

## **CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated November 9, 2022. 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.

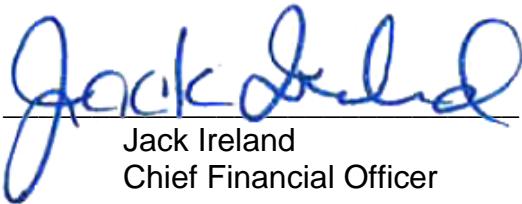


November 4, 2022

for

T.C. Broadnax  
City Manager

Date



Jack Ireland  
Chief Financial Officer

November 4, 2022

Date





# Memorandum



CITY OF DALLAS

DATE November 4, 2022

TO Honorable Mayor and Members of the City Council

SUBJECT **November 9, 2022 City Council FINAL Agenda – Additions/Revisions/Deletions  
Memorandum**

On October 28, 2022, a DRAFT City Council Agenda for November 9, 2022, was provided for your review. This memorandum outlines any additions, revisions or deletions made to the FINAL agenda after the distribution of the DRAFT agenda. In addition, we have highlighted agenda items which have been briefed to the City Council and/or Committee by briefing memorandums.

Additional items and deletions to the DRAFT agenda are outlined below, including *revisions* to the FINAL agenda are underlined in blue and *deletions* are strikethrough in red. A brief explanation for revisions along with staff's contact information is provided.

## **Additions:**

41. 22-2621 Authorize the **(1)** application for and acceptance of additional grant funds from the U.S. Department of the Treasury for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program (CFDA No. 21.023) the amount of \$116,817.39; **(2)** establishment of appropriations in an amount not to exceed \$116,817.39 in the Emergency Rental Assistance Program Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$116,817.39 in the Emergency Rental Assistance Program Fund; **(4)** disbursement of funds in an amount not to exceed \$116,817.39 from the Emergency Rental Assistance Program Fund; and **(5)** execution of any documents necessary to accept and/or spend the funds - Total not to exceed \$116,817.39, increasing the appropriations from \$41,532,662.69 to \$41,649,480.08 - Financing: U.S. Department of the Treasury Emergency Rental Assistance Program Grant Funds
42. 22-2623 Authorization of **(1)** an ordinance **(a)** repealing Ordinance No. 31521; **(b)** providing a saving clause; and **(c)** providing an effective date **(Attachment A)**; and **(2)** a temporary ordinance **(a)** providing for a notice of proposed eviction by residential landlords before a notice to vacate a residential tenancy; **(b)** creating an offense; **(c)** providing a penalty not to exceed \$500.00; **(d)** providing a savings clause; **(e)** providing a severability clause; and **(f)** providing an effective date **(Attachment B)** - Financing: No cost consideration to the City

43. 22-2668 Authorize the **(1)** acceptance of federal reimbursements from the Federal Emergency Management Agency (FEMA) (Public Assistance Grant, 4485, Texas Covid-19 Pandemic, CFDA No. 97.036) in an amount of \$14,800,000.00; **(2)** establishment of appropriations in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; and **(4)** execute the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed \$14,800,000.00 Financing: Federal Emergency Management Agency Grant Funds

**Revisions:**

8. 22-2504 Authorize **(1)** an amendment to the American Rescue Plan Act Neighborhood Revitalization Program ("Program" or "ARPA NRP Program") to **(a)** expand eligible applicants to households throughout the City of Dallas disproportionately impacted by the COVID-19 pandemic that currently receive certain federal benefits; **(b)** add sidewalk improvements as eligible infrastructure improvements in Qualified Census Tracts; **(c)** add eligible area maps; and **(d)** allow the Program to receive additional ARPA allocations from two sources: Councilmember discretionary ARPA funding and funding from various departments and various units, in a total amount not to exceed \$10,000,000.00, to Fund FC18, through December 2023, to be used for home repair activities and infrastructure improvements in expanded eligible areas; **(2)** the retention of two positions to assist in the administration of the Program; and **(3)** execution of all documents and agreements necessary to implement the Program, including but not limited to agreements with homeowners, subrecipients, contractors, and/or administration agreement(s) for the Program - Total not to exceed \$21,250,000.00 - Financing: American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) (see Fiscal Information) ~~(a) \$11,250,000.00 initial allocation for home repair in three neighborhoods Joppee/Joppa, Five Mile, and Tenth Street Historic District; and (b) two additional sources, in a total amount not to exceed \$10,000,000.00 allocated through December 2023 Each funding source corresponds to a specific service area, as can be seen in attached map exhibits~~

**This item is being revised to update the Subject and Fiscal Information section. Please contact David Noguera, Director, Department of Housing & Neighborhood Revitalization, at 214-670-3619, for more information.**

16. 22-2510 Authorize a one-year service contract, with two one-year renewal options, to administer the Senior Services Ombudsman Program by providing nursing home ombudsman services, which includes: receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities

DATE November 4, 2022  
SUBJECT **November 9, 2022 City Council FINAL Agenda - Additions/Revisions/Deletions**

within the city of Dallas for the period November 9, 2022 through November 8, 2023 - Senior Citizens of Greater Dallas, Inc., sole source - Not to exceed \$150,868.00 - Financing: General Fund (subject to annual appropriations)

**This item is being revised at the request of the City Attorney's Office. Please contact Jessica Galleshaw, Director, Office of Community Care, at 214-670-5113, for more information.**

29. 22-2433 Authorize Supplemental Agreement No. 54 to the existing agreement for the purchase of voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Information and Technology Services with AT&T Corp through the Texas Department of Information Resources Cooperative Agreement - Not to exceed \$30,194,297.30 - Financing: Data Services Fund (\$28,111,152.66) and Information Technology Equipment Fund (\$2,083,144.64) ([subject to annual appropriations](#))  
**This item is being revised to update language in the Subject. Please contact Danielle Thompson, Director, Office of Procurement Services, at 214-670-3874, for more information.**

31. 22-2475 Authorize an increase in the construction services contract with RoeschCo Construction, Inc. for additional work on the Trinity Strand Trail Phase 2, located between Inwood Road Dallas Area Rapid Transit Station to Turtle Creek Boulevard - Not to exceed \$851,117.52, ~~increasing the contract amount~~ from \$5,521,648.56 to \$6,372,766.08 - Financing: Street and Transportation Improvement Funds (2012 General Obligation Bond Fund)  
**This item is being revised to update the Subject. Please contact John Jenkins, Director, Park & Recreation Department, at 214-670-4073, for more information.**

33. 22-2518 Authorize a Conditional Chapter 380 Economic Development Loan Agreement, [approved as to form by the City Attorney](#), with DFW Dawg Life, LLC in the amount of \$100,000.00 sourced with the South Dallas/Fair Park Opportunity Fund for ~~capital improvements and construction~~ costs related to the renovation/expansion for leased space located at 2721 Logan Street, Dallas, Texas [75215](#) - Not to exceed \$100,000.00 - Financing: South Dallas/Fair Park Opportunity Fund  
**This item is being revised per the City Attorney's Office. Please contact Joyce Williams, Director, Small Business Center Department, at 214-500-4217, for more information.**

### **Deletions**

21. 22-2247 Authorize a four-year cooperative purchasing agreement for the acquisition and service maintenance and support of a data access governance solution for the Department of Information and Technology Services with SHI

DATE November 4, 2022  
SUBJECT **November 9, 2022 City Council FINAL Agenda - Additions/Revisions/Deletions**

Government Solutions through the Local Government Purchasing Cooperative (Buyboard) agreement - Not to exceed \$491,689.00 - Financing: 2021 Homeland Security-Urban Security Initiative 21-23 (subject to annual appropriations)

**This item is being deleted at the request of the department. Please contact Danielle Thompson, Director, Office of Procurement Services, at 214-670-3874, for more information.**

24. 22-2428 Authorize a three-year professional service contract, with two one-year renewal options, for sales tax compliance review and recovery services for the Office of the City Auditor - Avenu Insights ~~and~~ & Analytics, LLC, most advantageous proposers of five - Estimated Annual Net Revenue: ~~\$735,000~~ [\\$4,320,000 \(see Fiscal Information\)](#)

**This item is being deleted due to pending contract negotiations. Please contact Danielle Thompson, Director, Office of Procurement Services, at 214-670-3874, for more information.**

### **Memorandums:**

A memorandum was previously provided to Committee and/or City Council regarding the following items. A link to the memorandums is attached for more information.

6. 22-2454 A resolution to authorize **(1)** the Dallas Housing Finance Corporation (DHFC or Corporation) to issue Qualified Mortgage Revenue Bonds (Bonds) for the purpose of obtaining funds to finance home mortgage loans for persons of low and moderate income; and **(2)** the assignment of the Bonds to be administered by the Texas Department of Housing & Community Affairs through the Texas Homebuyer Program in the amount of \$25,000,000.00 - Financing: No cost consideration to the City  
[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on October 24, 2022.](#)
7. 22-2442 Authorize the Dallas Housing Finance Corporation to issue tax-exempt essential function bonds to finance, acquire, and own The Dylan, a multifamily development located at 4533 Cedar Springs Road - Estimated Revenue Foregone: General Fund \$3,775,412.13 (see Fiscal Information)  
[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on October 24, 2022.](#)
23. 22-2550 Authorize a two-year master agreement for the purchase of feminine hygiene products for the Period Access Dallas Program for the Office of Community Care - Happy Period, lowest responsible bidder of eight - Estimated amount of \$216,500 - Financing: Equity Fund  
[City Council was briefed by memorandum regarding this matter on September 23, 2022.](#)

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SUBJECT **November 9, 2022 City Council FINAL Agenda - Additions/Revisions/Deletions**

34. 22-2523 Authorize approval of a Program Statement supporting American Rescue Plan Act/Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) funding for the Small Business Assistance Program and the Non-Profit Assistance Program with the intent of providing financial support in the form of a grant for operational expenses, including, but not limited to expenses such as rent, utilities, staff salaries and benefits, product loss, and cleaning supplies incurred between March 3, 2021 and September 30, 2024, and resulting from COVID-19 and/or in response to needs caused by COVID-19. Financing: No cost consideration to the City  
[The Economic Development Committee was briefed by memorandum regarding this matter on November 4, 2022.](#)
- 40.22-2594 Authorize the **(1)** sale of up to 5 Land Transfer Program lots to Citybuild Community Development Corporation, and/or its affiliates (Developer) subject to restrictive covenants, a right of reverter, and execution of all necessary documents, pursuant to the City's Land Transfer Program; **(2)** release of lien for all non-tax City liens, notices, or orders that were filed on up to 5 Land Transfer Program lots sold to Developer prior to or subsequent to the deeds transferring the lots to the City of Dallas; and **(3)** execution of a development agreement with Developer for the construction of a Health and Wellness Center on the Land Transfer Program lots - Estimated Revenue: General Fund \$6,500.00; Estimated Revenue Foregone: General Fund \$10,257.31 (see Fiscal Information) (This item was deferred on October 26, 2022)  
[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on September 29, 2022.](#)

Please feel free to reach out to me or Kimberly Bizzor Tolbert, Deputy City Manager if you have questions or should you require additional information at this time.



*for* T.C. Broadnax  
City Manager

c: Chris Caso, City Attorney  
Mark Swann, City Auditor  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Kimberly Bizzor Tolbert, Deputy City Manager  
Jon Fortune, Deputy City Manager

Majed A. Al-Ghafry, Assistant City Manager  
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager  
Robert Perez, Assistant City Manager  
Carl Simpson, Assistant City Manager  
Jack Ireland, Chief Financial Officer  
Genesis D. Gavino, Chief of Staff to the City Manager  
Directors and Assistant Directors



**RECEIVED**

**2022 NOV -4 PM 5:27**

**CITY SECRETARY  
DALLAS, TEXAS**

**City of Dallas**

*1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201*



**Public Notice**

**221034**

**POSTED** CITY SECRETARY  
DALLAS, TX

**COUNCIL AGENDA**

**November 9, 2022**

**9:00 AM**

(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

## **Información General**

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne en 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 retrasara o interrumpirá los procedimientos, o se negara 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 (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del

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.

Ayuntamiento Municipal, será expulsada de la cámara si el oficial que este 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 precisara al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

## **Handgun Prohibition Notice for Meetings of Governmental Entities**

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

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

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

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

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

*"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."*

**AGENDA  
CITY COUNCIL MEETING  
WEDNESDAY, NOVEMBER 9, 2022  
ORDER OF BUSINESS**

The City Council meeting will be held by videoconference and in the Council Chambers, 6th Floor at City Hall. Individuals who wish to speak in accordance with the City Council Rules of Procedure must sign up with the City Secretary's Office.

The public is encouraged to attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols.

The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the City Council meeting on Spectrum Cable Channel 16 and [bit.ly/cityofdallassv](https://cityofdallassv.com):

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m50052e9a3ef268a2b9c2f4b9ac88d2e4>

Public hearings will not be heard before 1:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**OPEN MICROPHONE**

MINUTES	Item 1
CONSENT AGENDA	Items 2-38
DELETIONS	Items 21 & 24
ITEMS FOR INDIVIDUAL CONSIDERATION	Items 39-40
ADDITIONS	Items 41-43
ZONING	Items Z1-Z6
PUBLIC HEARINGS AND RELATED ACTIONS	Items PH1-PH8

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



Invocation and Pledge of Allegiance

Agenda Item/Open Microphone Speakers

## **VOTING AGENDA**

1. [22-2481](#) Approval of Minutes of the October 26, 2022 City Council Meeting

## **CONSENT AGENDA**

### **Budget and Management Services**

2. [22-2125](#) Authorize (1) preliminary adoption of the City's Proposed 2022 Community Development Block Grant Disaster Recovery (CDBG-DR) Budget and draft Action Plan to accept Community Development Block Grant Disaster Recovery in the amount of \$24,433,000; and (2) a public hearing to be held on December 14, 2022, to receive comments on the proposed use of funds - Financing: No cost consideration to the City

**Attachments:** [Resolution](#)  
[Appendix](#)

### **City Attorney's Office**

3. [22-2526](#) Authorize settlement of the lawsuit styled Kimberly J. Hawkins v. The City of Dallas, Cause No. DC-21-14360 - Not to exceed \$175,000.00 - Financing: Liability Reserve Fund

**Attachments:** [Resolution](#)

4. [22-2527](#) Authorize settlement of the lawsuit styled Liza Jessie v. City of Dallas, Cause No. CC-22-02968-E - Not to exceed \$50,000.00 - Financing: Liability Reserve Fund

**Attachments:** [Resolution](#)

**Department of Aviation**

5.     [22-1990](#)     Authorize a construction services contract to provide construction services for the Elevator Upgrades Phase II Project at the Dallas Airport System with K & M Elevator, LLC, lowest responsible bidder of five - Not to exceed \$1,215,000.00 - Financing: Aviation Fund

**Attachments:**     [Map](#)  
                              [Resolution](#)

**Department of Housing & Neighborhood Revitalization**

6.     [22-2454](#)     A resolution to authorize **(1)** the Dallas Housing Finance Corporation (DHFC or Corporation) to issue Qualified Mortgage Revenue Bonds (Bonds) for the purpose of obtaining funds to finance home mortgage loans for persons of low and moderate income; and **(2)** the assignment of the Bonds to be administered by the Texas Department of Housing & Community Affairs through the Texas Homebuyer Program in the amount of \$25,000,000.00 - Financing: No cost consideration to the City

**Attachments:**     [Resolution](#)  
                              [Exhibit A](#)

7.     [22-2442](#)     Authorize the Dallas Housing Finance Corporation to issue tax-exempt essential function bonds to finance, acquire, and own The Dylan, a multifamily development located at 4533 Cedar Springs Road - Estimated Revenue Foregone: General Fund \$3,775,412.13 (see Fiscal Information)

**Attachments:**     [Map](#)  
                              [Resolution](#)

8. [22-2504](#) Authorize (1) an amendment to the American Rescue Plan Act Neighborhood Revitalization Program ("Program" or "ARPA NRP Program") to (a) expand eligible applicants to households throughout the City of Dallas disproportionately impacted by the COVID-19 pandemic that currently receive certain federal benefits; (b) add sidewalk improvements as eligible infrastructure improvements in Qualified Census Tracts; (c) add eligible area maps; and (d) allow the Program to receive additional ARPA allocations from two sources: Councilmember discretionary ARPA funding and funding from various departments and various units, in a total amount not to exceed \$10,000,000.00, to Fund FC18, through December 2023, to be used for home repair activities and infrastructure improvements in expanded eligible areas; (2) the retention of two positions to assist in the administration of the Program; and (3) execution of all documents and agreements necessary to implement the Program, including but not limited to agreements with homeowners, subrecipients, contractors, and/or administration agreement(s) for the Program - [Total not to exceed \\$21,250,000.00 -](#) Financing: American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) [\(see Fiscal Information\)](#) ~~(a) \$11,250,000.00 initial allocation for home repair in three neighborhoods Joppee/Joppa, Five Mile, and Tenth Street Historic District; and (b) two additional sources, in a total amount not to exceed \$10,000,000.00 allocated through December 2023 Each funding source corresponds to a specific service area, as can be seen in attached map exhibits~~

**Attachments:** [Maps](#)  
[Resolution](#)  
[Exhibit A](#)

#### Department of Human Resources

9. [22-2480](#) An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-9 and 34-25 by (1) allowing holiday pay for City temporary employees; (2) providing a saving clause; (3) providing a severability clause; and (4) effective immediately upon council approval - Estimated Annual Cost \$575,808.95 - Financing: Operating Funds (See Fiscal Information)

**Attachments:** [Ordinance](#)



**Department of Public Works**

10. [22-2070](#) An ordinance granting a revocable license to Federales Deep Ellum, LLC, for the use of approximately two square feet of aerial space to install, occupy and maintain an illuminated premise blade sign over a portion of Commerce Street right-of-way located near its intersection with Malcolm X Boulevard - Revenue: General Fund \$1,000.00 annually, plus the \$20.00 ordinance publication fee

**Attachments:** [Map](#)  
[Ordinance](#)  
[Exhibit A](#)  
[Exhibit B](#)

11. [22-2032](#) Authorize the ratification of a resolution for the construction services contract for emergency bridge repairs on State Highway 356 Bridge, TxDOT Bridge No. 18-057-0092-07-165 with Gibson & Associates, Inc., lowest responsible bidder of two - Not to exceed \$334,250.00 - Financing: Street and Alley Improvement Fund

**Attachments:** [Map](#)  
[Resolution](#)

12. [22-2069](#) Authorize the ratification of a resolution for the construction services contract for an emergency contract to repair the pavement and its supporting sloped embankment of the 1300 block of North Cockrell Hill Road - Camino Construction, L.P., lowest responsible bidder of six - Not to exceed \$1,211,088.00 - Financing: Street and Alley Improvement Fund (\$605,544.00) and Wastewater Capital Improvement G Fund (\$605,544.00)

**Attachments:** [Map](#)  
[Resolution](#)

13. [22-2021](#) Authorize a construction services contract for the construction of Package B for Street Reconstruction Group 17-10004 and Alley Reconstruction Group 17-10001 (list attached to the Agenda Information Sheet) - Jeske Construction Co., lowest responsible bidder of two - Not to exceed \$1,836,990.00 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Funds) (\$1,604,655.00), Water Capital Improvement (F) Fund (\$80,370.00), Water Construction Fund (\$3,180.00), Wastewater Capital Improvement (G) Fund (\$145,145.00), and Wastewater Construction Fund (\$3,640.00)

**Attachments:** [List](#)  
[Maps](#)  
[Resolution](#)

**Office of Bond and Construction Management**

14. [22-2374](#) Authorize **(1)** an increase in appropriations in an amount not to exceed \$5,000,000.00 in the Building Inspection Fund; and **(2)** two-year construction services contracts, with two one-year renewal options, for job order contracting services at City facilities with METCO Engineering, Inc., Big Sky Construction CO., Inc., Brown & Root Industrial Services, LLC, Gilbert May, Inc. dba Phillips/May Corporation, RS Commercial Construction, LLC, and Nouveau Technology Services, L.P., most advantageous proposers of eleven - Not to exceed \$10,000,000.00 - Financing: Facilities (H) Fund (2017 General Obligation Bond Fund) (\$3,000,000.00), Homeless Assistance (J) Fund (2017 General Obligation Bond Fund) (\$2,000,000.00), and Building Inspection Fund (\$5,000,000.00) (subject to annual appropriations)

**Attachments:** [Resolution](#)

**Office of Community Care**

15. [22-2346](#) A resolution authorizing approval of an Interlocal Agreement between the City of Dallas and Dallas County, approved as to form by the City Attorney, for Parkland Health & Hospital System to implement a universal Newborn Nurse Home Visit Program as seen in **Exhibit A**, with matching funds to be provided by Dallas County - Not to exceed \$2,000,000.00 - Financing: Coronavirus State and Local Fiscal Recovery Fund

**Attachments:** [Resolution](#)  
[Exhibit A](#)  
[Exhibit B](#)

16. [22-2510](#) Authorize a one-year service contract, with two one-year renewal options, to administer the Senior Services Ombudsman Program by providing nursing home ombudsman services, which includes: receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period November 9, 2022 through November 8, 2023 - Senior Citizens of Greater Dallas, Inc., sole source - Not to exceed \$150,868.00 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

**Office of Integrated Public Safety Solutions**

17. [22-2524](#) An ordinance amending Chapter 27, "Minimum Property Standards," of the Dallas City Code by : **(1)** providing a definition for "unsafe property"; **(2)** providing unsafe properties to be a public safety nuisance subject to abatement; **(3)** providing that unsafe properties must implement Crime Prevention Through Environmental Design principles; **(4)** providing a penalty not to exceed \$2,000.00; **(5)** providing a saving clause; **(6)** providing a severability clause; and **(7)** providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

**Attachments:** [Ordinance](#)

**Office of Procurement Services**

18. [22-2437](#) Authorize a one-year cooperative purchasing agreement for the purchase of visualization engineering services for the Department of Information and Technology Services with IT Cadre, LLC through the Texas Department of Information Resources General Services Administrative cooperative agreement - Not to exceed \$685,972.50 - Financing: 2008A Certificate of Obligation-CIS Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

19. [22-2083](#) Authorize a three-year cooperative purchasing agreement for an online training management system and subscription services for the Fire-Rescue Department with Lexipol, LLC through the Sourcwell cooperative agreement - Not to exceed \$383,099.25 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

20. [22-2246](#) Authorize a three-year cooperative purchasing agreement for continued use of the existing software to facilitate the new hire and performance management process for the Department of Information and Technology Services with SHI Government Solutions, Inc. through the Local Government Purchasing Cooperative (Buyboard) agreement - Not to exceed \$1,324,163 - Financing: Data Services Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

21. ~~[22-2247](#)~~ ~~Authorize a four year cooperative purchasing agreement for the acquisition and service maintenance and support of a data access governance solution for the Department of Information and Technology Services with SHI Government Solutions through the Local Government Purchasing Cooperative (Buyboard) agreement - Not to exceed \$491,680.00 - Financing: 2021 Homeland Security Urban Security Initiative 21-23 (subject to annual appropriations)~~

~~**Attachments:**~~ ~~[Resolution](#)~~

22. [22-2435](#) Authorize a five-year cooperative purchasing agreement for the purchase of software and hardware that provides a situational awareness and integration platform for City and privately owned surveillance camera systems for the Police Department managed by the Department of Information and Technology Services with ICU Technologies, Inc. through the General Services Administration cooperative agreement - Not to exceed \$478,589.10 - Financing: General Fund (\$191,435.64), Homeland Security-Urban Area Security Initiative 2022 Grant Funds (\$95,717.82), and UASI 2022 Fusion Project Fund (\$191,435.64) (subject to annual appropriations)

**Attachments:** [Resolution](#)

23. [22-2550](#) Authorize a two-year master agreement for the purchase of feminine hygiene products for the Period Access Dallas Program for the Office of Community Care - Happy Period, lowest responsible bidder of eight - Estimated amount of \$216,500 - Financing: Equity Fund

**Attachments:** [Resolution](#)

24. ~~[22-2428](#)~~ ~~Authorize a three year professional service contract, with two one year renewal options, for sales tax compliance review and recovery services for the Office of the City Auditor - Avenu Insights and [Analytics, LLC](#), most advantageous proposers of five - Estimated Annual Net Revenue: ~~\$735,000~~ [\\$4,320,000 \(see Fiscal Information\)](#)~~

~~**Attachments:**~~ ~~[Resolution](#)~~

25. [22-2436](#) Authorize a three-year service contract for the acquisition, maintenance, and support of a cloud based digital learning platform for the Water Utilities Department - ANCILE Solutions, Inc., sole source - Not to exceed \$135,330.37 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

26. [22-2432](#) Authorize a three-year service contract, with one two-year renewal option, for retiree concierge services for the Department of Human Resources - Health Advocate Solutions, Inc., most advantageous proposer of four - Not to exceed \$631,688.40 - Financing: Employee Benefits Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

27. [22-2543](#) Authorize a five-year service contract to establish a master agreement for an electronic payment processing service for the Water Utilities Department with Paymentus Corporation through an interlocal agreement with the City of Odessa - See attached Fee Schedule, Schedule A - Estimated expenditure: \$15,000,000 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)  
[Schedule A](#)  
[Paymentus Fee Schedule](#)

28. [22-2431](#) Authorize Supplemental Agreement No. 2 to exercise the second of two, one-year renewal options to the service contract with Innovative Interfaces Incorporated for licenses, maintenance, hosting, and support of an integrated library system - Not to exceed \$304,732.67 - Financing: General Fund (subject to annual appropriations)

**Attachments:** [Resolution](#)

29. [22-2433](#) Authorize Supplemental Agreement No. 54 to the existing agreement for the purchase of voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Information and Technology Services with AT&T Corp. through the Texas Department of Information Resources Cooperative Agreement - Not to exceed \$30,194,297.30 - Financing: Data Services Fund (\$28,111,152.66) and Information Technology Equipment Fund (\$2,083,144.64) [\(subject to annual appropriations\)](#)

**Attachments:** [Resolution](#)

**Park & Recreation Department**

30. [22-2449](#) Authorize a public hearing to be held on December 14, 2022, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments on the proposed use of a portion of Forest Cliff Park, totaling approximately 50 square feet of land, located at 5100 Duncanville Road by the Office of Emergency Management, to provide warning siren system coverage for the benefit of the public - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)  
[Exhibit A](#)

31. [22-2475](#) Authorize an increase in the construction services contract with RoeschCo Construction, Inc. for additional work on the Trinity Strand Trail Phase 2, located between Inwood Road Dallas Area Rapid Transit Station to Turtle Creek Boulevard - Not to exceed \$851,117.52, ~~increasing the contract amount~~ from \$5,521,648.56 to \$6,372,766.08 - Financing: Street and Transportation Improvement Funds (2012 General Obligation Bond Fund)

**Attachments:** [Map](#)  
[Resolution](#)

**Police Department**

32. [22-2326](#) Authorize **(1)** the application for and acceptance of the Selective Traffic Enforcement Program (STEP) - Impaired Driving Mobilization, Overtime Enforcement Grant (Grant No. 2023-Dallas-IDM-00005, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of \$49,989.60 for a statewide Driving While Intoxicated Enforcement campaign to operate during various holiday periods for the period December 13, 2022 through September 30, 2023; **(2)** the establishment of appropriations in the amount of \$49,989.60 in the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund; **(3)** the receipt and deposit of grant funds in the amount of \$49,989.60 in the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund; **(4)** a local cash match in the amount of \$20,239.52; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount \$70,229.12 - Financing: Texas Department of Transportation Grant Funds (\$49,989.60) and General Fund (\$20,239.52)

**Attachments:** [Resolution](#)  
[Schedule A](#)

**Small Business Center Department**

33. [22-2518](#) Authorize a Conditional Chapter 380 Economic Development Loan Agreement, [approved as to form by the City Attorney](#), with DFW Dawg Life, LLC in the amount of \$100,000.00 sourced with the South Dallas/Fair Park Opportunity Fund for ~~capital improvements and construction~~ costs related to the renovation/expansion for leased space located at 2721 Logan Street, Dallas, Texas [75215](#) - Not to exceed \$100,000.00 - Financing: South Dallas/Fair Park Opportunity Fund

**Attachments:** [Resolution](#)  
[Exhibit A](#)

34. [22-2523](#) Authorize approval of a Program Statement supporting American Rescue Plan Act/Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) funding for the Small Business Assistance Program and the Non-Profit Assistance Program with the intent of providing financial support in the form of a grant for operational expenses, including, but not limited to expenses such as rent, utilities, staff salaries and benefits, product loss, and cleaning supplies incurred between March 3, 2021 and September 30, 2024, and resulting from COVID-19 and/or in response to needs caused by COVID-19 - Financing: No cost consideration to the City

**Attachments:** [Resolution](#)  
[Exhibit A](#)

**Water Utilities Department**

35. [22-1991](#) Authorize a professional services contract with Black & Veatch Corporation to provide engineering and consulting services for the City of Dallas Wastewater Facilities and Operations Strategic Plan - Not to exceed \$3,498,000.00 - Financing: Wastewater Construction Fund

**Attachments:** [Maps](#)  
[Resolution](#)

36. [22-2373](#) Authorize a professional services contract with HDR Engineering, Inc. to prepare the City's Long Range Water Supply Plan Study to the Year 2080 and beyond - Not to exceed \$2,275,563.00 - Financing: Water Construction Fund

**Attachments:** [Map](#)  
[Resolution](#)

37. [22-2104](#) Authorize a construction services contract for the installation and rehabilitation of water and wastewater mains, the replacement of water transmission valves, and the extension of water and wastewater mains to unserved areas at 45 locations (list attached to the Agenda Information Sheet) - SYB Construction Company, Inc., lowest responsible bidder of four - Not to exceed \$21,003,141.50 - Financing: Water (Drinking Water) - TWDB 2021 Fund (\$8,774,764.62), Water (Drinking Water) - TWDB 2022 Fund (\$4,844,808.38), Wastewater (Clean Water) - 2022 TWDB Fund (\$4,382,226.00), and Coronavirus State and Local Fiscal Recovery Fund (\$3,001,342.50)

**Attachments:** [List](#)  
[Maps](#)  
[Resolution](#)

38. [22-1863](#) Authorize Supplemental Agreement No. 1 to the professional services contract with Gresham Smith to provide additional engineering services for the Lower East Bank Interceptor - Not to exceed \$347,510.00, from \$2,180,474.50 to \$2,527,984.50 - Financing: Wastewater Capital Improvement F Fund

**Attachments:** [Map](#)  
[Resolution](#)

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **City Secretary's Office**

39. [22-2482](#) Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)



**ITEMS FOR FURTHER CONSIDERATION****Department of Housing & Neighborhood Revitalization**

40. [22-2594](#) Authorize the **(1)** sale of up to 5 Land Transfer Program lots to Citybuild Community Development Corporation, and/or its affiliates (Developer) subject to restrictive covenants, a right of reverter, and execution of all necessary documents, pursuant to the City's Land Transfer Program; **(2)** release of lien for all non-tax City liens, notices, or orders that were filed on up to 5 Land Transfer Program lots sold to Developer prior to or subsequent to the deeds transferring the lots to the City of Dallas; and **(3)** execution of a development agreement with Developer for the construction of a Health and Wellness Center on the Land Transfer Program lots - Estimated Revenue: General Fund \$6,500.00; Estimated Revenue Foregone: General Fund \$10,257.31 (see Fiscal Information) (This item was deferred on October 26, 2022)

**Attachments:** [Map](#)  
[Resolution](#)  
[Exhibit A](#)  
[Exhibit B](#)

**ADDITIONS:****OTHER ITEMS FOR INDIVIDUAL CONSIDERATION****Office of Community Care**

41. [22-2621](#) Authorize the **(1)** application for and acceptance of additional grant funds from the U.S. Department of the Treasury for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program (CFDA No. 21.023) the amount of \$116,817.39; **(2)** establishment of appropriations in an amount not to exceed \$116,817.39 in the Emergency Rental Assistance Program Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$116,817.39 in the Emergency Rental Assistance Program Fund; **(4)** disbursement of funds in an amount not to exceed \$116,817.39 from the Emergency Rental Assistance Program Fund; and **(5)** execution of any documents necessary to accept and/or spend the funds - Total not to exceed \$116,817.39, increasing the appropriations from \$41,532,662.69 to \$41,649,480.08 - Financing: U.S. Department of the Treasury Emergency Rental Assistance Program Grant Funds

**Attachments:** [Resolution](#)

42. [22-2623](#) Authorization of **(1)** an ordinance **(a)** repealing Ordinance No. 31521; **(b)** providing a saving clause; and **(c)** providing an effective date **(Attachment A)**; and **(2)** a temporary ordinance **(a)** providing for a notice of proposed eviction by residential landlords before a notice to vacate a residential tenancy; **(b)** creating an offense; **(c)** providing a penalty not to exceed \$500.00; **(d)** providing a savings clause; **(e)** providing a severability clause; and **(f)** providing an effective date **(Attachment B)** - Financing: No cost consideration to the City

**Attachments:** [Attachment A](#)  
[Attachment B](#)

#### Office of Emergency Management

43. [22-2668](#) Authorize the **(1)** acceptance of federal reimbursements from the Federal Emergency Management Agency (FEMA) (Public Assistance Grant, 4485, Texas Covid-19 Pandemic, CFDA No. 97.036) in an amount of \$14,800,000.00; **(2)** establishment of appropriations in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; and **(4)** execute the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed \$14,800,000.00 Financing: Federal Emergency Management Agency Grant Funds

**Attachments:** [Resolution](#)

**PUBLIC HEARINGS AND RELATED ACTIONS****Department of Planning and Urban Design****ZONING CASES - INDIVIDUAL**

- Z1. [22-2497](#) A public hearing to receive comments regarding an application for and an ordinance granting **(1)** an amendment to the development standards within Planned Development District No. 741; **(2)** an expansion of Planned Development District No. 741, Subarea A to include an additional 446 acres of land, currently zoned an A(A) Agricultural District with Specific Use Permit No. 3 and Planned Development District No. 942; and **(3)** adjustment of the boundaries of Subareas A, B, and C within Planned Development District No. 741, in an area generally bound by East Belt Line Road to the north, Dallas City Limit to the east, Hackberry Road and Ranch Trail to the south, and South Belt Line road/Dallas City Limit to the west  
Recommendation of Staff: Approval, subject to conditions  
Recommendation of CPC: Approval, subject to conditions  
Z212-134(MP)

**Attachments:** [Case Report](#)

- Z2. [22-2498](#) A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 824, on the northwest corner of Lingo Lane and Millmar Drive  
Recommendation of Staff: Approval, subject to a development plan, a revised traffic management plan, and conditions  
Recommendation of CPC: Approval, subject to a development plan, a revised traffic management plan, and conditions  
Z212-193(JA)

**Attachments:** [Case Report](#)

- Z3. [22-2500](#) A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern use and an inside commercial amusement use limited to a live music venue on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowds Street  
Recommendation of Staff: Approval for a three-year period, subject to conditions  
Recommendation of CPC: Approval for a three-year period, subject to conditions  
Z212-255(JM)

**Attachments:** [Case Report](#)

- Z4. [22-2544](#) A public hearing to receive comments regarding an application for and an ordinance granting a Historic Overlay for the Jackson Residence (10260 Strait Lane), on property zoned a R-1ac(A) Single Family District, on the east side of Strait Lane, north of Walnut Hill Lane  
Recommendation of Staff: Approval, subject to preservation criteria  
Recommendation of CPC: Approval, subject to preservation criteria, and with [Designation] Committee edits to nomination and preservation criteria  
Z212-256(LVO)

**Attachments:** [Case Report](#)

- Z5. [22-2501](#) A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1505 for a private school on property zoned Planned Development District 173, Tract F, on the north line of Frankford Road, northeast of the intersection of Frankford Road and Hillcrest Road  
Recommendation of Staff: Approval for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan, a landscape plan, a traffic management plan, and conditions  
Recommendation of CPC: Approval for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan, a landscape plan, a traffic management plan, and conditions  
Z212-262(MP)

**Attachments:** [Case Report](#)

#### ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

- Z6. [22-2584](#) A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses and office, general merchandise, or food store 3,500 square feet or less, and personal service uses on property zoned an R-7.5(A) Single Family District on the northwest line of Garland Road, northeast of Easton Road  
Recommendation of Staff: Approval, subject to a development plan, a tree protection plan, and staff's recommended conditions  
Recommendation of CPC: Approval, subject to a development plan, a tree protection plan, and conditions  
Z212-190(RM)  
Note: This item was deferred by the City Council before opening the public hearing on October 26, 2022 and is scheduled for consideration on November 9, 2022.

**Attachments:** [Case Report](#)

**STREET NAME CHANGE - UNDER ADVISEMENT****Development Services**

- PH1. [22-2595](#) A public hearing to receive comments and to approve a resolution granting a request to consider the Ceremonial Street Name request for "Rosa Lopez" as a street topper on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triunfo Street between Winnetka Avenue and Shaw Street - NC212-006(CM) - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs) (This item was deferred on October 26, 2022)

**Attachments:** [Map & List](#)  
[Map](#)  
[Memorandum](#)  
[Case Report](#)  
[Exhibit A](#)

**THOROUGHFARE PLAN AMENDMENTS****Department of Transportation**

- PH2. [22-2440](#) A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the right-of-way and pavement width on Park Avenue between Young Street and Marilla Street from 50 feet of right-of-way and 25 feet of pavement to 48 feet of right-of-way and 26 feet of pavement; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Ordinance](#)  
[Exhibit](#)

**MISCELLANEOUS HEARINGS****Department of Housing & Neighborhood Revitalization**

- PH3. [22-2441](#) A public hearing to receive comments regarding an application by LDG The Crossing at Clear Creek, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Crossing at Clear Creek located at the Northeast Corner of Highway 175 and Woody Road, Dallas, TX 75253 (the "Development"); and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Crossing at Clear Creek and in accordance with 10 TAC § 11.3(d) (the "Administrative Code"), specifically allow the construction of the development, as required by the Administrative Code, because the Development is within one linear mile or less of Meadowbrook (a 4% housing tax credit development located at 910 South Beltline Road), and is therefore subject to the One Mile Three Year Rule - Financing: No cost consideration to the City

**Attachments:**    [Map](#)  
                              [Resolution](#)

- PH4. [22-2458](#) A public hearing to receive comments regarding an application by LDG The Terrace at Highland Hills, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Terrace at Highland Hills located at 3100 Persimmon Road, Dallas, Texas 75241; and at the close of the public hearing **(1)** adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Terrace at Highland Hills, a multifamily development (Development), and **(2)** in accordance with 10 TAC § 11.3(d) (Administrative Code) and the Qualified Allocation Plan (QAP), specifically allow the construction of the Development, as required by the Administrative Code, because the Development is within one linear mile or less of the The Ridge at Lancaster and Palladium Simpson Stuart (recent 4% housing tax credit projects located at 5703 South Lancaster Road and 3380 Simpson Stuart Road, respectively), and is therefore subject to the One Mile Three Year Rule; **(3)** pursuant to 10 TAC §11.3(e) and §11.4(c)(1) and the QAP, specifically acknowledge that the Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households and the proposed Development is consistent with the City's obligation to affirmatively further fair housing; and **(4)** pursuant to 10 TAC §11.101(a)(3) and the QAP, specifically acknowledge that the proposed Development is located in a census tract that has a poverty rate above 40% for individuals - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

- PH5. [22-2451](#) A public hearing to receive comments regarding an application by Rock Island Riverfront, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Rock Island Riverfront located at 1027 South Riverfront Boulevard Dallas, Texas 75207; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Rock Island Riverfront - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Resolution](#)

- PH6. [22-2443](#) A public hearing to receive comments regarding an application by TX Ferguson 2022, LTD, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for the Estates at Ferguson located at 9220 Ferguson Road, Dallas, Texas 75228 (the "Development"); and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of the Estates at Ferguson - Financing: No cost consideration to the City

**Attachments:**    [Map](#)  
                                  [Resolution](#)

**Office of Economic Development**

- PH7. [22-2519](#) A public hearing to receive comments regarding adoption of a Community Development Program for the period January 1, 2023 through January 1, 2025 - Financing: No cost consideration to the City

**Attachments:**    [Exhibit A](#)



PH8. [22-2525](#)

A public hearing to receive comments on the proposed amendments to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Reinvestment Zone Number Three, the Oak Cliff Gateway Tax Increment Financing ("TIF") District (the "TIF District" or the "Zone") to: (1) increase the geographic area of the TIF District by approximately 244 acres including: (a) expanding the Bishop/Jefferson Sub-District by approximately 96 acres in an area generally along Jefferson Boulevard from Storey Street to 6th Street west of IH-35 and (b) adding the Clarendon/Beckley/Kiest Sub-District with approximately 148 acres in an area including the future Southern Gateway Deck Park at IH-35 between Marsalis Avenue and Ewing Avenue and generally along Clarendon Drive from Moore Street to Beckley Avenue and along Beckley Avenue from Clarendon Drive to just north of Kiest Boulevard; (2) establish a termination date for the Clarendon/Beckley/Kiest Sub-District of December 31, 2052; (3) establish the percentage of tax increment contributed by the City of Dallas during the term of the Clarendon/Beckley/Kiest Sub-District at 90%; (4) authorize an amendment to the participation agreement with Dallas County to request the County's participation in the Clarendon/Beckley/Kiest Sub-District; (5) create a new budget category for the Clarendon/Beckley/Kiest Sub-District; (6) create a new budget category for the TIF District for homeowner stabilization, home repair, and displacement mitigation; (7) extend the termination date of the Oak Cliff Gateway Sub-District from December 31, 2027 to December 31, 2044 and reduce the City's participation rate from 85% to 50% during the extended term; (8) increase the total budget for the TIF District from \$28,621,027 net present value (approximately \$76,665,998 in total dollars) to \$99,381,853 net present value (approximately \$352,993,541 in total dollars); (9) increase the budget capacity of the Oak Cliff Gateway Sub-District and the Bishop/Jefferson Sub-District to retain a portion of future tax increment to support future applications for project funding and annually transfer a portion of future tax increment to the following new budget categories: (a) budget line item for homeowner stabilization, home repair, and displacement mitigation programs and (b) Clarendon/Beckley/Kiest Sub-District; and (10) make corresponding modifications to the TIF District's boundary, budget, and Plan; and, at the close of the public hearing, consider an ordinance amending Ordinance No. 21466, as amended, previously approved on November 11, 1992, and Ordinance No. 23033, as amended, previously approved on February 12, 1997, to reflect these amendments - Financing: No cost consideration to the City

**Attachments:** [Map](#)  
[Ordinance](#)  
[Exhibit A](#)  
[Exhibit B](#)

**EXECUTIVE SESSION NOTICE**

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]



# Agenda Date: November 9, 2022

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	SEC	N/A	Approval of Minutes of the October 26, 2022 City Council Meeting
2.	All	C	BMS	NC	Authorize (1) preliminary adoption of the City's Proposed 2022 Community Development Block Grant Disaster Recovery (CDBG-DR) Budget and draft Action Plan to accept Community Development Block Grant Disaster Recovery in the amount of \$24,433,000; and (2) a public hearing to be held on December 14, 2022, to receive comments on the proposed use of funds - Financing: No cost consideration to the City
3.	N/A	C	ATT	\$175,000.00	Authorize settlement of the lawsuit styled Kimberly J. Hawkins v. The City of Dallas, Cause No. DC-21-14360 - Not to exceed \$175,000.00 - Financing: Liability Reserve Fund
4.	N/A	C	ATT	\$50,000.00	Authorize settlement of the lawsuit styled Liza Jessie v. City of Dallas, Cause No. CC-22-02968-E - Not to exceed \$50,000.00 - Financing: Liability Reserve Fund
5.	2	C	AVI	\$1,215,000.00	Authorize a construction services contract to provide construction services for the Elevator Upgrades Phase II Project at the Dallas Airport System with K & M Elevator, LLC, lowest responsible bidder of five - Not to exceed \$1,215,000.00 - Financing: Aviation Fund
6.	All	C	HOU	NC	A resolution to authorize (1) the Dallas Housing Finance Corporation (DHFC or Corporation) to issue Qualified Mortgage Revenue Bonds (Bonds) for the purpose of obtaining funds to finance home mortgage loans for persons of low and moderate income; and (2) the assignment of the Bonds to be administered by the Texas Department of Housing & Community Affairs through the Texas Homebuyer Program in the amount of \$25,000,000.00 - Financing: No cost consideration to the City
7.	2	C	HOU	REV- \$3,775,412.13	Authorize the Dallas Housing Finance Corporation to issue tax-exempt essential function bonds to finance, acquire, and own The Dylan, a multifamily development located at 4533 Cedar Springs Road - Estimated Revenue Foregone: General Fund \$3,775,412.13 (see Fiscal Information)
8.	All	C	HOU	GT	Authorize (1) an amendment to the American Rescue Plan Act Neighborhood Revitalization Program ("Program" or "ARPA NRP Program") to (a) expand eligible applicants to households throughout the City of Dallas disproportionately impacted by the COVID-19 pandemic that currently receive certain federal benefits; (b) add sidewalk improvements as eligible infrastructure improvements in Qualified Census Tracts; (c) add eligible area maps; and (d) allow the Program to receive additional ARPA

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					allocations from two sources: Councilmember discretionary ARPA funding and funding from various departments and various units, in a total amount not to exceed \$10,000,000.00, to Fund FC18, through December 2023, to be used for home repair activities and infrastructure improvements in expanded eligible areas; (2) the retention of two positions to assist in the administration of the Program; and (3) execution of all documents and agreements necessary to implement the Program, including but not limited to agreements with homeowners, subrecipients, contractors, and/or administration agreement(s) for the Program - <a href="#">Total not to exceed \$21,250,000.00</a> - Financing: American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) ( <a href="#">see Fiscal Information</a> ) <del>(a) \$11,250,000.00 initial allocation for home repair in three neighborhoods Joppee/Joppa, Five Mile, and Tenth Street Historic District; and (b) two additional sources, in a total amount not to exceed \$10,000,000.00 allocated through December 2023</del> Each funding source corresponds to a specific service area, as can be seen in attached map exhibits
9.	All	C	PER	\$575,808.95	An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-9 and 34-25 by (1) allowing holiday pay for City temporary employees; (2) providing a saving clause; (3) providing a severability clause; and (4) effective immediately upon council approval - Estimated Annual Cost \$575,808.95 - Financing: Operating Funds (See Fiscal Information)
10.	2	C	PBW	REV \$1,000.00	An ordinance granting a revocable license to Federales Deep Ellum, LLC, for the use of approximately two square feet of aerial space to install, occupy and maintain an illuminated premise blade sign over a portion of Commerce Street right-of-way located near its intersection with Malcolm X Boulevard - Revenue: General Fund \$1,000.00 annually, plus the \$20.00 ordinance publication fee
11.	6	C	PBW	\$334,250.00	Authorize the ratification of a resolution for the construction services contract for emergency bridge repairs on State Highway 356 Bridge, TxDOT Bridge No. 18-057-0092-07-165 with Gibson & Associates, Inc., lowest responsible bidder of two - Not to exceed \$334,250.00 - Financing: Street and Alley Improvement Fund
12.	3, 6	C	PBW	\$1,211,088.00	Authorize the ratification of a resolution for the construction services contract for an emergency contract to repair the pavement and its supporting sloped embankment of the 1300 block of North Cockrell Hill Road - Camino Construction, L.P., lowest responsible bidder of six - Not to exceed \$1,211,088.00 - Financing: Street and Alley Improvement Fund

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					(\$605,544.00) and Wastewater Capital Improvement G Fund (\$605,544.00)
13.	10	C	PBW	\$1,836,990.00	Authorize a construction services contract for the construction of Package B for Street Reconstruction Group 17-10004 and Alley Reconstruction Group 17-10001 (list attached to the Agenda Information Sheet) - Jeske Construction Co., lowest responsible bidder of two - Not to exceed \$1,836,990.00 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Funds) (\$1,604,655.00), Water Capital Improvement (F) Fund (\$80,370.00), Water Construction Fund (\$3,180.00), Wastewater Capital Improvement (G) Fund (\$145,145.00), and Wastewater Construction Fund (\$3,640.00)
14.	All	C	BCM	\$10,000,000.00	Authorize (1) an increase in appropriations in an amount not to exceed \$5,000,000.00 in the Building Inspection Fund; and (2) two-year construction services contracts, with two one-year renewal options, for job order contracting services at City facilities with METCO Engineering, Inc., Big Sky Construction CO., Inc., Brown & Root Industrial Services, LLC, Gilbert May, Inc. dba Phillips/May Corporation, RS Commercial Construction, LLC, and Nouveau Technology Services, L.P., most advantageous proposers of eleven - Not to exceed \$10,000,000.00 - Financing: Facilities (H) Fund (2017 General Obligation Bond Fund) (\$3,000,000.00), Homeless Assistance (J) Fund (2017 General Obligation Bond Fund) (\$2,000,000.00), and Building Inspection Fund (\$5,000,000.00) (subject to annual appropriations)
15.	All	C	OCC	GT	A resolution authorizing approval of an Interlocal Agreement between the City of Dallas and Dallas County, approved as to form by the City Attorney, for Parkland Health & Hospital System to implement a universal Newborn Nurse Home Visit Program as seen in Exhibit A, with matching funds to be provided by Dallas County - Not to exceed \$2,000,000.00 - Financing: Coronavirus State and Local Fiscal Recovery Fund
16.	All	C	OCC	\$150,868.00	Authorize a one-year service contract, with two one-year renewal options, to administer the Senior Services Ombudsman Program by providing nursing home ombudsman services, which includes: receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period November 9, 2022 through November 8, 2023 - Senior Citizens of Greater Dallas, Inc., sole source - Not to exceed \$150,868.00 - Financing: General Fund (subject to annual appropriations)
17.	All	C	IPS	NC	An ordinance amending Chapter 27, "Minimum Property Standards," of the

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Dallas City Code by : (1) providing a definition for “unsafe property”; (2) providing unsafe properties to be a public safety nuisance subject to abatement; (3) providing that unsafe properties must implement Crime Prevention Through Environmental Design principles; (4) providing a penalty not to exceed \$2,000.00; (5) providing a saving clause; (6) providing a severability clause; and (7) providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)
18.	All	C	POM	\$685,972.50	Authorize a one-year cooperative purchasing agreement for the purchase of visualization engineering services for the Department of Information and Technology Services with IT Cadre, LLC through the Texas Department of Information Resources General Services Administrative cooperative agreement - Not to exceed \$685,972.50 - Financing: 2008A Certificate of Obligation-CIS Fund (subject to annual appropriations)
19.	All	C	POM	\$383,099.25	Authorize a three-year cooperative purchasing agreement for an online training management system and subscription services for the Fire-Rescue Department with Lexipol, LLC through the Sourcewell cooperative agreement - Not to exceed \$383,099.25 - Financing: General Fund (subject to annual appropriations)
20.	N/A	C	POM	\$1,324,163.00	Authorize a three-year cooperative purchasing agreement for continued use of the existing software to facilitate the new hire and performance management process for the Department of Information and Technology Services with SHI Government Solutions, Inc. through the Local Government Purchasing Cooperative (Buyboard) agreement - Not to exceed \$1,324,163 - Financing: Data Services Fund (subject to annual appropriations)
<del>21.</del>	<del>All</del>	<del>C</del>	<del>POM</del>	<del>\$491,689.00</del>	<del>Authorize a four-year cooperative purchasing agreement for the acquisition and service maintenance and support of a data access governance solution for the Department of Information and Technology Services with SHI Government Solutions through the Local Government Purchasing Cooperative (Buyboard) agreement - Not to exceed \$491,689.00 - Financing: 2021 Homeland Security Urban Security Initiative 21-23 (subject to annual appropriations)</del>
22.	All	C	POM	\$382,871.28	Authorize a five-year cooperative purchasing agreement for the purchase of software and hardware that provides a situational awareness and integration platform for City and privately owned surveillance camera systems for the Police Department managed by the Department of Information and Technology Services with ICU Technologies, Inc. through the General Services Administration cooperative agreement - Not to exceed \$478,589.10 - Financing: General Fund (\$191,435.64), Homeland

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					Security-Urban Area Security Initiative 2022 Grant Funds (\$95,717.82), and UASI 2022 Fusion Project Fund (\$191,435.64) (subject to annual appropriations)
23.	All	C	POM	\$216,500.00	Authorize a two-year master agreement for the purchase of feminine hygiene products for the Period Access Dallas Program for the Office of Community Care - Happy Period, lowest responsible bidder of eight - Estimated amount of \$216,500 - Financing: Equity Fund
<del>24.</del>	<del>All</del>	<del>C</del>	<del>POM</del>	<del>REV</del> <del>\$735,000.00</del> <u>\$4,320,000.00</u>	<del>Authorize a three-year professional service contract, with two one-year renewal options, for sales tax compliance review and recovery services for the Office of the City Auditor Avenu Insights and &amp; Analytics, LLC, most advantageous proposers of five - Estimated Annual Net Revenue: \$735,000</del> <u>\$4,320,000 (see Fiscal Information)</u>
25.	All	C	POM	\$135,330.37	Authorize a three-year service contract for the acquisition, maintenance, and support of a cloud based digital learning platform for the Water Utilities Department - ANCILE Solutions, Inc., sole source - Not to exceed \$135,330.37 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)
26.	All	C	POM	\$631,688.40	Authorize a three-year service contract, with one two-year renewal option, for retiree concierge services for the Department of Human Resources - Health Advocate Solutions, Inc., most advantageous proposer of four - Not to exceed \$631,688.40 - Financing: Employee Benefits Fund (subject to annual appropriations)
27.	All	C	POM	\$15,000,000.00	Authorize a five-year service contract to establish a master agreement for an electronic payment processing service for the Water Utilities Department with Paymentus Corporation through an interlocal agreement with the City of Odessa - See attached Fee Schedule, Schedule A - Estimated expenditure: \$15,000,000 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)
28.	All	C	POM	\$304,732.67	Authorize Supplemental Agreement No. 2 to exercise the second of two, one-year renewal options to the service contract with Innovative Interfaces Incorporated for licenses, maintenance, hosting, and support of an integrated library system - Not to exceed \$304,732.67 - Financing: General Fund (subject to annual appropriations)
29.	All	C	POM	\$30,194,297.30	Authorize Supplemental Agreement No. 54 to the existing agreement for the purchase of voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Information and Technology Services with AT&T Corp. through the Texas Department of Information Resources



ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Cooperative Agreement - Not to exceed \$30,194,297.30 - Financing: Data Services Fund (\$28,111,152.66) and Information Technology Equipment Fund (\$2,083,144.64) <a href="#">(subject to annual appropriations)</a>
30.	3	C	PKR	NC	Authorize a public hearing to be held on December 14, 2022, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments on the proposed use of a portion of Forest Cliff Park, totaling approximately 50 square feet of land, located at 5100 Duncanville Road by the Office of Emergency Management, to provide warning siren system coverage for the benefit of the public - Financing: No cost consideration to the City
31.	2, 6	C	PKR	\$851,117.52	Authorize an increase in the construction services contract with RoeschCo Construction, Inc. for additional work on the Trinity Strand Trail Phase 2, located between Inwood Road Dallas Area Rapid Transit Station to Turtle Creek Boulevard - Not to exceed \$851,117.52, <del>increasing the contract amount</del> from \$5,521,648.56 to \$6,372,766.08 - Financing: Street and Transportation Improvement Funds (2012 General Obligation Bond Fund)
32.	All	C	DPD	\$20,239.52	Authorize (1) the application for and acceptance of the Selective Traffic Enforcement Program (STEP) - Impaired Driving Mobilization, Overtime Enforcement Grant (Grant No. 2023-Dallas-IDM-00005, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of \$49,989.60 for a statewide Driving While Intoxicated Enforcement campaign to operate during various holiday periods for the period December 13, 2022 through September 30, 2023; (2) the establishment of appropriations in the amount of \$49,989.60 in the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund; (3) the receipt and deposit of grant funds in the amount of \$49,989.60 in the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund; (4) a local cash match in the amount of \$20,239.52; and (5) execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount \$70,229.12 - Financing: Texas Department of Transportation Grant Funds (\$49,989.60) and General Fund (\$20,239.52)
33.	7	C	SBC	\$100,000.00	Authorize a Conditional Chapter 380 Economic Development Loan Agreement, <a href="#">approved as to form by the City Attorney</a> , with DFW Dawg Life, LLC in the amount of \$100,000.00 sourced with the South Dallas/Fair Park Opportunity Fund for <del>capital improvements and construction</del> costs related to the renovation/expansion for leased space located at 2721 Logan Street, Dallas, Texas <a href="#">75215</a> - Not to exceed \$100,000.00 - Financing: South Dallas/Fair Park Opportunity Fund
34.	All	C	SBC	NC	Authorize approval of a Program Statement supporting American Rescue

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Plan Act/Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) funding for the Small Business Assistance Program and the Non-Profit Assistance Program with the intent of providing financial support in the form of a grant for operational expenses, including, but not limited to expenses such as rent, utilities, staff salaries and benefits, product loss, and cleaning supplies incurred between March 3, 2021 and September 30, 2024, and resulting from COVID-19 and/or in response to needs caused by COVID-19 - Financing: No cost consideration to the City
35.	4, 8	C	DWU	\$3,498,000.00	Authorize a professional services contract with Black & Veatch Corporation to provide engineering and consulting services for the City of Dallas Wastewater Facilities and Operations Strategic Plan - Not to exceed \$3,498,000.00 - Financing: Wastewater Construction Fund
36.	All	C	DWU	\$2,275,563.00	Authorize a professional services contract with HDR Engineering, Inc. to prepare the City's Long Range Water Supply Plan Study to the Year 2080 and beyond - Not to exceed \$2,275,563.00 - Financing: Water Construction Fund
37.	1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, Outside	C	DWU	\$18,001,799.00	Authorize a construction services contract for the installation and rehabilitation of water and wastewater mains, the replacement of water transmission valves, and the extension of water and wastewater mains to unserved areas at 45 locations (list attached to the Agenda Information Sheet) - SYB Construction Company, Inc., lowest responsible bidder of four - Not to exceed \$21,003,141.50 - Financing: Water (Drinking Water) - TWDB 2021 Fund (\$8,774,764.62), Water (Drinking Water) - TWDB 2022 Fund (\$4,844,808.38), Wastewater (Clean Water) - 2022 TWDB Fund (\$4,382,226.00), and Coronavirus State and Local Fiscal Recovery Fund (\$3,001,342.50)
38.	6	C	DWU	\$347,510.00	Authorize Supplemental Agreement No. 1 to the professional services contract with Gresham Smith to provide additional engineering services for the Lower East Bank Interceptor - Not to exceed \$347,510.00, from \$2,180,474.50 to \$2,527,984.50 - Financing: Wastewater Capital Improvement F Fund
39.	N/A	I	SEC	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)
40.	7	I	HOU	REV \$6,500.00 REV- \$10,257.31	Authorize the (1) sale of up to 5 Land Transfer Program lots to Citybuild Community Development Corporation, and/or its affiliates (Developer) subject to restrictive covenants, a right of reverter, and execution of all necessary documents, pursuant to the City's Land Transfer Program; (2)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					release of lien for all non-tax City liens, notices, or orders that were filed on up to 5 Land Transfer Program lots sold to Developer prior to or subsequent to the deeds transferring the lots to the City of Dallas; and (3) execution of a development agreement with Developer for the construction of a Health and Wellness Center on the Land Transfer Program lots - Estimated Revenue: General Fund \$6,500.00; Estimated Revenue Foregone: General Fund \$10,257.31 (see Fiscal Information) (This item was deferred on October 26, 2022)
41.	All	I	OCC	GT	Authorize the (1) application for and acceptance of additional grant funds from the U.S. Department of the Treasury for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program (CFDA No. 21.023) the amount of \$116,817.39; (2) establishment of appropriations in an amount not to exceed \$116,817.39 in the Emergency Rental Assistance Program Fund; (3) receipt and deposit of funds in an amount not to exceed \$116,817.39 in the Emergency Rental Assistance Program Fund; (4) disbursement of funds in an amount not to exceed \$116,817.39 from the Emergency Rental Assistance Program Fund; and (5) execution of any documents necessary to accept and/or spend the funds - Total not to exceed \$116,817.39, increasing the appropriations from \$41,532,662.69 to \$41,649,480.08 - Financing: U.S. Department of the Treasury Emergency Rental Assistance Program Grant Funds
42.	All	I	OCC	NC	Authorization of (1) an ordinance (a) repealing Ordinance No. 31521; (b) providing a saving clause; and (c) providing an effective date (Attachment A); and (2) a temporary ordinance (a) providing for a notice of proposed eviction by residential landlords before a notice to vacate a residential tenancy; (b) creating an offense; (c) providing a penalty not to exceed \$500.00; (d) providing a savings clause; (e) providing a severability clause; and (f) providing an effective date (Attachment B) - Financing: No cost consideration to the City
43.	N/A	I	OEM	GT	Authorize the (1) acceptance of federal reimbursements from the Federal Emergency Management Agency (FEMA) (Public Assistance Grant, 4485, Texas Covid-19 Pandemic, CFDA No. 97.036) in an amount of \$14,800,000.00; (2) establishment of appropriations in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; (3) receipt and deposit of funds in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; and (4) execute the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed \$14,800,000.00 Financing: Federal Emergency Management Agency Grant Funds

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Z1.	6	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting (1) an amendment to the development standards within Planned Development District No. 741; (2) an expansion of Planned Development District No. 741, Subarea A to include an additional 446 acres of land, currently zoned an A(A) Agricultural District with Specific Use Permit No. 3 and Planned Development District No. 942; and (3) adjustment of the boundaries of Subareas A, B, and C within Planned Development District No. 741, in an area generally bound by East Belt Line Road to the north, Dallas City Limit to the east, Hackberry Road and Ranch Trail to the south, and South Belt Line road/Dallas City Limit to the west</p> <p>Recommendation of Staff: Approval, subject to conditions</p> <p>Recommendation of CPC: Approval, subject to conditions</p> <p>Z212-134(MP)</p>
Z2.	9	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 824, on the northwest corner of Lingo Lane and Millmar Drive</p> <p>Recommendation of Staff: Approval, subject to a development plan, a revised traffic management plan, and conditions</p> <p>Recommendation of CPC: Approval, subject to a development plan, a revised traffic management plan, and conditions</p> <p>Z212-193(JA)</p>
Z3.	2	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern use and an inside commercial amusement use limited to a live music venue on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowdsus Street</p> <p>Recommendation of Staff: Approval for a three-year period, subject to conditions</p> <p>Recommendation of CPC: Approval for a three-year period, subject to conditions</p> <p>Z212-255(JM)</p>
Z4.	13	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting a Historic Overlay for the Jackson Residence (10260 Strait Lane), on property zoned a R-1ac(A) Single Family District, on the east side of Strait Lane, north of Walnut Hill Lane</p> <p>Recommendation of Staff: Approval, subject to preservation criteria</p> <p>Recommendation of CPC: Approval, subject to preservation criteria, and with [Designation] Committee edits to nomination and preservation criteria</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Z212-256(LVO)
Z5.	12	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1505 for a private school on property zoned Planned Development District 173, Tract F, on the north line of Frankford Road, northeast of the intersection of Frankford Road and Hillcrest Road</p> <p>Recommendation of Staff: Approval for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan, a landscape plan, a traffic management plan, and conditions</p> <p>Recommendation of CPC: Approval for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan, a landscape plan, a traffic management plan, and conditions</p> <p>Z212-262(MP)</p>
Z6.	9	PH	PNV	NC	<p>A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses and office, general merchandise, or food store 3,500 square feet or less, and personal service uses on property zoned an R-7.5(A) Single Family District on the northwest line of Garland Road, northeast of Easton Road</p> <p>Recommendation of Staff: Approval, subject to a development plan, a tree protection plan, and staff's recommended conditions</p> <p>Recommendation of CPC: Approval, subject to a development plan, a tree protection plan, and conditions</p> <p>Z212-190(RM)</p> <p>Note: This item was deferred by the City Council before opening the public hearing on October 26, 2022 and is scheduled for consideration on November 9, 2022.</p>
PH1.	6	PH	DEV	NC	<p>A public hearing to receive comments and to approve a resolution granting a request to consider the Ceremonial Street Name request for "Rosa Lopez" as a street topper on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triunfo Street between Winnetka Avenue and Shaw Street - NC212-006(CM) - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs) (This item was deferred on October 26, 2022)</p>
PH2.	2	PH	TRN	NC	<p>A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the right-of-way and pavement width on Park Avenue between Young Street</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					and Marilla Street from 50 feet of right-of-way and 25 feet of pavement to 48 feet of right-of-way and 26 feet of pavement; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City
PH3.	8	PH	HOU	NC	A public hearing to receive comments regarding an application by LDG The Crossing at Clear Creek, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Crossing at Clear Creek located at the Northeast Corner of Highway 175 and Woody Road, Dallas, TX 75253 (the "Development"); and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Crossing at Clear Creek and in accordance with 10 TAC § 11.3(d) (the "Administrative Code"), specifically allow the construction of the development, as required by the Administrative Code, because the Development is within one linear mile or less of Meadowbrook (a 4% housing tax credit development located at 910 South Beltline Road), and is therefore subject to the One Mile Three Year Rule - Financing: No cost consideration to the City
PH4.	8	PH	HOU	NC	A public hearing to receive comments regarding an application by LDG The Terrace at Highland Hills, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Terrace at Highland Hills located at 3100 Persimmon Road, Dallas, Texas 75241; and at the close of the public hearing (1) adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Terrace at Highland Hills, a multifamily development (Development), and (2) in accordance with 10 TAC § 11.3(d) (Administrative Code) and the Qualified Allocation Plan (QAP), specifically allow the construction of the Development, as required by the Administrative Code, because the Development is within one linear mile or less of the The Ridge at Lancaster and Palladium Simpson Stuart (recent 4% housing tax credit projects located at 5703 South Lancaster Road and 3380 Simpson Stuart Road, respectively), and is therefore subject to the One Mile Three Year Rule; (3) pursuant to 10 TAC §11.3(e) and §11.4(c) (1) and the QAP, specifically acknowledge that the Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households and the proposed Development is consistent with the City's obligation to affirmatively further fair housing; and (4) pursuant to 10 TAC §11.101(a)(3) and the QAP, specifically acknowledge that the proposed Development is located in a census tract that has a poverty rate

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					above 40% for individuals - Financing: No cost consideration to the City
PH5.	2	PH	HOU	NC	A public hearing to receive comments regarding an application by Rock Island Riverfront, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Rock Island Riverfront located at 1027 South Riverfront Boulevard Dallas, Texas 75207; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Rock Island Riverfront - Financing: No cost consideration to the City
PH6.	7	PH	HOU	NC	A public hearing to receive comments regarding an application by TX Ferguson 2022, LTD, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for the Estates at Ferguson located at 9220 Ferguson Road, Dallas, Texas 75228 (the "Development"); and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of the Estates at Ferguson - Financing: No cost consideration to the City
PH7.	All	PH	ECO	NC	A public hearing to receive comments regarding adoption of a Community Development Program for the period January 1, 2023 through January 1, 2025 - Financing: No cost consideration to the City
PH8.	1, 4	PH	ECO	NC	A public hearing to receive comments on the proposed amendments to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Reinvestment Zone Number Three, the Oak Cliff Gateway Tax Increment Financing ("TIF") District (the "TIF District" or the "Zone") to: (1) increase the geographic area of the TIF District by approximately 244 acres including: (a) expanding the Bishop/Jefferson Sub-District by approximately 96 acres in an area generally along Jefferson Boulevard from Storey Street to 6th Street west of IH-35 and (b) adding the Clarendon/Beckley/Kiest Sub-District with approximately 148 acres in an area including the future Southern Gateway Deck Park at IH-35 between Marsalis Avenue and Ewing Avenue and generally along Clarendon Drive from Moore Street to Beckley Avenue and along Beckley Avenue from Clarendon Drive to just north of Kiest Boulevard; (2) establish a termination date for the Clarendon/Beckley/Kiest Sub-District of December 31, 2052; (3) establish the percentage of tax increment contributed by the City of Dallas during the term of the Clarendon/Beckley/Kiest Sub-District at 90%; (4) authorize an amendment to the participation agreement with Dallas County to request the County's participation in the Clarendon/Beckley/Kiest Sub-District; (5) create a new budget category for

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					the Clarendon/Beckley/Kiest Sub-District; (6) create a new budget category for the TIF District for homeowner stabilization, home repair, and displacement mitigation; (7) extend the termination date of the Oak Cliff Gateway Sub-District from December 31, 2027 to December 31, 2044 and reduce the City's participation rate from 85% to 50% during the extended term; (8) increase the total budget for the TIF District from \$28,621,027 net present value (approximately \$76,665,998 in total dollars) to \$99,381,853 net present value (approximately \$352,993,541 in total dollars); (9) increase the budget capacity of the Oak Cliff Gateway Sub-District and the Bishop/Jefferson Sub-District to retain a portion of future tax increment to support future applications for project funding and annually transfer a portion of future tax increment to the following new budget categories: (a) budget line item for homeowner stabilization, home repair, and displacement mitigation programs and (b) Clarendon/Beckley/Kiest Sub-District; and (10) make corresponding modifications to the TIF District's boundary, budget, and Plan; and, at the close of the public hearing, consider an ordinance amending Ordinance No. 21466, as amended, previously approved on November 11, 1992, and Ordinance No. 23033, as amended, previously approved on February 12, 1997, to reflect these amendments - Financing: No cost consideration to the City

**TOTAL \$90,393,577.76**







# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2481

**Item #:** 1.

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**SUBJECT**

Approval of Minutes of the October 26, 2022 City Council Meeting





## Agenda Information Sheet

**File #:** 22-2125

**Item #:** 2.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** ALL

**DEPARTMENT:** Budget and Management Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize **(1)** preliminary adoption of the City's Proposed 2022 Community Development Block Grant Disaster Recovery (CDBG-DR) Budget and draft Action Plan to accept Community Development Block Grant Disaster Recovery in the amount of \$24,433,000; and **(2)** a public hearing to be held on December 14, 2022, to receive comments on the proposed use of funds - Financing: No cost consideration to the City

### **BACKGROUND**

In late April 2022, the Department of Housing and Urban Development (HUD) announced that approximately \$24.4 million has been allocated to the City of Dallas under the second tranche of funds released from the Disaster Relief and Supplemental Appropriations Act of 2022. This funding was allocated to the City as a result of the winter and ice storm that occurred in February 2021.

Community Development Block Grant Disaster Recovery (CDBG-DR) funds must only be spent for necessary activities related to disaster recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the "most impacted and distressed (MID)" areas of qualifying disasters. All of Dallas is included in the MID.

CDBG-DR funding supplements other Federal recovery assistance programs administered by the Federal Emergency Management Agency (FEMA), the Small Business Administration (SBA), and the United States Army Corps of Engineers (USACE). Funds cannot duplicate financial assistance or be used to reimburse for payments made from any other source. Since these recovery assistance programs provide similar assistance, HUD entered into a data sharing agreement with FEMA. HUD will share FEMA's data with grantees to prevent a risk of duplication of benefits. To receive the CDBG-DR funds, the City must develop an action plan detailing the use of funds that address unmet recovery needs and mitigation activities related to the disaster. The FEMA data must also be used to guide funding recommendations in the action plan.

The CDBG-DR action plan was originally due to HUD by September 28. Regulations require that the proposed plan be posted on the City's website to receive comments for no less than 30 days prior to submission to HUD. The 30-day posting requirement assumes that we have received the FEMA data. However, because the City had not received required FEMA data to inform development of the action plan, the City requested, and HUD authorized, a 90-day extension. The Action Plan submission due date is now December 28, 2022.

In order to meet statutory deadline requirements, preliminary information was used to develop the City's Proposed 2022 CDBG-DR Budget and draft Action Plan, pending receipt of FEMA's data. Upon receipt of FEMA's data, amendments will be proposed as necessary to be consistent with FEMA's data, including capped categories.

In general, CDBG eligible activities that address a disaster-related impact (directly or indirectly) throughout the city are eligible for CDBG-DR funding. Same as with other HUD funds, a focus on addressing housing needs is encouraged. Funds may only be used for unmet disaster recovery needs or mitigation activities not addressed by other resources. Reimbursements are not allowed, and 100 percent of the City's CDBG-DR funding must be spent on eligible activities within 6 years of HUD's execution of the grant agreement.

A summary of the City's Proposed 2022 CDBG-DR Budget and Action Plan will be made available for public review and comment on or about November 10, 2022 through December 13, 2022, and a notice will be published in the Dallas Morning News on or about November 13, 2022, to provide citizens an opportunity to submit written comments through December 13, 2022, satisfies the requirements set forth in HUD regulations.

This action authorizes preliminary adoption of the City's Proposed 2022 CDBG-DR Budget and draft Action Plan to accept Community Development Block Grant Disaster Recovery (CDBG-DR) in the amount of \$24,433,000 and a public hearing to be held on December 14, 2022 before the Dallas City Council.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

City Council was briefed on the City's Proposed 2022 Community Development Block Grant - Disaster Recovery Budget on October 19, 2022.

#### **FISCAL INFORMATION**

No cost consideration to the City.

November 9, 2022

**WHEREAS**, in late April 2022, the Department of Housing and Urban Development (HUD) announced that approximately \$24.4 million of Community Development Block Grant Disaster Recovery funding has been allocated to the City of Dallas under the second tranche of funds released from the Disaster Relief and Supplemental Appropriations Act of 2022; and

**WHEREAS**, funding was allocated to the City as a result of the winter and ice storm that occurred in Dallas, TX in February 2021; and

**WHEREAS**, Community Development Block Grant Disaster Recovery (CDBG-DR) Funds must only be spent for necessary activities related to disaster recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the “most impacted and distressed (MID)” areas of qualifying disasters and includes all of Dallas; and

**WHEREAS**, CDBG-DR funding supplements other Federal recovery assistance programs administered by the Federal Emergency Management Agency (FEMA), the Small Business Administration (SBA), and the United States Army Corps of Engineers (USACE) and cannot duplicate financial assistance or be used to reimburse for payments made from any other source; and

**WHEREAS**, to receive the CDBG-DR funds, the City must develop an action plan detailing the use of funds that address unmet recovery needs and mitigation activities related to the disaster; and

**WHEREAS**, HUD will share FEMA’s data with grantees to inform development of an action plan and prevent a risk of duplication of benefits; and

**WHEREAS**, on October 19, 2022, City Council was briefed on the City Manager’s Proposed CDBG-DR Budget; and

**WHEREAS**, in order to meet statutory deadline requirements, development of the City’s Proposed 2022 CDBG-DR Budget and draft Action Plan began using preliminary information, pending receipt of FEMA’s data and, upon receipt, amendments will be proposed as necessary to be consistent with FEMA’s data, including capped categories; and

**WHEREAS**, Federal regulations require that a public hearing be held on the City’s Proposed 2022 CDBG-DR Budget and draft Action Plan; and

November 9, 2022

**WHEREAS**, a summary of the City's Proposed 2022 CDBG-DR Budget and Action Plan will be made available for public review and comment on or about November 10, 2022 through December 13, 2022, and a notice will be published in the Dallas Morning News on or about November 13, 2022 to provide citizens an opportunity to submit written comments through December 13, 2022, satisfies the requirements set forth in HUD regulations.

**Now, Therefore,**

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

**SECTION 1.** That preliminary adoption of the City's Proposed 2022 CDBG-DR Budget and draft Action Plan be approved per the Appendix.

**SECTION 2.** That a public hearing be held on December 14, 2022 before the Dallas City Council to receive comments on the City's Proposed 2022 CDBG-DR Budget and draft Action Plan.

**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.

# APPENDIX

## 2022 COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY (CDBG-DR) FUNDS

	Program	Eligible Category	Amount
1	HOU Downpayment Assistance	Housing	500,000
2	HOU Rehabilitation - Multi-Unit	Housing	2,000,000
3	HOU New Construction - Multi-Unit	Housing	12,824,350
<b>Housing Activity Total</b>			<b>15,324,350</b>
4	PKR Kleburg Rylie - gymnasium floor	Infrastructure	1,000,000
5	PKR Big Thicket - replace damaged roof, gutters and fascia materials	Infrastructure	50,000
6	PKR Bahama Beach - Repairs and paint	Infrastructure	1,600,000
7	PKR Grauwlyer Recreation Center - repairs to additional building used for additional class space and meetings for community. Extensive damage to building due to bursted water pipes during the winter storm.	Infrastructure	50,000
<b>Infrastructure Total</b>			<b>2,700,000</b>
8	BMS Data acquisition, analysis, and creation of action plan(s), implementation plan(s), amendments, and other activities necessary to enable spending funds pursuant to the law.	Planning	500,000
9	HOU Data acquisition, analysis, and creation of action plan(s), implementation plan(s), amendments, and other activities necessary to authorize spending funds on housing activities.	Planning	1,500,000
<b>Planning Total</b>			<b>2,000,000</b>
CDBG-DR - Planning 15% Cap			3,664,350
Under/(Over) Cap			1,664,350
CDBG-DR - Planning Cap Percentage			8.2%
10	PKR Urban tree canopy and landscaped plantings in parks due to damage and loss of large mature trees.	Mitigation	160,000
11	OEM 2022 City of Dallas Local Mitigation Action Plan	Mitigation	3,027,000
<b>Mitigation Total</b>			<b>3,187,000</b>
CDBG-DR - Mitigation Set-aside, Maximum Amount			3,187,000
Under/(Over) Max			0
CDBG-DR – Mitigation Set-aside Amount			3,187,000
12	BMS Admin - Provide coordination of budget development, citizen participation, and centralized reporting to HUD as primary City liaison.	Admin	600,000
13	HOU Admin - Provide operational support for the management and administration for housing related CDBG programs.	Admin	621,650
<b>Total Admin</b>			<b>1,221,650</b>
CDBG-DR - Admin 5% Cap			1,221,650
Under/(Over) Cap			0
CDBG-DR - Admin Cap Percentage			5%
<b>GRAND TOTAL CDBG-DR BUDGET</b>			<b>24,433,000</b>





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 22-2526

**Item #:** 3.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Attorney's Office

**EXECUTIVE:** Christopher J. Caso

### **SUBJECT**

Authorize settlement of the lawsuit styled Kimberly J. Hawkins v. The City of Dallas, Cause No. DC-21-14360 - Not to exceed \$175,000.00 - Financing: Liability Reserve Fund

### **BACKGROUND**

Plaintiff Kimberly J. Hawkins filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries and other damages sustained in an automobile collision on October 29, 2019, involving a City of Dallas Sanitation vehicle. The City and Ms. Hawkins have reached a proposed settlement subject to City Council approval. Plaintiff is represented by Greening Law, P.C. and Law Office of Denny R. Martin, P.C.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

A confidential memorandum regarding this matter will be provided to the City Council on November 4, 2022.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Liability Reserve Fund	\$175,000.00	\$0.00	\$0.00

November 9, 2022

**WHEREAS,** a lawsuit styled Kimberly J. Hawkins v. The City of Dallas, Cause No. DC-21-14360, was filed by the plaintiff, Kimberly J. Hawkins, seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on October 29, 2019, involving a Dallas Sanitation vehicle; and

**WHEREAS,** the plaintiff has agreed to a proposed settlement of her claims whereby the City will pay Kimberly J. Hawkins, Greening Law, P.C., Law Office of Denny R. Martin, P.C., and all other persons having an interest in the settlement proceeds, the total amount of \$175,000.00; and

**WHEREAS,** it is in the best interest of the City to settle this lawsuit.

**Now, Therefore,**

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

**SECTION 1.** That the proposed settlement of the lawsuit styled Kimberly J. Hawkins v. The City of Dallas, Cause No. DC-21-14360, in an amount not to exceed \$175,000.00 is hereby approved.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to pay Kimberly J. Hawkins, Greening Law, P.C., Law Office of Denny R. Martin, P.C., and all other persons having an interest in the settlement proceeds, the amount of \$175,000.00 from Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor MVORM001.

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 22-2527

**Item #:** 4.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Attorney's Office

**EXECUTIVE:** Christopher J. Caso

### **SUBJECT**

Authorize settlement of the lawsuit styled Liza Jessie v. City of Dallas, Cause No. CC-22-02968-E - Not to exceed \$50,000.00 - Financing: Liability Reserve Fund

### **BACKGROUND**

Plaintiff Liza Jessie filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries and other damages sustained in an automobile collision on July 1, 2020, involving a Dallas Fire-Rescue vehicle. The City and Ms. Jessie have reached a proposed settlement subject to City Council approval. Plaintiff is represented by Wolf Law, PLLC.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

A confidential memorandum regarding this matter will be provided to the City Council on November 4, 2022.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Liability Reserve Fund	\$50,000.00	\$0.00	\$0.00

November 9, 2022

**WHEREAS,** a lawsuit styled Liza Jessie v. City of Dallas, Cause No. CC-22-02968-E, was filed by the plaintiff, Liza Jessie, seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on July 1, 2020, involving a Dallas Fire-Rescue vehicle; and

**WHEREAS,** the plaintiff has agreed to a proposed settlement of her claims whereby the City will pay Liza Jessie, Wolf Law, PLLC, and all other persons having an interest in the settlement proceeds, the total amount of \$50,000.00; and

**WHEREAS,** it is in the best interest of the City to settle this lawsuit.

**Now, Therefore,**

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

**SECTION 1.** That the proposed settlement of the lawsuit styled Liza Jessie v. City of Dallas, Cause No. CC-22-02968-E, in an amount not to exceed \$50,000.00 is hereby approved.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to pay Liza Jessie, Wolf Law, PLLC, and all other persons having an interest in the settlement proceeds, the amount of \$50,000.00 from Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor MVORM001.

**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 Information Sheet

**File #:** 22-1990

**Item #:** 5.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Department of Aviation

**EXECUTIVE:** Kimberly Bizer Tolbert

### **SUBJECT**

Authorize a construction services contract to provide construction services for the Elevator Upgrades Phase II Project at the Dallas Airport System with K & M Elevator, LLC, lowest responsible bidder of five - Not to exceed \$1,215,000.00 - Financing: Aviation Fund

### **BACKGROUND**

Dallas Airport System initiated an analysis of existing elevators in January 2020 to identify and prioritize repairs and/or rebuilds to maintain safety and extend useful life of the elevators. Thirty-two elevators with original installation dates from 1997 through 2018, were analyzed. The analysis was completed in June 2020, identified all ten existing elevators in Garages A and B at Dallas Love Field (DAL); elevators 13 and 14 in DAL terminal building; and two elevators in outlying buildings as units requiring upgrades and modernization.

In September 2021, a construction services contract was awarded to Elevator Repair Service, Inc. for the complete modernization and upgrade of four elevators in Garage A and two elevators in the airport terminal at DAL Airport.

The current contract will authorize a construction services contract with K & M Elevator, LLC for the following construction services:

- Complete modernization and upgrade of six elevators located in Garage B at DAL Airport including complete replacement of existing group supervisory system, control system, pump unit, hydraulic jack unit, door operators, car and corridor fixtures, communication systems; and employ the latest solid-state microprocessor technology available.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction	January 2023
Complete Construction	August 2023

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

On December 11, 2019, City Council authorized an architectural services contract with PGAL, Inc. to provide assessment and detailed inventory of 37 elevators at Dallas Love Field and 1 elevator at Dallas Airport System (DAS) Vertiport; recommend repairs or replacement as required at Dallas Love Field and DAS Vertiport; and prepare construction bid packages for selected improvements as directed by the City of Dallas by Resolution No. 19-1854.

On September 23, 2020, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PGAL Inc. to provide Phases 2 and 3 bid documents and construction administration services in support of the recent completed Dallas Airport System Elevator Study by Resolution No. 20-1402.

On September 22, 2021, City Council authorized a construction services contract to provide construction services for the Elevator Upgrades Phase 1 Project at the Dallas Airport System by Resolution No. 21-1514.

**FISCAL INFORMATION**

Fund	FY 22-23	FY 23-24	Future Years
Aviation Fund	\$1,215,000.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$1,215,000.00	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
16.04%	100.00%	\$1,215,000.00
• This contract exceeds the M/WBE goal.		
• K & M Elevator, LLC- Non-local; Workforce - 33.00% Local		

**PROCUREMENT INFORMATION**

The following five bids were received and opened on August 5, 2022.

\*Denotes successful bidder:

<b><u>Bidders</u></b>	<b><u>Contract Amount</u></b>
*K & M Elevator, LLC 2229 East Loop 820 North Fort Worth, Texas 76118	\$ 1,215,000.00
Stark Elevator	\$ 1,338,336.80
EMR Elevator	\$ 1,456,050.00
Elevator Repair Service, Inc.	\$ 1,787,000.00
Otis Elevator	\$13,949,100.00

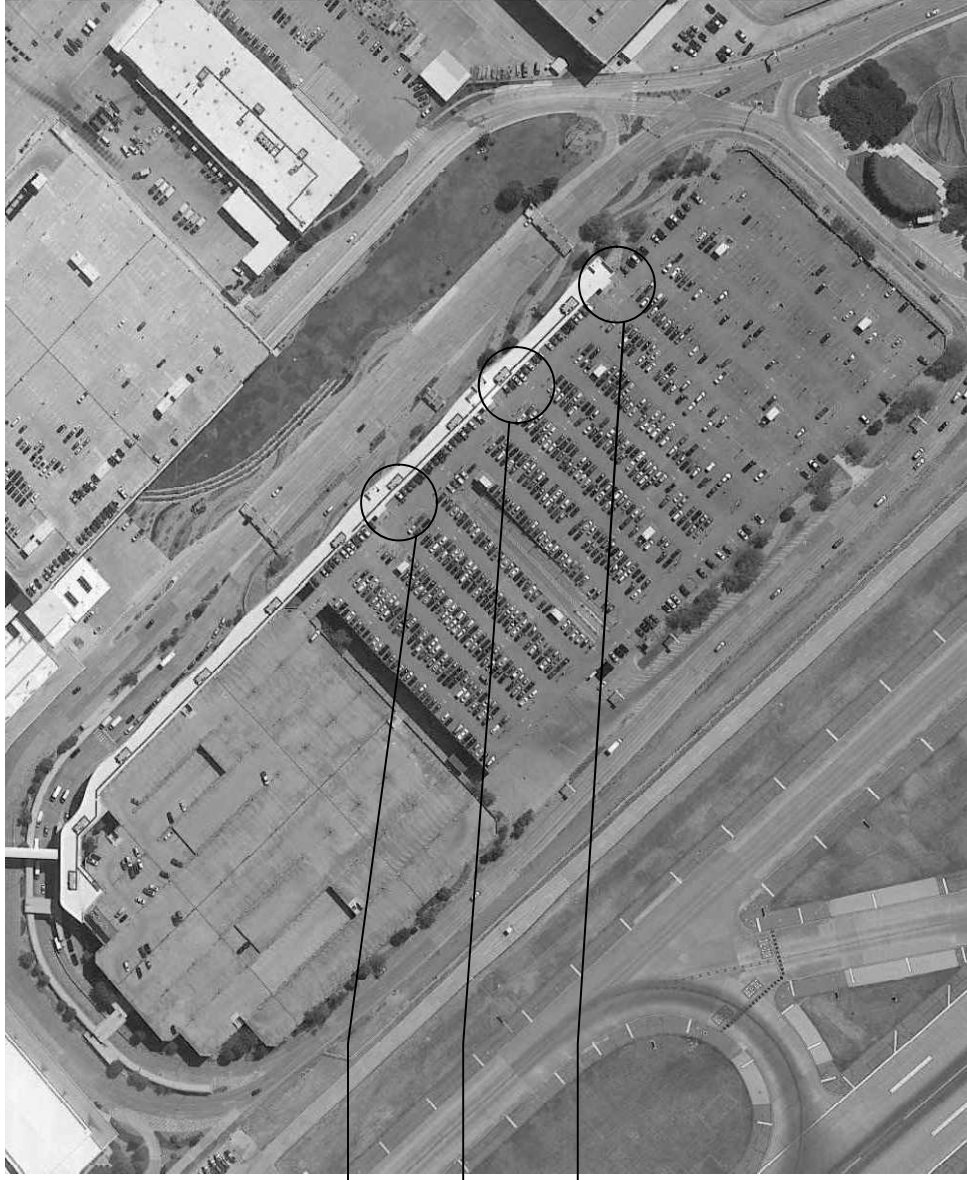
**OWNER****K & M Elevator, LLC**

Fallon Robertson, Chief Executive Officer, Managing Member

**MAP**

Attached

# Location Map



AREAS OF WORK:

GARAGE B  
ELEVATORS 19+20

GARAGE B  
ELEVATOR 21+22

GARAGE B  
ELEVATORS 23+24



November 9, 2022

**WHEREAS**, on December 11, 2019, City Council authorized an architectural services contract with PGAL, Inc. to provide assessment and detailed inventory of 37 elevators at Dallas Love Field and one elevator at Dallas Airport System (DAS) Vertiport; recommend repairs or replacement as required at Dallas Love Field and DAS Vertiport; and prepare construction bid packages for selected improvements as directed by the City of Dallas by Resolution No. 19-1854; and

**WHEREAS**, on September 23, 2020, City Council authorized Supplemental Agreement No. 1 to the professional services contract with PGAL Inc. to provide Phases 2 and 3 bid documents and construction administration services in support of the recent completed Dallas Airport System Elevator Study by Resolution No. 20-1402; and

**WHEREAS**, all ten existing elevators in Garages A and B at Dallas Love Field (DAL); elevators 13 and 14 in DAL terminal building; and two elevators in outlying buildings as units require upgrades and modernization; and

**WHEREAS**, on September 22, 2021, City Council authorized a construction services contract to provide construction services for the Elevator Upgrades Phase 1 Project at the Dallas Airport System by Resolution No. 21-1514; and

**WHEREAS**, Dallas Airport System Elevator Upgrades Phase II Project contract will modernize and upgrade six elevators identified for the next phase of the project; and

**WHEREAS**, it is now necessary to authorize a construction services contract to provide construction services for the Elevator Upgrades Phase II Project at the Dallas Airport System with K & M Elevator, LLC.

**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 construction services contract with K & M Elevator, LLC approved as to form by the City Attorney, to provide construction services for the Elevator Upgrades Phase II Project at the Dallas Airport System, in an amount not to exceed \$1,215,000.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,215,000.00 to K & M Elevator, LLC in accordance with the terms and conditions of the contract from the Aviation Fund, Fund 0130, Department AVI, Unit 7737, Object 3099, Activity AV19, Commodity 91013, Encumbrance/Contract No. CX- AVI-2022-00019458, Vendor VC25634.

November 9, 2022

**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 Information Sheet

**File #:** 22-2454

**Item #:** 6.

**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A resolution to authorize **(1)** the Dallas Housing Finance Corporation (DHFC or Corporation) to issue Qualified Mortgage Revenue Bonds (Bonds) for the purpose of obtaining funds to finance home mortgage loans for persons of low and moderate income; and **(2)** the assignment of the Bonds to be administered by the Texas Department of Housing & Community Affairs through the Texas Homebuyer Program in the amount of \$25,000,000.00 - Financing: No cost consideration to the City

### **BACKGROUND**

The purpose of this agenda item is to consider and adopt a resolution authorizing 1) the Dallas Housing Finance Corporation (DHFC or Corporation) to issue Qualified Mortgage Revenue Bonds (Bonds) for the purpose of obtaining funds to finance home mortgage loans for persons of low and moderate income and 2) the assignment of the Bonds to be administered by the Texas Department of Housing & Community Affairs (TDHCA) through the Texas Homebuyer Program (Program) in an amount not to exceed \$25,000,000.00. As with all bonds issued by the DHFC, they are non-recourse to both the City and the Corporation. They are not liabilities of the City and are repaid solely through.

The Program is administered by TDHCA and targeted to first time homebuyers and veterans to provide below-market mortgages to Texans that include down payment assistance (DPA) included as either a forgivable or deferred second lien. Interest rates vary based on type of DPA received, location of the home, and market conditions at the time of close.

Different program options are offered to homebuyers seeking assistance in targeted or non-targeted areas. Targeted areas include qualified census tracts (QCTs) and areas of chronic economic stress, and these areas allow for higher purchase price limits and higher homebuyer income limits as compared to the non-targeted areas. A QCT is a census tract with over 50% of the population at or below 60% area median income (AMI) or a poverty rate over 25%. This program is designed to increase home values and median incomes of QCTs and areas of economic stress.

TDHCA sets the income and purchase limits for the Program. The 2022 income limits are as follows:

Non-Targeted Area Income Limits:

1. 1 or 2 person households: 100% AMI (\$ 97,400.00)
2. 3 or more persons: 115% AMI (\$112,010.00)

Targeted Area Income Limits:

3. 1 or 2 person households: 120% AMI (\$116,880.00)
4. 3 or more persons: 140% AMI (\$136,360.00)

Non-Targeted Area Purchase Limits: \$374,551.00

Targeted Area Purchase Limits: \$457,784.00

Down payment assistance is also offered through the Program with the following terms for forgivable and deferred 2nd liens:

5. Forgivable 2nd lien is forgiven after 36 months and repayable if sold within 36 months
6. Deferred 2nd lien is repayable if or when home is sold
7. Homebuyers must have a credit score of at least 620 and take an approved homeownership course

As of October 18, 2022, the interest rates for the program ranged from 5.625% to 7.50% depending on the targeted area, amount of down payment assistance provided, and if the down payment assistance was deferred or forgivable. Additional information can be found at the following website: <https://thetexashomebuyerprogram.com/>.

For this program to begin operating in the City, the DHFC must apply for a private activity bond cap through the Texas Bond Review Board and TDHCA. Once all the documents are approved, funds will be distributed through TDHCA's network of approved lenders. The DHFC does not have to provide any staff support or process any of the loan applications - this is all done through TDHCA. There is no significant risk to the City, the DHFC or investment in staff resources for this program to operate, making it a highly effective and low-cost tool that can be added to the mission of providing homeownership opportunities for first time homebuyers and low- to moderate-income residents.

Staff and the Corporation's Counsel and Financial Advisors have confirmed that this Project would not be feasible but for the Corporation's participation and that the Project furthers the goals of the CHP. Staff recommend approval of this item as it furthers the goals of the CHP by providing access to lower cost mortgages to families earning less than 140% of area median income.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On May 10, 2022, the Dallas Housing Finance Corporation Board of Directors authorized filing with the Texas Bond Review Board an application for reservation of state ceiling for issuance of qualified mortgage revenue bonds in the maximum amount of \$25,000,000.00.

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[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on October 24, 2022.](#)

**FISCAL INFORMATION**

No cost consideration to the City.

November 9, 2022

**WHEREAS**, the City of Dallas Housing Finance Corporation (DHFC) was created by the City of Dallas (Sponsor) pursuant to the provisions of the Texas Housing Finance Corporations Act, as amended, formerly Article 1269I-7, Vernon's Annotated Texas Civil Statutes, and now codified as Texas Local Government Code, Chapter 394; and

**WHEREAS**, by resolution adopted on May 10, 2022, the DHFC authorized filing with the Texas Bond Review Board an application for reservation of state ceiling for issuance of qualified mortgage revenue bonds in the maximum amount of \$25,000,000.00 (Reservation); and

**WHEREAS**, by resolution adopted on May 10, 2022, the Board of Directors of the DHFC determined to delegate to the Texas Department of Housing and Community Affairs (TDHCA), pursuant to Chapter 394.032(e) of the Texas Local Government Code, the authority to act on its behalf in the financing, refinancing, acquisition, leasing, ownership, improvement, and disposal of certain home mortgages or residential developments, within and outside the jurisdiction of the DHFC, including its authority to issue bonds for those purposes; and

**WHEREAS**, as the governmental unit that created the DHFC, the City Council of the Sponsor (Governing Body) desires to approve the assignment of the Reservation to TDHCA in accordance with Section 1372.044 of the Texas Government Code; and

**WHEREAS**, the Governing Body desires to approve the Assignment Agreement in substantially the form attached hereto as Exhibit A between the DHFC and TDHCA (Assignment Agreement); and

**WHEREAS**, it is deemed necessary and advisable that this Resolution be adopted;

**Now, Therefore,**

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

**SECTION 1.** That the Governing Body specifically approves and consents to the assignment of the Reservation to TDHCA in accordance with Chapter 1372.044 of the Texas Government Code and approves the Assignment Agreement.

**SECTION 2.** That the Mayor, City Secretary, City Manager or any Assistant City Manager of the Sponsor are hereby authorized, jointly and severally, to execute and deliver such endorsements, instruments, certificates, documents, or papers necessary and advisable to carry out the intent and purposes of this Resolution.

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

**EXHIBIT A****ASSIGNMENT AGREEMENT**

This **ASSIGNMENT AGREEMENT** (this “**Agreement**”) is made as of the 28 day of July, 2022 by and between **CITY OF DALLAS HOUSING FINANCE CORPORATION** (“**HFC**”), a Texas non-profit housing finance corporation and the **TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS** (“**TDHCA**”), a public and official agency of the State of Texas.

**RECITALS:**

A. HFC has been duly created and organized pursuant to and in accordance with the provisions of the Texas Housing Finance Corporations Act, as amended, Texas Local Government Code, Chapter 394 (the “**Act**”), for the purpose of providing a means of financing the costs of residential ownership and development that will provide decent, safe and sanitary housing for persons of low and moderate income at prices they can afford.

B. The Act authorizes HFC to issue bonds for the purpose of obtaining funds to finance home mortgage loans (or participation interests therein) for persons of low and moderate income for homes within the geographic limits of City of Dallas, Texas.

C. Section 103 and Section 143 of the Internal Revenue Code of 1986, as amended (the “**Code**”), provide that the interest on obligations issued by or on behalf of a state or a political subdivision thereof the proceeds of which are to be used to finance owner-occupied residences shall be excludable from gross income of the owners thereof for federal income tax purposes if such issue meets certain requirements set forth in Section 143 of the Code.

D. Section 146(a) of the Code requires that certain “private activity bonds” (as defined in Section 141(a) of the Code) must come within the issuing authority’s private activity bond limit for the applicable calendar year in order to be treated as obligations the interest on which is excludable from the gross income of the holders thereof for federal income tax purposes.

E. The private activity bond “State ceiling” (as defined in Section 146(d) of the Code) applicable to the State of Texas (the “**State**”) is subject to allocation, in the manner authorized by Section 146(e) of the Code, pursuant to Chapter 1372, Texas Government Code, as amended (the “**Allocation Act**”).

F. The Allocation Act requires HFC, in order to reserve a portion of the State ceiling for qualified mortgage bonds and satisfy the requirements of Section 146(a) of the Code, to file an application for reservation (an “**Application for Reservation**”) with the Texas Bond Review Board (the “**Bond Review Board**”), stating the maximum amount of the bonds requiring an allocation, the purpose of the bonds and the section of the Code applicable to the bonds.

G. The Allocation Act and the rules promulgated thereunder by the Bond Review Board (the “**Allocation Rules**”) require that an Application for Reservation be accompanied by a copy of the certified resolution of the issuer authorizing the filing of the Application for Reservation.

H. By resolution adopted on May 10, 2022, HFC authorized the filing of an Application for Reservation with the Bond Review Board in the maximum amount of \$55,217,249.67 with respect to qualified mortgage bonds, and the Bond Review Board has issued or is expected to issue a reservation of “State Ceiling” in connection with such Application for Reservation (the “**Reservation**”).

I. HFC has determined to (a) delegate to TDHCA HFC’s authority to issue bonds or mortgage credit certificates (“**MCCs**”) for the purposes specified above, pursuant to Section 394.032(e) of the Act, which provides that “a housing finance corporation may delegate to the Texas Department of Housing and Community

Affairs the authority to act on its behalf in the financing, refinancing, acquisition, leasing, ownership, improvement, and disposal of home mortgages or residential developments, within and outside the jurisdiction of the housing finance corporation, including its authority to issue bonds for those purposes,” and (b) assign the Reservation to TDHCA, pursuant to Section 1372.044 of the Texas Government Code.

J. HFC was created by City of Dallas, Texas (the “Sponsor”) pursuant to the Act.

K. As the governmental unit that created HFC, the Sponsor has approved the assignment of the Reservation to TDHCA in accordance with Section 1372.044 of the Texas Government Code.

NOW THEREFORE, in consideration of the foregoing and the mutual representations, warranties, covenants and conditions contained herein, the parties hereto hereby agree as follows:

1. **Assignment.** HFC hereby assigns, conveys and transfers to TDHCA, to the full extent assignable under applicable law, all of HFC’s right, title and interest in, to and under the Reservation (the “**Assignment**”), including without limitation, the right to file a carryforward designation request and to elect to use the Reservation to issue MCCs. The Assignment is irrevocable and applies only to the Reservation for the 2022 program year.

2. **Consents.** HFC agrees to obtain and deliver to TDHCA, such consents to the Assignment of the Reservation as may be required.

3. **Expenses.** TDHCA shall be responsible for payment of all fees and expenses incurred from and after the date of this Agreement with respect to the Reservation, including any carryforward application fee and/or closing fees payable to the Bond Review Board.

4. **Agreement.** In exchange for the Assignment, TDHCA agrees to originate in the geographic service area of HFC (a) mortgage loans that are eligible for pooling into mortgage certificates and purchase by the trustee for one or more series of tax-exempt bonds issued by TDHCA (“Pooled Loans”), and/or (b) My First Texas Home Combo Loans with MCCs (“Combo Loans”, and referred to herein together with the Pooled Loans collectively as “HFC Loans”), until an aggregate amount of \$25,000,000 of HFC Loans (accounting for the amount of Pooled Loans originated, pooled and purchased by the trustee, and the combined total mortgage loan principal amount of the Combo Loans) have been originated or issued, respectively. HFC Loans will be originated on a first-in, first-out basis.

5. **Fees.** TDHCA will pay an ongoing fee of 4.75 basis points (collectively, “HFC Fees”) of the aggregate outstanding balance of HFC Loans that have been pooled into mortgage-backed securities or for which an MCC has been issued. HFC Fees will be paid for a period of 10 years for each HFC Loan originated under this Agreement and purchased by the trustee that is not more than 30-days delinquent at the time an HFC Fee is calculated. The outstanding balance of HFC Loans will be reduced monthly to reflect principal repayments and prepayments (including foreclosures of HFC Loans). HFC Fees cease to accrue with respect to any HFC Loan once that HFC Loan has been repaid or prepaid. HFC Fees will be paid annually, in accordance with payment instructions to be provided by HFC.

6. **Reporting.** Once HFC Loans have been pooled into mortgage-backed securities or an MCC has been issued, TDHCA will provide quarterly loan level detail with respect to the outstanding loan balances; no personally identifiable information will be included.

7. **Governing Law.** This Agreement shall be governed by and enforced in accordance with the laws of the State of Texas.

8. **Severability.** The invalidity, illegality or unenforceability of any provision of this Agreement



shall not affect the validity, legality or enforceability of any other provision, and all other provisions shall remain in full force and effect.

9. **Entire Agreement; Amendment and Waiver.** This Agreement contains the complete and entire understanding of the parties with respect to the matters covered herein. This Agreement may not be amended, modified or changed, nor shall any waiver of any provision hereof be effective, except by a written instrument signed by the party against whom enforcement of the waiver, amendment, change, or modification is sought, and then only to the extent set forth in that instrument. No specific waiver of any of the terms of this Agreement shall be considered as a general waiver.

10. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which is an original and all of which together constitute one and the same Agreement. Electronically transmitted counterparts shall be deemed originals.


*[Execution pages follow]*

IN WITNESS WHEREOF, the undersigned have duly executed and delivered this Agreement to be effective as of the date first set forth above.

**CITY OF DALLAS HOUSING FINANCE  
CORPORATION**

By:   
Name: Marcy C. Helfand  
Title: President

**TEXAS DEPARTMENT OF HOUSING AND  
COMMUNITY AFFAIRS**

By:   
Name: JAMES B. ECCLES  
Title: Secretary, Governing Board



## Agenda Information Sheet

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**File #:** 22-2442

**Item #:** 7.

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**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

Authorize the Dallas Housing Finance Corporation to issue tax-exempt essential function bonds to finance, acquire, and own The Dylan, a multifamily development located at 4533 Cedar Springs Road - Estimated Revenue Foregone: General Fund \$3,775,412.13 (see Fiscal Information)

### **BACKGROUND**

AMCAL Equities, LLC (Applicant or AMCAL), submitted an application to the Dallas Housing Finance Corporation (DHFC or Corporation) to issue tax-exempt essential function bonds to finance, acquire, and own The Dylan, a 125-unit multifamily development, located at 4533 Cedar Springs Road (Project). The Corporation will own the site and improvements while contracting with the Applicant who will act as the Project Administrator. Pursuant to the Texas Housing Finance Corporation Act, Chapter 394 of the Texas Local Government Code (Act), a Housing Finance Corporation 1) may issue bonds to acquire affordable housing and 2) any residential property owned by a Housing Finance Corporation is exempt from all ad valorem taxes. As with all bonds issued by the DHFC, they are non-recourse to both the City and the Corporation. They are not liabilities of the City and are repaid solely through the revenues of the Project.

The Project is currently market rate/non-income restricted. However, upon acquisition by the DHFC, at least 40% of the units will be reserved for residents earning below 80% Area Median Income (AMI), 10% of the units will be reserved for residents earning below 60% AMI, 40% of the units will be reserved for residents earning between 80-140% of AMI, and 10% of the units will be market rate.

The owner of the project will be DHFC The Dylan Apartments, LLC, a to be formed limited liability company having the DHFC as its sole owner. AMCAL Equities LLC, a limited liability company authorized to do business in Texas, (AMCAL) is a real estate development firm that specializes in mixed-income and workforce multifamily projects throughout the country. AMCAL has over 43 years of experience in acquiring and developing multifamily communities throughout California, Texas, and Washington. They have successfully developed over 2,500 units in the state of Texas with another 1,600 units currently under construction.

The Project consists of 125 residential units. Included in the 125 units are 35 townhouses with a private parking garage on the first floor and two floors of residential above. The unit mix includes 46 one-bedroom units and 79 two-bedroom units. The units include energy efficient appliances, granite countertops, in-unit washer/dryers, and other Class-A features. The Property also includes a resort-style swimming pool, a fitness center, business and conference rooms, and a common area lounge. The Project does not require a zoning change because it is already existing and in operation. The Market Value Analysis Market Type is Type E. The Project is currently 95% occupied.

Upon acquisition, the unit mix and rental rates will be the lesser of the Texas Department of Housing and Community Affairs (TDHCA) published income restricted rents or market rents:

Unit Type	AMI	Rent
1BR	60%	\$1,095.00
1BR	80%	\$1,461.00
1BR	140%	\$2,556.00
1BR	Market	\$1,770.00
2BR	60%	\$1,315.00
2BR	80%	\$1,754.00
2BR	140%	\$3,069.00
2BR	Market	\$2,004.00
2BR TH	60%	\$1,315.00
2BR TH	80%	\$1,754.00
2BR TH	140%	\$3,069.00
2BR TH	Market	\$2,771.00

All income qualifying residents that are currently paying more than the TDHCA income restricted rents will see their rents lowered to that amount instead of being increased to market rents. This represents annual average rent savings of \$306.00/month or \$3,678.00/annually for residents earning less than 80% AMI compared to current market rents across all unit types. The rents for individuals and families earning between 60% and 80% AMI are meant to provide housing to the “missing middle” of the market: residents that earn above low-income housing tax credit income restrictions of 60% AMI but would be cost burdened by market rents. These incomes range from approximately \$54,560.00 to \$77,900.00 in the City based on family size and represent a wide variety of employment sectors including, but not limited to, teachers, first responders, government employees, health care providers, etc. The rents for individuals and families earning below 60% are included to provide deeper affordability at this high opportunity site. These incomes range from \$40,920.00 to \$58,440.00 depending on family size. The rents for 81% to 140% AMI restricted units function like market rate units, but are included to satisfy the requirements of the Act. The market rents are anticipated to grow much faster than the income restricted rents over the next 15 years resulting in exponential rental savings to residents earning less than 80% AMI. Total rental savings are estimated to be \$8,250,531.00 over 15 years.

All acquisition costs, including operating, debt service and replacement reserves, are anticipated to be approximately \$42,900,000.00. The financing will be funded 100% by tax-exempt essential function bonds which will be issued by the DHFC.

<b>Proposed Financing Sources</b>	<b>Amount</b>
Series A Bonds	\$28,900,000.00
Series B Bonds	\$11,500,000.00
PSA Assignment Note	\$ 2,500,000.00
<b>Total</b>	<b>\$42,900,000.00</b>
<b>Proposed Uses</b>	<b>Amount</b>
Acquisition	\$34,750,000.00
PSA Assignment Note	\$ 2,500,000.00
3 <sup>rd</sup> Party Reports	\$ 28,820.00
Title/Survey	\$ 175,000.00
Insurance Escrow	\$ 90,625.00
Operating Reserve Fund	\$ 422,321.00
Debt Service Reserve Fund	\$ 1,081,875.00
Replacement Reserve Fund	\$ 1,250,000.00
Sponsor Fee	\$ 1,500,000.00
Financial Advisor	\$ 175,000.00
Bond Counsel	\$ 250,000.00
Borrower Counsel	\$ 25,000.00
Underwriter Fee	\$ 505,000.00
Underwriter Counsel	\$ 125,000.00
Trustee	\$ 7,500.00
Trustee Counsel	\$ 7,500.00
Misc Closing Expenses	\$ 6,359.00
<b>Total</b>	<b>\$42,900,000.00</b>

The Project will be owned by the DHFC outright, with the option to sell or refinance the Project beginning at year 15. Following the retirement of the bonds, the DHFC will own the asset free and clear. All of the excess cash flow will go toward the retirement of the bonds, further strengthening the financial position of the property and increasing the equity of the DHFC in the project. AMCAL will act as the Project Administrator to negotiate the Purchase Sale Agreement, provide the required deposit, assemble third party reports, and take on the risks of performing all the front end “sponsorship” functions. Following the closing, the Project Administrator will work with the property manager in the administration of the Project, oversight of affordability compliance, operational management and in providing of information on Project performance to bond holders on behalf of the DHFC. As Project Administrator, AMCAL will receive a \$1.5 million fee paid at closing as well as 1% of gross collections per year annually for the administration of the project. AMCAL will also receive subordinate bond proceeds of \$2.5 million after the bond is retired in 15 to 35 years. This will act as compensation to AMCAL in consideration for the long-term administration and careful management of the property over the course of operations.

In consideration for the Corporation's participation in the Project, the DHFC will receive an annual asset management fee of 0.5% of effective gross income. The DHFC will also receive 100% of net proceeds from the sale of the asset, which is conservatively estimated to be at least \$32 million in year 15 and \$93 million if it is held until year 30. These revenues generated for the Corporation will be used to fund operations and the provision of additional affordable and workforce housing throughout the City. Other cities that have utilized this essential use bond structure to provide workforce housing plan to refinance the debt in year 15 to provide deeper affordability at the properties (30%, 50%, and additional 60% AMI units).

This proposed DHFC acquisition results in foregone tax revenues for the City until the project is sold and income restrictions are removed. The 2022 City tax bill for this property is \$202,991.00 for year one taxes and the total 15-year estimate of foregone taxes is \$3,775,412.00. However, the workforce housing rental savings (\$8,250,531.00 over 15 years) and the estimated value of the property provides the City benefits that outweigh the foregone revenue. This acquisition and financial structure also allows the City to immediately own and provide mixed-income housing in a high opportunity area nears jobs, parks, transportation, retail, and other amenities.

The DHFC's estimated revenues were calculated by the DHFC's partnership counsel and financial advisors. Market rent and sales comps were analyzed to ensure the project costs were reasonable for the market. Corporation financial advisors also confirmed that but for the ad valorem tax exemption and the issuance of tax-exempt bonds, the Project would not be economically feasible with the workforce housing income restrictions.

Staff and the Corporation's Counsel and Financial Advisors have confirmed that this Project would not be feasible but for the Corporation's participation and that the Project furthers the goals of the Comprehensive Housing Policy. Staff recommend approval of this item as it furthers the goals of the CHP by providing mixed-income housing in a high opportunity area of the City with access to amenities, jobs, and other resources.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On October 13, 2022, the Dallas Housing Finance Corporation Board of Directors adopted a resolution declaring its intent to issue bonds for the financing of the acquisition and authorizing negotiation and execution of a memorandum of understanding with the Applicant; and

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on October 24, 2022.](#)

#### **FISCAL INFORMATION**

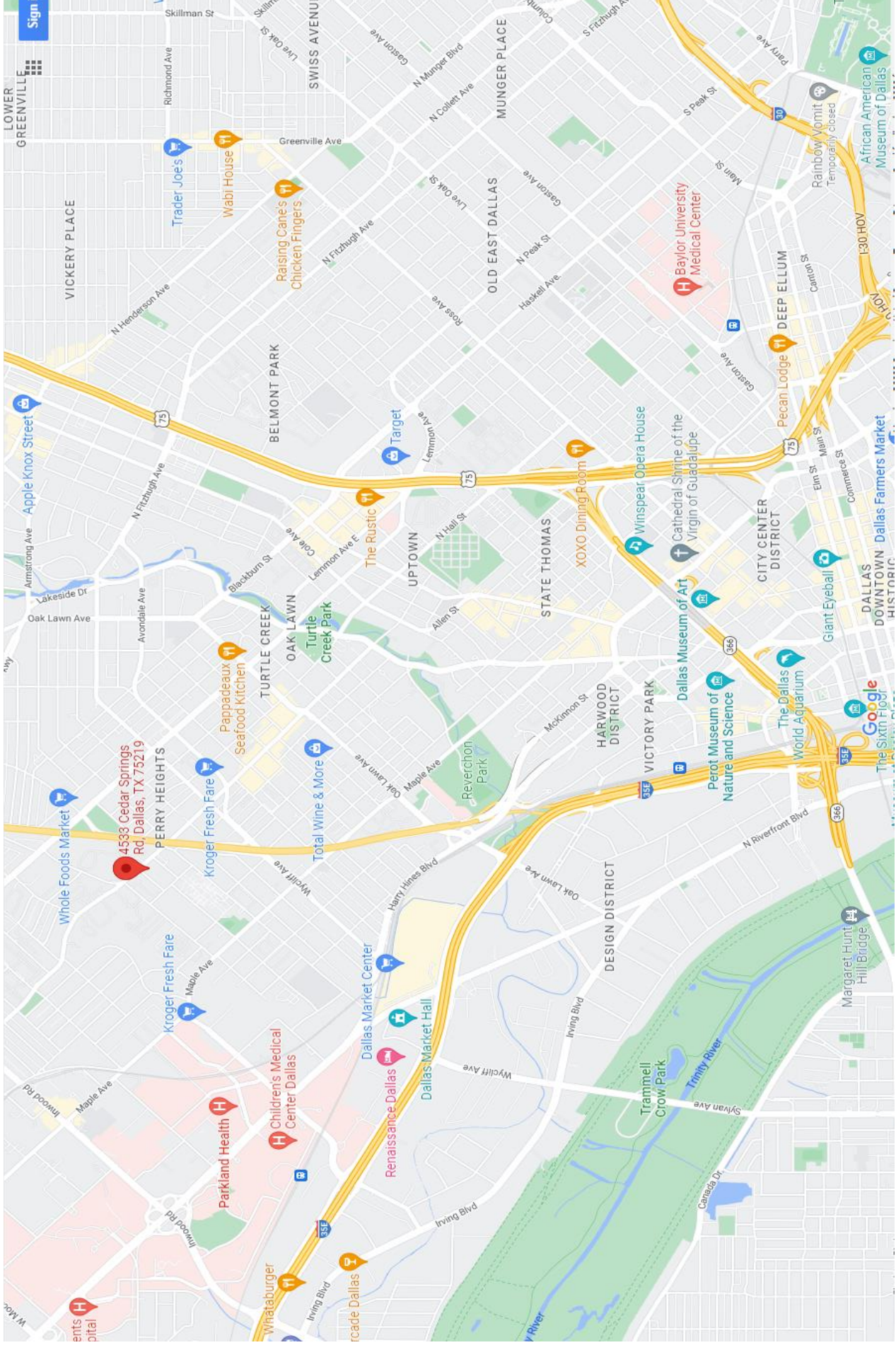
Estimated Revenue Foregone: General Funds \$3,775,412.00 (15 Years of Estimated Taxes)

#### **MAP**

Attached



## The Dylan – 4533 Cedar Springs Road, Dallas, TX 75219



November 9, 2022

**WHEREAS**, on April 25, 1984, City of Dallas ("City"), City Council authorized the creation of the City of Dallas Housing Finance Corporation ("DHFC") as a Texas nonprofit corporation, pursuant to the Texas Housing Finance Corporation Act, Chapter 394, Local Government Code, V.T.C.A., as amended (the "Act"), to act on behalf of the City in carrying out the public purpose of the Act by Resolution No. 84-1458; and

**WHEREAS**, on February 28, 2007, City Council authorized an amendment to the DHFC Bylaws to allow the DHFC to purchase, lease, own, hold title to, or otherwise acquire an interest in a residential development, directly or indirectly through a subsidiary of the DHFC, subject to City Council approval by Resolution No. 07-0733; and

**WHEREAS**, on March 27, 2013, City Council authorized an amendment to the DHFC's Articles of Incorporation to allow the DHFC to classify all its income as tax exempt in accordance with 509(a)(2) of the Internal Revenue Service Code by Resolution No. 13-0541; and

**WHEREAS**, pursuant to Section 394.9025(a) of the Act, following a public hearing, the DHFC may issue bonds to finance a multifamily residential development to be owned by the DHFC if at least 50 percent of the units in the multifamily residential development are reserved for occupancy by individuals and families earning less than 80 percent of the area median family income; and a public hearing with respect to the bonds and the Project shall be held in accordance with Section 394.004 of the Act; and

**WHEREAS**, AMCAL Equities LLC (Applicant or AMCAL), submitted an application requesting that the DHFC partner with Applicant or its affiliate and issue tax-exempt essential function bonds to finance the DHFC's acquisition of The Dylan, an existing 125-unit market rate residential housing development located at 4533 Cedar Springs Road (Project); and

**WHEREAS**, upon closing of the acquisition, the DHFC, or its affiliate, will own the Project and reserve at least 50 of the 125 units for households earning less than 140% of AMI, 51 of the 125 units for households earning less than 80% of area median income (AMI), 12 of the 125 units for households earning less than 60% of AMI, and 12 of the 125 units will be at market rate rents; and

**WHEREAS**, the DHFC's acquisition of the Project will provide mixed-income workforce housing in a high opportunity area of the City and lower rental rates for current qualified households; and

**WHEREAS**, pursuant to the Act, the Project will be exempt from all ad valorem taxes; and



November 9, 2022

**WHEREAS**, on October 13, 2022, the DHFC adopted a resolution declaring its intent to issue bonds for the financing of the acquisition and authorizing negotiation and execution of a memorandum of understanding with the Applicant; and

**WHEREAS**, pursuant to the Act, the City desires to authorize the DHFC's issuance of tax-exempt essential function bonds and ownership of the Project in order to provide mixed-income, affordable and workforce housing in the City.

**Now, Therefore,**

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

**SECTION 1.** That City of Dallas, acting through its Governing Body, does hereby find and determine that the transaction to acquire The Dylan, an existing 125-unit market rate residential housing development located at 4533 Cedar Springs Road ("Project") should be undertaken, and does hereby approve the form of the transaction through the issuance of tax-exempt essential function bonds by the Dallas Housing Finance Corporation, the proceeds of which will be used by the DHFC or its affiliate to purchase and acquire the Project.

**SECTION 2.** That the authorization of the Governing Body is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds. The Bonds shall specifically provide that the Bonds are not a debt of the City of Dallas, Dallas County or the State of Texas and that the City of Dallas, Dallas County and State of Texas are not liable with respect to the Bonds.

**SECTION 3.** That to the extent applicable, the Governing Body hereby approves the application of the Act to the property on which the Project will be acquired and grants its approval for the use of proceeds of bonds issued by the DHFC pursuant to the Act to acquire the Project.

**SECTION 4.** That it is FURTHER RESOLVED that the City of Dallas hereby confirms that its Governing Body has voted specifically to authorize the Project to be acquired.

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



## Agenda Information Sheet

**File #:** 22-2504

**Item #:** 8.

**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

### SUBJECT

Authorize **(1)** an amendment to the American Rescue Plan Act Neighborhood Revitalization Program ("Program" or "ARPA NRP Program") to **(a)** expand eligible applicants to households throughout the City of Dallas disproportionately impacted by the COVID-19 pandemic that currently receive certain federal benefits; **(b)** add sidewalk improvements as eligible infrastructure improvements in Qualified Census Tracts; **(c)** add eligible area maps; and **(d)** allow the Program to receive additional ARPA allocations from two sources: Councilmember discretionary ARPA funding and funding from various departments and various units, in a total amount not to exceed \$10,000,000.00, to Fund FC18, through December 2023, to be used for home repair activities and infrastructure improvements in expanded eligible areas; **(2)** the retention of two positions to assist in the administration of the Program; and **(3)** execution of all documents and agreements necessary to implement the Program, including but not limited to agreements with homeowners, subrecipients, contractors, and/or administration agreement(s) for the Program - Total not to exceed \$21,250,000.00 - Financing: American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) (see Fiscal Information) ~~(a) \$11,250,000.00 initial allocation for home repair in three neighborhoods Joppee/Joppa, Five Mile, and Tenth Street Historic District; and (b) two additional sources, in a total amount not to exceed \$10,000,000.00 allocated through December 2023 Each funding source corresponds to a specific service area, as can be seen in attached map exhibits~~

### BACKGROUND

[https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\\_id=26-USC-919786749-1531713623&term\\_occur=999&term\\_src=title:26:subtitle:A:chapter:1:subchapter:A:part:IV:subpart:D:section:42](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-919786749-1531713623&term_occur=999&term_src=title:26:subtitle:A:chapter:1:subchapter:A:part:IV:subpart:D:section:42)

The Program was authorized by City Council on December 8, 2021, in the amount of \$11,250,000.00 to provide preservation of affordable housing and water and sewer infrastructure improvements in Qualified Census Tracts (QCTs), including but not limited to Freedman's towns, Tenth Street Historic District, 5-Mile Neighborhood and Joppa/Joppee. (original mapped boundaries for these

neighborhoods can be seen in attached map exhibits 1 through 3). The Program was initially targeted solely to residents in these three neighborhoods, which owned homes built in or before 1959. The amended Program language is modified to expand eligible applicants to households throughout the City of Dallas disproportionately impacted by the COVID-19 pandemic that currently receive certain federal benefits; to expand eligible Program areas; to allow the Program to receive additional ARPA allocations or other funds, in an amount not to exceed \$10,000,000.00, through December 2023, to be used for home repair activities and infrastructure improvements in expanded eligible areas; and to clarify that sidewalks are part of the infrastructure allocation in compliance with American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Fund (CSLFRF) guidance.

To date, the Program has successfully processed over fifty applications for home repair activities across the three QCTs. Initial Program goals and budget included a target of 20 home repair applications per neighborhood, totaling \$2,000,000.00 per neighborhood for home repair. Each neighborhood was also budgeted \$1,500,000.00 to be used on sidewalk, water, and sewer infrastructure improvements.

In Tenth Street Historic District, 15 home repair applications have been received to date. While the Program has generated a lot of interest, many potential applicants in and around the Tenth Street Historic District have been turned away due to living outside of the original boundaries. This community had a considerable number of interested applicants throughout 'The Bottom'. After review, and due to the large pool of potentially qualified homes, the eligible Program area has been amended to include 'The Bottom' and the larger QCT as a whole. This change can be reviewed in maps 3 and 4, attached. This will not only expand the Programs reach to impact more households but offer a more comprehensive neighborhood-wide preservation that better coordinates with work that the City has already undertaken throughout the area.

Joppee/Joppa has already exceeded the initial goal of a minimum of 20 home repair applications. In this community 29 home repair applications have been received to date, which may reduce the funding available for infrastructure improvements. In Five Mile, 21 applications have been received and future applications will be waitlisted, with the remaining funding being directed at infrastructure projects currently in the design phase throughout the community. This neighborhood has several street improvements which but for Program funding might become stalled or remain incomplete. In addition to this, Councilmembers and HOU have received significant interest from residents who fall outside of the three original neighborhoods of Joppee/Joppa, Five Mile, and Historic Tenth Street altogether, but within the same Council District or QCTs. Because of this, suggested Program amendments open the eligible areas to district wide QCTs for Councilmembers who wish to allocate their discretionary ARPA funding for additional home repair.

To address the greater need across the City, Councilmembers may use ARPA discretionary funding within their districts to serve homeowners in QCTs. Discretionary ARPA funding from Councilmembers must be identified by December 2023. Additionally, underutilized ARPA CSLFRF located throughout other City departments may be used in QCTs throughout the City of Dallas or for ARPA Eligible Households. The City Manager may make modifications to funding applicability and timelines as funding becomes available. The City Manager is authorized to take all actions necessary to account for and report the use of Coronavirus Local Fiscal Recovery Fund, Fund FC18 for home repair, including but not limited to creating additional funds/units, and transferring appropriations, and/or expenses between units as additional home repair information on eligible uses. That the Chief Financial Officer is then authorized to disburse funds for home repairs in an amount not to exceed

\$10,000,000.00 in the Coronavirus Local Fiscal Recovery Fund, Fund FC18, Department, Various, Unit, Various, Object 3099.

The need for affordable home preservation, particularly on our older housing stock, extends far beyond the original communities of focus. Expanding the Program to cover more homes and owners which meet the original Program guidelines across the City is a sure way to address some of our deepest housing needs. Eligible QCTs city-wide can be seen in map 5.

The U.S. Department of The Treasury (Treasury) presumes that certain types of services are eligible uses when provided in QCTs, to families living in QCTs, or to households that may have been disproportionately impacted by the COVID-19 pandemic that currently receive federal benefits.

The term “[qualified census tract](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-919786749-1531713623&term_occur=999&term_src=title:26:subtitle:A:chapter:1:subchapter:A:part:IV:subpart:D:section:42)” means any census tract which is designated by the U.S. Department of Housing and Urban Development (“HUD”) and, for the most recent year for which census data are available on household income in such tract, either in which 50 percent or more of the households have an income which is less than 60 percent of the area median gross income for such year or which has a poverty rate of at least 25 percent.

The pandemic is forcing families to make difficult choices as they respond to COVID-19, such as cover mortgage and health related expenses vs ongoing housing maintenance; maintenance is often lowest on the list of priorities. Further, households have been confined to residences and have engaged in more activities not previously or traditionally conducted in the home due to COVID-19 such as schooling and work, which has caused greater wear and tear on aging housing stock already in need of repairs, thus making the living situation more difficult. This reality though, places a homeowner at greater risk of homelessness and their home may become condemned if they continue to live in substandard conditions. Our neighborhoods, including the ones in QCTs, are feeling the effects of deferred maintenance on properties, and many buyers have had to set aside their dream of ownership. The QCTs often have infrastructure related issues as well that make home repair or new development costly. Program relief can give city residents the help they badly need to invest in their properties, invest in infrastructure improvements and help create more owner-occupied homes in city neighborhoods.

A healthier home is also more likely to keep the applicant healthy as they protect themselves from COVID-19 and or recover from this deadly disease.

This action will authorize an amendment to the Program as described in **Exhibit A** to **(a)** provide for grants of up to \$100,000.00 per household for targeted home repair in qualified census tracts (QCTs) or households disproportionately impacted by the COVID-19 pandemic that currently receive federal benefits; and **(b)** to support necessary sidewalk, water, and sewer infrastructure improvements in QCTs; and **(c)** expand to serve approved eligible areas displayed in updated maps that correspond to their funding sources; and **(d)** allow the Program to receive additional ARPA allocations from two sources; **(1)** Councilmember discretionary ARPA funding and **(2)** funding from various departments and various units, in a total amount not to exceed \$10,000,000, to fund FC18, through December 2023, to be used for home repair activities and infrastructure improvements in expanded eligible areas.

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

The Housing and Homelessness Solutions Committee was briefed regarding this matter on October 25, 2021, and November 9, 2021.

On June 23, 2021, City Council authorized the acceptance of grant funds from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Fund to provide relief during the ongoing COVID-19 pandemic by Resolution No. 21-1149.

On September 22, 2021, City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the ARPA funds from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Funds by Resolution No. 21-1590.

On December 8, 2021, City Council approved the American Rescue Plan Act Home Repair and Infrastructure Program by Resolution No. 21-2022.

The Housing and Homelessness Solutions Committee was briefed on the Program's progress to date along with the proposed amendments to the Program on October 24, 2022.

**FISCAL INFORMATION**

Fund	FY 2021-22	FY 2022-23	Future Years
Coronavirus Local Fiscal Recovery Funds	\$11,250,000.00*	<del>\$0.00</del> Up to \$10,000,000.00*	\$0.00
<del>AD() American Rescue Plan Act (ARPA)</del>	<del>\$0.00</del>	<del>TBD</del>	<del>\$0.00</del>
<del>AD() American Rescue Plan Act (ARPA)</del> <del>Councilmember Discretionary Funds</del>	<del>\$0.00</del>	<del>TBD</del>	<del>\$0.00</del>
<del>Total</del>	<del>\$11,250,000.00</del>	<del>Up to \$10,000,000.00</del>	<del>\$0.00</del>

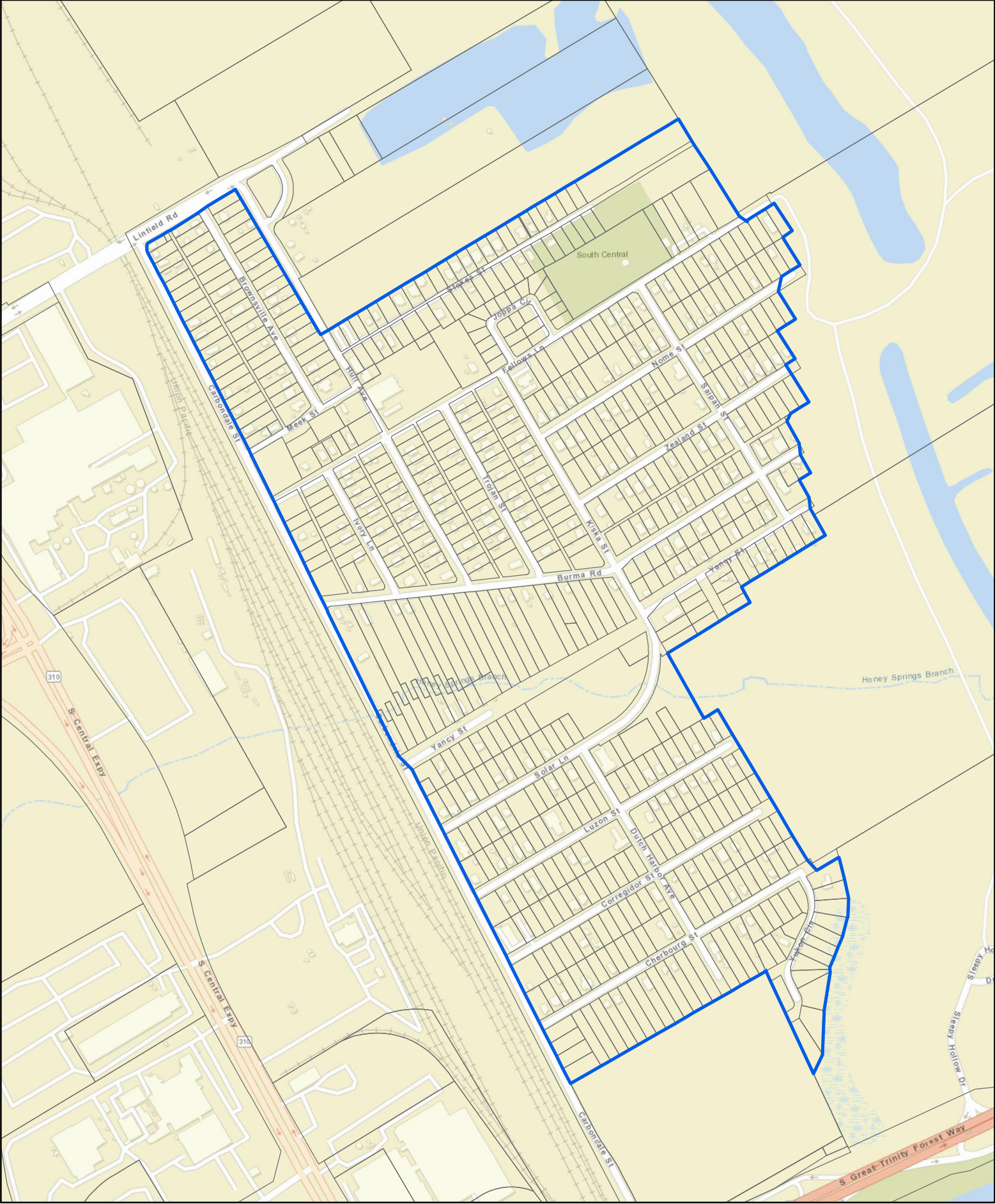
\*The \$11,250,000.00 initial allocation for home repair in three neighborhoods Joppee/Joppa, Five Mile, and Tenth Street Historic District; and two additional sources: Councilmember Discretionary Funds and various department and units, in a total amount not to exceed \$10,000,000.00.

**MAPS**

Attached

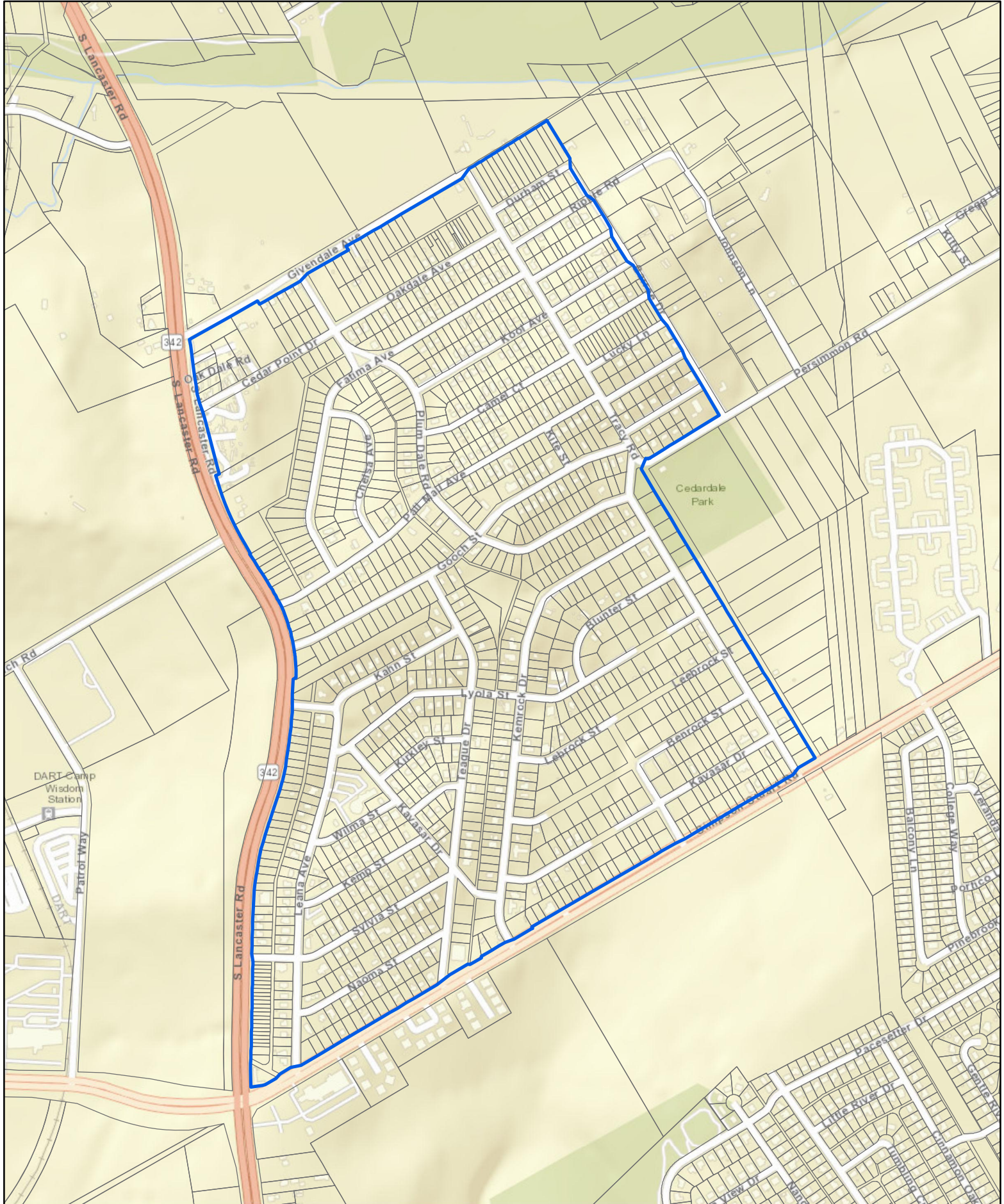


# Joppa Neighborhood Boundary





# Five Mile Neighborhood Boundary



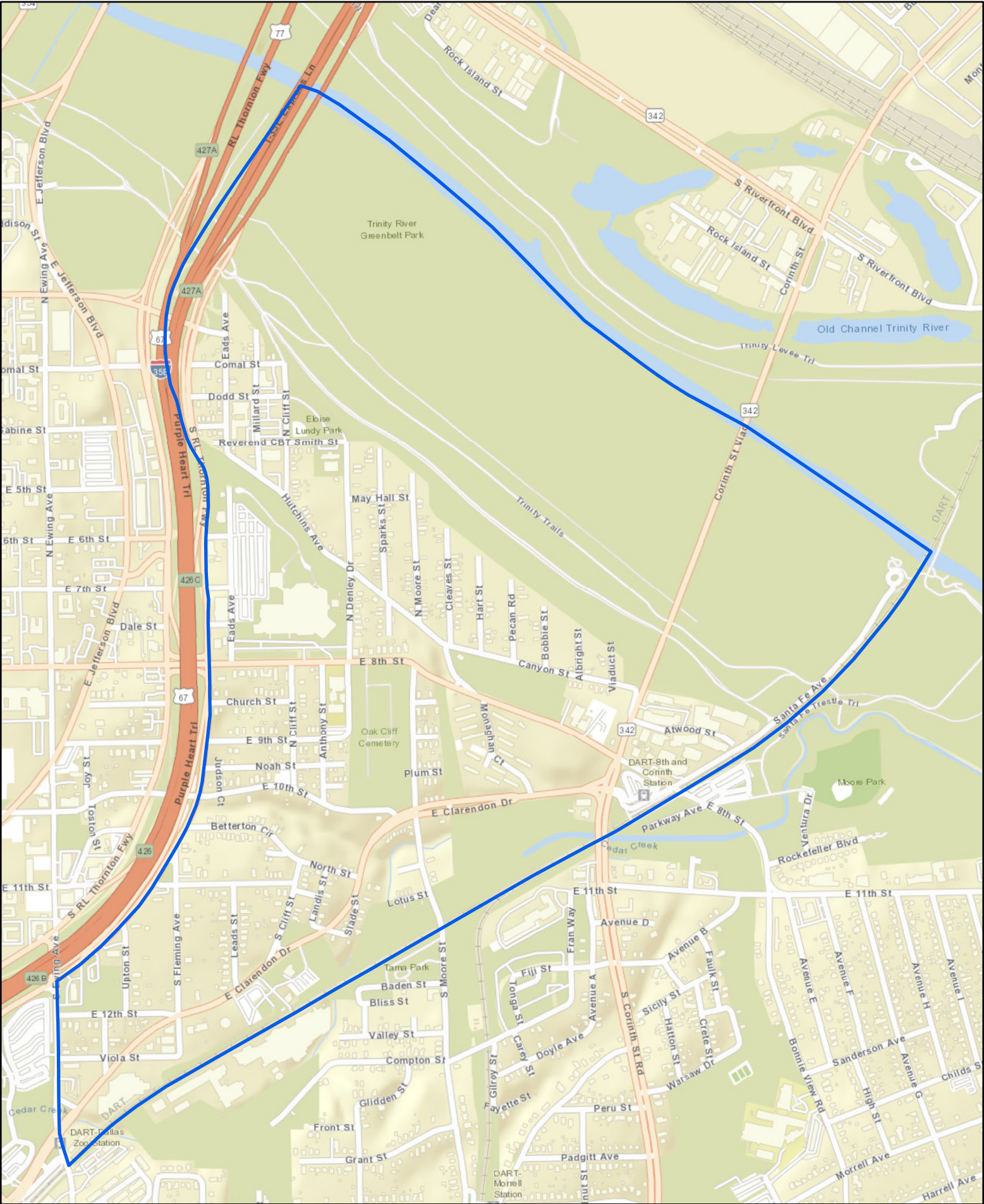


# Tenth Street Neighborhood Boundary



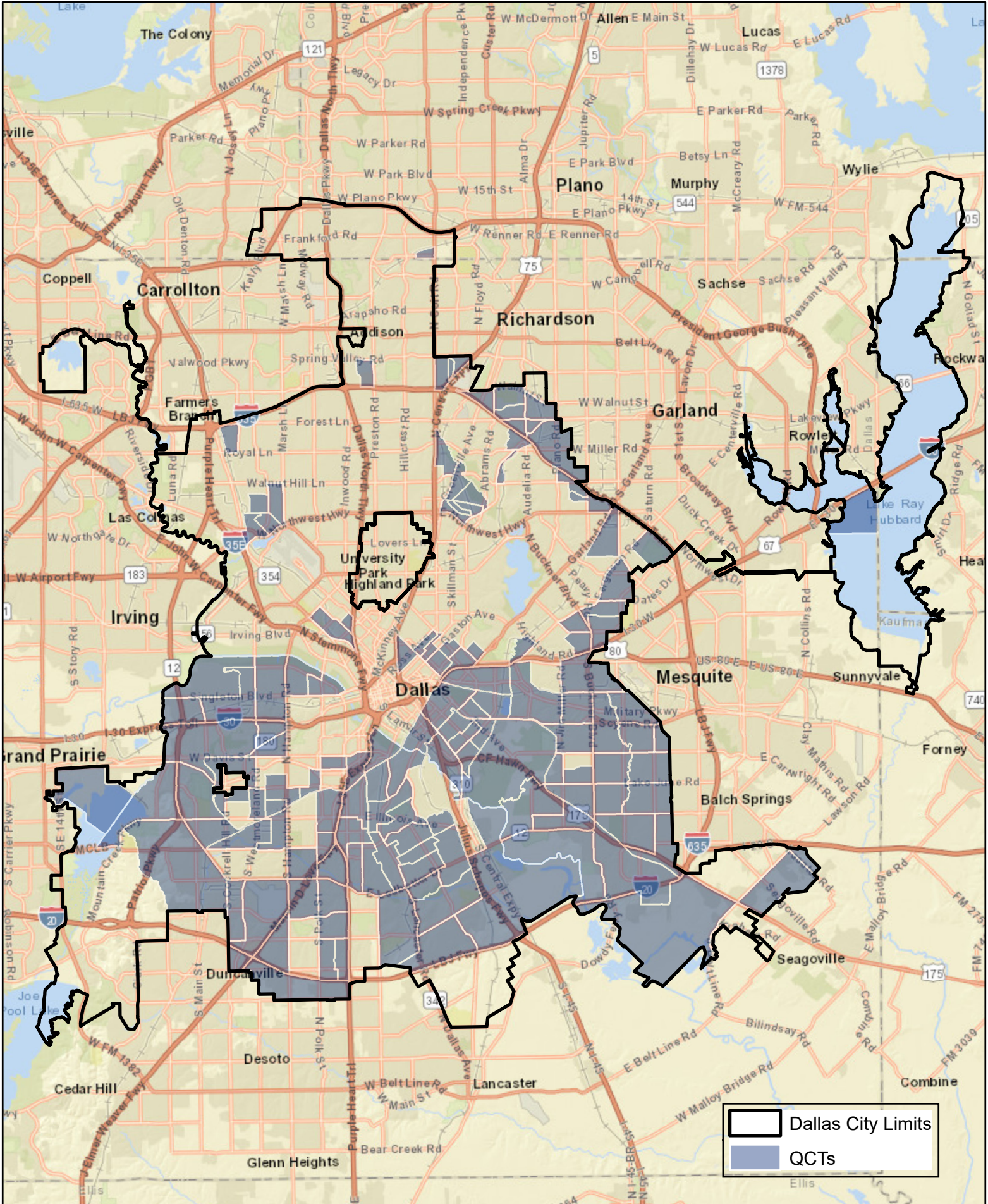


# Tenth Street Neighborhood Boundary





## Qualified Census Tracts (QCTs) Throughout Dallas



November 9, 2022

**WHEREAS**, the City of Dallas (City) recognizes the importance of its role in protecting the health and safety of its residents; and

**WHEREAS**, City Council seeks to respond in a timely manner to fully expend the Coronavirus Local Fiscal Recovery Fund; and

**WHEREAS**, the City finds that the American Rescue Plan Act Neighborhood Revitalization Program (ARPA NRP) will assist low- to moderate-income households with repairs to their homes and will therefore protect the health and/or safety of the occupants; and

**WHEREAS**, the U.S. Department of The Treasury (Treasury) presumes that certain types of services are eligible uses when provided in qualified census tracts (QCTs), to families living in QCTs, to households that may have been disproportionately impacted by the COVID-19 pandemic that currently receive certain federal benefits, or when these services are provided by Tribal governments; and

**WHEREAS**, QCTs are low-income areas designated by the Department of Housing and Urban Development; and

**WHEREAS**, on September 22, 2021, City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the ARPA funds from the Treasury for the Coronavirus Local Fiscal Recovery Funds by Resolution No. 21-1590; and

**WHEREAS**, on December 8, 2021, City Council approved the ARPA Neighborhood Revitalization Program by Resolution No. 21-2022; and

**WHEREAS**, the City finds that the ARPA Neighborhood Revitalization Program will assist areas within qualified census tracts with necessary sidewalk, water and sewer infrastructure improvements.

**Now, Therefore,**

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

**SECTION 1.** That the City Council hereby authorizes **(1)** an amendment to the ARPA Neighborhood Revitalization Program (Program), as described in **Exhibit A**, to **(a)** expand eligible applicants to households throughout the City of Dallas disproportionately impacted by the COVID-19 pandemic that currently receive certain federal benefits; **(b)** add sidewalk improvements as eligible infrastructure improvements in Qualified Census Tracts; **(c)** add eligible area maps; and **(d)** allow the Program to receive additional ARPA allocations from two sources: Councilmember discretionary ARPA funding and funding from various departments and various units, identified through December 2023,



**SECTION 1.** (continued)

in a total amount not to exceed \$10,000,000.00, to fund FC18, to be used for home repair activities and infrastructure improvements in expanded eligible areas; **(2)** the retention of two (2) positions to assist in the administration of the Program; and **(3)** execution of all documents and agreements necessary to implement the Program, including but not limited to agreements with homeowners, subrecipients, contractors, and/or administration agreement(s) for the Program, approved as to form by the City Attorney.

**SECTION 2.** That when necessary, the City Manager or designee is authorized to execute change orders or amendments to the agreements, in excess of 25 percent and/or \$100,000.00 (subject to compliance with the applicable procurement laws), to commit and expend funds timely to meet the needs of City residents, approved as to form by the City Attorney.

**SECTION 3.** That pursuant to this resolution, the Chief Financial Officer is hereby authorized to disburse funds not to exceed \$11,250,000.00 to vendors to be determined in the future from the ARPA Home Repair Program Fund, Fund FC18, Department HOU, Unit AD47, Object Code 3100, various Contract Numbers.

**SECTION 4.** That the Chief Financial Officer is hereby authorize to disburse funds for home repairs in an amount not to exceed \$10,000,000.00 in the Coronavirus Local Fiscal Recovery Fund, Fund FC18, various department(s), various unit(s), Object 3099.

**SECTION 5.** That the Chief Financial Officer is hereby authorized to transfer appropriations, or expenses/encumbrances, between the Coronavirus Local Fiscal Recovery Fund, Fund FC18, Department, Various, Unit, Various for home repair.

**SECTION 6.** That the City Manager is authorized to take all actions necessary to account for and report the use of Coronavirus Local Fiscal Recovery Fund, Fund FC18 for home repair, including but not limited to creating additional units, and transferring appropriations, and/or expenses between units as additional home repair information on eligible uses are released.

**SECTION 7.** That the City Manager shall keep the appropriate City Council Committee informed of all actions related to these ARPA-funded home repair activities.

**SECTION 8.** That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation of the home repair program as may be necessary.

**SECTION 9.** That the City Manager may make modifications to funding applicability and timelines as funding becomes available.

November 9, 2022

**SECTION 10.** That funds may be utilized for program administration, including but not limited to technology, equipment, and the retention of 2 positions: (1) Outreach & Advocacy Specialist; and (1) Outreach Specialist or Program Coordinator, effective until the anticipated date of December 2025.

**SECTION 11.** That the City Manager or designee is authorized to provide additional information, adjust, and take other actions related to the implementation of the Program as may be necessary to satisfy the funding source, as applicable.

**SECTION 12.** 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**

### **American Rescue Plan Act Home Repair and Infrastructure Program Amended November 9, 2022**

To address the negative impacts of COVID-19, to preserve affordable housing and to invest in sidewalk, water, and sewer infrastructure improvements in **(1)** Qualified Census Tracts (QCTs), including but not limited to Tenth Street Historic District, Five Mile Neighborhood, Freedman's towns, and Joppa/Joppee, and **(2)** households outside of QCTs whose household may have been disproportionately impacted by the COVID-19 pandemic and currently receives federal benefits through programs including: Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Free and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs, Medicare Part D Low-income Subsidies, Supplemental Security Income (SSI), Head Start and/or Early Head Start, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Section 8 Vouchers, Low-Income Home Energy Assistance Program (LIHEAP) and/or Pell Grants (ARPA Eligible Households). This program will **(1)** provide for the cost of repairs to homes (home repair activities), as households have been confined to residences and have engaged in more activities not previously or traditionally conducted in the home due to COVID-19, such as schooling and work, which has caused greater wear and tear on aging housing stock already in need of repairs, thus making the living situation more difficult; and **(2)** provide for maintenance of sidewalk, water, and sewer infrastructure improvements which support home repair activities (infrastructure projects).

This Program may **(1)** utilize subrecipients or contractors to administer the Program; and/or **(2)** be directly administered by the Department of Housing & Neighborhood Revitalization ("Housing") in concert with other departments.

#### **Program Overview**

All portions of this program operate under the same program guidelines, including qualification, eligibility, grant terms and program review.

#### **Funding Source**

The initial allocation of American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), in an amount not to exceed \$11,250,000.00, applies to home repair activities and infrastructure projects to be completed in three neighborhoods - Tenth Street Historic District, Five Mile, and Joppa/Joppee. Funding will be targeted to home repair and infrastructure activities in these communities; however, Housing staff may reevaluate unused portions of the initial \$11,250,000 in time to mobilize funding by the end of FY 2024 and redirect unused funding to other QCTs and ARPA Eligible Households. Existing boundaries for Five Mile and

Joppa/Joppee can be seen in maps 1 and 2. Original and Adjusted boundaries for Tenth Street Historic District can be seen in maps 3 and 4.

Up to an additional \$10,000,000 may be allocated to the American Rescue Plan Act (ARPA) Neighborhood Revitalization Program through approval by the City Manager and appropriations by the Chief Financial Officer, from two sources (1) Councilmember discretionary ARPA funding, to be used in QCTs throughout their district; and (2) other unused or underutilized ARPA allocations from various departments and various units, to be used in QCTs city-wide. Councilmembers may use ARPA discretionary funding within their districts to serve homeowners in QCTs. Discretionary ARPA funding from Councilmembers must be identified by December 2023. Additional funds from unused or underutilized ARPA may be used in all QCT's throughout the City of Dallas, or for ARPA Eligible Households. Additional ARPA funding from various departments and various units must be identified by December 2023. Map 5, attached, shows eligible QCTs throughout the City of Dallas. The City Manager may make modifications to funding applicability and timelines as funding becomes available.

### **Home Repair Activities in QCTs for Homeowners:**

Grants up to \$100,000 per property may be provided to eligible applicants. The City or subrecipient, City or subrecipient selected contractor, and property owner(s) will enter into a tri-party agreement and the City or subrecipient will pay the contractor directly for the work performed. No work shall begin prior to the full execution of the tri-party agreement and recording of the deed restrictions. The home must be a single-family dwelling and constructed in or before 1959. Homes must be located within a QCT, or must qualify by being an ARPA Eligible Household. The City will use contractors qualified under similar home repair programs to conduct the work, subject to compliance with applicable local, state and federal laws.

### **Infrastructure, Sidewalks, Water, and Sewer Improvements made by the City within QCTs:**

The City may perform infrastructure projects in QCT's that can be completed by December 2025. Projects will be selected in coordination with the City of Dallas Public Works department. Projects funded must support home repair activities.

In addition, program funds are anticipated to be used for program administration, including staff positions, technology, and equipment.

### **Eligibility Requirements**

Eligible home repair activities include repairs the City deems necessary:

- Repairs necessary to bring the structure and infrastructure into compliance with local, state, and/or federal law, including but not limited to the Dallas City Code.
- Repairs necessary to preserve the property's structural integrity.

- Repairs necessary to preserve the property's historic integrity as required by the City's Certificate of Appropriateness and Landmark Commission processes. The goal is to improve the property starting with the home and then the landscape to improve both the living condition as well as the neighborhood.
- Sidewalk, water and sewer improvements where additional funding will expedite completion of projects in QCTs.

Eligible infrastructure projects include, but are not limited to, the following:

Under the American Rescue Plan Act Section 602(c)(1)(A) or 603(c)(1)(A), a general infrastructure project typically would not be considered a response to the public health emergency and its negative economic impacts unless the project responds to a specific pandemic-related public health need (e.g., investments in facilities for the delivery of vaccines) or a specific negative economic impact of the pandemic (e.g., affordable housing in a Qualified Census Tract).

Eligible infrastructure activity may include making necessary investments to improve access to clean drinking water, supporting vital wastewater and stormwater infrastructure, and sidewalks. Necessary investments include projects that are required to maintain a level of service that, at least, meets applicable health-based standards, taking into account resilience to climate change to unserved or underserved populations to reach an adequate level to permit a household to work or attend school, and that are unlikely to be met with private sources of funds.

The City may use this funding to invest in an array of drinking water infrastructure projects, such as building or upgrading facilities and transmission, distribution, and storage systems, including the replacement of lead service lines. The City may also use this funding to invest in wastewater infrastructure projects, including constructing publicly-owned treatment infrastructure, managing and treating stormwater or subsurface drainage water, facilitating water reuse, and securing publicly-owned treatment works.

## **Eligible Repairs**

Eligible home repair activities include, but are not limited to:

- Correcting any code violations
- Testing & treatment/removal of lead-based paint/asbestos hazards
- Handicapped improvements & removal of barriers to the handicapped
- Pest control; removal of termites; removal of rodents and insects, but not as a stand-alone cost
- Roofing
- HVAC
- Plumbing, water and sewer pipes, kitchen and bath fixtures
- Gas pipes/gas test
- Smoke, fire, and CO2 alarms
- Insulation



- Flooring and carpeting
- Water heaters
- Electrical
- Windows
- Window and/or door screens
- Plaster, siding and stucco
- Painting (inside and outside)
- Install new deadbolt locks
- Kitchen or bath cabinets and countertops - Replace/repair
- Garage doors
- Structural repairs/modifications
- Stairs interior and exterior
- Foundation repairs
- Landscaping – modest improvements consistent with the neighborhood
- Hardscape / Softscape
- Tree trimming and removal
- Fences
- Sidewalks
- Junk/Trash Removal
- Demolition of accessory structures
- Any items determined eligible by the Director that comply with ARPA regulations and guidance.

### **Ineligible Repairs**

Ineligible home repair activities include but are not limited to:

- Demolition of historic structures
- Demolition of primary structure that results in vacant lot
- Rehabilitation that makes the home inconsistent with the neighborhood character

### **Applicant Eligibility for Home Repair Activities**

Property owners who reside in owner-occupied single-family houses located in QCTs or ARPA Eligible Households, are eligible for the ARPA Home Repair Program.

Property owners who rent or sell their property to families under 80 percent of the Area Median Income (AMI) established by the U.S. Department of Housing and Urban Development are eligible.

Property owners who own a non-occupied home that they wish to (1) rent or sell to a low-to-moderate income family, under 80 percent AMI; or (2) occupy as their primary residence at completion of the repairs are eligible.

Entities who own unoccupied homes are eligible if, after the repairs are completed, the entity (1) rents to a low-to-moderate income family, under 80 percent AMI, who must occupy the home as their primary residence; or (2) sells the home to a buyer under the same income threshold, who must occupy the home as their primary residence.

## **Eligible Areas**

SEE ATTACHED MAPS

On [November 9, 2022] City Council authorized changes to the ARPA Home Repair and Infrastructure Program, to expand the program to serve more qualified households throughout the City of Dallas. The ARPA Home Repair and Infrastructure Program eligible areas include (1) Tenth Street Historic District, Five Mile Neighborhood, Freedman's towns, and Joppa/Joppee, (2) other households in all QCT's throughout the City of Dallas; or (3) households outside of QCTs whose household may have been disproportionately impacted by the COVID-19 pandemic and currently receives federal benefits.

The eligible area for Joppa/Joppee can be seen in map 1, attached.

The eligible area for Five Mile can be seen in map 2, attached.

The original and adjusted eligible area for Tenth Street Historic District can be seen in map 3 and 4, attached.

All eligible QCTs throughout Dallas can be seen in map 5, attached.

The City Manager may make modifications to funding applicability and timelines as funding becomes available.

## **Ineligible Participants**

- Property owners who have or will receive funds for the same repairs/replacement, including but not limited to insurance proceeds.
- City Council members, Housing employees and any employee, official or agent of the City who exercises any policy or program decision-making function in connection with the program are ineligible for assistance under the program.

## **Property Eligibility**

- The property must be a detached single-family dwelling that is owner occupied, rented or sold to an income qualifying household at or below 80% AMI, or vacant.
- The property must either be, (1) in a QCT, including but not limited to Tenth Street Historic District, Five Mile Neighborhood, Freedman's towns, and Joppa/Joppee; or (2) occupied by a household, located in the City of Dallas and outside of a QCT, that has been disproportionately impacted by the COVID-19 pandemic and currently receives federal benefits, described above.
- Home must have been constructed in or before 1959.
- Home must need eligible repairs.
- In the absence of a deed or other instrument proving property ownership, owners of property may self-certify that they own the home. The means in which an owner

may self-certify include but is not limited to a printout from the Dallas Central Appraisal District website or the Dallas County website reflecting the applicant as the owner, an affidavit signed by the applicant attesting to home ownership, a tax receipt for the property that reflects the applicant as the owner, or proof of insurance on the property.

## **Assistance**

Assistance for home repairs will be provided as a grant on behalf of the property owner and shall not exceed \$100,000.00 per property. All funds will be paid directly to the contractor.

Applicants must provide documentation to determine eligibility, which includes but is not limited to the following:

- Application
- Proof of identity
- Proof of primary homeowner occupancy or occupancy by a qualifying household at or below 80% AMI
- Proof of income for tenants
- Proof of ownership (including self-certification, as detailed above)

## **Grant Terms**

In addition to the triparty agreement, the owner of the property shall execute and record deed restrictions in the Real Property records of Dallas County, Texas (and other applicable counties) for a period of five years.

This program statement may be amended by the City Manager to include amendments as appropriate to meet funding requirements and/or to comply with ARPA regulations/guidance, as applicable.

## **Program Review**

The program expanded to serve more households in QCTs throughout the City of Dallas on November 9, 2022. The Program will be reviewed as more funding becomes available through Councilmember allocation of discretionary funding or other resources, including additional ARPA CSLFRF funding, allocated to the ARPA Home Repair and Infrastructure Program through FY 2024. The City Manager may make modifications to funding applicability and timelines as funding becomes available.



## Agenda Information Sheet

**File #:** 22-2480

**Item #:** 9.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Human Resources

**EXECUTIVE:** Kimberly Bizer Tolbert

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### **SUBJECT**

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Sections 34-9 and 34-25 by **(1)** allowing holiday pay for City temporary employees; **(2)** providing a saving clause; **(3)** providing a severability clause; and **(4)** effective immediately upon council approval - Estimated Annual Cost \$575,808.95 - Financing: Operating Funds (See Fiscal Information)

### **BACKGROUND**

A change in compensation practices is requested to allow City temporary employees to receive holiday pay. Currently, temporary employees are allowed to observe City holidays, but they do not get paid for the day.

This change is requested:

- To improve the ability to attract employees to City temporary positions and potentially transition to employees to City full time positions
- To align with the City's value of equity as it will provide equity in pay practices for individuals who may be in the same positions or work closely with permanent City employees who receive pay for holidays

The Department of Human Resources and the City Attorney's Office review and modify Chapter 34 of the Dallas City Code (City of Dallas Personnel Rules) to address outdated and/or obsolete information, changes to federal and state laws, and changes to updated City processes and procedures.

A change in the Personnel Rules is required to allow temporary employees to receive holiday pay on an ongoing basis. Changes should be made to the following sections: 34-9 "Eligibility for Benefits" and 34-25 "Holiday Pay".

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

The Government Performance and Financial Management committee was briefed on October 24, 2022.

**FISCAL INFORMATION**

Estimated Annual Cost: General Fund \$476,150.64 Enterprise Funds \$8,428.30, Internal Service Funds \$10,347.90, and Grant Fund \$80,882.11. Actual cost may vary depending on demand and the number of temporary employees.

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 34, “Personnel Rules,” of the Dallas City Code by amending Sections 34-9 and 34-25; allowing holiday pay for temporary employees; providing a saving clause; providing a severability clause; and providing an effective date. Now, Therefore,

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

SECTION 1. That Subsection (a), “Permanent Employees,” of Section 34-9, “Eligibility for Benefits,” of Article I, “General Provisions,” of Chapter 34, “Personnel Rules,” of the Dallas City Code is amended to read as follows:

“(a) [Permanent e]Employees.

(1) A permanent full-time employee is eligible for employee benefits, including, but not limited to, paid leave as provided in this chapter, health benefit plan participation, life insurance, and retirement benefits. Benefits may be changed at any time subject to applicable law and subject to city council approval when required, for any lawful reason, including budget constraints.

(2) An employee hired in a classification other than permanent full-time is eligible for benefits in accordance with federal law and as described in the applicable plan documents.

(3) A temporary employee is entitled to holiday pay in accordance with Section 34-25(b).”

SECTION 2. That Subsection (b), “Holiday Pay,” of Section 34-25, “Holidays,” of Article III, “Leave Policies,” of Chapter 34, “Personnel Rules,” of the Dallas City Code is amended to read as follows:

“(b) Holiday pay. Paid holidays are extended to every permanent employee and to every temporary employee as described in Section 34-8(a). ~~[A temporary employee is extended the official holiday, but without pay, except that a temporary employee who is assigned to work on the official holiday will be paid for the hours worked.]~~ A full-time permanent or temporary employee receives holiday pay equal to the employee’s standard work day. A part-time permanent or temporary employee receives holiday pay prorated on the basis of the average number of paid

hours credited to the employee in the four payroll weeks preceding the holiday. For the purpose of calculating overtime, holidays are included as hours worked.”

SECTION 3. That Chapter 34 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. 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:

CHRISTOPHER J. CASO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2070

**Item #:** 10.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

An ordinance granting a revocable license to Federales Deep Ellum, LLC, for the use of approximately two square feet of aerial space to install, occupy and maintain an illuminated premise blade sign over a portion of Commerce Street right-of-way located near its intersection with Malcolm X Boulevard - Revenue: General Fund \$1,000.00 annually, plus the \$20.00 ordinance publication fee

### **BACKGROUND**

This item grants a revocable license to Federales Deep Ellum, LLC, for the use of approximately two square feet of aerial space to install, occupy and maintain an illuminated premise blade sign over a portion of Commerce Street right-of-way located near its intersection with Malcolm X Boulevard. The use of this area will not impede pedestrian or vehicular traffic. The term of this license is five (5) years.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

### **FISCAL INFORMATION**

Revenue: General Fund \$1,000.00 annually, plus the \$20.00 ordinance publication fee

### **OWNER**

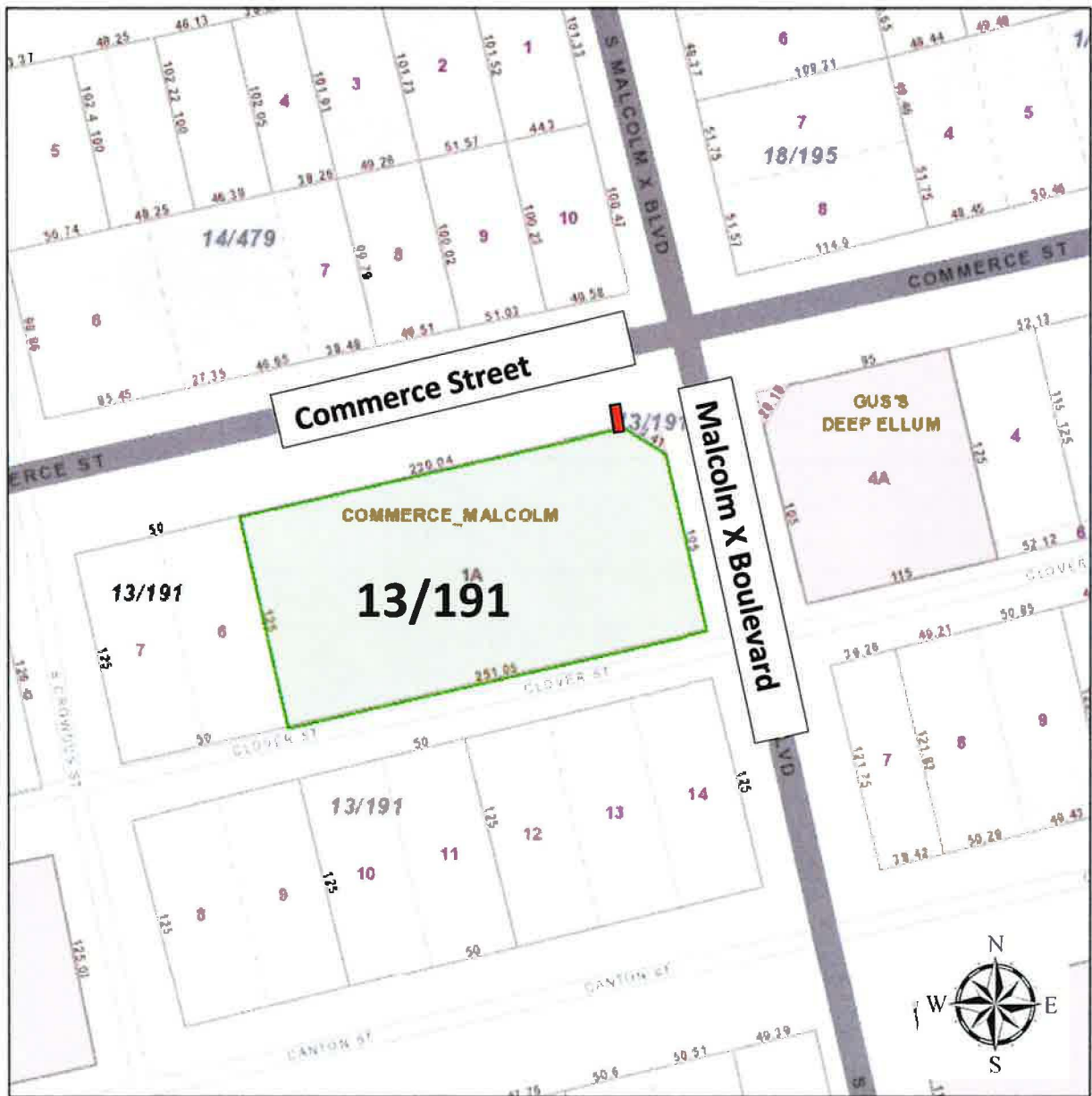
**Federales Deep Ellum, LLC**

Matthew Mena, Manager



**MAP**

Attached



LOG# 51447



LICENSE AREA

**ORDINANCE NO. \_\_\_\_\_**

An ordinance granting a revocable license to Federales Deep Ellum, LLC to occupy, maintain and utilize aerial space over a portion of Commerce Street right-of-way located near the intersection of Commerce Street and Malcolm X Boulevard adjacent to City Block 13/191 within the limits hereinafter more fully described, for the purpose of occupying, maintaining and utilizing an illuminated premise blade sign; providing for the terms and conditions of this license; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

ooo0ooo

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

**SECTION 1.** That a revocable license, hereinafter referred to as “license”, subject to the restrictions and conditions of this ordinance, is hereby granted to Federales Deep Ellum, LLC, a Delaware limited liability company, its successors and assigns, hereinafter referred to as “**GRANTEE**”, to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as “licensed area” which is attached hereto and made a part hereof.

**SECTION 2.** That this license is granted for a term of five (5) years, unless sooner terminated according to other terms and provisions herein contained.

**SECTION 3.** That **GRANTEE** shall pay to the City of Dallas the sum of **ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00)** annually for the license herein granted, said sum to become due and payable on the 2<sup>nd</sup> day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2023. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of the Department of Public Works may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund

**SECTION 3.** (continued)

0001, Department PBW, Unit 1181, Revenue Code 8200. In the event **GRANTEE's** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 Percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

**SECTION 4.** That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Public Works of the City of Dallas: occupying, maintaining and utilizing an illuminated premise blade sign.

**SECTION 5.** That this license is subject to the provisions set forth in EXHIBIT B, attached hereto and made a part hereof.

**SECTION 6.** That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right to terminate and cancel this license, at will, by Resolution passed by said Governing Body. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said Resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Public Works, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in EXHIBIT B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Public Works.

**SECTION 7.** That the license is subject to the following conditions, terms and reservations: **GRANTEE** shall comply with Special Provision Sign District (SPSD) for Deep Ellum near east side.

**SECTION 8.** That upon the effectiveness of this ordinance, the Director of Department of Public Works, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Public Works, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

**SECTION 9.** That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

**SECTION 10.** That this license may not be assigned without prior written approval from the Director of Department of Public Works, or designee. Such assignment shall recite that it is subject to the terms, restrictions and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area, and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Public Works within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Public Works, or designee, may terminate this license.

**SECTION 11.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Public Works, or designee. Upon receipt of the fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Public Works, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Public Works, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

**SECTION 12.** That this ordinance is also designated for City purposes as Contract No. PBW-2022-00019387.

**SECTION 13.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

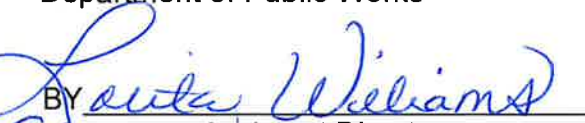
APPROVED AS TO FORM:  
CHRISTOPHER J. CASO,  
City Attorney

ALI HATEFI, Director  
Department of Public Works

BY

  
Assistant City Attorney

BY

  
Assistant Director

Passed \_\_\_\_\_.

**DESCRIPTION****Exhibit A**

**BEING** a 2 square foot (0.00005 acres) tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas and being adjacent to City of Dallas Block 13/191 and being a part of Commerce Street (a called 80' Public right-of-way) according to the plat recorded in Volume W, Page 625, Deed Records of Dallas County, Texas, transcribed in Volume 3, Page 523, Map Records of Dallas County, Texas, being more particularly described as follows:

**COMMENCING** at a 60D nail found at the west corner of Lot 1A, Block 13/191, Commerce Malcolm Addition an addition to the City of Dallas according to the plat recorded in Instrument No. 202100054504, Official Public Records, Dallas County, Texas, the north corner of Lot 6, Block 13/191 of the said plat recorded in Volume, W, Page 625 of said Deed Records and being in the southeast right-of-way line of said Commerce Street;

**THENCE** with said southeast right-of-way line of Commerce Street and said northwest line of Lot 1A and northwest line of Estate in Expectancy recorded in said Instrument No. 202100054504, of said Official Public Records, North 76°09'08" East, passing the west corner of a corner clip at the intersection of said southeast right-of-way line of Commerce Street and the southwest right-of-way line of Malcolm X Boulevard (a called 60' Public right-of-way) according to the said plat recorded in Volume W, Page 625, of said Deed Records at a distance of 230.15 feet, continuing in all a distance of 249.15 feet to the **POINT OF BEGINNING**;

**THENCE** departing said northwest line of Estate in Expectancy and over and across Commerce Street, the following courses and distances:

North 14°16'22" West, a distance of 2.00 feet to a point for corner;

North 76°09'08" East, a distance of 1.00 feet to a point for corner;

South 14°16'22" East, a distance of 2.00 feet to a point for the north corner of said Estate in Expectancy, from which the building corner found for the east corner of said Lot 1A bears South 14°16'22" East, a distance of 125.00 feet;

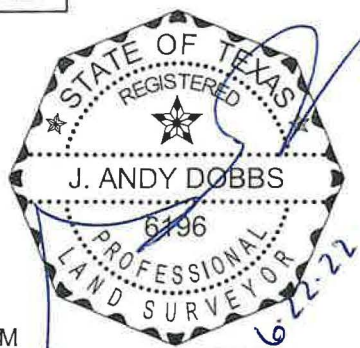
**THENCE** with said northwest line of said Estate in Expectancy, South 76°09'08" West, a distance of 1.00 feet to the **POINT OF BEGINNING** and containing 2 square feet of land.

