

August 27, 2025

WHEREAS, the City of Dallas (“City”) recognizes the emerging evolution of transportation infrastructure in the City and the importance of providing an integrated transportation system that balances the needs of pedestrians, transit, bicycles, and automobiles; and

WHEREAS, on November 7, 2017, the City voters approved the 2017 General Obligation Bond Program, which allocated \$7,500,000.00 to construct multimodal transportation improvements on Harry Hines Boulevard, identified as the Southwestern Medical District Streetscape Plan/Harry Hines Boulevard Improvements (Market Center DART Station to Mockingbird Lane) project (“Project”); and

WHEREAS, on October 12, 2017, the North Central Texas Council of Governments (NCTCOG), through its Regional Transportation Council (RTC) approved the programming of Congestion Mitigation and Air Quality and Surface Transportation Block Grant funds for construction of the Project in the amount of \$6,000,000.00, which was later increased to \$9,000,000.00 as approved on October 12, 2023 (collectively, the “RTC Funds”); and

WHEREAS, on March 28, 2018, the City Council authorized a Memorandum of Understanding (MOU) with the NCTCOG RTC regarding obligations and conditions relating to the distribution of the RTC Funds for the Project by Resolution No. 18-0440; and

WHEREAS, the RTC funds will not be used on the Project in a way that contradicts the results of the Harry Hines Corridor Study commissioned by the NCTCOG; and

WHEREAS, the MOU requires a local City match of \$7,500,000.00 (the “City Funds”) and a fully executed agreement between the City and a private sector entity that obligates the private sector entity to make a financial contribution to the Project of at least \$19,056,322.00 (“Private Funds”); and

WHEREAS, the Texas Trees Foundation (TTF), a Texas nonprofit corporation located in the City, identified the Project as a priority and agreed to conduct the design services for the Project and donate the design documents to the City in order to facilitate the construction of the Project, meet TTF’s charitable goals within the City, and fulfill the Private Funds requirement of the MOU; and

WHEREAS, on August 10, 2022, the City County authorized (1) a Development Participation Contract with TTF for the donation of privately funded design plans for the Project; and (2) an Operating and Maintenance Agreement with TTF for non-standard public improvements associated with the Project by Resolution No. 22-1090; and

August 27, 2025

WHEREAS, on April 12, 2023, the City Council authorized a Funding Agreement with Dallas County in the amount of \$7,500,000.00 reduced by \$300,000.00 for County in-house project delivery costs for a total of \$7,200,000.00 for the purpose of constructing bicycle and pedestrian improvements along Harry Hines Boulevard from Inwood Road to East of Medical District Drive by Resolution No. 23-0458; and

WHEREAS, on June 25, 2025, the City Council authorized an Advance Funding Agreement (Agreement No. CSJ 0918-47-278, Assistance Listing No. 20.205) with the Texas Department of Transportation to accept federal funding for cost related to the reconstruction of a six-lane roadway, intersection improvements, installation of new traffic signals and re-timing, development of a new bike facility, construction and reconstruction of sidewalks, installation of lighting, and minor landscaping enhancements on Harry Hines Boulevard from Southeast of Medical District Drive to Southeast of Inwood Road by Resolution No. 25-1048; and

WHEREAS, it is now necessary to amend and restate the ~~agreement~~ Development Participation Contract with TTF to revise the Project scope of work to separate the Infrastructure Design component from the Project Enhancement Design component and to define roles and responsibilities for each project component; and

WHEREAS, the City will be responsible for the development of the Infrastructure Design using funds allocated to this Project from the 2017 General Obligation Bond Program, which includes design of public improvements such as roadway, utility, pedestrian, bicycle facilities, and other public improvements mutually agreed to by the City and TTF; and

WHEREAS, TTF will be responsible for the Project Enhancement Design at its sole cost and expense, which includes design of improvements such as landscaping, amenities, furnishings, pedestrian wayfinding and other non-standard improvements mutually agreed to by the City and TTF, but excluding any elements of the Infrastructure Design; and

WHEREAS, the City and TTF, in the mutual interest of the City of Dallas, desire to amend and restate the original Development Participation Contract establishing the revised terms for the development and donation of the Project design plans.

Now, Therefore,

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

August 27, 2025

SECTION 1. That the City Manager is hereby authorized to execute the First Amendment ~~No. 1 to~~ and Restatement of the Development Participation Contract with the Texas Trees Foundation, approved as to form by the City Attorney, for the donation of privately funded design plans for a City of Dallas 2017 General Obligation Bond Program Project identified as the Southwestern Medical District Streetscape Plan/Harry Hines Boulevard Improvements (Market Center DART Station to Mockingbird Lane) project to **(1)** revise the scope of work to separate the Infrastructure Design component from the Project Enhancement Design component; and **(2)** identify the responsible parties of each project component.

SECTION 2. That this contract is designated as Contract No. TRN-2022-00019385.

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.