembly serving the City Center TIF District and providing connectivity linking the City Center TIF District to other downtown destinations, is a benefit to the City Center TIF District and is necessary and convenient to the implementation of the City Center TIF District Amended and Restated Project Plan and Reinvestment Zone Financing Plan; and

**WHEREAS**, the Act allows for the dedication of revenue from the tax increment fund to pay the costs of providing areas of public assembly in or out of a tax increment reinvestment zone; and

**WHEREAS**, the City of Dallas anticipates benefitting from increased surrounding property value (tax revenue) and in quality of life with the construction and delivery of Harwood Park; and

**WHEREAS**, as the number of residents, office workers and visitors expand in the downtown core, so should open space options; Harwood Park serves downtown and links the downtown core of City Center to Farmers Market and other downtown neighborhoods; and

**WHEREAS**, the City Council finds that spending Reinvestment Zone Number Five (“City Center TIF District” or “Zone”) funds outside the Zone for Harwood Park as an area of public assembly serving downtown and providing connectivity linking the Zone to other downtown destinations is a benefit to the Zone and is necessary and convenient to implement the Plan; and

**WHEREAS**, \$2,600,000.00 in City Center TIF District funds from the District Wide Improvements budget category may be used to facilitate Harwood Park in furtherance of the Plan and to support expanded open space and pedestrian connectivity including the construction and delivery of Harwood Park, as an area of public assembly serving downtown and linking the City Center to Farmers Market and other downtown neighborhoods, adjacent to the City Center Sub-district of the City Center TIF District, as depicted in the Harwood Park renderings and elevations attached hereto as **Exhibit B**; and

December 14, 2022

**WHEREAS**, the expenditure of TIF district funds supporting Harwood Park is consistent with promoting development and redevelopment of the City Center TIF District in accordance with the purposes for its creation and the ordinance adopted by the City Council approving the Plan, as amended, and is for the purpose of making public improvements consistent with and described in the Plan, as amended, for the City Center TIF District.

**Now, Therefore,**

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

**SECTION 1.** That \$2,600,000.00, payable from current and future City Center TIF District funds from the District Wide Improvement budget category, shall be transferred from the City Center TIF District Fund to the Park & Recreation Department to provide funding to fulfill the construction and delivery of Harwood Park, adjacent to Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District), such improvements being necessary and convenient to the implementation of the City Center TIF District Project Plan and Reinvestment Zone Financing Plan, as amended.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to transfer funds in an amount not to exceed \$2,600,000.00 to the Capital Gifts Donation & ~~Devlp~~ [Development Fund](#), Fund 0530, Department PKR, Unit 7087, [Revenue Code 9201](#) from the City Center TIF District Fund, Fund 0035, Department ECO, Unit W925, Object 3690.

**SECTION 3.** That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$2,600,000.00 in the Capital Gifts Donation & ~~Devlp~~ [Development Fund](#), Fund 0530, Department PKR, Unit 7087, [Object 4599](#).

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$2,600,000.00 [to Parks for Downtown Dallas](#) from the Capital Gifts Donation & ~~Devlp~~ [Development Fund](#), Fund 0530, Department PKR, Unit 7087, ~~to PfDD, pursuant to the Downtown Dallas Priority Parks Development and Funding Agreement~~ [Object 4599, Activity DWTN, Program PKHRWDPK, Encumbrance/Contract No. PKR-2023-00021003, Vendor VS91997](#), upon completion of Harwood Park and compliance with the Downtown Dallas Priority Parks Development and Funding Agreement, including, but not limited to Section 6.21 City Inspection Upon Substantial Completion.

**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