Bearings based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

(For SPRG use only)

Reviewed By: JD  
Date: 6/24/2022  
SPRG NO: 6001

J. ANDY DOBBS  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6196  
13455 NOEL ROAD  
TWO GALLERIA OFFICE TOWER  
SUITE 700  
DALLAS, TEXAS 75240  
PH. (972) 770-1300  
ANDY.DOBBS@KIMLEY-HORN.COM

**LICENSE AGREEMENT**

COMMERCE STREET  
ADJACENT TO CITY BLOCK 13/191  
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

**Kimley»Horn**

13455 Noel Road, Two Galleria Office  
Tower, Suite 700, Dallas, Texas 75240

FIRM # 10115500

Tel. No. (972) 770-1300  
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MGB	JAD	Apr. 2022	064599170	1 OF 3



Bearings based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

See Sheet 3 for Detail

LOT 10, BLOCK 14/479  
CROWDUS & AKARD'S ADDITION  
VOL. W, PG. 625  
D.R.D.C.T.  
VOL. 3, PG. 523 M.R.D.C.T.

LOT 4A, BLOCK 17/196  
GUS'S DEEP ELLUM ADDITION  
INST. NO. 202000190371  
O.P.R.D.C.T.

### LEGEND

P.O.C. = POINT OF COMMENCING  
P.O.B. = POINT OF BEGINNING  
MNF = MAG NAIL FOUND  
D.R.D.C.T. = DEED RECORDS OF DALLAS  
COUNTY, TEXAS  
O.P.R.D.C.T. = OFFICIAL PUBLIC  
RECORDS, DALLAS  
COUNTY, TEXAS  
C.M. = CONTROLLING MONUMENT

P.O.C.

60D NF  
(C.M.)

TRACTS 2, 3 & 4  
AP BLANTON DEEP ELLUM, LLC  
INST. NO. 201800152518  
O.P.R.D.C.T.

LOT 6, BLOCK 13/191  
CROWDUS & AKARD'S  
ADDITION  
- VOL. W, PG. 625 CO  
D.R.D.C.T.  
VOL. 3, PG. 523  
M.R.D.C.T.

LOT 1A, BLOCK 13/191  
COMMERCE MALCOLM ADDITION  
INST. NO. 202100054504  
O.P.R.D.C.T.

P.O.B.

-SEE DETAIL

-2 SQ. FT.  
0.00005 ACRES

MALCOLM X BOULEVARD  
(60-FOOT PUBLIC RIGHT-OF-WAY)  
W. PG. 625, D.R.D.C.T.  
W. PG. 625, D.R.D.C.T.

ALCOHOL  
(60-FOOT PUBLIC ROLL)  
VOL. W. PG. 625, D.R.D.C.T  
VOL. 3, PG. 523, M.R.D.C.T

8' PEDESTRIAN ACCESS  
EASEMENT  
INST. NO. 20200019037  
O.P.R.D.C.T

(For SPRG use only)

Reviewed By: JD  
Date: 6/24/2022  
SPRG NO: 6001

BUILDING  
-CORNER  
(C.M.)

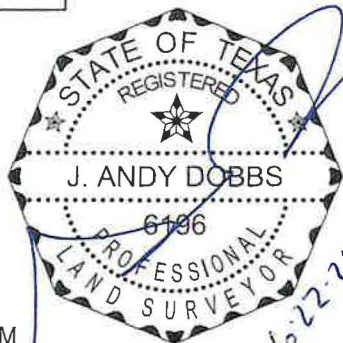
## LICENSE AGREEMENT

COMMERCE STREET

ADJACENT TO CITY BLOCK 13/191

JOHN GRIGSBY SURVEY, ABSTRACT NO. 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

J. ANDY DOBBS  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6196  
13455 NOEL ROAD  
TWO GALLERIA OFFICE TOWER  
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DALLAS, TEXAS 75240  
PH. (972) 770-1300  
ANDY.DOBBS@KIMLEY-HORN.COM



# Kimley»»Horn

13455 Noel Road, Two Galleria Office  
Tower, Suite 700, Dallas, Texas 75240

FIRM # 10115500

Tel. No. (972) 770-1300  
Fax No. (972) 239-3820

Scale  
1" = 20'

Drawn by  
MGB

Checked by  
JAD

Date  
Apr. 201

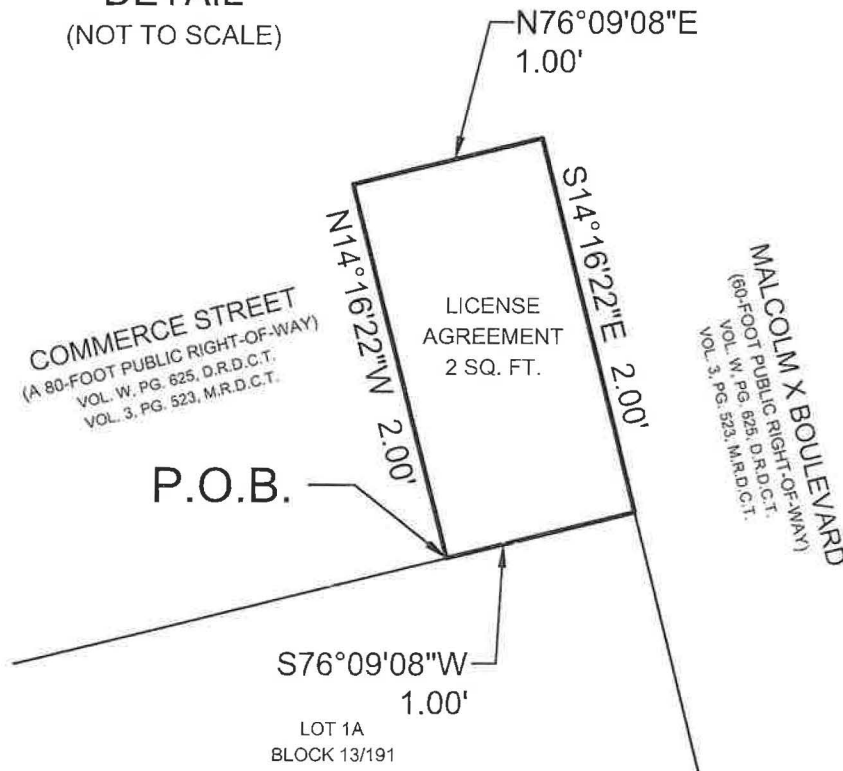
Project No.  
064599170

Sheet No.  
2 OF 3





DETAIL  
(NOT TO SCALE)



## LEGEND

P.O.B. = POINT OF BEGINNING

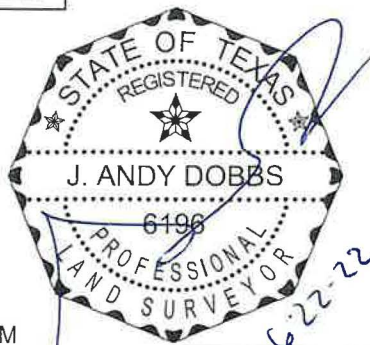
## NOTES

Bearings based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

(For SPRG use only)

Reviewed By: JD  
Date: 6/24/2022  
SPRG NO: 6001

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**LICENSE AGREEMENT**  
COMMERCE STREET  
ADJACENT TO CITY BLOCK 13/191  
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MGB	JAD	Apr. 2022	064599170	3 OF 3

**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

That this license is granted subject to the following additional conditions, terms and reservations:

- (a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Public Works, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Public Works at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Public Works, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.
- (b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Public Works.
- (c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than \$500,000 per occurrence and \$500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than twelve (12) months following termination of this license and removal of the installations,

**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Public Works.
  2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Public Works, or designee, may terminate the license granted herein.
- (d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.
- (e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

- (f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.
- (g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to



**EXHIBIT B  
COMMERCIAL ENTITY  
ADDITIONAL LICENSE PROVISIONS**

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

- (h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.



## Agenda Information Sheet

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**File #:** 22-2032

**Item #:** 11.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize the ratification of a resolution for the construction services contract for emergency bridge repairs on State Highway 356 Bridge, TxDOT Bridge No. 18-057-0092-07-165 with Gibson & Associates, Inc., lowest responsible bidder of two - Not to exceed \$334,250.00 - Financing: Street and Alley Improvement Fund

### **BACKGROUND**

Gibson & Associates Inc., which is located in Balch Springs, Texas, is a registered vendor with the City of Dallas.

This action will ratify a construction services contract with Gibson & Associates, Inc., the lowest responsible bidder for emergency bridge repairs on State Highway 356 Bridge, TxDOT Bridge No. 18-057-0092-07-165.

On September 13, 2006, City Council authorized Ordinance No. 26442, adopting a boundary adjustment with the City of Irving and the Texas Department of Transportation (TxDOT) to allow all of the property and the right-of-way for the Irving Boulevard Bridge, also known as the State Highway 356 Bridge, TxDOT Bridge No. 18-057-0092-07-165 to be located in the City of Dallas.

TxDOT informed the Department of Public Works of three Follow-Up-Action (FUA) reports for Bridge No. 18-057-0092-07-165 including deck repairs, guard rail repairs and bearing repairs, requiring repairs within 180 days of notification.

The Department of Public Works began an emergency procurement with Wiss, Janney, Elstner Associates, Inc. for the design of the plans for the bridge structure based on the communication with TxDOT.

Construction services were also procured through emergency procurement procedures and are exempt from competitive bidding. The construction plans, insurance, and bonding requirements were emailed to the following three (3) contractors with known bridge experience:

- Gibson & Associates, Inc.
- A and B Construction LLC
- Southland Holdings LLC

On September 2, 2022, two bids were received as follows:

- |                             |                |
|-----------------------------|----------------|
| • Gibson & Associates, Inc. | \$ 334,250.00  |
| • A and B Construction LLC  | \$1,050,500.00 |

### **ESTIMATED SCHEDULE OF PROJECT**

Began Services	September
2022	
Complete Services	December
2022	

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Street and Alley Improvement Fund	\$334,250.00	\$0.00	\$0.00

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$334,250.00	Construction	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
• The Business Inclusion and Development Policy does not apply to Emergency Ratifications.		
• Gibson & Associates - Local; Workforce - 18.49% Local		

**OWNER**

**Gibson & Associates, Inc.**

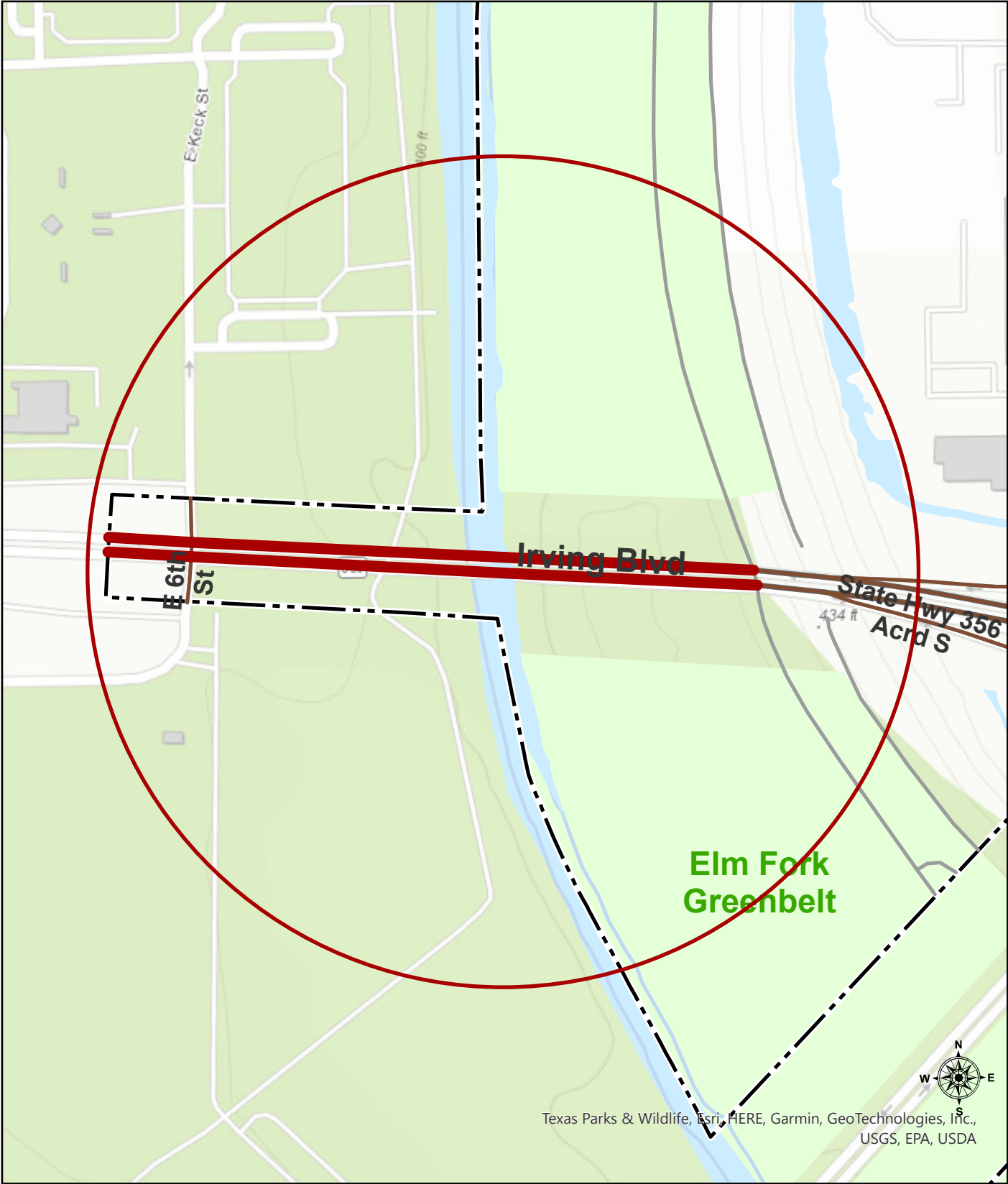
William J. Gibson, President/Chief Executive Officer

**MAP**

Attached



# 5000 BLOCK OF STATE HWY 356



## COUNCIL DISTRICT 6

November 9, 2022

**WHEREAS**, on September 13, 2006, City Council adopted an ordinance adopting a boundary adjustment agreement with the City of Irving and the Texas Department of Transportation to allow all of the property and the right-of-way for the Irving Boulevard Bridge, to be located in the City of Dallas by Resolution No 06-2433 and Ordinance No. 26442; and

**WHEREAS**, the Texas Department of Transportation (TxDOT) informed the Department of Public Works of three Follow-Up-Action (FUA) reports for Bridge No. 18-057-0092-07-165 including deck repairs, guard rail repairs and bearing repairs, requiring repairs within 180 days of notification; and

**WHEREAS**, during the inspection, Wiss, Janney, Elstner Associates, Inc. (WJE), a bridge consultant under contract with the City of Dallas, found damage to the bearings, necessitating emergency repairs; and

**WHEREAS**, the Department of Public Works, following Administrative Directive 4-05, section 10.5.6, Special Need case, procured emergency design services with WJE, to develop plans and specifications needed to bid the bridge repairs as part of the same emergency procurement; and

**WHEREAS**, the Department of Public Works sent plans and specifications to three contractors known to have experience in bridge repairs; and

**WHEREAS**, the Department of Public Works determined that reasonable effort was made to generate competition for competitive bids, resulting in two bids being received; and

**WHEREAS**, the following two bids were received on September 2, 2022:

<b><u>Bidder</u></b>	<b><u>Amount</u></b>
Gibson & Associates, Inc.	\$ 334,250.00
A and B Construction LLC	\$1,050,500.00

**WHEREAS**, it is now necessary to ratify a construction services contract with Gibson & Associates, Inc., lowest responsible bidder of two, for emergency bridge repairs on the State Highway 356 Bridge, TxDOT Bridge No. 18-057-0092-07-165, in an amount not to exceed \$334,250.00

**Now, Therefore,**

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

November 9, 2022

**SECTION 1.** That the City Manager is hereby authorized to ratify a construction services contract with Gibson & Associates, Inc., lowest responsible bidder of two, for the emergency bridge repairs on the State Highway 356 Bridge, TxDOT Bridge No. 18-057-0092-07-165, in an amount not to exceed \$334,250.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$334,250.00 to Gibson & Associates, Inc., in accordance with the terms and conditions of the contract from the Street & Alley Improvement Fund, Fund 0715, Department PBW, Unit W661, Activity BRAM, Object 3210, Encumbrance/Contract No. CX-PBW-2020-00019955, Vendor VS0000022657.

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2069

**Item #:** 12.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 3, 6

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize the ratification of a resolution for the construction services contract for an emergency contract to repair the pavement and its supporting sloped embankment of the 1300 block of North Cockrell Hill Road - Camino Construction, L.P., lowest responsible bidder of six - Not to exceed \$1,211,088.00 - Financing: Street and Alley Improvement Fund (\$605,544.00) and Wastewater Capital Improvement G Fund (\$605,544.00)

### **BACKGROUND**

This action will ratify a construction services contract with Camino Construction, L.P., the lowest responsible bidder for an emergency contract to repair the pavement and its supporting sloped embankment of the 1300 block of North Cockrell Hill Road.

Construction services were procured through emergency procurement procedures and are exempt from competitive bidding. Texas Local Government Code Section 252.022 (a)(2), exempts procurements to preserve the public health or safety of the municipality's residents; and (a)(3) exempts procurements necessary because of unforeseen damage to public machinery, equipment, or other property.

The construction plans and insurance requirements were provided to the following six contractors with the Texas Department of Transportation or relevant experience with the City to solicit quotes:

- Camino Construction, LP
- Jeske Construction Co.
- Aushill Construction, LLC
- Trumont Group
- Gibson & Associates, Inc.
- Tiseo Paving Company

The main activities of this emergency repair project include reconstruction of approximately 300-foot long segment of failed concrete pavement, its supporting sloped embankment and the subsurface drainage system.

### **ESTIMATED SCHEDULE OF PROJECT**

Began Construction            September 2022  
Complete Construction        January 2023

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Street and Alley Improvement Fund	\$ 605,544.00	\$0.00	\$0.00
Wastewater Capital Improvement G Fund	\$ 605,544.00	\$0.00	\$0.00
Total	\$1,211,088.00	\$0.00	\$0.00

<b><u>Council District</u></b>	<b><u>Amount</u></b>
2	\$ 605,544.00
6	\$ 605,544.00
Total	\$1,211,088.00

### **PROCUREMENT INFORMATION**

Emergency Procurement: Utilizing emergency procurement guidelines from Texas Local Government Code 252.022 (a)(2). In conformance with Administrative Directive 4-5, Section 10.5.2 Emergency Procurements

The following three quotes were received and opened on August 22, 2022:

\*Denotes successful quote

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
*Camino Construction, L.P. 1208 Metro Park Boulevard Lewisville, Texas 75057	\$1,211,088.00
Jeske Construction Co.	\$1,249,399.00
Gibson & Associates, Inc.	\$1,983,156.63
Trumont Group	**Non-responsive
Aushill Construction, LLC	**Non-responsive
Tiseo Paving Company	**Non-responsive

**OWNER**

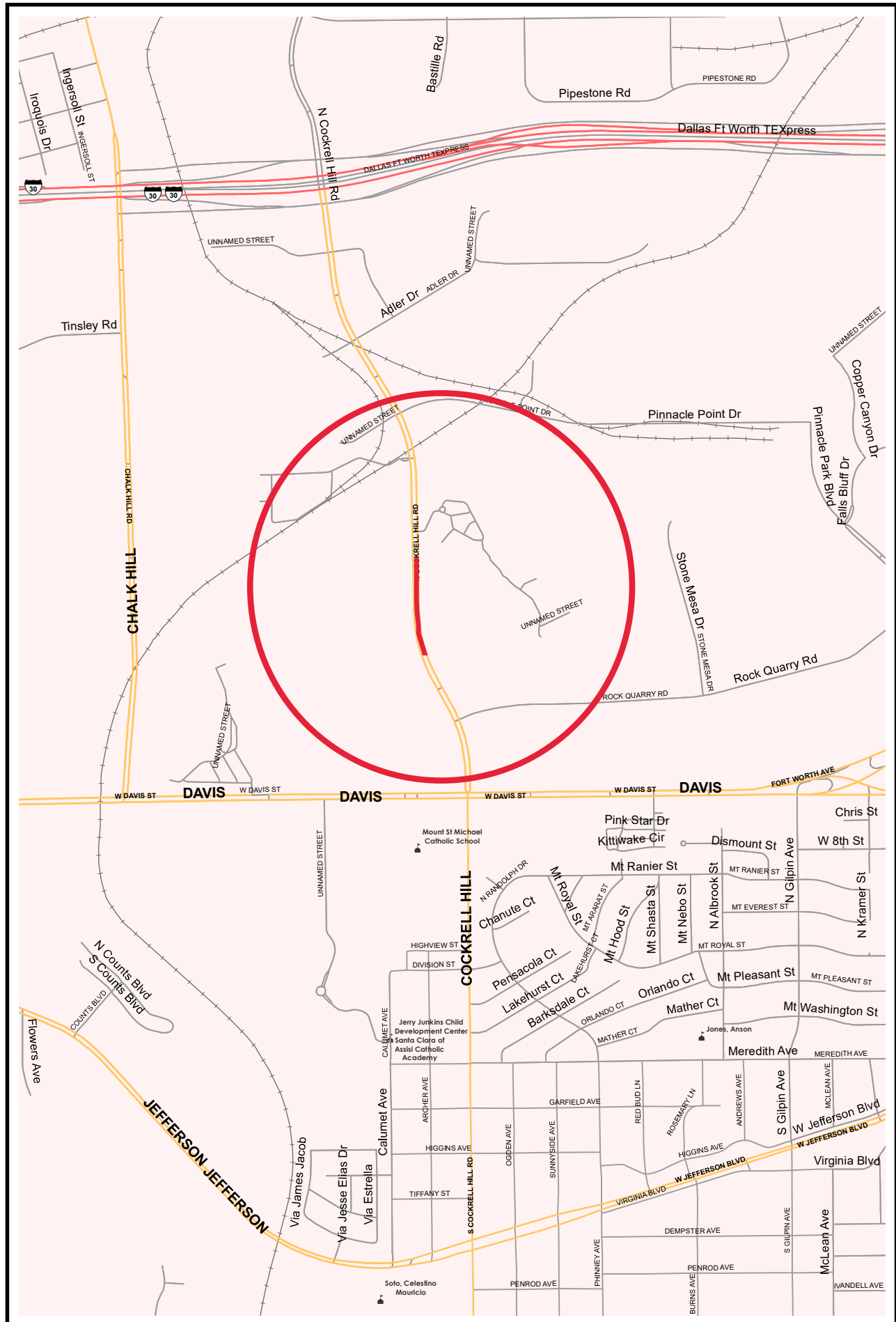
**Camino Construction, L.P.**

Rogelio Ayala, General Manager

**MAP**

Attached

# 1300 BLOCK OF NORTH COCKRELL HILL ROAD AND SLOPE REPAIR FROM DAVIS STREET TO PINNACLE POINT DRIVE



COUNCIL DISTRICTS - 3 & 6

November 9, 2022

**WHEREAS**, on June 20, 2022, the Department of Public Works closed two out of the three traffic lanes of the 1300 block of N. Cockrell Hill Road in the southbound direction and engaged AECOM's engineering services to prepare construction plans for the repair and restoration of damaged pavement and its supporting sloped embankment; and

**WHEREAS**, construction services were procured through an emergency procurement process which is exempt from competitive bidding as stated in Texas Local Government Code Section 252.022 (a)(2), exempts procurements to preserve the public health or safety of the municipality's residents; and (a)(3) exempts procurements necessary because of unforeseen damage to public machinery, equipment, or other property; and

**WHEREAS**, on August 4, 2022, the Department of Public Works delivered plans and specifications to six contractors with relevant experience; and

**WHEREAS**, the following bids were received for the emergency repair of the 1300 block of N. Cockrell Hill Road pavement and its supporting sloped embankment:

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
Camino Construction, L.P.	\$1,211,088.00
Jeske Construction Co.	\$1,249,399.00
Gibson & Associates, Inc.	\$1,983,156.63
Aushill Constructiuonm LLC	*Non-responsive
Trumont Group	*Non-responsive
Tiseo Paving Company	*Non-responsive

**WHEREAS**, it is now necessary to ratify a construction services contract with Camino Construction, L.P., the lowest responsible bidder for emergency repair of the 1300 block of North Cockrell Hill Road and its supporting sloped embankment, in an amount not to exceed \$1,211,088.00.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to ratify the construction services contract with Camino Construction, L.P., approved as to form by the City Attorney, for emergency repair of the 1300 block of North Cockrell Hill Road and its supporting sloped embankment, in an amount not to exceed \$1,211,088.00, this being the lowest responsible bid received.

**SECTION 2.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.



November 9, 2022

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,211,088.00 to Camino Construction, L.P., in accordance with the terms and conditions of the contract, as follows:

Street and Alley Improvement Fund  
Fund 0715, Department PBW, Unit W222  
Activity PB51, Object 3210, Program PBCUR050  
Encumbrance/Contract No. CX-PBW-2022-00020125  
Vendor 144735 \$ 605,544.00

Wastewater Capital Improvement G Fund  
Fund 5116, Department DWU, Unit PS42  
Object 3210, Program 722459  
Encumbrance/Contract No. CX-PBW-2022-00020125  
Vendor 144735 \$ 605,544.00

Total amount not to exceed \$1,211,088.00

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 22-2021

**Item #:** 13.

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 10

**DEPARTMENT:** Department of Public Works

**EXECUTIVE:** Dr. Robert Perez

### **SUBJECT**

Authorize a construction services contract for the construction of Package B for Street Reconstruction Group 17-10004 and Alley Reconstruction Group 17-10001 (list attached to the Agenda Information Sheet) - Jeske Construction Co., lowest responsible bidder of two - Not to exceed \$1,836,990.00 - Financing: Street and Transportation (A) Fund (2017 General Obligation Bond Funds) (\$1,604,655.00), Water Capital Improvement (F) Fund (\$80,370.00), Water Construction Fund (\$3,180.00), Wastewater Capital Improvement (G) Fund (\$145,145.00), and Wastewater Construction Fund (\$3,640.00)

### **BACKGROUND**

This action will authorize a construction services contract with Jeske Construction Co., for the construction of Package B for Street Reconstruction Group 17-10004 and Alley Reconstruction Group 17-10001.

The project group scope for the Street Reconstruction project at Rolling Rock Lane from Hackney Lane to Fern Hollow Drive will include the construction to replace the existing deteriorating concrete street with reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, paving marking, replacement of the drainage system, water and wastewater improvements.

The project group scope for Alley Reconstruction projects at 10106-10160 Caribou Trail and 10127-10143 Ferndale Road and 10163-10199 Vistadale Drive and 10200-10200 Trailcliff Drive will include the construction to replace the existing deteriorating concrete alleys with new reinforced concrete alley pavement, and storm drainage improvements.

Following are the locations and construction costs for each project:

<b><u>Project</u></b>	<b><u>Council District</u></b>	<b><u>Amount</u></b>
Rolling Rock Lane from Hackney Lane to Fern Hollow Drive	10	\$1,081,385.00

Caribou Trail alley (10106-10160)  
and Ferndale Road alley (10127-10143) 10 \$ 440,165.00

Vistadale Drive alley (10163-10199)  
and Trailcliff Drive alley (10200-10200) 10 \$ 315,440.00

Jeske Construction Co. is a Dallas-based corporation, operating within the corporate city limits of Dallas, Texas.

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

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TNR</u>
Projects Completed	5	0	1	0
Active Projects	2	0	0	0
Change Orders	5	0	4	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

If this project group is not awarded for construction at this time, the street and alleys will continue to deteriorate causing additional pavement cracking and potholes to form, creating additional maintenance costs for the City and potential damages to vehicle utilizing the roadways. Field conditions may also change, which will require modifications to the engineering design plans, requiring additional funding and time to address.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction January 2023  
Complete Construction January 2024

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Street and Transportation (A) Fund (2017 General Obligation Funds)	\$1,604,655.00	\$0.00	\$0.00
Water Capital Improvement (F) Fund	\$ 80,370.00	\$0.00	\$0.00
Water Construction Fund	\$ 3,180.00	\$0.00	\$0.00
Wastewater Capital Improvement (G) Fund	\$ 145,145.00	\$0.00	\$0.00
Wastewater Construction Fund	\$ 3,640.00	\$0.00	\$0.00
Total	\$1,836,990.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$1,836,990.00	Construction	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
33.53%	33.53%	\$616,016.00
• This contract exceeds the M/WBE goal.		
• Jeske Construction Company- Local; Workforce - 85.00% Local		

**PROCUREMENT INFORMATION**

The following two bids were received and opened on August 19, 2022:

\*Denotes successful bidder

**Bidders****Bid Amount**

\*Jeske Construction Co.  
2546 Merrell Road, Suite 106  
Dallas, Texas 75229  
Wavetron Corporation  
DBA Wavetron Enterprises

\$1,836,990.00

\*\*Non-responsive

\*\*Wavetron Corporation, DBA Wavetron Enterprises was disqualified for being non-responsive for failing to submit completed bid documents.

**OWNER**

**Jeske Construction Co.**

Steve Jeske, President

**MAPS**

Attached

**Package B - Street Reconstruction Group 17-1004**

**Project**

**Council District**

Rolling Rock Lane from Hackney Lane  
to Fern Hollow Drive

10

**Package B - Alley Reconstruction Group 17-10001**

Caribou Trail (10106-10160)  
and Ferndale Road (10127-10143)

10

Vistadale Drive (10163-10199)  
and Trailcliff Drive (10200-10200)

10

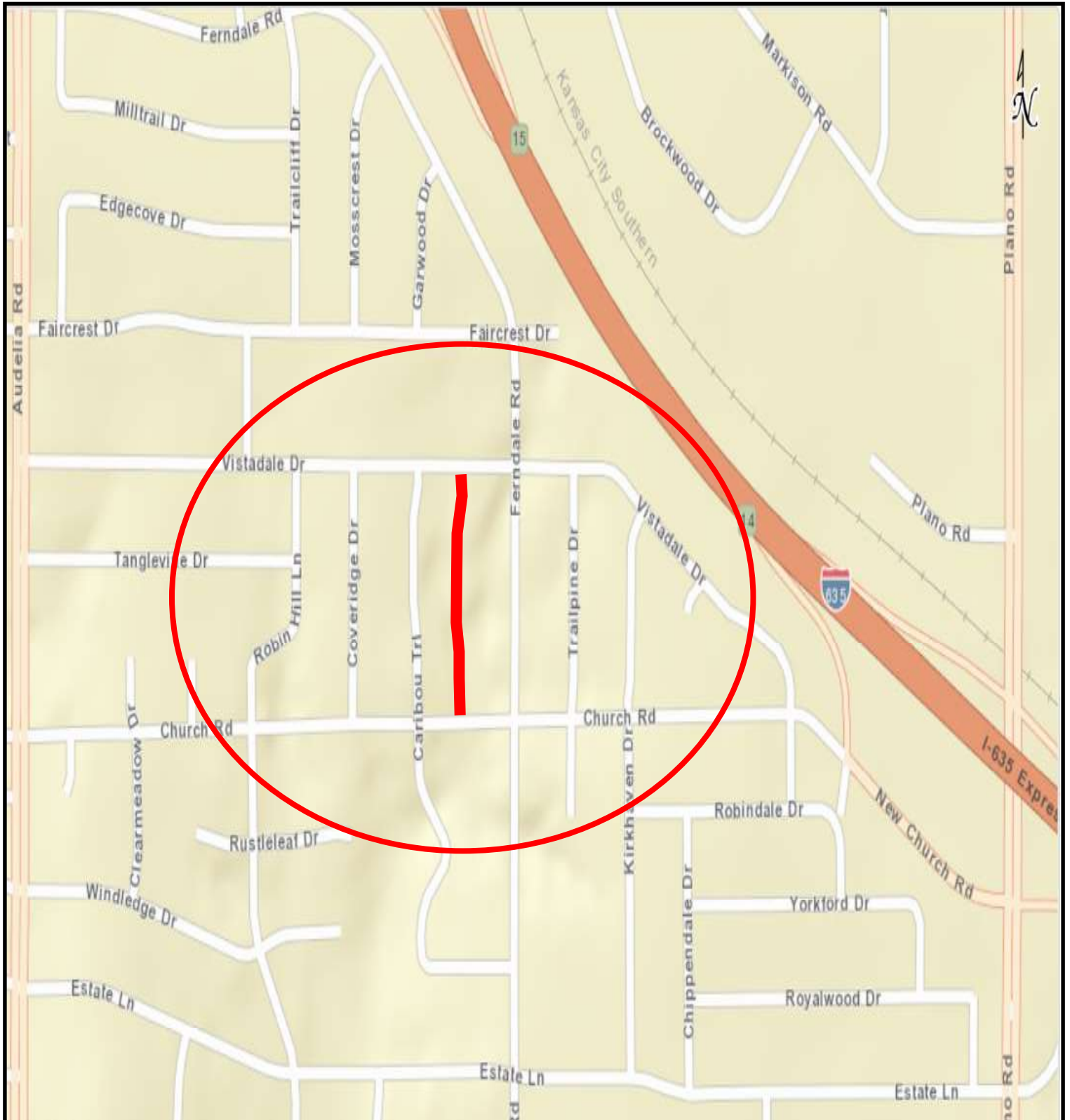
## TO FERN HOLLOW DRIVE



## COUNCIL DISTRICT 10

## ALLEY RECONSTRUCTION

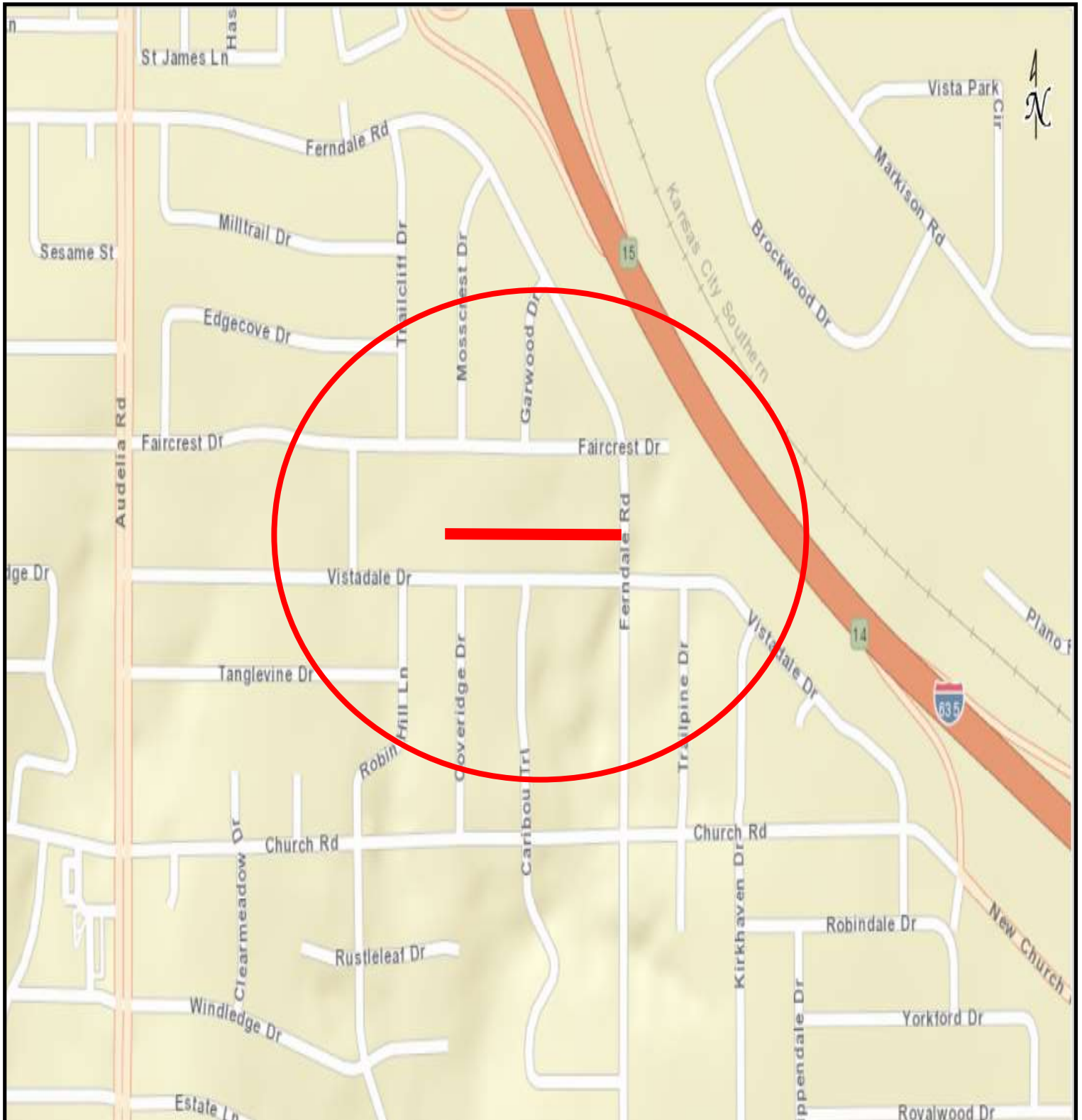
10106 - 10160 CARIBOU TRAIL & 10127 - 10143 FERNDALE ROAD



COUNCIL DISTRICT 10

## ALLEY RECONSTRUCTION

**10163 - 10199 VISTADALE DRIVE & 10200 - 10200 TRAILCLIFF DRIVE**



**COUNCIL DISTRICT 10**



November 9, 2022

**WHEREAS**, on August 19, 2022, two bids were received for the construction of Package B for Street Reconstruction Group 17-10004 (Rolling Rock Lane from Hackney Lane to Fern Hollow Drive) and Alley Reconstruction Group 17-10001 (10106-10160 Caribou Trail and 10127-10143 Ferndale Road and 10163-10199 Vistadale Drive and 10200-10200 Trailcliff Drive), as follows:

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Jeske Construction Company	\$1,836,990.00
Wavetron Enterprise	**Non-responsive

\*\*Wavetron Corporation, DBA Wavetron Enterprises was disqualified for being non-responsive for failing to submit completed bid documents.

**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 construction services contract with Jeske Construction Co., approved as to form by the City Attorney, for Package B for Street Reconstruction Group 17-10004 (Rolling Rock Lane from Hackney Lane to Fern Hollow Drive) and Alley Reconstruction Group 17-10001 (10106-10160 Caribou Trail and 10127-10143 Ferndale Road and 10163-10199 Vistadale Drive and 10200-10200 Trailcliff Drive), in an amount not to exceed \$1,836,990.00, this being the lowest responsible bid received as indicated by the tabulation of bids.

**SECTION 2.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,836,990.00 to Jeske Construction Co., in accordance with the terms and conditions of the contract, as follows:

**SECTION 3. (continued)**

Street and Transportation (A) Fund	
Fund 1V22, Department PBW, Unit V220	
Activity SREC, Object 4510, Program PB17V220	
Encumbrance/Contract No. CX-PBW-2022-00019775	
Vendor 083791	\$ 849,050.00

November 9 2022

**SECTION 3.** (continued)

Street and Transportation (A) Fund  
Fund 1V22, Department PBW, Unit V079  
Activity AREC, Object 4510, Program PB17V079  
Encumbrance/Contract No. CX-PBW-2022-00019775  
Vendor 083791 \$ 440,165.00

Street and Transportation (A) Fund  
Fund 1V22, Department PBW, Unit V080  
Activity AREC, Object 4510, Program PB17V080  
Encumbrance/Contract No. CX-PBW-2022-00019775  
Vendor 083791 \$ 315,440.00

Water Capital Improvement (F) Fund  
Fund 4115, Department DWU, Unit PW42  
Object 4550, Program 722333  
Encumbrance/Contract No. CX-PBW-2022-00019775  
Vendor 083791 \$ 80,370.00

Water Construction Fund  
Fund 0102, Department DWU, Unit CW42  
Object 3221, Program 722333X  
Encumbrance/Contract No. CX-PBW-2022-00019775  
Vendor 083791 \$ 3,180.00

Wastewater Capital Improvement (G) Fund  
Fund 5116, Department DWU, Unit PS42  
Object 4560, Program 722334  
Encumbrance/Contract No. CX-PBW-2022-00019775  
Vendor 083791 \$ 145,145.00

Wastewater Construction Fund  
Fund 0103, Department DWU, Unit CS42  
Object 3222, Program 722334X  
Encumbrance/Contract No. CX-PBW-2022-00019775  
Vendor 083791 \$ 3,640.00

Total amount not to exceed \$ 1,836,990.00

**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.



## Agenda Information Sheet

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**File #:** 22-2374

**Item #:** 14.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Office of Bond and Construction Management  
**EXECUTIVE:** Dr. Robert Perez

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### **SUBJECT**

Authorize **(1)** an increase in appropriations in an amount not to exceed \$5,000,000.00 in the Building Inspection Fund; and **(2)** two-year construction services contracts, with two one-year renewal options, for job order contracting services at City facilities with METCO Engineering, Inc., Big Sky Construction CO., Inc., Brown & Root Industrial Services, LLC, Gilbert May, Inc. dba Phillips/May Corporation, RS Commercial Construction, LLC, and Nouveau Technology Services, L.P., most advantageous proposers of eleven - Not to exceed \$10,000,000.00 - Financing: Facilities (H) Fund (2017 General Obligation Bond Fund) (\$3,000,000.00), Homeless Assistance (J) Fund (2017 General Obligation Bond Fund) (\$2,000,000.00), and Building Inspection Fund (\$5,000,000.00) (subject to annual appropriations)

### **BACKGROUND**

This action will authorize a construction services contracts to provide job order contracting services to perform repair, alteration, renovation, remediation, and minor construction at City facilities accessibility components, building envelopes, heating, venting, air-conditioning systems, electrical systems, plumbing systems, interior finishes, exterior finishes, historical facility components, and roofing systems.

This action does not encumber funds. The purpose of a job order services contract is to establish firm pricing for the above-mentioned services, for a specified term, which are ordered on an as-needed basis.

METCO Engineering, Inc., Big Sky Construction CO., Inc., Brown & Root Industrial Services, LLC, Gilbert May, Inc. dba Phillips/May Corporation, RS Commercial Construction, LLC, and Nouveau Technology Services, L.P., were selected by an evaluation committee as the most advantageous proposers to the City, in accordance with the City of Dallas procurement guidelines.

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

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	9	0	0	0
Change Orders	2	0	13	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

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

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	0	0	0	0
Change Orders	0	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

The following chart illustrates Brown and Root Industrial Services, LLC's contractual activities with the City of Dallas for the past three years.

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	22	0	7	0
Change Orders	2	0	1	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

The following chart illustrates Gilbert May, Inc., dba Phillips/May Corporation's contractual activities with the City of Dallas for the past three years.

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	12	0	1	0
Change Orders	7	0	3	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

The following chart illustrates RS Commercial Construction, LLC's contractual activities with the City of Dallas for the past three years.

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	16	0	0	0
Change Orders	6	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

The following chart illustrates Nouveau Technology Services, L.P.'s contractual activities with the City of Dallas for the past three years.

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	0	0	2	0
Change Orders	0	0	1	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

**ESTIMATED SCHEDULE OF PROJECT**

Begin Construction            December 2022  
 Complete Construction      December 2024

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
2017 General Obligation Bond Fund - Facilities (H) Fund	\$3,000,000.00	\$0.00	\$0.00
2017 General Obligation Bond Fund - Homeless Assistance (J) Fund	\$2,000,000.00	\$0.00	\$0.00
Building Inspection Fund	\$5,000,000.00	\$0.00	\$0.00
Total	\$10,000,000.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$10,000,000.00	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
25.00%	25.00%	\$2,500,000.00
• Job Order Contracting Services at City Facilities have a 32.00% M/WBE goal.		
• Metco Engineering, Inc - Local; Workforce - 85% Local		
• Big Sky Construction Company, Inc - Local; Workforce - 21.00% Local		
• Brown and Root Industrial Services, LLC - Local; Workforce - 15.00% Local		
• Gilbert May, Inc dba Phillips/May Corporation - Local; Workforce - 30.00% Local		
• RS Commercial Construction, LLC - Local; Workforce - 33.00% Local		
• Nouveau Technology Services, L.P. - Local; Workforce - 0.07% Local		

**PROCUREMENT INFORMATION**

The following eleven proposals were received and opened on August 12, 2022. The proposers were ranked as follows:

\*Denotes successful proposers

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Rank</u></b>
*METCO Engineering, Inc	3333 Lee Parkway, Suite 600 Dallas, TX 75219	1
*Big Sky Construction Company, Inc.	507 Exposition Avenue Dallas, Texas 75226	2
*Brown and Root Industrial Services, LLC	8121 Broadway Street, Suite 200 Houston, TX 77061	3
*Gilbert May, Inc., dba Phillips/May Corporation	4861 Sharp St Dallas, TX 75247	4
*RS Commercial Construction, LLC	17250 Dallas Parkway Dallas, TX 75248	5
*Nouveau Technology Services, L.P.	2441 Lacy Lane Carrollton, TX 75006	6
Acumen Enterprises, Inc.	1504 Falcon DeSoto, TX 75115	7
F. H. Paschen	1909 Woodall Rodgers Fwy Suite 560 Dallas, TX 75201	8
Falkenburg Construction Co., Inc.	2435 109th St. Grand Prairie, TX 75050	9
Real Network Services, Inc.	5529 Redfield St, Dallas, TX 75235	10
SDB, Inc.	4951 Airport Parkway, Suite 800 Addison, TX 75001	11

**OWNERS****METCO Engineering, Inc.**

Barry Bagheri, President

**Big Sky Construction Co., Inc.**

Bob Long, President

**Brown & Root Industrial Services, LLC**

Nelson A. Dupuy, President

**Gilbert May, Inc. dba Phillips/May Corporation**

Gilbert May, President

**RS Commercial Construction, LLC**

David DeMattia, President

**Nouveau Technology Services, L.P.**

Debbie Koon, President

November 9, 2022

**WHEREAS**, the State of Texas Government Code Chapter 2269 provides for Job Order Contracting by local municipalities; and

**WHEREAS**, Job Order Contracting is desirable and necessary to perform repair, alteration, renovation, remediation, and minor construction at City facilities; and

**WHEREAS**, it is now desirable to authorize construction services contracts with METCO Engineering, Inc., Big Sky Construction CO., Inc., Brown & Root Industrial Services, LLC., Gilbert May, Inc. dba Phillips/May Corporation, RS Commercial Construction, LLC, and Nouveau Technology Services, L.P. to provide job order contracting services at City facilities for a contract term of two years, with two one-year renewals options, in a total amount not to exceed \$10,000,000.00.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to execute construction services contracts with METCO Engineering, Inc. (VS0000025965), Big Sky Construction CO., Inc. (VS0000061638), Brown & Root Industrial Services, LLC. (VC15293), Gilbert May, Inc. dba Phillips/May Corporation (242277), RS Commercial Construction, LLC (VS98430), and Nouveau Technology Services, L.P. (VS0000066932), approved as to form by the City Attorney, to provide job order contracting services at City facilities for a contract term of two years with two one-year renewal options, The maximum aggregate contract price of Work to be awarded during the two years with two one-year renewal options term of the Agreement is a total amount not to exceed \$10,000,000.00.

**SECTION 2.** That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$5,000,000.00 in the Building Inspection Fund, Fund 0150, Department DEV, Unit 3141, Object 4599.

**SECTION 3.** That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$10,000,000.00 (subject to annual appropriations) to METCO Engineering, Inc., Big Sky Construction CO., Inc., Brown & Root Industrial Services, LLC., Gilbert May, Inc. dba Phillips/May Corporation, RS Commercial Construction, LLC, and Nouveau Technology Services, L.P., using 2017 General Obligation Bond Funds and Building Inspection Fund from service contract MASC BON-2022-00020433, in accordance with the terms and conditions of the contract from the applicable project fund for individual construction for which the services are being performed (subject to annual appropriations).



November 9, 2022

**SECTION 5.** That the Department Director or designee is authorized to request job orders and execute the job order contracts as needed with the authorized firms subject to the statutory limits and in accordance with accepted pricing.

**SECTION 6.** That each contract shall provide for termination by the City Manager, without liability, in the event of non-appropriation of funding available for these contracts by the City Council.

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2346

**Item #:** 15.

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**STRATEGIC PRIORITY:** Workforce, Education, & Equity

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Community Care

**EXECUTIVE:** M. Elizabeth Cedillo-Pereira

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### **SUBJECT**

A resolution authorizing approval of an Interlocal Agreement between the City of Dallas and Dallas County, approved as to form by the City Attorney, for Parkland Health & Hospital System to implement a universal Newborn Nurse Home Visit Program as seen in **Exhibit A**, with matching funds to be provided by Dallas County - Not to exceed \$2,000,000.00 - Financing: Coronavirus State and Local Fiscal Recovery Fund

### **BACKGROUND**

The Novel Coronavirus Disease ("COVID-19") pandemic and its resulting economic impacts have put a strain on health outcomes for many families in Dallas. The time after a baby's birth is especially vulnerable for every family; research on one program has demonstrated that up to 94% of families have at least one nurse-identified risk or need postpartum, yet there is no organized system of care to support families with newborns and children 0-5. Until a child enters school, families must navigate a complex landscape of disconnected services to survive and thrive. While there are programs, there is no universal touch point, no ability to triage family needs, and no alignment of resources or care that connects families to the right resources at the right time.

Universal newborn nurse home visiting can change this for families. One example of a program is called Family Connects. Family Connects is a population-level approach that coordinates care and aligns resources with a simple, evidenced-based strategy: a postpartum, nurse home-visit available to every family with newborns ages 2 to 12 weeks (and provides up to 3 home visits). Nurse home visits are offered to all families in a community to assess family health and well-being at about three weeks postpartum. The touch point is light, as most families only need one visit, but they can leverage a community's existing grid of resources and strengthen the overall early childhood system in a community therefore impacting not just public health and safety of young children, but also early learning.

The COVID-19 pandemic has exacerbated the need for such programming as children have missed appointments/immunizations, and mothers have missed postpartum care appointments. Addressing these issues, universal newborn nurse home visiting has demonstrated efficacy in improving maternal and child outcomes and connecting families to critically needed services.

In FY 2021-22 the City of Dallas, Dallas County, and Parkland Health & Hospital System met several times to discuss a Home Visiting Program for the residents of the City and County. Parkland Health & Hospital System presented their Newborn Nurse Home Visit Program.

The Parkland Health & Hospital System universal Newborn Nurse Home Visit Program is a population-level approach that coordinates care and aligns resources with a simple, evidenced-based strategy that includes:

- One to three postpartum, nurse home-visits available to every family with newborns ages 2 to 12 weeks with the number of visits based on a triaged assessment
- Offering of nurse home-visits to all families in a community on a voluntary basis and free of charge, to assess family health and well-being at approximately three weeks postpartum
- Referrals designed to leverage a community's existing grid of resources and strengthen the overall early childhood system in a community, therefore, impacting not just public health and safety of young children, but also early learning

The model aims to support families and enhance maternal and child health and well-being with the following key, specific targeted outcomes: 1) reduction of child abuse and neglect, 2) reduction of infant and toddler use of ER care, and 3) reduction of parental anxiety/depression.

This item authorizes approval of an Interlocal Agreement between the City of Dallas and Dallas County, for Parkland Health & Hospital System to implement a universal Newborn Nurse Home Visit Program, with matching funds to be provided by Dallas County.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 23, 2021, City Council authorized application for and acceptance of a direct allocation from the Coronavirus Local Fiscal Recovery Fund of the Treasury in the total amount of \$355,426,891.00, by Resolution No. 21-1149.

City Council was briefed on allocation of funds from the American Rescue Plan Act, including allocation of \$2,000,000.00 to a Home Visiting Program to provide home visiting services to families after the birth of a child that were impacted by the COVID-19 pandemic and/or by needs caused by the COVID-19 pandemic on August 18, 2021.

On September 22, 2021, City Council approved the Fiscal Year 2021-22 Budget, which authorized the appropriation of \$355,426,891.00 from the American Rescue Plan Act in Local Fiscal Recovery Funds, including \$25,400,000.00 to support people in crisis by providing mental health care, children/family services, food/essentials assistance, benefits/financial navigation, and contract oversight/technology by Resolution No. 21-1590.

The Workforce, Education, and Equity Committee was briefed on the proposed Home Visiting Program, and recommended approval of agreement on October 11, 2022.

**FISCAL INFORMATION**

Fund	FY 2022-23	FY 2023-24	Future Years
Coronavirus State and Local Fiscal Recovery Fund	\$2,000,000.00	\$0.00	\$0.00

November 9, 2022

**WHEREAS**, the Novel Coronavirus Disease 2019 (“COVID-19”) pandemic has been declared a public health disaster; and

**WHEREAS**, the U.S. Department of the Treasury (“Treasury”) has made funding available to the City of Dallas to cover expenses incurred due to the COVID-19 pandemic; and

**WHEREAS**, the City received a direct allocation from the Coronavirus Local Fiscal Recovery Fund of the Treasury in the total amount of \$355,426,891.00; and

**WHEREAS**, on June 23, 2021, City Council authorized application for and acceptance of a direct allocation from the Coronavirus Local Fiscal Recovery Fund of the Treasury in the total amount of \$355,426,891.00, by Resolution No. 21-1149; and

**WHEREAS**, on August 18, 2021, City Council was briefed on allocation of funds from the American Rescue Plan Act, including allocation of \$2,000,000.00 to a Home Visiting Program to provide home visiting services to families after the birth of a child that were impacted by the COVID-19 pandemic and/or by needs caused by the COVID-19 pandemic; and

**WHEREAS**, on September 22, 2021, City Council approved the Fiscal Year 2021-22 Budget, which authorized the appropriation of \$355,426,891.00 from the American Rescue Plan Act in Local Fiscal Recovery Funds, including \$25,400,000.00 to support people in crisis by providing mental health care, children/family services, food/essentials assistance, benefits/financial navigation, and contract oversight/technology by Resolution No. 21-1590; and

**WHEREAS**, the City of Dallas and Dallas County recognize the need for the coordination and administration of evidence-based services designed to improve post-partum maternal, child, and family health outcomes that have been negatively impacted by COVID-19;

**WHEREAS**, the City of Dallas and Dallas County desire to engage the services of a hospital for the purpose of expanding newborn nurse home visitation and triage service programming, a program that each could undertake individually as a governmental function; and

November 9, 2022

**WHEREAS**, the City of Dallas and Dallas County desire to jointly participate in this Agreement to engage the services of a hospital to provide newborn nurse home visitation and triage services and have determined it appropriate to authorize the County to enter into an agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System ("Parkland") to provide the services set forth in Exhibit "A" attached hereto and incorporated herein by reference (the "Parkland Newborn Nurse Home Visit Program Proposal") for both the City and the County and pursuant to this Agreement participate in sharing the cost for the services provided by Parkland set forth in the Parkland Newborn Nurse Home Visit Program Proposal; and

**WHEREAS**, the scope of the services to be provided by Parkland will be in accordance with the terms of this Agreement, including without limitation, Article III Scope of Services hereof, and the scope outlined in the Parkland Newborn Nurse Home Visit Program Proposal, such scope having been agreed upon by the City and County; and

**WHEREAS**, City of Dallas and Dallas County recognize that the Parkland Newborn Nurse Home Visit Program Proposal and the services provided thereunder are necessitated by the COVID-19 global pandemic and are necessary to preserve and protect the public health and safety of the residents of the County and the City of Dallas;

**WHEREAS**, the City of Dallas and Dallas County recognize that combining their respective resources to fund the Parkland Newborn Nurse Home Visit Program Proposal and the services provided thereunder will help both parties pursue their recognized missions;

**WHEREAS**, the Interlocal Cooperation Act, Government Code Chapter 791, Vernon's Texas Civil Statutes, provides authorization for any local government to contract with one or more local governments to perform governmental functions and services;

**WHEREAS**, City and County desire to enter into an agreement to share the costs of the Parkland Newborn Nurse Home Visit Program Proposal and services provided under the program;

**WHEREAS**, on October 11, 2022, the Workforce, Education, and Equity Committee was briefed via memorandum on the proposed Home Visiting program, and recommended approval of agreement.

**Now, Therefore,**

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

November 9, 2022

**SECTION 1.** That the City Manager is hereby authorized to execute an Interlocal Agreement between the City of Dallas and Dallas County, approved as to form by the City Attorney, for Parkland Health & Hospital System to implement a universal Newborn Nurse Home Visit Program, in the amount of \$2,000,000.00 for the period December 31, 2022 through December 31, 2024, with matching funds to be provided by Dallas County.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$2,000,000.00 to Dallas County 269913, from the American Rescue Plan Act in Local Fiscal Recovery Fund, Fund FC18, Department MGT, Unit AD18, Object 3070.

**SECTION 3.** That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation of the program as may be necessary to satisfy Dallas County.

**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**

### **Parkland Newborn Nurse Home Visit Program Proposal**

#### **Program**

Short-term Universal Nurse Home Visiting Implementation at Parkland Health and Hospital System

#### **Initial 3-Year Program Budget (2022 – 2024)**

\$4,000,000

#### **Statement of need**

The time after a baby's birth is especially vulnerable for every family; research on one program has demonstrated that up to 94% of families have at least one nurse-identified risk or need postpartum, yet there is no organized system of care to support families with newborns and children ages 0-5. Until a child enters school, families must navigate a complex landscape of disconnected services to survive and thrive. While there are programs, there is no universal touch point, no ability to triage family needs, and no alignment of resources or care connecting families to the right resources at the right time.

Universal newborn nurse home visiting can change this for families. One example of a program is called Family Connects. Family Connects is a population-level approach that coordinates care and aligns resources with a simple, evidenced-based strategy: a postpartum, nurse home-visit available to every family with newborns ages 2 to 12 weeks (and provides up to 3 home visits). Nurse home visits are offered to all families in a community to assess family health and well-being at about three weeks postpartum. The touch point is light, as most families only need one visit, but they can leverage a community's existing grid of resources and strengthen the overall early childhood system in a community, therefore, impacting not just public health and safety of young children, but also early learning.

Unfortunately, COVID-19 has only exacerbated the need for such programming as children have missed appointments/immunizations, and mothers have missed postpartum care appointments. New parents are often without the resources they need to set their children on the right path to achieve their full potential. Addressing these issues, universal newborn nurse home visiting has demonstrated efficacy in improving maternal and child outcomes and connecting families to critically needed services.

Our solution calls for implementation of a universal newborn nurse home visiting program. One likely program is Family Connects, at Parkland Hospital under the [Family Connects North Texas Initiative](#). Connects North Texas.

Please watch this video about how Family Connects works: <https://vimeo.com/349037483>



## Statement of Impact

Family Connects is a universal, short-term, nurse home visitation program that triages families' needs and connects them to right-fit resources at the right-time, leading to improved maternal and child health outcomes. The program changes the trajectory for families, but also improves coordination and alignment of resources amongst service providers. In addition to improved individual child and family outcomes, mortality and morbidity can be improved at the population-level, as data is gathered on community's needs to inform resource and program allocations. Family Connects provides a warm hand off to services and ensures a closed feedback loop. Research indicates Family Connects leads to a:

- 33% reduction in reports to CPS through age five
- 39% reduction in hospital emergency department visits through age five
- \$3.17 return on investment for every dollar spent

Family Connects is the most rigorously evaluated and disseminated short-term newborn nurse home visiting model but we are learning there may be other more home grown or nonproprietary models out there for consideration now or in future years.

## Project Summary

### Overview

The launch of Family Connects or another newborn nurse home visiting program at Parkland would be a partnership under the current Family Connects North Texas initiative. [Family Connects North Texas](#) is a **regional program** through a partnership with [Family Connects International](#), led by [My Health My Resources of Tarrant County](#) (MHMR), [TexProtects](#), [United Way of Metropolitan Dallas](#) and [Metrocare](#). Other organizations like Child Poverty Action Lab are engaged in data and evaluation of the program.

Family Connects North Texas is a population-level approach that coordinates care and aligns resources with a simple, evidenced-based strategy that includes:

- One to three postpartum, nurse home-visits available to every family with newborns ages 2 to 12 weeks with the number of visits based on a triaged assessment
- Offering of nurse home-visits to all families in a community on a voluntary basis and free of charge to assess family health and well-being at approximately three weeks postpartum
- Referrals designed to leverage a community's existing grid of resources and strengthen the overall early childhood system in a community, therefore, impacting not just public health and safety of young children, but also early learning

This proposal will support expansion of a newborn nurse home visiting implementation into Parkland Health with planning beginning in 2022. In 2019, the first North Texas site of Family Connects was launched in Arlington at THR Arlington. In June 2021, the program was launched at Texas Health Resources (THR) Presbyterian due to the support and partnership with the United Way of Metropolitan Dallas, MHMR Tarrant County, TexProtects, Metrocare Services and Child Poverty Action Lab.

Parkland and the Family Connects North Team will work closely with Family Connects International (FCI), the program model developer, based at Duke University although the program is in the process of spinning into its own 501c(3) anticipated for summer 2022. Family Connects has been implemented in 16 states across 42 sites, six of which are in Texas, including Dallas, Travis, Bexar, Victoria, Tarrant and Bastrop counties. FCI provides critical implementation support and technical assistance to all communities implementing Family Connects. Based on continued contract negotiations, model technical assistance fees and other considerations, the intent is to implement the Family Connects model into Parkland at this time, but there is flexibility in the use of other nurse home visiting models that in the future may reduce technical assistance or administrative costs in a site with the scale and reach like Parkland.

## **Goal**

Family Connects aligns closely with and has demonstrated success on goals of reducing maternal morbidity and mortality and ensuring health equity. Family Connects is a universal, evidence-based program supporting mothers and children post-delivery with medical, behavioral health, and critical needs screening, as well as closed-loop connection to services. The intervention has been demonstrated effective at improving maternal and child health and mental wellbeing. Additionally, because the intervention is triaged and offered universally, it improves equity in health outcomes.

The model aims to support families and enhance maternal and child health and well-being with the following key, specific targeted outcomes: 1) reduction of child abuse and neglect, 2) reduction of infant and toddler use of ER care, and 3) reduction of parental anxiety/depression.

## **Metrics**

The following metrics will be tracked and reported as components of program evaluation:

- Increased percentage of postpartum visits scheduled within 30 days and completed within 45 days of delivery (target 75%)
- Increased percentage of women with at least 2 completed postpartum visits before 85 days after delivery (target 45%)
- Increased percentage of women who complete postpartum depression screen (target 75%)
- Increased percentage of children completing at least 2 well child visits within first 8 weeks (target 60%)
- Increased percentage of infants who receive CDC recommended immunizations up to 4 months of age (Target TBD – baseline data needed)
- Reduced percentage of Emergency room visits related to infants and maternal health concerns (Target TBD – baseline data needed)
- Reduction of preventable maternal deaths occurring within 6 months post-partum (TBD– baseline data needed)

## **Evaluation Methodology**

To evaluate efficacy of the program, we will track the above metrics utilizing:

- The FCI program participation database at the completion of the program, completion of the Edinburg Postpartum Depression screener and all referrals for medical, behavioral health or social services.
- The FCI database contains built in analytical functions to assess average participant needs, identify trends and resource gaps.
- Various analytical functions of the database will also allow Family Connects nurses to receive assignments, document assessments, track referrals, and monitor key performance indicators as well as support community-level decisions on resource allocation.
- Additionally, we will utilize data provided by the DFW Hospital Council, gathered by the Child Poverty Action Lab, for well-child visits and postpartum visits with respective primary pediatricians and OBGYNs.

## **Project Timeline with Key Milestones**

Expansion of universal newborn nurse home visiting into Parkland Health will begin in October 2022. TexProtects utilizes the following FCI-mandated three-phase work plan when launching in a new hospital:

- Phase 1 – program preparation and feasibility which includes: 1) recruitment and hiring of FTEs 2) training of clinical and administrative staff on the program including OBGYNs, labor and delivery nurses and nurse supervisors 3) a site readiness assessment 4) community readiness plan, 5) data collection plan and full execution of a contract between the hospital and organization employing nurse visitors.
- Phase 2 – installation that involves scheduling and credentialing of Family Connects nurses and Community Alignment specialist, training them to be able to recruit and enroll patients from the labor and delivery floor into the program.
- Phase 3 – implementation which includes implementation of nurse home visits and triaged follow up visits to ensure connection to resources, as well as data input and analysis.

Approximately 6-9 months are required to move through phases 1 and 2 and begin implementation. Parkland Health staff are eager to launch and ensure this evidence-based program is offered to delivering mothers.

## **Program Population Impacted - Demographics**

The program population will initially target 4,000 mothers delivering at Parkland Health each year, 1/3<sup>rd</sup> of the more than 12,000 mothers of babies. Parkland Hospital has one of the highest birth rates in the country.

Using 2017 Q4 - 2018 Q3 data from the DFW Hospital Council (one calendar year), there were 12,541 total births at Parkland Hospital annually, approximately 90% of them are Dallas County residents. Of the 11,367 Dallas County births, 65% of the births are City of Dallas residents.

Every 24 hours, 34 babies are born at Parkland representing one in every 250 births in the U.S. Parkland Health, as the local charitable hospital, serves patients at highest risk in our area. The highest-risk communities with the most significant health disparities represent deliveries of babies in Dallas in the following zip codes: 75210, 75212, 75215, 75216, 75217, 75241. The program will not be limited to these zip codes. Fifty percent or more of the participants will be residents of the city of Dallas. It will be eligible to mothers and newborns who meet the following qualifications:

- Residents of Dallas County and/or city of Dallas on day of delivery
- Delivered at Parkland
- Discharged with live birth
- Not receiving any other maternity nurse home visiting services – e.g., Extending Maternal Care After Pregnancy (eMCAP), Nurse Family Partnership
- Voluntary agreement to participate in the program

In a universal public health approach program or model, all families in a community are invited to participate at no cost to them. As part of certification requirements specifically for Family Connects, nurses receive training to provide culturally responsive visits and they meet families where they are, at their home, to reduce barriers to access. Sites map and liaise with diverse community resources, enhancing a nurse's ability to partner with families to identify right-fit referrals that consider family preference and demographic diversity, etc. linguistic, cultural, religious, gender identity or sexual orientation, socioeconomic status, ability. As part of community alignment, sites actively cultivate relationships with marginalized community members and leaders to promote visits and improve services. Data analysis helps identify service gaps to ensure the inclusion of all families. Each site takes measures to ensure equitable access: sites make reasonable accommodations for language interpretation and disabilities and hire nurses from the community who can provide culturally and linguistically relevant services.

## **Sustainability**

Parkland shares the vision of Family Connects International where all children and their families have access to a continuum of community-based care to support their health and success. The program is made possible by supporters **across the region** including, Amerigroup Foundation, Arlington Tomorrow Foundation, Child Poverty Action Lab, Cook Children's Foundation, W.W. Caruth, Jr. Fund at Communities Foundation of Texas, The Meadows Foundation, The Baldrige Foundation, The Texas Department of Family & Protective Services and Texas Health and Human Services.

- Private philanthropic dollars as well as state dollars are currently funding most of the program in North Texas and in the other existing six Texas sites. Funding from local government entities plays a significant role in sustainability.
- TexProtects helped passed a Budget Rider in the 2021 Legislative Session that has the Texas Health and Human Services Commission looking into unlocking existing Children's Health Insurance Plan funds through the use of a Health Services Initiative that has the opportunity to provide upwards of \$30 million of annual funding in future years.

- Collaboration with Managed Care Organizations has led to three working Value-Based/Alternative Payment Method contracts to fund Family Connects in three different sites, which can provide approximately 25% of the costs in the associated implementation sites. The goal is to engage the Parkland Health Plan.
- HB 2333 in the 2021 session aimed to set up a competitive grant program under a Texas state agency to flow funding to Family Connects sites. While it failed to pass, there is optimism the bill can pass during the 2023 legislative session and provide a vehicle for tens of millions of state dollars to fund the initiative, in addition to the several millions currently invested in several sites, including North Texas, by the Department of Family and Protective Services and Department of State Health Services.
- As a statewide advocacy organization, TexProtects supports the Family Connects initiative in Dallas by building state infrastructure and looking to unlock all legislative policy and funding opportunities to support the initiative's local and statewide scale of universal newborn nurse home visiting.

**Exhibit B**  
**Parkland Newborn Nurse Home Visit Program Proposal Budget**

(Note: Salaries Include Fringe)

<b>Staffing Expenses</b>	
Manager, Clinical Programs	\$135,000
Departmental Systems Specialist	\$55,000
Nurse Home Visitor #1	\$105,000
Nurse Home Visitor #2	\$105,000
Nurse Home Visitor #3	\$105,000
Nurse Home Visitor #4	\$105,000
Nurse Home Visitor #5	\$105,000
Nurse Home Visitor #6	\$105,000
Nurse Home Visitor #7	\$105,000
Nurse Home Visitor #8	\$105,000
<b>Subtotal</b>	<b>\$1,030,000</b>
<b>Supplies and Program Materials</b>	
Computers, Technology and Cell Phone Reimbursement	\$10,000
Food (for community meetings, etc.)	\$2,000
Training Supplies	\$4,000
Office Supplies	\$2,000
Marketing Materials	\$10,000
Medical Supplies	\$10,000
Developmental Resource Materials for Parents/Curriculum	\$5,000
<b>Subtotal</b>	<b>\$43,000</b>
<b>Training, Database and Insurance</b>	
Family Connects Training / Consulting Fees	\$30,000
Database Access and Reporting Fees	\$5,000
Liability Insurance	\$3,000
FCI Training of New Nurses and or Supervisors	\$4,000
<b>Subtotal</b>	<b>\$42,000</b>
<b>Travel</b>	
Travel for Durham Training (lodging, meals, flights)	\$4,000
Mileage Reimbursement @ .57 per mile	\$16,000
<b>Subtotal</b>	<b>\$20,000</b>
<b>Indirect for Overhead Expenses</b>	
Parkland indirect overhead	\$165,000
<b>Total Annual Expenses</b>	<b>\$1,300,000</b>
<b>Contingency</b>	<b>\$100,000</b>
<b>Total 3-Year Project Budget</b>	<b>\$4,000,000</b>
<b>Staff Support</b>	

<p>8 laptop computers 8 cell phones with service</p> <p><b>Medical Supplies</b> Personal Protective Equipment (PPE) for staff during home visits Blood glucose monitors for clients Scales for clients Blood pressure monitors for clients</p> <p><b>Marketing Materials/Client Support</b> Program brochures Business cards Hand sanitizers, pill boxes Emergency client support to assist with food, housing, transportation, utilities Emergency prescriptions</p> <p><b>General Supplies</b> Copy Paper Pens Notebooks Staplers Tape Dispensers Planners Folders Paperclips Staples</p>	
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# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2510

**Item #:** 16.

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**STRATEGIC PRIORITY:** Workforce, Education & Equity

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Community Care

**EXECUTIVE:** M. Elizabeth Cedillo-Pereira

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### **SUBJECT**

Authorize a one-year service contract, with two one-year renewal options, to administer the Senior Services Ombudsman Program by providing nursing home ombudsman services, which includes: receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period November 9, 2022 through November 8, 2023 - Senior Citizens of Greater Dallas, Inc., sole source - Not to exceed \$150,868.00 - Financing: General Fund (subject to annual appropriations)

### **BACKGROUND**

Senior Citizens of Greater Dallas, Inc., who is federally mandated by the Older Americans Act, Title VII, Chapter 2, the Long-Term Care Ombudsman Program, has served older adults in the Dallas area for 59 years. The mission of Senior Citizens of Greater Dallas, Inc. is to enhance the overall quality of life and empower all older adults in greater Dallas to thrive. This is accomplished through advocacy efforts of volunteer and paid certified ombudsmen who respond to long-term care residents' requests for assistance with complaints and concerns. Nursing home and assisted living monitoring by certified ombudsmen include observation, research and investigation of concerns. The Ombudsman Program is also a resource for residents and families searching for a long-term care facility. The program provides training to nursing home and assisted living staff, as well as resident and family councils, on residents' rights, the role of the ombudsman, abuse and neglect, and reducing restraint use.

In past years, the Senior Services Nursing Home Ombudsman program was funded with Community Development Block Grant (CDBG) Funds. City Council voted on June 12, 2019 to move all senior services programs to the General Fund, beginning FY 2019-2020.

For FY 2021-2022, the staff ombudsmen served the residents in 31 nursing homes and three assisted living facilities located within the city of Dallas. The number of unduplicated seniors served was 4,023.



**BACKGROUND**

The following is a list of the targeted nursing homes and assisted living facilities in Dallas for program year FY 2022-23.

**Nursing Homes:**

1.	Adora Midtown Park-8310 Meadow Road	75231
2.	Autumn Leaves Nursing Center-1010 Emerald Isle Drive	75218
3.	Brentwood Place One-3505 South Buckner Boulevard, Building 1	75227
4.	Brentwood Place Two-3505 South Buckner Boulevard, Building 2	75227
5.	Brentwood Place Three-3505 South Buckner Boulevard, Building 3	75227
6.	Brentwood Place Four-3505 South Buckner Boulevard, Building 4	75227
7.	C.C. Young-4829 West Lawther Drive	75214
8.	Diversicare of Lake Highlands-9009 White Rock Trail	75238
9.	Golden Acres-2525 Centerville Road	75228
10.	Juliette Fowler Communities-1260 Abrams Road	75214
11.	Lakewest Skilled Nursing & Rehab-2450 Bickers Street	75211
12.	Le Reve Rehabilitation & Memory Care-3309 Dilido Road	75228
13.	Monarch Pavilion Rehab Suites-6825 Harry Hines Boulevard	75235
14.	Presbyterian Village North-8600 Skyline Drive	75243
15.	Remarkable Healthcare of Dallas-3350 Bonnie View Road	75216
16.	Senior Care Health & Rehab Center-2815 Martin Luther King Jr. Boulevard	75215
17.	Signature Pointe on the Lake-14655 Preston Road	75240
18.	Simpson Place Skilled Nursing-3922 Simpson Street	75246
19.	Skyline Nursing Center-3326 Burgoyne Street	75233
20.	South Dallas Nursing & Rehab-3808 South Central Expressway	75215
21.	The Highlands Guestcare Center of Dallas-9009 Forest Lane	75243
22.	The Lennwood-8017 West Virginia Drive	75237
23.	The Meadows Health & Rehab Center-8383 Meadow Road	75231
24.	The Rehabilitation and Wellness Centre of Dallas-4200 Live Oak	75204
25.	The Renaissance at Kessler Park-2428 Bahama Drive	75211
26.	The Villa at Mountainview-2918 Duncanville Road	75211
27.	The Villages of Dallas-550 East Ann Arbor Avenue	75216
28.	Traymore Nursing Center-4315 Hopkins Avenue	75209
29.	Treemont Nursing and Rehabilitation-5550 Harvest Hill Road	75230
30.	Villages of Lake Highlands-8615 Lullwater Drive	75238
31.	Walnut Place-5515 Glen Lakes Drive	75231

Assisted Living Facilities

1.	Fowler Christian Apartments-105 Juliette Fowler Street	75214
2.	Lakewest Assisted Living-3494 Kingbridge Street	75212
3.	Simpson Place Assisted Living-3922 Simpson Street	75246

Senior Citizens of Greater Dallas, Inc. Performance Measures, Goals and Accomplishments for the FY2021-22 Program year are as follows:

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

On October 23, 2019, City Council authorized a one-year service contract with two one-year renewal options to administer the Senior Services Ombudsman Program by providing nursing home ombudsman, which includes receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period October 1, 2019 through September 30, 2020 - Senior Citizens of Greater Dallas, Inc., sole source by Resolution No. 19-1656.

On October 13, 2020, City Council authorized the first of two, one-year renewal options to the service contract with Senior Citizens of Greater Dallas, Inc. to provide nursing home ombudsman services, which includes: receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period of October 1, 2020 through September 30, 2021, by Resolution No. 20-1543.

On September 22, 2021, City Council authorized the second and final, one-year renewal options to the service contract with Senior Citizens of Greater Dallas, Inc., approved as to form by the City Attorney, to provide nursing home ombudsman services, which includes: receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period of October 1, 2021 through September 30, 2022, by Resolution No. 21-1548.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	\$150,868.00	\$0.00	\$0.00

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Sole Source	<ul style="list-style-type: none"> <li>Utilized for procurements where functional requirements can only be satisfied by one vendor, such as those where patents, copyrights or monopolies exists</li> <li>Exempted from competitive bidding process</li> <li>The Office of Procurement Services conducted a sole source review and found no exceptions</li> </ul>
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**OWNER**

**Senior Citizens of Greater Dallas, Inc. dba The Senior Source**

3910 Harry Hines Blvd.

Dallas, Texas 75219

Stacey Malcolmson, President/Chief Executive Officer

November 9, 2022

**WHEREAS**, on October 23, 2019, City Council authorized a one-year service contract with two one-year renewal options to administer the Senior Services Ombudsman Program by providing nursing home ombudsman [services](#), which includes receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period October 1, 2019 through September 30, 2020 - Senior Citizens of Greater Dallas, Inc., sole source by Resolution No. 19-1656; and

**WHEREAS**, on October 13, 2020, City Council authorized the first of two, one-year renewal options to the service contract with Senior Citizens of Greater Dallas, Inc. to provide nursing home ombudsman services, which includes: receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period of October 1, 2020 through September 30, 2021, by Resolution 20-1543; and

**WHEREAS**, on September 22, 2021, City Council authorized the second and final, one-year renewal options to the service contract with Senior Citizens of Greater Dallas, Inc., approved as to form by the City Attorney, to provide nursing home ombudsman services, which includes: receiving, investigating and resolving complaints and assisting in obtaining goods or services for seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period of October 1, 2021 through September 30, 2022, by Resolution No. 21-1548; and

**WHEREAS**, Senior Citizens of Greater Dallas, Inc., through its Long-Term Care Ombudsman Program, will provide ombudsmen services to residents in thirty-one (31) nursing homes and three (3) assisted living facilities located within the city of Dallas.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to execute a one-year service contract, with two one-year renewal options, with Senior Citizens of Greater Dallas, Inc., approved as to form by the City Attorney, to administer the Senior Services Ombudsman Program by providing nursing home ombudsman [services](#), which includes receiving, investigating and resolving complaints and assisting in obtaining goods or services ~~to~~ [for](#) seniors residing in nursing homes and assisted living facilities within the city of Dallas for the period November 9, 2022 through November 8, 2023, in an amount not to exceed \$150,868.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$150,868.00 (subject to annual appropriations) to Senior Citizens of Greater Dallas, Inc. from the FY 22-23 General Fund, Fund 0001, Department MGT, Unit 4305, Object 3070, Encumbrance/Contract No. OCC-2023-00020689, Vendor 243979.

November 9, 2022

**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 Information Sheet

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**File #:** 22-2524

**Item #:** 17.

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**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Office of Integrated Public Safety Solutions  
**EXECUTIVE:** Jon Fortune

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### **SUBJECT**

An ordinance amending Chapter 27, "Minimum Property Standards," of the Dallas City Code by : **(1)** providing a definition for "unsafe property"; **(2)** providing unsafe properties to be a public safety nuisance subject to abatement; **(3)** providing that unsafe properties must implement Crime Prevention Through Environmental Design principles; **(4)** providing a penalty not to exceed \$2,000.00; **(5)** providing a saving clause; **(6)** providing a severability clause; and **(7)** providing an effective date - Financing: No cost consideration to the City (see Fiscal Information)

### **BACKGROUND**

Chapter 27 of the Dallas City Code establishes minimum property standards and enforcement requirements which govern every building in the City of Dallas.

Crime Prevention Through Environmental Design (CPTED) is the standard for criminal activity deterrence for the built environment. CPTED assessments and standards are used throughout the country and in private industry in design and construction of properties.

This amendment to Chapter 27 will provide the definition of a "Public Safety Nuisance" as a property that: (1) violates specific provisions of Article III of Chapter 27 in the previous 12 months OR is designated as a habitual criminal or habitual nuisance property as defined in Article VIII of Chapter 27; AND (2) is in an area identified by the City's Office of Integrated Public Safety Solutions as being at an elevated public safety risk. Properties that meet this definition will be required to implement CPTED principles.

Notice of the requirement to implement CPTED standards will be provided to "unsafe properties" quarterly and will encourage voluntary compliance. In addition, the Office of Integrated Public Safety Solutions will conduct proactive outreach and messaging to encourage voluntary compliance.

CPTED Assistance will be provided to owners who seek City assistance with implementation of CPTED principles. The City will conduct CPTED assessments and provide recommendations to owners to improve the area surrounding their property. In addition, the City will provide additional technical incentives to property owners who wish to voluntarily comply with requirements. These resources may include sharing of design standards and guidance, connections with community groups to implement CPTED standards, or the establishment of crime watches.

Should an owner fail to implement CPTED principles following notification and engagement, the property may be designated as a habitual criminal or habitual nuisance property. The City may decide at this stage to utilize Section 31-10 of the Dallas City Code to abate the nuisance and lien the property for the associated costs.

The City may reserve the right to proceed to litigation under Chapter 125 if the owner fails to implement or maintain CPTED recommendations following criminal or nuisance property designation.

This scaled response model fills a current gap in enforcement levers by encouraging voluntary compliance and assistance while also reserving right to intensive enforcement for egregious violators.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

The Public Safety Committee was briefed regarding this matter on October 11, 2022.

#### **FISCAL INFORMATION**

No cost consideration to the City; ordinance enforcement of \$2,000.00 penalty may generate additional revenues to the City.

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 27, “Minimum Property Standards,” of the Dallas City Code by amending Article V; providing a definition for “unsafe property”; providing unsafe properties to be a public safety nuisance subject to abatement; providing that unsafe properties must implement Crime Prevention Through Environmental Design principles; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date. Now, Therefore,

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

SECTION 1. That Article V, “Reserved,” of of Chapter 27, “Minimum Property Standards,” of the Dallas City Code is amended to read as follows:

“Article V.

Public Safety Nuisance [~~Reserved~~].

Sec. 27-17. Public safety nuisance.

(a) An unsafe property is a public safety nuisance and subject to abatement in accordance with Section 31-10. For purposes of this section, UNSAFE PROPERTY means any property that:

(A) has received a citation in the previous 12 months for violating Sections 27-11(c)(6), (d)(12), (d)(17), (h), or (j); or

(B) qualifies as a habitual criminal property or a habitual nuisance property as defined in Article VIII; and

(C) is located in an area identified by the Office of Integrated Public Safety Solutions as being elevated risk by the Risk Terrain Model.

(b) Unsafe properties must implement CPTED principles. CPTED means crime prevention through environmental design and is a multi-disciplinary approach to reducing criminal behavior through environmental design by integrating the following concepts, among others, on property: natural surveillance that eliminates hiding places for people to engage in crime



unnoticed; clear delineation of private space from public space; and controlled access onto private property.

Sec. 27-18 thru 27-23. Reserved.”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 4. That Chapter 27 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 6. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 7. 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:

CHRISTOPHER J. CASO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_



## Agenda Information Sheet

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**File #:** 22-2437

**Item #:** 18.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a one-year cooperative purchasing agreement for the purchase of visualization engineering services for the Department of Information and Technology Services with IT Cadre, LLC through the Texas Department of Information Resources General Services Administrative cooperative agreement - Not to exceed \$685,972.50 - Financing: 2008A Certificate of Obligation-CIS Fund (subject to annual appropriations)

### **BACKGROUND**

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

This cooperative purchasing agreement will provide for the purchase of visualization engineering services for the Department of Information and Technology Services. This agreement is vital to understanding the facts about the City's current technological landscape before developing a plan to improve effectiveness and efficiency. The analysis will produce authoritative documentation of the current state of technology in the City. The analysis will review items such as: mapping of the business services to the technologies used to support them, functional application support areas and the technologies in use in each area, as well as the various versions of the technologies relative to age, and the risks associated with each technology, and the risk level relative to the technical debt.

Once the current state is established, the recommended supplier can assist the City in establishing desired outcomes and goals as an option. An additional available option would be for the recommended supplier to combine the identified desired outcomes and goals with the findings from the current state analysis to produce a future state vision. This improved end-to-end enterprise view will include the processes, systems, technology, data, interfaces, and stakeholder roles and responsibilities needed to achieve the desired transformation. This service will be utilized by leadership and management to guide improvements for our data center. Some key benefits to pursuing these deliverables include but are not limited to:

- Gain a clear and common understanding of its current operational environment.
- Visualization of the current and future states of our technology landscape in accordance with our strategic goals.
- Enablement of Data Center improvements necessary to achieve our desired goals regarding quality technology delivery and operation for the City.

The Texas Department of Information Resources cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
2008A Certificate of Obligation-CIS Fund	\$685,972.50	\$0.00	\$0.00

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$685,972.50	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>• The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> <li>• IT Cadre, LLC - Non-local; Workforce - 0.00% Local</li> </ul>		

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"><li>• Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li><li>• The cooperative purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li></ul>
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**OWNER****IT Cadre, LLC**

43777 Central Station Drive, Suite 450  
Ashburn, VA 20147

Mark D. Madigan, President

November 9, 2022

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

**SECTION 1.** That the City Manager is hereby authorized to execute a cooperative purchasing agreement with IT Cadre, LLC (VC24325) through the Texas Department of Information Resources General Services Administrative cooperative agreement, approved as to form by the City Attorney, for the purchase of visualization engineering services for the Department of Information and Technology Services for a term of one years, in an amount not to exceed \$685,972.50. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to IT Cadre, LLC, shall be based only on the amount of the services directed to be performed by the City and properly performed by IT Cadre, LLC, under the cooperative purchasing agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$685,972.50 (subject to annual appropriations) to IT Cadre, LLC, from Cooperative Purchasing Agreement Contract No. DSV-2022-00020384.

**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 Information Sheet

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**File #:** 22-2083

**Item #:** 19.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a three-year cooperative purchasing agreement for an online training management system and subscription services for the Fire-Rescue Department with Lexipol, LLC through the Sourcwell cooperative agreement - Not to exceed \$383,099.25 - Financing: General Fund (subject to annual appropriations)

### **BACKGROUND**

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

This cooperative purchasing agreement will provide for an online training management system and subscription services for the Fire-Rescue Department (DFD). With over 1,900 uniformed employees and 300 civilian employees, DFD is responsible for providing department-wide online educational and continuing education trainings. The platform allows DFD to create and upload specific training content related to departmental operations. This system provides DFD with one platform to consolidate training records, systematic reporting, and secure accessibility. This integrated online training management system will deliver an efficient reporting tool to provide to the Texas Commission on Fire Protection and the Texas Department of State Health Services.

The Sourcwell cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	\$127,699.75	\$127,699.75	\$127,699.75

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$383,099.25	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> <li>Lexipol, LLC - Non-local; Workforce - 2.47% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>The cooperative purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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**OWNER****Lexipol, LLC**

2611 Internet Blvd., Ste. 100  
Frisco, TX 75034

David Black, Ph. D., President  
Chuck Corbin, Chief Executive Officer

November 9, 2022

**WHEREAS**, on June 9, 2020, Administrative Action No. 20-5665 authorized a one year agreement with Galaxy OTS dba MedEdNow for online web-based learning system in an amount not to exceed \$35,700.00; and

**WHEREAS**, on August 11, 2021, Administrative Action No. 21-5944 authorized a one year agreement with Galaxy OTS dba MedEdNow for online web-based learning system in an amount not to exceed \$35,700.00; and

**WHEREAS**, on July 11, 2022, Administrative Action No. 22-5948 authorized a one year agreement with Galaxy OTS dba MedEdNow for online web-based learning system in an amount not to exceed \$49,995.00.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to execute a cooperative purchasing agreement with Lexipol, LLC (VC23873) through the Sourcewell cooperative agreement, approved as to form by the City Attorney, for an online training management system and subscription services for the Fire-Rescue Department for a term of three years, in an amount not to exceed \$383,099.25. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Lexipol, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Lexipol, LLC under the cooperative purchasing agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$383,099.25 (subject to annual appropriations) to Lexipol, LLC from Cooperative Purchasing Agreement Contract No. DFD-2022-00019737.

**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.





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2246

**Item #:** 20.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a three-year cooperative purchasing agreement for continued use of the existing software to facilitate the new hire and performance management process for the Department of Information and Technology Services with SHI Government Solutions, Inc. through the Local Government Purchasing Cooperative (Buyboard) agreement - Not to exceed \$1,324,163 - Financing: Data Services Fund (subject to annual appropriations)

### **BACKGROUND**

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

This cooperative purchasing agreement will provide for continued use of the existing software to facilitate the new hire and performance management process. This system automates the City's hiring process by allowing for approval routing, email notifications, qualification screening, and tracking progress throughout the entire on-boarding process. Benefits of the system include, but are not limited to:

- Accept and process job applications submitted online
- Manage position eligibility lists
- Schedule applicants for testing and provide management with test scores

The Local Government Purchasing Cooperative (Buyboard) agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

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

On January 24, 2018, City Council authorized a two year service contract for continued use of the existing software to facilitate the new hire and performance management process by Resolution No. 18-0199.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Data Services Fund	\$403,738.20	\$440,877.90	\$479,546.90

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$1,324,163.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	100.00%	\$1,324,163.00
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements, however, the prime contractor is a certified M/WBE.</li> <li>SHI Government Solutions - Non-local; Workforce - 6.52% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> </ul>
	<ul style="list-style-type: none"> <li>The cooperative purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>

**OWNER****SHI Government Solutions**

3828 Pecana Trail  
Austin, TX 78749

Thai Lee, Chief Executive Officer

November 9, 2022

**WHEREAS**, on January 24, 2018, City Council authorized a two-year service contract for continued use of the existing software to facilitate the new hire and performance management process with SHI Government Solutions, Inc., in an amount not to exceed \$547,912.

**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 cooperative purchasing agreement with SHI Government Solutions, Inc. (502145) through the Government Purchasing Cooperative (Buyboard) agreement, approved as to form by the City Attorney, for continued use of the existing software to facilitate the new hire and performance management process for the Department of Information and Technology Services for a term of three years, in an amount not to exceed \$1,324,163 along with any other required agreements, such as license agreements, with the provider of the services being resold by SHI Government Solutions. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to SHI Government Solutions shall be based only on the amount of the services directed to be performed by the City and properly performed by SHI Government Solutions under the cooperative purchasing agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,324,163 (subject to annual appropriations) to SHI Government Solutions, Inc. from Cooperative Purchasing Agreement Contract No. DSV-2022-00020159.

**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 Information Sheet

File #: 22-2247

Item #: 21.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

### SUBJECT

Authorize a four-year cooperative purchasing agreement for the acquisition and service maintenance and support of a data access governance solution for the Department of Information and Technology Services with SHI Government Solutions through the Local Government Purchasing Cooperative (Buyboard) agreement - Not to exceed \$491,689.00 - Financing: 2021 Homeland Security-Urban Security Initiative 21-23 (subject to annual appropriations)

### BACKGROUND

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

This cooperative purchasing agreement will provide for the acquisition and service maintenance and support of a data access governance solution. This solution will permit the City to use artificial intelligence to automate data discovery and cataloging. Specifically, the data access governance solution will identify sensitive data, provide visibility into which users have access to what data, audit and manage entitlements, and automate remediation of excessive access privileges for both unstructured and structured data. It will also provide enterprise search capabilities through the enterprise data catalog module.

The Local Government Purchasing Cooperative (Buyboard) agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

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

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
2021 Homeland Security-Urban Security Initiative 21-23 Fund	\$491,689.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$491,689.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	100.00%	\$491,689.00
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements, however, the prime contractor is a certified M/WBE.</li> <li>SHI Government Solutions – Non-local; Workforce – 6.52% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>The cooperative purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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**OWNER****SHI Government Solutions**

3828 Pecana Trail  
Austin, TX 78749

Thai Lee, Chief Executive Officer

November 9, 2022

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

**SECTION 1.** ~~That the City Manager is hereby authorized to execute a cooperative purchasing agreement with SHI Government Solutions (502145) through the Local Government Purchasing Cooperative (Buyboard) agreement, approved as to form by the City Attorney, for the acquisition and service maintenance and support of a data access governance solution for the Department of Information and Technology Services for a term of four years, in an amount not to exceed \$491,689.00. If the service was bid or proposed on an as-needed, unit price basis for performance of specified tasks, payment to SHI Government Solutions shall be based only on the amount of the services directed to be performed by the City and properly performed by SHI Government Solutions under the cooperative purchasing agreement.~~

**SECTION 2.** ~~That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$491,689.00 (subject to annual appropriations) to SHI Government Solutions from Cooperative Purchasing Agreement Contract No. DSV-2022-00020044.~~

**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 Information Sheet

**File #:** 22-2435

**Item #:** 22.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a five-year cooperative purchasing agreement for the purchase of software and hardware that provides a situational awareness and integration platform for City and privately owned surveillance camera systems for the Police Department managed by the Department of Information and Technology Services with ICU Technologies, Inc. through the General Services Administration cooperative agreement - Not to exceed \$478,589.10 - Financing: General Fund (\$191,435.64), Homeland Security-Urban Area Security Initiative 2022 Grant Funds (\$95,717.82), and UASI 2022 Fusion Project Fund (\$191,435.64) (subject to annual appropriations)

### **BACKGROUND**

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

This cooperative agreement will allow for the purchase of software and hardware that provides a situational awareness and integration platform for City and privately owned surveillance camera systems for the Police Department managed by the Department of Information and Technology Services. Hardware purchased through this agreement and installed at the Police Department (DPD), and other City facilities allows DPD to access camera systems when responding to an incident. This video feed is real-time and provides valuable intelligence that can be relayed to responding officers before they arrive on scene or while on scene. Additionally, private business and third parties will also be able to purchase the same hardware from the vendor and connect their video feed to DPD as well. Video data obtained from these City owned and private camera systems can assist in evidence collection after an incident has occurred.

This hardware also adds automated license plate recognition capabilities (ALPR) to the camera system that it is installed on. This added ALPR capability increases DPD's ability to detect and locate vehicles of interest. Analytics included in the hardware provide added efficiencies to automatically search video data using specific criteria, negating the need for an officer to manually search all the data feeds.

The General Services Administration cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	\$ 0.00	\$ 0.00	\$191,435.64
Homeland Security-Urban Area Security Initiative 2022 Grant Funds	\$95,717.82	\$ 0.00	\$ 0.00
UASI 2022 Fusion Project Fund	\$ 0.00	\$95,717.82	\$ 95,717.82
Total	\$95,717.82	\$95,717.82	\$287,153.46

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$478,589.10	Goods	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> <li>ICU Technologies, Inc.- Non-local; Workforce - 0.00% Local</li> </ul>		

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>The cooperative purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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**OWNER**

**ICU Technologies, Inc.**

1382 Blue Oaks Blvd.

Suite 110

Roseville, CA 95678

Brian Van Norman, President

Tommy Smith, Chief Executive Officer

Evertt Kellogg, Secretary

November 9, 2022

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

**SECTION 1.** That the City Manager is hereby authorized to execute a cooperative purchasing agreement with ICU Technologies, Inc. (VC25452) through the General Services Administration Cooperative Agreement, approved as to form by the City Attorney, for the purchase of hardware and software that provides a situational awareness and integration platform with existing City and privately owned surveillance camera systems for the Police Department managed by the Department of Information and Technology Services for a term of five years, in an amount not to exceed \$478,589.10. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to ICU Technologies, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by ICU Technologies, Inc. under the cooperative purchasing agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$478,589.10 (subject to annual appropriations) to ICU Technologies, Inc. from Cooperative Purchasing Agreement Contract No. DPD-2022-00020296.

**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 Information Sheet

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**File #:** 22-2550

**Item #:** 23.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a two-year master agreement for the purchase of feminine hygiene products for the Period Access Dallas Program for the Office of Community Care - Happy Period, lowest responsible bidder of eight - Estimated amount of \$216,500 - Financing: Equity Fund

### **BACKGROUND**

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of feminine hygiene products for the Period Access Dallas Program. Period Access Dallas (PAD), is an equity initiative response to address period poverty. The program provides packages of menstruation management products (pads and tampons of varying sizes) as well as stock the restrooms with free products in public buildings. PAD is a multi-departmental partnership (City Manager's Office, Office of Community Care, Parks and Recreation, and Libraries) including strategic partnerships with community-based organizations for donations and distributions.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

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

City Council was briefed by memorandum regarding this matter on September 23, 2022.

On September 28, 2022, City Council authorized an ordinance amending Ordinance No. 32000, previously approved on September 22, 2021, as amended by Ordinance No. 32193, previously approved on May 11, 2022, authorizing certain transfers and appropriation adjustments for FY 2021-22 for various departments, activities, and projects; and authorize the City Manager to implement those adjustments ~~an appropriation of \$500,000 for the Period Access Dallas initiative~~ by Resolution No. 22-1424.

The Workforce, Education and Equity Committee was briefed on the Period Access Dallas initiative on October 12, 2022.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Equity Fund	\$216,500.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$216,500.00	Goods	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
0.00%	0.00%	0.00%
• M/WBE goal waived due to no M/WBE availability.		
• Happy Period - Non-local; Workforce - 0.00% Local		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> <li>Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements</li> <li>Negotiations are not allowed</li> </ul>
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The Office of Procurement Services received the following bids from solicitation number BI22-00020545. We opened them on October 14, 2022. We recommend the City Council award this master agreement in its entirety to the lowest responsive and responsible bidder.

\*Denotes successful bidder

<b><u>Bidder</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Happy Period	4911 Mountain View Dr. Palmdale, CA 93552	\$216,500
North American Import and Export Company, LLC	5402 Pioneer Park Blvd. Tampa, FL 33634	\$581,400
Agni Enterprises, LLC	7950 Northwest 155th St. Suite 103 Miami Lakes, FL 33016	\$1,341,100
Ink Systems, LLC	4605 North Capitol St. NE Washington, D.C. 20011	\$1,415,800
RocketDrop, LLC	215 South Broadway Unit 253 Salem, NH 03079	\$1,792,650
Nickes Medical Supply, LLC	2820 North Stanton St. El Paso, TX 79902	\$2,568,599
Pyramid School Products	6510 North 54th St. Tampa, FL 33610	Non-responsive
My Menstrual Cup, LLC	6237 Calmont Ave. Fort Worth, TX 76116	Non-responsive

## **OWNER**

### **Happy Period**

Chelsea VonChaz, Executive Director

November 9, 2022

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

**SECTION 1.** That a master agreement for the purchase of feminine hygiene products for the Period Access Dallas Program for the Office of Community Care is authorized with Happy Period (VC24778), approved as to form by the City Attorney, for a term of two years, in the estimated amount of \$216,500. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

**SECTION 2.** That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for the purchase of feminine hygiene products for the Period Access Dallas Program for the Office of Community Care. If a written contract is required or requested for any or all purchases of feminine hygiene products for the Period Access Dallas Program for the Office of Community Care under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$216,500, but not more than the amount of budgetary appropriations for this master agreement during its term to Happy Period from Master Agreement Contract No. OCC-2022-00020545.

**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 Information Sheet

File #: 22-2428

Item #: 24.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### SUBJECT

Authorize a three-year professional service contract, with two one-year renewal options, for sales tax compliance review and recovery services for the Office of the City Auditor - Avenu Insights and & Analytics, LLC, most advantageous proposers of five - Estimated Annual Net Revenue: ~~\$735,000~~ \$4,320,000 (see Fiscal Information)

### BACKGROUND

This service contract will provide sales tax compliance review and recovery services for the Office of the City Auditor. This contract will allow the contractor to work directly with identified businesses to achieve voluntary sales and use tax compliance by assisting the businesses with tax code interpretations and preparing amended tax returns. If companies do not voluntarily comply, referrals are made to the Texas Comptroller of Public Accountants requesting audit assistance to achieve compliance.

The City will pay Avenu Insights and & Analytics, LLC ~~24~~ 20 percent of the sales and use tax revenue received by the City from the correction of taxpayer reporting errors detected and documented by the Sales and Use Tax Compliance Review as follows:

The ~~24~~ 20 percent contingency fee:

- Based on the revenue received by the City as a result of the work completed by Avenu Insights and & Analytics, LLC
- Applies to all sales and use tax revenues corrected for the City for any periods prior to the date of correction
- Applies to revenues received for the first eight consecutive reporting quarters following the date of correction

The Office of the City Auditor validates the additional sales and use tax collection and associated contingent fees quarterly. The most recent contract identified over \$8 million in additional sales and

~~use tax collections for the City over four years and three months.~~

~~A four-member committee from the following departments reviewed and evaluated the qualifications:~~

- ~~• Office of the City Auditor (3)~~
- ~~• Office of Procurement Services (1)\*~~

~~\*The Office of Procurement Services evaluated cost and local preference, if applicable.~~

~~The committee selected the successful respondent based on demonstrated competence and qualifications under the following criteria:~~

- ~~• Contingency fee structure 30 points~~
- ~~• Approach and methodology 30 points~~
- ~~• Experience 25 points~~
- ~~• Project staffing 15 points~~

~~As part of the solicitation process and to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services used historical solicitation information, the Internet, and vendor contact information from user departments to contact additional vendors.~~

~~On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is \$15.21; the selected vendor meets this requirement.~~

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

~~On September 8, 2010, City Council authorized a three-year professional services contract, with three one-year renewal options, for sales tax compliance review and recovery services with MuniServices, LLC by Resolution No. 10-2268.~~

~~On August 14, 2013, City Council authorized Supplemental Agreement No. 1 to exercise the first of three one-year renewal options of the professional services contract with MuniServices, LLC for sales tax compliance review and recovery services extending the term through September 7, 2014, by Resolution No. 13-1284.~~

~~On August 13, 2014, City Council authorized supplemental agreement no. 2 to exercise the second of three one-year renewal options of the professional services contract with MuniServices, LLC for sales/use tax compliance review and recovery services extending the term through September 7, 2015, by Resolution No. 14-1214.~~

~~On February 10, 2016, City Council authorized a three-year professional services contract, with two one-year renewal options, for sales tax compliance review and recovery services with~~



TexasCityServices, LLC by Resolution No. 16-0266.

### **FISCAL INFORMATION**

Estimated Annual Net Revenue: ~~\$735,000~~ \$4,320,000 (Potential gross Sales & Use Tax recoveries in the annual amount of \$1,800,000 reduced by the contingency fee of 20 percent in the amount of \$360,000, totaling a net revenue of \$1,440,000 annually for each of the 3 years in the term).

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
<del>\$735,000.00</del> \$4,320,000.00	Revenue	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
• The Business Inclusion and Development Policy does not apply to Revenue contracts.		
• Avenu Insights and & Analytics, LLC - Local; Workforce - 100.00% Local		

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Proposal	<ul style="list-style-type: none"> <li>• Utilized for professional, personal, revenue, and planning services</li> <li>• Recommended offeror is the responsible offeror whose proposal most closely meets established criteria for the services advertised, based on demonstrated competence and qualifications at a fair and reasonable price</li> <li>• Always involves the evaluation by a committee</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposals from solicitation number BDZ22-00018077. We opened them on April 8, 2022. We recommend that the City Council award this professional service contract in its entirety to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*Avenu Insights and & Analytics, LLC	8600 Harry Hines Boulevard Dallas, TX 75235	90.33
TexasCityServices, LLC	2840 Keller Springs Road	88.00

	Suite 102 Carrollton, TX 75006	
Hdl Companies	9821 Katy Freeway Suite 440 Houston, TX 77024	80.00
Azavar Government Solutions, Inc.	55 East Jackson Boulevard Suite 2100 Chicago, IL 60604	79.67
M R Professional Resources, LLC	1441 Canal Street Suite 211 New Orleans, LA 70112	28.00

**OWNER****Avenu Insights and & Analytics, LLC**

Paul Colangelo, Chief Executive Officer

November 9, 2022

~~**WHEREAS**, on September 8, 2010, City Council authorized a three-year professional services contract, with three one-year renewal options, for sales tax compliance review and recovery services with MuniServices LLC in an estimated net annual revenue \$2,100,000, by Resolution No. 10-2268; and~~

~~**WHEREAS**, on August 14, 2013, City Council authorized Supplemental Agreement No. 1 to exercise the first of three one-year renewal options of the professional services contract with MuniServices, LLC for sales tax compliance review and recovery services extending the term through September 7, 2014 in the estimated net annual revenue \$227,500, by Resolution No. 13-1284; and~~

~~**WHEREAS**, on August 13, 2014, City Council authorized supplemental agreement no. 2 to exercise the second of three one-year renewal options of the professional services contract with Muniservices LLC for sales/use tax compliance review and recovery services extending the term through September 7, 2015 in the estimated net annual revenue \$1,400,000, by Resolution No. 14-1214; and~~

~~**WHEREAS**, on February 10, 2016, City Council authorized a three-year professional service contract, with two one-year renewal options, for sales tax compliance review and recovery services with TexasCityServices, LLC, in an estimated net annual revenue of \$558,600, by Resolution No 16-0266.~~

**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 service contract with Avenu Insights ~~and~~ & Analytics, LLC (VC25789), approved as to form by the City Attorney, for sales tax compliance review and recovery services for the Office of the City Auditor for a term of three years, with two one-year renewal options, in an estimated revenue amount of ~~undeterminable~~ \$4,320,000.

~~**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit funds received in an amount not to exceed 24 percent of identified sales & use tax revenue received by the City from Avenu Insights and Analytics, LLC in the XXXXXX Fund, Fund XXXX, Department XXX, Unit XXXX, Revenue Code XXXX.~~

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from the State Comptroller as follows: Fund 0001, Department BMS, Unit 1253, Revenue Code 6100.

November 9, 2022

~~**SECTION 3.** That the City will pay the contractor a 20% contingency fee based on the sales and use tax revenue received from the correction of detected and documented taxpayer reporting errors. That the Chief Financial Officer is authorized to disburse fees from the following appropriation: Fund 0001, Department BMS, Unit 1991, Revenue Code 3099.~~

~~**SECTION 3** **4.** That this contract is designated as Service Contract No. AUD-2022-00018077.~~

~~**SECTION 4** **5.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.~~



## Agenda Information Sheet

**File #:** 22-2436

**Item #:** 25.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a three-year service contract for the acquisition, maintenance, and support of a cloud based digital learning platform for the Water Utilities Department - ANCILE Solutions, Inc., sole source - Not to exceed \$135,330.37 - Financing: Dallas Water Utilities Fund (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 item, which are ordered on an as needed basis.

This service contract will provide for the acquisition, maintenance, and support of a cloud based digital learning software for the Water Utilities Department. This software will allow for the creation of eLearning courses and simulations that can be deployed through a cloud-based environment.

The City will benefit from high quality training material and work instructions that are recorded from the source using human interactions and not created by artificial intelligence.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a "living wage" rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is \$17.82; the selected vendor meets this requirement.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Dallas Water Utilities Fund	\$48,992.00	\$42,426.72	\$43,911.65

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$135,330.37	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
• The Business Inclusion and Development Policy does not apply to Other Service contracts.		
• ANCILE Solutions, Inc. - Non-local; Workforce - 0.00% Local		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Sole Source	<ul style="list-style-type: none"> <li>• Utilized for procurements where functional requirements can only be satisfied by one vendor, such as those where patents, copyrights or monopolies exists</li> <li>• Exempted from competitive bidding process</li> <li>• The Office of Procurement Services conducted a sole source review and found no exceptions</li> </ul>
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**OWNER****ANCILE Solutions, Inc.**

6085 Marshalee Drive, Suite 300  
Elkridge, MD 21075

Eric Grosgeat, Chief Executive Officer

November 9, 2022

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

**SECTION 1.** That the City Manager is hereby authorized to execute a service contract with ANCILE Solutions, Inc. (VC22201), approved as to form by the City Attorney, for the acquisition, maintenance, and support of a cloud based digital learning platform for the Water Utilities Department for a term of three years, in an amount not to exceed \$135,330.37. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to ANCILE Solutions, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by ANCILE Solutions, Inc. under the contract

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$135,330.37 (subject to annual appropriations) to ANCILE Solutions, Inc. from Service Contract No. DWU-2022-00020259.

**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 Information Sheet

**File #:** 22-2432

**Item #:** 26.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a three-year service contract, with one two-year renewal option, for retiree concierge services for the Department of Human Resources - Health Advocate Solutions, Inc., most advantageous proposer of four - Not to exceed \$631,688.40 - Financing: Employee Benefits Fund (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 retiree concierge services for the Department of Human Resources. The City is dedicated to assisting pre-65 retirees, prospective retirees as they age-in to 65, and post-65 retirees to better navigate their health benefit and wellness options. The City has attempted to manage these services with existing staff and resources in the past and is seeking to improve outreach and efficiencies by engagement of experts, which is best practices for an organization of our stature. The City will partner with the recommended vendor to assist employees about to retire, pre-65 retirees, age-in retirees, post retirees and comeback retirees during their transition phases.

The supplier will be responsible for training and assisting staff to respond to questions on retiree benefit options, assist them in evaluating the best plans for them. In addition, they will serve as a retiree advocate if they encounter barriers or challenges and provide retirees with access to self-service tools.

A six-member committee from the following departments reviewed and evaluated the qualifications:

- City Controller's Office (1)
- Department of Human Resources (2)
- Small Business Center (1)
- Water Utilities Department (1)
- Office of Procurement Services (1)\*



\*The Office of Procurement Services only evaluated the cost and local preference if applicable.

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

- |                                    |           |
|------------------------------------|-----------|
| • Cost                             | 30 points |
| • Experience                       | 25 points |
| • Overall approach and methodology | 25 points |
| • Business Inclusion and Diversity | 15 points |
| • Local Preference                 | 5 points  |

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out email notifications to vendors registered under relevant commodity codes. To further increase competition, the Office of Procurement Services uses historical solicitation information, the Internet, and vendor contact information obtained from user departments to contact additional vendors.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. The current calculated living wage during the solicitation process of this contract is \$15.21; the selected vendor meets this requirement.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

#### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Employee Benefits Fund	\$210,562.80	\$210,562.80	\$210,562.80

#### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$631,688.40	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
• The Business Inclusion and Development Policy does not apply to Other Service contracts.		
• Health Advocate Solutions, Inc - Non-local; Workforce - 0.25% Local		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	<ul style="list-style-type: none"> <li>• Utilized for high technology procurements, insurance procurements, and other goods and services</li> <li>• Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications</li> <li>• Always involves a team evaluation</li> <li>• Allows for negotiation on contract terms, including price</li> </ul>
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The Office of Procurement Services received the following proposals from solicitation number BKZ22-00019322. We opened them on July 15, 2022. This service contract is being awarded by group to the most advantageous proposer.

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>
*Health Advocate Solutions, Inc.	3043 Walton Rd. Plymouth Meeting, PA 19462	Group 1-77.25 Group 2-77.25
Retiree First, LLC	1000 Midlantic Dr. Mount Laurel, NJ 08054	Group 1-61.88 Group 2-62.63
Extend Health, LLC	10975 S. Sterling View Dr. Suite A1 South Jordan, UT 84095	Group 1-60.75 Group 2-62.00
OG Benefits	722 Pin Oak Rd. Suite 204 Katy, TX 77494	Group 1-37.98 Group 2-37.98

**OWNER**

**Health Advocate Solutions, Inc.**

H. Matthew Yost, Chief Executive Officer

November 9, 2022

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

**SECTION 1.** The City Manager is hereby authorized to execute a service contract with Health Advocate Solutions, Inc. (VC25686), approved as to form by the City Attorney, for retiree concierge services for the Department of Human Resources for a term of three years, with one two-year renewal option, in an amount not to exceed \$631,688.40. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Health Advocate Solutions, Inc shall be based only on the amount of the services directed to be performed by the City and properly performed by Health Advocate Solutions, Inc under the contract.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$631,688.40 (subject to annual appropriations) to Health Advocate Solutions, Inc from Service Contract No. PER-2022-00019322.

**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 Information Sheet

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**File #:** 22-2543

**Item #:** 27.

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**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize a five-year service contract to establish a master agreement for an electronic payment processing service for the Water Utilities Department with Paymentus Corporation through an interlocal agreement with the City of Odessa - See attached Fee Schedule, Schedule A - Estimated expenditure: \$15,000,000 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

### **BACKGROUND**

This action does not encumber funds; the purpose of 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 electronic payment processing services for the Water Utilities Department (utility invoices, permits, and fees). Other departments that will utilize this agreement are Department of Sanitation Services (solid waste), 311 (Customer Service), Fire-Rescue Department (permits and alarms), Department of Aviation (rental fees and fuel), Department of Code Compliance (liens and permits), Sustainable Development (water & wastewater permits), Police Department (vice applications), Department of Housing & Neighborhood Revitalization (liens and loans), City Controller Office (view only), City Attorney's Office (view only) and Vital Statistics (birth and death certificates).

This service contract provides for anticipated changes in banking and credit card services in response to the evolution of technological and security requirements for which the City must comply. This service meets Payment Card Industry Data Security Standard (PCI-DSS-12) compliance and ensures continuous credit card services through face-to-face, interactive voice response, and ePay channels for City customers.

It also will serve as the initial contract for services for the validation, tokenization and processing of all payments used by residents for payments of water bills, miscellaneous fees, and permits via web, point of sale, and via phone.

The City invoices approximately 331,000 utility and non-utility accounts on a monthly basis. Approximately 30 percent of the overall payments were received through credit card payment transactions, totaling over 972,000 payments processed and \$202 million in generated revenue in fiscal year 2020-21. Credit card payments are accepted from five credit card types: American Express, Visa, Mastercard, Diners Card and Discover.

The interlocal agreement with City of Odessa is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On April 11, 2018, City Council authorized Supplemental Agreement No. 4 to exercise the first of two, two-year renewal options to the service contract with Paymetric, Inc. for credit card processing services for numerous departments, managed by the Water Utilities Department, by Resolution No. 18-0545.

On June 10, 2020, City Council authorized Supplemental Agreement No 5. to exercise the second of two, two-year renewal options to the service contract with Paymetric, Inc for credit card processing services for numerous departments, managed by the Water Utilities Department, by Resolution No. 20-0925.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Dallas Water Utilities Fund	\$3,000,000.00	\$3,000,000.00	\$9,000,000.00

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$15,000,000.00	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Interlocal Purchasing Agreements.</li> <li>Paymentus Corporation - Non-local; Workforce - 0.00% Local</li> </ul>		

**PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Interlocal Purchasing Agreement	<ul style="list-style-type: none"><li>• Interlocal purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li><li>• The interlocal purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li></ul>
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**OWNER****Paymentus Corporation**

11605 N. Community House Road, Suite 300  
Charlotte, NC 28277

Matt Parson, Chief Financial Officer

November 9, 2021

**WHEREAS**, on April 11, 2018, City Council authorized Supplemental Agreement No. 4 to exercise the first of two, two-year renewal options to the service contract with Paymetric, Inc. for credit card processing services for numerous departments, managed by the Water Utilities Department, in amount not to exceed \$229,488, from \$1,157,757 to \$1,387,245, by Resolution No. 18-0545; and

**WHEREAS**, on June 10, 2020, City Council authorized Supplemental Agreement No 5. to exercise the second of two, two-year renewal options to the service contract with Paymetric, Inc. for credit card processing services for numerous departments, managed by the Water Utilities Department, in the amount not to exceed \$253,488, from \$1,387,245 to 1,640,733, by Resolution No. 20-0925.

**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 service contract with Paymentus Corporation (VS0000074447) through an interlocal agreement with the City of Odessa, approved as to form by the City Attorney, for electronic payment processing services for the Water Utilities Department for a term of five years, If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Paymentus Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Paymentus Corporation under the interlocal purchasing agreement.

**SECTION 2.** The Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms of the contract provisions and the attached fee schedule, attached as Schedule A (subject to annual appropriations) to Paymentus Corporation from Service Contract POM-2022-00019389.

**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.

## Schedule A - Paymentus Service Fee Schedule

Payment Method	Channels	Paymentus Fee
<b><u>Utility</u></b> Debit/Credit/Digital Wallet channels accepted by the City ACH	IVR, web, recurring, walk in, kiosk and all payment channels and payment methods accepted by the City and offered under IPN	Interchange plus \$0.40 per transaction; includes all interchange, bank, gateway, and technology fees Within the first ninety (90) days after launching the service, the Client may opt to change to a fee structure of \$1.49 per transaction or 2.85% per non-qualified transaction \$0.35 per payment with ACH compliance validation
<b><u>Non-Utility</u></b> Debit/Credit/Digital Wallets channels accepted by the City ACH	IVR, web, recurring, walk in, kiosk and all payment channels and payment methods accepted by the City and offered under IPN	Interchange plus \$0.40 per transaction; includes all interchange, bank, gateway, and technology fees \$0.35 per payment with ACH compliance validation

- Chargebacks and returned checks \$5.95 each.
- Unlimited Outbound payment notifications including phone, email and text notifications.
- POS/P2PE, 25 Move5000 EMV devices provided at no cost to City. Additional Move5000 devices, lower cost alternative models, and no-cost swipe devices will be provided at Paymentus' cost (no mark-up) at the City's request.
- POS Agent Dashboard provided with integration to SAP and other City systems as needed.
- Maximum payments by credit/debit/digital wallet for utility payments \$20,000.00. Multiple payments can be made.
- Maximum payments by echeck/ACH for utility payments \$1,000,000.00. Multiple payments can be made.
- Maximum payments by credit/debit/digital wallet for non-utility payments \$10,000.00. Multiple payments can be made.



## Transaction Fees

### Pricing Option 1: Flat Rate Absorbed Model (Biller Pays Fee/Absorbed)

PRICING DESCRIPTION & MODEL: Utilities / Flat Rate Absorbed Model	
Setup Fees	\$0.00
Integration Costs	\$0.00
Annual Subscription Fees	\$0.00
Annual Support Fees	\$0.00
Gateway Fees/NACHA/PCI Compliance Fees	\$0.00
Utility Transaction Fees for Debit/Credit Cards/Digital Wallets	Interchange plus \$0.40 per transaction; includes all interchange, bank, gateway, and technology fees  Within the first ninety (90) days after launching the service, the Client may opt to change to a fee structure of \$1.49 per transaction or 2.85% per non-qualified transaction
Non-Utility Transaction Fees for Debit/Credit Cards/Digital Wallets	Interchange plus \$0.40 per transaction; includes all interchange, bank, gateway, and technology fees
Transaction Fees for ALL eChecks/ACH (One-time & Recurring) + ACH Validation Compliance	\$0.35 per transaction

- Chargebacks and returned checks will be billed at \$5.95 each.
- Unlimited Outbound notifications including phone, email and text notifications per month
- POS/P2PE, EMV devices provided at no cost – 25 Move5000 devices
- Agent Dashboard provided with integration to SAP for replacement of CashDesk as preferred
- PDF Support from SAP for bill delivery and notifications



## Agenda Information Sheet

**File #:** 22-2431

**Item #:** 28.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize Supplemental Agreement No. 2 to exercise the second of two, one-year renewal options to the service contract with Innovative Interfaces Incorporated for licenses, maintenance, hosting, and support of an integrated library system - Not to exceed \$304,732.67 - Financing: General Fund (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 Supplemental Agreement will provide for continued licenses, maintenance, hosting and support for the existing integrated library system (ILS). This contract enables the City to receive full support for all issues related to the ILS. In 2007, City Council authorized a contract to provide, install and maintain a new ILS system. The ILS allows for the automation and management of customer accounts, materials, cataloging and acquisitions. This ILS has improved the internal productivity of the library system and enhanced its capabilities with responding to the needs of customers. Specific features include:

- A 24/7 Public Access Catalog for customers to locate materials, place them on hold, renew their materials, pay library fines, write reviews, find recommended reading materials and preview book content, such as jacket cover, first chapter and/ or summary
- A tracking mechanism for all library customer accounts - materials checked out, fines owed, customer contact information, notices to customer for overdue materials, fines and requested materials
- Cataloging of library materials including books, digital video disks (DVDs), compact disc (CDs), etc., as well as digital content (i.e. historic photographs and city documents)
- Purchasing of library materials - create purchase orders and order electronically using electronic data interchange; an interface between the ILS and the Advantage Financial System

- Ability to create reports to analyze how library materials are being used and how they are circulating
- A responsive web client designed to provide staff with mobile access to public services workflows such as off-site patron registration

The Library has 30 service points, including the Central Library, 28 branches and Bookmarks at NorthPark Center. The Library has almost 700,000 registered users with approximately 9 million books and other library materials checked out in FY 2019-2020.

On November 10, 2015, the City Council authorized a living wage policy that requires contractors to pay their employees a “living wage” rate as established annually by the Massachusetts Institute of Technology Living Wage Calculator for Dallas County by Resolution No. 15-2141. This contract renewal option includes the wage in effect at the time of the solicitation of \$15.21.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 14, 2016, City Council authorized a five-year service contract, with two one-year renewal options, for licenses, maintenance, hosting and support for the existing Polaris Integrated Library System with Innovative Interfaces Incorporated by Resolution No. 16-1426.

On April 14, 2021, City Council authorized Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the service contract with Innovative Interfaces Incorporated for licenses, maintenance, hosting, and support of an integrated library system by Resolution No. 21-0627.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
General Fund	\$304,732.67	\$0.00	\$0.00

### **M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$304,732.67	Other Services	23.80%*
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
0.00%	0.00%	\$0.00
• * This item reflects the previous Business Inclusion and Development Policy M/WBE goal.		
• This contract does not meet the M/WBE goal, but complies with good faith efforts.		
• Innovative Interfaces Inc. - Non-local; Workforce - 0.50% Local		

**OWNER**

**Innovative Interfaces, Inc.**

5850 Shellmound Way  
Emeryville, CA 94608

Jim Tallman, President

November 9, 2022

**WHEREAS**, on September 14, 2016, City Council authorized a five-year service contract, with two one-year renewal options, for licenses, maintenance, hosting and support for the existing Polaris Integrated Library System with Innovative Interfaces Incorporated, in an amount not to exceed \$1,347,208.00, by Resolution No. 16-1426; and

**WHEREAS**, on April 14, 2021, City Council authorized Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the service contract with Innovative Interfaces Incorporated for licenses, maintenance, hosting, and support of an integrated library system, in an amount not to exceed \$298,381.27, by Resolution No. 21-0627.

**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. 2 to exercise the second of two, one-year renewal options to the service contract with Innovative Interfaces Incorporated (VS0000019085), approved as to form by the City Attorney, for licenses, maintenance, hosting and support of an integrated library system, in an amount not to exceed \$304,732.67.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$304,732.67 (subject to annual appropriations) to Innovative Interfaces Incorporated from Service Contract No. POM-2016-00001080.

**SECTION 3.** That is 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 Information Sheet

**File #:** 22-2433

**Item #:** 29.

**STRATEGIC PRIORITY:** Government Performance & Financial Management

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Procurement Services

**EXECUTIVE:** Jack Ireland

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### **SUBJECT**

Authorize Supplemental Agreement No. 54 to the existing agreement for the purchase of voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Information and Technology Services with AT&T Corp. through the Texas Department of Information Resources Cooperative Agreement - Not to exceed \$30,194,297.30 - Financing: Data Services Fund (\$28,111,152.66) and Information Technology Equipment Fund (\$2,083,144.64) ([subject to annual appropriations](#))

### **BACKGROUND**

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

This agreement will allow for the purchase of voice and data network services, network management, monitoring, maintenance, information technology security, and related services. The Department of Information and Technology Services will utilize these services to ensure City wide network health and availability for all departments to utilize information technology services to accomplish goals and deliver services to Dallas residents.

This agreement will serve as a bridge agreement, which will allow for the purchase of similar managed and catalog services currently utilized with AT&T Corp. for managed services, maintenance, and support, regulated services, and optional catalog services.

Some key benefits to continuing to receive maintenance, support, and managed services from AT&T Corp. include but not limited to:

- Continuing to upgrade network switches and hosting circuits
- Receive help desk services and engineering support
- Access key support services, such as penetration testing, report development, and performance monitoring

- Provide time to draft and execute a Request for Competitive Sealed Proposal for future network managed services needs

The Texas Department of Information Resources Cooperative Agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On December 14, 2011, City Council authorized a seven-year service contract, with two two-year renewal options, for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services with AT&T Corp. by Resolution No. 11-3343.

On June 25, 2014, City Council authorized supplemental agreement no. 13 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 14-0988.

On January 11, 2017, City Council authorized Supplemental Agreement No. 24 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 17-0071.

On November 28, 2018, City Council authorized Supplemental Agreement No. 31 to exercise the first of two, two-year renewal options, with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Communication and Information Services by Resolution No. 18-1709.

#### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Data Services Fund	\$11,492,951.34	\$14,247,596.57	\$2,370,604.75
Information Technology Equipment Fund	\$ 1,942,515.74	\$ 140,628.90	\$ 0.00
Total	\$13,435,467.08	\$14,388,225.47	\$2,370,604.75

#### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$30,194,297.30	Other Services	N/A
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
N/A	N/A	N/A
<ul style="list-style-type: none"> <li>The Business Inclusion and Development Policy does not apply to Cooperative Purchasing Agreements.</li> </ul>		
<ul style="list-style-type: none"> <li>AT&amp;T Corp. - Local; Workforce - 100.00% Local</li> </ul>		

### **PROCUREMENT INFORMATION**

Method of Evaluation for Award Type:

Cooperative Purchasing Agreement	<ul style="list-style-type: none"> <li>Cooperative purchasing agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices</li> <li>The cooperative purchasing agreement is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement</li> </ul>
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### **OWNER**

**AT&T Corp.**  
208 South Akard St.  
Dallas, TX 75202

John Stankey, Chief Executive Officer



November 9, 2022

**WHEREAS**, on December 14, 2011, City Council authorized a seven-year service contract, with two two-year renewal options, for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services with AT&T Corp., in an amount not to exceed \$63,444,708, by Resolution No. 11-3343; and

**WHEREAS**, on April 26, 2013, Administrative Action No. 13-5516 authorized Supplemental Agreement No. 4 with AT&T Corp. to amend contract for review of statement of work (SOW) for professional services to development of a contract center strategy, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on May 6, 2013, Administrative Action No. 13-5552 authorized Supplemental Agreement No. 1 with AT&T Corp. to attach the milestone charts for payment for one-time charges to Exhibit 4, pricing of the master services agreement, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on May 20, 2013, Administrative Action No. 13-5611 authorized Supplemental Agreement No. 2 with AT&T Corp. to execute services as documented under NI pricing schedule with tracking ID GBS161971, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on October 15, 2013, Administrative Action No. 14-5297 authorized Supplemental Agreement No. 6 with AT&T Corp. to install, configure and optimize the City's Internet, extranet and intranet with TEST and production SharePoint 2013 environments and migrate Dallas City News Room, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 27, 2013, Administrative Action No. 14-5419 authorized Supplemental Agreement No. 7 with AT&T Corp. to execute change orders 2, 4 and 5 for enhancement requests to the Pinnacle telecommunications billing system for customizations to system reports, additional professional services to develop a standard operating procedures manual and to modify contract language regarding the electronic processing of telecommunications carrier files, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on February 7, 2014, Administrative Action No. 14-5693 authorized Supplemental Agreement No. 8 with AT&T Corp. to accept Texas House Bill 2128 and SPORT terms and conditions and to amend Exhibit 4, Attachment 1: vendor catalog pricing for telecommunication charges for eligible city facilities, with zero cost, having no effect on the contract amount; and

November 9, 2022

**WHEREAS**, on February 14, 2014, Administrative Action No. 14-5594 authorized Supplemental Agreement No. 9 with AT&T Corp. to purchase fifty (50) additional Cisco VoIP recording NICE Inform Lite IP licenses with application support for the 3-1-1 call center, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on March 13, 2014, Administrative Action No. 14-5654 authorized Supplemental Agreement No. 10 with AT&T Corp. to design, configure and install a Wi-Fi network for internet access in the Dallas Arts District, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on June 2, 2014, Administrative Action No. 14-5968 authorized Supplemental Agreement No. 11 with AT&T Corp. to install a Wi-Fi network for internet access in the Dallas Arts District, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on June 25, 2014, City Council authorized Supplemental Agreement No.13 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services in an amount not to exceed \$7,071,190.00, increasing the contract amount from \$63,444,708.00 to \$70,515,898.00, by Resolution No. 14-0988; and

**WHEREAS**, on July 3, 2014, Administrative Action No. 14-6181 authorized Supplemental Agreement No. 12 with AT&T Corp. to implement a framework that will publish and modify data that will be posted on information kiosks, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 20, 2014, Administrative Action No. 14-7145 authorized Supplemental Agreement No. 15 with AT&T Corp. due to extra material used and labor performed during the Arts District Wi-Fi installation, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 20, 2014, Administrative Action No. 14-7144 authorized Supplemental Agreement No. 16 with AT&T Corp. to include Northpark library in the acceptance of the Texas House Bill 2128 and SPORT terms and conditions that was executed through Supplemental Agreement No. 8, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on February 12, 2015, Administrative Action No. 15-5475 authorized Supplemental Agreement No. 17 with AT&T Corp. to execute change orders 7 and 19 for the expansion of the CIS Pinnacle billing system for additional technology services and the creation of a 3rd hosted environment for software development, with zero cost, having no effect on the contract amount; and

November 9, 2022

**WHEREAS**, on March 29, 2016, Administrative Action No. 16-5602 authorized Supplemental Agreement No. 22 with AT&T Corp. to execute 311 contact center network integration of natural language software, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on March 30, 2015, Administrative Action No. 15-5616 authorized Supplemental Agreement No. 18 with AT&T Corp. to make correction to supplement agreement no. 16, to correct Exhibit A, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on May 22, 2015, Administrative Action No. 15-6031 authorized Supplemental Agreement No. 19 with AT&T Corp. for a hardware and software technical refresh to the VoIP IPT system which includes a contract center software version upgrade to 10.5, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on September 18, 2015, Administrative Action No. 15-6888 authorized Supplemental Agreement No. 20 with AT&T Corp. to provide improved internet support, increased circuit capacity for PKR facilities, a Pinnacle version upgrade and to replace end of life equipment that supports 311, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 5, 2015, Administrative Action No. 15-7196 authorized Supplemental Agreement No. 21 with AT&T Corp. to improve Wi-Fi connectivity at City facilities, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on June 22, 2016, Administrative Action No. 16-6184 authorized Supplemental Agreement No. 23 with AT&T Corp. to provide continued maintenance and support of the informational kiosk, deployment of new network equipment at Love Field, enhance the Pinnacle system for revenue collection reporting and to program the 311 voice system to allow citizens to complete a post call survey to provide customer feedback to the City, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 9, 2016, Administrative Action No. 16-6942 authorized Supplemental Agreement No. 25 with AT&T Corp. to pay a true-up management fee for network growth, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on January 3, 2017, Administrative Action No. 17-5052 authorized Supplemental Agreement No. 26 with AT&T Corp. to upgrade the City's firewall architecture through the existing Voice and Data Managed Services Agreement, with zero cost, having no effect on the contract amount; and

November 9, 2022

**WHEREAS**, on January 11, 2017, City Council authorized Supplemental Agreement No. 24 to increase the service contract with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services in an amount not to exceed \$8,789,987.00, increasing the contract amount from \$70,515,898.00 to \$79,789,987.00, by Resolution No. 17-0071; and

**WHEREAS**, on August 10, 2017, Administrative Action No. 17-6432 authorized Supplemental Agreement No. 27 with AT&T Corp. to add network management services to the City's F5 load balancer environment, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on September 25, 2017, Administrative Action No. 17-6860 authorized Supplemental Agreement No. 28 with AT&T Corp. to perform security-based review of the City of Dallas south waste water treatment facility proposed network architecture, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on January 16, 2018, Administrative Action No. 18-5122 authorized Supplemental Agreement No. 29 to allow AT&T Corp to provide Express Route via Equinix all Informart/MS Azure City, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on December 21, 2017, Administrative Action No. 17-7338 authorized Supplemental Agreement No. 30 with AT&T Corp. to upgrade the City's firewall architecture through the existing Voice and Data Managed Services Agreement, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 28, 2018, City Council authorized Supplemental Agreement No. 31 to exercise the first of two, two-year renewal options, with AT&T Corp. for voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Communication and Information Services, in an amount not to exceed \$33,081,983.75. increasing the contract amount from \$79,789,987.00 to \$112,871,970.75, by Resolution No. 18-1709; and

**WHEREAS**, on February 13, 2019, Administrative Action No. 19-5293 authorized Supplemental Agreement No. 32 with AT&T Corp. to accept a Statement of Work (SOW) for the Proof of Concept (PoC) of the Cisco DNAC/ISE Segmentation solution through the existing Voice and Data Managed Services Agreement, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on April 2, 2019, Administrative Action No. 19-5729 authorized Supplemental Agreement No. 34 with AT&T Corp. for professional services support related to 3-1-1, with zero cost, having no effect on the contract amount; and

November 9, 2022

**WHEREAS**, on April 8, 2019, Administrative Action No. 19-5758 authorized Supplemental Agreement No. 33 with AT&T Corp. for the purchasing of hardware, software and professional services necessary to upgrade the WIC Call Center and implement NICE Recording, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on July 29, 2019, Administrative Action No. 19-6285 authorized Supplemental Agreement No. 35 with AT&T Corp. to remove SOW's incorporated by SA No. 33, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on September 16, 2019, Administrative Action No. 19-6555 authorized Supplemental Agreement No. 36 with AT&T Corp. to implement a new radio recording solution for 3-1-1, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 22, 2019, Administrative Action No. 19-7031 authorized Supplemental Agreement No. 37 with AT&T Corp. to implement a managed threat detection and response cyber solution, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on April 7, 2020, Administrative Action No. 20-5516 authorized Supplemental Agreement No. 38 with AT&T Corp. to onboard new replacement network devices and pay one-time onboarding fee, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on June 10, 2020, Administrative Action No. 20-5718 authorized Supplemental Agreement No. 39 with AT&T Corp. to pay Equinix network co-location true-up costs related to the City's Express Route circuit to Microsoft Azure, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on July 31, 2020, Administrative Action No. 20-5835 authorized Supplemental Agreement No. 40 with AT&T Corp. to amend the Master Service Agreement for Managed Voice and Data Network Services to add SOW for enhanced 3-1-3 NICE Voice Recording System services, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on October 28, 2020, Administrative Action No. 20-6125 authorized Supplemental Agreement No. 41 with AT&T Corp. to pay one-time onboarding fees and accept change order for new devices installed from January 1, 2020 to March 31, 2020, with zero cost, having no effect on the contract amount; and

November 9, 2022

**WHEREAS**, on November 11, 2020, City Council authorized Supplemental Agreement No. 42 with AT&T Corp to exercise the second of two, two-year renewal options, approved as to form by the City Attorney, for voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Communication and Information Services, in an amount not to exceed \$34,777,553.99. increasing the contract amount from \$112,871,970.75 to \$147,649,524.74, by Resolution No. 20-1808; and

**WHEREAS**, on December 21, 2020, Administrative Action No. 20-6383 authorized supplemental Agreement No. 43 with AT&T Corp. to amend the Master Service Agreement for Managed Voice and Data Network Services to add SOW for an upgrade of the 3-1-1 Contact Center solution to Cisco Finesse 11.5, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on January 1, 2021, Administrative Action No. 21-5238 authorized supplemental Agreement No. 44 with AT&T Corp. to accept the SOW for the configuration and installation of replaced end-of-life core network equipment., with zero cost, having no effect on the contract amount; and

**WHEREAS**, on March 1, 2021, Administrative Action No. 21-5410 authorized supplemental Agreement No. 45 with AT&T Corp. to pay one-time onboarding fees and accept change order for recently deployed network switches installed between April 1, 2020, through September 30, 2020., with zero cost, having no effect on the contract amount; and

**WHEREAS**, on May 6, 2021, Administrative Action No. 21-5639 authorized supplemental Agreement No. 46 with AT&T Corp. to replace the ASEOD data circuit pricing catalog, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on August 13, 2021, Administrative Action No. 21-5985 authorized supplemental Agreement No. 47 with AT&T Corp. to accept a month-to-month day 2 support fixed services fee, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on September 13, 2021, Administrative Action No. 21-6074 authorized supplemental Agreement No. 48 with AT&T Corp. to accept SOW for DWU SCADA network equipment installation and configuration, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on November 10, 2021, Administrative Action No. 21-6447 authorized supplemental Agreement No. 49 with AT&T Corp. to pay one-time onboarding fees and accept change order for recently deployed network switches installed between October 1, 2020, through March 31, 2022, with zero cost, having no effect on the contract amount; and

November 9, 2022

**WHEREAS**, on December 6, 2021, Administrative Action No. 21-6595 authorized supplemental Agreement No. 50 with AT&T Corp. to accept SOW to Implement Single Sign On (SSO-SAML) Authentication for DPD Quartermaster Pinnacle Inventory Management System, with zero cost, having no effect on the contract amount; and

**WHEREAS**, on February 2, 2022, Administrative Action No. 22-5231 authorized supplemental Agreement No. 51 with AT&T Corp. for Cisco FMC 4600 Firewall Equipment, EOL Replacement, and Professional Services for solution deployment., with zero cost, having no effect on the contract amount; and

**WHEREAS**, on July 6, 2022, Administrative Action No. 22-5939 authorized supplemental Agreement No. 53 with AT&T Corp. to purchase replacement firewalls, peripheral equipment, maintenance, and professional services for implementation of new firewall for Hampton Road branch of the Dallas Public Library, with zero cost, having no effect on the contract amount.

**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 cooperative purchasing agreement with AT&T Corp. (502484) through the Texas Department of Information Resources Cooperative Agreement, approved as to form by the City Attorney, for the purchase of voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Information and Technology Services for a term of two years, in an amount not to exceed \$30,194,297.30. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to AT&T Corp. shall be based only on the amount of the services directed to be performed by the City and properly performed by AT&T Corp. under the cooperative purchasing agreement.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$30,194,297.30 (subject to annual appropriations) to AT&T Corp. from Cooperative Purchasing Agreement Contract No. DSV-2022-00020439.

**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 Information Sheet

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**File #:** 22-2449

**Item #:** 30.

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**STRATEGIC PRIORITY:** Quality of Life, Arts & Culture  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 3  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

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### **SUBJECT**

Authorize a public hearing to be held on December 14, 2022, pursuant to Chapter 26 of the Texas Parks and Wildlife Code, to receive comments on the proposed use of a portion of Forest Cliff Park, totaling approximately 50 square feet of land, located at 5100 Duncanville Road by the Office of Emergency Management, to provide warning siren system coverage for the benefit of the public - Financing: No cost consideration to the City

### **BACKGROUND**

The City of Dallas owns municipal parkland known as Forest Cliff Park (approximately 9.1 acres) located at 5100 Duncanville Road in southwest Dallas.

In 2016, the Office of Emergency Management (OEM) conducted a sound survey to ensure a minimum of 70 decibels of outdoor warning siren system coverage throughout the City. The results identified 27 locations for enhanced coverage. One of the locations identified was at the intersection of Duncanville Road and Ranchero Lane. OEM requests that they be permitted to install an outdoor warning siren approximately 10 feet inside the park boundary in the southeast corner of the park and to connect to electric power in the street right-of-way (Exhibit A). OEM will be responsible for all construction costs, maintenance, and ongoing utility costs associated with the outdoor warning siren.

The outdoor warning siren's impact on the park is expected to be minimal. OEM has agreed to permit any park use up to the outdoor warning siren and, upon abandonment of the outdoor warning siren at some future date, to promptly remove the outdoor warning siren and appurtenances, subject to appropriation, at which time the land will revert to parkland. Furthermore, OEM has agreed to remove the siren and restore the site, at no expense to the Park & Recreation Department, subject to appropriation, should the Director of Park & Recreation determine that there is a need, in the Director's sole judgement-the Director of Park & Recreation Department has the discretion to provide another location within the parkland.



In compliance with the law, the City must determine that there is a need, that there is no feasible and prudent alternative, and that all reasonable care will be taken not to damage the remainder of the park property and to mitigate any disruption of park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

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

On November 1, 2022, the Park and Recreation Board authorized a public hearing to be held on December 14, 2022.

**FISCAL INFORMATION**

No cost consideration to the City.

**MAP**

Attached



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



## Forest Cliff Park

(5100 Duncanville Rd)

District  
3

November 9, 2022

**WHEREAS**, the City of Dallas owns land in Dallas know as Forest Cliff Park, located at 5100 Duncanville Road, which has been maintained by the City as parkland; and

**WHEREAS**, a portion of Forest Cliff Park has been identified by the Office of Emergency Management (OEM) as necessary for the construction of a warning siren system for the public benefit, and OEM must acquire approximately 50 square feet of land for such improvements, as shown on Exhibit A, and the Park and Recreation Board is agreeable to providing the property for this use; and

**WHEREAS**, OEM is agreeable to relocating the warning system at any time, and for any reason, including complete removal of the warning system from the park, at the request of the Director of the Park and Recreation Department; and

**WHEREAS**, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004 ), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

**WHEREAS**, prior to making this determination, notice must be given, and a public hearing be held, relative to the proposed change of park use; and

**WHEREAS**, the City Council desires to give notice and hold such hearing in accordance with the law with respect to the utilization of Forest Cliff Park.

**Now, Therefore,**

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

**SECTION 1.** That the Park and Recreation Department is hereby authorized and directed to advertise in writing of the above-mentioned proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on December 14, 2022.

**SECTION 2.** That the approval of the above-mentioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use, taking and conveyance of parkland, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

November 9, 2022

**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.





Location of proposed Outdoor Warning Siren  
and area needed for power from power pole,  
consisting of ~50 square feet of land.

Location and area is approximate.

Forest Cliff



0 10 20 40 60 Feet

1 in = 20 ft

August 4, 2022

Forest Cliff Park

5100 Duncanville Rd

Exhibit A



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 22-2475

**Item #:** 31.

**STRATEGIC PRIORITY:** Quality of Life, Arts & Culture  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 2, 6  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

### **SUBJECT**

Authorize an increase in the construction services contract with RoeschCo Construction, Inc. for additional work on the Trinity Strand Trail Phase 2, located between Inwood Road Dallas Area Rapid Transit Station to Turtle Creek Boulevard - Not to exceed \$851,117.52, **increasing the contract amount** from \$5,521,648.56 to \$6,372,766.08 - Financing: Street and Transportation Improvement Funds (2012 General Obligation Bond Fund)

### **BACKGROUND**

This action will authorize Change Order No. 2 to the construction services contract with RoeschCo Construction, Inc. The original scope of work was for the construction of the Trinity Strand Trail Phase 2.

The project scope addressed with this change order is necessary to add traffic signal lights to comply with requests from the Transportation Department and address additional unforeseen work items.

Change Order No. 2 adds 66 working days to the contract time. This change results in an increase of \$851,117.52, increasing the contract amount from \$5,521,648.56 to \$6,372,766.08.

### **ESTIMATED SCHEDULE OF PROJECT**

Began Construction	April 2021
Complete Construction	March 2023

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On October 1, 2020, the Park and Recreation Board authorized a contract with RoeschCo Construction, Inc. for the construction the Trinity Strand Trail Phase 2, located between Inwood Road DART Station to Turtle Creek Boulevard.

On October 28, 2020, City Council authorized a construction contract for the construction of the Trinity Strand Trail by Resolution No. 20-1719.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Street and Transportation Improvement Funds (2012 General Obligation Bond Funds)	\$851,117.52	\$0.00	\$0.00

Construction Contract	\$5,498,972.50
Change Order No. 1	\$ 22,676.06
Change Order No. 2 (this action)	<u>\$851,117.52</u>
Total project amount	\$6,372,766.08

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	DBE Goal
\$851,117.52	Construction	9.00%
DBE Subcontracting %	DBE Overall %	DBE Overall Participation \$
16.90%	8.27%	\$530,937.68
• This contract exceeds the DBE goal.		
• RoeschCo Construction- Non-local; 10.00% Local		

### **OWNER**

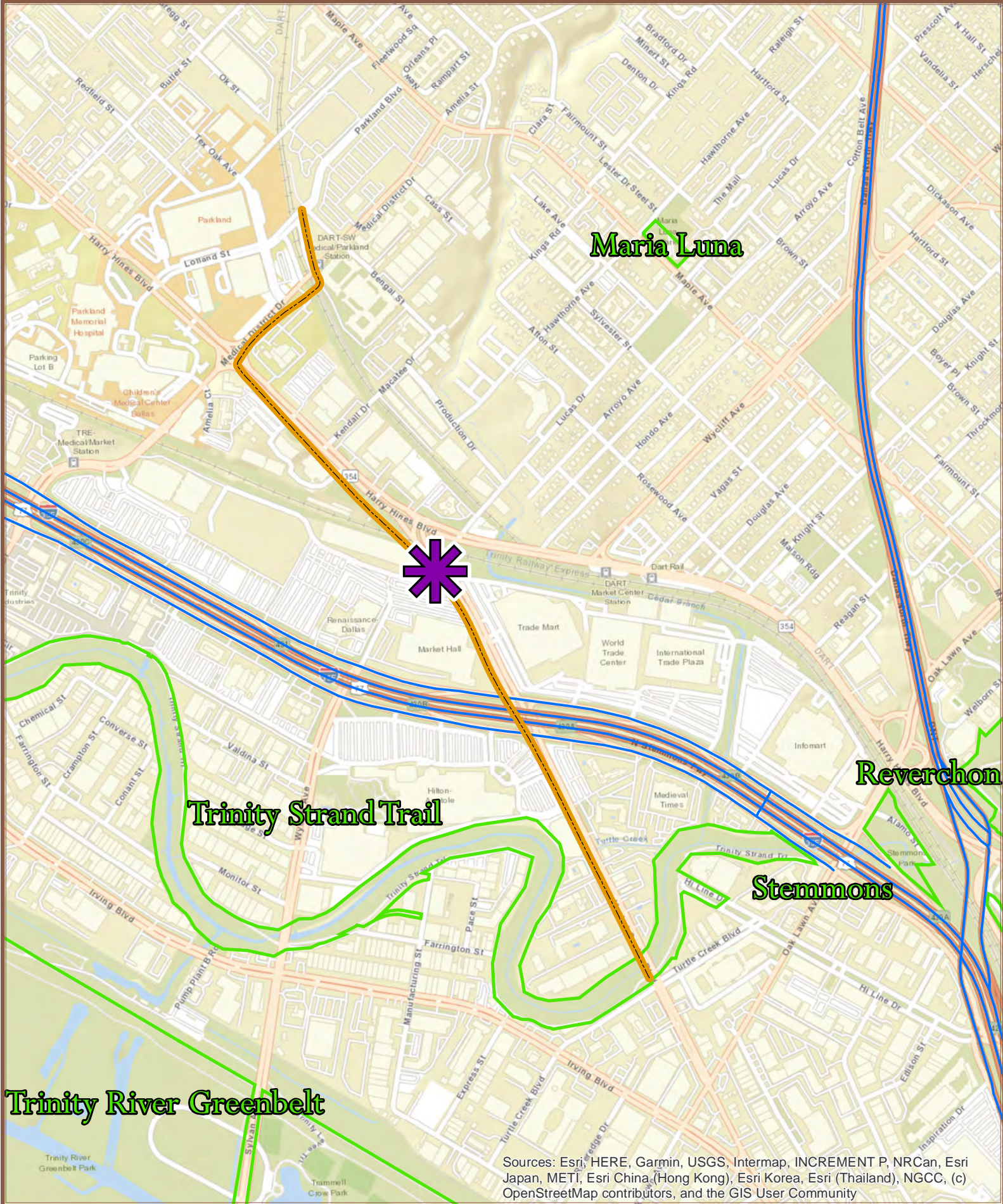
**RoeschCo Construction, Inc.**

Keith Roescho, President

### **MAP**

Attached





**Trinity Strand Trail Phase 2**  
(Inwood DART Station to Turtle Creek Blvd)

District  
2,6





November 9, 2022

**WHEREAS**, on October 28, 2020 City Council authorized a contract with RoeschCo Construction, Inc. for the construction of Trinity Strand Trail Phase 2 located between Inwood Road Dallas Area Rapid Transit Station to Turtle Creek Boulevard, in an amount not to exceed \$5,498,972.50, by Resolution No. 20-1719; and

**WHEREAS**, on April 14, 2022 Administrative Action No. 22-0423 authorized Change Order No. 1 to the construction services contract with RoeschCo. Construction, Inc. for the construction of the Trinity Strand Trail Phase 2 located between Inwood Road Dallas Area Rapid Transit Station to Turtle Creek Boulevard for revisions to the trail construction due to unforeseen field conditions, in an amount not to exceed \$22,676.06, from \$5,498,972.50 to \$5,521,648.56; and

**WHEREAS**, it is now necessary to authorize Change Order No. 2 to the construction services contract with RoeschCo Construction, Inc. for additional work at the Trinity Strand Trail Phase 2 located between Inwood Road Dallas Area Rapid Transit Station to Turtle Creek Boulevard, in an amount not to exceed \$851,117.52, increasing the contract amount from \$5,521,648.56 to \$6,372,766.08.

**Now, Therefore,**

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

**SECTION 1.** That the increase to the construction services contract with RoeschCo Construction, Inc. (Change Order No. 2), is authorized for additional work at the Trinity Strand Trail Phase 2, located between Inwood Road Dallas Area Rapid Transit Station to Turtle Creek Boulevard, in an amount not to exceed \$851,117.52, increasing the contract amount from \$5,521,648.56 to \$6,372,766.08.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$851,117.52 to RoeschCo Construction, Inc. from Street and Transportation Improvement Funds (2012 General Obligation Bond Fund), Fund 4U22, Department PBW, Unit S617, Object 4599, Activity HIBT, Program PB12S617, Encumbrance/Contract No. PKR-2020-0001418, Commodity 91200, Vendor VS0000057213.

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 22-2326

**Item #:** 32.

**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Police Department  
**EXECUTIVE:** Jon Fortune

### **SUBJECT**

Authorize **(1)** the application for and acceptance of the Selective Traffic Enforcement Program (STEP) - Impaired Driving Mobilization, Overtime Enforcement Grant (Grant No. 2023-Dallas-IDM-00005, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of \$49,989.60 for a statewide Driving While Intoxicated Enforcement campaign to operate during various holiday periods for the period December 13, 2022 through September 30, 2023; **(2)** the establishment of appropriations in the amount of \$49,989.60 in the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund; **(3)** the receipt and deposit of grant funds in the amount of \$49,989.60 in the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund; **(4)** a local cash match in the amount of \$20,239.52; and **(5)** execution of the grant agreement and all terms, conditions, and documents required by the grant agreement - Total amount \$70,229.12 - Financing: Texas Department of Transportation Grant Funds (\$49,989.60) and General Fund (\$20,239.52)

### **BACKGROUND**

The STEP - Impaired Driving Mobilization, Overtime Enforcement Grant provides for the reimbursement of overtime paid to officers enforcing Driving While Intoxicated and Driving Under the Influence laws at targeted locations throughout the city of Dallas.

This grant is part of the National Traffic Safety Plan and are awarded to TxDOT grant recipients. The grant award is for a one-year period for Fiscal Year 2022-23.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 8, 2017, City Council authorized an application for and acceptance of the STEP - Impaired Driving Mobilization, Overtime Enforcement Grant from TxDOT for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 9, 2017 through September 30, 2018, by Resolution No. 17-1747.

On November 14, 2018, City Council authorized an application for and acceptance of the STEP - Impaired Driving Mobilization, Overtime Enforcement Grant from TxDOT for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 10, 2018 through September 30, 2019, by Resolution No. 18-1624.

On November 13, 2019, City Council authorized an application for and acceptance of the STEP - Impaired Driving Mobilization, Overtime Enforcement Grant from TxDOT for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 10, 2019 through September 30, 2020, by Resolution No. 19-1792.

On December 9, 2020, City Council authorized an application for and acceptance of the STEP - Impaired Driving Mobilization, Overtime Enforcement Grant from TxDOT for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 10, 2020 through September 30, 2021, by Resolution No. 20-1924.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Texas Department of Transportation Grant Fund	\$49,989.60	\$0.00	\$0.00
General Fund	\$20,239.52	\$0.00	\$0.00
Total	\$70,229.12	\$0.00	\$0.00

November 9, 2022

**WHEREAS**, the Texas Department of Transportation (TxDOT) has made Selective Traffic Enforcement Program (STEP) - Impaired Driving Mobilization, Overtime Enforcement Grant Funds available for salaries for statewide Driving While Intoxicated and Driving Under the Influence campaigns during various holiday periods for the period December 13, 2022 through September 30, 2023; and

**WHEREAS**, the STEP - Impaired Driving Mobilization, Overtime Enforcement Grant will award \$49,989.60 to the City of Dallas for the statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 13, 2022 through September 30, 2023; and

**WHEREAS**, the City of Dallas will contribute a City match in the amount of \$20,239.52; and

**WHEREAS**, it is in the best interest of the City of Dallas to apply for and accept such funding.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager, or the City Manager's authorized designee, is hereby authorized to apply for and accept the STEP - Impaired Driving Mobilization, Overtime Enforcement Grant (Grant No. 2023-Dallas-IDM-00005, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the TxDOT in the amount of \$49,989.60 for a statewide Driving While Intoxicated Enforcement campaign to operate during various holiday periods for the period December 13, 2022 through September 30, 2023; provide a local cash match in the amount of \$20,239.52; and execute the grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in the amount of \$49,989.60 in the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund, Fund F726, Department DPD, Unit 327C, Object 3090.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds appropriations in the amount of \$49,989.60 in the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund, Fund F726, Department DPD, Unit 327C, Revenue Code 6506.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse grant funds appropriations in the amount of \$49,989.60 from the TxDOT-STEP - Impaired Driving Mobilization Grant FY23 Fund, Fund F726, Department DPD, Unit 327C, Object 3090; to reimburse General Fund, Fund 0001, Department DPD, Unit 2127, Object 5011, for expenses incurred.

November 9, 2022

**SECTION 5.** That the Chief Financial Officer is hereby authorized to disburse a local match in the amount of \$20,239.52 from the General Fund, Fund 0001, Department DPD, Unit 2127, various Object Codes, according to the attached Schedule A.

**SECTION 6.** That the City Manager is hereby authorized to reimburse to the TxDOT any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**SECTION 7.** That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

**SECTION 8.** That this contract is designated as Contract No. DPD-2022-00020569.

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

**SCHEDULE A**  
**Selective Traffic Enforcement Program Impaired Driving Mobilization Grant**  
**Fund F726, Department DPD, Unit 327C, Revenue Code 6506**  
**December 13, 2022 - September 30, 2023**

Object Code	Description	Amount
3090	City Forces	\$49,989.60
	<b>Grand Total</b>	<b>\$ 49,989.60</b>

**Matching Funds**

**Cash Match**  
**Fund 0001, Department DPD, Unit 2127**

Object Code	Description	Amount
1306	FICA	\$ 803.67
*Other Object Codes	TBD	\$ 19,435.85
	<b>Total</b>	<b>\$ 20,239.52</b>

- \* Other Object Codes
1. Volunteer Sources
  2. In-Kind Contributions
  3. Surveys
  4. Indirect Cost
  5. Fringe Benefits
  6. Vehicle Operation Costs
  7. Salaries not Claimed as Reimbursement
  8. Distribution of Materials
  9. Court Time
  10. Paid Media, Social Media, Earned Media



## Agenda Information Sheet

**File #:** 22-2518

**Item #:** 33.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Small Business Center Department  
**EXECUTIVE:** Kimberly Bizer Tolbert

### SUBJECT

Authorize a Conditional Chapter 380 Economic Development Loan Agreement, [approved as to form by the City Attorney](#), with DFW Dawg Life, LLC in the amount of \$100,000.00 sourced with the South Dallas/Fair Park Opportunity Fund for **capital improvements and construction** costs related to the renovation/expansion for leased space located at 2721 Logan Street, Dallas, Texas [75215](#) - Not to exceed \$100,000.00 - Financing: South Dallas/Fair Park Opportunity Fund

### BACKGROUND

The purpose of the South Dallas/Fair Park Opportunity Fund (Opportunity Fund) as authorized by City Council Resolution No. 18-0922 and Ordinance No. 30905 on June 27, 2018, is to provide loans and grants to promote economic development and support human development initiatives in neighborhoods surrounding Fair Park (service area). Loans or grants are available to support businesses or entities located within, relocating to, or serving a population of which at least 90% are residents of specific census tracts (SDFPOF community). Under the Economic Development program, a project is eligible for funding if it demonstrates that project funding will result in new job creation, job retention, or an increase in the service area tax base. Funding for economic development projects may be provided as a loan, or a combination of a loan and grant payment, provided that the grant payment does not exceed 25% of the total award amount.

DFW Dawg Life - is a minority owned **D**oggie **D**aycare business in the animal care service industry **that was** established in 2019, **and** **providing** a full-service pet grooming/training/daycare service targeting the growing population of dog owners in the Dallas Central Business District. **The S**ervices include express veterinarian services, pet grooming, dog training, boarding, pick-up & drop off transportation services and day care. **a A** full suite of wraparound services for **your** pet **owners**. The primary market will be the residents of Central Business District.

After reviewing the underwriter's analysis of the Project (including the information provided in the incentive application as well as other data gathered by the SBC), the City proposes a funding a \$100,000.00 loan from the **South Dallas Fair Park Opportunity Fund (SDFPOF)** earmarked for capital improvements & renovation costs associated building improvements of 2721 Logan Street, [Dallas, Texas 75215](#). The loan shall have a fixed rate of 2%, 7-year amortization with monthly ~~P&I~~ [principal and interest](#) payments of \$1,2756.74.

This Project meets the criteria of the Economic Development program for the Opportunity Fund as it will create taxable improvements, provide services to the service area, stimulate economic development, increase business activity, [and](#) promote commercial growth in southern Dallas ~~and will~~ [is as the Project projected to will](#) create approximately seven jobs.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 26, 2022, the South Dallas Fair Park Opportunity Fund Advisory Board recommended the approval of \$100,000 in SDFPOF funds as a loan for the Project.

The Economic Development Committee will be briefed on the "Southern Dallas Investment Fund Project DFW Dawg, LLC" on November 7, 2022.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
South Dallas Fair Park Opportunity Fund	\$100,000.00	\$0.00	\$0.00

### **OWNER/DEVELOPER BORROWER**

#### **DFW Dawg Life, LLC**

Joseph and Cassandra Laster, Owners  
3318 Reed Lane  
Dallas, Texas 75215

### **MAP**

Attached



November 9, 2022

**WHEREAS**, the City of Dallas (the “City”) recognizes the importance of its role in local economic development and supporting small business enterprises; and

**WHEREAS**, on June 27, 2018, City Council authorized revisions to the South Dallas Fair Park Opportunity Fund (“Opportunity Fund”), including establishing a purpose for the Opportunity Fund, which is to “provide loans and grants to promote economic development and support human development initiatives in the neighborhoods surrounding Fair Park” by Resolution No. 18-0922; Ordinance No. 30905; and

**WHEREAS**, on March 9, 2022, City Council (1) authorized transfer of the programmatic elements and funding of the Opportunity Fund from the Office of Economic Development (“OED”) to the Small Business Center (“SBC”); (2) authorized the Director of the SBC to take any actions necessary to administer those programs and related agreements that transferred from OED to SBC under Section 4(11) in the Operating and Capital Budgets’ Appropriations Ordinance (Ordinance No. 32000); and (3) created the SBC effective October 1, 2021, by Resolution No. 21-1950; and

**WHEREAS**, the purpose of the Opportunity Fund is to provide loans and grants to promote economic development and support human development initiatives in the neighborhoods surrounding Fair Park (“service area”) that create new jobs, retain existing jobs, or increase the service area tax base; and

**WHEREAS**, DFW Dawg Life, LLC (“Borrower”) seeks incentives from the Opportunity Fund to make leasehold improvements ~~business operations~~ too the real property located at 2721 Logan Street, Dallas, Texas to expand retail services; and

**WHEREAS**, ~~Developer~~ Borrower estimates the total Project costs to be \$100,000.00 for construction costs, which consist of new heating, ventilation, air conditioning, fencing, millwork, exterior improvements; and

**WHEREAS**, this Project meets the ~~Economic Development~~ program criteria for the Opportunity Fund as it ~~creates~~ stimulates small business activity and growth ~~taxable improvements~~ and will potentially create seven jobs\_ ~~as well as provide services to the service area.~~

**Now, Therefore,**

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

November 9, 2022

**SECTION 1.** That the facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct.

**SECTION 2.** That the City Manager is hereby authorized, ~~upon approval as to form by the City Attorney,~~ to execute a ~~conditional~~ loan agreement ~~(the "Agreement"), approved as to form by the City Attorney,~~ and all other necessary documents ~~between the City and~~ with DFW Dawg Life, LLC ~~or an affiliate thereof~~ ("~~Borrower~~Developer") (VC21988) to provide an economic development loan ~~in a total amount not to exceed One Hundred Thousand (\$100,000.00)~~ to ~~permit Borrower to~~ make capital improvements to leased space located at 2721 Logan Street, ~~in~~ Dallas, Texas 75215 (the "~~Property~~ject Site") ~~in a total amount not to exceed \$100,000.00 as a conditional loan agreement with Developer in an amount not to exceed \$100,000.00 from the City, the "Agreement").~~

**SECTION 3.** That the Agreement, including disbursement of the loan ("loan funds"), is hereby expressly made subject to all the following contingencies, which ~~Borrower~~ Developer must perform or cause to occur:

- (a) The loan term will be for seven years and ~~the loan~~ will accrue interest at a 2% fixed interest rate.
- (b) For the loan funds, the compliance period shall commence on the date of the loan period and shall terminate upon payment (including refinance) of the loan ("Loan Compliance Period").
- (c) The ~~Developer~~ Borrower shall use the loan funds to make the following improvements to the Property: ~~(i)~~ install heating, ventilation, air conditioning, fencing, millwork, and exterior improvements to the existing leased space on the Property in accordance with the scope of work and budget attached in **Exhibit A** (Project Improvements) ~~(loan proceeds)~~
- (d) The ~~Developer~~ Borrower shall only use the loan funds to support the Project improvements ~~specified in this resolution and as identified in Section 3, Exhibit A;~~
- (e) ~~For the loan funds, in addition to the Agreement, Developer~~ Borrower shall execute a loan agreement, promissory note, and personal guarantee, each upon approval ~~as to form by the City Attorney, in favor of the City.~~
- (f) As consideration for the loan funds, ~~Developer~~ Borrower shall provide no less than seven jobs prior to the termination of the Loan Compliance Period~~;~~

**SECTION 3.** (continued)

(g) The loan shall be paid upon closing;

~~(h) For the loan funds, Developer shall obtain the SBC Director's prior written approval to sell the Property during the Loan Compliance Period.~~

(~~h~~<sup>i</sup>) During the Loan Compliance Period, if ~~Developer~~ Borrower fails to comply with the Agreement or causes or permits an uncured default to remain, including: (i) failure to maintain and operate the Property as an ~~D~~doggy daycare during the Loan Compliance Period; (ii) failure to maintain the leaseholds and Property in compliance with all federal, state, and local laws and codes during the Loan Compliance Period; (iii) failure to timely submit complete and accurate annual compliance reports, which shall include proof of operations and a tenant list during the Loan Compliance Period; and (iv) failure to obtain SBC Director approval for the sale of the Property during the Loan Compliance Period, following notice and an opportunity to cure, the City may declare the ~~Developer~~ Borrower in default, terminate the Agreement, or pursue any remedies available to it at law or in equity, including, but not limited to, requiring ~~Developer~~ Borrower to convey fee simple title of the Property to the City, free of any liens or encumbrances, in a form acceptable to the City.

(~~i~~<sup>j</sup>) following notice and an opportunity to cure, the City may declare the ~~Developer~~ Borrower in default, terminate the Agreement, or pursue any remedies available to it at law or in equity, including, but not limited to, requiring ~~Developer~~ Borrower to convey fee simple title of the Property to the City, free of any liens or encumbrances, in a form acceptable to the City; ~~and~~.

(~~ik~~<sup>k</sup>) ~~Developer~~ Borrower shall execute the Agreement with the City no later than December ~~March~~ 31, 2023.

**SECTION 4.** That pursuant to Section 2 of this resolution, once loan documents are signed and loan funds disbursed, that the Chief Financial Officer be and is hereby authorized to set up the respective notes receivable for the principal in the SBC South Dallas Fair Park Opportunity Fund, Fund 0443, Department MGT-SBC, Balance Sheet Account 023D notes receivable, and deferred revenue Balance Sheet Account 0898 in the amount of respective amount of the loan disbursement not to exceed \$100,000.00.

November 9, 2022

**SECTION 5.** That the Chief Financial Officer is hereby authorized to receive and deposit the principal amount not to exceed \$100,000.00 and estimated interest amount not to exceed \$7,248.59 in SBC South Dallas Fair Park Opportunity Fund, Fund 0443, Department MGT, Unit: W812, Principal Revenue Code 847G, and Interest Revenue Code 847H. Late payments will be subject to late fees as defined in the Agreement. All late fees collected during the loan payment period shall be recorded in SBC South Dallas Fair Park Opportunity Fund, Fund 0443, Department MGT, Unit: W812, various Revenue Code.

**SECTION 6.** That pursuant to Section 2 of this ~~f~~[Resolution](#), once the principal payments are received, the Chief Financial Officer be and is hereby authorized to reverse the notes receivable for the principal balance in the SBC South Dallas Fair Park Opportunity Fund, Fund 0443, Department MGT-SBC, Balance Sheet Account 023D notes receivable, and deferred revenue Balance Sheet Account 0898 in the amount of the loan disbursement not to exceed \$100,000.00.

**SECTION 7.** That pursuant to Section 2 of this resolution, once loan documents are signed and loan funds disbursed, the Chief Financial Officer be and is hereby authorized to set up an interest receivable for the interest in the SBC South Dallas Fair Park Opportunity Fund, Fund 0443, Department MGT-SBC, Balance Sheet Account 028E interest receivable and deferred revenue Balance Sheet Account 0898 in the estimated amount of \$7,248.59 related to the loan.

**SECTION 8.** That pursuant to Section 2 of this resolution, once the interest payments on the loan are received, the Chief Financial Officer be and is hereby authorized to reverse the interest receivable for the interest in the SBC South Dallas Fair Park Opportunity Fund, Fund 0443, Department MGT-SBC, Balance Sheet Account 028E interest receivable and deferred revenue Balance Sheet Account 0898 in the estimated amount of \$7,248.59 related to the loan.

**SECTION 9.** That the Chief Financial Officer is hereby authorized to disburse funds to ~~Developer~~ [Borrower](#) from SBC South Dallas Fair Park Opportunity Fund, Fund 0443, Department MGT, Unit 0448, Object 3015, Activity SBC, Program [0443MLK](#), Encumbrance/Contract No. CX-SBC-2022-00019558, Vendor VC21988, total amount not to exceed \$100,000.00.

**SECTION 10.** 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 grant or loan funds described herein, until such time as the Agreement and related documents are duly approved and executed by all parties.

November 9, 2022

**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"

Cost breakdown per DFW Dawg Life LLC

### Lazy B Fencing, Decking & Staining

All decks will be built 6" – 12" above ground level, all deck to be built using pressure treated lumber for the frame and also the surface deck boards:

40X60 (2400 sqft) Fence & Decking	\$38,425.00	
30X20 (600sqft.) Fencing & Decking	\$ 9,500.00	
30X20 (600sqft.) Fencing & Decking	\$ 9,500.00	
		<b>\$48,875.00</b>

### Blair's Heating & Cooling

Cost breakdown to install HVAC unit	\$23,040.17	
	\$10,583.00	
	\$ 3,223.71	
		<b>\$36,846.88</b>

### EZ Contracting

Ready Mix 300 psi concrete	\$17,100.00	
Rebar, Forms, Footers etc.	\$8,500.00	
Labor	\$13,000.00	
Demolition	\$2,500.00	
Removal & Disposal of existing materials	\$5,400.000	
		<u>\$46,500.00</u>

<b>Total Project Cost</b>	<b>\$132,221.88</b>
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## Agenda Information Sheet

**File #:** 22-2523

**Item #:** 34.

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Small Business Center Department  
**EXECUTIVE:** Kimberly Bizer Tolbert

### **SUBJECT**

Authorize approval of a Program Statement supporting American Rescue Plan Act/Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) funding for the Small Business Assistance Program and the Non-Profit Assistance Program with the intent of providing financial support in the form of a grant for operational expenses, including, but not limited to expenses such as rent, utilities, staff salaries and benefits, product loss, and cleaning supplies incurred between March 3, 2021 and September 30, 2024, and resulting from COVID-19 and/or in response to needs caused by COVID-19  
- Financing: No cost consideration to the City

### **BACKGROUND**

The Novel Coronavirus Disease ("COVID-19") pandemic and its resulting economic impacts have put a strain on many local nonprofit organizations. The City has seen tremendous demand for community social services provided by local nonprofits. City of Dallas nonprofit organizations have experienced negative economic impacts or disproportionate impacts of the COVID-19 pandemic, including, but not limited to, increased service need in the community, and other financial hardships.

On September 22, 2021, City Council approved the Fiscal Year 2021-22 Budget, which authorized the appropriation of \$355,426,891.00 from the American Rescue Plan Act in Local Fiscal Recovery Funds, including \$16,000,000.00 to provide for City Council (districts) specific needs by Resolution No. 21-1590.

Small business eligible for assistance are those that experienced negative economic impacts or disproportionate impacts of the pandemic. To demonstrate need, applicants will be required to provide documents demonstrating negative economic impacts directly related to the COVID-19 pandemic for the period of March 3, 2021, through September 30, 2024. Such negative economic impacts could be due to an increase in a contract or patronage provided, an inability to meet payroll obligations, loss of revenue from sales or loss of contracts, increased costs due to COVID-19, or costs of new products designed to assist those disparately impacted by the pandemic and its economic effects. For Non-profit assistance, negative impacts could be due to an increase in

economic effects. For Non- profit assistance, negative impacts could be due to an increase in services provided, an inability to hold fundraising events, loss of revenue from donations, increased costs due to COVID-19, or costs of new programming designed to assist those disparately impacted by the pandemic and its economic effects. Applicants that are located within Qualified Census Tracts, as defined by the U.S. Department of Housing and Urban Development (HUD) or other communities determined to be highly impacted by the pandemic as outlined in Treasury guidance for use of ARPA State and Local Fiscal Recovery Funds, will be presumed to be disproportionately impacted by the pandemic (Disproportionately Impacted small business and non-profits).

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 23, 2021, City Council authorized application for and acceptance of a direct allocation from the Coronavirus Local Fiscal Recovery Fund of the Treasury in the total amount of \$355,426,891.00, by Resolution No. 21-1149.

On September 22, 2021, City Council approved the Fiscal Year 2021-22 Budget, which authorized the appropriation of \$355,426,891.00 from the American Rescue Plan Act in Local Fiscal Recovery Funds, including \$16,000,000.00 for relief to small businesses, nonprofits, or impacted industries based on established criteria by Resolution No. 21-1590.

[The Economic Development Committee was briefed by memorandum regarding this matter on November 4, 2022.](#)

### **FISCAL INFORMATION**

No cost consideration to the City.



November 9, 2022

**WHEREAS**, the Novel Coronavirus Disease 2019 (COVID-19") pandemic has been declared a public health emergency; and

**WHEREAS**, the U.S. Department of the Treasury ("Treasury") has made funding available to the City of Dallas to cover expenses incurred due to the COVID-19 pandemic; and

**WHEREAS**, on June 23, 2021, the City Council authorized and acceptance of a direct allocation from the Coronavirus Local Fiscal Recovery Fund of the Treasury in the total amount of \$355,426,891.00, by Resolution No. 21 -1149; and

**WHEREAS**, on September 22, 2021, City Council approved the Fiscal Year 2021-22 Budget, which authorized the appropriation of \$355,426,891 .00 from the American Rescue Plan Act in Local Fiscal Recovery Funds, including \$16,000,000.00 to provide for the City Council (districts) specific needs; and

**WHEREAS**, City of Dallas small businesses which include nonprofits have experienced negative economic impacts or disproportionate impacts and continue to struggle with unmet needs, due to decreased revenue, increased costs, inflated products, costs and other financial hardships; and

**WHEREAS**, the City of Dallas has seen and continues to see significant demand for small business assistance, including nonprofit organizations, from financial institutions and governmental agencies, to close gaps for employee payroll, financial sustainability, and other essential operating costs. In underserved communities impacted by or during the COVID-19 pandemic; and

**WHEREAS**, the City of Dallas will benefit from providing financial support, through the Small Business Assistance Program, to Dallas-based small businesses including Nonprofits impacted by the COVID-19 pandemic because such support will mitigate financial impact and stimulate economic activities by enabling small businesses to remain operational, rehire or hire employees, and promote economic viability.

**Now, Therefore,**

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

November 9, 2022

**SECTION 1.** That the program statement for the American Rescue Plan Act (ARPA)/Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) – Small Business Assistance Program and Non-Profit Assistance Program, as shown in **Exhibit A**, is hereby approved, to provide financial support in the form of grants to Dallas-based small businesses and non-profit organizations that were impacted by the COVID-19 pandemic and/or by needs caused by the COVID-19 pandemic.

**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.

## **Exhibit A**

### **Program Statement**

#### **City of Dallas American Rescue Plan Act (ARPA)**

#### **Small Business Assistance / Non-Profit Assistance**

**Program Purpose:** To provide financial support in the form of a grant for operational expenses, including, but not limited to expenses such as rent, utilities, staff salaries and benefits, product loss, and cleaning supplies incurred between March 3, 2021 and December 31, 2025, and resulting from COVID-19 and/or in response to needs caused by COVID-19, to Dallas-based non-profits that deliver social services programming to Dallas residents and small business for economic sustainability of privately owned business. Small business eligible for assistance are those that experienced negative economic impacts or disproportionate impacts of the pandemic. To demonstrate need, applicants will be required to provide documents demonstrating negative economic impacts directly related to the COVID-19 pandemic for the period of March 3, 2021, through December 31, 2025. Such negative economic impacts could be due to an increase in a contract or patronage provided, an inability to meet payroll obligations, loss of revenue from sales or loss of contracts, increased costs due to COVID-19, or costs of new products designed to assist those disparately impacted by the pandemic and its economic effects. For Non-profit assistance, negative impacts could be due to an increase in services provided, an inability to hold fundraising events, loss of revenue from donations, increased costs due to COVID-19, or costs of new programming designed to assist those disparately impacted by the pandemic and its economic effects. Applicants that are located within Qualified Census Tracts, as defined by the U.S. Department of Housing and Urban Development (HUD) or other communities determined to be highly impacted by the pandemic as outlined in Treasury guidance for use of ARPA State and Local Fiscal Recovery Funds, will be presumed to be disproportionately impacted by the pandemic (Disproportionately Impacted small business and non-profits).

