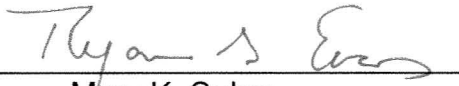


**FEBRUARY 22, 2012 CITY COUNCIL AGENDA  
CERTIFICATION**

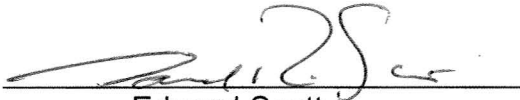
This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated February 22, 2012. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are 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.



Mary K. Suhm  
City Manager

2-10-12

Date



Edward Scott  
City Controller

2-10-12

Date



RECEIVED

2012 FEB 10 PM 4: 54

CITY SECRETARY  
DALLAS, TEXAS



# COUNCIL AGENDA

February 22, 2012

Date

(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 before 9:00 a.m. on the meeting date. 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 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.

## Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaidía, 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 CityCable* Canal 16. El Ayuntamiento Municipal se reúne 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 9 de la mañana del día de la asamblea. 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 Cortesia

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 retrasará o interrumpirá los procedimientos, o se negará 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 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 Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté 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 precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

**AGENDA  
CITY COUNCIL MEETING  
WEDNESDAY, FEBRUARY 22, 2012  
ORDER OF BUSINESS**

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m.      **INVOCATION AND PLEDGE OF ALLEGIANCE**

**OPEN MICROPHONE**

**MINUTES**

Item 1

**CONSENT AGENDA**

Items 2 - 50

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 9:15 a.m.

Items 51 - 55

**PUBLIC HEARINGS AND RELATED ACTIONS**

1:00 p.m.

Items 56 - 63

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



**AGENDA**  
**CITY COUNCIL MEETING**  
**FEBRUARY 22, 2012**  
**CITY OF DALLAS**  
**1500 MARILLA**  
**COUNCIL CHAMBERS, CITY HALL**  
**DALLAS, TEXAS 75201**  
**9:00 A. M.**

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the February 8, 2012 City Council Meeting

CONSENT AGENDA

**Business Development & Procurement Services**

2. Authorize a service contract for the refurbishment of aqua bar guard filter screens for Dallas Water Utilities - Filterone USA, LLC in the amount of \$2,737,263 and Alltech Engineering Corporation in the amount of \$235,309, lowest responsible bidders of two - Total not to exceed \$2,972,572 - Financing: Water Utilities Current Funds
3. Authorize a three-year service contract for grounds maintenance services at parks, airports and other City owned properties - Good Earth Corporation in the amount of \$2,389,573, JBa Land Management LLC in the amount of \$216,036 and BIO Landscape & Maintenance, Inc. in the amount of \$31,812, lowest responsible bidders of four - Total not to exceed \$2,637,421 - Financing: Current Funds (\$2,309,617) and Aviation Current Funds (\$327,804) (subject to annual appropriations)

CONSENT AGENDA (Continued)

**Business Development & Procurement Services** (Continued)

4. Authorize a three-year service contract for grounds maintenance services for medians, rights-of-way and vacant lots and residential properties - Good Earth Corporation in the amount of \$4,529,004 and JBa Land Management, LLC in the amount of \$1,638,772, lowest responsible bidders of four - Total not to exceed \$6,167,776 - Financing: Current Funds (subject to annual appropriations)
5. Authorize a three-year service contract for litter pick up services at City parks - Good Earth Corporation, lowest responsible bidder of six - Not to exceed \$6,975,173 - Financing: Current Funds (subject to annual appropriations)
6. Authorize a one-year service contract for wildlife trapping services on City properties - 911 Wildlife, LLC, lowest responsible bidder of two - Not to exceed \$136,850 - Financing: Current Funds

**Note:** Item Nos. 7 and 8 must be considered collectively.

**Water Conservation Program**

7. \* Authorize a five-year service contract for water consumption audits for industrial, commercial and institutional facilities - Alan Plummer and Associates, Inc., most advantageous proposer of four - Not to exceed \$742,309 - Financing: Water Utilities Current Funds (subject to annual appropriations)
8. \* A resolution authorizing the implementation and guidelines for a rebate program for industrial, commercial and institutional water utilities customers - Not to exceed an annual budget of \$2,000,000 - Financing: Water Utilities Current funds (subject to annual appropriations)

**City Attorney's Office**

9. Authorize payment of a judgment in the lawsuit styled Heather Stewart v. City of Dallas, Cause No. 05-04952-L - Not to exceed \$149,889 - Financing: Current Funds

**Economic Development**

**FY 2011 Tax Increment Financing Zone Annual Reports**

10. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City



CONSENT AGENDA (Continued)**Economic Development** (Continued)**FY 2011 Tax Increment Financing Zone Annual Reports** (Continued)

11. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City
12. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City
13. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City
14. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City
15. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City
16. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Economic Development** (Continued)**FY 2011 Tax Increment Financing Zone Annual Reports** (Continued)

17. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
18. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
19. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
20. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City
21. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
22. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Economic Development** (Continued)**FY 2011 Tax Increment Financing Zone Annual Reports** (Continued)

23. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law - Financing: No cost consideration to the City
24. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City
25. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City
26. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
27. \* A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District), submitted by the Cypress Waters TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**Housing/Community Services**

28. Authorize the release of lien on a secured, no interest, forgivable loan with Legacy Counseling Center, Inc. for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street in the amount of \$6,734 - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Housing/Community Services** (Continued)

29. Authorize the acceptance of additional grant funds from the Dallas Housing Finance Corporation for the purpose of providing warranty home repairs for low-income qualified homeowners under the Home Repair Program and appropriating the funds for home repairs - Not to exceed \$50,000, from \$163,272 to \$213,272 - Financing: Dallas Housing Finance Corporation Grant Funds
30. Authorize **(1)** preliminary adoption of Substantial Amendment No. 13 to the FY 2008-12 Consolidated Plan Budget to: **(a)** accept \$433,200 in Emergency Solutions Grant funds; **(b)** realign \$10,000 under the Essential Services and Operations to Homeless Prevention; **(c)** reprogram \$1,000,000 in Community Development Block Grant funds from the Residential Development/Acquisition Loan Program to the Mortgage Assistance Program; and **(d)** adopt the City of Dallas Affordable Rent Schedule as the City's overall maximum standard for determining affordable rents and the maximum HOME Investment Partnerships Act (HOME) rent levels for accomplishment and goal requirements required in the Consolidated Plan; and **(2)** a public hearing to be held on March 28, 2012 to receive comments on the proposed amendments - Not to exceed \$1,443,200 - Financing: 2011-12 Emergency Solutions Grants Funds (\$433,200), 2011-12 Emergency Shelter Grant Funds (\$10,000), 2005-06 Community Development Block Grant Funds (\$109,535), 2006-07 Community Development Block Grant Funds (\$300,000), 2008-09 Community Development Block Grant Funds (\$249,671), 2009-10 Community Development Block Grant Funds (\$258,768) and 2010-11 Community Development Block Grant Funds (\$82,026)
31. Authorize renewal of the tri-party contract grant agreement between the City of Dallas, the U.S. Department of Housing and Urban Development, and the Dallas Housing Authority for the Shelter Plus Care Grant which provides rental assistance funds to be distributed by the Dallas Housing Authority for single room occupancy of homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2012 through May 11, 2013 - Total not to exceed \$374,016 - Financing: U.S. Department of Housing and Urban Development Grant Funds
32. Authorize a public hearing to be held on March 28, 2012 to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to East Dallas Community Organization ("EDCO"), a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City
33. Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2011 through March 31, 2012 - Not to exceed \$80,060, from \$7,332,423 to \$7,412,483 - Financing: Department of State Health Services Grant Funds

CONSENT AGENDA (Continued)**Office of Financial Services**

34. Authorize a public hearing to be held on March 28, 2012 to receive comments on the proposed FY 2012-13 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

**Park & Recreation**

35. Authorize a contract for a stone entry feature and sign, landscaping and lighting at the La Vista Drive intersection and landscaping at the Munger Boulevard intersection located at the Swiss Avenue Medians - Denali Construction Services, LLC, lowest responsible bidder of four - Not to exceed \$68,310 - Financing: 2006 Bond Funds
36. Authorize **(1)** a multi-faceted construction manager at risk contract for: **(a)** improvements at Elm Fork Gun Range; **(b)** tennis court renovations at L.B. Houston Tennis Center; **(c)** renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscaping; and **(d)** upgrade of the existing golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road with Rogers-O'Brien Construction Company, Ltd., best value proposer of three for the Guaranteed Maximum Price of \$4,770,259; and **(2)** an amendment to the management agreement with Mickey Ray Piersall to define roles, responsibilities and compensation as a result of the closure of L.B. Houston Golf Course for renovation in the amount of \$205,275 - Total not to exceed \$4,975,534 - Financing: 2003 Bond Funds (\$540,526), 2006 Bond Funds (\$3,629,733), Golf Improvement Funds (\$705,275) and Park Improvement Funds (\$100,000)
37. Authorize Supplemental Agreement No. 1 to the professional services contract with Dan Shipley Architect, Inc. for design development through construction administration services for renovations of the golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road - Not to exceed \$72,855, from \$22,550 to \$95,405 - Financing: 2003 Bond Funds
38. Authorize an increase in the contract with Speed Fab-Crete Corporation for new storefront and doors in meeting rooms, replacement of drywall, upgrade HVAC controls, demolition and replacement of light fixtures, and replacement of HVAC units at Kidd Springs Recreation Center located at 700 West Canty Street - Not to exceed \$133,039, from \$1,188,565 to \$1,321,604 - Financing: 2006 Bond Funds

**Police**

39. Authorize **(1)** public hearings to be held on March 28, 2012 and April 25, 2012 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and at the close of the public hearing on April 25, 2012, **(2)** consideration of an ordinance amending Chapter 31 of the Dallas City Code to re-adopt and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Police** (Continued)

40. Authorize **(1)** the application for and acceptance of the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant from the U.S. Department of Justice, Office of Justice Programs as a sub-grantee in the amount of \$150,000 to provide a proactive program to address the problem of human trafficking, for the period October 1, 2011 through September 30, 2013; **(2)** In-Kind contributions in the amount of \$166,886; and **(3)** execution of the grant agreement - Total not to exceed \$316,886 - Financing: U.S. Department of Justice Grant Funds (\$150,000) and In-Kind Contributions (\$166,886) (subject to annual appropriations)
41. Authorize a fourth amendment to the lease agreement with Dallas Children's Advocacy Center to extend the lease for an additional one-year period for the continued use of approximately 3,731 square feet of office space and five parking spaces located at 3611 Swiss Avenue near its intersection with Gordon Street by the Police Department's Youth and Family Crimes Division for the period January 1, 2012 through December 31, 2012 - Total not to exceed \$49,250 - Financing: Current Funds (subject to annual appropriations)

**Public Works Department**

42. Authorize Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services for the Dallas Convention Center Facility Improvement Program - Not to exceed \$1,217,060, from \$4,251,551 to \$5,468,611 - Financing: 2009 Convention Center Revenue Bonds

**Street Services**

43. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at the intersections of Sylvan Avenue at Irving Boulevard and Sylvan Avenue at the park access ramp; and **(2)** the establishment of appropriations in the amount of \$44,927 in the Texas Department of Transportation Grant Fund - Total not to exceed \$44,927 - Financing: Texas Department of Transportation Grant Funds

**Sustainable Development and Construction**

44. An ordinance amending Ordinance No. 26908 which closed portions of South Boulevard and Trezevant Street located near their intersection with Trunk Avenue, to extend the deadline from 120 days to 180 days to receive approval from Dallas Area Rapid Transit (DART) and to extend the dedication requirement of needed right-of-way from one year to three years - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Sustainable Development and Construction** (Continued)

45. An ordinance amending Ordinance No. 27602 which closed a portion of Cullum Lane located near the intersection of Harry Hines Boulevard and Cullum Lane, to extend the deadline from 120 days to one year to receive approval from Dallas Area Rapid Transit (DART) - Financing: No cost consideration to the City
46. An ordinance correcting Chapter 51A, Dallas Development Code: Ordinance No. 19455, of the Dallas City Code, as amended, by correcting Sections 51A-1.105, "Fees," 51A-4.203, "Industrial Uses," 51A-4.501, "Historic Overlay District," 51A-4.605, "Design Standards," 51A-4.702, "Planned Development (PD) District Regulations," 51A-4.803, "Site Plan Review," 51A-7.603, "Applications," 51A-7.909, "Attached Non-Premise District Activity Videoboard Signs," 51A-7.913, "Construction Barricade Signs," 51A-7.930, "Supergraphic Signs," 51A-7.1212, "Cultural Institution Digital Signs," 51A-7.1214, "Construction Barricade Signs," 51A-10.131, "Application of Division," and 51A-10.135, "Alternative Methods of Compliance With Tree Replacement Requirements" - Financing: No cost consideration to the City
47. An ordinance correcting Chapter 51P, Dallas Development Code: Planned Development District Regulations, of the Dallas City Code, as amended by correcting Article 114, Division S-79 of Article 193, Article 272, Article 317, Article 631, Article 770, and Article 799 - Financing: No cost consideration to the City
48. An ordinance correcting **(1)** Historic Overlay District No. 67; **(2)** Historic Overlay District No. 68; **(3)** Planned Development District No. 601; **(4)** Planned Development District No. 462; **(5)** a municipal setting designation at 5417, 5422, 5427, 5430, 5432, 5502, 5506, 5512, and 5514 Redfield Street and 2231, 2241, and 2311 Butler Street; **(6)** Planned Development District No. 770; **(7)** creating Planned Development Subdistrict No. 84 within Planned Development District No. 193; **(8)** a municipal setting designation at 2504, 2506, 2514, 2518, 2522, 2602, 2606, and 2610 Bomar Avenue, 6010 Forest Park Road, and 5919, 5925, and 6102 Maple Avenue; **(9)** Specific Use Permit No. 1749; **(10)** Specific Use Permit No. 1450; **(11)** Planned Development District No. 745; **(12)** Planned Development District No. 816; (13) Ordinance 27799 which rezoned a tract of land from R-7.5(A) Single Family District to CS Commercial Service District; **(14)** Specific Use Permit No. 1766; **(15)** Specific Use Permit No. 1804; **(16)** Specific Use Permit No. 1816; **(17)** Planned Development District No. 780; and **(18)** Specific Use Permit No. 1915 - Financing: No cost consideration to the City

**Trinity Watershed Management**

49. Authorize Supplemental Agreement No. 2 to the Local Project Advance Funding Agreement with the Texas Department of Transportation for construction administration services for the Santa Fe Trestle Hike and Bike Trail Improvement Project - Not to exceed \$12,000, from \$24,000 to \$36,000 - Financing: 1998 Bond Funds

CONSENT AGENDA (Continued)

**Water Utilities**

- 50. Authorize a short-term contract with Luminant Generation Company LLC for untreated water service for the period January 1, 2012 through December 31, 2013 - Estimated Annual Revenue: \$1,229,892

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

- 51. 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)

**Trinity Watershed Management**

- 52. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from James C. Campbell of a tract of land containing approximately 2,745 square feet located near the intersection of Fisher Road and Trammel Drive for drainage improvements associated with Rush Creek culvert replacements for the Rush Creek Local Drainage Relief and Utility Relocation Project - Not to exceed \$13,000 (\$10,157 plus closing costs and title expenses not to exceed \$2,843) - Financing: 2006 Bond Funds

ITEMS FOR FURTHER CONSIDERATION

**City Controller's Office**

- 53. Authorize **(1)** establishment of a non-profit corporation, the City of Dallas Education Finance Corporation, for the purpose of financing or refinancing of educational facilities and/or housing facilities incidental to education facilities; **(2)** approval of the Corporation's certificate of formation and bylaws; **(3)** appointment of the Corporation's initial Board of Directors; **(4)** the Mayor to execute and deliver a certificate approving the bonds to be issued for the benefit of Uplift Education, a Texas non-profit corporation, and the facilities to be financed with the proceeds of the bonds for the purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended; and **(5)** the City Manager to file the Corporation's certificate of formation with the Secretary of State - Financing: No cost consideration to the City



ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

## DESIGNATED PUBLIC SUBSIDY MATTERS

**Economic Development**

54. Authorize an amendment to the development agreement with the Kessler Theater, LLC, previously approved on November 9, 2009, by Resolution No. 09-2762-01, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Kessler Theater project to July 1, 2012 - Financing: No cost consideration to the City
55. Authorize an amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Hillside West project and modify the developer's fees for the project from an amount not to exceed the lesser of \$1,784,744 or 11% of the total cost of the project improvements to an amount not to exceed 11% of the total cost of the project improvements - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES - CONSENT

56. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of less than 3,500 square feet on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay on the southwest corner of South Buckner Boulevard and Umphress Road  
Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions  
Recommendation of CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions  
Z112-123(MW)
57. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an NO(A) Neighborhood Office District and a CR Community Retail District, on the northwest corner of Camp Wisdom Road and Westmoreland Road  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan, and conditions  
Z112-133(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Sustainable Development and Construction (Continued)**ZONING CASES - CONSENT (Continued)

58. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a hotel or motel use on property zoned Subdistrict B Historic Core within Planned Development District No. 225, the State Thomas Special Purpose District with Historic Overlay No. 25, on the north corner of Thomas Avenue and Fairmount Street  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions  
Z112-135(CH)

ZONING CASES - INDIVIDUAL

59. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 572 for a public school other than an open-enrollment charter school on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane  
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan and conditions.  
Z112-137(WE)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

60. A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District on the north side of Lake June Road, west of St. Augustine Road  
Recommendation of Staff and CPC: Approval  
Z112-118(WE)  
Note: This item was considered by the City Council at a public hearing on February 8, 2012, and was taken under advisement until February 22, 2012, with the public hearing open.
61. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and D(A) Duplex District uses on property zoned an D(A) Duplex District and a CS Commercial Service District on the south corner of South Barry Avenue and Philip Avenue, and certain lots in an area generally bounded by South Fitzhugh Avenue, Philip Avenue, South Barry Avenue and Gurley Avenue  
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, traffic management plan and conditions  
Z101-342(WE)  
Note: This item was considered by the City Council at a public hearing on January 25, 2012, and was taken under advisement until February 22, 2012, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Sustainable Development and Construction (Continued)**

DESIGNATED ZONING CASES - INDIVIDUAL

62. A public hearing to receive comments regarding an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the northeast line of Lawnview Avenue, south of Forney Road  
Recommendation of Staff and CPC: Approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant, and retention of the D-1 Liquor Control Overlay  
Z101-196(RB)
  
63. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District and an MF-2(A) Multifamily District, and an ordinance terminating Specific Use Permit No. 1621 for a Child-care facility and Private school on both sides of Westmoreland Road, north of Wheatland Road  
Recommendation of Staff and CPC: Approval, subject to a Tract 1 development plan/Tract 2 conceptual plan, a Tract 3 development plan, traffic management plan, and conditions, and approval of the termination of Specific Use Permit No. 1621  
Z101-335(RB)

**Tax Foreclosure and Seizure Property Resale**  
Agenda Item #32

<b><u>Address</u></b>	<b><u>Non-Profit Organization</u></b>	<b><u>Mapsco</u></b>	<b><u>DCAD Value</u></b>	<b><u>Sale Amount</u></b>	<b><u>Vac/ Imp</u></b>	<b><u>Zoning</u></b>
2445 Hooper Street	East Dallas Community Organization	56C	\$4,000	\$1,000	V	R-5(A)

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.



**AGENDA DATE**      February 22, 2012

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
1			All	V	NA	NA	NA	NA	Approval of Minutes of February 8, 2012 City Council Meeting
2			8	C	PBD, WTR	\$2,972,571.80	0.00%	0.02%	Authorize a service contract for the refurbishment of aqua bar guard filter screens for Dallas Water Utilities
3			All	C	PBD, AVI, EBS, PKR	\$2,637,421.00	78.43%	29.76%	Authorize a three-year service contract for grounds maintenance services at parks, airports and other City owned properties
4			All	C	PBD, CCS, STS	\$6,167,776.00	82.63%	43.94%	Authorize a three-year service contract for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties
5			All	C	PBD, PKR	\$6,975,172.68	76.20%	23.80%	Authorize a three-year service contract for litter pick up and refuse collection services at City parks
6			All	C	PBD, CCS	\$136,850.00	0.00%	0.00%	Authorize a one-year service contract for wildlife trapping services on City properties
7			All	C	PBD, WTR	\$742,309.00	8.08%	8.08%	Water Conservation Program: Authorize a five-year service contract for water consumption audits for industrial, commercial and institutional facilities
8			All	C	PBD, WTR	\$2,000,000.00	NA	NA	Water Conservation Program: A resolution authorizing the implementation and guidelines for a rebate program for industrial, commercial and institutional water utilities
9			N/A	C	ATT, CCS	\$149,888.64	NA	NA	Authorize payment of a judgment in the lawsuit styled Heather Stewart v. City of Dallas, Cause No. 05-04952-L
10			2, 14	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
11			1, 3	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law
12			4	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
13			2, 14	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law
14			14	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law
15			2, 14	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
16			2	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
17			9, 13	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law
18			2	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law

**AGENDA DATE**

February 22, 2012

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
19			2, 14	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law
20			2, 7, 14	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
21			7	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law
22			9, 10, 13, 14	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
23			3, 6	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law
24			1, 3	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
25			2, 4, 5, 7, 8, 14	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
26			2	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law
27			6	C	ECO	NC	NA	NA	A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District), submitted by the Cypress Waters TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law
28			1	C	HOU	NC	NA	NA	Authorize the release of lien on a secured, no interest, forgivable loan with Legacy Counseling Center, Inc., for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street in the amount of \$6,734
29			All	C	HOU	GT	NA	NA	Authorize the acceptance of additional grant funds from the Dallas Housing Finance Corporation for the purpose of providing warranty home repairs for low-income qualified homeowners under the Home Repair Program and appropriating the funds for home repairs
30			All	C	HOU	GT	NA	NA	Authorize preliminary adoption of Substantial Amendment No. 13 to the FY 2008-12 Consolidated Plan Budget to: accept \$433,200 in Emergency Solutions Grant funds; realign \$10,000 under the Essential Services and Operations to Homeless Prevention; reprogram \$1,000,000 in Community Development Block Grant funds from the Residential Development/Acquisition Loan Program to the Mortgage Assistance Program; adopt the City of Dallas Affordable Rent Schedule as the City's overall maximum standard for determining affordable rents and the maximum HOME Investment Partnerships Act (HOME) rent levels for accomplishment and goal requirements required in the Consolidated Plan; and a public hearing to be held on March 28, 2012 to receive comments on the proposed amendments



**AGENDA DATE**      February 22, 2012

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
31			1	C	HOU	GT	NA	NA	Authorize renewal of the tri-party contract grant agreement between the City of Dallas, the U.S. Department of Housing and Urban Development, and the Dallas Housing Authority for the Shelter Plus Care Grant which provides rental assistance funds to be distributed by the Dallas Housing Authority for single room occupancy of homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2012 through May 11, 2013
32			7	C	HOU	NC	NA	NA	Authorize a public hearing to be held on March 28, 2012 to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to East Dallas Community Organization ("EDCO"), a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any
33			All	C	HOU	GT	NA	NA	Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2011 through March 31, 2012
34			N/A	C	OFS	NC	NA	NA	Authorize a public hearing to be held on March 28, 2012 to receive comments on the proposed FY 2012-13 Operating, Capital, Grant, and Trust budgets
35			14	C	PKR	\$68,310.00	93.84%	100.00%	Authorize a contract for a stone entry feature and sign, landscaping and lighting at the La Vista Drive intersection and landscaping at the Munger Boulevard intersection located at the Swiss Avenue Medians
36			6	C	PKR	\$4,975,534.00	100.00%	0.00%	Authorize a multi-faceted construction manager at risk contract for: improvements at Elm Fork Gun Range; tennis court renovations at L.B. Houston Tennis Center; renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscaping; and upgrade of the existing golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road with Rogers; and an amendment to the management agreement with Mickey Ray Piersall to define roles, responsibilities and compensation as a result of the closure of L.B. Houston Golf Course for renovation
37			6	C	PKR	\$72,855.00	100.00%	19.08%	Authorize Supplemental Agreement No. 1 to the professional services contract with Dan Shipley Architect, Inc. for design development through construction administration services for renovations of the golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road
38			1	C	PKR	\$133,038.16	3.93%	27.53%	Authorize an increase in the contract with Speed Fab-Crete Corporation for new storefront and doors in meeting rooms, replacement of drywall, upgrade HVAC controls, demolition and replacement of light fixtures, and replacement of HVAC units at Kidd Springs Recreation Center located at 700 West Canty Street
39			All	C	POL	NC	NA	NA	Authorize public hearings to be held on March 28, 2012 and April 25, 2012 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and at the close of the public hearing on April 25, 2012, consideration of an ordinance amending Chapter 31 of the Dallas City Code to re-adopt and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors
40			All	C	POL	GT	NA	NA	Authorize the application for and acceptance of the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant from the U.S. Department of Justice, Office of Justice Programs as a sub-grantee in the amount of \$150,000 to provide a proactive program to address the problem of human trafficking, for the period October 1, 2011 through September 30, 2013; In-Kind contributions in the amount of \$166,886, and execution of the grant agreement
41			14	C	POL, DEV	\$49,249.20	NA	NA	Authorize a fourth amendment to the lease agreement with Dallas Children's Advocacy Center to extend the lease for an additional one-year period for the continued use of approximately 3,731 square feet of office space and five parking spaces located at 3611 Swiss Avenue near its intersection with Gordon Street by the Police Department's Youth and Family Crimes Division for the period January 1, 2012 through December 31, 2012
42			2	C	PBW, CES	\$1,217,060.00	99.11%	36.51%	Authorize Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services for the Dallas Convention Center Facility Improvement Program
43			2, 6	C	STS	GT	NA	NA	Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at the intersections of Sylvan Avenue at Irving Boulevard and Sylvan Avenue at the park access ramp
44			7	C	DEV	NC	NA	NA	An ordinance amending Ordinance No. 26908 which closed portions of South Boulevard and Trezevant Street located near their intersection with Trunk Avenue, to extend the deadline from 120 days to 180 days to receive approval from Dallas Area Rapid Transit (DART) and to extend the dedication requirement of needed right-of-way from one year to three years

**AGENDA DATE**      February 22, 2012

ITEM	IND								DESCRIPTION
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	
45			6	C	DEV	NC	NA	NA	An ordinance amending Ordinance No. 27602 which closed a portion of Cullum Lane located near the intersection of Harry Hines Boulevard and Cullum Lane, to extend the deadline from 120 days to one year to receive approval from Dallas Area Rapid Transit (DART)
46			All	C	DEV	NC	NA	NA	An ordinance correcting Chapter 51A, Dallas Development Code: Ordinance No. 19455, of the Dallas City Code, as amended by correcting Sections 51A-1.105, "Fees," 51A-4.203, "Industrial Uses," 51A-4.501, "Historic Overlay District," 51A-4.605, "Design Standards," 51A-4.702, "Planned Development (PD) District Regulations," 51A-4.803, "Site Plan Review," 51A-7.603, "Applications," 51A-7.909, "Attached Non-Premise District Activity Videoboard Signs," 51A-7.913, "Construction Barricade Signs," 51A-7.930, "Supergraphic Signs," 51A-7.1212, "Cultural Institution Digital Signs," 51A-7.1214, "Construction Barricade Signs," 51A-10.131, "Application of Division," and 51A-10.135, "Alternative Methods of Compliance With Tree Replacement Requirements"
47			1, 2, 3, 6, 11, 14	C	DEV	NC	NA	NA	An ordinance correcting Chapter 51P, Dallas Development Code: Planned Development District Regulations, of the Dallas City Code, as amended by correcting Article 114, Division S-79 of Article 193, Article 272, Article 317, Article 631, Article 770, and Article 799
48			2, 3, 6, 8, 12, 13, 14	C	DEV	NC	NA	NA	An ordinance correcting Historic Overlay District No. 67; Historic Overlay District No. 68; Planned Development District No. 601; Planned Development District No. 462; a municipal setting designation at 5417, 5422, 5427, 5430, 5432, 5502, 5506, 5512, and 5514 Redfield Street and 2231, 2241, and 2311 Butler Street; Planned Development District No. 770; creating Planned Development Subdistrict No. 84 within Planned Development District No. 193; a municipal setting designation at 2504, 2506, 2514, 2518, 2522, 2602, 2606, and 2610 Bomar Avenue, 6010 Forest Park Road, and 5919, 5925, and 6102 Maple Avenue; Specific Use Permit No. 1749; Specific Use Permit No. 1450; Planned Development District No. 745; Planned Development District No. 816; Ordinance 27799 which rezoned a tract of land from R-7.5(A) Single Family District to CS Commercial Service District; Specific Use Permit No. 1766; Specific Use Permit No. 1804; Specific Use Permit No. 1816; Planned Development District No. 780; and Specific Use Permit No. 1915
49			2, 7	C	TWM	\$12,000.00	NA	NA	Authorize Supplemental Agreement No. 2 to the Local Project Advance Funding Agreement with the Texas Department of Transportation for construction administration services for the Santa Fe Trestle Hike and Bike Trail Improvement Project
50			Outside	C	WTR	REV \$1,229,892	NA	NA	Authorize a short-term contract with Luminant Generation Company LLC, for untreated water service for the period January 1, 2012 through December 31, 2013
51			N/A	I	SEC	NC	N/A	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)
52			9	I	TWM	\$13,000.00	NA	NA	Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from James C. Campbell of a tract of land containing approximately 2,745 square feet located near the intersection of Fisher Road and Trammel Drive for drainage improvements associated with Rush Creek culvert replacements for the Rush Creek Local Drainage Relief and Utility Relocation Project
53			All	I	CON	NC	NA	NA	Authorize establishment of a non-profit corporation, the City of Dallas Education Finance Corporation, for the purpose of financing or refinancing of educational facilities and/or housing facilities incidental to education facilities; approval of the Corporation's certificate of formation and bylaws; appointment of the Corporation's initial Board of Directors; the Mayor to execute and deliver a certificate approving the bonds to be issued for the benefit of Uplift Education, a Texas non-profit corporation, and the facilities to be financed with the proceeds of the bonds for the purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended; and the City Manager to file the Corporation's certificate of formation with the Secretary of State
54			3	I	ECO	NC	NA	NA	Authorize an amendment to the development agreement with the Kessler Theater, LLC, previously approved on November 9, 2009, by Resolution No. 09-2762-01, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Kessler Theater project to July 1, 2012
55			3	I	ECO	NC	NA	NA	Authorize an amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Hillside West project and modify the developer's fees for the project from an amount not to exceed the lesser of \$1,784,744.00 or 11% of the total cost of the project improvements to an amount not to exceed 11% of the total cost of the project improvements

**AGENDA DATE**      February 22, 2012

ITEM		IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF								
56				5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of less than 3,500 square feet on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay on the southwest corner of South Buckner Boulevard and Umphress Road
57				8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an NO(A) Neighborhood Office District and a CR Community Retail District, on the northwest corner of Camp Wisdom Road and Westmoreland Road
58				14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a hotel or motel use on property zoned Subdistrict B Historic Core within Planned Development District No. 225, the State Thomas Special Purpose District with Historic Overlay No. 25, on the north corner of Thomas Avenue and Fairmount Street
59				10	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 572 for a public school other than an open-enrollment charter school on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane
60				5	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District on the north side of Lake June Road, west of St. Augustine Road
61				2	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting for a Planned Development District for a public school other than an open-enrollment charter school and D(A) Duplex District uses on property zoned an D(A) Duplex District and a CS Commercial Service District on the south corner of South Barry Avenue and Philip Avenue, and certain lots in an area generally bounded by South Fitzhugh Avenue, Philip Avenue, South Barry Avenue and Gurley Avenue
62				7	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the northeast line of Lawnview Avenue, south of Forney Road
63				8	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District and an MF-2(A) Multifamily District, and an ordinance terminating Specific Use Permit No. 1621 for a Child-care facility and Private school on both sides of Westmoreland Road, north of Wheatland Road

**TOTAL            \$28,323,035.48**







**AGENDA ITEM # 2**

**KEY FOCUS AREA:** Make Government More Efficient, Effective and Economical

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Business Development & Procurement Services  
Water Utilities

**CMO:** Jeanne Chipperfield, 670-7804  
Forest E. Turner, 670-3390

**MAPSCO:** 69 A-X

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**SUBJECT**

Authorize a service contract for the refurbishment of aqua bar guard filter screens for Dallas Water Utilities - Filterone USA, LLC in the amount of \$2,737,263 and Alltech Engineering Corporation in the amount of \$235,309, lowest responsible bidders of two - Total not to exceed \$2,972,572 - Financing: Water Utilities Current Funds

**BACKGROUND**

This service contract will be used by Water Utilities to refurbish four aqua bar guard filter screens at the Southside Wastewater Treatment Plant. The aqua bar guard filter screens are a part of the screening removal system used in the wastewater treatment process. As part of this process, 65.8 billion gallons of wastewater per year is passed through a series of screens to remove trash and debris such as fabric, paper, wood, rocks and plastic materials to prevent damage or obstruction to equipment such as pumps and valves. The debris material collected by the screening units is heavy and abrasive which attributes to the wear and tear of the screening system.

The wastewater screening system is comprised of six aqua bar guard filter screening units. Two of the aqua bar guard filter screens needing refurbishment have sustained significant wear and have been removed from service due to their ineffectiveness in removing debris. Fully operational aqua bar guard filter screens are critical due to their functional roles in removing mid to large debris from wastewater and preventing damage to other equipment which would lead to increased cost of operation.

It is estimated that the cost to replace each screen is approximately \$2 million dollars excluding installation and other materials needed for the installation. Therefore it is most cost effective to refurbish the aqua bar guard filter screen than installing four new units.

**BACKGROUND (Continued)**

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 101 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach. The Business Development and Procurement Services' ResourceLINK Team has submitted Filterone USA, LLC M/WBE application for an expeditious certification process for this contract. The additional project planned M/WBE participation for this contract will be 92.08%.

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

On August 12, 2009, City Council authorized a service contract for the refurbishment of an aqua bar filter screen for Dallas Water Utilities by Resolution No. 09-1881.

**FISCAL INFORMATION**

\$2,972,571.80 - Water Utilities Current Funds

**M/WBE INFORMATION**

- 12 - Vendors contacted
- 12 - No response
- 0 - Response (Bid)
- 0 - Response (No bid)
- 0 - Successful

101 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

**ETHNIC COMPOSITION**

**Filterone USA, LLC**

White Male	0	White Female	0
Black Male	4	Black Female	2
Hispanic Male	1	Hispanic Female	0
Other Male	0	Other Female	1



**ETHNIC COMPOSITION (Continued)**

**Alltech Engineering Corporation**

White Male	6	White Female	0
Black Male	1	Black Female	1
Hispanic Male	0	Hispanic Female	4
Other Male	0	Other Female	0

**BID INFORMATION**

The following bids were received from solicitation number BM1138 and opened on December 1, 2011. This service contract is being awarded to the most responsive and responsible bidders by group. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
*Filterone USA, LLC	1807 S. Powerline Rd. Suite 107 Deerfield Beach, FL 33442	Multiple Groups
*Alltech Engineering Corporation	2515 Pilot Knob Rd. Mendota Heights, MN 55120	Multiple Groups

**OWNERS**

**Filterone USA, LLC**

Ryan Brice, President  
Rui Claudio, Vice President/Treasurer

**Alltech Engineering Corporation**

Robert D. Lawrence, President  
Michael R. Peterson, Secretary  
Gregory T. Merz, Treasurer

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a service contract for the refurbishment of aqua bar guard filter screens for Dallas Water Utilities - Filterone USA, LLC in the amount of \$2,737,263 and Alltech Engineering Corporation in the amount of \$235,309, lowest responsible bidders of two - Total not to exceed \$2,972,572 - Financing: Water Utilities Current Funds

Filterone USA, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce. Alltech Engineering Corporation is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

**PROJECT CATEGORY:** Other Services

### **LOCAL/NON-LOCAL CONTRACT SUMMARY**

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$2,972,571.80	100.00%
<b>TOTAL CONTRACT</b>	<b>\$2,972,571.80</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

None

#### **Non-Local Contractors / Sub-Contractors**

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
MMG Building Services & Construction Services, LLC	WFWB48892N0412	\$465.56	0.02%
<b>Total Minority - Non-local</b>		<b>\$465.56</b>	<b>0.02%</b>

### **TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$465.56	0.02%
<b>Total</b>	<b>\$0.00</b>	<b>0.00%</b>	<b>\$465.56</b>	<b>0.02%</b>

February 22, 2012

**WHEREAS**, on August 12, 2009, City Council authorized a service contract for the refurbishment of an aqua bar filter screen for Dallas Water Utilities by Resolution No. 09-1881;

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager is authorized to execute a service contract with Filterone USA, LLC (520514) in the amount of \$2,737,263.00 and Alltech Engineering Corporation (VS0000031156) in the amount of \$235,308.80 for the refurbishment of aqua bar guard filter screens for Dallas Water Utilities, in a total amount not to exceed \$2,972,571.80, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Filterone USA, LLC and Alltech Engineering Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Filterone USA, LLC and Alltech Engineering Corporation under the contract.

