



## Legislation Text

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File #: 21-984, Version: 1

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**STRATEGIC PRIORITY:** Economic and Neighborhood Vitality  
**AGENDA DATE:** June 23, 2021  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Office of Economic Development  
**EXECUTIVE:** Dr. Eric A. Johnson

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### **SUBJECT**

Authorize **(1)** a development agreement with Woodall Rodgers Park Foundation ("Foundation") in an amount not to exceed \$3,000,000.00 for the design and construction of the Phase 2 expansion of the Klyde Warren Park project ("KWP2"), payable from City Center Tax Increment Financing ("TIF") District funds, such improvements being necessary and convenient to the implementation of the project plans for the City Center TIF District; **(2)** all other necessary documents between the City, the Foundation and the North Central Texas Council of Governments ("NCTCOG") related to such funding for KWP2; and **(3)** an assignment of all City Center TIF District revenues payable to the Foundation under the development agreement to NCTCOG - Not to exceed \$3,000,000.00 - Financing: City Center TIF District Fund (subject to annual appropriations from tax increments)

### **BACKGROUND**

On December 18, 2018, the NCTCOG pledged approximately \$30,000,000.00 for the City of Dallas to assist with funding KWP2 on the condition that \$10,000,000.00 would be repaid to NCTCOG by sources determined by the City.

In early 2019, the Foundation submitted conceptual plans for KWP2 to the City of Dallas' Urban Design Peer Review Panel ("UDPRP") and as part of the City's negotiation with NCTCOG, the Foundation and the City signed a Letter of Intent ("LOI") for City Center TIF District revenues for the KWP2 expansion. The LOI was subject to approval of the City Center TIF District Board of Directors and to City Council approval of findings supporting the use of TIF funds for this project located outside the boundaries of the City Center TIF District as well as the approval of amendments to the project plans for the District and the availability of future City Center TIF revenues. All such terms and conditions of the LOI are included in this commitment of City Center TIF revenues including compliance with all TIF policies and requirements.

City Center TIF funds, in the amount of \$3,000,000.00, will be committed to the design and construction of KWP2, as part of the repayment obligation for \$10,000,000.00. The Foundation will be responsible for raising the remaining \$7,000,000.00 from private donations.

The \$3,000,000.00 in TIF funds will only be due if all project conditions are met and if/when City Center TIF District increment is available.

The current City Center TIF District Project Plan and Reinvestment Zone Financing Plan (“Plans”) contain a District-Wide Improvement category with an available budget of \$4,000,000.00 over the life of the City Center TIF District that may be used for this commitment. Approximately \$2.2 million has been collected to date and no funds have been committed from this portion of the City Center TIF District budget. No other budget categories in the City Center TIF District are available for this project.

The commitment of \$3,000,000.00 in TIF funding for the KWP2 Project requires an amendment to the Plans to define KWP2 as an area of public assembly and, therefore, an eligible project cost benefitting the District because KWP provides linkages from the downtown core, including the West End/Lamar area, to the Victory Park area and to Uptown. The TIF Act (Chapter 311 of the Texas Tax Code) allows for the dedication of revenue from a tax increment fund to pay for the costs of providing areas of public assembly in or out of the District.

The City will execute an Interlocal Agreement with NCTCOG and the Regional Transportation Council (“RTC”) with a Joinder for the Foundation’s commitment to re-pay the \$10,000,000.00 portion of the NCTCOG/RTC contribution, including \$3,000,000.00 from City Center TIF District funds, subject to KWP2 Project conditions being met and TIF funding availability. The City Center TIF District funds will be assigned to the NCTCOG pursuant to the Interlocal Agreement.

### **ESTIMATED PROJECT SCHEDULE**

Project Start Date	December 2021
Project Completion Date	August 2024

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

On December 11, 2019, City Council authorized Supplemental Agreement No. 3 to the Development Agreement with the Foundation for the design, construction and financing of the Phase 2 expansion of Klyde Warren Park to a) include the Klyde Warren Park Phase 2 Extension, and to b) include a nearby portion of unused City right-of-way encompassed by the eastbound side of Woodall Rodgers Freeway service road, the southbound side of North Pearl Street, the southbound Olive Street on-ramp to the Woodall Rodgers Freeway and adjacent parking lot to relocate the existing dog park component of the Park, collectively KWP2, by Resolution No. 19-1931

On January 12, 2021, the City Center TIF District Board of Directors reviewed and recommended approval of a development agreement with Woodall Rodgers Park Foundation (“Foundation”) in an amount not to exceed \$3,000,000.00, which is to be used for the design and construction of the Phase 2 expansion of Klyde Warren Park project (“KWP2”), payable from current and future City Center TIF District funds from the District-Wide Improvement budget category, in consideration of the approximately 1.5 acre KWP2 over Woodall Rodgers Freeway, generally between Saint Paul Street and west of Akard Street, adjacent to Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District).

[The Economic Development Committee was briefed by memorandum regarding this matter on March 1, 2021. <https://cityofdallas.legistar.com/View.ashx?M=F&ID=9209252&GUID=1B3C1D38-4736-4054-9327-7B0B8FB7E26C>](https://cityofdallas.legistar.com/View.ashx?M=F&ID=9209252&GUID=1B3C1D38-4736-4054-9327-7B0B8FB7E26C)

**FISCAL INFORMATION**

Fund	FY 2021	FY 2022	Future Years
City Center TIF District Funds	\$0.00	\$0.00	\$3,000,000.00

**APPLICANT**

Jody Grant  
Woodall Rodgers Park Foundation  
1909 Woodall Rodgers Freeway, Suite 403  
Dallas, Texas 75201

**MAP**

Attached