#### **Eligible Participants for Small Business Assistance:**

- To receive Grant Funds, a recipient must be a business officially registered with the Texas Secretary of State and operate as a legal for-profit business ("Eligible Business"); classified as a small business under the size standards of the U.S. Small Business Administration.
- Physically located and operate in Dallas
- Must be in existence on or before March 1, 2018
- Must have documentation demonstrating loss of income, increased costs, and/or other negative economic impact due to the COVID-19 pandemic since March 3, 2021
- Must have documentation demonstrating short-term or temporary closures resulting from an exposure or need for facility cleaning due to a diagnosis of COVID-19 or due to staffing shortages resulting from COVID-19 diagnosis.
- Small Businesses that have received funding from the federal Paycheck Protection Program, may apply for support. However, the Small Business Assistance shall not provide funds for the same eligible expenses for the same period already funded by another local, state, or federal program.

**Ineligible Participants for Small Business Assistance:**

- Grants shall not be awarded to a business that have ceased operations or permanently closed excluding short-term or temporary closures resulting from an exposure or need for facility cleaning due to a diagnosis of COVID-19 or due to staffing shortages resulting from COVID-19 diagnosis or exposure
- Grant Funds shall not be awarded to a business that requires a sexually oriented business license under Chapter 41A of the Dallas City Code, or a liquor store, a pawn shop, a body piercing studio, or a tattoo studio as those terms are defined by the Dallas Development Code.
- Grant Funds shall not be awarded to a business that has outstanding city liens or tax liens, that is party to a lawsuit against the City, that is currently in default under any other agreement with the City, or that has, in the previous 5 years, been party to a contract with the City that was terminated due to default. All expenditures for services will be subject to state and local procurement laws.

**Eligible Participants for Nonprofit Assistance:**

Nonprofit organizations must be located within the City of Dallas (having their primary business office or a site of service delivery located in the City of Dallas) and serve primarily City of Dallas residents by providing direct to client social services to low- and moderate-income individuals with a focus on (health, economic security, safety and wellbeing, education, and social justice) programming in one or more of the areas outlined below:

- Organizations and programs focused on providing access to health services of all kinds, including those focused on addressing disparities; mental health services, and supporting COVID-19 testing and access to testing/tracing
- Organizations and programs focused on preparing people for living wage jobs (e.g., via rapid re-employment, upskilling or reskilling through partnerships with community colleges/schools and/or moving to online adult learning)
- Organizations and programs that provide supportive services for workers, such as childcare, food, or transportation
- Organizations and programs that provide services to re-entry populations to assist them as they are returning to the community
- Organizations and programs focused on public safety in the community and eliminating violence directed at people of color, disenfranchised and marginalized populations
- Organizations and programs working to reduce learning loss and close the racial academic achievement gap
- Organizations and programs addressing the digital divide
- In- and out-of-school engagement programs for children and youth
- Organizations and programs that provide basic needs and emergency assistance for low-income clients, such as food assistance, rental and utility assistance, transportation or similar
- Must primarily serve low- and moderate-income individuals and/or communities, as defined as those with (i) income at or below 300 percent of the Federal Poverty Guidelines for the size of the household based on the most recently published poverty guidelines by the Department of Health and Human Services (HHS) or (ii) income at or below 65 percent of the Area Median Income for the county and size of household based on the most recently published data by HUD

- Must have been providing one or more of programming types outlined above for at least two (2) years prior to March 3,2021. Nonprofit organizations that have received funding from the City of Dallas's Small Business Assistance Program, Child Care Providers Micro-Grant Program, or other assistance programs, as well as those who have received funding from the federal Paycheck Protection Program, may apply for support. However, the Nonprofit Assistance Program shall not provide funds for the same eligible expenses for the same period already funded by another local, state, or federal program.

**Nonprofits must provide proof of the following:**

- Documentation demonstrating loss of income, increased costs, and/or other negative economic impact due to the COVID-19 pandemic since March 3,2021
- Documentation of nonprofit status and description of social services program delivery history, including:(a). Copy of IRS determination letter of tax-exempt status (b). Copy of Articles of Incorporation and Bylaws (c). Board of Directors Listing and Board Information Form (d). Minutes of the three most recent Board of Directors meetings (e). Organization chart (f). Current year operating budget (revenue and expenses) and year-to-date financials
- Must be a nonprofit organization with registered 501(c)(3) tax exempt status in the state of Texas
- Currently in existence physically located, and operating in the City of Dallas, and serving residents of the City of Dallas
- Must primarily serve low-and moderate-income individuals and/or communities, as defined as those with (i) income at or below 300 percent of the Federal Poverty Guidelines for the size of the household based on the most recently published poverty guidelines by the Department of Health and Human Services (HHS) or (ii) income at or below 65 percent of the Area Median Income for the county and size of household based on the most recently published data by HUD
- Must be in existence on or before March 1,2018
- Must be current on taxes

**Ineligible Participants for Non-Profit Assistance:**

- Nonprofit organizations that have ceased operations or are closed, excluding short-term or temporary closures resulting from an exposure or need for facility cleaning due to a diagnosis of COVID-19 or due to staffing shortages resulting from COVID-19
- Nonprofits organizations that do not provide direct-to-client social services programs in one or more of the outlined areas in the eligible requirements
- Non-profit organizations that primarily or solely provide scholarships and do not provide direct to client assistance programs

**Assistance Program.** Grants will be awarded in an amount not to exceed \$200,000.00 will be provided to one or small businesses and one or more non-profit organizations to support ability to continue operations considering revenue loss due to the COVID-19 pandemic. Assistance will be administered via an online application process during one or more established application periods to be awarded on first come basis. Should the level of funding requests exceed funding availability, priority will be given to small businesses and nonprofit organizations Disproportionately impacted, such as applicants that are located within Qualified Census Tracts

highly impacted by the pandemic as outlined in Treasury guidance for use of ARPA State and Local Fiscal Recovery Funds.

**Eligible Uses of Funds for Small Businesses:** An Eligible Business that receives Grant Funds must use in accordance with all applicable laws, regulations, and guidelines, including U.S. Department of Treasury laws, regulations, and guidelines and City guidelines related to Coronavirus State and Local Fiscal Recovery Funds. Grant funds may be used by the grant recipient for operational expenses, including but not limited to expenses such as rent, utilities, staff salaries and benefits, cleaning supplies, and programs supplies incurred between March 3, 2021, and December 31, 2025; such expenses may include but are not limited to expenses resulting from COVID-19 and/or in response to needs caused by COVID-19. Supporting documentation for all expenses is required

Eligible capital expenditures (as defined for tax purposes) that: (1) stimulate business, rebranding, and commercial activity; (2) attracts/retains employees; and/or (3) increases taxable personal or real property in Dallas ("Eligible Capital Expenditures"). Eligible capital expenditures include the costs of acquiring or producing any permanent structural alteration or other assets added to tangible real or personal property that improves it substantially, thereby increasing its overall property value to suit new needs and extending its useful life. A proposed expenditure must also be for a permitted use as it pertains to the property under the Dallas Development Code.

**Eligible Uses of Funds for Non-Profits:** Funds may support allowable administrative costs and grants to nonprofits, in accordance with all applicable laws, regulations, and guidelines, including U.S. Department of Treasury laws, regulations, and guidelines and City guidelines related to Coronavirus State and Local Fiscal Recovery Funds. Grant funds may be used by the grant recipient for operational expenses, including but not limited to expenses such as rent, utilities, staff salaries and benefits, cleaning supplies, and programs supplies incurred between March 3, 2021, and December 31, 2025; such expenses may include but are not limited to expenses resulting from COVID-19 and/or in response to needs caused by COVID-19. Supporting documentation for all expenses is required

\*Meeting eligibility requirements does not obligate the City to provide assistance to any nonprofit organization or small business.

**Grantee Reporting Requirements:** Participants will be required to submit documentation of planned use of funding during the application process, including any documentation of expenses incurred to date that are included within the grant request. Participants will be required to submit documentation of use of funds upon Small Business Assistance Program and Non-Profit Assistance Program closure. Additionally, participants may be subject to operational review and audit of fund use by City of Dallas and are required to agree to submit requested documentation to City of Dallas as requested and required by the ARPA and the United States Department of Treasury.

**Administration of Funds:** Funding will be administered by the Small Business Center through a published application on a first come first serve basis. Applicants can apply on-line beginning November 10, 2022.

**Amendments to Program Statement:** This Program Statement may be amended by the City Manager or designee as appropriate according to changes in applicable laws, regulations, and/or guidance documents, or to meet changing needs and funding requirements.



## Agenda Information Sheet

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**File #:** 22-1991

**Item #:** 35.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 4, 8

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Kimberly Bizer Tolbert

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### **SUBJECT**

Authorize a professional services contract with Black & Veatch Corporation to provide engineering and consulting services for the City of Dallas Wastewater Facilities and Operations Strategic Plan - Not to exceed \$3,498,000.00 - Financing: Wastewater Construction Fund

### **BACKGROUND**

The City of Dallas owns and operates two wastewater treatment plants with a combined capacity of 280 million gallons per day as well as various lift stations and flow control/diversion structures. Dallas Water Utilities (DWU) completed its most recent Wastewater Treatment Facilities Master Plan in 2010. It analyzed future capacity needs, regulatory issues, future treatment requirements, infrastructure replacement needs, operation and maintenance practices, energy management, sustainability practices, security, and other issues in coordination with City of Dallas initiatives to develop a trigger-based capital improvements plan. Nearly all of the recommended projects in that plan meeting the requisite triggers have been completed or are currently under design or construction. It is now time to initiate a new Wastewater Facilities and Operations Strategic Plan that builds on the work of the previous plan and provides an updated road map for a 20-year planning horizon.

This action will authorize a professional services contract with Black & Veatch Corporation to develop a comprehensive strategic plan for DWU's Wastewater Treatment Facilities and Operations. The effort will consist of assessing the City of Dallas' treatment facilities and wastewater diversion and lift station facilities as well as the pretreatment program. The assessment will address infrastructure replacement needs, future capacity needs, regulatory issues, future treatment requirements, coordination with other City initiatives, operations and maintenance practices, energy management and physical facilities planning. The goal of the Wastewater Facilities and Operations Strategic Plan is to identify needs and use a comprehensive and systematic approach to establish priorities and develop recommendations for a long-range capital improvements plan.

The strategic plan will align wastewater treatment operation needs with other completed planning efforts and provide a holistic approach to the future operation, maintenance, and capital investment in DWU's wastewater treatment system. Black & Veatch Corporation will develop both short-term and long-term improvement recommendations and deliver the strategic plan in 24 months.

The consulting firm for this project was selected following a qualifications-based selection process in accordance with City of Dallas Administrative Directive 4-05 procurement guidelines.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Services	November 2022
Complete Services	November 2024

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Wastewater Construction Fund	\$3,498,000.00	\$0.00	\$0.00

#### **Council District**

#### **Amount**

4	\$ 1,749,000.00
8	\$ 1,749,000.00
Total	\$ 3,498,000.00

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal	
\$3,498,000.00	Architecture & Engineering	34.00%	
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall	
34.22%	34.22%	\$1,197,150.00	
• This contract exceeds the M/WBE goal.			
• Black & Veatch Corporation - Local; Workforce - 19.51% Local			



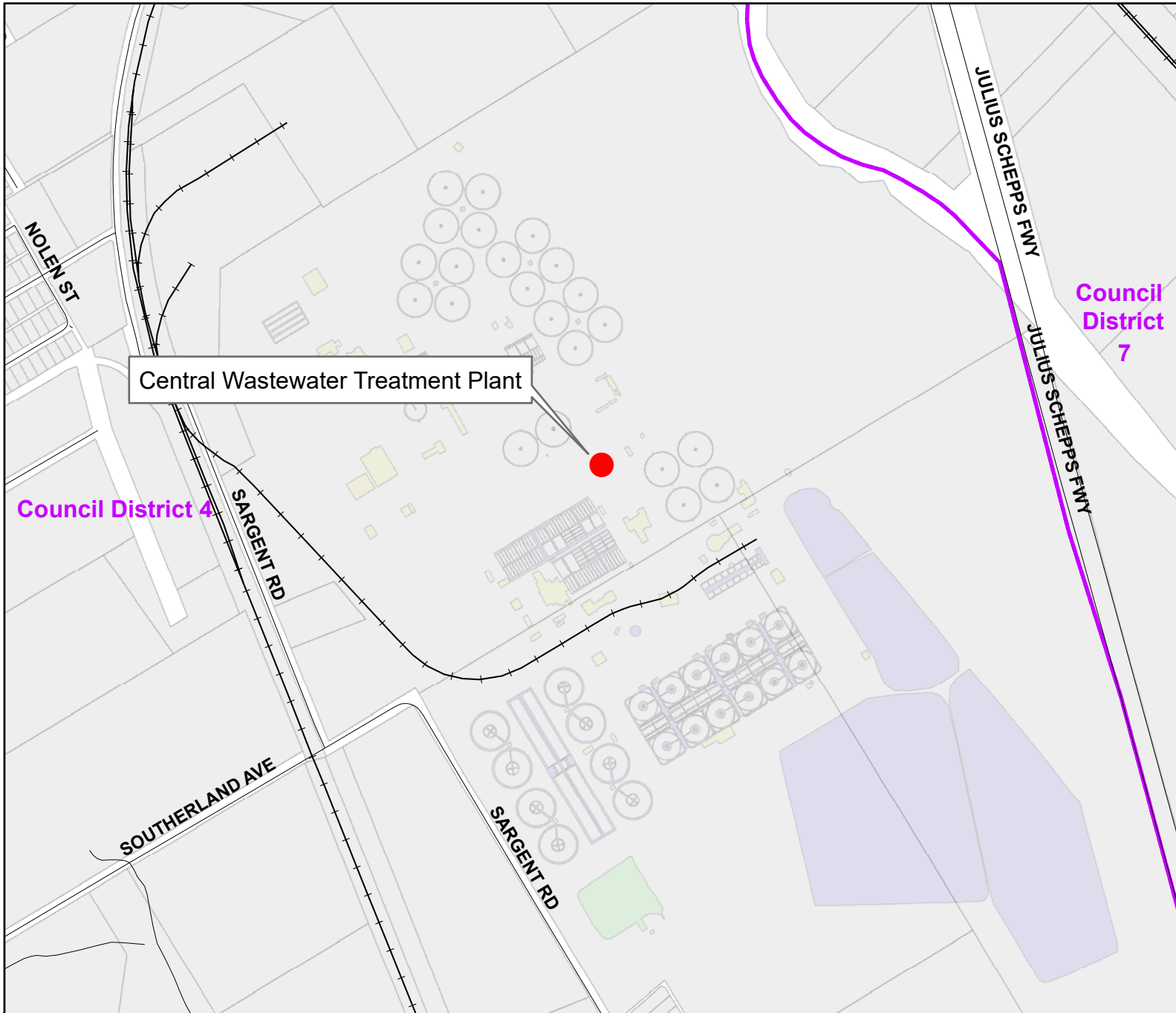
**OWNER**

**Black & Veatch Corporation**

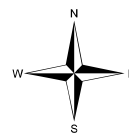
Mario Azar, Chief Executive Officer

**MAPS**

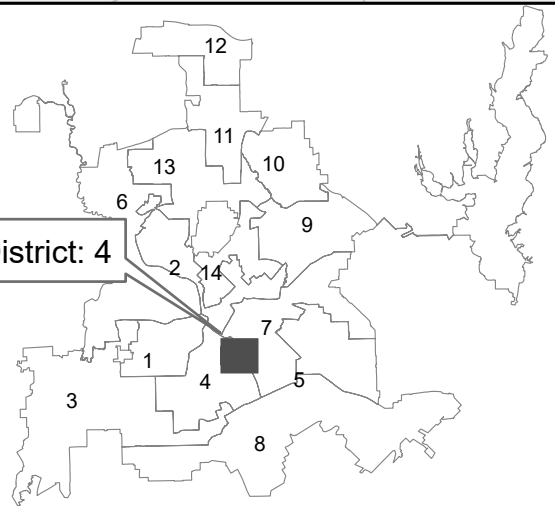
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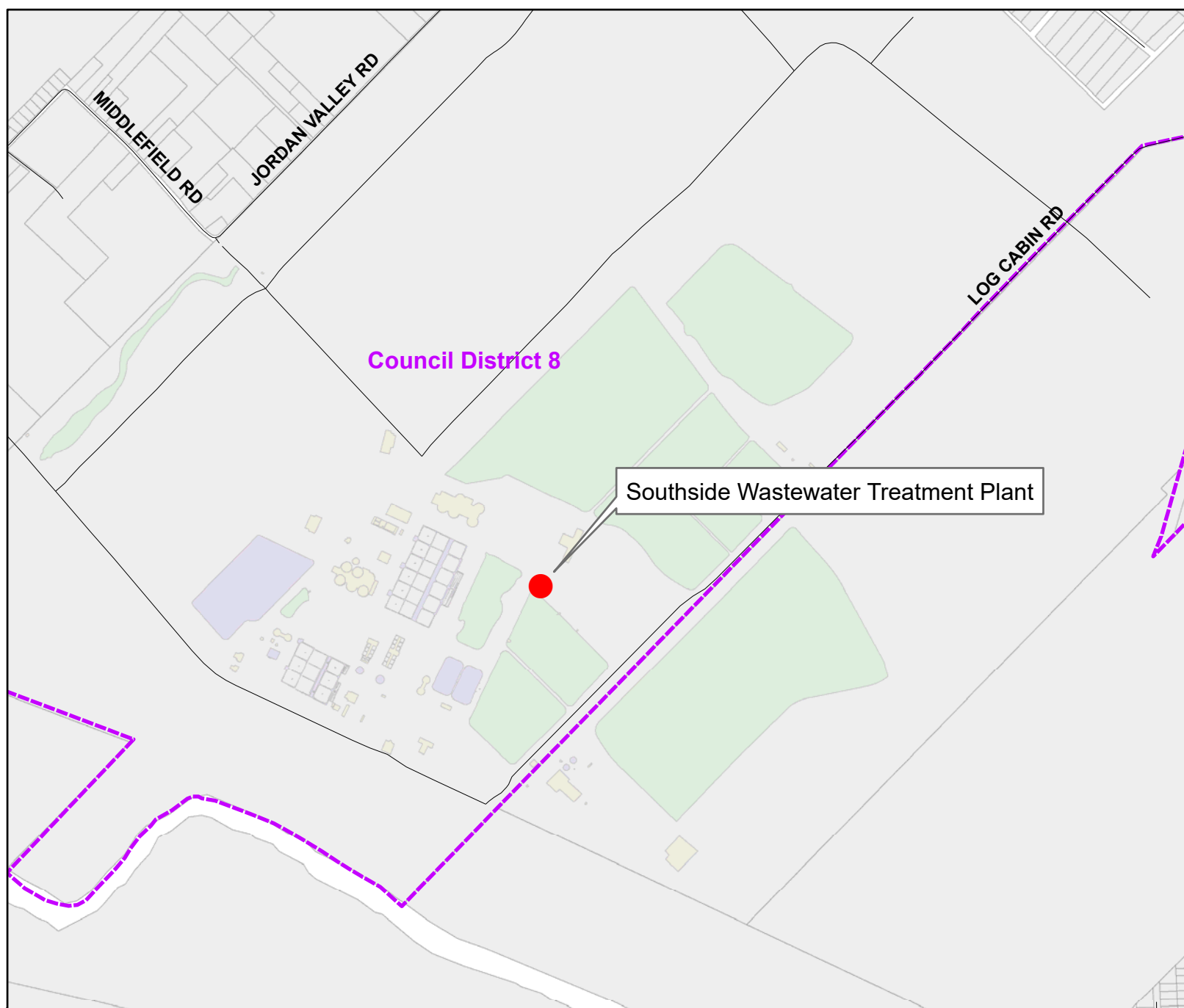


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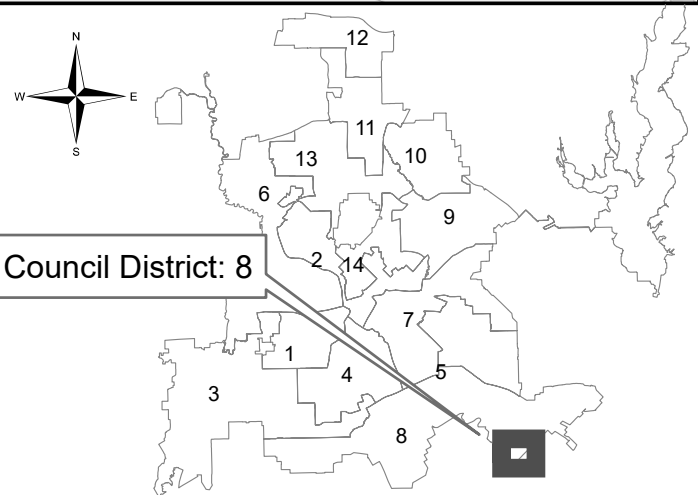


Council District: 4





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November 9, 2022

**WHEREAS**, the City of Dallas is committed to providing the highest quality wastewater treatment services through strategic planning and assessments; and

**WHEREAS**, the City of Dallas has identified the need to assess its treatment facilities and operations, wastewater diversion and lift station facilities, and pretreatment program with the goal of developing a long-range capital improvements plan; and

**WHEREAS**, engineering and consulting services are necessary to provide a strategic plan for the City of Dallas wastewater treatment system that addresses infrastructure replacement needs, future capacity needs, regulatory issues, future treatment requirements, coordination with other City initiatives, operations and maintenance practices, energy management and physical facilities planning; and

**WHEREAS**, Black & Veatch Corporation, 5420 Lyndon B. Johnson Freeway, Suite 400, Dallas, Texas 75420, has submitted an acceptable proposal to provide these engineering and consulting services.

**Now, Therefore,**

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

**SECTION 1.** That the proposal submitted by Black & Veatch Corporation, Contract No. 21-478E, in the amount of \$3,498,000.00 be approved and the consultant be authorized to perform the required engineering services.

**SECTION 2.** That the City Manager is hereby authorized to execute a professional services contract with Black & Veatch Corporation, approved as to form by the City Attorney, to provide engineering and consulting services for the City of Dallas Wastewater Facilities and Operations Strategic Plan, in an amount not to exceed \$3,498,000.00.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$3,498,000.00 to Black & Veatch Corporation, in accordance with the terms and conditions of the contract, as follows:

Wastewater Construction Fund	
Fund 0103, Department DWU, Unit CS01	
Object 4111, Program 721478, Vendor 520478	
Encumbrance/Contract No. DWU-2022-00020260	\$3,000,000.00

Wastewater Construction Fund	
Fund 0103, Department DWU, Unit CS40	
Object 4111, Program 721478, Vendor 520478	
Encumbrance/Contract No. DWU-2022-00020260	<u>\$ 498,000.00</u>

Total amount not to exceed	\$3,498,000.00
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November 9, 2022

**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 Information Sheet

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**File #:** 22-2373

**Item #:** 36.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Kimberly Bizer Tolbert

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### **SUBJECT**

Authorize a professional services contract with HDR Engineering, Inc. to prepare the City's Long Range Water Supply Plan Study to the Year 2080 and beyond - Not to exceed \$2,275,563.00 - Financing: Water Construction Fund

### **BACKGROUND**

The City needs to obtain and connect additional water supplies in order to meet the future needs of the citizens and customers of Dallas. As discussed during the Dallas Water Utilities (DWU) August 17, 2022 briefing to City Council, a new long-range plan is needed in order to determine Dallas' future population and water needs to the year 2080 and beyond. The last full review of Dallas' Long Range Water Supply Plan (LRWSP) was conducted in 2014.

The objectives of the City's LRWSP are to review current conditions, analyze the need for revisions to the current planning area, update population and water demand projections, analyze the impact of water conservation on demand planning, compare alternative supply sources (water conservation, reuse, surface water and groundwater), identify transmission and treatment facilities needed to meet demand and to recommend a plan of action that would allow the City to provide for the needs of its customers to the year 2080. The results of the LRWSP, once adopted will be submitted to the Region C Water Planning Group and be incorporated into the 2026 Region C Water Plan and the 2027 State Water Plan.

The consulting firm for this project was selected following a qualifications-based selection process in accordance with City of Dallas Administrative Directive 4-05 procurement guidelines.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Study	December 2022
Complete Study	December 2024

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

Information about this item was provided to the Transportation & Infrastructure Committee on October 17, 2022.

**FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Water Construction Fund	\$2,275,563.00	\$0.00	\$0.00

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$2,275,563.00	Architecture & Engineering	34.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
35.25%	35.25%	\$802,030.00
• This contract exceeds the M/WBE goal.		
• HDR Engineering, Inc. - Local; Workforce - 22.67% Local		

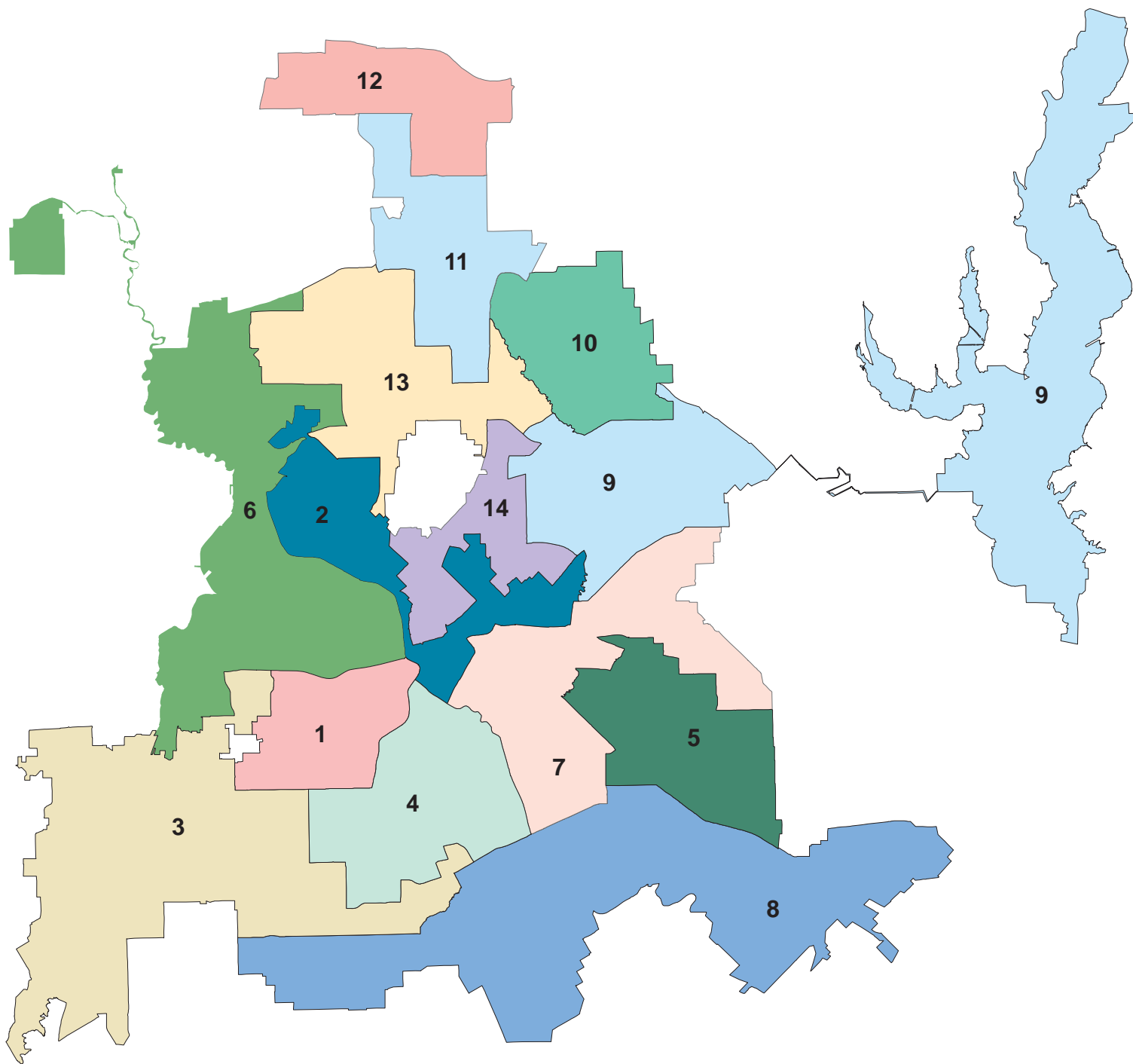
**OWNER**

**HDR Engineering, Inc.**

Eric Keen, Chief Executive Officer

**MAP**

Attached



**Dallas Water Utilities  
Contract No. 22-169E  
Long Range Water Supply Plan**



November 9, 2022

**WHEREAS**, the City's current Long Range Water Supply Plan shows the requirement to obtain and connect additional water supply in order to meet the future needs of the citizens and customers of Dallas; and

**WHEREAS**, engineering services are required to review current conditions, analyze the need for revisions to the current planning area, update population and water demand projections, analyze the impact of water conservation on demand planning, compare alternative supply sources (water conservation, reuse, surface water and groundwater) and treatment facilities needed to meet demand and to recommend a plan of action that would allow the City to provide for the needs of its customers to the year 2080; and

**WHEREAS**, the results of the City's Long Range Water Supply Plan Study, once adopted, will be submitted to the Region C Water Planning Group and be incorporated into the 2026 Region C Water Plan and the 2027 State Water Plan; and

**WHEREAS**, HDR Engineering, Inc., 17111 Preston Road, Suite 300, Dallas, Texas 75428, has submitted an acceptable proposal to provide these engineering services; and

**Now, Therefore,**

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

**SECTION 1.** That the proposal submitted by HDR Engineering, Inc., Contract No. 22-169E, in the amount of \$2,275,563.00 be approved and the consultant be authorized to perform the required engineering services.

**SECTION 2.** That the City Manager is hereby authorized to execute a professional services contract with HDR Engineering, Inc., approved as to form by the City Attorney, to prepare the City's Long Range Water Supply Plant Study to the Year 2080 and beyond, in an amount not to exceed \$2,275,563.00.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$2,275,563.00 to HDR Engineering, Inc. from the Water Construction Fund, Fund 0102, Department DWU, Unit CW01, Object 4111, Program 722169, Encumbrance/Contract No. DWU-2022-00020568, Vendor 181219.

**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 Information Sheet

**File #:** 22-2104

**Item #:** 37.

**STRATEGIC PRIORITY:** Transportation & Infrastructure  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, Outside City Limits  
**DEPARTMENT:** Water Utilities Department  
**EXECUTIVE:** Kimberly Bizer Tolbert

### **SUBJECT**

Authorize a construction services contract for the installation and rehabilitation of water and wastewater mains, the replacement of water transmission valves, and the extension of water and wastewater mains to unserved areas at 45 locations (list attached to the Agenda Information Sheet) - SYB Construction Company, Inc., lowest responsible bidder of four - Not to exceed \$21,003,141.50 - Financing: Water (Drinking Water) - TWDB 2021 Fund (\$8,774,764.62), Water (Drinking Water) - TWDB 2022 Fund (\$4,844,808.38), Wastewater (Clean Water) - 2022 TWDB Fund (\$4,382,226.00), and Coronavirus State and Local Fiscal Recovery Fund (\$3,001,342.50)

### **BACKGROUND**

This action will authorize a construction contract for the installation and rehabilitation of approximately 49,489 feet of water and wastewater mains and the replacement of 23 large water transmission valves. This includes the installation of approximately 100 feet of 4-inch, 840 feet of 6-inch, 19,795 feet of 8-inch, 1,940 feet of 12-inch, 5,830 feet of 16-inch, and 20 feet of 20-inch water mains. It also includes the installation/rehabilitation of approximately 19,890 feet of 8-inch, 470 feet of 12-inch, 574 feet of 15-inch, and 30 feet of 18-inch wastewater mains. The existing water and wastewater mains and valves were built between 1928 and 2005. These mains and valves are contributing to an increase in maintenance costs, as well as service interruptions. The installation of the proposed segments and valves will improve the capacity of the water and wastewater systems and reduce maintenance costs.

In addition to the installation and rehabilitation of water and wastewater mains and large water valves, the construction contract includes the extension of about 11,010 feet of water and wastewater mains to four unserved areas. The extensions include approximately 2,310 feet of 6-inch and 8-inch water mains and 8,700 feet of 8-inch wastewater mains. To improve equity and provide service to all residents, Dallas established the Unserved Areas program in Fiscal Year 2020-21. The goal of the unserved area program is to extend service to parts of Dallas that currently do not have accessible water and/or wastewater mains. Priority is given to areas and neighborhoods that are already occupied and where extending service benefits existing residents.

The four locations on this contract were designed in-house and represent the highest priorities in the unserved areas program. The remaining identified, occupied areas are currently in design with phased construction expected to start in summer 2023.

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

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>	<u>TRN</u>
Projects Completed	0	0	0	0
Active Projects	0	2	0	0
Change Orders	0	2	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction            December 2022  
Complete Construction      August 2025

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 23, 2021, City Council authorized a resolution for the City Manager to spend funds in compliance with the American Rescue Plan Act of 2021 and in accordance with guidance from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Fund (CFDA No. 21.027); take all necessary actions to apply for and receive funds for which the City is eligible from state and federal sources; execute any grant agreements necessary to receive COVID-19 funding from federal and state sources by Resolution No. 21-1149.

On September 22, 2021, City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets by Resolution No. 21-1590.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Water (Drinking Water) - TWDB 2021 Fund	\$ 8,774,764.62	\$0.00	\$0.00
Water (Drinking Water) - TWDB 2022 Fund	\$ 4,844,808.38	\$0.00	\$0.00
Wastewater (Clean Water) - 2022 TWDB Fund	\$ 4,382,226.00	\$0.00	\$0.00
Coronavirus State and Local Fiscal Recovery Fund	\$ 3,001,342.50	\$0.00	\$0.00
Total	\$21,003,141.50	\$0.00	\$0.00

<u>Council District</u>	<u>Amount</u>
1	\$ 1,065,433.25
2	\$ 1,390,838.63
3	\$ 1,491,261.74
5	\$ 275,840.32
6	\$ 22,500.00
7	\$ 18,000.00
8	\$ 5,922,611.51
10	\$ 323,250.38
11	\$ 6,944,288.52
12	\$ 582,712.69
13	\$ 2,951,904.46
14	\$ 5,000.00
Outside City Limits	\$ 9,500.00
Total	\$21,003,141.50

**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$21,003,141.50	Construction	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
32.00%	32.00%	\$6,721,005.28
• This contract meets the M/WBE goal.		
• SYB Construction Company, Inc.- Local; Workforce - 30.68% Local		

**PROCUREMENT INFORMATION**

The following four bids with quotes was received and opened on August 12, 2022:

\*Denotes successful bidder

<b><u>Bidder</u></b>	<b><u>Bid Amount</u></b>
*SYB Construction Company, Inc. 421 Compton Avenue Irving, TX 75061	\$21,003,141.50
Atkins Brothers Equipment Company, Inc.	\$23,854,204.00
John Burns Construction	\$25,450,131.00
ARK Contracting Services, LLC	\$27,495,000.00

**OWNER**

**SYB Construction Company, Inc.**

Walter R. Bennett, President

**MAPS**

Attached

Segment List  
Contract No. 22-151/152  
**Water and Wastewater Main Installation, Water Valve Replacements, and  
Water/Wastewater Extensions at 45 Locations**

**Outside City Limits**

Elm Fork Water Treatment Plant Valve Replacement at 1021 W. Jackson Road  
(Location 1)

Elm Fork Water Treatment Plant Valve Replacement at 1021 W. Jackson Road  
(Location 2)

**District 1**

Alley between Willomet Avenue and Winnetka Avenue from 12th Street to Brooklyn  
Avenue

Hampton Road from Plymouth Road north

**District 2**

Cesar Chavez Boulevard at 399 Cesar Chavez Boulevard Valve Replacement

\*Fitzhugh Avenue from Crosstown Expressway northwest (See District 7)

**District 3**

Boulder Drive at 3152 Boulder Drive Valve Replacement

Boulder Drive at 3205 Boulder Drive Valve Replacement

Boulder Drive at 3606 Boulder Drive Valve Replacement

Cedar Circle Drive/Lewisburg Lane from Lewisburg Lane northwest/from Cedar Circle  
Drive north

**District 5**

Bruton Road at 8501 Bruton Road Valve Replacement

Bruton Road at 9199 Bruton Road Valve Replacement

Bruton Road at 9535 Bruton Road Valve Replacement

Jim Miller Road at 4600 Jim Miller Road Valve Replacement

Pleasant Drive at 501 Pleasant Drive Valve Replacement

Prairie Creek Road/Wadlington Avenue from Dunlap Drive to Wadlington Avenue

**District 6**

Denton Drive at 9600 Denton Drive Valve Replacement

Irving Boulevard at 1644 Irving Boulevard Valve Replacement

Webb Chapel Extension at 2500 Webb Chapel Extension Valve Replacement

Segment List  
Contract No. 22-151/152  
**Water and Wastewater Main Installation, Water Valve Replacements, and  
Water/Wastewater Extensions at 45 Locations**

**District 7**

\*Fitzhugh Avenue from Crosstown Expressway northwest  
Military Parkway at 5004 Military Parkway Valve Replacement  
Samuell Boulevard at 6550 Samuell Boulevard Valve Replacement  
Samuell Boulevard at 7098 Samuell Boulevard Valve Replacement

**District 8**

Beckleyside Drive from R L Thornton Freeway SERV (IH-35E) east  
Fatima Avenue from Pall Mall Avenue to east of Plum Dale Road  
Fatima Avenue from Tracy Road to Barree Drive  
Kleberg Road from Woody Road southeast  
Kool Avenue from Barree Drive to Tracy Road  
Lyndon B Johnson Freeway (I-20) Crossing east of Marvin D Love Freeway (SH-67)  
Lyndon B Johnson Freeway (I-20) Crossing west of Marvin D Love Freeway (SH-67)  
Pall Mall Avenue from Barree Drive to Tracy Road  
Royal Oaks Drive from Kleberg Road northeast  
Rylie Crest Drive at 9740 Rylie Crest Drive  
Woody Road from south of C F Hawn Freeway southwest

**District 10**

Alleys west of Fireglow Walk from Burning Log Lane to Emberglow Lane  
Audelia Road at 9147 Audelia Road Valve Replacement  
Audelia Road at 10864 Audelia Road Valve Replacement  
Burning Log Lane from Burning Log Lane to Emberglow Lane  
Forest Lane at 8100 Forest Lane Valve Replacement  
Forest Lane at 8231 Forest Lane Valve Replacement

**District 11**

Alley between Northaven Road and Yorkshire Drive/Easement west of Royalshire Drive  
from Royalshire Drive to Yorkshire Drive/from Alley south of Meadow Crest Drive  
south  
Boedeker Street from Royal Lane to Walnut Hill Lane

**District 12**

Cedar Hollow from Davenport Road to Southpoint Drive

Segment List  
Contract No. 22-151/152  
**Water and Wastewater Main Installation at 45 Locations**

**District 13**

Lovers Lane from Elsby Avenue to Menier Street  
Northaven Road from Marsh Lane to Cox Lane

**District 14**

Harwood Street at McKinney Avenue Valve Replacement

\*Project limits in more than one Council District



*Carrollton*

JACKSON RD

N/A Water Main  
N/A Wastewater Main  
Council District:  
Outside City Limits

OLD DENTON RD

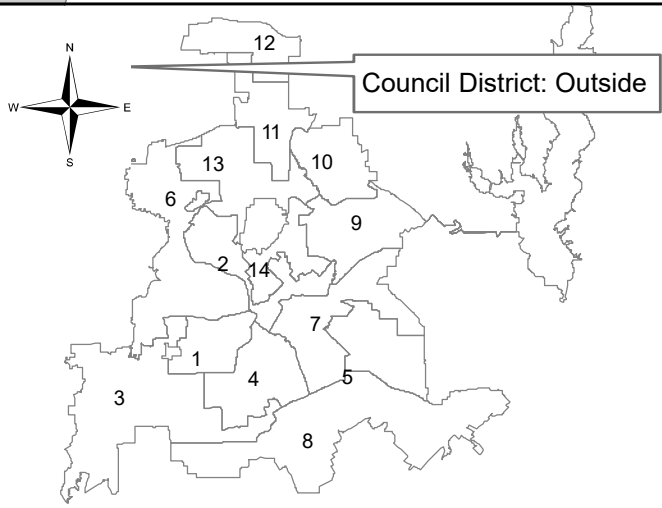
DENTON DR

Elm Fork WTP

BROADWAY ST

STUDY LN

Elm Fork Water Treatment Plant Valve Replacement  
at 1021 W. Jackson Road (Location 1)



**Dallas Water Utilities  
Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**

*Carrollton*

JACKSON RD

Elm Fork WTP

BROADWAY ST

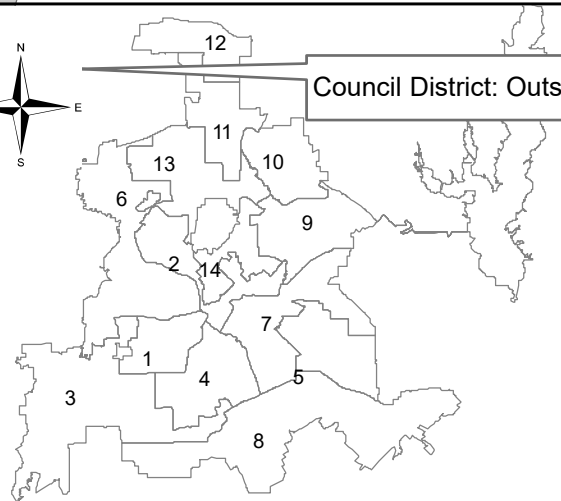
OLD DENTON RD

DENTON DR

STUDY LN

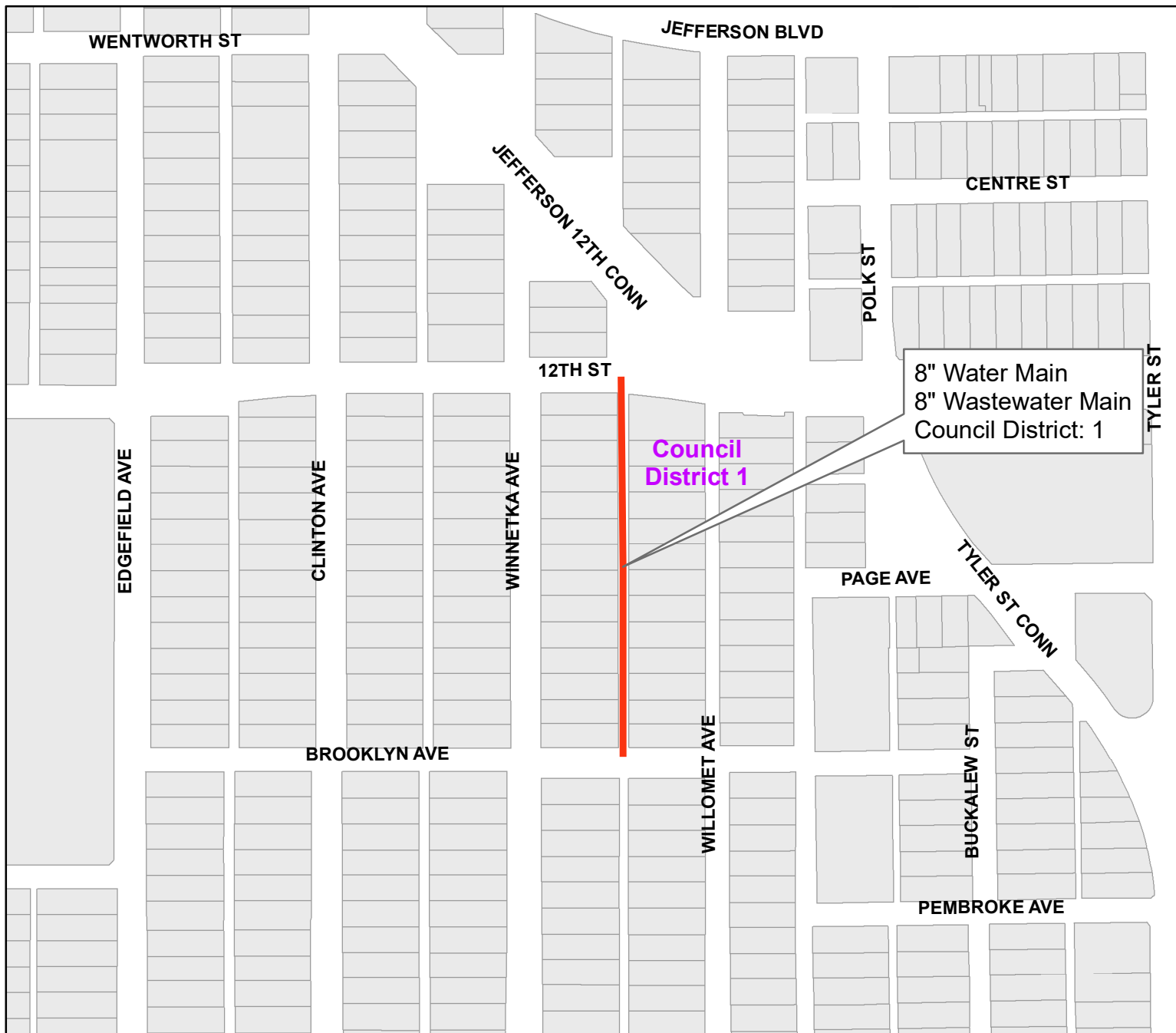
N/A Water Main  
N/A Wastewater Main  
Council District:  
Outside City Limits

Elm Fork Water Treatment Plant Valve  
Replacement  
at 1021 W. Jackson Road (Location 2)

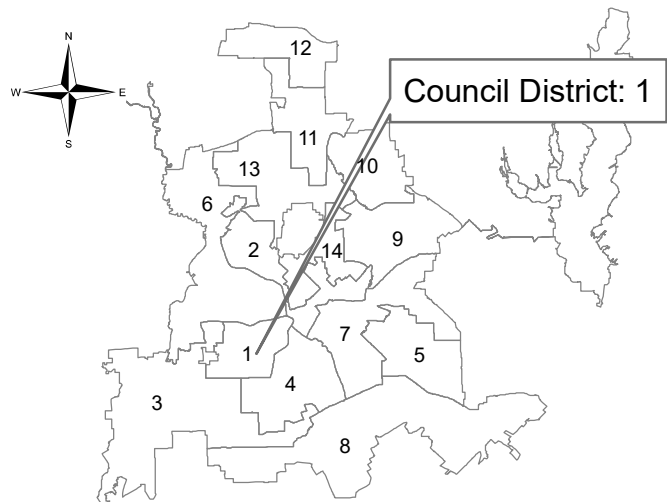


Council District: Outside

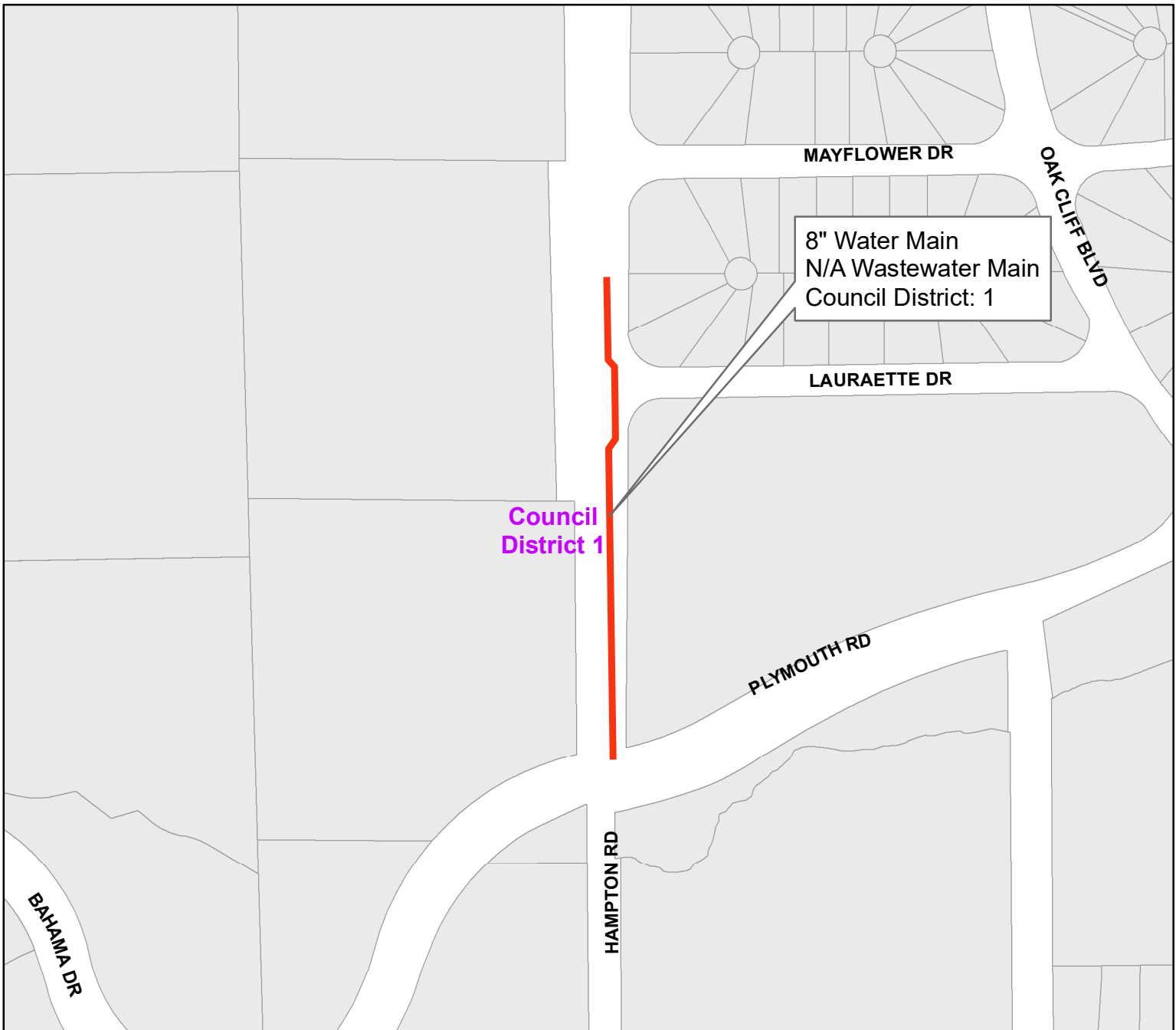
**Dallas Water Utilities  
Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**



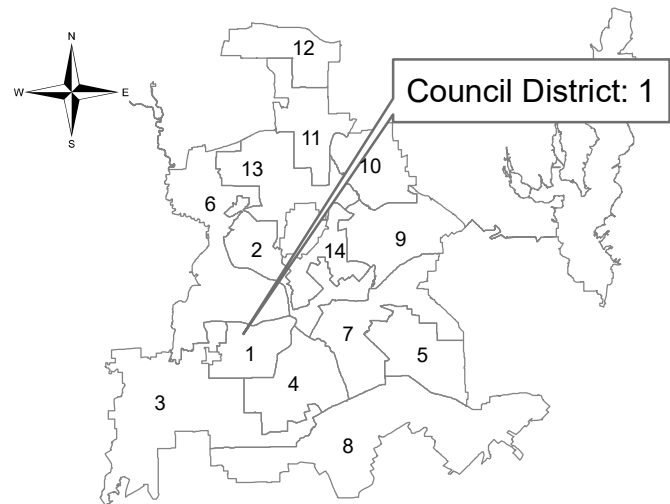
Alley between Willomet Avenue and Winnetka Avenue  
from 12th Street to Brooklyn Avenue



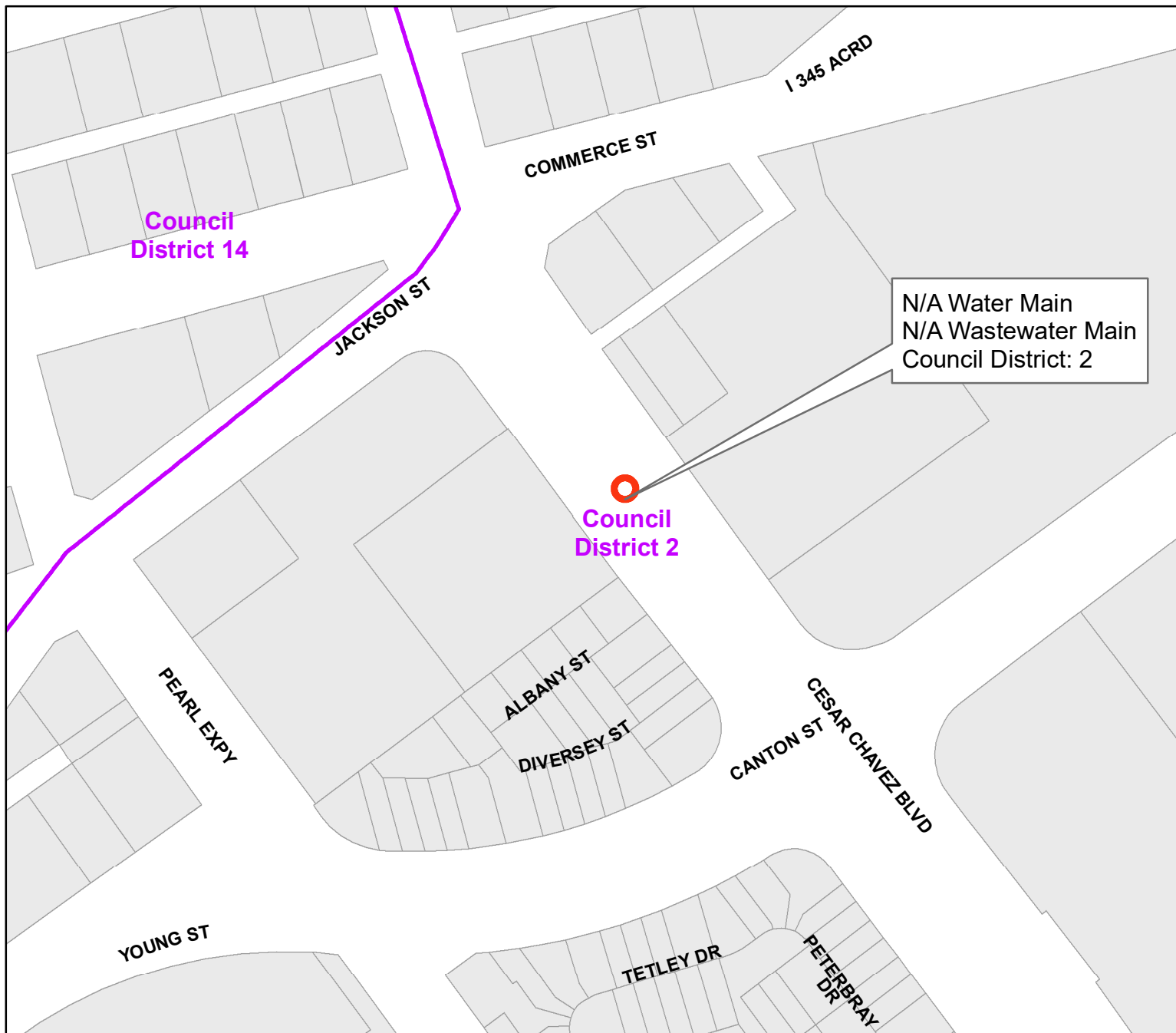
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



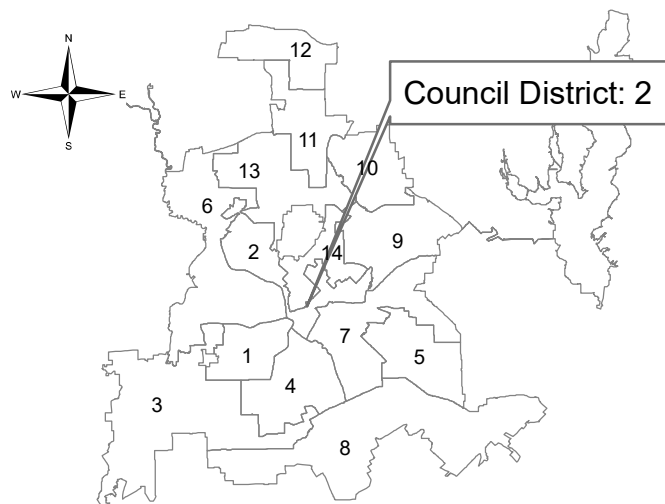
Hampton Road  
from Plymouth Road north



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



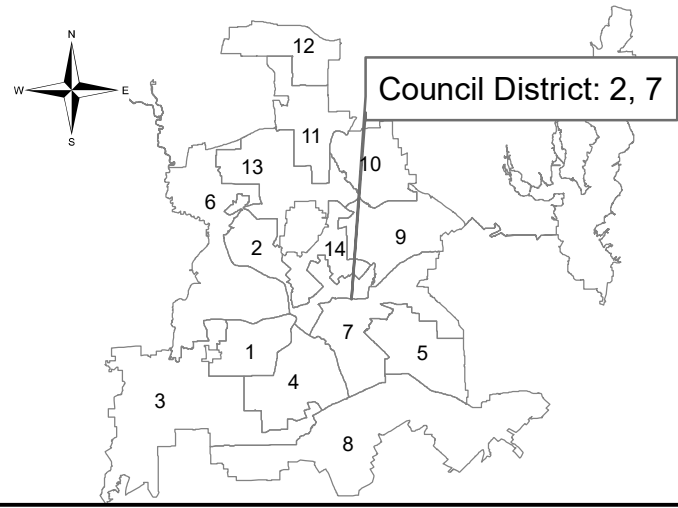
Cesar Chavez Boulevard  
at 399 Cesar Chavez Boulevard  
Valve Replacement



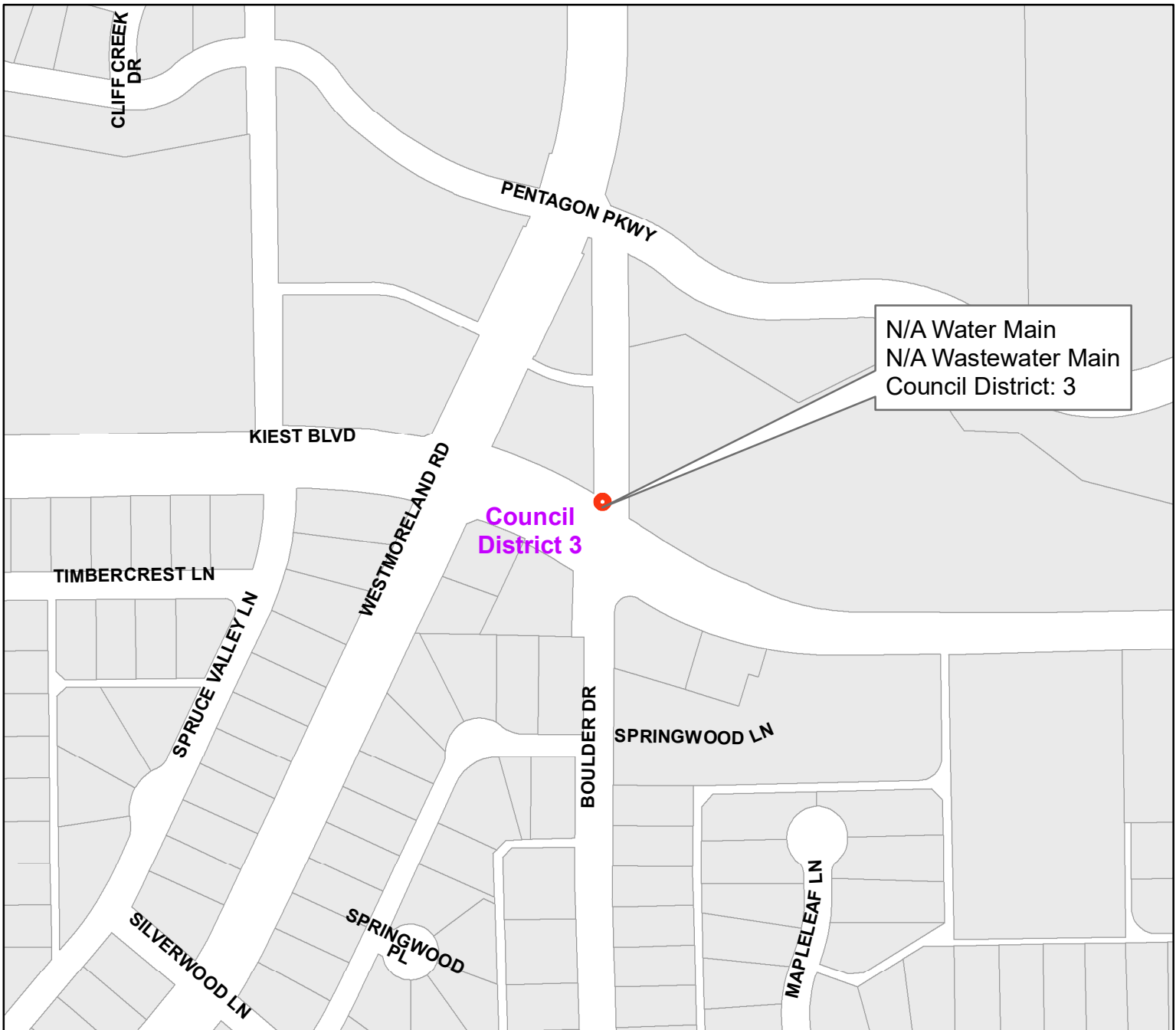
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



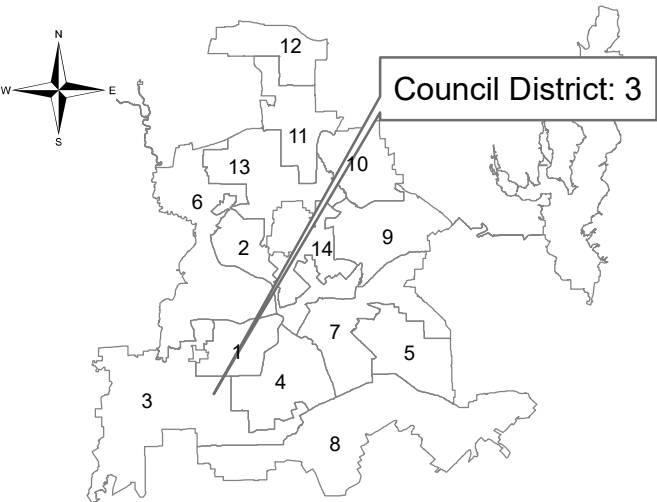
Fitzhugh Avenue  
from Crosstown Expressway northwest



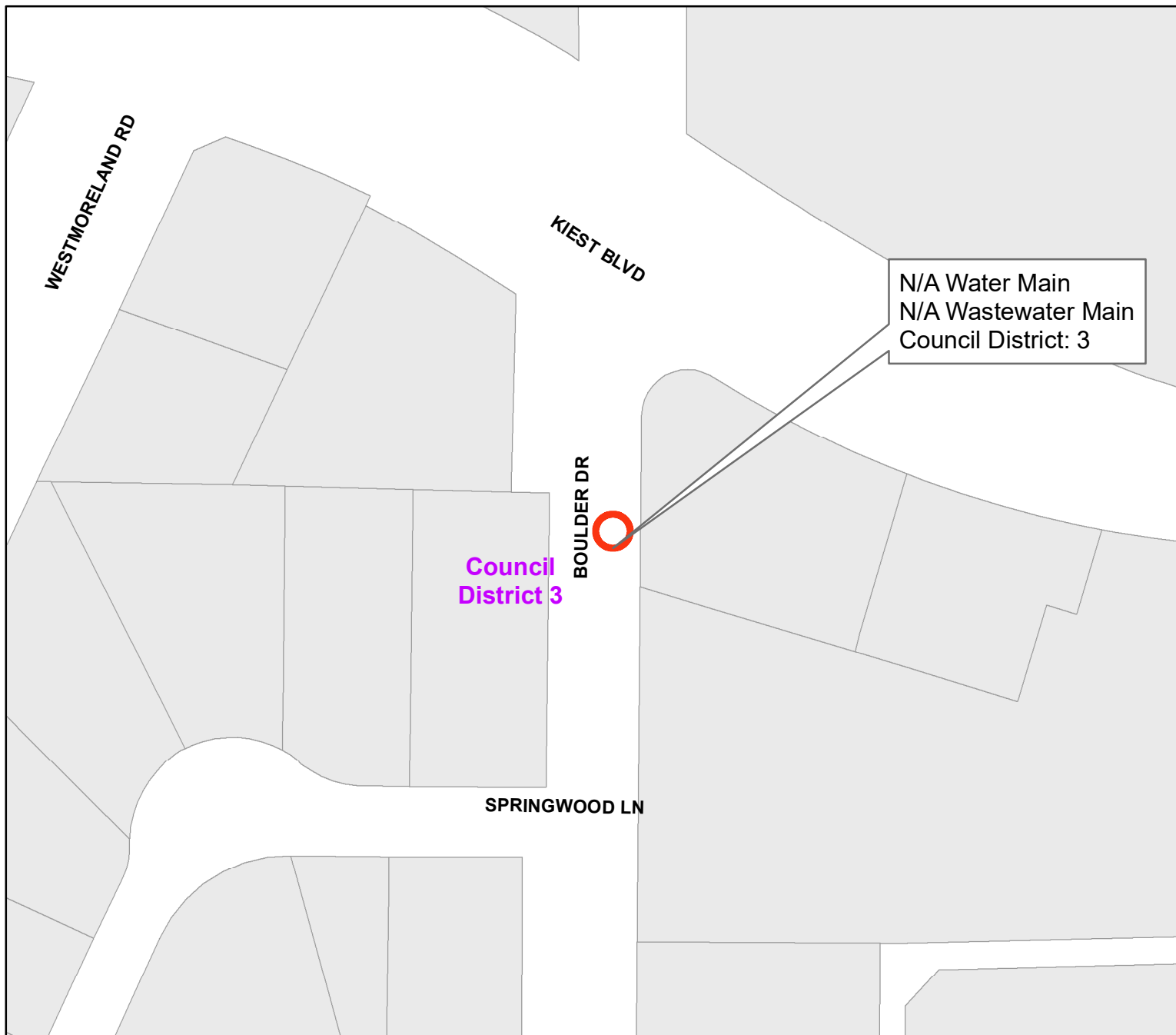
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**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



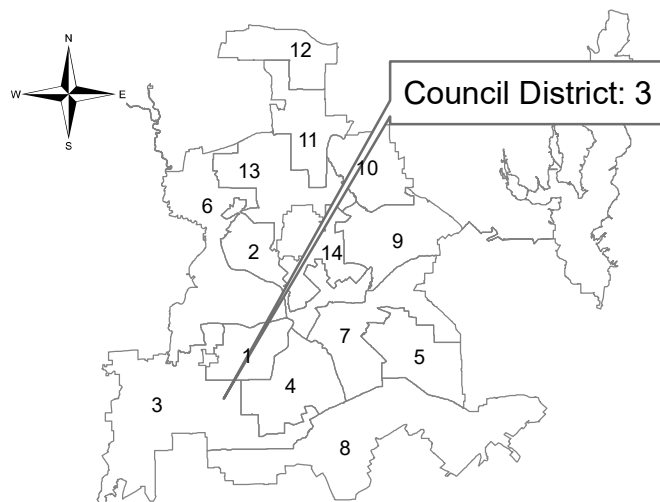
Boulder Drive  
at 3152 Boulder Drive  
Valve Replacement



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

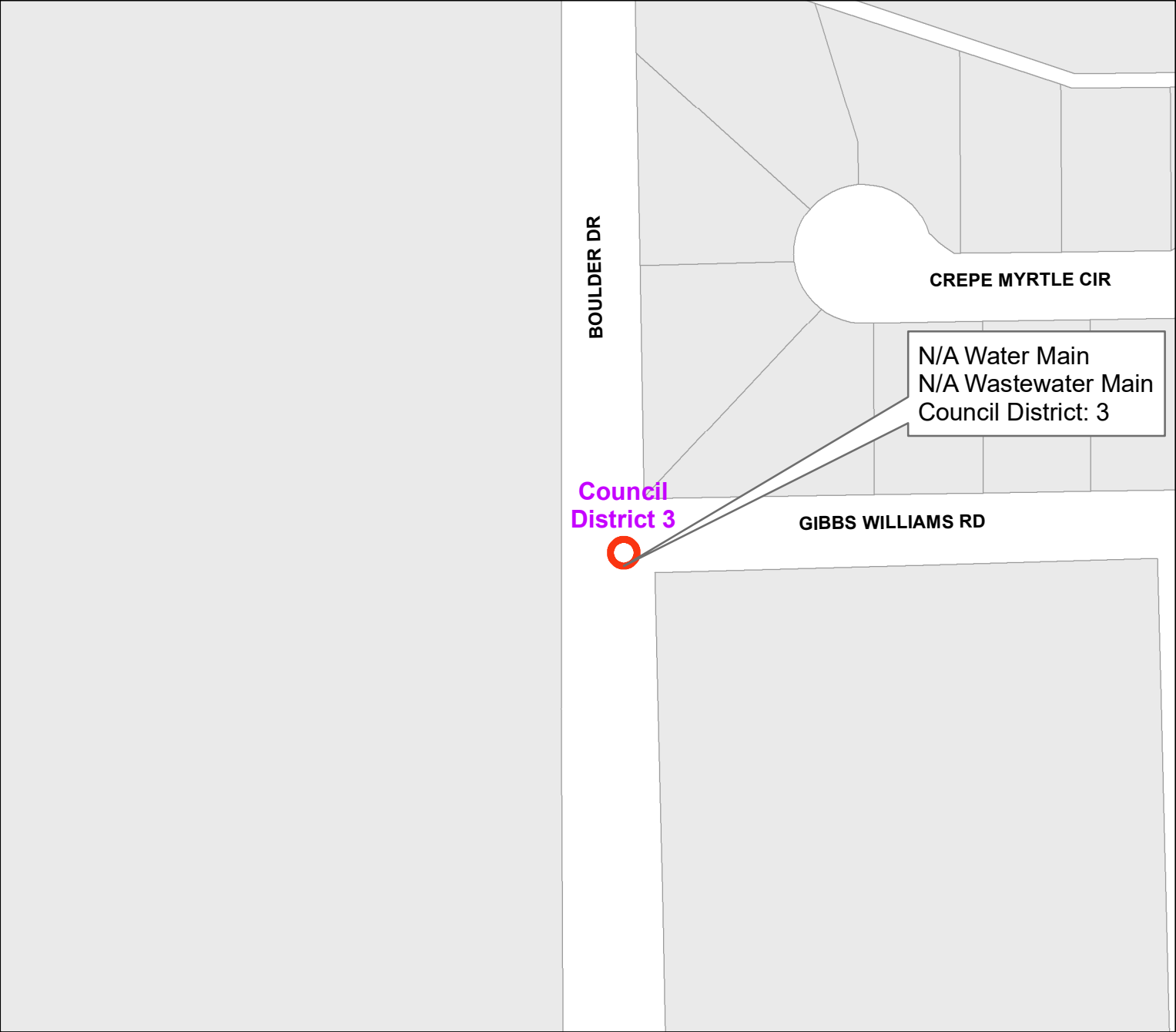


Boulder Drive  
at 3205 Boulder Drive  
Valve Replacement

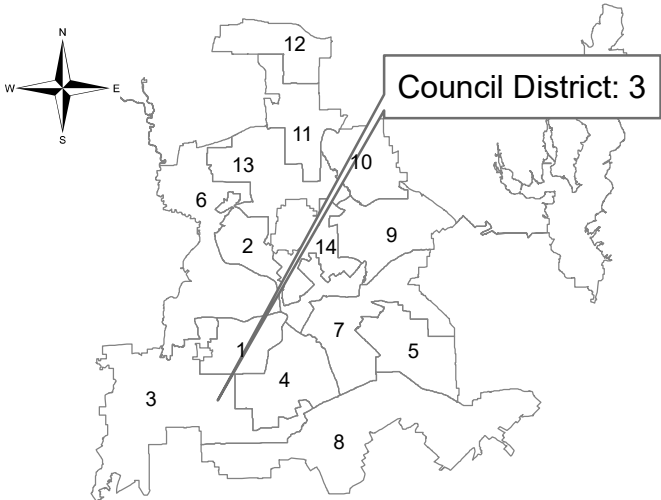


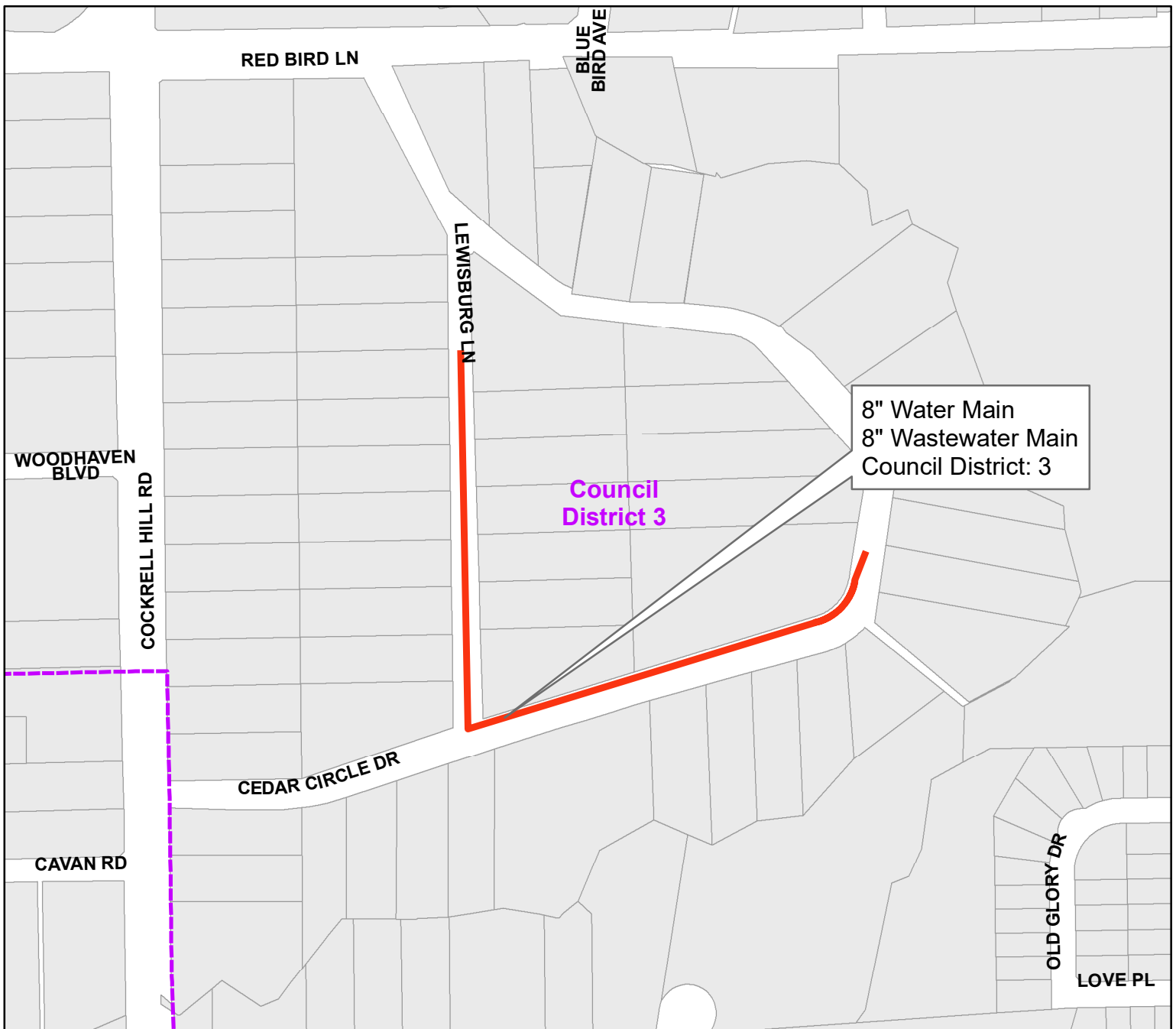
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Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**



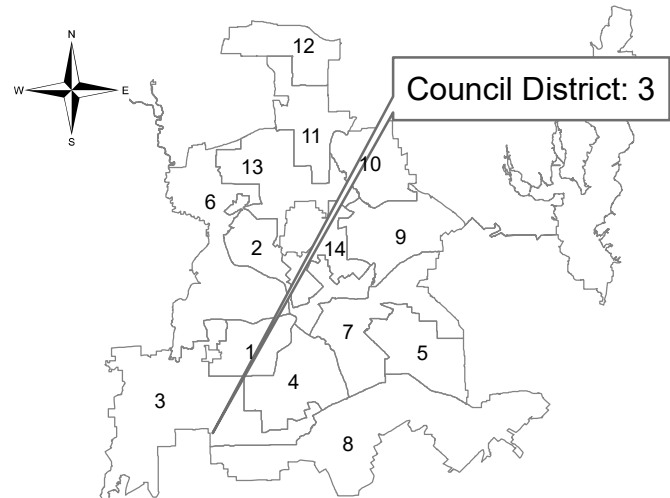


Boulder Drive  
at 3606 Boulder Drive  
Valve Replacement

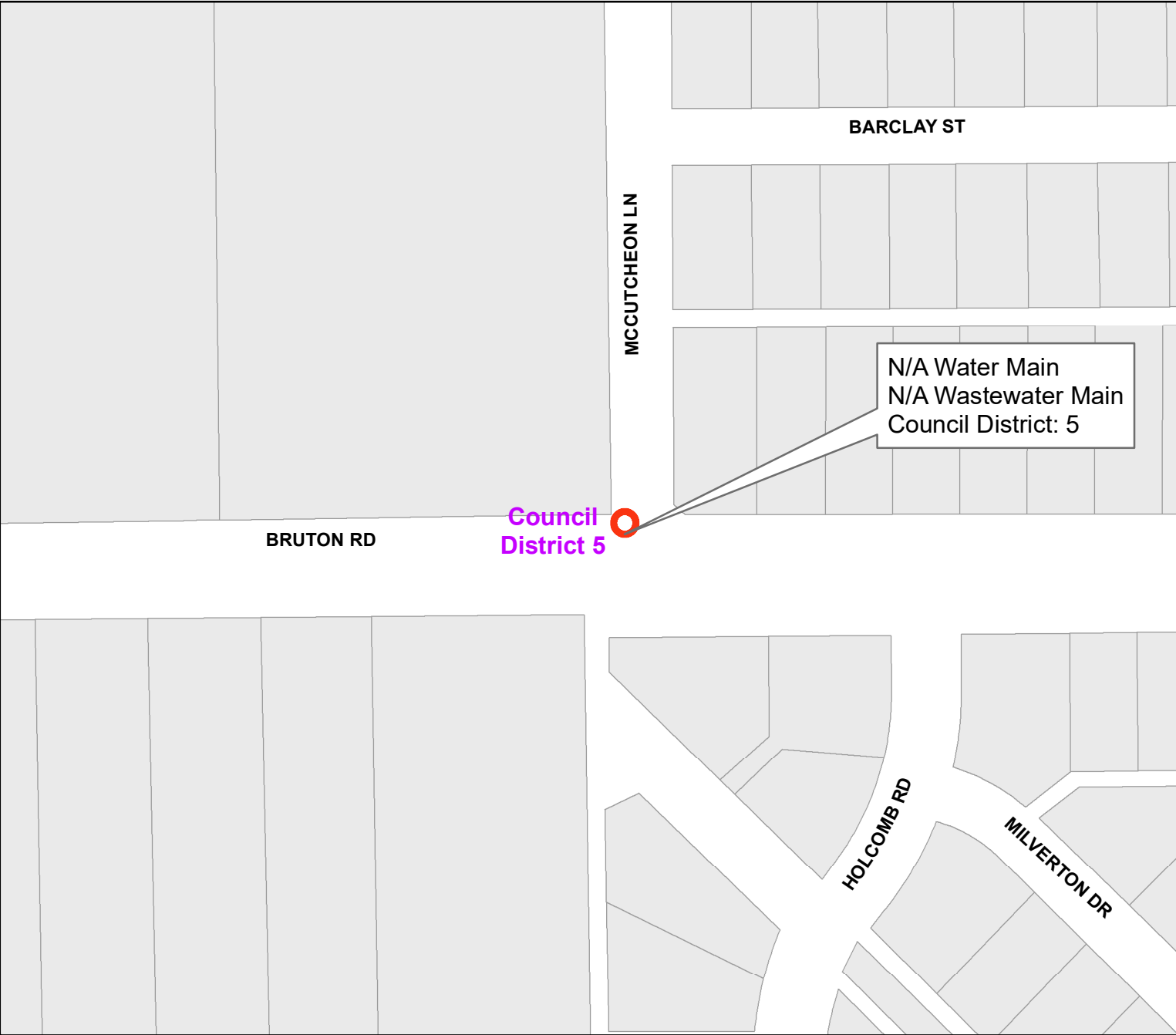




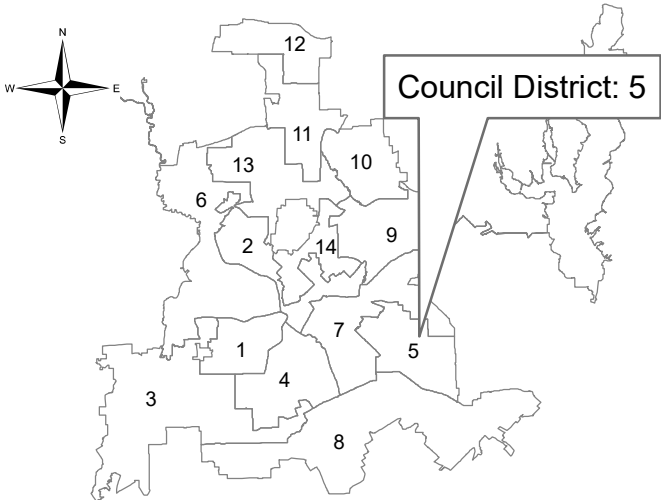
Cedar Circle Drive/Lewisburg Lane  
from Lewisburg Lane northwest/from  
Cedar Circle Drive north



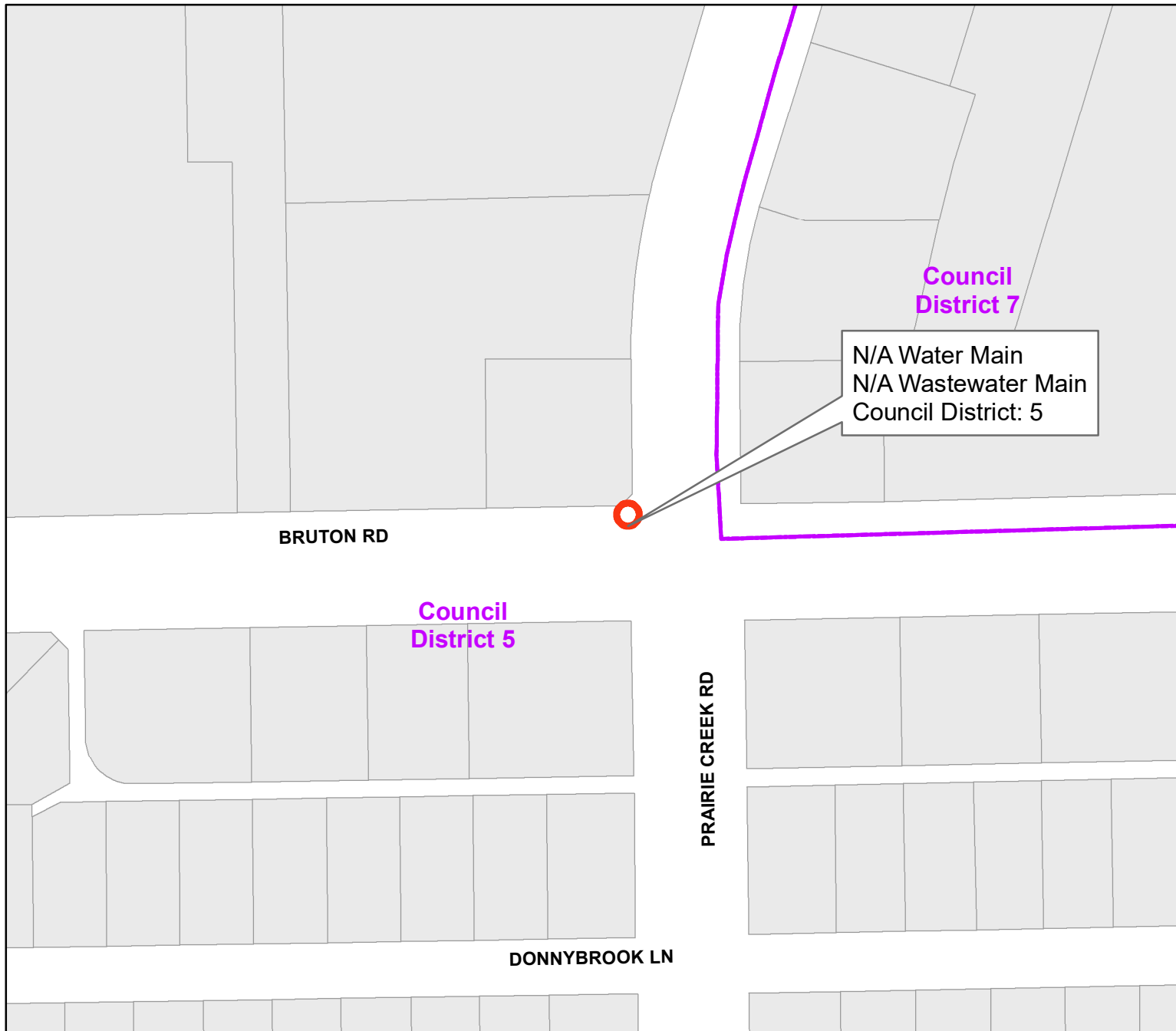
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



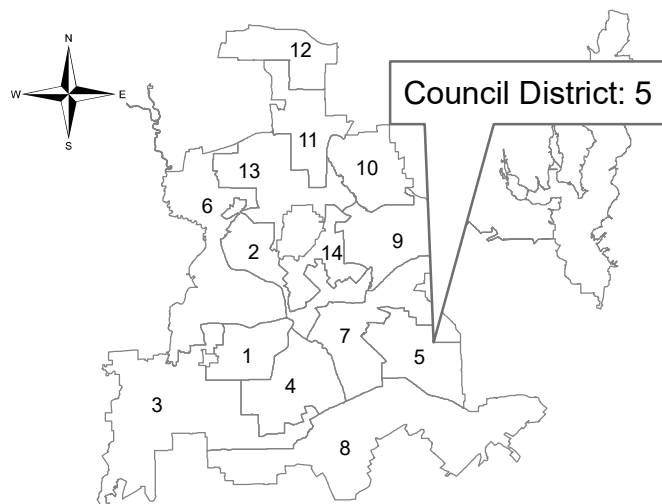
Bruton Road  
at 8501 Bruton Road  
Valve Replacement



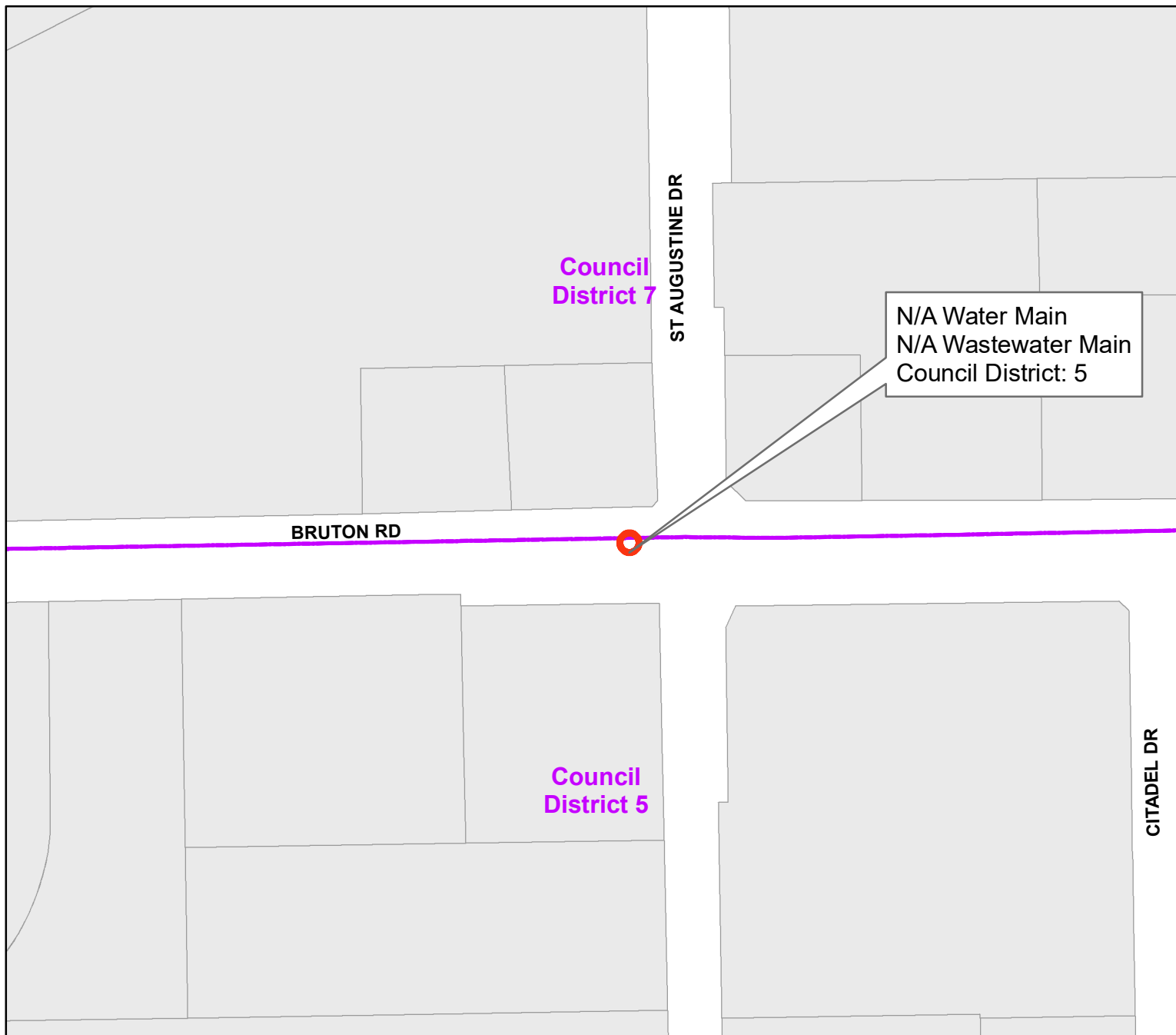
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



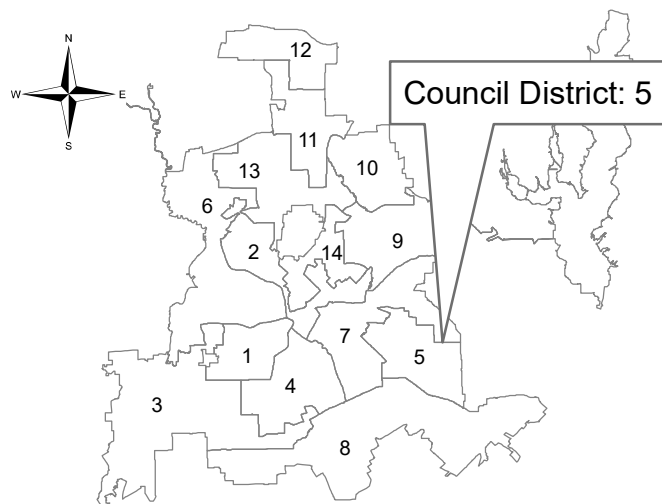
Bruton Road  
at 9199 Bruton Road  
Valve Replacement



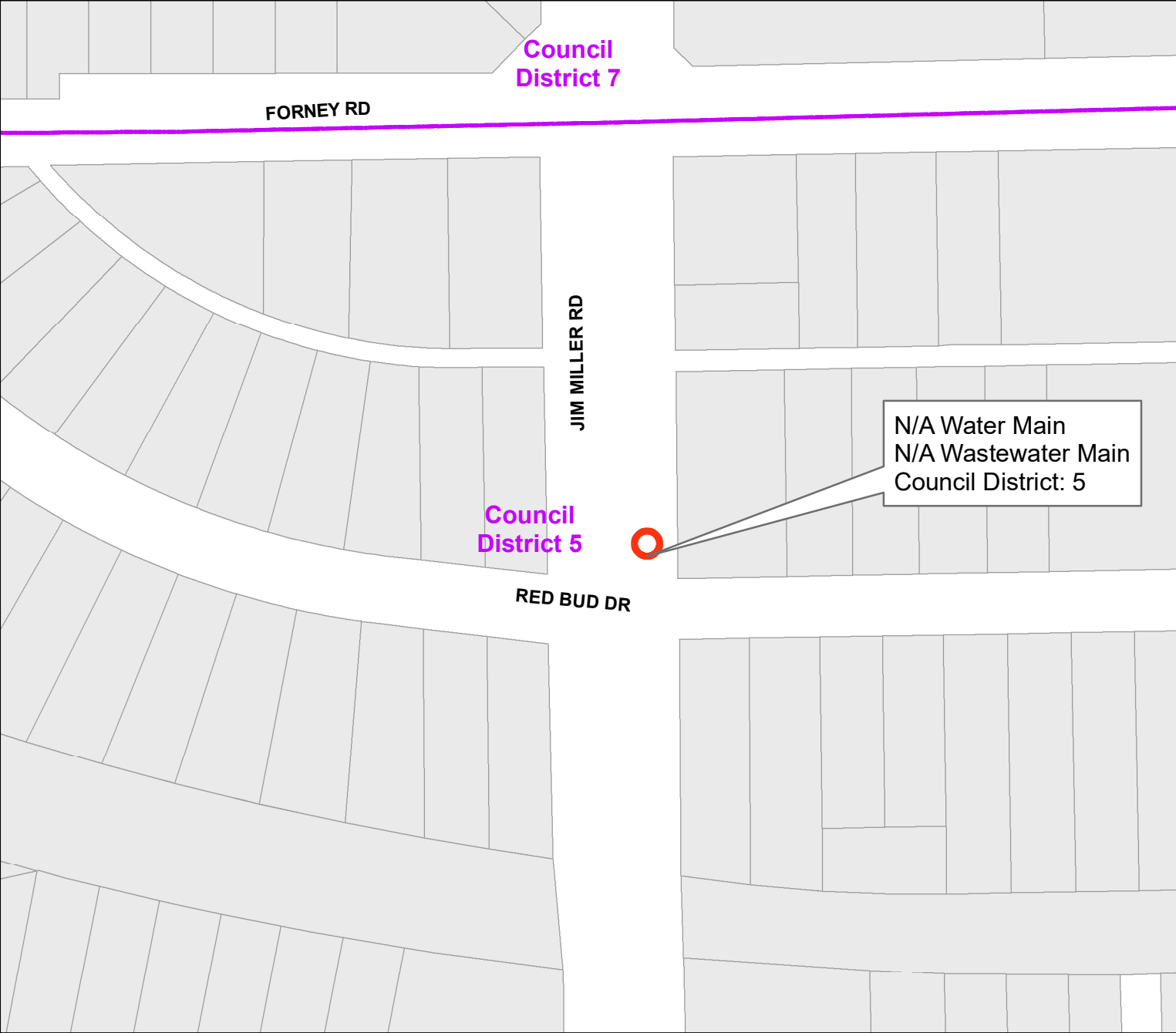
**Dallas Water Utilities  
Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**



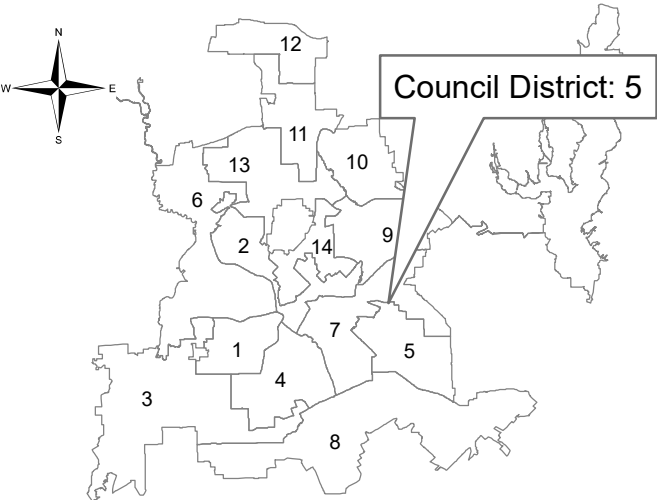
Bruton Road  
at 9535 Bruton Road  
Valve Replacement



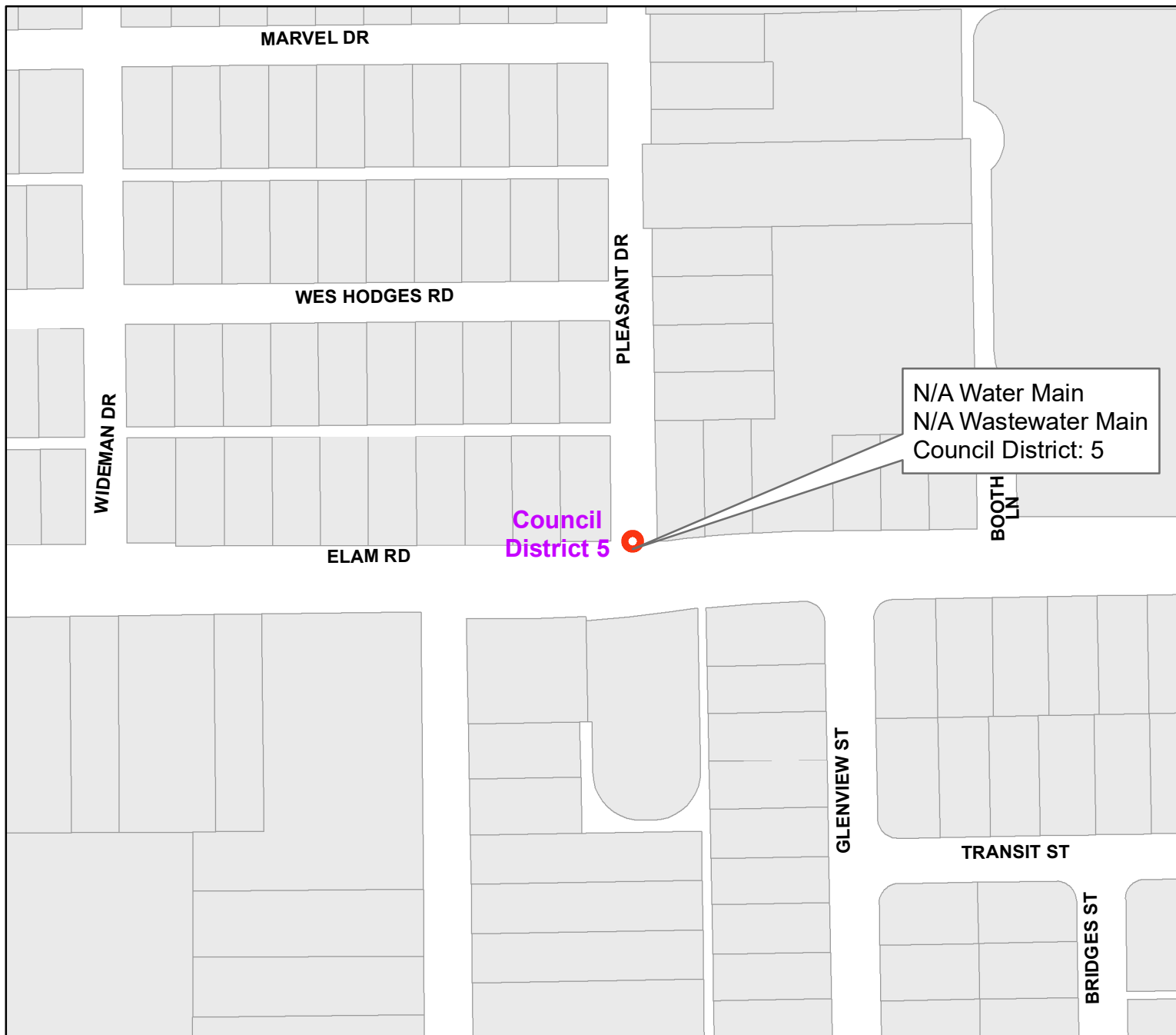
**Dallas Water Utilities  
Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**



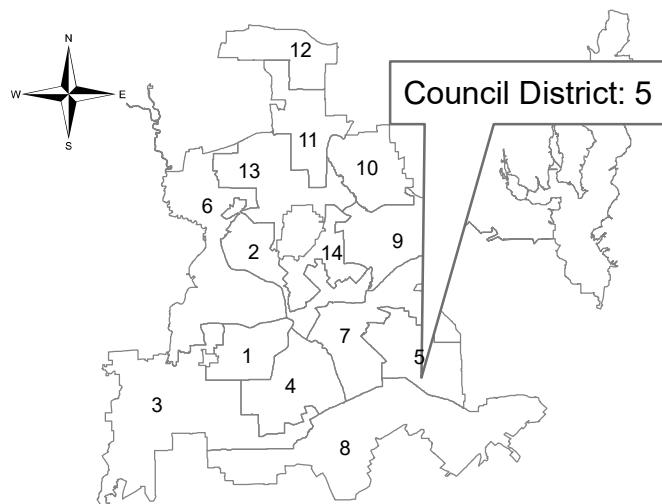
Jim Miller Road at  
4600 Jim Miller Road  
Valve Replacement



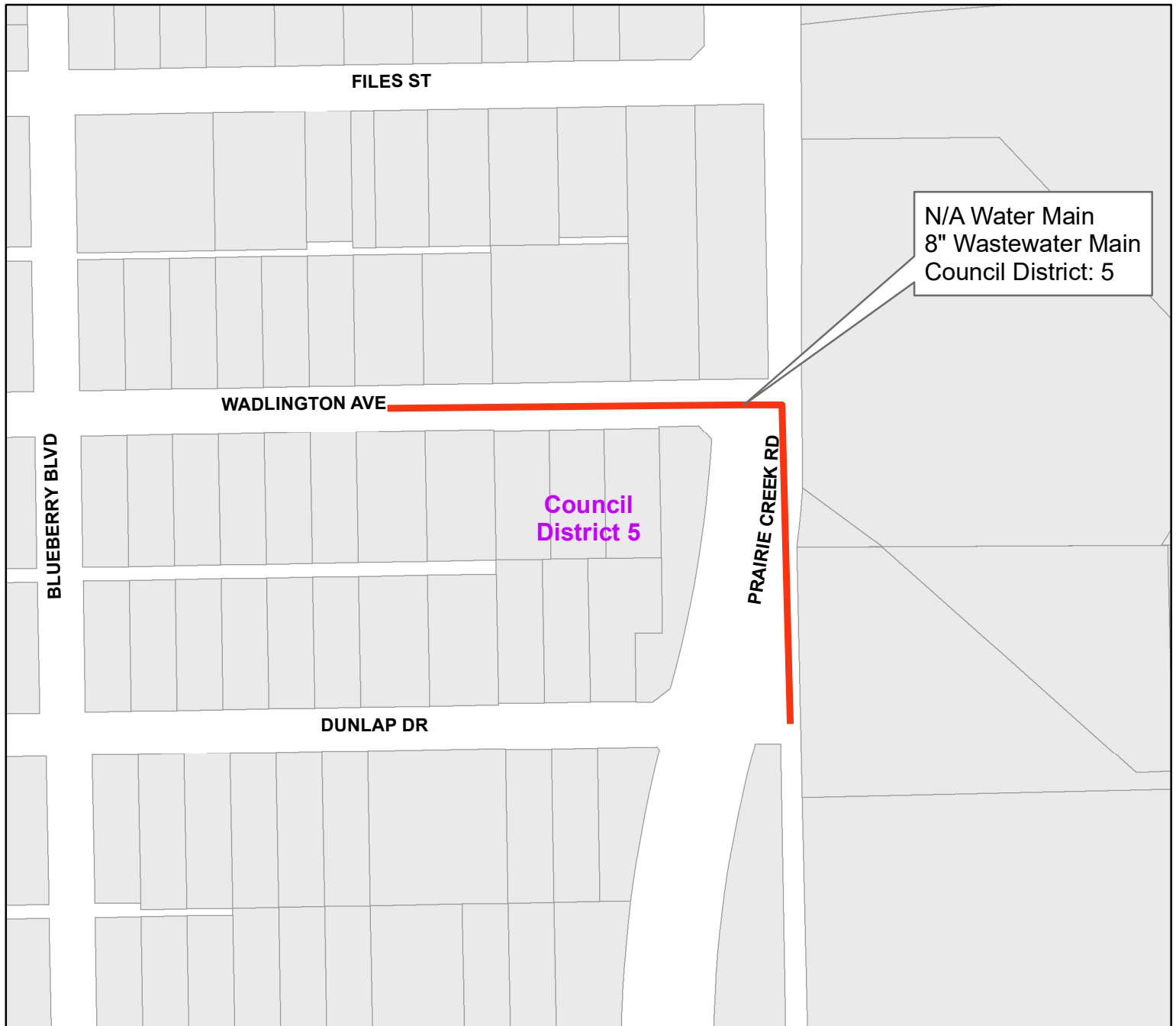
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



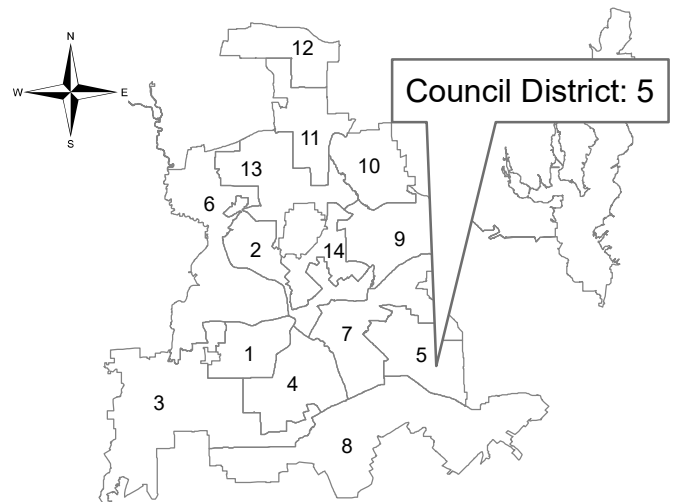
Pleasant Drive  
at 501 Pleasant Drive  
Valve Replacement



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

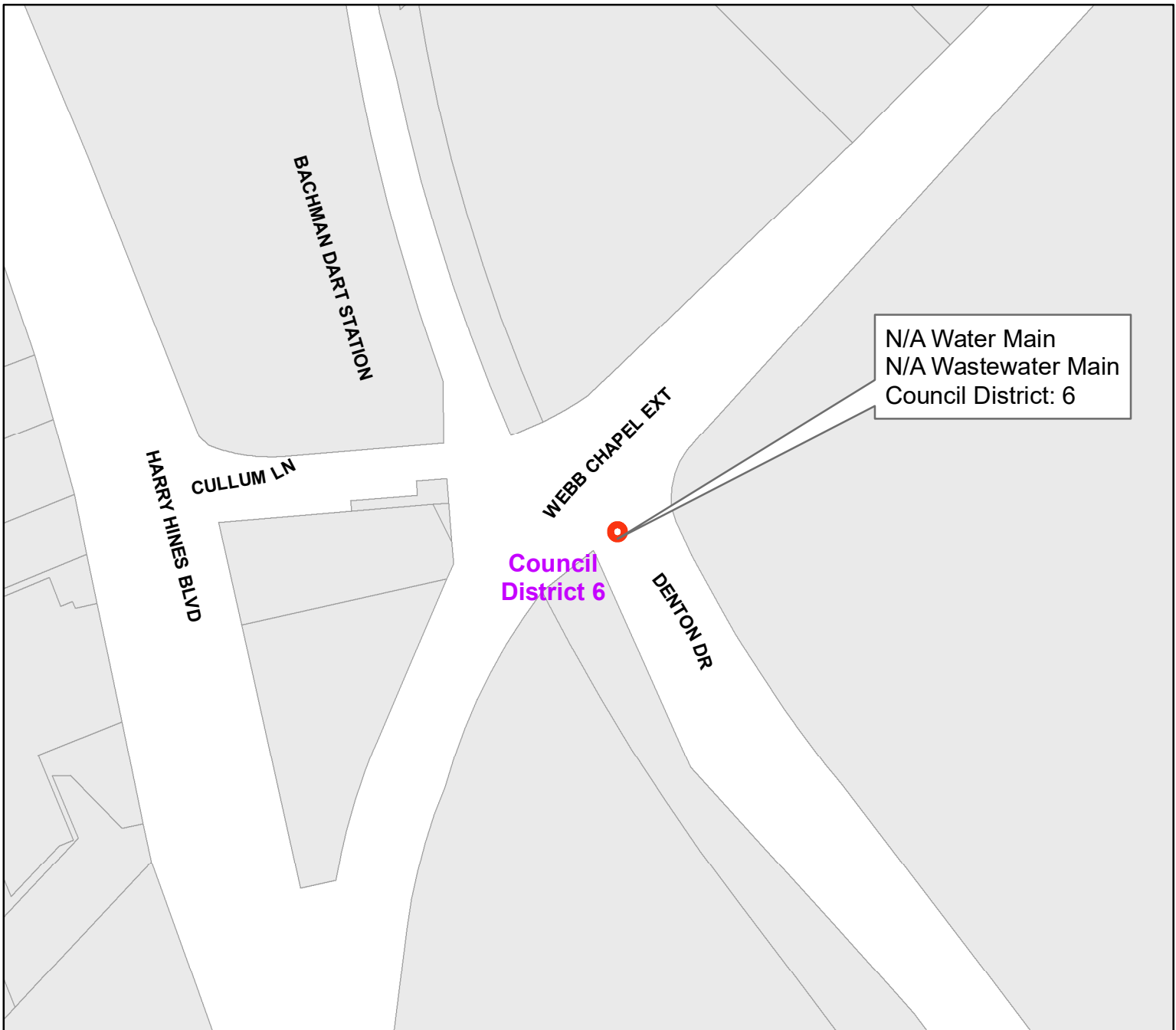


Prairie Creek Road/Wadlington Avenue  
from Dunlap Drive to Wadlington Avenue

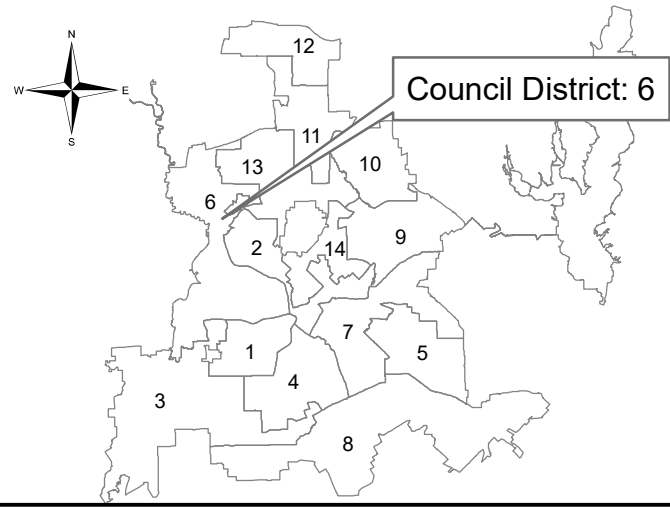


**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

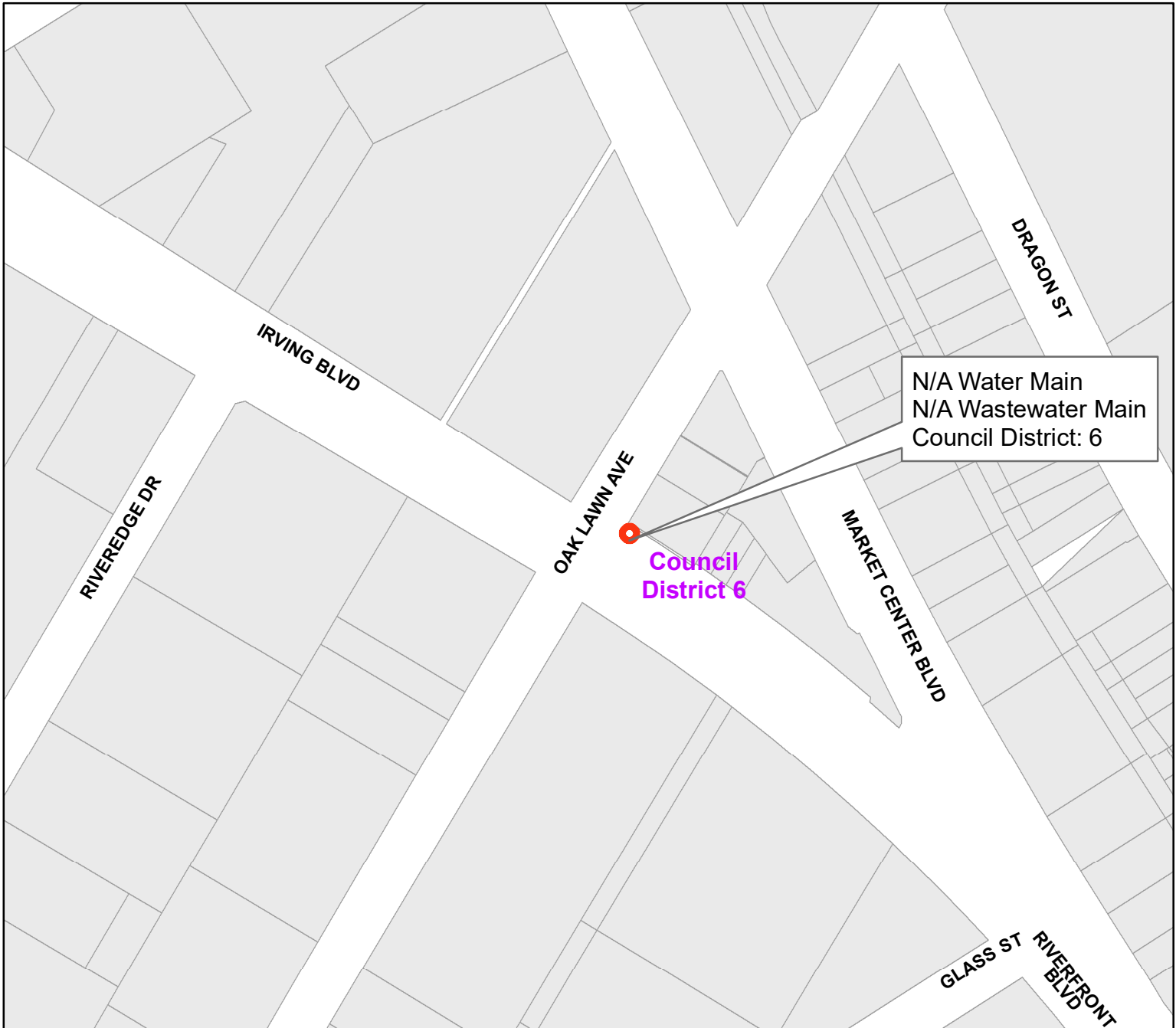




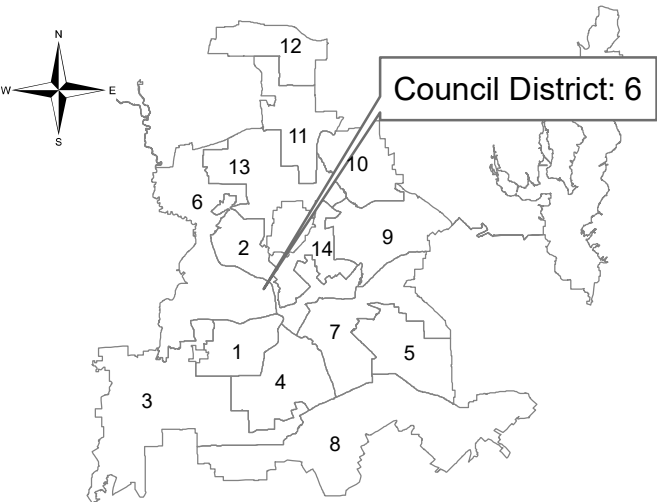
Denton Drive  
at 9600 Denton Drive  
Valve Replacement



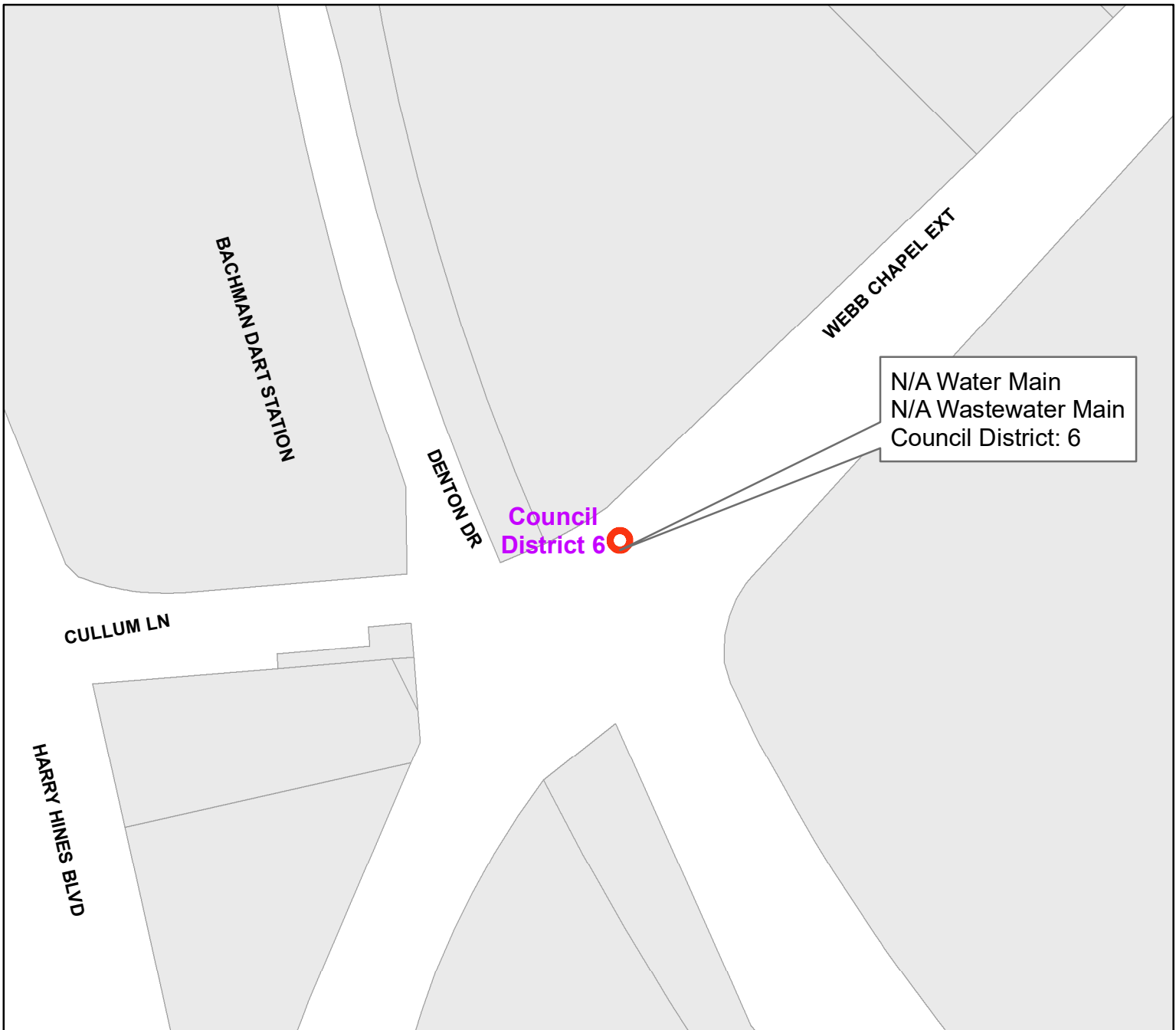
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



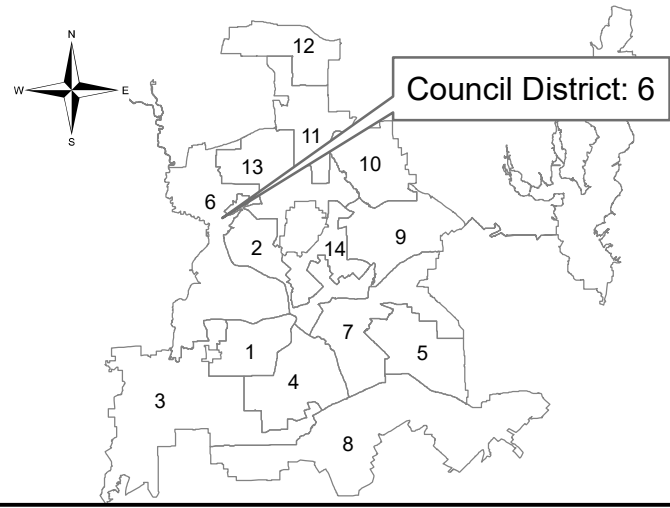
Irving Boulevard  
at 1644 Irving Boulevard  
Valve Replacement



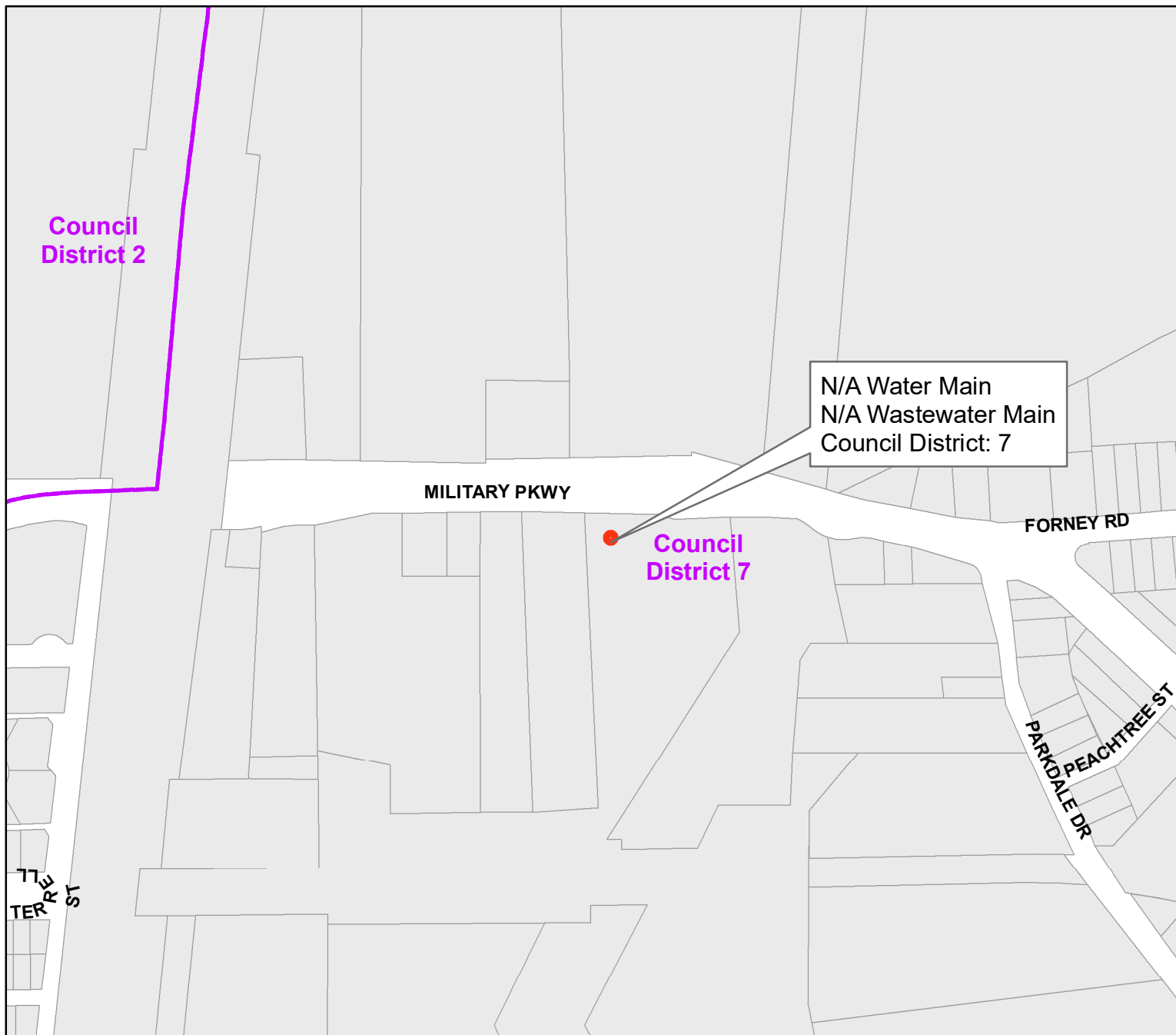
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



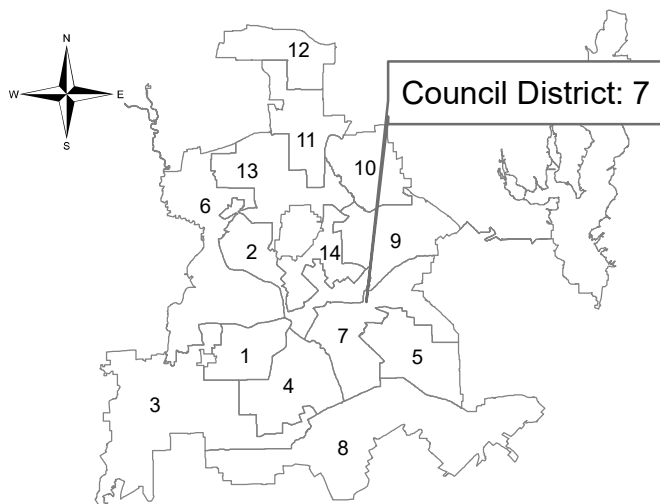
Webb Chapel Extension  
at 2500 Webb Chapel Extension  
Valve Replacement



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



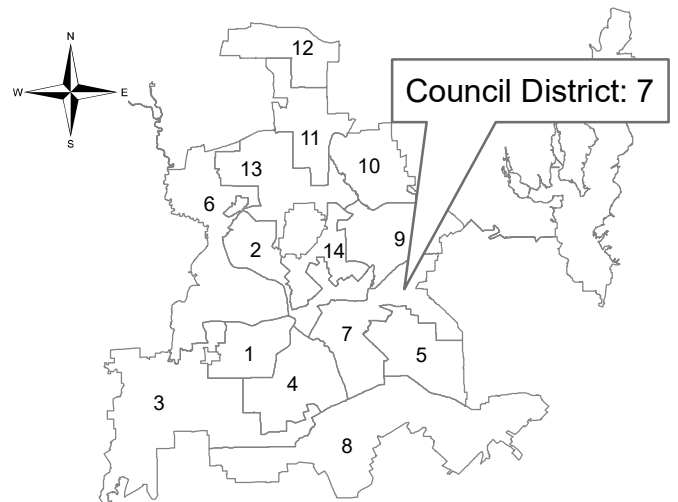
Military Parkway  
at 5004 Military Parkway  
Valve Replacement



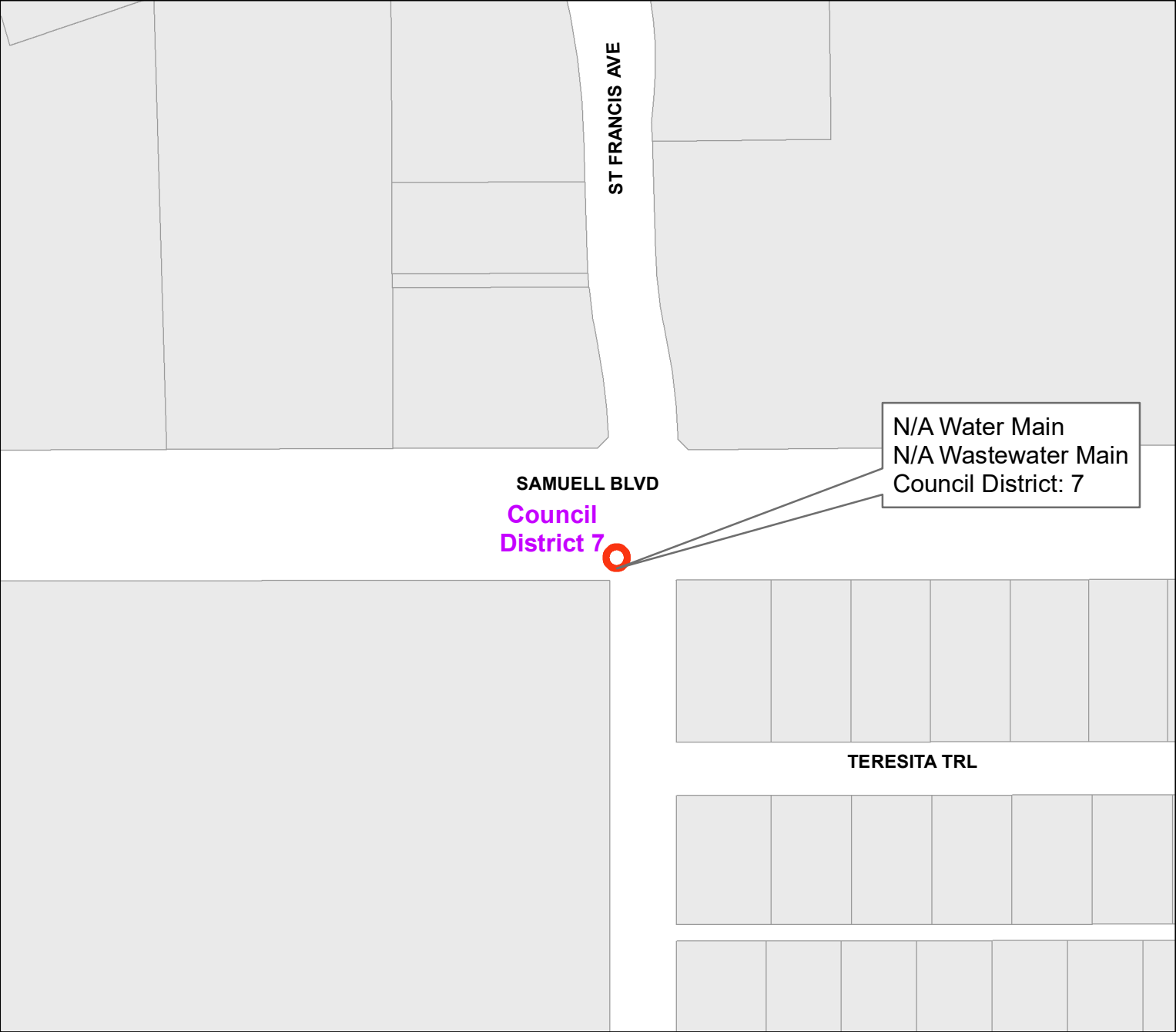
**Dallas Water Utilities  
Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**



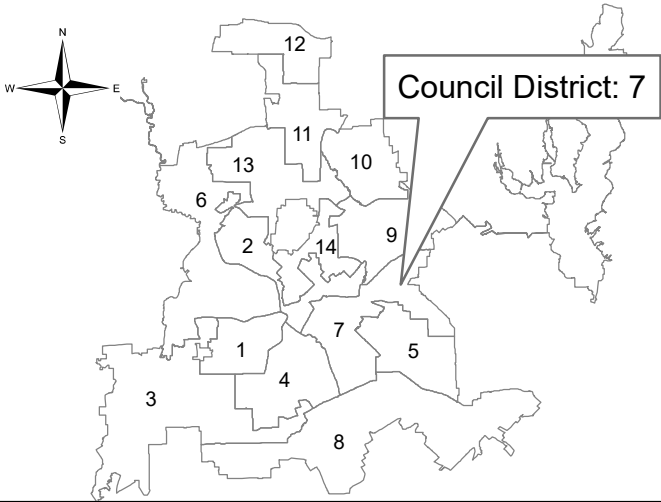
Samuell Boulevard  
at 6550 Samuell Boulevard  
Valve Replacement



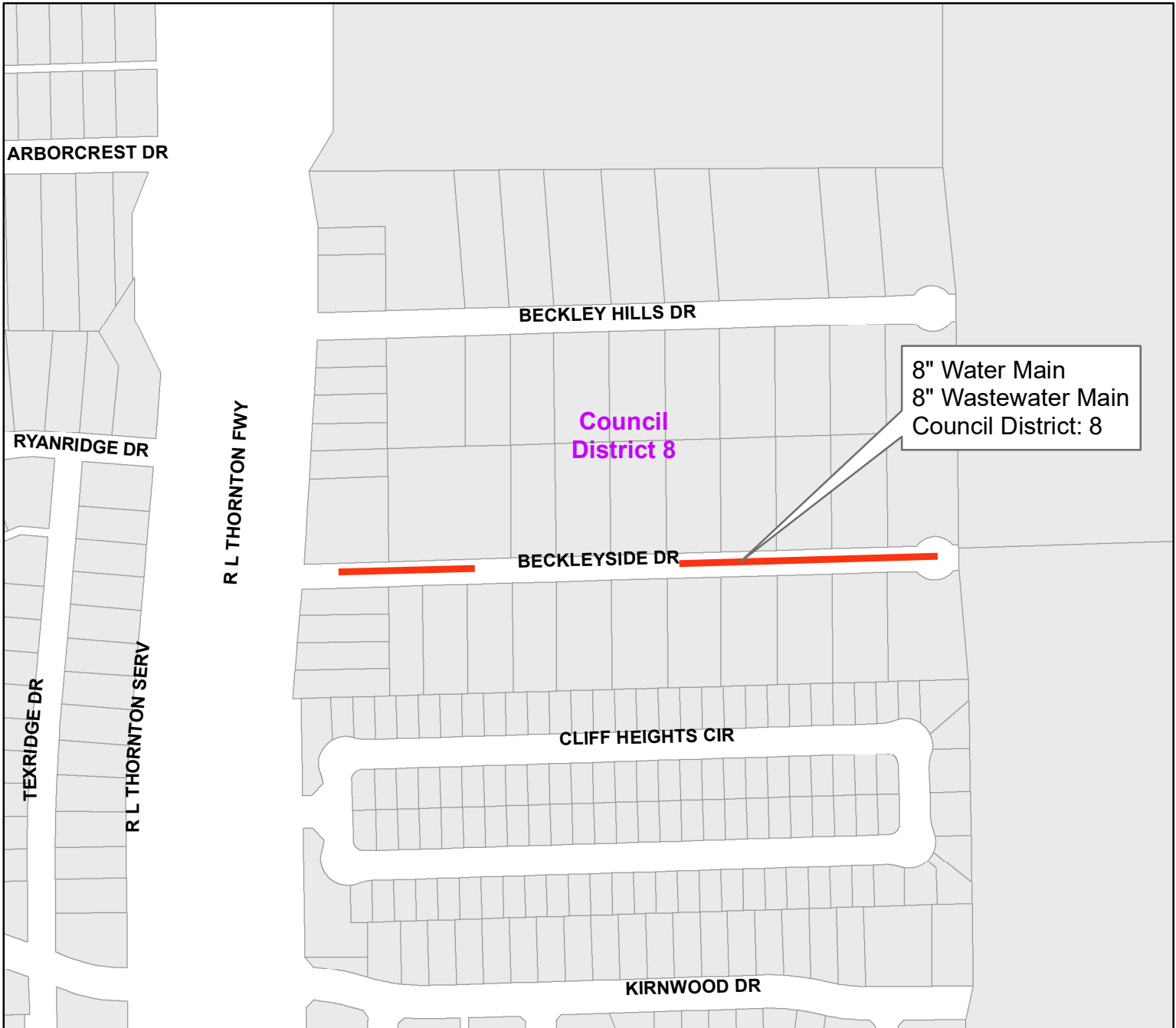
**Dallas Water Utilities  
Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**



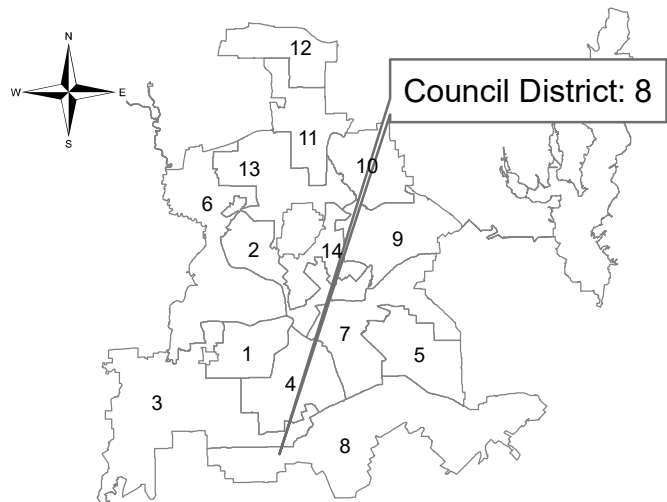
Samuell Boulevard  
at 7098 Samuel Boulevard  
Valve Replacement



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



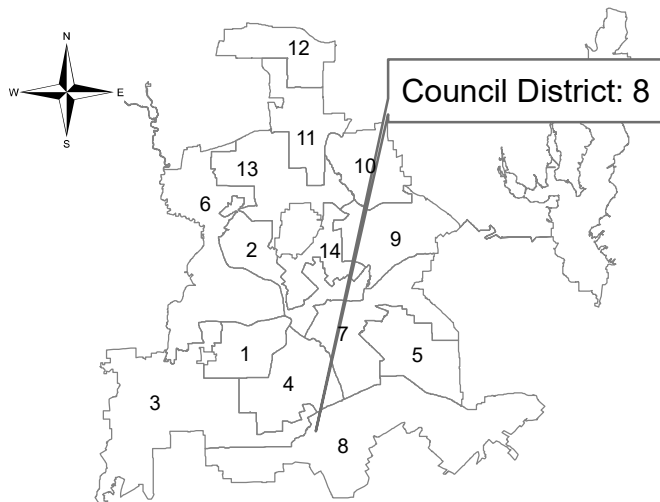
Beckleyside Drive  
from R L Thornton Freeway SERV (IH-35E) east



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

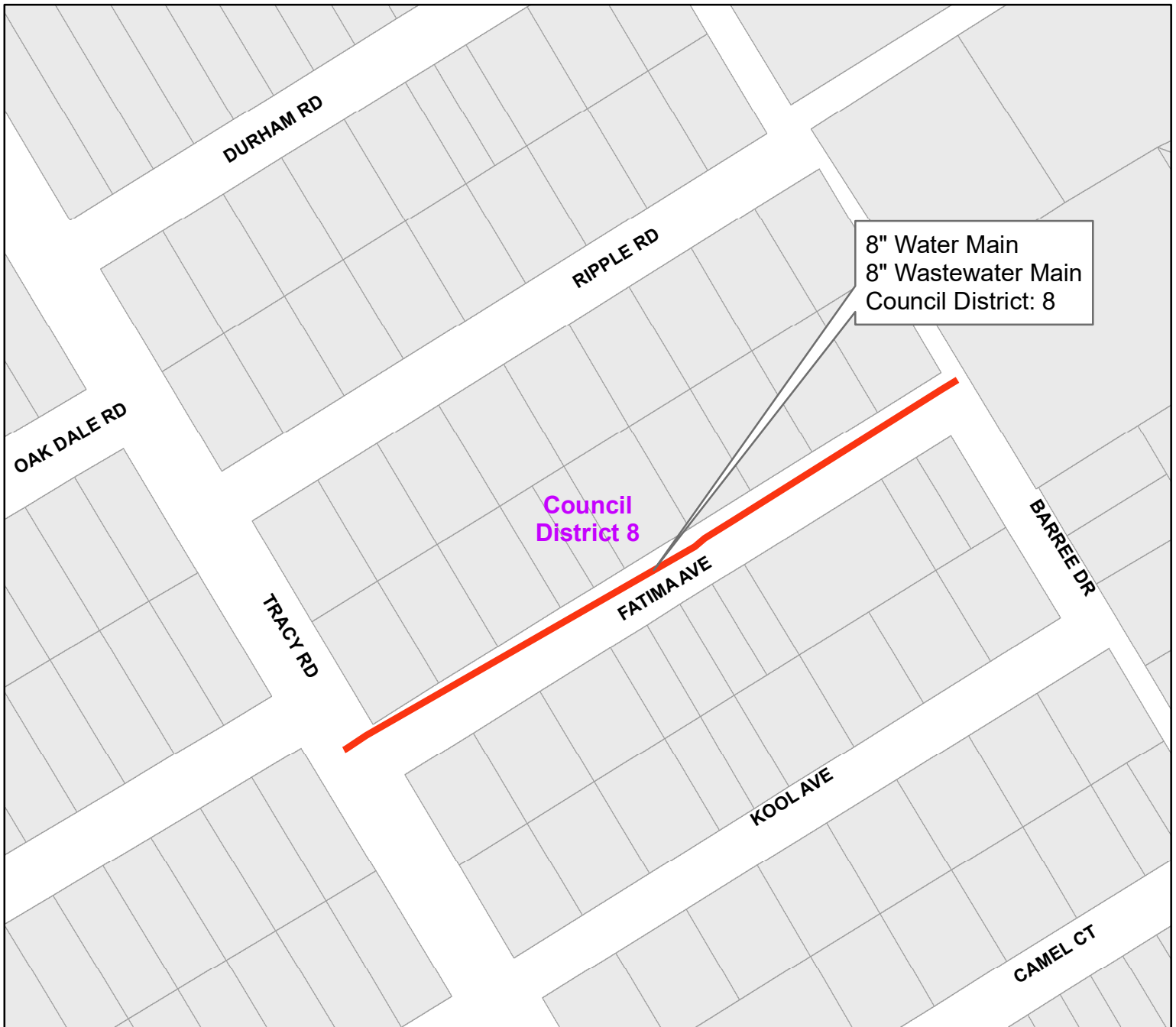


Fatima Avenue  
from Pall Mall Avenue to east of Plum  
Dale Road

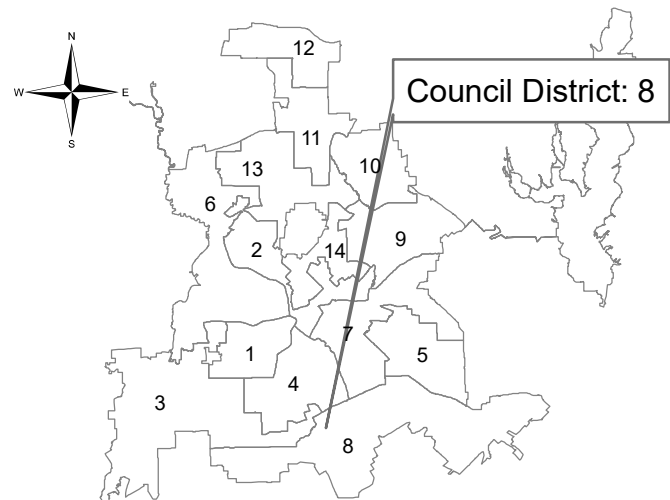


**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

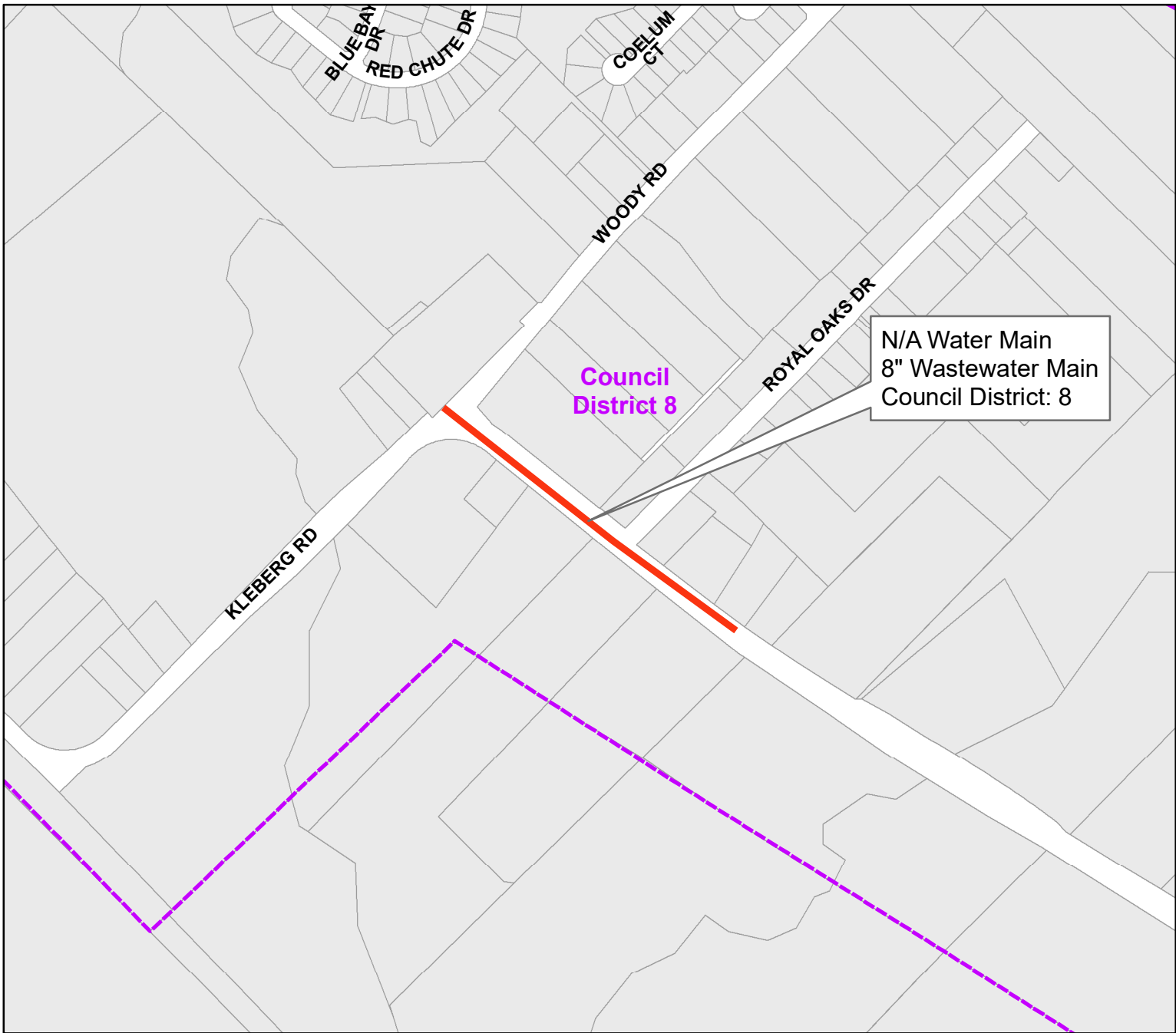




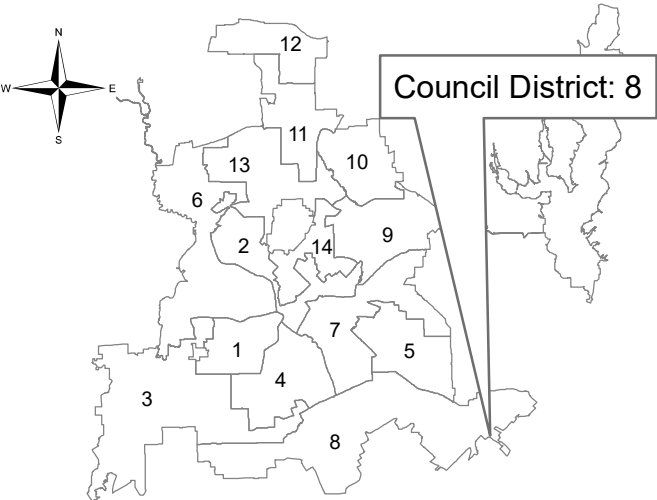
Fatima Avenue  
from Tracy Road to Barree Drive



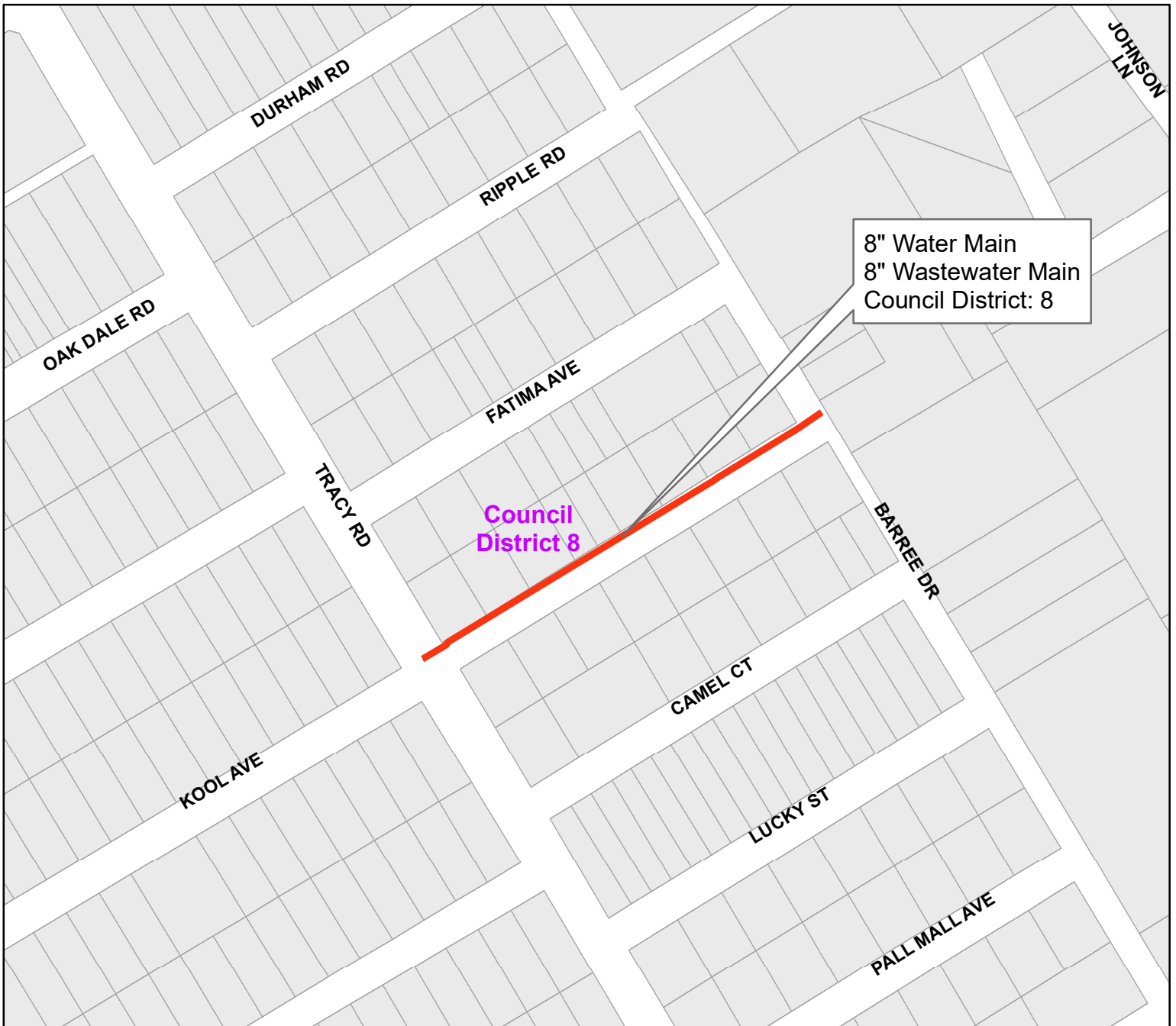
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



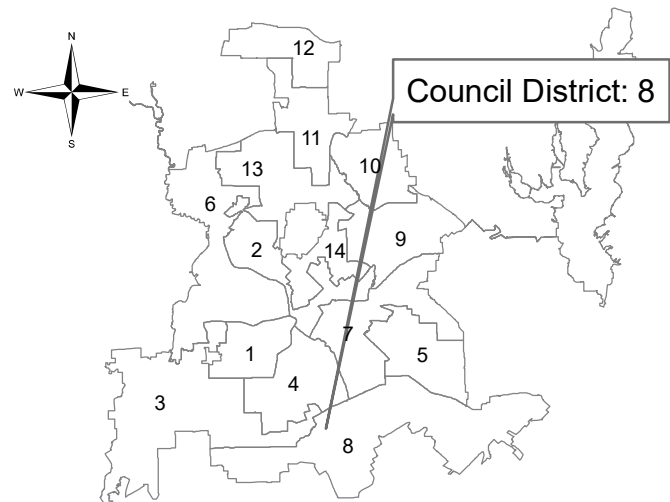
Kleberg Road  
from Woody Road southeast



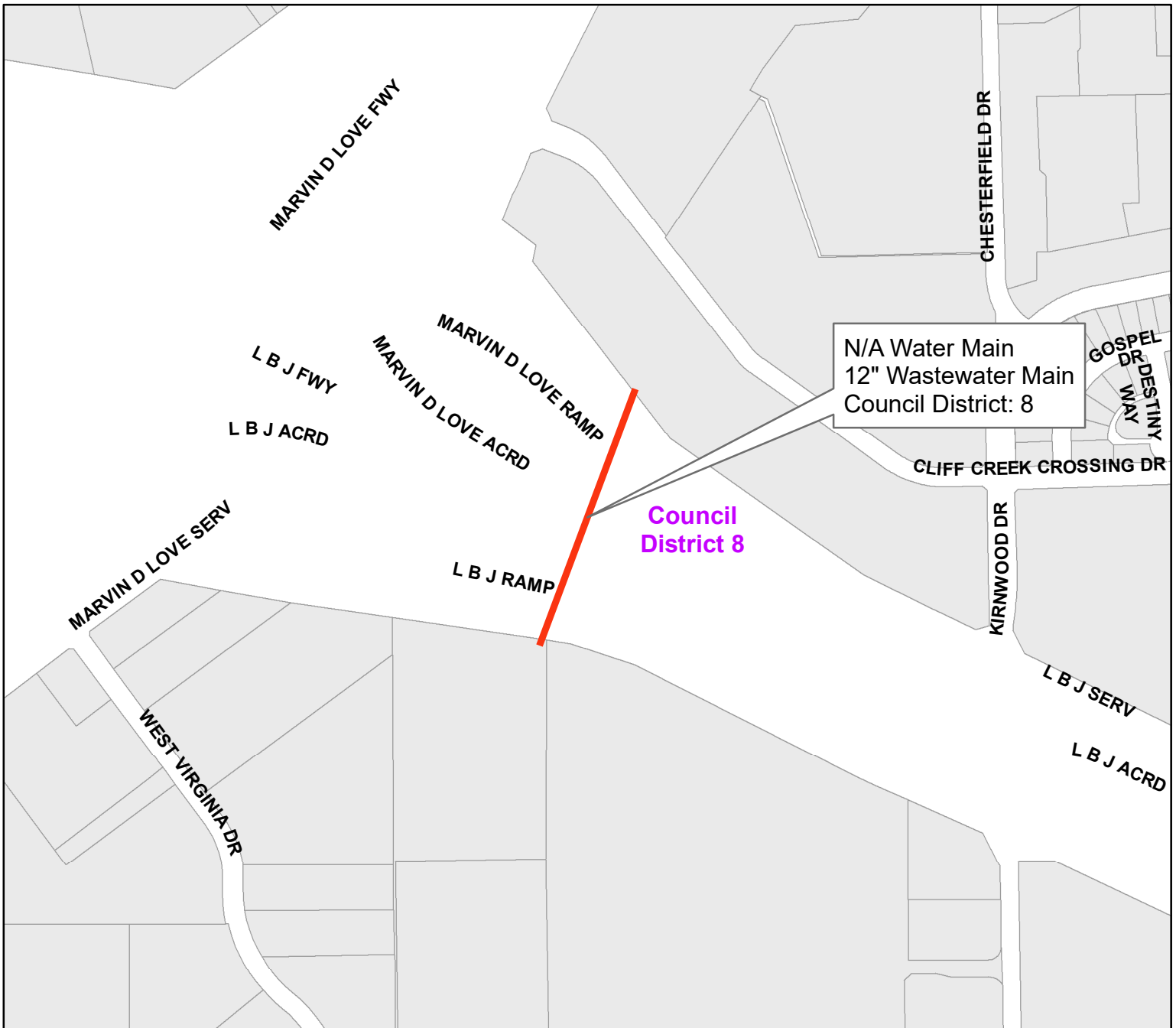
**Dallas Water Utilities**  
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**at 45 Locations**



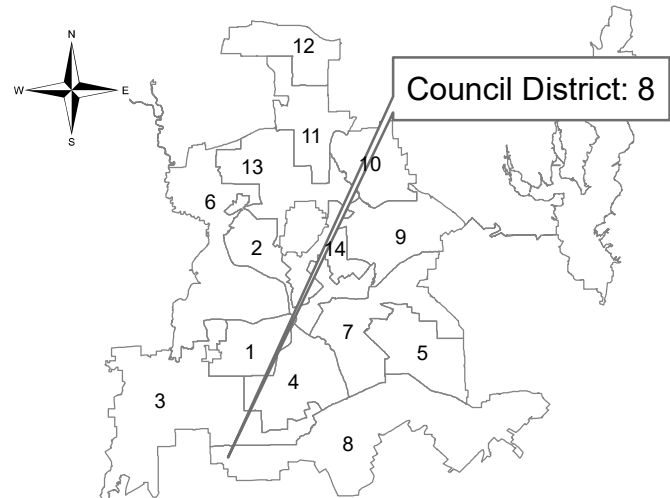
Kool Avenue  
from Barree Drive to Tracy Road



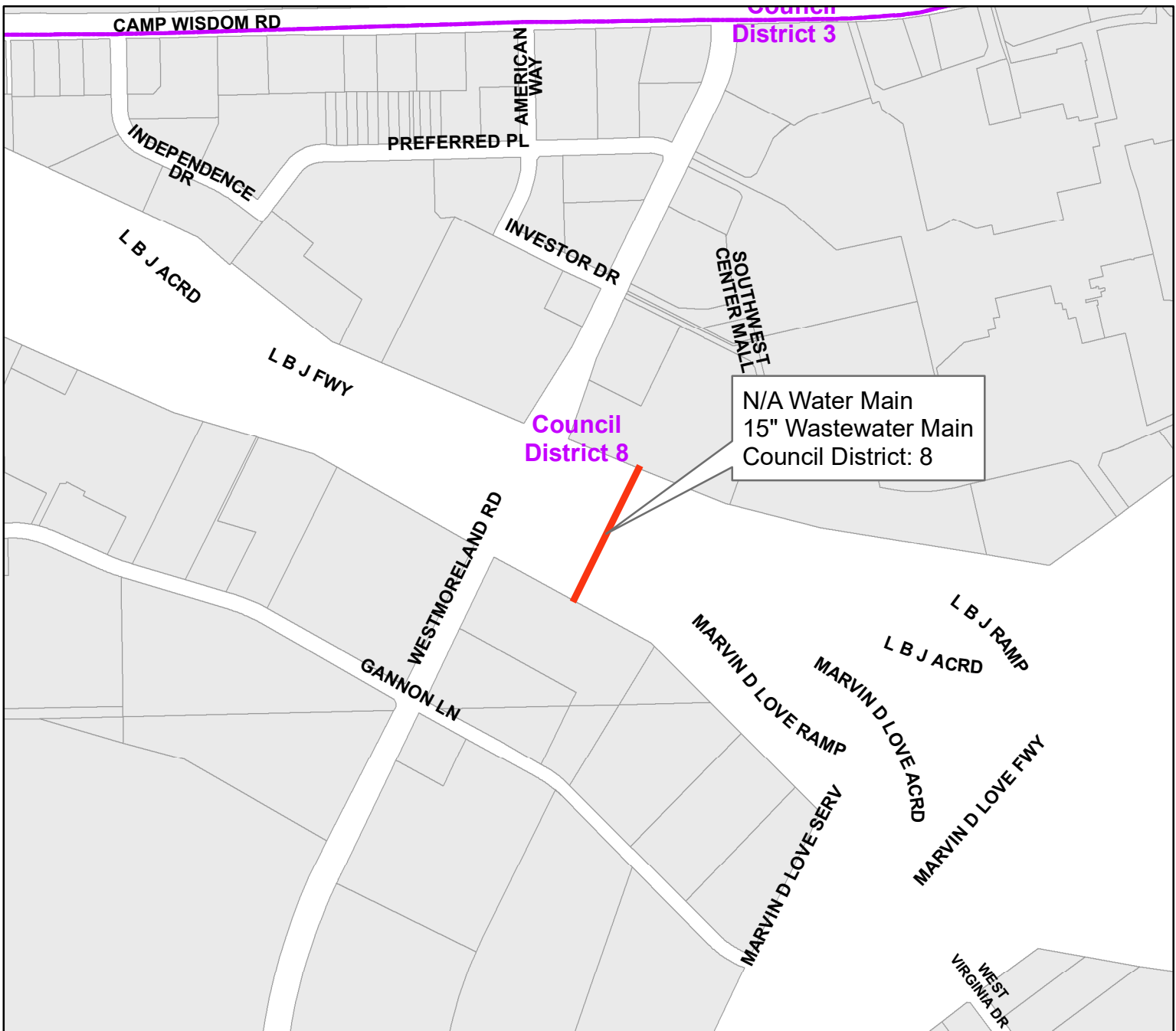
**Dallas Water Utilities**  
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**at 45 Locations**



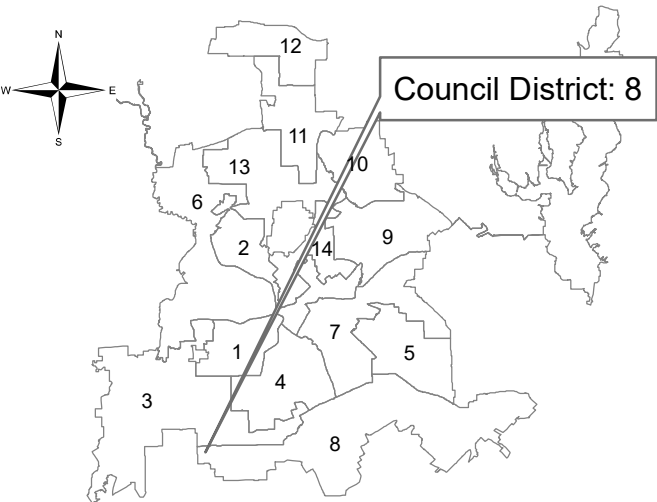
Lyndon B Johnson Freeway (IH-20) Crossing  
east of Marvin D Love Freeway (SH-67)



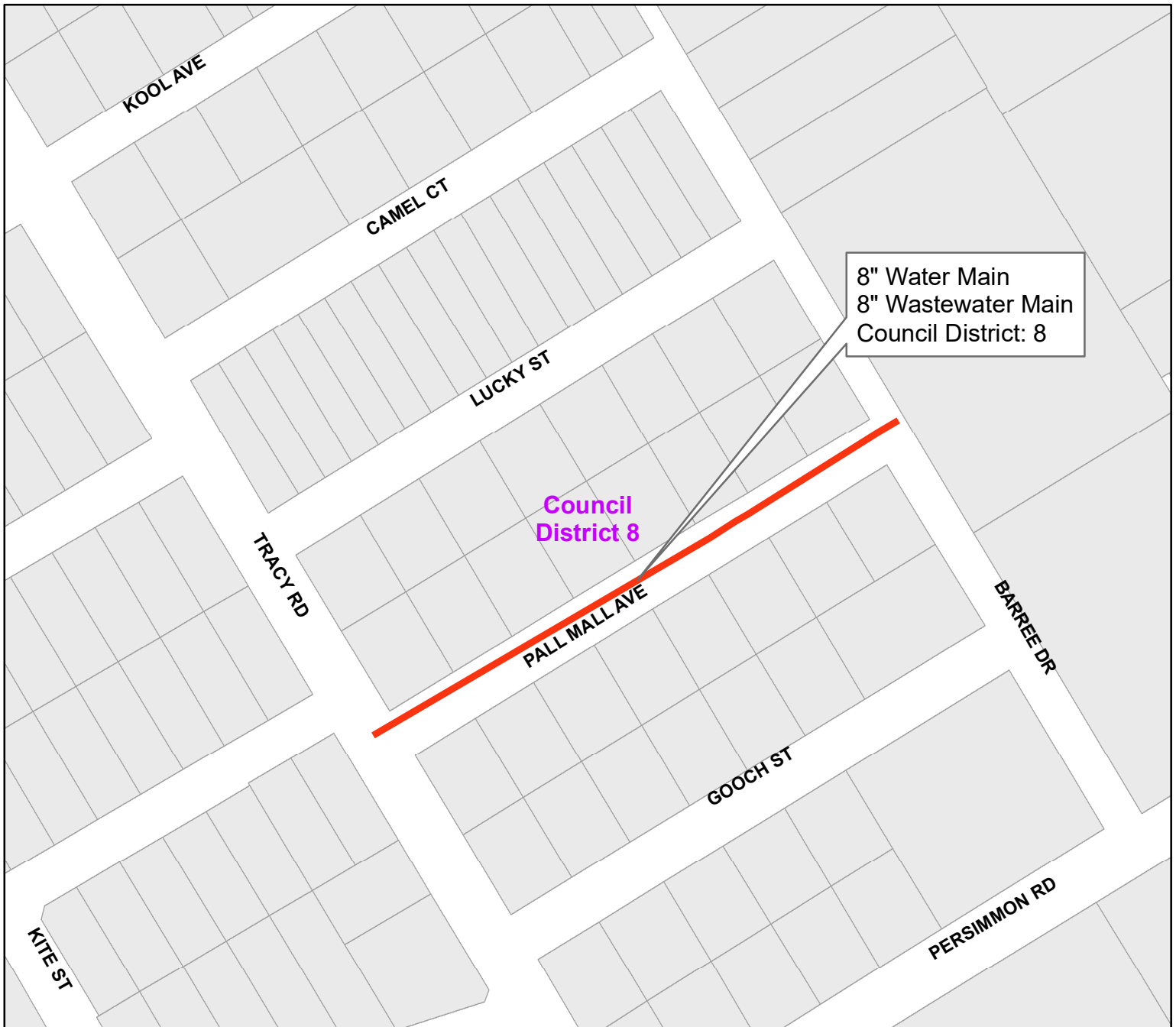
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
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**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



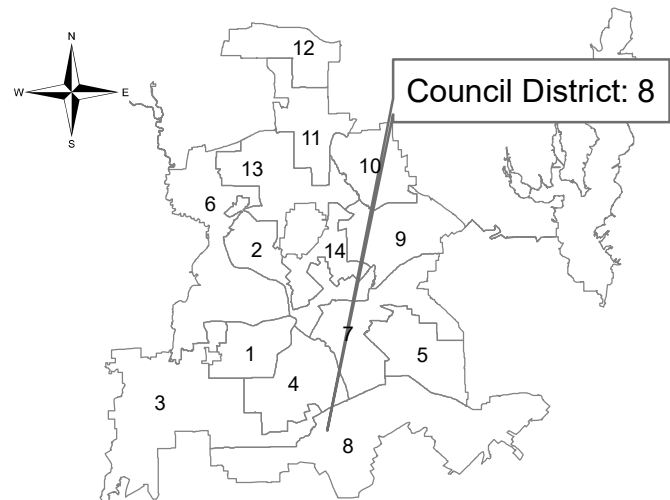
Lyndon B Johnson Freeway (IH-20) Crossing  
west of Marvin D Love Freeway (SH-67)



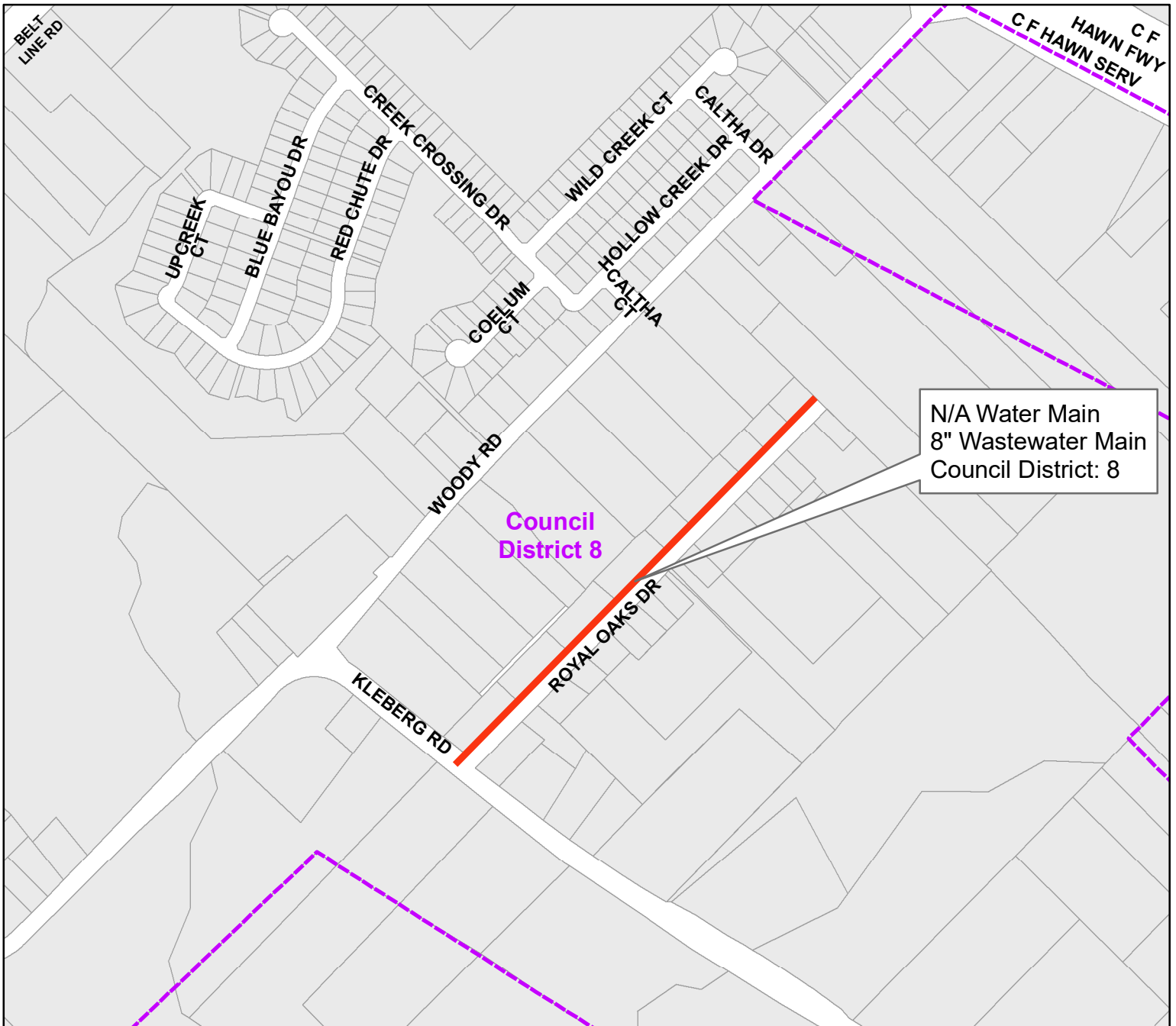
**Dallas Water Utilities**  
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**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



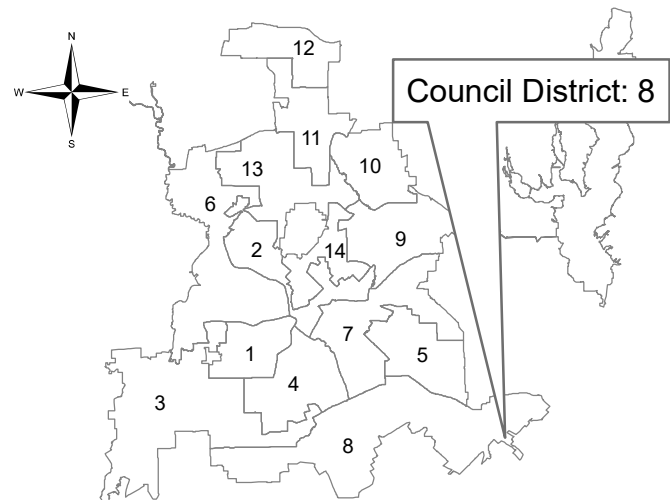
Pall Mall Avenue  
from Barree Drive to Tracy Road