**Section 2.** That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed \$2,972,571.80:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>ENCUMBRANCE</u>	<u>AMOUNT</u>
0100	DWU	7450	3110	CTDWU7450D1217	\$2,737,263.00
0100	DWU	7450	3110	CTDWU7450D1218	\$ 235,308.80

**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 ITEM # 3**

**KEY FOCUS AREA:** A Cleaner, Healthier City Environment

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Aviation  
Equipment & Building Services  
Park & Recreation

**CMO:** Jeanne Chipperfield, 670-7804  
A. C. Gonzalez, 671-8925  
Forest E. Turner, 670-3390  
Paul D. Dyer, 670-4071

**MAPSCO:** N/A

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**SUBJECT**

Authorize a three-year service contract for grounds maintenance services at parks, airports and other City owned properties - Good Earth Corporation in the amount of \$2,389,573, JBa Land Management LLC in the amount of \$216,036 and BIO Landscape & Maintenance, Inc. in the amount of \$31,812, lowest responsible bidders of four - Total not to exceed \$2,637,421 - Financing: Current Funds (\$2,309,617) and Aviation Current Funds (\$327,804) (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 be used for grounds maintenance service for parks, airports and other City owned properties. This contract will allow for services on a predetermined maintenance schedule established by the City. The service contract will also have a provision for emergency responses.

This service contract will be used to maintain parks, Fair Park and Bahama Beach Water Park for Park and Recreation Department (PKR). PKR is responsible for more than 21,000 park acres, 17,196 acres of greenbelt/park land and 61 miles of jogging and bike trails. Over 1,200 acres at Love Field and over 1,300 acres at Executive Airport will be maintained under this service contract as well as four properties managed by Equipment & Building Services. Maintenance frequencies range from once or twice per month to twice per year; cycles range from 7 days year round to 30 days. Specifications allow those cycles to be adjusted as growing conditions change.

**BACKGROUND (Continued)**

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 213 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

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

On February 2, 2012, Park Board approved this item.

**FISCAL INFORMATION**

\$2,309,617.00 - Current Funds (subject to annual appropriations)  
\$ 327,804.00 - Aviation Current Funds (subject to annual appropriations)

**M/WBE INFORMATION**

- 17 - Vendors contacted
- 16 - No response
- 1 - Response (Bid)
- 0 - Response (No Bid)
- 1 - Successful

213 M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

**ETHNIC COMPOSITION**

**Good Earth Corporation**

White Male	8	White Female	1
Black Male	0	Black Female	0
Hispanic Male	10	Hispanic Female	36
Other Male	0	Other Female	0

**ETHNIC COMPOSITION (Continued)**

**JBa Land Management LLC**

White Male	1	White Female	1
Black Male	7	Black Female	1
Hispanic Male	13	Hispanic Female	1
Other Male	0	Other Female	0

**BIO Landscape & Management, Inc.**

White Male	22	White Female	10
Black Male	3	Black Female	3
Hispanic Male	409	Hispanic Female	1
Other Male	0	Other Female	0

**BID INFORMATION**

The following bids were received from solicitation number BL1125 and opened on October 22, 2011. This service contract is being awarded to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount of Bid</u></b>
*Good Earth Corporation	8202 Heinen Dr. Dallas, TX 75227	Multiple Groups
*JBa Land Management LLC	10875 Jupiter Rd. Dallas, TX 75218	Multiple Groups
*BIO Landscape & Maintenance, Inc.	8201 Scyene Rd. Dallas, TX 75227	Multiple Groups
Property Upkeep, Inc.	20885 S. Rand Ave. Tahlequah, OK 74464	Multiple Groups

**OWNERS**

**Good Earth Corporation**

Ron Points, President

**OWNERS (Continued)**

**JBa Land Management LLC**

John Battle, President

**BIO Landscape & Maintenance, Inc.**

John Robert Taylor, President



## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a three-year service contract for grounds maintenance services at parks, airports and other City owned properties - Good Earth Corporation in the amount of \$2,389,573, JBa Land Management LLC in the amount of \$216,036 and BIO Landscape & Maintenance, Inc. in the amount of \$31,812, lowest responsible bidders of four - Total not to exceed \$2,637,421 - Financing: Current Funds (\$2,309,617) and Aviation Current Funds (\$327,804) (subject to annual appropriations)

Good Earth Corporation is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. JBa Land Management LLC is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforces. BIO Landscape & Maintenance, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforces.

**PROJECT CATEGORY:** Other Services

### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$2,068,659.79	78.43%
Total non-local contracts	\$568,761.21	21.57%
<b>TOTAL CONTRACT</b>	<b>\$2,637,421.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
JBa Land Management, LLC	BMDB51786Y1212	\$216,036.00	10.44%
<b>Total Minority - Local</b>		<b>\$216,036.00</b>	<b>10.44%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Sun Coast Resources Inc.	WFWB50928N1012	\$568,761.21	100.00%
<b>Total Minority - Non-local</b>		<b>\$568,761.21</b>	<b>100.00%</b>

**TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$216,036.00	10.44%	\$216,036.00	8.19%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$568,761.21	21.57%
Total	<u>\$216,036.00</u>	<u>10.44%</u>	<u>\$784,797.21</u>	<u>29.76%</u>

February 22, 2012

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

**Section 1.** That the City Manager is authorized to execute service contracts with Good Earth Corporation (510006) in the amount of \$2,389,573.00, JBa Land Management LLC (355524) in the amount of \$216,036.00 and BIO Landscape & Maintenance, Inc. (VS0000052340) in the amount of \$31,812.00 for grounds maintenance services at parks, airports and other City owned properties for a term of three years in a total amount not to exceed \$2,637,421.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Good Earth Corporation, JBa Land Management LLC and BIO Landscape & Maintenance, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Good Earth Corporation, JBa Land Management LLC and BIO Landscape & Maintenance, Inc. under the contract.

**Section 2.** That the City Controller is authorized to disburse funds in an amount not to exceed \$2,637,421.00 (subject to annual appropriations).

**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 ITEM # 4**

**KEY FOCUS AREA:** A Cleaner, Healthier City Environment

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Code Compliance  
Street Services

**CMO:** Jeanne Chipperfield, 670-7804  
Joey Zapata, 670-1204  
Forest E. Turner, 670-3390

**MAPSCO:** N/A

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**SUBJECT**

Authorize a three-year service contract for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties - Good Earth Corporation in the amount of \$4,529,004 and JBa Land Management, LLC in the amount of \$1,638,772, lowest responsible bidders of four - Total not to exceed \$6,167,776 - Financing: Current Funds (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 be used for grounds maintenance of street medians, curbs, parkways, islands, interchange islands and rights-of-way for the City. Approximately 1,650 acres will be serviced under this agreement. Additionally, this agreement allows for trimming and pruning of overgrown shrubs and trees in these areas in the winter months to allow easier access during the mowing season.

Median maintenance is performed on a 14 day schedule and up to 18 cycles are to be completed during the growing season. The frequency of mowing cycles are as follows: Mowing cycles are to be started once every 14-calendar days (i.e. March 1, March 15, March 29 etc.). If the next start day falls on a week-end, the start day will be moved to the next Monday. The growing season is typically from March to October. The schedule may be interrupted because of rainy weather, or extended as needed.

## **BACKGROUND (Continued)**

This service contract provides for year-round maintenance approximately 750 City owned and Community Housing Development Organization properties on a consistent schedule until the properties are removed from City ownership. This contract also allows for the mowing of vacant lots and residential properties where a seizure warrant or signed consent form has been obtained. If a residential property is serviced under this contract, the property owner will be billed for the cost of the service. During peak growing season (March to October), approximately 1,500 to 2,000 private properties will be serviced. Code Compliance staff monitors work of the contractor on a daily basis.

This solicitation was structured in a manner which required bidders to submit a response using unit pricing; this bid resulted in a 10.8% decrease on comparable unit prices for the bid awarded in 2010.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 211 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

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

On February 24, 2010, City Council authorized a three-year service contract for maintenance of medians, rights-of-way, vacant lots and residential properties, by Resolution No. 10-0523.

## **FISCAL INFORMATION**

\$6,167,776.00 - Current Funds (subject to annual appropriations)

## **M/WBE INFORMATION**

26 - Vendors contacted  
25 - No response  
1 - Response (Bid)  
0 - Response (No Bid)  
1 - Successful

211 M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

## **ETHNIC COMPOSITION**

### **Good Earth Corporation**

White Male	8	White Female	1
Black Male	0	Black Female	0
Hispanic Male	10	Hispanic Female	36
Other Male	0	Other Female	0

### **JBa Land Management, LLC**

White Male	1	White Female	1
Black Male	7	Black Female	1
Hispanic Male	13	Hispanic Female	1
Other Male	0	Other Female	0

## **BID INFORMATION**

The following bids were received from solicitation number BL1211 and opened on January 11, 2012. This service contract is being awarded to the lowest responsive and responsible bidders by group. Information related to this solicitation is available upon request.

\*Denotes successful bidders

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount of Bid</u></b>
*Good Earth Corporation	8202 Heinen Dr. Dallas, TX 75227	Multiple Groups
*JBa Land Management, LLC	10875 Jupiter Rd. Dallas, TX 75218	Multiple Groups
BIO Landscape & Maintenance, Inc.	8201 Scyene Rd. Dallas, TX 75227	Multiple Groups
Lawn Patrol Service, Inc.	9312 Parkview Dr. Ft. Worth, TX 76134	Multiple Groups

## **OWNERS**

### **Good Earth Corporation**

Ron Points, President

### **JBa Land Management, LLC**

John Battle, President

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a three-year service contract for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties - Good Earth Corporation in the amount of \$4,529,004 and JBa Land Management, LLC in the amount of \$1,638,772, lowest responsible bidders of four - Total not to exceed \$6,167,776 - Financing: Current Funds (subject to annual appropriations)

Good Earth Corporation is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor. JBa Land Management, LLC is a local, minority firm has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

**PROJECT CATEGORY:** Other Services

### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$5,096,299.00	82.63%
Total non-local contracts	\$1,071,477.00	17.37%
<b>TOTAL CONTRACT</b>	<b>\$6,167,776.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
JBA Land Management, LLC	BMDB51786Y1212	\$1,638,772.00	32.16%
<b>Total Minority - Local</b>		<b>\$1,638,772.00</b>	<b>32.16%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Sun Coast Resources, Inc.	WFWB50928N1012	\$1,071,477.00	100.00%
<b>Total Minority - Non-local</b>		<b>\$1,071,477.00</b>	<b>100.00%</b>

### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$1,638,772.00	32.16%	\$1,638,772.00	26.57%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$1,071,477.00	17.37%
<b>Total</b>	<b>\$1,638,772.00</b>	<b>32.16%</b>	<b>\$2,710,249.00</b>	<b>43.94%</b>



February 22, 2012

**WHEREAS**, on February 24, 2010, City Council authorized a three-year service contract for maintenance of medians, rights-of-way and vacant and residential lots by Resolution No. 10-0523;

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager is authorized to execute a service contract with Good Earth Corporation (VS0000062836) in the amount of \$4,529,004.00 and JBa Land Management, LLC (355524) in the amount of \$1,638,772.00 for grounds maintenance services for medians, rights-of-way, vacant lots and residential properties for a term of three years, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Good Earth Corporation and JBa Land Management, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Good Earth Corporation and JBa Land Management, LLC under the contract.

**Section 2.** That the City Controller is authorized to disburse funds in an amount not to exceed \$6,167,776.00 (subject to annual appropriations).

**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.



**KEY FOCUS AREA:** A Cleaner, Healthier City Environment

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Park & Recreation

**CMO:** Jeanne Chipperfield, 670-7804  
Paul D. Dyer, 670-4071

**MAPSCO:** N/A

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**SUBJECT**

Authorize a three-year service contract for litter pick up and refuse collection services at City parks - Good Earth Corporation, lowest responsible bidder of six - Not to exceed \$6,975,173 - Financing: Current Funds (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 be used for regular litter pick up and refuse collection services for parks throughout the City. Park and Recreation is responsible for more than 21,000 park acres, 17,196 acres of greenbelt/park land, and 61 miles of jogging and bike trails. This contract will allow for litter pick up and refuse collection service on a predetermined frequency established by the City ranging from daily to twice weekly. Frequency is based on the amount of traffic at any given location. This service contract also has a provision for year round emergency response and twice-daily service at many locations from March to October. Adjustments to the schedule can be made based on variable needs, such as special events and sprayground activity.

This service contract will provide for litter barrel replacement. During routine service, when the vendor observes a non-usable barrel due to rust, theft, etc., the vendor will replace the barrel. Specifications were provided for standardization of replacement barrels.

**BACKGROUND (Continued)**

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 133 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

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

On February 2, 2012, Park Board approved this item.

**FISCAL INFORMATION**

\$6,975,172.68 - Current Funds (subject to annual appropriations)

**M/WBE INFORMATION**

- 21 - Vendors contacted
- 20 - No response
  - 1 - Response (Bid)
  - 0 - Response (No Bid)
- 0 - Successful

133 M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

**ETHNIC COMPOSITION**

**Good Earth Corporation**

White Male	8	White Female	1
Black Male	0	Black Female	0
Hispanic Male	10	Hispanic Female	36
Other Male	0	Other Female	0

## **BID INFORMATION**

The following bids were received from solicitation number BL1173 and opened on November 10, 2011. This service contract is being awarded to the lowest responsive and responsible bidder by group. Information related to this solicitation is available upon request.

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount of Bid</u></b>
*Good Earth Corporation	8202 Heinen Dr. Dallas, TX 75227	Multiple Groups
JBa Land Management LLC	10875 Jupiter Rd. Dallas, TX 75218	Multiple Groups
Yielding Seed Lawn Service	3148 Pine Valley Dr. Grand Prairie, TX 75052	Multiple Groups
T. Smith's Lawn Service	1126 Oakbluff Lancaster, TX 75146	Multiple Groups
Lift Rising	5621 Parkdale Dr. Dallas, TX 75227	Multiple Groups
CTJ Maintenance, Inc.	3649 Conflans Rd. Irving, TX 75061	Multiple Groups

## **OWNER**

### **Good Earth Corporation**

Ron Points, President

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a three-year service contract for litter pick up and refuse collection services at City parks - Good Earth Corporation, lowest responsible bidder of six - Not to exceed \$6,975,173 - Financing: Current Funds (subject to annual appropriations)

Good Earth Corporation is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

**PROJECT CATEGORY:** Other Services

### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$5,315,081.68	76.20%
Total non-local contracts	\$1,660,091.00	23.80%
<b>TOTAL CONTRACT</b>	<b>\$6,975,172.68</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

None

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Sun Coast Resources Inc.	WFWB50928N1012	\$1,660,091.00	100.00%
<b>Total Minority - Non-local</b>		<b>\$1,660,091.00</b>	<b>100.00%</b>

### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$1,660,091.00	23.80%
<b>Total</b>	<b>\$0.00</b>	<b>0.00%</b>	<b>\$1,660,091.00</b>	<b>23.80%</b>

February 22, 2012

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

**Section 1.** That the City Manager is authorized to execute a service contract with Good Earth Corporation (VS0000062836) for litter pick up and refuse collection services at City parks for a term of three years in an amount not to exceed \$6,975,172.68, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Good Earth Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Good Earth Corporation under the contract.

**Section 2.** That the City Controller is authorized to disburse funds in an amount not to exceed \$6,975,172.68 (subject to annual appropriations).

**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.





**KEY FOCUS AREA:** A Cleaner, Healthier City Environment

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Code Compliance

**CMO:** Jeanne Chipperfield, 670-7804  
Joey Zapata, 670-1204

**MAPSCO:** N/A

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**SUBJECT**

Authorize a one-year service contract for wildlife trapping services on City properties - 911 Wildlife, LLC, lowest responsible bidder of two - Not to exceed \$136,850 - Financing: Current Funds

**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.

Dallas Animal Services supports prevention and habitat modification using non-lethal methods whenever possible. This service contract will be used for trapping of wildlife including:

- Bobcat
- Coyote
- Beaver
- Raccoon
- Fox

The trapping company is required to provide all personnel and supplies necessary to service this contract. Additionally, the trapping company is responsible for monitoring the traps on a regular basis to avoid animals being held for unnecessary periods of time.

As part of this service contract, the trapping company may be asked to attend homeowner association meetings, neighborhood meetings or other gatherings as a wildlife expert to educate citizens on wildlife habits or conduct question and answer sessions. These meetings will be at no cost to the City.

**BACKGROUND (Continued)**

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 76 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach. The Business Development and Procurement Services' ResourceLINK Team has submitted 911 Wildlife LLC M/WBE application for an expeditious certification process for this contract. The additional project planned M/WBE participation for this contract will be 100.00%.

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

This item has no prior action.

**FISCAL INFORMATION**

\$136,850.00 - Current Funds

**M/WBE INFORMATION**

- 14 - Vendors contacted
- 14 - No response
- 0 - Response (Bid)
- 0 - Response (No Bid)
- 0 - Successful

76 M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

**ETHNIC COMPOSITION**

911 Wildlife, LLC

White Male	1	White Female	2
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

**BID INFORMATION**

The following bids were received from solicitation number BL1203 and opened on December 7, 2011. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount of Bid</u></b>
*911 Wildlife, LLC	2220 Coit Rd. #480-220 Plano, TX 75075	\$136,850.00
Terminix International	3900 Willow St. #130 Dallas, TX 75226	Non-Responsive**

\*\*Terminix International was deemed non-responsive due to not meeting specifications.

**OWNER**

**911 Wildlife, LLC**

Bonnie Bradshaw, President

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a one-year service contract for wildlife trapping services on City properties - 911 Wildlife, LLC, lowest responsible bidder of two - Not to exceed \$136,850 - Financing: Current Funds

911 Wildlife, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

**PROJECT CATEGORY:** Other Services

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$136,850.00	100.00%
<b>TOTAL CONTRACT</b>	<b>\$136,850.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

None

#### Non-Local Contractors / Sub-Contractors

None

### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$0.00</u>	<u>0.00%</u>	<u>\$0.00</u>	<u>0.00%</u>

February 22, 2012

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

**Section 1.** That the City Manager is authorized to execute a service contract with 911 Wildlife, LLC (VS0000020079) for wildlife trapping services on City properties for a term of one year in an amount not to exceed \$136,850.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to 911 Wildlife, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by 911 Wildlife, LLC under the contract.

**Section 2.** That the City Controller is authorized to disburse funds in an amount not to exceed \$136,850.00.

**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 ITEMS # 7,8**

**KEY FOCUS AREA:** Make Government More Efficient, Effective and Economical

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Business Development & Procurement Services  
Water Utilities

**CMO:** Jeanne Chipperfield, 670-7804  
Forest E. Turner, 670-3390

**MAPSCO:** N/A

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**SUBJECT**

**Water Conservation Program**

- \* Authorize a five-year service contract for water consumption audits for industrial, commercial and institutional facilities - Alan Plummer and Associates, Inc., most advantageous proposer of four - Not to exceed \$742,309 - Financing: Water Utilities Current Funds (subject to annual appropriations)
- \* A resolution authorizing the implementation and guidelines for a rebate program for industrial, commercial and institutional water utilities customers - Not to exceed an annual budget of \$2,000,000 - Financing: Water Utilities Current funds (subject to annual appropriations)

**BACKGROUND**

This service contract will provide water consumption audits to the City's industrial, commercial and institutional (ICI) customers by helping them identify potential water savings throughout their facilities. ICI water consumption audits are included as a water conservation strategy in the City's 2010 Five-Year Strategic Plan on Water Conservation Update (Plan).

Water Conservation remains an essential element of Dallas's long range water supply strategy. In 2005, Council adopted a Five-year Strategic Plan that defined water conservation goals for Fiscal Year (FY) 2004-05 through FY 2009-10 and recommended conservation strategies to achieve those goals. From FY 2001-02 through FY 2010-11, ongoing water conservation efforts and implementation of the Plan have helped Dallas save approximately 146 billion gallons of water.

## **BACKGROUND (Continued)**

The goal of the Water Conservation Five-year Strategic Plan Update adopted by City Council June 9, 2010, by Resolution No. 10-1509, was to identify initiatives to further reduce water consumption by examining indoor/outdoor water use patterns, developing and implementing rebate and incentive programs, exploring regional planning conservation initiatives, and promoting education and outreach initiatives. The current plan targets a reduction in gallons per capita per day by an average 1.5% per year by FY 2014-15. A heavy emphasis will be placed on efforts to aid ICI customers realize their full potential for water savings and increased efficiency. To that end, professional water audits will be offered free of charge to the City's top ICI water customers. The water audits will be offered to the top 10% of the City's ICI water customers as this segment consumes 77% of total ICI water demand. The City's goal is to have the awarded contractor perform on average 45 audits annually, totaling 225 audits for the contract term. The contract also provides for follow-up inspections and verification of completed water conservation rebate projects.

The rebate effort will serve to complement and enhance the ICI Audit Initiative. By providing financial incentives that encourage large ICI water users to install new water efficient equipment, the City will help lower the cost of water efficiency investments and accelerate large volumes of water savings among high water-using customers.

The program is projected to save two million gallons per day (gd) in the second year of the Five-year Plan Update (FY 2011-12) and eight million (gd) by the fifth year (FY 2014-15). Annual water savings are projected to be 730 million gallons assuming program participation and minimum water saving goals are met. Actual water savings will vary.

Participating customers will be required to sign an agreement with the City that specifies the rebate amount, installation deadline, and other conditions to ensure that the expected water savings are achieved and maintained after the rebate has been paid. The rebate for each project shall be the lesser of half the cost of the purchase price of the equipment up to \$100,000 or \$1.00 for each gallon per day saved up to 100,000 gallons for a maximum rebate of \$100,000. Proposals in excess of \$25,000 shall require approval from the City Council.

A five member evaluation committee was selected from the following departments:

- Dallas Water Utilities (1)
- Park and Recreation (1)
- Equipment and Building Services (1)
- Business Development and Procurement Services (2)

\*Business Development and Procurement Services only evaluated the Business Inclusion and Development Plan and cost.



## **BACKGROUND (Continued)**

The successful proposer was selected by the committee on the basis of the demonstrated competence and qualifications under the following criteria:

- Cost 30%
- Experience/References 20%
- Design and Planning 20%
- Quality of Proposal - Work Plan 15%
- Business Inclusion Development (BID) 15%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1213 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

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

On February 13, 2012, the Transportation and Environment Committee is scheduled to be briefed.

On June 9, 2010, City Council authorized adoption of the Water Conservation Five-Year Strategic Plan; and the 2010 Water Conservation Plan for the City of Dallas which will be submitted to the Texas Commission on Environmental Quality by June 2010.

On April 13, 2005, City Council authorized adoption of the Water Conservation Five-Year Strategic Plan for the City of Dallas by Resolution No. 05-1221.

## **FISCAL INFORMATION**

\$2,742,309.00 - Water Utilities Current Funds (subject to annual appropriations)

## **M/WBE INFORMATION**

294 - Vendors contacted  
294 - No response  
0 - Response (Bid)  
0 - Response (No bid)  
0 - Successful

**M/WBE INFORMATION (Continued)**

1213 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

**ETHNIC COMPOSITION**

Alan Plummer Associates, Inc.

White Male	55	White Female	25
Black Male	1	Black Female	0
Hispanic Male	2	Hispanic Female	3
Other Male	3	Other Female	2

**PROPOSAL INFORMATION**

The following proposals were received from solicitation number BMZ1132 and opened on July 27, 2011. This service contract is being awarded 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>	<b><u>Amount</u></b>
*Alan Plummer Associates, Inc.	1349 Empire Central Ste. #1000 Dallas, TX 75247	88.33	\$ 742,309.00
Smart Use, LLC	1211 Roma Ave. NW. Albuquerque, NM 87102	76.63	\$ 767,155.00
WaterWise Consulting, Inc.	1147 S. Grand Ave. Glendora, CA 91740	71.77	\$1,000,000.00
Water Engineering Technologies, Inc.	710 S. 5th Ave Mansfield, TX 76063	45.16	\$1,692,000.00

**OWNER**

**Alan Plummer Associates, Inc.**

Alan R. Tucker, P.E., President  
David A. Gudal, P.E , Vice President  
Stephen J. Coonan, Secretary/Treasurer

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a five-year service contract for water consumption audits for industrial, commercial and institutional facilities - Alan Plummer and Associates, Inc., most advantageous proposer of four - Not to exceed \$742,309 - Financing: Water Utilities Current Funds (subject to annual appropriations)

Alan Plummer Associates, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

**PROJECT CATEGORY:** Other Services

### **LOCAL/NON-LOCAL CONTRACT SUMMARY**

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$60,000.00	8.08%
Total non-local contracts	\$682,309.00	91.92%
<b>TOTAL CONTRACT</b>	<b>\$742,309.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
IDA Engineering, Inc.	IMMB51253N1112	\$60,000.00	100.00%
<b>Total Minority - Local</b>		<b>\$60,000.00</b>	<b>100.00%</b>

#### **Non-Local Contractors / Sub-Contractors**

None

### **TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$60,000.00	100.00%	\$60,000.00	8.08%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
<b>Total</b>	<b>\$60,000.00</b>	<b>100.00%</b>	<b>\$60,000.00</b>	<b>8.08%</b>



February 22, 2012

**WHEREAS**, water conservation is an essential element of Dallas' Long Range Water Supply Plan; and,

**WHEREAS**, the 2005 Strategic Plan on Water Conservation was designed to achieve a reduction in gallons per capita per day by an average 1% per year from FY 2006 through FY 2010; and,

**WHEREAS**, the goal of the 2010 Five-year Strategic Plan Update is to further reduce gallons per capita per day by an average 1.5% per year from FY 2011 through FY 2014; and,

**WHEREAS**, industrial, commercial and institutional (ICI) financial rebates were identified in the 2010 Five-year Strategic Plan Update as a measure to help lower the cost of water efficiency investments and accelerate large volumes of water savings among high water using customers;

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager is authorized to set guidelines for and implement a rebate program for industrial, commercial and institutional water utilities customers with an annual budget not to exceed \$2,000,000.

**Section 2.** That the City Manager is hereby authorized to establish appropriation in the amount not to exceed \$2,000,000 in Fund 0713, Dept. DWU, Unit 7138, Obj. Code 3099.

**Section 3.** That the City Controller is authorized to transfer funds from Water Utilities Current Fund 0100; Dept. DWU; Unit 7140; Obj. Code 3099, to Water Conservation Program Fund 0713; Dept. DWU; Unit 7138; Obj. Code 3099 in an amount not to exceed \$2,000,000 (subject to annual appropriations).

**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 ITEM # 9**

**KEY FOCUS AREA:** Make Government More Efficient, Effective and Economical

**AGENDA DATE:** February 22, 2012

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

**DEPARTMENT:** City Attorney's Office  
Code Compliance

**CMO:** Thomas P. Perkins, Jr., 670-3491  
Joey Zapata, 670-1204

**MAPSCO:** N/A

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**SUBJECT**

Authorize payment of a judgment in the lawsuit styled Heather Stewart v. City of Dallas, Cause No. 05-04952-L - Not to exceed \$149,889 - Financing: Current Funds

**BACKGROUND**

Plaintiff filed a lawsuit against the City seeking compensation for the demolition of her residential structure on November 1, 2002, in accordance with an order issued by the Urban Rehabilitation Standards Board. Plaintiff is represented by Law Offices of Julius S. Staev.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

Council was briefed in Closed Session on August 3, 2011.

Council is scheduled to be briefed in Closed Session on February 15, 2012.

**FISCAL INFORMATION**

Funding for this item is budgeted in the current fiscal year.

\$149,888.64 - Current Funds





February 22, 2012

**WHEREAS**, the lawsuit styled Heather Stewart v. City of Dallas, Cause No. 02-10116-L, was filed by Heather Stewart seeking compensation from the City of Dallas for the demolition of her residential structure located at 6017 Hudson, Dallas, Texas on November 1, 2002, in accordance with an order of the Urban Rehabilitation Standards Board (URSB); and,

**WHEREAS**, the trial court upheld the URSB's order finding that the property was an urban nuisance and awarded the City \$2,266.28 in attorney fees; and,

**WHEREAS**, the trial court then severed Heather Stewart's unconstitutional taking claim under Cause No. 05-04952-L; and,

**WHEREAS**, the taking claim was tried before a jury, which awarded Stewart the amount of \$75,707.63, and the judge thereafter entered a judgment awarding her pre-judgment and post-judgment interest on that amount at a rate of 8.25 percent from October 24, 2002; and,

**WHEREAS**, the City appealed to the Dallas Court of Appeals, which affirmed the trial court, and to the Supreme Court of Texas, which affirmed 5-4 the Court of Appeals' judgment on different grounds; and,

**WHEREAS**, it is in the best interest of the City to pay the judgment; **Now, Therefore,**

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

**Section 1.** That the judgment in the lawsuit, styled Heather Stewart v. City of Dallas, Cause No. 05-04952-L, be paid to Heather Stewart with the parties agreeing to the judgement amount of \$149,888.64, which amount includes pre-judgment and post-judgment interest at a rate of 8.25 percent from October 24, 2002 and the reduction of attorney fees owed to the City.

**Section 2.** That the City Controller is authorized to pay to Heather Stewart the amount of \$149,888.64 no later than March 5, 2012, from Fund 0192, Agency ORM, Org. 3890, Obj. 3521, Vendor MVATT001.

**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.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2, 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 35 X Y Z; 45 C D

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 21465 on November 11, 1992, establishing Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District). On August 11, 1993, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 21769, as amended.

The Cityplace Area TIF District's assessed tax value in 2011 was \$477,922,738. This represents an increase of 960.5% (\$432,857,396) over the assessed value of the base year (1992) value and a 3.5% increase over last year's final value. FY 2008 was the final year of increment collection for the Cityplace Area TIF District. The entire TIF Budget was satisfied with 2008's partial collection. Since FY 2008, increment flowed directly to the City's General Fund and other participating taxing jurisdictions. In FY 2011, approximately \$3.45 million in property tax revenue will go the City's General Fund instead of the Cityplace Area TIF District Fund.

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

On November 11, 1992, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Two, the Cityplace Area TIF District by Ordinance No. 21465.

On August 11, 1993, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cityplace Area TIF District by Ordinance No. 21769, as amended.

On January 6, 2012, the Cityplace Area TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Two, ("Cityplace Area TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Cityplace area pursuant to Ordinance No. 21465, authorized by the City Council on November 11, 1992, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on August 11, 1993, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cityplace Area TIF District by Ordinance No. 21769, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded the State Comptroller; and

**WHEREAS**, on January 6, 2012, the Cityplace Area TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Two and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Two to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law.

**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.

**Cityplace Area TIF District  
FY 2011  
Annual Report**

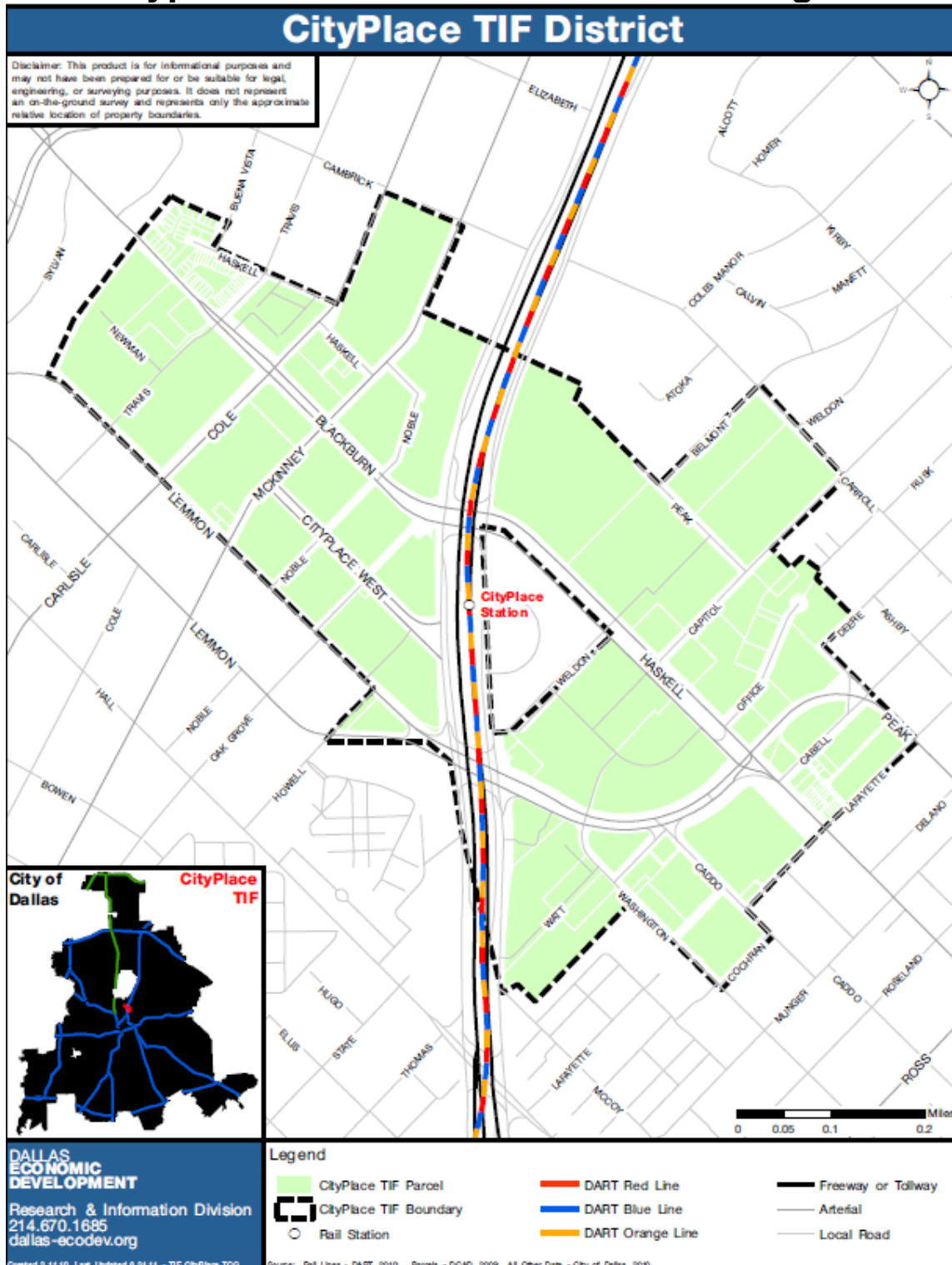


**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-1685  
<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Two Cityplace Area Tax Increment Financing District



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## Mission Statement

The mission of the Cityplace Area TIF District is to promote the redevelopment and stabilization and economic growth of the area. An accompanying goal is the stabilization and growth of the value of the area's tax base.

The Cityplace Area TIF District was established by Ordinance Number 21465 on November 11, 1992. On November 10, 1993, the City Council amended Ordinance Number 21465 by Ordinance Number 21884, which set the Cityplace Area TIF District expiration date as December 31, 2012, or when sufficient TIF revenues are collected to fund all budgeted improvements. In FY 2008, the Cityplace Area TIF District collected its final increment as the districts budgeted improvements had been sufficiently funded.