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

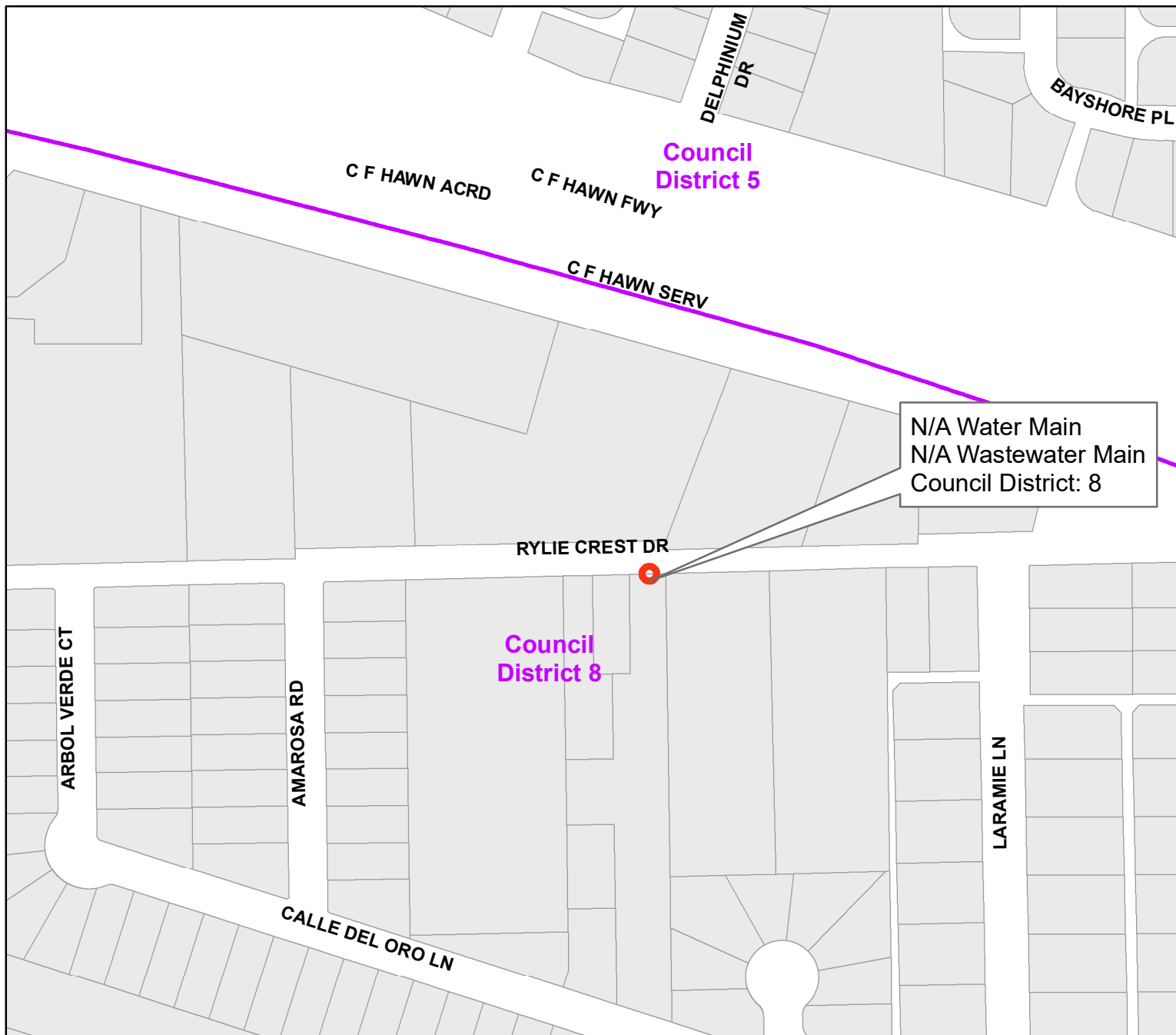


Royal Oaks Drive  
from Kleberg Road northeast

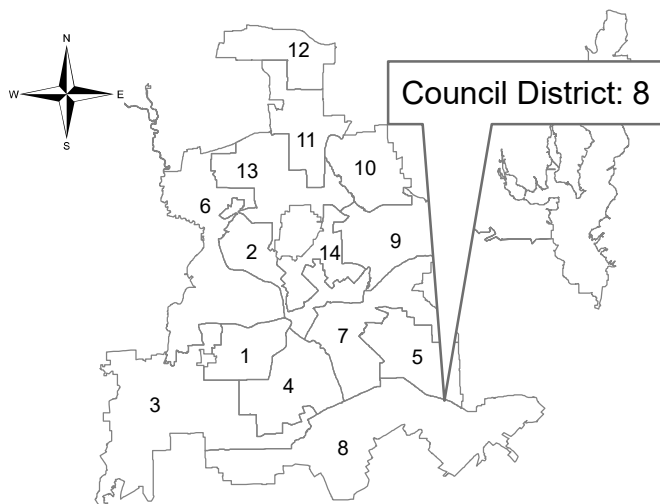


**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



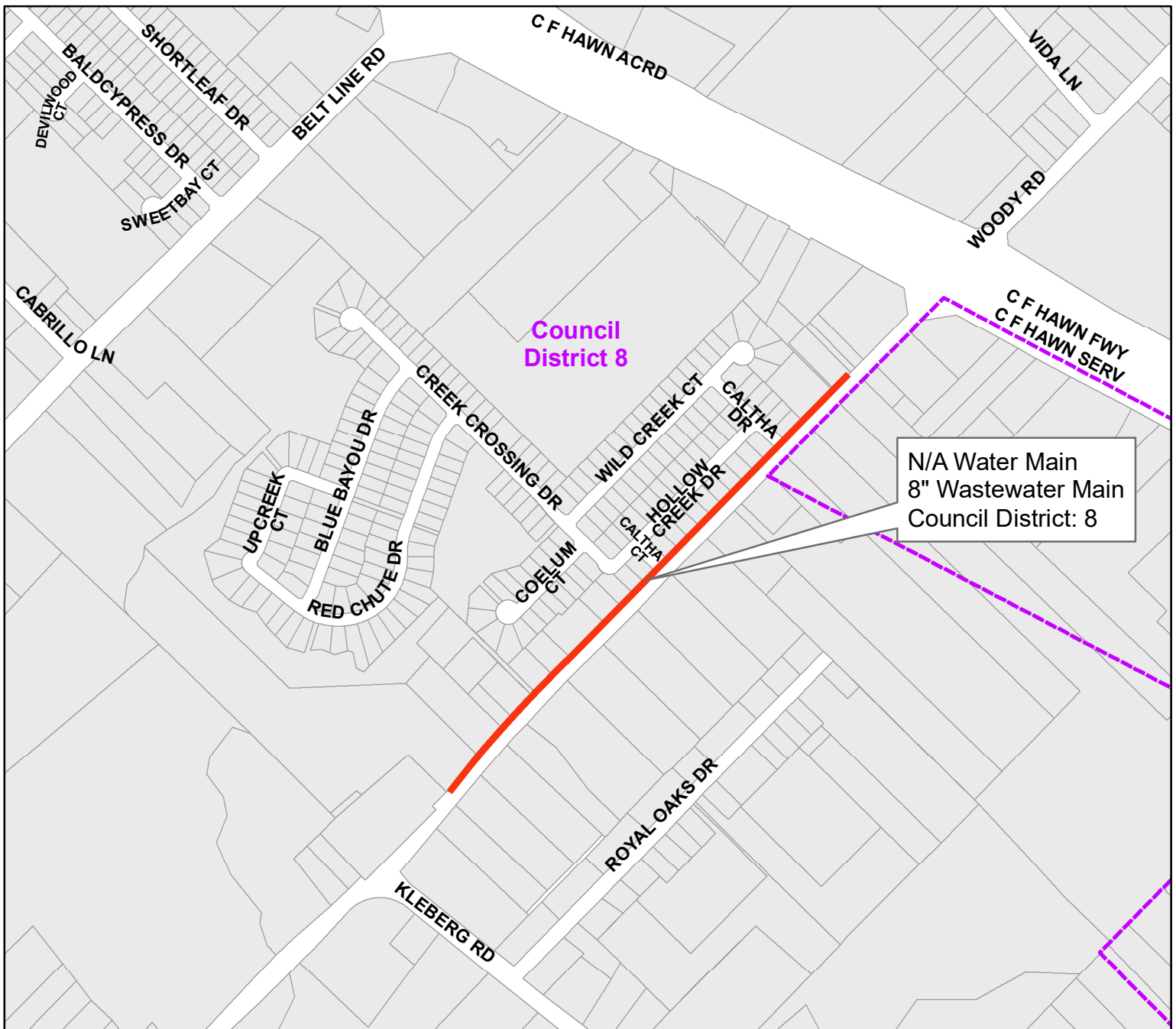


Rylie Crest Drive  
at 9740 Rylie Crest Drive  
Valve Replacement

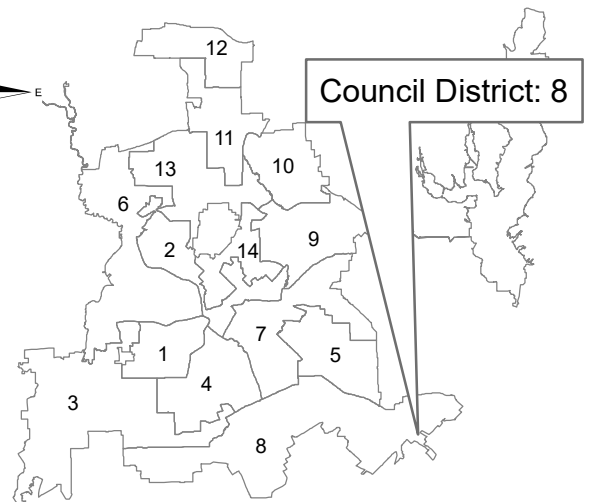
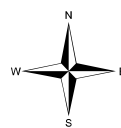


**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

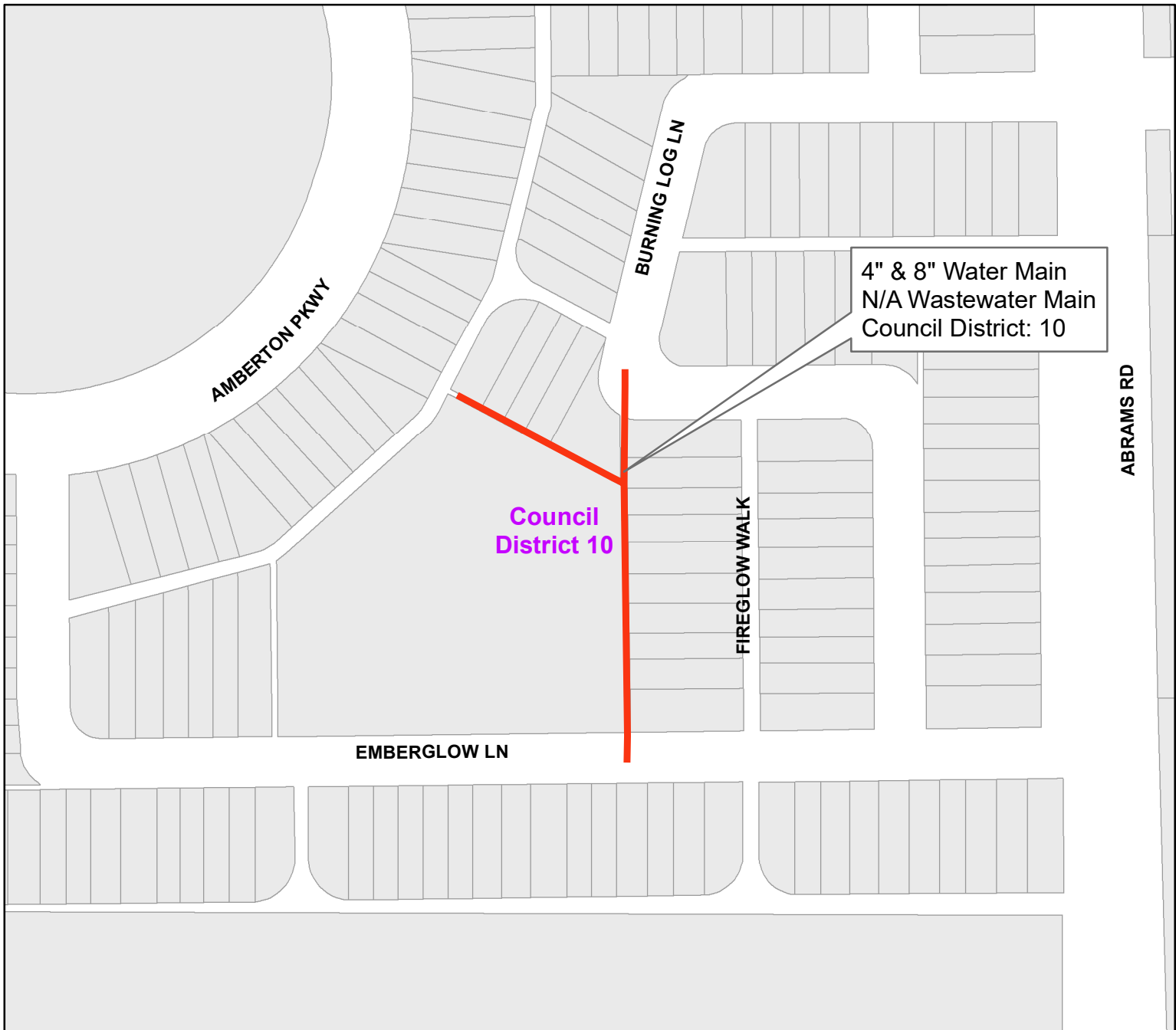




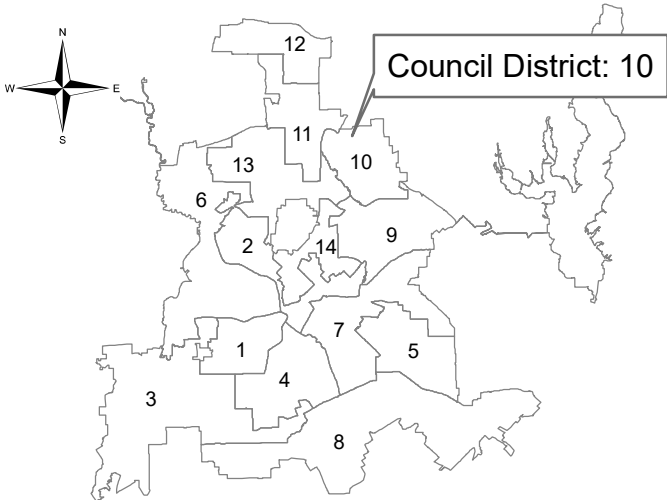
Woody Road  
from south of C F Hawn Freeway southwest



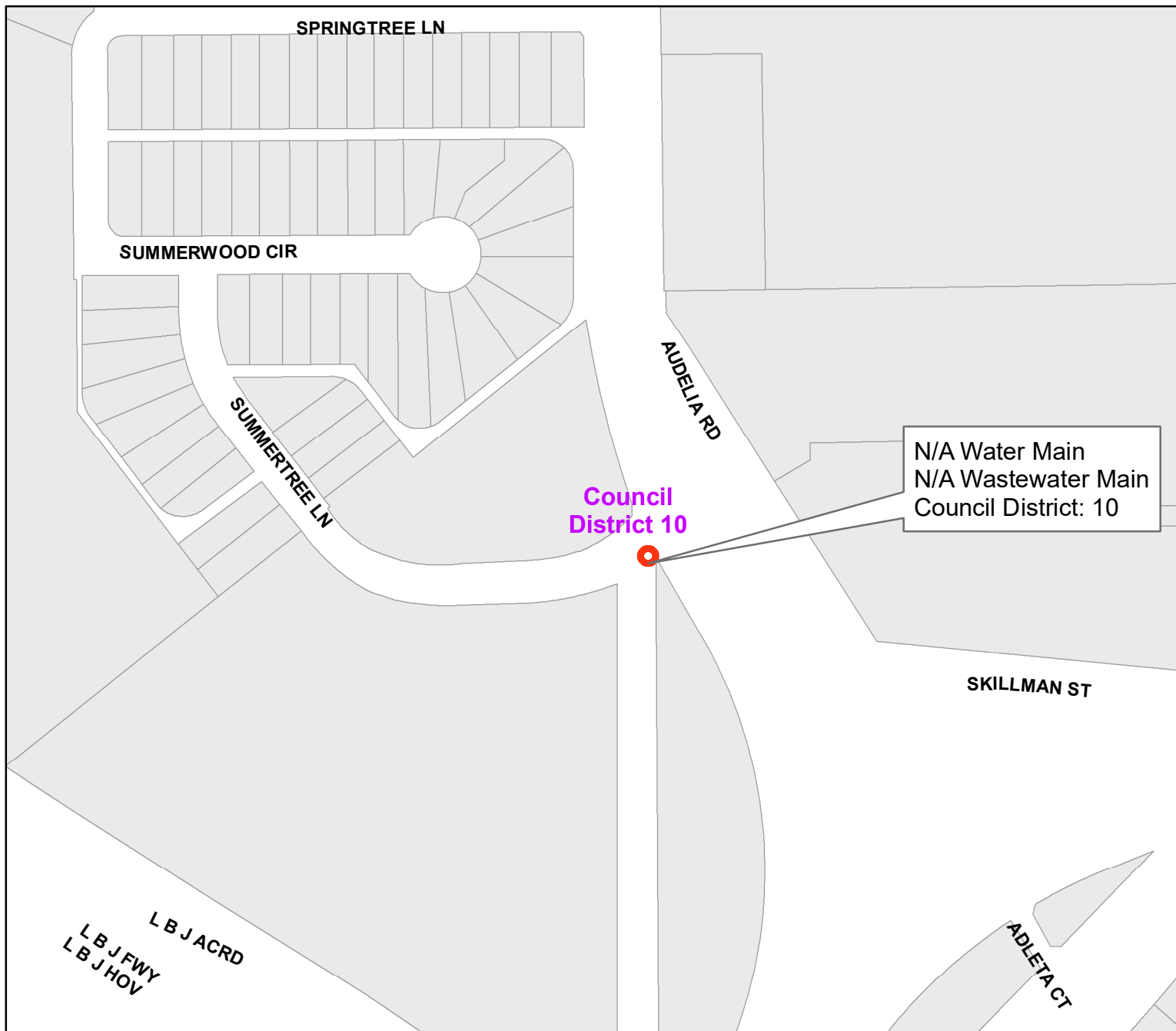
**Dallas Water Utilities  
Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**



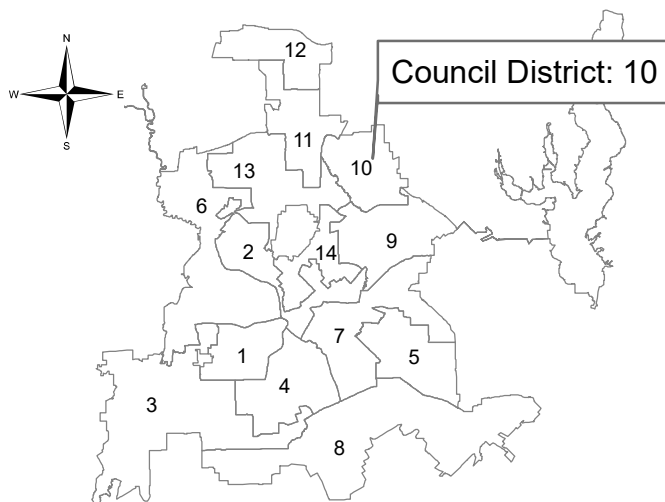
Alleys west of Fireglow Walk  
from Burning Log Lane to Emberglow Lane



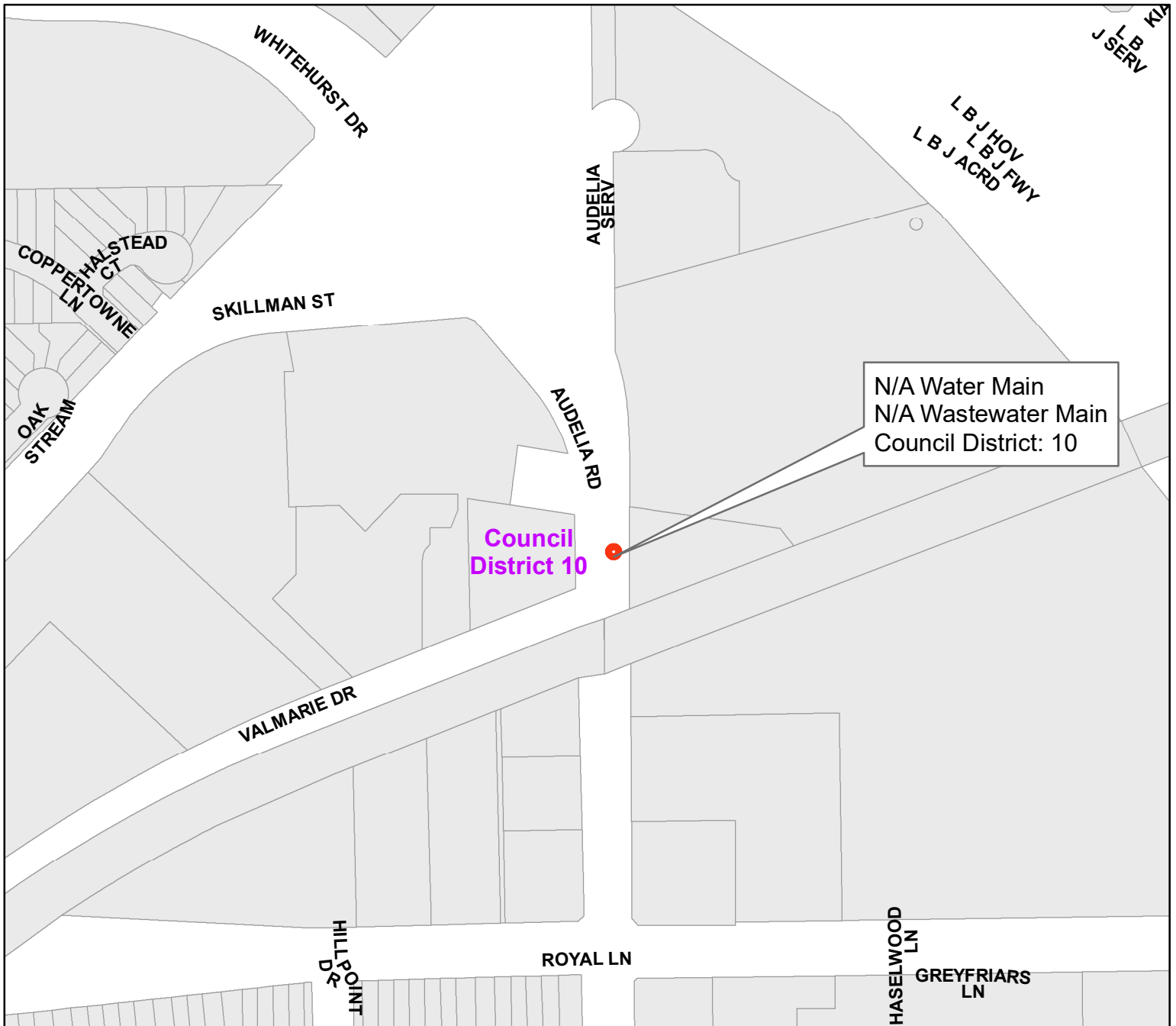
**Dallas Water Utilities**  
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**at 45 Locations**



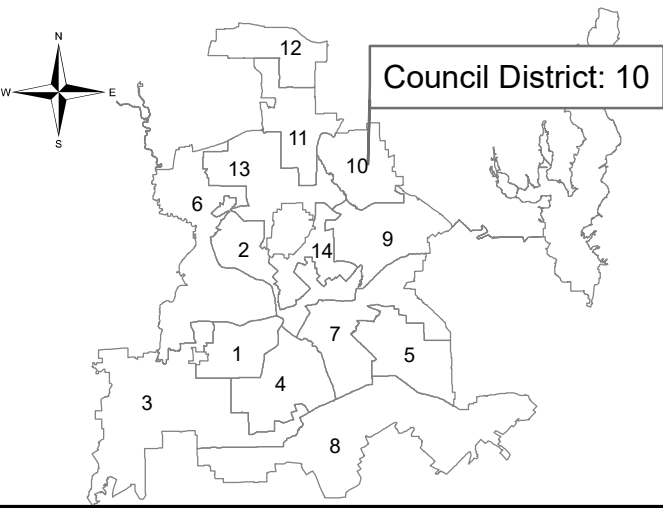
Audelia Road  
at 9147 Audelia Road  
Valve Replacement



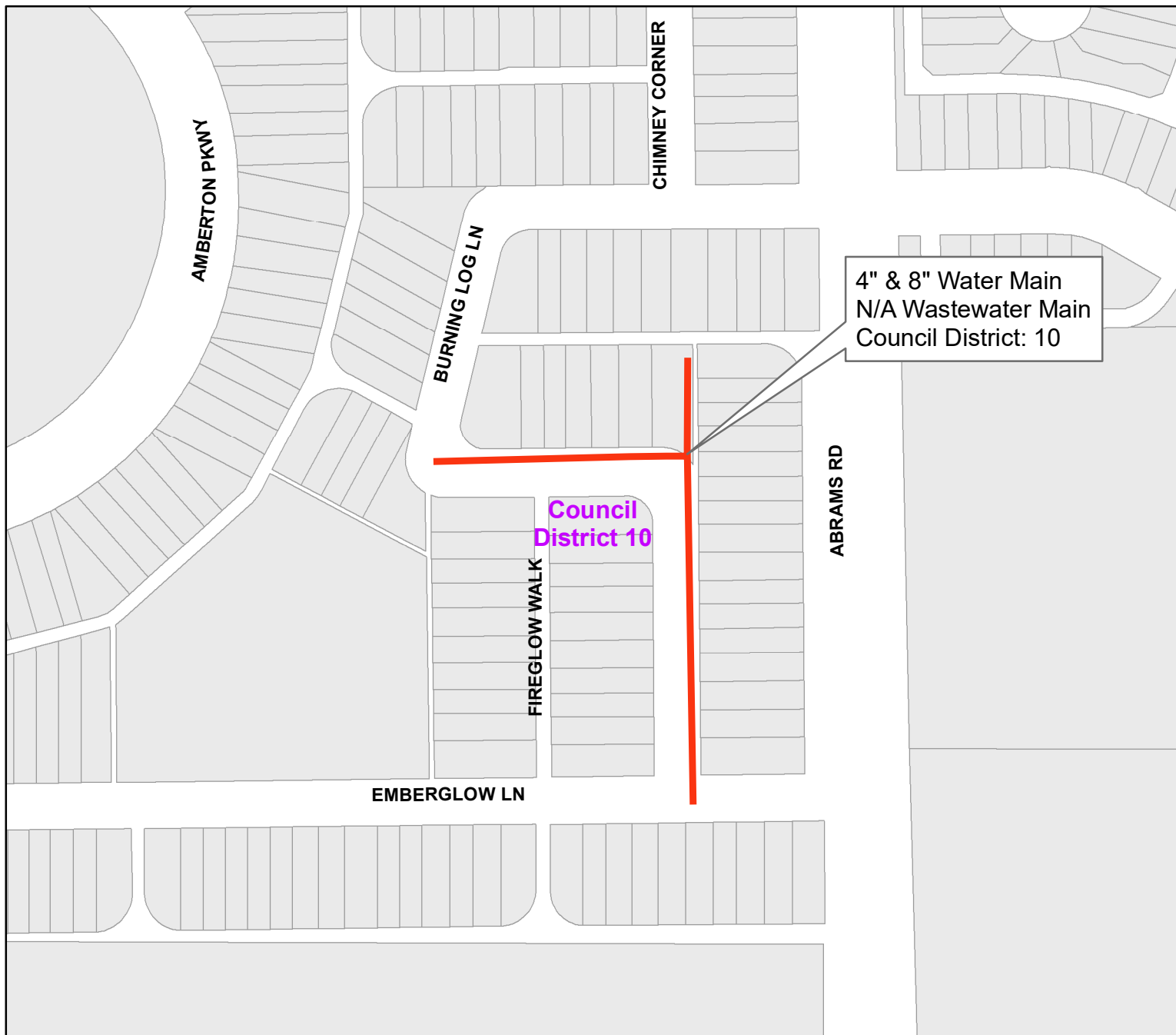
**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



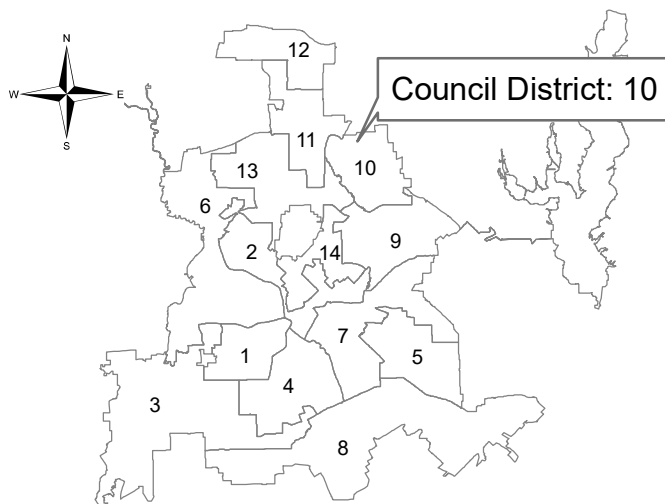
Audelia Road  
at 10864 Audelia Road  
Valve Replacement



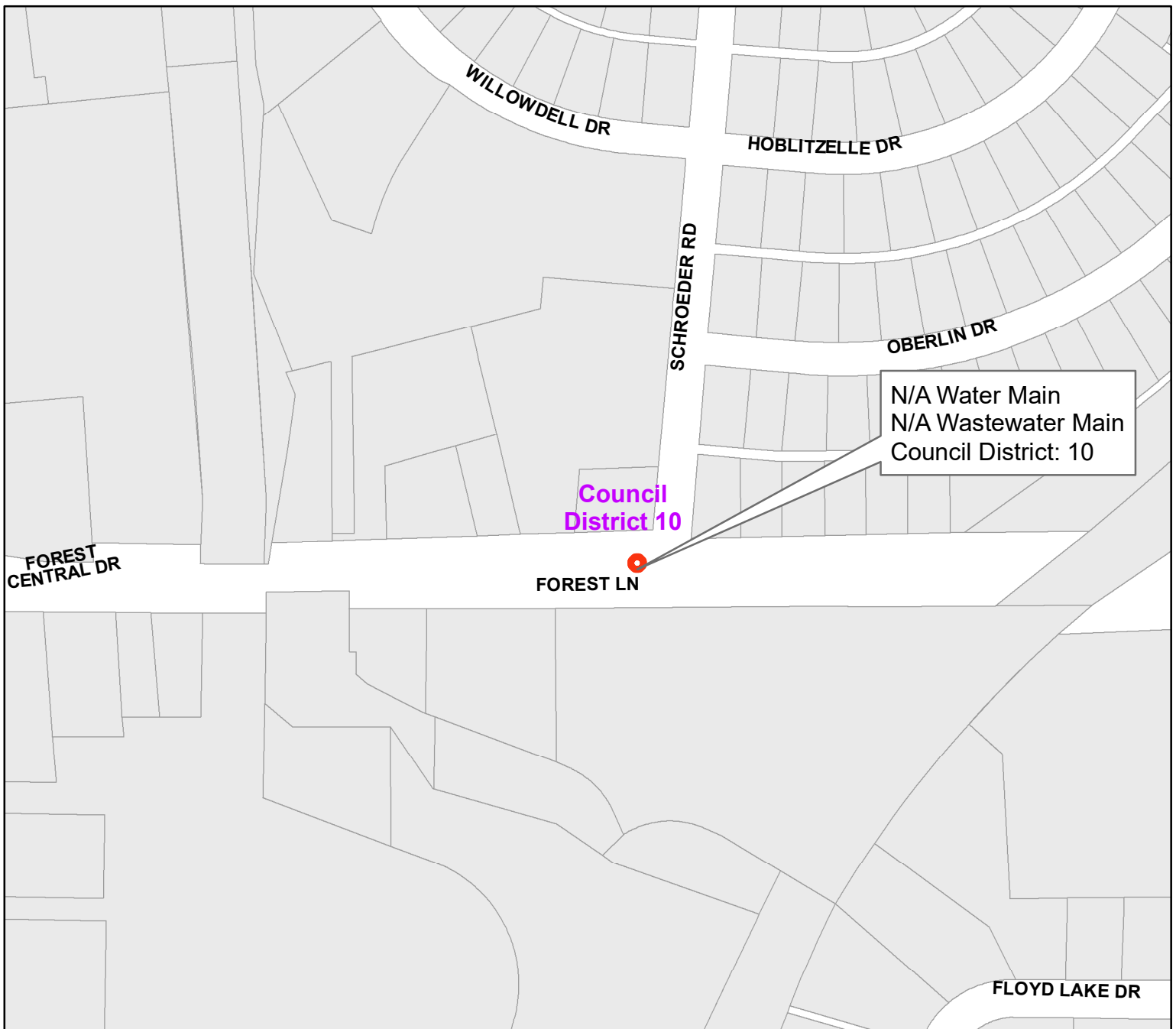
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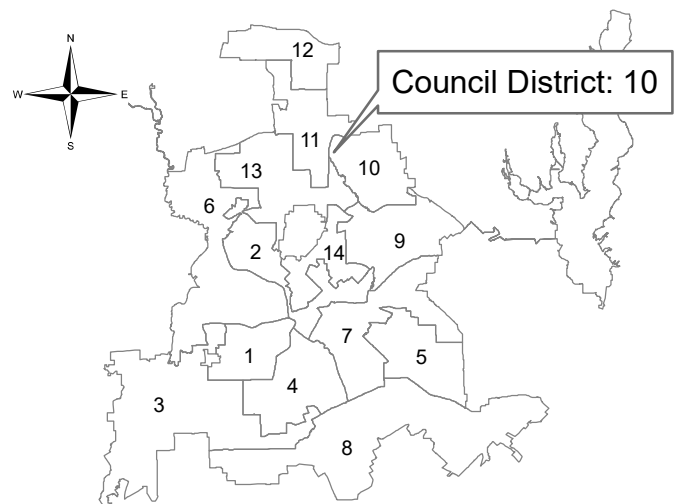
Burning Log Lane  
from Burning Log Lane to Emberglow Lane



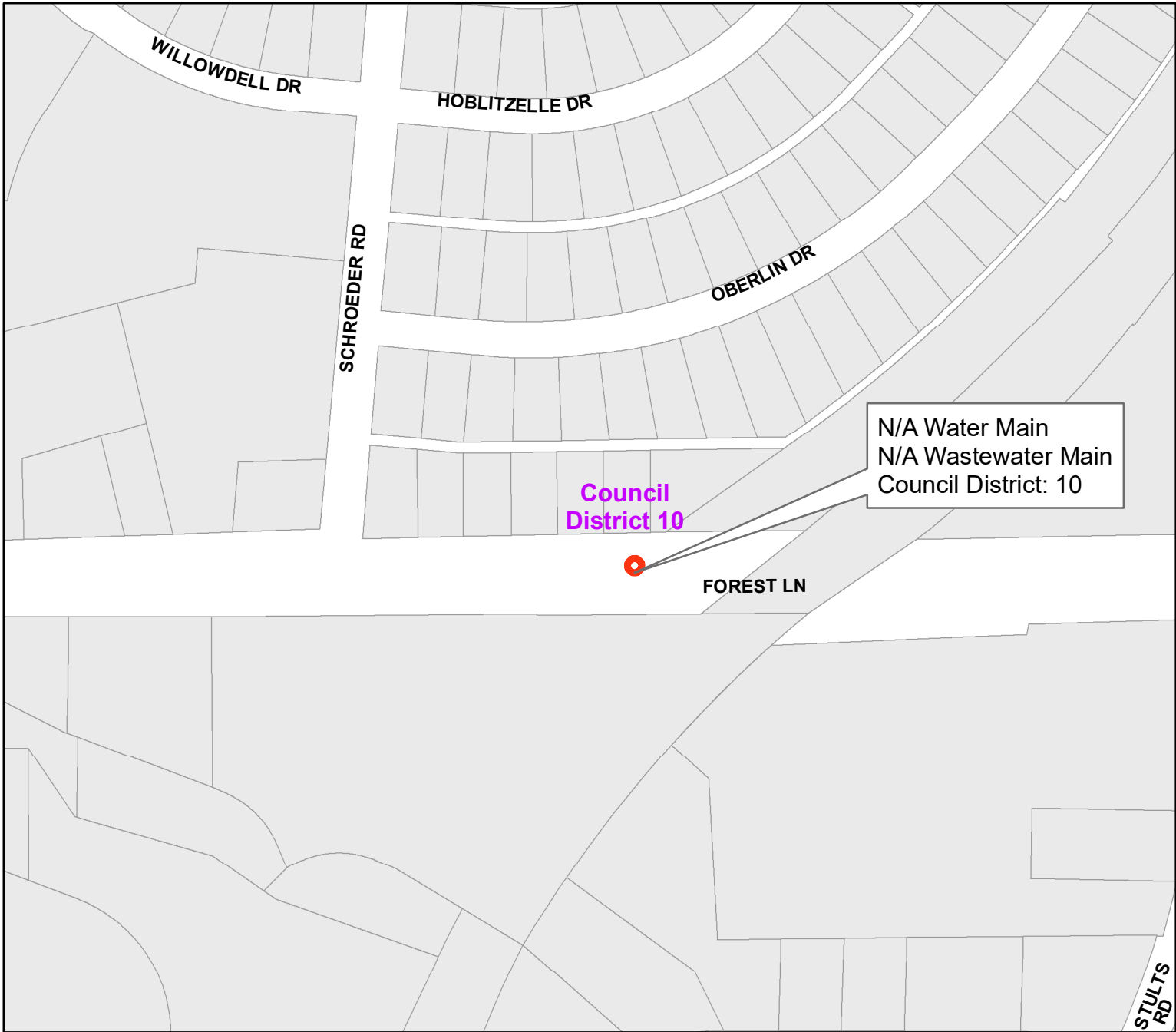
**Dallas Water Utilities**  
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**at 45 Locations**



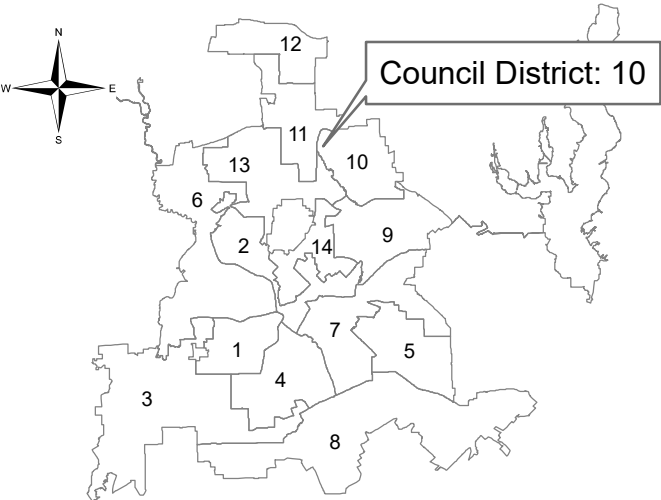
Forest Lane  
at 8100 Forest Lane  
Valve Replacement



**Dallas Water Utilities  
Contract No. 22-151/152  
Water and Wastewater Main Installation, Water Valve  
Replacements, and Water/Wastewater Extensions  
at 45 Locations**



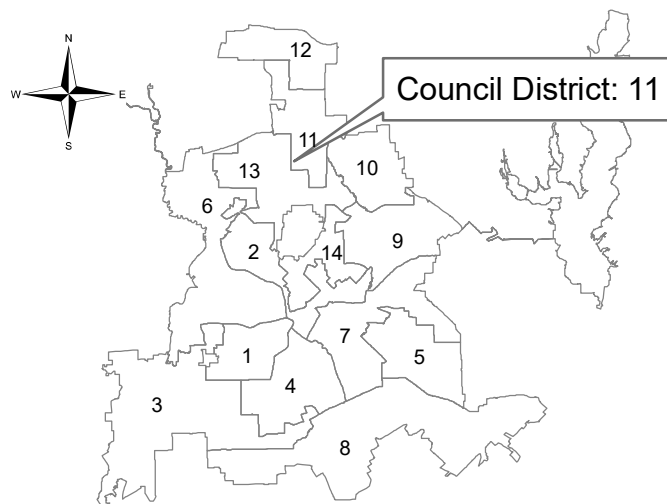
Forest Lane  
at 8231 Forest Lane  
Valve Replacement



**Dallas Water Utilities**  
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**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

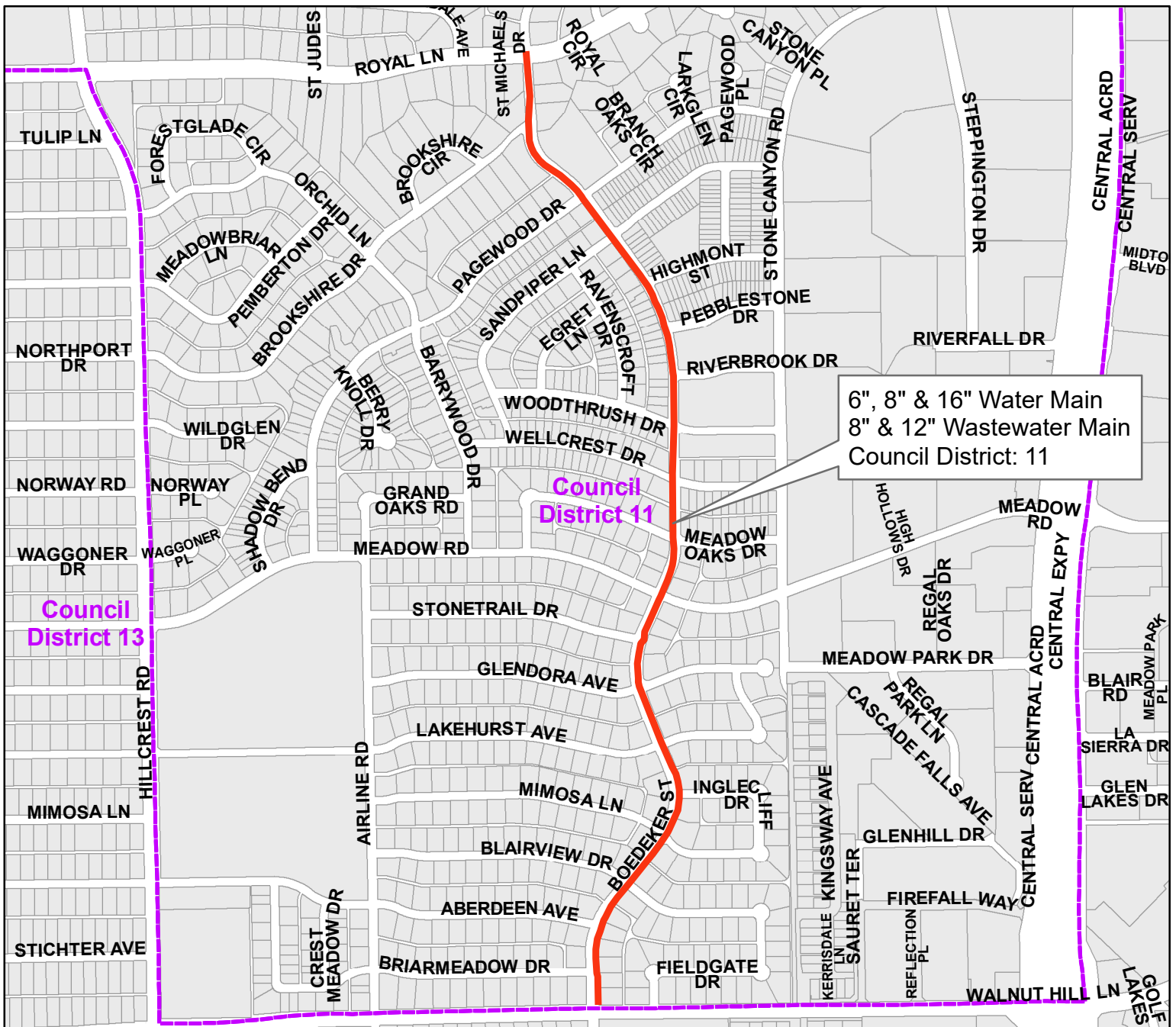


Alley between Northaven Road and Yorkshire Drive/Easement west of Royalshire Drive  
from Royalshire Drive to Yorkshire Drive/from Alley south of Meadow Crest Drive south

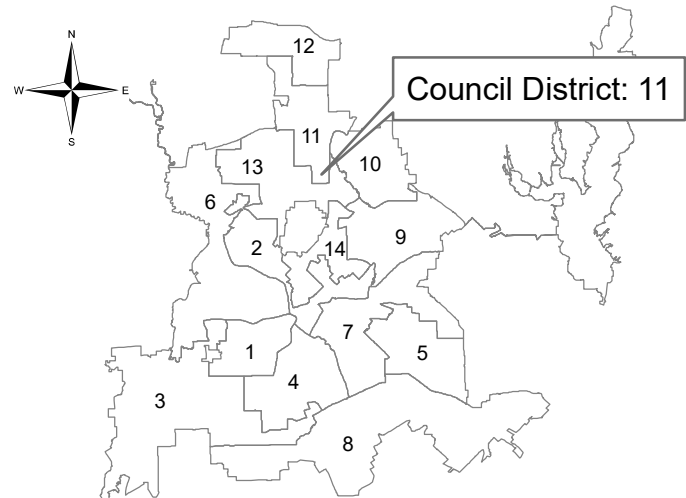


**Dallas Water Utilities**  
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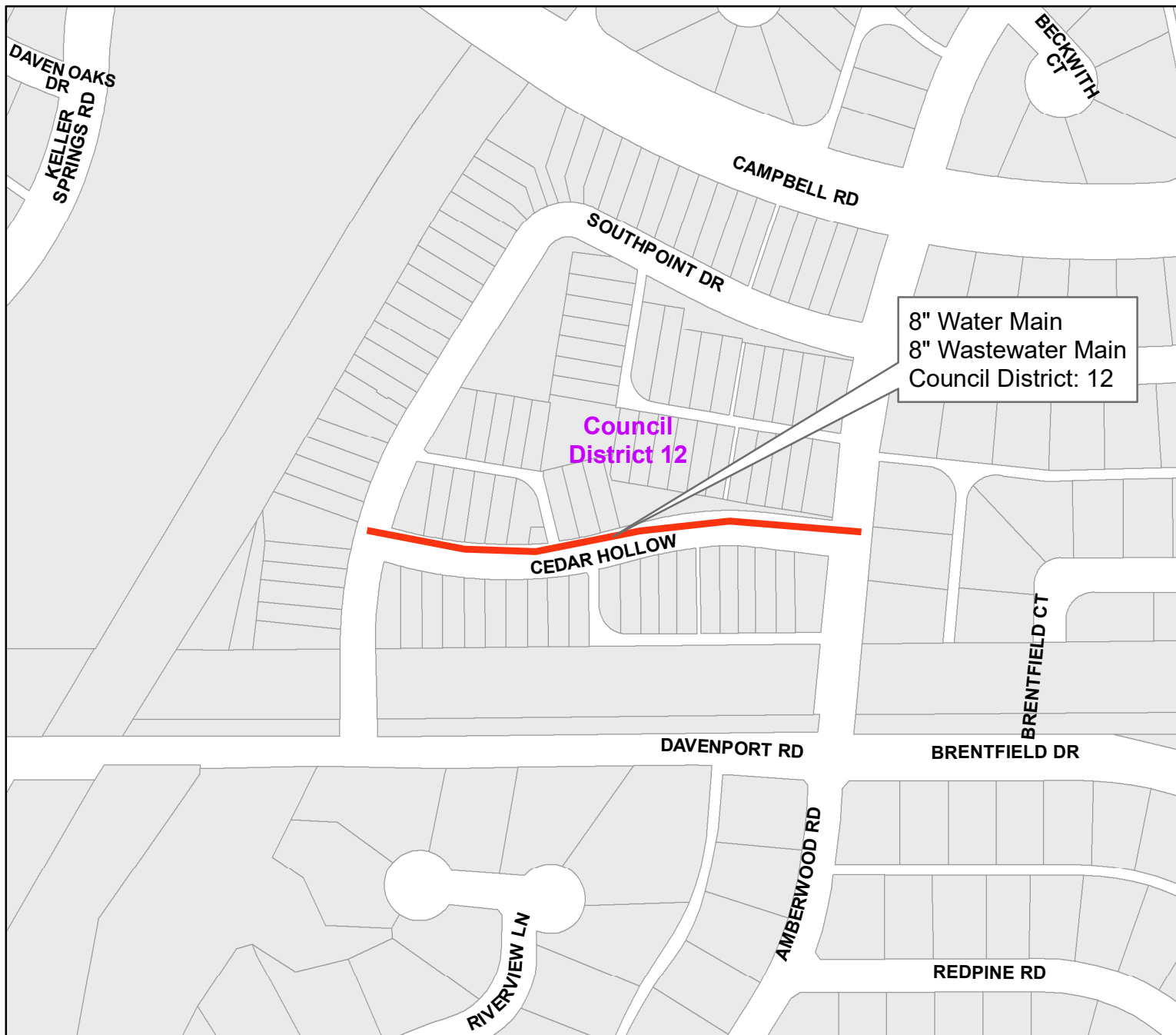




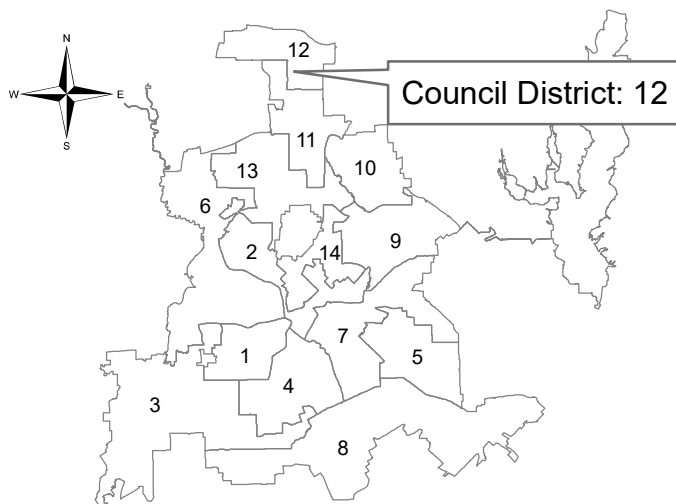
Boedeker Street  
from Royal Lane to Walnut Hill Lane



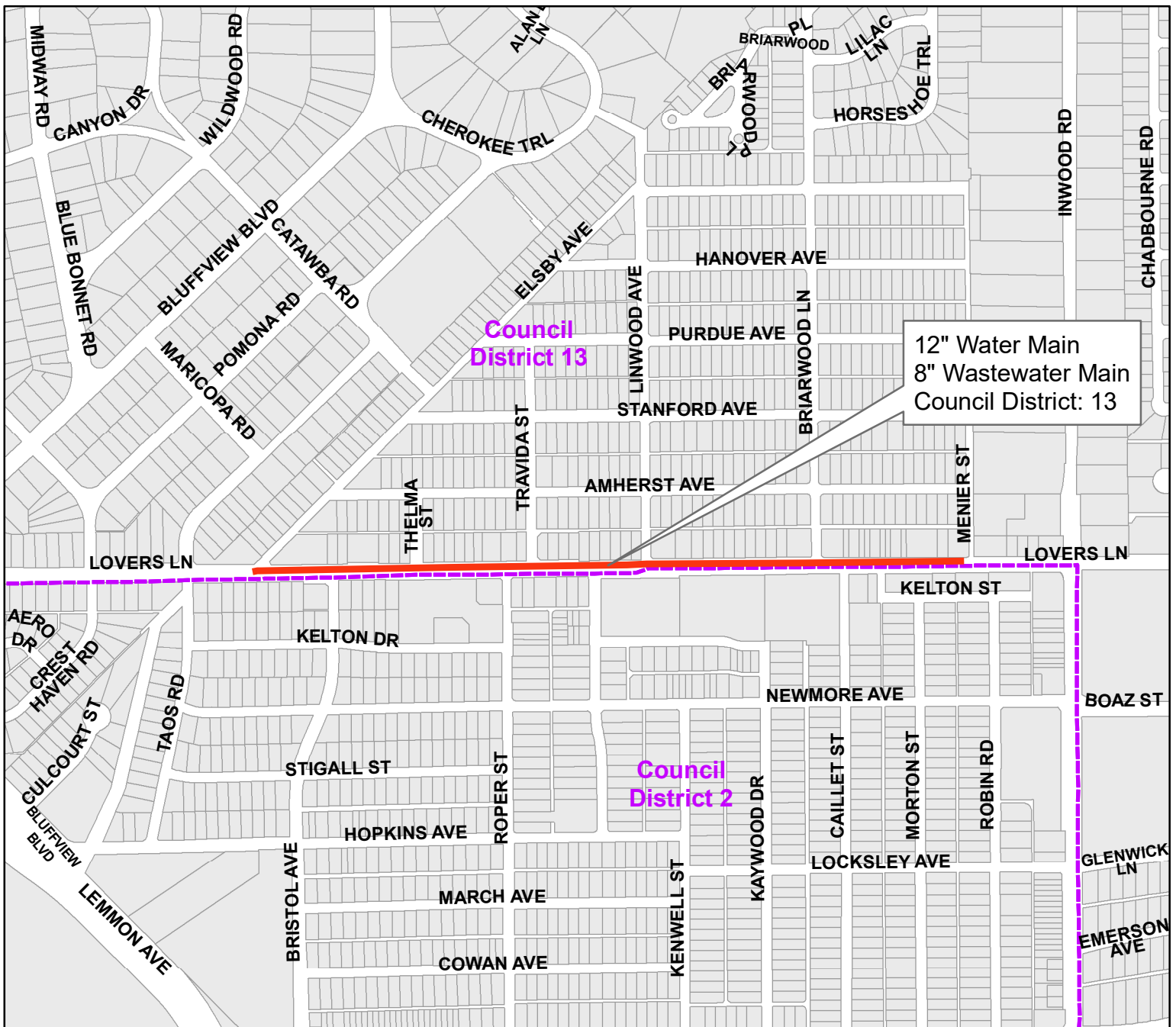
**Dallas Water Utilities**  
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**at 45 Locations**



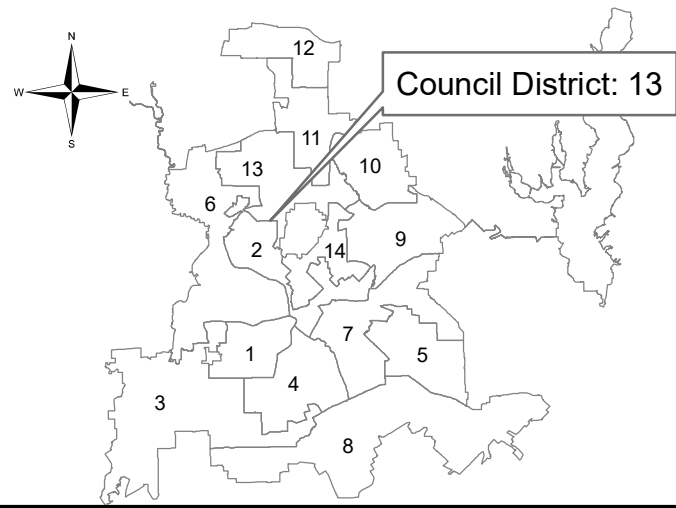
Cedar Hollow  
from Davenport Road to Southpoint Drive



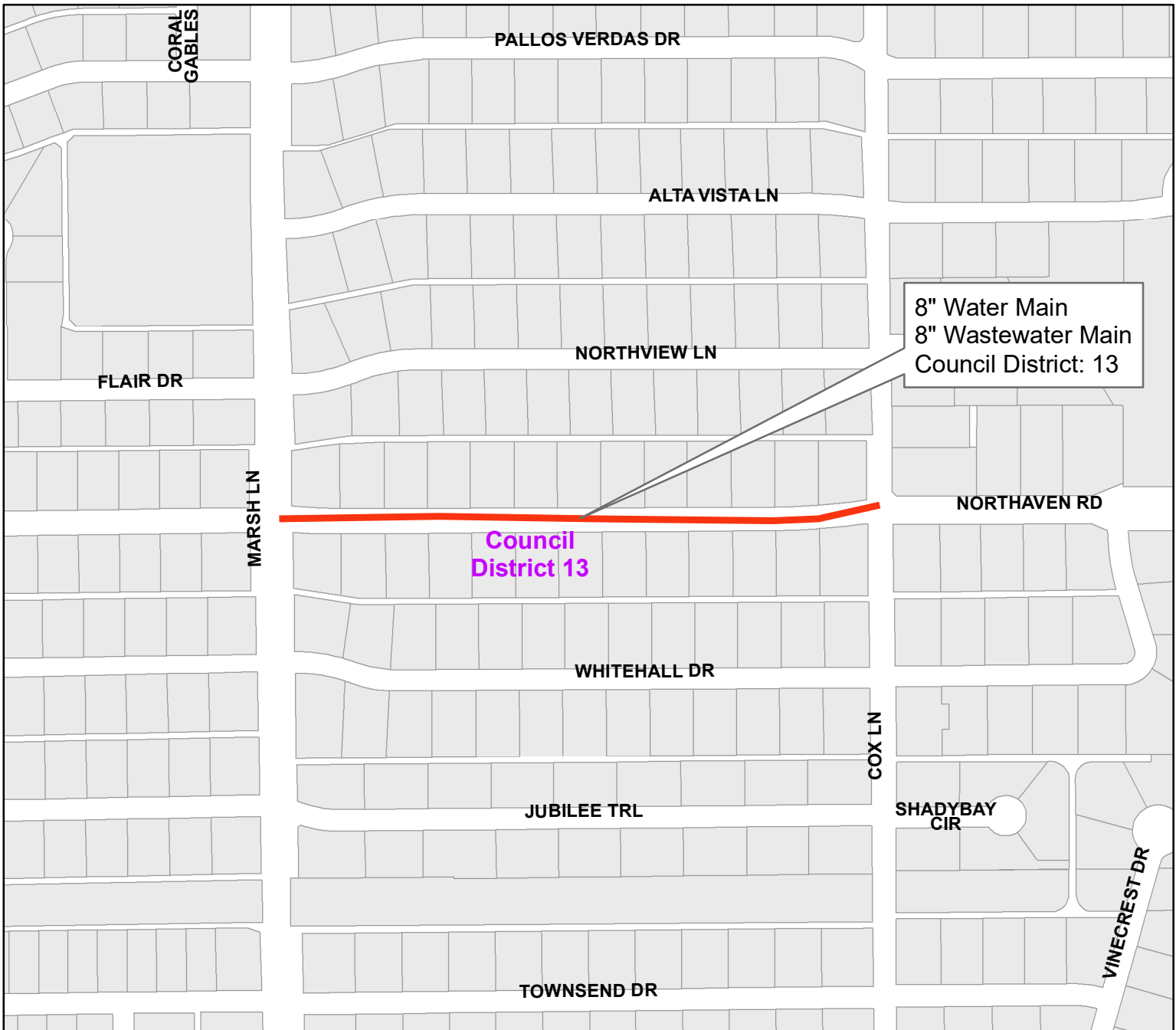
**Dallas Water Utilities**  
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**at 45 Locations**



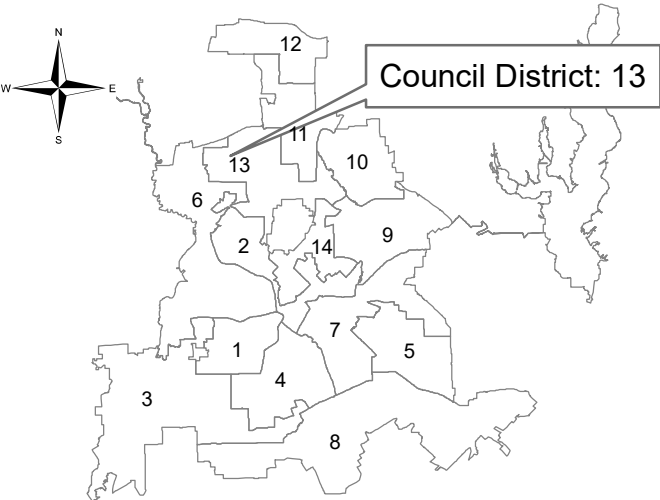
Lovers Lane  
from Elsby Avenue to Menier Street



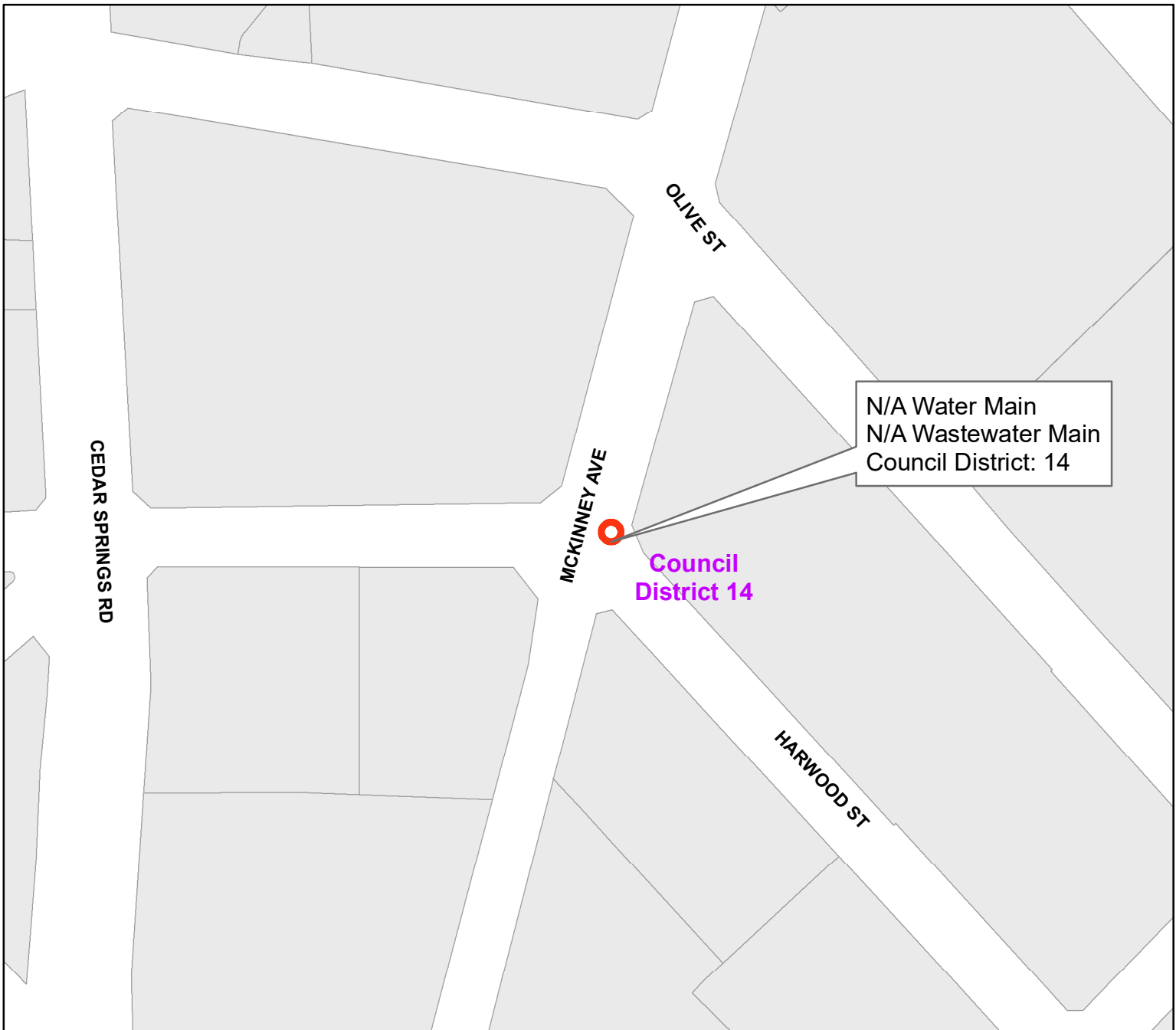
**Dallas Water Utilities**  
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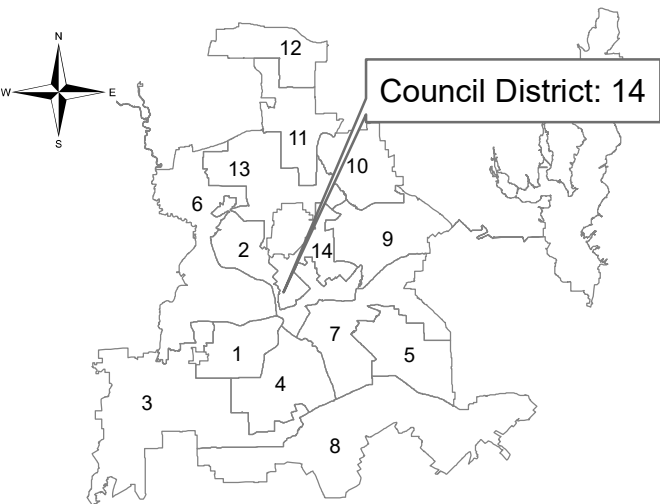
Northaven Road  
from Marsh Lane to Cox Lane



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**



Harwood Street  
at McKinney Avenue  
Valve Replacement



**Dallas Water Utilities**  
**Contract No. 22-151/152**  
**Water and Wastewater Main Installation, Water Valve**  
**Replacements, and Water/Wastewater Extensions**  
**at 45 Locations**

November 9, 2022

**WHEREAS**, on September 22, 2021, City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets by Resolution No. 21-1590; and

**WHEREAS**, on August 12, 2022, four bids were received for the installation and rehabilitation of water and wastewater mains, the replacement of water transmission valves, and the extension of water and wastewater mains to unserved areas at 45 locations, Contract No. 22-151/152, listed as follows:

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
SYB Construction Company, Inc.	\$21,003,141.50
Atkins Brothers Equipment Company, Inc.	\$23,854,204.00
John Burns Construction	\$25,450,131.00
ARK Contracting Services, LLC	\$27,495,000.00

**WHEREAS**, the bid submitted by SYB Construction Company, Inc., 421 Compton Avenue, Irving, Texas 75061, in the amount of \$21,003,141.50, is the lowest and best of all bids received.

**Now, Therefore,**

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

**SECTION 1.** That the bid submitted by SYB Construction Company, Inc., in the amount of \$21,003,141.50 for doing the work covered by the plans, specifications, and contract documents, Contract No. 22-151/152, be accepted.

**SECTION 2.** That the City Manager is hereby authorized to execute a construction services contract with SYB Construction Company, Inc., approved as to form by the City Attorney, for the installation and rehabilitation of water and wastewater mains, the replacement of water transmission valves, and the extension of water and wastewater mains to unserved areas at 45 locations, in an amount not to exceed \$21,003,141.50.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$21,003,141.50, as follows:

Water (Drinking Water) – TWDB 2021 Fund	
Fund 1193, Department DWU, Unit FW40	
Object 4550, Program 722151, Vendor 507202	
Encumbrance/Contract No. DWU-2022-00020334	\$8,774,764.62

November 9, 2022

**SECTION 3.** (continued)

Water (Drinking Water) - TWDB 2022 Fund Fund 1195, Department DWU, Unit FW40 Object 4550, Program 722151, Vendor 507202 Encumbrance/Contract No. DWU-2022-00020334	\$4,844,808.38
Wastewater (Clean Water) - TWDB 2022 Fund Fund 1194, Department DWU, Unit FS40 Object 4560, Program 722152, Vendor 507202 Encumbrance/Contract No. DWU-2022-00020334	\$4,382,226.00
Coronavirus State and Local Fiscal Recovery Funds Fund FC18, Department DWU, Unit AD07 Object 4550, Program 722151, Vendor 507202 Encumbrance/Contract No. DWU-2022-00020334	\$576,765.50
Coronavirus State and Local Fiscal Recovery Funds Fund FC18, Department DWU, Unit AD08 Object 4560, Program 722152, Vendor 507202 Encumbrance/Contract No. DWU-2022-00020334	<u>\$ 2,424,577.00</u>
Total amount not to exceed	\$21,003,141.50

**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.



## Agenda Information Sheet

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**File #:** 22-1863

**Item #:** 38.

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Kimberly Bizer Tolbert

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### **SUBJECT**

Authorize Supplemental Agreement No. 1 to the professional services contract with Gresham Smith to provide additional engineering services for the Lower East Bank Interceptor - Not to exceed \$347,510.00, from \$2,180,474.50 to \$2,527,984.50 - Financing: Wastewater Capital Improvement F Fund

### **BACKGROUND**

On December 14, 2016, City Council awarded a professional services contract to Gresham Smith for engineering design services related to the replacement and rehabilitation of water and wastewater mains at 13 locations. One of those locations included the replacement and rehabilitation of the existing Lower East Bank wastewater interceptor system that is in poor structural condition and needs additional capacity to support ongoing and future development. The Lower East Bank Interceptor has been identified in master planning efforts as one of Dallas Water Utilities' (DWU) most critical pipeline improvement projects.

Design improvements for the Lower East Bank Interceptor were completed and the project was put on-hold until the necessary easements for the project could be acquired. Following the completion of design and prior to the advertisement for construction bids, DWU completed an updated master plan that recommended an increase to the wastewater flows to be conveyed by the Lower East Bank Interceptor. The increased flows required the Lower East Bank Interceptor design to be modified before advertising for construction bids. On September 23, 2020, a construction contract was awarded and following award of the contract it was determined that the bottom of an existing pressure storm sewer conflicted with the proposed alignment of the interceptor. The existing pressure sewer has a bottom elevation different than what was originally anticipated based on the best available records and a portion of the interceptor design was modified to clear the conflict.



This action will authorize a supplemental agreement for additional engineering services necessary to complete the Lower East Bank Interceptor Project. Supplemental Agreement No. 1 will fund the previous design modifications and allow for the remaining funds to be used for construction phase services. The project is currently under construction and anticipated to be completed in 2024.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Services                      November 2022  
Complete Services                March 2024

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On December 14, 2016, City Council authorized engineering services contracts with four consulting firms to provide design services for the replacement and rehabilitation of water and wastewater mains at 109 locations by Resolution No. 16-1946.

### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Wastewater Capital Improvement F Fund	\$347,510.00	\$0.00	\$0.00

Design	\$2,180,474.50
Supplemental Agreement No. 1 (this action)	\$ 347,510.00
Project Total	\$2,527,984.50

### **M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal
\$347,510.00	Architecture & Engineering	25.00%*
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
25.90%	25.90%	\$90,000.00
• *This item reflects previous Business Inclusion and Development M/WBE Policy.		
• This contract exceeds the M/WBE goal.		
• Supplemental Agreement No. 1 - 29.16% Overall M/WBE participation		
• Gresham Smith - Local; Workforce - 36.00% Local		

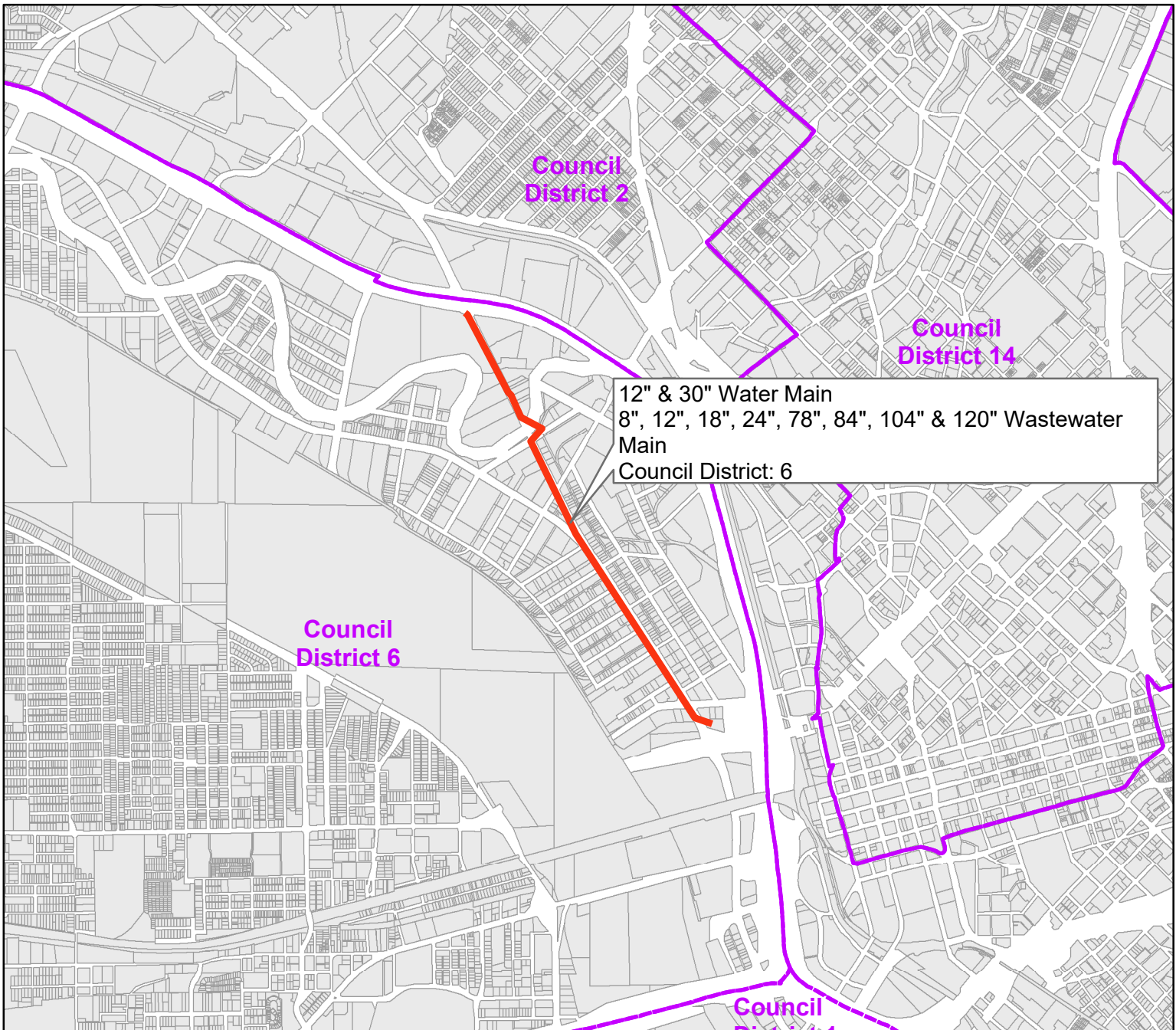
**OWNER**

**Gresham Smith**

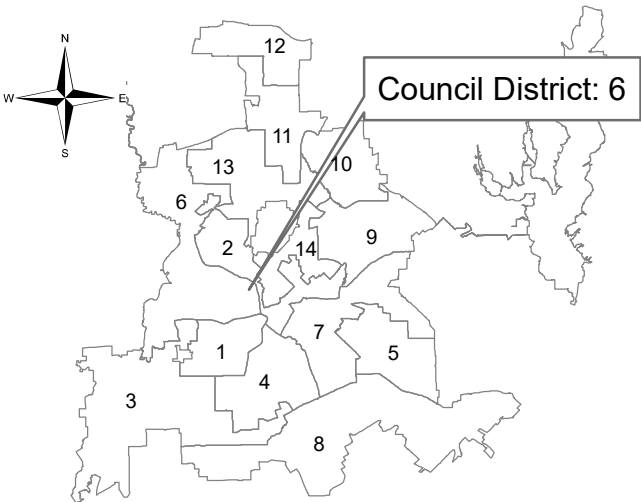
Rodney Chester, P.E., Chief Executive Officer

**MAP**

Attached



Riverfront Boulevard/Market Center Boulevard  
from Woodall Rodgers Freeway north  
to Stemmons (IH-35) Freeway Service Road



**Dallas Water Utilities**  
**Contract No. 16-357/358E S.A. No. 1**  
**Water and Wastewater Main Installations**

November 9, 2022

**WHEREAS**, on December 14, 2016, City Council authorized engineering services contracts with four consulting firms to provide design services for the replacement and rehabilitation of water and wastewater mains at 109 locations - Huitt-Zollars, Inc., in the amount of \$1,218,823, APM & Associates, Inc., in the amount of \$1,454,527, Gresham Smith and Partners, in the amount of \$2,180,475, and Burgess & Niple, Inc., in the amount of \$2,754,802 - Total not to exceed \$7,608,627, by Resolution No. 16-1946; and

**WHEREAS**, the City of Dallas has identified the need to provide additional engineering services for design modifications that provide increased wastewater capacity and clear an existing utility conflict for the Lower East Bank Interceptor; and

**WHEREAS**, Gresham Smith, 500 North Akard Street, Suite 3210, Dallas, TX 75201, has submitted an acceptable proposal to provide these engineering services; and

**WHEREAS**, Dallas Water Utilities recommends that Contract No. 16-357/358E be increased by \$347,510.00, from \$2,180,474.50 to \$2,527,984.50.

**Now, Therefore,**

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

**SECTION 1.** That the proposed Supplemental Agreement No. 1 to the professional services contract be accepted and that Contract No. 16-357/358E with Gresham Smith, be revised accordingly.

**SECTION 2.** That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Gresham Smith, approved as to form by the City Attorney, to provide additional engineering design services for the Lower East Bank Interceptor, in an amount not to exceed \$347,510.00, increasing the contract amount from \$2,180,474.50 to \$2,527,984.50.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$347,510.00 to Gresham Smith from the Wastewater Capital Improvement F Fund, Fund 4116, Department DWU, Unit PS40, Object 4111, Program 716358, Encumbrance CT-DWU716358CP, Vendor 503071.

**SECTION 4.** That this contract is designated as Contract No. DWU-2016-00001446.

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2482

**Item #:** 39.

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**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Secretary's Office

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**SUBJECT**

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)



## Agenda Information Sheet

**File #:** 22-2594

**Item #:** 40.

**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

### SUBJECT

Authorize the **(1)** sale of up to 5 Land Transfer Program lots to Citybuild Community Development Corporation, and/or its affiliates (Developer) subject to restrictive covenants, a right of reverter, and execution of all necessary documents, pursuant to the City's Land Transfer Program; **(2)** release of lien for all non-tax City liens, notices, or orders that were filed on up to 5 Land Transfer Program lots sold to Developer prior to or subsequent to the deeds transferring the lots to the City of Dallas; and **(3)** execution of a development agreement with Developer for the construction of a Health and Wellness Center on the Land Transfer Program lots - Estimated Revenue: General Fund \$6,500.00; Estimated Revenue Foregone: General Fund \$10,257.31 (see Fiscal Information) (This item was deferred on October 26, 2022)

### BACKGROUND

On May 22, 2019, City Council adopted the Land Transfer Program via Resolution No. 19-0824, as amended. The purpose of the Land Transfer Program is to incentivize: 1) the development of quality, sustainable housing that is affordable to the residents of the City and 2) the development of other uses that complement the City's Comprehensive Housing Policy, economic development policy, or redevelopment policy. Specifically, the Land Transfer Program authorizes the City to sell qualifying City-owned real property and resell tax-foreclosed real property to for-profit, non-profit and/or religious organizations in a direct sale at less than fair market value of the land, consistent with the authorizing state statute or city ordinance.

In May 2022, an eligible developer, Citybuild Community Development Corporation, submitted an application (proposal) to purchase a total of 5 Land Transfer Program lots. Four lots will be sold under Chapter 34.051 of Texas Tax Code and one lot, which will be used for the parking portion of the development, will be sold under Chapter 253.011 of the Texas Local Government Code (subject to a Development Agreement requiring a right of reversion in favor of the City). Housing staff evaluated the application pursuant to the standards set forth in the Land Transfer Program guidelines, which included determining whether the developer met the eligibility standards to be deemed a "Qualified Participating Developer" and underwriting the proposal. The application was determined to be "complete" and was assigned a score.

Staff collaborated with the qualified participating developer regarding the terms of the lease for the anchor tenant as well as the terms related to the subsequent leases of ancillary tenants related to the core services of the facility.

The Developer being considered for the sale of 5 lots is Citybuild Community Development Corporation, based in Dallas, Texas, specifically the Bonton neighborhood. The Developer is a not-for-profit community development corporation formed in 2007 and is licensed with the City of Dallas as a General Contractor and is Minority/Women Business Enterprise (MWBE) certified. The CDC is a subsidiary of Bonton Enterprises. Bonton Enterprises has worked for the past 10 years to address health and wellness as well as affordable housing in the Bonton neighborhood. With the development of Bonton Farms, the organization has utilized the business as a catalyst for economic development through job creation and addressing health issues in the community. The business now includes a café, market and welcome center. Currently, Bonton Enterprises is expanding the services in the neighborhood to include affordable housing solutions and health and wellness care for the residents of the Bonton community. The project is estimated to create 12-15 jobs in the Bonton community. In addition, the applicant has financial commitments to support this project 1.64 times. The Director for Citybuild Community Development Corporation is Trey Holloway.

The proposal indicates the construction of a Health and Wellness Center estimated to be 11,070 square feet and parking lot on 5 vacant Land Transfer Program lots and 2 Bonton Enterprises owned lots, the Bonton Farms Health and Wellness Center. The Center will have three primary tenants. The anchor tenant will be Parkland Health and Hospital System occupying approximately 36% of the facility. A secondary tenant will be Baylor Scott and White Health occupying approximately 12% of the facility. A third tenant is expected to be a network of financial institutions and non-profit financial organizations occupying approximately 12% of the facility. The remaining square footage will be occupied by Bonton Farms for office space and common space for visitors to the facility. The primary service will health screenings along with primary care and wellness education and activities. Ancillary services will be financial education for individuals and small businesses. The facility is expected to operate Monday through Friday, 8:00 am-5:00 pm, with additional educational programming on the weekends. In addition, Parkland Health and Hospital System is projecting approximately 3,500 visitors annually to the facility. The project is financially supported by Bonton Enterprises a component fund of The Dallas Foundation.

The development terms applicable to each lot are as follows:

- **Vacant Lot Sales Price:** Attached as **Exhibit A**.
- **Targeted Income Group:** Bonton neighborhood, 120% area median income and below.
- **Construction Timeframe:** Developer must apply for a construction permit and close on any construction financing within 60 days of purchase from the City. In addition, Developer should complete construction and lease with the anchor tenant within two years of the date of acquisition of the vacant lots utilized for construction of the facility.
- **Additional Obligations:** Developer must: 1) execute a lease with Parkland Health and Hospital System Parkland and 2) prior to the execution of the lease, must provide to Department of Housing and Neighborhood Revitalization staff the proposed lease agreement with the lease terms.

- **Restrictive Covenants:** Once the proposed lease is executed, it must be occupied by a health and wellness service provider as the facility's anchor tenant for at least 20 years. If the original tenant vacates the property during the affordability period, the property may only be leased to another eligible tenant.
- **Right of Reverter:** Title to the property sold under Chapter 34.051 of Texas Tax Code may revert to the City of Dallas if Developer has 1) failed to take possession of the land within 90 calendar days after receiving the deed to the parcels of real property; 2) failed to complete construction of all required facility or other required development on the real property, or failed to ensure occupancy by the eligible tenant within the development timeframe set forth in the development agreement; 3) incurred a lien on the property because of violations of City ordinances and failed to fully pay off the lien within 180 days of the City's recording of the lien; or 4) sold, conveyed, or transferred the land without the consent of the City. Title to the property sold under Chapter 253.011 of the Texas Local Government Code will revert to the City of Dallas when the property no longer primarily promotes the public purpose of the municipality.

### **ESTIMATED SCHEDULE OF PROJECT**

Begin Project      November 2022  
Complete Project   November 2024

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

[The Housing and Homelessness Solutions Committee was be briefed by memorandum regarding this matter on September 29, 2022.](#)

On October 26, 2022, this item was deferred by Councilmember Adam Bazaldua.

### **FISCAL INFORMATION**

Estimated Revenue: General Fund \$6,500.00. (The City of Dallas will receive revenue from the sale of the lots, see attached **Exhibit A**, in the amount of \$5,000.00. For tax foreclosed lots, the sales price for each lot is a minimum of \$1,000.00 for lots up to 7,500 square feet and an additional \$0.133 per square foot for lots which exceed 7,500 square feet. Surplus lot(s) shall be offered at fair market values. The Land Transfer Program authorizes the City to sell qualifying city-owned real property and resell tax-foreclosed real property to for-profit, non-profit and/or religious organizations in a direct sale at less than fair market value of the land, consistent with the authorizing state statute or city ordinance. The surplus lot(s) identified on **Exhibit A** are being sold at a discounted price of \$1,000.00 each. The City of Dallas will also collect recording fees at closing to ensure property legal documents are properly recorded in the amount of \$1,500.00.)

Revenue Foregone: General Fund \$10,257.31 (in addition, **Exhibit A** details the Foregone Revenues from the release of non-tax City liens: \$10,257.31)



**M/WBE INFORMATION**

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$2,258,216.00	Construction	32.00%
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
32.00%	32.00%	\$722,629.00
• This contract meets the M/WBE goal.		
• Women That Soar LLC - Local; Workforce - 100.00% Local		

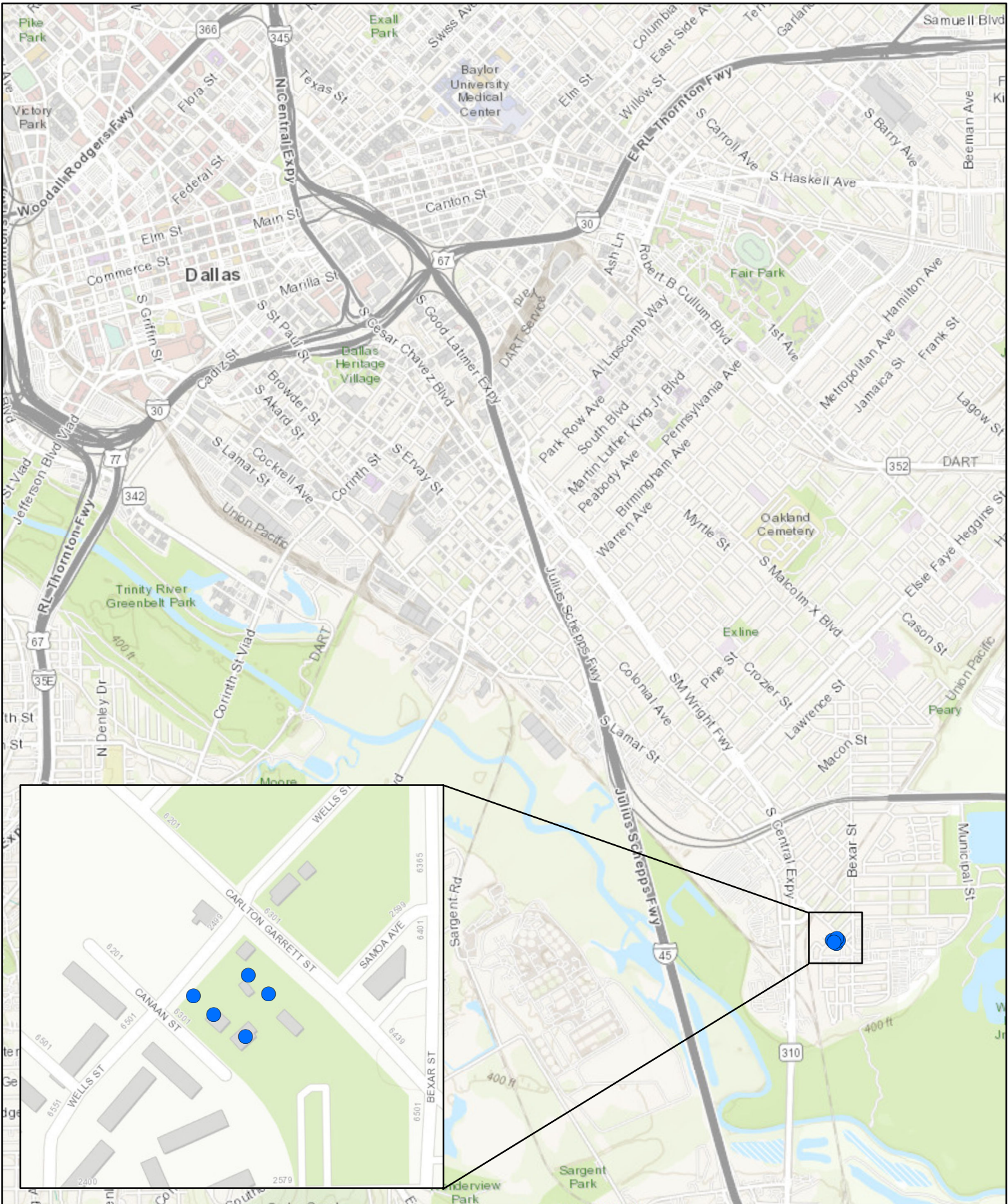
**DEVELOPER****Citybuild Community Development Corporation**

Trey Holloway, Director

**MAP**

Attached

# Land Transfer Lots Requested by Developer Citybuild



November 9, 2022

**WHEREAS**, on May 9, 2018, City Council adopted a Comprehensive Housing Policy (CHP) that set citywide production goals for homeownership and rental units for the next three years along with respective income bands that will be prioritized within the production goals and also set forth various programs, tools and strategies to be used to meet the production goals while also overcoming concentrations of poverty and racial segregation by Resolution No. 18-0704; and

**WHEREAS**, on May 22, 2019, City Council authorized amendments to the City of Dallas Comprehensive Housing Policy to establish a Land Transfer Program by Resolution No. 19-0824; and

**WHEREAS**, Citybuild Community Development Corporation (Developer) submitted a proposal to purchase 5 vacant Land Transfer Program lots to develop a health and wellness center; and

**WHEREAS**, the surplus lots are being sold in accordance with 272.001(g) of the Local Government Code and the tax foreclosed lots are being sold pursuant to 34.051 of the Texas Property Tax Code; and

**WHEREAS**, to assist in the affordable housing production goals established in the Comprehensive Housing Policy, the City desires to enter into a development agreement with Developer.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager hereby authorizes the 1) sale of up to 5 Land Transfer Program lots to Citybuild Community Development Corporation, and/or its affiliates (Developer) subject to restrictive covenants, a right of reverter, and execution of all necessary documents, pursuant to the City's Land Transfer Program; 2) release of lien for all non-tax City liens, notices, or orders that were filed on up to 5 Land Transfer Program lots sold to Developer prior to or subsequent to the deeds transferring the lots to the City of Dallas; and 3) execution of a development agreement with Developer for the construction of a health and wellness center on the Land Transfer Program lots, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to execute all documents, including, but not limited to deed without warranty (subject to right of redemption for tax lots), restrictive covenants, deed of trust and any necessary documents to effectuate the sale of up to 5 Land Transfer Program lots shown in **Exhibit A** to Developer pursuant to the terms of development as described herein, approved as to form by the City Attorney. All lots may revert to the City if City Manager or his/her designee determines that the Developer has:

**SECTION 2.** (continued)

1. failed to take possession of the land within 90 calendar days after receiving the deed to the parcels of real property;
2. failed to complete construction of all required facility or other required development on the real property, or failed to ensure occupancy by eligible tenant within the development timeframe set forth in the development agreement;
3. incurred a lien on the property because of violations of City ordinances and failed to fully pay off the lien within 180 days of the City's recording of the lien; or
4. sold, conveyed, or transferred the land without the consent of the City. Title to the property sold under Chapter 253.011 of the Texas Local Government Code will revert to the City of Dallas when the property no longer primarily promotes the public purpose of the municipality.

Upon determination by the City Manager that a condition described above has occurred, the City Manager is authorized to execute an instrument, approved as to form by the City Attorney, exercising against the parcel of real property the City's possibility of reverter with right to reentry. The City shall file notice of the reverter and reentry of the land by the City in the real property records of the county in which the parcel of real property is located, which notice must specify the reason for the reverter and reentry. The City shall provide a copy of the notice to the Developer in person or by mailing the notice to the Developer's post office address as shown on the tax rolls of the City or of the county in which the land is located.

**SECTION 3.** That each tax foreclosed lot shall be sold to the Developer for a fixed price of \$1,000.00 for up to 7,500 square feet of land purchased under a single proposal, plus \$0.133 for each additional square foot of land purchased under the proposal, as detailed in **Exhibit A**. The proceeds from sale will be deposited to General Fund, Fund 0001, Department DEV, Balance Sheet Account 0519.

**SECTION 4.** That each surplus lot be offered at fair market values. A discount is available if project underwriting indicates that a discount is needed either to ensure the viable sale, lease or lease-purchase to an income qualified buyer. The lots noted as surplus in **Exhibit A** are being sold at a discounted price of \$1,000.00 each. The proceeds from sale will be deposited to General Fund, Fund 0001, Department DEV, Balance Sheet Account 0519.

**SECTION 5.** That the City will provide Developer with a 120-day right of entry and due diligence period. During this period, the Developer will identify lots with significant development challenges that may be undevelopable or may require significant remediation. Following the 120-day period, Developer must submit a final list of requested lots. The City may extend the due diligence period, as determined in the City's sole discretion.



November 9, 2022

**SECTION 6.** That the City Manager is hereby authorized to release all non-tax City lien notices and orders that were filed on the lots sold to Developer, shown in **Exhibit A**, prior or subsequent to the deed transferring the lots to the City of Dallas, approved as to form by the City Attorney.

**SECTION 7.** That in addition to the conditions set out in the sections above, the development agreement shall include the following:

1. Developer is required to design, redevelop and construct a health and wellness facility, for-lease to an eligible tenant, on the Land Transfer Program lots obtained by Developer from the City. Developer shall submit a development plan and the development plan must be approved by the City.
2. Upon transfer of ownership of the lots from the City to the Developer, Developer must maintain all vacant lots in compliance with all applicable city, state and federal regulations including maintaining the lots free of high weeds.
3. No liens shall exist on the lots, except for liens related to the development of each lot.
4. Developer shall ensure that all tenants have access to public sewer, public water, public road and any other necessary utilities.
5. All Project costs must be reasonable and customary and conform with the Comprehensive Housing Policy, and any other applicable City regulations.
6. Developer shall construct and lease the facility to an eligible tenant within two (2) years from the date of sale by the City to Developer. Developer may receive a one (1)-year extension of any deadlines in the development agreement, subject to prior approval of the City Manager or designee.
7. The term of the lease with an eligible tenant is twenty (20) years from the execution of the lease with an eligible tenant, which shall be enforced by the restrictive covenants filed against each property.
8. The City Manager may authorize minor modifications to the Project to reduce the amount of lots sold to Developer, so long as such modification complies with the CHP.
9. Developer shall obtain a building permit for the project within 180 days from the date of sale to Developer from the City.

November 9, 2022

**SECTION 8.** That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to this transaction, until such time as the documents are duly approved by all parties and executed.

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

**Exhibit A**  
**Citybuild Community Development Corporation**

Lot #	Street #	Street Name	Neighborhood	CD	Area (SF)	Purchase Price	Type	Non- Tax Lien Amount
1	6307	CARLTON GARRETT ST	Bonton	7	5000	\$ 1,000.00	tax foreclosed	\$ 10,257.31
2	6309	CARLTON GARRETT ST	Bonton	7	4998	\$ 1,000.00	tax foreclosed	\$ -
3	6302	CANAAN ST	Bonton	7	4499	\$ 1,000.00	tax foreclosed	\$ -
4	6306	CANAAN ST	Bonton	7	4499	\$ 1,000.00	tax foreclosed	\$ -
5	6310	CANAAN ST	Bonton	7	7030	\$ 1,000.00	surplus	\$ -
						<b>TTL Purchase Price</b>		\$ -
						<b>TTL Recording Fees</b>		\$ -
						<b>TTL Purchase Price &amp; Recording Fees</b>	<b>TTL Non-Tax Lien Amount</b>	<b>\$ 10,257.31</b>

**EXHIBIT B**  
**SCOPE OF WORK**

**Section 1: Project Summary**

The Project will be the construction of a health and wellness center, which will be built on 5 Land Transfer Program lots (Project). The center will be approximately 11,070 SF of commercial space with an anchor tenant to provide medical related services and two ancillary tenants. The two additional tenants will consist of one which will provide additional health and wellness related services and a second which will provide financial education related services. The services will target the Bonton community, individuals in the AMI range of 120% and below. The project is expected to be completed 2 years from the date of acquisition of the Land Transfer Program lots.

**Section 1.1: Summary of Unit Types**

**Unit Descriptions**

Model	SF	# of Units	# of tenants
Health and Wellness Center	11090	1	3

**Section 1.2: Unit Floor Plans and Elevations**

**Attached.**

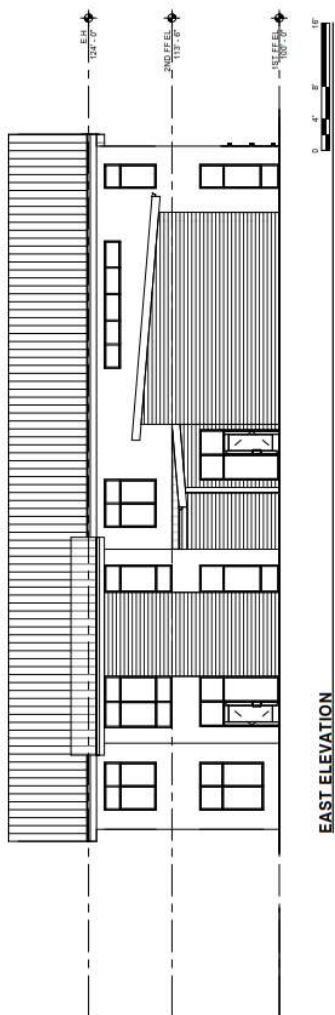
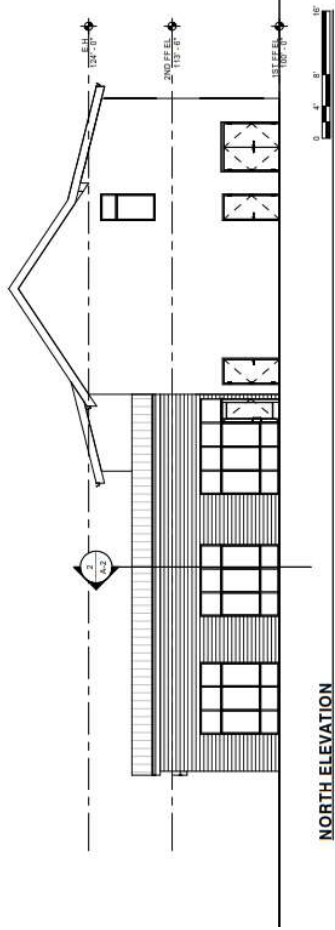
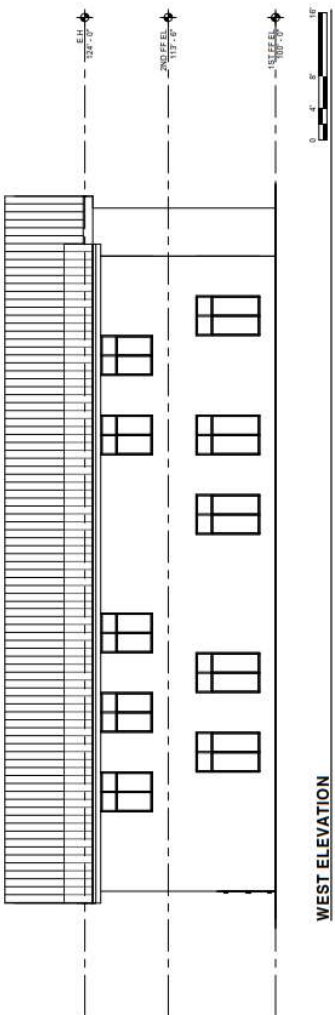
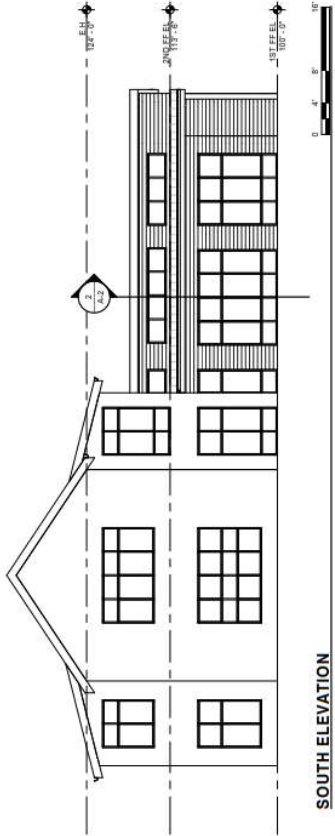
**Note: All plans are subject to review and approval by the Department of Housing and Neighborhood Revitalization.**

**Section 2: Construction Timeline**

- Developer must apply for a construction permit and close on any construction financing within 60 days of acquisition of the Land Transfer Program lot(s) from the City of Dallas.
- Developer should complete construction and lease facility to a tenant providing medical related services within 2 years of acquisition of the Land Transfer Program lot(s) from the City of Dallas.

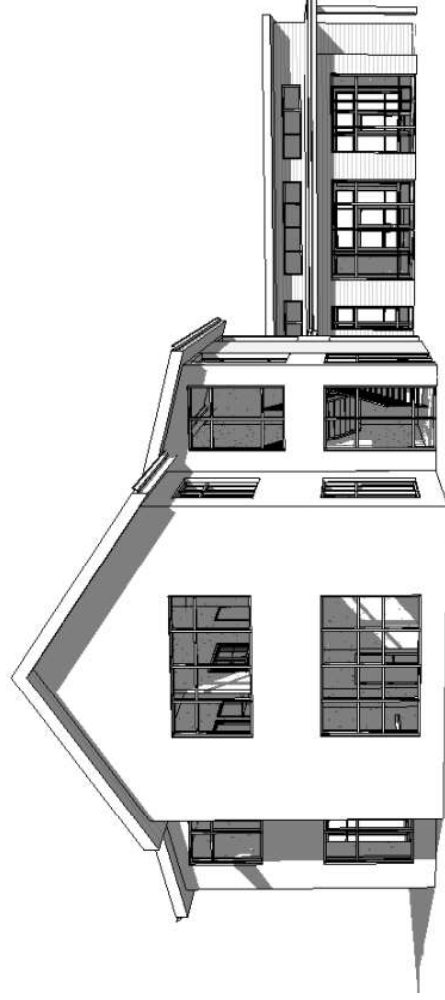
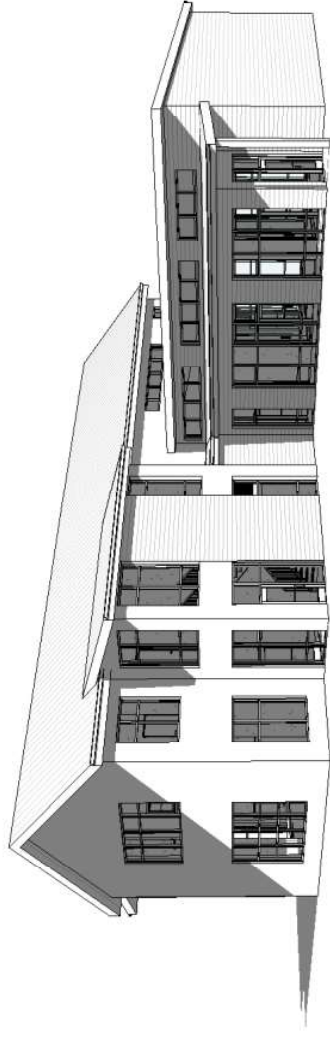


# ELEVATIONS

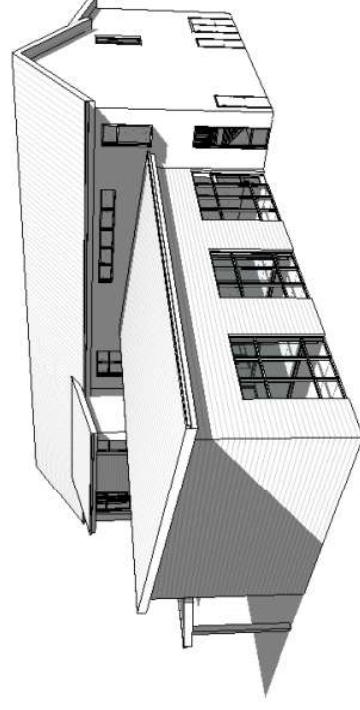


Parkhill

# 3D VIEWS



3D VIEWS



Parkhill











## Agenda Information Sheet

**File #:** 22-2621

**Item #:** 41.

**STRATEGIC PRIORITY:** Workforce, Education, & Equity

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Community Care

**EXECUTIVE:** M. Elizabeth Cedillo-Pereira

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### **SUBJECT**

Authorize the **(1)** application for and acceptance of additional grant funds from the U.S. Department of the Treasury for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program (CFDA No. 21.023) the amount of \$116,817.39; **(2)** establishment of appropriations in an amount not to exceed \$116,817.39 in the Emergency Rental Assistance Program Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$116,817.39 in the Emergency Rental Assistance Program Fund; **(4)** disbursement of funds in an amount not to exceed \$116,817.39 from the Emergency Rental Assistance Program Fund; and **(5)** execution of any documents necessary to accept and/or spend the funds - Total not to exceed \$116,817.39, increasing the appropriations from \$41,532,662.69 to \$41,649,480.08 - Financing: U.S. Department of the Treasury Emergency Rental Assistance Program Grant Funds

### **BACKGROUND**

The Novel Coronavirus Disease (COVID-19) pandemic and its resulting economic impacts have put thousands at risk of evictions and homelessness. Since Spring of 2020, the City has seen tremendous demand for rental assistance services, a demand which has continued, if not grown, as the pandemic continues. Though a combination of local and national moratoriums and other protections have helped some clients avoid eviction, these moratoriums have largely expired or are expiring and have had limited enforcement power with the Texas Supreme Court decision not to extend emergency order 34 to enforce the Centers for Disease Control moratorium.

This item authorizes acceptance of additional funding made available by the U.S. Department of the Treasury for the purpose of administering rental and utility assistance programs through 2025 through the Consolidated Appropriations Act of 2021 Emergency Rental Assistance Program.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On April 22, 2020, City Council authorized the acceptance of the Coronavirus Aid, Relief and Economic Security Act (CARES) to aid the COVID-19 response throughout the city, by Resolution No. 20-0644.

On June 17, 2020, City Council was briefed on the CARES funds to facilitate assistance to eligible communities and households economically impacted by COVID-19.

On June 24, 2020, City Council authorized an emergency Short-Term Rental and Utility Assistance Program due to COVID-19 to provide up to two months of rental assistance payments for low- and moderate-income persons at or below 80 percent area median income and execution of all documents and agreements necessary to implement the programs by Resolution No. 20-1033.

On December 27, 2020, the Consolidated Appropriations Act of 2021 was signed into law, making funding available through the Treasury for an emergency rental assistance program.

On January 27, 2021, City Council authorized (1) the acceptance of rental assistance program funds; (2) implementation of the Emergency Rental Assistance and Utility Assistance Program; and (3) the execution of five subrecipient agreements with Abounding Prosperity, Incorporated, Dallas Leadership Foundation, First Presbyterian Church of Dallas, Texas dba the Stewpot, International Rescue Committee, Inc., and United Way of Metropolitan Dallas, Inc., to provide up to twelve months rental and utility assistance to low-income households impacted by the COVID-19 pandemic, in an amount not to exceed \$40,700,000.00 by Resolution No. 21-0240.

On April 27, 2022, City Council authorized (1) the application for and acceptance of additional grant funds from the U.S. Department of the Treasury for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program; (2) establishment of appropriations in the Emergency Rental Assistance Program Fund; (3) receipt and deposit of funds in the Emergency Rental Assistance Program Fund; (4) disbursement of funds in an amount not to exceed \$565,428.09 from the Emergency Rental Assistance Program Fund; and (5) execution of any documents necessary with the Treasury to accept and/or spend the funds by Resolution No. 22-0648.

On August 10, 2022, City Council authorized (1) the application for and acceptance of additional grant funds from the U.S. Department of the Treasury for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program; (2) establishment of appropriations in the Emergency Rental Assistance Program Fund; (3) receipt and deposit of funds in the Emergency Rental Assistance Program Fund; (4) disbursement of funds in an amount not to exceed \$267,234.60 from the Emergency Rental Assistance Program Fund; and (5) execution of any documents necessary with the Treasury to accept and/or spend the funds by Resolution No. 22-1142.

### **FISCAL INFORMATION**

Fund	FY 2021	FY 2022	FY 2023	Future Years
Emergency Rental Assistance Program Funds	\$40,700,000.00	\$832,662.69	\$116,817.39	\$0.00

November 9, 2022

**WHEREAS**, the Novel Coronavirus Disease 2019 (COVID-19) pandemic has been declared a public health disaster; and

**WHEREAS**, the U.S. Department of the Treasury (Treasury) has made funding available to the City of Dallas to cover expenses incurred due to the COVID-19 pandemic; and

**WHEREAS**, on April 22, 2020, City Council authorized the acceptance and administration of \$234,443,127.60 in Coronavirus Relief Funds to mitigate the impact of responding to COVID-19 for the period of March 1, 2020 through December 30, 2020, by Resolution No. 20-0644; and

**WHEREAS**, City of Dallas residents have been impacted by reduced hours, job losses, increased healthcare expenses, increased childcare expenses, and many other ways financially; and

**WHEREAS**, on December 27, 2020, the Consolidated Appropriations Act of 2021 (Act) was signed into law and funding made available through the Treasury for the City of Dallas to provide rental and utility assistance programs for the period of December 28, 2020 through December 31, 2021; and

**WHEREAS**, on January 27, 2021, City Council authorized (1) the acceptance of rental assistance program funds; (2) implementation of the Emergency Rental Assistance and Utility Assistance Program; and (3) the execution of five subrecipient agreements with Abounding Prosperity, Incorporated, Dallas Leadership Foundation, First Presbyterian Church of Dallas, Texas dba the Stewpot, International Rescue Committee, Inc., and United Way of Metropolitan Dallas, Inc., to provide up to twelve months rental and utility assistance to low-income households impacted by the COVID-19 pandemic, in an amount not to exceed \$40,700,000.00, by Resolution No. 21-0240; and

**WHEREAS**, on April 27, 2022, City Council authorized (1) the application for and acceptance of additional grant funds from the U.S. Department of the Treasury for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program; (2) establishment of appropriations in the Emergency Rental Assistance Program Fund; (3) receipt and deposit of funds in the Emergency Rental Assistance Program Fund; (4) disbursement of funds in an amount not to exceed \$565,428.09 from the Emergency Rental Assistance Program Fund; and (5) execution of any documents necessary with the Treasury to accept and/or spend the funds by Resolution No. 22-0648; and



November 9, 2022

**WHEREAS**, on August 10, 2022, City Council authorized (1) the application for and acceptance of additional grant funds from the U.S. Department of the Treasury for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program; (2) establishment of appropriations in the Emergency Rental Assistance Program Fund; (3) receipt and deposit of funds in the Emergency Rental Assistance Program Fund; (4) disbursement of funds in an amount not to exceed \$267,234.60 from the Emergency Rental Assistance Program Fund; and (5) execution of any documents necessary with the Treasury to accept and/or spend the funds by Resolution No. 22-1142; and

**WHEREAS**, in accordance with the Act, the Treasury reallocated funds based on demonstrated need; and

**WHEREAS**, in accordance with the Act, the Treasury has made additional funding, in an amount not to exceed \$116,817.39, available to the City of Dallas to support rental and utility assistance programs for the period of November 1, 2022 through December 29, 2022; and

**WHEREAS**, the City of Dallas has seen and continues to see significant demand for rental and utilities assistance among those impacted by or during the COVID-19 pandemic.

**Now, Therefore,**

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

**SECTION 1.** That the City Council hereby ratifies the City Manager's application for additional funding from the U.S. Department of the Treasury (Treasury) for the Consolidated Appropriations Act of 2021 Coronavirus Response and Relief Funds for the Emergency Rental Assistance Program (CFDA No. 21.023), and the City Manager is hereby authorized to accept such additional funding in an amount not to exceed \$116,817.39, increasing the appropriations from \$41,532,662.69 to \$41,649,480.08, to provide emergency rental assistance services for individuals directly and indirectly impacted by and/or during the COVID-19 pandemic; and execute and agree to all terms and conditions of an amendment or other document required to receive such additional funding, approved as to form by the City Attorney.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit additional grant funds in an amount not to exceed \$116,817.39 in the 2021 Emergency Rental Assistance Program Fund, Fund FC11, Department MGT, Unit 900G, Revenue Code 6506.

November 9, 2022

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$116,817.39 in the 2021 Emergency Rental Assistance Program Fund, Fund FC11, Department MGT, Unit 900G, Object 3099.

**SECTION 4.** That when necessary, the City Manager or designee is authorized to execute change orders or amendments to the subrecipient agreements, in excess of 25 percent and/or \$50,000.00 (subject to compliance with the applicable procurement laws), to commit and expend funds timely to meet federal and/or state requirements.

**SECTION 5.** That the City Manager is hereby authorized to spend funds in compliance with the Emergency Rental Assistance and Utility Assistance Program (ERA Program or the Program), Consolidated Appropriations Act of 2021 and in accordance with guidance from the Treasury.

**SECTION 6.** That City Manager is hereby authorized to take all necessary actions to account for and report the use, including but not limited to creating additional funds/units, and transferring appropriations between funds/units as efforts continue and further information on eligible uses is released.

**SECTION 7.** That the City Manager is hereby authorized to execute all documents and agreements necessary to implement the Program, including but not limited to agreement(s) to administer the program, approved as to form by the City Attorney.

**SECTION 8.** That the City Manager is hereby authorized to reimburse to the granting agency any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**SECTION 9.** That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

**SECTION 10.** That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation of the grant as may be necessary to satisfy the U.S. Department of Treasury.

**SECTION 11.** That this contract is designated as Contract No. OCC-2022-00019914.

**SECTION 12.** 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 Information Sheet

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**File #:** 22-2623

**Item #:** 42.

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**STRATEGIC PRIORITY:** Workforce, Education, & Equity

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Office of Community Care

**EXECUTIVE:** M. Elizabeth Cedillo-Pereira

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### **SUBJECT**

Authorization of **(1)** an ordinance **(a)** repealing Ordinance No. 31521; **(b)** providing a saving clause; and **(c)** providing an effective date **(Attachment A)**; and **(2)** a temporary ordinance **(a)** providing for a notice of proposed eviction by residential landlords before a notice to vacate a residential tenancy; **(b)** creating an offense; **(c)** providing a penalty not to exceed \$500.00; **(d)** providing a savings clause; **(e)** providing a severability clause; and **(f)** providing an effective date **(Attachment B)** - Financing: No cost consideration to the City

### **BACKGROUND**

On April 22, 2020, City Council approved the COVID Landlord-Tenant Notice Ordinance (Ordinance No. 31521) that established a notice provision prior to evicting residential tenants during the COVID-19 Pandemic. This item will repeal Ordinance No. 31521, which is specific to COVID-19, and create a new temporary ordinance limited to rent delinquency.

Under the proposed temporary ordinance, a residential landlord will be required to provide a notice that informs the tenant of the option to seek rental assistance and provides time for the negotiation of lease payment agreements prior to initiating the eviction process via a Notice to Vacate.

The Temporary Ordinance requires that the tenant respond to the notice no later than 10 days, in that time a tenant can cure overdue rent, fees, or other charges associated with the tenant's lease, negotiate a modification to the lease before the tenant loses housing, or provide the landlord with a rental assistance notice. If a tenant has provided the landlord with the rental assistance notice, the Ordinance delays eviction for 60 days.

The Temporary Ordinance excludes any delays of eviction when there is a breach of the lease other than nonpayment of rent or fees or evidence of abatable criminal activity.

The Temporary Ordinance applies only to evictions based on rental delinquency related to residential properties and does not excuse the tenant of any requirement to pay rent or fees under a lease but encourages the parties to collaborate on a workable solution.

The Temporary Ordinance creates an offense not to exceed \$500.00 when a person who knows of facts that provide a tenant with an affirmative defense to eviction under this ordinance, and who nonetheless in bad faith endeavors to evict a tenant.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On April 1, 2020, the Dallas City Council considered a previous notice of eviction proposal and the matter was referred to the Ad Hoc Committee on COVID-19 Human and Social Recovery and Assistance.

The Ad Hoc Committee on COVID-19 Human and Social Recovery and Assistance was briefed on the proposed COVID Landlord-Tenant Notice Ordinance on April 9, 2020.

On April 16, 2020, the Ad Hoc Committee on COVID-19 Human and Social Recovery and Assistance unanimously voted to refer the proposed COVID Landlord-Tenant Notice Ordinance to the full Council for consideration.

On April 22, 2020, City Council approved the COVID Landlord-Tenant Notice Ordinance (Ordinance No. 31521) by Resolution No. 20-0647.

On October 19, 2022, City Council was briefed on eviction mitigation and rental assistance efforts and Ordinance 315121.

### **FISCAL INFORMATION**

No cost consideration to the City.

ORDINANCE NO. \_\_\_\_\_

An ordinance repealing Ordinance No. 31521, passed by the Dallas City Council on April 22, 2020, which required residential landlords to provide a COVID notice of possible eviction prior to a notice to vacate a residential tenancy; providing a saving clause; and providing an effective date.

WHEREAS, the city council finds that it is in the public interest to repeal Ordinance No. 31521; Now, Therefore,

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

SECTION 1. That Ordinance No. 31521 is repealed.

SECTION 2. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the repeal of Ordinance No. 31521 shall not be affected or impaired by the repeal of Ordinance No. 31521 and Ordinance No. 31521 shall be treated as still remaining in full force and effect for all intents and purposes as if Ordinance No. 31521 had remained in force.

SECTION 3. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

An ordinance providing for a notice of proposed eviction by residential landlords before a notice to vacate a residential tenancy; creating an offense; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, individuals may be unable to work or access financial resources due to unforeseen economic hardship, which may impact a tenant's ability to pay rent, fees, or other charges associated with the tenant's lease and may face a threat of immediate or imminent homelessness; and

WHEREAS, the city finds it is in the public's interest to prevent renters from being displaced and entering into a homelessness condition; and

WHEREAS, it is found that if a landlord provides a notice of proposed eviction, a tenant will have an opportunity to cure overdue rent, fees, or other charges associated with the tenant's lease, or negotiate a modification to the lease before the tenant loses housing; and

WHEREAS, it is found that establishing a notice provision requirement prior to evicting residential tenants will enable landlords and tenants to work collaboratively to permit tenants to remain housed while at the same time ensuring that landlords will maintain a level of revenue that will permit them to continue to provide housing options for tenants is a matter of public health, safety, and welfare and serves the public purpose of safeguarding all City of Dallas residents from the detriments of homelessness;

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

## **SECTION 1. DEFINITIONS.**

(1) **IMPACTED TENANT** means a person, or a member of a person's household, who is authorized by a lease to occupy residential property to the exclusion of others and who submits a rental assistance notice to the tenant's landlord.

(2) **LANDLORD** means a person who rents residential real property to a tenant. This term also includes the owner, a sublessor, and the agent of an owner or sublessor of residential real property.

(3) **NOTICE OF PROPOSED EVICTION** means a notice of proposed eviction, within the meaning of Texas Property Code Section 24.005(e), which notifies the tenant of the tenant's rent delinquency and provides the tenant the right to respond as described in Sections 2(b), 2(d), and 2(e), below, which includes the right to cure any delinquent payments, before giving a tenant a notice to vacate.

(4) **NOTICE TO VACATE** means the statutory notice to vacate required by Texas Property Code Section 24.005 that must precede the filing of an eviction suit.

(5) **PERSON** means an individual, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association, and any other legal entity.

(6) **QUALIFIED RENTAL ASSISTANCE PROGRAM (“QRAP”)** means a rental assistance program that:

(A) is funded by a government entity or a political subdivision of the United States and the State of Texas, or any other organization or legal entity engaging in rental assistance services, or any political subdivision of the foregoing;

(B) is authorized, by the governing documents, contracts, laws, or regulations that allocate or grant such funding, to use such funding, exclusively or non-exclusively, to pay rent for residents of the City of Dallas, and

(C) accepts or has accepted applications for rental assistance through a verifiable application process.

(7) **RENTAL ASSISTANCE NOTICE** means verifiable confirmation of the impacted tenant’s application for rent assistance funds to a QRAP, which includes, without limitation, proof of the application to a QRAP by any person to a landlord by text, electronic mail, or other written delivery in any form.

(8) **TENANT** means a person who rents a residential real property from a landlord.

## **SECTION 2. NOTICE REQUIREMENTS.**

(a) If a residential tenant fails to pay rent, a landlord shall, prior to providing the tenant a notice to vacate, give the tenant a notice of proposed eviction in the manner described in Subsections (h) and (i) of this section.

(b) Within 10 days from the date a notice of proposed eviction is properly provided by a landlord to a tenant, the tenant shall provide the landlord with the rental assistance notice.

(c) If a tenant does not provide a rental assistance notice to the landlord, the landlord may, after the time provided for the tenant to respond with a rental assistance notice pursuant to Subsection (b) of this section, pursue any enforcement action in accordance with state and local laws, including the issuance of a notice to vacate in accordance with Texas Property Code Section 24.005.

(d) If a tenant complies with Subsection (b) of this section, the tenant has 60 days from the date the notice of proposed eviction is provided to the tenant to cure any delinquent payments or respond with information regarding the tenant's rent assistance application, and a landlord shall not give a notice to vacate, except as provided for in Section 4 below, until after the expiration of the 60 day period.

(e) If a tenant provides the landlord a rental assistance notice before receiving a notice of proposed eviction, the landlord shall provide the tenant the right to cure any delinquent payments or respond with information regarding the tenant's rental assistance application for a period of 60 days from the date the notice of proposed eviction is provided without any requirement on the part of the tenant to provide a subsequent rental assistance notice, and a landlord shall not send a notice to vacate, except as provided for in Section 4 below, until after the expiration of the 60 day period.

(f) If a tenant makes an application to a QRAP or has previously submitted an application, provides the required rental assistance notice, and is approved for participation in the QRAP, the landlord shall accept the program schedule for repayment and not take action on any eviction proceedings against the tenant instituted after the effective date of this ordinance, except for a breach of the lease other than due to a nonpayment of rent or fees, or as provided in Section 4 below.

(g) A notice of proposed eviction must be in writing, substantially in the form attached to this ordinance as Exhibit A, and include the following:

(1) notice to the tenant of the tenant's rental delinquency with a request for a response from the tenant in writing, including;

(A) a statement that complies with Subsection (k) of this section; and

(B) a right for the tenant to respond, which includes curing any delinquent payments or providing a rental assistance notice, and the applicable deadlines for doing so in accordance with this ordinance;

(2) options for the tenant to resolve the rent delinquency, which may include:

(A) negotiating a payment plan directly with the landlord, and



(B) referring a tenant to submit an application for rental assistance to a QRAP program; and

(3) the time period of 10 days for the tenant to respond with a rental assistance notice.

(h) Except as provided in Subsection (i) of this section, a notice of proposed eviction must be delivered to a tenant in person or by mail at the premises in question. Notice in person may be by personal delivery to the tenant or any person residing at the premises who is 16 years of age or older or personal delivery to the premises and affixing the notice to the inside of the main entry door. Notice by mail may be by regular mail, registered mail, or certified mail, return receipt requested, to the premises in question.

(i) As an alternative to the procedures in Subsection (h) of this section, a landlord may deliver a notice of proposed eviction by securely affixing to the outside entrance of the main entry door a sealed envelope that contains the notice of proposed eviction and on which is written the tenant's name, address, and in all capital letters, the words "IMPORTANT DOCUMENT" or substantially similar language and, not later than 5:00 p.m. of the same day, depositing in the mail in the same county in which the premises in question is located a copy of the notice of proposed eviction to the tenant if:

(1) the premises has no mailbox and has a keyless bolting device, alarm system, or dangerous animal that prevents the landlord from entering the premises to affix the notice of proposed eviction to the inside of the main entry door; or

(2) the landlord reasonably believes that harm to any person would result from personal delivery to a tenant or a person residing at the premises or from personal delivery to the premises by affixing the notice of proposed eviction to the inside of the main entry door.

A notice of proposed eviction is considered delivered under this subsection on the date the envelope is affixed to the outside of the door and is deposited in the mail, regardless of the date the notice of proposed eviction is received.

(j) If an impacted tenant's application for rental assistance is denied, withdrawn, or cannot be processed due to the impacted tenant's failure to provide information or otherwise cooperate in the application process, the protection period referenced in Subsections (b) or (d) of this section, as applicable, will terminate and landlord may proceed with giving a notice to vacate.

(k) The statement described in Subsection (g)(2) of this section must:

(1) be in 16-point font, capitalized, bold typeface, and underlined, as applicable, and in separated paragraphs, exactly as provided below in Subsection (k)(3) of this section;

(2) be placed at the top of the first page of the notice of proposed eviction in English and Spanish; and

(3) include the following text:

"THIS NOTICE IS TO PROVIDE YOU WITH AN OPPORTUNITY TO PAY DELINQUENT RENTS TO AVOID EVICTION. **YOU DO NOT HAVE TO MOVE WHEN YOU GET THIS NOTICE** BUT YOU MAY HAVE TO MOVE IF YOU AND YOUR LANDLORD DO NOT WORK OUT AN AGREEMENT REGARDING THE PAYMENT OF DELINQUENT RENT.

**IF YOU RESPOND TO YOUR LANDLORD IN WRITING WITHIN 10 DAYS OF RECEIVING THIS NOTICE WITH PROOF OF YOUR "QRAP" RENT ASSISTANCE APPLICATION, YOU WILL HAVE 60 DAYS FOR SUCH ASSISTANCE TO BE PAID OR SCHEDULED FOR PAYMENT BEFORE AN EVICTION MAY PROCEED.**

**IF YOU DO NOT RESPOND IN WRITING WITHIN 10 DAYS, EVICTION PROCEEDINGS MAY BEGIN ON THE 11TH DAY.**

THIS NOTICE DOES NOT EXCUSE YOUR OBLIGATION TO PAY, AND YOU CAN BE EVICTED IF YOU FAIL TO PAY AS REQUIRED UNDER THE LEASE. YOU ARE REQUESTED TO DISCUSS THIS NOTICE WITH YOUR LANDLORD AS SOON AS POSSIBLE, **BUT YOU MUST PROVIDE PROOF OF YOUR "QRAP APPLICATION" TO YOUR LANDLORD NO LATER THAN 10 DAYS FROM THE DATE WHEN YOU RECEIVE THIS NOTICE.**

**RESOURCES TO ASSIST YOU ARE ON THE FOLLOWING PAGE."**

“ESTE AVISO ES PARA DARLE LA OPORTUNIDAD DE PAGAR LAS RENTAS ATRASADAS PARA EVITAR EL DESALOJO. **NO TIENE QUE MUDARSE CUANDO RECIBA ESTE AVISO**, PERO ES POSIBLE QUE TENGA QUE MUDARSE SI USTED Y EL PROPIETARIO NO LLEGAN A UN ACUERDO SOBRE EL PAGO DEL ALQUILER ATRASADO.

**SI RESPONDE AL PROPIETARIO POR ESCRITO EN UN PLAZO DE 10 DÍAS A PARTIR DE LA RECEPCIÓN DE ESTE AVISO CON LA PRUEBA DE SU SOLICITUD DE AYUDA AL ALQUILER "QRAP", DISPONDRÁ DE 60 DÍAS PARA QUE DICHA AYUDA SE PAGUE O SE PROGRAME SU PAGO ANTES DE QUE PUEDA PROCEDERSE AL DESALOJO.**

**SI NO RESPONDE POR ESCRITO EN EL PLAZO DE 10 DÍAS, EL PROCEDIMIENTO DE DESALOJO PUEDE COMENZAR EL DÍA 11.**

ESTE AVISO NO LE EXIME DE SU OBLIGACIÓN DE PAGAR Y PUEDE SER DESALOJADO SI NO PAGA COMO SE EXIGE EN EL CONTRATO DE ALQUILER. SE LE PIDE QUE DISCUTA ESTE AVISO CON SU ARRENDADOR LO ANTES POSIBLE, **PERO DEBE PRESENTAR UNA PRUEBA DE SU "SOLICITUD DE QRA"** A SU ARRENDADOR A MÁS **TARDAR 10 DÍAS DESPUÉS DE LA FECHA EN QUE RECIBA ESTE AVISO.**

**EN LA SIGUIENTE PÁGINA ENCONTRARÁ RECURSOS PARA AYUDARLE.”**

(l) A notice to vacate that is given before the expiration of the time periods provided in Subsections (b), (d), and (e) of this section, as applicable, has no legal effect.

### **SECTION 3. NO EXCUSE FROM THE PAYMENT OF RENT OR FEES.**

Nothing in this ordinance should be construed as relieving a tenant from the requirement to pay rent or fees under a lease.

### **SECTION 4. EVICTIONS DUE TO BREACHES OF THE LEASE OTHER THAN NONPAYMENT OF RENT OR FEES; IMMINENT THREAT OF PHYSICAL HARM; OR CRIMINAL ACTIVITY.**

The requirement to send a notice of proposed eviction does not apply if a landlord initiates eviction proceedings against a tenant, members of the tenant's household, or guests if:

(1) the grounds for eviction are:

(A) breaches of the terms of the lease other than a breach due to nonpayment of rent or fees;

(B) that the tenant, a member of the tenant's household, or guests poses an imminent threat of physical harm to any person, including children and elders within the same household or the landlord's employees or management representatives; or

(C) that the tenant, a member of the tenant's household, or guests engage in any criminal activity including abatable crime and squatting, and

(2) the reason for the eviction is stated in the notice to vacate as the grounds for the eviction.

## **SECTION 5. VOLUNTARY MEDIATION.**

The city encourages landlords and tenants to utilize mediation to attempt to resolve disputes that may arise between them that they cannot resolve themselves. Mediation is a process where an impartial mediator facilitates a settlement conference between the parties so that they can discuss ways to resolve their differences. This section does not impose a mandatory requirement that landlords and tenants participate in mediation. However, landlords and tenants are encouraged to utilize mediation as a potential means to resolve their disputes while this ordinance is in effect. Landlords and tenants should take advantage of no cost or low-cost mediators to help reduce costs to both the landlord and the tenant.

## **SECTION 6. OFFENSE AND PENALTY.**

(a) A person that knowingly, recklessly, or negligently endeavors to evict a tenant by providing a notice to vacate or filing a suit for forcible detainer without first complying with this ordinance with respect to such tenant commits an offense punishable by a fine not to exceed \$500.

(b) It is a defense to prosecution that a landlord initiates eviction proceedings for any tenant, members of the tenant's household, or guests if such action would not require a notice of proposed eviction pursuant to Section 4 hereof.

## **SECTION 7. EXPIRATION.**

This ordinance expires on the date of adoption of a permanent eviction ordinance.

## **SECTION 8. SAVINGS.**

That any notice given or act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced on or after the effective date of this ordinance or before the amendment or repeal of this ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of this ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if this ordinance, should it be amended or repealed, or part thereof, had remained in force.

## **SECTION 9. SEVERABILITY.**

That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

**SECTION 10.           EFFECTIVE DATE.**

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 and shall not apply to any eviction proceedings instituted prior to the effective date of this ordinance, including any notice to vacate given prior to the effective date of this ordinance.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By: \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

## **Exhibit A**

### **NOTICE OF PROPOSED EVICTION**

THIS NOTICE IS TO PROVIDE YOU WITH AN OPPORTUNITY TO PAY DELINQUENT RENTS TO AVOID EVICTION. **YOU DO NOT HAVE TO MOVE WHEN YOU GET THIS NOTICE** BUT YOU MAY HAVE TO MOVE IF YOU AND YOUR LANDLORD DO NOT WORK OUT AN AGREEMENT REGARDING THE PAYMENT OF DELINQUENT RENT.

**IF YOU RESPOND TO YOUR LANDLORD IN WRITING WITHIN 10 DAYS OF RECEIVING THIS NOTICE WITH PROOF OF YOUR "QRAP" RENT ASSISTANCE APPLICATION, YOU WILL HAVE 60 DAYS FOR SUCH ASSISTANCE TO BE PAID OR SCHEDULED FOR PAYMENT BEFORE AN EVICTION MAY PROCEED.**

**IF YOU DO NOT RESPOND IN WRITING WITHIN 10 DAYS EVICTION PROCEEDINGS MAY BEGIN ON THE 11TH DAY.**

THIS NOTICE DOES NOT EXCUSE YOUR OBLIGATION TO PAY AND YOU CAN BE EVICTED IF YOU FAIL TO PAY AS REQUIRED UNDER THE LEASE. YOU ARE REQUESTED TO DISCUSS THIS NOTICE WITH YOUR LANDLORD AS SOON AS POSSIBLE, **BUT YOU MUST PROVIDE PROOF OF YOUR "QRAP APPLICATION" TO YOUR LANDLORD NO LATER THAN 10 DAYS FROM THE DATE WHEN YOU RECEIVE THIS NOTICE.**

**RESOURCES TO ASSIST YOU ARE ON THE FOLLOWING PAGE.**

Dear tenant.

You are in default for not paying your rent as required in your lease. The current amount due is \$\_\_\_\_\_. Government or qualified rent assistance program funds may be available to assist you. If you have not yet applied for rent assistance, you should do so immediately and then provide proof of your qualified rent assistance program application to your landlord within 10 days of receiving this notice. You should request proof of your rental assistance application to be provided to you by the rent assistance provider and send proof to your Landlord after you apply. See the next page for where to apply.

You should contact your landlord and immediately attempt to work out a payment plan or lease modification in order to stay in your residence. If you have not responded to this notice IN WRITING within 10 days of this notice, providing the landlord with proof of your qualified rent assistance program application, landlord can proceed with a Notice to vacate and file an eviction proceeding to remove the residents from the subject property.

If you can provide proof of your application for a Qualified Rental Assistance Program (QRAP) to your landlord, your response to this notice could give you up to 60 days before an eviction will be filed. However, you are responsible for full payment of all rents through this time unless and until you negotiate a binding agreement with your landlord.

Please note that the landlord may still institute eviction proceedings immediately if you, members of your household or guests pose an immediate threat or physical harm to any person or engage in criminal activity.

**Please do not ignore this notice as your failure to respond may result in the landlord sending a Notice to Vacate requesting you to vacate the premises, followed by a judicial action before the Justice of the Peace to evict you.**

## **RESOURCES TO ASSIST YOU**

### **Rent Assistance**

To the extent rent assistance is available, you can learn where to apply at the following web site: <https://dallascityhall.com/departments/community-care/Pages/Short-Term-Rental-Assistance.aspx>.

### **Free Legal Assistance**

Free legal assistance and representation may be available to you. You should reach out to the Dallas Eviction Advocacy Center or Legal Aid of Northwest Texas to inquire. Their contact information is as follows:

#### Dallas Eviction Advocacy Center

[www.dallaseac.org](http://www.dallaseac.org)

[info@dallaseac.org](mailto:info@dallaseac.org)

469-436-2704 (you may text this number or leave a voicemail)

#### Legal Aid of Northwest Texas

<https://internet.lanwt.org/en-us>

[email address]

855-548-8457

**This notice of proposed eviction was served by (check one):**

\_\_\_\_\_ **mail**

\_\_\_\_\_ **hand delivery to a person over 16 years of age answering the door**

\_\_\_\_\_ **affixing the notice to the inside of the main entry door**

\_\_\_\_\_ **affixing the notice to the outside of the main entry door and mailing notice**

**On** \_\_\_\_\_ **(date) by** \_\_\_\_\_ **(signature**  
**of**  
**person delivering notice).**



## Prueba A

### **AVISO DE PROPUESTA DE DESALOJO**

ESTE AVISO ES PARA DARLE LA OPORTUNIDAD DE PAGAR LAS RENTAS ATRASADAS PARA EVITAR EL DESALOJO. **NO TIENE QUE MUDARSE CUANDO RECIBA ESTE AVISO**, PERO ES POSIBLE QUE TENGA QUE MUDARSE SI USTED Y EL PROPIETARIO NO LLEGAN A UN ACUERDO SOBRE EL PAGO DEL ALQUILER ATRASADO.

**SI RESPONDE AL PROPIETARIO POR ESCRITO EN UN PLAZO DE 10 DÍAS A PARTIR DE LA RECEPCIÓN DE ESTE AVISO CON LA PRUEBA DE SU SOLICITUD DE AYUDA AL ALQUILER "QRAP", DISPONDRÁ DE 60 DÍAS PARA QUE DICHA AYUDA SE PAGUE O SE PROGRAME SU PAGO ANTES DE QUE PUEDA PROCEDERSE AL DESALOJO.**

**SI NO RESPONDE POR ESCRITO EN EL PLAZO DE 10 DÍAS, EL PROCEDIMIENTO DE DESALOJO PUEDE COMENZAR EL DÍA 11.**

ESTE AVISO NO LE EXIME DE SU OBLIGACIÓN DE PAGAR Y PUEDE SER DESALOJADO SI NO PAGA COMO SE EXIGE EN EL CONTRATO DE ALQUILER. SE LE PIDE QUE DISCUTA ESTE AVISO CON SU ARRENDADOR LO ANTES POSIBLE, **PERO DEBE PRESENTAR UNA PRUEBA DE SU "SOLICITUD DE QRAP" A SU ARRENDADOR A MÁS TARDAR 10 DÍAS DESPUÉS DE LA FECHA EN QUE RECIBA ESTE AVISO.**

**EN LA SIGUIENTE PÁGINA ENCONTRARÁ RECURSOS PARA AYUDARLE.**

Estimado inquilino.

Usted está en mora por no pagar su alquiler como se requiere en su contrato de arrendamiento. La cantidad actual a pagar es de \$\_\_\_\_\_. Es posible que el gobierno o los fondos del programa de ayuda al alquiler calificado estén disponibles para ayudarlo. Si aún no ha solicitado la ayuda para el alquiler, debe hacerlo inmediatamente y luego presentar al propietario una prueba de su solicitud del programa de ayuda para el alquiler dentro de los 10 días de haber recibido este aviso. Debe pedir que el proveedor de asistencia para el alquiler le proporcione una prueba

de su solicitud de asistencia para el alquiler y enviarla a su arrendador después de solicitarla. Consulte la siguiente página para saber dónde presentar la solicitud.

Deberá ponerse en contacto con el propietario e inmediatamente intentar elaborar un plan de pagos o una modificación del contrato de alquiler para poder permanecer en su residencia. Si usted no ha respondido a este aviso POR ESCRITO dentro de los 10 días luego de haber recibido este aviso, proporcionando al propietario una prueba de su solicitud del programa de ayuda al alquiler calificado, el propietario puede proceder con un Aviso de desalojo y presentar un procedimiento de desalojo para sacar a los residentes de la propiedad en cuestión.

Si puede presentar una prueba de su solicitud de un Programa de Ayuda al Alquiler Calificado (QRAP, por sus siglas en inglés) a su arrendador, su respuesta a este aviso podría darle hasta 60 días antes de que se presente un desalojo. Sin embargo, usted es responsable del pago total de todos los alquileres hasta ese momento, a menos que negocie un acuerdo vinculante con el propietario.

Tenga en cuenta que el propietario puede iniciar un procedimiento de desalojo inmediatamente si usted, los miembros de su familia o los invitados suponen una amenaza inmediata o un daño físico para cualquier persona o participan en actividades delictivas.

**Le exhortamos a que no ignore este aviso, ya que su falta de respuesta puede dar lugar a que el propietario envíe un aviso de desalojo solicitando que abandone la propiedad, seguido de una acción judicial ante el juez de paz para desalojarlo.**

### **RECURSOS PARA AYUDARLE**

#### **Ayuda para el alquiler**

En la medida en que se disponga de ayudas para el alquiler, puede saber dónde solicitarlas en la siguiente página web:  
<https://dallascityhall.com/departments/community-care/Pages/Short-Term-Rental-Assistance.aspx>.

#### **Asistencia legal gratuita**

Es posible que tenga a su disposición asistencia y representación legal gratuita. Debe dirigirse al Dallas Eviction Advocacy Center o a Legal Aid of Northwest Texas para informarse. Su información de contacto es la siguiente:

Dallas Eviction Advocacy Center

[www.dallaseac.org](http://www.dallaseac.org)

[info@dallaseac.org](mailto:info@dallaseac.org)

469-436-2704 (puede enviar un mensaje de texto a este número o dejar un mensaje de voz)

Legal Aid of Northwest Texas  
<https://internet.lanwt.org/en-us>  
[dirección de correo electrónico]  
855-548-8457

**Este aviso de propuesta de desalojo fue notificado por (marque una):**

\_\_\_\_\_ correo

\_\_\_\_\_ entrega en mano a una persona mayor de 16 años que respondió a la puerta

\_\_\_\_\_ pegando el aviso en el interior de la puerta de entrada principal

\_\_\_\_\_ pegando el aviso en el exterior de la puerta de entrada principal y enviando el aviso por correo

El \_\_\_\_\_ (fecha) por \_\_\_\_\_ (firma de  
persona que entrega la notificación).



## Agenda Information Sheet

**File #:** 22-2668

**Item #:** 43.

**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** N/A  
**DEPARTMENT:** Office of Emergency Management  
**EXECUTIVE:** Jon Fortune

### **SUBJECT**

Authorize the **(1)** acceptance of federal reimbursements from the Federal Emergency Management Agency (FEMA) (Public Assistance Grant, 4485, Texas Covid-19 Pandemic, CFDA No. 97.036) in an amount of \$14,800,000.00; **(2)** establishment of appropriations in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; **(3)** receipt and deposit of funds in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; and **(4)** execute the grant agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed \$14,800,000.00 Financing: Federal Emergency Management Agency Grant Funds

### **BACKGROUND**

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) is a bill passed by Congress and signed into law on March 27, 2020, to address the economic fallout of the COVID-19 pandemic. It is the largest economic relief bill in U.S. history with \$2.2 trillion in targeted relief for state and local governments, businesses, and individuals.

In 2020, the City of Dallas entered an Interlocal Agreement with Dallas County to provide funding for testing providers to test patients related to the COVID-19 pandemic. This agreement implemented a 50/50 cost share between the City of Dallas and Dallas County. The City and Dallas County will procure contractors to serve the portion of Dallas County within the City of Dallas and receive and process invoices for payment. Depending on which entity procures the contractor and receives and processes the invoices, the other entity will then be invoiced by the initiating party its 50 percent share of expenses incurred.

In 2021, in response to the public health emergency and its negative economic impacts, State, local, and Tribal governments have seen substantial increases in costs to provide services, often amid substantial declines in revenue due to the economic downturn and changing economic patterns during the pandemic. President Biden signed into law the American Rescue Plan Act of 2021 (ARPA), which included \$1.9 trillion to provide additional federal resources for economic stimulus and recovery from the COVID-19 pandemic.

The Federal Emergency Management Agency authorized federal funding to eligible local governments on a cost-sharing basis for emergency protective measures (Category B) under Public Assistance, for all areas affected by COVID-19 beginning on January 20, 2020 through July 1, 2022 at a federal cost share of 100%.

#### **PRIOR ACTION/REVIEWS (COUNCIL, BOARDS, OR COMMISISONS)**

On April 22, 2020, City Council authorized the City Manager to spend funds in compliance with the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and in accordance with guidance from the U.S. Department of Treasury for the Coronavirus Relief Fund; take all necessary actions to apply for and receive funds for which the City is eligible from state and federal sources; receive and deposit funds in an amount not to exceed \$234,443,127.60 in the Coronavirus Relief Fund; establish appropriations in an amount not to exceed \$234,443,127.60 in the Coronavirus Relief Fund; transfer appropriations, expenses, or cash between funds established for COVID-19 response; and execute any grant agreements necessary to receive COVID-19 funding from federal and state sources by Council Resolution No. 20-0644.

On May 27, 2020, City Council authorize an Interlocal Agreement with Dallas County to provide funding for COVID-19 testing providers for 50/50 cost share between the City of Dallas and Dallas County by Resolution No 20-0852.

On June 23, 2021, City Council authorized the City Manager to spend funds in compliance with the American Rescue Plan Act of 2021 and in accordance with guidance from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Fund (CFDA No. 21.027); take all necessary actions to apply for and receive funds for which the City is eligible from state and federal sources; receive and deposit funds in an amount not to exceed \$355,426,891.00 in the Coronavirus Local Fiscal Recovery Fund which will be received in two tranches with 50% in 2021 and 50% in 2022; establish appropriations in an amount not to exceed \$177,713,445.50 in the Coronavirus Local Fiscal Recovery Fund; transfer appropriations, expenses, or cash between funds established for the coronavirus disease 2019 (COVID-19) response; and execute any grant agreements necessary to receive COVID-19 funding from federal and state sources by Resolution No. 21-1149.

#### **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Federal Emergency Management Agency Grant Funds	\$14,800,000.00	\$0.00	\$0.00

November 9, 2022

**WHEREAS,** the Federal Emergency Management Agency authorized federal funding to eligible local governments on a cost-sharing basis for emergency protective measures (Category B) under Public Assistance, for all areas affected by COVID-19 beginning on January 20, 2020 through July 1, 2022 at a federal cost share of 100%; and

**WHEREAS,** the City of Dallas has determined that an emergency and extraordinary need exists, and the city must respond to prevent a public health safety hazard; and

**WHEREAS,** pursuant to the Dallas City Code and state law, the Mayor as the state designated emergency management director and the City Manager as the state designated emergency management coordinator have the authority to obtain vital supplies, equipment, services and other properties needed for the protection of health, life, and property; and

**WHEREAS,** the City of Dallas received prior Council authorization to spend Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and American Rescue Plan Act (ARPA) funds for FEMA Public Assistance eligible work, including COVID-19 testing services and administration of COVID-19 vaccinations.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to accept federal reimbursements from the Federal Emergency Management Agency (FEMA) (Public Assistance Grant, 4485, Texas Covid-19 Pandemic, CFDA No. 97.036) in an amount of \$14,800,000.00; and execute the grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund; Fund FC32, Department MGT, Unit 940G – CRF and Unit 941G – ARPA, Object Code 3099.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed \$14,800,000.00 in the FEMA Disaster Grant Fund, Fund FC32, Department MGT, Unit 940G - CRF and Unit 941G – ARPA, Revenue Code 6526.

**SECTION 4.** That the City Manager is hereby authorized to reimburse to the Office of the Governor any expenditure identified as ineligible or in the event of loss of funds. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

November 9, 2022

**SECTION 5.** That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

**SECTION 6.** That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation or termination of the grant as may be necessary to satisfy FEMA.

**SECTION 7.** That this contract is designated as Contract No. OEM-2023-00020869.

**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.



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2497

**Item #:** Z1.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting **(1)** an amendment to the development standards within Planned Development District No. 741; **(2)** an expansion of Planned Development District No. 741, Subarea A to include an additional 446 acres of land, currently zoned an A(A) Agricultural District with Specific Use Permit No. 3 and Planned Development District No. 942; and **(3)** adjustment of the boundaries of Subareas A, B, and C within Planned Development District No. 741, in an area generally bound by East Belt Line Road to the north, Dallas City Limit to the east, Hackberry Road and Ranch Trail to the south, and South Belt Line road/Dallas City Limit to the west

Recommendation of Staff: Approval, subject to conditions

Recommendation of CPC: Approval, subject to conditions

Z212-134(MP)



**FILE NUMBER:** Z212-134(MP)

**DATE FILED:** March 18, 2022

**LOCATION:** An area generally bound by East Belt Line Road to the north, Dallas City Limit to the east, Hackberry Road and Ranch Trail to the south, and South Belt Line Road/Dallas City Limit to the west

**COUNCIL DISTRICT:** 6

**SIZE OF REQUEST:** ± 1,481.94 acres

**CENSUS TRACT:** 141.27

**APPLICANT:** Billingsley Company

**REPRESENTATIVE:** Rob Baldwin, Baldwin & Associates

**OWNER:** Multiple (See List of Officers)

**REQUEST:** An application for **(1)** an amendment to the development standards within Planned Development District No. 741, **(2)** an expansion of Planned Development District No. 741, Subarea A to include an additional 446 acres of land, currently zoned an A(A) Agricultural District with Specific Use Permit No. 3 and Planned Development District No. 942, and **(3)** adjustment of the boundaries of Subareas A, B, and C within Planned Development District No. 741.

**SUMMARY:** The purpose of the request is to permit the development of a mixed-use district with residential, commercial, and office uses.

**CPC RECOMMENDATION:** **Approval**, subject to conditions.

**STAFF RECOMMENDATION:** **Approval**, subject to conditions.

**PD No. 741:**

<https://dallascityhall.com/departments/city-attorney/Pages/articles-data.aspx>

## **BACKGROUND INFORMATION:**

- The current area of PD 741 consists of approximately 1,036 acres.
- The original PD 741 was approved on January 25, 2006 and subsequently amended two times.
- Currently, the development comprises approximately 85 acres of residential uses, 48 acres of office uses, 3 acres of retail uses, 82 acres of parking uses, and 34 institutional / public school uses. The remaining acreage is undeveloped or agricultural uses.
- The PD consists of four Subareas, Subarea A, B, C, and D. Subarea A is the majority of the property, including the residential and office developments, while Subareas B, C, and D are currently used or planned as public schools.
- PD uses MU-3 Mixed Use District as the base with various alterations to the use, yard, lot, and space, landscaping, and parking regulations.
- The applicant is requesting to amend the existing Planned Development District, primarily the development standards of Subarea 1 and requesting to add approximately 400 additional acres to the north of the existing PD.
- The changes to the conditions include removing the requirement for development and landscape plans and instead requiring more precise design standards and modifying the tree preservation standards to reflect current tree mitigation totals.

## **Zoning History:**

There have been four zoning cases in the area in the past five years.

1. **Z201-262-** On Wednesday, September 21, 2021, the City Council approved an application and issued an ordinance granting an amendment to Subarea A within Planned Development District No. 741, located on the west line of Olympus Boulevard, north of Stampede Lane.
2. **Z189-265** – On Wednesday, August 28, 2019, City Council approved an application for Specific Use Permit 2348 for a commercial amusement (outside) use on property zoned Planned development District No. 741, located on the northeast line of Olympus Boulevard between Wharf Road and Cypress Waters Boulevard.
3. **Z189-135** – On Wednesday, March 27, 2019, City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Planned development District No. 741, located on the northeast corner of Olympus Boulevard and Wharf Road.
4. **Z189-105** – On Wednesday, February 13, 2019, City Council approved an

application for a Specific Use Permit No. 2322 for a government installation other than listed limited to an elevated water storage reservoir on property zoned Planned development District No. 741, located on the east line of South Belt Line Road, at the terminus of Airline Drive

**Development Plan History:**

Since January 2016, staff received the following miscellaneous applications within PD 741:

- 30 Development Plans
- 11 Minor Amendments

At this time, in order to receive a permit, each development in the PD is required to submit a development plan to City Plan Commission. The proposed change would not require the submission of a development plan but would require compliance with additional design standards. The proposed changes advance City goals and policy of ensuring quality development that foster pedestrian and transit accessible neighborhoods while also creating a more efficient development process throughout the region.

**Thoroughfares/Streets:**

Thoroughfare	Type	Proposed ROW
Belt Line Road	Local	-
Hackberry Road	Local	-
Ranch Trail	Local	-

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

**STAFF ANALYSIS:**

## **Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which serve as a framework for assisting in evaluating the applicant's request. The request complies with the following land use goals and policies of the Comprehensive Plan:

### **LAND USE ELEMENT**

#### **GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.4** Capitalize on transit-oriented development opportunities.

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

#### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

**Policy 1.2.2** Establish clear and objective standards for land use planning.

#### **GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

**Policy 1.3.1** Create housing opportunities throughout Dallas.

#### **GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT**

### **ECONOMIC ELEMENT**

#### **GOAL 2.1 PROMOTE BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

#### **GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT**

**Policy 2.2.2** Maximize development opportunities around DART stations.

#### **Goal 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**Policy 2.5.2** Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

### **TRANSPORTATION ELEMENT**

#### **GOAL 4.1 PROVIDE A FUNDAMENTAL LAND USE/TRANSPORTATION LINKAGE**

**URBAN DESIGN ELEMENT****GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

**Policy 5.1.1** Promote pedestrian-friendly streetscapes. Designing pedestrian-friendly streetscapes and encouraging new.

**Policy 5.1.3** Encourage complementary building height, scale, design and character

**Policy 5.2.4** Enhance retail, industrial and business operations.

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

**Policy 5.3.3** Encourage transit-oriented developments and transit centers.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD No. 741 Subareas A, B, C, and D (with SUPs), PD 942 Subdistrict B	Multifamily, Office, Retail, Open Space, Undeveloped (Subarea A) Public Schools (Subarea B, C, D)
<b>North</b>	PD 942 Subdistrict B, PD 1039	Undeveloped, DART Silver Line Station and ROW
<b>East</b>	Outside City Limit	Outside City Limit
<b>South</b>	Outside City Limit	Outside City Limit
<b>West</b>	Outside City Limit	Outside City Limit

**Land Use Compatibility:**

The property is currently located within Planned Development District No. 741, which allows a mix of uses generally in keeping with MU-3 Mixed Use District. The area is partially developed with mid-rise residential structures, office structures, surface parking,

retail and restaurants, and programmed open space. The remainder is agricultural in use, undeveloped, or within the limits of North Lake. Of the 425 acres to be added, roughly 151 acres are above the water level of North Lake, while the remaining 274 are within the lake.

Properties to the east, south, and west of the site are located outside of City limits. Property to the north of the PD is currently undeveloped, within PD 942 and the DART Silver Line station which is currently under construction, within PD 1039.

The property hosts multiple SUPs. No alterations are proposed to the following SUPs:

SUP No. 3 was adopted on March 29, 1965 with a permanent timeframe to allow the use of a power plant, which was the current use of the property and North Lake at the time. There is no longer an operational power plant on the site.

SUP No. 517 was adopted on August 3, 1970, 1965 with a permanent timeframe to allow the use of a commercial radio transmitting station and towers. This use is no longer operational on the site.

SUP No. 2322 was adopted on February 12, 2019 with a permanent timeframe to allow the use of a utility or government installation other than listed limited to elevated water storage reservoir. This use currently exists as a water tower.

SUP No. 2325 was adopted on March 26, 2019 for a period of two years with eligibility for auto-renewal to allow the use of an alcoholic beverage establishment limited to microbrewery, microdistillery, or winery. This use currently exists as an alcoholic beverage establishment.

SUP No. 2348 was adopted on December 7, 2021 for a period of 3 years to allow the use of a commercial amusement (outside). This use currently exists as an outdoor entertainment venue.

Currently, the PD requires the approval of a development plan by the City Plan Commission where plans must be approved if they meet the requirements of the planned development district as written.

The proposed changes to the PD do not generally alter the allowable uses, which generally follow those allowable within MU-3 Mixed Use District. The use of a car wash has been removed from the list of permitted by-right uses with the proposed conditions. Development of this use would require prior approval of an SUP. This is the only change to the allowable uses.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>Setbacks (Min/Max)</u></b>		<b><u>Unit Density</u></b>	<b><u>Height</u></b>	<b><u>FAR</u></b>	<b><u>Lot Coverage</u></b>	<b><u>Primary Uses</u></b>
	<b><u>Front</u></b>	<b><u>Side / Rear</u></b>					
Existing	5'	0'	10,000	270'	4.5*	90%*	Multifamily, Single Family, Office, Hotel, Retail, Light Industrial
<b>PD 741 Subarea A, B, C, and D</b>		5' Single Family		20 stories 70' within 300' of eastern boundary			

*\*For purposes of calculation of these metrics, Subarea 1 is considered one lot.*

The proposed change does not alter the primary yard, lot, and space standards including setbacks, unit density, height, floor area ratio, or lot coverage.

The only change to the yard, lot, and space standards would be allowing minor encroachments in the five-foot front yard, including entrances, pedestrian amenities, and landscaping. The effect of this would be to provide minor flexibility during the permitting process while encouraging the use of street-activating features. These encroachments mirror those provided for in the setbacks section of Article XIII.

**Parking:**

<b>Use</b>	<b>Spaces Req per PD</b>	<b>Spaces Required in Proximity to DART</b>	<b>51A</b>
Multifamily	1.3 per unit	1.04 per unit	1 / bedroom
GMFS	1 / 250 sqft	1 / 312.5 sqft	1 / 200 sqft - 1 / 300 sqft
Personal Service	1 / 250 sqft	1 / 312.5 sqft	1 / 200 sqft
Light Manufacturing	1 / 5,000 sqft	1 / 6250 sqft	1 / 600 sqft

The proposed development is required to provide parking in accordance with Chapter 51A, except where provided by PD 741. All uses in proximity to DART Rail stations may reduce their total required parking by 20%. Proximity to DART is defined by the PD as 1/4 mile or between ¼ and ½ mile provided there is a pedestrian connection to the DART station. This is a relevant matter to the PD because the DART Silver Line station is

currently under construction adjacent to the northern portion of the PD, including the area to be added, and a significant portion of the property would fall within the  $\frac{1}{4}$  or  $\frac{1}{2}$  mile necessary to receive the DART parking reduction. This is an existing condition within the PD, the only proposed change would be to include residential as a use that is subject to the DART proximity modifier.

**Landscaping:**

Landscaping is required to either accordance with either the requirements of this article or Article X. Submitted landscape plans must indicate which set of standards apply. The proposed change removes the condition to submit landscape plans with the development plans to City Plan Commission. Proposed development is still required to meet landscaping requirements of the PD or Article X and must demonstrate fulfillment of the requirements at the permitting phase.

**Tree Mitigation:**

An additional measure of tree preservation, mitigation, and replacement was required by the original PD conditions. This called for a 19,988 caliper inches of trees to be preserved or mitigated for Subarea A. Until mitigation was 75% complete, the PD stipulated a 17-acre tree preserve must be maintained on the property. As of January 2022, the applicant has demonstrated 21,443 caliper inches have been planted throughout the grounds of the developed portion of the site. Staff views this as fulfillment of the original PD mitigation requirements, as it is 107.3% of the originally required total. The applicant has requested to revert to base Article X tree preservation for the remainder of the development and for the area to be added to the PD.

**Urban Design Standards:**

The proposed changes incorporate a new section, 741.106.1. Design Standards. New design standards are also included in Section 741.109. Off-Street Parking and Loading but are described below.

This section consolidates existing and newly proposed design standards in regard to fencing, transparency, open space, street activation, and pedestrian access, as well as a purpose statement with clarification behind the goals of the PD and its provisions.

In comparison to the current conditions, the proposed conditions would result in a more predictable urban form that furthers City policy of supporting pedestrian neighborhoods, enhancing transit oriented developments, and creating distinct neighborhood character.



The changes would also further City policy of making the development process flexible and more efficient.

Below is a summary of these additions:

- **Fencing:** The conditions limit fences in the front yards to four feet for non-residential and multifamily uses, and states that primarily, fences that front streets must be generally open. The effect of these would be both to better ensure activation between the street and buildings and maintaining pedestrian scale sight lines along the sidewalks.
- **Facades:** Each building must have at least one architecturally prominent entrance that is easily visible and accessible from the sidewalk. This aids in the navigability and accessibility of the public realm. This section includes standards for both transparency and glass reflectivity. The transparency provision, which already exists within the PD, would continue to call for a minimum transparency per the below table, for street facing facades.

Structure Use	Minimum Transparency	
	Front Yard	Side Yard
Mixed use (two or more uses)	50%	25%
Retail, Personal Service, Commercial and business service, institutional, lodging, multifamily, <u>office (new to PD)</u>	30%	25%
Single Family, duplex	20%	20%

The added glass reflectivity condition would also require that transparent surface called for by the previously described condition not exceed 25% reflectivity, except where necessary to meet energy standards. This would prevent a scenario where, although transparency is provided through windows, the windows have such heavy tinting or glazing that it prevents the perception of connection between indoor and outdoor space.

- **Individual Entries:** Street walls for multifamily will require 60% of ground floor units to have individual entries with access to the sidewalks.

- **Structured Parking:** Ground floor facades of parking garages must either utilize an active use for a depth of 25 feet, an exterior façade similar to the main structure, screening from another building, or a 30-foot setback with a plaza. Any openings on a parking structure must have a solid screening headlight wall with a minimum height of 33 inches. Additionally, maximum blank wall length is 30 feet.
- **Garage Doors:** The conditions prohibit garage doors facing streets and would require a turn or access from an alley.
- **Block Perimeter and Pedestrian Connectivity:** The conditions require a pedestrian pathway for any block greater than 2,000 linear feet in perimeter. The conditions call for minimum width, design standards, and allows a degree of flexibility in accordance with the pathway provisions of Article XIII.
- **Sidewalks:** Six-foot minimum sidewalks are required by the PD. However, minimum required sidewalks widths may increase depending upon the street section exhibit being utilized by any given development. Sidewalks must be continuous, level, and distinct across driveways.
- **Driveways for Single Family and Duplex Uses:** The conditions limit driveway width for these uses to 10 feet within the front yard, allow ribbon driveways, prohibit circular driveways, and call for a minimum setback between adjacent driveways of at least two and half feet. The effect of these conditions would be to appropriately space driveways and limit their width so as to not create a continuous driveway on a block of single family or duplex uses, which aids in pedestrian safety along the block.
- **Surface Parking:** In SEC. 51P-741.109.a.12, surface parking is prohibited between the façade and property line. For buildings within more than one street frontage this applies only to two frontages. The effect of this, since much of the established pattern within the PD is to create singular lots with four street frontages, it may still allow a degree of surface parking between the building and the street. In those scenarios, SEC. 51P-741.106.1 requires each of the following:
  - Concealment through either a three-foot earthen landscaping berm, a minimum three-foot masonry wall, or evergreen hedges of up to three feet.
  - Provided it consists of more than 5 parking spaces, the lot must include the landscape and walkway areas as described for an Avenue street in Exhibit 714F between the parking area and streets, including two rows of large trees, planting areas, and a 6' sidewalk. The effect of this would be to

substitute the pedestrian enclosure typically provided by a building façade while also providing multiple layers of shade for the sidewalk.

- **Open Space:** Building sites greater than 2 acres and located more than 500 feet from the overall greenway and park system within the PD will be required to provide one contiguous 1,000 square foot minimum open space, including activation from pedestrian amenities and prohibiting vehicle access. The effect of this would be to ensure open space in area of the PD that have not already provided access to either the trail system or park or to limit block size to less than 2 acres, both of which goals would aid in the pedestrian comfort and navigation. This open space would not be the only inclusion of open space but ensures at least one portion of provided open space is contiguous and human scale.
- **Loading Areas and Service Entries:** SEC. 51P-741.109.a.13 and 14, the conditions call for service entries, back of house functions, and loading areas to be located away from primary streets and pedestrian spaces and call for appropriate screening including fences, landscaping, and gates.

### **Market Value Analysis**

[Market Value Analysis \(MVA\)](#), is a tool to aid residents and policymakers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is located within the “E” MVA category.

**List of officers**

Billingsley Company

Lucy Billingsley, President  
Kenneth Mabry Senior Vice President  
Kimberly Meyer, Senior Vice President

Coppell ISD

Board of Trustees  
Anthony Hill, President  
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42BCO, Inc.

Kenneth Mabry Senior Vice President

**CPC Action**  
**October 6**

**Motion:** It was moved to recommend 1) **approval** of an amendment to the development standards within Planned Development District No. 741, 2) **approval** of an expansion of Planned Development District No. 741, Subarea A to include an additional 446 acres of land, currently zoned an A(A) Agricultural District with Specific Use Permit No. 3 and Planned Development District No. 942, and 3) **approval** of adjustment of the boundaries of Subareas A, B, and C within Planned Development District No. 741, subject to conditions in an area generally bound by East Belt Line Road to the north, Dallas City Limit to the east, Hackberry Road and Ranch Trail to the south, and South Belt Line Road/Dallas City Limit to the west.

Maker: Carpenter

Second: Blair

Result: Carried: 10 to 0

For: 10 - Popken, Gracey, Anderson, Shidid, Carpenter,  
Blair, Jung, Haqq, Stanard, Kingston

Against: 0

Absent: 3 - Hampton, Vann, Housewright

Vacancy: 1 - District 11

Conflict: 1 - Rubin\*\*

\*\*out of the room when vote taken

**Notices:** Area: 500

Mailed: 691

**Replies:** For: 68

Against: 8

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226

Against: None

**CPC RECOMMENDED  
PD Conditions  
ARTICLE 741.**

**SEC. 51P-741.101. LEGISLATIVE HISTORY.**

PD 741 was established by Ordinance No. 26233, passed by the Dallas City Council on January 25, 2006. (Ord. Nos. 26233; 27915)

**SEC. 51P-741.102. PROPERTY LOCATION AND SIZE.**

PD 741 is established on property located on the north side of Hackberry Road, east of Belt Line Road. The size of PD 741 is approximately 1,437.96 acres. (Ord. Nos. 26233; 27915; 29504)

**SEC. 51P-741.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:

(1) A-FRAME SIGN means a self-supported A-shaped sign with two visible sides that are located on or adjacent to a sidewalk.

(2) AWNING means a fabric or vinyl surface supported by a metal structure that is applied to the face of a building.

(3) AWNING SIGN means a sign attached to, painted on, or otherwise applied to an awning.

(4) BANNER means a sign applied on a strip of cloth, vinyl, or similar material and attached to a building or structure. Awning signs, canopy signs, and flags are not banners.

(5) BLADE SIGN means a sign projecting perpendicularly from a main building facade, visible from both sides, and made of rigid or soft fabric materials.

(6) CANOPY SIGN means a sign attached to, applied on, or supported by a canopy.

(7) DATA CENTER means a facility for storing, managing, processing, converting, warehousing, or disseminating data or information and includes the

equipment that supports the data center, including computers, servers, and other data storage devices.

(8) DISTRICT IDENTIFICATION SIGN means a sign that is a marker for the identification of the district.

(9) KIOSK SIGN means a multi-sided structure for the display of signage for uses within this district, way-finding maps, artwork, and special events.

(10) LIGHT MANUFACTURING means a facility where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building. Typical items for processing, fabricating, assembly, or disassembly under this use include but are not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewelry, instruments, computers, and electronic devices.

(11) MANUFACTURED HOUSING means a dwelling unit contained in a manufactured home.

(12) PEDESTRIAN CONNECTION means an unobstructed area a minimum of six feet in width and illuminated to allow for pedestrian traffic.

(13) TANDEM PARKING means one parking space in front of another parking space.

(14) TRANSPARENCY means the total area of window and door openings filled with glass, expressed as a percentage of the total facade area by story.

(15) TREE PLANTING ZONE means the area parallel to and between two- and one-half and nine feet from the back of the projected street curb.

(a) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(b) Subareas A, B, C, and D are considered to be nonresidential zoning districts. (Ord. Nos. 26233; 27915; 29504; 30231)

#### **SEC. 51P-741.103.1. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 741A: conceptual plan.

(2) Exhibit 741B: mixed use development (MUD) parking chart.

(3) Exhibit 741C: tree list.

~~(4) Exhibit 741D: tree preserve area.~~

(5) Exhibit 741E: lighting.

(6) Exhibit 741F: typical street sections.

#### **SEC. 51P-741.103.2. SUBAREAS.**

This district is divided into four subareas: Subareas A, B, C, and D, as depicted on the conceptual plan. Subarea A-1 is a subset of Subarea A only for the purposes of tree conservation in this Article. (Ord. Nos. 27915; 29504; 30231)

#### **SEC. 51P-741.104. CONCEPTUAL PLAN.**

Development and use of the Property must comply with the conceptual plan (Exhibit 741A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls. In Subareas A, B, C, and D, minor adjustments to the final street alignments and locations are permitted at the time of platting without requiring an amendment to the conceptual plan. (Ord. Nos. 26233; 27915)

#### **SEC. 51P-741.105. DEVELOPMENT PLAN.**

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, and development schedule do not apply.

#### **SEC. 51P-741.106. MAIN USES PERMITTED.**

(a) Subareas A, B, C, and D in general. Except as provided in this section, the only main uses permitted in Subareas A, B, C, and D are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in these subareas only by SUP, and a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in these subareas.



(b) Uses in Subareas A, B, C, and D not requiring residential adjacency review. The following uses are allowed by right without residential adjacency review:

- Animal shelter or clinic without outside runs.
- Auto service center.
- ~~Car wash~~
- Commercial parking lot or garage.
- Convalescent and nursing homes, hospice care, and related institutions.
- Hospital.
- Hotel or motel.
- Manufactured housing. *[A maximum of five dwelling units may be constructed in these subareas until a certificate of occupancy is issued or final inspection is performed for another residential use in these subareas. All manufactured housing must be removed within 90 days of the issuance of a certificate of occupancy or final inspection of another residential use.]*
- Public school other than an open-enrollment charter school.
- Restaurant without drive-in or drive-through service.

(c) Main uses permitted by right in Subareas A, B, C, and D. The following main uses are permitted by right:

- (1) Industrial uses.
  - Data center.
  - Light manufacturing.
- (2) Miscellaneous uses.
  - Placement of fill material.
- (3) Residential uses.
  - Handicapped group dwelling unit.
  - Single family.
- (4) Retail and personal service uses.
  - Ambulance service.
  - Surface parking.
- (5) Transportation uses.
  - Commercial bus station and terminal.
  - Private street or alley.

-- Transit passenger station or transfer center. (Ord. Nos. 26233; 27915; 29504; 30231)

#### **SEC. 51P-741.106.1. DESIGN STANDARDS.**

(a) Purpose. The design standards in this section and within Section 51P-741.111 Landscaping are intended to guide development to create a quality urban environment. The design standard goals of this district are to:

(1) Use traditional neighborhood development concepts to create a vibrant neighborhood with a pedestrian-friendly and human-scaled environment, utilizing high quality materials, and creating unique urban places.

(2) Create a quality urban environment through building design, materials, and orientation.

(3) Produce streetscapes that embrace and encourage pedestrian activity while safely accommodating all modes of transportation.

(4) Provide connections to existing or planned trails, transit stations, and any applicable public destinations as part of the overall master plan.

#### **(b) Fencing.**

(1) In general. Fencing for non-residential building sites along the required sidewalks is limited to four feet in front yards and six feet in side and rear yards. This paragraph does not prohibit fencing required by any other regulation.

(2) Non-required fences. Except for required screening and screening walls for surface parking lots prescribed in Section 51P-741.106.1 all fence panels along a street must have a surface area that is a minimum of 50 percent open.

#### **(3) New construction.**

(A) For non-residential developments that apply for a building permit for new construction after DATE, fencing is prohibited between the front property line and building facade. If a

property has more than two front yards, this restriction on fencing location only applies to no more than two front yards.

(B) For multifamily developments that apply for a building permit for new construction after DATE, fencing in between the front property line and building façade is limited to a maximum height of four feet.

(4) Board of Adjustment. The board may grant a special exception to the requirements of this section if, in the opinion of the board, the special exception will not compromise the spirit and intent of this section.

(c) Street-facing facades.

(1) Entrances. A building must have a minimum of one entrance that is architecturally prominent and clearly visible from the street. The entrance must face the street and access the street with an improved path connecting to the sidewalk.

(2) Glare. Glass reflectivity for windows must not exceed 25 percent, unless a greater reflectivity is required to meet the International Energy Code.

(3) Transparency. In Subareas A, B, C, and D, any street facing facades building with a front yard setback of less than 15 feet must meet the following minimum ground story transparency requirements.

(A) For a building with two or more types of uses, front yard facades must have a minimum transparency of 50 percent, and side yard facades must have a minimum transparency of 25 percent. Transparency must be uniformly spaced vertically and horizontally with no more than 25 feet separating areas of transparency.

(B) For retail, office, personal service, commercial and business service, institutional and community service, lodging, and multifamily uses, front yard facades must have a minimum transparency of 30 percent, and side yard facades must have a minimum transparency of 25 percent.

(C) For single-family and duplex uses, front and side yard facades must have a minimum transparency of 20 percent.

(d) New construction. For multifamily and non-residential developments that apply for a building permit for new construction after DATE, the following additional design standards apply.

(1) Multifamily individual entries. A minimum of 60 percent of the street-level, street-facing dwelling units in each building site must have individual entries that access the street with an improved path connecting to the sidewalk.

(2) Above-grade parking structure screening.

(A) The street-facing ground-level facade of any multi-floor parking facility must be screened by any combination of the following methods:

(i) have an active use other than parking of a minimum depth of 25 feet;

(ii) have an exterior facade that is similar in materials, architecture, and appearance to the facade of the main structure;

(iii) be screened from the street by another building; or

(iv) be set back a minimum of 30 feet with a plaza between the parking facility and the street.

(B) Parking structures that are not fully enclosed must have solid screening walls or similar screening materials to screen headlights, of a minimum height of 33 inches.

(C) Maximum blank wall length is 30 feet on an above-grade parking structure. This paragraph does not prohibit spandrel glass in excess of 30 feet.

(3) Block perimeter and pedestrian pathway for connectivity through a block. A block perimeter must not exceed 2,000 linear feet unless the block provides a pedestrian pathway through the block. The pathway must be a minimum of 12 feet in width and contain a minimum six foot sidewalk or clear pathway if located inside of or through a building.

(A) The following requirements apply to the construction of a pedestrian passage. Except as provided in this paragraph, the passage must connect from a street, a pedestrian passage, or an alley. If a pedestrian passage, alley, or another street does not exist, the pedestrian passage must connect to a rear property line. Required building side setbacks may be used to accommodate the pedestrian passage.

(B) An individual lot with less than 100 feet of street frontage is exempt from this requirement.

(C) The building official may issue a waiver to the requirement in Paragraph (3) above if building official finds that the spirit and intent of this subsection has been met and the property shares a property line with a

cemetery, Dallas Area Rapid Transit right-of-way, a railroad, a levee, or a natural feature such as floodplain, escarpment, waterways, or similar features.

(4) Sidewalks and paving.

(A) Sidewalks must have a minimum unobstructed width of ~~five~~ six feet, unless otherwise depicted on the typical street sections exhibit (Exhibit 741F).

(B) Sidewalks must be continuous and level across all driveways and curb cuts and designed to be at the same grade as the existing sidewalk, subject to approval of the director.

(C) Pedestrian driveway crossings. At each driveway and sidewalk intersection, driveways must be clearly marked by colored concrete, patterned, or stamped or brick pavers for pedestrian crossing.

(D) Public sidewalks occurring outside of the street right-of-way must be contained within an identified easement.

(E) Alternative paving materials including, but not limited to, pavers, colored concrete, and stamped concrete are allowable materials to be used in the right-of-way. Cement-stabilized sand base can be used for pedestrian walkways. Cement-concrete base must be used for pavers and drive areas.

(5) Garage doors for residential uses. Garage doors must not be parallel to and face a public street. If an automatic garage door opener is provided, the garage door may be less than 20 feet from the alley.

(6) Driveways for single family and duplex uses

(A) Maximum permitted width of a driveway in a front yard is 10 feet. The driveway width may be expanded to 20 feet at any point behind the front facade.

(B) Ribbon driveways are permitted, but only if the ribbons are at least one foot wide.

(C) Circular driveways are not permitted in the front yard.

(D) A driveway constructed in the front yard adjacent to an existing driveway on an adjacent lot must be spaced a minimum of two-and-a-half feet from the existing driveway pavement.

(7) Parking concealment for surface parking. Surface parking must be screened from a street using one or more of the following materials:

(A) A three-foot-high earthen berm planted with turf grass or ground cover recommended for local area use by the building official. The berm may not have a slope that exceeds one foot of height for each three feet of width.

(B) A minimum three-foot-high solid masonry wall.

(C) Hedge-like evergreen plant materials recommended for local area use by the building official. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(8) Parkways adjacent to surface parking: Surface parking lots with more than five spaces must include the landscape and walkway areas as described in the Avenue street section within Exhibit 741F, between the parking area and a street. This includes two rows of large trees, adequate planting areas, and 6' sidewalk, except where it conflicts with a visibility triangle as defined by Section 741.111.5.

(9) Open Space.

A. On building sites larger than 2.0 acres, one contiguous open space of at least 1,000 square feet of must be provided, and may be counted as a portion of the overall open space required by Article X.

B. Building sites within 500 feet of existing greenway, park, or public plaza are exempt from (i).

C. The contiguous open space required in section (i) must be accessible from the public right-of-way or a required pedestrian passage.

D. No structures except for architectural elements are permitted within the required open space. Playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos; and ordinary projections of window sills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed.

E. Open space may contain primarily grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, paths, or shade structures.

F. Private balconies, sidewalks, parking spaces, parking lots, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.

G. Except for emergency vehicles, on-site open space cannot be parked or driven upon.

#### **SEC. 51P-741.107. 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. (Ord. Nos. 26233; 27915)

#### **SEC. 51P-741.108. 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) Subareas A, B, C, and D.

(1)In general. Except as provided in this subsection, the yard, lot, and space regulations for the MU-3 Mixed Use District apply.

(2)Front yard.

(A) Minimum front yard is five feet.

(B) No urban form setback is required.

(C) The following encroachments are permitted in the required front yard.

(i) Window sills, bay windows (floor area in the bay window can be occupied), belt courses, cornices and other architectural features, and fireplace chimneys may project up to three feet into the front yard;

(ii) Galleries, awnings, balconies, stoops, seat walls, retaining walls, porches, steps, ramps, handrails, safety railings, and benches all not exceeding four feet in height and extending a maximum of five feet into the required minimum yards.

(iii) Outdoor seating areas.

(iv) A maximum four-foot-high fence.

(v) Outdoor retail display in accordance with Section 51A-13.602, "Outdoor Storage and Display."

(vi) Trash receptacles, public art, water features, bicycle racks, and bollards.

(vii) Pedestrian lighting.

(viii) Utility boxes, meters, man-hole covers, and fire suppression equipment.

(ix) Landscaping, sidewalks, trees, tree grates, and planters.

(3) Side and rear yard.

(A) Except as provided in this subsection, no minimum side or rear yard is required.

(B) For all uses other than single-family, minimum side and rear yard is five feet if a lot is adjacent to a public alley that borders a single-family use.

(C) No tower spacing is required.

(D) Window sills, bay windows, belt courses, cornices, other architectural features, and fireplace chimneys may project up to three feet into a required side or rear yard.

(E) Unenclosed balconies, unenclosed patios, stoops, and signs may project up to five feet into a required side or rear yard.

(4) Density. Maximum number of dwelling units is 10,000.

(5) Floor area. All of Subarea A is considered one lot.

(6) Height.

(A) Habitable structures within 300 feet of the eastern boundary of the district are limited to 70 feet in height.

(B) The residential proximity slope provisions do not apply.



(7) Lot coverage.

(A) Maximum lot coverage is 90 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(B) All of Subarea A is considered one lot.

(8) Lot size. For single-family uses, minimum lot size is 2,000 square feet.

(9) Mixed use project. Subarea A is considered a mixed use project.

**SEC. 51P-741.109. 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) Subareas A, B, C, and D.

(1) On-street parking spaces that are adjacent to a lot, or if adjacent to open space, within 80 feet of a lot as measured in a straight line without regard for intervening structures, may be counted toward the required parking for that lot.

(2) For multifamily uses, 1.3 parking spaces per dwelling unit.

(3) Tandem parking is allowed for single family uses.

(4) Parking that requires maneuvering within the proposed Cypress Waters Boulevard right-of-way may be counted toward required parking for the adjacent lot.

(5) For children's amusement center, commercial amusement (outside), dry cleaning or laundry store, general merchandise or food store 3,500 square feet or less, general merchandise or food store greater than 3,500 square feet, general merchandise or food store 100,000 square feet or more, household equipment and appliance repair, liquor store, personal service, skating rink, and swap or buy shop uses, one parking space per 250 square feet of floor area is required.

(6) For a data center, one parking space per 5,000 square feet of floor area, except that one parking space per 333 square feet is required for any floor area used for office space. Handicapped parking must be provided pursuant to Section 51A-4.305. No loading space is required the first 50,000 square feet of floor area. One loading space is required for the first 150,000 square feet of floor area. One additional loading

space is required for each additional 100,000 square feet of floor area or fraction thereof above the initial 150,000 square feet.

(7) For light manufacturing, one parking space per 600 square feet of floor area. Handicapped parking must be provided pursuant to Section 51A-4.305. One loading space is required the first 50,000 square feet of floor area. Two loading spaces are required for the first 100,000 square feet of floor area. One additional loading space is required for each additional 100,000 square feet of floor area or fraction thereof above the initial 100,000 square feet.

(8) Parking reductions for proximity to DART light rail stations.

(A) Parking for all uses, ~~other than residential~~, located within a quarter mile of an existing DART light rail station, or a future rail station as indicated on an adopted service plan, may be reduced by 20 percent.

(B) Parking for all uses located more than a quarter mile but less than half a mile from an existing DART light rail station, or a future rail station as indicated on an adopted service plan, may be reduced by 20 percent provided there is a pedestrian connection to the DART light rail station.

(9) Mixed use development parking reduction.

(A) The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development (MUD) parking chart (Exhibit 741B).

(B) This reduction may be used in combination with other parking reductions, except that the standard requirement for a mixed use development may not be reduced by more than 30 percent.

(C) The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(i) First, the standard parking requirements for each of the uses in the mixed use development must be ascertained.

(ii) Next, the parking demand for each use is determined for each of the five times of day shown in the MUD parking chart by multiplying the standard off- street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(iii) Finally, the “time of day” columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the development.

(10) Seven-and-a-half-foot-wide parking stalls may constitute up to 35 percent of the required parking spaces for any use.

(11) For purposes of this subsection, each subarea is considered a lot. (Ord. Nos. 26233; 27915; 30231)

(12) Within Subarea A, except when there is a slip road and associated parking, parking lots are prohibited between the street-facing facade and the property line. For buildings with more than one street frontage, only two street frontages are subject to this requirement.

(13) Service entries and back-of-house functions must be located away from primary facades and should be visually screened by a solid wood or masonry fence or wall at least 6 feet in height where visible from the public realm and shall be screened with landscaping such as shrubs, bushes, and trees.

(14) Loading areas and loading docks should be located away from primary-street facades and pedestrian routes. They should be a maximum of 30-feet wide and, if visible from a public street, provide a closable opaque gate or door that can block the loading area from the sidewalk during times when it is not in use.

#### **SEC. 51P-741.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 26233; 27915)

#### **SEC. 51P-741.111. LANDSCAPING.**

(a) Subarea A.

(1) In general. Except as provided in this subsection, required landscaping must adhere to either the requirements of this article or Article X. Submitted landscape plans must indicate which set of standards apply.

~~(A) Except as provided in this subsection, a landscape plan must be submitted with the development plan and approved by the city plan commission before issuance of a building permit to authorize work in this subarea. For a portion of Subarea A, landscaping must be provided as shown on the landscape plan for a portion of Subarea A (Exhibit 741H). If there is a conflict between the text of this article and the landscape plan, the text of this article controls. No landscape plan is required for:~~

- (i) a public park;
- (ii) the repair of existing structures;
- (iii) demolition;
- (iv) grading;
- (v) the installation of fencing or other structures for security purposes;
- (vi) work associated with a temporary use;
- (vii) work intended to provide for the irrigation or maintenance of landscaping; or the reconstruction or restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of public enemy, or accident of any kind if that reconstruction or restoration does not increase:
  - (aa) the number of buildings on the lot;
  - (bb) the number of stories in a building on the lot;
  - (cc) the floor area of any building on the lot by more than 10 percent or 10,000 square feet, whichever is less; or
  - (dd) the nonpermeable coverage of the lot by more than 10,000 square feet.

(B) A landscape plan must contain the following information:

- (i) Date, scale, north point, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan.
- (ii) Location of existing boundary lines and dimensions of the lot, the zoning classification of the lot, the subarea classification of adjacent properties and a vicinity map.
- (iii) Approximate centerlines of existing water courses and the location of the 100-year flood plain, and geologically similar areas, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways, and sidewalks on or adjacent to the lot.
- (iv) Project name, street address, and lot and block description.

(v) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).

(vi) Locations and dimensions of proposed landscape buffer strips.

(vii) Complete description of plant materials shown on the plan, including names (common and botanical name), locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in caliper must be specifically indicated.

(viii) Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided interior to parking areas and the number and location of required off-street parking and loading spaces.

(ix) Size, height, location, and material of proposed seating, lighting, planters, sculptures, and water features.

(x) A description of proposed watering methods.

(xi) Location of visibility triangles on the lot.

(xii) Tabulation of design standard points earned by the plan.

(xiii) Impervious area and front yard landscape area.

(xiv) Total quantity of pedestrian facilities, special amenities, and enhanced pavement each.

(xv) The adjacent parkway area and any landscaping within the parkway area.

(2) Tree planting zone.

(A) In general. Trees must be planted no closer than 2.5 feet on center from any curb or paved roadway. Large trees must be planted no closer than 10 feet on center from a building wall and no closer than 20 feet from another large tree.

(B) Number, location, and type of trees required. Each lot must have one or more trees whose trunks are located wholly within the tree planting zone. The number of required trees is determined by dividing the number of feet of lot frontage, exclusive of driveways and visibility triangles, by 30. Fractions are

rounded to the nearest whole number, with 0.5 being rounded up to the next higher whole number. Trees must have a minimum caliper of two inches at the time of planting.

(C) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within 50 feet of another required tree.

(3) Surface parking area trees. All required parking spaces within a surface parking area must be within 100 feet of a large canopy tree.

(4) Landscape materials.

(A) Artificial plant materials are limited to synthetic turf in publicly accessible dog parks or plazas.

(B) In satisfying the landscaping requirements of this subsection, the use of high quality, hardy, and drought tolerant plant materials is encouraged.

(C) In addition to those trees listed in Article X, the trees listed in Exhibit 741C may be used to satisfy the requirements of this article.

(5) Soil requirements.

(A) Except as provided in this paragraph, landscape planting areas must have the following soil depths and dimensions:

(i) Each large shrub and each small tree must be planted in soil that is at least 24 inches deep with a surface area of at least 16 square feet (total of 32 cubic feet).

(ii) Each large tree must be planted in soil that is at least 36 inches deep with a surface area of at least 25 square feet (total of 75 cubic feet).

(B) Landscape planting areas located above underground buildings or structures must have the following soil depths and dimensions:

(i) Each large shrub and each small tree must be planted in soil that is at least 30 inches deep with a surface area of at least 25 square feet (total of 62.5 cubic feet).

(ii) Each large tree must be planted in soil that is at least 40 inches deep with a surface area of at least 36 square feet (total of 120 cubic feet).

(C) The building official may waive the minimum soil requirements if a landscape architect certifies that the proposed alternative soil depths and dimensions are sufficient to support the healthy and vigorous growth of the proposed plant materials.

(6) Protection of landscape areas. Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

(7) Design standards. All landscape plans must earn a minimum of ~~20~~ 13 points. Points are earned for the use of design standards only when landscaping is provided in the front yard. For purposes of this subsection, a front yard may include those areas of public right-of-way located behind the curb utilized for streetscape.

(A) Points for landscaping in front yard. One point is awarded for each three percent of the total front yard area provided as landscape area to a maximum of 13 points if the landscape area:

- (i) is at least 50 square feet;
- (ii) is planted with grass or other plant material as ground cover; and
- (iii) is planted with at least one of the following for every 100 square feet of landscape area, or fraction thereof:
  - (aa) one large canopy tree;
  - (bb) two small trees;
  - (cc) one small tree and two large shrubs; or
  - (dd) three shrubs.

(B) Existing tree credits. Existing healthy trees are categorized in accordance with the definitions of this section and credited toward meeting the design standards as follows:

- (i) One point is awarded for each tree retained in or relocated to the front yard of the building site or the parkway, having a caliper equal to or greater than four inches but less than six inches, a credit of one required large tree is allowed.

(ii) Two points are awarded for each tree retained in or relocated to the front yard of the building site or the parkway, having a caliper equal to or greater than six inches but less than 12 inches, a credit of two required large trees is allowed.

(iii) Three points are awarded for each tree retained in or relocated to the front yard of the building site, the parkway, or within any of the subareas having a caliper equal to or greater than 12 inches, a credit of three required large trees is allowed.

(C) Special amenities.

(i) Enhanced pavement material.

(aa) Three points are awarded when enhanced pavement is used in crosswalks, raised intersections, and other traffic-calming devices in and adjacent to the public right of way. (Note: All vehicular pavement must comply with the construction and maintenance provisions for off-street parking in the Dallas Development Code.)

(bb) Three points are awarded when at least 50 percent of all outdoor pedestrian pavement area in the front yard consists of enhanced pavement. (Note: All pedestrian pavement material and design must be approved by the building official.)

(ii) Pedestrian facilities.

(aa) One point is awarded for each publicly accessible special pedestrian feature such as a plaza, covered walkway, fountain, lake/pond, outdoor recreation facility, hike and bike path, and each work of public art up to a maximum of five points.

(bb) One point is awarded for a pedestrian street furniture ensemble included in the front yard consisting of a cluster of at least two benches, one bicycle rack, and a trash receptacle. Maximum of three points.

(D) Sustainable materials and methods. One point is awarded per each sustainable strategy successfully implemented as listed below:

(i) Modular pavers or recycled brick on cement-stabilized sand base.

(ii) Vegetated bio-swales for stormwater treatment, infiltration, or retention.



- (iii) Dedicated bike lane in the fronting right-of-way.
- (iv) Public transit stop.
- (v) A minimum of 50 percent pedestrian or vehicular paving with a pervious paving material.
- (vi) Planting area that is adjacent to or part of a larger restored habitat or riparian condition (not limited to front yard).

(8) When landscaping must be completed.

(A) All landscaping located within the parkway or right-of-way must be installed before the issuance of a final certificate of occupancy for any building on the adjacent lot.

(B) For a lot with one building, all other landscaping must be installed before the issuance of a final certificate of occupancy for the building on the lot.

(C) For a lot with multiple buildings, all other landscaping must be installed before the issuance of a final certificate of occupancy for the final building on the lot.

(D) If the property owner provides the building official with documented assurance that the landscaping will be completed within six months, the building official may issue one six-month temporary certificate of occupancy and permit the property owner to complete landscaping during the six-month period. For purposes of this subsection, “documented assurance” means a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six-month period, or a set of deed restrictions containing a covenant to install the landscaping in accordance with the landscape plan within the six-month period. The deed restriction must:

- (i) expressly provide that it may be enforced by the city;
- (ii) be approved as to form by the city attorney; and
- (iii) be filed in the deed records of the county in which the land is located.

(9) Irrigation requirements. Except as otherwise provided in this paragraph, required plant materials must be located within 100 feet of a verifiable water supply.

- (A) The lake, as indicated on the conceptual plan, is an acceptable source for water to be used in irrigation.
- (B) Proposed watering methods must be indicated on the landscape plan; and adequate to maintain the plant materials in a healthy, growing condition at all times.
- (C) Drought tolerant planting may be temporarily irrigated as allowed by the director.

(10) Landscaping and public art within public right-of-way. Landscaping and public art located within the public right-of-way must be installed at the time of construction on the property adjacent to the right-of-way. Landscaping and public art within a right-of-way must be indicated on the development plan.

(11) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this subarea for the exclusive purposes of authorizing compliance with the parkway landscaping requirements of this article and the temporary placement for intervals of time less than 24 consecutive hours of A-frame signs, tables, chairs, and associated improvements for dining within the right-of-way. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(B) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(C) Upon the installation of landscaping, dining equipment, and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(D) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this paragraph does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(12) Parkway landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(B) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(C) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(D) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(E) The issuance of a parkway landscape permit under this paragraph does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

(13) General maintenance. Required landscaping must be maintained in a healthy, growing condition. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings, as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(b) Subareas B, C, and D. Landscaping must be provided in accordance with Article X.

(c) The board may grant a special exception to the landscaping requirements of this section if, in the opinion of the board, the special exception will not compromise the spirit and intent of this section. When feasible, the board shall require that the applicant submit, and that the property comply with a landscape plan as a condition to granting a special exception under this section.

(d) Maintenance. Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 26233; 27915; 29504; 30231)

# **SEC. 51P-741.111.1 TREE CONSERVATION, REMOVAL, AND REPLACEMENT.**

(a) In general. Except as provided in this section, tree conservation, removal, and replacement must be provided in accordance with Article X.

(b) Except as otherwise provided in this section, tree replacement is not required for protected tree removal in Subarea A vacant property.

(c) A tree that was planted as a replacement tree is a protected tree.

(d) Tree conservation, removal, and replacement requirements of Article X must be provided in the Subarea A-1 sections of Subarea A.

~~(b) Subarea A.~~

~~(1) Subarea A is considered one lot for purposes of tree mitigation and removal.~~

~~(2) Total mitigation required is 19,998 caliper inches.~~

~~(c) Subarea B, C, and D.~~

~~(1) Subareas B, C, and D are considered one lot for tree mitigation and removal.~~

~~(2) Total mitigation required is 2,543 caliper inches.~~

~~(d) Tree inventory and replacement for Subareas A, B, C, and D.~~

~~(1) Trees planted within the right-of-way or designated open space may be counted as required and site trees and used for mitigation. Trees removed from an existing or proposed right-of-way do not have to be mitigated.~~

~~(2) Trees that are preserved or relocated to a park, conservation easement, designated open space, or area shown on a development plan will receive a five-to-one caliper inch credit for purposes of satisfying tree mitigation requirements.~~

~~(3) Mitigation of trees removed pursuant to a tree removal permit must be completed in accordance with the following schedule:~~

~~(A) 25 percent of mitigation complete within five years after the issuance of the tree removal permit;~~

~~(B) 50 percent of mitigation complete within 10 years after the issuance of the tree removal permit;~~

~~(C) 75 percent of mitigation complete within 15 years after the issuance of the tree removal permit;~~

~~(D) 100 percent of mitigation complete within 20 years after the issuance of the tree removal permit.~~

~~(4) A minimum 17-acre tree preserve area must be maintained as shown on Exhibit 741D until such time as 75 percent of required mitigation is complete. (Ord. 27915; 30231)~~

**SEC. 51P-741.111.2. LIGHTING IN SUBAREAS A, B, C, AND D.**

(a) Decorative street lighting may be placed within the right-of-way.

(b) Temporary string lighting may be affixed to buildings, light standards within the right-of-way, and landscaping within the right-of-way.

(c) In addition to standard city fixtures and poles, fixtures and poles ranging in height from 12 feet to 25 feet and in general conformance with the design criteria outlined in the lighting exhibit (Exhibit 741E) are allowed on the Property and within the right-of-way.

(d) Exceptions to city standards may be granted in order to achieve comprehensive and integrated urban design in relation to building elevations, locations, and orientations.

(e) Athletic field lighting is permitted by right with a maximum height of 120 feet. (Ord. 27915; 30231)

**SEC. 51P-741.111.3. STORM DRAINAGE DESIGN IN SUBAREAS A, B, C, AND D.**

Lots using the lake, as shown on the conceptual plan, as a drainage source are not required to provide detention on the lot. (Ord. Nos. 27915; 30231)

**SEC. 51P-741.111.4. STREET SECTIONS AND DESIGN IN SUBAREAS A, B, C, AND D.**

(a) Streets must be one of the following street types, more particularly described in the typical street sections exhibit:

- (1) Park street.
- (2) Town center street.
- (3) Office and mixed-use street.
- (4) Boulevard.
- (5) Water street.
- (6) Avenue.
- (7) Residential street.

(b) Right-of-way dedications must be in accordance with the attached street sections.

(c) Minor adjustments to final street right-of-way dedications and locations are permitted at the time of platting without requiring an amendment to Exhibit 741F. (Ord. Nos. 27915; 30231)

**SEC. 51P-741.111.5. VISUAL OBSTRUCTION REGULATIONS.**

(a) In Subareas A, B, C, and D, the definition of "visibility triangle" in Section 51A- 4.602 for central area districts applies.

(b) In Subareas A, B, C, and D, a conceptual street plan and street section exhibit acceptable to the director of mobility and street services must be ~~included with the development plan~~ submitted to the commission for approval.

(c) In interpreting and enforcing the paving and drainage design manual, Subarea A is considered a special area. (Ord. Nos. 27915; 30231)

**SEC. 51P-741.112. SIGNS.**

(a) In general. Except as provided in this section, signs in Subareas A, B, C, and D must comply with the provisions for business zoning districts in Article VII. Signs must comply with the provisions for non-business zoning districts in Article VII.

(b) Subarea A.

(1) The effective area for signs includes the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word. Supporting structures, walls, and architectural features are not included in the calculation of effective area.

(2) For all signs other than district identification signs and attached signs, maximum effective area is 200 square feet.

(3) Detached signs.

(A) All detached signs must advertise uses, tenants, or events within the district but do not have to be located on the same lot as the use, tenant, or event being advertised.

(B) No minimum setback exists for detached signs, except that a minimum of three feet of unobstructed sidewalk must be maintained.

(C) For detached signs other than district identification signs and kiosk signs, one sign is allowed for every 450 feet of frontage. For purposes of this calculation, temporary signs, seasonal banners, and A-frame signs are excluded.

(D) For detached signs other than district identification signs and kiosk signs, the setback-to-height slope is 0.5:1 with a maximum height of 35 feet.

(E) Pole signs are prohibited.

(4) District identification signs, and A-frame signs may be located within the right-of-way, including medians. When a sign is located on a sidewalk, a minimum of three feet of unobstructed sidewalk area must be maintained.

(5) Multiple tenants or landowners may be advertised on any sign.

(6) Signs may be attached to light standards within the right-of-way.

(7) In addition to the types of signs allowed in Article VII, the following types of signs are allowed, subject to the conditions listed below:

(A) A-frame signs with a maximum height of four feet and maximum effective area of 12 square feet per side;

(B) Awning signs;

(C) Banner signs;

(D) Blade signs with a maximum effective area of 30 square feet;

(E) Canopy signs;

(F) District identification signs; and

(G) Kiosk signs (prohibited in rights-of-ways).

(8) District identification signs:

(A) May include the name and logo of the district, or the name, logo, and address of any destination located within the district;

(B) Must be a detached sign;

(C) Must not exceed 200 square feet in effective area;

(D) May not exceed 40 feet in height;



- (E) May be located in a public right-of-way;
- (F) Except as provided in this paragraph, may be erected anywhere as long as they do not create a visual obstruction;
- (G) May be located over the public sidewalk or traffic lanes of a public street, providing that a minimum of 14 feet of vertical clearance is provided.
- (H) Maximum number of signs is 20.
- (I) May not be located within 100 feet of any detached sign located on the same frontage.

(9) Kiosk signs:

- (A) May not provide advertising for uses or events outside the district.
- (B) May not exceed 40 square feet in total signage area (not including structure).
- (C) Maximum number of signs is 20.
- (D) May not be located within 50 feet of any detached sign located on the same frontage.
- (E) May not be located in rights-of-way.

(c) Public schools. For any public school, other than an open-enrollment charter school, the following sign regulations apply:

- school;
  - (1) Signs may include the school name, logo of the school, and address of the
  - (2) Signage may be either attached or detached;
  - (3) Detached signs may not exceed 200 square feet in effective area;
  - (4) Detached signs may not exceed 40 feet in height;
  - (5) Electronic messages may only be displayed between 6:30 a.m. and p.m. Friday. (Ord. Nos. 26233; 27915; 29504; 30231)

**SEC. 51P-741.113.                    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)        The lake, as shown on the conceptual plan, is considered a legal building site for purposes of installing retaining walls and public amenities for pedestrian usage or community activities such as concerts.

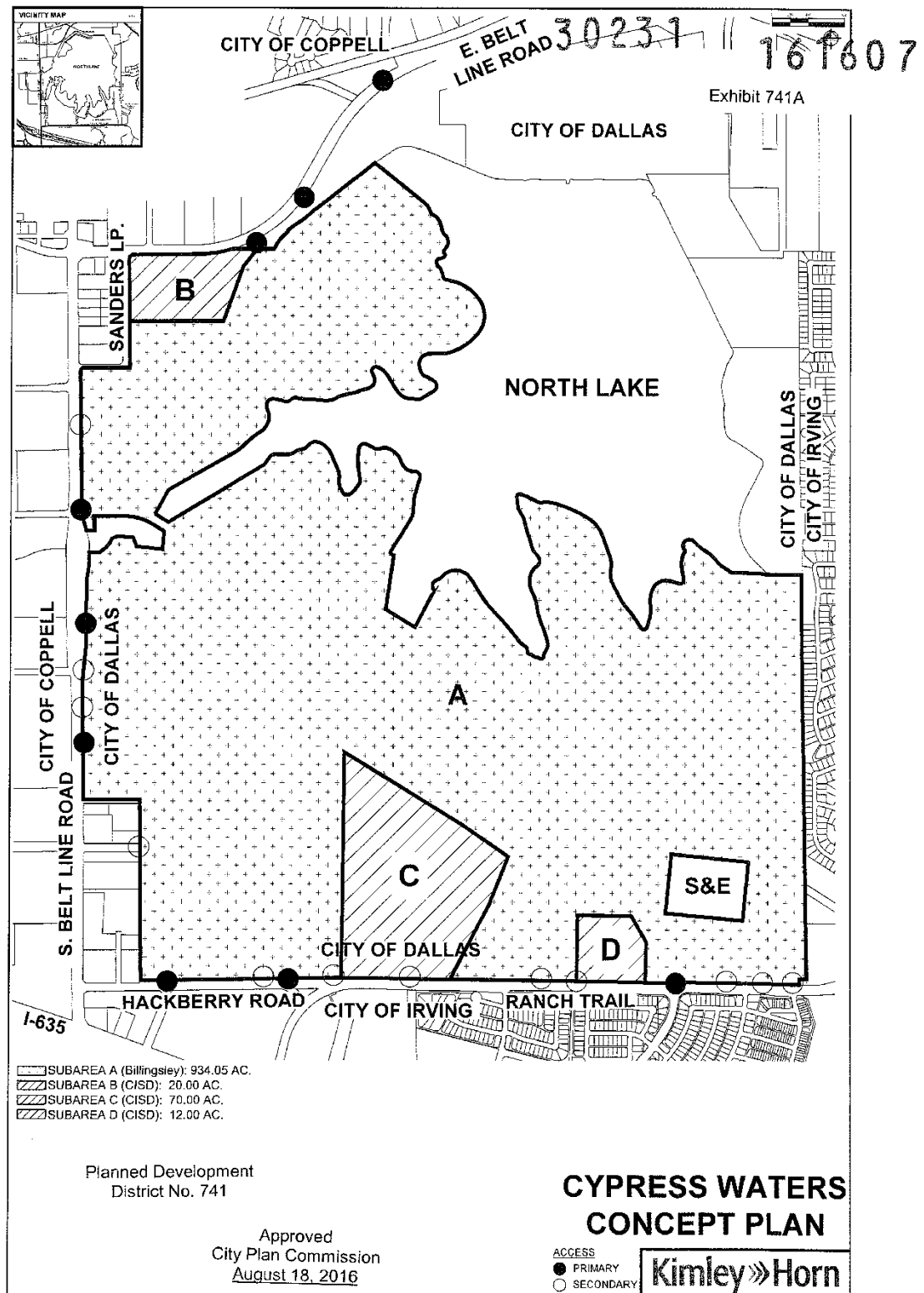
(d)        All of Subarea A is considered a legal building site for establishing a manufactured housing use. (Ord. Nos. 26233; 27915; 29504; 30231)

**SEC. 51P-741.114.                    COMPLIANCE WITH CONDITIONS.**

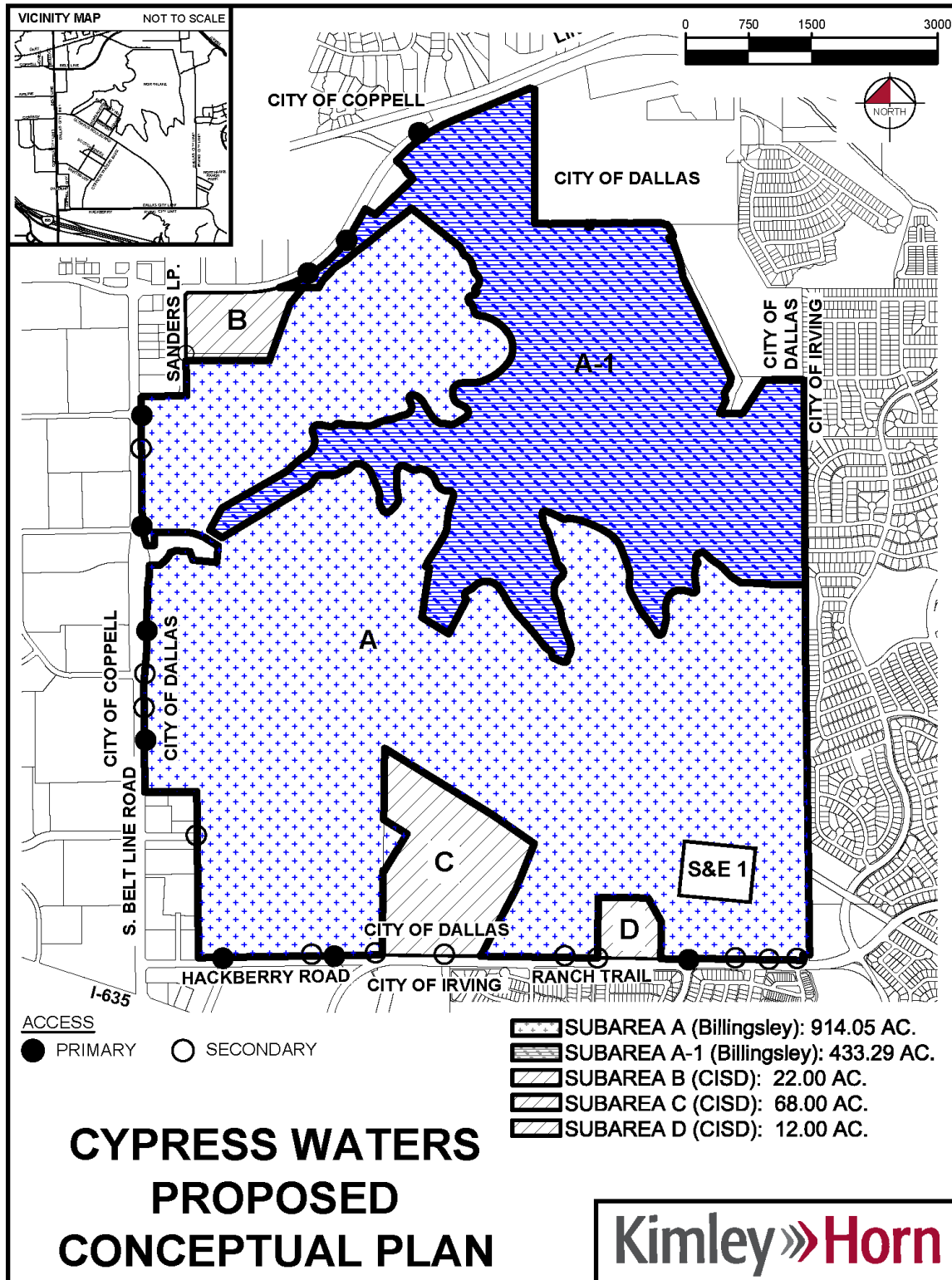
(a)        Except as provided in this article, all paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

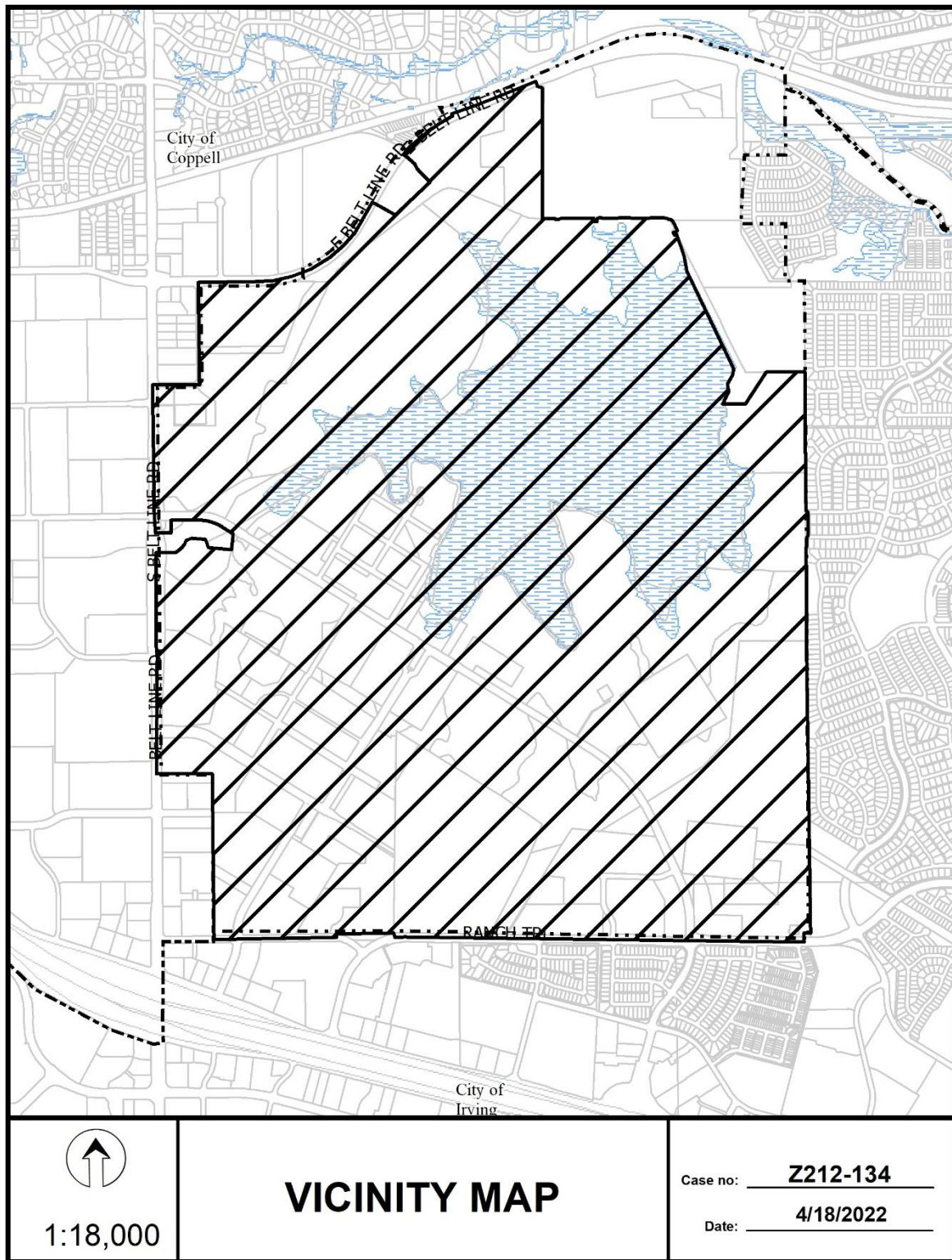
(b)        The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 26233; 27915)

Existing Conceptual Plan

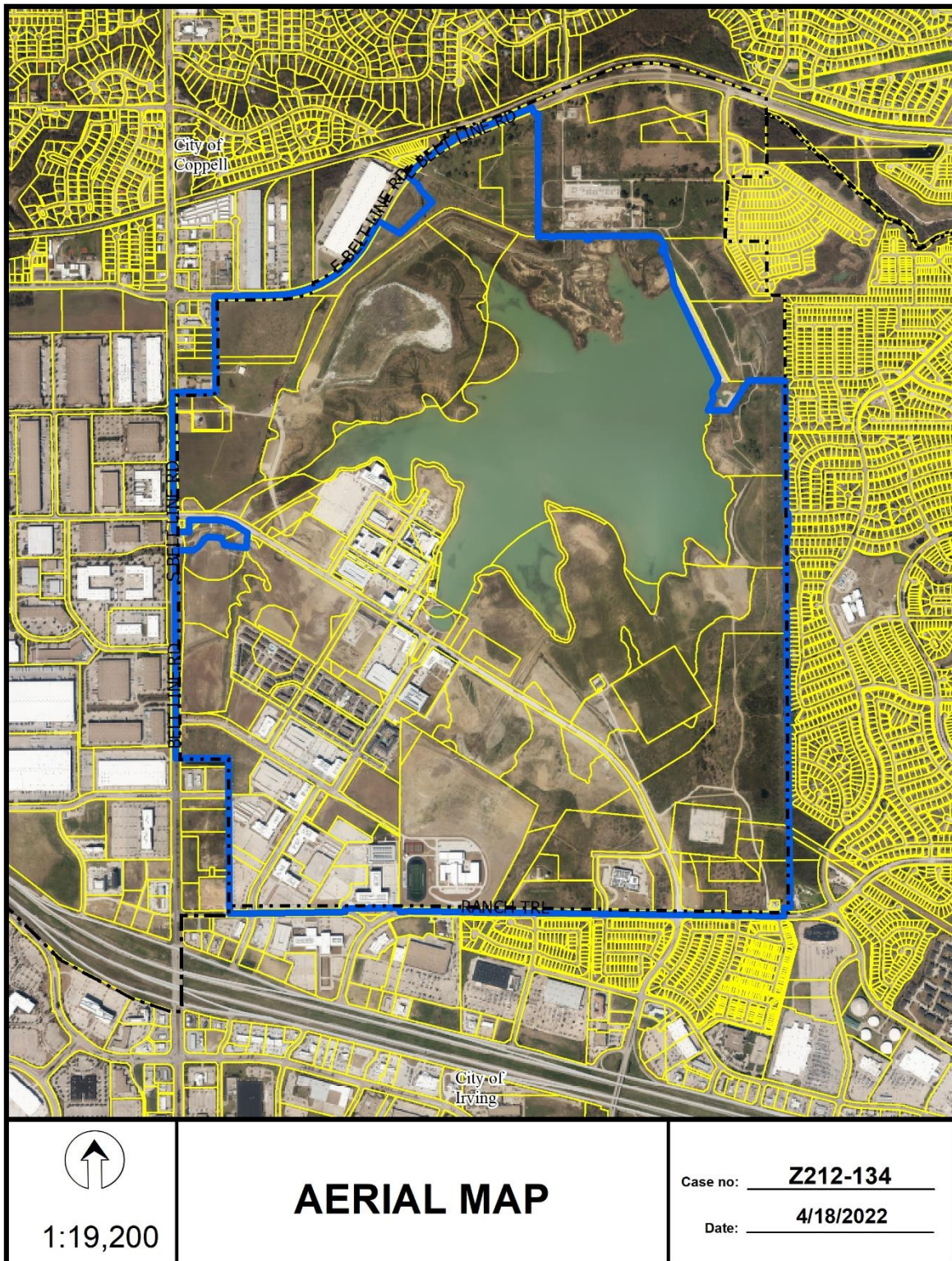


**CPC RECOMMENDED Conceptual Plan**

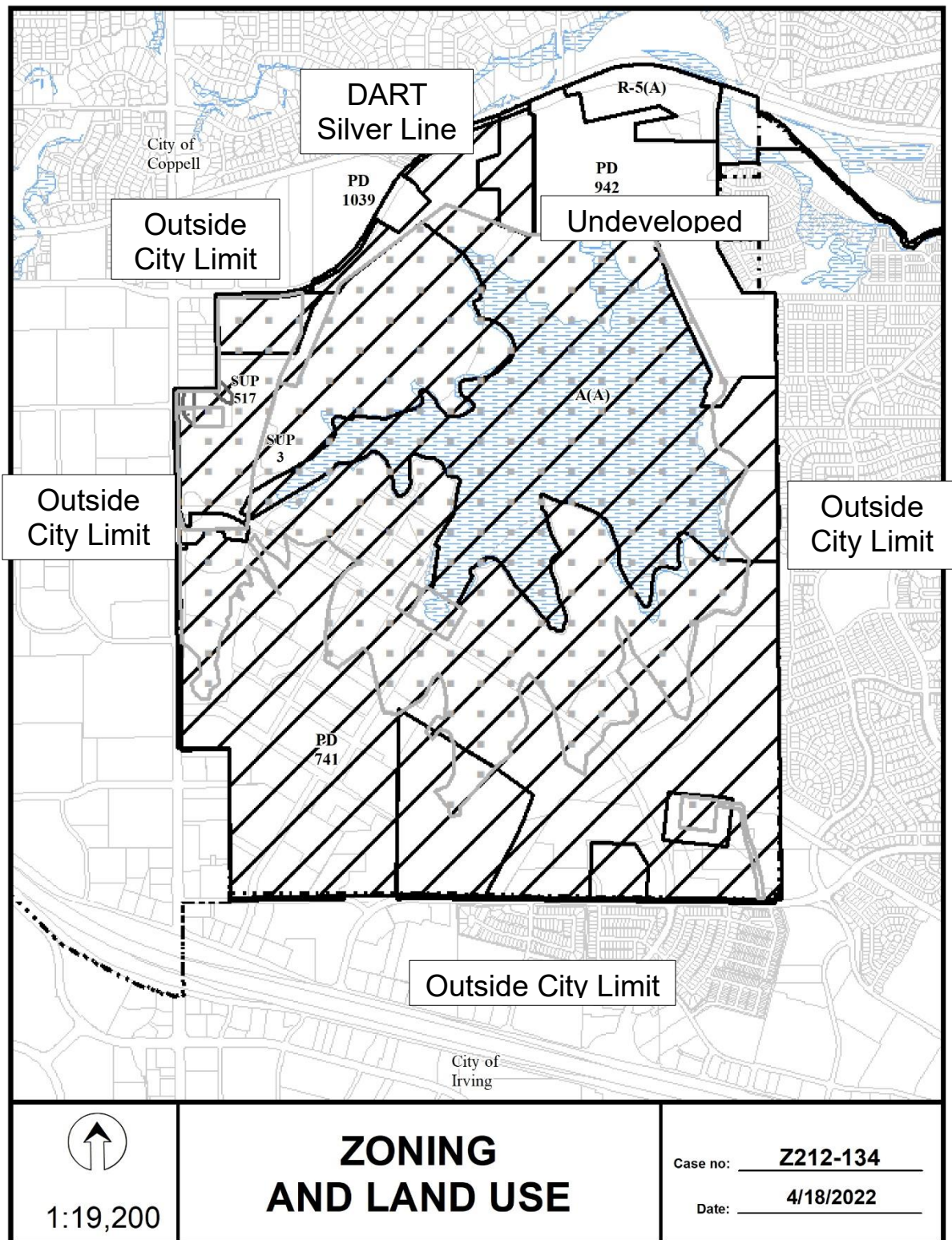


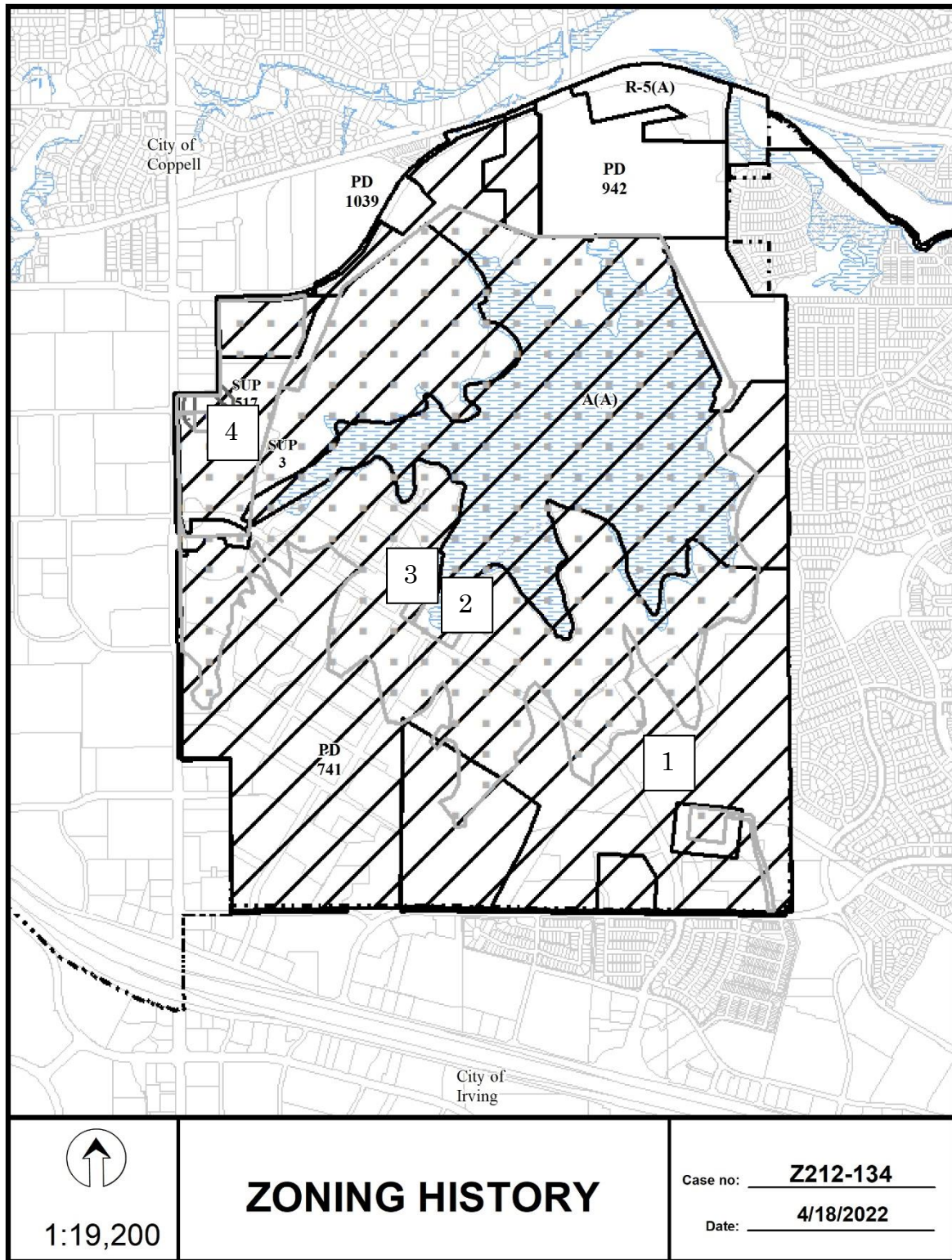




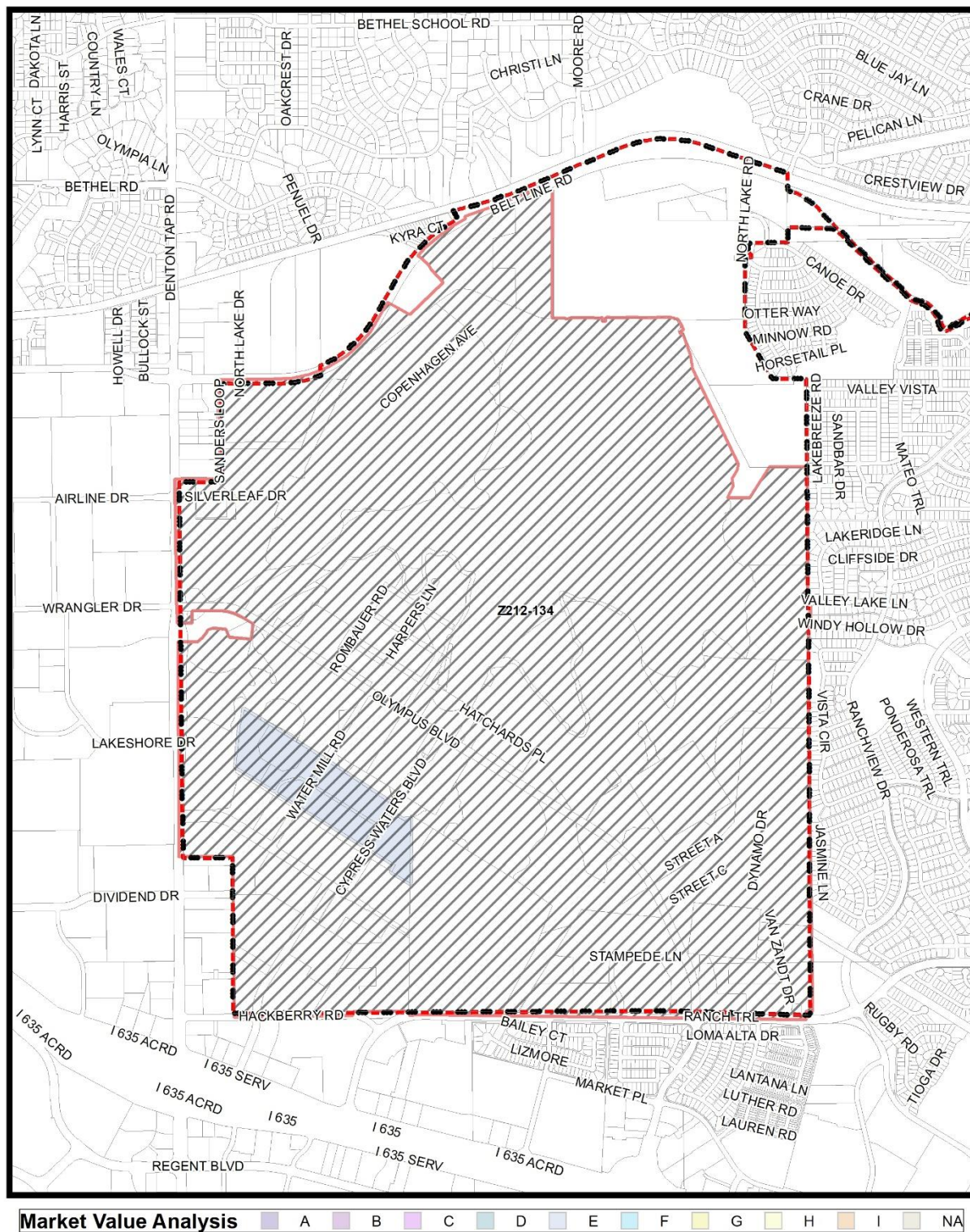




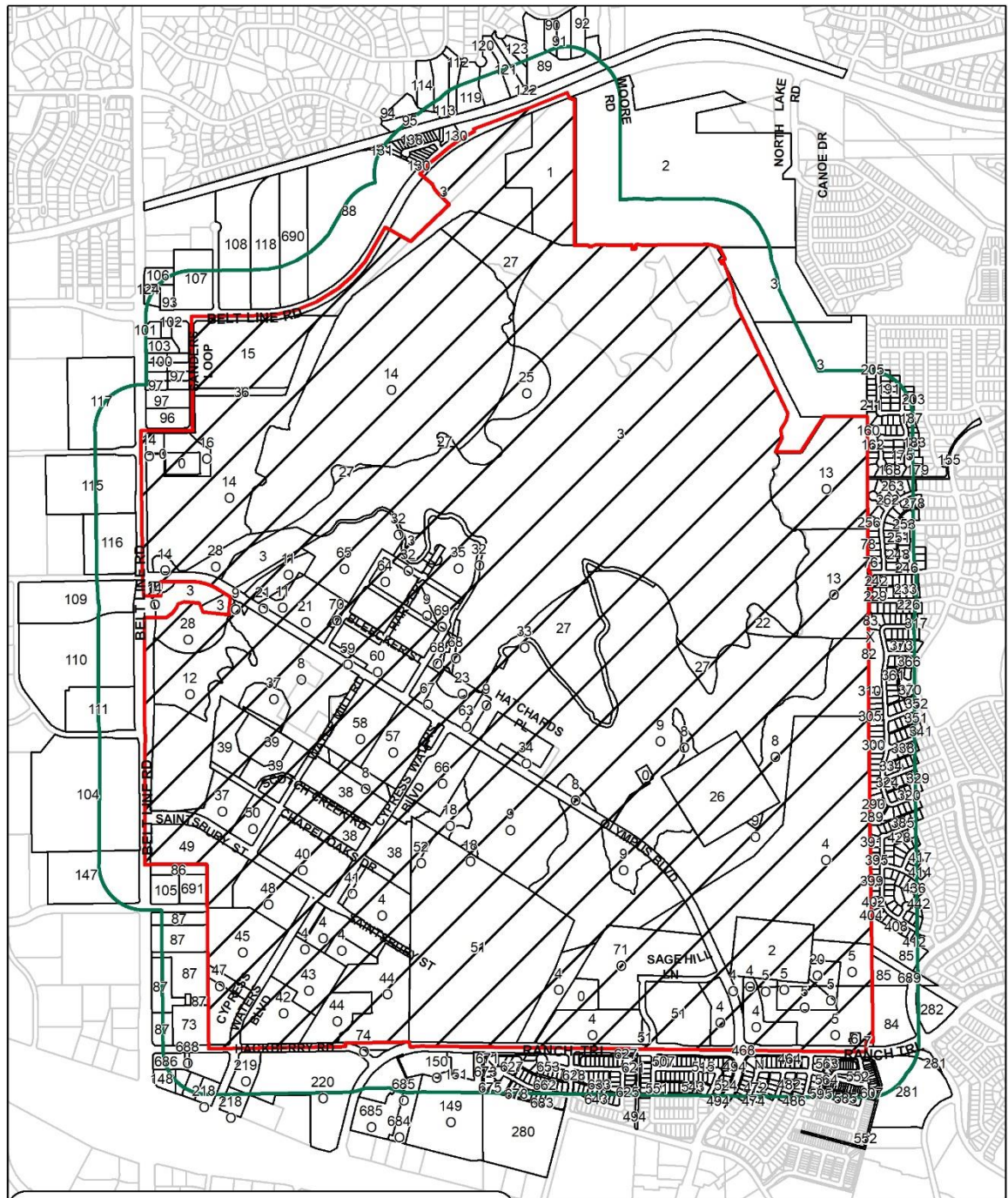












<b>691</b>	Property Owners Notified (815 parcels)
<b>68</b>	Replies in Favor (125 parcels)
<b>8</b>	Replies in Opposition (8 parcels)
<b>500'</b>	Area of Notification
<b>10/6/2022</b>	Date

**Z212-134**  
**CPC**



1:16,800

10/05/2022

***Reply List of Property Owners******Z212-134******691 Property Owners Notified    68 Property Owners in Favor    8 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	14901 NORTH LAKE RD	COPPELL CITY OF
	2	14901 NORTH LAKE RD	ONCOR ELECTRIC DELIVERY CO LLC
	3	704 E BELT LINE RD	COPPELL CITY OF
O	4	751 HACKBERRY RD	TRAMMELL CROW CO #43 LTD
O	5	751 HACKBERRY RD	CB TITTLE LTD &
	6	751 HACKBERRY RD	FAA
	7	903 HACKBERRY RD	ENSERCH CORP
O	8	3367 OLYMPUS BLVD	CW SHORELINE LAND LTD
O	9	3003 OLYMPUS BLVD	CYPRESS WATER LAND A LTD
O	10	3003 OLYMPUS BLVD	CYPRESS WATER LAND A LTD
O	11	9000 VAN ZANDT DR	CW12 LAND LTD
O	12	1220 S BELTLINE RD	CYPRESS WATERS LAND A LTD
O	13	9000 DYNAMO DR	BILLINGSLEY PIN OAK PARTNERS LTD
O	14	9000 DYNAMO DR	CYPRESS WATERS LAND B LTD
	15	14300 SANDERS LOOP	COPPELL ISD
O	16	1104 S BELTLINE RD	TRAMMELL CROW CO NO 43 LTD
O	17	2505 RANCH TRAIL	TRAMMELL CROW COMPANY NO 43 LTD
O	18	9000 DYNAMO DR	CROW-BILLINGSLEY 635 BELT
O	19	2805 RANCH TRAIL	TRAMMELL CROW CO 43 LTD
O	20	9000 RANCH TRAIL	CW PSF LLC &
O	21	9000 DYNAMO DR	CW11 LAND LTD
	22	9000 DYNAMO DR	Taxpayer at
O	23	9600 WHARF RD	CYPRESS WATERS LAND A LTD &
O	24	9600 WHARF RD	CYPRESS WATERS LAND A LTD &
O	25	9000 DYNAMO DR	CYPRESS WATERS LAND A LTD &
	26	9000 DYNAMO DR	COPPELL INDEPENDENT SCHOOL DISTRICT

# Z212-134(MP)

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	9000 DYNAMO DR	COPPELL CITY OF
O	28	9000 DYNAMO DR	CYPRESS WATERS LAND A LTD
O	29	3100 OLYMPUS BLVD	CYPRESS WATERS LAND A LTD
O	30	3100 OLYMPUS BLVD	CYPRESS WATERS LAND A LTD
O	31	3100 OLYMPUS BLVD	CYPRESS WATERS LAND A LTD
O	32	9000 DYNAMO DR	NEIGHBORHOODS OF CYPRESS
O	33	114 OLYMPUS BLVD	NEIGHBORDHOODS OF CYPRESS WATERS
O	34	116 OLYMPUS BLVD	CW13 LAND LTD
O	35	9600 WHARF RD	SOUN E LAND LTD
	36	14320 SANDERS LOOP	COPPELL ISD
O	37	1111111 SAINTSBURY ST	CW MFI LAND LTD
	38	9190 CYPRESS WATERS BLVD	NACW SPE LLC &
	39	3330 SCOTCH CREEK RD	CWPG SPE LLC &
O	40	9111 CYPRESS WATERS BLVD	CWOP 9111 CWB LTD
O	41	2 CYPRESS WATERS BLVD	NEIGHBORHOODS OF CYPRESS WATERS ASS
O	42	8840 CYPRESS WATERS BLVD	CWNS LAND NO 2 LTD
O	43	8950 CYPRESS WATERS BLVD	CWNS LAND LTD
O	44	3025 HACKBERRY RD	EPC LOGIC LLC
O	45	8951 CYPRESS WATERS BLVD	CW02 LAND, LTD
O	46	8841 CYPRESS WATERS BLVD	CWNS LAND NO 2 LTD
O	47	8041 CYPRESS WATERS BLVD	CWNS LAND LTD
O	48	9001 CYPRESS WATERS BLVD	CWO3 LAND LTD
	49	3800 SAINTSBURY ST	Taxpayer at
O	50	9121 WATER MILL RD	CWO5 LAND LTD
	51	2701 RANCH TRAIL	COPPELL ISD
O	52	2701 RANCH TRAIL	CYPRESS WATERS LAND B LTD &
O	53	3090 OLYMPUS BLVD	THE NEIGHBORHOODS OF CYPRESS
O	54	3090 OLYMPUS BLVD	THE NEIGHBORHOODS OF CYPRESS
O	55	3090 OLYMPUS BLVD	THE NEIGHBORHOODS OF CYPRESS
O	56	3090 OLYMPUS BLVD	THE NEIGHBORHOODS OF CYPRESS
O	57	3100 OLYMPUS BLVD	CWOP 3100 OLYMPUS LTD

# Z212-134(MP)

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	58	3200 OLYMPUS BLVD	CW10 LAND LTD
O	59	3335 OLYMPUS BLVD	CWTH2 LAND LTD
O	60	3201 OLYMPUS BLVD	CW09 LAND LTD
O	61	3333 BLEECKER ST	NEIGHBORHOODS AT CW NO 3
O	62	9655 WHARF RD	NEIGHBORHOODS AT CW NO 2
O	63	33301 MULBERRY HILL RD	NEIGHBORHOODS OF CYPRESS WATERS
O	64	9707 HARPERS LN	SOUN D LAND LTD
O	65	9797 ROMBAUER RD	CWO6 LAND LTD
O	66	3000 OLYMPUS BLVD	CWOP 3000 OLYMPUS LTD
O	67	3111 OLYMPUS BLVD	CWR3 LAND LTD
O	68	3121 OLYMPUS BLVD	CWR4 LAND LTD
O	69	9700 HARPERS LN	BILLINGSLEY SIOA PARTNERS LTD
O	70	9595 ROMBAUER RD	CWMF 9595 ROMBAUER LTD
O	71	8875 CHAPARRAL WATERS WAY	NEIGHBORHOODS AT CW
	72	11111 CYPRESS WATERS BLVD	CYPRESS WATERS - DALLAS TIF ZONE 991
	73	8500 S BELTLINE RD	PLAZA LODGING LLC
O	74	3200 HACKBERRY RD	LOGIC LAND LTD
	75	1331 LAKERIDGE LN	PERDUE JAMES S & RHONDA G
	76	1327 LAKERIDGE LN	BASS PEGGY A & CONWAY A
	77	1323 LAKERIDGE LN	GANJI KIRAN & SRAVANTHY
	78	1319 LAKERIDGE LN	SAJNANI CHIRAG RAM &
	79	1315 LAKERIDGE LN	ROSE DAVID A
	80	1309 LAKERIDGE LN	TATA SRINAGESH
	81	1305 LAKERIDGE LN	THACKER DIVYESH &
	82	9435 VISTA CIR	VALLEY RANCH MASTER ASSN
X	83	9501 VISTA CIR	BRET MARY E &
	84	2000 HACKBERRY RD	IRVING CITY OF
	85	8800 RANCHVIEW DR	IRVING CITY OF
	86	1600 S BELTLINE RD	DIVIDEND INVESTMENTS LLC
	87	1800 S BELTLINE RD	BELTLINE PROPERTIES LLC
	88	346 E BELTLINE RD	BETLINE TRADE A LLC

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	501	CARTER DR	STRINGFELLOW JEFFREY &
90	509	CARTER DR	AWAN AMJAD
91	517	CARTER DR	SCHEETZ STEVEN D &
92	525	CARTER DR	SHEPARD JOHN A & ANN
93	136	E BELT LINE RD	W PARNELL V LLC
94	252	BETHEL RD	WATERS BENJAMIN & JULIE
95	256	BETHEL RD	KERRIGAN MARCIE L & CRAIG A
96	1000	S BELT LINE RD	FIRST SECURITY BK COPPELL
97	1000	S BELT LINE RD	COPPELL LAKE BREEZE LLC
98	932	S BELT LINE RD	LAZY RIV HOLDINGS LLC
99	928	S BELT LINE RD	ZVELS INC
100	924	S BELT LINE RD	COPPELL LAKE BREEZE LLC
101	101	E BELT LINE RD	FOOD MART INC
102	920	S BELT LINE RD	SANTARA LLC
103	920	S BELT LINE RD	COPPELL CROSSING SHOPPING
104	1421	S BELTLINE RD	COLUMBIA TEXAS BELTLINE INDUSTRIAL LLC
105	1484	S BELTLINE RD	DB TEXAS QT II LLC
106	878	S DENTON TAP RD	878 DENTON TAP RD
107	150	E BELT LINE RD	RIVERSIDE CHURCH OF
108	850	NORTH LAKE DR	ICON OWNER POOL L TEXAS LLC
109	1201	S BELTLINE RD	BUCKHEAD COPPELL IND LP
110	1221	S BELT LINE RD	COLUMBIA TEXAS LAKESHORE INDUSTRIAL
111	1315	S BELT LINE RD	COLUMBIA TEXAS LAKESHORE II INDUSTRIAL
112	550	ROLLING HILLS RD	TELLING EMILY G &
113	417	MEADOWCREEK RD	COLCLASURE KERRI & ROBERT
114	413	MEADOWCREEK RD	SCOTT JOHN DOUGLAS &
115	1177	S BELTLINE RD	TCRG OPPORTUNITY II LLC
116	1199	S BELTLINE RD	1199 S BELT LINE INC
117	1025	S BELT LINE RD	NM MAJESTIC HOLDINGS LLC
118	200	E BELT LINE RD	INGLE REAL EST LTD PS

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	119	569 HERITAGE OAK CT	GRIJALVA VICTOR & LATISHA
	120	560 HERITAGE OAK CT	KUMAR KIRTHI R & UDHAY N
	121	556 HERITAGE OAK CT	BHAKTA HARSH & TORAL
	122	487 LEGACY CT	SAMBANDAM KAMALANATHAN & JENNIFER
	123	492 LEGACY CT	DATTA RAJIB & DARCI L
	124	890 S DENTON TAP RD	COPPELL7E LLC
	125	357 KYRA CT	UGAS YAMILET MARYSOL TORO
	126	355 KYRA CT	SHARMA VIVEK & SUNEYNA
	127	353 KYRA CT	PALAVALLI SASIDHAR
	128	351 KYRA CT	BHATIA VIJAY KUMAR &
	129	349 KYRA CT	RAJENDRAN PARTHASARATHY
	130	347 KYRA CT	HAAS ROSE AT LOST CREEK LLC
	131	348 KYRA CT	SALINAS OLIVIA & MARCO A
	132	350 KYRA CT	BALLESTEROS ASHLY & CARLOS
	133	352 KYRA CT	AFTAB AMEEN & BHOJANI NAUREEN
	134	354 KYRA CT	JAHANGIR TASNEM
	135	356 KYRA CT	FONTANELLA BEATRIZ T &
	136	358 KYRA CT	KOTKAR BHUSHAN S & MADHURA B
	137	360 KYRA CT	RITCHIE BLAKE ALAN
	138	362 KYRA CT	ARYAL YUBRAJ &
	139	364 KYRA CT	SHARMA DHEERAJ
	140	366 KYRA CT	SHARMA MUKESH KUMAR & SWATI
	141	368 KYRA CT	VAYUVEGULA VENKATA RATNA S &
	142	370 KYRA CT	OMAOENG PHILIP MICHAEL &
	143	372 KYRA CT	PONRAJ EMERSON KOILPILLAI
	144	374 KYRA CT	ABERRA YOHANES M &
	145	376 KYRA CT	JENKINS ETHEL LYNN
	146	378 KYRA CT	RAO KAVITA
	147	120 DIVIDEND DR	DUKE REALTY LTD PS
	148	8665 CYPRESS WATERS BLVD	AMEGY BANK NATIONAL ASSN
O	149	2700 RANCH TRAIL	CYPRESS WATER RETAIL #1
O	150	2700 RANCH TRAIL	BILLINGSLEY CARAS

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	2750 RANCH TRAIL	ILM LAS COLINAS INC
	152	8655 CYPRESS WATERS	CYPRESS WATERS RETAIL 3 LLC
	153	8645 CYPRESS WATERS	CYPRESS WATERS RETAIL 3 LLC
O	154	2900 RANCH TRAIL	CHED LAND LTD
	155	1 RANCHVIEW DR	EST NORTHLAKE HILLS
	156	10049 BLUEWATER TERRACE	ALAM MOHAMMAD IQBAL & SHAHLA IQBAL
	157	10045 BLUEWATER TERRACE	Taxpayer at
	158	10041 BLUEWATER TERRACE	JAIN SIDDHARTH & DEEPA S
	159	10037 BLUEWATER TERRACE	ANKAM KOTESHWAR &
	160	10033 BLUEWATER TERRACE	TUPURANI RAVI KRISHANA &
	161	10029 BLUEWATER TERRACE	PATEL KALPESH J & ROHINA M
	162	10025 BLUEWATER TERRACE	PATEL SHWETA & VIPUL P
	163	10021 BLUEWATER TERRACE	NAKKANA RAJESH & RAMANI
	164	10017 BLUEWATER TERRACE	Taxpayer at
	165	10011 BLUEWATER TERRACE	BUDHABHATTI BIMAL M &
	166	10007 BLUEWATER TERRACE	JADEJA JIT & ANJALI
	167	10003 BLUEWATER TERRACE	BHATNAGAR PUNEET & MEETU
	168	10004 BLUEWATER TERRACE	AGARWAL DINESH
	169	10008 BLUEWATER TERRACE	TILAK ANUP & SUSHMITA SINHA
	170	10014 BLUEWATER TERRACE	MUNGALPARA PRATIKKUMAR &
X	171	10020 BLUEWATER TERRACE	BETETA ARMANDO F &
	172	10024 BLUEWATER TERRACE	SINGH PARMINDER
	173	10027 SANDBAR DR	BARTI FAMILY TRUST
	174	10023 SANDBAR DR	MANKAL ANUPAMA V &
	175	10019 SANDBAR DR	KUMAR SUJIT &
	176	10015 SANDBAR DR	CHILDERS JAMES W & MISHAWN N
	177	10011 SANDBAR DR	KRISHNAKANT DAVE & PALLAVI OZA
	178	10005 SANDBAR DR	SUBRAMANIAN BALAJI
	179	10002 SANDBAR DR	VEMIREDDY SANDEEPA
	180	10010 SANDBAR DR	MOPARTI KIRAN KUMAR & RAGHUMA
	181	10016 SANDBAR DR	VARIDIREDDY SUBBARAMI &



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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	10020 SANDBAR DR	TAJ ZEESHAN
	183	10026 SANDBAR DR	PULICKAL SINDHU
	184	10102 SANDBAR DR	ABRAHAM JOSE &
	185	10106 SANDBAR DR	VERMA AMITABH & SHEELU
	186	10110 SANDBAR DR	DONTULA RAJESH V &
	187	10114 SANDBAR DR	AAGPAI LLC
	188	10330 LAKEBREEZE RD	TIWARI SHOVA
	189	10326 LAKEBREEZE RD	MUDHALIAR SANJEEV & NEELAM
	190	10322 LAKEBREEZE RD	GANDIKOTA JAYA & KARUNA GADE
	191	10318 LAKEBREEZE RD	MANNEPALLI KISHORE &
	192	10314 LAKEBREEZE RD	CHAUDHARI SACHIN &
	193	10310 LAKEBREEZE RD	BHAKTA VIMAL N
	194	10306 LAKEBREEZE RD	BHAGIA ASHOK & RUKMANI
	195	10303 SANDBAR DR	PARAMANANDAM KASTHURI
	196	10307 SANDBAR DR	ADDAGADA SATISH
	197	10311 SANDBAR DR	KASIREDDY PRABU GOUTHAM &
	198	10315 SANDBAR DR	RAYAPATI HARI SANKAR RAO
	199	10319 SANDBAR DR	BANERJEE MANIDEEPA &
	200	10323 SANDBAR DR	ACHUKOLA RAVI
	201	10314 SANDBAR DR	CHAMPOORANAN SALAI &
	202	10310 SANDBAR DR	VARGHESE SHIBU
	203	10306 SANDBAR DR	CHEEDALLA PRAMOD K & MADHAVI
	204	10302 SANDBAR DR	BEHERA JNANA RANJAN & AMBUJA
	205	10335 LAKEBREEZE RD	KONATAM SUKANYA &
	206	10331 LAKEBREEZE RD	MALLIDI SRINIVASA R & MEENA
	207	10327 LAKEBREEZE RD	CHINTAM DEEPA
	208	10323 LAKEBREEZE RD	REDDY SHANKER B & ARPITHA B
	209	10319 LAKEBREEZE RD	VENUGOPALAN SUDHA &
	210	10315 LAKEBREEZE RD	KAARLAPUDI SRINIVASA & JYOTHIRMAI
	211	10309 LAKEBREEZE RD	USMANI HASHSHAM & HASHSHAM
	212	10305 LAKEBREEZE RD	HALDAR RAJA & KUHELI

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	10301 LAKEBREEZE RD	SAEED AMJAD & FARHAT
	214	1342 SANDY SHORE RD	MOHAPATRA NITYA & TWINKLE
	215	1338 SANDY SHORE RD	GUNTURU CHANDRAMOHAN &
	216	1334 SANDY SHORE RD	QURESHI TABASSUM & CHIRAGH
	217	1330 SANDY SHORE RD	KUMAR VILAS PURAYIL & NIMITHA
O	218	3200 HACKBERRY RD	CROW BILLINGSLEY 635
O	219	8704 CYPRESS WATERS	CWR 8704 CWB LTD
O	220	3200 HACKBERRY RD	EPC FRED LLC
X	221	9500 WINDY HOLLOW DR	WANG SHIH WEI ALLEN
	222	9502 WINDY HOLLOW DR	RAY RAJARSHI & PRIYANKA
	223	9504 WINDY HOLLOW DR	KRISHNAMURTHY KARTHIK &
	224	9506 WINDY HOLLOW DR	MUKKA SWAROOP &
	225	9508 WINDY HOLLOW DR	LIMAYE ARUN S
	226	9510 WINDY HOLLOW DR	AGASHE VINAYAK S & ANAGHA
	227	9512 WINDY HOLLOW DR	UNACHUKWU ELIZABETH
X	228	9514 WINDY HOLLOW DR	RACHAKONDA CHANDRASEKHAR &
	229	9501 WINDY HOLLOW DR	SHAFIQ HUZAIFA & RASHIDA
	230	9503 WINDY HOLLOW DR	CROWELL BRIAN & KRISTINA
	231	9505 WINDY HOLLOW DR	FARES FARID S
	232	9507 WINDY HOLLOW DR	GULATI MEETA
	233	9509 WINDY HOLLOW DR	URAVAKONDA SREENIVASA & NEERAJA
	234	9511 WINDY HOLLOW DR	KAMRAN SYED MAHMOOD ALI
	235	9513 WINDY HOLLOW DR	SHARIEF SHOAIBULLAH &
	236	9512 VALLEY LAKE LN	RAO SUMA MYSORE ACHUTHA &
	237	9510 VALLEY LAKE LN	AHMAD NAEEM U & SHAFaq N
	238	9508 VALLEY LAKE LN	LITTLE NITA C
	239	9506 VALLEY LAKE LN	NUTHI BAPAlAH CHOUDARY &
	240	9504 VALLEY LAKE LN	AMUDURI SAI VENKATA
	241	9502 VALLEY LAKE LN	MACGRAY BEVERLY J &
	242	9500 VALLEY LAKE LN	SHAFIQ MOIZ M & MUNIRA Y
	243	9700 RAVEN LN	VORA VIRAL &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244	9702 RAVEN LN	BALLARD JAMES ALBERT JR &
	245	9704 RAVEN LN	KOMMALAPATI RAGHUNADHARAO
	246	9701 RAVEN LN	ADENWALA JINEN & GEEGNA J
	247	9703 RAVEN LN	MARIAPPAN KARTHIKEYAN &
	248	9705 RAVEN LN	EASAW ASHLEY S
	249	9707 RAVEN LN	KIM YOUNG
	250	9709 RAVEN LN	GOTTIPATI KIRAN &
	251	9711 RAVEN LN	NEOUCHI RABIH &
	252	9713 RAVEN LN	MANDA ASHOK & SHAILAJA
	253	9715 RAVEN LN	WADHWA KETAN &
	254	9509 CLIFFSIDE DR	PATEL NIMESHKUMAR &
	255	9511 CLIFFSIDE DR	PATEL VINOD & NEHA
	256	1301 LAKERIDGE LN	REDDY PREETHI &
	257	9901 LAKERIDGE CT	PERPALL SABRINA A
	258	9905 LAKERIDGE CT	BULGARELLI MARCO &
	259	9914 LAKERIDGE CT	KALATHARA LATHA & ANTHONY
	260	9910 LAKERIDGE CT	JOHNSON CHACKO &
	261	9904 LAKERIDGE CT	KOTHAPALLI VENKATA
	262	9900 LAKERIDGE CT	BHIMAVARAPU SHYAMALA D &
	263	1237 LAKERIDGE LN	NAIR VISRUTI S & SHIVAKUMAR K
	264	1233 LAKERIDGE LN	TULI MANESHI
	265	1229 LAKERIDGE LN	MAHUWALA SAIFUDDIN & UMMAL
	266	1225 LAKERIDGE LN	DUDHBHAI ASGAR & MUNIRA
	267	1330 LAKERIDGE LN	SAKALKALE MILIND D &
	268	1326 LAKERIDGE LN	ANAND TARUN & VIBHUTIKA
	269	1322 LAKERIDGE LN	SATI AVINASH & SOWMYA U ATTHI
	270	1318 LAKERIDGE LN	AKKINENI RAVI K &
	271	1312 LAKERIDGE LN	RASHID FARHAT H &
	272	1308 LAKERIDGE LN	BENNETT VERNA G
	273	1304 LAKERIDGE LN	GULAM RIAZ & NADYA
	274	1300 LAKERIDGE LN	DIXIT AMITABH

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	275	1244 LAKERIDGE LN	THANGAVELU BALASUBRAMANIAN &
	276	1240 LAKERIDGE LN	BUGDE ABHIJIT C & DEEPA G BHAT
	277	1236 LAKERIDGE LN	AKIN JAY R
	278	1230 LAKERIDGE LN	THOTTAKARA GEORGE P &
	279	1224 LAKERIDGE LN	KATANJIAN KOKO KIRKOR &
	280	8555 HOME DEPOT DR	HD DEVELOPMENT PPTS LP
	281	8505 WALTON BLVD	PASMAA THEATER LLC &
	282	1201 RANCH TRAIL	SHANTI NIKETAN LLC
	283	9313 VISTA CIR	SAMUDRALA NAGA V & RENUKA
	284	9315 VISTA CIR	JAIN NALIN &
	285	9317 VISTA CIR	OTAKE THOMAS K &
	286	9319 VISTA CIR	RICHARDS MIKEL A &
	287	9321 VISTA CIR	PHOUKHAMPHET TITI &
	288	9323 VISTA CIR	GREEN DARRYL L &
	289	9325 VISTA CIR	BOROYEVICH DUSHAN & MILIA
	290	9327 VISTA CIR	MILLER CHRISTINE E
	291	9329 VISTA CIR	DESHPANDE NAGNATH &
	292	9331 VISTA CIR	HEHAR GURDEV S & PARMINDER K
	293	9333 VISTA CIR	Taxpayer at
X	294	9401 VISTA CIR	KIM EVELYN
	295	9403 VISTA CIR	SIMAIL SAFWAT Y &
	296	9405 VISTA CIR	DUONG HONG CAM
	297	9407 VISTA CIR	CHAUDHRY ASIM SIKANDER
	298	9409 VISTA CIR	RAGHU SRINIVAS R
	299	9411 VISTA CIR	MILLER DONNA M
	300	9413 VISTA CIR	SHAH PANKAJ & NITA
	301	9415 VISTA CIR	SINGHEE KAMAL RAJ
	302	9417 VISTA CIR	RADJA JAKISA
	303	9419 VISTA CIR	MOKASHI YOGESH SATCHIDANAND &
	304	9421 VISTA CIR	HUFF CHONG
	305	9423 VISTA CIR	BHATTACHARYYA MADHUMITA & SUDIP

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	306	9425 VISTA CIR	PATEL NILAY & LIPSABEN
	307	9427 VISTA CIR	ABOUKHAMIS OMAR A &
	308	9429 VISTA CIR	KOTA NARASIMHAM V
	309	9431 VISTA CIR	RAHEEM ABDUL & ISHRATH JAHAN
	310	9433 VISTA CIR	NGUYEN TIEN DUC &
	311	9503 VISTA CIR	RIPPS CHRISTOPHER , &
	312	9505 VISTA CIR	KADA VENKATSATYA M & GAYATRI
	313	9507 VISTA CIR	GONZALEZ GEORGE C &
	314	9509 VISTA CIR	KANAPARTHI DASA & GANGURI VASAVI
X	315	9511 VISTA CIR	BLEVINS THOMAS S &
	316	9513 VISTA CIR	HUANG POTSANG &
	317	9515 VISTA CIR	FAMKAR YVONNE
	318	9310 VISTA CIR	KANNEGANTI RAMESH &
	319	9312 VISTA CIR	LNU RAKESH KUMAR
	320	9314 VISTA CIR	JUAREZ HENRY
	321	9316 VISTA CIR	BRYANT JANA STARNES &
	322	9318 VISTA CIR	APPEL ROY D & JANELL V
	323	9320 VISTA CIR	MERCHANT ZUBEDA
	324	1442 RANCH HILL DR	JAGGAVARAPU BHARGAVI NOMITHA &
	325	1438 RANCH HILL DR	PHILLIPS LINDA G
	326	1434 RANCH HILL DR	GOVINDASAMY RAMAMOORTHY &
	327	1430 RANCH HILL DR	BHARGAVA AKASH & ABHINANDINI
	328	1426 RANCH HILL DR	RAMADURAI GNANASUDAR &
	329	1422 RANCH HILL DR	RAO SRIVIDYA
	330	1419 RANCH HILL DR	OLIVARES JULIAN J & NANCY D
	331	1423 RANCH HILL DR	CONOVER YUNG
	332	1427 RANCH HILL DR	SUSANTIO RUDY & KAREN
	333	1431 RANCH HILL DR	ISLAMRAJA MAZHAR &
	334	1435 RANCH HILL DR	IDICHANDY THOMAS &
	335	1439 RANCH HILL DR	HA JUNG N
	336	1430 SANTA FE TRL	COOPER CHRISTINE R &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	337	1426 SANTA FE TRL	GUNNABATHULA VENKATA RNS &
	338	1422 SANTA FE TRL	GOYAL VISHNU
	339	1418 SANTA FE TRL	KUMAR AJAI &
	340	1414 SANTA FE TRL	RAJENDREN NAVANEETHA K B
	341	1405 SANTA FE TRL	ZUBAIR FARRUKH R &
	342	1409 SANTA FE TRL	KADIRI MARUTHI SIVA & SAVITHRI MAMILLA
	343	1415 SANTA FE TRL	JONES ALEXINA
	344	1419 SANTA FE TRL	SARKAR AMLAN &
	345	1423 SANTA FE TRL	NEIDINGER LISA
	346	1427 SANTA FE TRL	BIRMINGHAM MICHAEL J & DIANA
	347	1420 VALLEY TRL	KUMSIRAVINDER JAYATHIRTH & POOJA
	348	1416 VALLEY TRL	SARATHY ASHOK & ANURADHA
	349	1412 VALLEY TRL	LIM CHAE W &
	350	1408 VALLEY TRL	PULUGURTA RATNAKAR &
	351	1404 VALLEY TRL	KIM HEUNG NAM & YUN JUNG
	352	1401 VALLEY TRL	VIYANI ELIZA EUCHARISTA JOSEPH R M &
	353	1405 VALLEY TRL	LAWRENCE ISABEL
	354	1409 VALLEY TRL	HOPEWELL DUNCAN S &
	355	1415 VALLEY TRL	NAKTODE PURUSHOTTAM
	356	1419 VALLEY TRL	Taxpayer at
	357	9430 VISTA CIR	HU QUANQING &
	358	9432 VISTA CIR	GIBBS PHILLIP LYNN
	359	9434 VISTA CIR	MORRIS JOHN D & DALTA J MORRIS
	360	9436 VISTA CIR	FULTZ A HOWARD & DONNA J
	361	9438 VISTA CIR	SHARMA ANURADHA &
	362	9440 VISTA CIR	DARISIPUDI SUBBARAYUDU & ANURADHA
	363	1418 MEADOW DR	CHEN EARNEST &
	364	1412 MEADOW DR	HAIDER SALEHA &
	365	1406 MEADOW DR	KIM DAVID K & SOOK CHIN
	366	1400 MEADOW DR	ALAM PARWAIZ & SALEHA HAIDER
	367	1401 LEDBETTER CT	PANTA BASANTA & SANDHYA

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	368	1405 LEDBETTER CT	MADALAGI MRUGENDRA RUDRAPPA &
	369	1404 LEDBETTER CT	RAVAL ANAND G & RANNA A
	370	1400 LEDBETTER CT	SURIADINATA SANY
	371	1401 MEADOW DR	DUNN CYNTHIA B
	372	1405 MEADOW DR	LEE SONNY &
	373	1409 MEADOW DR	CHOI JONG HYUNG
	374	1417 MEADOW DR	JO & SA REAL ESTATE INVESTMENTS
	375	1421 MEADOW DR	ALAM MEER MAHFUZUL & HAFIZA
	376	9506 VISTA CIR	MUBEEN MOHAMMED A & SHAFaq AFROZE
	377	9508 VISTA CIR	VICENS MIGUEL &
	378	9510 VISTA CIR	KUMAMARU ATUSHI & AYA
	379	9512 VISTA CIR	MUKKOTIPURAM RAMACHARYULU S
	380	9514 VISTA CIR	CLARK GREGORY W &
	381	9516 VISTA CIR	PRAKASH ARPAN
	382	9239 JASMINE LN	ELLAPULLI GANESH SUBRAMANIAM
	383	9235 JASMINE LN	MENG QIANG
	384	9231 JASMINE LN	ABHISHEK ALLAUkIK & SAXENA SWATI
	385	9227 JASMINE LN	BANSAL RAJAN &
	386	9223 JASMINE LN	FRAZIER JOHN A JR
	387	9219 JASMINE LN	MURKOTH JEEVAN CHODAPARAMBIL &
	388	9215 JASMINE LN	BOROYEVICh MILOSH
	389	9207 JASMINE LN	JAIN VINOD KUMAR
	390	9203 JASMINE LN	ESPINOZA HERLINDA G &
	391	9137 JASMINE LN	DEMBUGA DEVIPRASAD &
	392	9135 JASMINE LN	JOSEPH LEENA
	393	9131 JASMINE LN	ALI SHABBIR & QUDSIA
	394	9127 JASMINE LN	BAWEJA ATMA S &
	395	9123 JASMINE LN	SUBRAMANIAN GOKUL &
	396	9119 JASMINE LN	PATEL KALPANA & MANISH KUMAR
	397	9115 JASMINE LN	MANKAL VINAYAK
	398	9109 JASMINE LN	PENTRALA RAJANI &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	399	9105 JASMINE LN	CHIGURUPATI RAVEENDRA BABU
	400	9057 JASMINE LN	GARCIA ALVIN V & SALLY
	401	9053 JASMINE LN	MATHEW REENA M & BINO T
	402	9049 JASMINE LN	VAN HO THANG &
	403	9045 JASMINE LN	RUDRANGI PRAGATHI & SATEESH
	404	9041 JASMINE LN	BOLLINENI SRINIVAS &
	405	9037 JASMINE LN	OPENDOOR PROPERTY TRUST I
X	406	9033 JASMINE LN	CORONADO EMILIO
	407	9027 JASMINE LN	NAG DEB KUMAR &
	408	9023 JASMINE LN	METTA SYAM B &
	409	9019 JASMINE LN	DABAWALA MURTAZA & TASNEEM
	410	9015 JASMINE LN	RAJAPPA SURESH &
	411	9011 JASMINE LN	WAFAYEE PARI & AZHAR SHAIKH
	412	9009 JASMINE LN	CHANDA ASHOK G &
	413	9005 JASMINE LN	PATHAK FALGUNI J
	414	9107 COTONEASTER CT	SHAIKH SANA
	415	9112 OLEANDER WAY	ALLURI SATISH
	416	9116 OLEANDER WAY	SHARYALA GANGADHAR
	417	9124 OLEANDER WAY	NAQVI RAHUL &
	418	9133 OLEANDER WAY	MAESHIMA YOSHI &
	419	9129 OLEANDER WAY	RAMAKRISHNAN RANGARAJAN &
	420	9125 OLEANDER WAY	KARIYANNA RAGHAVENDRA
	421	9117 OLEANDER WAY	VELPUCHARLA DHATRI P
	422	9111 OLEANDER WAY	VASIREDDY SREEDHAR &
	423	9122 JASMINE LN	BLODGETT ALLAN &
	424	9126 JASMINE LN	DO LAM & CHRISTINE
	425	9130 JASMINE LN	SRIVASTAVA SATYENDRA KUMAR
	426	9134 JASMINE LN	DURHAM MELANIE MILLER &
	427	9218 JASMINE LN	TYAGI RAHUL & MANJIT KAUR
	428	9222 JASMINE LN	VASIREDDY VANKAYALA
	429	9226 JASMINE LN	LINGAMNENI SANDEEP &



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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	430	9230 JASMINE LN	THOTAKURA SRIDHAR
	431	1460 GARDENIA ST	DUDHYALA MALLESHWAR &
	432	1456 GARDENIA ST	BAKWAD ANAND
	433	1452 GARDENIA ST	TODI SANJAY
	434	1448 GARDENIA ST	Taxpayer at
	435	1444 GARDENIA ST	CHENNUPATI SUBBA RAO &
	436	1440 GARDENIA ST	BHAKTA VIMAL & HETAL
X	437	1436 GARDENIA ST	ABERCROMBIE KENT D & CORTNIE C
	438	9010 JASMINE LN	MATHEW REJI & SUSAN
	439	9016 JASMINE LN	THYAGARAJAN VENKATESH &
	440	9020 JASMINE LN	RAMAKRISHNAN SUBRAMANIAN
	441	9048 GUAVA CT	GORE HEMANT &
	442	9052 GUAVA CT	VASHISHTA NITISH &
	443	9051 GUAVA CT	BASINSKI WILLIAM V &
	444	9047 GUAVA CT	RAODEE REVOCABLE LIVING TRUST THE
	445	9038 JASMINE LN	RANGANATHAN VIJAY &
	446	9042 JASMINE LN	VARGHESE GEORGE &
	447	9046 JASMINE LN	POTTOORE STEPHEN JOSEPH &
	448	9050 JASMINE LN	CHACKO RAKESH
	449	9054 JASMINE LN	JOSEPH DEEPA S
	450	9100 JASMINE LN	DHARKAR AMIT
	451	8715 LAUREL CANYON RD	POWERS ERRON C & EUGENIA
	452	8719 LAUREL CANYON RD	POSANPALLI RAJA REDDY & PREMSHREE
	453	8723 LAUREL CANYON RD	VELAYUDHAN SHIBU &
	454	8727 LAUREL CANYON RD	KUMAR UDHAY N & KIRTHI R
	455	8731 LAUREL CANYON RD	HAQ FARIDA
	456	8735 LAUREL CANYON RD	KANTAMSETTY SRIDHAR &
	457	8739 LAUREL CANYON RD	ELLIS KRISTEN R CRAWFORD & WILLIAM
	458	2043 LOMA ALTA DR	PATEL RAKHEE
	459	2035 LOMA ALTA DR	PATEL HERSH
	460	2031 LOMA ALTA DR	JOHN ANIL P & MEENU

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	461	2027 LOMA ALTA DR	MADAVARAPU RAVI K
	462	2023 LOMA ALTA DR	BUI THOMAS T & MARY HUE
	463	2019 LOMA ALTA DR	CHOI MINSEOK &
	464	2015 LOMA ALTA DR	MOTIWALA ADIB
	465	2009 LOMA ALTA DR	PATEL SHREYASH & ARPITA
	466	2005 LOMA ALTA DR	RANGANATHAN VIDHYALAKSHMI
	467	2001 LOMA ALTA DR	JAYASWAL KEYUR N & SUNITA K JAISWAL
	468	22 LOMA ALTA DR	IRVING EMERALD VALLEY HOMEOWNERS
	469	8740 LAUREL CANYON RD	SANDHU KULJINDER S
	470	8736 LAUREL CANYON RD	KATANGURU SANJAY & RAJANI BEERAM
	471	8732 LAUREL CANYON RD	HOSSAIN AYM MOKBUL &
	472	8728 LAUREL CANYON RD	OSIFEKUN JIDE O & DIONNE WALKER
	473	8724 LAUREL CANYON RD	MATHEW JOSEPH &
	474	8720 LAUREL CANYON RD	OLETI SURESH &
	475	8715 LINDENWOOD LN	JAMWAL RITA & VIKRAM
	476	8719 LINDENWOOD LN	BHATT ANAND D & PURVI
	477	8723 LINDENWOOD LN	DESAI SAMIR S & SONAL S
	478	8727 LINDENWOOD LN	NAGIREDDY DARAGE & ANITHA
	479	8731 LINDENWOOD LN	VYAS YOGESH & CHITRA
	480	8736 LINDENWOOD LN	KADAR SHAIKH A & SHARMEEN
	481	8732 LINDENWOOD LN	PATEL VIMAL A & HIRAL V
	482	8728 LINDENWOOD LN	DUONG KELVIN & IRIS W
	483	8724 LINDENWOOD LN	KANAKAMETI VIDYA S
	484	8720 LINDENWOOD LN	BACHINA NAVEEN & NAGALLA BHARGAVI
	485	8716 LINDENWOOD LN	ZAIDI AKBAR JAVED & AILIYA RAZA
	486	8715 LOHR VALLEY RD	KHUU MAI P & SON T
	487	8719 LOHR VALLEY RD	KRISHNA HEMALATHA
	488	8723 LOHR VALLEY RD	SAWANT YOGESH S & SHOURYA
	489	8727 LOHR VALLEY RD	NARANI RAMESH &
	490	8731 LOHR VALLEY RD	CHITTIMALLA RAGHU P &
	491	8735 LOHR VALLEY RD	KALAVAGUNTA RAVI &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	492	8740 LOHR VALLEY RD	VAIDYA DARPAN
	493	8744 LOHR VALLEY RD	HINDUJA ALAN NANDKISHORE
	494	3 LOHR VALLEY RD	IRVING EMERALD VALLEY HOMEOWNERS
	495	8726 LOHR VALLEY RD	MALIK AKRAM M
	496	8730 LOHR VALLEY RD	ANDERSON VIOLET M
	497	8734 LOHR VALLEY RD	IGNACIO OFELIA & STANLEY
	498	8727 LOST CANYON RD	NANDWANI MANUJ & NEHA
	499	8723 LOST CANYON RD	PHATAK AMOL
	500	8719 LOST CANYON RD	SAVULGAY ANAND & PUSHPA
	501	8715 LOST CANYON RD	MARAMRAJU SRINIVASRAO
	502	8711 LOST CANYON RD	MOGILI PRASAD &
	503	8707 LOST CANYON RD	ANAND SUMIT & PUJA
	504	8703 LOST CANYON RD	RAMALINGAM VINOD
	505	8619 LOST CANYON RD	PATEL ANKUR N
	506	2255 LONGVIEW RD	DUONG DUNG LE PHUONG &
	507	2251 LONGVIEW RD	NERELLA ARVINDA S &
	508	2247 LONGVIEW RD	VARDHINENI SRINIVASA &
	509	2243 LONGVIEW RD	WON CARY
	510	2239 LONGVIEW RD	PATEL JAYESH
	511	2235 LONGVIEW RD	PEREIRA MELCHIADES
	512	2231 LONGVIEW RD	PATEL NILAM & RAGINI
	513	2227 LONGVIEW RD	DAKSHINAMURTHY RAVI & SWAMA
	514	2223 LONGVIEW RD	VARANASI SOMANATH
	515	2219 LONGVIEW RD	WAHID MUHAMMAD
	516	2215 LONGVIEW RD	MISHRA SANJEEV & REKHA
	517	2211 LONGVIEW RD	THIRUGNANA MURUGAPPAN &
	518	2207 LONGVIEW RD	KALLIDAIKURCHI RAMAKRISHNAN
	519	2203 LONGVIEW RD	SADEQ ABU
	520	8728 LANDOVER PL	SINGIRIKONDA VAMSHI KRISHNA & SMITA
	521	8724 LANDOVER PL	LALAPET RAGHAVAN & ARCHANA
	522	8724 LANDOVER PL	Taxpayer at

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	523	8720 LANDOVER PL	UPPU VINODBABU &
	524	8716 LANDOVER PL	VENGATTERY SANTHOSH
	525	8712 LANDOVER PL	MIYAPURAM SUBBARAO & DEEPTHI
	526	8708 LANDOVER PL	HATLE SHRIPRAKASH B
	527	8704 LANDOVER PL	ARUNACHALAM GOPALAN &
	528	22 OLYMPUS BLVD	IRVING EMERALD VALLEY HOMEOWNERS
	529	2254 LONGVIEW RD	VOJJALA RAGHUVeer & PRIYADARSHINI
	530	2250 LONGVIEW RD	MANTAN MUKESH &
	531	2246 LONGVIEW RD	GAIKWAD SUDHAKAR
	532	2242 LONGVIEW RD	ASHAR SEEMA & SAMIR
	533	2238 LONGVIEW RD	BANTHIA ASHISH & DEEPA
	534	2234 LONGVIEW RD	Taxpayer at
	535	2230 LONGVIEW RD	MAMIDI SUBRAHMANYAM &
	536	2226 LONGVIEW RD	PARTHASARATHI & SIRISHA DESAI &
	537	2222 LONGVIEW RD	YADAV CHETAN &
	538	2218 LONGVIEW RD	ARAIN AHMAD & AFIA ISLAM
	539	2214 LONGVIEW RD	TALAGADADEEVI SURESH KUMAR &
	540	2210 LONGVIEW RD	PALAVALA BABU & VIJAYALAKSHMI B
	541	2215 LEGACY TRL	EPIE KAMIL A JAMES & SUKI C
	542	2219 LEGACY TRL	GUMMADAVELLI HARSHA VARDHAN &
	543	2223 LEGACY TRL	SINGHAL MANISH & GEETA
	544	2227 LEGACY TRL	Taxpayer at
	545	2231 LEGACY TRL	BANERJEE ADITI & KRAM MARTIN
	546	2235 LEGACY TRL	PILLAI SIVA S &
	547	2239 LEGACY TRL	Taxpayer at
	548	2243 LEGACY TRL	KHOSLA MANISH &
	549	2247 LEGACY TRL	LAHOTI RAJESH K &
	550	2251 LEGACY TRL	PINNAMANENI SIRISHA &
	551	2255 LEGACY TRL	PATEL SHAILESH R & SMITA S
	552	42 LANTANA LN	EMERALD VALLEY VILLAS HOMEOWNERS
	553	1947 LONGMEADOW HILL DR	EADULA SANDEEP REDDY &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	554	1943 LONGMEADOW HILL DR	PATEL KINNARY B &
	555	1939 LONGMEADOW HILL DR	LOPEZ URSULA PATRICIA DIAZ
	556	1935 LONGMEADOW HILL DR	JOHNSON RODNEY V JR &
	557	1931 LONGMEADOW HILL DR	NARAYANA PRAVEEN
	558	1927 LONGMEADOW HILL DR	SHAH AMAR
	559	1923 LONGMEADOW HILL DR	ISSA PHILIP &
	560	1919 LONGMEADOW HILL DR	CABRERA MARA JOSEPHINE &
	561	1959 LONGMEADOW HILL DR	PATEL AMITKUMAR
	562	1955 LONGMEADOW HILL DR	IBUKA YOHEI
	563	1951 LONGMEADOW HILL DR	KARIM KAMRUDDIN HASHIM & ZAIBUNESSA
	564	1962 LOMA ALTA DR	VADLAKONDA SRINIVAS & NAGA SAMEERA
	565	1958 LOMA ALTA DR	SIVASANKAR JAYARADHA & RAVI
	566	1954 LOMA ALTA DR	MOORTHY VISHNU VENKATACHALA &
	567	1950 LOMA ALTA DR	SUTANTRI INDRAWAN J
	568	1946 LOMA ALTA DR	MUGALA SATISH KUMAR &
	569	1942 LOMA ALTA DR	KUMAR MONA & SANJEEV
	570	1938 LOMA ALTA DR	ISIADINSO BONITA
	571	1934 LOMA ALTA DR	CLEAR VISION FUNDING LLC
	572	1930 LOMA ALTA DR	BUKKA SHYAM
	573	1926 LOMA ALTA DR	GIRI ANJALI
	574	1922 LOMA ALTA DR	AGARWAL DINESH & MADHVI
	575	1918 LOMA ALTA DR	BODDU ROSAIAH & MANASA SIRGIRI
	576	1914 LOMA ALTA DR	COPPOM KEVIN J
	577	1910 LOMA ALTA DR	TARA AMAN &
	578	1906 LOMA ALTA DR	LINN BRIAN THOMAS
	579	1902 LOMA ALTA DR	SHAH PANKAJLAL S &
	580	1903 LOMA LINDA DR	SARKAR SURJIT & CHANDREYI BASU SARKAR
	581	1907 LOMA LINDA DR	MANYLOUN PHET &
	582	1911 LOMA LINDA DR	SONG KYUNG & HYUNG J
	583	1915 LOMA LINDA DR	GARDNER ALAN & JOY

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	584	1919 LOMA LINDA DR	TEMPORAL SHERYL &
	585	1923 LOMA LINDA DR	GUPTA VED &
	586	1927 LOMA LINDA DR	HAYES MATTHEW ROBERT
	587	1931 LOMA LINDA DR	NELSON JOSEPH
	588	1935 LOMA LINDA DR	MORAR PRAKASH & BHAWNA
	589	1939 LOMA LINDA DR	WU BIHSIA PATRICIA
	590	1943 LOMA LINDA DR	PATEL AGAM K
	591	1947 LOMA LINDA DR	PHUONG HY K
	592	1951 LOMA LINDA DR	RODRIGUEZ JULIAN M &
	593	1955 LOMA LINDA DR	POPLI ANSHUL
	594	1959 LOMA LINDA DR	TUMMAPALA KAMESWARA RAO & SWAPNA
	595	1963 LOMA LINDA DR	SAYA SAUD Y
	596	8776 IRON HORSE DR	VEERLA KANAKA DEEPTI &
	597	8772 IRON HORSE DR	HRNCIR TAYLOR L
	598	8768 IRON HORSE DR	KHALIL MUHAMMAD S &
	599	8764 IRON HORSE DR	AGARWAL AKSHAY KUMAR
	600	8760 IRON HORSE DR	CHOI SORA
	601	8756 IRON HORSE DR	VISWANATHAN RAMESH BABU DHURVAS &
	602	8752 IRON HORSE DR	RHA SUN A
	603	8748 IRON HORSE DR	BAKSH YASMIN E
	604	8744 IRON HORSE DR	CHINTAM BHOOMANNA
	605	8740 IRON HORSE DR	KOBUSZEWSKI DENISE E
	606	8732 IRON HORSE DR	SONG JOHN J
	607	8728 IRON HORSE DR	KUMAR MANOJ
	608	8724 IRON HORSE DR	MISHRA SANJEEV &
	609	8720 IRON HORSE DR	PATEL UMESH M
	610	2443 NEWCASTLE BND	RIZVI SAYEED HASAN & SAMIN ISLAM
	611	2439 NEWCASTLE BND	SHIVASHANKAR HARSHA &
	612	2435 NEWCASTLE BND	GEORGE MANJU & DIAS KURIAN
	613	2431 NEWCASTLE BND	SHAH MITULKUMAR K & BIJAL M
	614	2427 NEWCASTLE BND	DANDU RAJU & LAKSHMI

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	615	2423 NEWCASTLE BND	VARGHESE SHINEY & VINOJ M THOMAS
	616	2419 NEWCASTLE BND	KAMTAM RAVINDRA L &
	617	2415 NEWCASTLE BND	RAJPUT DHRUV
	618	2409 NEWCASTLE BND	BOPPANA SRINIVAS
	619	2405 NEWCASTLE BND	ARUMALLA PRADEEP
	620	2401 NEWCASTLE BND	KUMAR ARUN & PUSHPA
	621	8722 NEWCASTLE BND	MOHITE MAHESH & CHANDANA M
	622	8718 NEWCASTLE BND	GEORGE JOHNSON S &
	623	8714 NEWCASTLE BND	RAMANATHAN KANNAN C
	624	8710 NEWCASTLE BND	KOKALA NARENDER & MADHAVI
	625	8620 NEWCASTLE BND	JAGTAP AJIT P
	626	8616 NEWCASTLE BND	BABU BALAJI & SUJATHA VENGAIAH
	627	1 RANCH TRAIL RD	VILLAS AT EMERALD PARK HOMEOWNERS
	628	2446 NEWCASTLE BND	GURRAM SURESH NAGA V
	629	2442 NEWCASTLE BND	WONG KA LEUNG &
	630	2438 NEWCASTLE BND	KODALI KRISHNA C
	631	2434 NEWCASTLE BND	YOHANNAN AJIT &
	632	2430 NEWCASTLE BND	BRAHMA ANURADHA
	633	2426 NEWCASTLE BND	GABRI CHETAN ANAND L & SREELATHA
	634	2422 NEWCASTLE BND	PATEL RAVISHANKER & JAYASREE
	635	8715 NEWCASTLE BND	RAMAMOORTHY MURALIDHARAN &
	636	8711 NEWCASTLE BND	BUYANAPRAGADA SRINIVASA R &
	637	8707 NEWCASTLE BND	SONI VIRENDRAKUMAR B & ALKABEN
	638	8621 NEWCASTLE BND	PALAKALA AMARNATH & ROJARANI NAKKA
	639	2407 LISMORE LN	YUSUF HARAR
	640	2411 LISMORE LN	JAYARAMAN KANNAN & KAMALA
	641	2415 LISMORE LN	CATO VELDA J
	642	2419 LISMORE LN	JAMPANA MURALI &
	643	2423 LISMORE LN	RAY SANGITA &
	644	2427 LISMORE LN	JALORI MOHIT
	645	2431 LISMORE LN	BALASUBRAMANIAN GANESAN &

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	646	2435 LISMORE LN	AGIWAL ANAND &
	647	2439 LISMORE LN	HUSSAIN UZAIR &
	648	2443 LISMORE LN	CYRILJOSEPH ELIGIUS VINOTH &
	649	2534 BAILEY CT	SRIKRISHNAN SREENATH &
	650	2530 BAILEY CT	SUBRAHMANYAM SUSARLA &
	651	2526 BAILEY CT	RASTOGI GAURAV
	652	2522 BAILEY CT	CHANNAVEERAPPA NATARAJU D
	653	2518 BAILEY CT	KATRAGADDA SUDHARANI &
	654	2514 BAILEY CT	ABBARAJU RAMASESHA
	655	2510 BAILEY CT	MALLIDI KODANDA R &
	656	2506 BAILEY CT	BOINDALA DEVA & SARITHA
	657	2502 BAILEY CT	VERMA RAM S & ANJU
	658	2501 TURNBERRY CT	FAROOQ MOHAMMAD A &
	659	2505 TURNBERRY CT	VIJAYRAGHAVAN ARUN &
	660	2509 TURNBERRY CT	VENUGOPALAN VINODH
	661	2515 TURNBERRY CT	LARI MOHAMMAD
	662	2519 TURNBERRY CT	YADAVALLI NATARAJ & MADHAVI
	663	2523 TURNBERRY CT	SHAH HITEN J & RACHANA K
	664	2527 TURNBERRY CT	MAHAJAN FAMILY TRUST THE
	665	2531 TURNBERRY CT	TATIPAMULA FAMILY REVOCABLE
	666	2535 TURNBERRY CT	KAMBHAM VIJAY SIMHA REDDY &
	667	2539 TURNBERRY CT	PARNAPALLI UMAMAHESWARA & VANI
	668	2543 TURNBERRY CT	KATTA SRIDEVI
	669	2551 TURNBERRY CT	AKASAPU LAKSHMANA RAO
	670	2555 TURNBERRY CT	QUADRI SYED GHULAM ARIF
	671	2559 TURNBERRY CT	HARINARTHINI SIRISHA
	672	2563 TURNBERRY CT	HITEN PATEL
	673	2560 TURNBERRY CT	SINGH PREM & PARMINDER KAUR
	674	2556 TURNBERRY CT	SANAGALA NAGI SIVA R
	675	2552 TURNBERRY CT	CHITAGI FAMILY TRUST
	676	2544 TURNBERRY CT	BALAN MOHANA SUNDAR &
	677	2540 TURNBERRY CT	GHANTA SRINIVASA R & SOUJANYA



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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	678	2536 TURNBERRY CT	KUMAR EESHA & RENUKA
	679	2532 TURNBERRY CT	PAULRAJ SELVAKUMAR
	680	2528 TURNBERRY CT	LINGINENI SURESH KUMAR
	681	2524 TURNBERRY CT	LINGINENI SRIDHAR
	682	2520 TURNBERRY CT	BULUSU RAVI
	683	2516 TURNBERRY CT	TAMMA SRIKANTH
O	684	2800 RANCH TRAIL	CYPRESS WATER RETAIL 2 LLC
O	685	2700 RANCH TRAIL	BILLINGSLEY CARAS PARTNERS LTD
	686	8635 CYPRESS WATERS	ORANGE CYPRESS WATERS LLC
O	687	8701 CYPRESS WATERS	CWRI A LLC
O	688	8635 CYPRESS WATERS	CWR 8701 CWB LLC
	689	6 N MACARTHUR BLVD	TEXAS UTILITIES ELEC CO
	690	413 E BELT LINE RD	SHAMS REAL ESTATE PTRS
	691	1600 S BELTLINE RD	IRVING HOSPITAL AUTHORITY



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2498

**Item #:** Z2.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 9  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 824, on the northwest corner of Lingo Lane and Millmar Drive

Recommendation of Staff: Approval, subject to a development plan, a revised traffic management plan, and conditions

Recommendation of CPC: Approval, subject to a development plan, a revised traffic management plan, and conditions

Z212-193(JA)

**FILE NUMBER:** Z212-193(JA) **DATE FILED:** February 18, 2022

**LOCATION:** Northwest corner of Lingo Lane and Millmar Drive

**COUNCIL DISTRICT:** 9

**SIZE OF REQUEST:** Approx. 24.803 acres **CENSUS TRACT:** 48113012400

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**REPRESENTATIVE:** Karl A. Crawley, Masterplan

**APPLICANT/OWNER:** Dallas Independent School District

**REQUEST:** An application for an amendment to Planned Development District No. 824.

**SUMMARY:** The purpose of the request is to allow for the addition of two athletic field buildings; to allow modified development standards primarily related to setbacks, signs, and fencing; and to provide a required update to the traffic management plan for the existing public school. [Bryan Adams High School]

**CPC RECOMMENDATION:** **Approval**, subject to a development plan, a revised traffic management plan, and conditions.

**STAFF RECOMMENDATION:** **Approval**, subject to a development plan, a revised traffic management plan, and conditions.

**PD No. 824 Ordinance:**

<https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20824.pdf>

**PD No. 824 Exhibits:**

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=824>

**BACKGROUND INFORMATION:**

- The area of request is currently zoned Planned Development District (PD) No. 824 and is developed with a public school other than an open-enrollment charter school [Bryan Adams High School] and an accessory Youth and Family Center.
- Bryan Adams High School opened at its present location in 1957.
- On May 12, 2010, City Council approved an ordinance changing the zoning classification of the property from an R-7.5(A) Single Family District to Planned Development District No. 824.
- On February 12, 2020, City Council approved an amendment to PD No. 824, modifying the development standards primarily related to floor area, height, and landscaping to allow for a fine arts addition, a competition gymnasium/storm shelter addition, and a future expansion area.
- The current request proposes ordinance language to clarify items from the 2020 amendment, includes minor changes to the development plan, and provides an updated traffic management plan (TMP).

**Zoning History:** There has been one zoning change request in the area in the last five years.

1. **Z189-320:** On February 12, 2020, City Council approved an amendment to Planned Development District No. 824. *[subject site]*

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Proposed ROW
Peavy Road	Local Street	-
Millmar Road	Local Street	-
Lingo Lane	Local Street	-
Highwood Drive	Local Street	-

**Traffic:**

A traffic assessment was prepared for Bryan Adams High School in October 2019 and a traffic management plan (TMP) was approved as part of the most recent amendment to PD No. 824 [case # Z189-320]. An initial traffic study evaluating the sufficiency of that TMP (Exhibit 824B of the PD No. 824 ordinance) was due on March 21, 2021. However, the applicant recognized the insufficiency of the TMP and proposes an update as part of the current zoning request.

The **CPC-recommended traffic management plan, dated October 4, 2022**, is sealed by a

licensed professional engineer, and contains the signatures of the Bryan Adams High School Principal and the Chief of Police for the Dallas Independent School District. The applicant further proposes that an initial traffic study evaluating the sufficiency of the new TMP must be submitted by November 1, 2023, with updates of the traffic study to be submitted by November 1st of each odd-numbered year.

The Transportation Development Services Division of the Transportation Department has reviewed the current request and does not anticipate that it will significantly impact the surrounding roadway system. However, the Transportation Department continues to review requests from neighbors to enforce parking restrictions and will continue to collaborate with the school principal to enforce the TMP.

## **STAFF ANALYSIS:**

### **Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan*, adopted by the City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is consistent with the following goals and policies of the comprehensive plan:

## **LAND USE ELEMENT**

### **GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

- Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries, and schools.

## **ECONOMIC ELEMENT**

### **GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

### **Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Planned Development District No. 824	Public High School
<b>North</b>	R-7.5(A) Single Family District	Single family
<b>East</b>	R-7.5(A) Single Family District	Single family; Surface Parking
<b>South</b>	R-7.5(A) Single Family District	Single family
<b>West</b>	R-7.5(A) Single Family District	Single family

### **Land Use Compatibility:**

The area of request is currently developed with a public school other than an open-enrollment charter school [Bryan Adams High School] and an accessory Youth and Family Center. The site is embedded within an established R-7.5(A) Single Family Zoning District and is surrounded almost exclusively by single family homes. There is a surface parking lot to the east across Lingo Lane from the request site at the northeast corner of Lingo Lane and Millmar Drive.

Planned Development District (PD) No. 824 was established in May 2010 and was amended in February 2020. The 2020 amendment authorized an approximately 80,000 square foot addition (fine arts and competition gymnasium/storm shelter) and approximately 30,000 square feet for future expansion of the school. Yard, lot, and space regulations were modified to allow increased height and floor area, and landscaping regulations were modified to allow the creation of an artificial lot with a maximum of 20 points required (the maximum total points required for artificial lot). The current request does not further alter these modifications.

The current zoning request codifies certain items shown on the previously approved development plan that were in conflict with the text of the ordinance and proposes the following specific changes:

- Relocate a previously approved batting cage adjacent to the softball field;
- Add a batting cage adjacent to the baseball field along the Peavy Road frontage;
- Amend ordinance language to allow a detached premise sign in the location shown on the previously approved development plan [ref CPC-recommended Sec. 51P-824.112(b)];
- Amend ordinance language to clarify the setback at the Peavy Road frontage [ref CPC-recommended Sec. 51P-824.108(b)(1)];
- Add an additional ordinance provision to allow fences to be located as shown on the previously approved development plan [ref CPC-recommended Sec. 51P-824.114(a)];
- Provide an updated traffic management plan [ref CPC-recommended Traffic Management Plan (Exhibit 824B)];
- Amend the due date for submittal of future traffic studies [ref CPC-recommended Sec. 51P-824.113(c)(1)];
- Modify the property lines on the development plan to conform with City Plan Commission (CPC)-approved preliminary plat S189-294, adjusted per the associated approval conditions;
- Relocate improvements (such as fences) out of right-of-way dedication areas; and
- Add ordinance language (agreed to by the applicant and briefed by staff at the October 6, 2022, CPC hearing) supporting regular submission of traffic study updates evaluating the sufficiency of the traffic management plan [ref CPC-recommended Sec. 51P-824.113(c)(1)(A & B)].

In addition to the above changes, the proposed development plan has been updated to reflect the status of previously approved site improvements and to clearly delineate previously existing/recently constructed/proposed improvements.

The existing school has been in operation at the site for approximately 55 years, and the current request does not represent a significant change to site design. Staff finds the proposed changes compatible with the surrounding neighborhood and supports the requested amendment.

On October 6, 2022, the City Plan Commission recommended approval of the request as recommended by staff (subject to a development plan, a revised traffic management plan, and conditions as briefed).

**Development and Sign Standards:**

Following is a comparison table showing differences in development standards between PD No. 824 as it currently exists and the proposed amendment to PD No. 824. Staff notes that the proposed amendment clarifies that the minimum 15-foot front yard setback required on Lingo Lane also applies to the opposite frontage on Peavy Road [ref proposed Sec. 51P-824.108(b)(1)].

	Setbacks		Height	Lot Coverage <sup>1</sup>	Density/FAR	Signs
	Front	Side/Rear				
<b>Existing PD No. 824</b>	25' on Millmar Dr and Highwood Dr  15' on Lingo Ln	10' / 15'	45', except for a 60' fly space as shown on the dev plan  No max stories	45% for residential structures  30% for nonresidential structures	7,500 sq. ft.  For a public school other than open-enrollment charter school, no min lot size	Signs must comply w regulations for non-business zoning districts in Article VII
<b>Proposed PD No. 824</b>	25' on Millmar Dr and Highwood Dr  15' on Lingo Ln and Peavy Rd	No change	No change	No change	No change	One detached premise sign w max height of 20' and max effective area of 50 sq. ft. is allowed w a min setback of 6' in the location shown on dev plan  In all other respects, signs must comply w regulations for non-business zoning districts in Article VII

<sup>1</sup>Lot coverage includes above-ground parking structures but does not include surface parking lots or other paving.

**Landscaping:**

The current zoning application does not include a request to alter the existing landscaping regulations for the site. Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended, except that the maximum total points required for any given artificial lot is 20 points [ref Sec. 51P-824.111(b)].



**Parking:**

The current zoning request does not trigger any changes to the existing parking requirement for the site. In general, off-street parking must be provided in accordance with Division 51A-4.200 for all uses to be located on the property. However, for a public school other than an open-enrollment charter school, a minimum of 343 off-street parking spaces must be provided as shown on the development plan; 360 off-street parking spaces are provided. Future expansion of the school must adhere to the off-street parking requirements in Division 51A-4.200 [ref Sec. 51P-824.109(b)].

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to target intervention strategies more precisely in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple, representing the strongest markets (A through C), to orange, representing the weakest markets (G through I). The area of request is not currently part of an MVA cluster. The neighborhoods adjacent to the south and west of the request site are part of a “D” MVA cluster, and there are “F” MVA clusters adjacent to the north and in the vicinity to the southeast of the site.

## **List of Officers**

### **Dallas ISD Board of Trustees:**

District 1 **Edwin Flores**  
District 2 **Dustin Marshall**  
District 3 **Dan Micciche** – First Vice President  
District 4 **Camile White**  
District 5 **Maxie Johnson** – Second Vice President  
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District 7 **Ben Mackey**  
District 8 **Joe Carreon** – Board Secretary  
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### **Dallas ISD Administration:**

**Dr. Stephanie Elizalde** – Superintendent  
**Robert Abel** – Chief of Human Capital Management  
**Dr. Tamika Alford-Stephens** – Chief Financial Officer  
**Susana Cordova** – Deputy Superintendent  
**Libby Daniels** – Chief of Communication  
**Tiffany Huitt** – Chief of School Leadership  
**Jack Kelanic** – Chief Technology Officer  
**Dr. Pamela Lear** – Chief of Staff and Racial Equity  
**Dr. Brian C. Lusk** – Chief of Strategic Initiatives  
**Dwayne Thompson** – Deputy Superintendent  
**Shannon Trejo** – Chief Academic Officer  
**Brent Alfred, AIA** – Deputy Chief Construction Services

**CPC ACTION**  
**OCTOBER 6, 2022**

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 824, subject to a development plan, a revised traffic management plan, and conditions, as briefed; on the northwest corner of Lingo Lane and Millmar Drive.

Maker: Jung  
Second: Carpenter  
Result: Carried: 12 to 0

For: 12 - Popken, Hampton, Gracey, Anderson, Shidid,  
Carpenter, Blair, Jung, Haqq, Stanard,  
Kingston, Rubin

Against: 0  
Absent: 2 - Vann, Housewright  
Vacancy: 1 - District 11

<b>Notices:</b>	Area: 500	Mailed: 242
<b>Replies:</b>	For: 4	Against: 4

**Speakers:** For: Karl Crawley, 2201 Main St., Dallas, TX, 75201  
Carolyn Loss-Cutler, 2138 Clarkdale Dr, Dallas, TX, 75228  
Against: None

## **CPC RECOMMENDED CONDITIONS**

### **SEC. 51P-824.101. LEGISLATIVE HISTORY.**

PD 824 was established by Ordinance No. 27872, passed by the Dallas City Council on May 12, 2010. Ordinance No. 27872 was amended by Ordinance No. 31446, passed by the Dallas City Council on February 12, 2020, and by Ordinance No. [insert ord no.], passed by the Dallas City Council on [insert date].

### **SEC. 51P-824.102. PROPERTY LOCATION AND SIZE.**

PD 824 is established on property located at the northwest corner of Lingo Lane and Millmar Drive. The size of PD 824 is approximately 24.803 acres. (Ord. 27872)

### **SEC. 51P-824.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,

(1) FLY SPACE means the empty space above a theater used to attach and house flying scenery.

(2) YOUTH AND FAMILY CENTER means a multi-functional facility sponsored or operated by a school as an accessory use to the school use where a combination of social, recreational, referral, or out-patient medical, dental, or optical treatment services are provided to students and family members.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district. (Ord. Nos. 27872; 31446)

### **SEC. 51P-824.104. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 824A: development plan.

(2) Exhibit 824B: traffic management plan. (Ord. 27872)

**SEC. 51P-824.105. 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 824A). 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. (Ord. 27872)

**SEC. 51P-824.106. 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. (Ord. 27872)

**SEC. 51P-824.107. 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) A youth and family center is permitted by right. (Ord. 27872)

**SEC. 51P-824.108. 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) Front yard. For a public school other than an open-enrollment charter school:

(1) minimum front yard is 25 feet on Millmar Drive and Highwood Drive and 15 feet on Lingo Lane **and Peavy Road**; and

(2) parking is allowed in the front yards on Lingo Lane and Millmar Drive.

(c) Side and rear yard. Minimum side yard is 10 feet and minimum rear yard is 15 feet.

(d) Floor area. For a public school other than an open-enrollment charter school, maximum floor area is 322,500 square feet.

(e) Height. For a public school other than an open-enrollment charter school, maximum structure height is 45 feet, except for a 60-foot fly space as shown on the attached development plan.

(f) Lot coverage. Maximum lot coverage is 45 percent for residential structures and 30 percent for nonresidential structures. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size.

(1) Except as provided in this subsection, minimum lot size is 7,500 square feet.

(2) For a public school other than an open-enrollment charter school, no minimum lot size. (Ord. Nos. 27872; 31446; **insert ord no.1**)

#### **SEC. 51P-824.109. 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, a minimum of 343 off-street parking and loading spaces must be provided as shown on the development plan. Future expansion of the public school other than an open-enrollment charter school must adhere to the off-street parking requirements in Division 51A-4.200. (Ord. 27872)

#### **SEC. 51P-824.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. 27872)

**SEC. 51P-824.111. LANDSCAPING.**

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) The maximum total points required for any given artificial lot is 20 points.

(c) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 27872; 31446)

**SEC. 51P-824.112. SIGNS.**

(a) In general. Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) Detached premise sign. For a public school other than an open-enrollment charter school, one detached premise sign with a maximum height of 20 feet and a maximum effective area of 50 square feet is allowed with a minimum setback of six feet in the location shown on the attached development plan. (Ord. Nos. 27872; [insert ord no.]

**SEC. 51P-824.113. 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 824B).

(b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pickup are not permitted within city right-of-way.

(c) 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, 2024 November 1, 2023. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March November 1st of each odd-numbered year.

(A) If the Property owner or operator fails to submit the required initial traffic study to the director by November 1, 2023, the director shall notify the city plan commission.

(B) If the Property owner or operator fails to submit a required update of the traffic study to the director by November 1st of each odd-numbered year, the director shall notify the city plan commission.

(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 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) Expansion area. Before issuance of a building permit for the expansion area, as shown on the development plan, the Property owner or operator shall:

(1) submit additional data to the director 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; and

(2) submit an amended traffic management plan.

(e) 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. (Ord. Nos. 27872; 31446)

**SEC. 51P-824.114. ADDITIONAL PROVISIONS.**

(a) Fences shown on the development plan are allowed within the visibility triangle.

(~~a~~ b) The entire Property must be properly maintained in a state of good repair and neat appearance.

(~~b~~ c) 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. (Ord. ~~Nos.~~ 27872; [insert ord no.])

**SEC. 51P-824.115. 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 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. (Ord. 27872)







**EXISTING TRAFFIC MANAGEMENT PLAN [EXHIBIT 824B]**

**October 17, 2019**

PK# 2504-19.165

**Z189-320**

# TRAFFIC MANAGEMENT PLAN

Project:

**DISD Bryan Adams High School**

*In Dallas, Texas*

Prepared for:

**City of Dallas**

On behalf of:

**Dallas Independent School District**

Prepared by:



Hunter W. Lemley, P.E.



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TX. REG. SURVEYING FIRM LS-100080-00

October 17, 2019



**TRAFFIC MANAGEMENT PLAN**  
**DISD Bryan Adams High School**  
Dallas, Texas

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Exhibit 1. Recommendations/Proposed Conditions

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## INTRODUCTION

The services of **Pacheco Koch** (PK) were retained by Masterplan, on behalf of **Dallas Independent School District**, to prepare a Traffic Management Plan (TMP) for the Bryan Adams High School (the "School") located at 2101 Millmar Dr in Dallas, Texas. This TMP is site-specific and relates to the peak traffic activity associated with school traffic at the site.

DISD is seeking amend the Planned Development District for the property from the City of Dallas (the "Approving Agency") to facilitate proposed site Improvements. Submittal of a TMP, prepared by a registered professional engineer experienced and skilled in the field of traffic/transportation engineering, is one of the requirements of Approving Agency's application process. This TMP was prepared by registered professional engineers employed by Pacheco Koch. Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional services in traffic engineering, transportation planning, and other fields.

### School Description

The site currently consists of an existing public high school. Current enrollment is summarized below in **Table 1**. The School is not anticipating an increase enrollment as a result of the Project. School starts at 9:05 AM and ends at 4:15 PM. Calculations for vehicle accumulation and parking numbers are based upon previously city-staff-approved ratios and validated by on-site dismissal observations conducted on Tuesday, April 23rd, 2019. Pacheco Koch performed two on-site observations each for the morning and afternoon periods. Present day school traffic characteristics has not changed since previous year's observations.

*Table 1. Current Enrollment*

LEVEL	STUDENTS ENROLLED
9th Grade	643
10th Grade	528
11th Grade	453
12th Grade	422
TOTAL	2,046

\*Enrollment Data provided by DISD

Access to the campus is via Millmar Drive, a two-lane, undivided local street. School traffic accesses Millmar Drive via Ferguson Road. The intersection of Ferguson Road and Millmar Drive is signalized. The school is located in a predominately residential area.

### TMP Objectives

A Traffic Management Plan (TMP) is a site- or area-specific plan of recommended actions and strategies to manage vehicular traffic and parking, pedestrian activity,



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and travel by all other modes during peak demand conditions for a planned event. The "Objectives" of a TMP are to:

1. Provide a safe environment for all Users on site and the travelling public in the vicinity of the site during the Event times;
2. Minimize (and maintain within reasonable levels) travel delays and traffic congestion on site and in the vicinity of the site during the Event;
3. Ensure reasonable access and circulation is maintained on the public street system in the vicinity of the site during the Event;
4. Provide appropriate information to the travelling public in the vicinity of the site to allow for proper awareness of anticipated traffic conditions during the Event; and,
5. Promote reasonable strategies to manage travel demand to and from the site, including use of alternative modes of travel (such as walk, bike, bus, transit, etc.), when practical.

NOTE: It is generally recommended that all applicable crosswalks and barrier free ramps comply with current ADA Accessibility requirements. All city approved pavement markings, traffic signs, and school zones are recommended to provide hardware that meets city's current standards.

### **Methodology**

When feasible, the Analyst should conduct first-hand observations of existing event to develop an understanding of site-specific traffic/transportation characteristics, such as: drop-off/pick-up frequency, parking needs, alternative travel mode use, safety issues, queuing, traffic congestion, site access, current traffic management strategies in use, etc. When it is not feasible to conduct such observations, interviews with staff or personnel familiar with those items is desirable. When neither option is available, the Analyst may be required to rely upon published information and/or professional judgment and experience.

Once the base information is assembled, the Analyst should estimate the projected traffic/transportation characteristics generated by the proposed Event. Next, the Analyst should inventory the attributes and resources of the subject site and determine how the site can best accommodate those projected conditions. Based upon that assessment, the recommended TMP Strategies shall be developed to optimally achieve the basic TMP Objectives. The recommended TMP Strategies should be reviewed by the School (ideally, the TMP Manager) for refinement and approval before formal submittal to the Approving Agency.

### **Expectations**

*NOTE TO SCHOOL: By submittal of a TMP to the Approving Agency, the School is implicitly agreeing to implement, maintain, and comply with the recommended actions presented herein subject to acceptance by Approving Agency and any associated conditions Approving Agency may impose. It is also inferred that the*



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*School agrees to be self-accountable for these actions until and unless Approving Agency deems further measures are appropriate or the TMP is no longer required.*

Recommended TMP Strategies may include one-time measures to be implemented before the Event and/or ongoing actions to be performed before, during, or after the Event. Recommended TMP Strategies involving on-site measures or actions are generally considered to be the responsibility of the School.

To ensure appropriate compliance and consistent implementation of the TMP, it is recommended that the School appoint a TMP "Manager". In general, a Manager should be a qualified and capable individual or group of individuals assigned to take responsibility of the TMP and be accountable for successful implementation in order to achieve the Objectives described earlier (see "**Exhibit 1**"). Other specific duties of the Manager include:

- Monitor effectiveness of TMP strategies and make prudent adjustments, as needed, to more effectively accomplish the TMP Objectives
- Maintain an awareness of readily-available alternative transportation modes serving the site and facilitate and promote their use during the Event when practical
- Serve as a liaison to the Approving Agency(-ies), when needed
- When applicable, provide training and direction to other personnel assigned to implement the TMP measures
- Provide instruction to Users on how to comply with the intent of the TMP

Recommended TMP Strategies were developed specifically for the period(s) of peak traffic demand and are depicted in the respective exhibit. For periods of less intense traffic demand, recommended TMP Strategies may be utilized, in part or in whole, as needed to realize the TMP Objectives.

### **Changes to TMP**

Informal changes to any recommended TMP Strategies presented herein to improve efficiency or effectiveness may be implemented at the discretion of the School if those changes are prudent and do not compromise the TMP Objectives. It is recommended that changes implemented under such circumstances be documented and retained by the School for future reference or upon request. At the discretion of the Approving Agency, submittal of a formally revised TMP report/document or a validation study may be required on a predetermined or as-needed basis.

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## TRAFFIC MANAGEMENT PLAN

*NOTE: Recommended TMP Strategies contained herein are based upon the best data, site-specific information, and analytical processes readily available at the time of the study. However, specific quantities related to traffic congestion at peak periods (e.g., duration, length of queue, etc.) are estimated values. Actual quantities may vary due to unknown or unquantifiable variables and other operational factors that may occur. In the event that actual, future conditions generate undue burden on Users and/or the travelling public, modifications to the TMP should be considered. (See preceding NOTE for guidance on implementing changes to the TMP.) However, in extreme conditions, TMP actions may not be capable of mitigating all traffic conditions, and it may be incumbent on the School to consider operational, institutional, or other long-term changes to address issues on a more permanent basis.*

A summary of general guidance for additional practices is provided below:

- Parent drop-off/pick-up activity within public right-of-way should always be avoided to maximize personal safety. All queuing, parking, and loading/unloading should be accommodated within the school property boundaries.
- Within the school property, school employees may implement all measures identified in the Traffic Management Plan but shall not interact with motorists or manipulate traffic within the public right-of-way. Only deputized officers of the law may engage or attempt to influence traffic operations in public right-of-way.

A summary of existing conditions is provided below:

- Parent pick-up activity currently occurs on Millmar Drive and Lingo Lane. School buses also load and unload students from Millmar Drive and Lingo Lane.
- Student parking is located in the farthest parking lot west of the school building.

A graphical summary of specific recommendations and proposed conditions is provided below and depicted in **Exhibit 1**:

1. **Convert from "No Parking" Area to Queuing/Standing Allowing Area by Installing City Approved Passenger Loading Signs** – Convert the "No Parking" Areas shown on **Exhibit 1** to an area for parents to queue/stand/wait for students to be picked up.
2. **Convert from "Parking Allowed" to "Bus Lane Only"** – Provide an area as shown on **Exhibit 1** to allow for bus standing to wait and load/unload students.
3. **Evaluate the Need for a Traffic Officer to Assist Exiting Buses from Lingo Drive to Millmar Avenue** – A Traffic Officer is recommended to be evaluated to

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give the opportunity of a safe and efficient path for existing buses from Lingo Drive onto Millmar Avenue.

4. **Remove East Leg Crosswalk at the Intersection of Millmar Avenue and Clarksdale Drive** – Remove the east leg crosswalk at the intersection of Millmar and Clarksdale Drive to improve safety by minimizing the number of Millmar Avenue crossing areas.

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**Acknowledgement Statement****REVIEW AND COMMITMENT**

This school traffic management plan (TMP) for Bryan Adams High School was developed with the intent of optimizing safety and efficiently accommodating vehicular traffic generated during the school's typical student drop-off and pick-up periods. It is important to note that a concerted and ongoing effort by and the full participation of the school administration are essential to accomplish these goals.

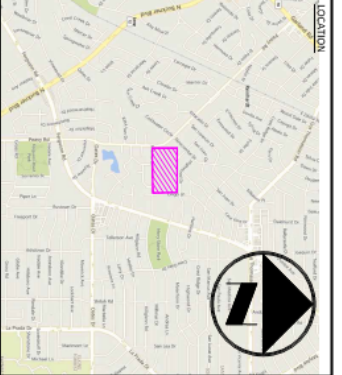
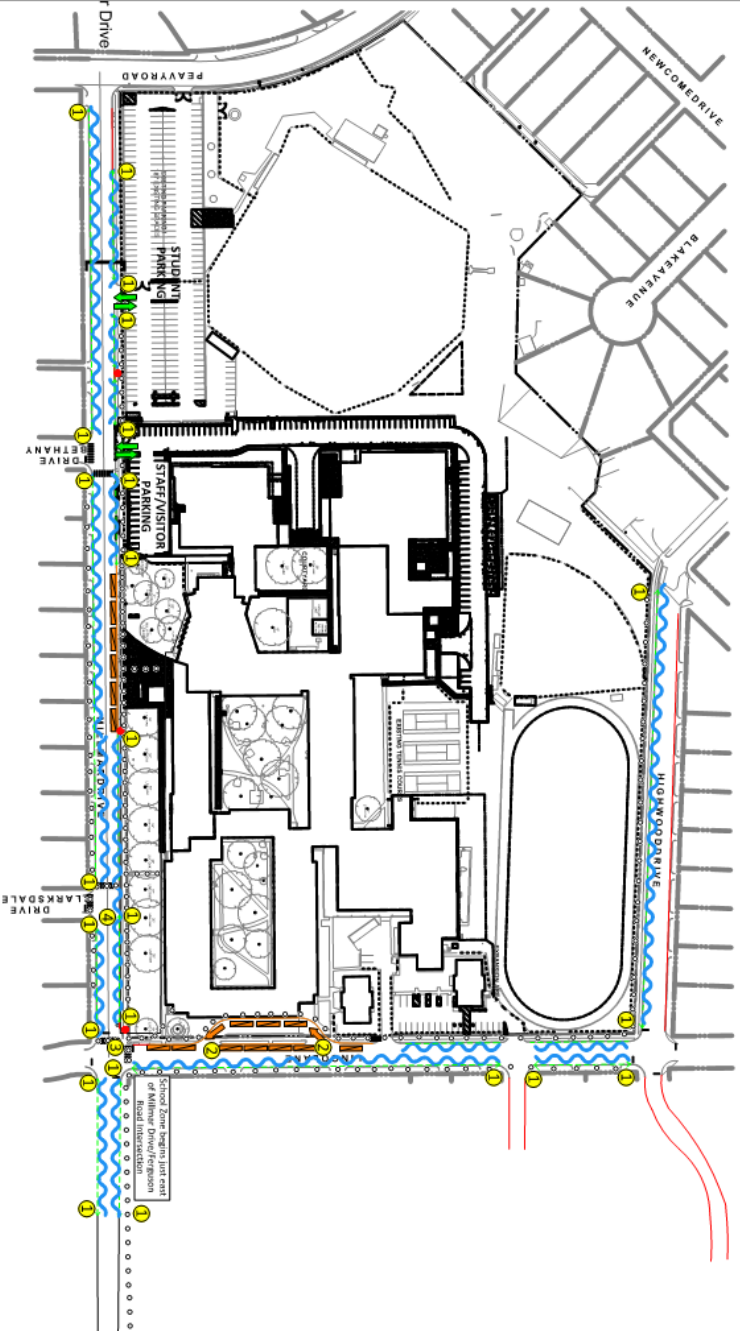
By the endorsement provided below, the school administration hereby agrees to implement, adhere to, and support the strategies presented in this TMP for which the school is held responsible until or unless the City of Dallas deems those strategies are no longer necessary or that other measures are more appropriate.

  
Signature  
Name: Ryan Beck  
Title: Principal

10/30/2019  
Date

END OF MEMO

GENERAL NOTE: The subject school administration shall issue a formal communication that summarizes the intent of the Traffic Management Plan at least once every school year.



- Parking**
- No On-Street Parking Allowed (Existing)
  - On-Street Parking Allowed (Existing)
  - On-Street Parking Allowed (Proposed)
  - Access Point
- Queueing/Loading**
- Parent Waiting/Loading Area (Parking)
  - Queue Area (Conventional Loading)
  - Circulation/Flow
  - Access Point
  - School Bus Loading/Unloading
  - School Bus Access Point
  - Bus Circulation/Flow
  - Bus Lane
- Pedestrian/Other**
- Trail/Path
  - Crosswalk
  - School Zone
  - Traffic Cone
  - Stop Line
  - Traffic Signal
  - Fire Hydrant

Vehicle Accumulation/Capacity		Notes
Projected Enrollment	2,046	Students
Deductions:		
By School Bus (25%)	510	Students (OSD Estimated)
By Walking (15%)	307	Students (OSD Estimated)
Student Driver/After School Activity (15%)	307	Students (OSD Estimated)
Students by Pick-up/Drop-off	915	Students
City-Approved Rate	5.12	# of max. queue per student
Average Length of Vehicle	23.5	ft (veh Pacheco Koch Observed)
Projected Maximum Vehicle Accumulation	200	Vehicles (4,700 ft)
Projected Capacity	200	Vehicles (4,700 ft)
Surplus	+38	

**RECOMMENDATIONS**

- 1 Convert from "No Parking" Area to Queueing/Standing Allowed Area by installing City
- 2 Approved Passenger Loading Signs
- 3 Convert from "Parking Allowed" to "Bus Lane Only"
- 4 Evaluate the Need for a Traffic Officer to Assist Exiting Buses from Lingo Drive to Millmar Avenue
- 5 Remove East Leg Crosswalk at the Intersection of Millmar Avenue and Clarkdale Drive

TX REG. ENGINEERING FIRM F-469  
TX REG. SURVEYING FIRM LS-10000-00

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY HUNTER W. LEMLEY, LICENSED PROFESSIONAL ENGINEER, 125343, ON 10/17/2019. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN ENGINEERING PRACTICE ACT VIOLATION.

PK 2504-19.165  
(AAM: 10/17/19)

**HUNTER W. LEMLEY**  
125343  
LICENSED PROFESSIONAL ENGINEER

**EXHIBIT 1** **Z189-320**  
**Traffic Management Plan**  
**Proposed Conditions**

Bryan Adams High School, Dallas, Texas  
**Pacheco Koch**

**BACKGROUND:**  
City of Dallas  
Bryan Adams High School  
USDD Public School  
Event Type: Recurring  
Event Frequency: Weekly morning & evenings (seasonal)  
Event Time(s)/Date (s):  
On-Site Contact: Mr. Britt/Principal/972) 502-4900

NOTE: This drawing is conceptual only and does not reflect a detailed design.

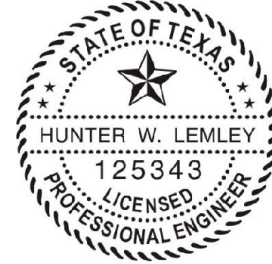
**CPC RECOMMENDED** TRAFFIC MANAGEMENT PLAN [EXHIBIT 824B]

October 4, 2022

PK# 2504-22.051

# TRAFFIC MANAGEMENT PLAN

Z212-193



A handwritten signature in blue ink that reads "Hunter W. Lemley".

Dallas Independent School District Bryan Adams High School  
CITY OF DALLAS

## Introduction

The services of **Pacheco Koch** (PK) were retained by **Masterplan** on behalf of **Dallas Independent School District** to prepare a Traffic Management Plan (TMP), as requested by the City of Dallas, for the existing Bryan Adams High School described below.

As described in Appendix A6 of the City of Dallas *Street Design Manual*, a school Traffic Management Plan is a "site-specific plan providing guidelines to coordinate traffic circulation during school peak hours. TMPs should promote strategies to manage all modes of transportation and maintain student safety paramount at all times. An effective plan requires continual planning, renewed understanding and coordinated efforts by city staff, school administration and staff, neighbors, parents, and students.

This TMP was prepared by registered engineers at Pacheco Koch who are experienced in transportation and traffic engineering (the "Engineer"). Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional engineering and related services.

The engineer performed most recent on-site dismissal field observations on Tuesday, February 1st, 2022, that validates all information in this report.

## 1. TMP EXHIBIT

(See attached Exhibit 1 - Traffic Management Plan)



7557 Rambler Road, Suite 1400  
Dallas, Texas 75231-2388  
(972) 235-3031 [www.pkce.com](http://www.pkce.com)  
TX.REG: ENGINEERING FIRM F-469  
TX. REG. SURVEYING FIRM LS-100080-00

June 15, 2022



## 2. SCHOOL LOCATION AND DESCRIPTION

- **School site location:** 2101 Millmar Drive, Dallas, Texas
- **Description of adjacent roadways:**
  - Adjacent Streets:
    - Highwood Drive:
      - Cross-section: Two lanes, two-way operation, undivided.
      - Sidewalk connectivity evident along frontage of school. *[Proposed School Zone]*
      - Speed Limit: 30 mph *[Proposed School Zone of 20 mph]*
    - Lingo Lane:
      - Cross-section: Two lanes, two-way operation [southbound one-way operational during school hours], undivided.
      - Sidewalk connectivity evident along frontage of school. *[Proposed School Zone]*
      - Speed Limit: 30 mph *[Proposed School Zone of 20 mph]*
    - Millmar Drive:
      - Cross-section: Four lanes, two-way operation, undivided.
      - Sidewalk connectivity evident along frontage of school. *[School Zone]*
      - Speed Limit: 30 mph *[School Zone of 20 mph]*
    - Peavy Road:
      - Cross-section: Four lanes, two-way operation, undivided.
      - Sidewalk connectivity evident along frontage of school. *[School Zone]*
      - Speed Limit: 30 mph *[School Zone of 20 mph]*



June 15, 2022



- **Adjacent Intersections:**

- Lingo Lane and Millmar Drive - Marked crosswalks on north and west legs; Barrier free ramp provided on northwest corner.
- Peavy Road and Millmar Drive - Marked crosswalks on north and south legs; barrier free ramps on all corners.

NOTE: It is generally recommended that all applicable crosswalks/barrier free ramps/sidewalks comply with current ADA accessibility requirements. Pacheco Koch is not certified to provide a full ADA compliance inspection, which is performed by licensed inspectors during the design and permitting process. All pavement markings, traffic signs, school zones, and pedestrian infrastructure improvements are recommended to be upgraded at permitting as applicable and meet current city and TMUTCD standards.

### 3. INGRESS/EGRESS POINTS OF ACCESS

- **Vehicular Ingress/Egress Points:**

- Millmar Drive: Two Driveways
- Calculus Drive: Two Driveways
- Lingo Lane: One Driveway

- **Student (Building) Ingress/Egress Points:**

- Main student pedestrian access is be located at the main entrance on the south side of the school building.

### 4. QUEUING SUMMARY TABLE

The following table presents the projected queuing vehicle accumulation for the subject campus. The calculations for vehicle accumulation and parking are based upon estimated ratios – estimated linear feet of queue per student – along with the assumptions provided by Dallas Independent School District for this campus have been validated by on-site dismissal observations conducted on Tuesday, February 1st, 2022. All information provided in the table below is strictly for the afternoon student pick-up release period.

See Section 12(b) for specific information on the methodology and calculations used in the table below. Specific separation of modes of transportation was provided by DISD and is provided in Section 6.



October 4, 2022



Queuing Summary Table

Dismissal Period (Loading Zone)	Grades	Start/End Times	Total Enrollment	Maximum Vehicle Accumulation	(On-Site) Storage Capacity (veh)	Surplus /Deficit (veh)
1	9 <sup>th</sup> – 12 <sup>th</sup>	9:00 AM – 4:35 PM	2046	200	0	-200

## 5. CIRCULATION

This section provides on-site traffic circulation, including any temporary traffic control devices.

### On-Site Circulation:

Parent traffic is to enter the area traveling along Milmar Drive. No parent vehicle storage is provided on site however vehicles are to queue/stand along the curbsides of Milmar Drive, Lingo Lane, and Highwood Drive. (See **Exhibit 1**)

School buses load and unload students along the provided bus queuing area along Milmar Drive and Lingo Lane.

Staff, visitor, and student parking lots are provided surrounding the site.

### Temporary traffic control devices:

- Temporary traffic control devices are not proposed to be used for this TMP in order to facilitate drop-off/pick-up operations.

## 6. DROP-OFF/PICK-UP COORDINATION

This section provides proposed student drop-off/pick-up coordination information.

- **Passenger ID system:**

- Conventional Loading System

NOTE: A "conventional loading system" at schools refers to the self-regulated method of passenger loading. Designated loading areas are not established. Upon arrival motorists choose a preferred location, typically in close proximity to the building entry, to stand (such as a curbside) or park (such as in a parking lot) while waiting for their passenger. Once passengers are loaded, vehicles may exit accordingly. Vehicle arrivals and departures are not sequential and dwell times are variable.

- **Separation of modes of transportation:**

- Bus: 25%
  - Walk: 15%

June 15, 2022



- Student Drivers: 15%
- Picked Up by Parent: 45%

NOTE: Information provided by Dallas Independent School District and validated with field observations

- **Staggered times:**
  - 9:00 AM – 4:20 PM (9<sup>th</sup>-12<sup>th</sup>)

## 7. SCHOOL STAFF ASSISTANCE

- Number:
  - Observed: None
  - Desired: None
- Location:
  - Observed: N/A
  - Desired: N/A
- Staff Requirements and expectations:
  - Staff assistance shall be present to allow students to enter and exit the school building in a safe and efficient manner.

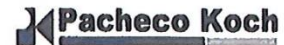
## 8. ADULT SCHOOL CROSSING GUARDS AND/OR OFF-DUTY DEPUTIZED OFFICERS

- Number:
  - Observed: None
  - Desired: None
- Location:
  - Observed: N/A
  - Desired: N/A

## 9. SCHOOL ADMINISTRATION INPUT STATEMENT

The engineer collaborated with both the School District personnel and on-site staff/principal and Student Transportation Services as needed, before and during the process of creation of the Traffic Management Plan.

June 15, 2022



The site engineer, the architect and the traffic engineer have collaborated the traffic patterns of parent routes, bus routes, and recommendations of the TMP with the on-site and District personnel. The onsite and District personnel have completed a thorough review and any changes that have been discussed have been applied to this version of the plan.

#### REVIEW AND COMMITMENT

This school traffic management plan (TMP) for DISD Bryan Adams High School was developed with the intent of optimizing safety and efficiently accommodating vehicular traffic generated during the school's typical student drop-off and pick-up periods. This plan was developed with direct input from individuals familiar with the general characteristics of the traffic needs of the school. It is important to note that a concerted and ongoing effort by and the full participation of the school administration are essential to accomplish these goals.

By the endorsement provided below, the school administration hereby agrees to implement, adhere to, and support the strategies presented in this TMP for which the school is held responsible until or unless the City of Dallas deems those strategies are no longer necessary or that other measures are more appropriate.

  
Principal Signature

6/10/2022  
Date

Name: Cynthia Best

Title: Principal

  
Police Department Signature

6/15/22  
Date

Name: John Houston

Title: Chief of Police

#### 10. ENGINEER SEAL

This report is signed, stamped, and dated by a licensed Professional Engineer in the State of Texas with specific expertise in transportation and traffic engineering.

#### 11. REPORT FORMAT

This report follows the City of Dallas Traffic Management Plan format as described in Appendix A6 of the City of Dallas *Street Design Manual*.

*Traffic Management Plan  
Bryan Adams High School  
Page 6*

October 4, 2022



## 12. OTHER ITEMS WHERE APPLICABLE

- a) School Bus Operations:
- b) Methodology:
  - a. Engineer Recommended Rate: 5.12 linear feet per student
  - b. Average Length of Vehicle: 23.5 feet
  - c. Separation of modes of transportation:
    - i. Bus: 25%
    - ii. Walk: 15%
    - iii. Students Drivers: 15%
    - iv. Picked Up by Parent: 45%

NOTE: Information provided by Dallas Independent School District and validated with field observations

- d. Projected maximum vehicle accumulation: 200
  - e. Projected on-site storage capacity: 0
  - f. Surplus/Deficit: -200
- c) Pedestrian Routes: The pedestrian routes are based on the attendance zone map. The attendance zone was not provided at the time of this study however, the anticipated (and observed) pedestrian routes include the sidewalk paths along Milmar Drive.
- d) Parking Management Strategies:
  - a. On-street parking restrictions: Bus Lane on Lingo Lane
  - b. Faculty Parking: West/South Parking Lot
  - c. Visitor Parking: West/South Parking Lot
  - d. Student Parking: West Parking Lot
- e) Recommendations for walking/biking: (See below)
- f) Other Recommendations: (See below)

October 5, 2022



## **TRAFFIC MANAGEMENT PLAN RECOMMENDATIONS**

---

A graphical summary of parent pick-up activities is provided below and depicted in **Exhibit 1**.

1. **Install New School Zone (To Include All Necessary Signs/Markings)**
2. **Enforce the Existing "No Parking" Signs Located on the Northbound Curbside of Lingo Lane.**

**NOTE: All no-parking signs with time periods (including signs on Clarksdale Drive) to be changed to: 7:00-9:30 AM, 3:00-5:00 PM.**

END OF MEMO

TMP MANAGEMENT STRATEGIES

Student ID System: Conventional Loading System

# of Staff Assistance: None

# of Crossing Guards: None

-- This preliminary version of the TMP has been reviewed and discussed with appropriate school staff. A final signature will be provided when final TMP is approved. --

LEGEND

- Queue Area (Conventional Loading)

- Parent Loading/Waiting Area

- School Bus Circulation/Flow

- School Bus Loading/Unloading

- Pedestrian Access Point

- Pedestrian Route

- School Zone

- Public Transit Stop (DART Route No.) - (4444)

No Parking/Queuing within 40'

GENERAL NOTES:

1. The subject school administration shall issue a formal communication that summarizes the intent of the Traffic Management Plan at least once every school year.

2. Parent drop-off activity in the morning has a similar protocol as the parent pick-up in the afternoon. Generally, excessive traffic delays and queuing were not evident during the morning peak.

3. This drawing is conceptual only and does not reflect a detailed design. Site plan designed and provided by others.

-- This preliminary version of the TMP has been reviewed and discussed with appropriate school staff. A final signature will be provided when final TMP is approved. --

ALL NO-PARKING SIGNS WITH TIME PERIODS (INCLUDING SIGNS ON CLARKSDALE DRIVE) TO BE CHANGED TO: 7:00-9:30 AM, 3:00-5:00 PM.

TX REG. ENGINEERING FIRM #489

TX REG. SURVEYING FIRM #S-100090-00

STATE OF TEXAS

HUNTER W. LEMLEY

PROFESSIONAL ENGINEER

125343

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY HUNTER W. LEMLEY, P.E. 125343 ON 10/05/22.

ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTATION VIOLATES PROFESSIONAL ENGINEERING IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

RECOMMENDATIONS

Install New School Zone (To include All Necessary Signs/Markings)

Enforce the Existing "No Parking" Signs Located on the Northbound Curbside of Lingo Lane

Vehicle Accumulation/Capacity	Notes
Projected Enrollment	9 <sup>th</sup> 1,251
Deductions:	
By School Bus (2.5%)*	510 Students
By Walking (1.5%)*	314 Students
Student Driver/After School Activity (1.5%)*	307 Students
Students by Pick-up/Drop-off	915 Students
Engineer Recommended Rate:	5.12 If of max. queue per student
Average Length of Vehicle:	23.5 If veh (Pacheco Koch Observed)
"Projected Maximum Vehicle Accumulation":	200 Vehicles (4700 ft)
Projected Off-Street Capacity:	20 Vehicles (448 ft)
DEFICIT	-180

\* Information given by school district

EXHIBIT 1

Z212-193

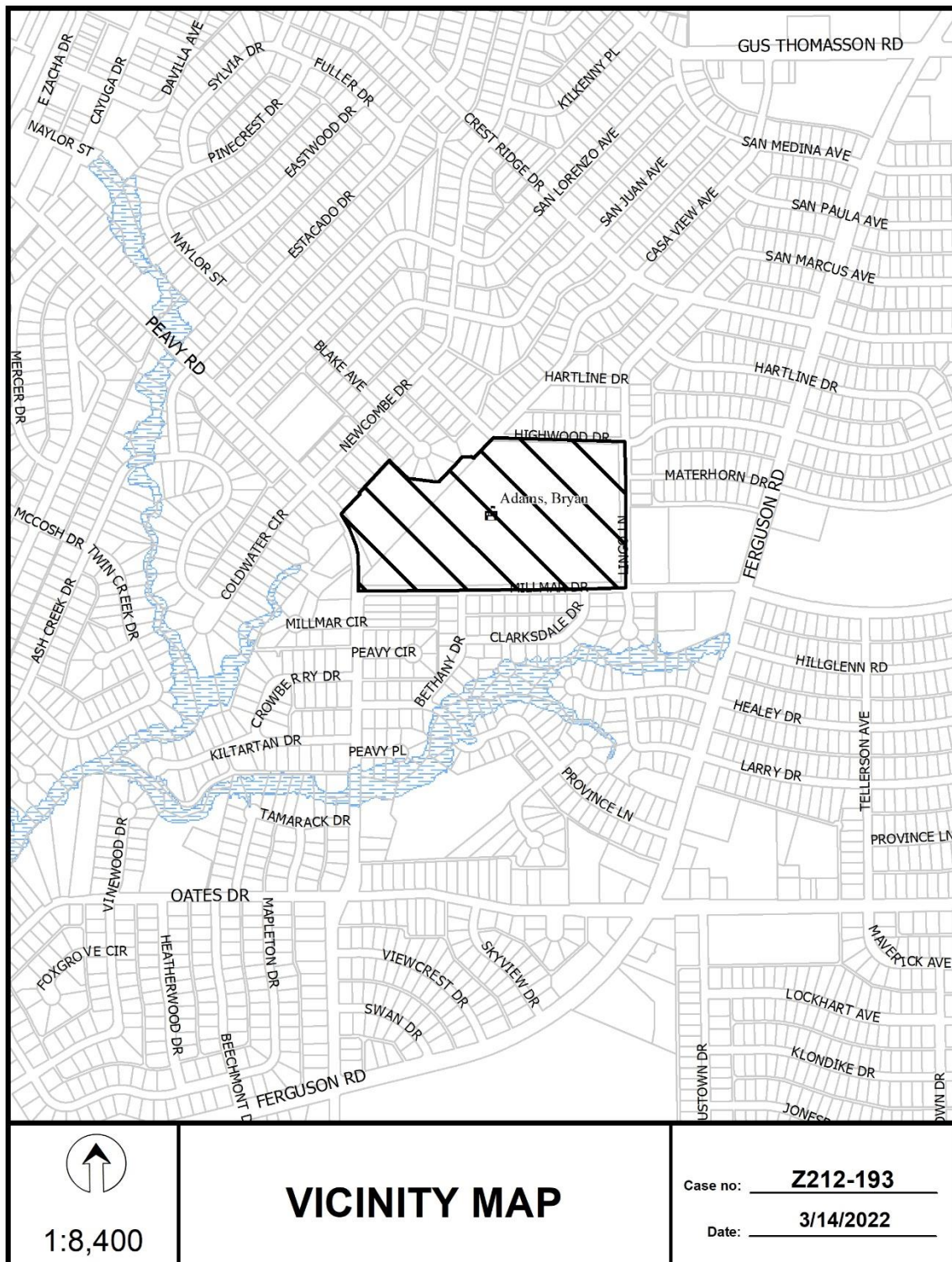
Traffic Management Plan

DUSD Bryan Adams High School, Dallas, Texas

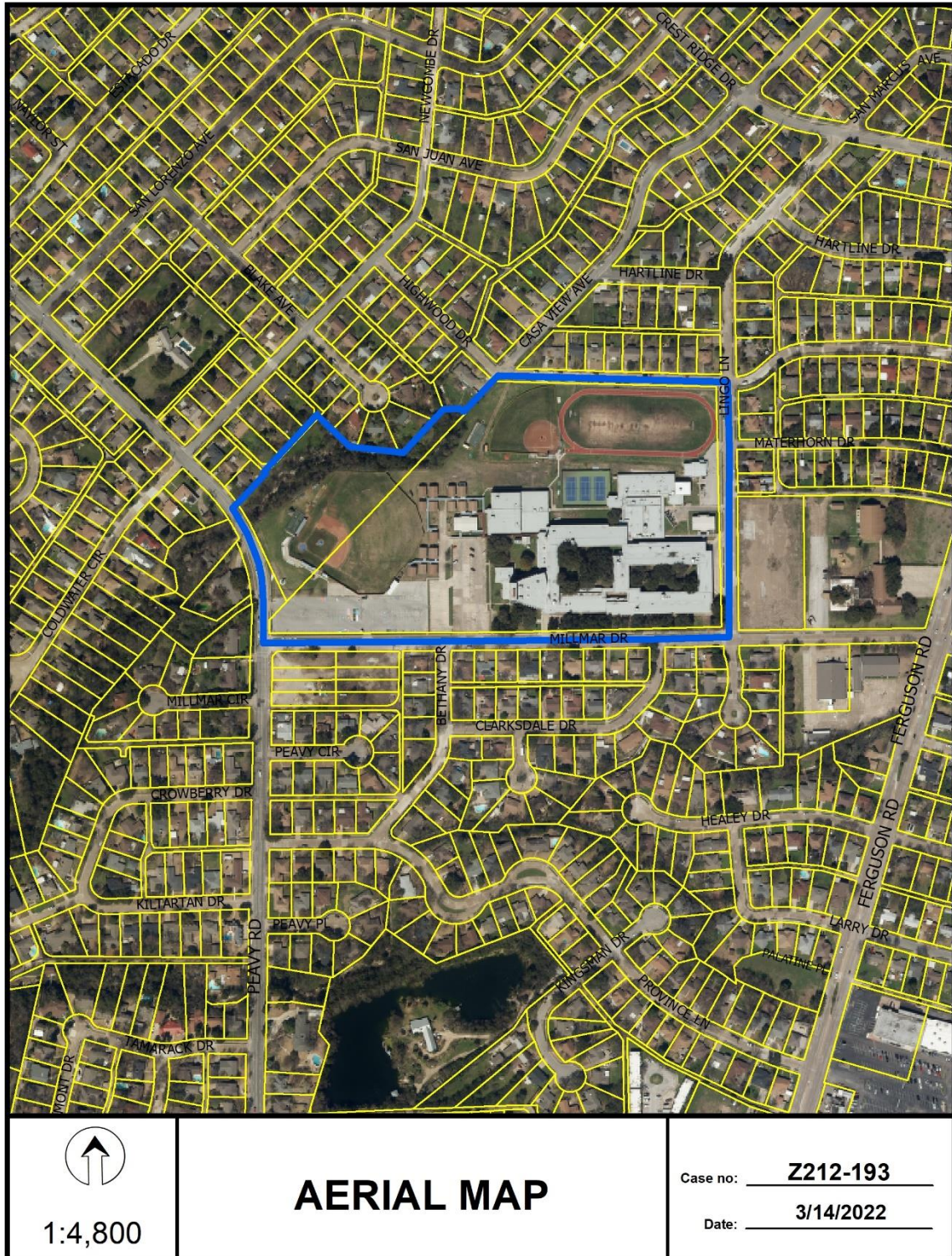
Pacheco Koch

PK 2504-22.051 (\$MM: 1.0/05/22)

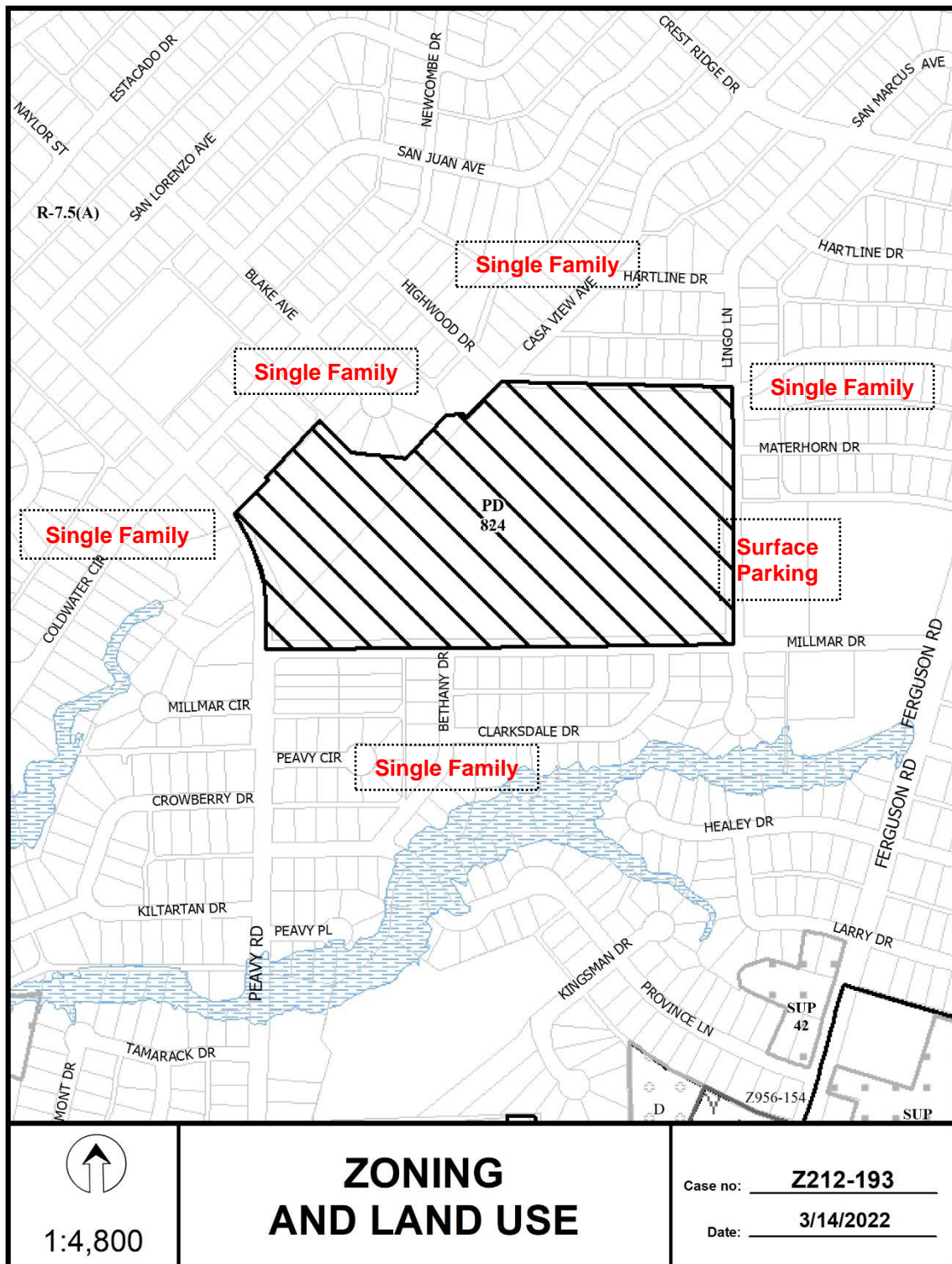


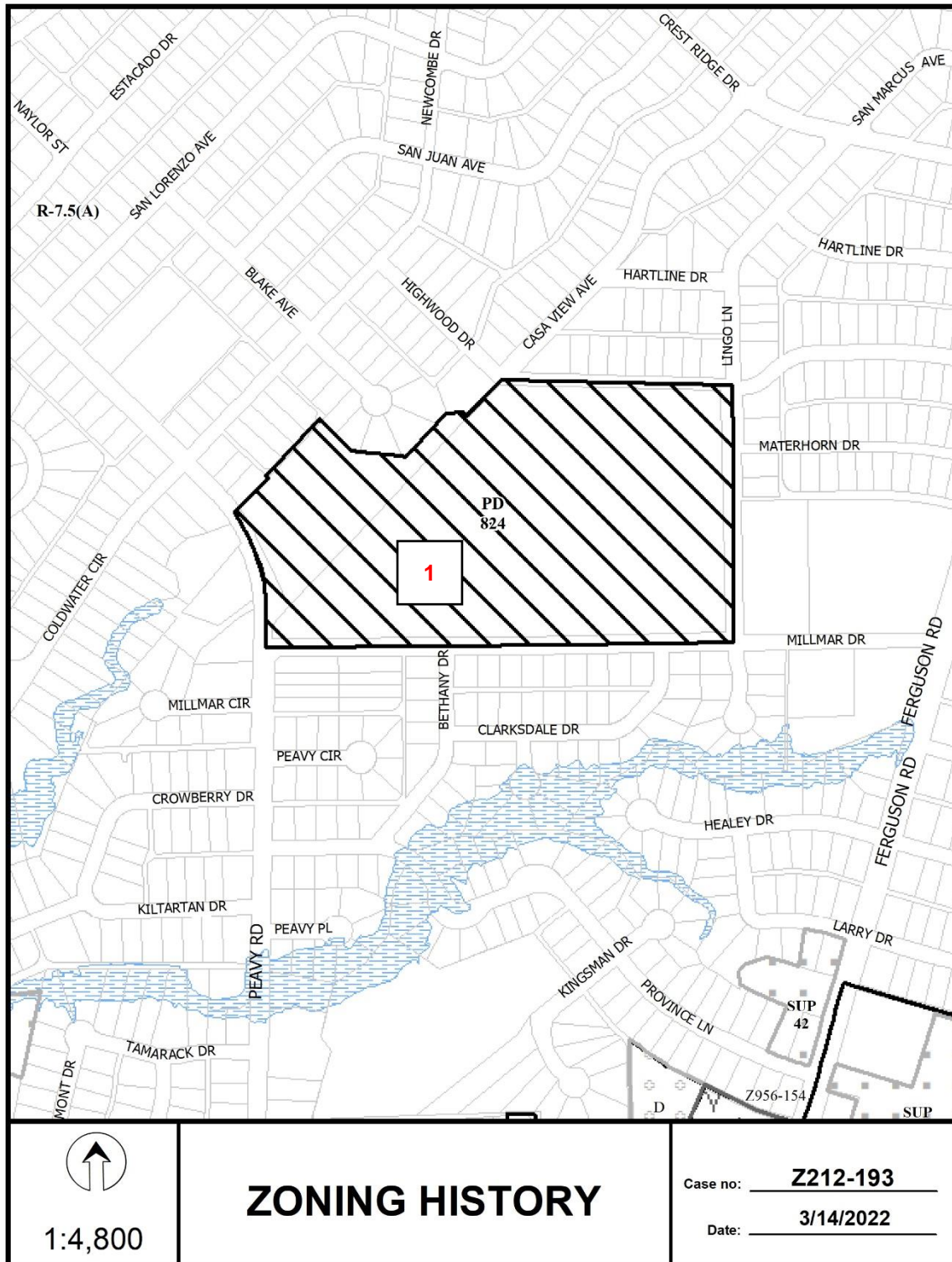




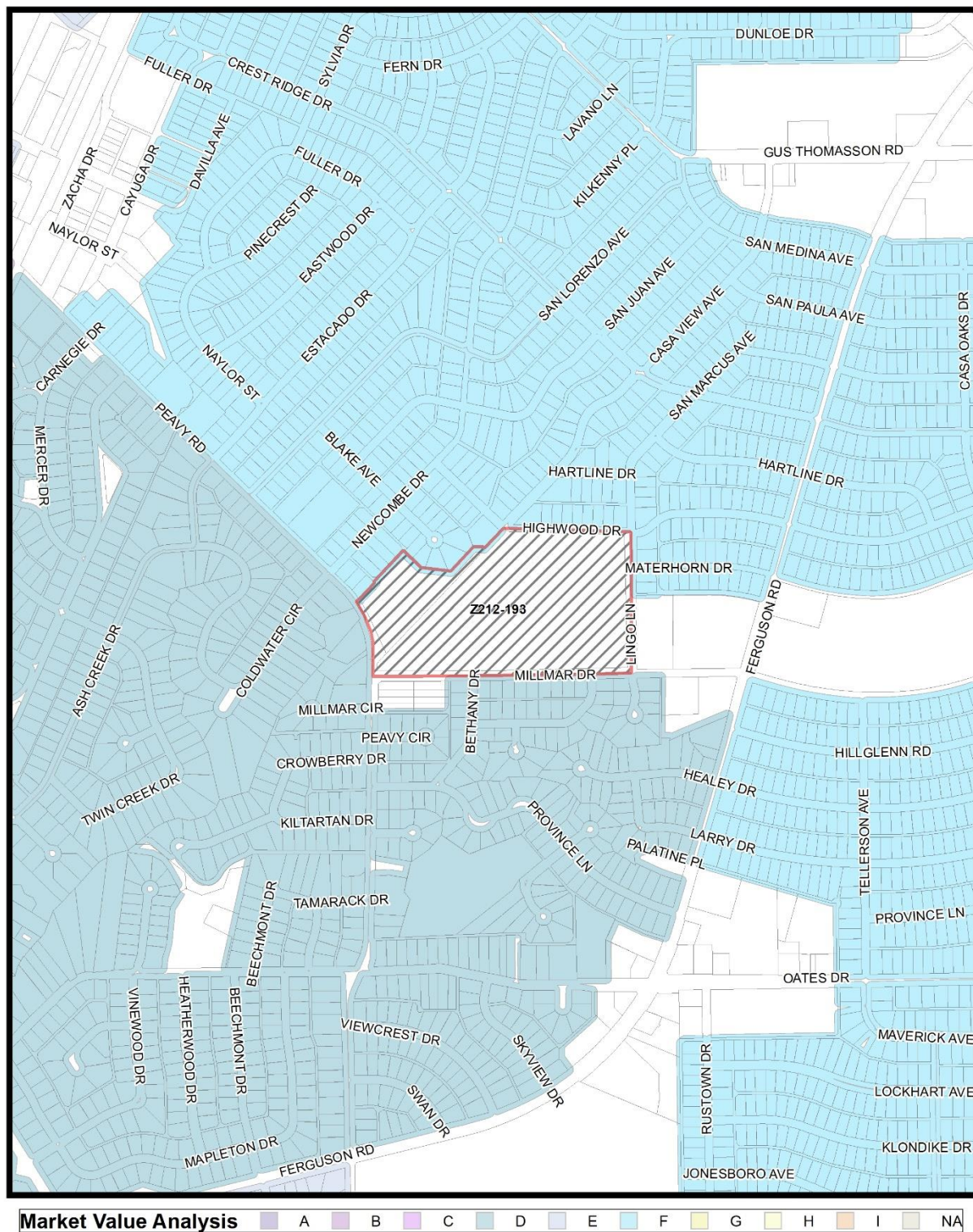




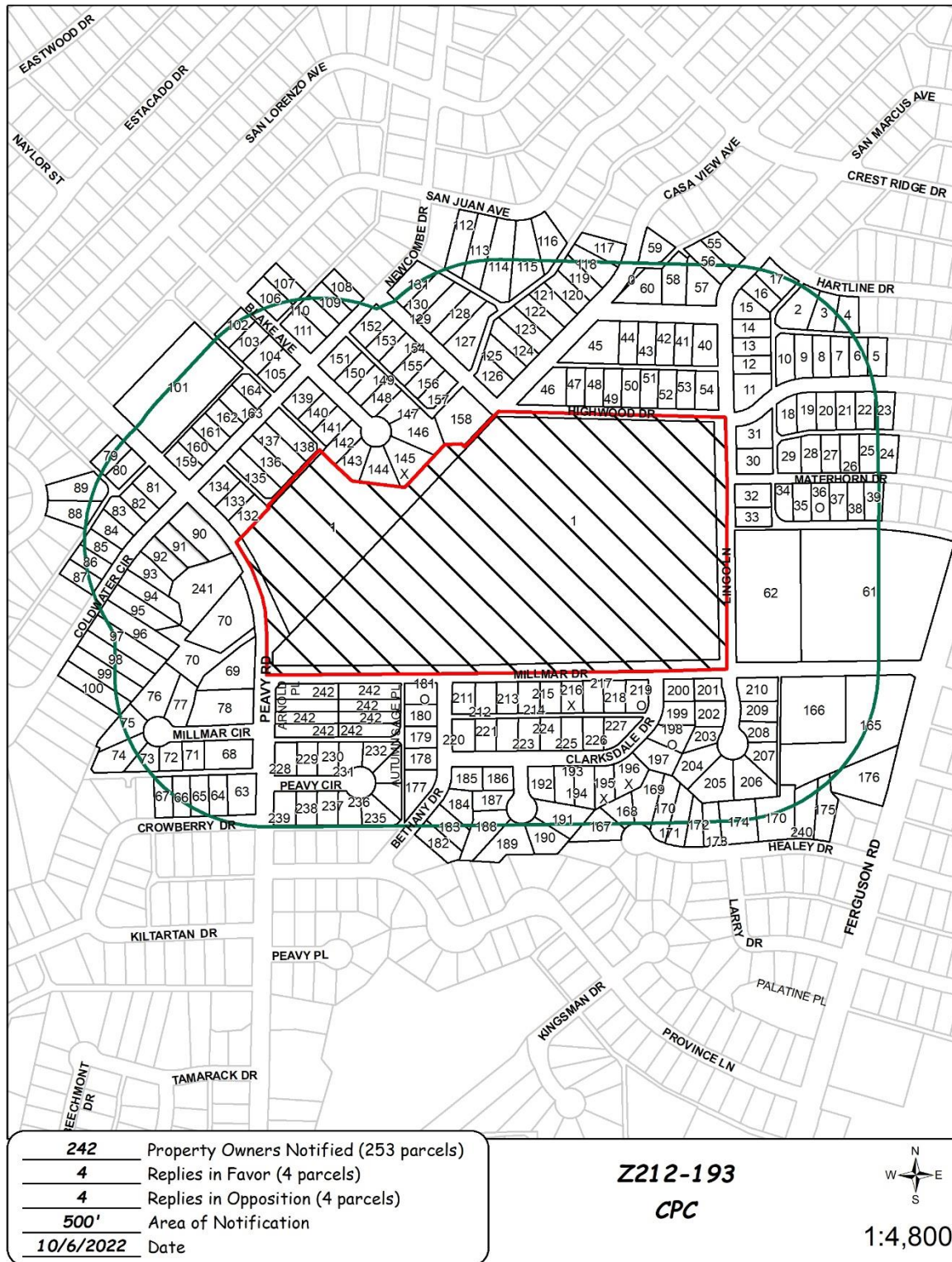












10/05/2022

***Reply List of Property Owners******Z212-193******242 Property Owners Notified******4 Property Owners in Favor******4 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2101	MILLMAR DR	Dallas ISD
2	2312	HARTLINE DR	SIZEMORE ALEXANDRA & BENJAMIN
3	2316	HARTLINE DR	RICHMOND LINDSEY & JOSHUA
4	2320	HARTLINE DR	CAMPOS RENE
5	2343	HIGHWOOD DR	RIEGER JOERG M
6	2337	HIGHWOOD DR	CAMPOS CHRISTINA
7	2333	HIGHWOOD DR	COUCH ENTERPRISES LP
8	2327	HIGHWOOD DR	Taxpayer at
9	2323	HIGHWOOD DR	DOAN DAO ANH
10	2317	HIGHWOOD DR	DANIEL JULIE ANN
11	10026	LINGO LN	REGIER DONALD P &
12	10030	LINGO LN	FIELD WILLIAM L
13	10036	LINGO LN	SMITH BILLY W
14	10040	LINGO LN	MAY LAURA LYNN
15	10104	LINGO LN	KOSTER PPTIES LTD
16	10110	LINGO LN	FERRUSCA NORA H
17	10116	LINGO LN	ERCANBRACK JIMMY
18	2318	HIGHWOOD DR	WESTMORELAND RICKY R
19	2324	HIGHWOOD DR	HEIDEMAN HEIDI VALENTINA
20	2328	HIGHWOOD DR	MICHALOWSKI DEBRA M
21	2334	HIGHWOOD DR	Taxpayer at
22	2338	HIGHWOOD DR	LAMB TONI
23	2344	HIGHWOOD DR	WILSON NATHAN & MARINA ZERDELIJA
24	2341	MATERHORN DR	CANO JOSE LUIS & TOMASA
25	2337	MATERHORN DR	GARCIA JOSE ANGEL &
26	2331	MATERHORN DR	BARILLAS JOSE & DEYSI

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2327 MATERHORN DR	2327 MATERHORN DRIVE LLC
	28	2321 MATERHORN DR	PARSLEY RICHARD LEE
	29	2317 MATERHORN DR	ERRISURIZ NELLYDA
	30	10006 LINGO LN	PIMIENTA ADAN & JUANA
	31	10012 LINGO LN	FURR STEVEN B
	32	9942 LINGO LN	KUBAN TARA K
	33	9936 LINGO LN	SANCHEZ BENJAMIN
	34	2316 MATERHORN DR	COOKE BREANNA M
	35	2320 MATERHORN DR	WAGNER LYNN MARIE
O	36	2324 MATERHORN DR	KIEFER WAYNE E & KARYN E REV TRUST
	37	2328 MATERHORN DR	KIEFER LARISSA &
	38	2332 MATERHORN DR	SNODDERLEY SABRINA
	39	2336 MATERHORN DR	FRANCO ROXANNE
	40	2250 HARTLINE DR	RIEGER JOERG M &
	41	2244 HARTLINE DR	HOLGUIN NEATHERLY M
	42	2240 HARTLINE DR	SHEVES ENTERPRISE LLC
	43	2236 HARTLINE DR	WEEDN MILLER TYSON
	44	2230 HARTLINE DR	KIRBY BRENDA JO
	45	2226 HARTLINE DR	SHRIVER BROCK & ALEXANDRA
	46	2211 HIGHWOOD DR	CARTER BEATRICE GUERRA
	47	2215 HIGHWOOD DR	GARCIA HUMBERTO
	48	2221 HIGHWOOD DR	JAMES ROBERT
	49	2225 HIGHWOOD DR	SHELTON SARAH & SAMANTHA
	50	2231 HIGHWOOD DR	HUNT DEBRA M
	51	2235 HIGHWOOD DR	ACKERT JAMES DOUGLAS
	52	2241 HIGHWOOD DR	ACKERT J DOUG
	53	2245 HIGHWOOD DR	COLLEY JASON B
	54	2251 HIGHWOOD DR	NGUYEN KIM TRAN
	55	10111 LINGO LN	VILLARRUEL FERNANDO &
	56	10107 LINGO LN	BEESON REBECCA L
	57	2251 HARTLINE DR	AGUIRRE EDWARD &

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2241	HARTLINE DR	LOPOSER LESLIE &
59	10152	CASA VIEW AVE	HAHM MICHAEL
60	2233	HARTLINE DR	THOMAS TRAMON & MAYRA
61	9999	FERGUSON RD	ST MARK PRESBYTERIAN CHURCH
62	9999	FERGUSON RD	Taxpayer at
63	1759	CROWBERRY DR	GREEN ROBERT F & ELIZABETH
64	1753	CROWBERRY DR	JOSEPH SUSAN &
65	1749	CROWBERRY DR	KING GERALD & SHERRY
66	1745	CROWBERRY DR	RODRIGUEZ JOSEPH
67	1739	CROWBERRY DR	HINTON LEILANI & INDIA STEWART
68	2313	PEAVY RD	ADAMS ERIN JOANNA
69	2115	PEAVY RD	SEMARIER MONICA
70	2031	PEAVY RD	MARLEY ELISABETH A
71	1726	MILLMAR CIR	GONZALES CARLOS S &
72	1718	MILLMAR CIR	LUBINSKI REBECCA &
73	1712	MILLMAR CIR	RODRIGUEZ ANGEL & JANNA
74	1706	MILLMAR CIR	ANDREWS JESSICA R
75	1705	MILLMAR CIR	KEBODEAUX RICHARD
76	1715	MILLMAR CIR	PIERCE ROSEMARY
77	1725	MILLMAR CIR	SINAPI KEVIN G
78	2125	PEAVY RD	TOOMER GEORGE R JR
79	1949	PEAVY RD	PARR BILLY & DIANNE
80	1953	PEAVY RD	POTHEN PAUL NICHOLAS
81	9943	COLDWATER CIR	GILLEY MICHAEL WAYNE
82	9937	COLDWATER CIR	HOUSING AUTHORITY OF THE
83	9931	COLDWATER CIR	ANGELL MICHAEL L
84	9927	COLDWATER CIR	JERNIGAN MURIEL M
85	9921	COLDWATER CIR	MILICI MARJORIE RUSH & JUSTIN
86	9917	COLDWATER CIR	NORTHCUTT DEANA RENEE &
87	9911	COLDWATER CIR	PICKETT JERI DOVER
88	9858	ESTACADO DR	ODONNELL JAMES P

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	9862	ESTACADO DR	SPEER ALLAN B
90	9944	COLDWATER CIR	RUDOLPH MARY R
91	9938	COLDWATER CIR	REINKING KEVIN
92	9930	COLDWATER CIR	NIGRELLI CHARLES F
93	9924	COLDWATER CIR	605 OCEANVIEW LLC
94	9918	COLDWATER CIR	CALDWELL SEAN
95	9912	COLDWATER CIR	SCHUERENBERG JANA RAE
96	9908	COLDWATER CIR	AVERY ALISA LYNN
97	9902	COLDWATER CIR	GILLETTE SHANE EVERETT
98	9840	COLDWATER CIR	Taxpayer at
99	9836	COLDWATER CIR	GRIMES RACHEL M &
100	9830	COLDWATER CIR	SACKS ERIC S
101	1960	PEAVY RD	GALLEY MATTHIAS
102	2030	BLAKE AVE	SCOGGINS SUE E
103	2034	BLAKE AVE	BLANKENSHIP STEPHANIE
104	2038	BLAKE AVE	PATINO CRISTIAN I
105	2044	BLAKE AVE	LOYD JANICE
106	10050	SAN JUAN AVE	WALLACE TWILA F
107	10054	SAN JUAN AVE	BROWNRIGG MAEGAN ALLEN
108	10119	NEWCOMBE DR	MCCULLOUGH NANCY KAYE TRANHAM
109	10115	NEWCOMBE DR	VARGAS NORMA L
110	10109	NEWCOMBE DR	GARCIA REFUGIO JR &
111	10105	NEWCOMBE DR	EVARTS WALTER RICHARD &
112	10114	SAN JUAN AVE	TERAN LUIS
113	10120	SAN JUAN AVE	HENDERSON HOLLY ANN
114	10126	SAN JUAN AVE	HALL ROBERT & COURTNEY
115	10132	SAN JUAN AVE	BURRIS DON W II &
116	10136	SAN JUAN AVE	ADRIAN LARRY M &
117	10149	CASA VIEW AVE	DAGATE DARVA L
118	10145	CASA VIEW AVE	WALTERS WILLA JEAN LIFE ESTATE
119	10141	CASA VIEW AVE	ROMERO NORBERTO JR &



10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	10137 CASA VIEW AVE	RABALAIS PATRICK DAVID
	121	10133 CASA VIEW AVE	RAMOS LIDIA E
	122	10129 CASA VIEW AVE	GARCIA SCARLET
	123	10123 CASA VIEW AVE	GUERRA BEATRICE
	124	10117 CASA VIEW AVE	JONES BOBBY J
	125	10111 CASA VIEW AVE	RUSSELL JEAN
	126	10105 CASA VIEW AVE	HAJDUK JENNIFER
	127	2125 HIGHWOOD DR	YOCKEY RACHEL & NATHAN
	128	2119 HIGHWOOD DR	BULLARD MOLBERG &
	129	2115 HIGHWOOD DR	WILHITE KERRY JANE
	130	2109 HIGHWOOD DR	KOEHLER ELIZABETH M
	131	2105 HIGHWOOD DR	ROCHE JACQUES J & MARGARITA A
	132	2014 PEAUY RD	SALAS VICTOR &
	133	2008 PEAUY RD	SOTO VERONICA M
	134	2004 PEAUY RD	EDWARDS MEAGAN MCCRAE
	135	10014 NEWCOMBE DR	Taxpayer at
	136	10020 NEWCOMBE DR	DETRIXHE DAVID
	137	10024 NEWCOMBE DR	AKINS SUSAN L
	138	10030 NEWCOMBE DR	COLLINS MICHAEL D & DONNA
	139	2104 BLAKE AVE	ROBERTS LORI LYNN
	140	2108 BLAKE AVE	EPSTEIN PATRICIA F & MARK
	141	2114 BLAKE AVE	PADILLA RENE PAUL
	142	2118 BLAKE AVE	GREUEL JON HOWARD &
	143	2122 BLAKE AVE	RAMIREZ JANIE Z & HILARIO
	144	2126 BLAKE AVE	LEONARD KRISTI KERR
X	145	2131 BLAKE AVE	JOHNSON NORDA
	146	2127 BLAKE AVE	STEVENS ELIZABETH &
	147	2123 BLAKE AVE	ODOM MICHAEL &
	148	2119 BLAKE AVE	MILLER VALERIE MADZIAR
	149	2115 BLAKE AVE	KORNEGAY BRITTINIE J
	150	2109 BLAKE AVE	PARKER KATY

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	151	2105 BLAKE AVE	SHAFFER FLORENCE I
	152	2104 HIGHWOOD DR	JIRASEK NICK &
	153	2108 HIGHWOOD DR	MCCULLOUGH ANN M
	154	2114 HIGHWOOD DR	PALMER MARY LOU
	155	2118 HIGHWOOD DR	BIGGERSTAFF BELINDA A
	156	2122 HIGHWOOD DR	ARRIAGA EDWARD
	157	2126 HIGHWOOD DR	RIES JAMES P JR
	158	2134 HIGHWOOD DR	TUTTLE KAREN S
	159	10005 NEWCOMBE DR	ROBERTS VICTORIA A
	160	10009 NEWCOMBE DR	PARR WILLIAM &
	161	10015 NEWCOMBE DR	DEREGGE MARC
	162	10019 NEWCOMBE DR	DEREGGE AMIE & ANDREW
	163	10025 NEWCOMBE DR	DUPREE LAURA J LF EST &
	164	10029 NEWCOMBE DR	COSTELLO DENECE
	165	9949 FERGUSON RD	CASA VIEW ASSEMBLY OF GOD
	166	2250 MILLMAR DR	CASA VIEW ASSEMBLY
	167	2102 HEALEY DR	PATZKE SANDRA AGNES MOORE
	168	2103 HEALEY DR	RIDDLES ARTHUR T & MARISSA B
	169	2107 HEALEY DR	BREEZESTONE LLC
	170	2111 HEALEY DR	MCDONALD FAMILY TRUST THE
	171	2115 HEALEY DR	CLOUD JARED
	172	2119 HEALEY DR	PICKETT ADDIE MAE EST OF
	173	2123 HEALEY DR	CRITTENDEN ELAINE H
	174	2203 HEALEY DR	CENTERBURY & DOCKERY SERIES LLC
	175	2219 HEALEY DR	NEWMAN CONNOR &
	176	9915 FERGUSON RD	HOLLAND MARTHA LIFE ESTATE
	177	9919 BETHANY DR	AISSAOUI ABDELKADER
	178	9929 BETHANY DR	VICKERS SEDONA
	179	9933 BETHANY DR	TOTSUKA BEATRIZ &
	180	9939 BETHANY DR	BOLTEX HOLDINGS LTD
O	181	9943 BETHANY DR	LONG OUIDA J

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	9914 BETHANY DR	FLOWERS JENNIFER & ROY
	183	9918 BETHANY DR	MCDONALD LOUIS G
	184	9922 BETHANY DR	WALLS BOBBY LEE
	185	9926 BETHANY DR	9926 BETHANY REVOCABLE TR
	186	2012 CLARKSDALE PL	KITZMILLER KATHY
	187	2014 CLARKSDALE PL	POMEROY SANDRA
	188	2018 CLARKSDALE PL	SANCHEZ GEORGE & BRENDA
	189	2022 CLARKSDALE PL	COLEMAN GARY
	190	2026 CLARKSDALE PL	SNIDER RONALD J
	191	2030 CLARKSDALE PL	GRAHAM JUDY E &
	192	2036 CLARKSDALE DR	BROOKS SHERI R
	193	2106 CLARKSDALE DR	HOLMAN EILEEN
	194	2112 CLARKSDALE DR	JOHNSON CHARLES LYNN
X	195	2118 CLARKSDALE DR	HEMPELMANN CHRISTIAN &
X	196	2126 CLARKSDALE DR	DILLINGHAM PATRICIA J
	197	2132 CLARKSDALE DR	MASHBURN LORETTA
O	198	2138 CLARKSDALE DR	LOSSCUTLER CAROLYN A
	199	2144 CLARKSDALE DR	MARTINEZ ISIDRO &
	200	2150 CLARKSDALE DR	FERRETIZ GELASIO &
	201	9917 LINGO LN	HARRIS JUDITH YVONNE &
	202	9915 LINGO LN	DUNSTON MARKESHIA & RALPH
	203	9909 LINGO LN	FRANCIS AIMEE
	204	9907 LINGO LN	VICE JACOB
	205	9903 LINGO LN	KINDER IRMA D
	206	9904 LINGO LN	SOCH SUSAN
	207	9908 LINGO LN	CARRIAGE HOUSE PROPERTIES LLC
	208	9910 LINGO LN	TRIBOUILIER LILIANA &
	209	9914 LINGO LN	MURILLO OSCAR &
	210	9918 LINGO LN	WHISLER MEGAN
	211	2006 MILLMAR DR	REID BRIAN K & JANAL REID
	212	2010 MILLMAR DR	ROBERTS JASON M &

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	2016 MILLMAR CIR	QUINTANILLA CLUSKAYA &
	214	2020 MILLMAR DR	NGUYEN KINH VAN &
	215	2104 MILLMAR CIR	TRISTAN MARIO
X	216	2108 MILLMAR CIR	TAYLOR JANET I
	217	2112 MILLMAR CIR	SEEBOLD HOLLY & DENNIS M
	218	2118 MILLMAR DR	BROWN TYLER M
O	219	2122 MILLMAR DR	NELSON SHERRIE MAE
	220	2005 CLARKSDALE DR	KIOWSKI JAMES R
	221	2011 CLARKSDALE DR	MENJIVAR XIOMARA
	222	2021 CLARKSDALE DR	MOORE DOROTHY
	223	2027 CLARKSDALE DR	KORNEGAY TINA E
	224	2037 CLARKSDALE DR	CHAPMAN ANDREW &
	225	2107 CLARKSDALE DR	COKER MASON MARCH
	226	2117 CLARKSDALE DR	GATLIN WILLIAM C & NANCY
	227	2127 CLARKSDALE DR	CANNADY GRAHAM S & MOLLY E
	228	2206 PEAUVY CIR	KRUGJOHANN CATHY &
	229	2210 PEAUVY CIR	LEAL LUPE S
	230	2216 PEAUVY CIR	WEALTH SOURCE GROUP LLC
	231	2222 PEAUVY CIR	BUCKEL BRET DANIEL
	232	2226 PEAUVY CIR	DORITY RODGER WILLIAM &
	233	2230 PEAUVY CIR	YOUNG RICHARD A & RENEE M
	234	2234 PEAUVY CIR	CATAMOUNT PROPERTIES 2018 LLC
	235	2238 PEAUVY CIR	Taxpayer at
	236	2244 PEAUVY CIR	TAN JULIE
	237	2250 PEAUVY CIR	GOOCH JANE PATRICIA
	238	2256 PEAUVY CIR	CHURCHWELL LINDA SUE
	239	2260 PEAUVY CIR	SULLIVAN MARION T
	240	2215 HEALEY DR	CLAY MELISSA JENAY & ERIC JOHN
	241	2015 PEAUVY RD	FRATESI DANIEL GILBERT
	242	2102 ARNOLD PL	4TREE DEVELOPMENT LLC



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2500

**Item #:** Z3.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern use and an inside commercial amusement use limited to a live music venue on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowdus Street

Recommendation of Staff: Approval for a three-year period, subject to conditions

Recommendation of CPC: Approval for a three-year period, subject to conditions

Z212-255(JM)

**HONORABLE MAYOR & CITY COUNCIL**

**WEDNESDAY, NOVEMBER 9, 2022**

**ACM: Majed Al-Ghafry**

**FILE NUMBER:** Z212-255(JM)

**DATE FILED:** April 27, 2022

**LOCATION:** South Line of Elm Street, West of North Crowds Street

**COUNCIL DISTRICT:** 2

**SIZE OF REQUEST:** ±0.06 Acres

**CENSUS TRACT:** 204.00

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**REPRESENTATIVE:** Audra Buckley, Permitted Development

**APPLICANT:** Scott Beggs, Three Links

**OWNER:** Elm Street Realty, LTD.

**REQUEST:** An application for a Specific Use Permit for a bar, lounge or tavern use and an inside commercial amusement use limited to a live music venue on property within Tract A, Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

**SUMMARY:** The purpose of this request is to seek a new specific use permit for a bar lounge or tavern and an inside commercial amusement limited to a live music venue.