Upon establishment, the TIF District included approximately 300 acres (including right of way) of underutilized commercial and residential properties along both sides of Central Expressway generally, between Lemmon Avenue West on the South and Haskell Avenue and Peak Street on the North. The western boundary runs the length of the KATY Trail between Lemmon Avenue and Haskell Avenue (old Haskell). The Eastern boundary is generally bounded by Carroll Avenue, Peak Street, Lafayette Avenue, Cochran Street, Washington Avenue, and Thomas Street. The Office Tower at Cityplace, 2711 Haskell Avenue, was completed before the district was established and excluded from the district by the creation ordinance. Most of the developable land in the District faces Haskell Avenue, Blackburn Street, McKinney Avenue, Lemmon Avenue West and Cole Avenue; however, it is possible that one of the planned mixed use, transit oriented developments may front on Central Expressway.

The District Project Plan and Reinvestment Zone Financing Plan was approved by Ordinance Number 21769 on August 11, 1993 and subsequently amended by Ordinance Number 21931 (December 8, 1993) and Ordinance Number 22959 on November 13, 1996.

## Taxing Jurisdiction Participation

Taxing Jurisdiction participation in the District is as follows:

	TIF Collection Period	Start Date	End Date*	Participation Level	Contribution to TIF Fund (Total dollars)
<b>Participating Jurisdictions:</b>					
City of Dallas	16 years	1992	2008	100%	\$18,298,774
Dallas County	16 years	1992	2008	100%	\$5,397,044
DISD	16 years	1992	2008	\$0.43087 per \$100	\$10,955,934
DCCCD	16 years	1992	2008	100%	\$1,838,952
DCHD	16 years	1992	2008	100%	\$6,253,322
INTEREST	--	--	--	--	\$531,388
<b>TOTAL</b>					<b>\$43,275,414</b>
<b>TOTAL (NPV)</b>					<b>\$22,230,084</b>

*Note: All values are expressed in year FY 2008-2009 dollars using a discount rate of 5%. The legal TIF life is set at no longer than 20 years, but total TIF funds were collected within 16 years, \* End of increment collections.*

## District Accomplishments

The Cityplace Area TIF District continues as a catalyst for development in the mixed use neighborhood just north of downtown Dallas. West Village serves as the anchor of shopping, entertainment and residential activity. With over 125,000 square feet of retail space and 179 residential units and the Magnolia Theater, West Village provides all the amenities necessary for the growth of surrounding properties. The Mondrian (opened in 2005) has 218 upscale apartments and 25,000 square feet of retail space. Borders Book and Chase Bank (completed in 2004-05), and the completion of Gables West Village (75 residential units, 18,000 square feet of retail) and Gables Cityplace West (103 residential units, 28,000 square feet of retail) have stabilized.

During FY 2011, various amendments to the Cityplace Area TIF District Project Plan and Reinvestment Zone Financing Plan were approved by City Council. These amendments included increasing the Cityplace Area TIF budget by \$531,388 total dollars (interest earnings), increasing the Street, Utility, Intersection Improvements Budget Line Item from by \$531,388 total dollars.

The budget increase will allow the City to finalize infrastructure improvements on several remaining sites: Cityville Cityplace, 2600 N. Haskell Avenue and Cityplace Tract 6C, 3925 N. Central Expressway. Both projects were subsequently approved by City Council on April 27, 2011. No additional increment collections were required to fund the budget increase. Funds were available from interest earnings generated from

increment previously collected and bond proceeds from the three TIF Bonds previously issued in 1998, 2000, and 2004. The bonds had been repaid in full, principal and interest.

Construction continued on the a \$12 million public improvement which included the following public improvements: (i) extension of Noble Avenue from Cityplace West Boulevard to Blackburn Street; (ii) extension of Oak Grove Avenue from Cityplace West Boulevard to Blackburn Street; (iii) extension of Howell Street from Lemmon Avenue to Cityplace West Boulevard; (iv) construction of three open spaces. These improvements will provide better traffic circulation for the area, public amenities for existing developments, patrons and residents, as well as maximize the development potential of the remaining seven undeveloped parcels within the District.

## TIF Funded Developments

### Cityville Cityplace

*Rendering provided by Criterion Property Company L.P.*



### JLB Apartments

*Rendering provided by JLB Cityplace L.P.*



Cityplace TRACT 6C  
CENTRAL EXPRESSWAY





**The Mondrian at Cityplace**  
3000 Blackburn Street

**Gables West Village**  
3839 McKinney Avenue





**Gables Cityplace West**  
3636 McKinney Avenue

**The Bryson at Cityplace**  
2901 Cityplace West Boulevard



**West Village Retail & Residential**  
3615 McKinney Avenue



**Target at Cityplace Market**  
2417 N. Haskell Avenue



**Office Max at Cityplace Market**  
2415 N. Haskell Avenue



**West Village**  
3669 McKinney Avenue

<b>Cityplace Area TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Target Store	2417 N. Haskell Avenue	1993	Complete	116,480 SF Retail	\$7,423,890	\$676,000*
Office Max Cityplace Market	2415 N. Haskell Avenue	1994 - 1995	Complete	92,426 SF Retail	\$8,537,010	\$258,000
Gables at Turtle Creek	3711 Cole Avenue	1995	Complete	232 Units	\$27,000,000	\$760,000
Bryson at Cityplace	2901 W. Cityplace Boulevard	2003	Complete	232 Units	\$29,500,000	\$960,000
Mondrian at Cityplace	3000 Blackburn Street	2005	Complete	218 Units 25K SF Retail	\$38,500,000	\$1,800,000
Gables West Village	3839 McKinney Avenue	2006	Complete	75 Units 18K SF Retail	\$10,495,000	\$554,999
Gables Cityplace West	3636 McKinney Avenue	2006	Complete	103 Units 29K SF Retail	\$17,949,480	\$450,000
Criterion Development Partners	3930 McKinney Avenue	2009	Complete	371 Units 500 parking spaces	\$50,000,000	\$684,918
Blackburn Median Improvement	Blackburn Street, from Noble Ave. to Cole Ave.	2009	Complete	NA	\$113,000	\$50,000
Cityplace Infrastructure Improvement Project	District Wide	2011	Under Design	NA	\$12,000,000	\$12,000,000
<b>Subtotal</b>				<b>1,231 Units 280,906 SF Retail</b>	<b>\$201,518,380</b>	<b>\$17,517,917</b>

Projects Within TIF District Not Utilizing TIF Funding <sup>5</sup>						
Project	Location	Calendar Year Complete	Status	Units/ SF	Approx. Value	TIF Investment
Taco Bell	2404 N. Washington Avenue	1994	Complete	2,210 SF Retail	\$729,800	\$0
Treymore at Cityplace	2101 N. Haskell Avenue	1996	Complete	180 Units	\$4,500,000	\$0
Private Mini Storage	2320 N. Central Expressway	1996	Complete	90,215 SF Comm.	\$4,900,000	\$0
Treymore North	4144 Office Parkway	1997	Complete	70 Units	\$1,850,000	\$0
Exxon	2503 Lemmon Avenue	1998	Complete	3,978 SF Retail	\$1,558,750	\$0
Shurgard Storage and Retail Center	2420 N. Haskell Avenue	1998	Complete	121,707 SF Retail/Comm.	\$4,538,850	\$0
Whataburger	2428 N. Haskell Avenue	1998	Complete	2,422 SF Retail	\$940,000	\$0
Bank of America	2500 N. Haskell Avenue	1998	Complete	3,500 SF Comm.	\$1,680,000	\$0
Porto Belo by the Creek	3301 Blackburn Street	1998	Complete	31 Units	\$12,839,330	\$0
The Park at Turtle Creek	3377 Blackburn Street	1998	Complete	308 Units	\$40,000,000	\$0
AMLI at Cityplace	2403 N. Washington Avenue	2000	Complete	244 Units	\$19,611,880	\$0
City Gates	4108 Office Parkway	2001	Complete	32 Units	\$3,575,880	\$0
West Village Mixed Use	3699 McKinney Avenue	2001	Complete	179 Units 125K SF Retail	\$51,835,830	\$0



Drexel Grand	3303 Blackburn Street	2002	Complete	28 Units	\$6,883,380	\$0
Perry Homes Town Homes	S. Haskell & Office Parkway	2002	Complete	31 Units	\$4,117,756	\$0
Cascada Town Homes	3334-68 Blackburn Street	2003	Complete	22 Units	\$19,532,040	\$0
Borders Books/Chase Bank	3600 McKinney Avenue	2004	Complete	26,500 SF Retail/Comm.	\$4,500,000	\$0
Valencia Town Homes	Blackburn Street and Cole Avenue	2007	Complete	56 Units	\$20,374,858	\$0
JLB Apartments	3925 N. Central Expressway	2013	Planned	294 Units	\$50,000,000	TBD
Cityville at Cityplace	2600 N. Haskell Avenue	2013	Planned	281 Units 68K SF Retail	\$50,000,000	TBD
<b>Property Built/Demolished during term of TIF District – No Net Change</b>						
Lowes Theater	2600 N. Haskell Avenue	1996	Demolished	(210,000 SF Retail)	(\$7,977,000)	\$0
Hank Haney Golf Center	3636 McKinney Avenue	1993	Relocated	N/A	(\$6,068,280)	\$0
<b>Subtotal</b>				<b>1,756 Units 443,532 SF Retail/Comm.</b>	<b>\$289,923,074</b>	<b>\$0</b>
<b>Total – All Projects Utilizing and Not Utilizing TIF Funding</b>						
<b>Total</b>				<b>2,987 Units 724,438 SF Retail/Comm.</b>	<b>\$491,441,454</b>	<b>\$17,517,917</b>
<p><sup>1</sup> All information updated as of September 30, 2011.</p> <p><sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.</p> <p><sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.</p> <p><sup>4</sup> Principal amounts not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown.</p> <p><sup>5</sup> Selected significant projects included.</p>						

## Value and Increment Revenue Summary

The Cityplace Area TIF District's 2011 assessed value, as determined by the Dallas Central Appraisal District, was \$477,922,738. This represents an increase of 960.5% (\$432,857,396) over the base year (1992) and a 3.50% increase (\$16,254,975) over the previous year's (2010) total assessed value.

FY 2008 was the final year of increment collection for the Cityplace TIF District. The entire TIF Budget of \$43,275,414 total dollars was satisfied with 2008's partial collection. FY 2011's increment flowed directly to the City's General Fund and other participating taxing jurisdictions. In 2011, approximately \$3.45 million in property tax revenue will go the City's General Fund instead of the Cityplace Area TIF District Fund.

## Objectives, Programs, and Success Indicators

On November 11, 1992, City Council approved Ordinance No. 21465 which created Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District). The Cityplace Area Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan were approved by the City Council on August 11, 1993 (Ordinance No. 21769). The Project Plan was amended December 1993 (Ordinance No. 21031) and in November 1996 (Ordinance No. 22959). The development objectives of the plan are:

- Complete a program of infrastructure replacement and enhancement to provide a "foundation for development".
- Encourage residential development, including apartments and townhouses.
- Provide opportunities for retail uses supporting neighborhood needs.
- Permit development of high-rise office/commercial/high-density residential use buildings along the freeway frontages.
- Encourage high standards of environmental excellence throughout the area.

The public infrastructure improvements planned and constructed for the Cityplace Area TIF District are designed to meet the long-term circulation, lighting, utility and physical amenity needs of the area. Specific improvements include:

- **Central Expressway Bridges**  
*Construction was completed on this project in 2001.*



- **Street, Utility and Intersection Improvements**  
*TIF Funds were used to fund construction of utility upgrades. TIF funds were used to construct the following streets: Caddo Street, Cityplace West Boulevard, McKinney Avenue, Cole Avenue, Blackburn Mall, and Noble Avenue. Remaining projects in this category that have been approved for funding by the TIF District and will be constructed by Oak Creek Partners are (1) extension of Nobel Avenue from Cityplace West Boulevard to Blackburn Street; (2) extension of Oak Grove Avenue from Cityplace West Boulevard to Blackburn Street; (3) extension of Howell Street from Lemmon Avenue to Cityplace West Boulevard. Construction of these street extensions began during FY 2011.*

### Cityplace West Boulevard



- **Blackburn Mall**  
*Streetscape construction completed in March 2001. Additional streetscape improvements for two medians in Blackburn Street were made by the Uptown Improvement District in 2009.*



- **Extension of the McKinney Avenue Trolley Service**  
*The extension of the McKinney Avenue Trolley was completed during the first quarter of calendar year 2002. The trolley extension provides trolley service to the Cityplace DART station. During FY 2011 construction started on a turntable for the McKinney Avenue Trolley that will facilitate transit riders transferring to and from the Cityplace subway station and the McKinney Avenue Trolley. The turntable will be located at the intersection Cityplace West Boulevard and the south bound service road of North Central Expressway.*



- **East Side Retail Entry**  
*Project will not be needed due to signage currently in place.*
- **Historic Freedman's Park and Cemetery**  
*The Freedman's Memorial opened in 1999.*



- **DART Improvements**  
*DART's Cityplace light rail station opened in December 2000. During FY 2011, construction began on the renovation of the existing DART portal to the Cityplace subway station. A plaza, along with a trolley turntable will be constructed providing an inter-modal link between the DART Light Rail Station, DART Bus Service and the McKinney Avenue Trolley.*



- **KATY Trail Improvements**

*Basic improvements for KATY Trail were funded by sources other than the Cityplace Area TIF District. The trail opened in 2000. A TIF request for additional funding for Cityplace KATY Entryway to the Trail was approved by the TIF Board and funding in the amount of \$250,000 was provided. These preliminary entryway improvements were completed during the second quarter 2004-2005. Additional right of way and land acquisition was made in 2007. Due to delays in property acquisition, design changes and renegotiations of project pricing based on multiple design changes, the improvements were completed in the 1<sup>st</sup> quarter of 2011.*

- **Improvements for Area DISD Schools**

*A new 30,000 square foot parking lot was constructed at the corner of Haskell and Cole Avenues in front of North Dallas High School to improve parking availability on campus. TIF participation included the reimbursement of expenditures for land conveyance and construction of the parking lot. In August 1999, two lots were purchased on Haskell Avenue across from North Dallas High*

*TIF participation included the reimbursement of land acquisition costs. Concepts were developed and discussed during 2005-2006, which involved improvements to North Dallas High School and the possible construction of common area improvements and additional educational facilities. The TIF District funded the abandonment of approximately \$92,000 in right-of-way space acquisition costs related to the old Haskell Avenue trace near the front of North Dallas High School. During 2007, the City Council approved a development agreement allowing TIF funding of \$1,097,987 for public and facility improvements at North Dallas High School. The project was completed during FY 2010.*

- **Improvement of J. W. Ray Park**

*Park improvements were completed in late Summer 2003. The TIF Board, as agreed, provided an additional \$20,000 for more improvements as the Parks Department found additional funding to complete the planned improvements. The Parks Department met with neighborhood representatives to better meet community needs and desires regarding the improvements. Additional improvements were identified by the Parks Department during FY 2005-2006, the additional funds were provided and the improvements were constructed.*

- **Improvements to Public Open Space**

*Cityplace West Boulevard is lighted and lined with red oak and burgundy sweet gum trees. The roadway features a landscaped center median with a trolley line and will include the future development of a plaza and turntable at the terminus of the trolley line at the Cityplace DART Light Rail Station. Both Gables West Village and Gables Cityplace West provided numerous pedestrian amenities and streetscape along Blackburn Street and Cityplace West Boulevard. Construction on three new open spaces began during FY 2011 and is anticipated to be completed December 31, 2012. The open spaces are listed below:*

### 1. Gateway Plaza

- A 12,188 square foot area at the southwest corner of the intersection of Blackburn Street and south bound service road of North Central Expressway
- Will create an entry feature for the primary entrance for Uptown and the West Village area from North Central Expressway
- This intersection improvement will consist of heavy landscaping, complimentary to the existing landscaped medians in Blackburn Street



### 2. McKinney Junction

- A 4,462 square foot area located at the southeast corner of the intersection of Blackburn Street and McKinney Avenue.
- This intersection is a gateway to the West Village mixed use development
- Will provide an opportunity for seating, shade and public art at an intersection surrounded by dense, mixed use development.



### 3. Station Square

- A 17,350 square foot open space at the intersection of Cityplace West Boulevard and the south bound service road of North Central Expressway
- The open space will include a trolley turntable and upgraded DART station portal.



## Year-End Summary of Meetings

From October 1, 2010, through September 30, 2011, the Cityplace Area Board of Directors met two (2) times, January, 19, 2011 and September 29,. During FY 2010, the Cityplace Area TIF District Board consisted of the following members:

Jason Mayes – City Representative (Attended 1 of 2 meetings)  
Robert Ivey – City Representative (Attended 1 of 2 meetings)  
Kenneth Steinhardt – City Representative (Attended 2 of 2 meetings)  
Barry Annino – City Representative (Attended 2 of 2)  
Thomas Burleson – City Representative (Attended 2 of 2)  
Rick Loessberg – Dallas County Representative (Attended 1 of 2 meetings)  
Orlando Alameda – DISD Representative (Attended 1 of 2 meetings)  
Hector Flores – DISD Representative (Attended 1 of 2 meetings)  
Vacant – Dallas County Hospital District (DCHD)  
Vacant – Dallas County Community College District (DCCCD)

During FY 2011, the City Council approved ten (10) items directly or indirectly associated with the Cityplace Area TIF District. The council actions are listed below.

- On December 8, 2010, the City Council approved Resolution 10-3026/ Ordinance No. 28063, abandoning a portion of CityPlace West Boulevard to Blackburn Central Holdings, L.P., the abutting owner, containing approximately 1,452 square feet of land located near its intersection with U.S. Highway 75, authorizing the quitclaim, and providing for the dedication of approximately 16,997 square feet of land needed for street right-of-way.
- On February 23, 2011, the City Council approved Resolution 11-0521, accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.



- On April 13, 2011, the City Council approved Resolution 11-1005, authorizing a public hearing to be held on April 27, 2011 to receive comments to consider an amendment to the Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: increase the total Cityplace Area TIF budget from \$22,046,000 NPV (\$42,744,026 total dollars) to \$22,230,084 NPV (\$43,275,414 total dollars), an increase of \$184,084 NPV (\$531,388 total dollars); increase the Street, Utility, Intersection Improvements Budget Line Item from \$7,339,091 NPV (\$21,536,501 total dollars) to \$7,523,175 NPV (\$22,067,889 total dollars), an increase of \$184,084 NPV (\$531,388 total dollars); and update Table 2 - Budget for Cityplace Area Infrastructure Improvements to reflect these amendments under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the public hearing, consideration of an ordinance amending Ordinance Nos. 21465 and 21769 to reflect these amendments.
- On April 27, 2011, the City Council approved Resolution 11-1160, authorizing a public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge, or tavern on property within Sub-district C of the West Mixed Use Sub-zone of Planned Development District No. 305, the City Place Planned Development District, in an area generally bounded by Cole Avenue, East Lemmon Avenue, McKinney Avenue and southwest of Blackburn Street.
- On April 27, 2011, the City Council approved Resolution 11-1174, authorizing a public hearing to receive comments on an amendment to the Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: increase the total Cityplace Area TIF budget from \$22,046,000 NPV (\$42,744,026 total dollars) to \$22,230,084 NPV (\$43,275,414 total dollars), an increase of \$184,084 NPV (\$531,388 total dollars); increase the Street, Utility, Intersection Improvements Budget Line Item from \$7,339,091 NPV (\$21,536,501 total dollars) to \$7,523,175 NPV (\$22,067,889 total dollars), an increase of \$184,084 NPV (\$531,388 total dollars); and update Table 2 - Budget for Cityplace Area Infrastructure Improvements to reflect these amendments under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311).
- On April 27, 2011, the City Council approved Resolution 11-1174/ Ordinance No. 28189, amending Ordinance Nos. 21465 and 21769, passed on November 11, 1992 and August 11, 1993, respectively, to: increase the total Cityplace Area TIF budget from \$22,046,000 NPV (\$42,744,026 total dollars) to \$22,230,084 NPV (\$43,275,414 total dollars), an increase of \$184,084 NPV (\$531,388 total dollars); increase the Street, Utility, Intersection Improvements Budget Line Item from \$7,339,091 NPV (\$21,536,501 total dollars) to \$7,523,175 NPV (\$22,067,889 total dollars), an increase of \$184,084 NPV (\$531,388 total

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dollars); and update Table 2 - Budget for Cityplace Area Infrastructure Improvements to reflect these amendments under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311).

- On April 27, 2011, the City Council approved Resolution 11-1175, authorizing a development agreement with JLB Cityplace, L.P., to dedicate future TIF revenues supporting the development of Cityplace Tract 6C located at 3925 North Central Expressway located in Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District); and the Cityplace Area TIF District Board of Directors to dedicate up to \$815,930 from future Cityplace Area TIF District revenues in accordance with the development agreement.
- On April 27, 2011, the City Council approved Resolution 11-1176, declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to reimburse JLB Cityplace, L.P., for eligible expenditures pursuant to the development agreement with JLB Cityplace, L.P.
- On April 27, 2011, the City Council approved Resolution 11-1177, authorizing a development agreement with Cityville Dallas Haskell Limited Partnership to dedicate future TIF revenues supporting the Cityville Cityplace development at 2600 North Haskell Avenue located in Tax Increment Financing Reinvestment Zone Two (Cityplace Area TIF District); and the Cityplace Area TIF District Board of Directors to dedicate up to \$813,979 from Cityplace Area TIF District revenues in accordance with the development agreement.
- On April 27, 2011, the City Council approved Resolution 11-1178, declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to reimburse Cityville Dallas Haskell Limited Partnership for eligible expenditures pursuant to the development agreement with Cityville Dallas Haskell Limited Partnership

## **Pending TIF Items**

- Consideration of the FY 2011 Cityplace TIF District Annual Report and a recommendation to the Dallas City Council for approval.

## Budget and Spending Status as of September 30, 2011

<b>Cityplace Area TIF District</b>				
<b>Projected Increment Revenues to Retire TIF Fund Obligations</b>				
<b>Category</b>	<b>TIF Budget<sup>1</sup></b>	<b>Expended<sup>2</sup></b>	<b>Allocated<sup>2</sup></b>	<b>Balance<sup>2</sup></b>
Central Expressway Bridges	\$2,585,909	\$2,585,909	\$0	\$0
Street, Utility, Intersection Improvements	\$22,067,889	\$11,651,758	\$8,686,223	\$1,729,908
Blackburn Mall	\$3,500,000	\$3,450,000	\$50,000	\$0
DART	\$3,500,000	\$3,500,000	\$0	\$0
Extension of McKinney Avenue Trolley	\$1,000,000	\$1,000,000	\$0	\$0
East Side Retail Entry <sup>3</sup>	\$0	\$0	\$0	\$0
Freedman's Park and Cemetery	\$50,000	\$50,000	\$0	\$0
Improvement of J. W. Ray Park <sup>4</sup>	\$0	\$0	\$0	\$0
Improvements for DISD Schools	\$2,633,806	\$1,535,819	\$1,097,987	\$0
Improvements to Katy Trail <sup>3</sup>	\$0	\$0	\$0	\$0
Improvements to Public Open Spaces	\$7,026,548	\$3,605,408	\$3,421,140	\$0
Administration and Implementation	\$911,262	\$755,677	\$155,585	\$0
<b>Totals</b>	<b>\$43,275,414</b>	<b>\$28,134,571</b>	<b>\$13,410,935</b>	<b>\$1,729,908</b>

<sup>1</sup>Budget shown in current dollars; TIF Project Plan shows the budget in net present value.

<sup>2</sup>Includes all interest accrued as of the end of FY 2011.

<sup>3</sup>Amounts for Improvements to Katy Trail and East Side Retail Entry were included in Street, Utility, and Intersection Improvements.

<sup>4</sup>Amount for J. W. Ray Park was included in Improvements for DISD.

<b>Cityplace Area TIF District Project Plan Budget</b>	
<b>Category</b>	<b>TIF Budget*</b>
Central Expressway Bridges	\$2,585,909
Street, Utility, Intersection Improvements	\$7,523,175
Blackburn Mall	\$3,500,000
DART	\$3,500,000
Extension of McKinney Avenue Trolley	\$1,000,000
East Side Retail Entry	\$0
Freedman's Park and Cemetery	\$50,000
Improvement of J. W. Ray Park	\$0
Improvements for DISD Schools	\$2,571,000
Improvements to Katy Trail	\$0
Improvements to Public Open Spaces	\$1,500,000
<b>Total Project Costs (excluding interest)</b>	<b>\$22,230,084</b>
<i>* As approved in the Project Plan and Reinvestment Zone Financing Plan in 1992 dollars.</i>	

<b>Cityplace Area TIF M/WBE Participation</b>			
<b>Project</b>	<b>Contractor</b>	<b>Contract Award Amount</b>	<b>Percentage Minority Participation</b>
Bridges		\$2,585,090	N/A - Funded as Grants; no MWBE Requirement
DART		\$3,500,000	N/A - Funded as Grants; no MWBE Requirement
Katy Trail Extension	Jeske Construction	\$1,953,891	N/A - Funded as Grants; no MWBE Requirement
Villas at Cityplace/Gables	Jim Bowman	\$642,074	47.04%
Office Max	Con-Real Support Group	\$133,504	88.67%
DISD Parking Lot Construction	Allied Builders	\$295,000	74.46%
Blackburn Street	Ed Bell Construction	\$1,813,981	26.12%
Blackburn Street	Ed Bell Construction	\$1,210,731	17.92%
Freedman's Cemetery	Henneberger Constuction	\$500,000 TIF \$ (\$222,000)	5.98%
Cityplace West Boulevard	Tiseo Paving Company	\$2,049,536	16.25%
McKinney Avenue Trolley	Texas Sterling Construction	\$900,000 TIF \$ (\$5,821,788)	25.07%
Fairfield Residential	Gibson and Associates, Inc.	\$960,000	10.53%
Mondrian At Cityplace	North Texas Contracting	\$1,149,271	19.43%
Gables West Village	Meztec Contractors	\$279,257	27.56%
Gables Cityplace West	Texas Standard Construction	\$382,496	19.26%
The Monterey (Criterion)	Charles Martin Enterprises Inc.	\$300,219	31.00%
Infrastructure Project	LH Lacy Construction	\$2,153,365	25.25%
Streets & Utilities	EMJ Corporation	\$2,984,995	27.00%
Urban Parks	JE Dunn Construction	\$763,117	25.70%
DART Portal Renovation			
<b>Total</b>			<b>27%</b>

<b>Cityplace Area TIF District - Status of TIF Bond Sales and Repayment</b>			
<b>Bond Sales</b>	<b>Principal + Interest</b>	<b>Total Paid</b>	<b>Balance Due</b>
Series 1998 \$5,000,000	\$7,060,959	\$7,060,959	\$0
Series 2000 \$7,600,000	\$10,054,791	\$10,054,791	\$0
Series 2004 \$7,500,000	\$8,553,682	\$8,553,682	\$0
Totals	\$25,669,433	\$25,669,433	\$0

## FY 2012 Work Program

- **Infrastructure Development** – Work closely with Oak Creek Partners on the Cityplace Infrastructure Improvement Project.
- **Marketing and Development** – Continue to seek growth in the District through attraction of mixed-use, high-density development. Update completed marketing brochure for the Cityplace TIF District
- **By-laws** – Update By-laws for Cityplace Area TIF District to reflect changes in board composition and the design review process.

## Appendix A – Financials

**City of Dallas, Texas,**  
**Cityplace Tax Increment Financing District**  
Notes to Basic Financial Statements  
September 30, 2011  
(Unaudited)

### (1) Significant Accounting Policies

#### (a) Basis of Accounting

The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.

#### (b) Ad Valorem Tax

State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent). **The Zone stopped collecting tax increment starting in fiscal year 2009-10 (tax year 2009) as it met its funding obligations with the final increment collection in fiscal year 2008-09 for tax year 2008 in accordance with the TIF Project Financing Plan.**

#### (c) Pooled Cash

The Zone's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.

#### (d) Administrative Costs

The Zone's Project Plan and Reinvestment Zone Financing Plan ("Plan") provides for staffing and other administrative expenses by the City of Dallas over the life of the TIF, from fiscal years 1993 to 2012, for a total amount not to exceed of \$911,262 (in Current \$). The Zone began reimbursing the General Fund for administrative costs in FY 1997-1998. Administrative expenses of the Zone are based on hourly staff time related to the implementation of the Cityplace Area TIF District Plan.

### (2) Long-Term Debt

The City of Dallas, Texas Tax Increment Financing Reinvestment Zone Number Two Tax Increment Bond Series 1998, 2000 and 2004 were redeemed in fiscal year 2009-10. The Zone had no bonded indebtedness at September 30, 2011.

### (3) Developers' Advances

The Zone had no developer advances outstanding as of September 30, 2011.



City of Dallas, Texas  
 Cityplace Tax Increment Financing District Fund  
 Balance Sheet as of September 30, 2011 (Unaudited)  
 With Comparative Totals for September 30, 2010 (Audited)

	Capital Projects	Debt Service	Totals	
			2011	2010
<b>Assets:</b>				
Pooled cash and cash equivalents	\$10,754,557	\$8,602	\$10,763,159	\$16,172,053
Interest receivable	\$33,094	\$26	\$33,119	\$83,894
<b>Total assets</b>	<b>\$10,787,651</b>	<b>\$8,627</b>	<b>\$10,796,278</b>	<b>\$16,255,946</b>
<b>Liabilities and Fund Balance (Deficit):</b>				
<b>Liabilities:</b>				
Accounts and contracts payable	\$1,335,055	\$398	\$1,335,453	\$114,999
Accrued liability	\$5,389	\$0	\$5,389	\$5,389
<b>Total liabilities</b>	<b>\$1,340,444</b>	<b>\$398</b>	<b>\$1,340,842</b>	<b>\$120,388</b>
<b>Fund Balance (Deficit)</b>	<b>\$9,447,206</b>	<b>\$8,229</b>	<b>\$9,455,435</b>	<b>\$16,135,558</b>
<b>Total Liabilities and Fund Balance</b>	<b>\$10,787,650</b>	<b>\$8,627</b>	<b>\$10,796,278</b>	<b>\$16,255,946</b>
	(\$0)	(\$0)	(\$0)	\$0

Cityplace Tax Increment Financing District Fund  
 Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
 For Year Ended September 30, 2011 (Unaudited)  
 With Comparative Totals for Year Ended September 30, 2010 (Audited)

	Capital Projects	Debt Service	Totals	
			2011	2010
<b>Revenues:</b>				
Tax increment-Governmental	\$0	\$0	\$0	\$0
Tax increment-Intergovernmental	\$0	\$0	\$0	\$0
Interest income	\$96,146	\$43	\$96,189	\$368,994
Net increase (decrease) in fair value of investments	(\$8,328)	\$4	(\$8,325)	(\$232,822)
<b>Total revenues</b>	<b>\$87,818</b>	<b>\$47</b>	<b>\$87,865</b>	<b>\$136,172</b>
<b>Expenditures:</b>				
Administrative expenses	\$67,211	\$0	\$67,211	\$42,702
Non-capital outlay	\$1,747	\$0	\$1,747	\$5,251
Capital outlay (1)	\$6,695,942	\$0	\$6,695,942	\$2,386,184
Principal retirements	\$0	\$0	\$0	\$5,400,000
Interest and fiscal charges	\$3,090	\$0	\$3,090	\$221,858
<b>Total expenditures</b>	<b>\$6,767,989</b>	<b>\$0</b>	<b>\$6,767,989</b>	<b>\$8,055,995</b>
<b>Excess(deficiency) of revenues over(under) expenditures</b>	<b>(\$6,680,171)</b>	<b>\$47</b>	<b>(\$6,680,124)</b>	<b>(\$7,919,823)</b>
<b>Other financing sources (uses):</b>				
Proceeds of bonds	\$0	\$0	\$0	\$0
Transfer out	\$0	\$0	\$0	(\$2,908,048)
Transfer in	\$0	\$0	\$0	\$2,908,048
<b>Total other financing sources</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Excess (deficiency) of revenues and other financing sources over (under) expenditures and other uses</b>	<b>(\$6,680,171)</b>	<b>\$47</b>	<b>(\$6,680,124)</b>	<b>(\$7,919,823)</b>
<b>Fund balance (deficit) at beginning of year</b>	<b>\$16,127,377</b>	<b>\$8,182</b>	<b>\$16,135,559</b>	<b>\$24,055,381</b>
<b>Fund balance (deficit) at end of year</b>	<b>\$9,447,206</b>	<b>\$8,229</b>	<b>\$9,455,435</b>	<b>\$16,135,558</b>

(1) Capital outlay during the fiscal year was for the following projects:

Noble/Oak Grove/Howell Public Improvements	\$6,695,942
Katy Trail Public Improvements	\$0
<b>Total Capital Outlay</b>	<b>\$6,695,942</b>

Note: Fiscal year 2010-11 unaudited financial statements are based on 13th close numbers and are subject to review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.

City of Dallas, Texas  
 Cityplace Tax Increment Financing District  
 Reinvestment Zone Number Two  
 As of September 30, 2011

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

1. Amount and source of revenue in the tax increment fund established for the zone:

\$87,865	Interest Income
<u>\$0</u>	Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Certified Tax Roll)
<u>\$87,865</u>	Total Revenue

2. Amount and purpose of expenditures from the fund:

\$67,211	Administrative Expense
\$1,747	Non-capital outlay
\$6,695,942	Capital outlay *
\$0	Principal retirements
<u>\$3,090</u>	Interest and fiscal charges
<u>\$6,767,989</u>	Total Expenditures

\* Capital outlay was for the following projects:

Noble/Oak Grove/Howell Public Improvements	\$6,695,942
Katy Trail Public Improvements	\$0
<b>Total Capital Outlay</b>	<b>\$6,695,942</b>

3. The Zone has repaid all outstanding developer obligations as detailed below:

Project Description	Balance Due (Since Inception)			Payments To Date			Net Bal. Due
	Accrued			Accrued			
	Principal	Interest	Total Due	Principal	Interest	Total Paid	
Target	\$675,288	\$281,566	\$956,854	\$675,288	\$281,566	\$956,854	\$0
Villas of Cityplace #1	\$642,074	\$155,669	\$797,743	\$642,074	\$155,669	\$797,743	\$0
Villas of Cityplace #2	\$112,784	\$24,994	\$137,778	\$112,784	\$24,994	\$137,778	\$0
Office Max Project	\$212,956	\$62,603	\$275,559	\$212,956	\$62,603	\$275,559	\$0
DISD Land Conveyance	\$892,780	\$157,172	\$1,049,952	\$892,780	\$157,172	\$1,049,952	\$0
North Central Bridges	\$2,585,909	\$287,103	\$2,873,012	\$2,585,910	\$287,103	\$2,873,013	\$0
Blackburn Avenue	\$2,875,512	\$393,496	\$3,269,008	\$2,875,512	\$393,496	\$3,269,008	\$0
Freedman's Cemetery	\$50,000	\$5,666	\$55,666	\$50,000	\$5,667	\$55,667	\$0
DISD Parking Lot	\$295,500	\$47,416	\$342,916	\$295,500	\$47,416	\$342,916	\$0
DISD Land Acquisition	\$375,000	\$21,412	\$396,412	\$375,000	\$21,412	\$396,412	\$0
Cityplace West Blvd.	\$2,049,536	\$45,810	\$2,095,346	\$2,049,536	\$45,810	\$2,095,346	\$0
Cityplace Apartments-Fairfield	\$960,000	\$109,843	\$1,069,843	\$960,000	\$109,843	\$1,069,843	\$0
Cityplace Station-DART	\$1,244,418	\$102,642	\$1,347,060	\$1,244,418	\$102,642	\$1,347,060	\$0
Mondrian at Cityplace	\$1,800,000	\$213,412	\$2,013,412	\$1,800,000	\$213,412	\$2,013,412	\$0
Gables at Cityplace West	\$450,000	\$21,378	\$471,378	\$450,000	\$21,378	\$471,378	\$0
Gables at West Village	\$554,999	\$16,298	\$571,297	\$554,999	\$16,298	\$571,297	\$0
<b>Totals</b>	<b>\$15,776,756</b>	<b>\$1,946,480</b>	<b>\$17,723,236</b>	<b>\$15,776,757</b>	<b>\$1,946,479</b>	<b>\$17,723,236</b>	<b>\$0</b>

4. Amount of Principal and Interest due-on outstanding indebtedness:

A. The Zone has redeemed all its outstanding bond obligations and had no bonded indebtedness at September 30, 2011.

B. The Zone collected its final tax increment in fiscal year 2008-09 for tax year 2008 as it has met its funding obligations in accordance with the TIF Project Financing Plan. Beginning with fiscal year 2009-10, all tax increment generated by each participating tax jurisdiction will go into their respective General Fund.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 1, 3  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 44 V Y Z 45 S W 54D 55A

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as to the State Comptroller. The City Council approved Ordinance No. 21466 on November 11, 1992, establishing Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), as amended. On February 12, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 23724, as amended.

The TIF District's assessed 2011 tax value is \$95,327,598, an increase of \$55,229,975 (137%) over the adjusted base year value (1992) and a decrease of \$3,644,895 (3.7%) from the previous year's (2010) final total assessed value.

With the participation of the City, Dallas County, Dallas Independent School District, Dallas County Hospital District and the Dallas County Community College District, this increase will result in the collection of approximately \$1,289,379 total in incremental revenue for the Oak Cliff Gateway TIF District for the 2011 tax year.

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

On November 11, 1992, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Three, the Oak Cliff Gateway TIF District by Ordinance No. 21466, as amended.

On February 12, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Oak Cliff Gateway TIF District by Ordinance No. 23724, as amended.

On January 11, 2012, the Oak Cliff Gateway TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 17 of the City's 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District) and established a Board of Directors for the District to promote development or redevelopment in the Oak Cliff Gateway area pursuant to Ordinance No. 21466, authorized by the City Council on November 11, 1992, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code as amended; and

**WHEREAS**, on February 12, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Oak Cliff Gateway TIF District by Ordinance No. 23724, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on January 11, 2012, the Oak Cliff Gateway TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Three and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Three to the Chief Executive Officers of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law.

**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.

# Oak Cliff Gateway TIF District FY 2011 Annual Report



Rendering and photograph provided by Lang Partners, LLC



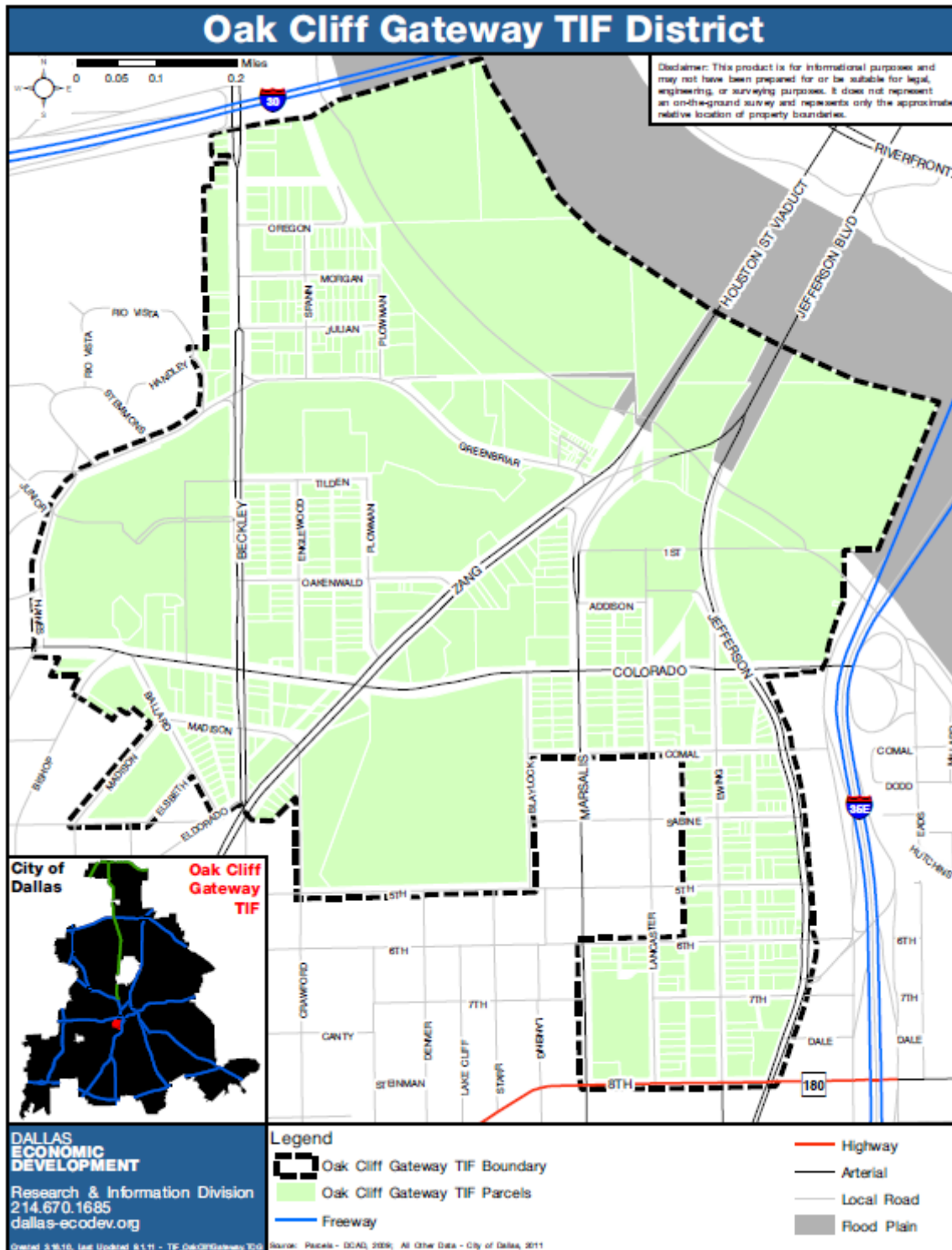
**City of Dallas**  
Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-4551  
<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

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# Reinvestment Zone Number Three Oak Cliff Gateway Tax Increment Financing District





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## Mission Statement

The mission of Oak Cliff Gateway Tax Increment Financing District is the promotion of the redevelopment, growth and stabilization of the area. Accompanying goals are (1) growth of the value of the area's tax base through the promotion of residential and retail development and a positive reversal of urban decay through the placement of critical infrastructure improvements; (2) implementation of the pertinent recommendations of the Urban Land Institute (ULI) Study on the tracts of land composing the northern and northwestern portions of the district, and (3) establishment of direct linkages with the Trinity River Corridor and the capitalization of that effort toward growth and increased tax base value in the district.

The district was created by City Council Ordinance Number 21466, November 11, 1992. The district was created for a period of twenty (20) years with an expiration date of December 31, 2012. On February 12, 1997, the City Council, by Ordinance Number 23033, approved the project Plan and Reinvestment Zone Financing Plan, as amended.

The Plan was amended in 2009 to extend the term of the district for an additional 10 years. This amendment increased the budget from \$5,285,263 to \$10,066,977 (1992 dollars), increased the area of the district, created a TIF grant program, and decreased the participation rate of the taxing jurisdictions for the extension period. In addition, the base value was adjusted from \$38,570,128 to \$40,097,623 to account for the additional property added to the district.

## District Accomplishments

During FY 2011, construction commenced on Zang Triangle, a mixed use development with 256 residential units and approximately 3,000 square feet of flex space. It's located at the intersection of Zang Boulevard and Plowman Avenue.

<b>Oak Cliff Gateway TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Walgreens	1306 North Beckley Avenue	1999	Complete	8,010 SF retail	\$1,397,780	\$38,976
Oak Cliff TIF Infrastructure Project	Greenbriar Lane (Beckley to Zang)	2004	Complete	N/A	N/A	\$1,964,830
Lake Cliff Tower Residential	329 East Colorado Boulevard	2006	Complete	53 units	\$8,585,408	\$3,600,000*
Grand Bank Lake Cliff Tower Commercial	1300 North Zang Boulevard	2008	Complete	6,000 SF commercial	\$1,940,900	\$0 <sup>8</sup>
Bishop Colorado Retail Plaza	1222 North Bishop Avenue	2009	Complete	15,000 SF retail	\$2,450,000	\$350,000
Zang Triangle	1335 N. Zang Boulevard	2012	Under Construction	256 units 3,000 retail	\$32,000,000	\$7,250,000
<b>Subtotal</b>				309 units 32,010 SF retail/ commercial	<b>\$46,374,088</b>	<b>\$13,203,806</b>

<b>Projects Within TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF</b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment</b>
The Catering Company	1407 North Zang Boulevard	1998	Complete	3,200 SF retail	\$351,290	\$0
K-Clinic	214 W. Colorado Boulevard	1998	Complete	5,000 SF medical office	\$446,940	\$0
Oak Cliff Academy, Inc.	808 N. Ewing Avenue	2000	Complete	32,500 SF school	\$4,966,000	\$0
Oak Farms Dairy Expansion	1016 North Lancaster	2000	Complete	60,000 SF industrial	\$2,065,730	\$0
Options Real Estate Holdings	1322 North Beckley Avenue	2002	Complete	2,756 SF office	\$238,120	\$0
Grand Peaks at Kessler Park	1520 North Beckley Avenue	2002	Complete	336 units	\$22,063,530	\$0

John Barr & Associates Expansion	203 E. Colorado Boulevard	2003	Complete	19,449 SF office	\$694,330	\$0
Grand Peaks at Founders Park	1401 North Zang Boulevard	2004	Complete	338 units	\$18,384,360	\$0
Beckley Properties	1101- 1121 North Beckley Avenue	2007	Complete	15,282 SF retail/ commercial	\$665,670	\$0
Wachovia Bank	126 E. Colorado Boulevard	2008	Complete	3,000 SF commercial	\$1,042,620	\$0
Trinity Town Homes	439, 443 East Greenbriar Lane	2007	Complete	23 town home units	\$6,634,379	\$0
Trinity Town Homes II	423 East Greenbriar Lane	TBD	7 Units Completed	44 town home units	\$20,000,000	\$0
Methodist Medical Hospital – Pavilion III	1441 N. Beckley Avenue	2008	Complete	109,774 SF medical office	\$15,301,000	\$0
<b>Less Property Demolished, or Relocated</b>						
Child Care	1321 North Zang Boulevard	1999	Demolished	(4,812 SF school)	(\$445,600)	\$0
<b>Subtotal</b>			741 units 246,149 SF commercial		<b>\$92,407,969</b>	<b>\$0</b>
<b>Total - All Projects Utilizing and Not Utilizing TIF Funding</b>						
<b>Total</b>			1,050 units 278,159 SF commercial		<b>\$138,783,057</b>	<b>\$9,603,806</b>
<sup>1</sup> All information updated as of September 30, 2011. <sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage. <sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF district for redevelopment projects once pre-existing value and/or the demolition of structures is netted out. <sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown. <sup>5</sup> Selected significant projects included. <sup>6</sup> Tax-exempt property. <sup>7</sup> Includes other incentives not shown. Contact City of Dallas Office of Economic Development for more information. <sup>8</sup> Infrastructure funded as a part of the \$4.1 million for Lake Cliff Tower.						

Projects Adjacent to the Oak Cliff Gateway TIF District						
Project	Location	Calendar Year Complete	Status	Units/ SF	Approx. Value	TIF Investment
Dallas Orthopedic Surgery Associates	810 North Zang Boulevard	2006	Complete	18,000 SF medical office	\$1,494,000	\$0
Perry Homes	1130-1148 and 1203-1215 North Bishop Avenue	2006	Complete	15 town home units	\$4,173,360	\$0
Lake Cliff Medical, L.P.	815 North Beckley Avenue	2007	Complete	7,500 SF medical office	\$1,300,000	\$0
<b>Total</b>				15 units 25,500 SF medical office	<b>\$6,967,360</b>	<b>\$0</b>

Projects in the Oak Cliff Gateway TIF District Using Other Sources of Funding						
Project	Location	Calendar Year Complete	Status	Project Description	Source of Funds	Amount
Colorado Boulevard	I-35 to Blaylock Street	2002	Complete	Streetscape: Paving, Lighting, Trees and Irrigation	1995 Bond Funds	\$500,000
Streetscape	Streets around Methodist Hospital	2014	Planned	Streetscape: Paving, Lighting, Trees and Irrigation	2006 Bond Funds	\$1,600,000
Streetscape	Streets around Methodist Hospital	2014	Planned	Streetscape: Paving, Lighting, Trees and Irrigation	NCTCOG Sustainable Development Grant	\$1,750,000
Oak Cliff Streetcar	Union Station	2014	Engineering Underway	Route runs from Union Station, across Houston St Viaduct, along Zang Boulevard and Colorado Boulevard, to Beckley Avenue	TIGER I Grant	\$26,000,000
					RTR Local Funds	\$13,600,000
					DART Love Field	\$9,000,000
					<b>Total</b>	<b>\$51,850,000</b>

## Value and Increment Revenue Summary

The TIF district's assessed 2011 tax value is \$95,327,598, an increase of \$55,229,975 (137%) over the adjusted base year value (1992) and a decrease of \$3,644,895 (3.7%) over the previous year's (2010) final total assessed value. With the participation of the City, DISD, Dallas County, Dallas County Hospital District, and Dallas County Community College, this increase will result in the collection of approximately \$1,289,379 total in incremental revenue for the district.

## Objectives, Programs, and Success Indicators

The Oak Cliff Gateway TIF District was established by Ordinance Number 21466 on November 11, 1992. The Oak Cliff Gateway TIF District expiration date was set as December 31, 2012, but the district has been extended for an additional 10 years to December 31, 2022. The TIF Project Plan and Reinvestment Zone Financing Plan was originally approved by Ordinance Number 23033 on February 12, 1997. The most recent TIF Project Plan and Reinvestment Zone Financing Plan amendment included revised development goals, listed below, for the district:

The following specific objectives and development program set the framework for the planned public improvements within the Oak Cliff Gateway TIF District and, in *Italics*, specific actions addressing these objectives:

- Improve the infrastructure within and adjacent to the district to promote investment.

*Street reconstruction projects on Beckley Avenue, Zang Boulevard, Greenbriar Lane, Tilden Street, Jefferson Boulevard and Colorado Boulevard (Blaylock Street to I-35) are completed. Median improvements and streetscape were completed in FY 2009 along both sides of Zang Boulevard from Colorado Boulevard to Oakenwald and on Colorado Boulevard itself as a part of the Lake Cliff Tower development. More infrastructure and streetscape improvements were completed in 2009 in association with the Bishop Colorado Retail Plaza project at 1222 North Bishop Avenue. Streetscape improvements along Zang Boulevard, adjacent to the Zang Triangle project will be completed in 2012. In FY 2006, the staff secured \$1,600,000 in 2006 City Bond funds, and in FY 2011 staff and Lang Partners (the developer for Zang Triangle) secured an additional \$1,750,000 in NCTCOG Sustainable Development grant funding for streetscape improvements in selected areas near Methodist Medical Center.*

- Add 2,500 market rate apartments.

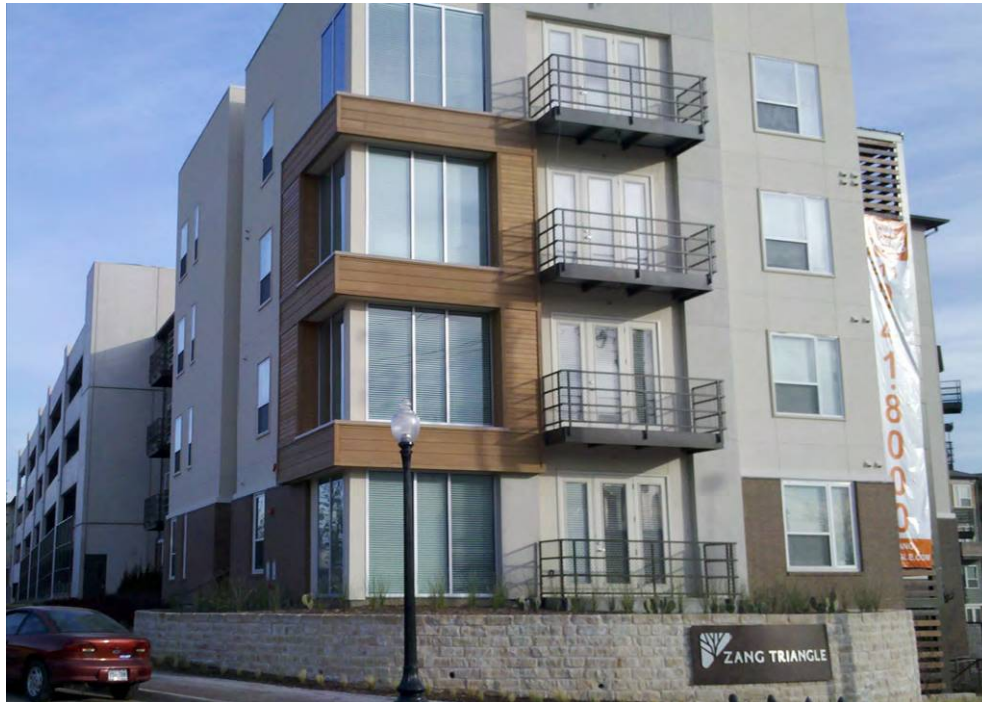
*Since the start of the district, a total of 930 apartment units have been constructed or are under construction within the district, 37% of the goal. During FY 2007, Grand Peaks improved some of the units to command higher rents and made significant improvements to the landscaping and amenities in the area. Construction of 256*

*residential units for the Zang Triangle project began during FY 2011 and is anticipated to be completed in 2012.*

**Grand Estates at Kessler Park and Founders Park – 764 Units**



## Zang Triangle – 256 Units



- Add 250 single-family units/townhomes.

*Since the start of the TIF district, a total of 83 owner-occupied units have been constructed (33% of the goal). Top Dog Oak Cliff, L.P. completed construction in 2006 of the Lake Cliff Tower, providing 53 condos. During FY 2007, Trinity Town Homes completed construction and sale of 23 town homes on the property along Trinity River Circle and Greenbriar Lane. The following year Trinity Town Homes II started construction on another 7 units on an adjacent site on Greenbriar Lane.*

## Lake Cliff Tower – 53 Units 329 East Colorado Boulevard



**Trinity Town Homes – 23 Units**  
431 East Greenbriar Lane



**Trinity Town Homes, II – 7 Units**  
423 East Greenbriar Lane





- Add 150,000 square feet of additional retail/commercial space.

*To date 50,492 square feet of retail/commercial space has been added in the district. In the ten years between 1999 to 2009, Walgreen's, Grand Bank, City Credit Union (formerly Wachovia Bank), Bishop Colorado Retail Plaza and the Beckley Properties restaurants opened. In FY 2012, Zang Triangle will add another 4,000 square feet, bringing the total to 54,492, or 36% of the goal.*

**City Credit Union 204 East Colorado Boulevard**



**Grand Bank  
1300 North Zang Boulevard**



**Spiral Diner  
(Beckley Properties)  
1101 North Beckley Avenue**



**Bishop Colorado Retail Plaza  
1222 North Bishop Avenue**



- Add 100,000 square feet of office/professional development.

*To date approximately 707,205 square feet of office/professional space has been added in the district, 707% of the goal. Options Real Estate, a local realtor and development company, constructed an office/professional/residential structure on the property at 1322 North Beckley Avenue. The construction was completed in August of 2002. John Barr and Associates completed the renovation and construction of the property at 203 East Colorado Boulevard in 2003. The development added approximately 19,449 square feet through renovation and new construction. At the end of FY 2007, Methodist Medical Center completed the Pavilion III expansion at 1441 North Beckley Avenue, adding approximately 109,775 square feet.*

### **Methodist Dallas Medical Center Expansion** 1441 North Beckley Avenue



## **Year-End Summary of Meetings**

The Oak Cliff Gateway TIF District Board of Directors met twice during FY 2011: October 25, 2010 and December 10, 2010.

TIF boards can consist of up to ten members including five City of Dallas appointees, two Dallas Independent School District (DISD) appointees, one Dallas County appointee, one Dallas Community College District appointee, and one Dallas County Community College (DCCCD) appointee. During FY 2011, the Oak Cliff Gateway TIF District Board of Directors consisted of the following members:

Board Member List

- Ben Brown – City Representative (Attended 2 of 2 meetings)
- Carole Twitmyer – City Representative (Attended 2 of 2 meetings)
- Don Raines – City Representative (Attended 2 of 2 meetings)
- Dwight Williams – City Representative (Attended 1 of 2 meetings)
- Mariana Griggs – City Representative (Attended 2 of 2 meetings)
- Orlando Alameda – DISD Representative (Attended 2 of 2 meetings)
- Hector Flores – DISD Representative (Attended 1 of 2 meetings; retired during year)
- Rick Loessberg – Dallas County Representative (Attended 0 of 2 meetings)
- Felix Zamora – DCCCD Representative (Attended 0 of 2 meetings)
- Sue Pickens – DCHD Representative (Attended 2 of 2 meetings)

During FY 2011 the City Council approved three items directly or indirectly associated with the Oak Cliff Gateway TIF District. The council actions are listed below:

- On October 10, 2010, Council approved Resolution 10-2847 authorizing an amendment to the development agreement with Lang Partners, LLC, previously approved on November 9, 2009, by Resolution Nos. 09-2816 and 09-2817, in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to: (1) extend the project deadline to begin construction from September 30, 2010 to March 31, 2011; (2) extend the project deadline to complete construction from December 31, 2011 to June 30, 2012; and (3) increase the TIF reimbursement from \$5,500,000 to \$7,250,000 - Not to exceed \$1,750,000, from \$5,500,000 to \$7,250,000 - Financing: Oak Cliff Gateway TIF District Funds
- On February 23, 2010, Council approved Resolution 11-0522 accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the district, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On August 10, 2011, Council held a public hearing and approved Resolution 11-2066 authorizing Ordinance 28333 to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of: (1) Bishop Avenue from Colorado Boulevard to Neely Street from a four lane undivided roadway (S-4-U) within 60 feet of right-of-way to a special three lane undivided (SPCL-3-U) with bicycle lanes within 100 feet of right-of-way and 60 feet of pavement; and (2) Bishop Avenue from Neely Street to Davis Street from a four lane undivided roadway (S-4-U) within 60 feet of right-of-way to a four lane divided (S-4-D) within 100 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change.

## Budget and Spending Status

<b>Oak Cliff Gateway TIF District</b>			
Projected Increment Revenues to Retire TIF Fund Obligations			
<b>Category</b>	<b>TIF Budget*</b>	<b>Allocated</b>	<b>Balance</b>
<b>Public Infrastructure Improvements – Streets, Streetscape, Water, Wastewater, Utility Burial</b>	\$11,918,514	\$4,270,018	\$7,648,496
<b>Façade Improvements</b>	\$3,952,504	\$0	\$3,952,504
<b>Environmental Remediation and Demolition</b>	\$7,186,371	\$5,168,176	\$2,018,195
<b>Pedestrian Linkages/Lighting</b>	\$1,796,593	\$20,345	\$1,776,248
<b>Educational/Training Facilities</b>	\$718,637	\$0	\$718,637
<b>Economic Development Grants</b>	\$8,982,964	\$5,650,000	\$3,332,964
<b>Administration</b>	\$802,690	\$626,187	\$176,503
<b>Total Project Costs</b>	<b>\$35,358,273</b>	<b>\$15,734,726</b>	<b>\$19,623,547</b>
* Budget shown in current dollars and based on 2009 district extension and amendments			
** All values are estimated expenditures based on annual TIF project costs. These values depend on the timing of projects and will fluctuate.			

<b>Oak Cliff Gateway TIF District</b>	
Amended Project Plan Budget (1992 dollars)	
<b>Category</b>	<b>TIF Budget*</b>
<b>Public Infrastructure Improvements – Streets, Streetscape, Water, Wastewater, Utility Burial</b>	\$3,316,977
<b>Façade Improvements</b>	\$1,100,000
<b>Environmental Remediation and Demolition</b>	\$2,000,000
<b>Pedestrian Linkages/Lighting</b>	\$500,000
<b>Educational/Training Facilities</b>	\$200,000
<b>Economic Development Grants</b>	\$2,500,000
<b>Administration</b>	\$450,000
<b>Total Project Costs</b>	<b>\$10,066,977</b>
* As approved in the amended Project Plan and Reinvestment Zone Financing Plan for the district, amended November 2009.	

<b>Oak Cliff Gateway TIF District M/WBE Participation</b>				
<b>Project</b>	<b>Contractor</b>	<b>Contract Award Amount</b>	<b>Minority Participation in Dollars (% of contract)</b>	
Oak Cliff TIF Project	Tiseo Paving Company	\$1,964,830	\$383,731	(19.53%)
Lake Cliff Tower Project	CST Environmental	\$648,800	\$533,768	(82.27%)
Lake Cliff Tower Project	Mid-Continental Phase II-IV	\$2,184,825	\$535,500	(24.51%)
Lake Cliff Tower Streetscape	Texas Standard	\$363,530	\$363,530	(100.00%)
Totals (% of all contracts)		\$5,161,985	\$1,816,529	(35.19%)
<i>Note: M/WBE participation was not applicable for Walgreens.</i>				

## **FY 2012 Work Program**

- Work closely with Lang Partners, LLC for the successful completion of the Zang Triangle Project.
- Consider changes to TIF by-laws related to the design review process and the membership of the TIF board.
- Review and approve overall TIF design guidelines.
- Develop a mixed income housing policy for the district.
- Work closely with the City of Dallas Public Works and Transportation department to coordinate the completion of infrastructure improvements funded by the City's 2006 Bond Program within the district and the North Central Texas Council of Government's Sustainable Development Grant for the area.
- Continue to actively market the district with emphasis on high density mixed use development with a sustainable mix of retail, commercial/office and residential development in key target areas.
- Increase coordination and work with the City of Dallas Trinity River Development Office to ensure a cohesive and coordinated effort and to ensure that the TIF District Project Plan and Master Plan are not adversely affected or compromised and to ensure the planned pedestrian and vehicular linkages to the Trinity River Corridor are preserved.

- Continue to evaluate updated plans, as received, for the Texas Department of Transportation scheduled reconstruction of I-35 and the Trinity River Bridge approaches at Colorado Boulevard to assess the impact on developable properties adjacent to the planned activity. Known issues related to the planned reconstruction project are: 1) realignment of Colorado Boulevard between Jefferson Avenue and I-35 and 2) right of way acquisition to allow for expansion and improvement of the I-35 entrance and highway and high occupancy vehicle (HOV) exit ramps at Colorado Boulevard.

## **Pending TIF Items**

- Consideration of the FY 2011 Oak Cliff Gateway TIF District Annual Report and a recommendation to the Dallas City Council for approval.
- A TIF funding application for apartments along Greenbriar Lane
- Mixed income housing policy
- Amendments to the by-laws related to changes in membership and design review process

## FY 2011 Financials

City of Dallas, Texas  
 Oak Cliff Area Gateway Tax Increment Financing District Fund  
 Balance Sheet as of September 30, 2011 (unaudited)  
 With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	2011	2010	2009	2008	2007
<b>Assets:</b>					
Pooled cash and cash equivalents	\$482,393	\$3,907	\$324,818	\$329,574	\$327,265
Interest receivable	\$1,585	\$163	\$1,765	\$2,361	\$4,848
Taxes receivable-delinquent	\$0	\$0	\$0	\$0	\$86,357
Less: allowance for uncollectible accounts	\$0	\$0	\$0	\$0	(\$30,225)
<b>Total assets</b>	<b>\$483,979</b>	<b>\$4,071</b>	<b>\$326,584</b>	<b>\$331,935</b>	<b>\$388,245</b>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$0	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$1,062,864	\$2,439,315	\$3,259,465	\$3,650,245
Deferred tax revenue	\$0	\$0	\$0	\$0	\$56,132
Accrued liability	(\$2,879)	(\$2,879)	\$122,524	\$122,524	\$122,524
<b>Total liabilities</b>	<b>(\$2,879)</b>	<b>\$1,059,984</b>	<b>\$2,561,839</b>	<b>\$3,381,989</b>	<b>\$3,828,901</b>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	\$486,858	(\$1,055,914)	(\$2,235,255)	(\$3,050,054)	(\$3,440,656)
<b>Total Liabilities and Fund Equity</b>	<b>\$483,979</b>	<b>\$4,071</b>	<b>\$326,584</b>	<b>\$331,935</b>	<b>\$388,245</b>
	\$0	\$0	\$0	\$0	\$0

**Oak Cliff Area Gateway Tax Increment Financing District Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)**  
**For the Period Ended September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008, and 2007**

	ITD	2011	2010	2009	2008	2007
<b>Revenues:</b>						
Tax increment-Governmental	\$4,086,645	\$516,230	\$450,588	\$418,060	\$256,776	\$182,387
Tax increment-Intergovernmental	\$3,605,641	\$997,827	\$903,398	\$884,765	\$515,795	\$303,857
Interest income	\$392,743	\$1,684	\$4,738	\$13,833	\$16,317	\$38,914
Grant from City/Developer contribution	\$309,480	\$184,480	\$0	\$0	(\$44,685)	\$44,685
Net increase(decrease) in fair value of investments	\$7,135	\$1,374	(\$2,917)	(\$5,122)	(\$1,538)	\$6,824
<b>Total revenues</b>	<b>\$8,401,645</b>	<b>\$1,701,596</b>	<b>\$1,355,807</b>	<b>\$1,311,535</b>	<b>\$742,666</b>	<b>\$576,666</b>
<b>Expenditures:</b>						
Administrative expenses	\$626,187	\$52,465	\$62,311	\$26,886	\$66,304	\$52,010
Non-Capital outlay	\$3,987,839	\$0	\$0	\$0	\$0	\$430,687
Capital outlay	\$1,924,803	\$0	\$0	\$350,000	\$0	\$0
Interest and fiscal charges	\$1,376,146	\$106,359	\$114,155	\$119,850	\$285,759	\$156,917
<b>Total expenditures</b>	<b>\$7,914,975</b>	<b>\$158,824</b>	<b>\$176,466</b>	<b>\$496,736</b>	<b>\$352,064</b>	<b>\$639,614</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>\$486,670</b>	<b>\$1,542,772</b>	<b>\$1,179,341</b>	<b>\$814,799</b>	<b>\$390,603</b>	<b>(\$62,948)</b>
<b>Fund balance (Deficit) at beginning of year</b>						
as previously reported	\$0	(\$1,055,914)	(\$2,235,255)	(\$3,050,054)	(\$3,440,656)	(\$3,377,708)
Prior period restatement	\$188	\$0	\$0	\$0	\$0	\$0
<b>Fund balance (Deficit) at beginning of year, as restated</b>	<b>\$188</b>	<b>(\$1,055,914)</b>	<b>(\$2,235,255)</b>	<b>(\$3,050,054)</b>	<b>(\$3,440,656)</b>	<b>(\$3,377,708)</b>
<b>Fund balance (deficit) at end of year</b>	<b>\$486,858</b>	<b>\$486,858</b>	<b>(\$1,055,914)</b>	<b>(\$2,235,255)</b>	<b>(\$3,050,054)</b>	<b>(\$3,440,656)</b>

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**



**City of Dallas, Texas**  
**Oak Cliff Area Gateway Tax Increment Financing District**  
**Reinvestment Zone Number Three**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

\$3,058	Interest Income
\$1,514,057	Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Certified Tax Roll)
<u>\$1,517,115</u>	Total Revenue

**2. Amount and purpose of expenditures from the fund:**

\$52,465	Administrative Expense
\$106,359	Interest Expense
\$0	Non-Capital outlay
\$0	Capital outlay *
<u>\$158,824</u>	Total Expenditures

\* There were no capital outlay during the current fiscal year.

**3. a. Amount of Principal and Interest due on outstanding indebtedness as of September 30, 2011 is as follows:**

<u>Project Description</u>	<u>Balance Due (Since Inception)</u>			<u>Payments/Adjustments To Date</u>			<u>Net Bal. Due</u>
	<u>Principal</u>	<u>Accrued Interest</u>	<u>Total Due</u>	<u>Principal</u>	<u>Accrued Interest</u>	<u>Total Paid</u>	
Jefferson at Kessler Heights	\$1,500,000	\$676,404	\$2,176,404	\$1,500,000	\$676,404	\$2,176,404	\$0
Lake Cliff Tower Redevelopment	\$3,950,086	\$862,205	\$4,812,291	\$3,950,086	\$862,205	\$4,812,291	\$0
Bishop Colorado Retail Plaza	\$350,000	\$0	\$350,000	\$350,000	\$0	\$350,000	\$0
<b>Totals</b>	<b>\$5,800,086</b>	<b>\$1,538,609</b>	<b>\$7,338,695</b>	<b>\$5,800,086</b>	<b>\$1,538,609</b>	<b>\$7,338,695</b>	<b>\$0</b>

b. All developer obligations were fully reimbursed during fiscal year 2010-11. The Zone has no developer obligations outstanding at September 30, 2011.

c. The Zone entered into a development agreement with Lang Partners, LLC for the Zang Triangle development in an amount not to exceed \$7,250,000 with anticipated completion by June 30, 2012 and reimbursement to begin thereafter.

**4. Tax increment base and current captured appraised value retained by the zone:**

<u>Taxing Jurisdiction</u>	<u>Taxable Value 2011</u>	<u>Base Year 1992 Value</u>	<u>Est. Captured Value 2011**</u>
City of Dallas	\$95,327,598	\$40,097,623	\$55,229,975
Dallas Independent School District	\$95,856,630	\$40,097,623	\$55,759,007
Dallas County	\$95,292,598	\$40,097,623	\$55,194,975
Dallas County Hospital District	\$95,292,598	\$40,097,623	\$55,194,975
Dallas County Community College Dist.	\$134,206,993	\$81,633,018	\$52,573,975

\*\* Based on preliminary Taxable Values. Final values will be determined on February 01, 2012.

**5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

<u>Taxing Jurisdiction</u>	<u>Assessment Per \$100</u>	<u>Amount of Estimated 2011 Increment</u>
City of Dallas	0.79700	\$440,183
Dallas Independent School District	0.92010	\$513,039
Dallas County	0.24310	\$134,179
Dallas County Hospital District	0.27100	\$149,578
Dallas County Community College District	0.09967	\$52,400
<b>Total for all Jurisdictions</b>	<b>\$2.33087</b>	<b>\$1,289,379</b>

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$1,289,379. For the 2010 tax year, the Zone collected increment in the amount of **\$1,514,057**

City of Dallas, Texas  
Oak Cliff Gateway Area Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011  
(Unaudited)

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The Zone's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$802,690 (in current \$) over the life of the TIF to reimburse the City for administrative costs. The Zone began reimbursing the General Fund in fiscal year 1998-99. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.
5. The Zone fully reimbursed all developer advances in the amount of \$984,742, including principal and interest, with TIF funds during fiscal year 2010-11. An amount of \$246,940 in principal and interest that was in excess of the TIF obligation under the terms of the development agreement with Top Dog Oak Cliff, L.P. was recognized as developer contribution.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 4  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 45 Q R U & V

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 21492 on December 9, 1992, establishing Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), as amended. On April 9, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 23092, as amended.

The Cedars TIF District's assessed 2011 taxable value is \$78,595,752. This represents an increase of \$43,294,992 (122.6%) over the assessed value of the base year (1992) value and a \$3,357,052 (4.1%) reduction from the total for the previous year. With the participation of the City, Dallas County, Dallas independent School District, and Dallas County Hospital District, this increase over the base year value will result in the collection of approximately \$769,066 in total incremental revenue for the Cedars TIF District for the 2011 tax year.

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

On December 9, 1992, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Four, the Cedars TIF District by Ordinance No. 21492, as amended.

On April 9, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cedars TIF District by Ordinance No. 23092, as amended.

On December 15, 2011, the Cedars Garden TIF Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's FY 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Four, ("Cedars TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Cedars area pursuant to Ordinance No. 21492, authorized by the City Council on December 9, 1992, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on April 9, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cedars TIF District by Ordinance No. 23092, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on December 15, 2011, the Cedars TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Four and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Four to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law.