**CPC RECOMMENDATION:** Approval for a three-year period, subject to conditions.

**STAFF RECOMMENDATION:** Approval for a three-year period, subject to conditions.

**PLANNED DEVELOPMENT DISTRICT No. 269:**

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=269>

## **BACKGROUND INFORMATION:**

- The request site is located within a one-story multi-tenant mixed-use development originally constructed in 1920 with additions made in 1930 and 1970, according to DCAD records. The overall development consists of a variety of retail and commercial uses that share surface parking spaces on Elm Street.
- In June 2006, the City Council amended the Deep Ellum Planned Development District to require certain businesses to have Specific Use Permits to operate including bar, lounge, or taverns and inside commercial amusement uses.
- On December 9, 2009, the City Council approved Specific Use Permit No. 1784 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and an inside commercial amusement limited to a dance hall for a two-year period.
- On November 7, 2011, the City Council amended Specific Use Permit No. 1784, removing the dance hall use, and renewing the alcoholic beverage establishment limited to a bar, lounge, or tavern, for a three-year period. The SUP expired on November 7, 2014.
- The proposed bar, lounge, or tavern with live music requires an SUP to operate within the 2,855-square-foot section of the property with a proposed floor area of 1,874 square feet, covered patio of 417 square feet, and uncovered patio of 564 square feet.

## **Zoning History:**

There have been 14 zoning cases in the area in the past five years.

1. **Z201-167:** On May 8, 2018, the City Council approved Specific Use Permit No. 2291 for a microbrewery, microdistillery, or winery use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
2. **Z167-233:** On June 14, 2017, the City Council approved the renewal of Specific Use Permit No. 1685 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
3. **Z189-276:** On September 25, 2019, the City Council approved Specific Use Permit No. 1757 for a bar, lounge, or tavern use and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

4. **Z189-289:** On September 25, 2019, the City Council approved Specific Use Permit No. 1757 for a bar, lounge, or tavern use and an inside commercial amusement use limited to a live music venue on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
5. **Z189-328:** On April 7, 2020, the City Council approved Specific Use Permit No. 2144 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
6. **Z190-175:** On June 23, 2020, the City Council approved the renewal of Specific Use Permit No. 1913 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
7. **Z190-202:** On August 11, 2020, the City Council approved the renewal and amendment of Specific Use Permit No. 2019 for a bar, lounge, or tavern use and an inside commercial amusement limited to a live music venue on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
8. **Z190-219:** On August 11, 2020, the City Council approved the renewal of Specific Use Permit No. 2050 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
9. **Z190-257:** On October 28, 2020, the City Council approved Specific Use Permit No. 2396 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
10. **Z190-267:** On November 10, 2020, the City Council approved the renewal of Specific Use Permit No. 1982 for a bar, lounge, or tavern use and a dance hall use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
11. **Z190-299:** On November 10, 2020, the City Council approved the renewal of Specific Use Permit No. 1767 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.



12. **Z212-112:** On March 8, 2022, the City Council approved Specific Use Permit No. 2450 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
13. **Z212-137:** On March 8, 2022, the City Council approved Specific Use Permit No. 2451 for a bar, lounge, or tavern use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.
14. **Z212-144:** On April 26, 2022, the City Council approved the renewal of Specific Use Permit No. 1651 for a tattoo and body piercing studio use on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW Proposed ROW
Elm Street	Community Collector	60 feet/--

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas!* Comprehensive Plan was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The proposed zoning request meets the below goals and objectives of the Comprehensive Plan.

**Urban Design Element**

**Goal 5.1** Promote a sense of Place, Safety and Walkability

*Policy 5.1.1* Promote pedestrian-friendly streetscapes

**Goal 5.3** Establishing Walk-To Convenience

*Policy 5.3.1* Encourage a balance of land uses within walking distance of each other

**Economic Element**

**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

*Policy 2.3.3* Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

**Land Use:**

Area	Zone	Use
Site	PD No. 269 (Tract A)	Restaurant use (no CO) with Bar, lounge, or tavern with live music proposed
North	PD No. 269 (Tract A)	Retail, restaurant, bar, and parking lot uses
East	PD No. 269 (Tract A)	Restaurant and bar uses, parking lot
South	PD No. 269 (Tract A)	Bar, lounge or tavern use, restaurant without drive-through uses
West	PD No. 269 (Tract A)	Bar, lounge or tavern and restaurant uses

**Land Use Compatibility:**

The subject site is located in the Deep Ellum District, an area which provides for a balance of housing, jobs, and shopping that support residents need to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer access options to this type of area, thus permitting foot and bike traffic to benefit from the mix of uses.

The purpose of this request is to seek a new Specific Use Permit for a bar lounge or tavern and an inside commercial amusement limited to a live music venue. The subject site consists of a one-story, 1,874-square-foot building with a 284-square-foot

mezzanine, a 417-square-foot covered patio, and a 564-square-foot uncovered patio located at the rear of the property. Similar bar establishments can be found along the block face.

Per PD No. 269, a live music venue means an inside commercial amusement use primarily for the performance of live (not recorded) music for an audience. A use having a dance hall license pursuant to Chapter 14 of the Dallas City Code, as amended, is not a live music venue.

Per Chapter 51A-4.210 a bar, lounge, or tavern means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premises consumption.

This overall area is generally composed of an eclectic mix of retail stores, tattoos parlors, residential units, arts, and entertainment venues. Considered to be one of Dallas' first commercial districts, Deep Ellum is located within proximity to two major highways, Fair Park, the Baylor Medical District, and Downtown.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code states that: (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 a SUP for 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.

The use is surrounded by other retail uses, bars, restaurants, and various surface parking lots. There are medium density residential uses to the far west/northwest with proximity to the DART Green Line to the north as well. The request complies with the general provisions for consideration of approval of the SUP because the land uses are consistent with the character of the neighborhood and do not pose a negative impact.

Staff supports the SUP request for a period of three years subject to the submitted site plan and conditions. This allows city staff to continue to assess the compatibility of the proposed bar, lounge, or tavern use and live music venue.

**Parking:**

Parking must be provided in accordance to Planned Development District No. 269, Tract A. No parking changes are being proposed with this request. Per PD No. 269, no off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an original building. Per PD No. 269, an original building means a building constructed on or before June 27, 1984 with additional criteria for renovations/additions. The existing building proposed to be used with the SUP request meets the criteria for original buildings since it was constructed between 1920-1930 with the last addition being in 1970. With the structure being one-story and in an original building with less than 2,500 square feet of floor area proposed, no parking is required for this use.

**Landscaping:**

The request will not trigger any Article X requirements, as no new construction is proposed on the site.

**Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to target intervention strategies more precisely in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA category, nor is it adjacent to other MVA categories. An MVA category of “E” can be found within certain neighboring blocks.

**Crime Report**

While the request is for a new SUP, the business is ongoing and previously operated with the same use. Staff requested a crime report from the last two years for the site. There have been four calls, two offenses, and no arrests.

	C	Q	T	U	Z
1	<b>Response_Date</b>	<b>Problem</b>	<b>Location_Name</b>	<b>Address</b>	<b>Call_Disposition</b>
2	10/31/2021	DAEF-Dist Armed Encounter Foot	THREE LINKS	2704 Elm St	C - Cover Only
3	8/13/2021	6X - Major Dist (Violence)	3 LINKS	2704 ELM ST	NP - No Police Action
4	9/28/2021	20 - Robbery	OFF THE RECORD	2704 Elm St	NC - No Complainant
5	9/16/2021	11B - Burg of Bus	THREE LINKS	2704 Elm St	M - Mark Out Only
6					
7					
8					

	F	M	N	P	Q	R	S	AX	AZ
1	<b>Date2</b>	<b>ReportedDate</b>	<b>Signal</b>	<b>Offincident</b>	<b>Premise</b>	<b>ObjAttack</b>	<b>Address</b>	<b>VictimType</b>	<b>CompName</b>
2	9/16/2021	9/16/2021	11B - BURG OF BUS	BURGLARY OF BUILDING - FORCED ENTRY	Bar/NightClub/DanceHall ETC.	Resturant/Food Service/Tabc Location	2704 ELM ST	Business	THREE LINKS
3	11/19/2021	11/20/2021	58 - ROUTINE INVESTIGATION	ASSAULT - BODILY INJURY ONLY	Single Family Residence - Occupied	N/A	2704 ELM ST	Individual	
4									

<b>List of Officers</b>
-------------------------

The ownership entity for 2720 Elm Street (Part of 2704 Elm Street) is:  
Elm Street Realty, Ltd., a Texas limited partnership

By: JGB Ventures I, Ltd., a Texas limited partnership, General Partner

By: JGB Holdings, Inc., a Texas corporation, General Partner

By: Westdale Real Estate Investment and Management, Chuck Hixson, General Partner

By: Joseph G. Beard, President

Applicant entity for Three Links:

Oeste Tres, LLC

James Ches Williams	Managing Member
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Scott Beggs	Managing Member
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**CPC ACTION**  
**October 6, 2022**

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a bar, lounge or tavern an inside commercial amusement use limited to a live music venue for a three-year period, subject to conditions on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Elm Street, west of North Crowdus Street.

Maker: Jung  
Second: Carpenter  
Result: Carried: 11 to 0

For: 11 - Popken, Gracey, Anderson, Shidid, Carpenter,  
Blair, Jung, Haqq, Stanard, Kingston, Rubin

Against: 0  
Absent: 3 - Hampton, Vann, Housewright  
Vacancy: 1 - District 11

<b>Notices:</b>	Area: 200	Mailed: 17
<b>Replies:</b>	For: 4	Against: 0

**Speakers:** None

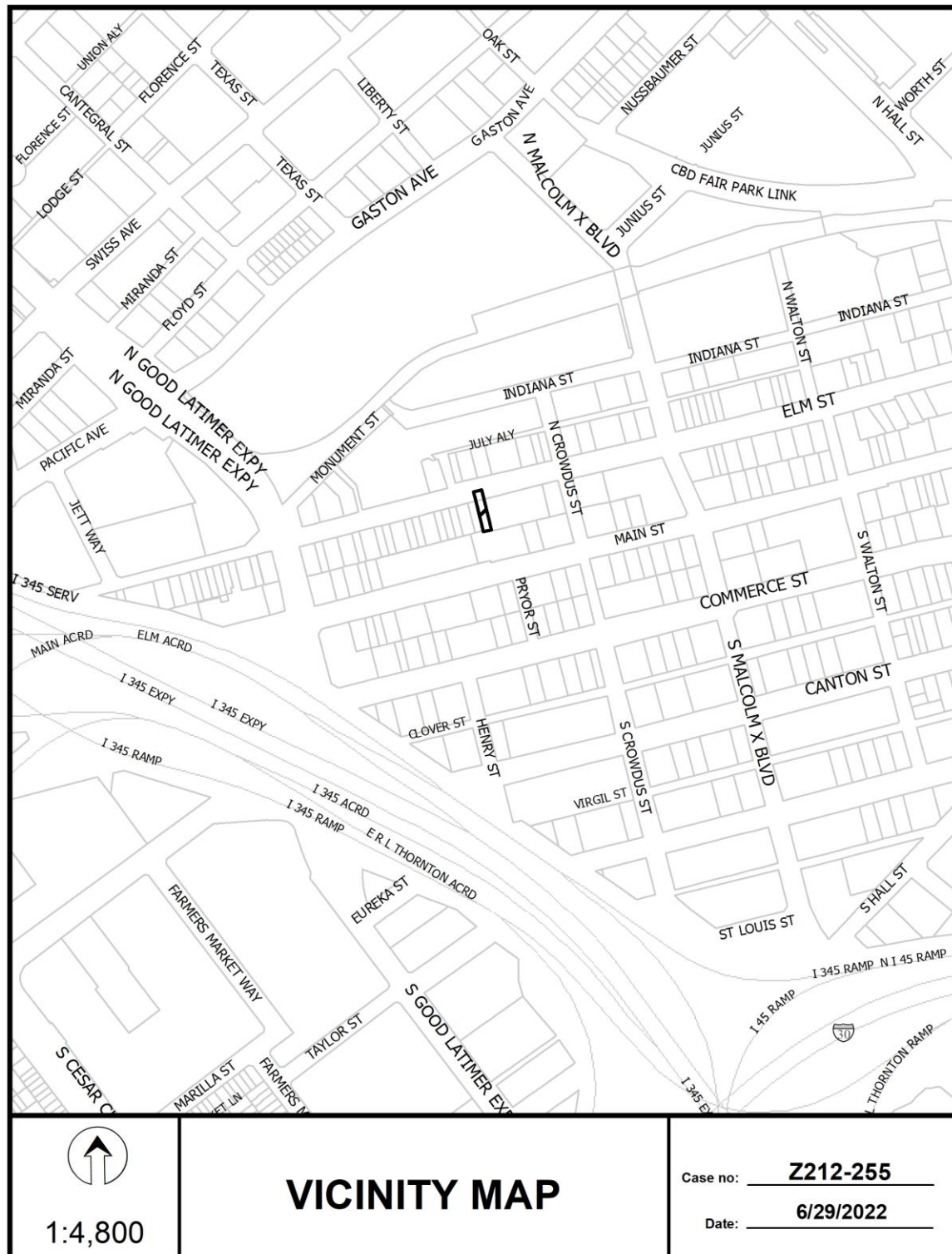
<p style="text-align: center;"><b>CPC Recommended Proposed SUP Conditions</b></p>
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1. USE: The only uses authorized by this specific use permit are an alcoholic beverage establishment limited to a bar, lounge, or tavern and an inside commercial amusement use limited to a live music venue.
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\_\_\_\_\_ (three-years from the passage of this ordinance).
4. FLOOR AREA AND PATIO:
  - a. The maximum floor area for a bar, lounge, or tavern and inside commercial amusement use limited to a live music venue is 2,158 square feet in the location shown on the attached site plan.
  - b. The maximum area for the covered patio is 417 square feet in the location shown on the attached site plan.
  - c. The maximum area for the uncovered patio is 564 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The bar, lounge, or tavern and inside commercial amusement use limited to a live music venue may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Friday; and between 12:00 p.m. (noon) and 2:00 a.m. (the next day), Saturday and Sunday.
6. OUTDOOR SPEAKERS: Outdoor speakers are prohibited.
7. OFF-STREET PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4), may not be used to meet the off-street parking requirement.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. 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.

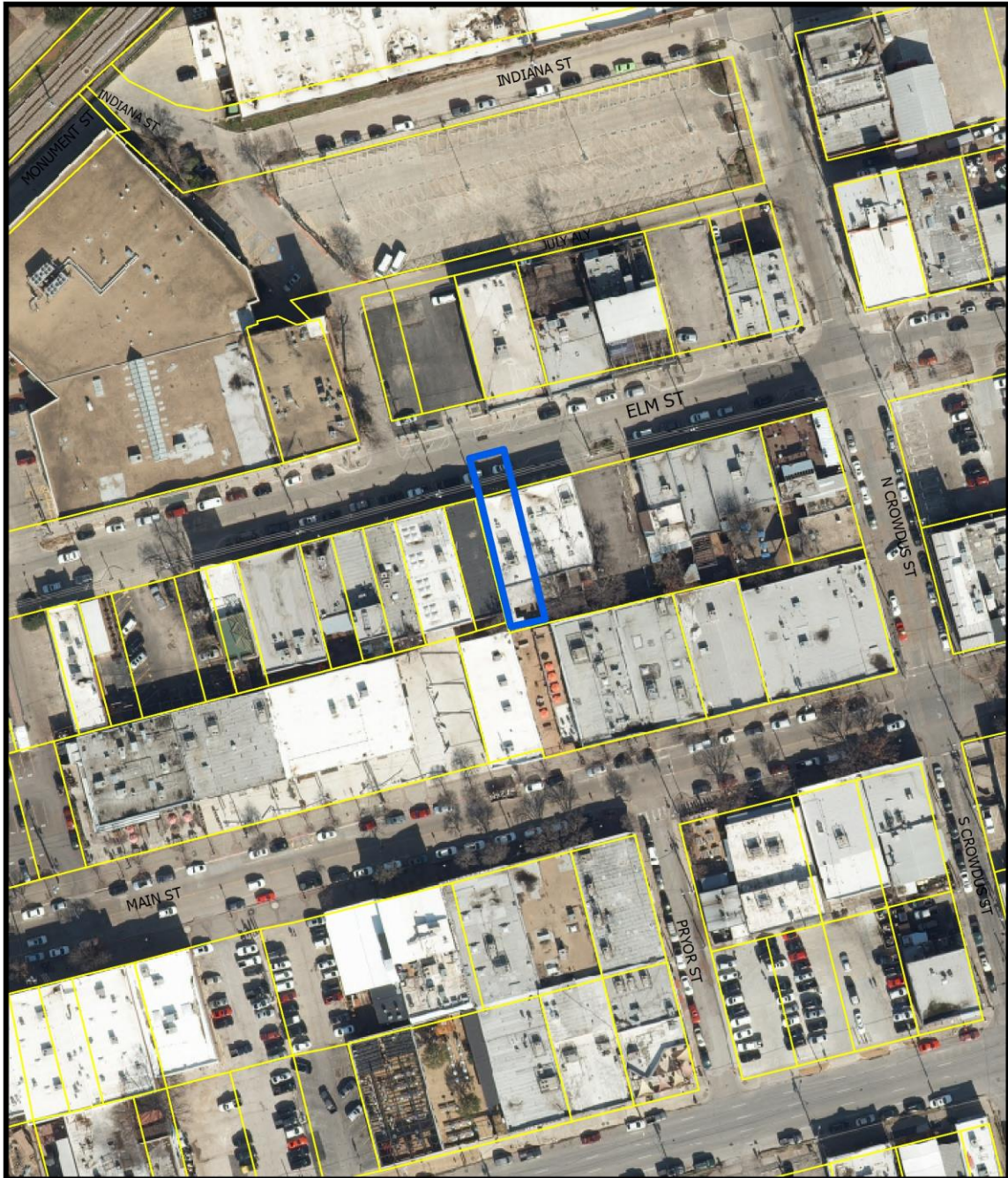




Z212-255(JM)



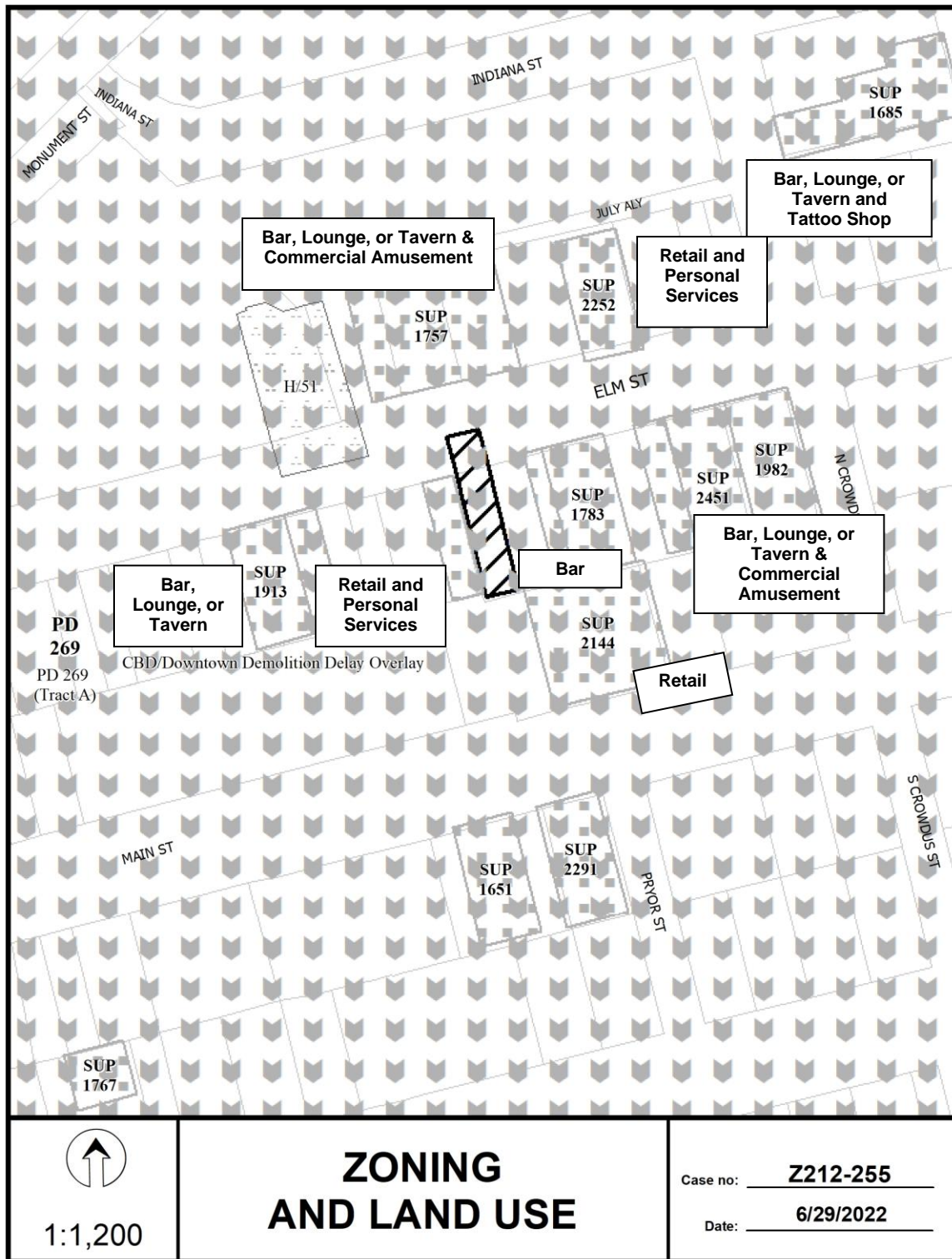




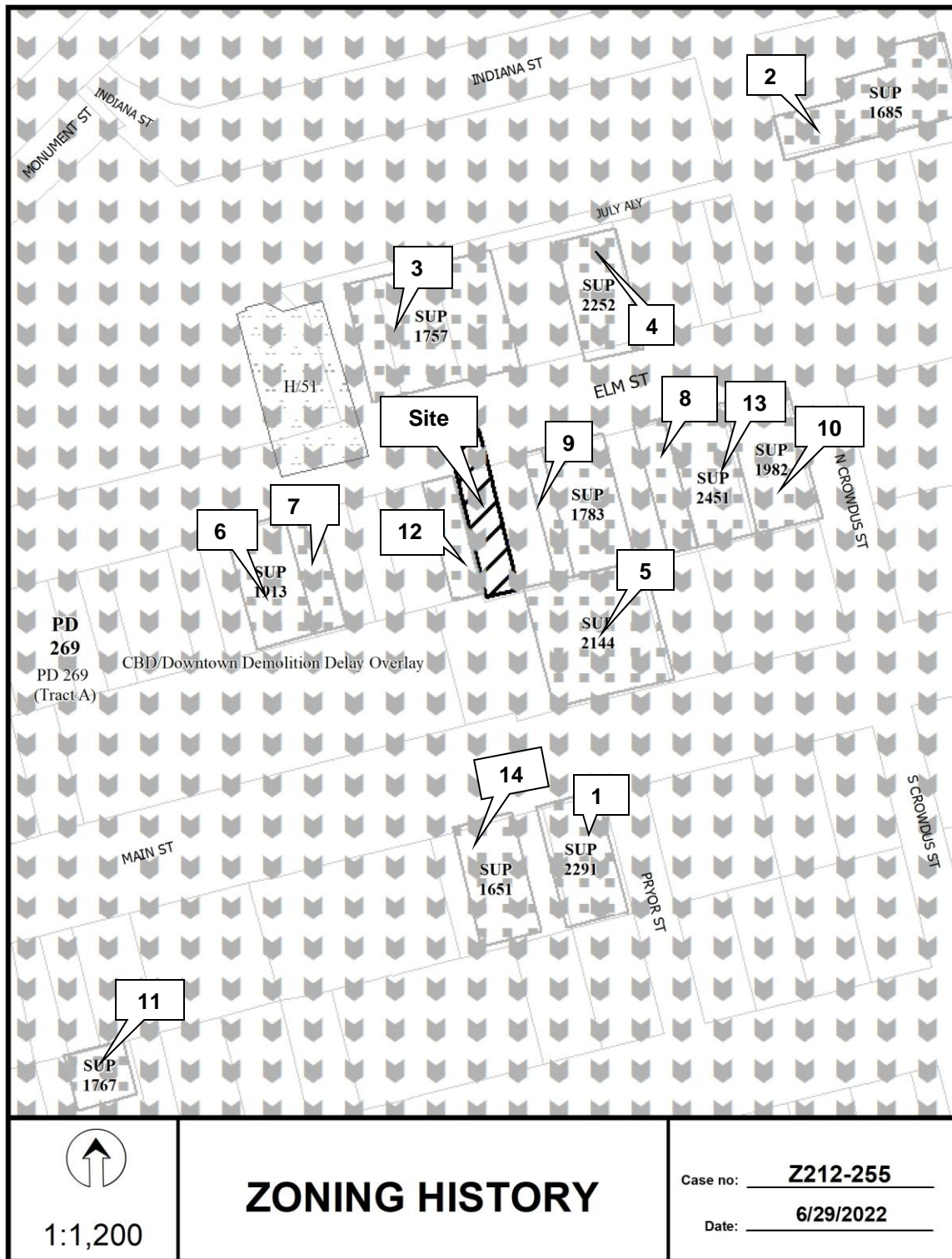
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## AERIAL MAP

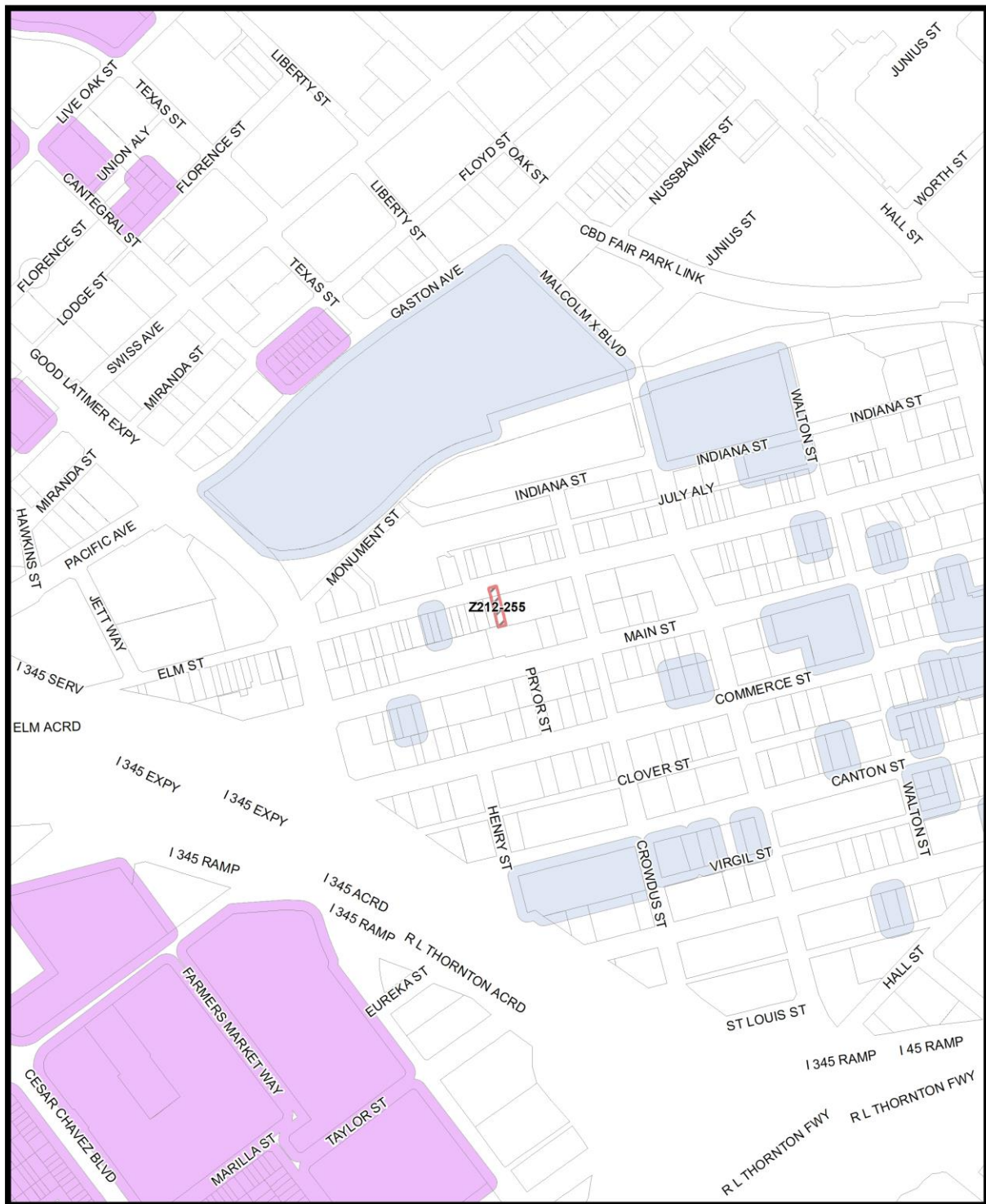
Case no: Z212-255  
Date: 6/29/2022







Z212-255(JM)



Market Value Analysis

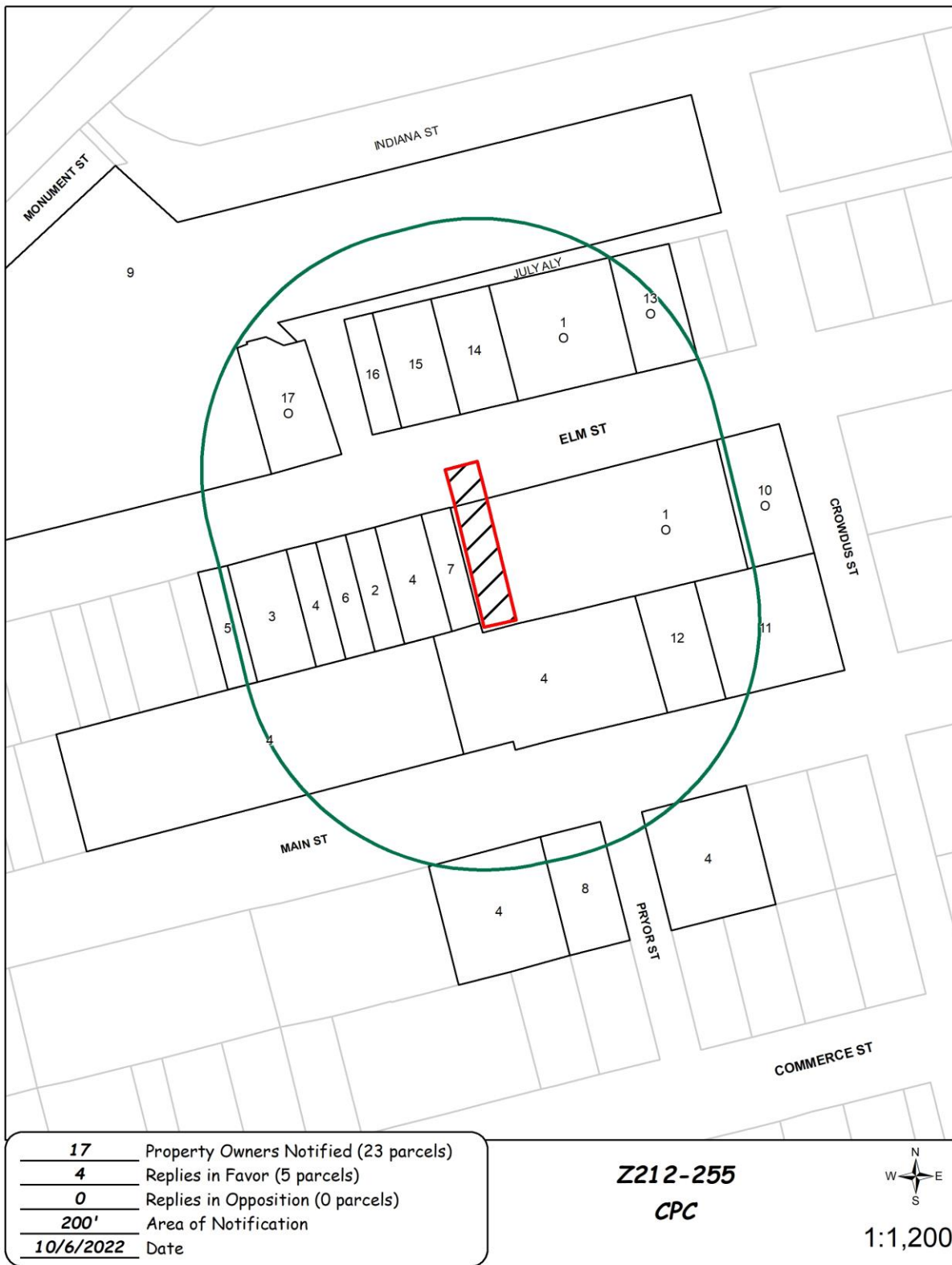
Color	A	B	C	D	E	F	G	H	I	NA
Purple	Pink	Light Blue	Blue	Light Green	Green	Yellow	Orange	Red	Dark Blue	Dark Green



## Market Value Analysis

Printed Date: 6/29/2022

# CPC RESPONSES



10/05/2022

***Reply List of Property Owners******Z212-255******17 Property Owners Notified******4 Property Owners in Favor******0 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	2704 ELM ST	ELM STREET REALTY LTD
	2	2644 ELM ST	ONE MAN PARADE LLC
	3	2638 ELM ST	MGP HOLDINGS LLC
	4	2640 ELM ST	AP DEEP ELLUM LLC
	5	2634 ELM ST	2634 ELM ST LLC
	6	2642 ELM ST	LALCO INC
	7	2650 ELM ST	ELM ELM LLC
	8	2656 MAIN ST	MEADOWCREST LLC
	9	2625 ELM ST	UPLIFT EDUCATION
O	10	2724 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	11	2715 MAIN ST	MAIN PROPERTIES LLC
	12	2707 MAIN ST	AP 2707 MAIN ST LLC
O	13	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
	14	2707 ELM ST	BELMOR CORP
	15	2703 ELM ST	Taxpayer at
	16	2701 ELM ST	Taxpayer at
O	17	2639 ELM ST	ELM STREET LOFTS LTD





# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2544

**Item #:** Z4.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 13  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Historic Overlay for the Jackson Residence (10260 Strait Lane), on property zoned a R-1ac(A) Single Family District, on the east side of Strait Lane, north of Walnut Hill Lane  
Recommendation of Staff: Approval, subject to preservation criteria  
Recommendation of CPC: Approval, subject to preservation criteria, and with [Designation]  
Committee edits to nomination and preservation criteria  
Z212-256(LVO)

FILE NUMBER: Z212-256(LVO)

DATE FILED: November 1, 2021

LOCATION: 10260 Strait Ln (on the east side of Strait Ln north of Walnut Hill Ln)

COUNCIL DISTRICT: 13

MAPSCO: 24-M

SIZE OF REQUEST: 5.281 acres

CENSUS TRACT: 0076.01

APPLICANT/OWNER: Beverly K. Parkhurst & K. Ray Beverly Trust

REPRESENTATIVE: Nancy McCoy

REQUEST: An application for a Historic Overlay for the Jackson Residence (10260 Strait Lane), on property zoned a R-1ac(A) Single Family District on the east side of Strait Lane, north of Walnut Hill Lane.

SUMMARY: The Jackson Residence one of the last remaining historic houses on Strait Lane, representative of the first generation of residential building, on one of Dallas' most affluent residential streets and an excellent example of the work of architect Hal Yoakum and of the period's American Country House movement that began in this area in the 1920s. The craftsmanship, degree of historic integrity, design, and setting offer a now-rare opportunity to tell the story of the development of this area. The landscape includes four rows of nearly a century old pecan trees, and a branch of Browning Creek (now Bachman Branch) runs along the western border. Furthermore, the original owner, Thomas E. Jackson, was an accomplished and prominent citizen with great influence over Dallas, in the 1920s-1960s. The period of significance for the site is 1939 to 1968. The site meets seven (7) criteria for designation. It is only required to meet three (3) to be considered eligible.

CPC RECOMMENDATION: Approval, subject to preservation criteria, and with [Designation] Committee edits to nomination and preservation criteria.

STAFF RECOMMENDATION: Approval, subject to preservation criteria.

LANDMARK COMMISSION RECOMMENDATION: Approval, subject to preservation criteria, and with [Designation] Committee edits to nomination and preservation criteria.

**BACKGROUND INFORMATION:**

- The Jackson Residence is a two-story French Eclectic style manor with an above ground basement on the east elevation; constructed circa 1939. Designed by Dallas based architect Hal Yoakum, the building's style and setting represent a classic example of the American Country House movement.
- The building's limestone veneer consists of coursed ashlar with a quarry-faced finish and matching mortar. Additionally, the building's footprint is a modified Greek cross; having four arms – one in each cardinal direction. The roof consists of both gabled and hipped elements, with the shingles being of textured terra cotta tile. The one-story, front entry porch is positioned at a forty-five-degree angle between the south and west arms of the cross.
- The residence was initially built for Thomas E. Jackson and his wife Virginia. Mr. Jackson was elected to serve as director of the City of Dallas' chamber of commerce in 1911. A position he held for 24 years.
- He also served as president of the State Fair of Texas, from 1929 to 1931. During his tenure, he advocated for the construction of the Cotton Bowl and the Live Stock Arena and saw both projects to completion.
- Alterations of note were made to the estate in 2003, including an addition that filled in the space between the garage and the original kitchen. Additionally, in 2007 an inground pool and a cabana were added to the northern (rear) side of the property.
- The adjacent lot, formerly 10240 Strait Lane was purchased by the current owner, in 2012.
- The Landmark Commission authorized the public hearing on November 1, 2021, to pursue local designation.
- The Designation Committee of the Landmark Commission met once to review and make improvements to the landmark nomination form and the preservation criteria.
- The Designation Committee approved the designation report, comprised of the landmark nomination form and preservation criteria, on March 16, 2022.
- The Landmark Commission approved the designation on April 4, 2022 with a request that committee edits to the nomination and the preservation criteria be incorporated.
- The requested modifications from the Landmark Commission's April 4<sup>th</sup> motion have been made, to the nomination form and to the preservation criteria.
- The City Plan Commission approved the designation on October 13<sup>th</sup>, 2022 inclusive of Designation Committee edits to the nomination and the preservation criteria.
- The historic landmark designation will not change the land use.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The proposed historic overlay is consistent with the Land Use Element, of the 2006 *forwardDallas!* Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation of open spaces that are historically and environmentally significant creates a direct, visual link to the past, contributing to a "sense of place."

**LAND USE ELEMENT**

**GOAL 1.1    Align Land Use Strategies with Economic Development Priorities**

Policy 1.1.5    Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

**GOAL 1.2    Promote Desired Development**

Policy 1.2.2    Establish clear and objective standards for land use planning.

**ECONOMIC ELEMENT**

**GOAL 2.5    Foster a City of Great Neighborhoods**

Policy 2.5.1    Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**CPC ACTION:**

October 13, 2022

**Motion:** It was moved to recommend **approval** of Landmark Commission Authorized Hearing for a Historic Overlay for the Jackson Residence (10260 Strait Lane), subject to preservation criteria, and with [Designation] Committee edits to nomination and preservation criteria on property zoned a R-1ac(A) Single Family District on the east side of Strait Lane, north of Walnut Hill Lane.

Maker: Stanard  
Second: Hampton  
Result: Carried: 11 to 0

For: 11 - Popken, Hampton, Gracey, Shidid, Carpenter,  
Blair, Jung, Housewright, Stanard, Kingston,  
Rubin

Against: 0  
Absent: 3 - Anderson, Vann, Haqq  
Vacancy: 1 - District 11

<b>Notices:</b>	Area: 400	Mailed: 22
<b>Replies:</b>	For: 1	Against: 2

**Speakers:** For: Beverly Ray Parkhurst, 10260 Strait Ln., Dallas, TX, 75229  
Rose Bradshaw, 777 Main St., Fort Worth, TX, 76102  
Nancy McCoy, 3200 Main St., Dallas, TX, 75226  
Norman Alston, 506 Monte Vista Dr., Dallas, TX, 75223  
Against: None

## **Z212-256(LVO)**

### **LANDMARK COMMISSION ACTION:**

April 4, 2022

This item appeared on the Commission's discussion agenda.

**Motion:** Approval, subject to preservation criteria, and with Committee edits to nomination and preservation criteria.

Maker: Swann

Second: Renaud

Results: 14/0

Ayes: Anderson, Cummings, Guest, Haskel,  
Hinojosa, Livingston, Montgomery, Offutt,  
Renaud, Rothenberger, Sherman, Slade,  
Spellicy, Swann

Against: None

Absent: Childers, Velvin

Vacancies: District 10

**Dallas Landmark Commission**  
**Landmark Nomination Form**

**1. Name****historic:****and/or common:** Jackson Residence**date:** 1939c**2. Location****address:** 10260 Strait Lane (and 10240 adjacent lot, now incorporated)**location/neighborhood:****block:** A/5529; C/5529 **lot:** 2; 1 **land survey:** 2007 survey **tract size:** 5.3 acres**3. Current Zoning****current zoning:** R-1ac(A)**4. Classification****Category**

☐ district  
☒ building(s)  
☐ structure  
☒ site  
☐ object

**Ownership**

☐ public  
☒ private  
☐ both

**Public****Acquisition**

☐ in progress  
☐ being considered

**Status**

☒ occupied  
☐ unoccupied  
☐ work in progress

**Accessibility**

☒ yes: restricted  
☐ yes: unrestricted  
☐ no

**Present Use**

☐ agricultural  
☐ commercial  
☐ educational  
☐ entertainment  
☐ government  
☐ industrial  
☐ military

☐ museum  
☐ park  
☒ residence  
☐ religious  
☐ scientific  
☐ transportation  
☐ other, specify \_\_\_\_\_

**5. Ownership****Current Owner:** Beverly K. Ray Trust**Contact:** Beverly Ray**Address:** 10260 Strait Lane**Phone:** 214 443-6030**City:** Dallas**State:** TX**Zip:** 75229**6. Form Preparation****Date:** March 3, 2022**Name & Title:** Nancy McCoy, FAIA, FAPT, Principal**Organization:** McCoy Collaborative Preservation Architecture, LLC**Contact:** Nancy McCoy**Phone:** 214 977-9118

## 7. Representation on Existing Surveys

*Alexander Survey (citywide)*    *local*    *state*    *national*    *National Register*  
*H.P.L. Survey (CBD)*    *A*    *B*    *C*    *D*    *Recorded TX Historic Ldmk*  
*Oak Cliff*    *TX Archaeological Ldmk*  
*Victorian Survey*  
*Dallas Historic Resources Survey, Phase* \_\_\_\_ *high* \_\_\_\_ *medium* \_\_\_\_ *low*

### For Office Use Only

*Date Rec'd:* \_\_\_\_ *Survey Verified: Y N by:* \_\_\_\_ *Field Check by:* \_\_\_\_ *Petitions Needed: Y N*  
*Nomination:*    *Archaeological*    *Site*    *Structure(s)*    *Structure & Site*    *District*

## 8. Historic Ownership

**original owner:**    Mr. and Mrs. Thomas E. Jackson (1939 – 1958)  
**significant later owner(s):** Mr. and Mrs. Dale J. Austin (1958 – 1968)  
    Unknown (1968 – 1986)  
    Mr. and Mrs. James L. Goble (1986 – 1997)  
    Mr. and Mrs. Gregory C. Glosser (1997 - 2013)  
    Mrs. Beverly Ray Parkhurst (2013 - present)<sup>1</sup>

## 9. Construction Dates

**original:**    1939c    Original construction date<sup>2</sup>  
**alterations/additions:**    2003    Exterior repairs, alterations and addition  
    2007    Pool and cabana added  
    2014    Owner purchased adjacent lot, formerly 10240 Strait Lane  
    2015    Renovation of garage and pool house on adjacent lot,  
               landscaping improvements  
    2017    Outdoor space and trellis added north side of main house

## 10. Architect

**original construction:**    1939c    Hal Yoakum, Architect  
**alterations/additions:**    2003    Domiteaux & Company Architects  
    2007    Domiteaux & Company Architects  
    2015    Domiteaux + Baggett Architects, Garthoff Design  
               Landscape Architect  
    2017    Garthoff Design Landscape Architect

## 11. Site Features

**natural:** Four rows of nearly century old pecan trees, some lost during the tornado of October 2019, remain on the property and on the adjacent parcel on which the Beck Residence sits. The



Branch of Browning Creek (now Bachman Branch) that runs along the western border of the property remains, although in an altered state.

*urban design:* None.

## **12. Physical Description**

*Condition, check one:*

☒ *excellent*

☐ *good*

☐ *fair*

☐ *deteriorated*

☐ *ruins*

☐ *unexposed*

☐ *unaltered*

☒ *altered*

*Check one:*

☒ *original site*

☐ *moved(date \_\_\_\_\_)*

### **Neighborhood and Site**

Prior to the Jackson residence, the land was settled as part of Peters Colony in the mid-1800s. By 1880, three units of the Strait family of Kentucky had settled as farmers on the land.<sup>3</sup> In the 1900 Sam Street's Map of Dallas County shows three houses on land owned by M F Fortner. The Strait family is shown to reside in three houses on that land: Jesse. H. Strait, Eurech (spelling unclear) Strait and William Strait. Thus, it is surmised that the Strait family is the namesake for the Strait Lane, which was not established until the 1930s. It is not known how long the family remained on the property but it may have been this land that the Jackson's purchased. As late as 1930 the land in this area remains farmland and undeveloped except for a scattering of large estates. With the arrival of water lines in 1931, the area developed quickly and by 1940 Strait Lane was established.

The land that would become Preston Hollow, part of the J. Howell tract, shared a corner with the Fortner land. The first phase of Preston Hollow was developed starting in 1924 and into the 1930s with meandering streets, natural features such as creeks left in place, streets without curbs and with large homes on large lots designed by well-known architects. This and several other additions were eventually incorporated as the town of Preston Hollow in 1939 and were annexed by Dallas in 1945. However, Strait Lane was located just outside of this development, not in Preston Hollow, Dallas or the Park Cities.

The Jackson Residence, located at 10260 Strait Lane, is the first residential building, with the exception of the farmhouses, built as a primary residence on this property. The property is located on Strait Lane, between Inwood Road and Midway Road to the east and west, and between Walnut Hill and Royal Lane on the south and north, respectively. The property sits on the east side of Strait Lane bounded roughly by the Browning Creek (now Bachman Branch), which subdivides the deep block between Strait and Inwood, and is flanked by later residential properties to the north and south. In the 1940 US Census, there are five houses noted on Strait Lane, none with a street number and the Census indicates no city. On Mr. Jackson's 1942 WWII Registration card, the address is listed as "Box 277, Route 7, suggesting the street had not yet been officially named, despite the fact that the census does identify Strait Lane but no city. The street does not appear to exist at all, not even as a fence line or path, in a 1930 aerial photograph.

When Preston Hollow incorporated in 1939, the property along Strait Lane was not included in the boundaries.<sup>4</sup> In 1930, Dallas County established the Preston Road Fresh Water Supply District No. 10 and included the area from Royal Lane to Lovers Lane and from Airline Road to Midway, which

incorporated the location of Strait Lane.

With no city affiliation initially and no development plan for the area, Strait Lane is a reflection of its 80-year-old history and its origin as a country road. The street does not include curbs, sidewalks or other residential street amenities such as street lighting, thus reflecting a rural character. The above-ground power lines run along the west side and occasionally the poles include a utilitarian streetlight. The five residences that were listed in the 1940 census are typically set back deeply from the street while later development has been built closer to the street, often with walls or tall fencing for privacy. To the immediate south of this property is the property known as the Beck House (10210 Strait Lane), designed by Phillip Johnson, where the continuation of the pecan grove remains. This house was constructed in 1964-65 and currently consists of 11,387 sf on 6.45 acres of land. To the immediate north is a very large residence and a lot that is completely shielded visually from Strait Lane by fencing and shrubs. This house replaced a house designed by Bud Oglesby for Robert H. and Nancy Dedman, which was demolished sometime after 2015. Other notable houses on the street are “The Dallas White House” (10777 Strait Lane), designed by landscape architect Harold Leidner as a “replica” of the original, although it is not an accurate version, the Malouf residence (10711 Strait Lane), designed by Robbie Fusch for Dr. Richard Malouf which is one of the largest houses with 37,133 square feet, and the H. Ross and Margot Perot residence (10444 Strait Lane). Like the Jacksons, the current residents of Strait Lane are some of the most influential and prominent residents of Dallas.

The Jackson residence lot is comprised of a portion of the original property that includes 452 feet of frontage along Strait Lane and 5.3 acres of land. The lot is relatively flat, sloping toward the creek. Along the property line on the street is a stone and rough-hewn wood rail fence with a metal gate that is not original. The house is set back 165 feet from the property line along Strait Lane. The cross-shaped footprint of the house includes an entrance near the center oriented on the diagonal toward the street in the corner of two cross legs. The house sits close to the northern property line. The neighboring home to the north, built recently, is also built very close to the property line creating an unusually close relationship between the two houses with two fences – one on each property. The fence on the adjacent property is of chained link with barbed wire. The entry driveway leads to a turn-round and parking area with access to the garage. The front yard is mostly sod with what remains of the pecan grove still very evident. The remainder of the site is well-landscaped. A rear terrace overlooks the yard with a pool and a compatibly designed pool cabana adjacent to it. Concrete steps provide access to the creek frontage. On the southern side of the property are two renovated structures and landscape improvements that date to the twenty-first century.

#### **Alteration to the site**

The original property was sub-divided several times and the current property represents a portion of the original land. In 1958 the property upon which the house sits was isolated from the surrounding land as a 1.2 acre parcel to create two lots for sale as part of the Moore-Donahoe Subdivision. In 1995, a small portion of land was added back into the parcel upon which the house sits to provide access to the creek, expanding the property to 1.7 acres. In 2012, the Parkhurst’s purchased the parcel to the south and created the combined property that exists today. The creek has been improved over the years and the 2019 tornado resulted in the loss of several pecan trees.

### **House and Accessory Building**

The Jackson Residence is representative of a popular Revival style and the American Country House movement in Dallas, favored by the affluent is an excellent example of Dallas architect Hal O. Yoakum's work.

The house can be classified as a two-story French Eclectic style, asymmetrical towered type with a modified Greek cross plan.<sup>5</sup> The four legs of the cross include the garage and servant's quarters on the west, the dining room on the north, the living room on the south, and the library on the east. The entrance, located on a diagonal at the intersection of the west and south wings, is accentuated by a one-story tall covered entrance porch with a recessed entrance door, accessed through an arched opening. The entrance leads to a central stair hall off of which are rooms in each of the four legs. The second floor contains four bedrooms over the entire first-floor area. There is also a basement level that takes advantage of the site's slope toward the creek to create a walk-out level and storage beneath a raised terrace that occupies the space between the east and south wings. With five bedrooms and eight bathrooms (including the maid's quarters) and nearly 7,000 square feet, the house is large but not imposing. The cross shape of the plan and the relaxed and informal treatment of the facades makes the house appear smaller and less imposing than it might have.

The primary materials of the house are Cordova Cream limestone, cut into ashlar shapes of various sizes with a rock-faced finish and matching mortar. The roof is of textured Ludowici terra cotta tile in brownish-red colors with a copper cupola vent, gutters and downspouts, rough-hewn Redwood timber, painted wood shutters, and ornamental ironwork railings and hardware. The original double-hung windows were of aluminum, by Kawneer, most with 6/6 lights and have been replaced with wood windows with multiple lights, some of which are fixed. The original wood doors remain.

The front or west elevation facing Strait Lane consists of the charmingly small façade elements of the servants' quarters and the stair leading to the upstairs quarters at the end of the garage leg, the one-story entrance bay and the living room leg. A leaded glass corner window at the stair completes an asymmetrical composition. The south elevation consists of the 1 ½-story garage leg with dormer windows and a covered walkway that connects the garage with the house's kitchen door. The covered walkway consists of timber posts and beams with brackets and was originally open to both the north and south but today sits against an addition for a kitchen and family room which filled in the space between the house and the garage. The two-story south elevation also includes the entrance and living room and features a "Juliette" balcony on the second floor. The three-story east façade facing the rear yard incorporates the slope of the site for a walk-out basement. The façade includes a terrace at the entrance level, below which is storage, and a large picture window, most likely featuring plate glass by the Pittsburgh Plate Glass Company (now PPG), from the library overlooking the yard. On the second floor is a matching balconette over the picture window and a former, now enclosed, sleeping porch overlooking the terrace. The north façade includes a less prominent projection for the dining room window and utilizes the same materials and details.

The modified Greek cross plan accomplished several design goals: to breakdown the scale of the edifice, to create asymmetrical facades, each distinct from the other and reflective of the interior function, to create privacy and separation between rooms, and to provide ample light and cross-ventilation with three exposures in most of the important rooms of the house. The entrance foyer and

primary staircase occupy the central space of the cross.

The interior of the house retains its historic feeling and materials in the primary rooms. Materials and features include knotty pine wood paneling, oak floors, a carved wood fireplace mantle with a carved wood scene depicting pioneers traveling via covered wagon in the American west in the entertainment room. A painting mounted to a door in the Entertainment Room is said to have been a gift to Jackson from the Chicago World's Fair of 1934.<sup>6</sup> Pittsburgh Plate Glass–produced pigmented structural glass, known by the tradename “Carrara glass,” is on display in the bathrooms.

The accessory buildings and structures include the entrance gate to 10260, the entrance gate to the adjacent lot (formerly 10240), a pool cabana and swimming pool, and two small structures that date to the 1950s that have been heavily modified. All of these accessory structures were built or modified extensively in the 21<sup>st</sup> century.

### **Alterations to the house**

The first known alteration was a kitchen renovation undertaken by the Gobles in 1984.<sup>7</sup>

In 2002-2003 the Glosser family hired Domiteaux & Company to design extensive renovations that included repairs and changes to the exterior, enclosure of a porch, and an addition that filled in the space between the garage and the original kitchen. The exterior repair work included replacement of all windows and trim, removal and replacement of the roof tile with salvaged tile, a new leaded glass window for the corner stair to replace the original. A non-historic porch was removed from the maid's room to restore the street-facing façade of the house. Changes to the exterior include removal of the stone wall parapet that formed the guardrail of the terrace and replacement with the existing metal railing, new window openings in the owner's bedroom flanking the Juliette balcony, new copper gutters, a new small roof over the door to the entertainment room from the outside and modifications to the garage to enlarge it and to replace the doors, and the screened porch was enclosed. The addition included the removal of an exterior site wall between the house and the garage, renovation of the kitchen and breakfast room, and infill of the space between the kitchen and garage with a new family room. Each of these alterations and additions was done with care to preserve the house's historic integrity and in a design that is appropriate to the style of the house.

In 2007, the swimming pool and cabana were built, again designed by Domiteaux Architects, in a manner that is very sympathetic to the house and a distance away and downhill from the house.

In 2015, the Parkhursts, who purchased the adjacent lot to the immediate south (formerly 10240), began improvements of that property including the partial demolition and renovation of a one-story garage structure that included a small residence to serve as a “party barn” for the property, designed by Laura Juarez Baggett of do+ba (Domiteaux + Baggett Architects).<sup>8</sup> A tennis court and swimming pool were demolished. Extensive landscape work, including a pond and other improvements, was designed by Garthoff Design, Landscape Architect. A second smaller structure, originally built as a pool house, was converted to storage and the pool was filled in.

In 2017 an outdoor space was developed on the northern side of the house that included a trellis fence, also designed by Garthoff Design.



**Photographs**



Figure 1: Entrance gate on Strait Lane and property fencing. July 2021. Photography by Carolyn Brown.



Figure 2: West elevation, facing Strait Lane. July 2021. Photography by Carolyn Brown.





Figure 3: Remaining pecan grove in front yard with driveway to left. July 2021. Photography by Carolyn Brown.



Figure 4: Oblique view of driveway and entrance. July 2021. Photography by Carolyn Brown.





Figure 5: South elevation showing slope of site. July 2021. Photography by Carolyn Brown.



Figure 6: East elevation facing rear yard showing terrace and former sleeping porch. July 2021. Photography by Carolyn Brown.





Figure 7: Rear yard looking east toward creek. July 2021. Photography by Carolyn Brown.



Figure 8: Front entrance porch. July 2021. Photography by Carolyn Brown.





Figure 9: Front screen (now glass) door with ornate metalwork. July, 2021. Photography by Carolyn Brown.



Figure 10: Front door. February 2022. Photography by McCoy Collaborative.



Figure 11: Juliette balcony at south elevation. July 2021. Photography by Carolyn Brown.





Figure 12: Detail of three-story east elevation with terrace. July 2021. Photography by Carolyn Brown.



Figure 13: Detail of non-historic window and historic shutter on south façade. July 2021. Photography by Carolyn Brown.





Figure 14: Entertainment Room. February 2022. Photography by Carolyn Brown.



Figure 15: Entertainment Room door mural. February 2022. Photography by Carolyn Brown.





Figure 16: Entertainment Room Fireplace. February 2022. Photography by Carolyn Brown.



Figure 17: Non-historic pool cabana and swimming pool in rear yard looking east. July 2021. Photography by Carolyn Brown.





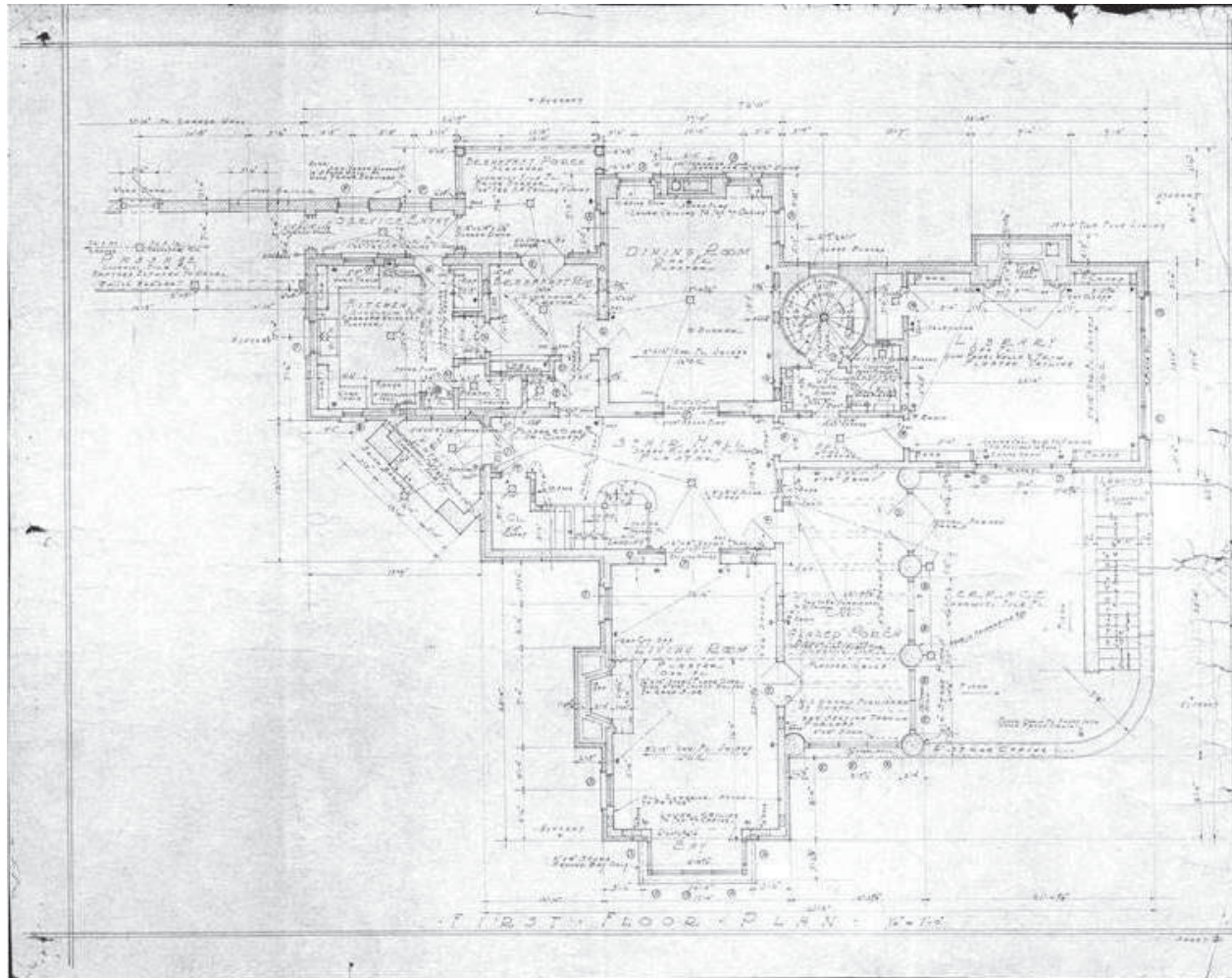
Figure 18: Non-historic accessory structure used for storage. July 2021. Photography by Carolyn Brown.



Figure 19: Non-historic accessory structure used as party barn. July 2021. Photography by Carolyn Brown.

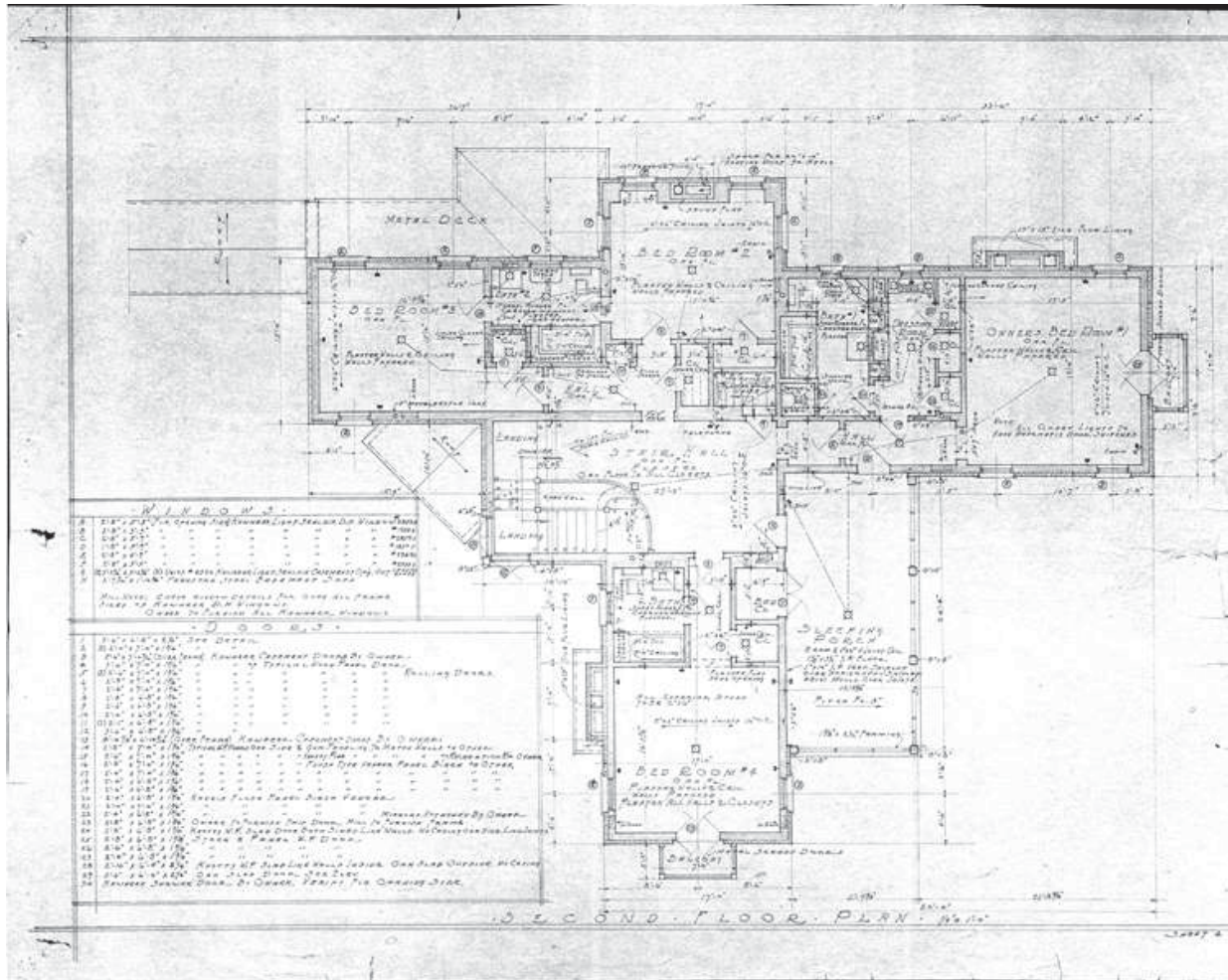






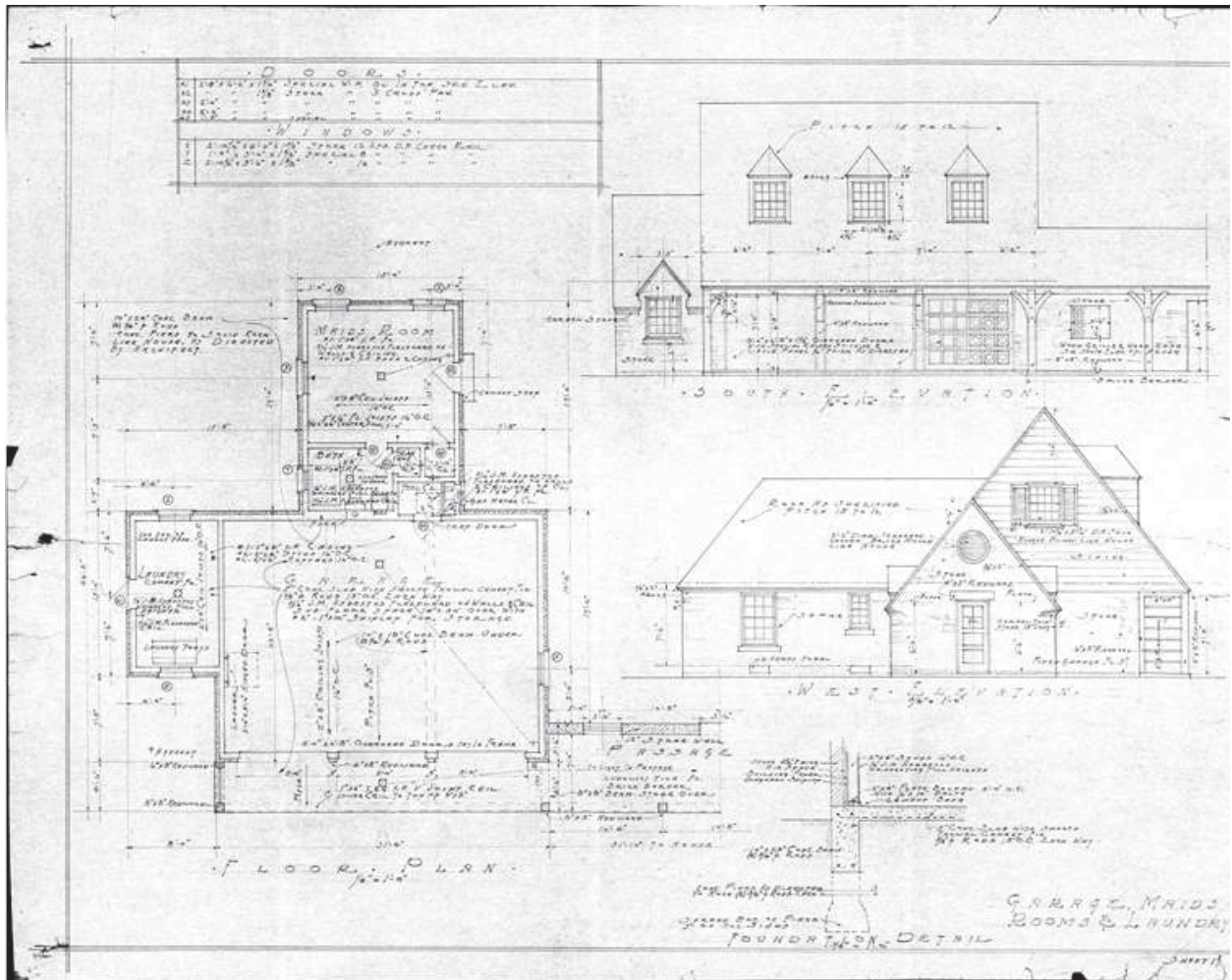
First Floor Plan



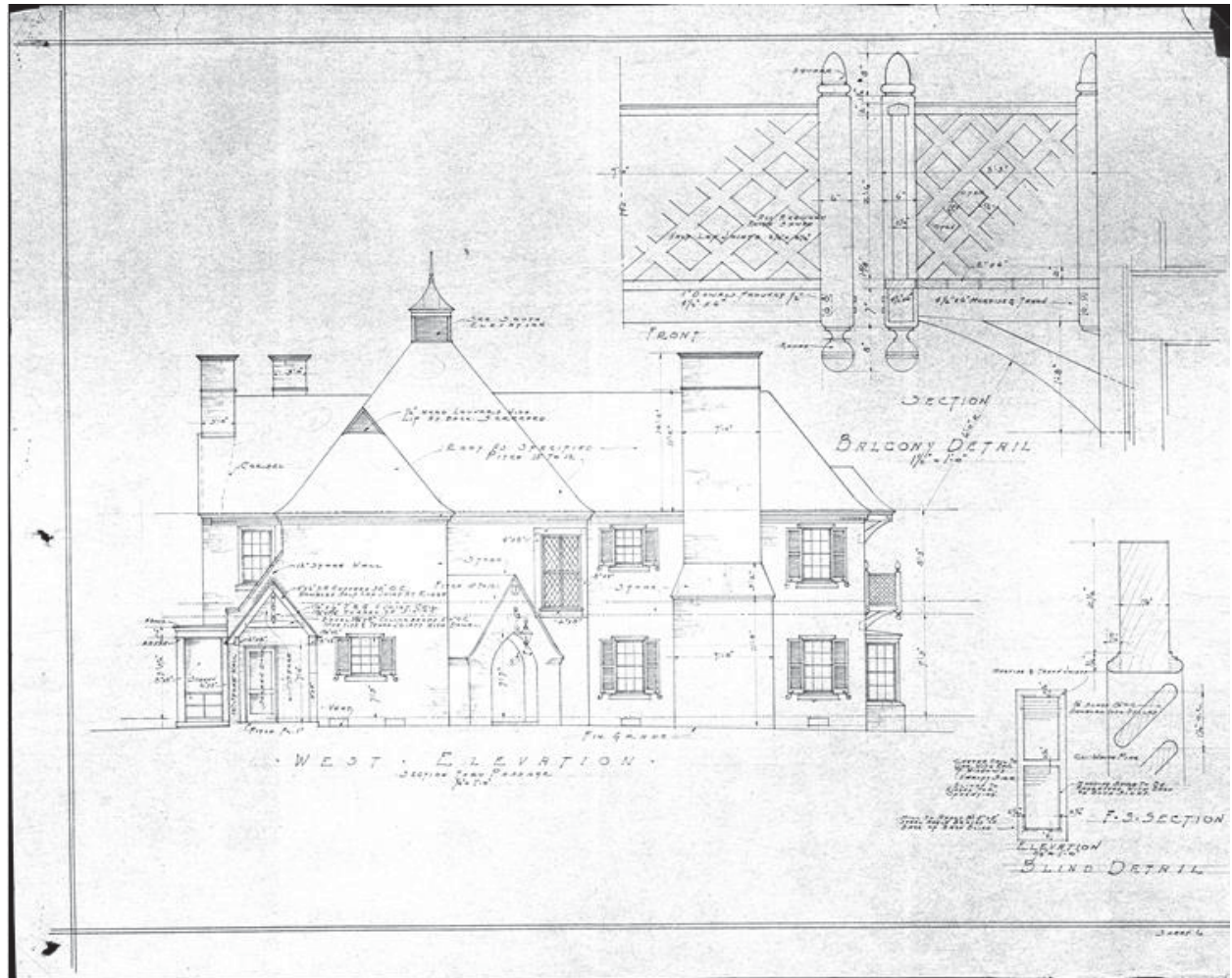


Second Floor Plan



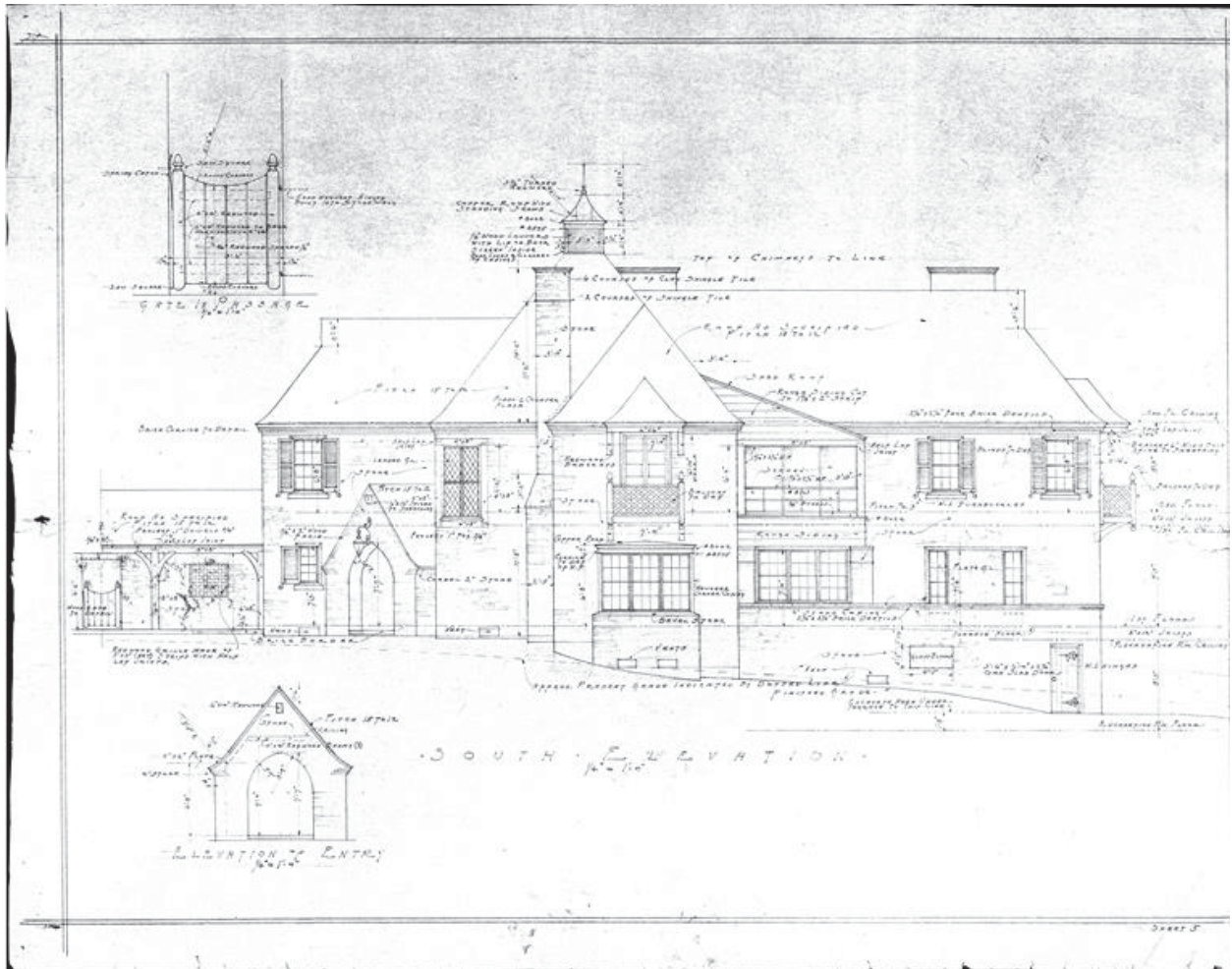


Garage Floor Plan and South Elevation

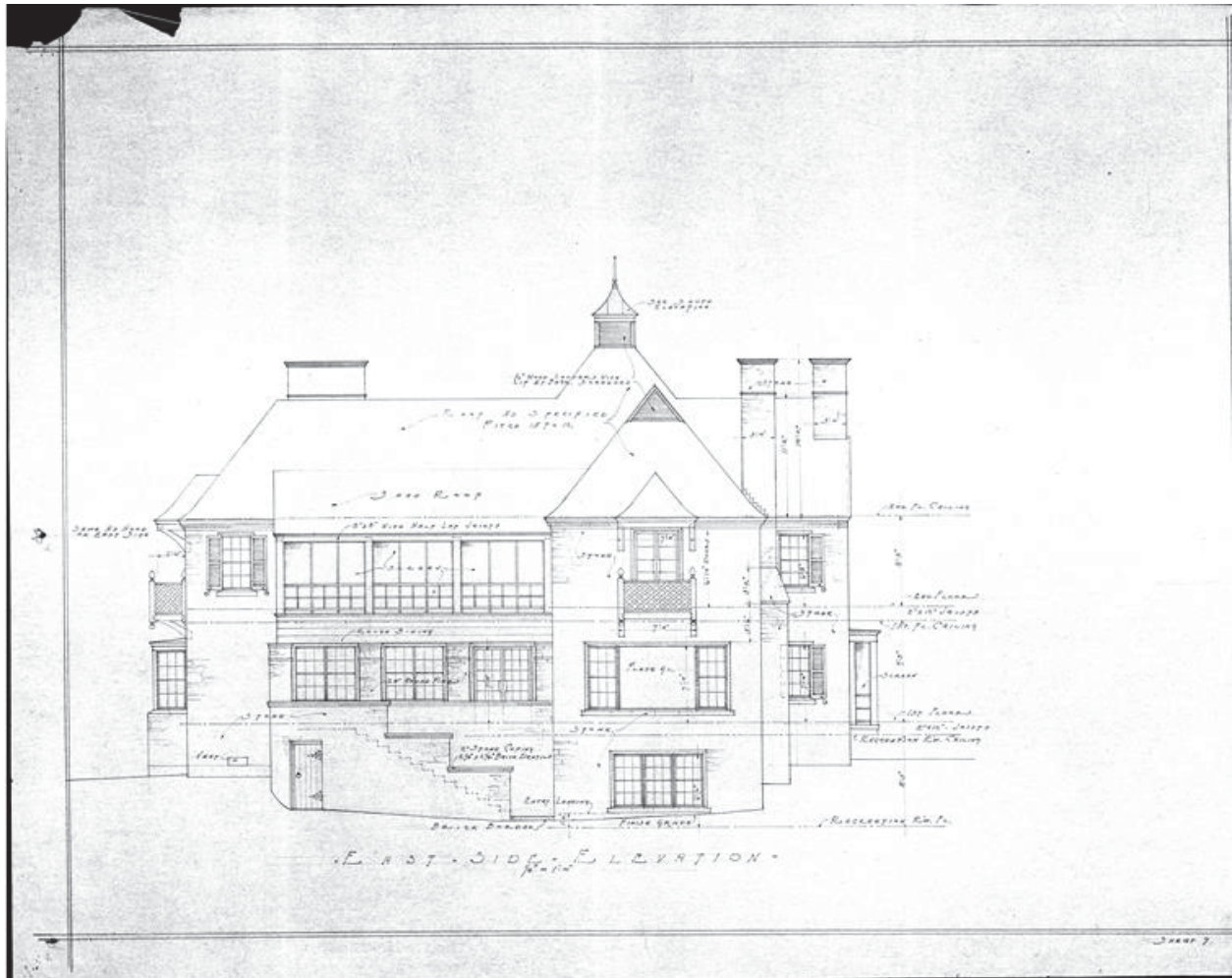


West Elevation





South Elevation



East Elevation



North Elevation



### ***13. Historical Significance***

The Jackson House is significant for its representation of the first generation of residential development associated with the American Country House movement just outside of Dallas proper on what is now one of Dallas' most prestigious streets and as an excellent example of the work of architect Hal O. Yoakum. The home's owner was also a prominent citizen who made significant contributions to Dallas.

#### **The American Country House**

What is a "country house"? According to the American Country House Foundation: *In Europe the term 'country house' is often associated with the grand estates of the aristocracy and gentry. In the United States our definition is slightly broader to cover our diverse history and rich architectural landscape. At the American Country House Foundation, we define a country house as a rural or suburban residential property that was or is used as the primary or secondary residence for a family associated with a historic urban center. This interpretation rightly covers a broad range of properties as diverse as the opulent Biltmore near Asheville, NC to the more contemporary sleek Philip Johnson's Glass House near New Canaan Ct.* (American Country House Foundation website: [americancountryhousefoundation.org](http://americancountryhousefoundation.org), accessed 2/8/2022.)

The popularity or advent of this movement took hold in Dallas after improvements to roads and access to automobiles made living further from the city proper practical. The extension of water and electrical services and the eventual annexation by the City of Dallas would further develop these areas as residential neighborhoods with more density.

The construction of the Jackson House in c1939 occurs as the first generation of residential development on farmland on the subject property. Improved transportation, streets and cars, made it possible to live in the country and work in the city, which is what Mr. Jackson, who had an office in the Santa Fe Building in downtown Dallas, chose to do. The Jackson's were already living north of the city in University Park, just a few miles south of their Strait Lane home. The mid-1930s in Dallas was a period of continued prosperity for some residents of Dallas, despite the national Depression. The Texas Centennial Exposition helped create the economic climate that enabled speculative home builders and individuals to construct some of Dallas most magnificent neighborhoods and homes. Preston Hollow was developed on the model of the American Country House Movement, with winding streets, large homes set in the middle of the lot and surrounded by nature, and featuring architect-designed houses in revival styles.<sup>9</sup> In the Park Cities, just south of the subject property, this period represented one of enormous growth.<sup>10</sup>

Strait Lane does not exist as a street in a 1930 Fairchild Survey aerial photograph of the area. The location of the street can be approximated from the location of Northwest Highway and Midway Road, and Walnut Hill Road, all of which are clearly visible in the photograph. Inwood Road does not extend north of Walnut Hill. Unfortunately, the subject site is just off the photograph but the image still provides an impression of the farms and natural features dominated by what is now known as Bachman Creek. A 1940 aerial photograph clearly shows the subject property and Strait Lane, as well as the farmland surrounding them and an occasional country estate. (SMU Libraries,

Digital Collections, Aerial Photographs of the Northern Part of Dallas, NW Highway-Inwood Road, Grid 04, 1940). In a 1945 aerial, the property is also visible and the land around it remains mostly underdeveloped. Aerial views from 1957 and later show the property still intact with the two lots closest to Walnut Hill developed with houses and with smaller lots and houses on the west side of Strait Lane. Further north, there is still considerable farmland and larger estates like the subject property. Over time, the older and larger properties were further sub-divided and newer homes were built on those properties. After the subject property was further sub-divided in 1958, construction begins to encroach on the sense of country living and denser development begins. The Beck House is constructed in 1964 on the southern-most end of the original site in the Dedman house is constructed on the north side of the property in 1971.

The American Country Home Movement in Dallas slowed after World War II, when land outside of cities was needed for the building of housing for returning veterans. Dallas addressed this need in part by expanding its boundaries through annexation of adjacent land, cities and towns, growing from 50 to 90 square miles in the process in 1945.<sup>11</sup> Dallas tried to annex the Park Cities but was not successful and instead annexed all the areas surrounding that community to prohibit their growth in the future.<sup>12</sup> It was during this time that Preston Hollow and the property around Strait Lane became part of Dallas.

### **Hal O. Yoakum**

Hallie (Hal) Owen Yoakum (1900 – 1961) was born in the farming community of Lake Creek in Delta County, Texas. Yoakum attended the Agricultural and Mechanical College of Texas where he studied architecture and the Chicago Technical College. In 1923 he moved to Dallas and within a year began working for the prestigious firm of Fooshee & Cheek where he remained for the next nine years working on some of Dallas' most impressive homes. This training no doubt prepared him well for his subsequent career, when he established his own practice in 1932 and focused on residential architecture in Revival styles that included French Eclectic, Tudor, Neo-Classical, Colonial and later in his career, the Monterrey style with suggestions of modernism and Texas Regionalism influences. Yoakum lived at 3433 Southwestern Boulevard in University Park, where he also kept his office. Much of his work can be found in the Park Cities but also in Oak Cliff, Preston Hollow and in other cities such as Corsicana. He was commissioned by the builder Womack & Cozzo to design houses all over Dallas and his private clients took him to other cities such as Corsicana. His work today is less well-known than that of some of his contemporaries, including O'Neil Ford, David Williams and Charles Stephens Dilbeck, who were likewise designing homes of note for affluent clientele and for speculative home builders, but Yoakum was recognized in the Great American Suburbs series, *The Homes of the Park Cities*, Dallas, by Virginia Savage McAlester and Willis Cecil Winters, with a chapter describing his contributions to residential architecture of the period. In total, Yoakum is responsible for almost 100 houses in Dallas alone.<sup>13</sup> Among his most noteworthy works was a French Norman residence built in 1938 located at 4300 Rheims (demolished in 2008) for Frank O. Burns (the Safeway Stores of Texas president) that has many similarities to the Jackson Residence. Using a more modern vocabulary, Yoakum designed a Monterrey style home built in 1940 and located at

4230 Belclaire Avenue that is also particularly noteworthy. The Jackson house is among his best work.

The Jacksons also lived in the Park Cities, initially on St. John's Drive and later at 3640 Stratford Avenue. Their move to a country estate house on a large tract of land off of Strait Lane in c1939 signaled their affluence, as did their choice of architect and the size of the house. While nearly 7,000 square feet, the house is designed with an informal and relaxed feeling. Yoakum had just finished the house at 4230 Rheims when he was designing for the Jacksons and he utilized not only a similar style but a similar floor plan organization, one that he would use in other houses as well. Organized with a central stair hall and foyer with wings extending in four directions - the form of a modified Greek cross - the plan allowed for maximum privacy as well as light and natural ventilation with nearly all the important rooms having three exposures. Where at the Rheims house a turret marks the entrance, for the Jacksons he used a gable set at a 45-degree angle. Both houses include a modestly sized covered porch entry with an arched opening located at an intersection of two of the cross' legs. On the ground floor, the plan allowed for the central entry and stair hall, off of which are arranged four legs containing the living room, library, dining room and the garage leg that extends further to the west. The second-floor plan is similar with three bedrooms and baths and without the leg to the west. Utilizing the slope of the land to his advantage, Yoakum provided a walk-out basement level and ample storage. A circular staircase leads to the basement which houses a "recreation room" featuring a built-in bar and a large fireplace, a picture window that frames the view to the east and access to the outdoors.

### **Thomas E. and Virginia Fall Jackson**

Thomas Elbert Jackson (1881-1972) was born in Illinois and married Virginia Fall (1881-1975) in Nebraska, had their only son, Clifford, in Kansas City, MO and moved to Dallas in 1907. While still in Kansas City at age 19 he happened upon a sign announcing the Pittsburgh Plate Glass Company was moving in and so he applied for and was offered a job there. <sup>14</sup> By 1910 he was a Manager for the company and renting a house on Pennsylvania Avenue, not very far from Fair Park and the State Fair of Texas where he would later have influence. The family of three moved from South Dallas to Highland Park, where they resided in two locations before the move to Strait Lane. By then son Clifford was no longer living with the family and the couple moved with one maid into the house. Jackson would open 30 plate glass warehouses and rose to Southwestern Manager for the glass company that he served for 62 years before retiring in 1956. <sup>15</sup>

When he was not working, he found time for an enormous number of volunteer efforts, notably serving as president for most of them. These community and professional appointment include the Dallas Chamber of Commerce where he was elected director in 1911 and served in that capacity for 25 years while land for Love Field airport was purchased and developed. During World War II he served as chairman of the Dallas County Rationing Board, as chairman of the trade extension committee and as president of the Texas Industrial Conference and the Dallas Industrial Services Inc. In 1947 he served as the first president of the Greater Dallas Planning Council. In 1951 he was elected president of the Dallas Citizens Council. He also served on numerous boards including the board of the First National Bank for 50 years. Jackson organized the Junior Chamber of Commerce while here served as the chamber's president, served as Chairman of the board of the Southwest Vocation School, organized the Dallas Traffic Club, was a member of the



Dallas Materials Men's Association and was vice-president of the American Boy Scouts of America Dallas Council. In 1921 he was appointed to the Immigration Committee of the United States Chamber of Commerce. He was elected as director of the State Fair of Texas in 1927 where he served as vice-president and then president with a three-year term from 1929-1931. It was during this period that the Cotton Bowl (at that time known as Fair Park Stadium) and the Live Stock Arena were built, both of which were incorporated into the Texas Centennial Exposition in 1936.

The Jacksons moved out of their Strait Lane residence when it was sold to Mr. and Mrs. Dale C. Austin in 1958. Virginia and Thomas moved to a high-rise apartment at 3525 Turtle Creek Blvd, where they lived when Thomas died at age 90 in 1972 and Virginia died at age 94 in 1975. Their death was preceded by the death of their only son, Clifford Fall Jackson (1906-1965).

### **Summary**

The Jackson Residence one of the last remaining historic houses on Strait Lane, representative of the first generation of residential building on one of Dallas' most affluent residential streets and an excellent example of the work of architect Hal Yoakum and of the period's American Country House movement that began in this area in the 1920s. The craftsmanship, degree of historic integrity, design, and setting offers a now-rare opportunity to tell the story of the development of this area. In addition, the original owner, Thomas E Jackson, was an accomplished and prominent citizen with great influence over Dallas in the 1920-1960s.

## 14. Bibliography

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<https://www.americancountryhousefoundation.org/>. Accessed 2/8/2022.

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### OTHER SOURCES:

Dallas Library History and Archives Division, City of Dallas Directories, 1930 – 1960.

Interview with property owner Beverly Parkhurst by Nancy McCoy. Dallas, February, 2022.

Maxon, Peter Flagg. "Early Preston Hollow" in *Legacies, A History Journal for Dallas and North Central Texas*, Volume 14, Number 2, Fall 2002, p. 28.

## **Z212-256(LVO)**

Preservation Dallas, Initiation report and other history is available by request.

Ray, Beverly. Original drawings and specifications, and lateral alternation plans are in the owner's possession.

Slate, John H. "Dallas Fringe Communities and Annexation, 1890-1978" in *Legacies. A History Journal for Dallas and North Central Texas*, Volume 14, Number 2, Fall 2002.

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<sup>1</sup> Dallas County Clerk's office date; closing documents in the owner's possession are dated 08-23-2012 suggesting the county may have recorded the sale in 2013.

<sup>2</sup> The date of c1939 is derived from two sources: the drawings by Yoakum are dated June 1, 1938 (assuming at least six months were needed to build the house) and the City of Dallas Directories first list the Jackson's address change to Strait Lane, with no house number, in 1939.

<sup>3</sup> United States Census. June, 1880. Lists three families with head of household names matching initials on the Sam Street's Map.

<sup>4</sup> Ibid. p. 63.

<sup>5</sup> McAlester, Virginia Savage. *A Field Guide to American Houses*. Alfred A Knoff, New York: 2013; p. 485.

<sup>6</sup> Dave Perry-Miller & Associates. Undated description of the home's features for the sale of the property with information coming from the seller, Mr. and Mrs. Glosser, in c2012. Property was listed at that time for \$5,995,000.

<sup>7</sup> Parkhurst, Beverly. The owner has a collection of architectural drawings documenting the alterations to the house starting with the kitchen renovation.

<sup>8</sup> Parkhurst, Beverly. Interview by Nancy McCoy in February of 2022 in the home.

<sup>9</sup> Maxon, Peter Flagg. "Early Preston Hollow" in *Legacies, A History Journal for Dallas and North Central Texas*, Volume 14, Number 2, Fall 2002, p. 28.

<sup>10</sup> McAlester, Virginia Savage and Winters, Willis Cecil. *Great American Suburbs: The homes of the Park Cities, Dallas*. New York: Abbeville Press, 2008; p. 379.

<sup>11</sup> Slate, John H. "Dallas Fringe Communities and Annexation, 1890-1978 in *Legacies. A History Journal for Dallas and North Central Texas*, Volume 14, Number 2, Fall 2002, p. 10.

<sup>12</sup> Ibid.

<sup>13</sup> McAlester, Virginia Savage and Winters, Willis Cecil, p. 379.

<sup>14</sup>. "Founder of City Club, T E Jackson, Honored." Dallas Morning News. 1968.

<sup>15</sup> "Business Leader T. E. Jackson Dies." Dallas Morning News. 08/19/1972.

<b><i>15. Attachments</i></b>
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☐ *District or Site Map*

☐ *Site Plan*

☐ *Photos (historic & current)*

☐ *Additional descriptive material*

☐ *Footnotes*

☐ *Other:* \_\_\_\_\_

## 16. Designation Criteria

  x   **History, heritage and culture:** Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.

       **Historic event:** Location of or association with the site of a significant historic event.

  x   **Significant persons:** Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.

  x   **Architecture:** Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.

  x   **Architect or master builder:** Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country.

  x   **Historic context:** Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.

  x   **Unique visual feature:** Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.

       **Archeological:** Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

       **National and state recognition:** Eligible or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.

  x   **Historic education:** Represents as era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.

**17. Recommendation**

*The Designation Task Force requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.*

*Further, the Designation Committee endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Office of Historic Preservation.*

*Date:*

  
\_\_\_\_\_  
*Chair*  
*Designation Committee*

  
\_\_\_\_\_  
*Historic Preservation Planner*

10-13-22

ORDINANCE NO. \_\_\_\_\_

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Block A/5529; fronting approximately 462.12' on the east line of Strait Lane located approximately 1020.00 feet north of Walnut Hill Ln and west of Inwood Road; and containing approximately 5.281 acres;

by establishing Historic Overlay District No. 154 (Jackson Residence); providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property described in this ordinance; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

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

SECTION 1. That the zoning classification is changed by establishing Historic Overlay District No. 154 on the property described in Exhibit A ("the Property"), which is attached to and made a part of this ordinance.



## **Z212-256(LVO)**

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit B.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**Z212-256(LVO)**

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. 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:

THERESA CARLYLE, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

**EXHIBIT A**  
10260 Strait Lane

BEING situated in the Milford Fortner Survey, Abstract No. 479, and being all of Lot 2, Block A/5529, of Glosser Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in County Clerk's File No. 20070190414, real property records of Dallas County, Texas, and being all of Estate No. 2 of the Moore-Donahoe Subdivision, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 37, Page 85, of the Map Records of Dallas County, Texas, and also being all of a called 3.54 acre tract of land described in a deed to Beverly K. Parkhurst, recorded under County Clerk's File No. 2020000285423, of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at 1/2-inch iron rod found for corner in the east right-of-way line of Strait Lane (50' right-of-way) at the northwest corner of said Lot 2, Block A/5529, Glosser Addition common to the southwest corner of Lot 3, Block A/5529, of Ann and John McReynolds Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded under County Clerk's File No. 201700274266, of the Deed Records of Dallas County, Texas;

THENCE South 86°26'00" East along a north line of said Lot 2 and a south line of said Lot 3, a distance of 176.74 feet to a 1/2" iron rod found for corner at an angle point therein;

THENCE South 70°22'20" East along a north line of said Lot 2 and a south line of said Lot 3, a distance of 169.77 feet to a point for corner;

THENCE South 70°32'25" East continuing along a north line of said Lot 2 and a south line of said Lot 3, at a distance of 162.26 feet passing a floodway monument found for reference and continuing for a total distance of 317.42 feet to a point for corner at the common east corner thereof, near the center of a creek, and also being in a northwest line of a tract of land described in a Deed to Stephen T. Winn and wife, Melinda G. Winn of record in Volume 82193, Page 1223, Deed Records, Dallas County, Texas, from which a 1/2" iron rod found for reference bears North 70°32'25" West, a distance of 30.00 feet;

THENCE South 27°17'00" West along a northwest line of said Winn Tract, at a distance of 15.18 feet passing the Southeast corner of said Lot 2, and thence along a southeast line of said 3.54 acre tract and near the center of said creek for a total distance of 242.33 feet to a point for corner;

THENCE South 16°26'08" West along an east line of said 3.54 acre tract and near the center of said creek, a distance of 77.61 feet to a point for corner at the southeast corner of said 3.54 acre tract, and being in the north line of a tract of land described in a Deed to Texas Crazy Management Trust, recorded under County Clerk's File No. 202000327225, of the Deed Records of Dallas County, Texas;

THENCE North 89°50'00" West along the common line of said 3.54 acre Tract and said Texas Crazy Management Trust Tract, a distance of 503.73 feet to a 5/8" iron rod found for corner at the common west corner thereof and being in the east right-of-way line of said Strait Lane;

THENCE North 00°07'53" East along the east right-of-way line of said Strait Lane, a distance of 276.12 feet to a 1/2" iron rod found for corner at the northwest corner of said 3.54 acre tract common to the southwest corner of said Lot 2;

THENCE North 00°10'00" East continuing along the east right-of-way line of said Strait Lane, a distance of 186.00 feet to the PLACE OF BEGINNING and containing 230,050 square feet or 5.281 acres of land.

**EXHIBIT B**

**PRESERVATION CRITERIA  
JACKSON RESIDENCE  
10260 STRAIT LN. DALLAS TX 75229**

**1. GENERAL.**

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. If there is a conflict, these preservation criteria control.
- 1.3 Certificate of appropriateness.
  - a. A person may not alter a site within this district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
  - b. The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
  - c. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.
  - d. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.
- 1.4 A person may not demolish or remove any structure in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.
- 1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library and on the National Park Service website.

- 1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.
- 1.7 Consult Article XI, "Development Incentives," of the Dallas Development Code, as amended, for tax incentives that may be available in this district.
- 1.8 The period of historic significance for this district is the period from 1939 to 1968.

## **2. DEFINITIONS.**

- 2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.
- 2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.4 COLUMN means the entire column, including the base and capital.
- 2.5 CONTRIBUTING STRUCTURE means a structure that retains its essential architectural integrity of design and whose architectural style is typical of or integral to this district.
- 2.6 CORNERSIDE FACADE means a facade facing a side street.
- 2.7 CORNERSIDE FENCE means a fence adjacent to a side street.
- 2.8 CORNERSIDE YARD means a side yard abutting a street.
- 2.9 DIRECTOR means the Director of the Office of Historic Preservation or the Director's representative.
- 2.10 DISTRICT means Historic Overlay District No. 154, the Jackson Residence Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibit C.
- 2.11 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.

- 2.12 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.13 INTERIOR SIDE FACADE means a facade not facing a street or alley.
- 2.14 INTERIOR SIDE FENCE means a fence not adjacent to a street or alley.
- 2.15 INTERIOR SIDE YARD means a side yard not abutting a street or alley.
- 2.16 MAIN BUILDING means the main building, as shown on Exhibit C.
- 2.17 NO-BUILD ZONE means that part of in which no new construction may take place.
- 2.18 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.19 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

**3. BUILDING SITE AND LANDSCAPING.**

- 3.1 New construction is prohibited in the no-build zone shown on Exhibit C.
- 3.2 The main building is protected.
- 3.3 New driveways, sidewalks, steps, and walkways must be constructed of brick, brush finish concrete, stone, or other appropriate material. Artificial grass, artificially colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted.
- 3.4 Any new mechanical equipment may not be erected in the front yard.
- 3.5 Landscaping.
  - a. Outdoor lighting must be appropriate and enhance the structure.
  - b. Landscaping must be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades in the No Build Zone shown on Exhibit C.
  - c. It is recommended that landscaping reflect the historic landscape design.
  - d. Existing pecan trees are protected, except that unhealthy or damaged trees may be removed.



**3.6 Fences.**

- a. No new fences are not permitted in the No Build Zone, except to match existing. Repair of fences is considered Routine Maintenance.
- b. Fences in side yards must be located a minimum of ten feet back from the front facade of the structure.

**4. FACADES.**

**4.1 Protected facades.**

- a. The facades shown on Exhibit C are protected.
- b. Reconstruction, renovation, repair, or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.
- c. Historic solid-to-void ratios of protected facades must be maintained.
- d. Stone added to protected facades must match in color, texture, module size, bond pattern, and mortar color.
- e. Stone and concrete elements on protected facades may not be painted.

**4.2 Reconstruction, renovation, repair, or maintenance of nonprotected facades must be compatible with protected features.**

**4.3 Wood siding, trim, and detailing must be restored wherever practical.**

**4.4 All exposed wood must be painted, stained, or otherwise preserved.**

**4.5 Historic materials must be repaired if possible; they may be replaced only when necessary.**

**4.6 Paint must be removed in accordance with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library and on the National Park Service website, before refinishing.**

**4.7 Aluminum siding, stucco, and vinyl cladding are not permitted.**

**4.8 Historic color must be maintained wherever practical. Color schemes for non-masonry elements should conform to any available documentation as to historic color.**

- 4.9 Exposing and restoring historic finish materials is recommended.
- 4.10 Cleaning of the exterior of a structure must be in accordance with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library and on the National Park Service website. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

**5. FENESTRATION AND OPENINGS.**

- 5.1 Historic doors and windows must remain intact except when replacement is necessary due to damage or deterioration.
- 5.2 Replacement of doors and windows that have been altered and no longer match the historic appearance is recommended.
- 5.3 Replacement doors and windows must express profile, muntin and mullion size, light configuration, and material to match the historic.
- 5.4 Storm doors and windows are permitted if they are appropriate and match the existing doors and windows in profile, width, height, proportion, glazing material, and color.
- 5.5 Decorative ironwork and burglar bars are not permitted over windows of protected facades. Interior mounted burglar bars are permitted if appropriate.
- 5.6 Glass and glazing must match historic materials as much as practical. Reflective films and tinted or reflective glazings are not permitted on glass.
- 5.7 New door and window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.
- 5.8 The Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library and available on the National Park Service website, should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration.

**6. ROOFS.**

- 6.1 The historic slope, massing, configuration, and materials of the roof must be preserved and maintained.

- 6.2 The following roofing materials are allowed: terra-cotta tiles (Ludowici tiles per section 6.5) and copper at selective locations. The following roofing materials are not allowed: built-up, metal, single-ply membrane, synthetic wood shingle, and synthetic clay tile. Replace roofing to match existing roofing.
- 6.3 Historic eaves, coping, cornices, dormers, parapets, and roof trim must be retained, and should be repaired with material matching in size, finish, module, and color.
- 6.4 Mechanical equipment, skylights, and solar panels on the roof must be set back or screened so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.
- 6.4 Mechanical equipment, skylights, and solar panels may not be placed on the roof.
- 6.5 *The following tile roofing materials are allowed: Ludowici Colonial Tile-129-01M/M13 COLIN CLAN MS Mist meaning that 129-01 Color Historic Red, M13 Color Ebony will have a Mist technique as the Historic Red is the base color for the tile and color Ebony was misted on it in the form of a top spray. COLIN- a tampered butt was added to the bottom edge of the tile. CALIN- a Calais Texture was rolled onto the top of the tile creating a cratered surface. NS- Black Norman Sand was added after all the above surface treatment and glazing was added.*

## **7. PORCHES AND BALCONIES.**

- 7.1 Historic porches and balconies on protected facades are protected.
- 7.2 Porches and balconies on protected facades may not be enclosed. It is recommended that existing enclosed porches on protected facades be restored to their historic appearance.
- 7.3 Historic columns, detailing, railings, and trim on porches and balconies are protected. Stone terrace walls may be restored to match the historic appearance.
- 7.4 Porch floors must be brick, concrete, stone, or Ludowici clay tile brick, concrete, and stone porch floors may not be covered with carpet or paint. A clear sealant is acceptable on porch floors.

## **8. EMBELLISHMENTS AND DETAILING.**

- 8.1 The following architectural elements are considered important features and are protected: stone, brick, corbel at caves, timber elements, redwood doors and trim, shutters and shutter hardware, glazed screen door at main entrance, leaded glass corner, window, Juliette balconies, cupola on roof and light fixture at entrance.

**9. NEW CONSTRUCTION AND ADDITIONS.**

- 9.1 Stand-alone new construction is permitted outside the No-Build Zone shown on Exhibit C.
- 9.2 Vertical additions to the Main Building are not permitted.
- 9.3 Horizontal additions are permitted outside the No-Build Zone shown on Exhibit C and must be located so that they are not visible to a person standing at ground level on the opposite side of an adjacent right-of-way.
- 9.4 The color, details, form, materials, and general appearance of new construction and additions must be compatible with the existing historic structure.
- 9.5 Additions must have appropriate color, detailing, fenestration, massing, materials, roof form, shape, and solid-to-void ratios.
- 9.6 The height of new construction and additions must not exceed the height of the historic structure.
- 9.7 Aluminum siding and vinyl cladding are not permitted.
- 9.8 The setback of new construction and additions must conform to the setback of adjacent historic structures.
- 9.9 New construction and additions must be designed so that connections between new construction or additions and the historic structure are clearly discernible as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new construction or additions and the historic structure must be established and maintained. Historic details in the coping, eaves, and parapet of the historic structure must be preserved and maintained at the point where the historic structure abuts new construction or additions.

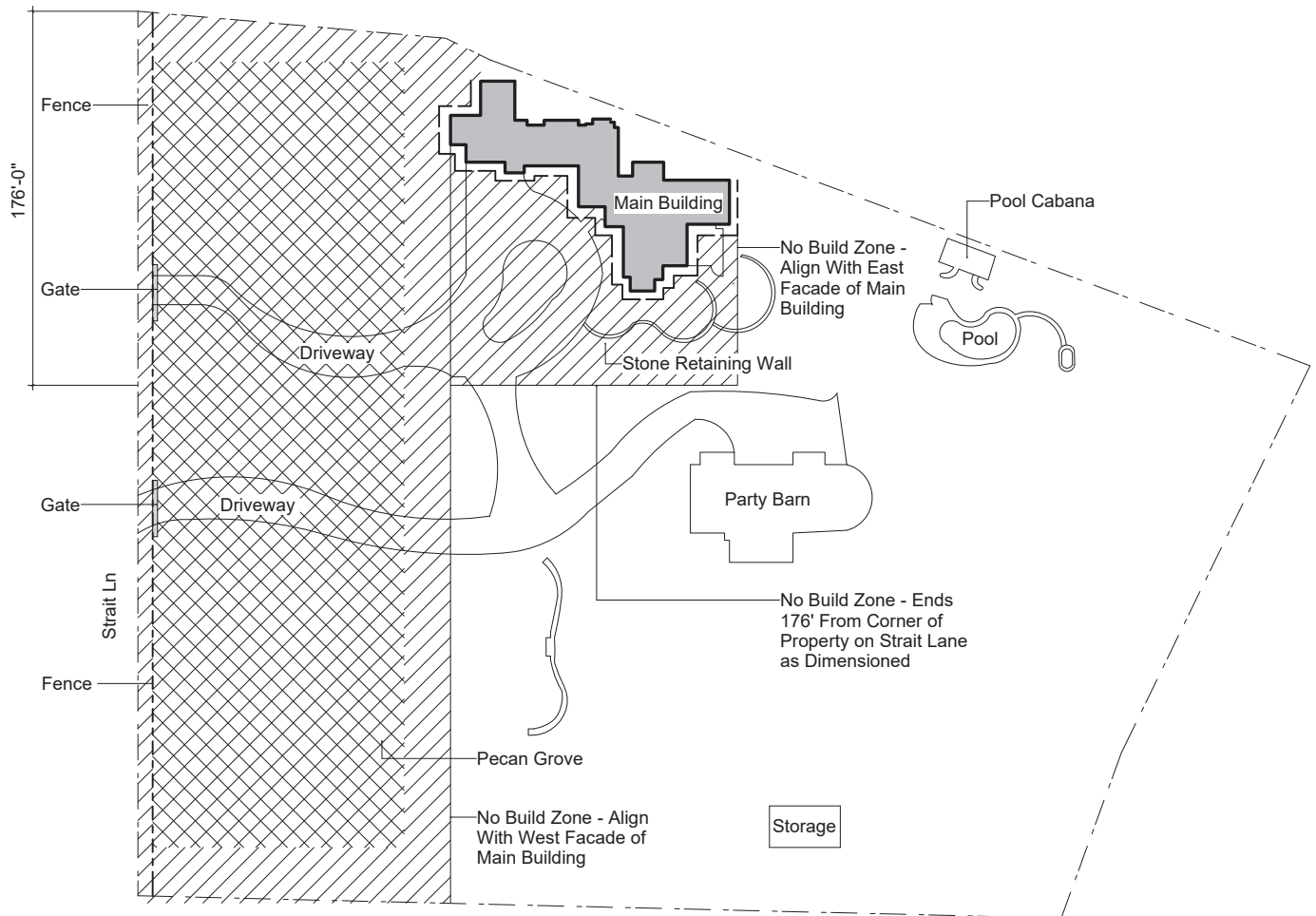
**10. SIGNS.**

- 10.1 Signs may be erected if appropriate.
- 10.2 All signs must comply with the provisions of the Dallas City Code, as amended.
- 10.3 Temporary political campaign signs and temporary real estate signs may be erected without a certificate of appropriateness.
- 10.4 A City of Dallas Landmark Designation sign may be mounted in the front yard and in the No Build Zone.

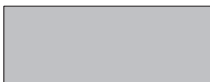
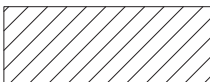

**11. ENFORCEMENT.**

- 11.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained, or the property is restored to the condition it was in immediately prior to the violation.
- 11.2 A person is criminally responsible for a violation of these preservation criteria if:
- a. the person knowingly commits the violation or assists in the commission of the violation.
  - b. the person owns part or all of the property and knowingly allows the violation to exist.
  - c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or
  - d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.
- 11.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.
- 11.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

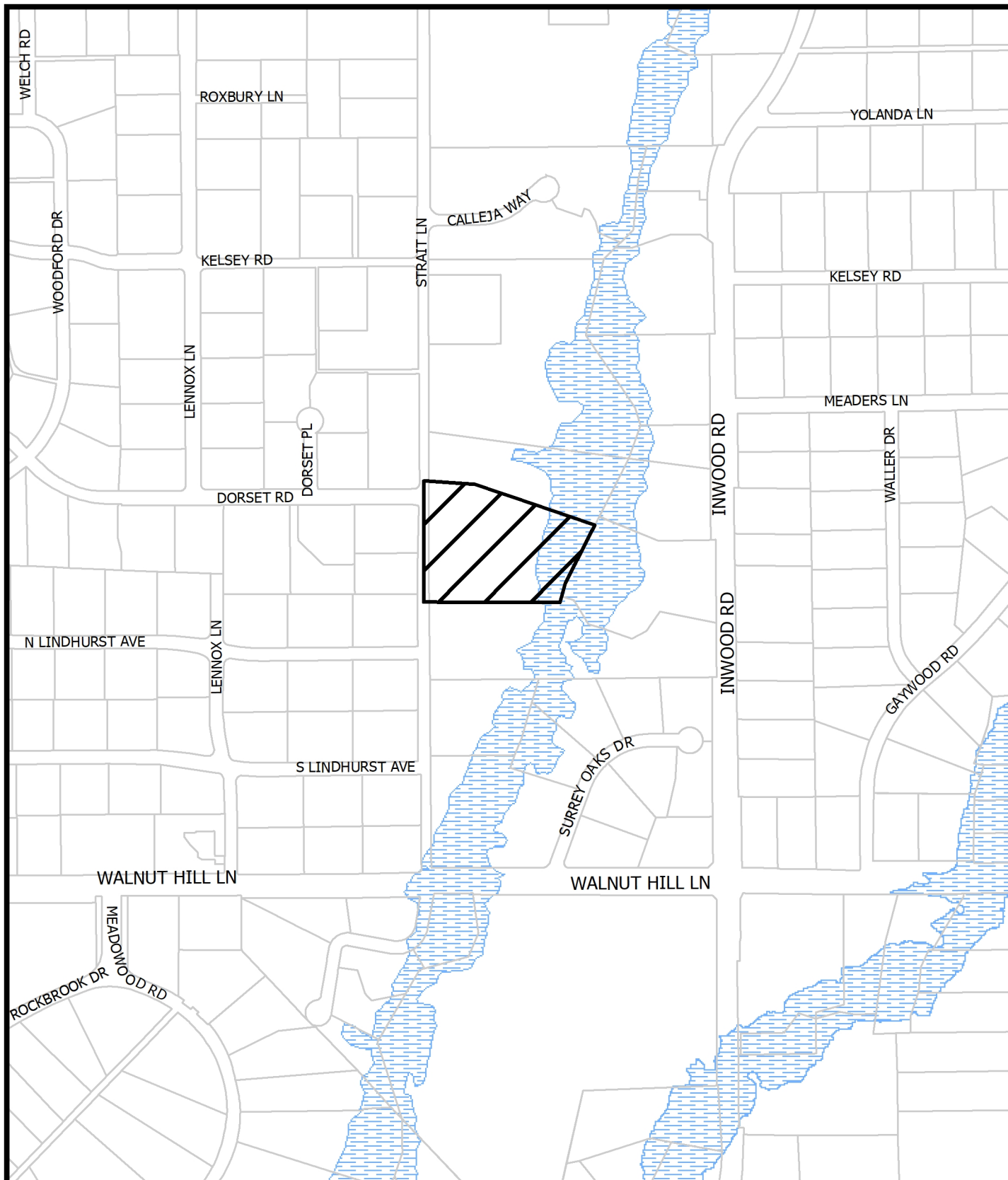
**Exhibit C**  
**Jackson Residence**  
**10260 Strait Ln.**  
**Dallas, TX 75229**



**LEGEND**

- Limits of designation
- Protected Facades
-  Main Building
-  No-Build Zone
-  Pecan Grove





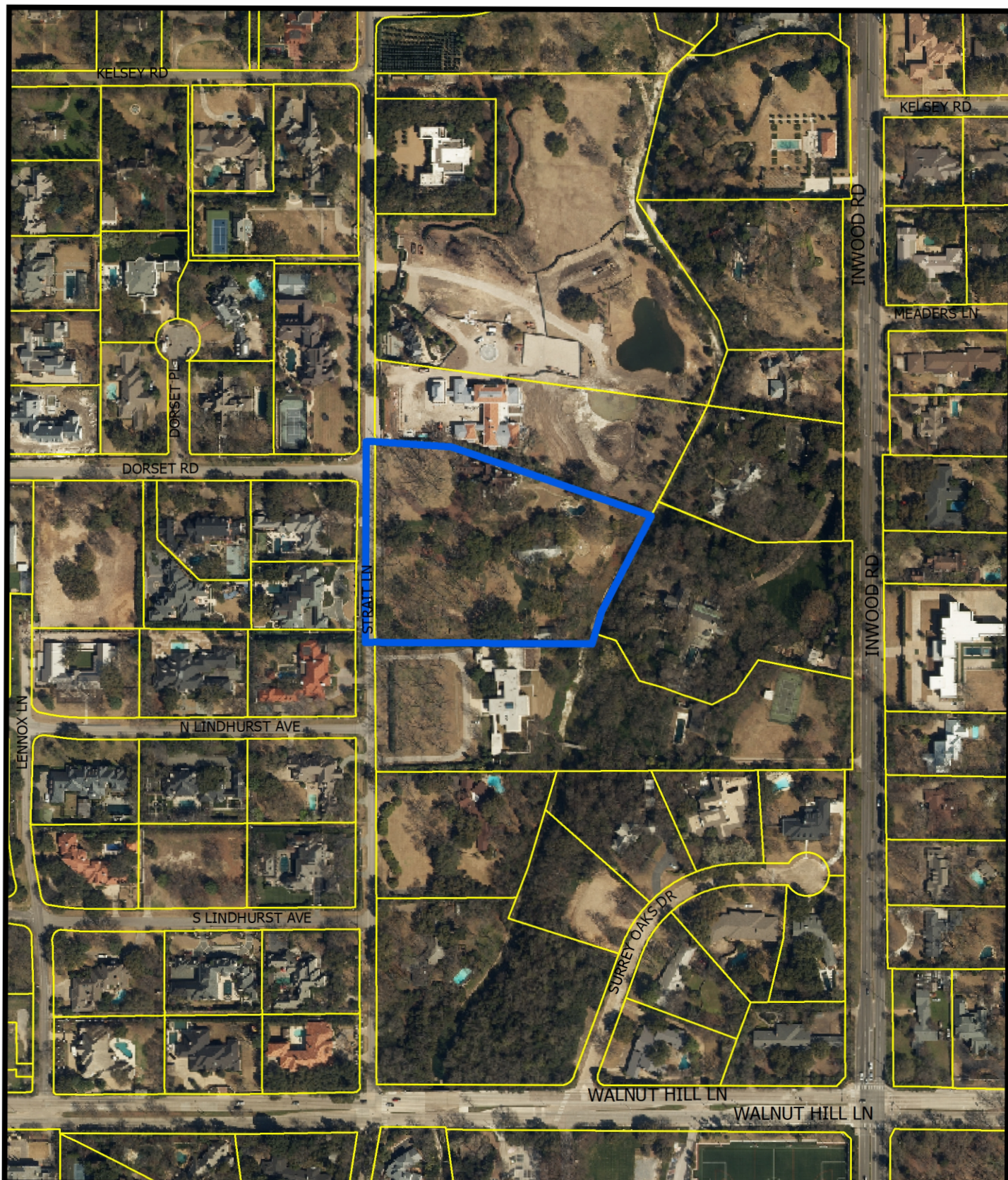
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## VICINITY MAP

Case no: **Z212-256**

Date: **6/29/2022**





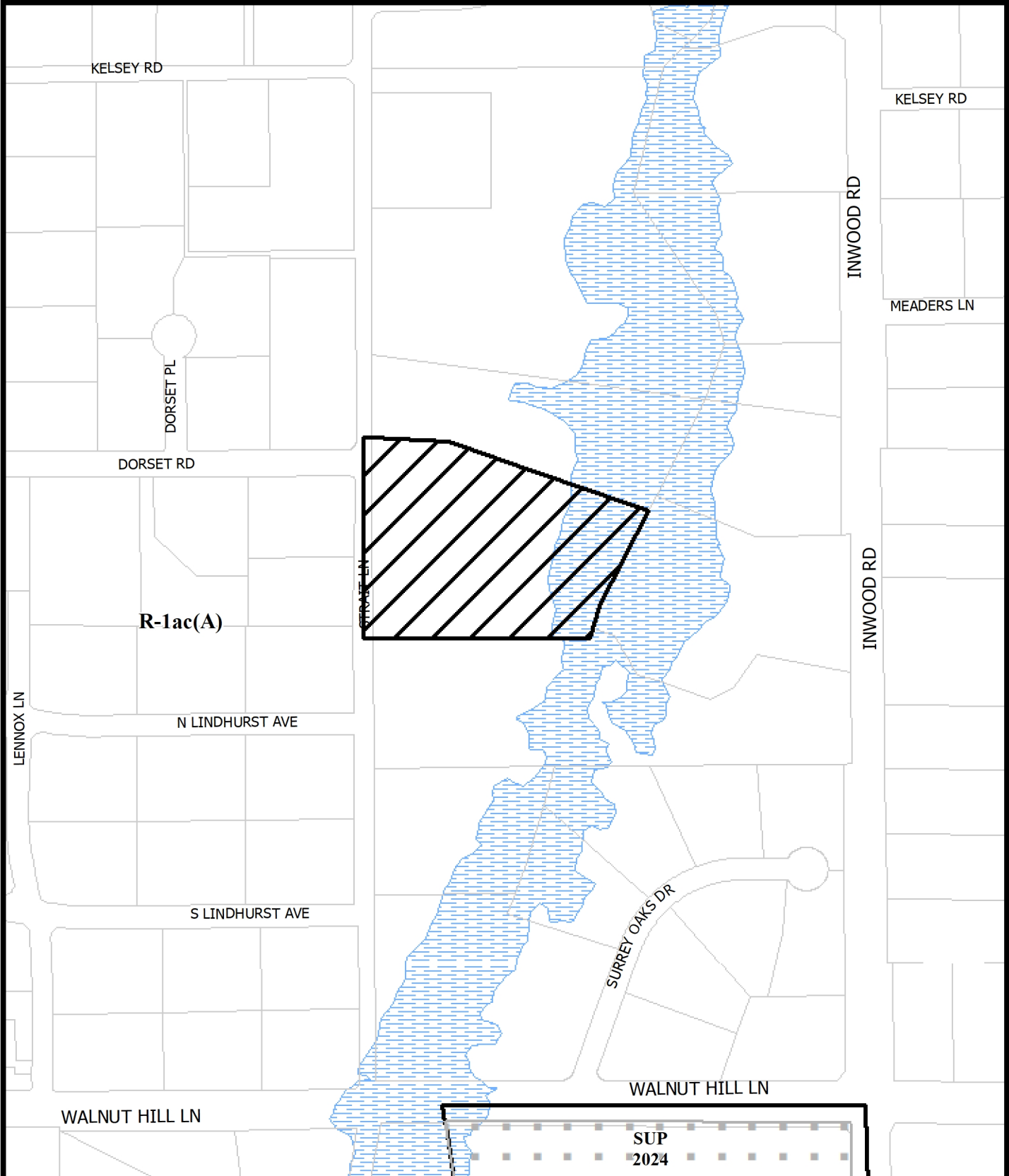
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## AERIAL MAP

Case no: **Z212-256**

Date: **6/29/2022**



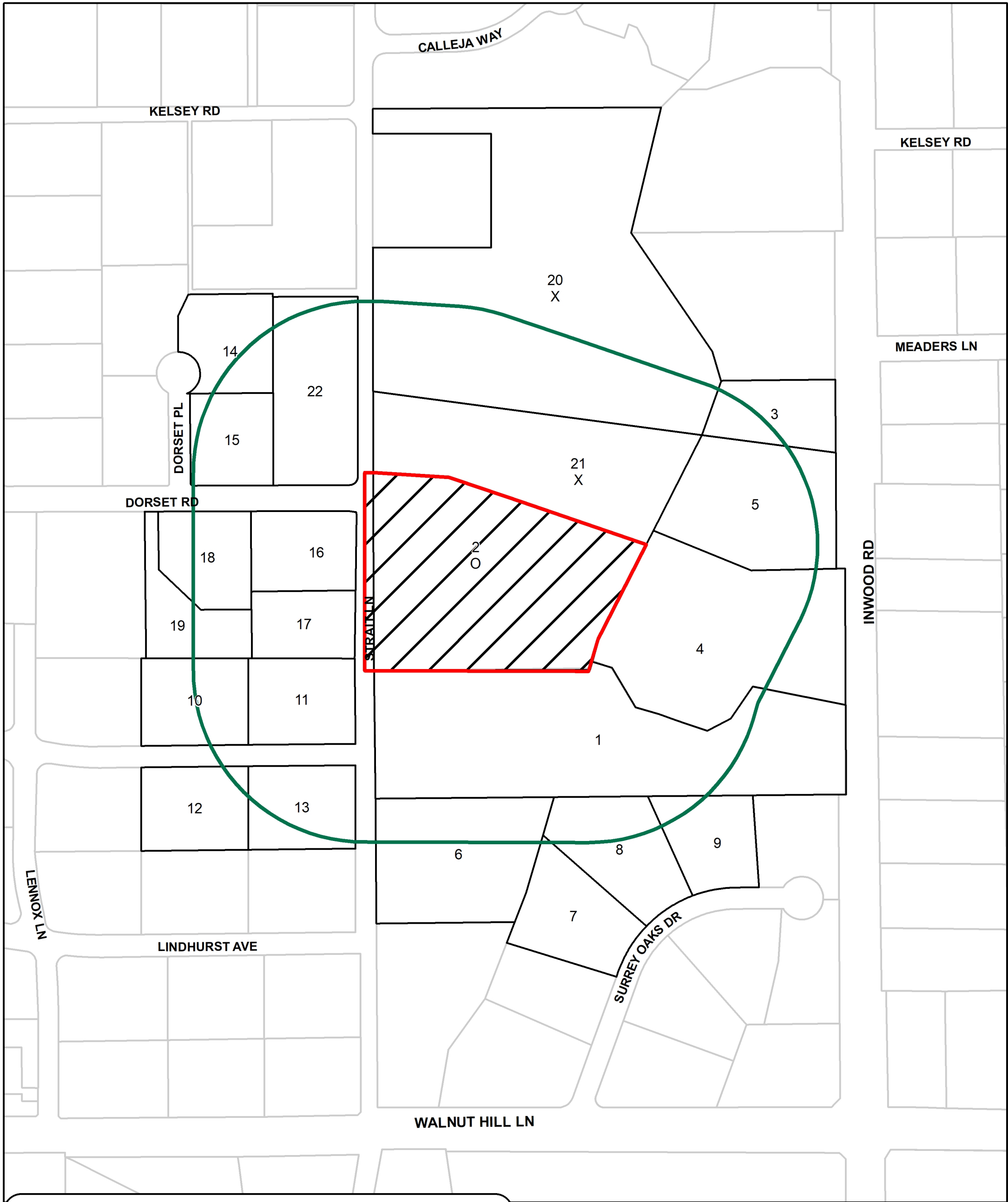


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# ZONING AND LAND USE

Case no: Z212-256

Date: 6/29/2022



<u>22</u>	Property Owners Notified (22 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>2</u>	Replies in Opposition (2 parcels)
<u>400'</u>	Area of Notification
<u>10/13/2022</u>	Date

**Z212-256**  
**CPC**



1:3,600

***Notification List of Property Owners******Z212-256******22 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10210 STRAIT LN	TEXAS CRAZY MANAGEMENT TRUST
2	10260 STRAIT LN	PARKHURST BEVERLY K &
3	10233 INWOOD RD	CHRISTENSEN WILLIAM C III &
4	10201 INWOOD RD	WINN STEPHEN T
5	10211 INWOOD RD	SINGH LEKHA
6	10050 STRAIT LN	BROADY GEORGE K & ELEANOR
7	10035 SURREY OAKS DR	GRIGGS JOHN J III & ANNE Y
8	10045 SURREY OAKS DR	MALIK RAJEEV & RITU
9	10057 SURREY OAKS DR	VOLKMAN DOLORES A
10	4835 N LINDHURST AVE	FORAN JOSEPH WM & NANCY N
11	10235 STRAIT LN	ALTABEF PETER A & JENNIFER B
12	4834 N LINDHURST AVE	YAJNIK MOHUA & SANJIV REVOCABLE TRUST
13	10123 STRAIT LN	IRWIN CHARLES F &
14	1 DORSET PL	POWELL GIDEON OAKLEY &
15	2 DORSET PL	POWELL GIDEON OAKLEY &
16	10255 STRAIT LN	SHAMOUN C GREGORY
17	10245 STRAIT LN	BMAS TRUST THE
18	4804 DORSET RD	WATTERS JOHN P &
19	4802 DORSET RD	BMAS TRUST THE
20	10330 STRAIT LN	PLAN II PARTNERS LLC
21	10300 STRAIT LN	MC REYNOLDS JOHN & ANN
22	10331 STRAIT LN	RANDAL A & RACHEL TR THE



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2501

**Item #:** Z5.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 12  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and an amendment to Specific Use Permit No. 1505 for a private school on property zoned Planned Development District 173, Tract F, on the north line of Frankford Road, northeast of the intersection of Frankford Road and Hillcrest Road

Recommendation of Staff: Approval for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan, a landscape plan, a traffic management plan, and conditions

Recommendation of CPC: Approval for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan, a landscape plan, a traffic management plan, and conditions

Z212-262(MP)

**FILE NUMBER:** Z212-262(MP) **DATE FILED:** May 4, 2022

**LOCATION:** On the north line of Frankford Road, northeast of the intersection of Frankford Road and Hillcrest Road

**COUNCIL DISTRICT:** 12

**SIZE OF REQUEST:** 4.4009 acres **CENSUS TRACT:** 0317.09

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**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**OWNER/APPLICANT:** Torah Day School of Dallas

**REQUEST:** An application for the renewal of and an amendment to Specific Use Permit No. 1505 for a private school on property zoned Planned Development District 173, Tract F.

**SUMMARY:** The purpose of the request is to renew the SUP for the private school and to authorize additional classroom space.

**STAFF RECOMMENDATION:** **Approval** for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan, a landscape plan, a traffic management plan, and conditions.

**CPC RECOMMENDATION:** **Approval** for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan, a landscape plan, a traffic management plan, and conditions.

**PLANNED DEVELOPMENT DISTRICT NO. 173:**

<https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=173>

**BACKGROUND INFORMATION:**

- The area of request is currently developed as a private school for Pre-K through 12<sup>h</sup> grade [Torah Day School].
- The applicant is proposing to renew the existing Specific Use Permit No. 1505 for a private school and amend the site plan and conditions to add additional classroom space in a new building, located on the northwest portion of the site.
- The applicant proposes a new permanent 12,500 square-foot building to increase the classrooms from 47 to 49.
- The proposed use is allowable in the district only subject to a specific use permit.
- The original SUP 1505 was approved on March 5, 2003 for five years with eligibility for auto-renewal and with 42 classrooms. On February 28, 2007, the SUP was renewed and amended to allow 47 classrooms, for five years with eligibility for auto-renewal, subject to a Traffic Management Plan. On August 22, 2017, the SUP was renewed for five years with eligibility for auto-renewal subject to a TMP. On August 31, 2017, the SUP was auto renewed. The applicant did not apply for auto-renewal this year in order to amend the site plan and conditions to allow 2 additional classrooms.

**Zoning History:**

There have not been any zoning cases in the area in the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Frankford Road	Principal Arterial	110' / 100' ROW
Hillcrest Road	Principal Arterial	80' / 85' ROW

**Traffic:**

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

The updated Traffic Management Plan describes the queuing system. The TMP calls for three queues in 2 different zones of the facility. The preschool-4<sup>th</sup> queue projects 71 vehicles during peak demand, and it provides 90 spaces, a surplus of 19 spaces. The 5<sup>th</sup>-8<sup>th</sup> girls queue projects 17 vehicles during peak demand, and it provides 21 spaces, a surplus of 4 spaces. The 5<sup>th</sup>-8<sup>th</sup> girls queue projects 25 vehicles during peak demand, and it provides 44 spaces, a surplus of 19 spaces.

The new conditions add provision for continual biannual traffic studies, in keeping with modern practice for school SUPs, and should allow adaptation of operations as the site develops.

### **STAFF ANALYSIS:**

#### **Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which serve as a framework for assisting in evaluating the applicant's request. The request complies with the following land use goals and policies of the Comprehensive Plan:

### **LAND USE ELEMENT**

#### **GOAL 1.1    ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT OPPORTUNITIES**

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**1.1.5.7** Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries, and schools.

### **ECONOMIC ELEMENT**

#### **GOAL 2.1    PROMOTE BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD No. 173 Tract F	Private School
<b>North</b>	PD No. 173 Trac A, Trac D/E	Greenbelt, Frankford Park, Single Family
<b>East</b>	PD No. 173 Trac D/E	Single Family
<b>South</b>	R-7.5(A)	Single Family
<b>West</b>	PD No. 173 Tract F-1	Retail, Restaurant without Drive Through, Office

**Land Use Compatibility:**

The area of request is currently developed as a 46,100 square-foot private school with a recreational area in front of the main building. Properties to the north, east, and south of the site are developed with single family uses. North and northwest of the site are a greenbelt and park uses. West of the site is a retail strip with personal service uses, retail, a restaurant without a drive through, and office uses.

The existing school, Torah Day School, includes grades Pre-K through 12 within 47 classrooms. The proposed changes to the site plan and conditions only allow an increase to 49 classrooms. This change eliminates the portable building being used and locates a new classroom building on the northwest of the site.

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.

Staff supports the request because the proposed use is consistent with the character of the surrounding area and is not foreseen to be detrimental to adjacent properties. The

proposed SUP would not significantly alter the manner in which the subject site interacts with its environment

Staff and the applicant find that the existing conditions relating to special events, private school activities, and enrollment were outside of the scope of land use and enforceability, so these conditions were removed. The remaining conditions put in place suitable protections to ensure compatibility of the use.

Additionally, the request is consistent with the Comprehensive Plan and Neighborhood Plus plan goals to provide greater access to schools. Staff believes a time limit of five years with eligibility for automatic renewal will allow continued monitoring of the site in the future. The five-year horizon will give staff a period to analyze the operation of the site after expansion of the school. The SUP site plan grants additional oversight to building siting and traffic flow overtime. The large area of the site and the access to multiple streets help accommodate the school operations and queuing while limiting impact to nearby residential properties. The proximity to homes makes the school accessible on foot and by bike to area students. The added permanent classroom space would allow the school to replace the building with additional amenity space.

**Landscaping:**

Any new development on the site will require landscaping per Article X and per the proposed landscape plan. The proposed landscape plan does not differ from the existing landscape plan, approved in 2012, except for the removal of 2 bradford pear plantings and 1 lacebark elm plantings, which have died since the previous approval. The site still maintains more than the required quantity of site trees under Article X. The proposed landscape plan is not intended to offer variance from Article X, rather to specific tree protections of existing trees.

**Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a private school is one-and-one-half spaces per elementary classroom, three and one-half spaces for each junior high/middle school classroom, and nine and one-half spaces for each junior high/middle school classroom.

The following quantities are based on the final Phase 3 build out of the facility. 32 classrooms are planned to be devoted to the elementary school, with 48 spaces being required for this use overall. 12 classrooms are planned to be devoted to the middle school with 42 spaces being required for this use overall. 5 classrooms are planned to be devoted to the high school, with 48 spaces being required for this use overall. Therefore,

the site is required to have a minimum of 138 spaces total. As illustrated on the site plan, the Phase 3 site provides 142 car spaces. The existing site plan and Phase 2 layout require 163 spaces and provide 183 car spaces.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is within the MVA Category "B".

## **LIST OF PARTNERS**

### Torah Day School of Dallas – List of Principals

1. Rabbi Avi Pekier – Head of School
2. Chana Ruderman – Principal
3. Becky Udman – Preschool Director
4. Shelly Gammieri

**CPC Action**  
**October 6, 2022**

**Motion:** It was moved to recommend **approval** of the renewal of an amendment to Specific Use Permit No. 1505 for a private school for five-year period with eligibility for automatic renewals for additional 10-year periods, subject to site/landscape plan, traffic management plan, and conditions on property zoned Planned Development District 173, Tract F, on the north line of Frankford Road, northeast of the intersection of Frankford Road and Hillcrest Road.

Maker: Jung  
Second: Carpenter  
Result: Carried: 11 to 0

For: 11 - Popken, Gracey, Anderson, Shidid, Carpenter,  
Blair, Jung, Haqq, Stanard, Kingston, Rubin

Against: 0  
Absent: 3 - Hampton, Vann, Housewright  
Vacancy: 1 - District 11

**Notices:** Area: 300 Mailed: 69  
**Replies:** For: 5 Against: 3

**Speakers:** For: None

For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
Richard Glazer, 6921 Frankford Rd., Dallas, TX, 75252  
Rabbi Avi Pekier, 6921 Frankford Rd., Dallas, TX, 75252  
Christy Lambeth, 8637 County Road 148, Dallas, TX, 75142  
Against: None

**CPC RECOMMENDED  
SUP No. 1505 CONDITIONS**

1. USE: The only use authorized by this specific use permit is a private 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 August 22, 2022 (**FIVE YEARS from the passing 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. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan. Plant materials must be maintained in a healthy, growing condition.
5. CLASSROOMS: The maximum number of classrooms is 47 **49**.
6. ENROLLMENT: ~~The maximum enrollment for a private school is 425 students.~~
7. FENCING: A six-foot-tall masonry fence must be maintained along the eastern property line.
8. HOURS OF OPERATION:
  - a. Special Events: ~~Special events are all activities conducted on the Property other than accessory child-care and private school activities, and all school events, whether inside or outside, must be school-related. A maximum of six school events may be held each year. School events may not be held outside of the hours listed below. Setup before or cleaning and disassembly after a school event is limited to 30 minutes before or after these hours of operation.~~

Day	Inside Activities	Outside Activities
Monday through Friday	9:00 a.m. — 10:00 p.m.	8:00 a.m. — 9:00 p.m.
Saturday	8:00 a.m. — 9:00 p.m.	8:00 a.m. — 9:00 p.m.
Sunday	8:00 a.m. — 9:00 p.m.	8:00 a.m. — 9:00 p.m.

9. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted. Security gates must be installed in the locations shown on the attached site plan. These gates must remain closed when school is not in session and special events are not being conducted. Existing concrete-filled bollards at the ingress/egress points on Frankford Road must be removed.
10. OUTDOOR PLAY AREA: An outdoor play area must be provided in the location shown on the attached site plan. The outdoor play area must be enclosed with a minimum four-foot-high fence and must be secured at all times when school is not in session or special events are not being conducted.
11. PARKING: Off-street parking must be located as shown on the attached site plan. All compact parking space should be double-striped.
12. ~~PRIVATE SCHOOL ACTIVITIES: Private school activities are limited to classroom instruction, school board or committee meetings, teacher/parent conferences, student recruitment, office or administrative activities of the school, tutoring sessions, or similar activities that involve instructors and students.~~
13. SIGNS: Signs are limited to one monument sign not exceeding eight feet in height and 50 square feet in area and one attached sign mounted on the outside wall of the school facing Frankford Road. These signs must comply with the provisions for non-business zoning districts in Article VII. No banners or portable signs are allowed.
14. TRAFFIC MANAGEMENT PLAN:
  - A. In general. The operation of the use 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 October 1, 2023 or within three months after students first begin attending classes, whichever is later. After the initial traffic study, the Property owner or operator shall submit updates of



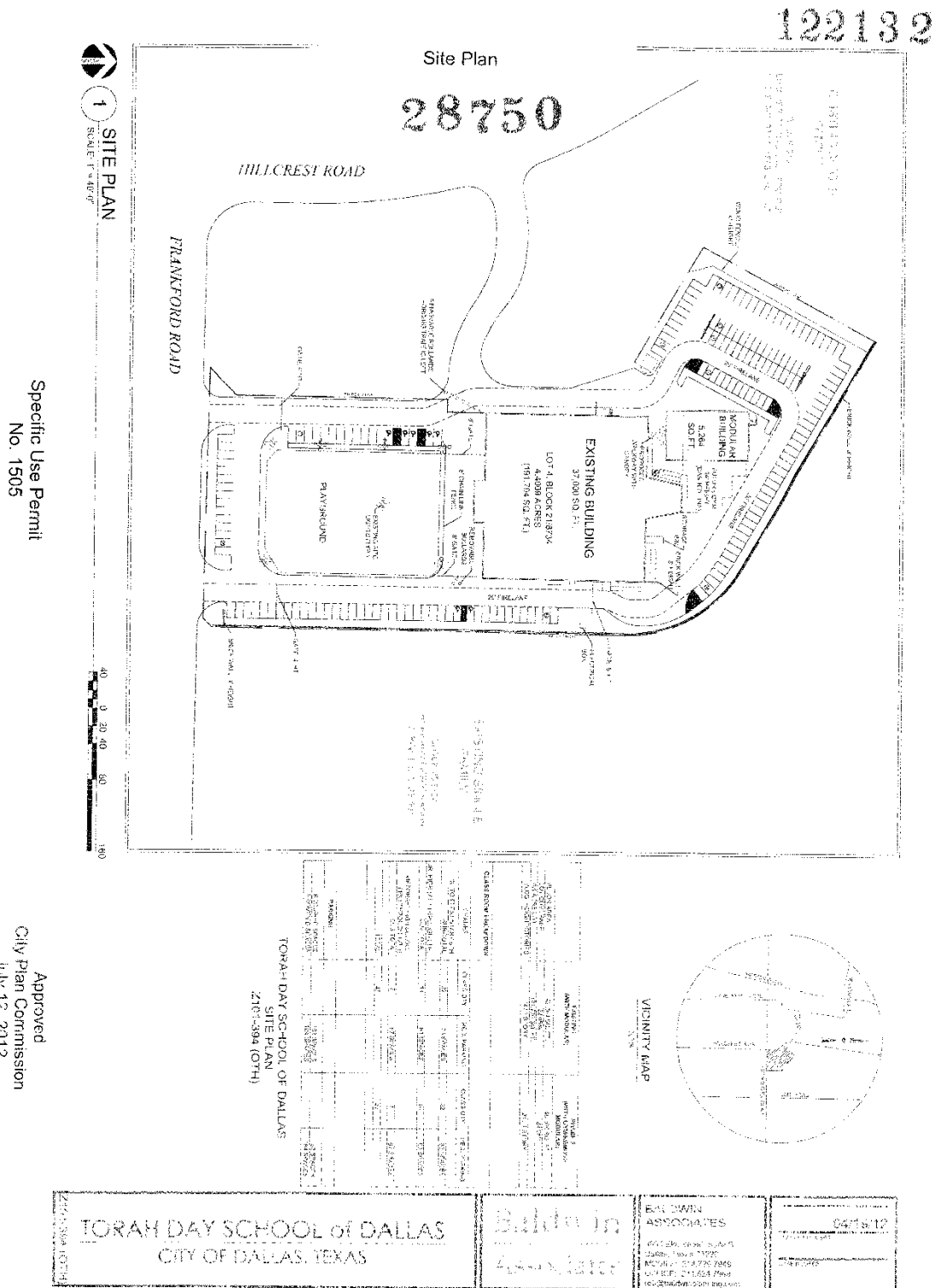
the traffic study to the director by November 1st of each odd-numbered year.

1. 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 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.
2. 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.

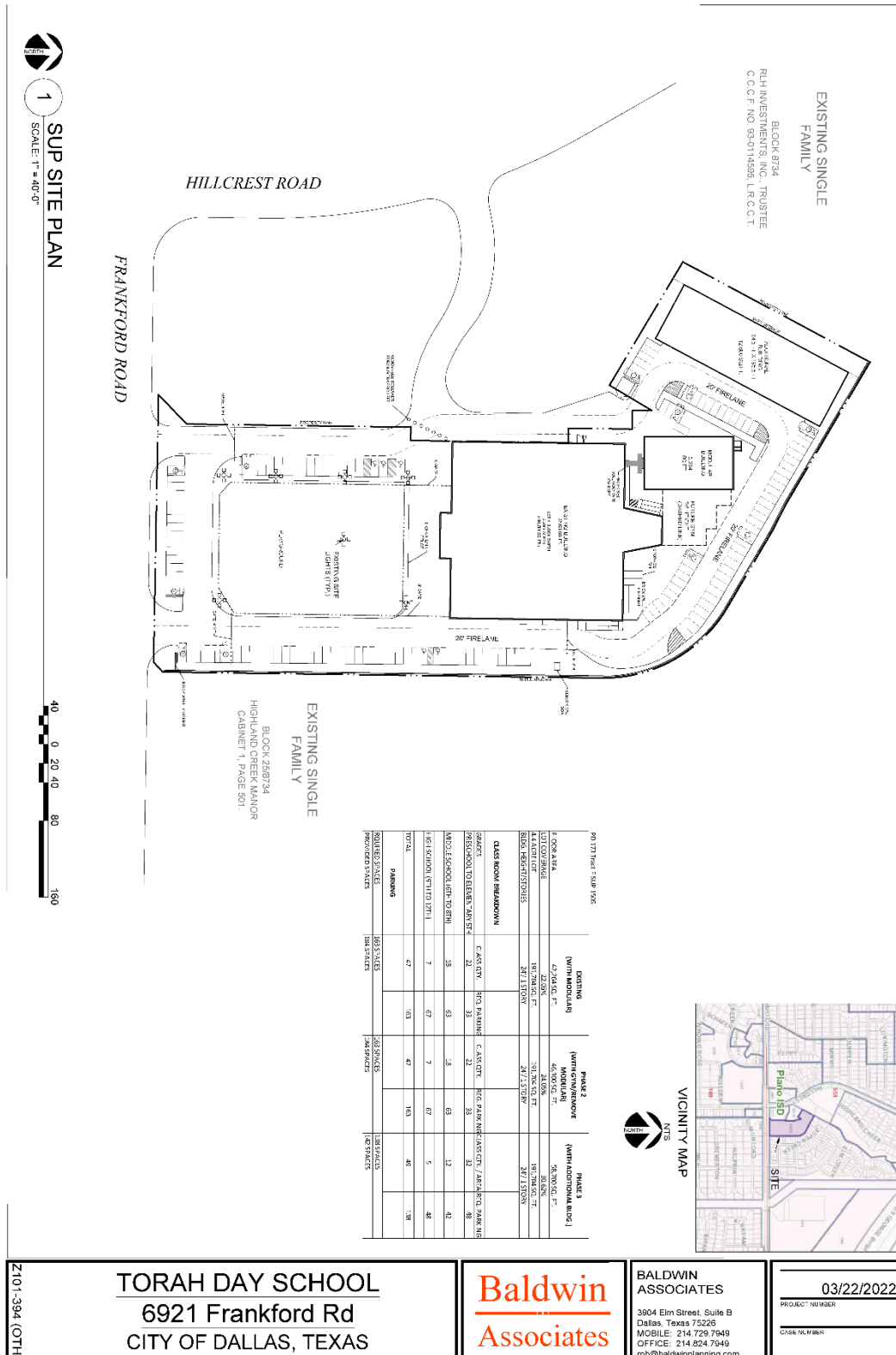
D. Amendment process.

1. A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51 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.
15. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
16. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

# Existing SUP No. 1505 Site Plan

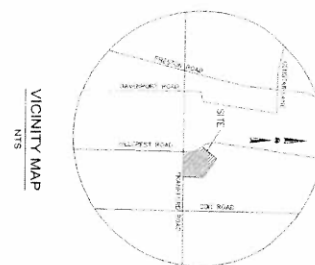
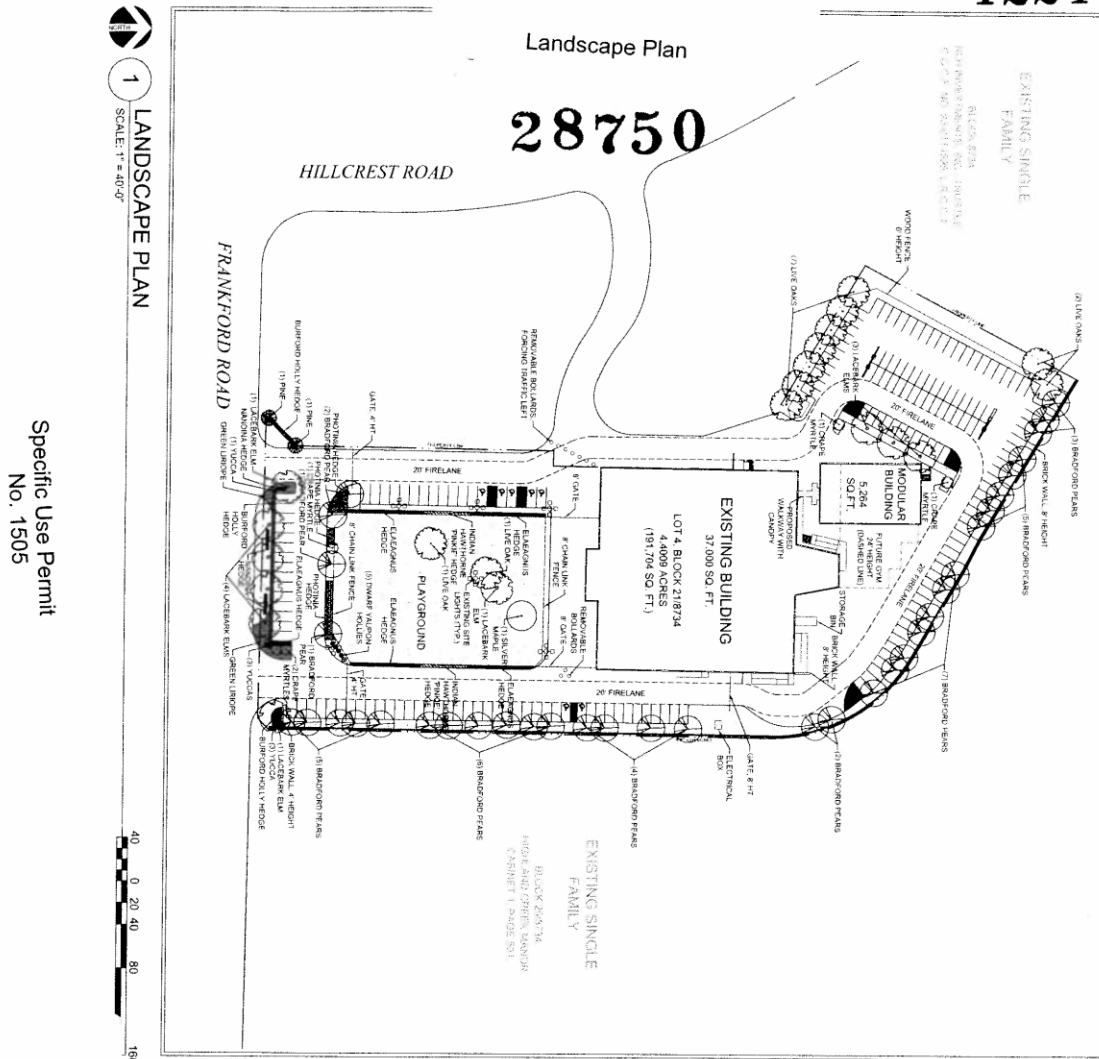


## CPC Recommended SUP No. 1505 Site Plan



Existing SUP No. 1505 Landscape Plan

122132



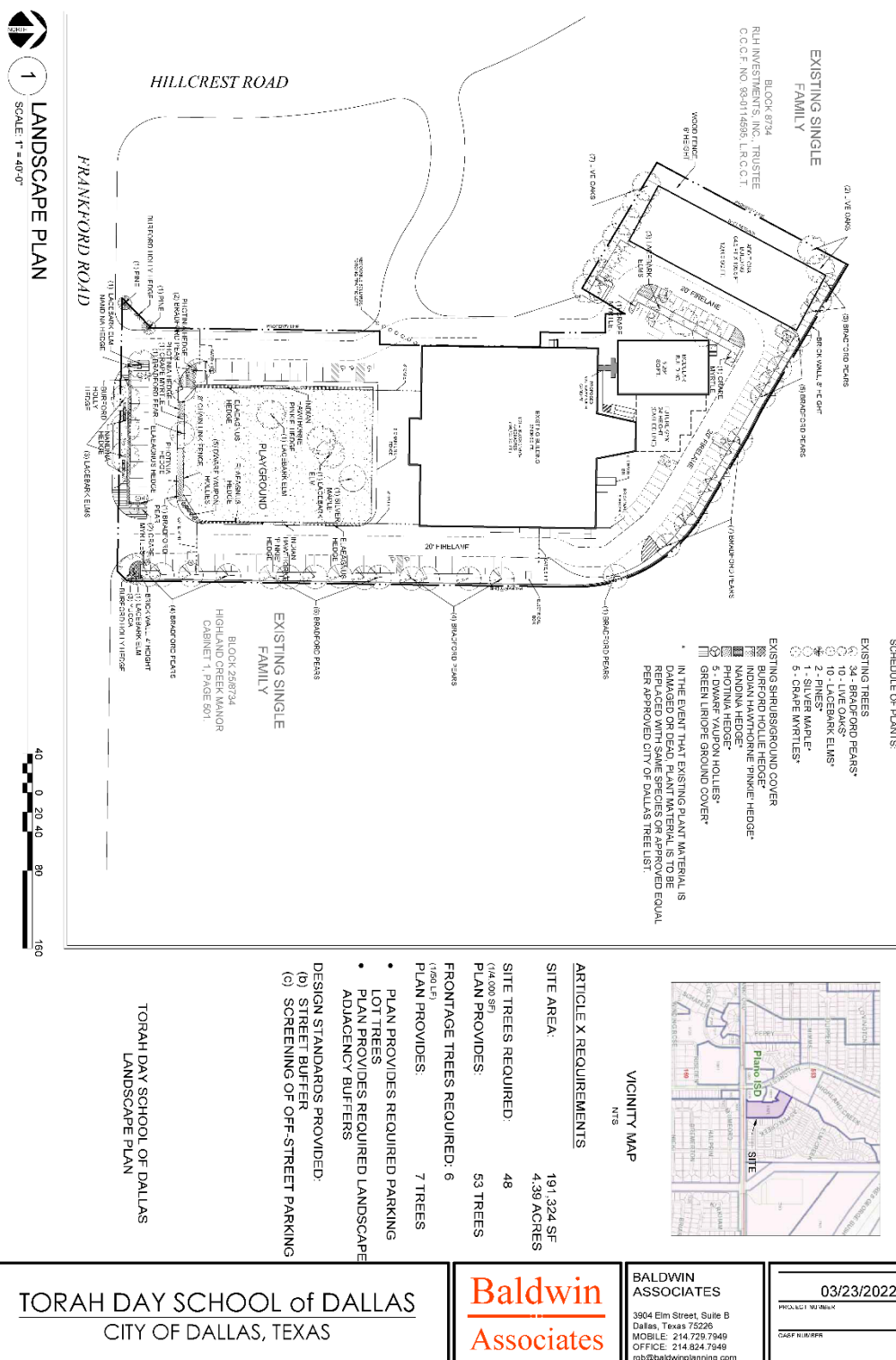
- SCHEDULE OF PLANTS:**
- EXISTING TREES**
- 36 - BRADFORD PEARS
  - 11 - LIVE OAKS
  - 10 - LACINIA ELMS
  - 2 - PINES
  - 1 - SILVER MAPLE
  - 5 - GRAPE VINES
- EXISTING SHRUBS/GROUND COVER**
- BURFORD HOLLY HEDGE
  - INDIAN HAWTHORNE PINKIE HEDGE
  - NAIDIA HEDGE
  - PHOTIA HEDGE
  - 5 - DWARF YAPPOX HOLLIES
  - GREEN LIMBOE GROUND COVER

**TORAH DAY SCHOOL OF DALLAS**  
**LANDSCAPE PLAN**  
Z101-394 (OTH)

Approved  
City Plan Commission  
July 12, 2012

<p><b>TORAH DAY SCHOOL of DALLAS</b> CITY OF DALLAS, TEXAS</p>	<p><b>Baldwin Associates</b></p>	<p><b>BALDWIN ASSOCIATES</b> 3904 Elm Street, Suite B Dallas, Texas 75226 MOBILE: 214.729.7949 OFFICE: 214.824.7949 rob@baldwinplanning.com</p>	<p><b>04/19/12</b> PROJECT NUMBER DATE NUMBER</p>
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## CPC Recommended SUP No. 1505 Landscape Plan



## CPC Recommended SUP No. 1505 TRAFFIC MANAGEMENT PLAN



## Traffic Management Plan Torah Day School of Dallas



September 2, 2022

### Introduction

The services of Lambeth Engineering Associates, PLLC, (herein Lambeth Engineering) were retained to conduct a traffic management plan (TMP) for Torah Day School of Dallas (Torah). The purpose of this TMP is to ensure safe vehicular and pedestrian circulation during peak morning drop-off and afternoon pick-up periods. Below is general information about Torah.