**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.

**Cedars TIF District  
FY 2011  
Annual Report**

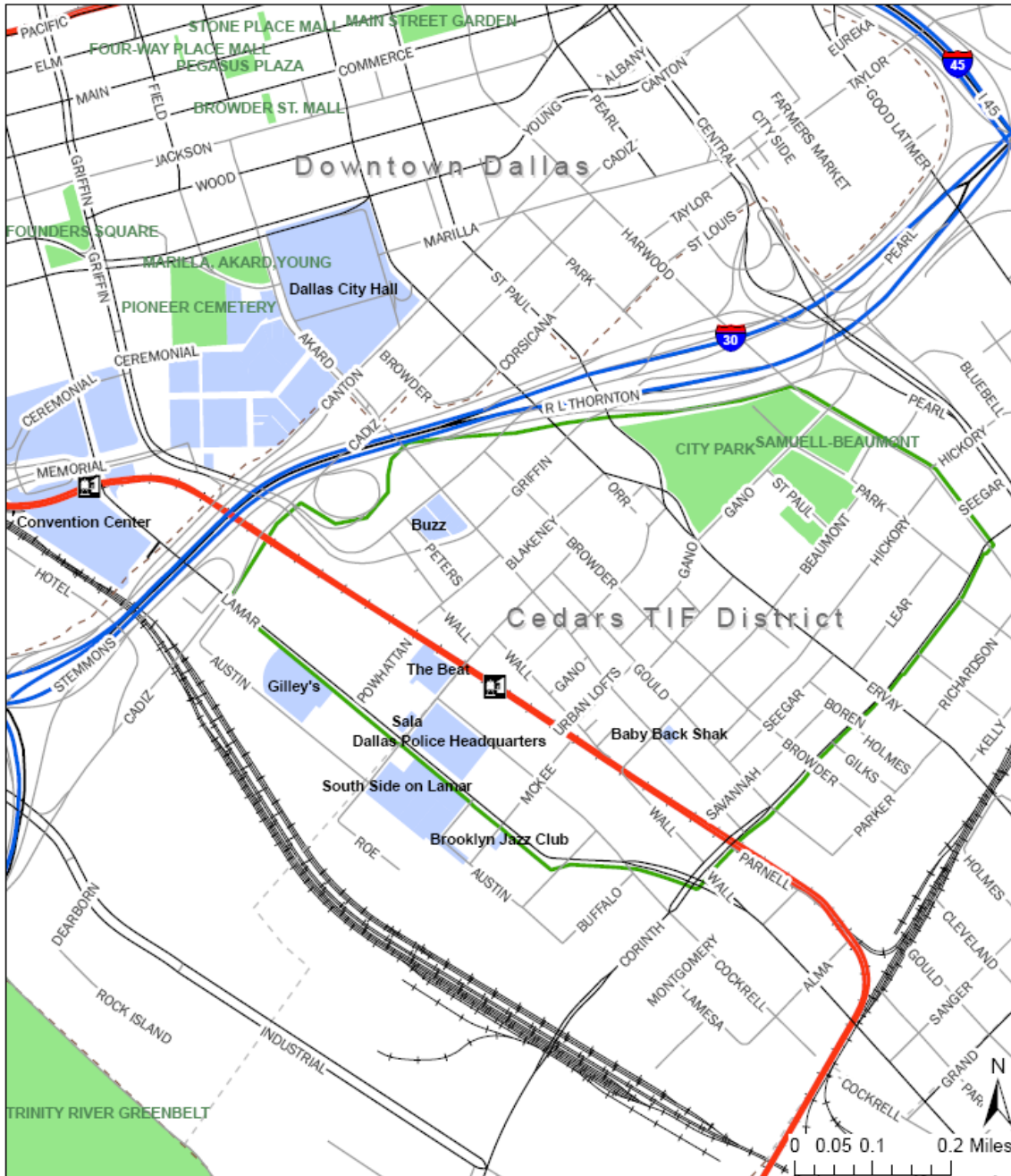


**City of Dallas**




Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-4551

<http://www.dallas-ecodev.org/>

# Reinvestment Zone Number Four Cedars Tax Increment Financing District



Cedars TIF District

-  Cedars DART Station
-  Cedars TIF Boundary
-  DART Red Line



Office of Economic Development  
October 2008

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## Mission

The City of Dallas created the Cedars TIF District in 1992 to redevelop and stabilize the Cedars area and to reverse the decline of the area's tax base. Located between downtown and the Trinity River, the Cedars district seeks to capitalize on the planned Trinity River development and proximity to downtown to secure growth and investment in the district.

## District Accomplishments

During FY 2011, various amendments to the Cedars TIF District Project Plan and Reinvestment Zone Financing Plan were approved by City Council. These amendments included extending the term of the TIF District for a 10 year period from December 31, 2012 through December 31, 2022; decreasing the City of Dallas' participation after tax year 2012 from 100% to 90%; directing the City Manager to negotiate an increase in Dallas County's participation rate after tax year 2012 from 65% to 75%; and amending the Cedars TIF Infrastructure Improvements - Street Construction/Streetscape/Water/Wastewater/Drainage Improvements/ East-West Corridor Construction budget line item to include Public Open Spaces and Economic Development Grants.

The extension of the TIF District term will allow for additional development needed to continue the revitalization of the Cedars. It would also allow for the Cedars TIF District to meet the original budget of \$7,216,097 net present value and its original goal of redeveloping the Cedars into an attractive business and residential community, which could served a vital connection between the Downtown and entire City.

The 1400 Belleview, a mixed-use affordable housing development project was approved by the City Council for TIF reimbursement during FY 2011. The project will consist of 164 apartment residential units and approximately 7,500 square feet of ground floor retail/office space. The project is anticipated to open in late 2014, contingent upon securing additional funding for the project, such as low income tax credits.



Planning and design work on a \$1 million 2006 Bond project to extend Belleview Street from Akard Street to Ervay Street continued during FY 2011. The Belleview Extension will allow for greater east-west traffic flow through the District. The 1400 Belleview project will be located directly along the Belleview Extension route.

## Past, Current and Anticipated Projects

<b>Projects Within the TIF District Utilizing TIF Funding<sup>1</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/Square Feet</b>	<b>Approximate Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Metroplex Greenhaven Landscaping Service	1919 S Harwood	2002	Complete	11,368 square feet	\$477,610	\$45,000
McKee Row Homes I	1500-1510 McKee	2005	Complete	6 row homes	\$790,950	\$83,350
McKee Row II	1512-1516 McKee	2006	Complete	3 row homes	\$348,040	\$15,000
Seegar Row Homes	1525-1603 Seegar	2006	Complete	7 row homes	\$738,420	\$25,000
Buzz	1111 S Akard St	2007	Complete	49 condos	\$7,796,630	\$464,462
Millers Ferry Row	1803-1823 S Ervay 1602 Beaumont 1817 Millers Ferry	2007	Complete	13 row homes	\$2,195,520	\$192,000
The Beat at South Side Station	913 Belleview	2008	Complete	73 condos	\$12,436,760	\$800,000
1400 Belleview	1400 Belleview	TBD	Planned	164 apartments, and 7,500 square feet retail	\$17,000,000	\$1,657,916
<b>Subtotal</b>				<b>315 res. Units, and 18,868 square feet retail</b>	<b>\$41,783,930</b>	<b>\$3,282,728</b>

<b>Projects Within the TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/Square Feet<sup>2</sup></b>	<b>Approximate Value<sup>3</sup></b>	<b>TIF Investment</b>
1519 Beaumont St	1519 Beaumont St	1995/2010	Complete	5 apartments	\$1,237,590	\$0
Cedars Corner (Hotel Newland)	1108 S. Akard St	1998	Complete	20 apartments	\$500,000	\$0
Dallas Police Association Headquarters <sup>6</sup>	1412 N Griffin St	2003	Complete	11,150 square feet	\$645,640	\$0
Resource One CU expansion	1200 Belleview St	2003	Complete	13,430 square feet	\$470,050	\$0
Dallas Police Headquarters <sup>6</sup>	1400 S Lamar St	2003	Complete	358,758 square feet	\$16,266,120	\$0
Sala (formerly Amuse)	1326 S Lamar St	2005	Complete	3,000 square feet	\$36,630	\$0
Urban Lofts – Akard	1205-1223 Urban Lofts Dr	2008	Complete	15 town homes	\$3,210,740	\$0
Off the Bone BBQ	1734 S Lamar St	2008	Complete	829 square feet	\$74,820	\$0
Edison's	1724 Cockrell Ave.	2008	Complete	15,000 square feet	\$589,340	\$0
Urban Lofts – Wall	Hyde Court (Wall St & McKee St.)	TBD	Planned	12 town homes	\$2,700,000	\$0
Dallas Heritage Village Education & Visitor Center Expansion <sup>6</sup>	1515 S Harwood St	TBD	Planned	9,000 square feet	\$5,000,000	TBD
<b>Subtotal</b>				<b>52 homes, 383,338 square feet office space 18,829 square feet restaurant &amp; meeting space</b>	<b>\$30,730,930</b>	<b>\$0</b>

Projects Adjacent to the TIF District <sup>5</sup>						
Project	Location	Calendar Year Complete	Status	Units/Square Feet <sup>2</sup>	Approximate Value <sup>3</sup>	TIF Investment
Southside on Lamar	1409 S Lamar St	2001	Complete	455 loft apartments	\$28,182,000	\$0
Gilley's	1135 S Lamar St	2003	Complete	91,650 square feet	\$2,850,000	\$0
Poor David's Pub	1319 S Lamar St	2004	Complete	5,382 square feet	\$236,990	\$0
Brooklyn Jazz Club	1707 S Lamar St	2005	Complete	4,840 square feet	\$351,760	\$0
Bill's Records & Tapes	1317 S Lamar St	2007	Complete	12,150 square feet	\$175,670	\$0
DCCCD Offices <sup>6</sup>	1601 S Lamar St	2008	Complete	83,383 square feet	\$2,000,000	\$0
Boutique Hotel project	1325 S Lamar St	2012	Planned	76 hotel rooms	\$19,100,000	\$0
<b>Subtotal</b>				<b>455 homes</b> <b>114,022 square feet retail</b> <b>83,383 square feet office</b> 76 hotel rooms	<b>\$52,896,420</b>	<b>\$0</b>

<sup>1</sup> All information updated as of September 30, 2011.  
<sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.  
<sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed).  
<sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown.  
<sup>5</sup> Selected significant projects included.  
<sup>6</sup> Project is tax-exempt; value given is either DCAD market value or an approximation of the anticipated market value.

TIF District Initiatives				
Activity	Scope	Status	Investment	Source
Cedars Traffic Study	Whole district	Complete	\$88,149	Cedars TIF funds
<b>South Side Pedestrian Improvement Project</b> (funded through a Sustainable Development Grant from NCTCOG using federal Congestion Mitigation and Air Quality funds (CMAQ))	Lamar and Belleview	Under construction	\$500,000	1995 Bond funds
			\$66,521	Cedars TIF funds
			\$566,521	Matthews Southwest
			\$4,532,170	Federal CMAQ funds
<b>Total:</b>			<b>\$5,753,361</b>	

## Value and Increment Revenue Summary

The Cedars TIF District's 2011 assessed tax value was \$78,595,752. This represents an increase of \$43,294,992 (122.6%) over the assessed value of the base year (1992) value and a \$3,357,052 (4.1%) reduction from the total for the previous year. During the fiscal year the majority of the District's properties declined in value. The few properties that experienced an increase did not off-set the District's overall decline in value. With the participation of the City, Dallas County, Dallas Independent School District (DISD), and Dallas County Hospital District (DCHD), this increase over the base year value will result in the collection of approximately \$769,066 in total incremental revenue for the District.

## Objectives, Programs and Success Indicators

In 1992, the City Council created the Cedars TIF District and the Board of Directors. City Council adopted the Project Plan and Reinvestment Zone Financing Plan in 1997. Since then, the plan has been amended twice. In 1999, City Council Ordinance Number 23991, dated August 25, 1999, amended the plan to include participation by the Dallas Independent School District, Dallas County, and the Dallas County Hospital District. On August 9, 2006, Council again amended the plan, this time to approve a new district budget and to update some of the language in the original plan. The new budget combines all of the infrastructure improvements into one category and then shifts \$1 million into a new category for environmental remediation.<sup>1</sup>

The following goals set the framework for the planned public improvements within the Cedars TIF District. Specific actions by the Board and staff addressing these objectives follow in italics:

- Improve the infrastructure within and adjacent to the district to promote new investment.

*On August 2, 2005, the TIF Board recommended approval of TIF participation in the Buzz Condominiums, providing for \$564,462 in street and streetscape improvements on Akard Street and Griffin Street. On November 29, 2006, the TIF Board approved an extension of the deadlines for the project and reduced the required TIF funding by \$100,000. The Buzz was completed in October 2007.*

*On June 30, 2006, the TIF Board recommended approval of TIF participation in The Beat at South Side Station, providing for nearly \$1 million in street and streetscape improvements on Bellevue Street, Lamar Street, and Powhattan Street. Council approved the Board's recommendation on August 9, 2006. On August 27, 2008, the TIF Board approved an extension of the deadlines for*

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<sup>1</sup> The District's new budget is provided in the section entitled Budget and Spending Status.

*the project and reduced the required TIF funding by \$700,000. The Beat received a Certificate of Occupancy in March 2009 and will complete some landscaping and pedestrian lighting work in late 2010.*

*On March 21, 2007, the TIF Board recommended an additional \$65,521 in TIF funding for the South Side Pedestrian Improvement Project, leveraging an additional \$650,000 in private and federal funds for sidewalk and streetscape improvements on Lamar Street and Belleview Street from the Convention Center to the Cedars DART station. This \$5.7 million project began construction on July 30, 2008 and completed its first phase in July 2010. Construction on Phase II, the project's final phase, began in July 2011. It is scheduled to be completed during the second quarter of FY 2012.*

*Also on March 21, 2007, the TIF Board recommended \$192,000 in funding for streetscape improvements along Ervay Street to support Millers Ferry Row Town Homes. Millers Ferry Row Town Homes completed construction in October, 2007.*

- Add 700 residential units.

*In district: To date 196 residential units have been completed and 12 are planned for a total of 208 units complete, under construction, or planned in the district, totaling 30 percent of the goal. Multifamily developers have continued to show interest in the district, both for town home style developments and for more dense mid- and high-rise developments.*



The Beat at South Side Station  
(Source: Matthew Southwest)

*Adjacent to district: South Side on Lamar added 455 residential units to the area.*

*Total: 663 units complete, under construction, or planned in the district.*

- Add 400 hotel/motel rooms.

*In district: No additional hotel rooms have been added.*

*Adjacent to district: Matthews Southwest is currently planning a boutique-style hotel/development at the northwest corner of Lamar Street and*

*Bellevue Street. Construction should start in early 2011 and be finished by mid 2012.*

*The City's Convention Center Hotel, a 1,000 room, 4-star, \$350 million hotel, is currently under construction immediately north of the district along Lamar Street. It is scheduled to open in December, 2011.*



Omni Dallas Convention Center Hotel  
(Source: Matthew Southwest)

- Add 55,000 square feet of retail.

*In district: Cedars Social is located on the northeast corner of Lamar Street and Bellevue Street. Although Sala closed during the fiscal year, a new restaurant is set to open in October 2010. The redeveloped restaurant represents approximately 3,000 square feet of retail space retained.*

*Adjacent to district: The Brooklyn Jazz Club relocated to Lamar Street, creating a new 5,000 square foot entertainment venue immediately southwest of the TIF district.*

*Urban Market, a grocery store in downtown, held a grand opening September 16, 2008, for its satellite location in the South Side building, which added 2,000 square feet of grocery store space adjacent to the district.*

*During the fiscal year Off the Bone Barbeque, which is located at 1734 S. Lamar Street, enclosed its patio space. The renovation enabled the restaurant to nearly double its size.*

*Total square feet added as of September 30, 2011: **11,000***



Off The Bone Barbeque  
(Source: City of Dallas)

- Add 300,000 square feet of service center/flex office.

*In district: A total of 24,000 square feet of service center/flex office space (or 5 percent of the goal) has been added.*

*Adjacent to district: South Side on Lamar continues to serve the service center/flex office market within its development. In addition, the Dallas County Community College District (DCCCD) completed renovation of 1601 S. Lamar Street, adding 83,363 square feet of office space and improvements along Lamar Street.*



Dallas College District County Community  
(Source: City of Dallas)

*Total square feet added as of September 30, 2011: **107,363***



## Year-End Summary of Meetings

TIF boards can consist of up to ten members including six City of Dallas appointees, two DISD appointees, one Dallas County appointee, one DCCCD appointee, and one from DCHD.

The Cedars TIF Board, which met twice during the fiscal year, consisted of the following members:

- Kenneth D. Martin, Vice Chair and City appointee (attended both meetings)
- Chase Evans, City appointee (attended both meetings)
- Jack Wierzenski, City appointee (attended both meetings)
- Orlando Alameda, DISD appointee (attended both meetings)
- Hector Flores, DISD appointee (attended 1 of 2 meetings)
- Rick Loessberg, Dallas County appointee (attended both meetings)
- Robb Dean, DCCCD appointee (attended 1 of 2 meetings)
- Sue Pickens, DCHD (attended 0 of 1 meetings)

During the fiscal year, the City Council approved ten (10) items associated with the Cedars TIF District:

- On November 10, 2010, City Council approved resolution 10-2817 authorizing a New Markets Tax Credit (NMTC) transaction, between the Dallas Development (DDF) Fund and its subsidiaries, US Bank, N.A. (US Bank) and its subsidiaries, and Matthews Southwest and its partners (Developer) for the restoration and development of historic property located at 1325 South Lamar Street into a boutique hotel (Project). (Adjacent to the Cedars TIF District)
- On November 10, 2010, City Council approved resolution 10-2845 authorizing a historic preservation tax exemption for the Dallas Coffin Company Building located at 1325 South Lamar Street for a ten-year period on 100% of the land and structure value. (Adjacent to the Cedars TIF District)
- On February 23, 2011, City Council approved resolution 11-0523 accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report

to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.

- On June 8, 2011, City Council approved resolution 11-1542 authorizing a public hearing to be held on June 22, 2011 to receive comments to consider an amendment to the Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: extend the term of the TIF District for a 10 year period from December 31, 2012 through December 31, 2022; decrease the City of Dallas' participation after tax year 2012 from 100% to 90%; direct the City Manager to negotiate an increase in Dallas County's participation rate after tax year 2012 from 65% to 75% and to execute an amendment to the Interlocal Agreement between the City of Dallas and Dallas County to reflect such increase; amend the Cedars TIF Infrastructure Improvements - Street Construction/Streetscape/Water/Wastewater/Drainage Improvements/ East-West Corridor Construction budget line item to include Public Open Spaces and Economic Development Grants; and make corresponding modifications to the Cedars Project Plan to reflect these amendments.
- On June 22, 2011, City Council approved resolution 11-1707 authorizing Supplemental Agreement No. 1 to the professional services contract with Urban Engineers Group, Inc. to provide alley improvements between McKee Street and Beaumont Street from Browder Street to McKee Street - Not to exceed \$45,329, from \$187,033 to \$32,362 - Financing: Cedars TIF District Funds (\$31,759) and Water Utilities Capital Improvement Funds (\$13,570).
- On June 22, 2011, City Council approved resolution 11-1789/Ordinance No. 28275 authorizing a public hearing to receive comments regarding an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Lamar Street from IH-30 to Corinth Street from a six-lane divided roadway M-6-D(A) within 100 feet of right-of-way to a special five-lane undivided roadway (SPCL-5-U) within 80 feet of right-of-way and 60 feet of pavement; and, at the close of the hearing, authorize an ordinance implementing the change.
- On June 22, 2011, City Council approved resolution 11-1793 authorizing a public hearing to receive comments to consider an amendment to the Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: extend the term of the TIF District for a 10 year period from December 31, 2012 through December 31, 2022; decrease the City of Dallas' participation after tax year 2012 from 100% to 90%; direct the City Manager to negotiate an increase in Dallas County's participation rate after tax year 2012 from 65% to 75% and to execute an amendment to the Inter-local Agreement between the City of Dallas and Dallas County to reflect such increase; amend the Cedars TIF Infrastructure

Improvements - Street Construction/Streetscape/ Water/Wastewater/Drainage Improvements/ East-West.

- On June 22, 2011, City Council approved resolution 11-1793/Ordinance No. 28279 authorizing an ordinance amending Ordinance Nos. 21492 and 23092, passed on December 9, 1992 and April 9, 1997, respectively to: extend the term of the TIF District for a 10 year period from December 31, 2012 through December 31, 2022; decrease the City of Dallas' participation after tax year 2012 from 100% to 90%; (3) direct the City Manager to negotiate an increase in Dallas County's participation rate after tax year 2012 from 65% to 75% and to execute an amendment to the Inter-local Agreement between the City of Dallas and Dallas County to reflect such increase; amend the Cedars TIF Infrastructure Improvements - Street Construction/Streetscape/Water/Wastewater/Drainage Improvements/ East-West Corridor Construction budget line item to include Public Open Spaces and Economic Development Grants; and make corresponding modifications to the Cedars Project Plan to reflect these amendments.
- On June 22, 2011, City Council approved resolution 11-1794 authorizing a development agreement with 1400 Belleview GP, LLC., to dedicate existing and future TIF revenues supporting the development of 1400 Belleview project located at 1401 Browder Street located in Tax Increment Financing Reinvestment Zone Four (Cedars TIF District); and the Cedars TIF District Board of Directors to dedicate up to \$1,657,916 from existing and future Cedars TIF District revenues in accordance with the development agreement.
- On June 22, 2011, City Council approved resolution 11-1794 authorizing a resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Four (Cedars TIF District) to pay 1400 Belleview GP, LLC., for eligible expenditures pursuant to the development agreement with 1400 Belleview GP, LLC.

## Pending TIF Items

Pending items for the Cedars TIF District include the following:

- Consideration of the FY 2011 Cedars TIF District Annual Report and a recommendation to the Dallas City Council for approval.
- Approval of the Cedar’s TIF District Mixed Income Housing Policy
- Review changes to the Cedars TIF District By-Laws concerning potential changes in the composition of the District’s Board of Directors and design review process

## Budget and Spending Status

The Cedars TIF District’s Project Plan and Reinvestment Zone Financing Plan established a budget for the public improvement expenditures that are necessary to support private investment. The District’s budget and spending to date are provided on the following charts:

<b>Cedars TIF District Projected Increment Revenues to Retire TIF Fund Obligations</b>			
Category	TIF Budget (Total Dollars)	Allocated	Balance
Infrastructure Improvements - Street Construction/Streetscape/Water/Wastewater/Drainage Improvements/East-West Corridor Construction/ Public Open Spaces/ Economic Development Grants	\$13,665,640	\$1,447,048	\$12,218,592
Environmental Remediation	\$3,137,129	\$50,000	\$3,087,129
Education/Educational Facility Improvements/Public Improvements Adjacent to Educational Facilities	\$4,705,694	\$0	\$4,705,694
Administration and Implementation	\$1,129,367	\$654,775	\$474,592
Total Project Costs	\$22,637,830	\$2,079,477	\$20,486,007
<i>The Cedars TIF term was extended by a ten-year period and is now set to terminate in 2022. Estimated TIF Collections show potential capacity in the district based on current projections, not actual current cash status. Actual capacity to be determined by new construction. Values adjusted as of September 30, 2011 to reflect current projections.</i>			

<b>Cedars TIF District Project Plan Budget</b>	
<b>Category</b>	<b>TIF Budget (NPV)</b>
Infrastructure Improvements – Street Construction/Streetscape/Water/Wastewater/Drainage Improvements/East-West Corridor Construction/Public Open Spaces/Economic Development Grants	\$4,356,097
Environmental Remediation	\$1,000,000
Education/Educational Facility Improvements/Public Improvements Adjacent to Educational Facilities	\$1,500,000
Administration and Implementation	\$360,000
<b>Total Project Costs</b>	<b>\$7,216,097</b>
<i>All values discounted to 1992 dollars at 5.00% annually. Actual expenditures will depend on the timing of project costs.</i>	

### **FY 2012 Work Program**

The FY 2012 Work Program for the Cedars TIF District includes

- Completion of the South Side Pedestrian Improvement Project.
- Review changes to the Cedars TIF District By-Laws concerning potential changes in the composition of the District’s Board of Directors and design review process
- Continuing to work with Public Works and Transportation to finalize alignment design of the extension of Bellevue Street from Akard Street to Ervay Street.
- Obtaining additional funding for projects in the District.

## Appendix: Financials

**City of Dallas, Texas**  
**Cedars Tax Increment Financing District**  
**Reinvestment Zone Number Five**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

\$14,334	Interest Income
<u>\$772,836</u>	Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Final Tax Roll)
	Total
<u>\$787,170</u>	Revenue

**2. Amount and purpose of expenditures from the fund:**

\$72,345	Administrative Expense
\$0	Non-Capital outlay
\$821,530	Capital outlay *
<u>\$0</u>	Interest and fiscal charges
	Total
<u>\$893,875</u>	Expenditures

\* Capital outlay during FY'2010-11 consisted of the following:

Belleview Condos (The Beat) reimbursement	\$798,257
McKee Street Public Imp.	<u>\$23,273</u>
Total	<u>\$821,530</u>

**3. a. Amount of Principal and Interest due-on outstanding indebtedness is as follows:**

<u>Project</u>	<u>Balance Due (Since Inception)</u>			<u>Payments To Date</u>			<u>Net Bal. Due</u>
	<u>Principal</u>	<u>Interest</u>	<u>Total Due</u>	<u>Principal</u>	<u>Interest</u>	<u>Total Paid</u>	
Buzz Condominiums	\$144,643	\$3,472	\$148,115	\$144,643	\$3,472	\$148,115	\$0
<b>Totals</b>	<b>\$144,643</b>	<b>\$3,472</b>	<b>\$148,115</b>	<b>\$144,643</b>	<b>\$3,472</b>	<b>\$148,115</b>	<b>\$0</b>

b. The Zone has entered into an agreement with CMAQ for the sustainable development on Lamar street under a grant of \$66,521 with anticipated completion in 2012.

**4. Tax increment base and current captured appraised value retained by the Zone:**

Taxing Jurisdiction	Taxable Value 2011	Base Year 1992 Value	Est. Captured Value 2011**
City of Dallas	\$78,595,752	\$35,300,760	\$43,294,992
Dallas Independent School District	\$78,595,752	\$35,300,760	\$43,294,992
Dallas County	\$78,595,752	\$35,300,760	\$43,294,992
Dallas County Hospital District	\$78,595,752	\$35,300,760	\$43,294,992
Dallas County Community College Dist.	\$78,595,752	\$35,300,760	\$43,294,992

\*\* Based on preliminary Taxable Values. Final values will be determined on February 01, 2012.

**5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100	Amount of Estimated 2011 Increment
City of Dallas	0.79700	\$345,061
Dallas Independent School District	0.64517	\$279,328
Dallas County	0.15802	\$68,413
Dallas County Hospital District	0.17615	\$76,264
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	\$1.77634	\$769,066

B. The total amount of estimated tax increment to be billed for the 2010 tax year is \$769,066. For the 2010 tax year, increment in the amount of \$772,836 was received.

**City of Dallas, Texas**  
**Cedars Tax Increment Financing District Fund**  
**Balance Sheet as of September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30 2010, 2009, 2008, and 2007**

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
Assets:					
Pooled cash and cash equivalents	\$1,772,035	\$1,870,275	\$1,039,761	\$326,505	\$233,861
Interest receivable	\$5,459	\$9,779	\$5,644	\$2,346	\$1,705
	<hr/>				
Total assets	\$1,777,494	\$1,880,054	\$1,045,404	\$328,851	\$257,361
	<hr/>				
Liabilities and Fund Balance (Deficit):					
Liabilities:					
Accounts and contracts payable	\$4,145	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0	\$0
Accrued liability	\$0	\$0	\$0	\$0	\$0
	<hr/>				
Total liabilities	\$4,145	\$0	\$0	\$0	\$21,795
	<hr/>				
Fund Balance (Deficit):					
Fund Balance - Restricted	\$1,773,349	\$1,880,054	\$1,045,404	\$328,851	\$235,566
	<hr/>				
Total Liabilities and Fund Equity	\$1,777,494	\$1,880,054	\$1,045,404	\$328,851	\$257,361
	<hr/>				
	(\$0)	(\$0)	(\$0)	(\$0)	(\$0)



**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
For the Period September 30, 2011 (Unaudited)  
With Comparative Totals for September 30 2010, 2009, 2008, and 2007**

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
Revenues:						
Tax increment-Governmental	\$2,197,543	\$352,926	\$376,069	\$325,887	\$205,709	\$87,924
Tax increment-Intergovernmental	\$1,682,144	\$419,909	\$490,276	\$395,335	\$249,267	\$127,357
Interest income	\$143,951	\$13,771	\$17,941	\$12,682	\$7,320	\$11,901
Net increase (decrease) in fair value of investments	\$1,188	\$563	(\$5,159)	\$8,044	(\$1,555)	\$2,381
<b>Total revenues</b>	<b>\$4,149,826</b>	<b>\$787,170</b>	<b>\$879,127</b>	<b>\$741,947</b>	<b>\$460,741</b>	<b>\$229,563</b>
Expenditures:						
Administrative expenses	\$654,775	\$72,345	\$44,477	\$25,394	\$52,430	\$68,459
Non-Capital Outlay	\$208,448	\$0	\$0	\$0	\$0	\$4,800
Capital outlay	\$1,510,055	\$821,530	\$0	\$0	\$315,025	\$199,900
Interest and fiscal charges	\$3,472	\$0	\$0	\$0	\$0	\$3,472
<b>Total expenditures</b>	<b>\$2,376,750</b>	<b>\$893,875</b>	<b>\$44,477</b>	<b>\$25,394</b>	<b>\$367,456</b>	<b>\$276,632</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>\$1,773,076</b>	<b>(\$106,705)</b>	<b>\$834,650</b>	<b>\$716,553</b>	<b>\$93,285</b>	<b>(\$47,069)</b>
Fund balance (Deficit) at beginning of year as previously reported	\$0	\$1,880,054	\$1,045,404	\$328,851	\$235,566	\$282,635
Prior period restatement	\$272	\$0	\$0	\$0	\$0	\$0
Fund balance (Deficit) at beginning of year, as restated	\$272	\$1,880,054	\$1,045,404	\$328,851	\$235,566	\$282,635
Fund balance (deficit) at end of year	<u>\$1,773,349</u>	<u>\$1,773,349</u>	<u>\$1,880,054</u>	<u>\$1,045,404</u>	<u>\$328,851</u>	<u>\$235,566</u>

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**

## Notes to Financials

City of Dallas, Texas  
Cedars Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011  
(Unaudited)

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan provides for staffing and other administrative expenses by the City of Dallas not to exceed \$888,616 (in current \$) over the life of the TIF. The City began billing the Zone for administrative costs in FY 1999. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.
5. The Zone has no advances outstanding as of September 30, 2011.
6. All project costs resulting in capital improvements that are owned by the City are capitalized by the City.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2, 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 45 K L P Q

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 22802 on June 26, 1996, establishing Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District). On February 12, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 23034, as amended.

The City Center TIF District's assessed tax value in 2011 was \$1,170,176,925. This represents an increase of 33.55% (\$293,986,860) over the assessed value of the adjusted base year value of \$866,044,996 and a decline of 1.2% (\$14,535,189) from the previous year 2010 value. With the participation of the City and Dallas County, the district's increase in value will result in the collection of approximately \$2,624,564 in incremental revenue for the City Center TIF District for the 2011 tax year.

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

On June 26, 1996, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eleven, the City Center TIF District by Ordinance No. 22802.

On February 12, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District, as amended by Ordinance No. 23034.

On January 5, 2012, the City Center TIF District Board of Directors recommended the FY 2011 Annual Report be accepted and approved.

On February 6, 2011, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District or District) and established a Board of Directors for the District to promote development or redevelopment in the City Center area pursuant to Ordinance No. 22802, authorized by the City Council on June 26, 1996, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on February 12, 1997, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District by Ordinance No. 23034; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the Attorney General and the State Comptroller; and

**WHEREAS**, on January 5, 2012 the City Center TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Five and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eleven, to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District; and the State Comptroller, as required by state law.

**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

### City Center TIF District FY 2011 Annual Report

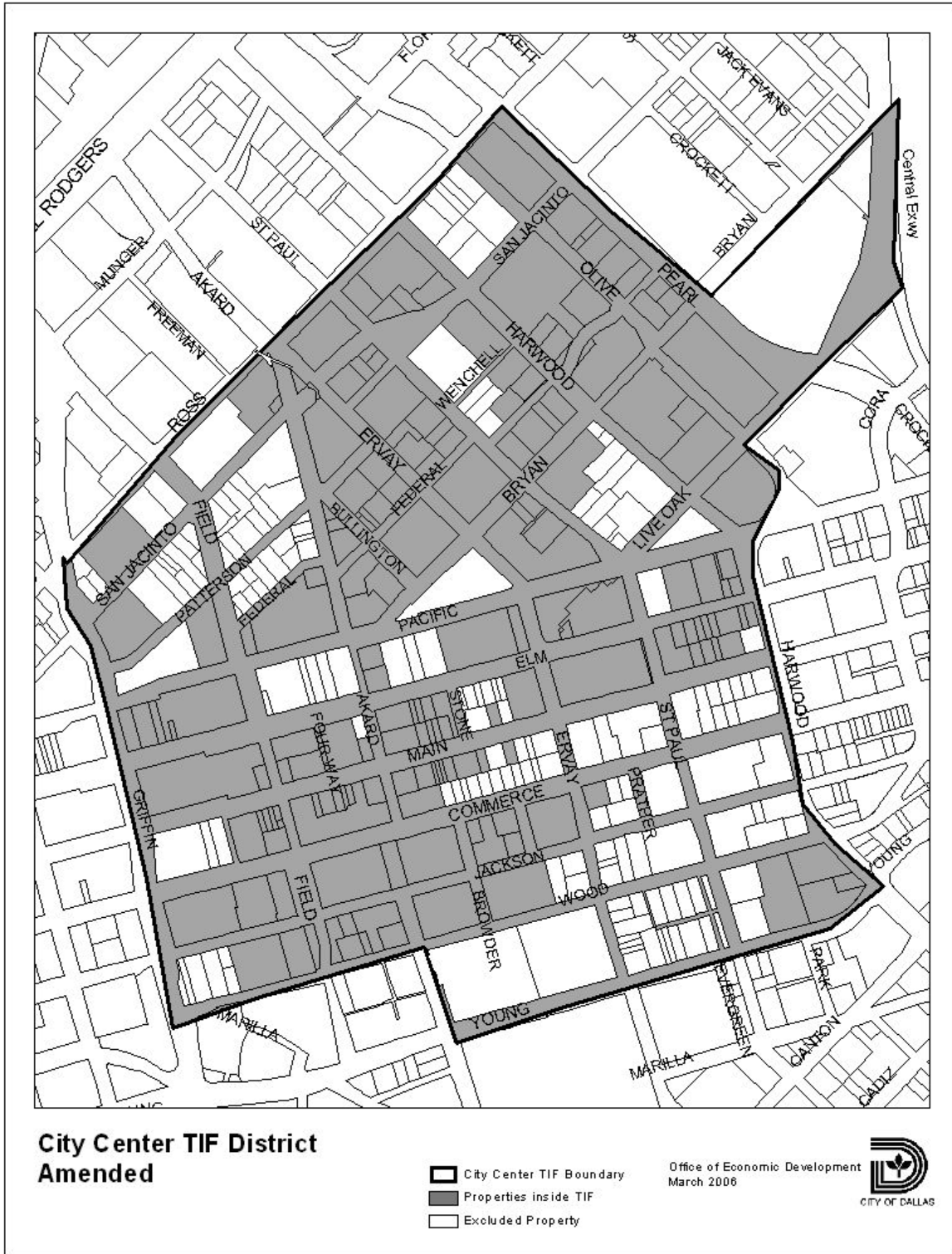


City of Dallas

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-9821  
<http://www.dallas-ecodev.org/>

October 1, 2010 to September 30, 2011

## Map of Reinvestment Zone Number Five City Center Tax Increment Financing District



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## Mission Statement

The mission of the City Center TIF District is the promotion of the redevelopment, stabilization, and growth of the downtown area. An accompanying goal is the stabilization and growth of the value of the area's tax base and a positive reversal of urban decay.

The Dallas City Council established the City Center TIF District by Ordinance Number 22802 on June 26, 1996. The City Center TIF District took effect on January 1, 1997, and will terminate on December 31, 2012, (including collection of the 2012 increment in calendar year 2013 and any related matters to be concluded in 2013) or when the budget of \$61.3 million (1997 dollars) has been collected. The City of Dallas and Dallas County are the two remaining participating jurisdictions. The City's participation is 90%, and the County's participation is 53%.

## District Accomplishments

In a little over ten years, the City Center TIF District has been an instrumental part in creating a positive investment climate in the historic downtown core. From the inception of the TIF District through FY 2011, twenty-six projects have generated approximately \$543 million in new investment.

The City Center redevelopment projects listed on the following pages have created:

- 2,336 residential units
- 2,418 hotel rooms
- 287,600 square feet of retail space
- 174,000 square feet of office space



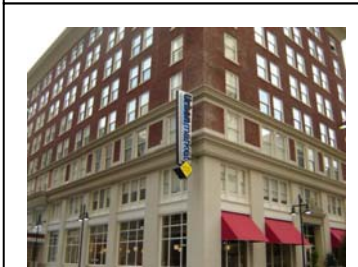
Thompson Building



Wilson Building



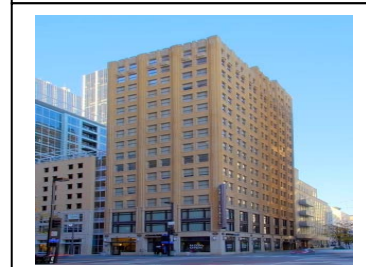
Magnolia Hotel



Interurban Building



Joule Hotel



Gulf States Building

<b>City Center TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Kirby Building	1509 Main Street	1999	Completed	156 apartment units; 15,000 SF retail	\$6,031,570	\$470,891
Wilson Building	1623 Main Street	1999	Completed	135 apartment units; 10,000 SF retail	\$10,439,300	\$3,883,691
Magnolia Building	1401 Commerce Street	1999	Completed	330 hotel rooms	\$22,708,430	\$594,486
Stone Street Gardens	1525 Main, 1520 Elm Streets	2002	Completed	29,000 SF retail	\$2,196,000	\$292,062
Universities Center at Dallas	1901 Main Street	2002	Completed	20,000 SF educational space	\$2.39 million	\$2,236,550
Merriman Architects	300 N. Field Street	2002	Completed	40,000 SF office space	\$1,345,000	\$50,000
Davis Building	1309 Main Street	2003	Completed	183 apartment units; 15,000 SF retail	\$15,050,000	\$1,350,000
Hart Furniture Building	1929-1933 Elm Street	2003	Completed	16,600 SF retail	\$1,030,020	\$1,392,443
Thompson Bldg	1520-22 Main Street	2004	Completed	19,000 SF retail	\$2,216,970	\$1,171,629
Dallas Power & Light Bldgs	1506 & 1512 Commerce Street	2005	Completed	154 apartment units; 28,000 SF retail	\$9,342,690	\$6,864,909
Interurban Building	1500 Jackson	2005	Completed	134 apartments units; 20,000 SF grocery store	\$12,500,000	\$5,536,038
Gulf States	1415 Main Street	2007	Completed	64 apartment units; 5,000 SF retail	\$6,400,000	\$5,075,848
Republic Tower	300 N. Ervay Street	2007	Completed	227 apartment units	\$21,000,000	\$5,114,468
1608 Main Street & Pedestrian	1608 Main Street	2008	Completed (Shell & Interior)	8,000 SF retail; 4,000 SF office	\$1,352,860	\$1,555,512
Joule Hotel	1530 and 1524 Main Street	2008	Completed	114 hotel rooms; 15,000 SF retail	\$14,689,620	\$9,375,792

Mosaic (Fidelity Union)	1507 Pacific, 1511 Bryan & 318 North Akard Streets	2007	Completed	440 apartment units; 23,000 SF retail	\$45,000,000	\$9,000,000
Metropolitan	1200 Main Street	2007	Completed	273 condo units; 10,000 SF retail	\$46,340,909	\$4,750,000
<b>Subtotal</b>		<b>1,766 residential units; 444 hotel rooms; 20,000 SF educational; 44,000 SF office; 213,600 SF retail</b>			<b>\$220,033,369</b>	<b>\$58,714,319</b>
<b>Projects Within TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF</b>	<b>Approx. Value</b>	<b>TIF Investment</b>
Majestic Lofts (Titcher-Goettinger)	1900 Elm Street	1997	Completed	129 apartment units; 15,000 SF retail	\$10,500,000	\$0
Sheraton Hotel	400 North Olive Street	1998	Completed	1,844 hotel rooms	\$71,638,200	\$0
Santa Fe II (SoCo Lofts)	1122 Jackson Street	1999	Completed	205 residential units	\$27,786,980	\$0
2020 Live Oak	2020 Live Oak Street	2000	Completed	130,000 SF office	\$16,994,530	\$0
Jackson Street Lofts	1300 Jackson Street	2002	Completed	8 condo units; 5,000 SF retail	\$2,182,210	\$0
1505 Elm	1505 Elm Street	2004	Completed	65 condo units	\$14,029,060	\$0
Dallas Rooftop Gardens	1217 Main Street	2006	Completed	28,000 SF retail	\$1,750,000	\$0
Third Rail Lofts (additional information on following page)	1407 Main Street	2007	Completed	84 apartment units; 20,000 SF retail space	\$14,620,580	Chapter 380 funds
U.S. Post Office Building	400 N. Ervay Street	2011	Residential Complete	5,000 SF retail; 78 Units	\$20,000,000	\$0
First Baptist Church Expansion	1707 San Jacinto Street	2013	Under Construction	1,500,000 sf church space	\$123,000,000	\$0
1025 Elm Street	1025 Elm Street	2013	Proposed (zoning change approved by Council)	130 hotel rooms	\$20,000,000	\$0
<b>Subtotal</b>		<b>570 residential units; 1,974 hotel rooms; 130,000 SF office; 74,000 SF retail; 1,500,000 SF church space</b>			<b>\$322,250,560</b>	<b>\$0</b>

<b>Projects Utilizing and Not Utilizing TIF Funding</b>			
<b>Total</b>	<b>2,336 residential units; 2,418 hotel rooms; 20,000 educational; 174,000 SF office; 287,600 SF retail; 1,500,000 SF church space</b>	<b>\$542,534,929</b>	<b>\$58,714,319</b>
<p><sup>1</sup> All information updated as of September 30, 2011.</p> <p><sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.</p> <p><sup>3</sup> Based upon: a) market value of comparable projects for anticipated projects, b) private investment stated in the development agreement for projects that are approved or under construction, or c) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.</p> <p><sup>4</sup> Total amount reimbursed by the TIF district for the corresponding TIF project (includes accrued interest) as of September 30, 2011, except for Mosaic and Metropolitan (approved TIF investment listed, as projects have not been fully reimbursed)</p> <p><sup>5</sup> Selected significant projects included.</p> <p><sup>6</sup> Tax-exempt properties.</p> <p><sup>7</sup> Includes other incentives not shown. Contact City of Dallas Office of Economic Development for more information.</p>			

<b>District Initiatives</b>			
<b>Activity</b>	<b>Scope</b>	<b>TIF Investment</b>	<b>Status</b>
Metropolitan Garage	Up to 600 public parking spaces	\$450,000	3-year lease expired January 2005
Retail Study	Determine needs for District	\$150,000	Complete
Parking Study	Determine needs for District	\$380,154	Complete
N/S Streetscape	5 North/South Streets from Young to Ross Avenue	\$5,403,602	Complete
Park Master Plan	Determine priority sites for District	\$182,500	Complete
Affordable Housing	% of annual increment transferred to Housing Dept. to assist with affordable housing development throughout the City	\$1,620,566	\$3,120,566 out of \$5 million funded
Dalpark Garage	Use of 444 parking spaces for public use (150 parking spaces for short-term use)	\$2,358,780	Lease in place until 6/30/2015 (\$1,686,842 spent)
Dallas County Courthouse Plaza	Improvements to public space (lighting, trees, seating, etc.)	\$2,625,000	Complete
Fire Corridor	1600 Block of Elm Street	\$149,135	Phase I Design Complete (\$63,000 spent)
Third Rail Lofts Garage	370 public parking spaces; 95 parking spaces for adjacent residential developments	*\$8,500,000	Complete
CityPark Program	600 parking spaces (converted to public use from current garages)	*\$1,125,000	Program ended 2010 (\$1,027,818 spent)
Retail Initiative Phase I	Approximately 40,000 – 60,000 s.f. of retailers through tenant start-up cost assistance	*2,500,000	32,699 square feet of occupied retail space; \$2,219,212 spent
Retail Initiative Phase II	Additional retail recruitment and retention of critical retailers	**\$700,000	25,942 square feet retained/occupied; \$548,830 spent
Urban Market Retention	Retention of Urban Market for two years	**\$550,000 City assistance	City assistance matched by private stakeholder funds; Assistance ended 2008
Vacant Building Improvement Initiative	To reduce the number of downtown vacant buildings	Staff time only	Four buildings were completely renovated/ two demolished/ six under repair
News Rack Ordinance	Reduce visual clutter by install uniformed, regulated newspaper racks	Staff time only	Uniformed newspaper racks installed.
<p>* The Third Rail Lofts Garage, CityPark Garages, and Retail Initiative will be paid from Chapter 380 funds through a release of \$12.5 million in TIF funds. **Phase II of the Retail Initiative and Urban Market assistance was funded through Public/Private Partnership Funds.</p>			

## Value and Increment Revenue Summary

The base value of the zone is the total appraised value of all taxable real property in the District as determined by the Dallas Central Appraisal District on the certified roll for the base year, with adjustments made to accommodate boundary amendments. The adjusted base year value of the district is \$866,044,996. The City Center TIF District's assessed tax value in 2011 was \$1,170,176,925. This represents an increase of \$293,986,860 (33.55%) over the adjusted base year value.

The district's value decreased by \$14,535,189 (1.2%) from the previous year. This decrease will result in an estimated collection of approximately \$2,624,564 in incremental revenue for the City Center TIF District.

## Objectives, Programs, and Success Indicators

On February 12, 1997, the Dallas City Council adopted Ordinance Number 23034 which approved the City Center Tax Increment Financing District Final Project Plan and Reinvestment Zone Financing Plan, as amended. The goals of the plan are as follows:

- Make the City Center area a safer place to live and work
- Improve access to the City Center area
- Improve the image of the City Center area
- Take advantage of the existing building stock
- Develop a diverse mix of land uses within the City Center area
- Increase recreational opportunities in the City Center area

The following objectives and actions items set the framework for the planned public improvements within the City Center TIF District:

- Improve street and pedestrian lighting within the City Center TIF District.

*Improvements to five north/south streets (Field, Akard, Ervay, St. Paul and Harwood Streets to the Transit Mall) were completed in 2008. An extension of the north/south improvement project (from the Transit Mall to Ross Avenue) was also completed in 2008. These improvements included widened sidewalks, street repaving, street furniture, lighting, new crosswalks and street trees.*

- Improve the pedestrian environment through landscaping, lighting and design standards for surface parking lots.

*Ordinance No. 25487 approved by City Council on January 28, 2004 required commercial parking garages and surface parking lots to comply with certain parking lot enhancements such as improved lighting, stripping and landscaping.*

*The ordinance also required the installation of wrought iron fencing but only if financed by the City Center TIF District. A fencing program was completed in 2007 that installed enhanced fencing along commercial surface parking lots located within the City Center TIF District.*

*Pedestrian improvements in the downtown core/retail district were completed for the North/South Streets between Young and Ross Avenue. This work created a retail and pedestrian friendly environment with improved lighting, sidewalks, lighting and public art (terrazzo panels) on Field, Akard, Ervay, St. Paul and Harwood Streets focusing on the core district between Elm and Commerce Streets.*

- Provide public parking to encourage redevelopment of underutilized downtown office and retail space.

*On October 13, 2004, City Council authorized an agreement with Downtown Dallas Inc. to implement the City Park program. The program provided public, short-term parking space in garages in the downtown retail core in support of retail redevelopment efforts within the core. The CityPark program ended in 2010, but provided \$1,027,818 over six years for the conversion of existing private garages to public use through equipment signage, marketing and the use of the City's public parking rates. The following garages participated in the program and provided a minimum of 150 public parking spaces:*

- *DalPark Garage (1600 Commerce)*
- *Davis Lot Garage (1407 Main Street)*
- *Star Parking Garage (1300 Ross Avenue)*
- *Metropolitan Garage (1310 Elm Street)*

*Although the term of the CityPark program has expired, the City is currently leasing 225 low cost, transient parking spaces at the Dalpark Garage to assist with retail efforts. The Dalpark Garage lease will expire June 30, 2015.*

*Additionally, the developer of the Davis Lot site (1407 Main Street) received an \$8.5 million loan with a forgivable interest component to construct a parking garage providing 370 public parking spaces for 10 years, parking for adjacent residential projects and assist in the development of 20,000 square feet of retail space. The Davis lot garage lease will expire 2016. Below are parking counts for various garages.*

*A Downtown Parking Strategy was completed during FY 2011 as a component of the Downtown Dallas 360 Area Plan. Findings of the strategy will be explored and implemented, as feasible, in the coming fiscal year.*

Month/Yr	Dal Park	Davis			Metropolitan			
	Monthly	Weekday (Mon thru Thurs)	Weekend (Fri thru Sun)	Total Monthly Count	Weekday (Monthly%^^%)	Nights (Mon thru Fri after 6 pm)	Weekend (Sat and Sun)	Total Monthly Count
Oct. 2010	7173	3567	3544	7111	514	4200	2157	6871
Nov. 2010	6821	3849	2981	6830	512	3300	1050	4862
Dec. 2010	9948	4025	3243	7268	488	4085	874	5447
Jan. 2011	5632	3526	2313	5839	483	3916	1177	5576
Feb. 2011	6392	2507	2295	4802	476	2400	896	3772
Mar. 2011	6421	4036	2563	6599	489	2378	698	3565
Apr. 2011	6887	3508	3515	7023	489	3630	745	4864
May 2011	5823	3700	2989	6689	502	3212	956	4670
June 2011	7166	4462	2985	7447	510	3872	905	5287
July 2011	6937	3892	3696	7588	520	3600	1229	5349
Aug. 2011	7160	5375	2965	8340	533	4700	850	6083
Sept. 2011	7283	4260	3735	7995	555	4092	722	5369

- Coordinate linkages with the new DART light rail transit mall by extending streetscape improvements from the transit mall to the Arts District, Main Street, public open spaces and City Hall.

*Construction of pedestrian linkages connecting the DART light rail transit mall with the Main Street Retail District, public open spaces, City Hall and the Convention Center are underway. In July of 2010, the McKinney Avenue Transit Authority received a \$4.9 million grant from the Federal Transit Administration and matching grant of \$5 million from the North Central Texas Council of Government to complete the M-Line loop that branches off of McKinney Avenue at Olive Street. The line will improve connectivity between Uptown, Downtown, Woodall Rodgers Deck Park, the Arts District and DART downtown transit mall.*

*Additionally, the creation of a circulator system for downtown, as recommended by the Downtown Dallas 360 Area Plan, will be explored in the coming fiscal year. Funding sources and optimal route(s) must be identified for the recommended circulator system.*

- Direct overall development of the City Center area through the application of design standards for public improvements and design guidelines for private development.

*Standards for public improvements have been established. Development projects requesting TIF funding will be required to design and construct public improvements in accordance with established guidelines.*

- Encourage development of residential housing and hotels, including conversions of existing office space.



*TIF reimbursement provided through the City Center TIF District encouraged multiple residential redevelopment projects (as listed below) while reducing the amount of vacant obsolete space by 5.1 million square feet and increasing the number of downtown residents – Kirby Building, Wilson Building, Majestic Lofts, Davis Building, Santa Fe II, Gulf States Building, Dallas Power & Light Buildings, 1505 Elm Condominiums, Jackson Street Lofts, Republic Tower, Interurban Building, Mosaic 1200 Main Street, Magnolia Hotel, Sheraton Hotel, 1516 Elm Street, Hart Furniture, Merriman Architects, 2020 Live Oak, and the Joule Hotel.*

- Encourage redevelopment of street-front retail.

*A Retail Initiative aimed at stimulating the creation of a retail district in downtown Dallas, initially focusing on 40,000 to 60,000 square feet in the Main Street District, was approved in 2003. Phase I of the Initiative included \$2.5 million in funding for tenant start-up costs, rent subsidies, and a Leasing/Marketing Partner. Phase I of the Retail Initiative brought several unique retail establishments to downtown; however, most of these stores have not remained open.*

*Phase II of the Initiative, with \$700,000 in funding and a program goal of 16,000 to 20,000 square feet of retail, was approved. Jos. A. Bank (5,142 square feet) opened under the extended initiative. Further, the Initiative supported the Urban Market through a retail retention provision allowed in special circumstances. In total, 72,777 square feet of retail has been recruited or retained, 103% percent of the minimum goal. Conversions of structures such as the Stone Street Gardens Buildings, the Thompson Building, 1608 Main Street, Davis Building, Dallas Power and Light Building, Metropolitan and Mosaic add to the amount of improved retail space.*

<b>Name</b>	<b>Address</b>	<b>Square Footage</b>	<b>Status</b>
CADD	1608 Main Street	3,750	Open
CVS	1404 Main Street	14,500	Open
Jason's Deli	1409 Main Street	5,600	Open
Jimmy John's	1414 Elm Street	1,380	Open
Jos. A. Bank	1508 Commerce Street	5,142	Open
Swirl	1311 Main Street	5,193	Closed
Urban Market	1500 Jackson Street	20,000	Open
Benji's	1511 Main Street	2,006	Closed
Crimson in the City	1514 Commerce Street	2,500	Closed
Footgear	1608 Street	3,000	Closed
Kul Design Studio	1303 Main Street	9,706	Closed
<b>TOTAL SQUARE FOOTAGE IMPROVED</b>		<b>72,777</b>	
<b>TOTAL SQUARE FOOTAGE OCCUPIED</b>		<b>55,565</b>	

*The City of Dallas Main Street District Initiative Loan and Grant Program was amended to allow expenditures for a comprehensive update of the Downtown Parking Strategy and creation of a Retail Activation Strategy to identify and*

*prioritize improvements needed to support retail recruitment efforts in the Downtown area. Both documents were completed and approved during FY 2011.*

- Encourage redevelopment of school property and improve educational and training facilities within the district.

*Plans to open the University of North Texas (UNT) law school at the Old Municipal Building continue. UNT relocated its administrative offices to the Universities Center at Dallas building and has purchased the Titcher-Goettinger Building located at 1900 Elm Street.*

- Complement and protect existing historic structures.

*Through the efforts of the City Center TIF District and the City of Dallas Historic Preservation Program, the following historic buildings within the TIF District have been improved – Kirby Building, Wilson Building, Magnolia Building, Davis Building, Stone Street Gardens, Gulf States Building, Dallas Power & Light Buildings, Thompson Building, 1608 Main Street, Hart Furniture Building, 1530 Main Street, Republic Tower, the Interurban Building, and Mosaic (Fidelity Union Life Buildings). The Main Street National Register Historic District nomination was completed and accepted by the National Park Service. The city supported the expansion of the District to include buildings on the southern side of Downtown. The new expanded Downtown National Register Historic District is currently pending and has not officially been accepted by the National Park Service.*

The City Center TIF District development program includes:

- 2,500 residential units

*To date 2,336 residential units have been built in the City Center TIF District, representing approximately 93% of the development program goal. Below is a chart showing residential projects completed within the City Center TIF District:*

CITY CENTER – COMPLETED RESIDENTIAL UNITS			
PROJECT	LOCATION	UNITS	YEAR COMPLETED
1900 Elm (Titcher-Goettinger)	1900 Elm Street	129	1997
SoCo Lofts	1122 Jackson Street	205	2000
The Kirby – Residences on Main	1509 Main Street	156	2000
Wilson Building	1623 Main Street	135	2000
Residences on Jackson	1300 Jackson Street	8	2002
Davis Building	1309 Main Street	183	2003
1505 Elm Street Condominiums	1505 Elm Street	65	2004
Interurban Building	1500 Jackson Street	134	2005
Dallas Power & Light	1506-12 Commerce Street	154	2005
Gulf States Building	1415 Main Street	64	2007
Gables at Republic Center	325 N. St. Paul, Tower I	227	2007
Fidelity Union Life Towers (Mosaic)	Pacific/Bryan/Akard	440	2007
Metropolitan	1200 Main Street	273	2007
1407 Main Street	1407 Main Street	85	2008
U.S. Post Office Building	400 N. Ervay Street	78	2011
TOTAL RESIDENTIAL UNITS COMPLETED		2,336	

- Absorption of 3.5 million square feet of the currently vacant office space in the district

*To date, 5.1 million square feet of previously vacant office space located within the City Center TIF District has been renovated representing 149% of the development goal.*

*Completed projects include Santa Fe II, 2020 Live Oak, Sheraton Hotel, Majestic Lofts, Kirby Building, Wilson Building, Magnolia Building, Hart Furniture, 1505 Elm, Davis Building, Dallas Power and Light, Interurban Building, Jackson Building, Republic Tower, 1530 Main Street, Gulf States, 1217 Main Street, Mosaic, 1200 Main Street, Magnolia Hotel, Sheraton Hotel, 1516 Elm Street, Hart Furniture, and the Joule Hotel.*

- Absorption of 300,000 square feet of retail space

*To date, approximately 287,600 square feet of retail space, including Neiman Marcus, has been improved, representing 96% of the development program goal. The Main Street Retail Initiative has assisted in adding retail tenants to the growing number of those already established. Jos. A. Bank, CVS, Jason’s Deli and Jimmy John’s opened as part of the Retail Initiative and continue to thrive. Additionally, the Main Street Retail Initiative assisted in retaining the Urban Market grocery store and Urban café, located inside the Interurban Building at 1500 Jackson Street. Seven-eleven opened a convenience store on the ground floor of the Metropolitan.*

## Year-End Summary of Meetings

The City Center TIF District Board of Directors met three (3) times during FY 2011, December 9, 2011, February 10, 2011 and May 12, 2011.

The City Center TIF District Board of Directors consists of ten members including six (6) City of Dallas appointees, two (2) Dallas Independent School District (DISD) appointees, one (1) Dallas County appointee and one (1) Dallas County Community College District appointee. During FY 2011, the City Center TIF Board consisted of the following members:

### Board Member List

Larry Good – City Appointee (Attended 3 of 3 meetings)  
Lucy Burns – City Appointee (Attended 3 of 3 meetings)  
Shelle Sills – City Appointee (Attended 3 of 3 meetings)  
Kirby White – City Appointee (Attended 3 of 3 meetings)  
Jon Ruff – City Appointee (Attended 2 of 3 meetings)  
Orlando Alameda – DISD Appointee (Attended 3 of 3 meetings)  
Rick Loessberg – Dallas County Appointee (Attended 3 of 3 meetings)  
Clyde Porter – DCCCD Appointee (Attended 1 of 3 meetings)

During FY 2011, the City Council approved fifteen (15) items directly or indirectly associated with the City Center TIF District. The council actions are listed below.

- On December 8, 2010, City Council approved Ordinance No. 28075, authorizing an ordinance amending Chapter 31 of the Dallas City Code to: (1) define terms; (2) establish the Central Business District solicitation-free zone, the Deep Ellum solicitation free zone, the Uptown solicitation-free zone, and the Victory solicitation-free zone; (3) ban outdoor solicitations in solicitation-free zones, with certain defenses; and (4) provide a penalty not to exceed \$500.
- On February 9, 2011, City Council approved Resolution No. 11-0417, authorizing an ordinance abandoning a portion of a utility easement to First Baptist Church of Dallas, the abutting owner, containing approximately 12,286 square feet of land located near the intersection of St. Paul and San Jacinto Streets - Revenue: \$5,400 plus the \$20 ordinance publication fee.
- On February 23, 2011, City Council approved Resolution No. 11-0602, authorizing a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for E2 Flats located at 211 North Ervay Street for acquisition and rehabilitation of the proposed 119- unit multifamily residential development for low income families.
- On February 23, 2011, City Council approved Resolution No. 11-0524, authorizing a resolution accepting the FY 2010 Annual Report on the status of

Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.

- On February 23, 2011, City Council approved Resolution No. 11-0514, authorizing (1) the acceptance of the Transportation, Community and System Preservation Grant Funds (TXDOT); (2) the establishment of appropriations for the Transportation, Community and System Preservation Grant Funds (TXDOT) in the amount of \$400,000; and (3) an eighteen-month professional services contract for the Complete Streets Initiative with Kimley-Horn and Associates, Inc. in the amount of \$795,000, most advantageous proposer of five - Total not to exceed \$795,000 - Financing: North Central Texas Council of Governments Grant Funds (\$400,000) and Transportation, Community and System Preservation Program Grant Funds (\$395,000).
- On March 9, 2011, City Council approved Resolution No. 11-0640, authorizing (1) the acceptance of a grant from the Dallas Downtown Improvement District to provide outreach services for hard-to-reach and chronically homeless individuals who reside within the Central Business District for the period October 1, 2010 through March 31, 2011; and (2) execution of the grant agreement - Not to exceed \$70,844 - Financing: Downtown Improvement District Homeless Outreach Funds.
- On March 9, 2011, City Council approved Resolution No. 11-0659, authorizing an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with Houseman Building L.L.C., related to the remodeling of the Houseman Building located at 400 North Akard Street - Not to exceed \$200,000 - Financing: Public/Private Partnership Funds.
- On April 13, 2011, City Council approved Resolution No. 11-0975, authorizing the execution of a conditional grant agreement from the City Center Tax Increment Financing (TIF) District Fund to Hamilton Atmos LP for conversion of the vacant office building located at 1900 Jackson Street into 107 affordable residential units and residential amenities, 53 parking spaces located in the basements of 1900 Jackson Street and 1815 Wood Street, and streetscape and repair of all first floor windows and store fronts in the entire Atmos complex located at 1900 Jackson Street, 1815 Wood Street, 1915 Wood Street, and 301 South Harwood Street - Not to exceed \$1,500,000 - Financing: City Center TIF District Funds.

- On April 13, 2011, City Council approved Resolution No. 11-0096, authorizing A public hearing to receive comments regarding adoption of the Downtown Dallas 360 Plan, which establishes a vision and a strategic action plan for the core downtown area in relation to the supporting districts surrounding it, and a resolution adopting the plan.
- On May 25, 2011, City Council approved Resolution No. 11-1344, authorizing an amendment to Section 2 of Resolution No. 11-0659, previously approved on March 9, 2011, which authorized an economic development grant agreement with Houseman Building L.L.C., related to the remodeling of the Houseman Building located at 400 North Akard Street to include acquisition costs in the minimum private investment for this project.
- On August 10, 2011, City Council approved Ordinance No. 28294 and Resolution No. 11-1344, authorizing an ordinance granting a private license to The Adolphus Associates for the use of approximately 269 square feet of aerial space to install and maintain one projecting, attached video board sign over a portion of Commerce Street near its intersection with Field Street - Revenue: \$1,516 annually plus the \$20 ordinance publication fee.
- On August 24, 2011, City Council approved Ordinance No. 28346 and Resolution No. 11-2243, authorizing a public hearing to receive comments regarding an application and an ordinance granting the creation of a new subdistrict within the Downtown Special Provision Sign District, in an area generally bounded by R.L. Thornton Freeway, Hotel Street, Jefferson Boulevard Viaduct/Market Street, Jackson Street and Wood Street, and Akard Street.
- On August 24, 2011, City Council approved Ordinance No. 28347 and Resolution No. 11-2244 authorizing a public hearing to receive comments regarding an application for and an ordinance granting amendments to the Downtown Special Provision Sign District, Section 51A-900 of the Dallas City Code, to amend the requirements for construction barricade signs, district activity video board signs and super graphic wallscape signs in an area generally bounded by Woodall Rodgers Freeway, Interstate 45/US 75, Interstate 30/R. L. Thornton Freeway and Interstate 35/Stemmons Freeway.
- On September 14, 2011, City Council approved Ordinance No. 28366 and Resolution No. 11-2444 authorizing a public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment and a commercial amusement (inside) use limited to a Class A dance hall on property within Planned Development District No. 619 for Mixed Uses on the south side of Main Street, east of Field Street.
- On September 14, 2011, City Council approved Resolution No. 11-2403 authorizing a development and maintenance agreement with First Baptist

Academy of Dallas for the development and maintenance of Akard Park located at 410 North Akard Street.

## Budget and Spending Status

<b>City Center TIF District                      Projected Increment Revenues to Retire TIF Fund Obligations</b>				
Category	TIF Budget <sup>1</sup>	Expended <sup>2</sup>	Allocated	Balance
Streetscape/Pedestrian Linkages/Lighting/ Streetlight Upgrades	\$12,339,598	\$11,393,460	\$740,595	\$205,543
Façade Easements	\$2,000,000	\$2,000,000	\$0	\$0
Educational/Training Facilities	\$2,236,550	\$2,236,550	\$0	\$0
Parking	\$2,525,154	\$2,525,154	\$0	\$0
Acquisition/Restoration of Historic Sites	\$4,022,486	\$4,022,486	\$0	\$0
Public Use Improvements	\$207,500	\$207,500	\$0	\$0
Environmental Remediation, Demolition, Façade Improvements	\$54,451,027	\$42,861,111	\$7,488,242	\$4,101,674
Areas of Public Assembly/Outside TIF District	\$2,625,000	\$2,625,000	\$0	\$0
Affordable Housing/Outside TIF District	\$5,000,000	\$2,935,989	\$2,064,011	\$0
Plan Implementation	\$2,160,402	\$2,009,148 <sup>3</sup>	\$0	\$151,254
<b>Total Project Costs</b>	<b>\$87,567,717</b>	<b>\$70,807,250</b>	<b>\$10,292,848</b>	<b>\$6,467,619</b>
<sup>1</sup> Budget shown above in total dollars (including interest earnings and potential parking revenue), as approved in the Project Plan and Reinvestment Zone Financing Plan for the District. <sup>2</sup> Amounts include interest paid. <b>Note:</b> As a result of the decline of the District's value since 2009, the district will not collect the total budget amount of \$87.6 million. When the District expires in 2012, \$75.1 million in increment is projected to be collected. Remaining projects allocated TIF reimbursement may not be fully reimbursed.				



<b>City Center TIF District                      Projected Increment Revenues to Retire TIF Fund Obligations</b>	
<b>Category</b>	<b>TIF Budget*</b>
Streetscape/Pedestrian Linkages/Lighting/ Streetlight Upgrades	<b>\$12,339,598</b>
Façade Easements	<b>\$2,000,000</b>
Educational/Training Facilities	<b>\$2,236,550</b>
Parking	<b>\$2,525,154</b>
Acquisition/Restoration of Historic Sites	<b>\$4,022,486</b>
Public Use Improvements	<b>\$207,500</b>
Environmental Remediation, Demolition, Façade Improvements	<b>\$54,451,027</b>
Areas of Public Assembly/Outside TIF District	<b>\$2,625,000</b>
Affordable Housing/Outside TIF District	<b>\$5,000,000</b>
Plan Implementation	<b>\$2,160,402</b>
<b>Total Project Costs</b>	<b>\$87,567,717</b>
Budget shown in total dollars.	

## **M/WBE Participation**

TIF projects must comply with the Business Inclusion and Development (“BID”) Plan and the City’s Fair Share goals of certified minority/women-owned business enterprises (“M/WBE”) participation for both public and private improvements.

TIF assisted projects are not required to be publically bid. As a result TIF projects are privately bid and are monitored to ensure compliance with the City’s BID Plan and Fair Share Goals and the TIF District’s Fair Share Agreement. Reporting is not required until project or benchmark completion.

City Center TIF M/WBE Participation				
Project	Contractor	Total Contract Amount	Contract Award Amount	Percentage Minority Participation
Streetscape	HOK	\$ 1,584,154	\$ 664,945	41.97%
Kirby	Gibson	\$ 440,000	\$ 42,724	9.71%
Magnolia	Bell	\$ 586,300	\$ 96,329	16.43%
Parking	Kittelsohn	\$ 380,155	\$ 135,335	35.60%
Stone Street	Village Interiors	\$ 979,000	\$ 185,814	18.98%
Park Master Plan	Carter and Burgess	\$ 365,000	\$ 9,000	2.47%
Hart Furniture Bldg	Harrison Walker	\$ 1,143,129	\$ 202,615	17.72%
Thompson Building	Nedderman & Assoc.	\$ 2,000,464	\$ 241,822	12.09%
Streetscape Construction	Northern Pipeline Construction Co.	\$ 2,780,691	\$ 1,141,540	41.05%
Elm St. Fire Corridor	Architexas	\$ 63,000	\$ 17,762	28.19%
Retail Marketing/Leasing	Dallas Downtown Partnership	\$ 247,500	\$ -	0.00%
DP&L	Various	\$ 5,169,921	\$ 2,724,525	52.70%
Wayfinding Signs	Bunting Graphics	\$ 553,886	\$ 72,320	13.06%
Interurban Building	Andres Construction	\$ 5,228,415	\$ 1,966,491	37.61%
Gulf States Building	Various	\$ 3,703,168	\$ 876,480	23.67%
Republic Center	Various	\$ 2,168,806	\$ 52,936	2.44%
Joule Hotel	Various	\$ 13,528,365	\$ 544,982	4.03%
N/S Streetscapes	Texas Standard Construction Certified/LVI Environmental	\$ 1,619,260	\$ 615,318	38.00%
Metropolitan	Certified/LVI Environmental	\$ 3,868,400	\$ 967,100	25.00%
1608 Main Street Pedestrianway	Nedderman & Assoc.	\$ 476,700	\$ 132,893	27.88%
1608 Main Street	Nedderman & Assoc.	\$ 1,455,660	\$ 361,868	24.86%
Mosaic	Certified/LVI Environmental	\$ 8,882,955	\$ 2,492,880	28.06%
TOTALS		\$ 57,224,929	\$13,545,679	23.67%

## **FY 2012 Work Program**

The work items for FY 2012 for the City Center TIF District are as follows:

- Continue support of office/ business retention efforts.
- Determine desirability of term extension for District or procedures for closing down TIF District in 2012.
- Adoption of overall TIF design guidelines for public improvements.
- Consider changes to the TIF board's by-laws related to the design review process and 2011 changes to State Law.
- Adoption of a mixed income housing policy for the district.