#### School:

- Location: 6921 Frankford Road, Dallas, Texas 75252
- School District: Private
- Current School Times: 8:00 AM – 4:00 PM
- Future School Times: Preschool – 4<sup>th</sup>: 8:00 AM – 4:00 PM; 5<sup>th</sup> – 12<sup>th</sup>: 8:00 AM – 4:20 PM

#### Zoning:

- Existing Zoning: SUP 1505
- Proposed Zoning: Amend SUP
- Project: Torah is adding a building to the north portion of the site for additional classrooms to be able to accommodate high school students.

#### Students and Staff:

- Existing Student Enrollment: 393 students in Preschool – 8<sup>th</sup> grades
- Planned Student Capacity: 870 students in Preschool – 12<sup>th</sup> grades
- Existing Staff: 72 staff members

Table 1. Student Enrollment Summary

Grades	Existing		Buildout	
	Classrooms	Students	Classrooms	Students
Preschool	7	79	6	108
K - 4 <sup>th</sup>	11	178	22	396
5 <sup>th</sup> - 8 <sup>th</sup> G	14	65	16	149
5 <sup>th</sup> - 8 <sup>th</sup> B		71		149
9 <sup>th</sup> - 12 <sup>th</sup>	--	--	4	74
Total:	32	393	48	875

G = Girls B = Boys

**Table 2. Student Enrollment per Grade**

Grade	Classrooms	Students
Preschool	6	108
K	5	90
1	5	90
2	4	72
3	4	72
4	4	72
PS - 4 <sup>th</sup> Total:	28	504
5	4	72
ES Total:	32	576
6	4	75
7	4	75
8	4	75
MS Total:	12	225
9	1	19
10	1	19
11	1	18
12	1	18
HS Total:	4	74
School Total:	48	875

**School Access:**

- Surrounding Roadways:
  - Frankford Road: Six-lane, divided roadway
  - Hillcrest Road: Four-lane, divided roadway
- Sidewalks are provided on all streets adjacent to the school

**Traffic Management Plan**Queue

Lambeth Engineering met with Torah staff and the school principal, Dr. Chana Ruderman, during the process of developing the TMP. Traffic observations were conducted on the following dates and times:

- Tuesday, February 22, 2022 – AM Arrival
- Monday, February 28, 2022 – PM Dismissal
- Wednesday, March 2, 2022 – PM Dismissal
- Thursday, March 24, 2022 – PM Dismissal

The peak queue of parent vehicles picking up students was observed to be approximately 52 vehicles. Observations were conducted when the weather was generally pleasant.





As expected, the peak period of parent vehicles accumulating at the school occurred during the afternoon dismissal period. Most of the traffic clears the campus within fifteen (15) minutes once school is dismissed. The current traffic pattern is summarized in the **Appendix**.

The projected vehicular accumulations are summarized in **Table 3** below. As shown, the proposed site plan has adequate space to accommodate the parents on-site.

**Table 3. TMP Summary**

Grades	Travel Modes	Loading Zone	Current Number of Students	Projected Student Enrollment	Projected Parent Vehicles	Provided Spaces for Parents	Surplus Availability for Parents
PreSchool - 12 <sup>th</sup>  Student Capacity: 875	Parents 100%	Preschool - 4 <sup>th</sup>	257	504	71 Veh. (1,669 Feet)	90 Veh. (2,115 Feet)	19 Veh. (446 Feet)
	Walkers 0%	5 <sup>th</sup> - 8 <sup>th</sup> Girls	65	149	17 Veh. (400 Feet)	21 Veh. (494 Feet)	4 Veh. (94 Feet)
	School Times: Beginning: 8:15 AM Dismissal: Pre - 4 <sup>th</sup> : 4:00 PM 5 <sup>th</sup> - 12 <sup>th</sup> : 4:20 PM	5 <sup>th</sup> - 8 <sup>th</sup> Boys & 9 <sup>th</sup> - 12 <sup>th</sup>	71	223	25 Veh. (588 Feet)	44 Veh. (1,034 Feet)	19 Veh. (446 Feet)
		<b>Total:</b>	<b>393</b>	<b>875</b>			

### Recommendations

The current traffic flow works well for low student enrollment, under 450 students, as shown in **Exhibit**

**1.** As the school grows and the new building is added, the updated traffic management plan should be implemented as shown in **Exhibit 2** for the elementary school and in **Exhibit 3** for the middle and high schools.

### **Dismissal Times**

1. The school currently has one dismissal period.
2. As the school grows, the queue may no longer be accommodated on-site with one dismissal period. At approximately 600 students, dismissal times should be staggered.

### **Students**

3. 5<sup>th</sup>-8<sup>th</sup> Grade Female Students: Dropped off and picked up on the north side of the north modular building.
4. All other Grade Students: Dropped off and picked up on the east side of the main school building.
5. Students waiting for parents to pick them up should remain in the designated area and wait for their parents' arrival.

### **Parents**

Torah allows 15-minute interval for drop-off and 15-minute interval for pick-up periods. It was observed that parents were following Torah's policy and did not arrive too early.

6. Parents pick up students in the following locations:
  - a. On-site:
    - i. All parents enter the western driveway on Hillcrest Road, queue through the internal access drive and queue in the parking lot. They pick up their daughters in the 5<sup>th</sup> - 8<sup>th</sup> grades on the north side of the modular building and exit via Frankford Drive.



- ii. All other students' parents queue through the internal access road and parking lot to pick up their student on the east side of the main school building and exit via Frankford Road.
  - b. Parents may not park in the visitors' parking spaces in front of the school during arrival or dismissal since queue lanes will prevent backing up to exit the parking spaces.
- 7. Parents do not currently arrive more than 10-15 minutes before school is dismissed. It is recommended the school continue to encourage parents to not arrive early.

#### **Buses**

- 8. No school buses are planned to serve Torah.

#### **Staff**

- 9. Staff should continue monitoring students at each area where parents are picking up students until all students are dismissed.
- 10. Staff should continue assisting younger students into their vehicles.
- 11. Staff should continue communicating via walkie talkie to announce which parents are arriving so the corresponding student(s) can proceed to the loading area in the proper sequence.

#### **Licensed Peace Officers**

- 12. A security officer is at Torah, Mr. Tony Tyboroski. Lambeth visited with him during site visits.
- 13. A licensed peace officer is not assigned to Torah, and one is not recommended.

#### **Crossing Guards**

- 14. There are no crossing guards at Torah, and one is not recommended.

#### **Parking Restrictions**

- 15. There are currently no parking restrictions, and none are recommended. Parents do not park on-street.

#### **School Zones**

- 16. Currently there are no school speed zones on neither Hillcrest Road nor Frankford Road.
- 17. There are existing school warning signs (S-1) prior to the school on both Frankford Road and Hillcrest Road in all directions.

#### **On-Site Improvements**

- 18. Replace the STOP signs on both driveways on Frankford Road.
- 19. Consider striping exit lanes on the eastern driveway on Frankford Road so parents consistently form two lines exiting – one for right-turning vehicles and one for left-turning vehicles.
- 20. Sometimes there is a queue of vehicles waiting to turn left at Frankford Road. If this creates problems, and vehicles have difficulty turning left onto Frankford Road as the student enrollment increases, an option would be to direct parents (signs and communicate) to only turn right onto Frankford Road. Based on observations, it is not recommended at this time.



The Torah Day School of Dallas Traffic Management Plan is designed to provide safe vehicular and pedestrian movement to and from school and can accommodate the projected vehicular queues on campus and on-street, adjacent to the school, without blocking through traffic.

If traffic congestion or unsafe movements are noticed, the plan should be reviewed and updated promptly.

**END**

**REVIEW AND COMMITMENT**

The Torah Day School traffic management plan (TMP) for was developed with the intent of optimizing safety and accommodating vehicular traffic queues generated during school peak hours. A concerted effort and full participation by the school administration are essential to maintain safe and efficient traffic operations.

By consent of this TMP submittal, the school administration agrees to the strategies presented herein for which the school is held responsible unless the City of Dallas deems further measures are appropriate.

The school is also committed to continually review and assess the effectiveness of this plan and if warranted, implement changes in the interest of increasing safety and minimizing impacts on the surrounding community.

Signature

Date

Sept. 2 22

Name

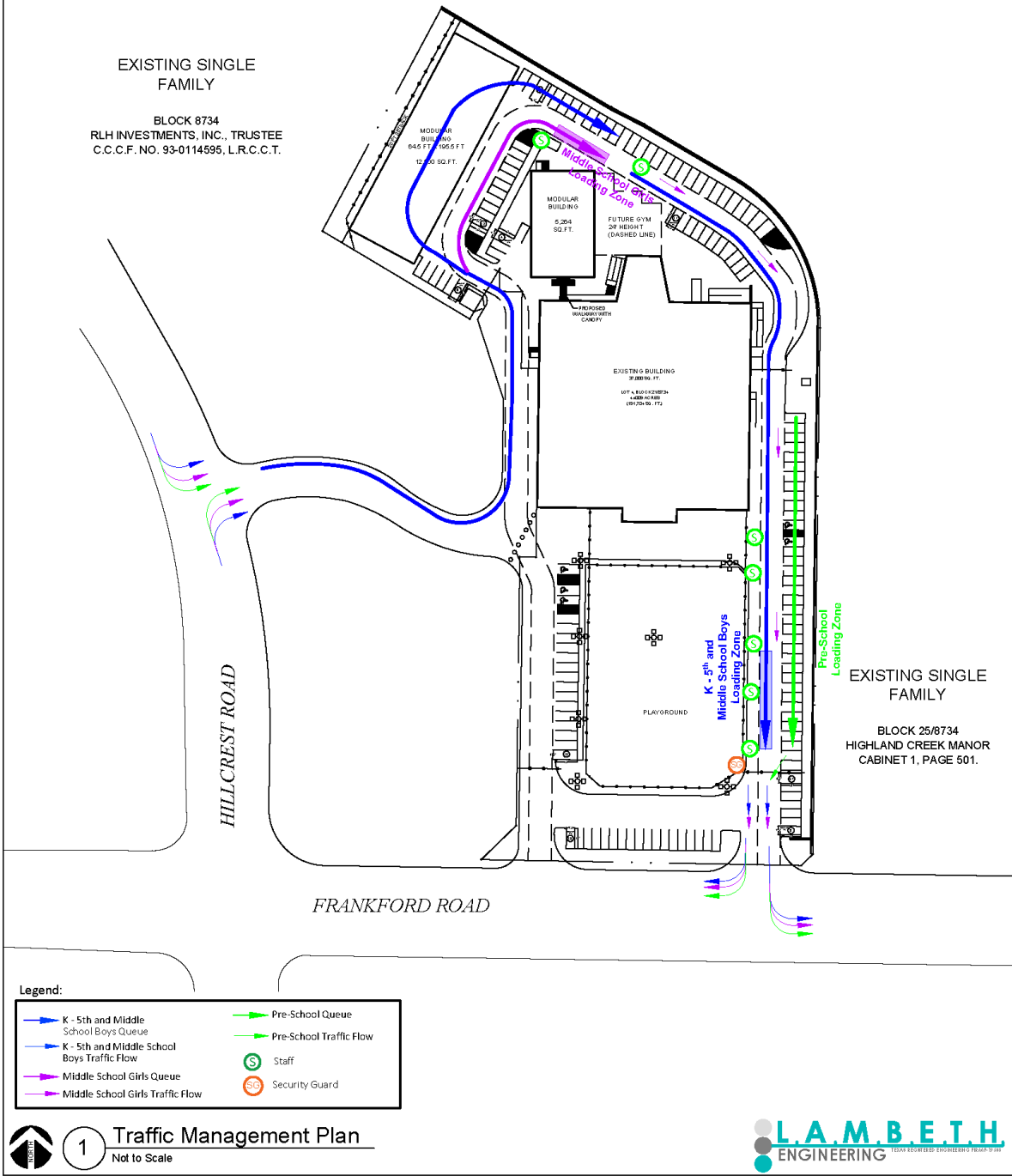
Ari Percier

Title

Head of School

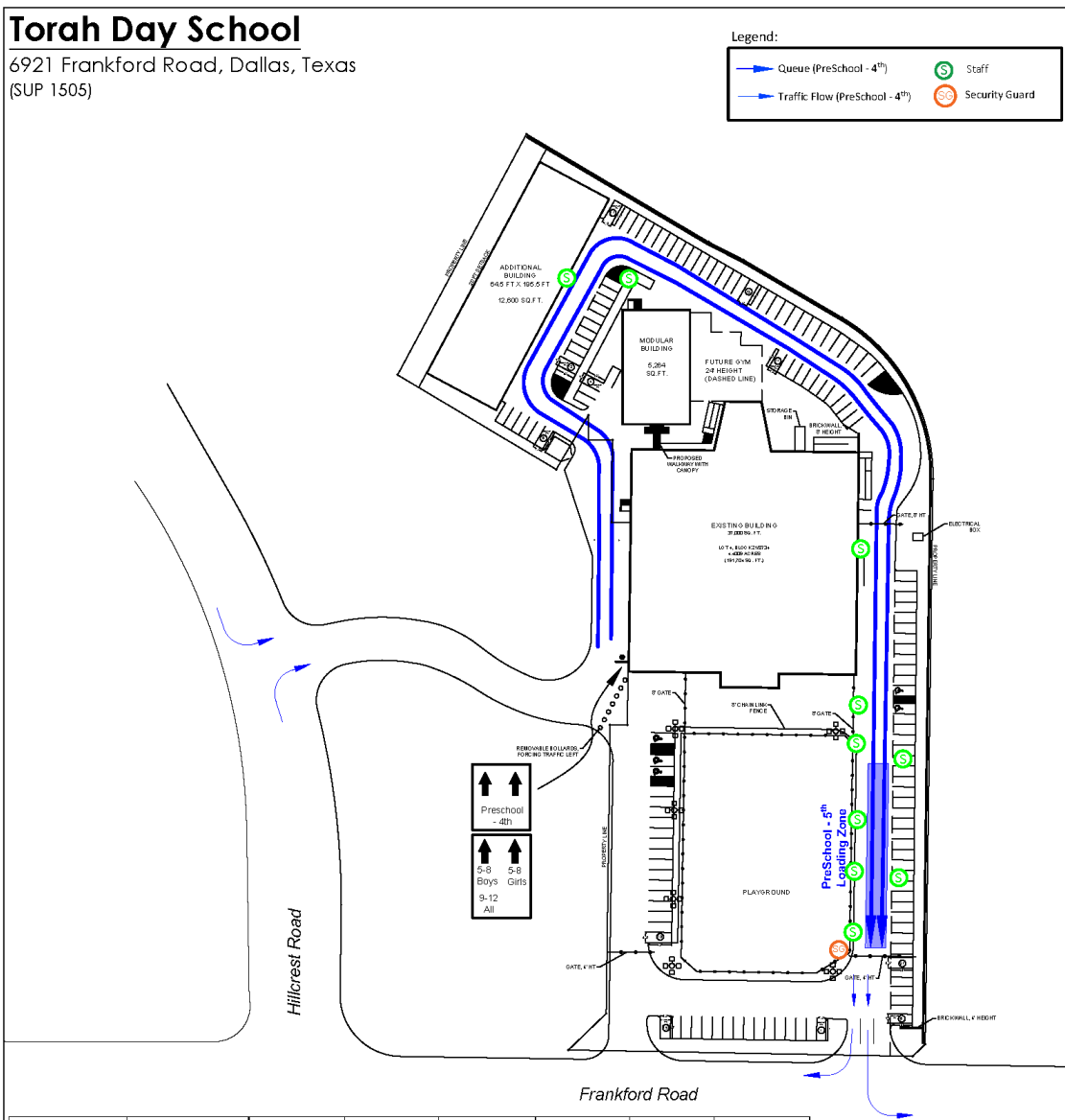
# Torah Day School

6921 Frankford Road, Dallas, Texas  
(SUP 1505)



## Torah Day School

6921 Frankford Road, Dallas, Texas  
(SUP 1505)



Grades	Travel Modes	Loading Zone	Current Number of Students	Projected Student Enrollment	Projected Parent Vehicles	Provided Spaces for Parents	Surplus Availability for Parents
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		<b>Total:</b>	<b>393</b>	<b>875</b>			



2

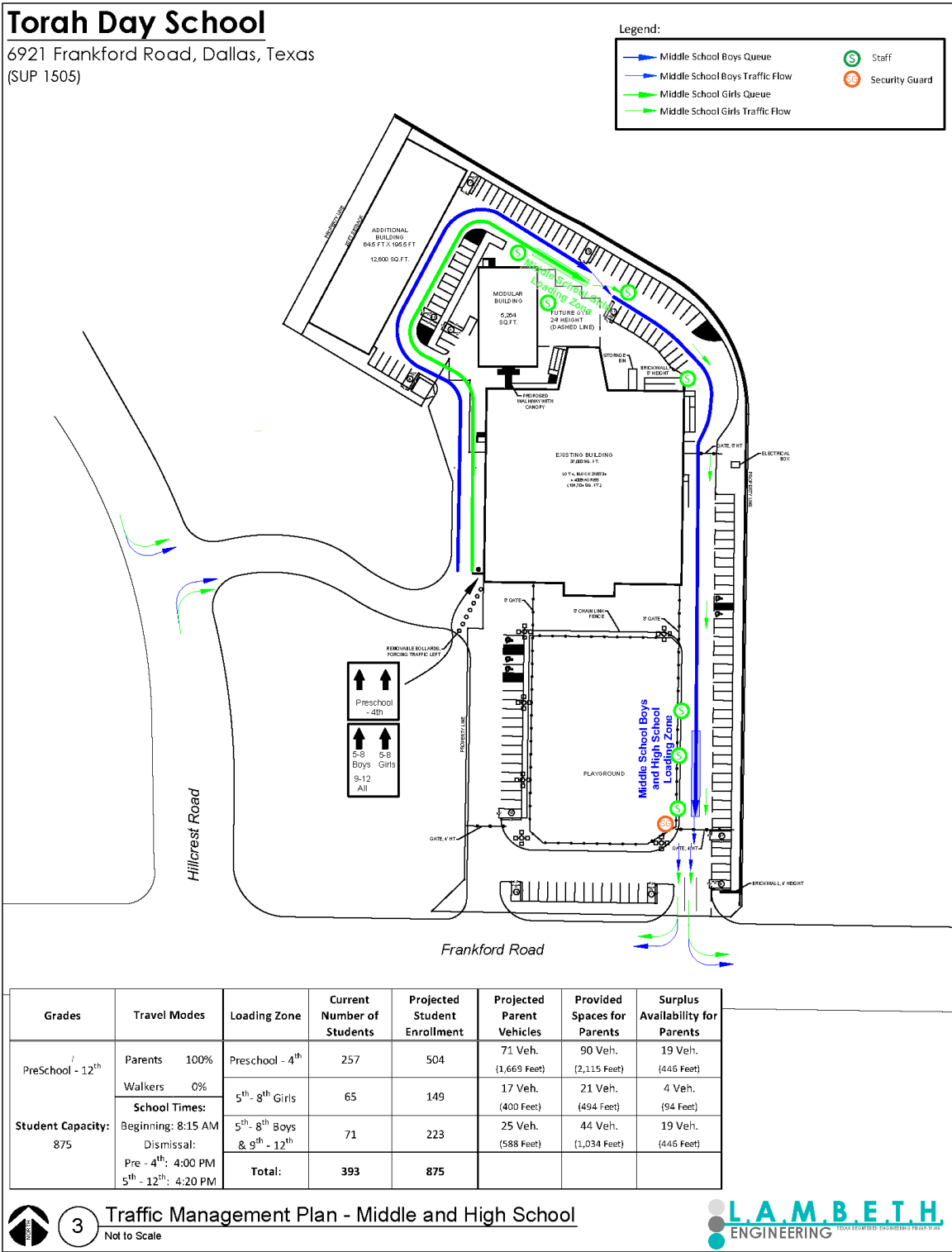
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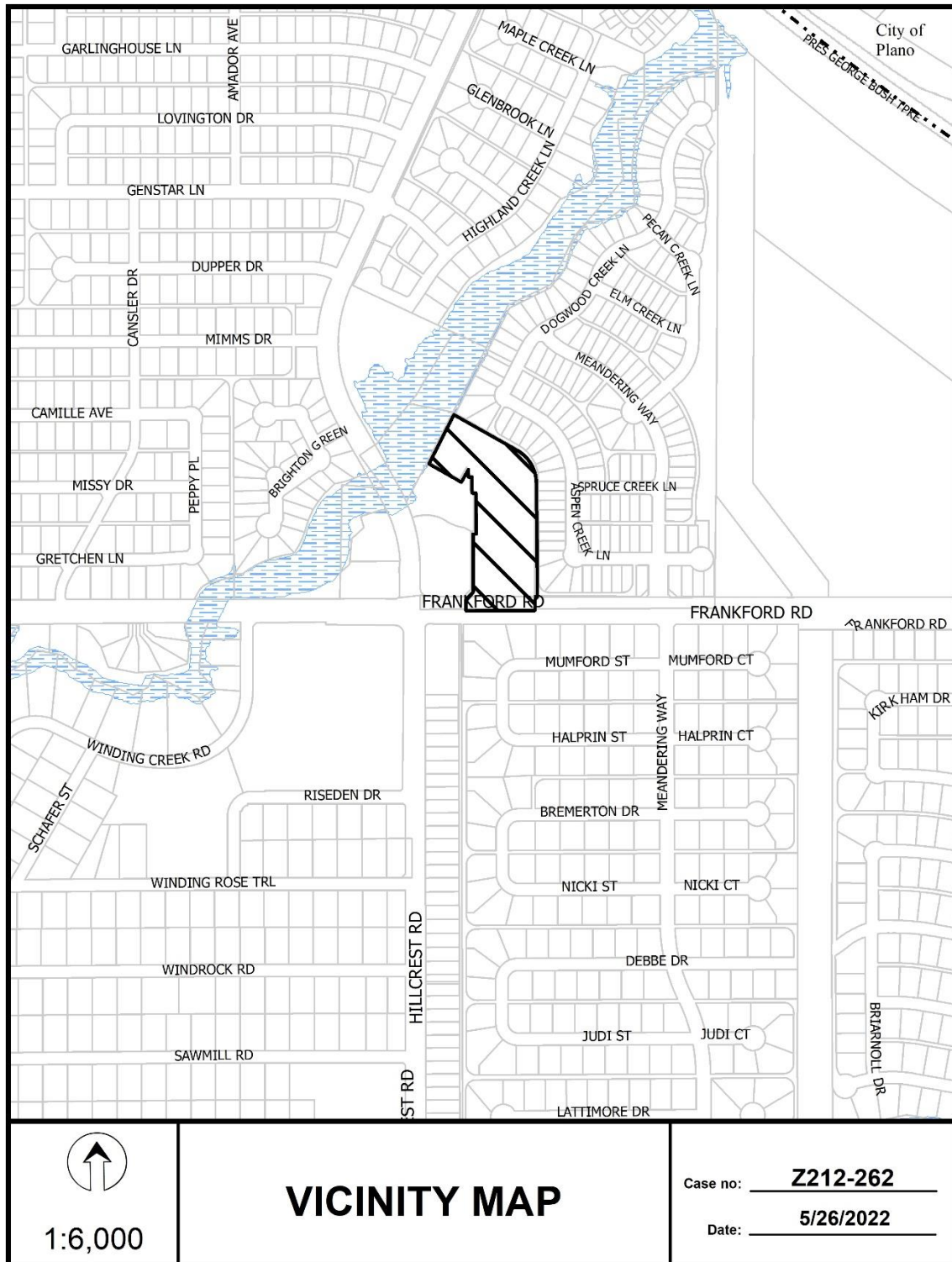
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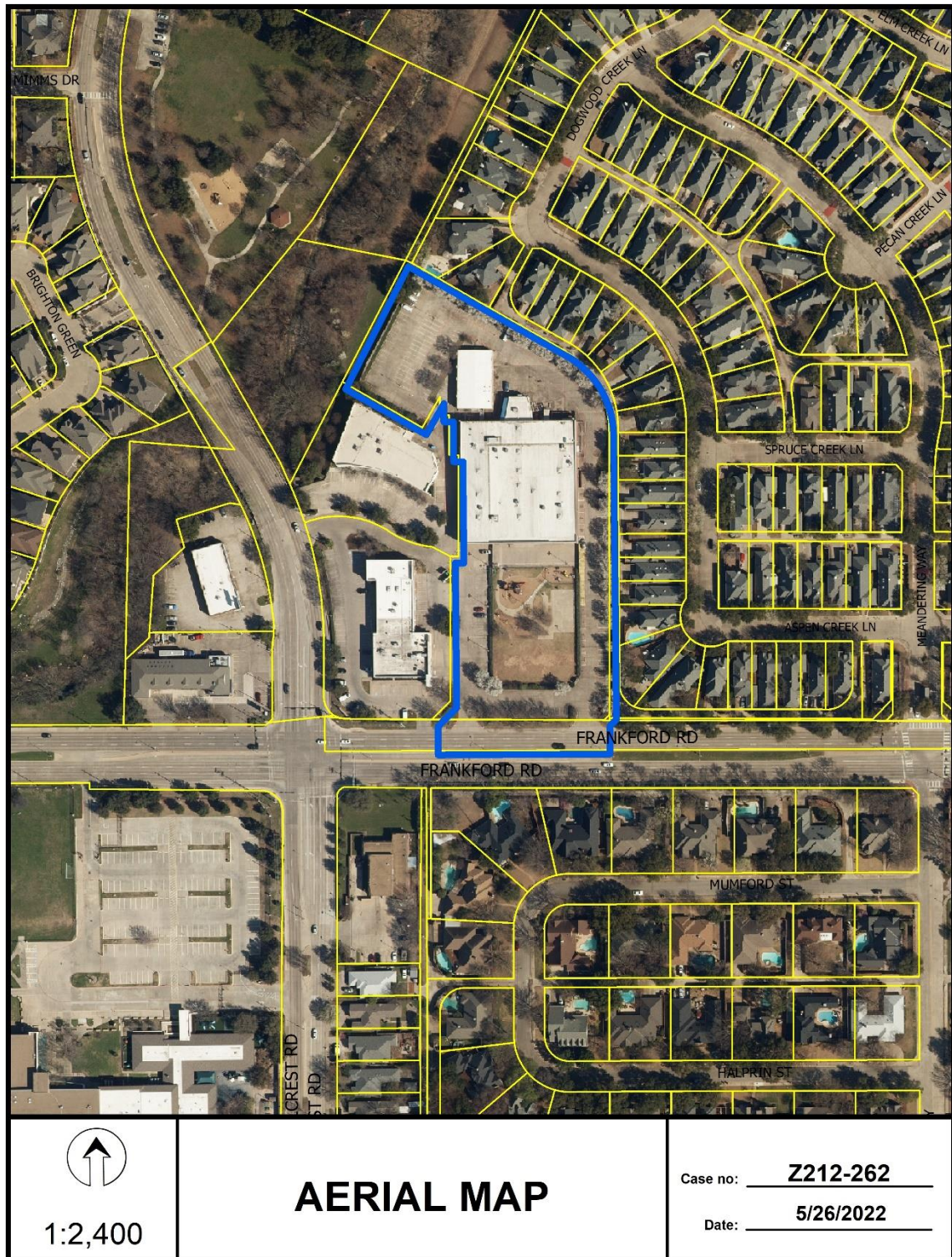
# Torah Day School

6921 Frankford Road, Dallas, Texas  
(SUP 1505)

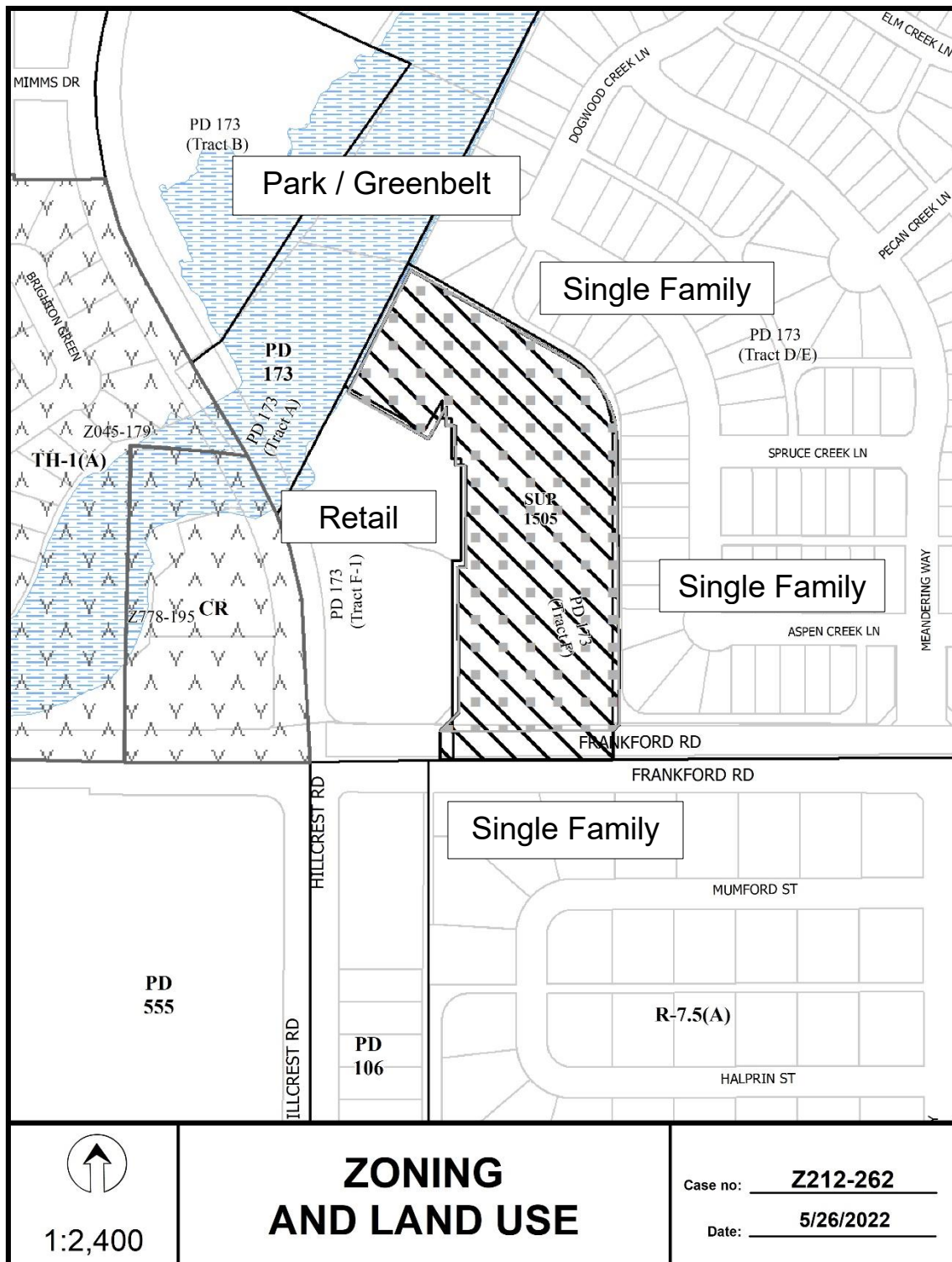


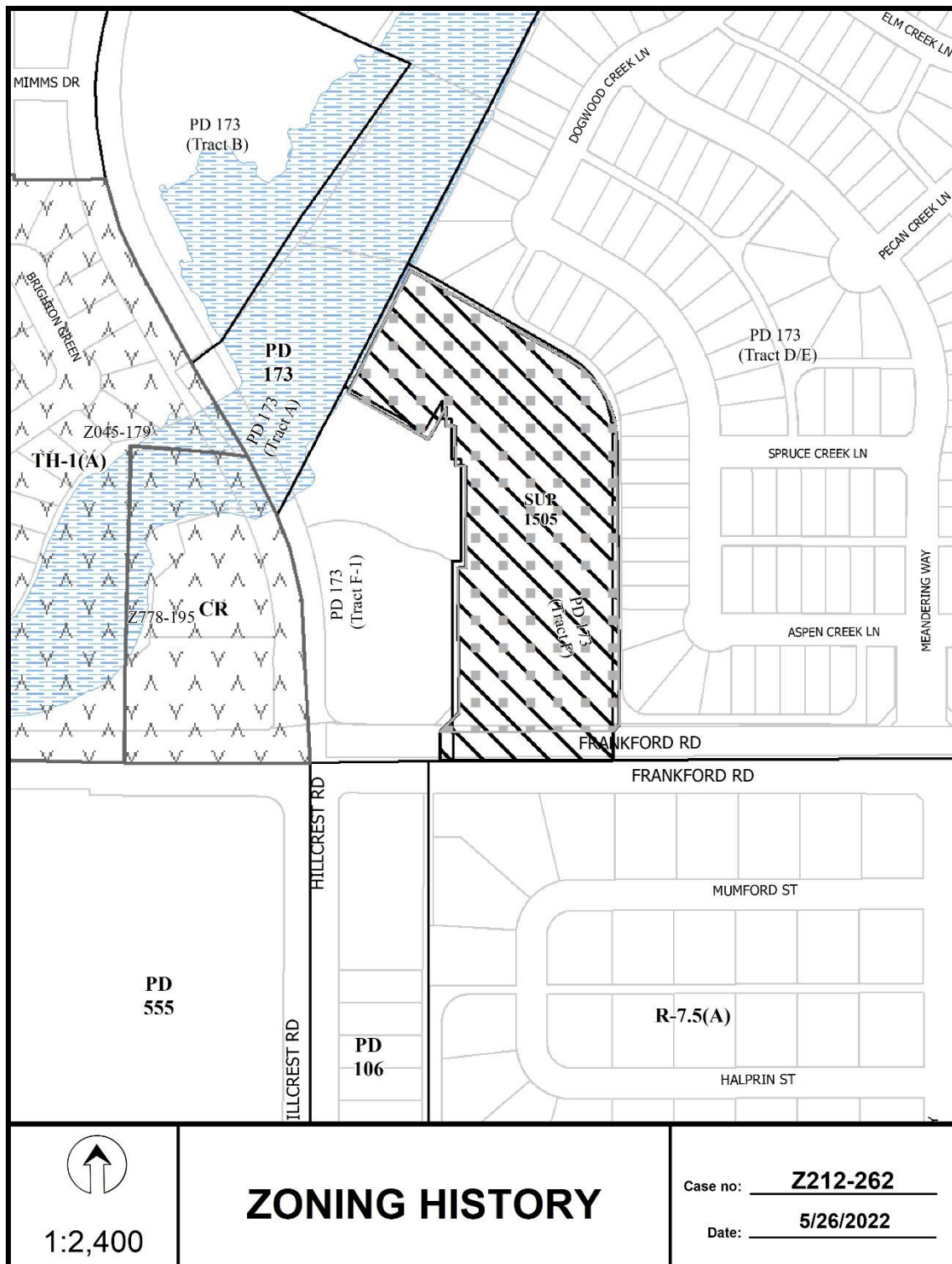


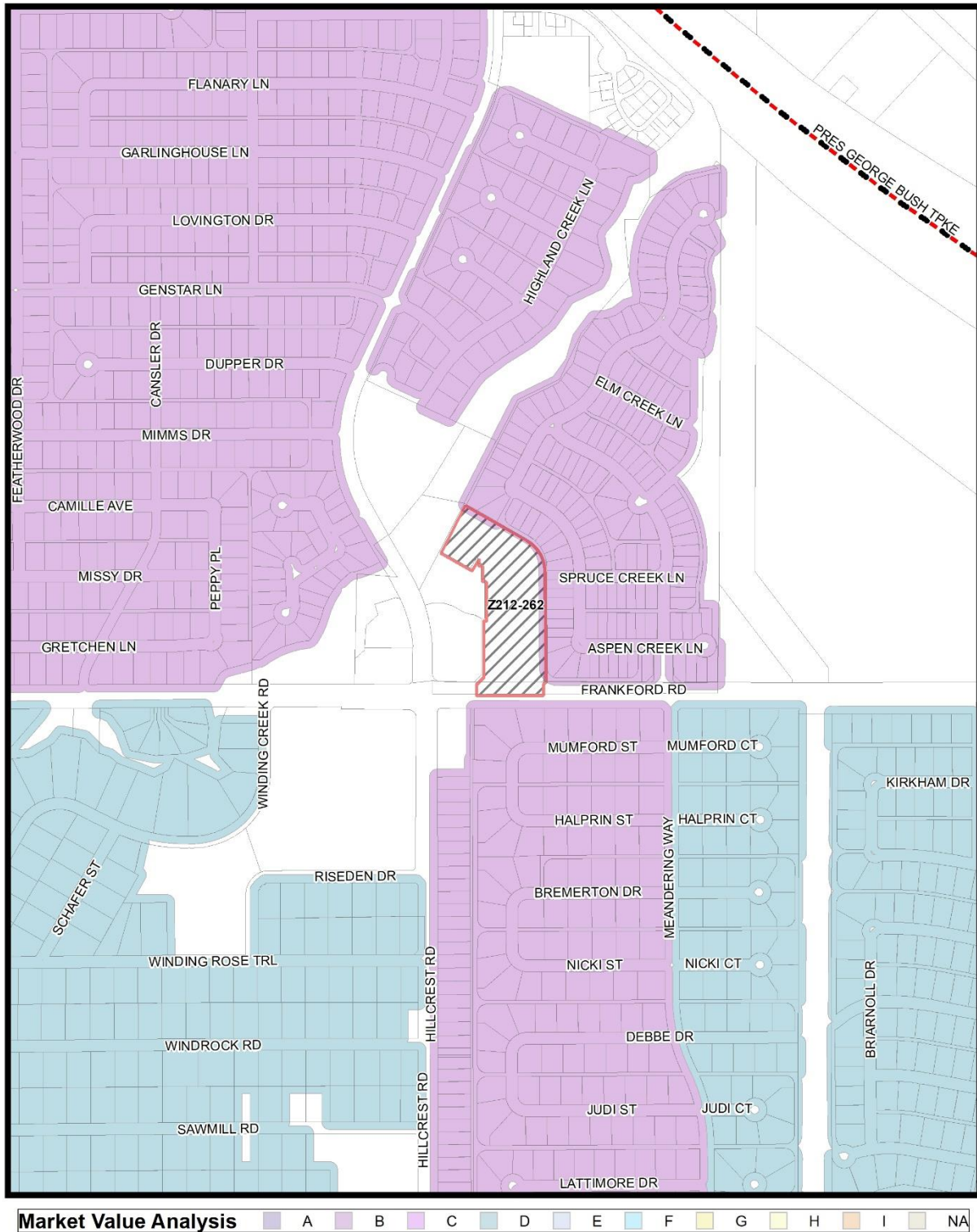










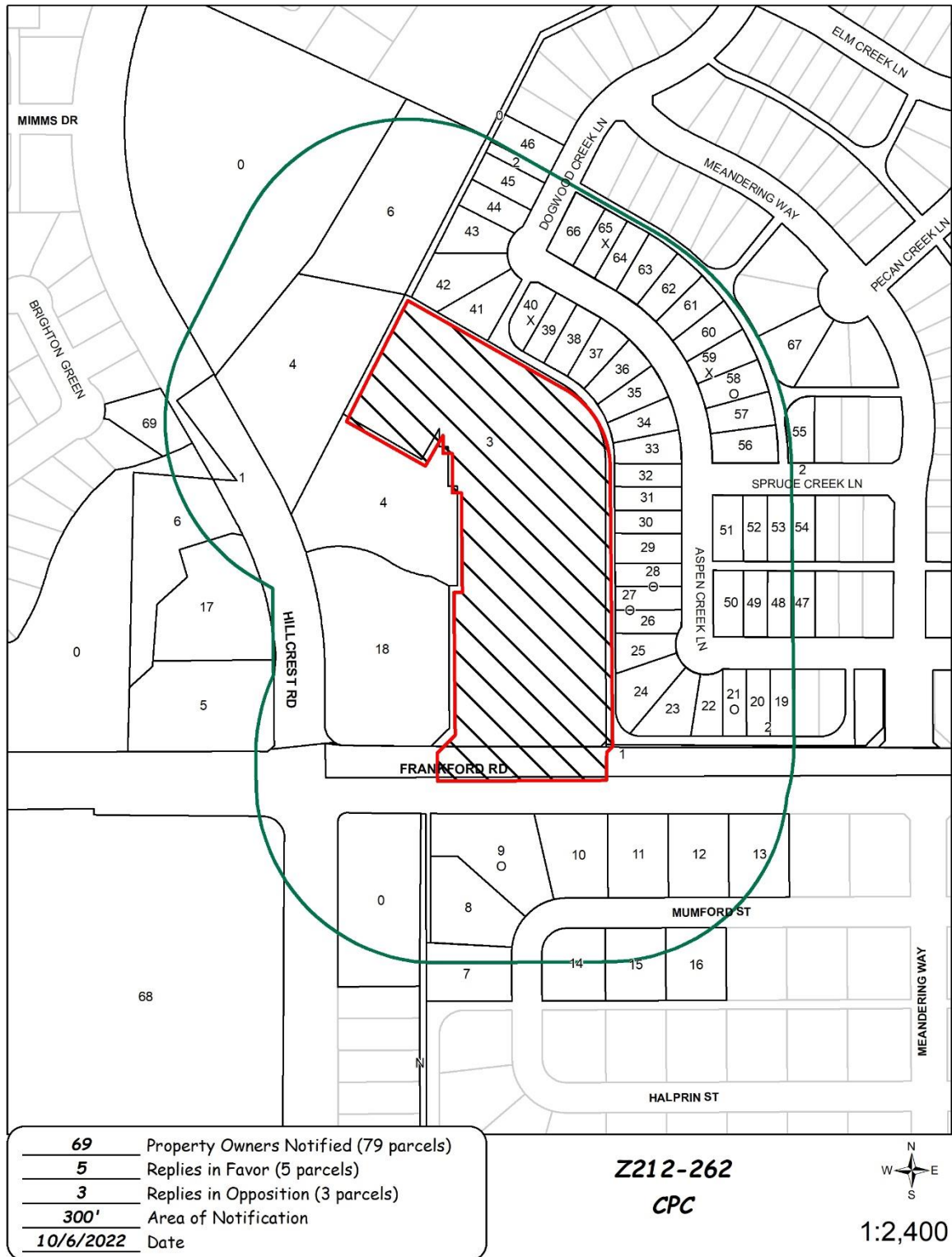


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## Market Value Analysis

Printed Date: 9/9/2022





10/05/2022

***Reply List of Property Owners******Z212-262******69 Property Owners Notified    5 Property Owners in Favor    3 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	HILLCREST RD	CHURCHILL GLEN LP
	2		HIGHLAND CREEK MANOR HOMEOWNERS
	3	6921 FRANKFORD RD	TORAH DAY SCHOOL OF DALLAS
	4	18170 HILLCREST RD	BACK FORTY MANAGEMENT LLC
	5	6869 FRANKFORD RD	MARGOL STUART E
	6		RLH INVESTMENTS INC TRUSTEE
	7	7003 MUMFORD ST	ARLINGTON KEVIN JAMES
	8	7007 MUMFORD ST	BOSE TIMOTHY BLAINE
O	9	7011 MUMFORD ST	HARRIS IRWIN &
	10	7015 MUMFORD ST	DONOHUE MICHAEL D & KATHY D
	11	7019 MUMFORD ST	WARD CHRIS ALAN
	12	7023 MUMFORD ST	MARSHALL KEVIN V & KAY
	13	7027 MUMFORD ST	ADLER RANDY
	14	7016 MUMFORD ST	PERKINS ROBERT L & GILLISS ANN M
	15	7020 MUMFORD ST	NISE BENJAMIN EDWARD & LAUREN BETH
	16	7024 MUMFORD ST	BOUDREAUX LYDIA RUTH & KENNETH PAUL
	17	18181 HILLCREST RD	NAAN PROPERTIES LLC
	18	6911 FRANKFORD RD	EF PROPERTIES ONE LP
	19	7030 ASPEN CREEK LN	VANDERSLICE GERALD &
	20	7024 ASPEN CREEK LN	Taxpayer at
O	21	7018 ASPEN CREEK LN	PEDERSEN ROBERT MICHAEL
	22	7012 ASPEN CREEK LN	WAINMAN SHANE D & MELISSA
	23	7006 ASPEN CREEK LN	SHI DAN
	24	6994 ASPEN CREEK LN	RAMIREZ ELEAZAR & FLORES NORMA
	25	6990 ASPEN CREEK LN	AMES ROBERT &
	26	6986 ASPEN CREEK LN	NEARY FREDERICK RICHARD

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	27	6982 ASPEN CREEK LN	O'NEILL JACQUELINE
O	28	6978 ASPEN CREEK LN	SANDS EDWARD FREDERICK &
	29	6974 ASPEN CREEK LN	FREEMAN L
	30	6970 ASPEN CREEK LN	FUENTES RENE
	31	6966 ASPEN CREEK LN	MCCAFFREY THOMAS CASEY AND TERESA
	32	6962 ASPEN CREEK LN	EGERMAN LISA KAYE
	33	6958 ASPEN CREEK LN	QUINN JUDITH ANN
	34	6954 ASPEN CREEK LN	HAGGAR JENNIFER
	35	6950 ASPEN CREEK LN	RAU THOMAS ANTON &
	36	6946 ASPEN CREEK LN	MORGAN LAWRENCE E & GLORIA J
	37	6942 ASPEN CREEK LN	STREETMAN JEREMIAH M & JORDAN H
	38	6938 ASPEN CREEK LN	GESUND REVOCABLE TRUST THE
	39	6934 ASPEN CREEK LN	BEANE CYNTHIA MARIE
X	40	6930 ASPEN CREEK LN	GLICK MARCIA R
	41	6926 ASPEN CREEK LN	COHEN GARY J
	42	6922 ASPEN CREEK LN	JIN YINGQIN
	43	7005 DOGWOOD CREEK LN	VALENTINE MARY JEAN
	44	7011 DOGWOOD CREEK LN	NARZEM PERRY P & WENDY
	45	7017 DOGWOOD CREEK LN	MJ & GS LLC
	46	7023 DOGWOOD CREEK LN	REDLINE ELIZABETH N
	47	7031 ASPEN CREEK LN	BARBADILLO OSCAR
	48	7025 ASPEN CREEK LN	DAVIS LEVI H
	49	7019 ASPEN CREEK LN	MINTON ELIZABETH A
	50	7011 ASPEN CREEK LN	BASKIN OLIVIA M &
	51	7012 SPRUCE CREEK LN	WERDEN SANDRA B
	52	7018 SPRUCE CREEK LN	DETRICH JAMES & LEETTA
	53	7024 SPRUCE CREEK LN	OVED TAMMY YEHESEL
	54	7030 SPRUCE CREEK LN	CANTRELL JERALD W & JUNE D
	55	7031 SPRUCE CREEK LN	WANG WEI
	56	6969 ASPEN CREEK LN	MOLINA ROBERT S & SUSAN K
	57	6965 ASPEN CREEK LN	BLYSTONE JAMES P &

10/05/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	58	6961 ASPEN CREEK LN	ACHTEN RANDY J
X	59	6957 ASPEN CREEK LN	BENAVIDES VALERIE HUTH
	60	6953 ASPEN CREEK LN	MADHAVAPEDDI SRINADH
	61	6949 ASPEN CREEK LN	CONKLIN ROBERT K LIVING TRUST
	62	6945 ASPEN CREEK LN	TOAY TRACY J
	63	6941 ASPEN CREEK LN	KAGANAS HILARY E DZODIN
	64	6937 ASPEN CREEK LN	MCCOY HOLLY ANNE
X	65	6933 ASPEN CREEK LN	FLABIANO THYRA ANN
	66	6929 ASPEN CREEK LN	FORREST CHARLES T & JOAN C
	67	18223 MEANDERING WAY	SWAFFORD CLARK E & CHERYL
	68	18011 HILLCREST RD	CONSERVATIVE JEWISH DAY SCHOOL OF
	69	18238 BRIGHTON GRN	WESTRA KATHERINE &



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

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**File #:** 22-2584

**Item #:** Z6.

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**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 9  
**DEPARTMENT:** Department of Planning and Urban Design  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MF-2(A) Multifamily District uses and office, general merchandise, or food store 3,500 square feet or less, and personal service uses on property zoned an R-7.5(A) Single Family District on the northwest line of Garland Road, northeast of Easton Road

Recommendation of Staff: Approval, subject to a development plan, a tree protection plan, and staff's recommended conditions

Recommendation of CPC: Approval, subject to a development plan, a tree protection plan, and conditions

Z212-190(RM)

Note: This item was deferred by the City Council before opening the public hearing on October 26, 2022 and is scheduled for consideration on November 9, 2022.



**FILE NUMBER:** Z212-190(RM) **DATE FILED:** February 16, 2022

**LOCATION:** Northwest line of Garland Road, northeast of Easton Road

**COUNCIL DISTRICT:** 9

**SIZE OF REQUEST:** Approx. 7.26 acres **CENSUS TRACT:** 128.00

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**REPRESENTATIVE:** Rob Baldwin, Baldwin Planning

**APPLICANT:** OP Acquisitions, LLC

**OWNER:** Shoreline Church Dallas

**REQUEST:** An application for a Planned Development District for MF-2(A) Multifamily District uses and office, general merchandise or food store 3,500 square feet or less, and personal service uses on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of the request is to allow modified development standards primarily related to permitted uses, setbacks, density, floor area, height, lot coverage, lot size, landscaping, mixed income housing, and design standards to redevelop the site with multifamily and nonresidential uses.

**CPC RECOMMENDATION:** Approval, subject to a development plan, a tree protection plan, and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a development plan, a tree protection plan, and staff's recommended conditions.

**BACKGROUND INFORMATION:**

- The area of request is currently zoned an R-7.5(A) Single Family District and is developed with a church.
- The applicant proposes to redevelop the site with multifamily with a maximum of 300 dwelling units, including five percent mixed-income units available to households earning between 61 and 80 percent of Area Median Family Income (AMFI). The site will also have nonresidential uses including office, general merchandise or food store 3,500 square feet or less, and personal service use. Nonresidential uses will be limited to a maximum floor area of 3,000 square feet.
- The applicant also proposes to prohibit short-term rentals, defined as a full or partial dwelling unit that is rented to occupants for fewer than 30 consecutive days per rental period.
- To accomplish this, the applicant proposes a Planned Development District with an MF-2(A) Multifamily base district.
- The maximum height in an MF-2(A) District is 36 feet. The applicant requests a maximum height of 34 feet, with an additional 26 feet in bonus for mixed-income units.
- In addition to the development bonuses for mixed-income housing, the applicant proposes modified development standards primarily related to permitted uses, setbacks, density, floor area, lot coverage, lot size, landscaping, and design standards.

**Zoning History:**

There has been one zoning case in the area in the last five years.

1. **Z178-296:** On October 24, 2018, City Council approved an amendment to and a renewal of Specific Use Permit No. 2240 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service for a five-year period with eligibility for automatic renewal for additional five-year periods on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay at the southeast corner of Garland Road and Moran Drive.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
Garland Road	Principal Arterial	100 feet

**Traffic:**

The Transportation Development Services Division of the Transportation Department reviewed a traffic impact analysis for the proposal dated April 13, 2022. The analysis evaluates the subject site, existing infrastructure, and impact to adjacent and nearby streets. Findings indicate that the proposed development can be successfully incorporated into the surrounding local roadway network.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the comprehensive plan:

**LAND USE ELEMENT**

**GOAL 1.1     ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

**Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**GOAL 1.3     PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

**Policy 1.3.1** Create housing opportunities throughout Dallas.

**ECONOMIC ELEMENT**

**GOAL 2.1     PROMOTE BALANCED GROWTH**

**Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.

**GOAL 2.5     FOSTER A CITY OF GREAT NEIGHBORHOODS**

**Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

**Policy 2.5.2** Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

## **TRANSPORTATION ELEMENT**

### **GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS**

**Policy 4.2.2** Promote a network of on-street and off-street walking and biking paths.

## **URBAN DESIGN ELEMENT**

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY**

**Policy 5.1.1** Promote pedestrian friendly streetscapes.

**Policy 5.1.2** Define urban character in downtown and urban cores.

**Policy 5.1.3** Encourage complementary building height, scale, design, and character.

### **GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

**Policy 5.2.1** Maintain neighborhood scale and character.

**Policy 5.2.2** Promote the character of the city's significant districts, linkages, and areas.

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

**Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.

## **NEIGHBORHOOD PLUS**

**GOAL 6.1** Raise the quality of rental property through better design standards, proactive and systematic code enforcement, and zero tolerance toward chronic offenders.

**GOAL 6.2** Expand affordable housing options and encourage its distribution throughout the city and region.

### **Area Plans:**

#### **Garland Road Vision Study**

The Garland Road Vision Study was created for the enhancement of both operational function and aesthetic character along the Garland Road corridor. The project is a

community led area planning initiative, following the neighborhood planning framework defined in the comprehensive plan.

The consensus vision of this area plan notes that while stakeholders expressed a clear desire to protect existing residential areas from commercial encroachment, they also expressed a desire for new businesses and developments in the existing commercial areas along the corridor. The plan identifies several underutilized sites that are large enough to accommodate significant development including sites at the intersection of Garland Road and Centerville Road. The plan also designates a large parcel immediately south of the area of request as Strategic Opportunity Vision Area 2, which is envisioned as a mixed-use development. Lastly, the plan suggests a portion of the request area would be appropriate for a small community garden/art park, which the applicant has made efforts to include in their proposed development.

Staff finds the applicant's proposal for denser multifamily development that provides limited nonresidential uses while adhering to residential proximity slope restrictions to be generally compliant with the goals of the Garland Road Vision Study.

#### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-7.5(A) Single Family District	Church
<b>North</b>	MF-2(A) Multifamily District	Multifamily
<b>East</b>	CR Community Retail District	Child-care facility
<b>Southeast</b>	Planned Development District No. 7	Restaurant without drive-in or drive-through service, general merchandise or food store 3,500 square feet or less
<b>Southwest</b>	CR Community Retail District, R-7.5(A) Single Family District	Office, single family

#### **Land Use Compatibility:**

The area of request is currently developed with a church. To the north is multifamily, and to the east is a child-care facility. Southwest of the request area are single family and office uses. To the southeast are restaurant without drive-in or drive-through service and general merchandise or food store 3,500 square feet or less uses. Staff finds the applicant's proposed land uses to be compatible with surrounding land uses.

The applicant proposes to redevelop the site primarily with a four-story multifamily building that will include no more than 3,000 square feet of nonresidential uses.

Nonresidential uses will be limited to office, general merchandise or food store 3,500 square feet or less, and personal service use. The proposed development plan also shows smaller detached multifamily buildings with attached garages along the southwestern property line adjacent to existing single family. The development will provide no more than 300 dwelling units, including five percent mixed-income units available to households earning between 61 and 80 percent of Area Median Family Income (AMFI).

To accomplish this, the applicant proposes a Planned Development District with an MF-2(A) Multifamily base district. Starting from this base district, the applicant then proposes deviations to setbacks, density, floor area, height, lot coverage, lot size, landscaping, and design standards.

The front setback in a standard MF-2(A) District is 15 feet, and this setback does not allow any encroachments. The applicant proposes to retain this front setback but allow encroachments such as awnings, balconies, bay windows, ramps, retaining walls, stairs, stoops, and unenclosed porches within the front yard. The side and rear setback in a standard MF-2(A) District is also 15 feet. Rather than retain this side and rear yard, the applicant proposes what is effectively a modified version of the tower spacing requirement from Chapter 51A. The side and rear setback for portions of a building up to 45 feet in height is 10 feet, and this setback increases to 30 feet for portions of a building over 45 feet in height.

The applicant proposes to retain residential proximity slope restrictions for the site. The request area abuts an R-7.5(A) District to the west that will serve as a site of origination limiting height of buildings to no more than 26 feet beginning at the shared property line. From this property line, maximum allowable height will gradually increase at a 1:3 slope up to the 60-foot maximum allowed under the proposed PD if mixed-income units are provided. The proposed development plan shows smaller detached multifamily buildings along this shared property line that will comply with the residential proximity slope restriction, while the four-story building is shown further away from the property line.

Although a standard MF-2(A) District does not have a limit on the maximum number of dwelling units, the applicant proposes a maximum of 300 dwelling units. For the 7.26-acre site, this equates to a density of 41 dwelling units per acre. The applicant also proposes no minimum lot size for the site. Whereas the maximum lot coverage allowed in a standard MF-2(A) District is 60 percent, the applicant proposes to reduce this to 40 percent.

Lastly, the multifamily use regulations stipulate that the minimum space between exterior walls of a multifamily dwelling must be 10 feet between the walls if only one wall has an opening for light and air and 20 feet if both walls have an opening for light and air. The applicant proposes that this requirement does not apply.

With this request, staff recognizes an opportunity to leverage additional development rights to gain affordable housing. The request is also compatible with several goals and policies of the comprehensive plan and Neighborhood Plus plan, as well as the goals of the Garland Road Vision Study. Staff supports the request to redevelop with the site with multifamily and limited nonresidential uses.

### Development Standards Comparison

Following is a comparison between the development standards of the existing R-7.5(A) District and the proposed PD for MF-2(A) District uses. Also included is a standard MF-2(A) District.

	<b>Existing: R-7.5(A)</b>	<b>Base: MF-2(A)</b>	<b>PD: MF-2(A)</b>
Front setback	25'	15'	15'
Side/rear setback	5'	15'	< 45' high: 10' > 45' high: 30'
Dwelling unit density	1 du/ 7,500 sf	No max	Max 300 du (41 du/ac)
Floor area	No max FAR	No max FAR	3,000 sf max non-res floor area
Lot size	Min 7,500 sf	Min lot 1,000 sf 800 sf – E 1,000 sf – 1BR 1,200 sf – 2BR +150 sf each add BR	No min
Height	30'	36'	34' base + 26' w/MIH 4 stories
Lot coverage	45%	60%	40%
Special standards		Proximity slope	Proximity slope
Primary uses	Single family	Multifamily, duplex, single family	Multifamily, duplex, single family; office, gen. merch., pers. serv. <sup>1</sup>

<sup>1</sup> General merchandise uses with drive-through service are prohibited. Curbside pickup service is permitted for general merchandise uses.

## Mixed Income Housing

The proposed request would allow the construction of 300 multifamily rental units, including five percent mixed-income units at 61 to 80 percent of AMFI, with surface and structured parking.

The applicant requests development rights to allow an increase in height, leveraging their proposal to provide design standards and ensure the development has an affordable housing component.

District	Height	Primary Uses
Standard: MF-2(A)	36'	Multifamily
Proposed: MF-2(A)	34' +26' with MIH	Multifamily

The proposed conditions include a percentage of the total number of units as mixed-income housing units based on AMFI.

Percentage of Units	Height
Base	34'
Proposed: 5% of units at 61-80% AMFI	60'

Staff uses the Market Value Analysis (MVA) categories to evaluate requests for PDs with mixed-income housing. The area of request is located in a “D” MVA area. In “D,” “E,” and “F” MVA areas, staff’s standard recommendation is that five percent of the total units be reserved for households at 61 to 80 percent of AMFI. The applicant’s proposal is in line with staff’s standard recommendation.

## Design Standards

The applicant proposes that the design standards for mixed-income housing found in Sec. 51A-4.1107 are not required for the site and instead proposes alternative design standards. These alternative design standards will still meet standard requirements for surface parking location, open space fronting facades, transparency, and sidewalks along a street frontage. The applicant has provided additional standards for above-grade parking structures, façade articulation, pedestrian amenities, internal sidewalks, pedestrian driveway crossings, and lighting that exceed standard requirements.

However, the proposed design standards for street facing facades and open space offer less than what standard requirements would provide. Although the street facing façade conditions for entrances, individual entries, and transparency are standard, the applicant proposes that conditions for entrances and individual entries only apply to units located within 60 feet of the front property line. Whereas a mixed-income housing development



would typically be required to provide a minimum of 10 percent open space, the applicant proposes closer to 8 percent.

Additionally, the applicant proposes a public art park along Garland Road that must be accessible to the street and provide hardscape, seating areas, and landscaped areas. The plaza may have accessory structures including but not limited to art, flag poles, and physical barriers 36 inches or less.

Overall, staff finds these alternative design standards to meet the intent of those in Sec. 51A-4.1107.

**Landscaping:**

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

In addition, the applicant proposes an enhanced landscape buffer of 15 feet adjacent to existing single family. The enhanced buffer zone must have a minimum of nine (9) six-inch-caliper trees and twenty-six small trees with a minimum height of eight feet at planting. The trees located within the enhanced landscape buffer may be composed of either existing or newly planted trees from the City of Dallas approved list and must include at least one of the following species: Live Oak, Red Oak, Gum Bumelia, or Sugar Berry. The public art park adjacent to Garland Road must provide a minimum of seven six-inch-caliper trees from the City of Dallas approved list.

Lastly, the applicant proposes a tree protection plan as Exhibit B to the PD. All trees on the tree protection plan must have tree protections installed in accordance with Section 51A-10.136(b) and approved by the city arborist prior to any construction activity on the property.

**Parking:**

The applicant proposes to meet standard parking requirements in Division 51A-4.200 for all uses on site, including multifamily.

The standard off-street parking requirement for multifamily is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

The parking requirement for office is one space per 333 square feet of floor area. The parking requirement for both general merchandise or food store 3,500 square feet or less and personal service use is one space 200 square feet of floor area.

This would equate to 375 spaces required for multifamily and no more than 15 spaces required for the 3,000-square-foot nonresidential uses, for a total of 390 required parking spaces. As demonstrated on the proposed development plan, the site provides 390 spaces.

Rather than meet the standard parking requirement for multifamily in Division 51A-4.200, staff recommends the mixed income housing parking ratio for multifamily in Division 51A-4.1100. This ratio requires a minimum one-half space per dwelling unit, which equates to a total of 150 spaces required for multifamily. Under this ratio, at least 15 percent of the required parking must be available for guest parking. This would simply be the *minimum* number of required spaces – the applicant could still provide additional spaces in excess of the required minimum.

Staff finds this reduced parking ratio for multifamily to be feasible when the future circulation vision of the Garland Road Vision Study is considered. This vision proposes several multimodal improvements along Garland Road including bicycle facilities, continuous sidewalks, timed pedestrian signals, and a rubber tire trolley system. Staff believes the reduced parking ratio for multifamily may positively contribute to this vision.

### **Market Value Analysis:**

Market Value Analysis (MVA) is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is not currently within an MVA cluster. To the northwest and southeast are “D” MVA clusters. Further west and southwest are “A” and “C” MVA clusters. To the south and southwest are “E” and “F” MVA clusters.

**List of Officers**

Shoreline Church Dallas

Corey Bell, Director  
Earl McClellan, Director  
Oneka McClellan, Director  
Ron Brown, Director

OP Acquisitions LP

Clay D. Likover, Sole Member

**CPC Action**  
**September 15, 2022**

**Motion:** It was moved to recommend **approval** of a Planned Development District for MF-2(A) Multifamily District uses and office, general merchandise or food store 3,500 square feet or less, and personal service uses, subject to a revised development plan as submitted by the applicant on 9/14/2022, a tree protection plan, and applicant's proposed conditions as submitted on 9/14/2022 with the following amendments: 1) in Section 115(f), change "agreement" to read "ordinance" and 2) on the development plan, show the 15' enhanced landscape buffer as extending along the perimeter adjacent to Lot 14, Block C/5364 on property zoned an R-7.5(A) Single Family District on the northwest line of Garland Road, northeast of Easton Road.

Maker: Jung  
Second: Rubin  
Result: Carried: 13 to 0

For: 13 - Popken, Hampton, Anderson, Shidid,  
Carpenter, Vann, Blair\*, Jung, Housewright,  
Haqq, Stanard, Kingston, Rubin

Against: 0  
Absent: 0  
Vacancy: 2 - District 3, District 11

\*out of the room, shown voting in favor

<b>Notices:</b>	Area: 500	Mailed: 87
<b>Replies:</b>	For: 4	Against: 12

**Speakers:** For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226  
Daniel Smith, 2501 N. Hardwood Dr., Dallas, TX, 75201  
Mike Arbour, 8340 Meadow Rd., Dallas, TX, 75231  
Matthew Vrugink, 6727 Sunnyland Ln., Dallas, TX, 75214  
Leslie Chaggarris, 6727 Sunnyland Ln., Dallas, TX, 75214  
Rhonda Boston, 9191 Garland Rd., Dallas, TX, 75218  
Hexel Colorado, 2124 N. Garrett Ave., Dallas, TX, 75206  
Nathaniel Barrett, 4526 Reiger Ave., Dallas, TX, 75246  
Mark Draz, 6024 La Vista Dr., Dallas, TX, 75206  
Allison Cook, 502 Bondstone Dr., Dallas, TX, 75218  
Madalene Caldwell, 5140 Amesbury Dr., Dallas, TX, 75206  
Eduardo Hernandez, 6723 Sunnyland Ln., Dallas, TX, 75214  
Cullen Schaar, 6603 Lakewood Blvd., Dallas, TX, 75214  
Leslie Whitmore, 10915 Garland Rd., Dallas, TX, 75218  
Eva Mason, 4606 Cedar Springs Rd., Dallas, TX, 75219

Mike Nurre, 2611 Millmar Dr., Dallas, TX, 75228  
D'Andrala Alexander, 9432 Amberton Pkwy., Dallas, TX, 75243  
Keegan Smith, 1811 Greenville Ave., Dallas, TX, 75206  
For (Did not speak): Brian Wilson, 209 S. Edgefield Ave., Dallas, TX, 75208  
John Smith, 123 Main St., Dallas, TX, 75201  
Brad Lega, 6805 Sperry St., Dallas, TX, 75214  
Adam Lamont, 9432 Amberton Pkwy., Dallas, TX, 75243  
Kevin Strong, 2828 Lemmon Ave., Dallas, TX, 75204  
Against: Davina, Rhine, 1227 Moran Dr., Dallas, TX, 75218  
Alison Milam, 10717 Lake Gardens, Dallas, TX, 75218  
Scott Robson, 11110 Lanewood Cr., Dallas, TX, 75218  
Greg Wolchansky, 11212 Yorkmont Cr., Dallas, TX, 75218  
Jessica Mannon, 1120 Easton Rd., Dallas, TX, 75218  
Audrey Rogers, 10946 Scotsmeadow Dr., Dallas, TX, 75218  
Jason Mannon, 1120 Easton Rd., Dallas, TX, 75218  
Bruce Parrott, 11208 Yorkmont Cr., Dallas, TX, 75218  
Helen Steller, 11028 Ridgemoor Dr., Dallas, TX, 75218  
Neil Felder, 6530 Stichter Ave., Dallas, TX, 75230  
Thomas Buck, 10606 Wyatt St., Dallas, TX, 75218  
Patricia Gaffney, 1026 Tranquilla Dr., Dallas, TX, 75218  
Ray LaDieu, 10936 Ridgemoor Dr., Dallas, TX, 75218  
Brad Rogers, 8807 Vinewood Dr., Dallas, TX, 75228  
Matthew Kristoff, 11217 Yorkmont Cr., Dallas, TX, 75218  
Against (Did not speak): Robyn Price, 11810 Cheswick, Dallas, TX, 75218

**CPC RECOMMENDED CONDITIONS**

**ARTICLE \_\_\_\_.**

**PD \_\_\_\_.**

**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 on the northwest line of Garland Road, northeast of Easton Road. The size of PD \_\_\_\_ is approximately 7.26 acres.

**SEC. 51P- \_\_\_\_ .103.           DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) In this division, SHORT TERM RENTAL means a full or partial dwelling unit that is rented to occupants for fewer than 30 consecutive days per rental period.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(d) 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: tree protection plan.

**SEC. 51P- \_\_\_\_ .105.           DEVELOPMENT PLAN.**

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.

**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 MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily 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 MF-2(A) Multifamily District is subject to DIR in this district; etc.

(b) The following additional non-residential uses are permitted:

- Office.
- General merchandise or food store 3,500 square feet or less.
- Personal service uses.

(c) A general merchandise or food store 3,500 square feet or less with drive-through service is prohibited. Curb side pickup service is permitted for a general merchandise or food store 3,500 square feet or less.

(d) A short-term rental is prohibited.

**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 MF-2(A) Multifamily District apply.

(b) Side and rear yard.

(1) For portions of a building at or below 45 feet in height, minimum side and rear yard is 10 feet.

(2) For portions of a building over 45 feet in height, minimum side and rear yard of 30 feet.

(c) Density. Maximum number of dwelling units is 300.

(d) Floor area. For non-residential uses, maximum floor area is 3,000 square feet.

(e) Height.

(1) Maximum height. Except as provided in this subsection, maximum structure is 45 feet.

(2) If compliant with Section 51P-\_\_\_\_-112, maximum height is 60 feet.

(3) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a 1:3 residential proximity slope from an R, R(A), D, D(A), TH, TH(A) District. Exception: Except for chimneys, structures listed in Section 51A-4.408 (a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(f) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size is required.

(h) Stories. Maximum number of stories above grade is four. Basement stories and parking garages are exempt from this requirement but must comply with the height regulations.

(i) Building separation. For multifamily uses, the minimum building separation in Section 51A-4.209(b)(5)(E)(ii) does not apply.

## **SEC. 51P-\_\_\_\_.109. OFF-STREET PARKING AND LOADING.**

(a) Except as provided in this section, consult the use regulations in Division 51A-4.200, as amended, for the specific off-street parking and loading requirements for each use. If there is a conflict between the text of this article and Division 51A-4.200, the lesser off-street parking requirement applies.



*CPC Recommendation, Applicant's Request*

(b) If compliant with Section 51P-\_\_\_\_-112, a minimum of one and one-quarter space per dwelling unit is required for multifamily uses. At least 15 percent of the required parking must be available for guest parking.

*Staff's Recommendation*

(b) If compliant with Section 51P-\_\_\_\_-112, a minimum of one-half space per dwelling unit is required for multifamily uses. At least 15 percent of the required parking must be available for guest parking.

**SEC. 51P-\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-\_\_\_\_.111. LANDSCAPING.**

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.
- (c) A minimum 15-foot enhanced landscape buffer must be provided adjacent to Lochwood on Lots 1 & 2, Block C/5364 and Lot 14, Block 5364. The enhanced buffer zone must have a minimum of ten six-inch-caliper trees and twenty-six small trees with a minimum height of eight feet at planting. Of the ten six-inch-caliper trees, at least five must be newly planted. The trees located within the enhanced landscape buffer may be existing or newly planted. Newly planted trees must be drawn from the following species: Live Oak, Red Oak, Gum Bumelia, or Sugar Berry. At least 40 percent of newly planted trees must be classified as evergreen or semi-evergreen by the City Arborist.
- (d) The Public Art Park area adjacent to Garland Road must provide a minimum of seven six-inch-caliper trees, at least four of which must be large canopy trees, from the City of Dallas approved list.
- (e) All trees on the tree protection plan (Exhibit \_\_\_\_B) must be preserved and protected during construction and development. All such trees must have tree protections installed in accordance with Section 51A-10.136(b) and approved by the city arborist prior to any construction activity on the property.
- (f) The 10-foot side setback adjacent to Block 5361, Tract 6, must include a minimum of 10 newly planted cypress trees or a similar evergreen species from the City of Dallas approved list.

**SEC. 51P- \_\_\_\_ .112.            DEVELOPMENT BONUSES FOR MIXED INCOME HOUSING.**

(a)    In general. Except as provided in this section, the development bonuses identified in the yard, lot, and space regulations and off-street parking and loading section of this article apply if a minimum of five percent of the total number of units are available to households earning between 61 and 80 percent of AMFI and are in compliance with Section 51A-4.1100, as amended.

(b)    Design standards. Compliance with Section 51A-4.1107 is not required.

**SEC. 51P- \_\_\_\_ .113.            DESIGN STANDARDS.**

(a)    Applicability. The following design standards apply to new construction.

(b)    Above-grade parking structures.

(1)    The street-facing ground-level facade of any multi-floor parking facility must be screened from the street and adjacent single family districts by at least one or a combination of the following methods:

(A)    have an active use other than parking of a minimum depth of 25 feet;

(B)    have an exterior facade that is similar in materials, architecture, and appearance to the facade of the main structure;

(C)    be screened from the street by another building; or

(D)    be setback a minimum of 30 feet with a plaza between the parking facility and the street.

(2)    Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent properties. Sloping ramps located at the perimeter of aboveground parking structures must be screened through use of vegetation, panels, solid walls, or other architectural elements to obscure at least 80 percent of the sloping ramps' length from view. Screening may include architectural grill work or other materials that provide ventilation. This required screening shall not prohibit the garage from being considered "open air" for ventilation purposes.

(c)    Surface parking location. Surface parking is prohibited between the street-facing facade and the property line. For the purposes of this subsection, surface parking means at grade parking not within or under a structure.

(d)    Street facing facades.

(1) Entrances. A minimum of one window and one common primary entrance is required for each building and the entrance must face the street. The entrance must access the street with an improved path connecting to the sidewalk. This requirement does not apply to buildings greater than 60 feet from the front property line.

(2) Individual entries for dwelling units. A minimum of 60 percent of the street-level, street-facing dwelling units located within 60 feet of the front property line must have individual entries that access the street with an improved path connecting to the sidewalk.

(3) Transparency. Transparency must be provided for a minimum of 25 percent of the total of each continuous street-fronting facade. Transparency must be uniformly spaced vertically and horizontally with no more than 25 feet separating areas of transparency.

*CPC Recommendation, Applicant's Request*

(e) Open space fronting facades fronting Garland Road.

(1) Entrances. All open space fronting facades must have at least one window and at least one common primary entrance facing the open space at street level. The entrance must access the open space with an improved path connecting to the sidewalk.

*Staff's Recommendation*

(e) Open space fronting facades.

(1) Entrances. All open space fronting facades must have at least one window and at least one common primary entrance facing the open space at street level. The entrance must access the open space with an improved path connecting to the sidewalk.

(2) Individual entries for dwelling units. For at-grade open space, a minimum of 60 percent of the open space fronting dwelling units in each building must have individual entries that access the open space.

(3) Transparency. Transparency must be provided for a minimum of 25 percent of the total of each continuous open-space-fronting facade. Transparency must be uniformly spaced vertically and horizontally with no more than 25 feet separating areas of transparency.

*CPC Recommendation, Applicant's Request*

(f) Façade articulation. Street-facing facades exceeding 30 feet in length must have two of the following elements. Street-facing facades and open-space-fronting facades exceeding 100 feet in length must have four of the following elements.

*Staff's Recommendation*

(f) Facade articulation. Street-facing facades and open space-fronting facades exceeding 30 feet in length must have two of the following elements. Street-facing facades and open-space-fronting facades exceeding 100 feet in length must have four of the following elements.

(1) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and a depth of at least eight inches and may include columns, planters, arches, and niches.

(2) Architectural details such as raised bands and cornices.

(3) Architecturally prominent entrance.

(4) Attached tower or turret.

(5) Awnings.

(6) Change in color.

(7) Change in material.

(8) Change in texture.

(g) Open space. A minimum of 70,000 square feet of open space must be provided for active or passive recreation, playground activity, plaza, groundwater recharge, or landscaping.

(1) No structures except for architectural elements; playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos; and ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed; otherwise, open space must be open to the sky.

(2) Open space may contain primarily grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, paths, or shade structures.

(3) Open space may also be provided at or below grade or aboveground by an outside roof deck, rooftop garden, playground area, pool area, patio, plaza, or similar type of outside common area.

(4) Private balconies, sidewalks, parking spaces, parking lots, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.

(5) Operation or parking of vehicles within on-site open space is prohibited. Emergency and grounds maintenance vehicles are exempt.

(6) Open spaces must be properly maintained in a state of good repair and neat appearance, and plant materials must be maintained in a healthy, growing condition.

(h) Pedestrian amenities. The following pedestrian amenities are required along the street frontage. Required pedestrian amenities may be located within a right-of-way with a license.

(1) Four benches, including two with covered seating.

(2) Two trash cans.

(3) Bicycle rack for at least five bicycles. This bicycle rack may count towards the minimum bicycle parking requirements.

(i) Sidewalks.

(1) Minimum unobstructed sidewalk width of six feet with a minimum five-foot-wide buffer is required along the street frontage.

(2) Internal sidewalks are required along private drives to ensure pedestrian connectivity throughout. Internal pedestrian amenities, pedestrian lighting, and landscaping must be provided.

(j) Pedestrian driveway crossings. At each driveway and sidewalk intersection, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing.

(k) Lighting.

(1) Special lighting requirement. Exterior lighting sources, if used, must be oriented down and onto the property they light and generally away from adjacent residential properties.

(2) Pedestrian scale lighting. Pedestrian scale lighting that provides a minimum maintained average illumination level of one and a half foot candles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director of transportation. Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting.

(3) Upper-level lighting. Exterior lighting on a building is prohibited above 45 feet. Backlit attached signs facing Garland Road are allowed above 45 feet.

**SEC. 51P- \_\_\_\_ .114.                      SIGNS.**

Signs must comply with the provisions for non-business zoning districts in Article VII.

**SEC. 51P- \_\_\_\_ .115.                      ADDITIONAL PROVISIONS.**

(a)     Public Art Park. A Public Art Park area of at least 6,000 square feet is required along Garland Road as shown on the development plan. The Art Park must be accessible to the street and provide hardscape, seating areas, landscaped areas, and public art and may include accessory structures, including but not limited to art, flag poles, and physical barriers 36 inches or less. Public Art Park improvements that comply with this subparagraph do not need to be shown on the development plan.

(b)     The development of the property may only utilize dark sky lighting fixtures as recognized by International Dark-Sky Association. All lighting must be directed down and away from residential areas.

(c)     The Property must be properly maintained in a state of good repair and neat appearance.

(d)     Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

*CPC Recommendation, Applicant's Request*

(e) <u>Utilities.</u> It is recommended that existing aerial overhead lines be buried.
--

*Staff's Recommendation*

<del>(e)     <u>Utilities.</u> It is recommended that existing aerial overhead lines be buried.</del>
---

(f)     Green construction standards. The Property shall exceed the City of Dallas Green Construction Standards as of the date of this ordinance.

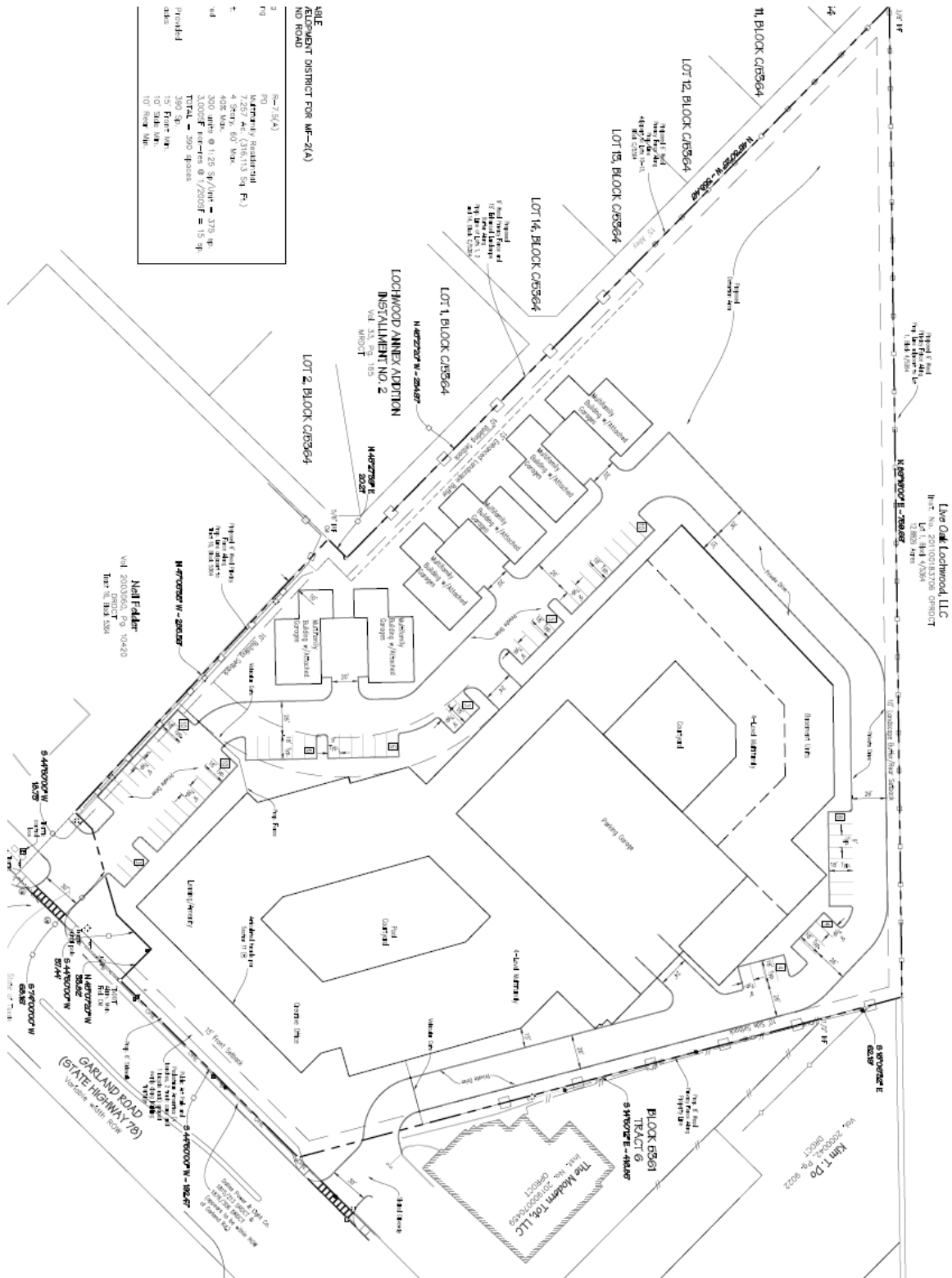
(g)     Electric vehicle charging station. The Property shall be designed and constructed to (i) immediately provide electric vehicle charging capabilities for up to 10% of units and (ii) will include the conduit infrastructure to allow the Property to be able to serve up to 25% of units in the future.

**SEC. 51P- \_\_\_\_ .116.                      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.

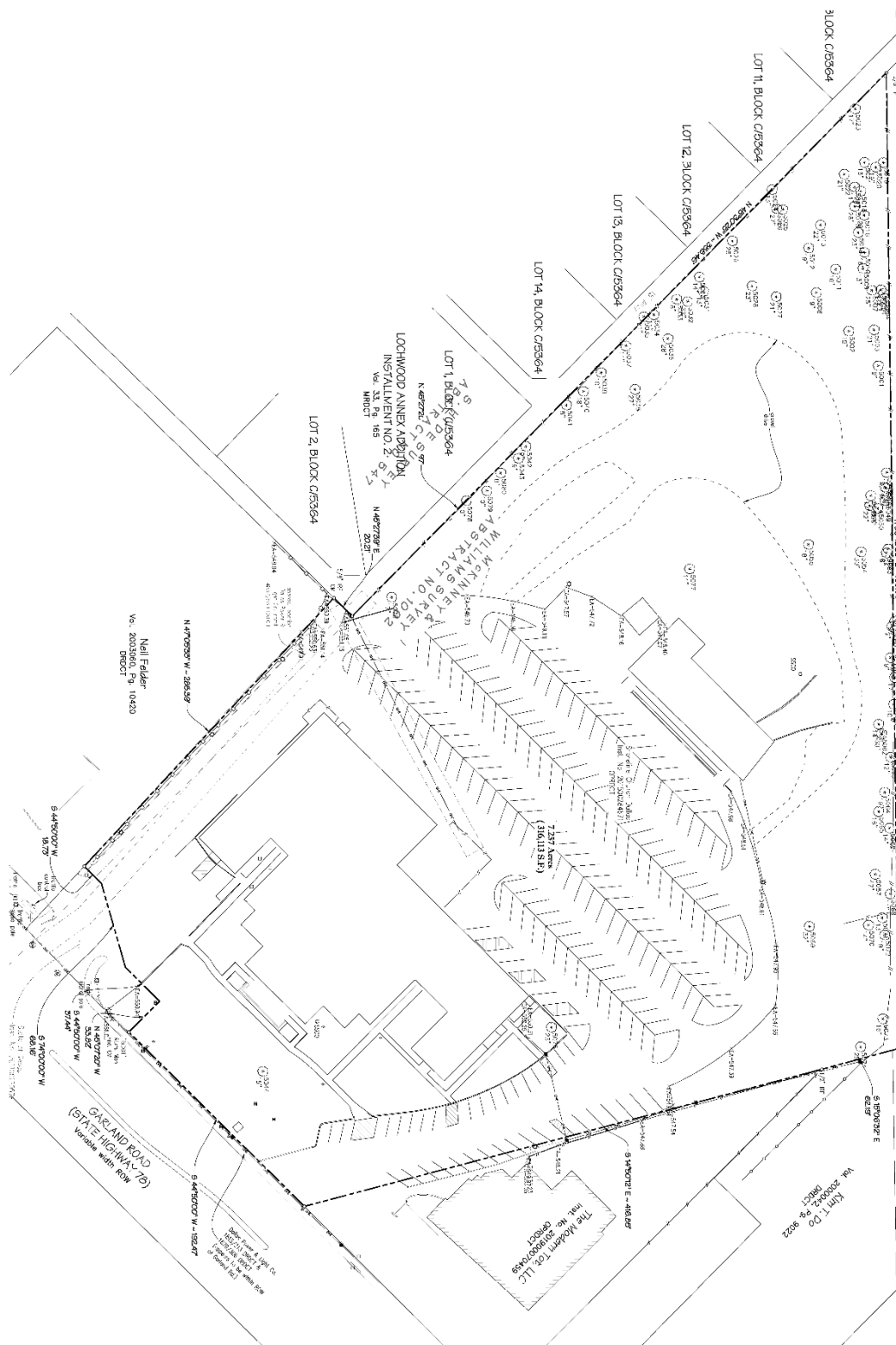
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

# CPC RECOMMENDED DEVELOPMENT PLAN





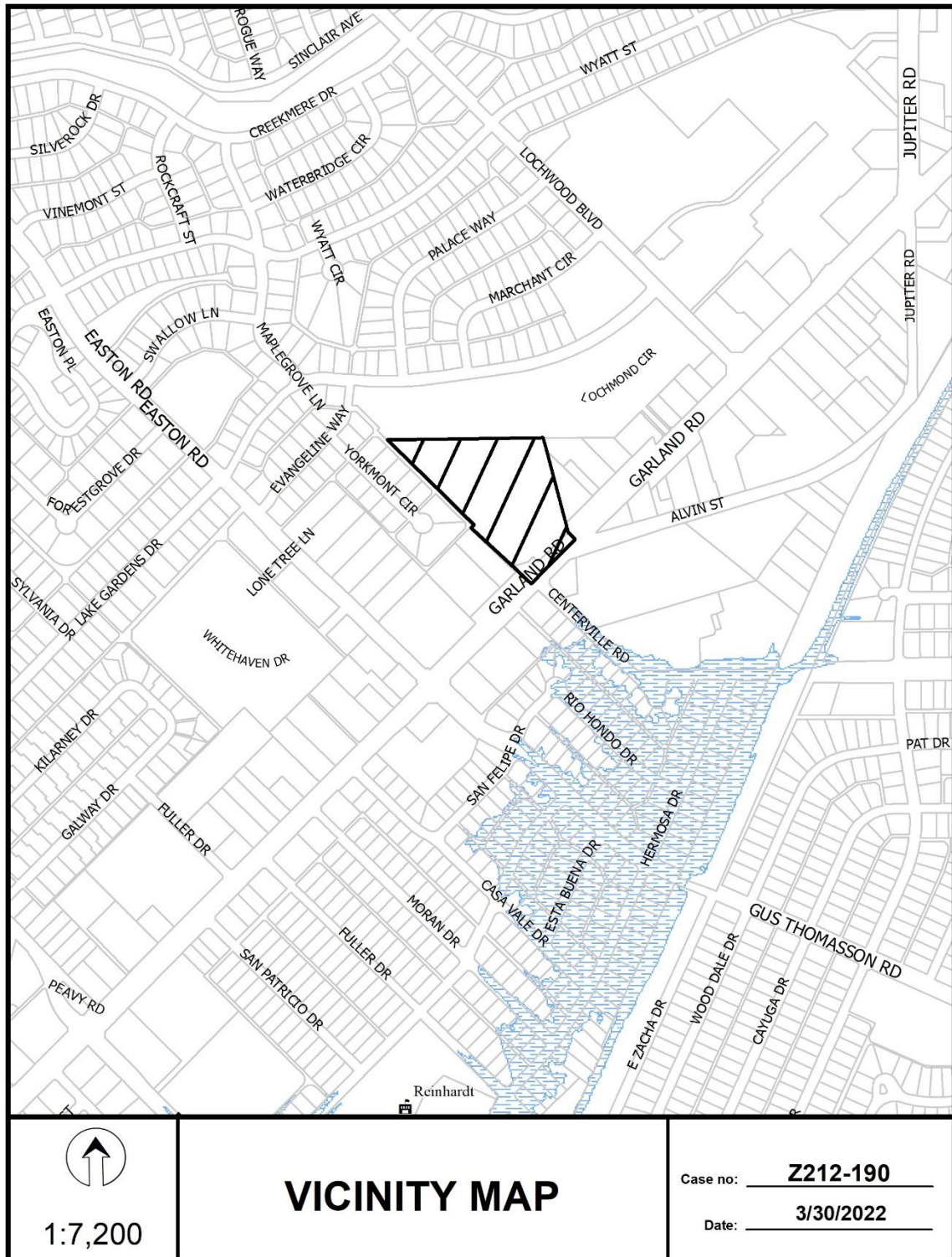
## CPC RECOMMENDED TREE PROTECTION PLAN



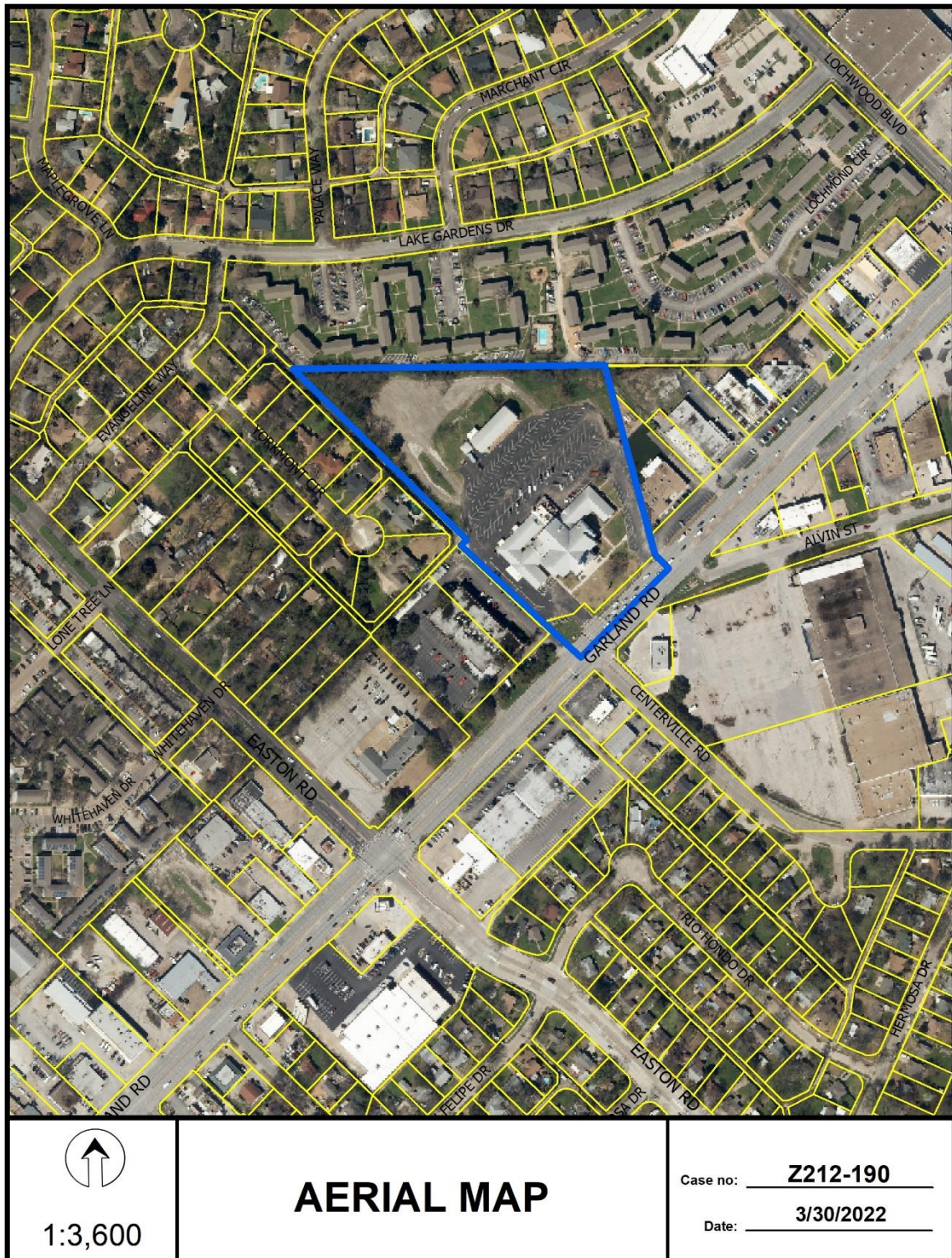
**Shoreline City Church Tree Survey Tabular Data  
Dallas, Texas**

**Exhibit B**

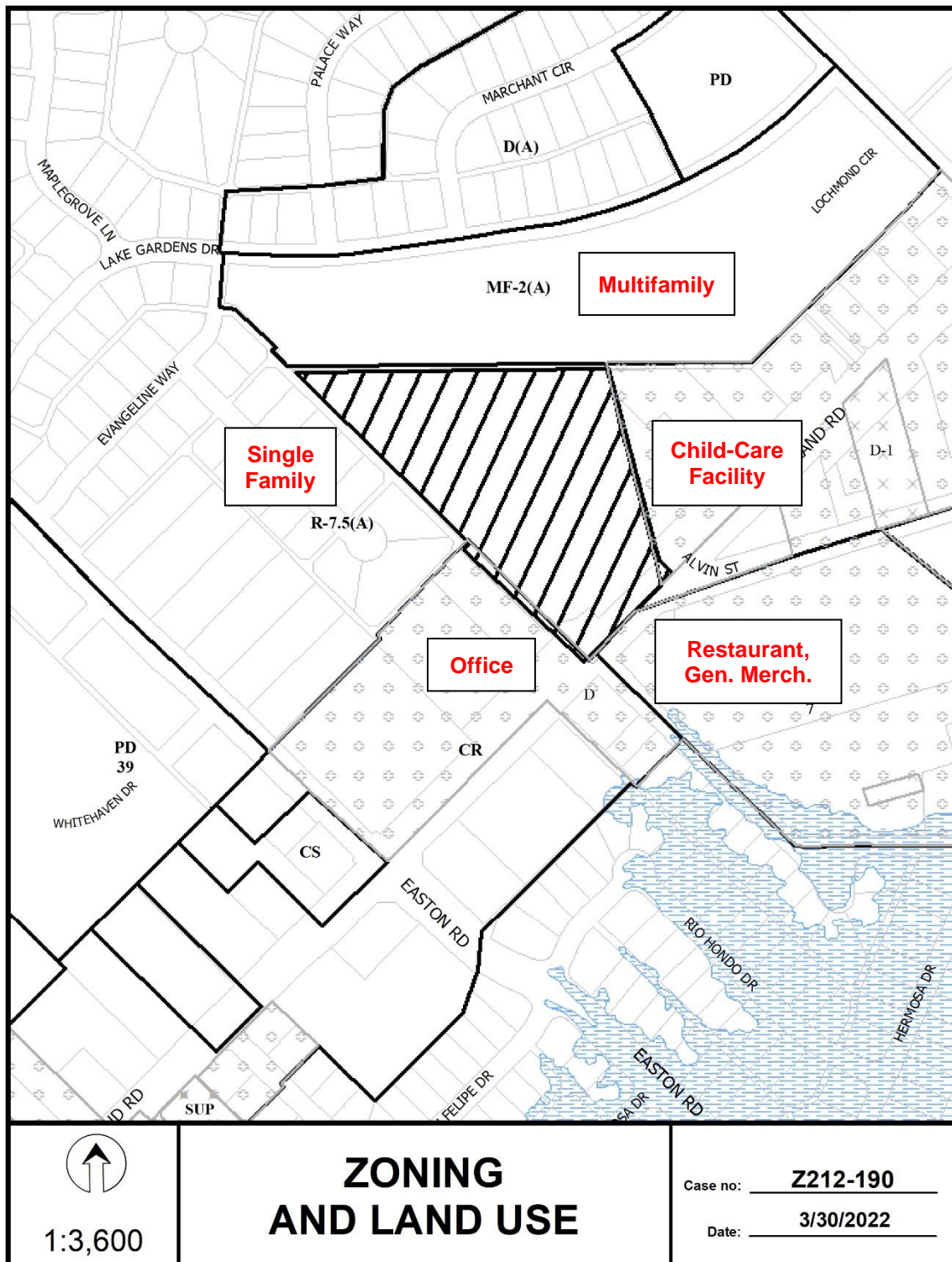
Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Northing	Easting
5001	9.2	cedar elm	9	No	Healthy	0	6995587.138	2524077.553
5002	14.6	cedar elm	15	No	Healthy	0	6995564.131	2524050.510
5003	20.6	cedar elm	21	No	Healthy	0	6995583.814	2524049.614
5004	11.2	green ash	11	No	Healthy	0	6995592.090	2524025.208
5005	12.3	cedar elm	12	No	Healthy	0	6995591.183	2524021.101
5006	11.3	green ash	11	No	Healthy	0	6995589.294	2524018.448
5007	25.3	cedar elm	25	No	Healthy	0	6995582.124	2524018.770
5008	18.6	cedar elm	19	No	Healthy	0	6995538.950	2524020.579
5009	12.7	cedar elm	13	No	Healthy	0	6995575.246	2524001.828
5010	16.3	cedar elm	16	No	Healthy	0	6995576.327	2523989.256
5011	16.4	cedar elm	16	No	Healthy	0	6995553.890	2524002.321
5012	18.6	pecan	19	No	Healthy	0	6995532.904	2523985.834
5013	22.3	pecan	22	Yes	Healthy	0	6995542.041	2523968.036
5014	22.6	pecan	23	No	Healthy	0	6995571.568	2523973.822
5015	28.2	pecan	28	No	Healthy	0	6995568.705	2523953.466
5016	22.3	pecan	22	No	Healthy	0	6995576.214	2523960.348
5017	11.1	cedar elm	11	No	Healthy	0	6995568.709	2523938.384
5018	26.3	pecan	26	No	Healthy	0	6995573.556	2523941.550
5019	21.6	pecan	22	No	Healthy	0	6995590.985	2523919.388
5020	19.2	pecan	19	No	Healthy	0	6995585.111	2523922.937
5021	15.8	pecan	16	No	Healthy	0	6995576.450	2523919.226
5022	20.8	pecan	21	No	Healthy	0	6995560.678	2523928.476
5024	12.6	pecan	13	No	Healthy	0	6995504.459	2523940.410
5025	11.8	cedar elm	12	No	Healthy	0	6995512.664	2523955.871
5026	26.9	pecan	27	No	Healthy	0	6995507.995	2523955.322
5029	24.6	American elm	25	No	Healthy	0	6995473.563	2523980.319
5030	14.2	American elm	14	No	Healthy	0	6995447.906	2524008.472
5031	13.1	pecan	13	No	Healthy	0	6995450.943	2524019.595
5032	22.3	American elm	22	No	Healthy	0	6995438.548	2524027.544
5033	8.2	sugarberry	8	No	Healthy	0	6995430.076	2524025.735
5034	10.6	sugarberry	11	No	Healthy	0	6995412.294	2524037.852
5035	21.4	Osage-orange	21	No	Healthy	0	6995404.592	2524039.364
5036	27.5	pecan	28	No	Healthy	0	6995423.377	2524056.527
5037	10.9	Osage-orange	11	No	Healthy	0	6995390.460	2524062.078
5038	26.9	eastern red cedar	27	No	Healthy	0	6995397.706	2524095.924
5039	10.3	green ash	10	No	Healthy	0	6995371.269	2524082.790
5040	18.3	green ash	18	No	Healthy	0	6995357.495	2524097.469
5041	8.2	sugarberry	8	No	Healthy	0	6995344.335	2524108.093
5042	8.7	sugarberry	9	No	Healthy	0	6995312.662	2524140.299
5043	9.4	sugarberry	9	No	Healthy	0	6995306.788	2524149.585
5045	12.2	pecan	12	Yes	Healthy	0	6995593.675	2524160.718
5046	14.3	pecan	14	No	Healthy	0	6995592.198	2524171.987
5048	16.8	pecan	16	No	Healthy	0	6995581.270	2524178.750
5049	13.8	pecan	13	No	Healthy	0	6995592.521	2524182.483
5052	12.7	bur oak	12	No	Healthy	0	6995594.816	2524220.183
5053	8.1	bur oak	8	No	Damaged	85	6995593.577	2524223.262
5054	30.0	American elm	30	Yes	Healthy	0	6995573.724	2524222.399
5056	9.0	American elm	5	Yes	Healthy	55	6995600.033	2524276.334
5058	9.3	eastern red cedar	9	No	Healthy	0	6995596.608	2524304.843
5059	16.6	gum bumelia	16	Yes	Healthy	0	6995599.825	2524320.251
5060	10.4	Osage-orange	10	Yes	Healthy	0	6995599.218	2524341.119
5061	14.0	American elm	14	No	Healthy	0	6995587.370	2524356.638
5062	29.6	Osage-orange	29	Yes	Healthy	0	6995589.695	2524363.988
5063	12.3	sugarberry	12	No	Healthy	0	6995596.797	2524382.339
5064	18.5	western soapberry	18	Yes	Healthy	0	6995592.104	2524409.575
5065	17.7	western soapberry	17	Yes	Healthy	0	6995587.328	2524424.719
5066	13.8	western soapberry	13	No	Healthy	0	6995595.939	2524437.462
5067	47.3	pecan	40	Yes	Healthy	0	6995584.741	2524473.395
5068	11.2	western soapberry	11	Yes	Healthy	0	6995596.510	2524488.804
5070	13.8	western soapberry	13	No	Healthy	0	6995579.495	2524513.046
5072	18.7	sugarberry	18	Yes	Healthy	0	6995592.139	2524520.694
5073	16.2	western soapberry	16	No	Healthy	0	6995590.747	2524586.031
5074	25.1	western soapberry	25	Yes	Healthy	0	6995573.443	2524607.665
5078	10.2	sugarberry	10	No	Healthy	0	6995266.356	2524182.563
5079	9.8	gum bumelia	9	No	Healthy	0	6995282.285	2524174.863
5080	8.0	sugarberry	8	No	Healthy	0	6995293.134	2524161.020

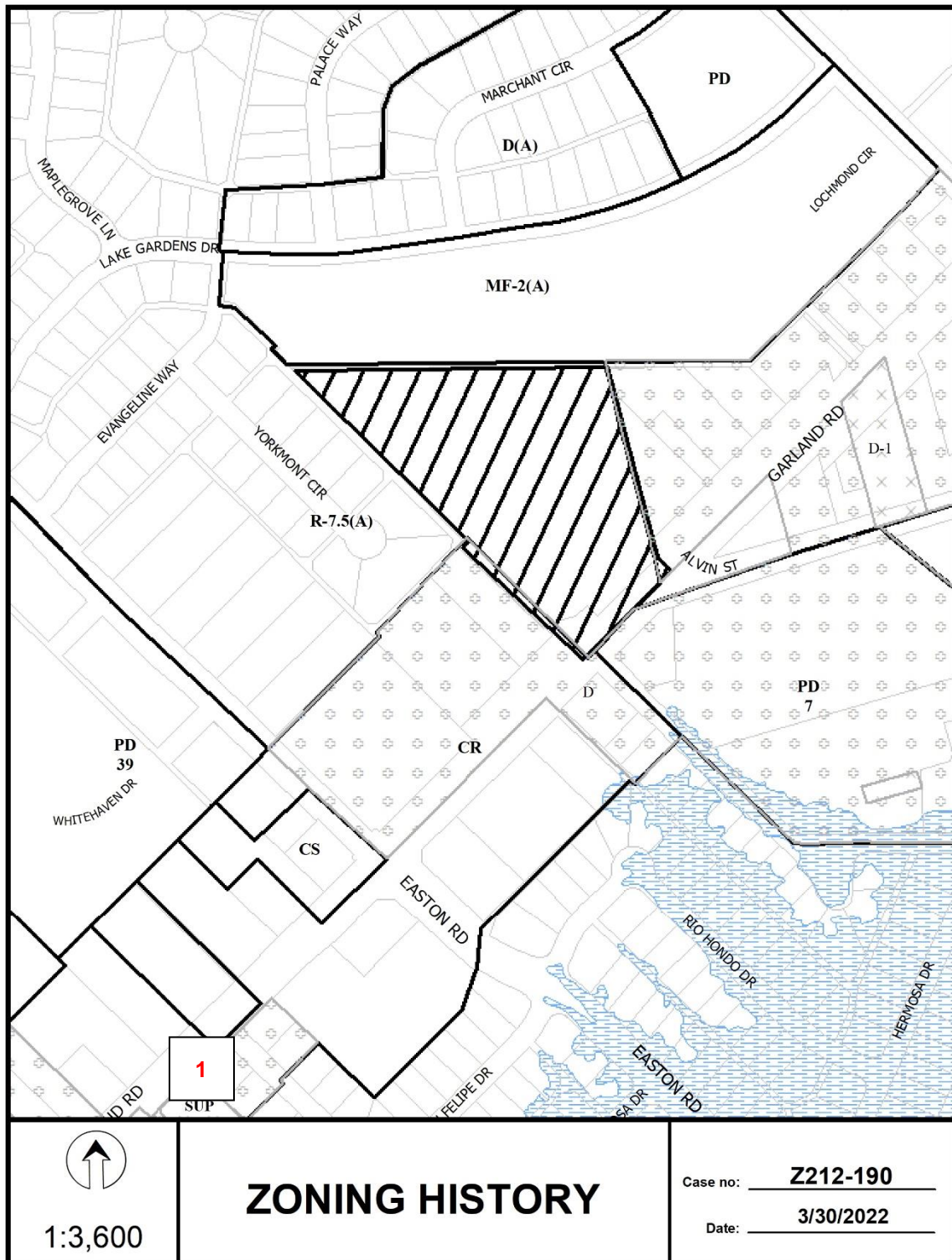




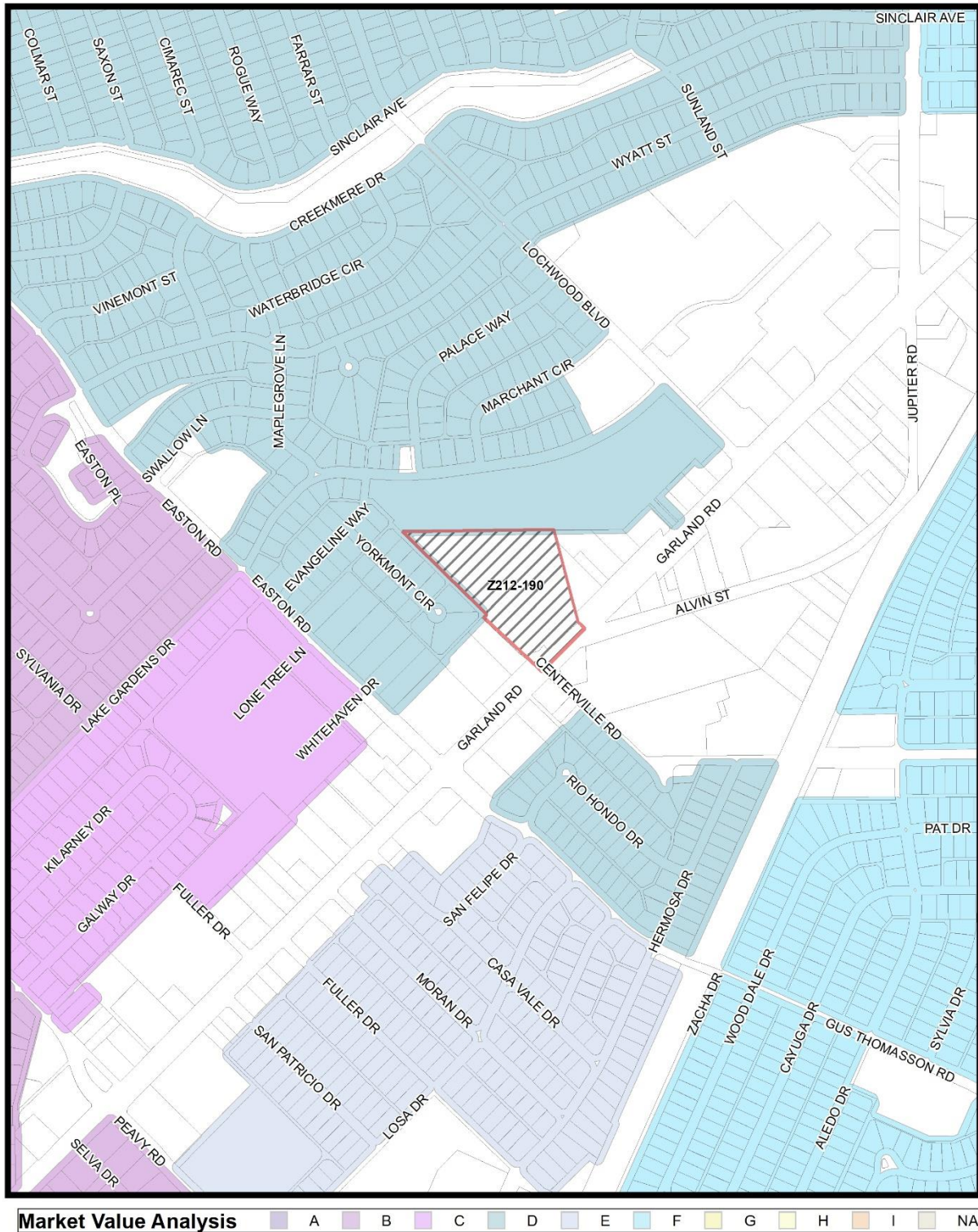






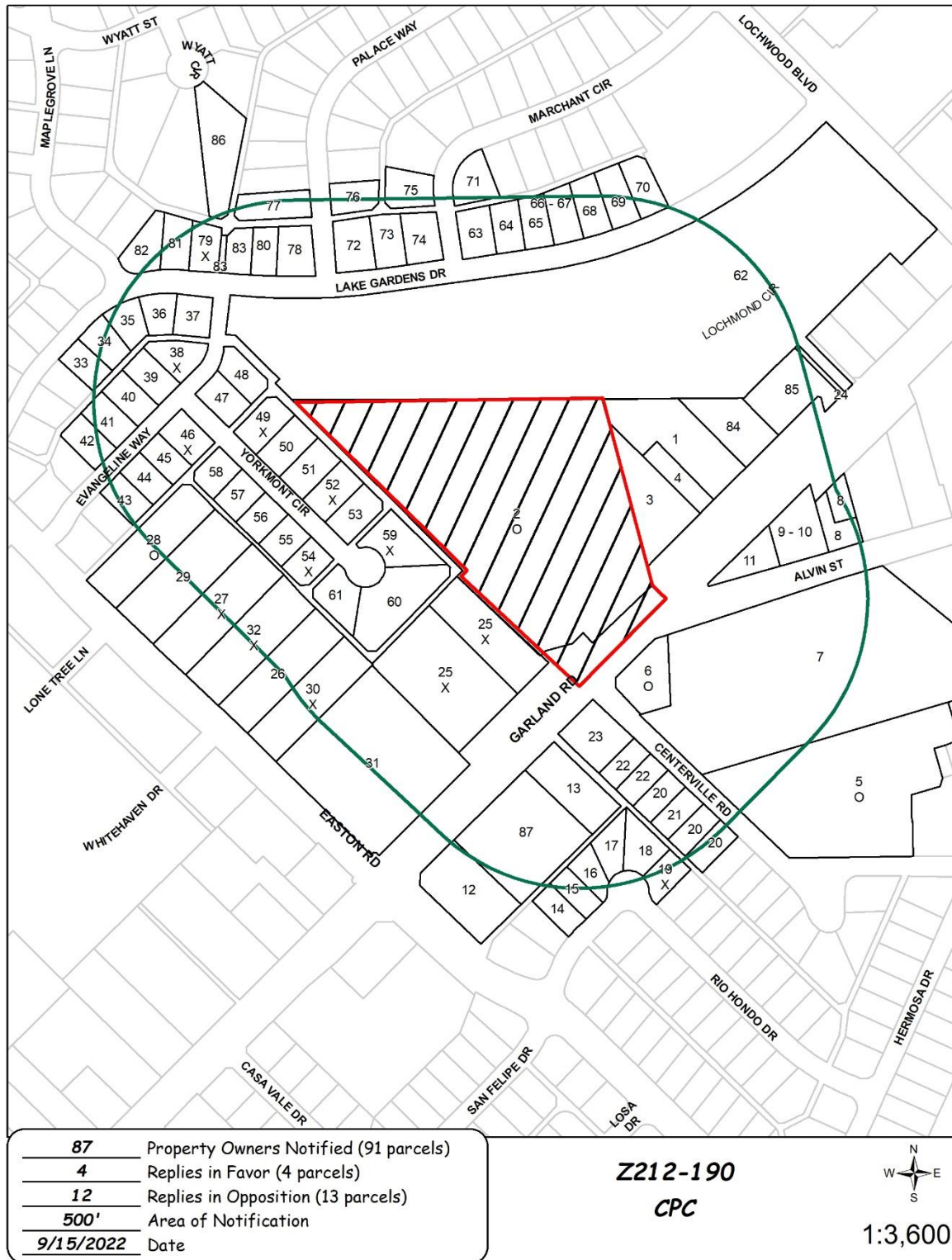






# Market Value Analysis

Printed Date: 3/30/2022





09/14/2022

***Reply List of Property Owners******Z212-190******87 Property Owners Notified    4 Property Owners in Favor    12 Property Owners Opposed***

<b><i>Reply</i></b>	<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
	1	10825 GARLAND RD	DO KIM T
O	2	10715 GARLAND RD	SHORELINE CHURCH DALLAS
	3	10801 GARLAND RD	MODERN TOT LLC THE
	4	10819 GARLAND RD	SHIM JEA LRR
O	5	10710 GARLAND RD	SHORELINE CHURCH DALLAS
O	6	10704 GARLAND RD	CASA ROCK PARTNERS LTD
	7	10740 GARLAND RD	EXTRA SPACE PROPERTIES
	8	10910 GARLAND RD	H H & H INVESTMENTS
	9	10908 GARLAND RD	HOFFER DAVID &
	10	10908 GARLAND RD	H H & H INVESTMENTS
	11	10806 GARLAND RD	Taxpayer at
	12	10502 GARLAND RD	BFS RETAIL & COMMERICAL
	13	10622 GARLAND RD	Taxpayer at
	14	10515 SAN FELIPE DR	RAMIREZ MARIA E
	15	10519 SAN FELIPE DR	CROUCH RONALD E
	16	10523 SAN FELIPE DR	MARTINEZ JESUS R
	17	10529 SAN FELIPE DR	COAN CARL A & LAURA S
	18	1302 RIO HONDO DR	IRVIN MARIA O &
X	19	1306 RIO HONDO DR	PRIESING BETTY BRYAN
	20	1237 CENTERVILLE RD	DOMINUS PPTIES INC
	21	1227 CENTERVILLE RD	GARCIA OFELIA FRANCISCA
	22	1219 CENTERVILLE RD	CHILANGOLANDIA SABOR UNICO INC
	23	10636 GARLAND RD	AKGR1 LLC
	24	11001 GARLAND RD	G & W ASSOCIATES IV
X	25	10611 GARLAND RD	FELDER NEIL
	26	1134 EASTON RD	STARKEY REVOCABLE TRUST

09/14/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	27	1120 EASTON RD	MANNON JASON A & JESSICA
O	28	1102 EASTON RD	MILLER WEBSTER & ASHLEY
	29	1110 EASTON RD	BATES BRETT A
X	30	1142 EASTON RD	MERUCCI REVOCABLE TRUST
	31	10501 GARLAND RD	SPARKMAN HILLCREST INC
X	32	1128 EASTON RD	BERGGREN GERARD T III & SUZANNE S
	33	10530 LAKE GARDENS DR	MACK JONATHAN PAUL &
	34	10536 LAKE GARDENS DR	COOPER TIMOTHY F
	35	10540 LAKE GARDENS DR	BUTTERSHOAL INC
	36	10706 LAKE GARDENS DR	ORNELAS LILIANA
	37	10716 LAKE GARDENS DR	WOERNER JESSICA D
X	38	10547 EVANGELINE WAY	YOCHAM JASON T & SARAH K
	39	10539 EVANGELINE WAY	BALL JOYCE C
	40	10533 EVANGELINE WAY	DOWNING CHARLES
	41	10527 EVANGELINE WAY	CARDINALE JOSEPH A
	42	10521 EVANGELINE WAY	JAYARAMAN KARTHIK &
	43	10520 EVANGELINE WAY	GRAHAM ELIZABETH & LINDSAY
	44	10526 EVANGELINE WAY	LOWRY CHARLES &
	45	10532 EVANGELINE WAY	LADD MATTHEW R & MORGAN M
X	46	10538 EVANGELINE WAY	SUMMERS KAREN FAITH TRUST
	47	10548 EVANGELINE WAY	DOTSON JAMES CHRISTIAN &
	48	10556 EVANGELINE WAY	Taxpayer at
X	49	11240 YORKMONT CIR	REILLY BOBBIE S
	50	11232 YORKMONT CIR	NEUBRAND THOMAS A
	51	11224 YORKMONT CIR	LIVINGSTON DEBORA &
X	52	11216 YORKMONT CIR	MAXWELL FRAZIER
	53	11212 YORKMONT CIR	WOLCHANSKY GREGORY L & SUSAN G
X	54	11211 YORKMONT CIR	MEAGHER DAVID & JACQUELINE
	55	11217 YORKMONT CIR	FOSTER JOHN DOUGLAS &
	56	11225 YORKMONT CIR	SETTIMI TRACY L
	57	11233 YORKMONT CIR	PHILLIPS BENJAMIN &

09/14/2022

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	11241 YORKMONT CIR	COLE SANDRA
X	59	11208 YORKMONT CIR	PARROTT LIVING TRUST
	60	11204 YORKMONT CIR	RUIBAL MARK A
	61	11207 YORKMONT CIR	ABELL DONALD
	62	11117 LOCHWOOD BLVD	LIVE OAK LOCHWOOD LLC
	63	10803 LAKE GARDENS DR	DAYMAN BRIAN A
	64	10809 LAKE GARDENS DR	ALVARADO MARIA
	65	10815 LAKE GARDENS DR	TERADA SUZANNE T & HARVEY E HENDERSON JR
	66	10823 LAKE GARDENS DR	MARCOS EDITH J
	67	10821 LAKE GARDENS DR	MARCOS EDITH J EST OF
	68	10827 LAKE GARDENS DR	TERADA SUZANNE T REVOCABLE TRUST
	69	10835 LAKE GARDENS DR	TEXAS LAND CAPITAL LP
	70	10903 LAKE GARDENS DR	DEATON JAMES M &
	71	10822 MARCHANT CIR	TOBOLKA HENRY L JR &
	72	10743 LAKE GARDENS DR	SNYDER CHILDRENS TRUST
	73	10749 LAKE GARDENS DR	HUANG RONG SHENG LIN &
	74	10755 LAKE GARDENS DR	WAWROSKI CHRISTOPHER &
	75	10809 MARCHANT CIR	BROWN SHERRI A DOTSON & JAMES W JR
	76	10714 PALACE WAY	EASLEY MARTHA FAYE
	77	10711 PALACE WAY	YTEM MARIAN B
	78	10737 LAKE GARDENS DR	MURAD SHADI &
X	79	10717 LAKE GARDENS DR	SCOTT ALLISON K
	80	10729 LAKE GARDENS DR	DIOUF SARAH E &
	81	10711 LAKE GARDENS DR	CLAYTON DAYE ALANE
	82	10705 LAKE GARDENS DR	BIANCO ANTHONY A LO &
	83	10723 LAKE GARDENS DR	NASER TIMOTHY S
	84	10901 GARLAND RD	J T REALTY INC
	85	10915 GARLAND RD	SINGLE TENANT REALTY IV LTD
	86	10754 WYATT CIR	FISCHER DONALD
	87	10520 GARLAND RD	Taxpayer at



# City of Dallas

1500 Marilla Street  
Council Chambers, 6th Floor  
Dallas, Texas 75201

## Agenda Information Sheet

**File #:** 22-2595  
PH1.

**Item #:**

**STRATEGIC PRIORITY:** Economic Development

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Development Services

**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments and to approve a resolution granting a request to consider the Ceremonial Street Name request for "Rosa Lopez" as a street topper on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triunfo Street between Winnetka Avenue and Shaw Street - NC212-006(CM) - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs) (This item was deferred on October 26, 2022)

### **BACKGROUND**

On August 3, 2022, the City of Dallas accepted an application for a Ceremonial Street Name request "Topper" on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triunfo Street between Winnetka Avenue and Shaw Street.

On October 7, 2022, notification signs were put up on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triunfo Street between Winnetka Avenue and Shaw Street, notifying the community of the proposed Ceremonial Street Name in accordance with Section 51A-9.503(b) of the Dallas Development Code.

On October 7, 2022, notices were sent to 81 property owners which abut the streets notifying of the proposed hearing of the Ceremonial Street Name request before the City Council on October 26, 2022 in accordance with Section 51A-9.503(b) of the Dallas Development Code. The newspaper notice for October 26, 2022 City Council hearing was published on October 7, 2022.

Rosa Lopez had a long history of community service for more than 10 years. Co-Founder of Dallas' first lesbian alliance Lesbiana Latinas de Dallas in 1995, she gave voice to women who culturally and

PH1.

historically had been oppressed and very minimally represented. Her most notable work was in West Dallas, in 1993 she founded Vecinos Unidos Inc., United Neighbors Inc., a community housing development corporation. Ms. Lopez served on several local boards most notably Texas Community Development Association, North Texas Housing Coalition, and the West Dallas Chamber of Commerce. Ms. Lopez passed at the age of 63 on February 21, 2017.

Additional information on Ms. Lopez legacy is on attached Exhibit A.

Section 51A-9.504(a)(1)(C) is complied with as there has been no other city street renamed “Rosa Lopez”; Section 51A-9.504(b)(3) requires that the street topper must have “In Honor of” as the top line of the topper. The request complies with all other sections of Section 51A-9.504 of the Dallas Development Code except waiver is needed for Section 51A-9.504(a)(1)(C).

**WAIVER IS NEEDED FOR:** The following provision requires three quarters vote of the City Council to waive the requirement.

Section 51A-9.504(a)(1)(C) of the Dallas Development Code “Individuals who have already been honored on one street, whether ceremonial or official, may not be honored on another street.”

The proposed Ceremonial Street Topper for “Rosa Lopez” on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triunfo Street between Winnetka Avenue and Shaw Street does not comply with this provision as the topper is requested for more than one street. The approval of this request will require a waiver for Section 51A-9.504(a)(1)(c).

**Section 51A-9.504(a)(2)** The standards in Section 51A-9.504 may be waived by three quarters vote of the City Council.

**STAFF RECOMMENDATION:** This request requires a waiver of Section 51A-9.504(a)(1)(c). Staff has no objection provided that the required waiver is granted.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

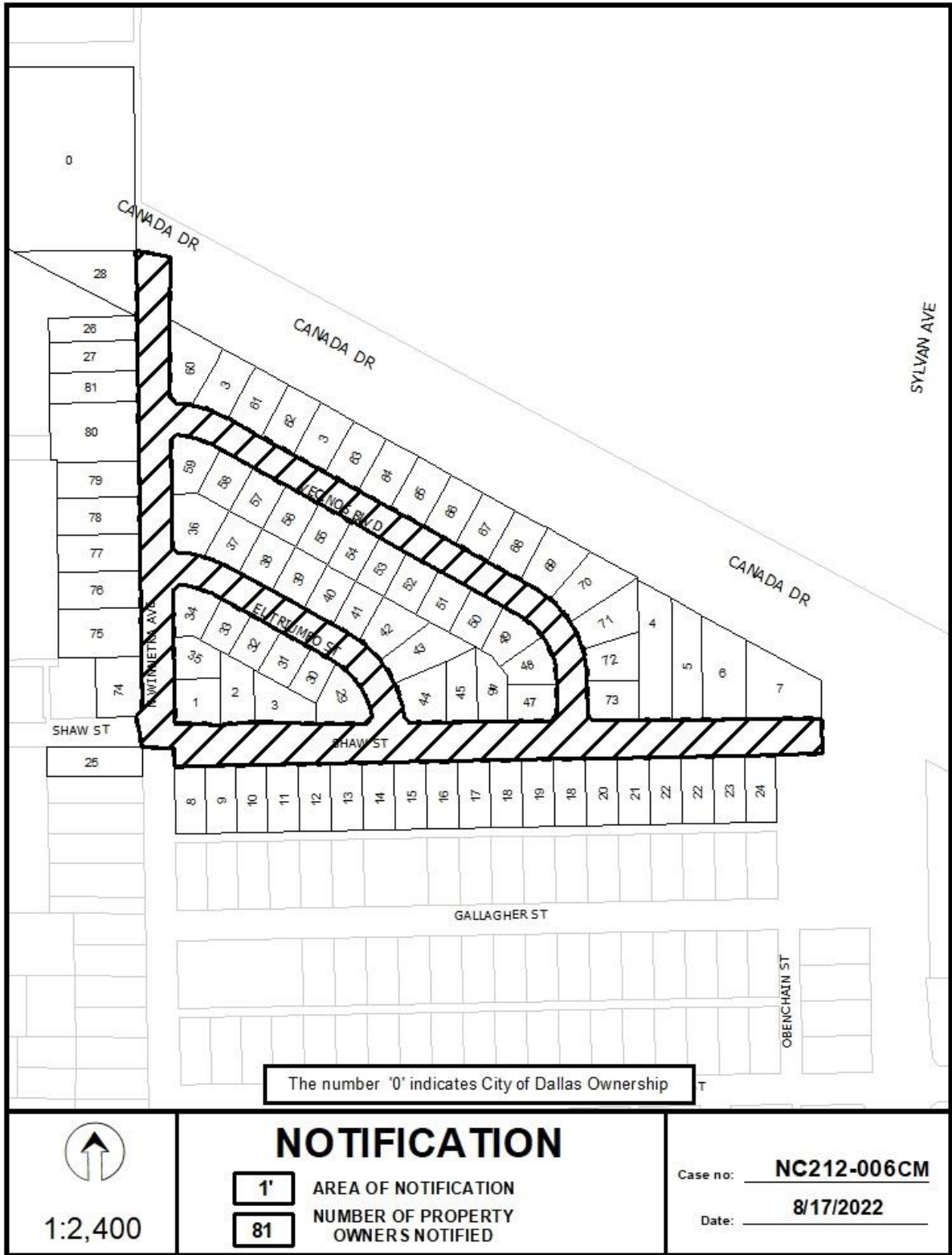
On October 26, 2022, this item was deferred by Deputy Mayor Pro Tem Omar Narvaez.

### **FISCAL INFORMATION**

Street blades to be prepared and paid for by the City of Dallas; potential future costs to the City are estimated at \$1,812.00.

### **MAP**

Attached



08/17/2022

## ***Notification List of Property Owners***

***NC212-006CM***

***81 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1019 SHAW ST	GARCIA MARCO &
2	1013 SHAW ST	JARAMILLO JULIA &
3	1007 SHAW ST	SHETH HEMANG A
4	829 SHAW ST	LOPEZ MONICA M
5	825 SHAW ST	MEDINA JOSE GUADALUPE
6	821 SHAW ST	MUENNINK 35 HOLMES LLC
7	815 SHAW ST	RAZO ROBERT &
8	1022 SHAW ST	TORRES ODILON &
9	1018 SHAW ST	MARTINEZ SILVERIO
10	1014 SHAW ST	LEIJA ANGELITA
11	1010 SHAW ST	ARREDONDO MARIA O &
12	1006 SHAW ST	LEOS ELENA
13	1002 SHAW ST	CASTILLO PETE &
14	926 SHAW ST	MARTINEZ MARINO CERDA
15	922 SHAW ST	MUENNINK 35 HOLMES LLC
16	918 SHAW ST	LUVIANO MARLENE &
17	914 SHAW ST	MUENNINK 35 HOMES LLC
18	910 SHAW ST	MUENNINK 35 HOLMES LLC
19	906 SHAW ST	SANDOVAL MARGARITA RENTERIA
20	834 SHAW ST	MUENNINK 35 HOLMES LLC
21	830 SHAW ST	LUNA MARGARITO &
22	826 SHAW ST	ARREDONDO ARTEMIO &
23	818 SHAW ST	ROSAS ALFONSO LIFE ESTATE
24	814 SHAW ST	PEREZ NOEMI
25	3461 N WINNETKA AVE	DELGADO GUADALUPE
26	3611 N WINNETKA AVE	803 DAVIS LLC

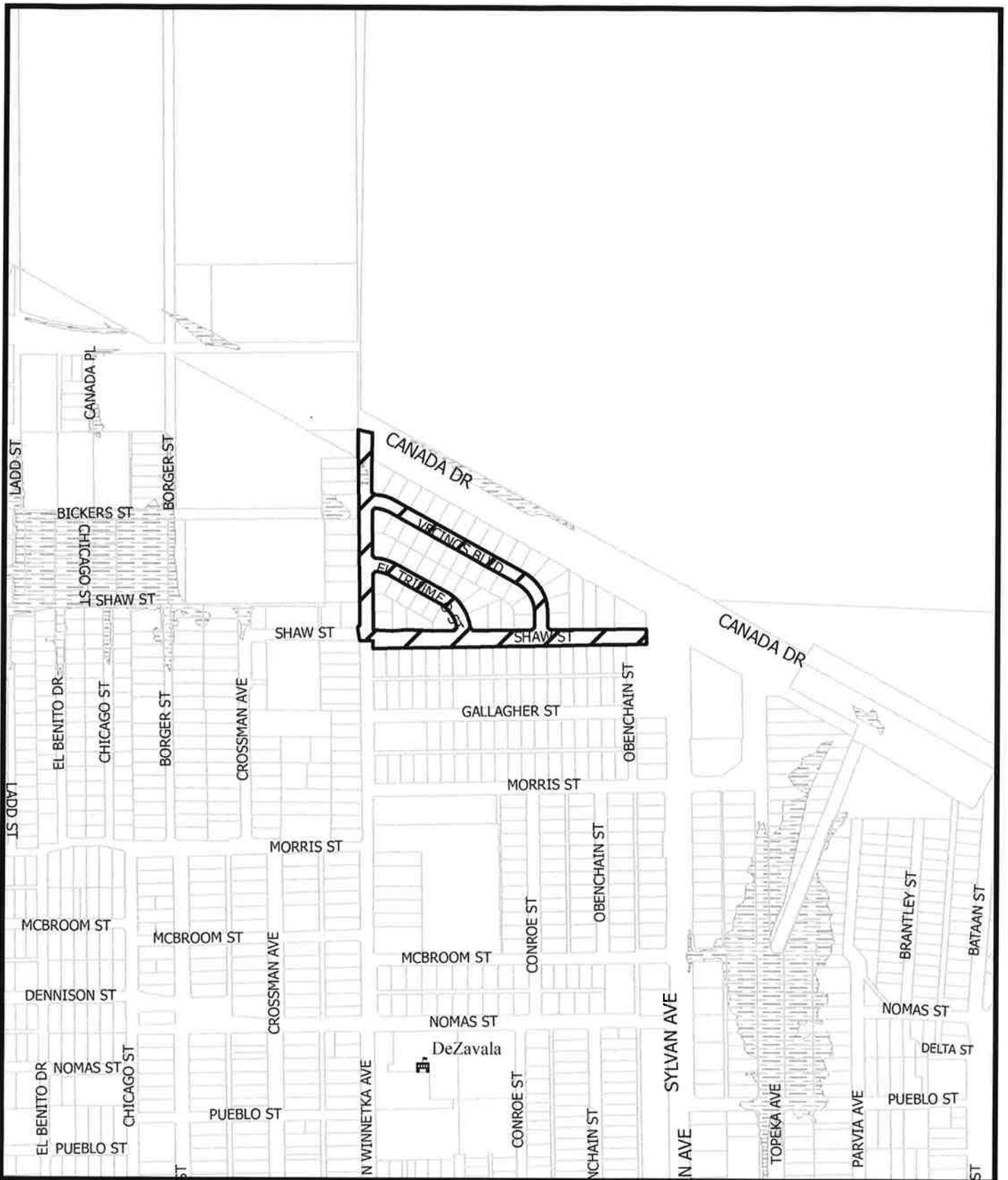
08/17/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3609 N WINNETKA AVE	PRINCESS THE CEO LLC
28	4 CANADA DR	DALLAS CITY & COUNTY
29	1006 EL TRIUMFO ST	HOWARD TERESA LYNELL
30	1012 EL TRIUMFO ST	MARTINEZ FLORENTINO &
31	1018 EL TRIUMFO ST	FLORES JOSE LUIS
32	1024 EL TRIUMFO ST	VILLANUEVA ROBERTO &
33	1030 EL TRIUMFO ST	GANDARA JOSE A & MARIA M
34	1036 EL TRIUMFO ST	LIMON PEDRO & MIRIAM
35	3508 N WINNETKA AVE	MENDOZA JOSE DE JESUS
36	1053 EL TRIUMFO ST	CASTILLO VICTOR &
37	1047 EL TRIUMFO ST	CASTILLO FRANCISCO
38	1041 EL TRIUMFO ST	LIMON FERNANDO
39	1035 EL TRIUMFO ST	GUTIERREZ FIDEL A
40	1029 EL TRIUMFO ST	BARRERA FERNANDO &
41	1023 EL TRIUMFO ST	MORALES ANDRES JR & ROSA
42	1017 EL TRIUMFO ST	DIAZ DONATO
43	1011 EL TRIUMFO ST	CRUZ MARTIN
44	1005 EL TRIUMFO ST	ALVARADO MARCOS M
45	913 SHAW ST	LEIVA THELMA M
46	909 SHAW ST	RAZO EVODIO
47	904 VECINOS BLVD	VILLAREAL ROQUE
48	908 VECINOS BLVD	CATILLO JOSE ANTONIO &
49	912 VECINOS BLVD	RODRIGUEZ ROSA E PINEDA DE
50	916 VECINOS BLVD	MORENO JOSE GUADALUPE &
51	920 VECINOS BLVD	ORTIZ ALFONSINA
52	924 VECINOS BLVD	DE LUNA JULIO C
53	928 VECINOS BLVD	MANDUJANO ENOR &
54	932 VECINOS BLVD	MARTINEZ JOSE A
55	936 VECINOS BLVD	GUTIERREZ JUAN & NORA
56	940 VECINOS BLVD	GOMEZ HECTOR
57	944 VECINOS BLVD	RAZO PALOMA



08/17/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	948 VECINOS BLVD	OROZCO NICOLAS & RAMONA
59	952 VECINOS BLVD	CAMACHO GUILLERMINA P &
60	963 VECINOS BLVD	GAITAN BERNARDINO &
61	955 VECINOS BLVD	RAZO PASCUAL & MANUELA
62	951 VECINOS BLVD	GARCIA MARIA DE LOS ANGELES
63	943 VECINOS BLVD	CASTILLO GERARDO &
64	939 VECINOS BLVD	GOMEZ HUBERTO R
65	935 VECINOS BLVD	DIAZ MARITZA L
66	931 VECINOS BLVD	VASQUEZ NICOLAS
67	927 VECINOS BLVD	RODRIGUEZ AMANDO
68	923 VECINOS BLVD	MARTINEZ FLORENTINO & MARIA
69	919 VECINOS BLVD	WILSON CARLEY ALICIA
70	915 VECINOS BLVD	ZETINO FIDELINA
71	911 VECINOS BLVD	RAMONCORRO HUMBERTO
72	907 VECINOS BLVD	Taxpayer at
73	903 VECINOS BLVD	GARCIA DELMY
74	1107 SHAW ST	VILLAGOMEZ ALDO
75	3505 N WINNETKA AVE	CASTILLO FERNANDO N
76	3509 N WINNETKA AVE	GUERRERO MARIA D
77	3513 N WINNETKA AVE	RAZO LAZARO
78	3517 N WINNETKA AVE	VILLATORO PASTORA
79	3521 N WINNETKA AVE	CRUZ RAYMUNDO &
80	3603 N WINNETKA AVE	VECINOS UNIDOS INC
81	3605 N WINNETKA AVE	ALEMAN ESTEBAN



1:6,000

## VICINITY MAP

Case no: **NC212-006 CM**

Date: **9/27/2022**

**Memorandum**

RECEIVED

2022 AUG -3 PM 2:15

CITY SECRETARY  
DALLAS, TEXAS



DATE August 3, 2022

TO: TC Broadnax, City Manager

SUBJECT Ceremonial Street Topper for Rosa Lopez – Winnetka Street Between Canada and Shaw, Shaw Street Between Winnetka and Obenchain, Vecinos Blvd Between Winnetka and Shaw and El Triunfo Street Between Winnetka and Shaw.

In accordance with the provisions of Section 51A-9.302 of the Dallas Development Code, please proceed with the process for the consideration of a Ceremonial Street Topper in memory of Rosa Lopez from Winnetka Street Between Canada and Shaw, Shaw Street Between Winnetka and Obenchain, Vecinos Blvd Between Winnetka and Shaw and El Triunfo Street Between Winnetka and Shaw. In 1995, Vecinos Unidos Inc. started working on the Casa Rio Planned Development, a residential housing development that offered 57 brick homes in the Los Altos Neighborhood and it was successfully completed in 2001.

For additional information on Rosa Lopez's legacy, please find the attached Exhibit A

Omar Narvaez  
Council Member, District 6

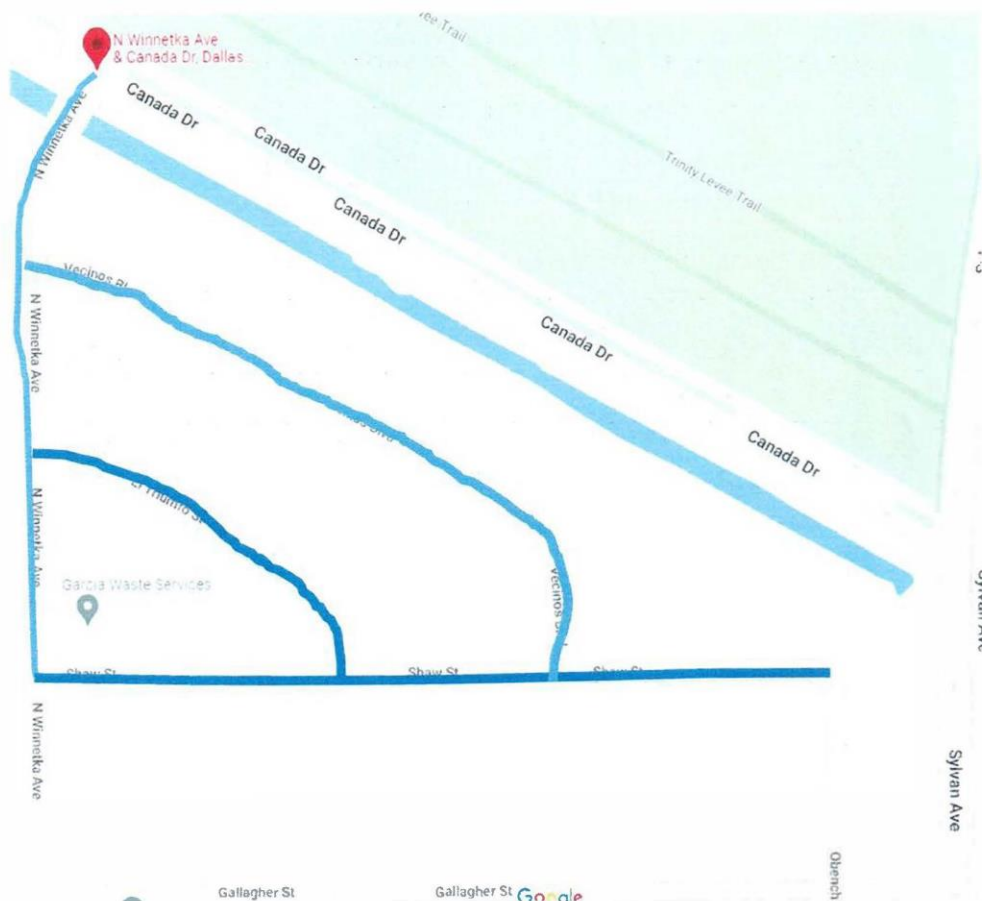
Council Member, District 7  
Adam Bazaldua

Council Member, District 9  
Paula Blackmon

"Our Product is Service"  
Empathy | Ethics | Excellence | Equity

Location Map –

- Winnetka Street Between Canada and Shaw
- Shaw Street Between Winnetka and Obenchain
- Vecinos Blvd Between Winnetka and Shaw
- El Triunfo Street Between Winnetka and Shaw



"Our Product is Service"  
Empathy | Ethics | Excellence | Equity

## AGENDA ITEM # xx

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Development Services  
**CMO:** Majed Al-Gafry  
**MAPSCO:** 44K

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### **SUBJECT:**

A public hearing to receive comments and to approve a resolution granting a request to consider the Ceremonial Street Name request for “Rosa Lopez” as a street topper on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triumfo Street between Winnetka Avenue and Shaw Street.

**NC212-006CM - Financing** – New Street blades to be prepared and paid by the City of Dallas. (Total cost estimation \$1,812)

**BACKGROUND:** On August 3, 2022, the City of Dallas accepted an application for a Ceremonial Street Name request “Topper” on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triumfo Street between Winnetka Avenue and Shaw Street.

On October 7, 2022 notification signs were put up on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triumfo Street between Winnetka Avenue and Shaw Street; notifying the community of the proposed Ceremonial Street Name in accordance with Section 51A-9.503(b) of the Dallas Development Code.

On October 7, 2022 notices were sent to 81 property owners which about the streets notifying of the proposed hearing of the Ceremonial Street Name request before the City Council on October 26, 2022 in accordance with Section 51A-9.503(b) of the Dallas Development Code. The newspaper notice for October 26, 2022 City Council hearing was published on October 7, 2022.

Rosa Lopez had a long history of community service for more than 10 years. Co-Founder of Dallas’ first lesbian alliance Lesbiana Latinas de Dallas in 1995, she gave voice to women who culturally and historically had been oppressed and very minimally represented. Her most notable work was in West Dallas, in 1993 she founded Vecinos Unidos Inc., United Neighbors Inc., a community housing development corporation. Ms. Lopez served on several local boards most notably Texas Community Development

Association, North Texas Housing Coalition, and the West Dallas Chamber of Commerce. Ms. Lopez passed at the age of 63 on February 21, 2017.

Additional information on Ms. Lopez legacy is on attached Exhibit A.

Section 51A-9.504(a)(1)(C) is complied with as there has been no other city street renamed "Rosa Lopez"; Section 51A-9.504(b)(3) requires that the street topper must have "In Honor of" as the top line of the topper. The request complies with all other sections of Section 51A-9.504 of the Dallas Development Code except waiver is needed for Section 51A-9.504(a)(1)(C).

**WAIVER IS NEEDED FOR:** The following provision requires three quarters vote of the City Council to waive the requirement.

Section 51A-9.504(a)(1)(C) of the Dallas Development Code "Individuals who have already been honored on one street, whether ceremonial or official, may not be honored on another street."

The proposed Ceremonial Street Topper for "Rosa Lopez" on Winnetka Avenue between Canada Drive and Shaw Street, Shaw Street between Winnetka Avenue and Obenchain Street, Vecinos Boulevard between Winnetka Avenue and Shaw Street, and El Triunfo Street between Winnetka Avenue and Shaw Street does not comply with this provision as the topper is requested for more than one street. The approval of this request will require a waiver for Section 51A-9.504(a)(1)(c).

Section 51A-9.504(a)(2) The standards in Section 51A-9.504 may be waived by three quarters vote of the city council.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On October 26, 2022 City Council held a request under advisement to November 9, 2022.

#### **STAFF RECOMMENDATION**

This request requires a waiver of Section 51A-9.504(a)(1)(c). Staff has no objection provided that the required waiver is granted.

# Memorandum

RECEIVED

2022 AUG -3 PM 2: 15

CITY SECRETARY  
DALLAS, TEXAS



CITY OF DALLAS

DATE August 3, 2022

TO: TC Broadnax, City Manager

SUBJECT Ceremonial Street Topper for Rosa Lopez – Winnetka Street Between Canada and Shaw, Shaw Street Between Winnetka and Obenchain, Vecinos Blvd Between Winnetka and Shaw and El Triunfo Street Between Winnetka and Shaw.

In accordance with the provisions of Section 51A-9.302 of the Dallas Development Code, please proceed with the process for the consideration of a Ceremonial Street Topper in memory of Rosa Lopez from Winnetka Street Between Canada and Shaw, Shaw Street Between Winnetka and Obenchain, Vecinos Blvd Between Winnetka and Shaw and El Triunfo Street Between Winnetka and Shaw. In 1995, Vecinos Unidos Inc. started working on the Casa Rio Planned Development, a residential housing development that offered 57 brick homes in the Los Altos Neighborhood and it was successfully completed in 2001.

For additional information on Rosa Lopez's legacy, please find the attached Exhibit A

Omar Narvaez  
Council Member, District 6

Council Member, District 7  
Adam Bazaldua

Council Member, District 9  
Paula Blackmon

"Our Product is Service"  
Empathy | Ethics | Excellence | Equity



Location Map –

- Winnetka Street Between Canada and Shaw
- Shaw Street Between Winnetka and Obenchain
- Vecinos Blvd Between Winnetka and Shaw
- El Triunfo Street Between Winnetka and Shaw



"Our Product is Service"  
Empathy | Ethics | Excellence | Equity

## **Exhibit A**

### **ROSA LOPEZ Bio**

Born in Moline, Illinois in 1954, eldest of 6 sisters and 2 brothers to parents who were originally from Dallas.

Ms. Lopez began her career as a housing and tenant rights advocate in Moline, Illinois after graduating from Black Hawk College in Moline with a bachelors. Her advocacy at Project Now, a low-income housing center in Moline, after several years of practice she moved to New York where she supervised a nonprofit landlord-tenant counseling program. She continued her housing advocacy at Haven House, a women's shelter, but she was a feminist and was a leader activist with the Woman Coalition marches.

In 1991, she left Buffalo New York and in 1992 arrived in Dallas, Ms. Lopez continued her advocacy in affordable housing, education, healthcare, LGBTQ rights and women rights.

Co-Founder of Dallas' first lesbian alliance Lesbiana Latinas de Dallas in 1995, she gave voice to women who culturally and historically had been oppressed and very minimally represented. Not only was she a successful social issues organizer she was a small business owner, an Oak Cliff resident she opened and owned Sueños Sabrosos, Sweet Dreams an ice cream shop in the Bishop Arts District.

Her most notable work was in West Dallas, in 1993 she founded Vecinos Unidos Inc., United Neighbors Inc., a community housing development corporation.

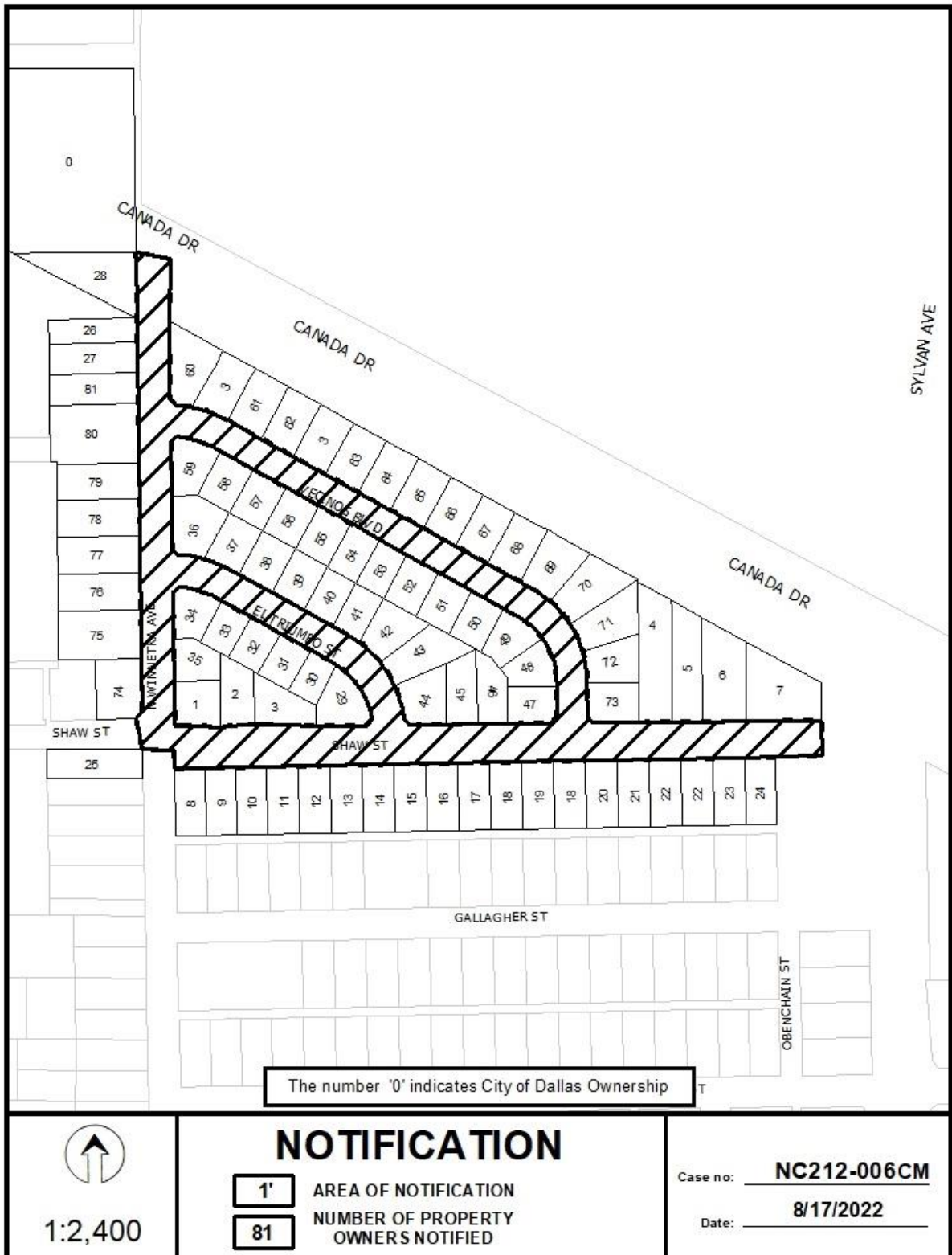
In 1995, Vecinos Unidos Inc. started working on the Casa Rio Planned Development, a residential housing development that offered 57 brick homes in the Los Altos Neighborhood and it was successfully completed in 2001. Rosa's childhood and family experience informed her leadership style and most significant her accountability of others, growing up poor and having difficulties, Rosa persevered and had success, she brought that point of view which was evident in her expectations from others who she mentored or advocated for.

Lopez served on several local boards most notably Texas Community Development Association, North Texas Housing Coalition and the West Dallas Chamber of Commerce.

Rosa passed at the age of 63, privately in her home in Moline, Illinois. She was battling Hodgkin's Lymphoma Disease and after remission the cancer returned, and she succumbed to the illness on February 21, 2017

LULAC Rainbow Council created a scholarship in her name to remember and honor her legacy.

West Dallas Community leaders who were her contemporary colleagues or who were mentored will always remember her patience and how she took time to listen and offered simple and practical advice. Her leadership is still present as the West Dallas Community sees the importance of owning the issues and coming up with solutions, but most importantly working across a groups and ideas to figure out what is the best solution to all.



08/17/2022

## ***Notification List of Property Owners***

***NC212-006CM***

***81 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1019 SHAW ST	GARCIA MARCO &
2	1013 SHAW ST	JARAMILLO JULIA &
3	1007 SHAW ST	SHETH HEMANG A
4	829 SHAW ST	LOPEZ MONICA M
5	825 SHAW ST	MEDINA JOSE GUADALUPE
6	821 SHAW ST	MUENNINK 35 HOLMES LLC
7	815 SHAW ST	RAZO ROBERT &
8	1022 SHAW ST	TORRES ODILON &
9	1018 SHAW ST	MARTINEZ SILVERIO
10	1014 SHAW ST	LEIJA ANGELITA
11	1010 SHAW ST	ARREDONDO MARIA O &
12	1006 SHAW ST	LEOS ELENA
13	1002 SHAW ST	CASTILLO PETE &
14	926 SHAW ST	MARTINEZ MARINO CERDA
15	922 SHAW ST	MUENNINK 35 HOLMES LLC
16	918 SHAW ST	LUVIANO MARLENE &
17	914 SHAW ST	MUENNINK 35 HOMES LLC
18	910 SHAW ST	MUENNINK 35 HOLMES LLC
19	906 SHAW ST	SANDOVAL MARGARITA RENTERIA
20	834 SHAW ST	MUENNINK 35 HOLMES LLC
21	830 SHAW ST	LUNA MARGARITO &
22	826 SHAW ST	ARREDONDO ARTEMIO &
23	818 SHAW ST	ROSAS ALFONSO LIFE ESTATE
24	814 SHAW ST	PEREZ NOEMI
25	3461 N WINNETKA AVE	DELGADO GUADALUPE

08/17/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
26	3611 N WINNETKA AVE	803 DAVIS LLC
27	3609 N WINNETKA AVE	PRINCESS THE CEO LLC
28	4 CANADA DR	DALLAS CITY & COUNTY
29	1006 EL TRIUMFO ST	HOWARD TERESA LYNNELL
30	1012 EL TRIUMFO ST	MARTINEZ FLORENTINO &
31	1018 EL TRIUMFO ST	FLORES JOSE LUIS
32	1024 EL TRIUMFO ST	VILLANUEVA ROBERTO &
33	1030 EL TRIUMFO ST	GANDARA JOSE A & MARIA M
34	1036 EL TRIUMFO ST	LIMON PEDRO & MIRIAM
35	3508 N WINNETKA AVE	MENDOZA JOSE DE JESUS
36	1053 EL TRIUMFO ST	CASTILLO VICTOR &
37	1047 EL TRIUMFO ST	CASTILLO FRANCISCO
38	1041 EL TRIUMFO ST	LIMON FERNANDO
39	1035 EL TRIUMFO ST	GUTIERREZ FIDEL A
40	1029 EL TRIUMFO ST	BARRERA FERNANDO &
41	1023 EL TRIUMFO ST	MORALES ANDRES JR & ROSA
42	1017 EL TRIUMFO ST	DIAZ DONATO
43	1011 EL TRIUMFO ST	CRUZ MARTIN
44	1005 EL TRIUMFO ST	ALVARADO MARCOS M
45	913 SHAW ST	LEIVA THELMA M
46	909 SHAW ST	RAZO EVODIO
47	904 VECINOS BLVD	VILLAREAL ROQUE
48	908 VECINOS BLVD	CATILLO JOSE ANTONIO &
49	912 VECINOS BLVD	RODRIGUEZ ROSA E PINEDA DE
50	916 VECINOS BLVD	MORENO JOSE GUADALUPE &
51	920 VECINOS BLVD	ORTIZ ALFONSINA
52	924 VECINOS BLVD	DE LUNA JULIO C
53	928 VECINOS BLVD	MANDUJANO ENOR &
54	932 VECINOS BLVD	MARTINEZ JOSE A
55	936 VECINOS BLVD	GUTIERREZ JUAN & NORA
56	940 VECINOS BLVD	GOMEZ HECTOR
57	944 VECINOS BLVD	RAZO PALOMA

CC 11/09/2022

NC212-006CM

08/17/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	948 VECINOS BLVD	OROZCO NICOLAS & RAMONA
59	952 VECINOS BLVD	CAMACHO GUILLERMINA P &
60	963 VECINOS BLVD	GAITAN BERNARDINO &
61	955 VECINOS BLVD	RAZO PASCUAL & MANUELA
62	951 VECINOS BLVD	GARCIA MARIA DE LOS ANGELES
63	943 VECINOS BLVD	CASTILLO GERARDO &
64	939 VECINOS BLVD	GOMEZ HUBERTO R
65	935 VECINOS BLVD	DIAZ MARITZA L
66	931 VECINOS BLVD	VASQUEZ NICOLAS
67	927 VECINOS BLVD	RODRIGUEZ AMANDO
68	923 VECINOS BLVD	MARTINEZ FLORENTINO & MARIA
69	919 VECINOS BLVD	WILSON CARLEY ALICIA
70	915 VECINOS BLVD	ZETINO FIDELINA
71	911 VECINOS BLVD	RAMONCORRO HUMBERTO
72	907 VECINOS BLVD	Taxpayer at
73	903 VECINOS BLVD	GARCIA DELMY
74	1107 SHAW ST	VILLAGOMEZ ALDO
75	3505 N WINNETKA AVE	CASTILLO FERNANDO N
76	3509 N WINNETKA AVE	GUERRERO MARIA D
77	3513 N WINNETKA AVE	RAZO LAZARO
78	3517 N WINNETKA AVE	VILLATORO PASTORA
79	3521 N WINNETKA AVE	CRUZ RAYMUNDO &
80	3603 N WINNETKA AVE	VECINOS UNIDOS INC
81	3605 N WINNETKA AVE	ALEMAN ESTEBAN



## **Exhibit A**

### **ROSA LOPEZ Bio**

Born in Moline, Illinois in 1954, eldest of 6 sisters and 2 brothers to parents who were originally from Dallas.

Ms. Lopez began her career as a housing and tenant rights advocate in Moline, Illinois after graduating from Black Hawk College in Moline with a bachelors. Her advocacy at Project Now, a low-income housing center in Moline, after several years of practice she moved to New York where she supervised a nonprofit landlord-tenant counseling program. She continued her housing advocacy at Haven House, a women's shelter, but she was a feminist and was a leader activist with the Woman Coalition marches.

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## Agenda Information Sheet

**File #:** 22-2440  
PH2.

**Item #:**

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** November 9, 2022

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Dr. Robert Perez

---

### **SUBJECT**

A public hearing to receive comments to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the right-of-way and pavement width on Park Avenue between Young Street and Marilla Street from 50 feet of right-of-way and 25 feet of pavement to 48 feet of right-of-way and 26 feet of pavement; and, at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

### **BACKGROUND**

First Presbyterian Church of Dallas has requested an amendment to the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the right-of-way on Park Avenue between Young Street and Marilla Street from 50 feet of right-of-way to 48 feet of right-of-way. The proposed reduction in the right-of-way would be on the east side of the roadway, adjacent to the 508 Park Avenue building.

Park Avenue was dedicated by plat on March 16, 1887, with 50-feet of right-of-way. Warner Bros. constructed the 508 Park Avenue building in 1929 with approximately 0.4 feet to 1.1 feet of the building in the Park Avenue right-of-way. The Church purchased the building in 2011 and began the platting process. The City of Dallas City Plan Commission approved the final plat on November 1, 2012, pending the abandonment of 1.1 feet in the right-of-way and release from the Real Estate division. In 2015, the Church constructed an amphitheater connecting to the 508 Park Avenue building. To obtain a Certificate of Occupancy for the amphitheater, the Church must amend the Central Business District Streets and Vehicular Circulation Plan to abandon the 1.1 feet of right-of-way under the 508 Park Avenue building for their final plat to be approved.

This amendment would also update the existing and proposed pavement width in the Central Business District Streets and Vehicular Circulation Plan, currently listed as 30 feet existing pavement and 25 feet of proposed pavement, to reflect the existing pavement width of 26 feet.

Park Avenue currently operates as a one-lane southbound and one-lane northbound. This amendment will not impact operation.

First Presbyterian Church of Dallas owns and operates both sides of Park Avenue.

This is the second application for this requested amendment. The first application was denied at City Council on October 13, 2021. Since then, the applicant has worked diligently to address the Councilmember's concerns by meeting with surrounding property owners, creating an action plan for maintenance and cleaning of the sidewalks in the area, and trying to find housing for persons experiencing homelessness. The action plan states that the Church has increased power washing the sidewalk which motivated people to no longer camp on Park Avenue; installed more trash cans and instituted a Church staff trash pick-up in the area; enhanced the community garden; progressed the development of 515 Park Avenue, the former ONCOR facility; and increased outreach efforts and support opportunities at the Stewpot.

Staff received support letters from the Farmers Market Stakeholders Association, Parks for Downtown Dallas, Downtown Dallas Inc., Hamilton St. Paul GP LLC, and Millcreek Residential.

Staff recommends approval to amend the City of Dallas Central Business District Streets and Vehicular Circulation Plan to change the right-of-way and pavement width on Park Avenue between Young Street and Marilla Street from 50 feet of right-of-way and 25 feet of pavement to 48 feet of right-of-way and 26 feet of pavement.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On August 5, 2021, 2021, City Plan Commission Thoroughfare Committee acted on this item and followed staff's recommendation to approve the application.

On September 2, 2021, City Plan Commission acted on this item and followed City Plan Commission Thoroughfare Committee's recommendation.

On October 13, 2021, City Council acted on this item and denied the proposed amendment to the Central Business District Streets and Vehicular Circulation Plan.

On September 15, 2022, City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation to approve the Park Avenue amendment to the Central Business District Streets and Vehicular Circulation Plan.

On October 6, 2022, City Plan Commission acted on this item and followed City Plan Commission Thoroughfare Committee's recommendation.

### **FISCAL INFORMATION**

No cost consideration to the City.

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**File #:** 22-2440  
PH2.

**Item #:**

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**MAP**

Attached

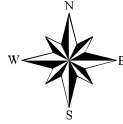


# Park Avenue

Young Street and Marilla Street

Council District: 2  
MAPSCO: 45-Q

Central Business District Street and Vehicular  
Circulation Plan Amendment Map



ORDINANCE NO. \_\_\_\_\_

An ordinance amending Ordinance No. 13262, “Dallas Central Business District Streets and Vehicular Circulation Plan,”; changing the right-of-way and pavement width on Park Avenue between Young Street and Marilla Street from 50 feet of right-of-way and 25 feet of pavement to 48 feet of right-of-way and 26 feet of pavement; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That the Ordinance No. 13262, “Dallas Central Business District Streets and Vehicular Circulation Plan,” is amended by changing right-of-way and pavement width on Park Avenue between Young Street and Marilla Street from 50 feet of right-of-way and 25 feet of pavement to 48 feet of right-of-way and 26 feet of pavement to read as shown on the attached Exhibit A.

SECTION 2. That Ordinance No. 13262 shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

EXHIBIT

CBD STREETS AND VEHICULAR CIRCULATION PLAN

			EXISTING		PROPOSED				
			R.O.W.	PAVEMENT	R.O.W.	PAVEMENT			
STREET NAME	FROM	TO	(Feet)	(Feet)	(Feet)	(Feet)	OPERATIONAL CHARACTERISTIC	Ordinance	Amendment Date
Park Avenue	St. Louis	Corsicana	35	30	35	24	1 lane southbound; 1 lane northbound	# 13262	4/19/1971
Park Avenue	Cadiz	Marilla	35	30	35	24	1 lane southbound	# 13262	4/19/1971
Park Avenue	Marilla	Young	50 48	30 26	50 48	25 26	1 lane northbound; 1 lane southbound	# 13262	4/19/1971
Patterson Avenue	Griffin	150' west of Field	50	--	47	30-34	3 lanes westbound	# 21541	1/13/1993
Patterson Avenue	150' West of Field	Field	50	--	47	30-34	2 lanes westbound; 1 lane eastbound	# 21541	1/13/1993
Patterson Avenue	Field	Akard Street	40	48	40	36	1 lane eastbound; 1 lane westbound	# 27959	8/11/2010
Patterson Avenue	Akard Street	Ervay	40	48	40	36	1 lane eastbound; 1 lane westbound	# 13262	4/19/1971





## Agenda Information Sheet

**File #:** 22-2441  
PH3.

**Item #:**

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**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

---

### **SUBJECT**

A public hearing to receive comments regarding an application by LDG The Crossing at Clear Creek, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Crossing at Clear Creek located at the Northeast Corner of Highway 175 and Woody Road, Dallas, TX 75253 (the "Development"); and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Crossing at Clear Creek and in accordance with 10 TAC § 11.3(d) (the "Administrative Code"), specifically allow the construction of the development, as required by the Administrative Code, because the Development is within one linear mile or less of Meadowbrook (a 4% housing tax credit development located at 910 South Beltline Road), and is therefore subject to the One Mile Three Year Rule - Financing: No cost consideration to the City

### **BACKGROUND**

LDG The Crossing at Clear Creek, LP (Applicant), a Texas limited partnership, submitted a Request for Resolution application to the City for a Resolution of No Objection for its application to TDHCA for 2023 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits). The 4% Housing Tax Credits will be used for the development of The Crossing at Clear Creek, a 264-unit affordable multifamily complex located at the Northeast Corner of Highway 175 and Woody Road, Dallas, TX 75253 (Property). A purchase and sale agreement for the Property has been executed between the current owner of the Property and an affiliate of the Applicant. TDHCA requires 4% Housing Tax Credit applicants provide a Resolution of No Objection from the governing body of the jurisdiction in which the proposed development will be sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for citizens to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, it cannot be changed or withdrawn.

Applicant or its affiliate shall form LDG The Crossing at Clear Creek, LP, a Texas limited partnership, the general partner of which will be LDG The Crossing at Clear Creek, GP, LLC, a to-be-formed single asset entity solely owned by the Dallas Housing Finance Corporation (DHFC). LDG The

Crossing at Clear Creek, SLP, LLC, a to-be-formed limited liability company, or its affiliate, will be The Crossing at Clear Creek, LP's special limited partner. MBL Derbyscity Development, LLC, a Texas limited liability company, will be 100% owner of the special limited partner. An amended and restated agreement of limited partnership will be executed to admit the tax credit equity investor as investor member once identified.

On September 13, 2022, the DHFC Board of Directors adopted a resolution declaring its intent to issue bonds for the Property and authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board.

LDG The Crossing at Clear Creek, LP or its affiliate will serve as the developer and guarantor of the project. LDG has successfully completed over 77 multifamily properties totaling 13,673 units. The proposed property manager is Capstone Real Estate Services, Inc. (Capstone). Capstone is a professional management company based in Austin, TX that currently manages 35,000 multifamily units including over 21,000 affordable units.

The Applicant proposes to develop 264 units. The 264 units are comprised of 24 1-bedroom, 108 2-bedroom, 120 3-bedroom units, and 12 4-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other TDHCA-required features. The Property will also include controlled gate access, a multipurpose community room, swimming pool, fitness center, theater room, children's playscape, and landscaped walking paths.

Because the site has no sidewalk on the Woody Road border of the property, LDG has planned to develop a sidewalk to give residents better mobility between the property and nearby schools. The eastern portion of the site is mostly covered by flood plain and is planned to be dedicated as a park for residents to utilize. They will also work with the Office of Innovative Public Safety Solutions for security input, community activities, and incorporate best practices of Crime Prevention Through Environmental Design (CPTED). Additionally, the LDG will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The Applicant proposes to provide on-site resident services including:

1. 12 hours per week of after school tutoring;
2. 4 hours per week of adult financial literacy courses;
3. Food pantry;
4. Annual health fair and flu shots;
5. Notary services;
6. Arts and crafts programming twice a month;
7. Organized social gatherings twice a month; and
8. Weekly chore and preventative maintenance for elderly and disabled residents.

The site is situated conveniently at the corner of Woody Road and Highway 175 and is less than a mile to both Seagoville High School and Seagoville Middle School. Although the address is not yet serviced by a transit stop, the Dallas Area Rapid Transit GoLink service is available from the Kleberg area. This service provides on demand door to door service for passengers needing transportation to and from the area.

Total development costs are anticipated to be approximately \$73,500,599.00 which includes the acquisition price for the land. The construction budget is anticipated to be approximately \$44,186,058.00 which is \$167,371.00 per unit.

Proposed Financing Sources	Amount
Mortgage Loan	\$42,580,000.00
Housing Tax Credits Equity	\$24,736,428.00
Deferred Developer Fee	\$ 6,184,17.00
Total	<b>\$73,500,599.00</b>

Proposed Uses	Costs
Acquisition	\$ 5,225,000.00
Total Const. Costs	\$44,186,058.00
Financing Fees, Soft Costs	\$14,370,055.00
Reserves	\$ 1,270,662.00
Developer Fee	\$ 8,098,824.00
Other Costs	\$ 350,000.00
Total	<b>\$73,500,599.00</b>

After the development is complete, 238 of the 264 units will be made available to households earning 0%-60% of Area Median Income (AMI), and 26 of the 300 units will not be income restricted.

The development is 1.08 linear miles away from a recently approved competitive 9% housing tax credit development located at 15251 Seagoville Road. Per the requirements of TDHCA's Qualified Action Plan and 10 TAC § 11.3(d), City Council must vote to specifically allow the construction of a new tax credit development within one linear mile of a tax credit development authorized within the past three years. Using driving distance, the development is 1.4 miles away from the previously approved development. The agenda item includes language acknowledging this proximity.

On May 9, 2018, City Council adopted the Comprehensive Housing Policy (CHP), Resolution Nos. 18-0704 and 18-1680, as amended on November 28, 2018, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through TDHCA. On June 12, 2019, Resolution No. 19-0884 authorized an amendment to the CHP to modify the evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing development seeking Housing Tax Credits through TDHCA. The modified evaluation criteria include standard thresholds for both 4% and 9% HTC applications such as evidence of site control, TDHCA minimum site standards, affirmatively further fair housing, and other requirements.

To receive a staff recommendation for a resolution of no objection, the applicant must satisfy all threshold requirements, rehabilitation requirements, and affirmatively further fair housing. After review, the Applicant has satisfied all application requirements and staff recommends a resolution of no objection.

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

On September 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$60,000,000.00 in private activity bonds to fund The Crossing at Clear Creek.

The Housing and Homelessness Solutions Committee was briefed regarding this matter on October 24, 2022.