## Appendix A - District Financials

City of Dallas, Texas  
City Center Tax Increment Financing District Fund  
Balance Sheet as of September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	2011	2010	2009	2008	2007
<b>Assets:</b>					
Pooled cash and cash equivalents	\$2,068,809	\$1,644,682	\$1,359,759	\$4,168,724	\$17,680,528
Interest receivable	\$6,258	\$8,675	\$8,120	\$26,296	\$125,250
Accounts receivable-Parking	\$7,764	\$6,635	\$5,847	\$6,905	\$0
Taxes receivable-delinquent	\$0	\$0	\$0	\$0	\$22,687
Less: allowance for uncollectible accounts	\$0	\$0	\$0	\$0	(\$7,941)
<b>Total assets</b>	<b>\$2,082,831</b>	<b>\$1,659,992</b>	<b>\$1,373,726</b>	<b>\$4,201,926</b>	<b>\$17,820,524</b>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts payable	\$0	\$0	\$0	\$195,532	\$275,270
Advances from developers	\$8,095,577	\$9,952,215	\$11,722,522	\$13,750,000	\$25,913,362
Deferred tax revenue	\$0	\$0	\$0	\$0	\$14,746
Accrued liability	(\$3,565)	(\$3,565)	\$10,613	\$10,612	\$1,742,048
<b>Total liabilities</b>	<b>\$8,092,011</b>	<b>\$9,948,650</b>	<b>\$11,733,135</b>	<b>\$13,956,144</b>	<b>\$27,945,426</b>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	(\$6,009,181)	(\$8,288,658)	(\$10,359,409)	(\$9,754,218)	(\$10,124,902)
<b>Total Liabilities and Fund Equity</b>	<b>\$2,082,831</b>	<b>\$1,659,992</b>	<b>\$1,373,726</b>	<b>\$4,201,925</b>	<b>\$17,820,524</b>
	(\$0)	(\$0)	(\$0)	(\$0)	\$0

City Center Tax Increment Financing District Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
For the Year Ended September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	ITD	2011	2010	2009	2008	2007
<b>Revenues:</b>						
Tax increment-Governmental	\$73,013,524	\$2,363,860	\$2,475,667	\$4,023,480	\$3,895,625	\$2,610,190
Tax increment-Intergovernmental	\$2,864,646	\$428,634	\$463,915	\$666,236	\$816,275	\$489,587
Interest income	\$10,064,488	\$14,651	\$25,411	\$93,239	\$391,661	\$886,730
Parking Revenue	\$723,681	\$90,590	\$75,754	\$81,644	\$138,421	\$118,107
Net increase in fair value of investments	(\$278,630)	\$1,795	(\$8,558)	(\$182,651)	(\$19,004)	\$154,241
<b>Total revenue</b>	<b>\$86,387,709</b>	<b>\$2,899,530</b>	<b>\$3,032,190</b>	<b>\$4,681,949</b>	<b>\$5,222,977</b>	<b>\$4,258,855</b>
<b>Expenditures:</b>						
Administrative expenses	\$2,064,011	\$54,864	\$74,683	\$36,534	\$119,202	\$112,924
Non-capital outlay	\$68,812,334	\$142,330	\$288,432	\$2,891,465	\$2,727,309	\$7,888,387
Capital outlay	\$9,786,548	\$0	\$0	\$0	\$531,605	\$781,739
Interest and fiscal charges	\$7,233,598	\$422,858	\$598,324	\$2,359,140	\$1,418,966	\$541,023
<b>Total expenditures</b>	<b>\$87,896,492</b>	<b>\$620,052</b>	<b>\$961,439</b>	<b>\$5,287,139</b>	<b>\$4,797,083</b>	<b>\$9,324,073</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>(\$1,508,783)</b>	<b>\$2,279,477</b>	<b>\$2,070,751</b>	<b>(\$605,190)</b>	<b>\$425,895</b>	<b>(\$5,065,219)</b>
<b>Other financing sources (uses):</b>						
Developer Participation	\$5,416,002	\$0	\$0	\$0	(\$55,211)	\$318,531
Transfer out	(\$10,000,000)	\$0	\$0	\$0	\$0	\$0
<b>Total other financing sources</b>	<b>(\$4,583,998)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$55,211)</b>	<b>\$318,531</b>
<b>Excess (deficiency) of revenues and other financing sources over (under) expenditures and other uses</b>	<b>(\$6,092,781)</b>	<b>\$2,279,477</b>	<b>\$2,070,751</b>	<b>(\$605,190)</b>	<b>\$370,684</b>	<b>(\$4,746,688)</b>
<b>Fund balance (Deficit) at beginning of year as previously reported</b>	<b>\$0</b>	<b>(\$8,288,658)</b>	<b>(\$10,359,409)</b>	<b>(\$9,754,218)</b>	<b>(\$10,124,902)</b>	<b>(\$5,378,214)</b>
<b>Prior period restatement</b>	<b>\$83,600</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fund balance (Deficit) at beginning of year, as restated</b>	<b>\$83,600</b>	<b>(\$8,288,658)</b>	<b>(\$10,359,409)</b>	<b>(\$9,754,218)</b>	<b>(\$10,124,902)</b>	<b>(\$5,378,214)</b>
<b>Fund balance (deficit) at end of year</b>	<b>(\$6,009,181)</b>	<b>(\$6,009,181)</b>	<b>(\$8,288,658)</b>	<b>(\$10,359,409)</b>	<b>(\$9,754,218)</b>	<b>(\$10,124,902)</b>

Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.

**City Center Tax Increment Financing District**  
**Reinvestment Zone Number Five, City of Dallas, Texas**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

\$16,446	Interest Income
90,590	Parking Income
2,792,494	Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Certified Tax Roll)
<u>\$2,899,530</u>	Total Revenue

**2. Amount and purpose of expenditures from the fund:**

\$54,864	Administrative Expense
422,858	Interest Expense
142,330	Non-Capital outlay*
0	Capital outlay
<u>\$620,052</u>	Total Expenditures

\* Expenditures incurred during FY'2010-11 are as follows:

	Total		Non-capital Outlay
	Expenditures	Capital Outlay	
Parking Subsidy-Dalpark Garage	\$146,689	\$0	\$146,689
Developer payable Adjustment	(\$6,170)	\$0	(\$6,170)
Miscellaneous Costs	\$1,811	\$0	\$1,811
Total Expenditures	<u>\$142,330</u>	<u>\$0</u>	<u>\$142,330</u>

**3. Amount of Principal and Interest due on outstanding bonded indebtedness:**

None. City Center TIF District has incurred no bonded indebtedness.

Status of developer advances received and reimbursements (incl. P & I) made as of September 30, 2011 is as follows:

Developer	Project	Balance Due (Since Inception)			Payments To Date			Net Balance Due	
		Principal	Accrued Interest	Total Due	Principal	Accrued Interest	Total Paid		
Post Properties, Inc.	Wilson Building	\$3,400,000	\$483,691	\$3,883,691	\$3,400,000	\$483,691	\$3,883,691	\$0	
Hall Financial Group	Kirby Building Redev.	\$435,797	\$35,094	\$470,891	\$435,797	\$35,094	\$470,891	\$0	
Holtze Magnolia	Magnolia Building Redev.	\$570,000	\$24,486	\$594,486	\$570,000	\$24,486	\$594,486	\$0	
Republic Center, LLP.	Republic Building Redev.	\$750,000	\$88,921	\$838,921	\$750,000	\$88,921	\$838,921	\$0	
Stone Place Mall Investors	Stone Place Mall	\$276,000	\$16,062	\$292,062	\$276,000	\$16,062	\$292,062	\$0	
Elm Street Development	Hart Furniture Building	\$1,333,191	\$59,252	\$1,392,443	\$1,333,191	\$59,252	\$1,392,443	\$0	
Main Street Investors JV	Thompson Building	\$1,065,000	\$106,629	\$1,171,629	\$1,065,000	\$106,629	\$1,171,629	\$0	
Hamilton DPL Development	DP&L Bldg. Restoration	\$6,503,159	\$361,750	\$6,864,909	\$6,503,159	\$361,750	\$6,864,909	\$0	
TIF Hotel, Inc.	Joule Hotel Redev.	\$8,500,000	\$875,792	\$9,375,792	\$8,500,000	\$875,792	\$9,375,792	\$0	
Barker-Nichols, LLC	Interurban Building	\$5,000,000	\$536,038	\$5,536,038	\$5,000,000	\$536,038	\$5,536,038	\$0	
Erway Residential Partners, Inc.	Republic Center Tower I	\$4,605,000	\$509,468	\$5,114,468	\$4,605,000	\$509,468	\$5,114,468	\$0	
GS Murray Development, Inc.	Gulf States Building Redev.	\$4,666,650	\$409,198	\$5,075,848	\$4,666,650	\$409,198	\$5,075,848	\$0	
Gonzalo 1200 Main, LLC.	1200 Main Street Redevel.	\$4,750,000	\$1,177,365	\$5,927,365	\$3,461,053	\$1,154,599	\$4,615,652	\$1,311,713	
WLK Mosaic Owner, LP.	Fidelity Union Bldg. Redev.	\$9,000,000	\$2,591,724	\$11,591,724	\$2,193,370	\$2,481,230	\$4,674,600	\$6,917,124	
<b>Totals</b>		<b>\$50,854,797</b>	<b>\$7,275,470</b>	<b>\$58,130,267</b>	<b>\$42,759,221</b>	<b>\$7,142,209</b>	<b>\$49,901,430</b>	<b>\$8,228,837</b>	
Principal									\$8,095,577
Accrued Interest									\$133,260
<b>Total</b>									<b>\$8,228,837</b>

**4. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable Value 2011	Base Year 1996 Value	Est. Captured Value 2011**
City of Dallas	\$1,170,176,925	\$866,044,996	\$304,131,929
Dallas County	\$1,209,894,562	\$866,044,996	\$343,849,566
Dallas Independent School District	0	0	0
Dallas County Hospital District	0	0	0
Dallas County Community College Dist.	0	0	0

\*\* Based on preliminary Taxable Values. Final values will be determined on February 01, 2012.

**5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment	% Captured	Amount of
	Per \$100	Value Used	Estimated 2011 Increment
City of Dallas	0.79700	71.73%	\$2,181,538
Dallas County	0.24310	12.88%	\$443,026
Dallas Independent School District	0.00000	0.00%	\$0
Dallas County Hospital District	0.00000	0.00%	\$0
Dallas County Community College District	0.00000	0.00%	\$0
Total for all Jurisdictions	\$1.04010	\$0.84614	\$2,624,564

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$2,624,564. For the 2010 tax year, increment in the amount of \$2,792,494 was received.

City of Dallas, Texas  
City Center Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011  
(Unaudited)

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$2,160,402 over the life of the TIF to reimburse the City for administrative costs. The Zone began reimbursing the General Fund for administrative costs in FY'1998-99. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.
5. The Zone has received advances from developers to fund improvements that have been completed by the Department of Public Works and Transportation. Following developer advances including principal and interest were outstanding at September 30, 2011:
  - \$1,288,947 for 1200 Main Street Building advance as of October 19, 2005 bears interest at 4.71% compounded semi-annually; and
  - \$6,806,630 for Fidelity Union Building advance as of November 4, 2005 bears interest at 4.87% compounded semi-annually;
6. All expenditures for capital improvements, including accounts payable of \$275,270 as of 9/30/07 and \$195,532 as of 9/30/08 have been expensed as project costs as incurred. All project costs resulting in capital improvements which are owned by the City are capitalized by the City of Dallas.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 45 Q R

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit to the chief executive officer of each taxing unit, as well as the State Comptroller. The City Council approved Ordinance No. 23521 on May 27, 1998, establishing Tax Increment Financing Reinvestment Zone Number Six, (the Farmers Market TIF District). On August 25, 1999, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 24001, as amended.

The Farmers Market TIF District's assessed 2011 tax value was \$101,531,538, an increase of \$73,824,687 over the base year value (1998). This property value change represents 266.4% increase from the 1998 base value. The 2011 tax value decreased \$2,280,930 (-2.2%) over the 2010 tax value.

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

On May 27, 1998, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Six, the Farmers Market TIF District by Ordinance No. 23521.

On August 25, 1999, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Farmers Market TIF District, as amended, by Ordinance No. 24001.

On November 18, 2011, the Farmers Market TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City



February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Six, ("Farmers Market TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Farmers Market area pursuant to Ordinance No. 23521, authorized by the City Council on May 27, 1998, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on August 25, 1999, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Farmers Market TIF District by Ordinance No. 24001, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the chief executive officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on November 18, 2011, the Farmers Market TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Four and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Six to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District; and to the State Comptroller, as required by state law.

**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.

# Farmers Market TIF District FY 2011 Annual Report



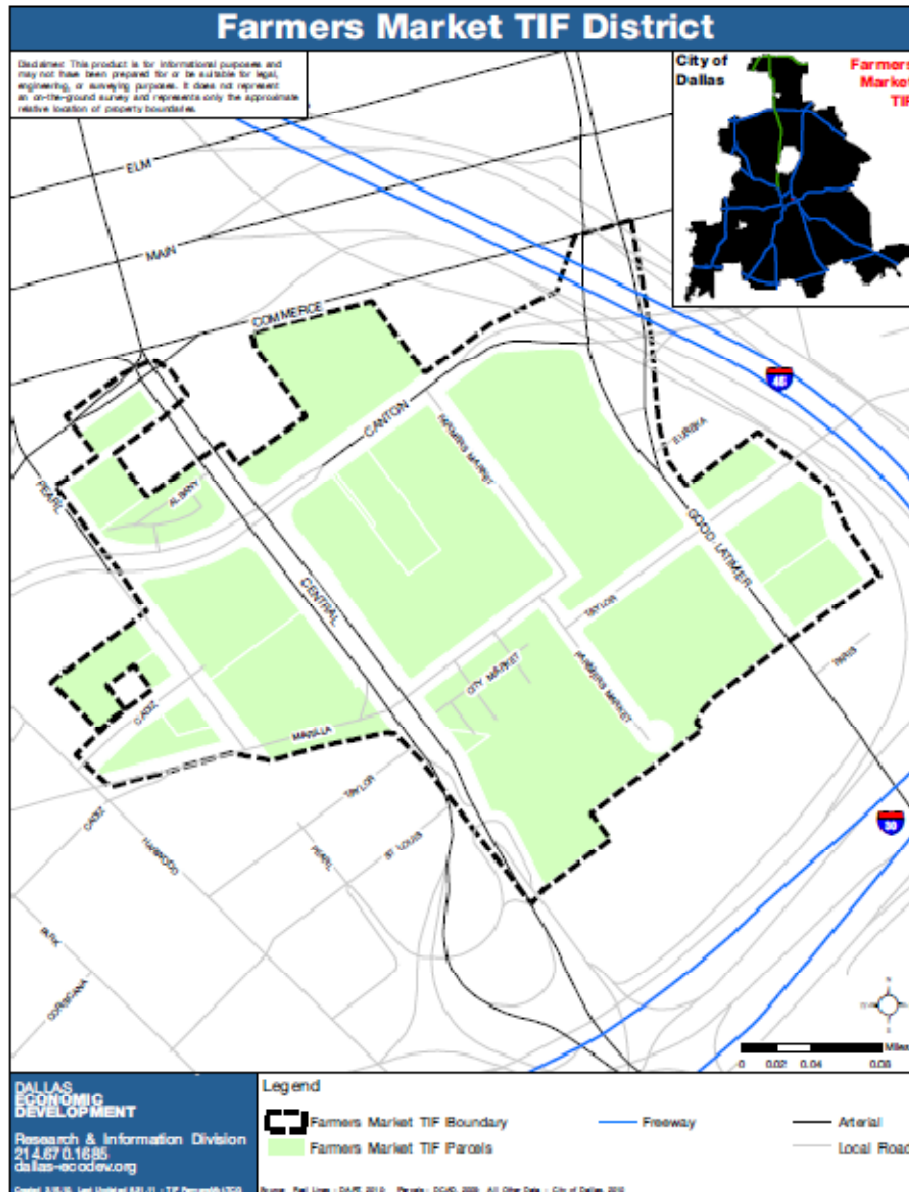
**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-9821

<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Six Farmers Market Tax Increment Financing District



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## Mission Statement

The mission of the Farmers Market Tax Increment Financing District is to provide a source of funding for public infrastructure improvements to promote the redevelopment, stabilization and growth of the Farmers Market TIF District area. An accompanying goal is the stabilization and growth of the value of the area's tax base and support of the Dallas Farmers Market.

The Dallas City Council established the Farmers Market TIF District by Ordinance Number 23521 on May 27, 1998. The Farmers Market TIF District took effect on October 1, 1998, and is scheduled to terminate on September 30, 2013 (including collection of the 2013 increment on calendar year 2014 and any related matters to be concluded in 2014). The City of Dallas is the only participating jurisdiction; the City's participation rate is 100%.

## Farmers Market TIF District Accomplishments

The Farmers Market TIF District was created to facilitate the redevelopment of previously vacant and underutilized land adjacent to the Dallas Farmers Market. With more new residential development planned, the area is maturing as a major contributor to the revitalization and growth of the downtown area.

Phase 1A of The Park at Farmers Market features 620 apartment units and a clubhouse. Public improvements in Phase 1A include the extension of Marilla Street into the project, construction of Farmers Market Way, streetscape improvements and street lighting. Construction of Phase 1B, with 284 apartment units, is completed on the site immediately south of Phase 1A.

Phase II, a 17-unit townhouse development at the northeast corner of Canton Street and South Cesar Chavez Boulevard, were completed during the summer of 2000. Public improvements for Phase II include streetscape improvements, street lighting, wastewater and water improvements.



Camden Phase 1A apartments



Camden Phase II - 17 Town Homes

Farmers Market/Deep Ellum Connector Walkway provides connectivity from the District to the Deep Ellum entertainment District, it was completed in 2002. Improvements such as lighting and benches in conjunction with the Bark Park Central project were completed and banners were installed in 2004. Recently, Deep Ellum Foundation with the support of the Farmers Market TIF funds added lighting to the Art Park and commissioned new art work.

The Harlan Building was completed in 2005. The renovation of the structure provides 10,000 square feet of retail/commercial space and 5 residential units. The public improvements associated with the project included water and wastewater improvements, paving, streetscape, demolition, environmental remediation and façade improvements.



The Harlan Building

Perry Homes has constructed forty four, three story townhomes - the Farmers Market Way Townhomes (Cityview at Farmers Market Townhomes) at the corner of Farmers

Market Way and Cesar Chavez Boulevard. The public improvements associated with the project included streetscape, paving and pedestrian lighting and utility burial on Farmers Market Way Street.

2100 Downtown Townhomes by Urban Innovations completed seven townhomes at the corner of Canton Street and Cesar Chavez Boulevard. Canton Townhomes by InTown Homes LLC., completed twenty one townhomes recently.

Texas InTownHomes, LLC is planning to construct 108 single-family townhomes called Farmers Market Square, at the southeast corner of Canton Street and Pearl Street, 514 Cesar Chavez Blvd. The total private cost of the Farmers Market Square Project is approximately \$32.9 million. The estimated net appraised value of the project upon stabilization is expected to be approximately \$39 million. The cost of related TIF eligible public improvements is \$3,000,000. These improvements include, but are not limited to paving, streetscape and pedestrian lighting improvements on Cesar Chavez Blvd., Canton Street, Marilla Street and Pearl Street. The development is scheduled to start by December, 2011 and will be complete by 2014.

Total private development in the Farmers Market TIF District is approximately \$90 million and estimated planned development is approximately \$32.9 million.



Camden Phase I B, 585 units completed, 2005



Farmers Market/Deep Ellum Connector Walkway



Camden Phase I A, 620 Units, Completed 2001





Banners/Streetscape



Lighting and open space improvements



Perry Homes – Cityview at Farmers Market



Farmers Market Square Project site



Canton Townhomes by Intown Homes



2100 Downtown Townhomes by Urban Innovations

Pictures taken from Urban Innovation website: <http://www.urbaninnovations.biz/2100downtown.php>

## Farmers Market TIF District Projects<sup>1</sup>

### Projects Within TIF District Utilizing TIF Funding

Project	Location	Year Complete	Status	Units/ SF <sup>2</sup>	Approx. Value <sup>3</sup>	TIF Investment <sup>4</sup>
Phase 1A, The Park at Farmers Market Apts.	2210 & 2410 Canton St.	2001	Completed	620 apartments	\$43,551,000	\$3,456,274
Townhomes Project, Phase IIA	2200 Canton St.	2001	Completed	17 Townhomes	\$6,931,050	\$162,225
Farmers Market/Deep Ellum Connector Walkway		2002	Completed	N/A	N/A	\$672,970 <sup>5</sup>
Bark Park Central improvements in Farmers Market/Deep Ellum Connector		2004	Completed	N/A	N/A	
Harlan Building Redevelopment Project	2018 Cadiz St.	2005	Completed	5 units 10,00 SF commercial	\$1,089,000	\$649,900
Farmers Market Project Phase IB- Apartments	625 S Good Latimer Expy.	2005	Completed	284 apartments	\$19,949,000	\$742,031
Farmers Market Way Townhomes <sup>7</sup>	1000 S. Cesar Chavez Blvd.	2007	Completed	44 Townhomes	\$13,799,370	\$90,000
Farmers Market Square			Planned	108 Townhomes	\$32,982,785	\$3,000,000
<b>Total of projects within TIF using TIF funding</b>						
<b>909 Apartments completed</b> <b>61 Townhomes completed</b> <b>108 Townhomes Planned</b> <b>10,000 square feet -commercial use completed</b>					<b>\$118,302,205</b>	<b>\$8,773,400</b>

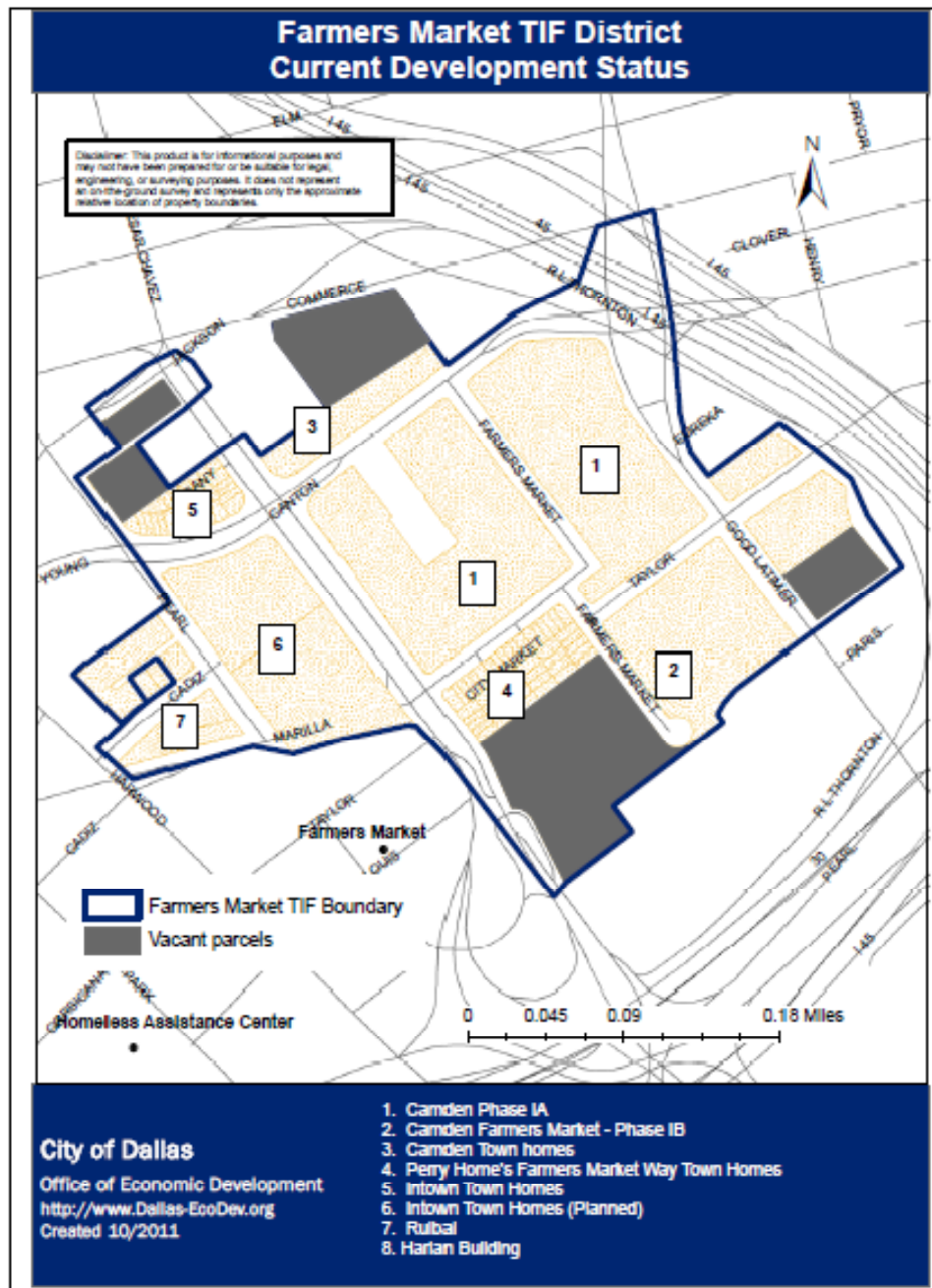
<b>Projects Within TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
2100 Downtown Townhomes Phase I <sup>6</sup>	2104 Young St.	2008	7 Townhomes		\$2,220,750	\$0
InTown Homes LLC	2140 Young St.	2011	20 Townhomes completed, one under construction		\$2,497,970	\$0
<b>Total of projects within TIF NOT using TIF funding</b>						
<b>27 Townhomes completed</b>						
<b>1 Townhomes under construction</b>					<b>\$4,718,720</b>	<b>\$8,773,400</b>
<b>Total</b>						
<b>909 Apartments completed</b>						
<b>88 Townhomes completed</b>						
<b>10,000 square feet -commercial use completed</b>					<b>\$123,020,925</b>	<b>\$8,773,400</b>
<b>1 Townhomes under construction</b>						
<b>108 Townhomes planned</b>						

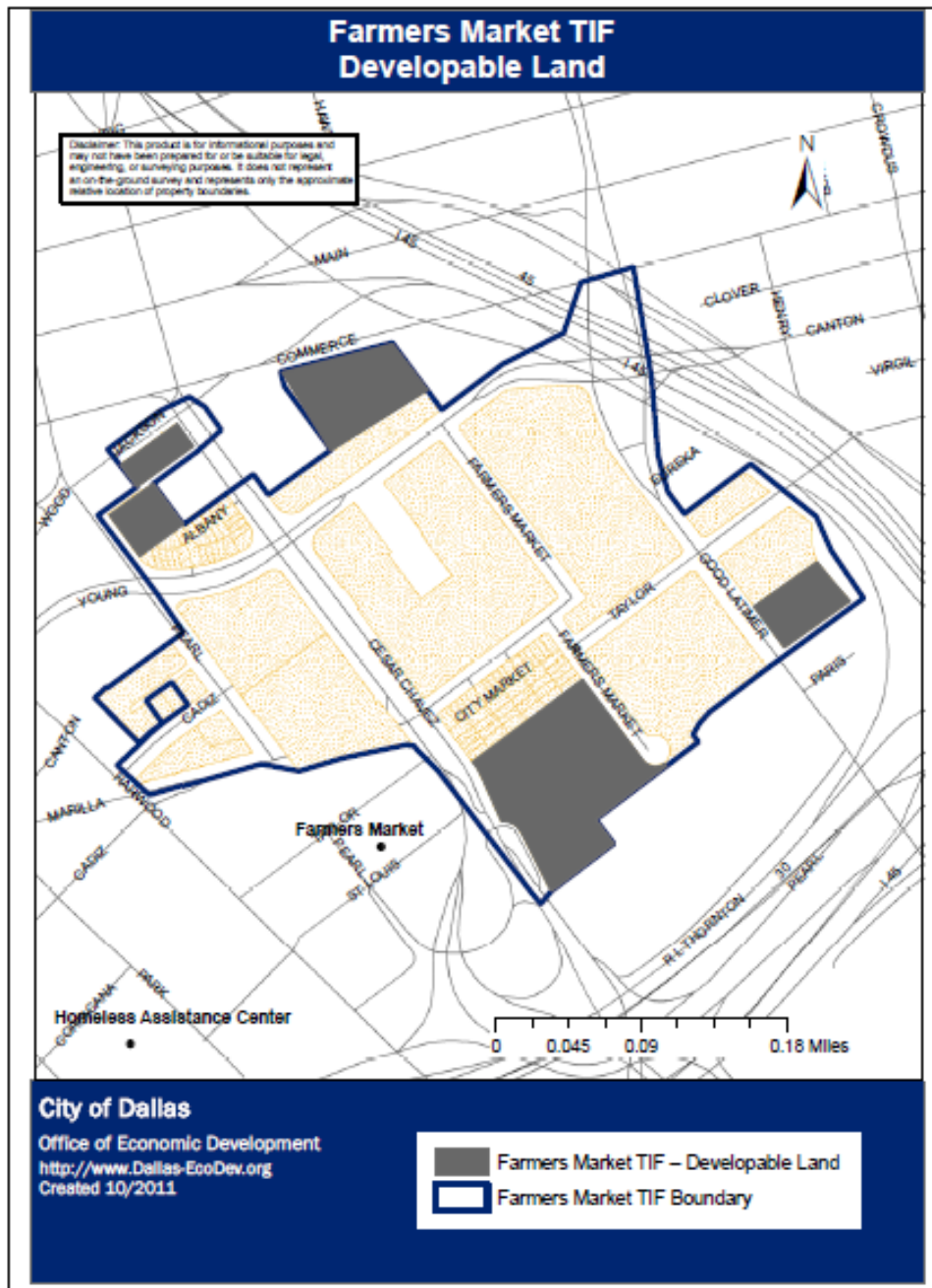
<sup>1</sup> All information updated as of September 30, 2011.  
<sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.  
<sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) City GIS & DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.  
<sup>4</sup> Principal amounts not to be exceeded per the development agreement.  
<sup>5</sup> TIF Investment for Farmers Market/Deep Ellum connector includes the TIF investment for the Bark Park Central improvements & Lighting near Art Park and Open space improvements (\$25,000).  
<sup>6</sup> Development Agreement with 2100 Downtown Condominium LLC was rescinded.  
<sup>7</sup> The reimbursement for the Farmers Market Way Townhomes project is still pending (\$90,000).



Cesar Chavez Blvd

Farmers Market Square Project Conceptual Plan





## Value and Increment Revenue Summary

The Farmers Market TIF District's assessed 2011 tax value was \$101,531,538, an increase of \$73,824,687 over the base year value (1998). This property value change represents 266.4% increase from the 1998 base value. The 2011 tax value decreased \$2,280,930 (-2.2%) over the 2010 tax value. From the inception of the district, approximately 95% of the increment is from new construction and 5% is from the general appreciation. The total 2011 increment revenue collected in 2012 is expected to be \$588,383. The actual construction that occurred in 2011 will be reflected on the 2012 tax roll.

## Development Goals and Objectives

On August 25, 1999, the City Council passed Ordinance Number 24001, which approved the Farmers Market Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan. Among the goals of the Plan are:

- Complete a program of infrastructure replacement and enhancement to provide a foundation for development.  
*Infrastructure improvement is a high priority for the Farmers Market TIF District. Extension of Marilla Street, construction of Farmers Market Way, construction of Farmers Market/Deep Ellum Connector Walkway, streetscape improvements, light and water/wastewater, lighting the Art Park and Open Space Improvements near Deep Ellum Connector, are funded to meet the infrastructure improvement goal for the District.*
- Encourage residential development, including apartments and townhouses.  
*Since the creation of the Farmers Market TIF District, 997 residential units (909 apartments, 88 townhomes) have been completed and one townhome is under construction and 108 townhomes are planned.*
- Provide opportunities for retail uses supporting neighborhood needs.  
*Approximately 10,000 square feet of commercial space has been developed to date.*
- Encourage high standards of environmental excellence throughout the area.  
*Funding for environmental remediation for the Harlan Building and assistance in the development of infrastructure and streetscape for the Bark Park Central.*
- Encourage the development of design standards for public improvements and design guidelines for private development.  
*Staff monitors every project which receives TIF funding to guarantee high design standards with wide sidewalks, landscaping, open spaces and ensures consistency throughout the district.*



## **Year-End Summary of Meetings**

During the period of October 1, 2010, through September 30, 2011, the Farmers Market TIF Board met twice, on November 15, 2010 and June 28, 2011.

The current Board members are Orlando Alameda, DISD appointee (0 of 1 meeting), Hector Flores, DISD appointee (1 of 1 meeting), Alexia Griffin – City Representative (0 of 2 meetings - no longer a TIF Board Member), Lily Mak – City Representative (2 of 2 meetings), Ross Sherwood Martin – City Representative (2 of 2 meetings), Neal Sleeper - City Representative (2 of 2 meetings), John Miller - City Representative (2 of 2 meetings), Stewart Clancy (1 of 2 meetings), Zane Aveton (2 of 2 meetings).

During the fiscal year, the City Council approved four items associated with the Farmers Market TIF District:

- On February 23, 2011, the City Council approved Resolution Number 11-0525 authorizing acceptance of the Fiscal Year 2010 Annual Report of the Tax Increment Reinvestment Zone Number Six (Farmers Market TIF District), and authorizing the City Manager to submit the annual report to the other taxing jurisdictions that participate in the district, as well as the Texas Attorney General.
- On August 10, 2011, the City Council approved Resolution Numbers: 11-2031 authorizing a development agreement with Texas IntownHomes LLC to provide funding for the design, engineering, professional services and construction of public infrastructure improvements for the Farmers Market Square Project in an amount not to exceed \$3,000,000 from Farmers Market TIF funds.
- On August 10, 2011, the City Council approved Resolution Numbers: 11-2032 declaring the intent of Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District), to reimburse Texas IntownHomes LLC., in an amount not to exceed \$3,000,000 for certain improvements related to the development of the Farmers Market Square Project in the Farmers Market TIF District.
- On August 24, 2011 the City Council held a public hearing and closed the hearing and approved an application for creation of a new sub district within Planned Development District No. 357, the Farmers' Market Special Purpose District by Resolution 11-2237.

## **Pending TIF Items**

- FY 2011 Annual Report, Farmers Market TIF District

## Budget and Spending Status

Each TIF District establishes a budget for the public improvement expenditures necessary to support private investment in the district in the Project Plan and Reinvestment Zone Financing Plan. The Farmers Market TIF District budget and spending to date is shown in the following table:

<b>Farmers Market TIF District Projected Increment Revenues to Retire TIF Fund Obligations</b>			
Category	TIF Budget <sup>1</sup>	Allocated <sup>2</sup>	Balance
Phase IA <sup>3</sup>	\$8,125,411	\$8,125,411	\$0
Deep Ellum Connector <sup>4</sup>	\$1,539,320	\$672,970	\$866,350
Phase IB	\$2,626,976	\$742,031	\$1,884,945
Phase II <sup>5</sup>	\$8,060,679	\$3,210,830	\$4,849,849
Harlan Building	\$1,268,655	\$701,142	\$567,513
TIF Administration <sup>6</sup>	\$1,112,684	\$440,695	\$671,989
<b>Total</b>	<b>\$22,733,725<sup>7</sup></b>	<b>\$13,893,079</b>	<b>\$8,840,646</b>

1. Budget shown above in current dollars; TIF Project Plan shows the budget in net present value.  
 2. Allocated includes money expended and committed for existing and future projects.  
 3. Phase 1A and Phase II includes \$7,654,743, funds advanced by the City.  
 4. Deep Ellum Connector includes – Lighting near Art Park and Open Space Improvements (AA)- \$25,000  
 5. Phase II includes Perry Homes-\$90,000  
 6. TIF administration fee include funds expended of committed through FY 2011.  
 7. NPV value of \$11,645,918

<b>Farmers Market TIF District Project Plan Budget</b>	
Category	TIF Budget (in NPV)*
Phase IA	\$4,162,445
Deep Ellum Connector	\$788,555
Phase IB	\$1,345,734
Phase II	\$4,129,284
Harlan Building Redevelopment	\$649,900
Administrative	\$570,000
<b>Total</b>	<b>\$11,645,918</b>

\* As approved in the Project Plan and Reinvestment Zone Financing Plan.

<b>Farmers Market M/WBE Participation</b>			
<b>Project</b>	<b>Contractor</b>	<b>Contract Awarded</b>	<b>% Minority Participation</b>
Marilla St. & Farmers Market Way Infrastructure	Tiseo Paving Company	\$1,791,031	11.58%
Marilla St. & Farmers Market Way Streetscaping	Gibson & Assoc., Inc.	\$1,863,606	9.42%
Marilla St. & Farmers Market Way Streetscaping – contract increase	Gibson & Assoc., Inc.	\$120,872	9.50%
Good Latimer Expwy Streetscaping	Gibson & Assoc., Inc	\$425,536	23.20%
Canton St. & S. Cesar Chavez Blve Infrastructure	New Star Grading & Paving	\$197,045	66.59%
Farmers Market Townhomes Phase IIA Water & Waste Water	Saber Development Corporation	\$138,795	3.10%
Camden Farmers Market Ph. 1B, parcel 1 – Streetscaping, Water & Waste Water	Gibson & Assoc., Inc.	\$617,702	25.9%
Harlan Building Redevelopment	Nedderman & Assoc.	\$650,000	17.6%
<b>Total</b>		<b>\$5,804,587</b>	<b>15.6% (\$903,060)</b>

## **FY 2012 Work Program**

- Assist with issues related to the Farmers Market Square Project, and Deep Ellum Foundation for the lighting and open space improvement projects.
- Assist with issues related to the beautification of the Farmers Market TIF District entry way, identifying missing banners.
- Continue facilitating partnership with Farmers Market and other organizations in strengthening the Farmers Market TIF District.
- Update By-Laws of Farmers Market TIF District to reflect changes in board composition.