**FISCAL INFORMATION**

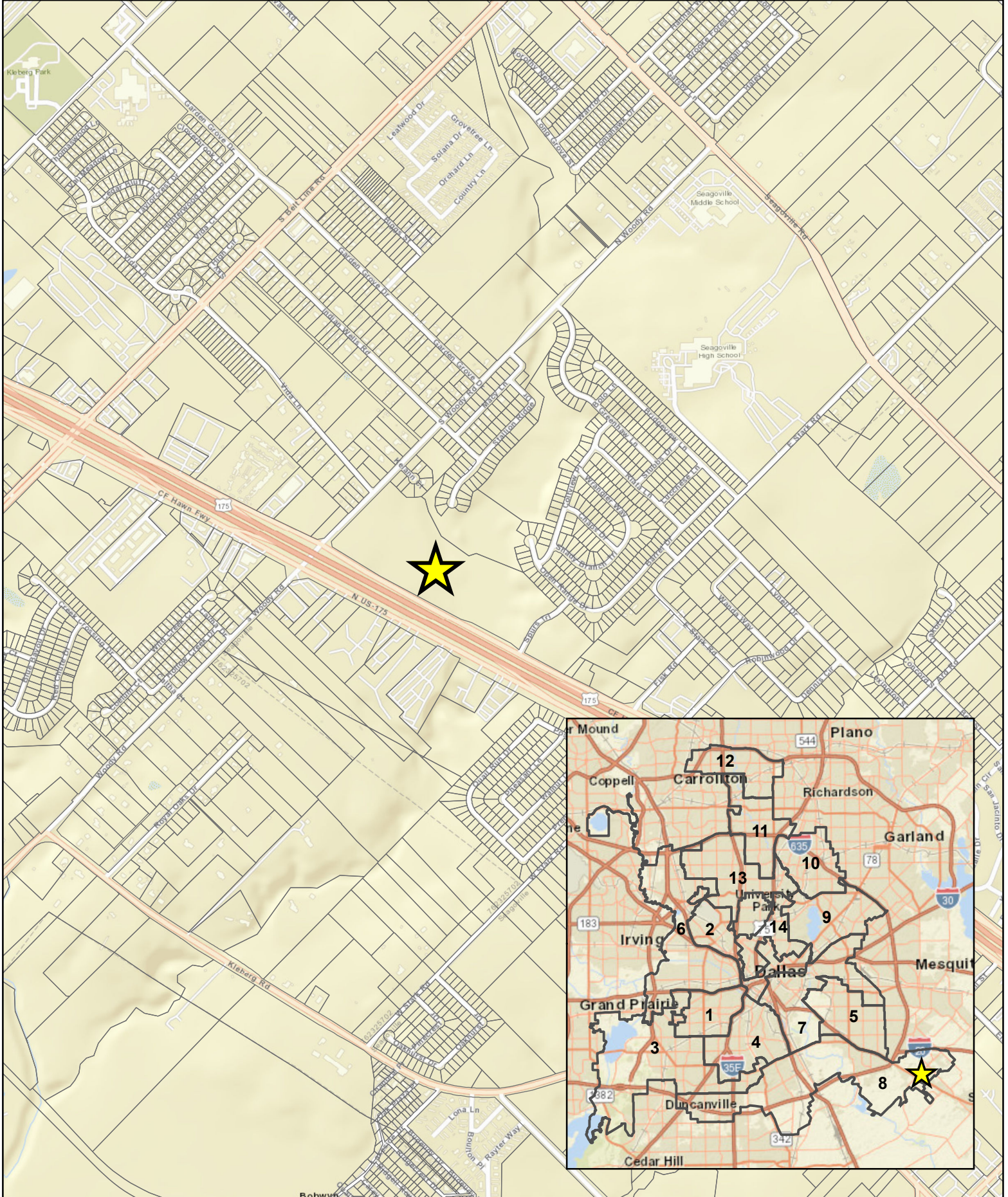
No cost consideration to the City.

**MAP**

Attached



# Crossing at Clear Creek



November 9, 2022

**WHEREAS**, on May 9, 2018, City Council authorized the adoption of the Comprehensive Housing Policy ("CHP") by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP City Council authorized multiple amendments to the CHP by Resolution No. 18-1680 on November 28, 2018, by Resolution No. 19-0884 on June 12, 2019, by Resolution No. 19-1041 on June 26, 2019, by Resolution No. 19-1498 on September 25, 2019, by Resolution No. 19-1864 on December 11, 2019, and by Resolution No. 21-1450 on September 9, 2021, by Resolution No. 21-1656 on October 13, 2021, and by Resolution No. 22-0744 on May 11, 2022; and

**WHEREAS**, the CHP provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

**WHEREAS**, LDG The Crossing at Clear Creek, LP, or its affiliate (Applicant) has proposed the development of a 264-unit multifamily complex known as The Crossing at Clear Creek located at Northeast Corner of Hwy 175 and Woody Rd, Dallas, TX 75253, in the City of Dallas, Texas (Project); and

**WHEREAS**, the Applicant proposes to develop 264 units, including 24 1-bedroom, 108 2-bedroom, 120 3-bedroom units, and 12 4-bedroom units; and will include several amenities; and

**WHEREAS**, on September 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$60,000,000.00 in private activity bonds to fund the Project; and

**WHEREAS**, upon completion of the development, it is anticipated that 237 of the 264 units will be made available to households earning 0%-60% of Area Median Income (AMI), and 26 of the 264 units will not be income restricted; and

**WHEREAS**, pursuant to Section 11.204(4)(C) of the Qualified Allocation Plan (QAP), the Uniform Multifamily Rules and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for the 2023 4% Non-Competitive HTC application for The Crossing at Clear Creek located at the Northeast Corner of Highway 175 and Woody Road, Dallas, TX 7525;

**WHEREAS**, in accordance with 10 TAC §11.3(d) and the QAP, the governing body must vote to specifically allow the construction of a new tax credit development within one linear mile or less of a tax credit development authorized within the past three years.



November 9, 2022

**Now, Therefore,**

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

**SECTION 1.** That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to TDHCA for a 4% Non-Competitive HTC for the proposed development of The Crossing at Clear Creek located at the Northeast Corner of Highway 175 and Woody Road, Dallas, TX 75253, for the development of a 264-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on November 9, 2022.

**SECTION 2.** That, as provided for in 10 TAC §11.3(d), it is hereby acknowledged that the proposed Project is located one linear mile or less from a development that serves the same type of household Target Population as the proposed Project and has received an allocation of Housing Tax Credits (or private activity bonds) for new construction in the three-year period preceding the date the Certificate of Reservation is issued, and that the City Council, as the Governing Body, has by vote specifically allowed the construction of the Project and authorized an allocation of Housing Tax Credits for the Project.

**SECTION 3.** That, in accordance with the requirements of the Texas Government Code §2306.67071 and the Qualified Allocation Plan §11.204(4), it is hereby found that:

- a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and
- b. The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed development of The Crossing at Clear Creek; and
- c. The Governing Body has held a hearing at which public comment may be made on the proposed development of The Crossing at Clear Creek in accordance with Texas Government Code §2306.67071(b); and
- d. After due consideration of the information provided by Applicant and after the public hearing on the proposed development of The Crossing at Clear Creek, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 4% Non-Competitive HTC for the purpose of the development of The Crossing at Clear Creek.

**SECTION 4.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify this resolution to the TDHCA.



November 9, 2022

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



## Agenda Information Sheet

**File #:** 22-2458  
PH4.

**Item #:**

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**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application by LDG The Terrace at Highland Hills, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for The Terrace at Highland Hills located at 3100 Persimmon Road, Dallas, Texas 75241; and at the close of the public hearing **(1)** adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Terrace at Highland Hills, a multifamily development (Development), and **(2)** in accordance with 10 TAC § 11.3(d) (Administrative Code) and the Qualified Allocation Plan (QAP), specifically allow the construction of the Development, as required by the Administrative Code, because the Development is within one linear mile or less of the The Ridge at Lancaster and Palladium Simpson Stuart (recent 4% housing tax credit projects located at 5703 South Lancaster Road and 3380 Simpson Stuart Road, respectively), and is therefore subject to the One Mile Three Year Rule; **(3)** pursuant to 10 TAC §11.3(e) and §11.4(c)(1) and the QAP, specifically acknowledge that the Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households and the proposed Development is consistent with the City's obligation to affirmatively further fair housing; and **(4)** pursuant to 10 TAC §11.101(a)(3) and the QAP, specifically acknowledge that the proposed Development is located in a census tract that has a poverty rate above 40% for individuals - Financing: No cost consideration to the City

### **BACKGROUND**

LDG The Terrace at Highland Hills, LP (Applicant), a Texas limited partnership, submitted a Request for Resolution application to the City for a Resolution of No Objection for its application to TDHCA for 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits). The 4% Housing Tax Credits will be used for the development of The Terrace at Highland Hills, a 300-unit affordable multifamily complex located at 3100 Persimmon Road, Dallas, Texas 75241 (Property). A purchase and sale agreement for the Property has been executed between the current owner of the Property and an affiliate of the Applicant. TDHCA requires 4% Housing Tax Credit applicants provide a Resolution of No Objection from the governing body of the jurisdiction in which the proposed development will be

sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for residents to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, it cannot be changed or withdrawn.

On September 13, 2022, the Dallas Housing Finance Corporation (DHFC) Board of Directors authorized a preliminary inducement resolution declaring intent to issue \$60,000,000.00 in private activity bonds to fund the Development. The general partner of the Applicant is LDG The Terrace at Highland Hills GP, LLC, a Texas limited liability company and a single asset entity with the DHFC as 100% owner. The DHFC will also own the land and lease the property to the Applicant.

Applicant is an experienced developer that has completed over 15,000 apartment units across the country, including roughly 7,000 units in Texas. They have recently partnered with the DHFC in three previous developments including The Ridge at Lancaster, Meadowbrook, and The Terrace at Southern Oaks. These developments are currently under construction and set to open in the next two years.

The Applicant proposes to develop 300 units. The 300 units are comprised of 36 1-bedroom, 120 2-bedroom, 132 3-bedroom units, and 12 4-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other TDHCA-required features. The Property will also include controlled gate access, a multipurpose community room, swimming pool, fitness center, theater room, children's playscape, full perimeter fencing, a gazebo area, picnic areas with grills, and landscaped walking paths.

The Applicant proposes to provide on-site resident services including:

1. 12 hours per week of after school tutoring;
2. 4 hours per week of adult financial literacy courses;
3. Food pantry;
4. Annual health fair and flu shots;
5. Notary services;
6. Arts and crafts programming twice a month;
7. Organized social gatherings twice a month; and
8. Weekly chore and preventative maintenance for elderly and disabled residents.

LDG will work with the Office of Integrated Public Safety Solutions for security input, community activities, and incorporate best practices of Crime Prevention Through Environmental Design (CPTED). Additionally, LDG will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The site is situated on Persimmon Road near the intersection of Simpson Stuart Road and Bonnie View Road and is less than a mile from Paul Quinn College and three miles from UNT Dallas. These educational centers provide opportunity, valuable job training, and a place of employment for area residents. The development is located within the DART GoLink Inland Port Zone. This service provides on demand door to door service for passengers needing transportation to and from the area. Through the GO Link service, property owners can setup partnerships with the inland port businesses to provide free door to door service to and from the businesses. The logistics industry is

rapidly growing in Southern Dallas and will need to be serviced by employees seeking affordable housing. The Southern Dallas County Inland Port is home to over 30,000 jobs and hundreds of employers and continues to grow to meet the needs of the region.

Total development costs are anticipated to be approximately \$78,352,111.00 which includes the acquisition price for the land. The hard construction budget is anticipated to be approximately \$50,132,754.00 which is \$167,109.00 per unit.

<b>Proposed Financing Sources</b>	<b>Amount</b>
<b>Private Activity Bonds</b>	\$48,270,000.00
<b>Housing Tax Credits Equity</b>	\$27,633,262.00
<b>Deferred Developer Fee</b>	\$ 2,448,849.00
<b>Total</b>	<b>\$78,352,111.00</b>

<b>Proposed Uses</b>	<b>Costs</b>
<b>Development Costs</b>	\$54,968,754.00
<b>Financing Fees, Soft Costs</b>	\$12,881,329.00
<b>Reserves</b>	\$ 1,439,535.00
<b>Developer Fee</b>	\$ 9,062,493.00
<b>Total</b>	<b>\$78,352,111.00</b>

After the development is complete, 270 of the 300 units will be made available to households earning 0%-60% of Area Median Income (AMI) and 30 of the 300 units will not be income restricted.

The Development is within one mile of the The Ridge at Lancaster and Palladium Simpson Stuart, recent 4% housing tax credit projects located at 5703 South Lancaster Road and 3380 Simpson Stuart Road, respectively. Per the requirements of TDHCA's Qualified Action Plan and 10 TAC § 11.3 (d), City Council must vote to specifically approve the construction of a new tax credit development within one linear mile of a tax credit development authorized within the past three years. The agenda item includes language acknowledging this proximity.

The Development is located within a census tract with a poverty rate over 40%. Per the requirements of TDHCA's Qualified Action Plan and 10 TAC §11.101(a)(3), City Council must specifically approve the construction of a new tax credit development in such a census tract. The agenda item includes language acknowledging the high poverty rate.

The Development is located within a census tract with 20% Housing Tax Credit Units per total households. Per the requirements of TDHCA's Qualified Action Plan and 10 TAC §11.3(e) and §11.4 (c)(1), City Council must specifically approve the construction of a new tax credit development in such a census tract and that the proposed Development is consistent with the city's obligation to affirmatively further fair housing. The agenda item includes language acknowledging this

requirement.

The Development has been found to affirmatively further fair housing by the Office of Fair Housing.

The Dallas City Council on May 9, 2018, adopted the Comprehensive Housing Policy (CHP), Resolution No. 18-0704 and 18-1680, as amended on November 28, 2018, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through TDHCA. On June 12, 2019, Council Resolution No. 19-0884 authorized an amendment to the CHP to modify the evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing development seeking Housing Tax Credits through TDHCA. The modified evaluation criteria include standard thresholds for both 4% and 9% HTC applications such as evidence of site control, TDHCA minimum site standards, affirmatively further fair housing, and other requirements.

To receive a staff recommendation for a resolution of no objection, the applicant must satisfy all threshold requirements, TDHCA underwriting standards, and affirmatively further fair housing. After review, the Applicant has satisfied all application requirements and staff recommends a resolution of no objection.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 13, 2022, the Dallas Housing Finance Corporation (DHFC) authorized a preliminary inducement resolution declaring intent to issue \$60,000,000.00 in private activity bonds to fund the Development.

The item was briefed to the Housing and Homelessness Solutions Committee on October 24, 2022

#### **FISCAL INFORMATION**

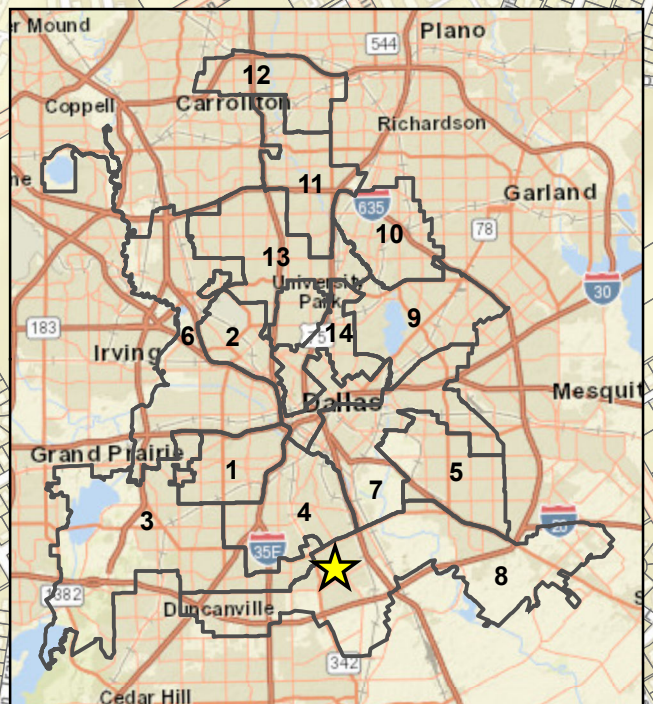
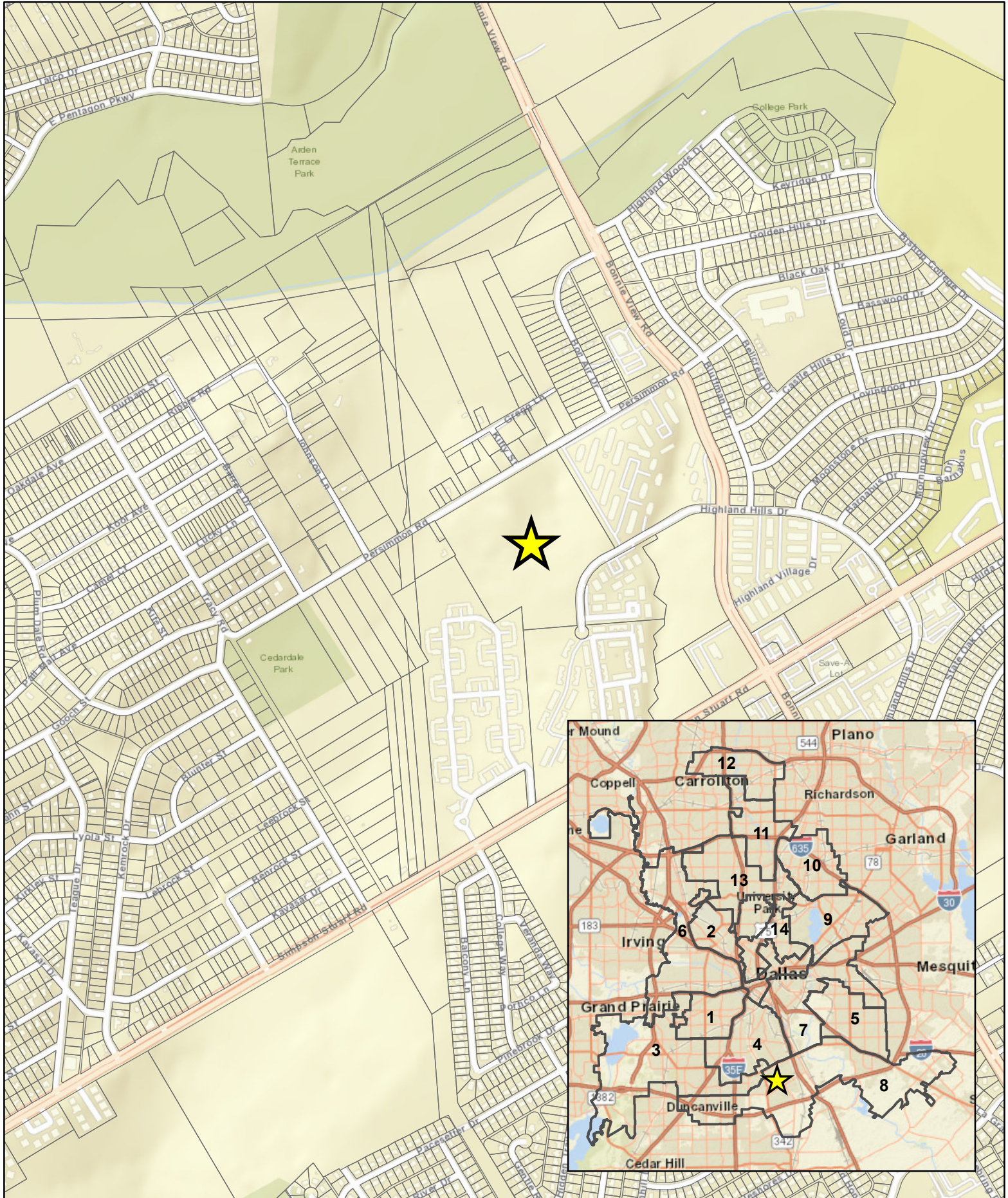
No cost consideration to the City

#### **MAP**

Attached



# Terrace at Highland Hills



November 9, 2022

**WHEREAS**, on May 9, 2018, City Council authorized the adoption of the Comprehensive Housing Policy (CHP) by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP City Council authorized multiple amendments to the CHP by Resolution No. 18-1680 on November 28, 2018, by Resolution No. 19-0884 on June 12, 2019, by Resolution No. 19-1041 on June 26, 2019, by Resolution No. 19-1498 on September 25, 2019, by Resolution No. 19-1864 on December 11, 2019, by Resolution No. 21-1450 on September 9, 2021, by Resolution No. 21-1656 on October 13, 2021, and by Resolution No. 22-0744 on May 11, 2022; and

**WHEREAS**, the CHP provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

**WHEREAS**, LDG The Terrace at Highland Hills, LP, or its affiliate (Applicant) has proposed the development of a 300-unit multifamily complex known as The Terrace at Highland Hills located at 3100 Persimmon Road in the City of Dallas, Texas (Development); and

**WHEREAS**, the Applicant proposes to develop new construction of 300 units, including 36 1-bedroom, 120 2-bedroom, 132 3-bedroom units, and 12 4-bedroom units; and

**WHEREAS**, on September 13, 2022 the Dallas Housing Finance Corporation (DHFC) adopted a resolution declaring its preliminary intent to issue private activity bonds to finance the development of The Terrace at Highland Hills as well as authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board; and

**WHEREAS**, upon completion of the new construction, at least 270 of the 300 units will be available to rent to low-income households earning 60% or below of area median income subject to a Low-Income Housing Tax Credit Land Use Restrictive Agreement; and

**WHEREAS**, in accordance with 10 TAC §11.3(d) and the Qualified Action Plan (QAP), the governing body must vote to specifically allow the construction of a new tax credit development within one linear mile or less of a tax credit development authorized within the past three years; and

**WHEREAS**, in accordance with 10 TAC §11.3(e) and §11.4(c)(1) and the QAP, the governing body must vote to specifically acknowledge that the Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households and the proposed Development is consistent with the City's obligation to affirmatively further fair housing; and



November 9, 2022

**WHEREAS**, in accordance with 10 TAC §11.101(a)(3) and the QAP, the governing body must vote to specifically acknowledge that the proposed Development is located in a census tract that has a poverty rate above 40% for individuals; and

**WHEREAS**, pursuant to Section 11.204(4) of the Qualified Allocation Plan, and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for 4% Non-Competitive HTC application for The Terrace at Highland Hills located at 3100 Persimmon Road, Dallas, Texas 75241.

**Now, Therefore,**

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

**SECTION 1.** That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to TDHCA's 4% Non-Competitive HTC for the proposed development of The Terrace at Highland Hills located at 3100 Persimmon Road, Dallas, Texas 75241 for the development of a 300-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on November 9, 2022.

**SECTION 2.** As provided for in the QAP and 10 TAC §11.3(d) the Development is specifically allowed, and it is hereby acknowledged that the proposed New Construction is located one linear mile or less from a development that serves the same type of household as the proposed Development and has received an allocation of Housing Tax Credits (or private activity bonds) for New Construction in the three-year period preceding the date the Certificate of Reservation is issued. The Development is within one linear mile or less of The Ridge at Lancaster and Palladium Simpson Stuart located at 5703 South Lancaster Road and 3380 Simpson Stuart Road, respectively.

**SECTION 3.** As provided for in the QAP and 10 TAC §11.3(e) and §11.4(c)(1), it is hereby acknowledged that the proposed New Construction Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households and the proposed Development is consistent with the City's obligation to affirmatively further fair housing and the city has no objection to the Application.

**SECTION 4.** As provided for in the QAP and 10 TAC §11.101(a)(3), it is hereby acknowledged that the proposed Development is located in a census tract that has a poverty rate above 40% for individuals.

November 9, 2022

**SECTION 5.** That in accordance with the requirements of the Texas Government Code §2306.67071 and the QAP §11.204(4), it is hereby found that:

- a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a);
- b. The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed development of The Terrace at Highland Hills;
- c. The Governing Body has held a hearing at which public comment may be made on the proposed development of The Terrace at Highland Hills in accordance with Texas Government Code §2306.67071(b); and
- d. After due consideration of the information provided by Applicant and after the public hearing on the proposed development of The Terrace at Highland Hills, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 4% Non-Competitive HTC for the purpose of the development of The Terrace at Highland Hills.

**SECTION 6.** That it is FURTHER RESOLVED that the City of Dallas hereby confirms that its Governing Body has voted specifically to authorize the Development to move forward.

**SECTION 7.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify this resolution to the TDHCA.

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



## Agenda Information Sheet

**File #:** 22-2451  
PH5.

**Item #:**

**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application by Rock Island Riverfront, LP, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for Rock Island Riverfront located at 1027 South Riverfront Boulevard Dallas, Texas 75207; and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of Rock Island Riverfront - Financing: No cost consideration to the City

### **BACKGROUND**

Rock Island Riverfront, LP (Applicant), a to be formed Texas limited partnership, submitted a Request for Resolution application to the City for a Resolution of No Objection for its application to TDHCA for 2023 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits). The 4% Housing Tax Credits will be used for the development of Rock Island Riverfront (the "Development"), a 178-unit mixed-income multifamily complex located at 1027 South Riverfront Boulevard, Dallas, Texas 75207 (Property). A purchase and sale agreement for the Property has been executed between the current owner of the Property and an affiliate of the Applicant. TDHCA requires 4% Housing Tax Credit applicants provide a Resolution of No Objection from the governing body of the jurisdiction in which the proposed development will be sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for citizens to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, it cannot be changed or withdrawn.

Applicant or its affiliate shall form Rock Island Riverfront, LP, a Texas limited partnership, the general partner of which is anticipated to be Rock Island Riverfront GP, LLC, a to-be-formed single asset entity solely owned by the Dallas Housing Finance Corporation (DHFC). A to-be-formed limited liability company will be Rock Island Riverfront, LP's special limited partner. Petra Development or an affiliate will be 100% owner of the special limited partner. An amended and restated agreement of limited partnership will be executed to admit the tax credit equity investor as investor member once identified.

On September 13, 2022, the DHFC Board of Directors adopted a resolution declaring its intent to issue bonds for the Property and authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board.

Petra Development (Petra) or its affiliate will serve as the developer and guarantor of the project. Petra has successfully built or acquired over \$220 million worth of multifamily assets including market rate, mixed-use, and affordable properties. They are very active in the market and currently have three more properties under construction slated to be complete in late 2022 with multiple more under contract.

The Applicant proposes to develop 178 units. The 178 units are comprised of 89 1-bedroom, 70 2-bedroom, and 19 3-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other TDHCA-required features. The Property will also include controlled gate access, a multipurpose community room, swimming pool, fitness center, outdoor game spaces, and landscaped walking paths.

Petra will work with the Office of Integrated Public Safety Solutions for security input, community activities, and incorporate best practices of Crime Prevention Through Environmental Design (CPTED). Additionally, Petra will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The Applicant proposes to provide on-site resident services including:

1. Monthly transportation to community/social events;
2. High-quality pre-k program with dedicated space on-site;
3. 12 hours per week of after school tutoring;
4. Annual income tax preparation;
5. Contracted career training and placement partnerships with local employers;
6. Weekly substance abuse meetings on site;
7. Food pantry;
8. Annual health fair and flu shots;
9. Weekly exercise class;
10. Partnership with local law enforcement to provide quarterly activities with tenants;
11. Notary services;
12. Arts and crafts programming twice a month;
13. Organized social gatherings twice a month; and
14. Education/tuition savings match or scholarship program for residents.

Located just a few blocks from downtown, this project will provide some much-needed affordability in an area that has not seen significant mixed-income development in recent years. Future and potential development surrounding this project location includes the potential \$2 billion Dallas Convention Center redevelopment, the potential \$20 billion high speed rail station, and several other planned multifamily developments and retail along Riverfront Boulevard. This area is poised to undergo an extended stage of redevelopment which will be a key driver for employment as well as housing.

Total development costs are anticipated to be approximately \$78,817,252.00 which includes the acquisition price for the land. The construction budget is anticipated to be approximately \$53,581,957.00 which is \$301,022.00 per unit.

Proposed Financing Sources	Amount
Private Activity Bonds	\$37,040,000.00
Housing Tax Credits Equity	\$27,913,835.00
Soft Funding	\$ 9,975,000.00
Deferred Developer Fee	\$ 3,888,417.00
Total	<b>\$78,817,252.00</b>

Proposed Uses	Costs
Acquisition	\$ 5,250,000.00
Total Const. Costs	\$53,581,957.00
Financing Fees, Soft Costs	\$ 9,360,695.00
Reserves	\$ 2,872,600.00
Developer Fee	\$ 7,752,000.00
Total	<b>\$78,817,252.00</b>

After the development is complete, 70 of the 178 units will be made available to households earning 0%-30% of Area Median Income (AMI), 24 of the 178 units will be made available to households earning between 51%-60% of AMI, 66 of the 178 units will be made available to households earning between 61%-80% of AMI, and 18 of the 178 units will not be income restricted.

On May 9, 2018, City Council adopted the Comprehensive Housing Policy (CHP), Resolution Nos. 18-0704 and 18-1680, as amended on November 28, 2018, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through TDHCA. On June 12, 2019, Resolution No. 19-0884 authorized an amendment to the CHP to modify the evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing development seeking Housing Tax Credits through TDHCA. The modified evaluation criteria include standard thresholds for both 4% and 9% HTC applications such as evidence of site control, TDHCA minimum site standards, affirmatively further fair housing, and other requirements.

To receive a staff recommendation for a resolution of no objection, the applicant must satisfy all threshold requirements, rehabilitation requirements, and affirmatively further fair housing. After review, the Applicant has satisfied all application requirements and staff recommends a resolution of no objection.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$45,000,000.00 in private activity bonds to fund Rock Island Riverfront.

The Housing and Homelessness Solutions Committee was briefed regarding this matter on October 24, 2022.

**FISCAL INFORMATION**

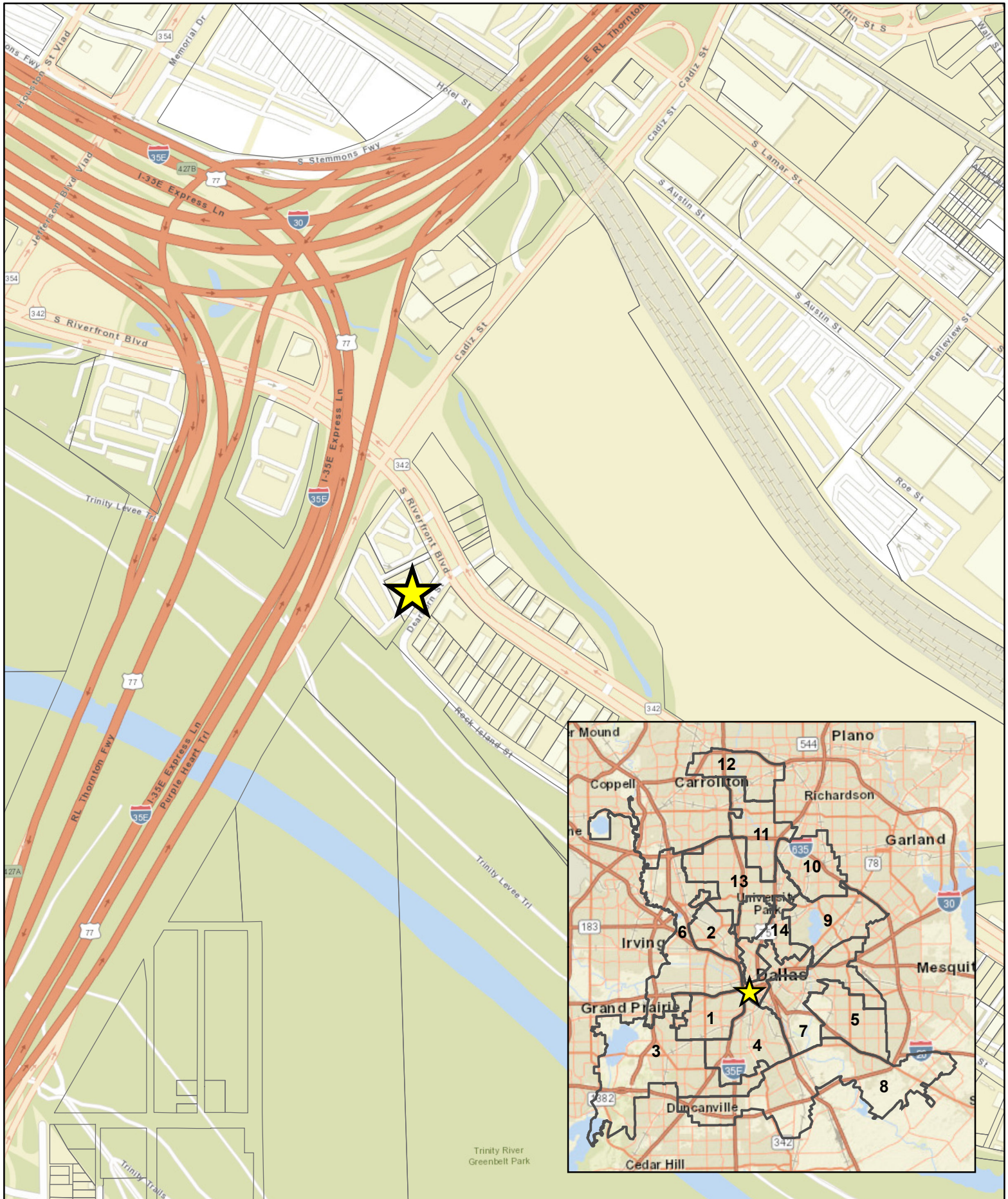
No cost consideration to the City.

**MAP**

Attached



# Rock Island Riverfront





November 9, 2022

**WHEREAS**, on May 9, 2018, City Council authorized the adoption of the Comprehensive Housing Policy (“CHP”) by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP City Council authorized multiple amendments to the CHP by Resolution No. 18-1680 on November 28, 2018, by Resolution No. 19-0884 on June 12, 2019, by Resolution No. 19-1041 on June 26, 2019, by Resolution No. 19-1498 on September 25, 2019, by Resolution No. 19-1864 on December 11, 2019, and by Resolution No. 21-1450 on September 9, 2021, by Resolution No. 21-1656 on October 13, 2021, and by Resolution No. 22-0744 on May 11, 2022; and

**WHEREAS**, the CHP provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

**WHEREAS**, Rock Island Riverfront, LP, or its affiliate (Applicant) has proposed the development of a 178-unit multifamily complex known as Rock Island Riverfront located at 1027 South Riverfront Boulevard in the City of Dallas, Texas (Project); and

**WHEREAS**, the Applicant proposes to develop 178 units, including 89 1-bedroom, 70 2-bedroom, and 19 3-bedroom units; and will include community amenities consistent with other class-A apartments; and

**WHEREAS**, on September 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$45,000,000.00 in private activity bonds to fund the Rock Island Riverfront; and

**WHEREAS**, upon completion of the development, it is anticipated that 70 of the 178 units will be made available to households earning 0%-30% of Area Median Income (AMI), 24 of the 178 units will be made available to households earning between 51%-60% of AMI, 66 of the 178 units will be made available to households earning between 61%-80% of AMI, and 18 of the 178 units will not be income restricted ; and

**WHEREAS**, pursuant to Section 11.204(4)(C) of the Qualified Allocation Plan, the Uniform Multifamily Rules and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for the 2023 4% Non-Competitive HTC application for Rock Island Riverfront, 1027 South Riverfront Boulevard, Dallas, Texas 75207;

**Now, Therefore,**

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

**SECTION 1.** That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant’s application to TDHCA for a 4% Non-Competitive

HTC for the proposed development of Rock Island Riverfront located at 1027 South Riverfront Boulevard, Dallas, Texas 75207 for the development of a 178-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on November 9, 2022.

**SECTION 2.** That, in accordance with the requirements of the Texas Government Code §2306.67071 and the Qualified Allocation Plan §11.204(4), it is hereby found that:

- a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and
- b. The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed development of Rock Island Riverfront; and
- c. The Governing Body has held a hearing at which public comment may be made on the proposed development of Rock Island Riverfront in accordance with Texas Government Code §2306.67071(b); and
- d. After due consideration of the information provided by Applicant and after the public hearing on the proposed development of Rock Island Riverfront, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 4% Non-Competitive HTC for the purpose of the development of Rock Island Riverfront.

**SECTION 3.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify this resolution to the TDHCA.

**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 Information Sheet

**File #:** 22-2443  
PH6.

**Item #:**

**STRATEGIC PRIORITY:** Housing & Homelessness Solutions  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Department of Housing & Neighborhood Revitalization  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding an application by TX Ferguson 2022, LTD, or its affiliates (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for the Estates at Ferguson located at 9220 Ferguson Road, Dallas, Texas 75228 (the "Development"); and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of the Estates at Ferguson - Financing: No cost consideration to the City

### **BACKGROUND**

TX Ferguson 2022, LTD (Applicant), a to be formed Texas limited partnership, submitted a Request for Resolution application to the City for a Resolution of No Objection for its application to TDHCA for 2023 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits). The 4% Housing Tax Credits will be used for the development of the Estates at Ferguson, a 164-unit senior living multifamily complex located at 9220 Ferguson Road, Dallas, Texas 75228 (Development). A purchase and sale agreement for the Property has been executed between the current owner of the Property and an affiliate of the Applicant. TDHCA requires 4% Housing Tax Credit applicants provide a Resolution of No Objection from the governing body of the jurisdiction in which the proposed development will be sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for citizens to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, it cannot be changed or withdrawn.

Applicant or its affiliate shall form TX Ferguson 2022, LTD, a Texas limited partnership, the general partner of which is anticipated to be Rock Island Riverfront GP, LLC, a to-be-formed single asset entity solely owned by the Dallas Housing Finance Corporation (DHFC). TX Ferguson 2022, SLP, a to-be-formed special limited partnership company will be TX Ferguson 2022, LTD's special limited partner. Generation Housing Partners (GHP) and Hill Tide Development, or their affiliates will each be 50% owner of the special limited partner. An amended and restated agreement of limited partnership will be executed to admit the tax credit equity investor as investor member once identified.

On September 13, 2022, the DHFC Board of Directors adopted a resolution declaring its intent to issue bonds for the Property and authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board.

GHP is a Dallas, Texas based developer, owner, and asset manager of Class A multi family assets located throughout the southwest. As a long term owner, GHP has been involved in the development, construction, and management of over 4,000 units, with a capitalization value of approximately \$385,000,000.00. GHP has partnered with the DHFC in two other developments (Estates at Shiloh and Westmoreland Station) and are currently awaiting closing with another 9% tax credit project (Patriot Pointe). The proposed property manager, Asset Living (formerly Alpha Barnes), is based in Houston, TX with additional offices in Dallas and has 30 years of expertise and experience. Asset Living has developed approximately 20,000 units and currently manages over 24,000 units.

The Applicant proposes to develop 164 units. The 164 units are comprised of 99 1-bedroom and 65 2-bedroom units. The units will include energy efficient appliances, washer/dryer hookups, covered entries/patios, and other TDHCA-required features. The development will provide an abundance of amenities for residents, which will include barbeque grills, a resort-style Americans with Disabilities Act compliant swimming pool, community event center, theater room, business center, outdoor community garden, salon space, and a furnished fitness center. Also included will be a leasing area for the full-time staff as well as a maintenance room.

GHP will work with the Office of Integrated Public Safety Solutions for security input, community activities, and incorporate best practices of Crime Prevention Through Environmental Design (CPTED). Additionally, GHP will provide modern security features to include a full camera system, controlled access, a community crime watch program, and participation in National Night Out to ensure a safe living environment for all residents and staff.

The Applicant proposes to provide on-site resident services including:

1. 4 hours per week of organized on-site classes for adults;
2. Annual income tax preparation;
3. Annual health fair and flu shots;
4. Weekly exercise class;
5. Notary services;
6. Arts and crafts programming twice a month;
7. Organized social gatherings twice a month; and
8. Weekly home chore and quarterly preventative maintenance for elderly or disabled tenants;
9. Part-time resident services coordinator (min 15 hrs./week).

This development will provide a vital boost to the desperate shortage of affordable, seniors-focused housing in the city. The pronounced lack of availability of seniors housing combined with the favorable location make this development very beneficial to the community that it is aiming to serve. It is positioned within a block of Buckner Boulevard. at Ferguson Road with bus stops directly in front of the property. This allows residents without vehicles or those who may no longer have the ability to drive an option to move freely through the city. The White Rock Hills Branch Library is also directly

behind the site, providing a location for this essential service where the residents would not have to cross a street to access.

Total development costs are estimated to be approximately \$41,494,398.00 which includes the acquisition price for the land. The construction budget is estimated to be approximately \$20,972,055.00 which is \$127,878.00 per unit.

Proposed Financing Sources	Amount
Private Activity Bonds	\$16,992,910.00
Housing Tax Credits Equity	\$15,231,892.00
Soft Funding	\$ 8,000,000.00
Deferred Developer Fee	\$ 1,119,596.00
Deposit	\$ 150,000.00
<b>Total</b>	<b>\$41,494,398.00</b>

Proposed Uses	Costs
Acquisition	\$ 3,965,000.00
Total Const. Costs	\$20,972,055.00
Financing Fees, Soft Costs	\$11,230,364.00
Reserves	\$ 986,979.00
Developer Fee	\$ 4,340,000.00
<b>Total</b>	<b>\$41,494,398.00</b>

After the development is complete, 148 of the 164 units will be made available to households earning between 0%-60% of AMI and 16 of the 164 units will be made available to households earning between 0%-50% of AMI.

The Dallas City Council on May 9, 2018, adopted the Comprehensive Housing Policy (CHP), Resolution Nos. 18-0704 and 18-1680, as amended on November 28, 2018, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through TDHCA. On June 12, 2019, Resolution No. 19-0884 authorized an amendment to the CHP to modify the evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing development seeking Housing Tax Credits through TDHCA. The modified evaluation criteria include standard thresholds for both 4% and 9% HTC applications such as evidence of site control, TDHCA minimum site standards, affirmatively further fair housing, and other requirements.

To receive a staff recommendation for a resolution of no objection, the applicant must satisfy all threshold requirements, rehabilitation requirements, and affirmatively further fair housing. After review, the Applicant has satisfied all application requirements and staff recommends a resolution of no objection.

#### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$35,000,000.00 in private activity bonds to fund the Estates at Ferguson.

The Housing and Homelessness Solutions Committee was briefed regarding this matter on October 24, 2022.

**FISCAL INFORMATION**

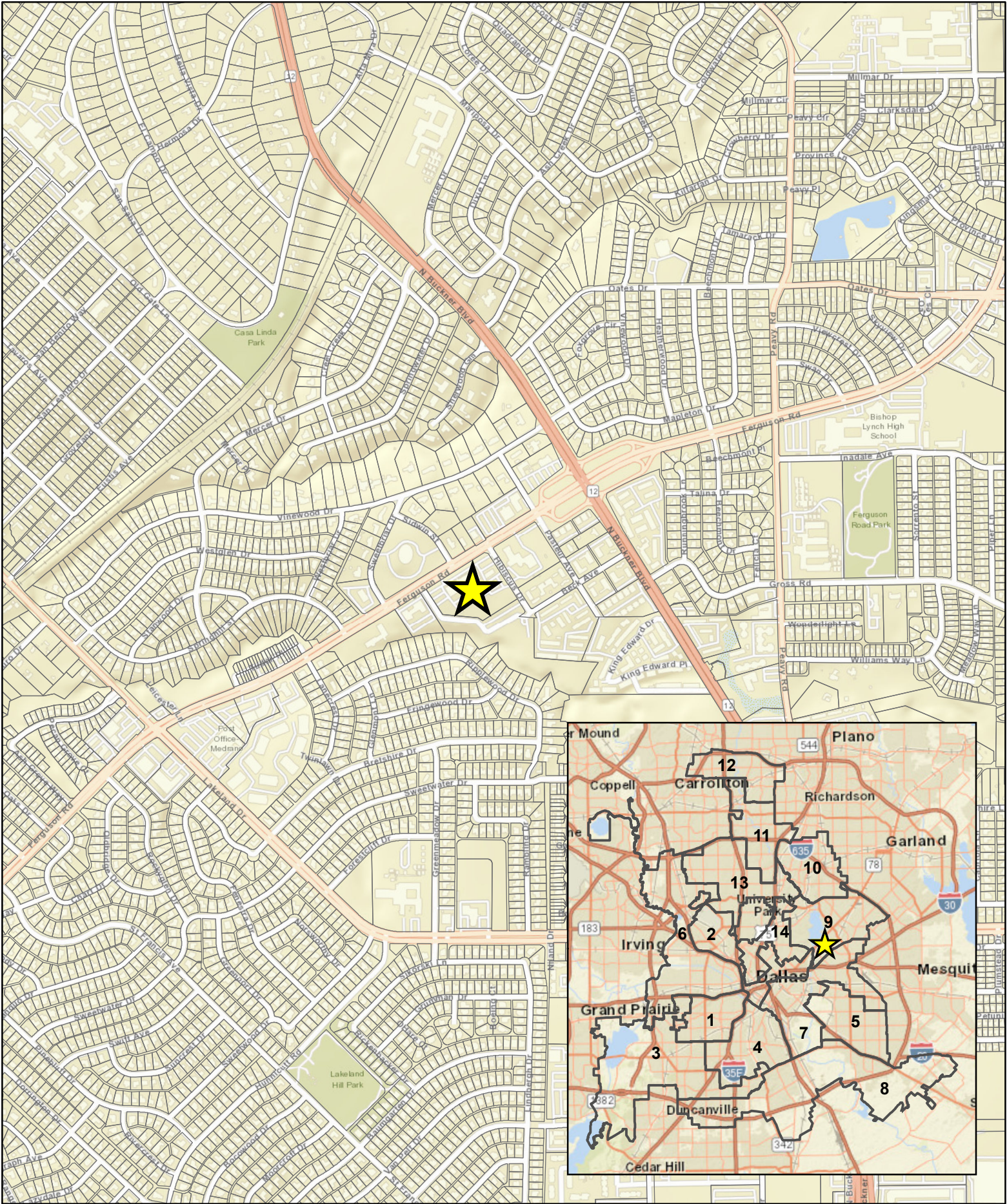
No cost consideration to the City.

**MAP**

Attached



# Estates at Ferguson





November 9, 2022

**WHEREAS**, on May 9, 2018, City Council authorized the adoption of the Comprehensive Housing Policy ("CHP") by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP City Council authorized multiple amendments to the CHP by Resolution No. 18-1680 on November 28, 2018, by Resolution No. 19-0884 on June 12, 2019, by Resolution No. 19-1041 on June 26, 2019, by Resolution No. 19-1498 on September 25, 2019, by Resolution No. 19-1864 on December 11, 2019, and by Resolution No. 21-1450 on September 9, 2021, by Resolution No. 21-1656 on October 13, 2021, and by Resolution No. 22-0744 on May 11, 2022; and

**WHEREAS**, the CHP provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

**WHEREAS**, Rock Island Riverfront, LP, or its affiliate (Applicant) has proposed the development of a 164-unit multifamily complex known as Estates at Ferguson located at 9220 Ferguson Road in the City of Dallas, Texas (Project); and

**WHEREAS**, the Applicant proposes to develop 164 units, including 99 1-bedroom and 65 2-bedroom units; and will include community amenities consistent with other class-A apartments; and

**WHEREAS**, on September 13, 2022, the Dallas Housing Finance Corporation authorized a preliminary inducement resolution declaring intent to issue \$35,000,000.00 in private activity bonds to fund the Estates at Ferguson; and

**WHEREAS**, upon completion of the development, it is anticipated that 148 of the 164 units will be made available to households earning between 0%-60% of Area Median Income (AMI) and 16 of the 164 units will be made available to households earning between 0%-50% of AMI; and

**WHEREAS**, pursuant to Section 11.204(4)(C) of the Qualified Allocation Plan, the Uniform Multifamily Rules and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for the 2023 4% Non-Competitive HTC application for Estates at Ferguson, 9220 Ferguson Road, Dallas, Texas 75228.

November 9, 2022

**Now, Therefore,**

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

**SECTION 1.** That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to TDHCA for a 4% Non-Competitive HTC for the proposed development of Estates at Ferguson located at 9220 Ferguson Road, Dallas, Texas 75228, for the development of a 164-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on November 9, 2022.

**SECTION 2.** That, in accordance with the requirements of the Texas Government Code §2306.67071 and the Qualified Allocation Plan §11.204(4), it is hereby found that:

- a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and
- b. The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed development of Estates at Ferguson; and
- c. The Governing Body has held a hearing at which public comment may be made on the proposed development of Estates at Ferguson in accordance with Texas Government Code §2306.67071(b); and
- d. After due consideration of the information provided by Applicant and after the public hearing on the proposed development of Estates at Ferguson, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 4% Non-Competitive HTC for the purpose of the development of Estates at Ferguson.

**SECTION 3.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify this resolution to the TDHCA.

**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 Information Sheet

**File #:** 22-2519  
PH7.

**Item #:**

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

A public hearing to receive comments regarding adoption of a Community Development Program for the period January 1, 2023 through January 1, 2025 - Financing: No cost consideration to the City

### **BACKGROUND**

On October 12, 2022, City Council approved a call for a public hearing on the proposed establishment of a new Community Development Program as part of a revised Economic Development Incentive Policy, which will provide the City with tools to incentivize worthy projects and support development throughout the City with a focus on southern Dallas and other underinvested areas.

The proposed Chapter 373 Program ("Community Development Program"), as authorized by the Texas Community Development Act of 1975, codified as Texas Local Government Code, Chapter 373 (the "Act"), will extend economic development support to qualified nonprofit developers and other community development projects.

The Act authorizes a variety of activities to expand economic opportunities for persons of low- and moderate-income, including activities from the Economic Development Incentive Policy (the "Policy") to support job growth, create new tax revenue, and expand the City's tax base, while advancing equitable economic development and a renewed and explicit focus on incentivizing:

- High-quality jobs that provide opportunities for all;
- Investment in Southern Dallas and other distressed or low- and moderate- income areas; and
- Racially equitable participation in Dallas's economy and wealth-building opportunities.

The Act calls for a public hearing to provide an opportunity for any interested person to comment prior to City Council consideration and adoption of the Community Development Program. The Community Development Program, as defined by the Community Development Plan (attached as

**Exhibit A)** will become part of the Economic Development Incentive Policy if City Council approves the Policy.

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

[The Economic Development Committee was briefed by memorandum regarding this item on October 3, 2022. <http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=5d2dfd01-f529-46a8-a573-c0cfcd8d3d48.pdf>](http://cityofdallas.legistar.com/gateway.aspx?M=F&ID=5d2dfd01-f529-46a8-a573-c0cfcd8d3d48.pdf)

On October 12, 2022, City Council authorized the call for a public hearing on November 9, 2022 to receive comments on the Community Development Plan.

**FISCAL INFORMATION**

No cost consideration to the City.



# CHAPTER 373 COMMUNITY DEVELOPMENT PLAN

OFFICE OF ECONOMIC DEVELOPMENT

**DRAFT**

## BACKGROUND

The Texas Community Development Act of 1975, as enacted by Chapter 373 of the Texas Local Government Code, authorizes a variety of activities to contribute to the development of viable urban communities by expanding economic opportunities for persons of low- and moderate-income. The legislative finding align with the revised incentive programs stemming from the new Economic Development Plan to support job growth, create new tax revenue, and expand the City's tax base, while advancing equitable economic development, including a renewed and explicit focus on incentivizing:

- High-quality jobs that provide opportunities for all;
- Investment in Southern Dallas and other distressed or low- and moderate- income areas ; and
- Racially equitable participation in Dallas's economy and wealth-building opportunities.

While the traditional tools of the City's economic development program, including grants, loans and tax abatements as authorized under Chapters 380 and 378 of the Texas Local Government Code, and Chapter 312 of the Texas Tax Code, have been successful in supporting larger scale, for-profit projects, the tools are not well-aligned to support projects led by nonprofit developers or that offer additional community benefits. A Chapter 373 Program is proposed to further the revised Economic Development Incentive Policy ("Incentive Policy"), address the gap in existing incentive tools, and expand economic opportunities for persons of low- and moderate-income.

To enact a Chapter 373 program, City Council approved this Community Development Plan ("CDP") on \_\_\_\_\_, 2022 as a component of the Incentive Policy. A public hearing on the CDP will be held on November 9, 2022. The CDP will be reviewed and reauthorized every two years as part of the Incentive Policy.



## PURPOSE

The purpose of the CDP is to improve living and economic conditions of persons of low- and moderate-income through the provision of loans and grants to qualified economic development and/or neighborhood revitalization projects that inhibit the deterioration of property; expand and improve the quantity and quality of community services important to community welfare; improve arrangement of residential, commercial, industrial, recreational, and other necessary activity centers; restore and preserve properties of special value for historic, architectural, or aesthetic reasons; and/or alleviate physical or economic distress through the stimulation of private investment and community revitalization in slum or blighted areas.

## PROGRAM AREA

Activities carried out under the CDP will be limited to the Target Areas, as defined by the Incentive Policy; these target areas are comprised of census tract block groups that have 20% or more poverty rate based upon the most recent decennial census federal poverty level information, which indicates predominately low- and moderate-income populations. Within the program area, activities as defined under “Eligible Activities and Project Types” may occur.

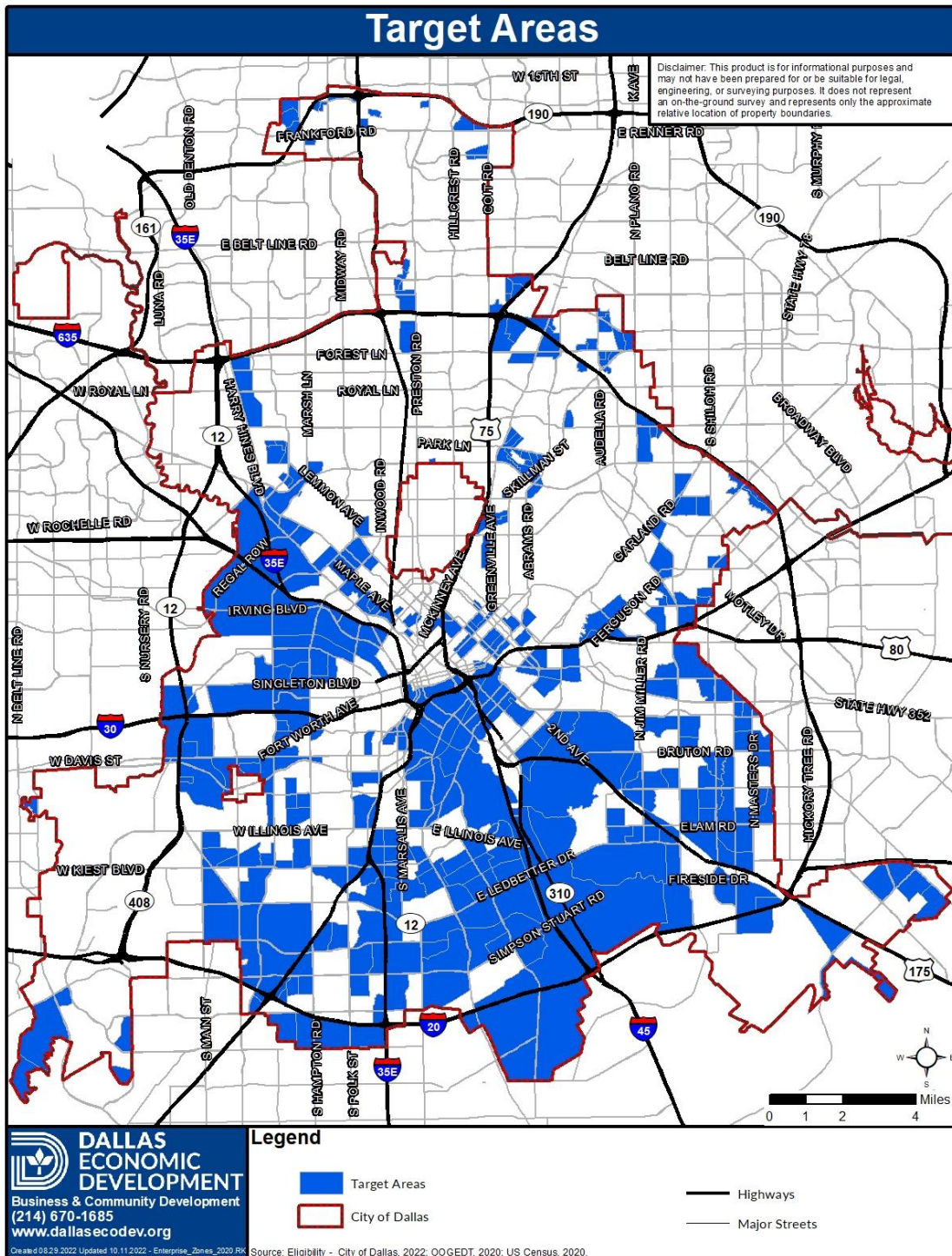


Figure 1: Current Target Area Map





## ELIGIBLE ACTIVITIES AND PROJECT TYPES

The following elements are eligible for funding provided that the activity would further the purposes of this CDP and meet the eligibility criteria as specified herein.

- Rehabilitation of privately-owned property;
- Activities that are conducted by public or private entities if the activities are necessary or appropriate to meet the needs and objectives of the CDP, including:
  - acquisition of real property;
  - acquisition, construction, reconstruction, rehabilitation, or installation of public facilities, site improvements, utilities, commercial or industrial buildings or other structures, or other commercial or industrial real property improvements;
- Grants to neighborhood-based nonprofit organizations, local development corporations, or other entities organized to implement neighborhood revitalization projects, community economic development projects, or energy or water conservation projects; and
- Provision of assistance to private, for-profit entities if the assistance is necessary or appropriate to carry out an economic development project.

## PROJECT TYPES

**Community Economic Development Projects** are projects that are led by a community-based nonprofit developer<sup>1</sup> and must either: 1) create 25 permanent full-time jobs that pay a living wage (exclusive of overtime, bonuses or benefits) as defined by the MIT Living Wage calculator for an individual living in Dallas County, or 2) document a minimum capital investment of \$2 million, excluding acquisition costs; any jobs created directly by the primary developer receiving the incentive must pay a MIT living wage. Projects must demonstrate that at least 75% of the total project funding is either in hand or has been pledged. City funds may be used for construction costs only; funds are not to be used for programmatic expenses.

**Neighborhood Revitalization Projects** are rehabilitation projects that are led by a community-based nonprofit developer and must either: 1) create 25 permanent full-time jobs that pay a living wage (exclusive of overtime, bonuses or benefits) as defined by the MIT Living Wage

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<sup>1</sup> This may include neighborhood-based nonprofit organizations, local development corporations, or other entities organized to implement neighborhood revitalization projects, community economic development projects, or energy or water conservation projects.



calculator for an individual living in Dallas County, or 2) document a minimum capital investment of \$2 million, excluding acquisition costs; any jobs created directly by the primary developer receiving the incentive must pay a MIT living wage. Projects must demonstrate that at least 75% of the total project funding is either in hand or has been pledged. City funds may be used for construction or rehabilitation costs only; funds are not to be used for programmatic expenses. The City encourages pairing PACE financing with any revitalization project.

**Community Impact Project** is a project that meets a specific community need, such as a grocery store, senior-care facility, child-care facility, or health-care facility. Other project types may be considered if applicant demonstrates a defined service gap. Projects must create at least 15 permanent full-time jobs with an average salary (exclusive of overtime, bonuses or benefits) equivalent or greater to the MIT living wage for an individual living in Dallas County and document a minimum capital investment of \$2 million, excluding acquisition costs. City funds may be used for construction or rehabilitation costs only; funds shall not be used for programmatic expenses. The City encourages pairing PACE financing with any rehabilitation economic development project.

## APPLICATION PROCESS

All projects receiving funding under the CDP will follow the same application process for incentives as established by the Incentive Policy. All approvals for funding will likewise follow the policies as established by the Incentive Policy.

## ADDITIONAL INFORMATION

The CDP will be administered and funded by the Office of Economic Development (“OED”) in accordance with the CDP.

## PUBLIC PURPOSE

All loans and grants must accomplish a public purpose, as required by law and the OED’s underwriting criteria. The City Council finds that the community economic development projects, neighborhood revitalization projects, and economic development projects described herein serve a valid public purpose.

Each proposal will be analyzed to ensure that the incentive serves a public purpose and provides a public benefit in conformance with this program statement state law as interpreted by attorney general opinion or court decisions. Financial awards will be documented in a written agreement, approved as to form by the City Attorney, to allow the City to: (1) ensure that the incentives accomplish a public purpose; (2) retain public control over the funds to ensure that the public



purpose is accomplished and to protect the public's investment; and (3) ensure that it receives a return benefit.. OED will work with the City Attorney's Office to identify ancillary instruments required to accompany the incentive agreement, such as a promissory note, deed of trust, deed restrictions, surety bonds, letters of credit, third-party guarantee, or other instruments, each approved as to form by the City Attorney's Office. OED may not, as part of an incentive agreement, waive the City's legislative, governmental, or police power. By entering into an incentive agreement, the developer consents to all requirements imposed by the City.



## Agenda Information Sheet

**File #:** 22-2525  
PH8.

**Item #:**

**STRATEGIC PRIORITY:** Economic Development  
**AGENDA DATE:** November 9, 2022  
**COUNCIL DISTRICT(S):** 1, 4  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Majed Al-Ghafry

### SUBJECT

A public hearing to receive comments on the proposed amendments to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Reinvestment Zone Number Three, the Oak Cliff Gateway Tax Increment Financing ("TIF") District (the "TIF District" or the "Zone") to: **(1)** increase the geographic area of the TIF District by approximately 244 acres including: (a) expanding the Bishop/Jefferson Sub-District by approximately 96 acres in an area generally along Jefferson Boulevard from Storey Street to 6th Street west of IH-35 and (b) adding the Clarendon/Beckley/Kiest Sub-District with approximately 148 acres in an area including the future Southern Gateway Deck Park at IH-35 between Marsalis Avenue and Ewing Avenue and generally along Clarendon Drive from Moore Street to Beckley Avenue and along Beckley Avenue from Clarendon Drive to just north of Kiest Boulevard; **(2)** establish a termination date for the Clarendon/Beckley/Kiest Sub-District of December 31, 2052; **(3)** establish the percentage of tax increment contributed by the City of Dallas during the term of the Clarendon/Beckley/Kiest Sub-District at 90%; **(4)** authorize an amendment to the participation agreement with Dallas County to request the County's participation in the Clarendon/Beckley/Kiest Sub-District; **(5)** create a new budget category for the Clarendon/Beckley/Kiest Sub-District; **(6)** create a new budget category for the TIF District for homeowner stabilization, home repair, and displacement mitigation; **(7)** extend the termination date of the Oak Cliff Gateway Sub-District from December 31, 2027 to December 31, 2044 and reduce the City's participation rate from 85% to 50% during the extended term; **(8)** increase the total budget for the TIF District from \$28,621,027 net present value (approximately \$76,665,998 in total dollars) to \$99,381,853 net present value (approximately \$352,993,541 in total dollars); **(9)** increase the budget capacity of the Oak Cliff Gateway Sub-District and the Bishop/Jefferson Sub-District to retain a portion of future tax increment to support future applications for project funding and annually transfer a portion of future tax increment to the following new budget categories: (a) budget line item for homeowner stabilization, home repair, and displacement mitigation programs and (b) Clarendon/Beckley/Kiest Sub-District; and **(10)** make corresponding modifications to the TIF District's boundary, budget, and Plan; and, at the close of the public hearing, consider an ordinance amending Ordinance No. 21466, as amended, previously approved on November 11, 1992, and Ordinance No. 23033, as amended, previously approved on February 12, 1997, to reflect these amendments -

Financing: No cost consideration to the City

## **BACKGROUND**

The Zone was designated by City Council in 1992 to encourage development in the north Oak Cliff area immediately south of I-30 and west of the Trinity River. However, the pace of growth was slower than expected for many years following the initial designation. Some early redevelopment projects, such as Lake Cliff Tower, helped to demonstrate the area's potential, but it took more time for significant development to begin to occur. In 2008, the Zone's term was extended for an additional ten years and, in 2015, for an additional five years. The additional time was needed to provide funding for infrastructure and gap financing needs associated with future planned development within the area.

In 2014, the Zone was amended by City Council to create the Bishop/Jefferson Sub-District with a term through December 31, 2044. The expanded Zone boundary has helped to facilitate new development along the Dallas Streetcar line and in the Bishop Arts District.

Since 1992, the Zone's value has grown to approximately \$1.1 billion, an increase of \$982 million over the Zone's adjusted base year value of \$145.8 million. To date, the Zone has directly invested in the development of 929 residential units (completed or under construction), including of 313 affordable units and 61,523 square feet of retail/commercial/flex space. In addition, the Zone has been a catalyst to spur additional development of over 3,000 residential units and 599,000 square feet of commercial space.

For almost two years, Staff has been working on this proposal to amend the Zone's Project Plan and Reinvestment Zone Financing Plan ("Plan"). A primary component of the proposal is to expand the TIF District by approximately 244 acres, including (1) creation of a new Clarendon/Beckley/Kiest Sub-District to include the future Southern Gateway Deck Park ("SGDP") and vacant/underutilized commercial properties ripening for redevelopment on the east side of the SGDP and (2) expansion of the Bishop /Jefferson Sub-District to include properties along the Jefferson Boulevard corridor and encourage linkages to the SDGP. Staff's proposed Plan amendments will allow for tax increment sharing to support the capital needs of the SGDP and redevelopment projects east of IH-35.

Staff's proposal has been guided by four basic objectives: (1) provide funding capacity to support the SGDP with capital improvement needs and to further supplement/leverage other City, state, federal, and private funding, (2) provide funding capacity to support public infrastructure connectivity improvements to the SGDP such as enhanced sidewalks and bike lanes on the west and east side of IH-35, (3) provide funding capacity to facilitate redevelopment projects on vacant/underutilized properties, including new mixed-income housing, neighborhood commercial revitalization, and enhanced public infrastructure improvements, and (4) provide funding capacity for programs addressing homeowner stabilization, home repair, and displacement mitigation.

On September 19, 2022, the Oak Cliff Gateway TIF Board of Directors ("TIF Board") reviewed and discussed staff's preliminary proposal to amend the Plan. On September 26, 2022, the TIF Board reviewed and unanimously approved the final proposal to amend the Plan as recommended by staff, including findings that: (a) the unimproved and underutilized property in the proposed expansion area substantially arrests or impairs the sound growth of the City, (b) development or redevelopment in the

proposed expansion area will not occur solely through private investment in the foreseeable future, and (c) inclusion of the proposed expansion area will have an overall benefit to the Zone and the City.

Pursuant to the Tax Increment Financing Act, as amended, VTCA Texas Tax Code, Chapter 311 (the "Act"), a public hearing is required if an amendment proposes to reduce or increase the geographic area of the zone, increase the amount of bonded indebtedness to be incurred, increase or decrease the percentage of a tax increment to be contributed by a taxing unit, increase the total estimated project costs, or designate additional property in the zone to be acquired by the municipality.

This public hearing is being held to hear comments on the proposed amendments to the Plan for the Zone as listed in the Subject above.

Conservative estimates for anticipated future development in the proposed expansion area include approximately 2,150 residential units and 230,00 square feet of retail/commercial space (revitalized existing space and new construction). New taxable value in the proposed expansion area is estimated at approximately \$482 million (in addition to new future development anticipated in the existing portion of the Zone).

The 2022 estimated taxable value of the proposed expansion area is \$131,352,970. If approved by City Council, the Plan amendment would adjust the base value of the Zone from \$145,852,742.00 to \$277,205,712.00 to reflect the added property. The base value may be adjusted based on final Dallas Central Appraisal District (DCAD) 2022 values and any corrections.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 11, 1992, City Council authorized the establishment of the Oak Cliff Gateway TIF District by Resolution No. 92-3946 Ordinance No. 21466, as amended.

On February 12, 1997, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Oak Cliff Gateway TIF District by Resolution No. 97-0483; Ordinance No. 23033, as amended.

On September 26, 2022, the Oak Cliff Gateway TIF District Board of Directors reviewed and unanimously recommended City Council approval of the proposed amendments to the Oak Cliff Gateway TIF District's Plan.

The Economic Development Committee was briefed regarding this matter on October 3, 2022.

On October 26, 2022, City Council authorized a public hearing to be held on November 9, 2022 to receive public comments on the proposed amendments to the Oak Cliff Gateway TIF District's Plan.

### **FISCAL INFORMATION**

No cost consideration to the City.

### **MAP**

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**File #:** 22-2525  
PH8.

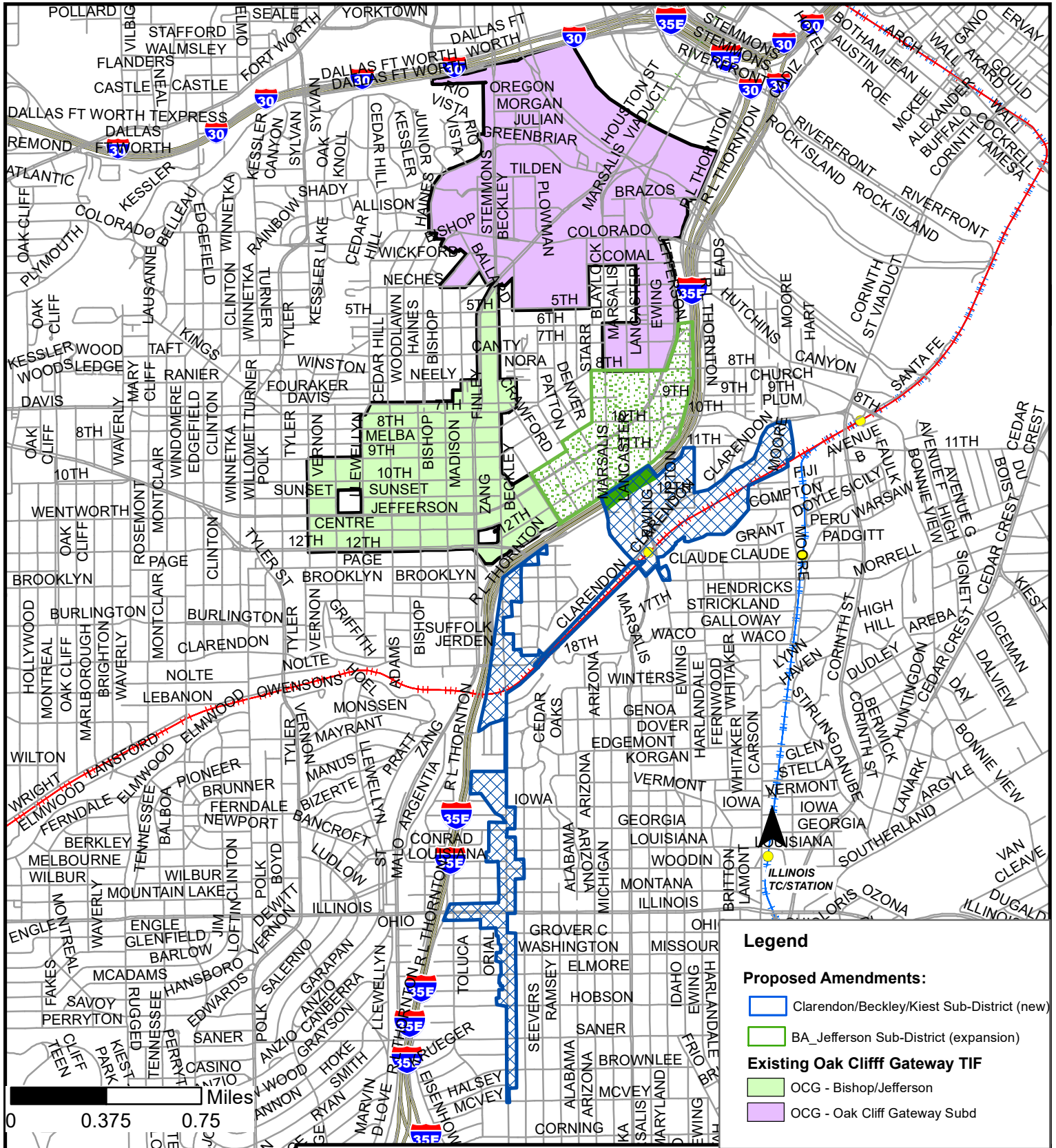
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**Item #:**

Attached



# Oak Cliff Gateway TIF District - Proposed Amended Boundary



Office of Economic Development  
(214) 670-1685  
[www.dallasecodev.org](http://www.dallasecodev.org)  
Created 06.13.2022

September 2022

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 21466, PREVIOUSLY APPROVED BY CITY COUNCIL ON NOVEMBER 11, 1992, AS AMENDED, AND ORDINANCE NO. 23033 PREVIOUSLY APPROVED BY CITY COUNCIL ON FEBRUARY 12, 1997, AS AMENDED, TO (1) INCREASE THE GEOGRAPHIC AREA OF TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER THREE, CITY OF DALLAS, TEXAS ("OAK CLIFF GATEWAY TIF DISTRICT" OR "TIF DISTRICT" OR "ZONE") BY APPROXIMATELY 244 ACRES INCLUDING: (a) EXPANDING THE BISHOP/JEFFERSON SUB-DISTRICT BY APPROXIMATELY 96 ACRES AND (b) ADDING THE CLARENDON/BECKLEY/KIEST SUB-DISTRICT WITH APPROXIMATELY 148 ACRES; (2) ESTABLISH A TERMINATION DATE FOR THE CLARENDON/BECKLEY/KIEST SUB-DISTRICT OF DECEMBER 31, 2052; (3) ESTABLISH THE PERCENTAGE OF TAX INCREMENT CONTRIBUTED BY THE CITY OF DALLAS DURING THE TERM OF THE CLARENDON/BECKLEY/KIEST SUB-DISTRICT AT 90%; (4) AUTHORIZE AN AMENDMENT TO THE PARTICIPATION AGREEMENT WITH DALLAS COUNTY TO REQUEST THE COUNTY'S PARTICIPATION IN THE CLARENDON/BECKLEY/KIEST SUB-DISTRICT; (5) CREATE A NEW BUDGET CATEGORY FOR THE CLARENDON/BECKLEY/KIEST SUB-DISTRICT; (6) CREATE A NEW BUDGET CATEGORY FOR THE TIF DISTRICT FOR HOMEOWNER STABILIZATION, HOME REPAIR, AND DISPLACEMENT MITIGATION; (7) EXTEND THE TERMINATION DATE OF THE OAK CLIFF GATEWAY SUB-DISTRICT FROM DECEMBER 31, 2027 TO DECEMBER 31, 2044 AND REDUCE THE CITY'S PARTICIPATION RATE FROM 85% TO 50% DURING THE EXTENDED TERM; (8) INCREASE THE TOTAL BUDGET OF THE TIF DISTRICT FROM \$28,621,027 NET PRESENT VALUE (APPROXIMATELY \$76,665,998 TOTAL DOLLARS) TO \$99,381,853 NET PRESENT VALUE (APPROXIMATELY \$352,993,541 IN TOTAL DOLLARS); (9) INCREASE THE BUDGET CAPACITY OF THE OAK CLIFF GATEWAY SUB-DISTRICT AND BISHOP/JEFFERSON SUB-DISTRICT TO RETAIN A PORTION OF FUTURE INCREMENT FOR PROJECT FUNDING AND ANNUALLY TRANSFER A PORTION OF FUTURE TAX INCREMENT TO THE FOLLOWING NEW BUDGET CATEGORIES: (a) HOMEOWNER STABILIZATION, HOME REPAIR, AND DISPLACEMENT MITIGATION AND (b) CLARENDON/BECKLEY/KIEST SUB-DISTRICT; AND (10) MAKE CORRESPONDING MODIFICATIONS TO THE PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN ("PLAN"); ESTABLISHING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND ENACTING OTHER MATTERS RELATED THERETO.

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

**WHEREAS**, on November 11, 1992, City Council authorized the designation of Tax Increment Financing Reinvestment Zone Number Three (the “Oak Cliff Gateway TIF District” or “TIF District” or “Zone”) in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the “Act”) to promote orderly redevelopment in the TIF District that would not occur solely through private investment in the reasonably foreseeable future by Resolution No. 92-3946; Ordinance No. 21466, as amended; and

**WHEREAS**, on February 12, 1997, City Council authorized the Project Plan and Reinvestment Zone Financing Plan (the “TIF District Plan” or “Plan”) for the Oak Cliff Gateway TIF District by Resolution No. 97-0483; Ordinance No. 23033, as amended; and

**WHEREAS**, the Act requires that, if an amendment proposes to reduce or increase the geographic area of the zone, increase the amount of bonded indebtedness to be incurred, increase or decrease the percentage of a tax increment to be contributed by a taxing unit, increase the total estimated project costs, or designate 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 provides interested persons the opportunity to speak and present evidence for or against such amendment(s); 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 Oak Cliff Gateway TIF District, any other taxing districts, and any other interested persons to speak for or against the amendment; and

**WHEREAS**, on September 26, 2022, the Oak Cliff Gateway TIF District Board of Directors (the “TIF District Board”) unanimously passed a motion adopting and recommending City Council approval of the following amendments to the Oak Cliff Gateway TIF District’s Project Plan and Reinvestment Zone Financing Plan: (1) increase the geographic area of the TIF District by approximately 244 acres including: (a) expanding the Bishop/Jefferson Sub-District by approximately 96 acres in an area generally along Jefferson Boulevard from Storey Street to 6th Street west of IH-35 and (b) adding the Clarendon/Beckley/Kiest Sub-District with approximately 148 acres in an area including the future Southern Gateway Deck Park at IH-35 between Marsalis Avenue and Ewing Avenue and generally along Clarendon Drive from Moore Street to Beckley Avenue and along Beckley Avenue from Clarendon Drive to just north of Kiest Boulevard; (2) establish a termination date for the Clarendon/Beckley/Kiest Sub-District of December 31, 2052; (3) establish the percentage of tax increment contributed by the City of Dallas during the term of the Clarendon/Beckley/Kiest Sub-District at 90%; (4) authorize an amendment to the participation agreement with Dallas County to request the County’s participation in the Clarendon/Beckley/Kiest Sub-District; (5) create a new budget category for the Clarendon/Beckley/Kiest Sub-District; (6) create a new budget category for the TIF District for homeowner stabilization, home repair, and displacement mitigation; (7) extend the termination date of the Oak Cliff Gateway Sub-District from December 31, 2027 to December 31, 2044 and reduce the City’s participation rate from 85% to 50% during the extended term;

(8) increase the total budget for the TIF District from \$28,621,027.00 net present value (approximately \$76,665,998.00 in total dollars) to \$99,381,853.00 net present value (approximately \$352,993,541.00 in total dollars); (9) increase the budget capacity of the Oak Cliff Gateway Sub-District and the Bishop/Jefferson Sub-District to retain a portion of future tax increment to support future applications for project funding and annually transfer a portion of future tax increment to the following new budget categories: (a) budget line item for homeowner stabilization, home repair, and displacement mitigation programs and (b) Clarendon/Beckley/Kiest Sub-District; (10) make corresponding modifications to the TIF District's boundary, budget, and Plan, and (11) include findings that: (a) the unimproved and underutilized property in the proposed expansion area substantially arrests or impairs the sound growth of the City, (b) development or redevelopment in the proposed expansion area will not occur solely through private investment in the foreseeable future, and (c) inclusion of the proposed expansion area will have an overall benefit to, and further the purposes of, the TIF District.

**WHEREAS**, on October 26, 2022, City Council authorized a public hearing to be held on November 9, 2022, to hear public comments regarding the proposed amendments in accordance with the Tax Increment Financing Act, codified as Texas Tax Code, Chapter 311. The public hearing was held on November 9, 2022 and was subsequently closed.

**WHEREAS**, the Act requires the City to publish notice of the public hearing in a newspaper having general circulation in the City, and, in compliance with the Act, notice of the public hearing was published in Dallas Morning News, a daily newspaper of general circulation in the City, at least seven days before the date of the public hearing.

**Now, Therefore,**

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

**SECTION 1.** That Ordinance No. 21466, as amended, previously approved on November 11, 1992, and Ordinance No. 23033, as amended, previously approved on February 12, 1997, are hereby further amended to: (1) increase the geographic area of the TIF District by approximately 244 acres including: (a) expanding the Bishop/Jefferson Sub-District by approximately 96 acres in an area generally along Jefferson Boulevard from Storey Street to 6th Street west of IH-35 and (b) adding the Clarendon/Beckley/Kiest Sub-District with approximately 148 acres in an area including the future Southern Gateway Deck Park at IH-35 between Marsalis Avenue and Ewing Avenue and generally along Clarendon Drive from Moore Street to Beckley Avenue and along Beckley Avenue from Clarendon Drive to just north of Kiest Boulevard; (2) establish a termination date for the Clarendon/Beckley/Kiest Sub-District of December 31, 2052; (3) establish the percentage of tax increment contributed by the City of Dallas during the term of the Clarendon/Beckley/Kiest Sub-District at 90%; (4) authorize an amendment to the participation agreement with Dallas County to request the County's participation in the Clarendon/Beckley/Kiest Sub-District; (5) create a new budget category for the Clarendon/Beckley/Kiest Sub-District;

(6) create a new budget category for the TIF District for homeowner stabilization, home repair, and displacement mitigation; (7) extend the termination date of the Oak Cliff Gateway Sub-District from December 31, 2027 to December 31, 2044 and reduce the City's participation rate from 85% to 50% during the extended term; (8) increase the total budget of the TIF District from \$28,621,027.00 net present value (approximately \$76,665,998.00 in total dollars) to \$99,381,853.00 net present value (approximately \$352,993,541.00 in total dollars); (9) increase the budget capacity of the Oak Cliff Gateway Sub-District and the Bishop/Jefferson Sub-District to retain a portion of future tax increment to support future applications for project funding and annually transfer a portion of future tax increment to the following new budget categories: (a) budget line item for homeowner stabilization, home repair, and displacement mitigation programs and (b) Clarendon/Beckley/Kiest Sub-District; and (10) make corresponding modifications to the TIF District's boundary, budget, and Plan attached hereto as **Exhibit B**.

**SECTION 2.** That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

**SECTION 3.** That the amendments to the Plan will result in benefits to the City and the property included in the TIF District.

**SECTION 4.** That the addition of the 244 acres will not result in more than thirty percent of the property in the TIF District being used for residential purposes pursuant to the Act.

**SECTION 5.** That the unimproved and underutilized property in the proposed expansion area substantially arrests or impairs the sound growth of the City, and improvements in the TIF District will significantly enhance the value of all the taxable real property in the TIF District, development or redevelopment in the proposed expansion area would not occur solely through private investment in the foreseeable future, and its inclusion will have an overall benefit to the TIF District and the City.

**SECTION 6.** That the proposed expansion will permit future improvements that will significantly enhance the value of all taxable real property in the TIF District and will be of general benefit to the City.

**SECTION 7.** That the tax increment base for the expansion area, which is the total appraised value of all taxable real property located in the expansion area, is to be determined as of January 1, 2022, the year in which the TIF District was amended to include the expansion area.

**SECTION 8.** That the Clarendon/Beckley/Kiest Sub-District shall take effect on January 1, 2023, and the termination of the Clarendon/Beckley/Kiest Sub-District shall occur on December 31, 2052 (including collection of the 2052 tax year increment in calendar year 2053 and any related matters to be concluded in 2053) or at an earlier time designated by subsequent ordinance of the City Council.

**SECTION 9.** That **Exhibit A** of Ordinance No. 21466, as amended, shall be completely deleted and the new attached **Exhibit A** shall be substituted.

**SECTION 10.** That **Exhibit A** and **Exhibit B** of Ordinance No. 23033, as amended, shall be completely deleted and the new attached **Exhibit A** and **Exhibit B** shall be substituted.

**SECTION 11.** That Ordinance No. 21466, as amended, and Ordinance No. 23033, as amended will remain in full force and effect, save and except as amended by this ordinance.

**SECTION 12.** That if any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or un-enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 13.** That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

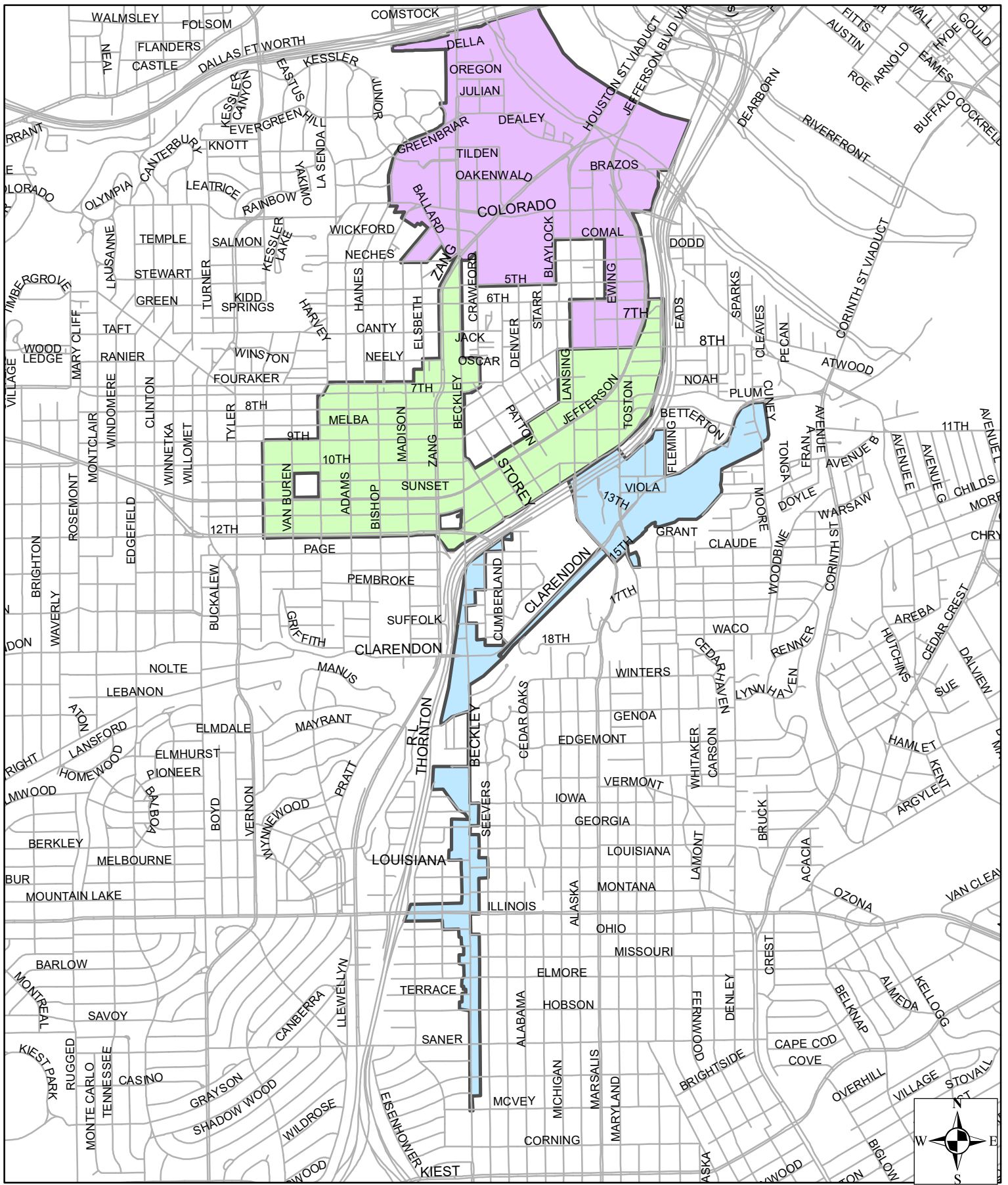
APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

BY: \_\_\_\_\_  
Assistant City Attorney




Passed and correctly enrolled \_\_\_\_\_





**Oak Cliff Gateway TIF District  
Amended Boundary  
November 2022**

0 0.2 0.4 0.8  
Miles

-  Oak Cliff Gateway Sub-District
-  Bishop/Jefferson Sub-District
-  Clarendon/Beckley/Kiest Sub-District



**Exhibit B**  
**Oak Cliff Gateway**  
**Tax Increment Financing District**



**Amended Project Plan &  
Reinvestment Zone Financing Plan**

**February 12, 1997**

**Amended – December 9, 1998**

**Amended – January 12, 2005**

**Amended – November 9, 2009**

**Amended – December 10, 2014**

**Amended – August 26, 2015**

**Amended – December 9, 2015**

**Amended – April 14, 2021**

**Amended – November 9, 2022**

## **Plan Framework**

**Section 1 PROJECT PLAN** provides a description of the planned public improvements, including a detailed project budget. Also, the near term and long-term expectations for private development are presented.

**Section 2 REINVESTMENT ZONE FINANCING PLAN** includes an explanation of the increment financing, the financing strategy and the assumptions on which the plan for the Oak Cliff Gateway TIF is based. Also, the financial feasibility of the TIF is examined along with financial policies which have been adopted by the Board of Directors.

## **Section I – Project Plan**

### **Summary of Plan and Discussion of Modifications**

The Oak Cliff Gateway Tax Increment Financing (TIF) District represents an important opportunity for the City of Dallas to develop an attractive entry into the Oak Cliff area and to capitalize on the opportunities provided by the new Oak Cliff Trolley (currently known as the Dallas Streetcar) to connect downtown Dallas to key potential growth areas such as the neighborhood around Methodist Regional Medical Center, the Bishop Arts area and the Jefferson Corridor.

The district was created in 1992 to set the standard for job creation while building on successful developments downtown. The Oak Cliff Gateway community occupies a prime location for redevelopment activity between downtown Dallas and Kessler Park. This area, located on the hills overlooking the Trinity River, provides a superior location for new residential and commercial development. However, growth has been slower than expected. Some early developments, such as Lake Cliff Tower, helped to demonstrate the area's potential, but only in the past few years has significant development begun to occur. The district's taxable value grew by more than \$120 million between 1992 and 2014, including developments such as Zang Triangle and Alexan Trinity, but the district lost ground between 2008 and 2011, and continued growth in the core of the district took additional time.

Parts of the district continue to exhibit deteriorated structures, inadequate sidewalks and streets, tracts of vacant land, faulty lot layouts, unsanitary or unsafe conditions, and deteriorated site improvements. These conditions substantially arrest or impair the sound growth of this part of Dallas.

The City was approached by a development group hoping to help to connect the successes in the Bishop Arts area with the strength of the Jefferson Boulevard corridor by creating a new development between the two areas. This proposal provided an opportunity for the Oak Cliff Gateway TIF District to capitalize on the potential growth in its core area while helping to support new development farther south.

The 2014 modifications to the Oak Cliff Gateway TIF District timeframe, boundary, budget, and policies were intended to help to spur investment in Southern Dallas and encourage orderly redevelopment along the planned extension of the Dallas Streetcar from the Houston Street viaduct, along Zang Boulevard, south to Bishop Arts and beyond Jefferson Boulevard. The changes to the plan included continuing funding for infrastructure needs for new development as well as environmental remediation and façade improvement for rehabilitation of older structures and economic development grants for projects that are not otherwise financially viable.

Modifications to the Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan (“Plan”) in 2014 included the following changes:

- Create two sub-districts within the Oak Cliff Gateway TIF District: (a) Oak Cliff Gateway Sub-district (original district boundary) and (b) Bishop/Jefferson Sub-district.
- Increase the geographic area of the Oak Cliff Gateway TIF District to add approximately 194 acres to create the Bishop/Jefferson Sub-district.
- Extend the termination date of the Oak Cliff Gateway TIF District from the City Council-established termination date of December 31, 2022 to December 31, 2027 for the Oak Cliff Gateway Sub-district and establish a termination date for the Bishop/Jefferson Sub-district of December 31, 2044.
- Maintain the percentage of tax increment contributed by the City of Dallas during the extended term of the Oak Cliff Gateway Sub-district at 85% and establish the percentage of tax increment contributed by the City of Dallas during the term of the Bishop/Jefferson Sub-district at 90%.
- A request submitted to the County to have the County participate at the rate of 65% for 20 years beginning in 2015 and ending in 2034 in the Bishop/Jefferson Sub-district.
- Increase the Oak Cliff Gateway TIF District’s total budget from \$10,066,977 NPV (approximately \$33,432,572 total dollars) to \$28,621,027 NPV (approximately \$76,665,998 total dollars), an increase of \$18,554,050 NPV (approximately \$43,233,426 total dollars).
- Authorize an amendment to the participation agreement with Dallas County as a component of this budget increase.
- Restructure the TIF budget to consolidate and broaden categories of eligible project costs into the Oak Cliff Gateway Sub-District (original boundary area); a new category for the Bishop/Jefferson Sub-district; and retain the Education and Administration categories.
- Revised private development goals.

Modifications in 2015 included adding 4.9 acres of vacant and underutilized property west of Beckley Avenue to allow Oxygen, a proposed \$38 million multi-family project whose project site is only partially in the district, to begin construction and thereby spur additional development on Beckley Avenue north of Methodist Medical Center.

In 2021, the Plan was modified to add a budget category for Dallas Streetcar support. The TIF District Board of Directors made a finding that operations and maintenance (O&M) support for the Dallas Streetcar was necessary and convenient to the implementation of furthering development along major transportation corridors and transit connections in and adjacent to the TIF District. TIF District funding support for Dallas Streetcar O&M is intended to be short-term supplemental funding to allow the City and non-profit/for-profit partners to secure and structure other long-term sources of funding.

In 2022, the Plan was amended to facilitate the creation of a new Clarendon/Beckley/Kiest Sub-District to include the future Southern Gateway Deck Park (“SGDP”) and vacant/underutilized commercial properties ripening for redevelopment on the east side of the SGDP and expansion of the Bishop/Jefferson Sub-District to include properties along the Jefferson Boulevard corridor and encourage linkages to the SDGP. The Plan amendment will allow for tax increment sharing to support the capital needs of the SGDP and redevelopment projects east of IH-35.

The amendment was guided by four basic objectives: (1) provide funding capacity to support the SGDP with capital improvement needs and to further supplement/leverage other City, state, federal, and private funding, (2) provide funding capacity to support public infrastructure connectivity improvements to the SGDP such as enhanced sidewalks and bike lanes on the west and east side of IH-35, (3) provide funding capacity to facilitate redevelopment projects on vacant/underutilized properties, including new mixed-income housing, neighborhood commercial revitalization, and enhanced public infrastructure improvements, and (4) provide funding capacity for programs addressing homeowner stabilization, home repair, and displacement mitigation.

Modifications to the Plan in 2022 included the following:

- Increase the geographic area of the TIF District by approximately 244 acres including: (a) expanding the Bishop/Jefferson Sub-District by approximately 96 acres in an area generally along Jefferson Boulevard from Storey Street to 6th Street west of IH-35 and (b) adding the Clarendon/Beckley/Kiest Sub-District with approximately 148 acres in an area including the future Southern Gateway Deck Park at IH-35 between Marsalis Avenue and Ewing Avenue and generally along Clarendon Drive from Moore Street to Beckley Avenue and along Beckley Avenue from Clarendon Drive to just north of Kiest Boulevard
- Establish a termination date for the Clarendon/Beckley/Kiest Sub-District of December 31, 2052.
- Establish the percentage of tax increment contributed by the City of Dallas during the term of the Clarendon/Beckley/Kiest Sub-District at 90%.
- Authorize an amendment to the participation agreement with Dallas County to request the County’s participation in the Clarendon/Beckley/Kiest Sub-District.
- Create a new budget category for the Clarendon/Beckley/Kiest Sub-District.

- Create a new budget category for the TIF District for homeowner stabilization, home repair, and displacement mitigation.
- Extend the termination date of the Oak Cliff Gateway Sub-District from December 31, 2027 to December 31, 2044 and reduce the City's participation rate from 85% to 50% during the extended term.
- Increase the total budget for the TIF District from \$28,621,027 net present value (approximately \$76,665,998 in total dollars) to \$99,381,853 net present value (approximately \$352,993,541 in total dollars).
- Increase the budget capacity of the Oak Cliff Gateway Sub-District and the Bishop/Jefferson Sub-District to retain a portion of future tax increment to support future applications for project funding and annually transfer a portion of future tax increment to the following new budget categories: (a) budget line item for homeowner stabilization, home repair, and displacement mitigation programs and (b) Clarendon/Beckley/Kiest Sub-District.
- Make corresponding modifications to the TIF District's boundary, budget, and Plan.

## **Tax Increment Base**

The total taxable appraised value of real property within the original Oak Cliff Gateway TIF District as of January 1, 1992, according to the Dallas Central Appraisal District (DCAD) was \$38,570,128.

In 2009, the base value for the Oak Cliff Gateway TIF District was re-set at \$40,098,623 for the City value. The 2014 base value of the Bishop/Jefferson Sub-district, according to DCAD, was \$105,142,079. The 2014 taxable base value of the entire TIF District was adjusted to \$145,852,742. The City will monitor property with different base years separately. Taxable values may vary by taxing jurisdiction due to different exemption levels.

The 2022 estimated taxable value of the expansion area is \$131,352,970 including the expanded portion of the Bishop/Jefferson Sub-District with an approximate \$91,593,552 base value and the Clarendon/Beckley/Kiest Sub-District with an approximate \$39,759,418 base value. The Plan amendment will adjust the total base value of the TIF District from \$145,852,742 to \$277,205,712 to reflect the added property. The base value may be adjusted based on final Dallas Central Appraisal District (DCAD) 2022 values and any corrections.

The appraised value of real property in this and all other Dallas tax increment reinvestment zones combined is below the statutory maximum of 25%. In addition, the appraised value of real property in this and all other Dallas tax increment reinvestment zones combined was below the maximum threshold of 15% of the City's tax base as set by the City's Financial Management Performance Criteria (FMPC) as amended.

## **Exhibit B**

## **Market Analysis and Development Program**

Although market conditions have changed since Arthur Andersen & Co. prepared the market analysis of the Oak Cliff Gateway area in 1997, the basic focus is still valid. The analysis focused on the need to encourage initial growth and jump-start development within the district by finding productive uses for vacant land and stimulating job creation as a way to spur economic revitalization and increase long-term residential interest.

Based on the initial market research information, a current examination of local development trends, and assuming the development of a targeted implementation program, the TIF board suggested the following target projects:

- Lake Cliff Tower residential redevelopment with adjacent retail, townhome development along Greenbriar Avenue (completed in 2006)
- Core retail development (39,375 square feet completed in 2009)
- Mid and high rise residential with retail along Greenbriar Avenue (Trinity Townhomes development completed in 2007 and Alexan Trinity completed in 2014.)
- Land assembly for mixed-use, high-density development adjacent to the Trinity River, between Greenbriar Avenue and Interstate 30 on North Beckley Avenue and Burnett Field near Colorado Boulevard and Interstate 35 (to be completed).

Expansion of Methodist Medical Center's operations created an opportunity to focus denser development in the area roughly bounded by Zang Boulevard, Colorado Street, Beckley Avenue, I-30 and the Trinity River. The 2009 plan amendments provided for funding of the infrastructure and financing needs of this area, and the 2014 plan amendments, including the extended time in the Oak Cliff Gateway Sub-District, give this area the time it needs to succeed.

These projects are designed to create momentum within the core of the TIF district, a key element in attracting potential investment into the neighborhood.

The expansion of the Oak Cliff trolley (currently known as the Dallas Streetcar) and recent development in both the Bishop Arts area and in the Jefferson, Corridor have spurred interest in the blocks south of Bishop Arts. TIF funding will help to fund needed infrastructure improvements, complete façade restoration and environmental remediation projects, and spur development through economic development grants in an area of vacant lots, aging multi-family buildings, and under-utilized commercial land.

In 2020-2021, the University of North Texas (UNT) at Dallas School of Business, at the request of the Southern Gateway Green Foundation, conducted an economic impact analysis of a deck park and other amenities in the Southern Sector centering around the deck park adjacent to the Dallas Zoo and the Oak Cliff Neighborhoods. In a 71-acre target area near the future deck park, it was estimated that redevelopment in next 5 years will add between \$483-604 million in new property value. The deck park is estimated to attract

### **Exhibit B**



approximately 2,400 new residents to the target area including at least 750 multifamily units in next 5 years with a value of \$131,250,000.

The Southern Gateway area is identified as an “emerging market area” in the City’s Comprehensive Housing Policy, as amended in May 2022. Emerging market areas are characterized as areas in need of focused public intervention efforts. In order to facilitate mixed-income development, preservation of affordability, and neighborhood investment, the Policy recommends TIF district designation to help prepare the area for market-based investment.

## **Area Attributes**

The location of the Oak Cliff Gateway TIF District is an ideal setting for residential and commercial redevelopment due to its adjacency to the Trinity River and downtown, as well as its proximity to Interstates 30 and 35.

The pastoral dignity of Lake Cliff Park sets the tone for the Oak Cliff Gateway Sub-district. Scenic vistas from the park and other hillsides within the district are among the finest in Dallas. Potential redevelopment of the Trinity River provides an important bridge between the Oak Cliff Gateway area and Downtown Dallas. Major facilities and natural features of the area include Methodist Medical Center, Lake Cliff Park, Founders Park, school sites and the Trinity River.

The Bishop Arts and Jefferson Boulevard areas serve as a draw for visitors from across the North Texas region and provide destinations for shopping and dining. Proposed developments provide additional restaurant, retail, and residential space while providing needed access to transit and additional parking.

Linkages and corridors play a special role in the expanded Oak Cliff Gateway TIF District. The Dallas Streetcar and both planned and existing trails as shown in **Exhibit A-1** are vital to development of the district and create the opportunity for expanded recreational, pedestrian, and transit connections both to downtown and through the region.

The Dallas Streetcar connects Oak Cliff to downtown Dallas and the greater regional light and heavy rail network. Passengers are able to board in Oak Cliff and then transfer either to DART’s light rail line or to the heavy rail line managed by the TRE which connects downtown Dallas to Fort Worth and the suburbs in between.

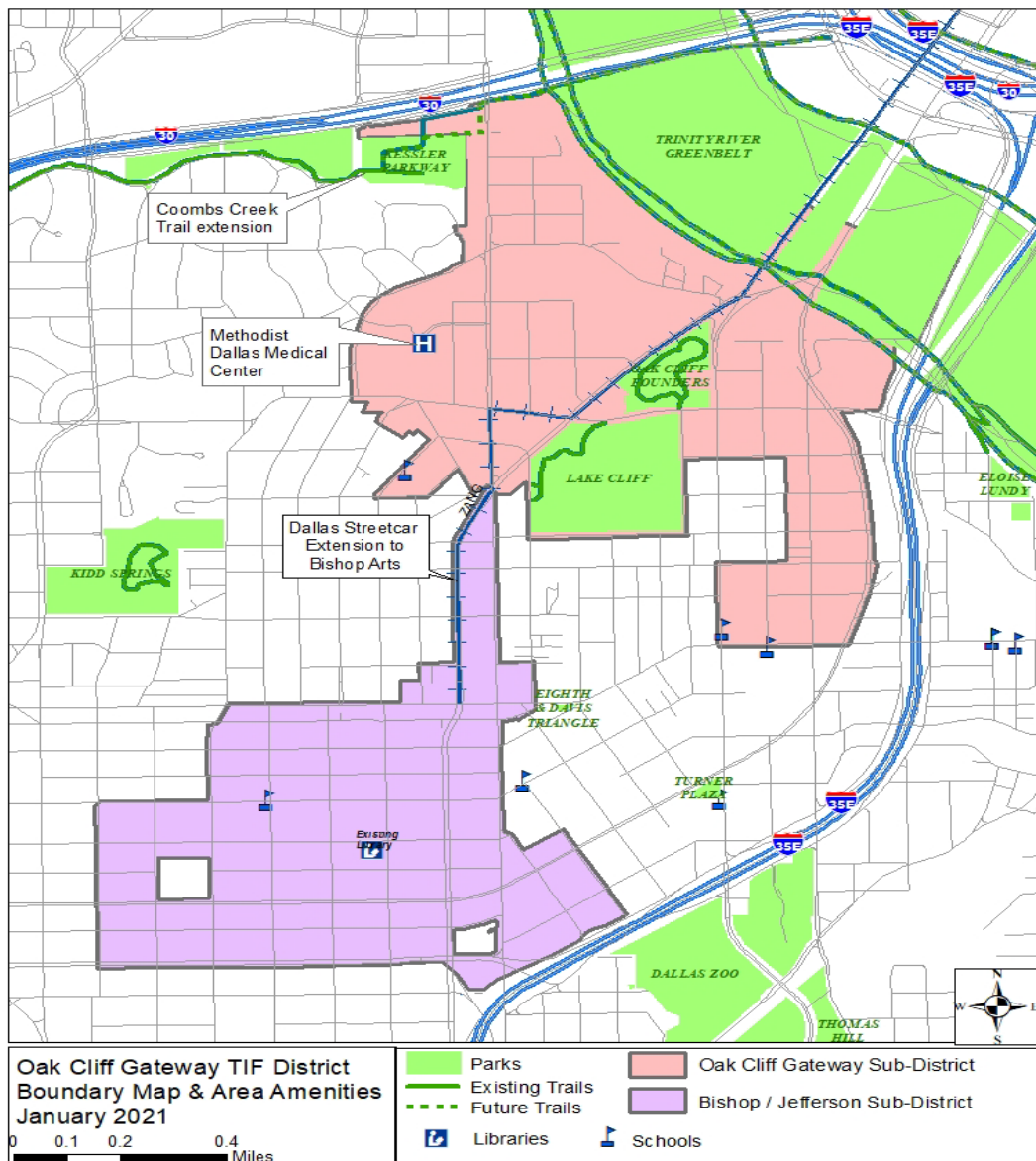
View corridors within the districts are a strong attribute of the area. The hilly topography of the area is unusual in Dallas, providing a dramatic setting to view the Downtown Dallas skyline.

The Oak Cliff Gateway TIF district contains more of the original historic buildings than many of the other TIF districts. The designation of the Lake Cliff Historic District has helped to preserve this resource and establish a unique identity for the district.

The Southern Gateway Deck Park (SGDP) at full buildout will be a 5-acre public park over IH-35 between Ewing and Marsalis Avenues as shown in **Exhibit A-2**. The park is envisioned as a central gathering space that will reconnect historic Oak Cliff and ignite environmental, economic, and community revitalization. The park is a public/private project between the City of Dallas, North Central Texas Council of Governments (NCTCOG), Texas Department of Transportation, and the Southern Gateway Public Green Foundation (SGPGF). The Foundation is tasked with the design, construction, and future operations of the Southern Gateway Park.

Phase I of the park is anticipated to open in 2024 on the portion from Lancaster to Ewing Avenues. It will include features such as a multi-purpose pavilion, large lawn, children's playground, and turnaround for food trucks and drop offs. Phase II of the park will extend from Lancaster to Marsalis Avenues and is anticipated to cost approximately \$90 million and is currently unfunded. However, the City and SGPGF intend to identify potential funding sources, which includes a commitment by SGPGF to privately raise up to \$30 million for development of the Phase II. In addition, local connectivity improvements such as sidewalks and bike facilities from both sides of IH-35 to the park will require additional planning and sources of funds

## Exhibit A-1: Dallas Streetcar, Area Trails, and Area Attributes



## Exhibit B

Reinvestment Zone Financing Plan & Project Plan  
Oak Cliff Gateway TIF District – November 9, 2022

## Exhibit A-2: Southern Gateway Deck Park



## **TIF District Boundaries**

The expanded Oak Cliff Gateway TIF District as shown in **Exhibit B-1** is located adjacent to the Trinity River and southwest of Downtown Dallas. The Oak Cliff Gateway Sub-district as shown in **Exhibit B-2** is generally bounded by Interstate 30 and the Trinity River to the north, Interstate 35 and Jefferson Boulevard to the east, 5<sup>th</sup> and 8<sup>th</sup> Street to the south and Haines Avenue to the west. An approximately 30-acre tract previously excluded from the district through a 1998 boundary amendment was added back into the district in 2009.

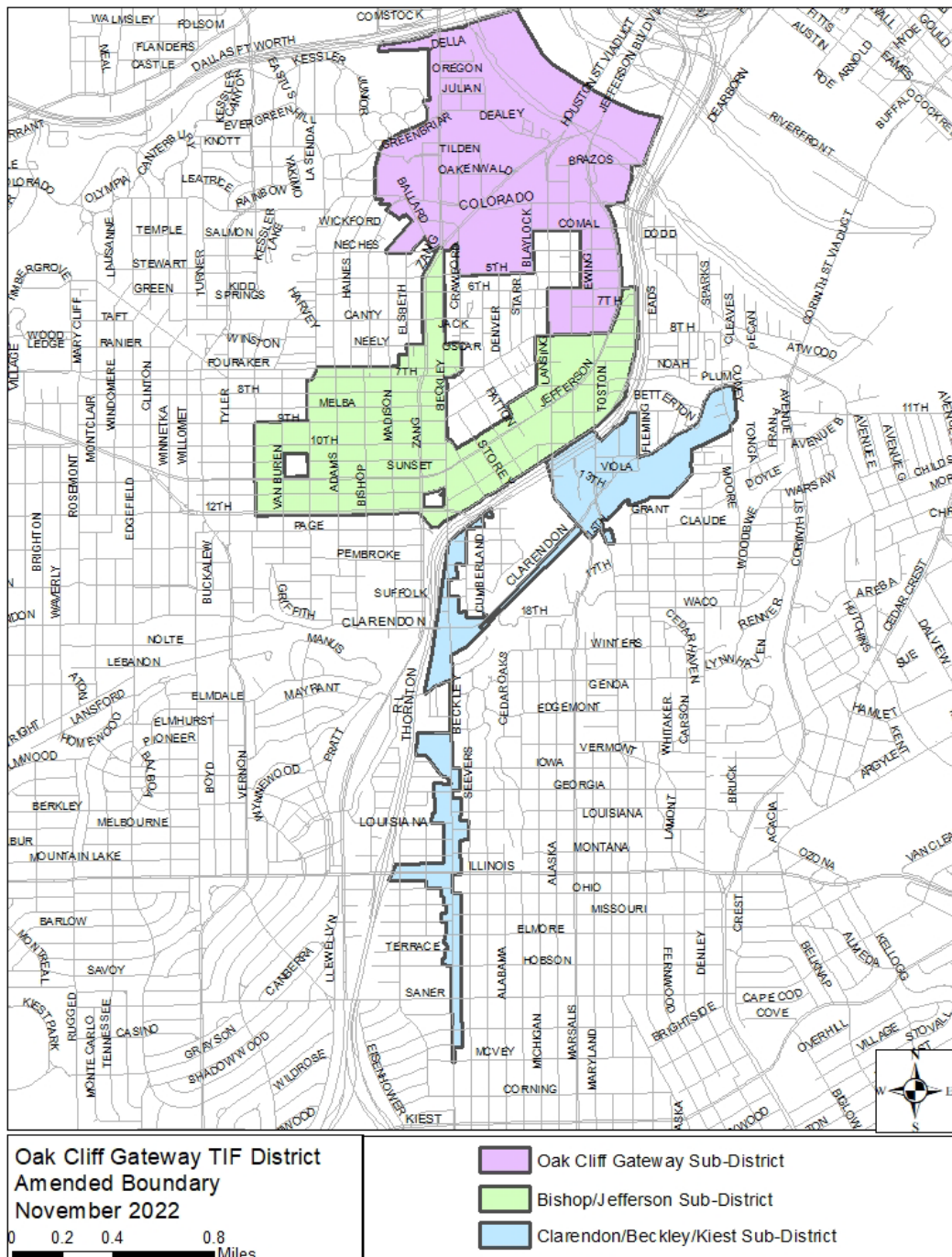
The 2014 amendment added the Bishop/Jefferson Sub-district as shown on the map in **Exhibit B-3**. This sub-district is generally bounded by Davis Street on the north, Vernon Avenue and Llewellyn Avenue on the west, 12<sup>th</sup> Street on the south, and R.L. Thornton Freeway, Storey Street, Crawford Street and Beckley Avenue on the east.

The original district encompassed approximately 254 acres, not counting rights-of-way that the Dallas Central Appraisal District (DCAD) does not identify as land parcels. The Bishop/Jefferson Sub-district encompassed approximately 193 acres (excluding rights-of-way). The 2014 amended boundary had a total area of approximately 447 acres. The 2015 amendment brought the total to 453 acres.

The 2022 amendment as shown on **Exhibits B-3 and B-4** added approximately 244 acres including (1) the expansion of the Bishop/Jefferson Sub-District by 96 acres to include additional property along the Jefferson corridor connecting to the Southern Gateway Deck Park and (2) the new Clarendon/Beckley/Kiest Sub-District with approximately 148 acres in an area including the future Southern Gateway Deck Park at IH-35 between Marsalis Avenue and Ewing Avenue and generally along Clarendon Drive from Moore Street to Beckley Avenue and along Beckley Avenue from Clarendon Drive to just north of Kiest Boulevard. The 2022 amendment brings the total for the District to approximately 697 acres

Unless defined otherwise by a relevant City ordinance, district boundaries include all rights of way immediately adjacent to real property within the district, extending to the far sides of the rights of way. Boundaries that approximate property lines shall be construed as following such property lines.

## Exhibit B-1: Overview Map of the Oak Cliff Gateway TIF District

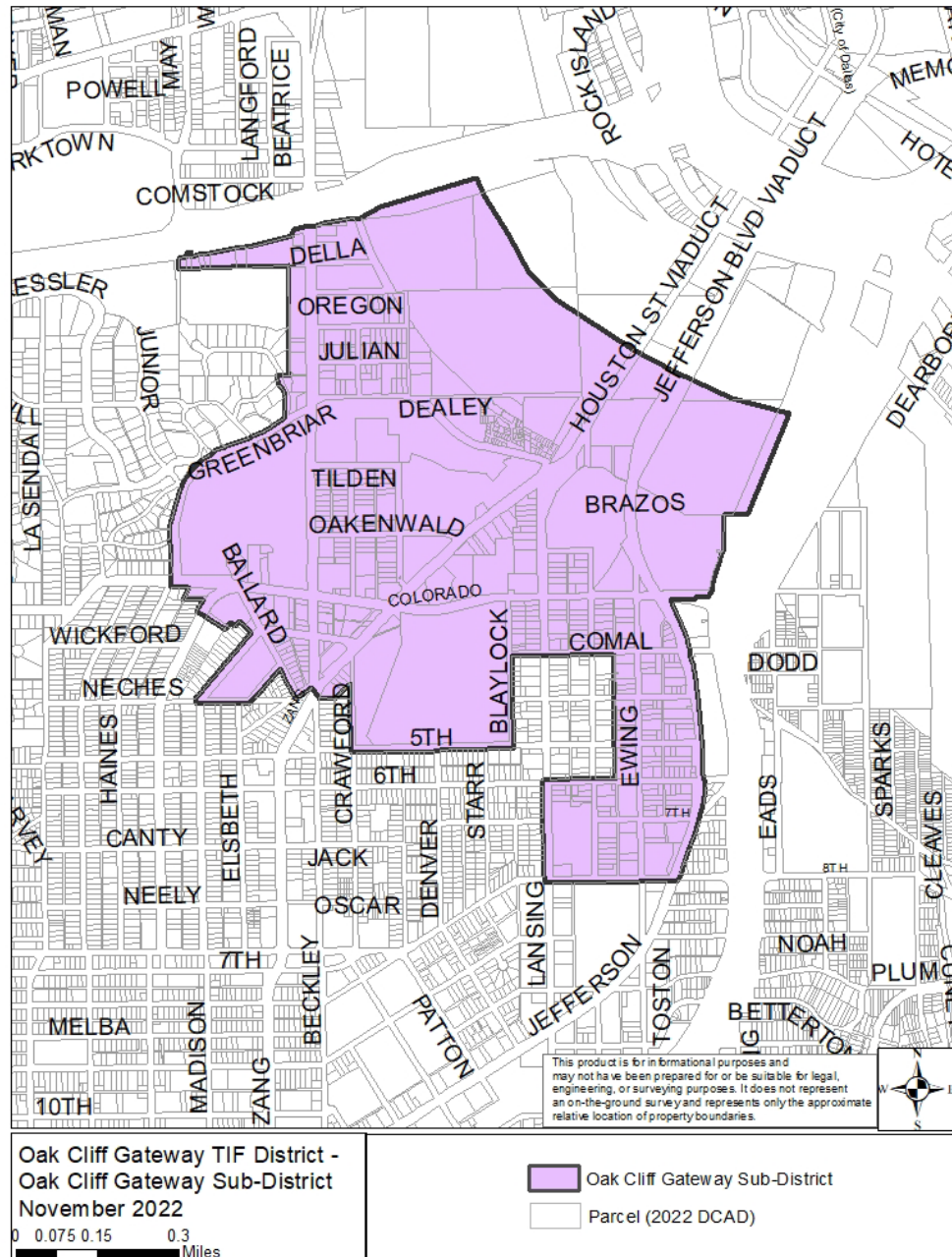


### Exhibit B

Reinvestment Zone Financing Plan & Project Plan  
Oak Cliff Gateway TIF District – November 9, 2022



## Exhibit B-2: Oak Cliff Gateway Sub-District Map

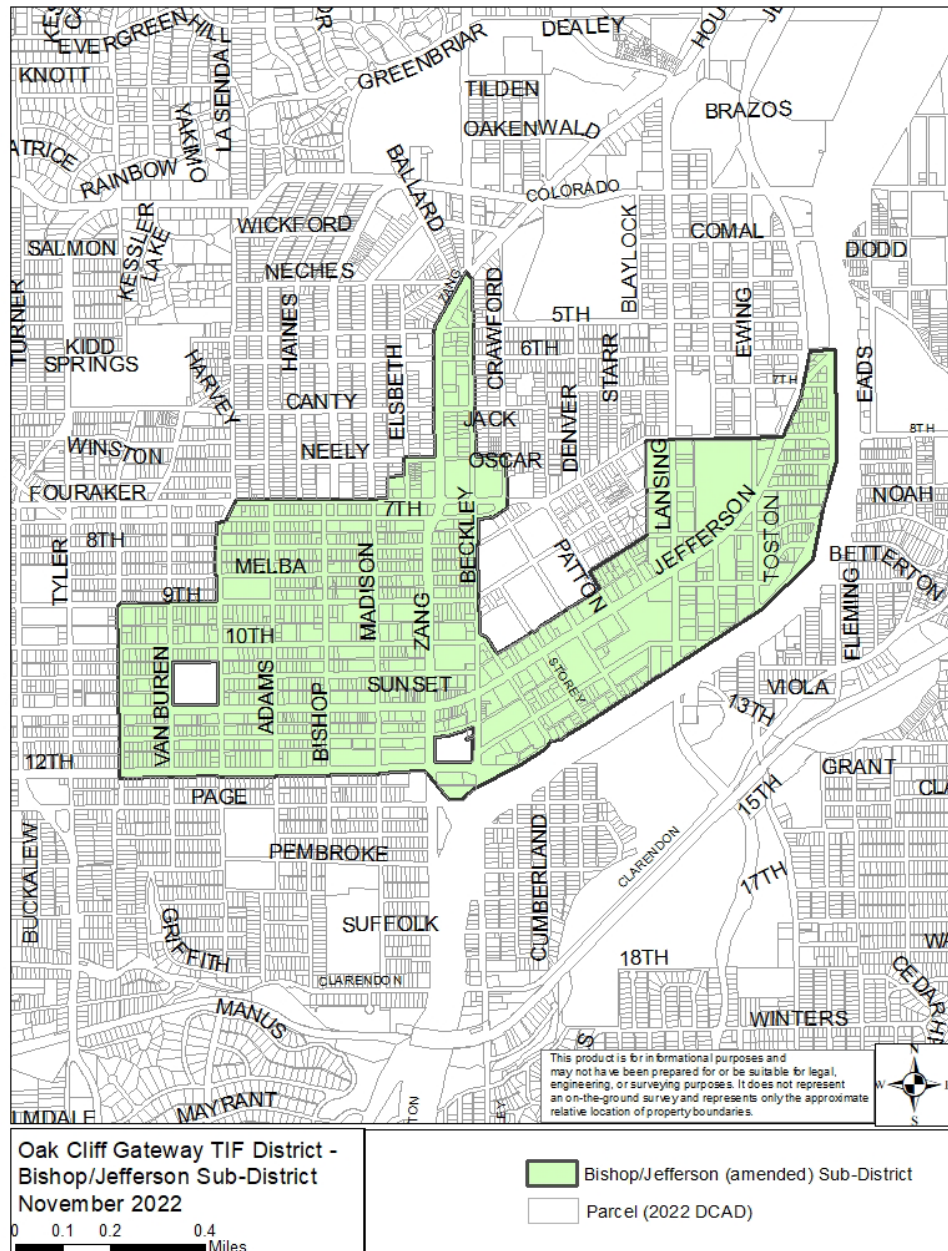


### Exhibit B

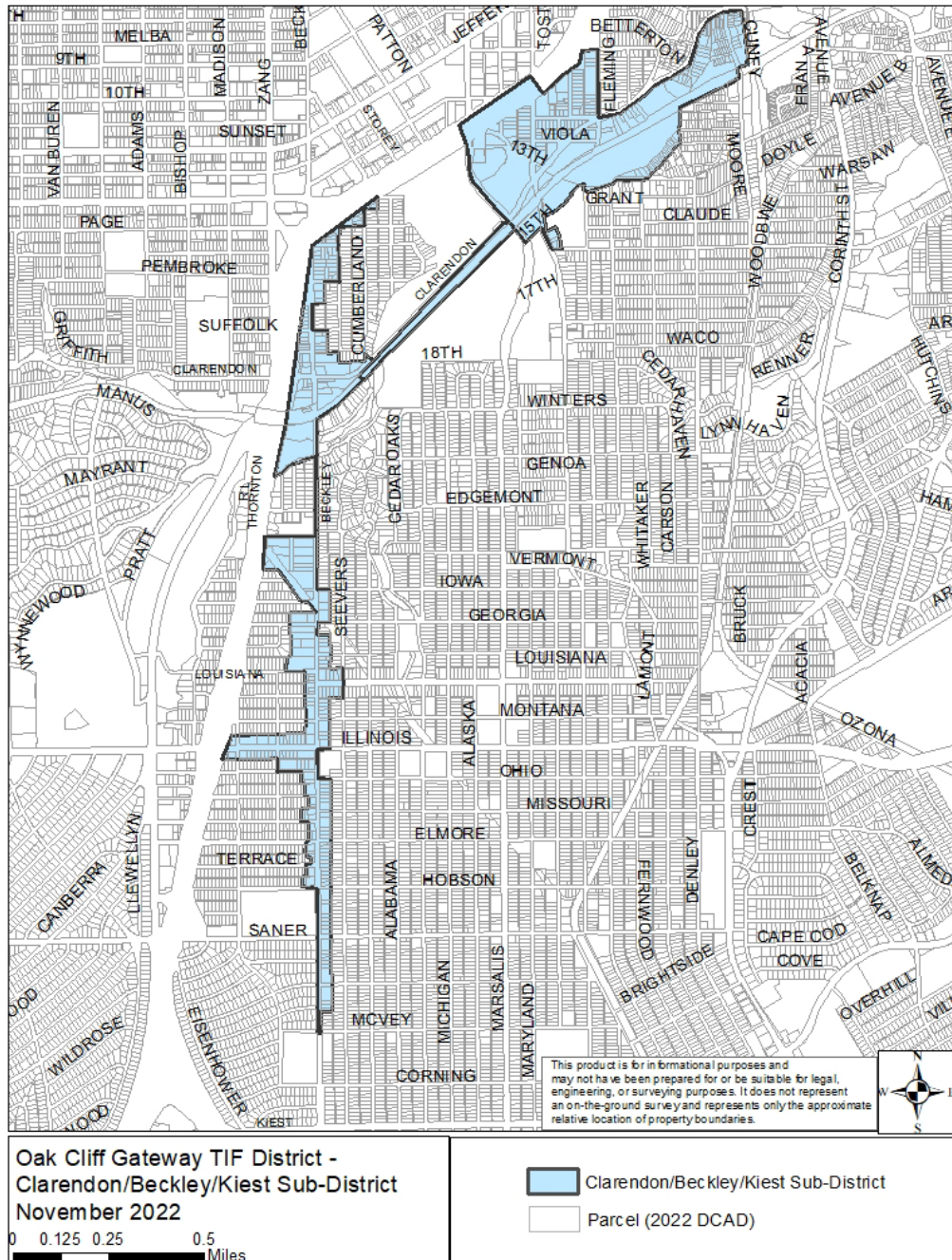
Reinvestment Zone Financing Plan & Project Plan  
Oak Cliff Gateway TIF District – November 9, 2022



## Exhibit B-3: Bishop/Jefferson Sub-District Map



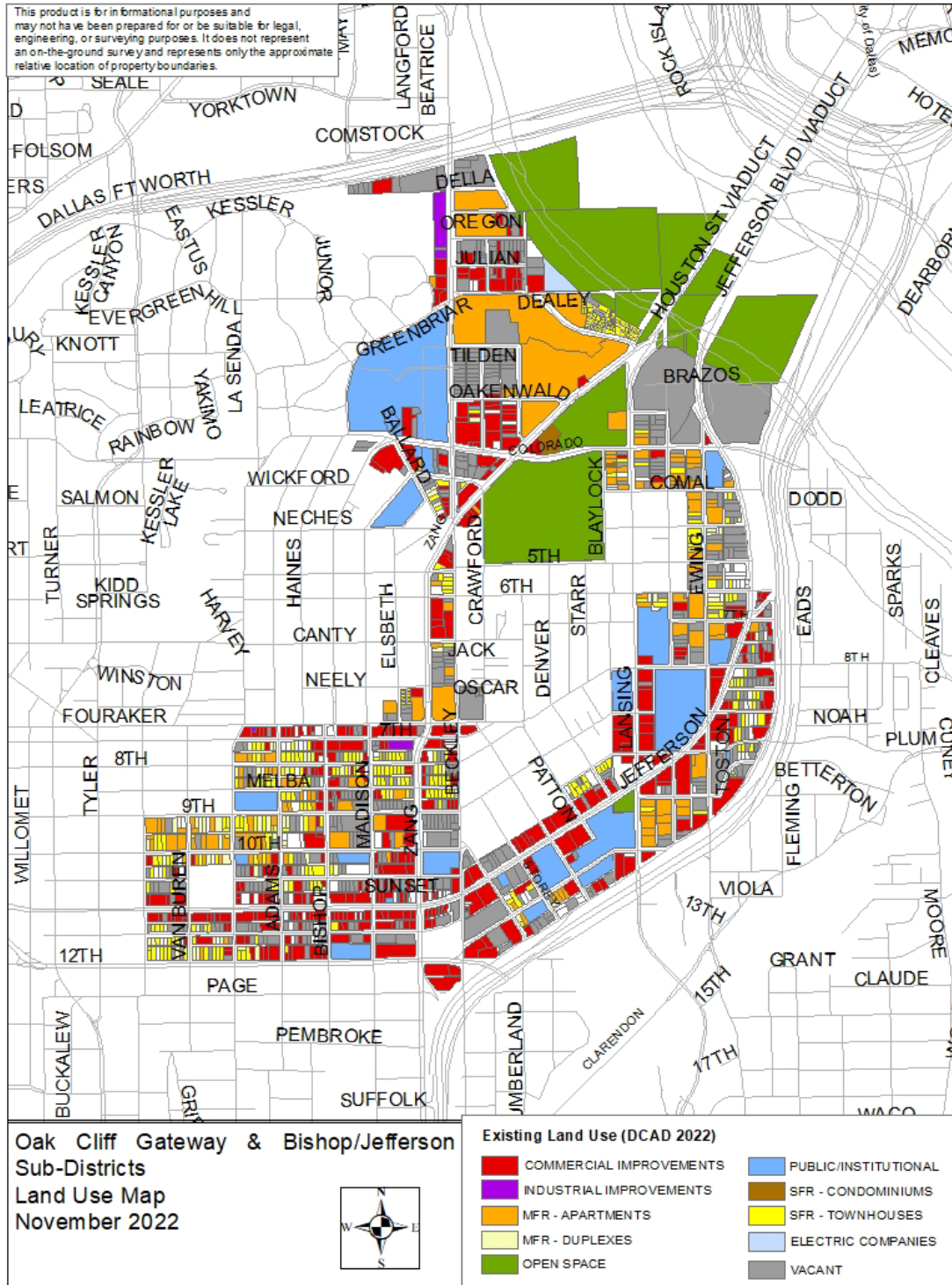
## Exhibit B-4: Clarendon/Beckley/Kiest Sub-District Map



## **Current Land Use**

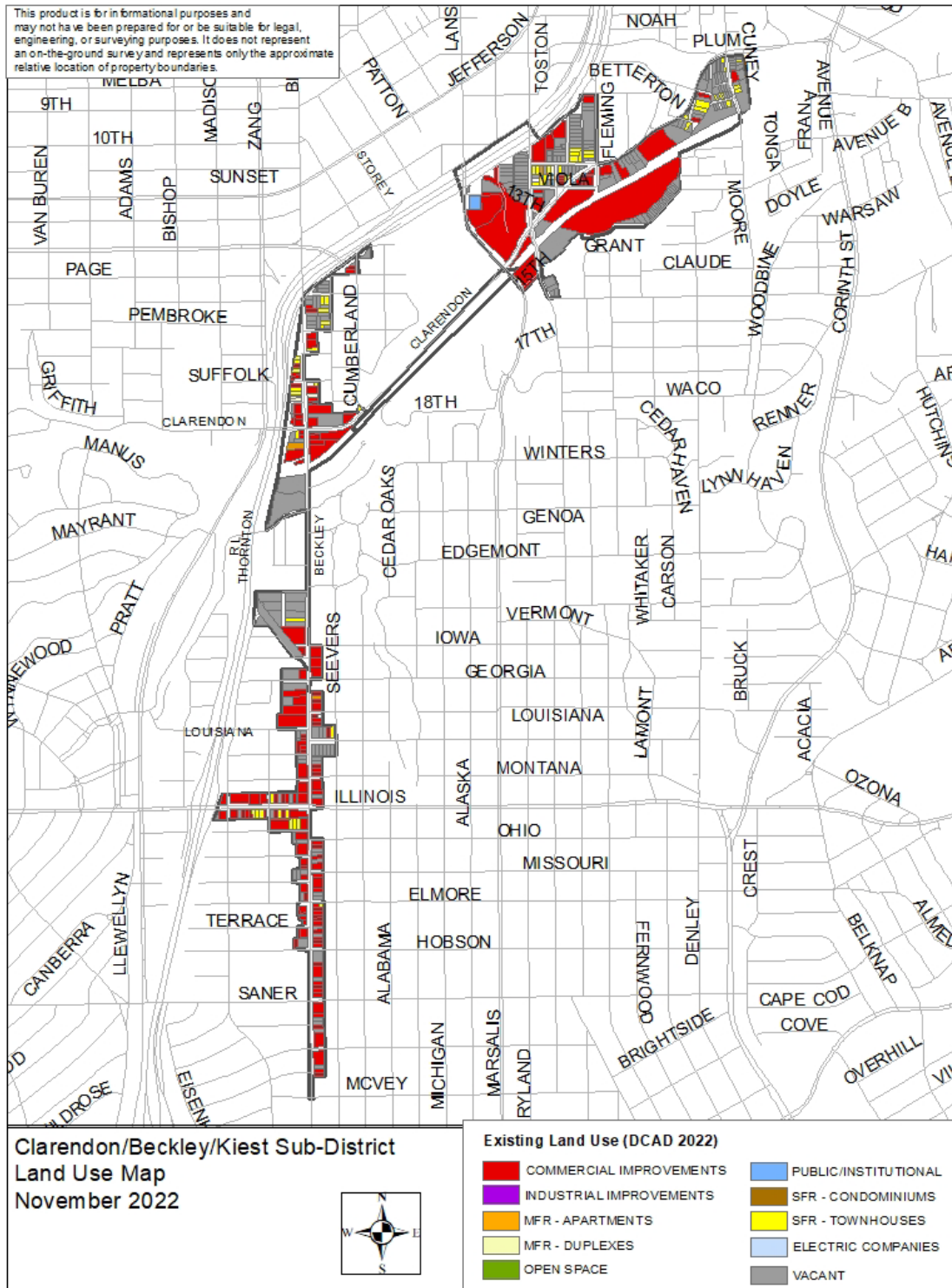
Land use in the Oak Cliff Gateway TIF District is mixed. Methodist Medical Center creates a major employment center at Beckley Avenue and Colorado Boulevard and has continued to grow during the life of the district. Residential uses and vacant land are scattered throughout the district. The highest concentration of retail use is located at the triangle formed at the intersections of Colorado Boulevard, Zang Boulevard and Beckley Avenue and along Jefferson Boulevard. The Bishop/Jefferson Sub-district is a mix of commercial, multi-family, and vacant land. The sub-district also includes limited single family residential uses. The Clarendon/Beckley/Kiest Sub-District primarily includes vacant land, industrial and commercial land uses with a limited amount of existing residential property.

# **Exhibit C-1: Oak Cliff Gateway TIF District: Oak Cliff Gateway and Bishop/Jefferson Sub-Districts Land Use Map (2022 data)**





## Exhibit C-2: Oak Cliff Gateway TIF District: Clarendon/Beckley/Kiest Sub-District Land Use Map (2022 data)



## **Oak Cliff Gateway Planned Development (PDD) Zoning**

The Department of Development Services has been involved in a partnership effort to produce a development plan for the TIF district with input from property owners and business interests in the district, the board of directors for the Oak Cliff Gateway TIF and City staff.

In 2015 the City amended PD 468, based on the City's form-based code, for the northern portion of the area, to include the Oak Cliff Gateway Sub-district and portions of the Bishop/Jefferson Sub-district.

The new zoning designation is intended to create walkable urban neighborhoods where higher-density mixed uses and mixed housing types promote less dependence on the automobile.

In 2010, the City also created PD 830 for zoning near Bishop Avenue and Davis Street. This PD encourages the characteristics of an urban village, with wide sidewalks, street trees, doors and windows opening onto the street, and parking hidden away from the street.

The 2022 expansion area added into the TIF District includes a variety of zoning districts.

## **Oak Cliff Gateway Strategic Implementation Plan**

Oak Cliff Gateway TIF District is envisioned as a place where people come to work, live, shop, and to enjoy the parks, dining, entertainment, and historic districts. The Gateway retains the distinctive character of its historic settlement. It provides proximity to downtown Dallas as well as opportunities for jobs and business growth. The Trinity River Corridor and the area's parks entice residents, area workers and visitors to enjoy natural beauty, active recreation and quiet reflection. The Oak Cliff Gateway offers a unique park-like setting in the center of the Dallas region. Proposed new development and strategic re-development in the new Bishop/Jefferson Sub-district will be focused on respecting the existing historic buildings and neighborhood character of the area. Planned sidewalks, bike lanes, and green space offer alternatives to driving, and buildings nestle into the existing fabric of the street grid and the neighborhood.

## **Urban Land Institute (ULI) Study – A Strategy for the Oak Cliff Gateway District and Trinity Place**

During the period of October 14-19, 2001, an advisory panel formed by the Urban Land Institute conducted a study of the Oak Cliff Gateway area with particular interest focused on the area of Planned Development District (PDD) 468, Sub-Area A, named for the purposes of the study as Trinity Place. The study focused on Trinity Place, but also examined the entire area and formed conclusions and recommendations that identified the Trinity River Corridor Improvement Plan as a key to development and highly beneficial to the future planned development of the Oak Cliff Gateway TIF District.

### **Exhibit B**

The ULI Advisory Panel Study validated the Oak Cliff Gateway TIF District Project Plan and recommended a concentration of mixed-use, high-density development for the entire Sub-Area A with particular concentration of the uses on Burnett Field and the area north of Greenbriar Lane, between the Trinity River levy and Beckley Avenue to I-30, see **Exhibit E**. The advisory panel estimated the infrastructure costs associated with the implementation of this strategy and recommendations at approximately \$15,000,000.

Over the ensuing years, Greenbriar Lane has become a quiet residential street for dense, new townhomes and multifamily apartments. Beckley Avenue north of Greenbriar Lane remains an opportunity for dense mixed use that takes advantage of the downtown views and proximity to the re-built IH-30 and connections to downtown.

The area east of Methodist Medical Center provides an opportunity for the hospital to expand its campus to the east and to provide additional jobs, investment, and tax base to the City and the district.

## **Design Guidelines**

In 2012, the Oak Cliff Gateway TIF District board of directors adopted Design Guidelines for the district. These guidelines address both the design of private development and the public infrastructure adjacent to the development. The guidelines provide a set of standards that encourages dense, pedestrian oriented development with wide sidewalks, street trees, pedestrian lighting, and parking designed to minimize disruption of the public realm. Since 2013, the City has embraced a process of peer review of all TIF projects. Compliance with the Oak Cliff Gateway Design Guidelines and with the recommendations of the City's Urban Design Peer Review Panel (and other future design review processes) is a requirement for all TIF projects.

In particular, projects within the District will be encouraged to have sidewalks with a clear walking width of at least 7 feet and an additional landscape buffer to protect pedestrians from vehicular traffic. In addition, all projects will be encouraged to bury franchise utility lines, ensure adequate shade, and have first-floor street-facing residential and commercial spaces open directly onto the street frontage.

## **Planned Private Development**

New construction within the TIF district was expected to increase the tax base by approximately \$919 million, raising the net present value of approximately \$26,621,027, or \$76,665,998 in total dollars in tax increment revenue which will be reinvested in the district.

This represented a goal of approximately 1,572,556 square feet of new residential construction (both single family/townhome units and apartment units) and 393,139 square feet of new commercial construction, to include retail, restaurant, and office space.



With the 2022 amendment, conservative estimates for anticipated future development in the proposed expansion area include approximately 2,150 residential units and 230,000 square feet of retail/commercial space (revitalized existing space and new construction). New taxable value in the expansion area is estimated at approximately \$482 million (in addition to new future development anticipated in the existing portion of the district).

An amended overall goal for the TIF district includes 6,400 residential units (both rental and for-sale) and 900,000 square feet of new or renovated commercial or flex space.

## **Planned Public Improvements**

Planned public improvements include:

- Public infrastructure Improvements – streetscape, lighting and median improvements, water, wastewater, utility burial
- Pedestrian and lighting improvements throughout the district
- Park and open space improvements
- Education and training facilities
- Façade Improvements
- Environmental remediation, interior and exterior demolition assistance
- Economic development grants
- Streetcar Support
- Homeowner stabilization, home repair, and displacement mitigation – affordable housing inside or outside of the TIF District
- Administration

The Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan provides a long term program to replace and upgrade the area's infrastructure, assistance for environmental remediation and related interior and exterior demolition of buildings to be renovated for residential and commercial use, assistance for façade improvements in the TIF district, assistance for education and training facilities, streetcar support, affordable housing program support, and for economic development grants to offset the cost of dense, mixed-use redevelopment projects, new roadways, and other public-use improvements.

The TIF district also has the ability to convey public land for economic development purposes so long as the conveyance serves the public purpose of putting land back on the tax rolls, thereby increasing the value of the tax base.

The improvements planned for the Oak Cliff Gateway TIF District are designed to fully meet the long-term public needs to secure the growth and investment of the area. Planned improvements will focus on major transportation corridors including - Zang Boulevard, Colorado Boulevard, Jefferson Boulevard, Beckley Avenue, and Clarendon Drive – and connections with local streets. These site improvements are necessary for development, design and construction of recreational amenities, including entry portals allowing

### **Exhibit B**

Reinvestment Zone Financing Plan & Project Plan  
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pedestrian and bicycle access into the Trinity River corridor/trail system and the Southern Gateway Deck Park.

Tax increment financing will be used to pay for these improvements. Utilizing this program to encourage public infrastructure improvements greatly improves the potential of attracting more commercial investment by improving the economics of the developing market in the district. The Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan also provides for extensive streetscape and other amenities, which complement existing and anticipated investment in the area.

Direct support of historic facade restoration efforts also provides an important incentive to assist new development in the district. The City of Dallas, using TIF funds, can participate in such a facade restoration program. Facade improvements under this program will be reviewed by the Oak Cliff Gateway TIF District Board and the City's Urban Design Peer Review Panel (UDPRP) (or other future design review committee) to ensure compatibility with other improved structures and investment in the area.

The City may make economic development loans or grants to further implement this Plan and to encourage additional development in the district. Projects receiving such loans or grants must be consistent with the goals and objectives of the Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan and will be subject to specific project agreements and City Council approval.

Linkages are critical to the Oak Cliff Gateway. Access to major transportation routes is part of the strength of the area. As such, new and enhanced connections are planned to build on these strengths. Planned sidewalks within the district link Lake Cliff and Founders Parks to Methodist Medical Center. Pedestrian and bike trail linkages with the Trinity River are planned. The Dallas Streetcar will provide additional transit routes from downtown's convention facilities to the restaurants and shops planned in the area.

Public and private land use and investment decisions based on this concept plan have begun to revitalize the Oak Cliff Gateway. Use of the Tax Increment Financing (TIF) district has added new public investment to supplement projects funded through City of Dallas bond funding programs. Designation of the Lake Cliff Historic District has helped to retain the area's historic neighborhood. Compatible zoning and reasonable variances with the creation of sub-districts have enabled investors to build the developments envisioned here. Lastly, urban design guidelines for public and private investments have ensured that the area's entry points and developments create an identifiable image for the Oak Cliff Gateway.

The 2022 Plan amendment was guided by four basic objectives: (1) provide funding capacity to support the Southern Gateway Deck Park (SGDP) with capital improvement needs and to further supplement/leverage other City, state, federal, and private funding, (2) provide funding capacity to support public infrastructure connectivity improvements to the SGDP such as enhanced sidewalks and bike lanes on the west and east side of IH-35, (3) provide funding capacity to facilitate redevelopment projects on

vacant/underutilized properties, including new mixed-income housing, neighborhood commercial revitalization, and enhanced public infrastructure improvements, and (4) provide funding capacity for affordable housing programs addressing homeowner stabilization, home repair, and displacement mitigation.

### **TIF District Policy Considerations**

City policy for TIF districts requires that amended TIF district plans include public objectives such as a provision for affordable housing; utilization of minority and women owned businesses in new construction; promotion of jobs for neighborhood residents; and resolution of issues related to the relocation of area residents displaced by new development. These issues are addressed specifically below.

Mixed Income Housing. Twenty percent of all housing units in projects using TIF funds will be affordable per the City's and County's established criteria for mixed income housing. Affordable housing units are those which are affordable to a household earning 80% or less of the median family income for the Dallas metropolitan area. Affordable rental rates will be adjusted annually.

A developer may, subject to City and County approval, propose an alternative means of fulfilling the City and County's affordable housing requirements.

This plan has a goal of creating new affordable housing units within the Oak Cliff Gateway TIF District, which may include the creation of senior housing or tax credit financed units. It is important that affordable housing units blend with the existing community. Mixed-income projects will be encouraged.

Business Inclusion 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, as amended by City Council on September 23, 2020, is 32% for construction of public improvements (subject to future modification by City Council). 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.

Promotion of Jobs for Neighborhood Residents. TIF applicants must agree to sponsor job fairs or other programs to attract neighborhood residents to any permanent jobs created in the developments within the district.

Existing Resident Displacement. Future development projects in the TIF district may include the demolition or extensive renovation of existing multi-family residential property. For that reason, it is understood that some displacement might occur due to redevelopment activities. In such occurrences, the City will only provide TIF assistance

for projects where the incidence and impact of any displacement has been minimized. Communication will be a central element in this process. The TIF Plan includes funding for affordable housing programs addressing displacement mitigation.

## **Section II – Financing Plan**

### **Tax Increment Financing**

Section 311 of the State Tax Code, commonly called The Tax Increment Financing Act, provides for municipalities to create reinvestment zones within which various public works and improvements can be undertaken, using tax increment revenues, bonds or notes/advances, to pay for those improvements. At the time an area is designated a reinvestment zone for tax increment financing, the existing total of appraised value of real property in the zone is identified and designated as the tax increment base. Taxing units levying taxes in the zone during its life are limited to revenues from this base.

Public improvements are made in the area to attract private development that would not otherwise occur. As the costs of new development are added to the tax rolls, property values rise. This rise in new value is called the "captured appraised value." Then the taxes that are collected by the participating taxing jurisdictions on the increment between the frozen value and the new, higher value (the "tax increment") are deposited into a TIF fund which is used to pay for the public improvements. Once the public improvements are completed and paid for, the TIF is dissolved, and the full amount of the taxes collected in the area is kept by the taxing jurisdictions. In effect, the taxing jurisdictions are investing future earnings to receive the benefit of higher tax revenues from new development. Also, taxing jurisdictions are not restricted from raising their tax rates during the life of the zone.

A goal of this Financing Plan, as amended in 2022 is to facilitate tax increment sharing from the Oak Cliff Gateway and Bishop/Jefferson Sub-Districts to support new development in the Clarendon/Beckley/Kiest Sub-District as an emerging market where development has lagged for many years and extensive infrastructure improvements are needed and to assist with affordable housing programs aimed at housing stabilization as redevelopment occurs. The budget allocations over the term of the TIF District reflect that a portion of tax increment generated by the Oak Cliff Gateway Sub-District and Bishop/Jefferson Sub-District will be annually transferred to the Clarendon/Beckley/Kiest Sub-District and to the Homeowner stabilization, home repair, and displacement mitigation budget categories.

Following an evaluation of revenue available to meet existing obligations in place prior to this amended Plan, it is anticipated that annual increment transfers (after administration costs) may begin at the following levels in 2023:

Oak Cliff Gateway Sub-District:

- 30% transfer to Clarendon/Beckley/Kiest Sub-District
- 20% transfer to Homeowner stabilization, home repair, and displacement mitigation

Bishop/Jefferson Sub-District:

- 15% transfer to Clarendon/Beckley/Kiest Sub-District
- 15% transfer to Homeowner stabilization, home repair, and displacement mitigation

Actual transfer amounts and priorities for payment may be adjusted over time in TIF District's Increment Allocation Policy that is periodically updated by the Board of Directors to reflect the needs of the TIF District as it evolves over time.

## **Financing Plan**

The financing plan developed by the Board, as amended provides for approximately \$99,381,853 (NPV) or \$352,993,541 in total dollars of public improvements to be paid for with TIF funds or anticipated TIF increment collections. The financing plan developed by the board allows for the sale of TIF bond funds, if it is in the financial interest of the Oak Cliff Gateway TIF District and the City of Dallas.

## Exhibit D: Oak Cliff Gateway Public Improvements Budget

Oak Cliff Gateway TIF District		
Category	TIF Budget (OCG: 1992 dollars) (BA: 2014 dollars) (CBK:2022 dollars)	TIF Budget (Total dollars)
<b>Oak Cliff Gateway Sub-district</b> <ul style="list-style-type: none"> <li>• Public Infrastructure Improvements including Streets, Streetscape, Water, Wastewater, Utility Burial</li> <li>• Façade Improvements</li> <li>• Environmental Remediation and Demolition</li> <li>• Pedestrian Linkages/Lighting</li> <li>• Economic Development Grants</li> </ul>	\$15,066,201	\$53,513,508
<b>Bishop/Jefferson Sub-district</b> <ul style="list-style-type: none"> <li>• Public Infrastructure Improvements including Streets, Streetscape, Water, Wastewater, Utility Burial</li> <li>• Façade Improvements</li> <li>• Environmental Remediation and Demolition</li> <li>• Pedestrian Linkages/Lighting</li> <li>• Economic Development Grants</li> </ul>	\$19,316,850	\$68,611,351
<b>Clarendon/Beckley/Kiest Sub-district</b> <ul style="list-style-type: none"> <li>• Public Infrastructure Improvements including Streets, Streetscape, Water, Wastewater, Utility Burial</li> <li>• Parks and open space</li> <li>• Façade Improvements</li> <li>• Environmental Remediation and Demolition</li> <li>• Pedestrian Linkages/Lighting</li> <li>• Economic Development Grants</li> </ul>	\$59,984,547	\$213,058,590
Educational/Training Facilities	\$200,000	\$756,029
Streetcar Support	\$257,202	\$950,000
Homeowner stabilization, home repair, and displacement mitigation (affordable housing)	\$2,958,169	\$10,507,096
Administration	\$1,598,885	\$5,596,967
<b>Total Project Costs</b>	<b>\$99,381,853</b>	<b>\$352,993,541</b>
<p>** All values discounted at 5.75% annually. Actual expenditure value will depend on timing of project cost.</p> <p>**All values in column are estimated expenditures based on annual Project Costs and debt service schedules. These values depend on timing of projects and will fluctuate.</p>		

### Exhibit B

Reinvestment Zone Financing Plan & Project Plan  
Oak Cliff Gateway TIF District – November 9, 2022

Financing Methodology: The City of Dallas/Oak Cliff Gateway TIF District may consider the sale of TIF bonds to finance infrastructure and other public-use improvements in an amount based upon the capacity assessment by the City's financial advisor. The bond debt service would be paid from the future increment revenues. Private developers will advance funds for public improvements in the reinvestment zone. Advances are to be repaid by the proceeds of the TIF bond sales and/or the future increment revenue cash flows to the TIF fund. Taxing jurisdictions need not guarantee these bond and loan repayments with any other source. Private lenders would loan funds only when they were confident that future cash flows to the TIF fund, plus other private assets given as security, would be sufficient to cover their advances to the TIF fund, plus other private assets given as security, would be sufficient to cover their loans.

Bond Issuance: TIF bonds may be issued for the Oak Cliff Gateway TIF District in an amount not to exceed the capacity assessment provided by the City's bound counsel and financial advisor.

Financing Policy: The goal of the Oak Cliff Gateway TIF District is to leverage increment accrued to maximize development in the district.

Long-Term Financing. The City has decided use a dual methodology to finance all subsequent phases of infrastructure and public improvements. After the district satisfied the debt service on the bonds, the district decided to use the remaining increment revenues for additional projects on a "pay-as-you-go basis." Future TIF-funded projects will be reimbursed only after completing all required elements in each project's development agreement.

Expected Revenues. Cumulative private development is expected to exceed approximately \$943 million during the amended development program, resulting in new taxable value of more than \$919 million at the end of the district. This assumes all taxing jurisdictions participate by 100% through 2012, except the Dallas Independent School District (63%) until 2011. During the initial 10-year term extension only the City of Dallas and Dallas County participated at the rates of 85% and 65%, respectively. During the 2014 term extension, the City has participated in the Oak Cliff Gateway Sub-district at 85% and in the Bishop/Jefferson Sub-district at 90%. The termination date of the Oak Cliff Gateway Sub-District was extended from December 31, 2027 to December 31, 2044 with a reduction in the City's participation rate from 85% to 50% during the extended term. The County agreed to participate in the Bishop/Jefferson Sub-district for 20 years at 65% or up to \$2.3 million NPV in collections. The City will participate in the Clarendon/Beckley/Kiest Sub-District at 90% for 30-year term (2023-2052) and will request Dallas County participation at 65% for 20 years beginning in tax year 2029.



### Financial Assumptions.

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions which have been adopted. Several categories of assumptions, including development, activity, land appreciation, appreciation of improvements, removal of existing deteriorated structures, and tax rate changes are discussed below:

Inflation and Appreciation. The generally accepted inflator for construction costs and the value of improvements is five and three-quarters percent (5.75%) per annum. Net present values of the tax increment were calculated at this rate.

Tax Rate Changes. Although tax rates may increase during the future development period, the financial plan assumes that the tax rate will remain constant for the life of the TIF district.

### **Financial Feasibility**

The private development plans, public improvement program, general financing strategy and financial assumptions of the original plan were all included in an economic feasibility study prepared by Arthur Andersen & Co.

Cumulative increased property value is expected to reach approximately \$3 billion during the extended term of the TIF district, as amended. Coupled with predicted increases in land values, the total taxable value reaches \$3.3 billion.

## Exhibit E: Oak Cliff Gateway TIF Increment Schedule Oak Cliff Gateway Sub-district

Projected TIF Increment Schedule											
Tax Year		Net Taxable	Cumulative	Captured	Tax	Accumulated	Tax	Tax	Tax	Tax	Tax
	tax	Assessed	Prop Val	Appraised	Increment	Net	Increment	Increment	Increment	Increment	Increment
	Year	Value	Growth	Value	Revenue	Present	Revenue	Revenue	Revenue	Revenue	Revenue
		City		City	Total Dollars	Value	City	DISD	Dallas County	DCHD	DCCCD
<b>Base Year</b>	<b>1992</b>	\$38,570,128									
1	1993	\$38,245,158	-0.84%	(\$324,970)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2	1994	\$38,699,692	0.34%	\$129,564	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3	1995	\$38,323,980	-0.64%	(\$246,148)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4	1996	\$39,118,366	1.42%	\$548,238	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5	1997	\$41,514,962	7.64%	\$2,944,834	\$59,197	\$44,761	\$19,189	\$27,095	\$5,919	\$5,471	\$1,472
6	1998	\$43,746,236	13.42%	\$5,176,108	\$103,331	\$118,644	\$33,598	\$47,625	\$10,207	\$9,312	\$2,588
7	1999	\$45,659,848	18.38%	\$7,089,720	\$142,199	\$214,791	\$47,324	\$63,573	\$13,868	\$13,868	\$3,566
8	2000	\$51,431,069	33.34%	\$12,860,941	\$259,328	\$380,599	\$85,847	\$116,281	\$25,188	\$32,641	\$6,444
9	2001	\$54,818,286	42.13%	\$16,248,158	\$334,916	\$583,093	\$108,456	\$147,727	\$30,613	\$38,349	\$9,771
10	2002	\$56,761,977	47.17%	\$18,191,849	\$377,395	\$798,864	\$127,307	\$165,313	\$27,648	\$46,181	\$10,947
11	2003	\$52,797,457	36.89%	\$14,227,329	\$268,648	\$944,108	\$85,116	\$110,378	\$32,784	\$30,875	\$9,496
12	2004	\$55,421,996	43.69%	\$16,851,868	\$329,810	\$1,112,724	\$111,266	\$133,819	\$36,079	\$36,951	\$11,695
13	2005	\$57,308,839	48.58%	\$18,738,711	\$387,779	\$1,300,198	\$131,995	\$163,108	\$32,771	\$45,311	\$14,594
14	2006	\$60,675,614	57.31%	\$22,105,486	\$485,598	\$1,522,197	\$182,387	\$181,138	\$55,759	\$50,237	\$16,077
15	2007	\$76,125,212	97.37%	\$37,555,084	\$772,572	\$1,856,187	\$256,776	\$316,447	\$84,544	\$87,155	\$27,649
16	2008	\$95,665,708	148.03%	\$57,095,580	\$1,302,824	\$2,388,785	\$418,060	\$556,443	\$122,836	\$152,368	\$53,118
17	2009	\$104,589,616	171.17%	\$66,019,488	\$1,353,985	\$2,912,202	\$450,588	\$560,042	\$122,238	\$164,124	\$56,994
<b>New Base</b>		<b>\$40,097,623</b>									
18	2010	\$98,972,493	146.83%	\$58,874,870	\$1,514,056	\$3,465,673	\$516,230	\$606,853	\$151,711	\$177,297	\$61,966
19	2011	\$95,104,431	137.18%	\$55,006,808	\$1,270,510	\$3,904,862	\$433,545	\$506,095	\$131,816	\$147,357	\$51,697
20	2012	\$139,484,827	247.86%	\$99,387,204	\$2,397,184	\$4,688,461	\$811,126	\$940,227	\$272,455	\$275,705	\$97,671
1	2013	\$153,397,659	282.56%	\$113,300,036	\$822,814	\$4,942,800	\$667,459	\$0	\$155,355	\$0	\$0
2	2014	\$168,554,145	320.36%	\$128,456,522	\$1,138,680	\$5,275,639	\$870,229	\$0	\$268,452	\$0	\$0
<b>New Base -2015</b>		<b>\$40,710,663</b>									
3	2015	\$225,269,567	461.80%	\$184,558,904	\$1,539,255	\$5,701,102	\$1,250,294	\$0	\$288,961	\$0	\$0
4	2016	\$234,025,611	483.64%	\$193,314,948	\$1,587,762	\$6,116,110	\$1,285,786	\$0	\$301,975	\$0	\$0
5	2017	\$243,118,367	506.32%	\$202,407,704	\$1,342,651	\$6,447,969	\$1,342,651	\$0	\$0	\$0	\$0
6	2018	\$269,386,966	571.83%	\$228,676,303	\$1,509,710	\$6,800,830	\$1,509,710	\$0	\$0	\$0	\$0
7	2019	\$305,253,932	661.28%	\$264,543,269	\$1,746,277	\$7,186,790	\$1,746,277	\$0	\$0	\$0	\$0
8	2020	\$361,946,945	802.66%	\$321,236,282	\$2,119,694	\$7,629,810	\$2,119,694	\$0	\$0	\$0	\$0
9	2021	\$393,058,849	880.25%	\$352,348,186	\$2,316,002	\$8,087,538	\$2,316,002	\$0	\$0	\$0	\$0
10	2022	\$524,863,807	1208.96%	\$484,153,144	\$3,069,192	\$8,661,143	\$3,069,192	\$0	\$0	\$0	\$0
11	2023	\$670,399,702	1571.92%	\$629,689,039	\$3,991,788	\$9,366,609	\$3,991,788				
12	2024	\$750,455,697	1771.57%	\$709,745,034	\$4,499,287	\$10,118,529	\$4,499,287				
13	2025	\$819,712,533	1944.29%	\$779,001,870	\$4,938,327	\$10,898,947	\$4,938,327				
14	2026	\$920,555,692	2195.79%	\$879,845,029	\$5,577,602	\$11,732,464	\$5,577,602				
15	2027	\$990,614,027	2370.51%	\$949,903,364	\$6,021,722	\$12,583,421	\$6,021,722				
16	2028	\$1,005,473,237	2407.56%	\$964,762,574	\$3,597,600	\$13,064,171	\$3,597,600				
17	2029	\$1,095,555,336	2632.22%	\$1,054,844,673	\$3,933,516	\$13,561,229	\$3,933,516				
18	2030	\$1,186,988,666	2860.25%	\$1,146,278,003	\$4,274,471	\$14,072,002	\$4,274,471				
19	2031	\$1,204,793,496	2904.65%	\$1,164,082,833	\$4,340,865	\$14,562,505	\$4,340,865				
20	2032	\$1,222,865,398	2949.72%	\$1,182,154,735	\$4,408,255	\$15,033,538	\$4,408,255				
21	2033	\$1,241,208,379	2995.47%	\$1,200,497,716	\$4,476,656	\$15,485,871	\$4,476,656				
22	2034	\$1,259,826,505	3041.90%	\$1,219,115,842	\$4,546,083	\$15,920,243	\$4,546,083				
23	2035	\$1,278,723,903	3089.03%	\$1,238,013,240	\$4,616,551	\$16,337,364	\$4,616,551				
24	2036	\$1,297,904,761	3136.86%	\$1,257,194,098	\$4,688,077	\$16,737,915	\$4,688,077				
25	2037	\$1,317,373,333	3185.42%	\$1,276,662,670	\$4,760,675	\$17,122,553	\$4,760,675				
26	2038	\$1,337,133,933	3234.70%	\$1,296,423,270	\$4,834,362	\$17,491,906	\$4,834,362				
27	2039	\$1,357,190,942	3284.72%	\$1,316,480,279	\$4,909,155	\$17,846,580	\$4,909,155				
28	2040	\$1,377,548,806	3335.49%	\$1,336,838,143	\$4,985,069	\$18,187,155	\$4,985,069				
29	2041	\$1,398,212,038	3387.02%	\$1,357,501,375	\$5,062,123	\$18,514,190	\$5,062,123				
30	2042	\$1,419,185,218	3439.33%	\$1,378,474,555	\$5,140,332	\$18,828,221	\$5,140,332				
31	2043	\$1,440,472,997	3492.41%	\$1,399,762,334	\$5,219,714	\$19,129,762	\$5,219,714				
32	2044	\$1,462,080,092	3546.30%	\$1,421,369,429	\$5,300,287	\$19,419,310	\$5,300,287				
					<b>\$132,673,883</b>	<b>\$19,419,310</b>	<b>\$124,118,618</b>	<b>\$4,642,164</b>	<b>\$2,171,179</b>	<b>\$1,313,200</b>	<b>\$435,746</b>

## Exhibit F: Oak Cliff Gateway TIF Increment Schedule Bishop/Jefferson Sub-district

Oak Cliff Gateway TIF District Increment Collection Chart - Bishop/Jefferson Village Sub-district												
Tax Year	Property Value Estimate	Added Value Estimated	Property Value Growth	Anticipated Captured Value	Tax Increment Revenue City	Tax Increment Revenue (NPV) City	Tax Increment Revenue Dallas County	Tax Increment Revenue (NPV) Dallas County	Tot. Anticipated Increment Revenue	Tot. Anticipated Increment Revenue (NPV)	Tot. Anticipated Accumulated Revenue (NPV)	
Adj base 2022	\$196,735,631											
2014	\$105,142,079	\$11,806,717	11.23%	\$11,806,717	\$84,690	\$80,085	\$17,444	\$16,496	\$102,134	\$96,580	\$96,580	
2015	\$116,948,796	\$18,776,283	16.06%	\$30,583,000	\$215,381	\$272,680	\$47,430	\$58,908	\$262,811	\$331,589	\$331,589	
2016	\$135,725,079	\$31,109,015	22.92%	\$61,692,015	\$433,300	\$639,074	\$95,787	\$139,905	\$529,087	\$778,978	\$778,978	
2017	\$166,834,094	\$84,333,299	50.55%	\$146,025,314	\$1,020,761	\$1,455,285	\$157,720	\$266,019	\$1,178,481	\$1,721,304	\$1,721,304	
2018	\$251,167,393	\$94,955,632	37.81%	\$240,980,946	\$1,684,312	\$2,728,848	\$364,228	\$541,424	\$2,048,540	\$3,270,272	\$3,270,272	
2019	\$346,123,025	\$61,837,973	17.87%	\$302,818,919	\$2,115,705	\$4,241,618	\$472,704	\$879,417	\$2,588,409	\$5,121,035	\$5,121,035	
2020	\$407,960,998	\$65,854,889	16.14%	\$368,673,808	\$2,565,859	\$5,976,501	\$551,903	\$1,252,581	\$3,117,762	\$7,229,082	\$7,229,082	
2021	\$473,815,867	\$221,683,099	46.79%	\$498,763,355	\$3,347,799	\$8,117,007	\$600,587	\$1,636,582	\$3,948,386	\$9,753,590	\$9,753,590	
2022	\$705,931,471	\$10,432,485	1.50%	\$509,195,840	\$3,417,824	\$10,183,464	\$0	\$1,636,582	\$3,417,824	\$11,820,046	\$11,820,046	
2023	\$716,520,443	\$10,588,972	1.50%	\$519,784,812	\$3,488,900	\$12,178,197	\$0	\$1,636,582	\$3,488,900	\$13,814,779	\$13,814,779	
2024	\$772,628,249	\$56,107,807	7.83%	\$575,892,618	\$3,865,506	\$14,268,081	\$0	\$1,636,582	\$3,865,506	\$15,904,664	\$15,904,664	
2025	\$841,217,673	\$68,589,424	8.88%	\$644,482,042	\$4,325,892	\$16,479,705	\$0	\$1,636,582	\$4,325,892	\$18,116,287	\$18,116,287	
2026	\$953,835,938	\$112,618,265	13.39%	\$757,100,307	\$5,081,809	\$18,936,525	\$0	\$1,636,582	\$5,081,809	\$20,573,108	\$20,573,108	
2027	\$968,143,477	\$14,307,539	1.50%	\$771,407,846	\$5,177,844	\$21,303,664	\$0	\$1,636,582	\$5,177,844	\$22,940,246	\$22,940,246	
2028	\$1,037,665,630	\$69,522,152	7.18%	\$840,929,999	\$5,644,490	\$23,743,828	\$0	\$1,636,582	\$5,644,490	\$25,380,410	\$25,380,410	
2029	\$1,128,230,614	\$90,564,984	8.73%	\$931,494,983	\$6,252,381	\$26,299,819	\$0	\$1,636,582	\$6,252,381	\$27,936,402	\$27,936,402	
2030	\$1,145,154,073	\$16,923,459	1.50%	\$948,418,442	\$6,365,974	\$28,760,745	\$0	\$1,636,582	\$6,365,974	\$30,397,328	\$30,397,328	
2031	\$1,162,331,384	\$17,177,311	1.50%	\$965,595,753	\$6,481,272	\$31,130,009	\$0	\$1,636,582	\$6,481,272	\$32,766,592	\$32,766,592	
2032	\$1,179,766,355	\$17,434,971	1.50%	\$983,030,724	\$6,598,299	\$33,410,902	\$0	\$1,636,582	\$6,598,299	\$35,047,484	\$35,047,484	
2033	\$1,197,462,850	\$17,696,495	1.50%	\$1,000,727,219	\$6,717,081	\$35,606,602	\$0	\$1,636,582	\$6,717,081	\$37,243,185	\$37,243,185	
2034	\$1,215,424,793	\$17,961,943	1.50%	\$1,018,689,162	\$6,837,645	\$37,720,182	\$0	\$1,636,582	\$6,837,645	\$39,356,765	\$39,356,765	
2035	\$1,233,656,165	\$18,231,372	1.50%	\$1,036,920,534	\$6,960,018	\$39,754,609	\$0	\$1,636,582	\$6,960,018	\$41,391,191	\$41,391,191	
2036	\$1,252,161,008	\$18,504,842	1.50%	\$1,055,425,377	\$7,084,226	\$41,712,749	\$0	\$1,636,582	\$7,084,226	\$43,349,332	\$43,349,332	
2037	\$1,270,943,423	\$18,782,415	1.50%	\$1,074,207,792	\$7,210,298	\$43,597,371	\$0	\$1,636,582	\$7,210,298	\$45,233,953	\$45,233,953	
2038	\$1,290,007,574	\$19,064,151	1.50%	\$1,093,271,943	\$7,338,260	\$45,411,147	\$0	\$1,636,582	\$7,338,260	\$47,047,729	\$47,047,729	
2039	\$1,309,357,688	\$19,350,114	1.50%	\$1,112,622,057	\$7,468,142	\$47,156,659	\$0	\$1,636,582	\$7,468,142	\$48,793,241	\$48,793,241	
2040	\$1,328,998,053	\$19,640,365	1.50%	\$1,132,262,422	\$7,599,972	\$48,836,398	\$0	\$1,636,582	\$7,599,972	\$50,472,980	\$50,472,980	
2041	\$1,348,933,024	\$19,934,971	1.50%	\$1,152,197,393	\$7,733,779	\$50,452,769	\$0	\$1,636,582	\$7,733,779	\$52,089,352	\$52,089,352	
2042	\$1,369,167,019	\$20,233,995	1.50%	\$1,172,431,388	\$7,869,594	\$52,008,095	\$0	\$1,636,582	\$7,869,594	\$53,644,678	\$53,644,678	
2043							\$0					
2044							\$0					
Totals				\$1,192,968,893	\$148,994,459	\$53,504,616	\$2,307,804	\$1,636,582	\$151,302,263	\$55,141,199	\$55,141,199	

# Exhibit G: Oak Cliff Gateway TIF Increment Schedule Clarendon/Beckley/Kiest Sub-district

Oak Cliff Gateway TIF District Increment Collection Chart - Clarendon/Beckley/Kiest Sub-district										
Tax Year	Property Value Estimate	Added Value Estimated	Property Value Growth	Anticipated Captured Value	Tax Increment Revenue City	Tax Increment Revenue (NPV) City	Tax Increment Revenue Dallas County	Tax Increment Revenue (NPV) Dallas County	Tot. Anticipated Increment Revenue	Tot. Anticipated Accumulated Revenue (NPV)
Base	\$39,759,418									
1 2023	\$40,355,809	\$596,391	1.50%	\$596,391	\$4,278	\$4,045	\$0	\$0	\$4,278	\$4,045
2 2024	\$40,961,146	\$605,337	1.50%	\$1,201,728	\$8,463	\$11,613	\$0	\$0	\$8,463	\$11,613
3 2025	\$41,575,564	\$614,417	1.50%	\$1,816,146	\$12,756	\$22,399	\$0	\$0	\$12,756	\$22,399
4 2026	\$42,199,197	\$623,633	85.68%	\$37,439,779	\$261,715	\$231,670	\$0	\$0	\$261,715	\$231,670
5 2027	\$108,357,185	\$31,157,988	40.36%	\$68,597,767	\$479,457	\$594,203	\$0	\$0	\$479,457	\$594,203
6 2028	\$114,982,543	\$6,625,358	6.11%	\$75,223,125	\$525,561	\$969,990	\$0	\$0	\$525,561	\$969,990
7 2029	\$171,707,281	\$56,724,738	49.33%	\$131,947,863	\$918,318	\$1,590,924	\$186,924	\$126,387	\$1,105,241	\$1,717,289
8 2030	\$181,282,890	\$9,575,609	5.58%	\$141,523,472	\$984,961	\$2,220,663	\$200,489	\$454,575	\$1,185,450	\$2,475,238
9 2031	\$269,002,133	\$87,719,243	48.39%	\$229,242,715	\$1,595,461	\$3,185,297	\$324,756	\$560,927	\$1,920,217	\$3,636,224
10 2032	\$293,037,166	\$4,035,032	1.50%	\$233,277,748	\$1,623,543	\$4,113,537	\$330,473	\$639,870	\$1,954,016	\$4,753,407
11 2033	\$317,132,723	\$44,095,997	16.15%	\$272,373,305	\$1,930,435	\$5,157,226	\$392,941	\$852,313	\$2,323,376	\$6,009,539
12 2034	\$321,889,714	\$4,756,991	1.50%	\$282,130,296	\$1,963,542	\$6,161,092	\$399,680	\$1,056,650	\$2,363,222	\$7,217,742
13 2035	\$371,718,060	\$49,828,346	15.48%	\$331,958,642	\$2,310,333	\$7,278,031	\$470,269	\$1,284,004	\$2,780,601	\$8,562,035
14 2036	\$372,293,830	\$5,575,771	1.50%	\$337,729,412	\$2,349,138	\$8,351,979	\$478,168	\$1,502,606	\$2,827,306	\$9,854,586
15 2037	\$382,953,238	\$5,659,407	1.50%	\$343,193,820	\$2,388,526	\$9,384,561	\$486,185	\$1,712,788	\$2,874,711	\$11,097,349
16 2038	\$388,697,536	\$5,744,299	1.50%	\$348,938,118	\$2,428,505	\$10,377,341	\$494,323	\$1,914,869	\$2,922,827	\$12,292,210
17 2039	\$394,528,000	\$5,830,463	1.50%	\$354,768,582	\$2,469,093	\$11,331,826	\$502,583	\$2,109,155	\$2,971,665	\$13,440,981
18 2040	\$400,445,919	\$5,917,920	1.50%	\$360,686,501	\$2,510,270	\$12,249,469	\$510,966	\$2,295,941	\$3,021,236	\$14,545,410
19 2041	\$406,452,608	\$6,006,689	1.50%	\$366,693,190	\$2,552,075	\$13,131,667	\$519,476	\$2,475,513	\$3,071,550	\$15,607,180
20 2042	\$412,549,397	\$6,096,789	1.50%	\$372,789,979	\$2,594,506	\$13,979,767	\$528,113	\$2,648,144	\$3,122,619	\$16,627,912
21 2043	\$418,737,638	\$6,188,241	1.50%	\$378,978,220	\$2,637,575	\$14,795,066	\$536,879	\$2,736,879	\$3,174,454	\$17,609,165
22 2044	\$425,018,703	\$6,281,065	1.50%	\$385,259,285	\$2,681,289	\$15,578,812	\$545,777	\$2,829,066	\$3,220,666	\$18,552,443
23 2045	\$431,393,983	\$6,375,281	1.50%	\$391,634,565	\$2,725,659	\$16,332,208	\$554,809	\$2,920,468	\$3,280,468	\$19,459,192
24 2046	\$437,864,893	\$6,470,910	1.50%	\$398,105,475	\$2,770,695	\$17,056,409	\$563,976	\$3,034,670	\$3,334,670	\$20,330,805
25 2047	\$444,432,987	\$6,567,973	1.50%	\$404,673,449	\$2,816,406	\$17,752,532	\$573,280	\$3,089,686	\$3,389,686	\$21,168,624
26 2048	\$451,099,360	\$6,666,493	1.50%	\$411,339,942	\$2,862,803	\$18,421,649	\$582,724	\$3,145,527	\$3,445,527	\$21,973,939
27 2049	\$457,865,850	\$6,766,490	1.50%	\$418,106,432	\$2,909,895	\$19,064,791	\$0	\$0	\$2,909,895	\$22,617,081
28 2050	\$464,733,838	\$6,867,988	1.50%	\$424,974,420	\$2,957,694	\$19,682,964	\$0	\$0	\$2,957,694	\$23,235,244
29 2051	\$471,704,845	\$6,971,008	1.50%	\$431,945,427	\$3,006,211	\$20,277,093	\$0	\$0	\$3,006,211	\$23,829,384
30 2052	\$478,780,418	\$7,075,573	1.50%	\$439,021,000	\$3,055,454	\$20,848,131	\$0	\$0	\$3,055,454	\$24,400,421
Totals				\$439,021,000	\$58,334,606	\$9,182,789	\$4,712,788	\$67,517,395	\$24,400,421	

## **Financial Policies**

General financial policies are governed by the City of Dallas Public/Private Partnership Program, as amended. This program provides a framework for development incentives in a variety of areas. Within this framework the Oak Cliff Gateway board of directors has adopted specific policies for the Oak Cliff Gateway TIF District.

Pedestrian/lighting, street tree and landscaping projects are recognized as an important component of the Oak Cliff Gateway TIF District Public Improvement Plan; therefore, whenever possible a portion of the increment accrued will be set aside for such projects.

Public improvements will be phased at a pace which coincides with private development. Publicly accessible parking facility improvements will be phased to coincide with the pace of related improvements. Projects in the Bishop/Jefferson Sub-district may be required to provide additional publicly accessible parking above the immediate needs of the project. This parking may be required to be structured or otherwise constructed to minimize its impact on the public realm.

Private developers desiring City participation in cost sharing for infrastructure improvements needed 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.

If a developer needs infrastructure improvements constructed at a time when sufficient funds are not available in the TIF 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 the design guidelines adopted by the Oak Cliff Gateway board of directors in order to receive cost participation benefits for infrastructure improvements.

The Oak Cliff Gateway TIF board may from time-to-time recommend amendments to these financial policies, which will affect the operations of the TIF district.

## **Conclusions**

Based upon a set of conservative assumptions and analysis of the project and financing plan, the Oak Cliff Gateway board of directors has concluded that the project and financing plan is feasible.

The success of the Oak Cliff Gateway TIF development will allow the redevelopment of the area. The new residential population base will be supported by redevelopment efforts in the area near downtown Dallas. The expansion of retail and entertainment activities will enhance the area's overall market image. The success of this program will protect and build on this area's untapped real estate potential. The Oak Cliff Gateway Project Plan and Reinvestment Zone Financing Plan was developed with these specific needs in mind.