## Appendix: Financials

City of Dallas, Texas  
Farmers Market Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011  
(Unaudited)

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The Zone's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$1,112,684 (in current \$) of the TIF to reimburse the City for administrative costs. The City began billing the Zone for administrative costs in FY'1998-99. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.
5. The Zone has received advances from City of Dallas to fund improvements that have been made by the Department of Public Works and Transportation. The City used the funds from the 1985 bond program that were allocated to fund these public improvements in the TIF district. Funds advanced by the City, which bear interest from the date of advance, include the following:
  - \$1,791,030 advance as of March 11, 1999 bears interest at 5.20% compounded annually;
  - \$1,995,017 advance as of September 25, 2000 bears interest at 5.20% compounded annually;
  - \$478,886 advance as of October 01, 2001 bears interest at 5.20% compounded annually; and
  - \$226,236 advance as of September 25, 2002 bears interest at 5.20% compounded annually; and
6. All expenditures including accounts payable balances of \$2,034 as of 9/30/11 and \$8,065 as of 9/30/10 have been expensed as project costs as incurred. All project costs resulting in capital improvements owned by the City are capitalized on the City's books.

City of Dallas, Texas  
Farmers Market Tax Increment Financing District Fund  
Balance Sheet as of September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	2011	2010	2009	2008	2007
<b>Assets:</b>					
Pooled cash and cash equivalents	\$3,215,320	\$2,566,856	\$2,030,997	\$1,423,809	\$899,452
Interest receivable	\$9,671	\$13,294	\$11,010	\$9,214	\$12,199
Taxes receivable-delinquent	\$0	\$0	\$0	\$0	\$15,631
Less: allowance for uncollectible accounts	\$0	\$0	\$0	\$0	(\$5,471)
<b>Total assets</b>	<b>\$3,224,991</b>	<b>\$2,580,150</b>	<b>\$2,042,007</b>	<b>\$1,433,023</b>	<b>\$921,811</b>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts & contracts payable	\$2,034	\$8,065	\$0	\$0	\$0
Advances from developers	\$2,496	\$2,496	\$2,496	\$2,496	\$2,496
Advances from City	\$4,491,169	\$4,491,169	\$4,491,169	\$4,491,169	\$4,491,169
Deferred tax revenue	\$0	\$0	\$0	\$0	\$10,160
Accrued liability	\$22,759	\$22,759	\$22,759	\$22,759	\$22,759
<b>Total liabilities</b>	<b>\$4,518,459</b>	<b>\$4,524,490</b>	<b>\$4,516,425</b>	<b>\$4,516,425</b>	<b>\$4,526,585</b>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	(\$1,293,468)	(\$1,944,339)	(\$2,474,417)	(\$3,083,401)	(\$3,604,773)
<b>Total Liabilities and Fund Equity</b>	<b>\$3,224,991</b>	<b>\$2,580,150</b>	<b>\$2,042,007</b>	<b>\$1,433,023</b>	<b>\$921,811</b>
	\$0	\$0	\$0	\$0	\$0

Farmers Market Tax Increment Financing District Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
For the Period Ended September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	ITD	2011	2010	2009	2008	2007
<b>Revenues:</b>						
Tax increment-Governmental	\$4,509,377	\$691,405	\$557,323	\$591,515	\$506,584	\$466,849
Interest income	\$482,437	\$19,136	\$30,504	\$37,858	\$43,605	\$63,311
Other revenue-developer reimbursement savings	\$217,974	\$0	\$0	\$0	\$0	\$217,974
Net increase in fair value of investments	(\$3,585)	\$2,701	(\$12,525)	\$10,319	(\$6,771)	\$14,915
<b>Total revenues</b>	<b>\$5,206,204</b>	<b>\$713,242</b>	<b>\$575,303</b>	<b>\$639,693</b>	<b>\$543,419</b>	<b>\$763,050</b>
<b>Expenditures:</b>						
Administrative expenses	\$440,695	\$60,336	\$32,810	\$20,329	\$22,046	\$51,740
Non-Capital outlay	\$470,943	\$2,034	\$12,415	\$10,380	\$0	\$0
Capital outlay	\$5,492,432	\$0	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$1,058,458	\$0	\$0	\$0	\$0	\$44,359
<b>Total expenditures</b>	<b>\$7,462,528</b>	<b>\$62,371</b>	<b>\$45,225</b>	<b>\$30,709</b>	<b>\$22,046</b>	<b>\$96,099</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>(\$2,256,324)</b>	<b>\$650,872</b>	<b>\$530,078</b>	<b>\$608,984</b>	<b>\$521,372</b>	<b>\$666,951</b>
<b>Fund balance (Deficit) at beginning of year as previously reported</b>						
	\$0	(\$1,944,339)	(\$2,474,417)	(\$3,083,401)	(\$3,604,773)	(\$4,271,724)
<b>Prior period restatement</b>						
	\$962,857	\$0	\$0	\$0	\$0	\$0
<b>Fund balance (Deficit) at beginning of year, as restated</b>	<b>\$962,857</b>	<b>(\$1,944,339)</b>	<b>(\$2,474,417)</b>	<b>(\$3,083,401)</b>	<b>(\$3,604,773)</b>	<b>(\$4,271,724)</b>
<b>Fund balance (deficit) at end of year</b>	<b>(\$1,293,468)</b>	<b>(\$1,293,468)</b>	<b>(\$1,944,339)</b>	<b>(\$2,474,417)</b>	<b>(\$3,083,401)</b>	<b>(\$3,604,773)</b>

Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.

**Farmers Market Tax Increment Financing District  
Reinvestment Zone Number Six, City of Dallas, Texas  
As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

\$21,837	Interest Income
\$0	Other revenue-developer reimbursement savings
\$691,405	Ad Valorem Taxes (Collected in FY 2010-11 based on 2010 Final Tax Roll)
<u>\$713,242</u>	Total Revenue

**2. Amount and purpose of expenditures from the fund:**

\$60,336	Administrative Expense
\$2,034	Non-Capital outlay
\$0	Capital outlay
\$0	Interest and fiscal charges
<u>\$62,371</u>	Total Expenditures

**3. Amount of Principal and Interest due-on outstanding indebtedness is as follows:**

<u>Source of Funds</u>	<u>Project</u>	<u>Advance Principal</u>	<u>Accrued Interest</u>	<u>Total (P &amp; I) Outstanding</u>
City of Dallas	Park at Farmers Market	\$4,491,169	\$3,533,216	\$8,024,385
Camden Realty	Townhomes Phase IIA	\$335,840	\$154,768	\$490,608
Camden Realty	Townhomes Phase IB	\$742,031	\$244,610	\$986,641
Cadiz Street Properties	Harlan Building redevelopment	\$649,900	\$51,242	\$701,142
	Total	<u>\$6,218,940</u>	<u>\$3,983,836</u>	<u>\$10,202,776</u>
Less: payments		<u>\$1,727,771</u>	<u>\$450,620</u>	<u>\$2,178,391</u>
Net Balance Outstanding		<u>\$4,491,169</u>	<u>\$3,533,216</u>	<u>\$8,024,385</u>

**4. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable Value 2011	Base Year 1996 Value	Est. Captured Value 2011*
City of Dallas	\$101,531,538	\$27,706,851	\$73,824,687
Dallas Independent School District	\$0	\$0	\$0
Dallas County	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College District	\$0	\$0	\$0

\* Based on preliminary Taxable Values. Final values will be determined on February 01, 2012.

**5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100	2011 Tax Year Increment
City of Dallas	0.79700	\$588,383
Dallas Independent School District	0.00000	\$0
Dallas County	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
<b>Total for all Jurisdictions</b>	<b>\$0.79700</b>	<b>\$588,383</b>

B. The total amount of projected tax increment to be billed for the 2011 tax year is shown above. For the 2010 tax year, TIF received \$691,405 in tax increment.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2, 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 45 E F J & K

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit to the chief executive officer of each taxing unit, as well as the State Comptroller, an annual report on the status of each reinvestment zone it has created. The City Council approved Ordinance No. 23688 on October 28, 1998, establishing Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District). On August 25, 1999, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 24002.

The district's assessed 1998 tax value was \$16,423,773. The total appraised value of all taxable property for 2011 was approximately \$405,477,911 which represents an increase of \$389,054,138 (2,368.8 percent) from 1998 despite a 10.3% decrease (\$46.6 million) from the 2010 to 2011 value. With the participation of the City and Dallas ISD, this increase from 1998 will result in the collection of approximately \$5,610,836 total in incremental revenue for the Sports Arena TIF District in June 2012. Dallas County and the Dallas County Hospital District ceased participation as of tax year 2008.

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

On October 28, 1998, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Seven, the Sports Arena TIF District by Ordinance No. 23688.

On August 25, 1999, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Sports Arena TIF District, by Ordinance No. 24002.

On February 3, 2012, the Sports Arena TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Seven, ("Sports Arena TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Sports Arena area pursuant to Ordinance No. 23688, authorized by the City Council on October 28, 1998, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on August 25, 1999, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Sports Arena TIF District by Ordinance No. 24002; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the chief executive officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on February 3, 2012, the Sports Arena TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Seven and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Seven (Sports Arena TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), and is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Seven to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District; and to the State Comptroller, as required by state law.

**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.

# Sports Arena TIF District FY 2011 Annual Report

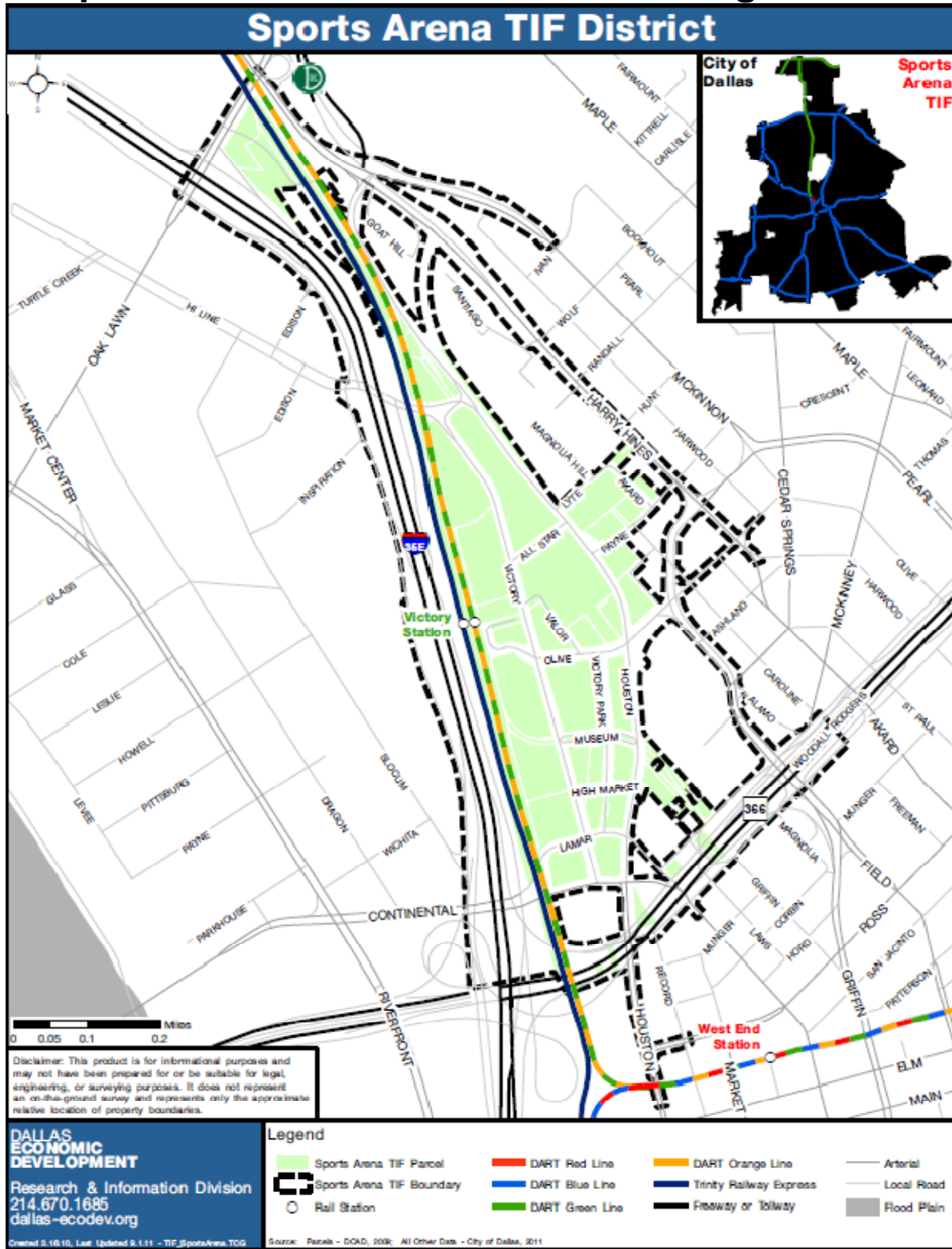


**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-4551  
<http://www.dallas-ecodev.org/>

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Seven Sports Arena Tax Increment Financing District



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## Mission

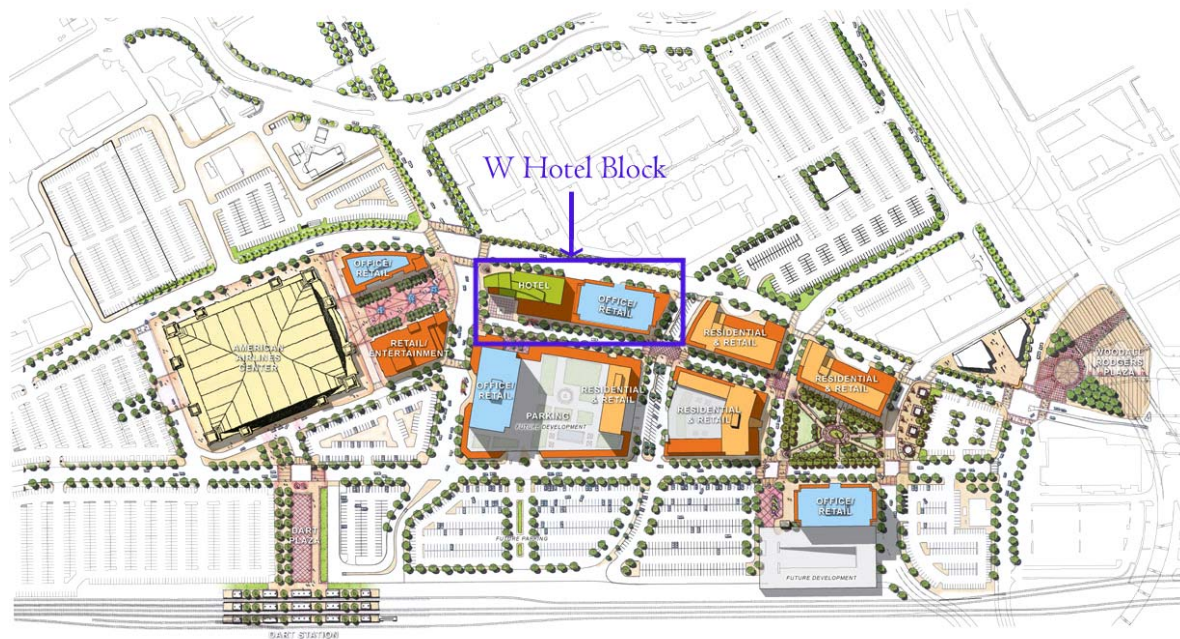
The City of Dallas created the Sports Arena TIF District in 1998 to redevelop the area around the American Airlines Center. At that time, it was determined that this development and redevelopment would not have occurred solely through private investment, in a timely manner.

The City Council of the City of Dallas created Reinvestment Zone Number Seven and established the Zone's Board of Directors on October 28, 1998. The Sports Arena TIF District took effect on January 1, 1999. The District's base year (1998) assessed tax value is \$16,423,773.

The City Council of the City of Dallas approved the Project Plan and Reinvestment Zone Financing Plan on August 25, 1999, and authorized participation agreements with DISD, Dallas County and the Dallas County Hospital District. The City then secured TIF participation from each of these entities.

## District Accomplishments

Since its inception, the Sports Arena TIF has seen approximately \$543 million in new development completed by the end of 2011.



Victory Park Master Plan  
Plan: Hillwood Development

In April 2004, construction started on the W Dallas Victory Hotel and Residences. The project, consisting of two towers, has 251 hotel rooms, 145 condominiums, and 42,500 square feet of retail space. Construction completed in June 2006. Total investment: \$135 million.



In January 2005, construction started on The Terrace, a \$20 million, eight-story, 97 unit condominium building with 24,000 square feet of retail space. Construction completed in November 2006. Total investment: \$20 million.

In September 2004, construction on the Victory Plaza buildings began. The two buildings feature 65,000 square feet of retail space and 155,000 square feet of office space. WFAA-TV opened a "Times Square style" street front broadcast studio in the east building. The space between the buildings is used on Stars and Mavericks game days for rallies and events. Both buildings completed in January 2007. Total investment: \$50 million.



Next door to The Terrace, construction started in January 2005, on The Vista, a 127-unit apartment building facing downtown. Construction on this \$20 million building with 28,000 square feet of retail space was completed in February 2007. Total investment: \$20 million.



Across the street from the Victory Plaza buildings, construction started on Cirque in June 2005. Complete in August 2008, Cirque provides 252 rental units and 11,000 square feet of retail space. Total investment: \$57 million.



In June 2005, One Victory Park was announced. One Victory Park started construction in December 2006 and completed in November 2008. One Victory Park provides 430,000 square feet of office space. Investment: \$70 million.

In June 2005, the House by Starck and Yoo was announced, and it started construction in November 2006. Completed in April 2009, the 26 story, 150-unit condominium development provides 30,000 square feet of retail space. Total investment: \$70 million.



\*All photos courtesy of Hillwood Development

All together, 771 homes, 251 hotel rooms, 209,500 square feet of retail space, and 585,000 square feet of office space are in the Sports Arena TIF District, totaling over \$543 million in private investment.

The following chart shows developments within the Sports Arena TIF District. All information in the chart is current as of September 30, 2011.

TIF Related Projects <sup>1</sup>						
Project	Location	Calendar Year Complete	Status	Units/ SF <sup>2</sup>	Approx. Value <sup>3</sup>	TIF Investment <sup>4</sup>
American Airlines Center <sup>5</sup>	2500 Victory Ave	2001	Complete	840,000 sf entertainment space	\$184,175,010	\$0
Center Operating Company	2427 N. Houston St	2001	Complete	Parking Garage	\$3,816,450	\$0
W Dallas Victory Hotel & Residences	2440 Victory Park Ln	2006	Complete	145 condos 251 hotel rooms 42,500 sf retail	\$116,853,066	\$0
The Terrace	2323 N. Houston St	2006	Complete	97 condos 24,000 sf retail	\$19,180,309	\$0
The Vista	2345 N. Houston St	2007	Complete	127 apartments 28,000 sf retail	\$17,040,000	\$0
Victory Plaza Buildings	3030 & 3090 Olive St	2007	Complete	65,000 retail 155,000 office	\$26,976,920	\$0
Cirque	2500 N Houston St	2008	Complete	252 apartments 11,000 sf retail	\$43,014,700	\$0
One Victory Park	2323 Victory Ave	2008	Complete	9,000 sf retail 430,000 office	\$69,862,280	\$0
The House by Starck & Yoo	2200 Victory Ave	2009	Complete	150 condos 30,000 sf retail	\$62,048,106	\$0
TIF Infrastructure		2001	Complete			\$23.9M
				<b>771 homes</b> <b>251 hotel rooms</b> <b>209,500 sf retail</b> <b>585,000 sf office</b> <b>840,000 sf entertainment parking garage</b>	<b>\$542,966,841</b>	<b>\$0</b>
<sup>1</sup> All information updated as of September 30, 2011. Previously planned projects that are not anticipated to be imminently under construction have been removed from the chart. <sup>2</sup> Based upon information gathered from the developer. May be updated for completed projects based on actual unit mix and square footage. <sup>3</sup> Based upon 1) approximate private investment for anticipated projects, or 2) DCAD market value for completed projects (unless project has not yet been assessed). Arena value includes roads and parking. Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out. <sup>4</sup> Sports Arena TIF funds were dedicated for infrastructure for the TIF district, not individual projects. <sup>5</sup> Tax-exempt property.						

Directly adjacent to the district, the ground breaking for the Perot Museum of Nature & Science was held for November 18, 2009, and construction began on April 26, 2010. The 180,000-square-foot museum will have a 300-seat theater and hands-on exhibits. The new building will give the museum room for exhibits and programs

that it has never had before in its much smaller facility in Fair Park. It is unable to display more than about 5 percent of its collection in the current location. The museum is currently under construction and scheduled to open in early 2013.

Projects Adjacent to TIF						
Project	Location	Calendar Year Complete	Status	Units/ SF <sup>2</sup>	Approx. Value <sup>3</sup>	TIF Investment <sup>4</sup>
Perot Museum of Nature and Science	1155 Broom St	2013	Under Construction	180,000 sf	\$185,000,000	\$0
<b>Subtotal</b>				<b>180,000 sf</b>	<b>\$185,000,000</b>	<b>\$0</b>
<sup>1</sup> All information updated as of September 30, 2011. <sup>2</sup> Based upon information gathered from the developer. May be updated for completed projects based on actual unit mix and square footage. <sup>3</sup> Based upon 1) approximate private investment for anticipated projects, or 2) DCAD market value for completed projects (unless project has not yet been assessed). Arena value includes roads and parking. Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out. <sup>4</sup> Sports Arena TIF funds were dedicated for infrastructure for the TIF district, not individual projects. <sup>5</sup> Tax-exempt property.						

District Initiatives				
Activity	Scope	Status	Investment	Source
Orange Roadways	Improvements to Houston St, McKinney Ave., Ross Ave., Continental Ave., Lamar Street and Wichita St.	Complete	\$20,988,088	TIF Funding
Woodall Rodgers Plaza	Improvements to Woodall Rodgers Plaza between McKinney Ave., Continental Ave., and Houston Street	Complete	\$2,000,000	TIF Funding
Other Initiatives				
Victory Sustainable Development Project	Victory Park Lane, DART Street, Laws Street, and related public improvements, including lighting improvements to the Katy Trail.	Roadway construction completed November 2007. Katy Trail lighting completed August 2009	\$8,505,000	Sustainable Development Funds and developer match
Trinity Strand/Katy Trail Connection	Trail connecting the Katy Trail over Goat Hill, through Stemmons Park, to the base of the Trinity Strand Trail at Oak Lawn Avenue	Engineering underway. Design and construction pending funding	\$310,620	2006 Bonds for engineering
			Total budget: \$8.5 million	Remainder to be raised

## Value and Increment Revenue Summary

The base value of the zone is the total appraised value of all taxable real property in the district as determined by the Dallas Central Appraisal District in the certified roll for 1998.

The district's assessed 1998 tax value was \$16,423,773. The total appraised value of all taxable property for 2011 was approximately \$405,477,911 (City capture; taxable value for other jurisdictions may vary) which represents an increase of \$389,054,138 (2,368.8 percent) from 1998 despite a 10.3% decrease (\$46.6 million) from the 2010 to 2011 value. With the participation of the City and Dallas ISD, this increase from 1998 will result in the collection of approximately \$5,610,836 total in incremental revenue for the Sports Arena TIF District in June 2012.

## Objectives, Programs, and Success Indicators

On August 25, 1999, City Council approved the Sports Arena TIF District Project Plan and Reinvestment Zone Financing Plan, previously approved by the Sports Arena TIF District Board of Directors. One goal set forth in the Plan is to generate tax increments to reimburse costs of roadway improvements and certain other public improvements in the District that are beneficial for the development and redevelopment of the TIF District.

The Sports Arena TIF District is expected to stimulate development and redevelopment that would not otherwise occur solely through private investment in a timely manner. The following goals set the framework for the planned public improvements within the Sports Arena TIF district. Specific actions addressing these objectives follow in italics:

- Develop 500,000 square feet of entertainment/retail space.

*American Airlines Center, completed in 2001, consists of 840,000 square feet of arena space, meeting rooms, gathering space, and restaurants. In addition, each of the buildings in the district includes retail space, for a total of 210,500 square feet of retail. (210 percent of goal.)*

- Develop 600 residential units.

*771 condominiums and apartments have been completed in the W Dallas Victory Hotel and Residences, the Terrace, the Vista, Cirque, and the House by Starck and Yoo. (128 percent of goal.)*

- Develop a hotel.

*The W Dallas Victory Hotel and Residences, completed in June 2006, added 251 hotel rooms to the district. (Met goal.)*

- Develop 1,050,000 square feet of office space.

*The Victory Plaza Buildings and One Victory Park, both complete, added 585,000 square feet of office space to the district. (56 percent of goal.)*

## **Year-End Summary of Meetings**

During the fiscal year from October 1, 2010 to September 30, 2011, the Sports Arena TIF District Board of Directors met once, on December 1, 2010. The Board approved and forwarded one item to City Council.

The Board can consist of up to ten members, including five City of Dallas appointees, two Dallas Independent School District appointees, one Dallas County appointee, one Dallas Community College District appointee, and one Dallas County Hospital District appointee.

During FY 2011 the Board members were (FY 2011 Board meetings attended): Eliza Solender – City Representative (1 of 1 meeting), Orlando Alameda – DISD Representative (1 of 1 meeting), Kitty Boyle, Dallas County Community College District (1 of 1 meeting), Hector Flores, DISD Representative (1 of 1 meeting), Rick Loessberg – Dallas County Representative (0 of 1 meeting), and Sue Pickens – Dallas County Hospital District Representative (0 of 1 meeting).

During the fiscal year, the City Council approved three (3) items associated with the Sports Arena TIF District:

- On January 12, 2011, City Council approved Resolution No. 11-0160, authorizing the optional redemption of the Sports Arena Project Taxable Special Tax Revenue Bonds, Series 1998B on February 15, 2011 in an amount not to exceed \$8,455,000 in principal.
- On February 23, 2011 City Council approved Resolution No. 11-0526, accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On June 22, 2011, City Council approved Resolution No. 11-1806, authorizing the optional redemption of the Sports Arena Project Taxable

Special Tax Revenue Bonds, Series 1998B, on August 15, 2011 - Not to exceed \$10,450,000 - Financing: Sports Arena Project Surplus Debt Redemption Funds (\$9,400,603) and Sports Arena Debt Service Reserve Funds (\$1,049,397).

### Pending TIF Items

- Consideration of the FY 2011 Sports Arena TIF District Annual Report and a recommendation to the Dallas City Council for approval.

### Budget and Spending Status

<b>Sports Arena TIF District Projected Increment Revenues to Retire TIF Fund Obligations</b>					
<b>Category</b>	<b>Total Budget*</b>	<b>Total Spent and Committed (Principal)</b>	<b>Total Spent and Committed (Interest)</b>	<b>Total Spent and Committed (P&amp;I)**</b>	<b>Total Remaining</b>
<b>Orange Roadways I</b>	\$39,036,661	\$20,988,088	\$18,048,573	\$39,036,661	\$0
<b>Woodall Rodgers Plaza</b>	\$3,716,887	\$2,000,000	\$1,716,887	\$3,716,887	\$0
<b>Orange Roadways II</b>	\$3,716,887	\$0	\$0	\$0	\$3,716,887
<b>TIF Administration***</b>	\$510,000	\$510,000	\$0	\$510,000	\$0
<b>Total</b>	<b>\$46,986,435</b>	<b>\$23,498,088</b>	<b>\$19,765,460</b>	<b>\$43,269,548</b>	<b>\$3,716,887</b>
<p>* Revenues shown above in current dollars, over the life of the TIF; budget below shows net present value.  ** Includes interest accrued as of the end of FY 2010 and additional interest expected to accrue prior to final payment.  ***The TIF administration fee was corrected from \$515,000 to \$510,000 to match the approved Project Plan and Financing Plan.</p>					

<b>Sports Arena TIF District Project Plan Budget</b>	
<b>Category</b>	<b>TIF Budget</b>
Orange Roadways (I & II)	\$22,988,088
Woodall Rodgers Plaza	\$2,000,000
TIF Administration*	\$510,000
<b>Total</b>	<b>\$25,498,088</b>
<i>*The TIF administration fee was corrected from \$515,000 to \$510,000 to match the approved Project Plan and Financing Plan.</i>	

## **FY 2012 Work Program**

The FY 2012 Work Program for the Sports Arena TIF District is as follows:

- Evaluate modifications to TIF calculations, budget, and duration to enable development of remaining surface parking lots, reconfiguration of the retail component of the project, and potential expansion of the zone, including potential extension of the term of the district and the project budget.
- Update By-laws for the Sports Arena TIF District to reflect changes in Board composition and design review.

## Appendix: Financials

City of Dallas, Texas  
Sports Arena Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011  
(Unaudited)

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The Zone's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$515,000 (in Current \$) over the life of the TIF to reimburse the City for administrative costs. The City began reimbursing the general fund for administrative costs in FY'1998-99. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.
5. The Zone had the following advances, including principal and interest, outstanding at September 30, 2011:
  - \$3,542,390, including principal of \$2,224,964 and accrued interest of \$1,317,426, for the Orange Roadways project bearing interest at 6.00% compounded semi-annually; and
  - \$1,825,761, including principal of \$1,170,000 and accrued interest of \$655,761, for the Woodall Rodgers Public Art project bearing interest at 5.48% compounded semi-annually.
6. The Zone has reimbursed the developer \$32,761,884 to date, including principal of \$19,846,053 and accrued interest of \$12,915,831, for the project advances, mentioned in Note 5.
7. All expenditures resulting in capital improvements that are owned by the City are capitalized on the City's books.



City of Dallas, Texas  
**Sports Arena Area Tax Increment Financing District Fund**  
**Statement of Balance Sheet as of September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008, and 2007**

	2011	2010	2009	2008	2007
<b>Assets:</b>					
Pooled cash and cash equivalents	\$100	\$21,284	\$92,563	\$84,615	\$50,050
Interest receivable	\$112	\$173	\$505	\$561	\$319
<b>Total assets</b>	<b>\$213</b>	<b>\$21,457</b>	<b>\$93,068</b>	<b>\$85,175</b>	<b>\$57,678</b>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$0	\$0	\$0	\$0	\$0
Advances from developers	\$3,394,964	\$6,915,592	\$11,689,649	\$19,177,149	\$22,988,088
<b>Total liabilities</b>	<b>\$3,394,964</b>	<b>\$6,915,592</b>	<b>\$11,689,649</b>	<b>\$19,177,149</b>	<b>\$22,995,398</b>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	(\$3,394,752)	(\$6,894,136)	(\$11,596,581)	(\$19,091,974)	(\$22,937,720)
<b>Total Liabilities and Fund Equity</b>	<b>\$212</b>	<b>\$21,457</b>	<b>\$93,068</b>	<b>\$85,175</b>	<b>\$57,678</b>
	(\$0)	(\$0)	(\$0)	(\$0)	(\$0)

**Sports Arena Area Tax Increment Financing District Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)**  
**For the Period Ended September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008, and 2007**

	ITD	2010	2010	2009	2008	2007
<b>Revenues:</b>						
Tax increment-Governmental	\$17,644,046	\$3,464,783	\$3,678,247	\$4,059,722	\$2,623,209	\$1,196,171
Tax increment-Intergovernmental	\$14,081,950	\$2,717,812	\$3,160,479	\$4,049,003	\$2,674,430	\$1,480,226
Interest income	\$1,089,550	\$4,219	\$10,477	\$20,563	\$14,739	\$11,407
Developer Participation	\$1,169,939	\$0	\$0	\$0	\$0	\$0
Net increase (decrease) in fair value of investments	\$64,556	\$50	(\$786)	(\$1,293)	(\$394)	\$2,855
<b>Total revenues</b>	<b>\$34,050,041</b>	<b>\$6,186,864</b>	<b>\$6,848,416</b>	<b>\$8,127,994</b>	<b>\$5,311,984</b>	<b>\$2,690,659</b>
<b>Expenditures:</b>						
Administrative expenses	\$331,373	\$37,933	\$19,414	\$11,376	\$9,539	\$19,519
Non-Capital outlay	\$465	\$175	\$0	\$0	\$0	\$0
Capital outlay	\$24,199,207	\$0	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$15,266,625	\$2,649,372	\$2,126,557	\$621,225	\$1,456,700	\$2,635,668
<b>Total expenditures</b>	<b>\$39,797,669</b>	<b>\$2,687,480</b>	<b>\$2,145,971</b>	<b>\$632,601</b>	<b>\$1,466,239</b>	<b>\$2,655,187</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>(\$5,747,628)</b>	<b>\$3,499,384</b>	<b>\$4,702,445</b>	<b>\$7,495,394</b>	<b>\$3,845,746</b>	<b>\$35,472</b>
<b>Fund balance (Deficit) at beginning of year as previously reported</b>						
	\$0	(\$6,894,136)	(\$11,596,581)	(\$19,091,974)	(\$22,937,720)	(\$22,973,192)
<b>Prior period restatement</b>						
	\$2,352,877	\$0	\$0	\$0	\$0	\$0
<b>Fund balance (Deficit) at beginning of year, as restated</b>	<b>\$2,352,877</b>	<b>(\$6,894,136)</b>	<b>(\$11,596,581)</b>	<b>(\$19,091,974)</b>	<b>(\$22,937,720)</b>	<b>(\$22,973,192)</b>
<b>Fund balance (deficit) at end of year</b>	<b>(\$3,394,752)</b>	<b>(\$3,394,752)</b>	<b>(\$6,894,136)</b>	<b>(\$11,596,581)</b>	<b>(\$19,091,974)</b>	<b>(\$22,937,720)</b>

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**

**Financial Status of the Zone**

City of Dallas, Texas  
 Sports Arena Tax Increment Financing District  
 Reinvestment Zone Number Seven  
 As of September 30, 2011

Section 311.016 of the Tax Increment Financing Act requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**Amount and source of revenue in the tax increment fund established for the Zone:**

\$4,269	Interest Income
<u>\$6,182,595</u>	Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Certified Tax Roll)
<u>\$6,186,864</u>	Total Revenue

**Amount and purpose of expenditures from the fund:**

\$37,933	Administrative Expense
<u>\$2,649,372</u>	Interest Expense
<u>\$2,687,305</u>	Total Expenditures

**Below is the amount of Principal and Interest due on outstanding indebtedness at September 30, 2011:**

Developer	Project	Advance	Accrued	Total (P & I)
		Principal	Interest	Outstanding
Center Operating Company	Houston Street Extension	\$21,241,017	\$13,368,266	\$34,609,283
Center Operating Company	Woodall Rodgers Plaza	<u>\$2,000,000</u>	<u>\$1,520,751</u>	<u>\$3,520,751</u>
Total		\$23,241,017	\$14,889,017	\$38,130,034
Less: payments		<u>\$19,846,053</u>	<u>\$12,915,830</u>	<u>\$32,761,883</u>
Net Balance Outstanding		<u>\$3,394,964</u>	<u>\$1,973,187</u>	<u>\$5,368,151</u>

**Tax increment base and current captured appraised value retained by the zone:**

	Taxable	Base Year	Est. Captured
	Value 2011	1998 Value	Value 2011**
City of Dallas	\$405,477,911	\$16,423,773	\$389,054,138
Dallas Independent School District	\$405,477,911	\$16,423,773	\$389,054,138

\*\* Based on preliminary Taxable Values. Final values will be determined on February 01, 2012.

**Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment	Amount of
	Per \$100	Estimated 2011 Increment***
City of Dallas	0.79700	\$3,100,761
Dallas Independent School District	0.64517	\$2,510,074
Dallas County	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	<u>\$1.44217</u>	<u>\$5,610,836</u>

\*\*\* Effective with tax year 2009, Dallas County and the Hospital District stopped participating in the Sports Arena TIF.

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$5,610,836. For the 2010 tax year, increment in the amount of \$6,182,595 was received.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 44 B C D F G H & 45 E

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 26021 on June 8, 2005, establishing Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District). On April 12, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 26303.

The Design District TIF District's assessed tax value in 2011 was \$274,678,552. This represents an increase of 93.6% (\$132,826,490) over the assessed value of the base year (2005) value and a slight decline (-0.8%) over last year's final value. With the participation of the City and Dallas County, this increase will result in the collection of approximately \$1,130,360 total in incremental revenue for the Design District TIF District for the 2011 tax year.

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

On June 8, 2005, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eight, the Design District TIF District by Ordinance No. 26021.

On April 12, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Design District TIF District by Ordinance No. 26303.

On November 30, 2011, the Design District TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

**FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Eight, ("Design District TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Design District area pursuant to Ordinance No. 26021, authorized by the City Council on June 8, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on April 12, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Design District TIF District by Ordinance No. 26303; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on November 30, 2011, the Design District TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eight and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eight to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law.

**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.

# Design District TIF District FY 2011 Annual Report



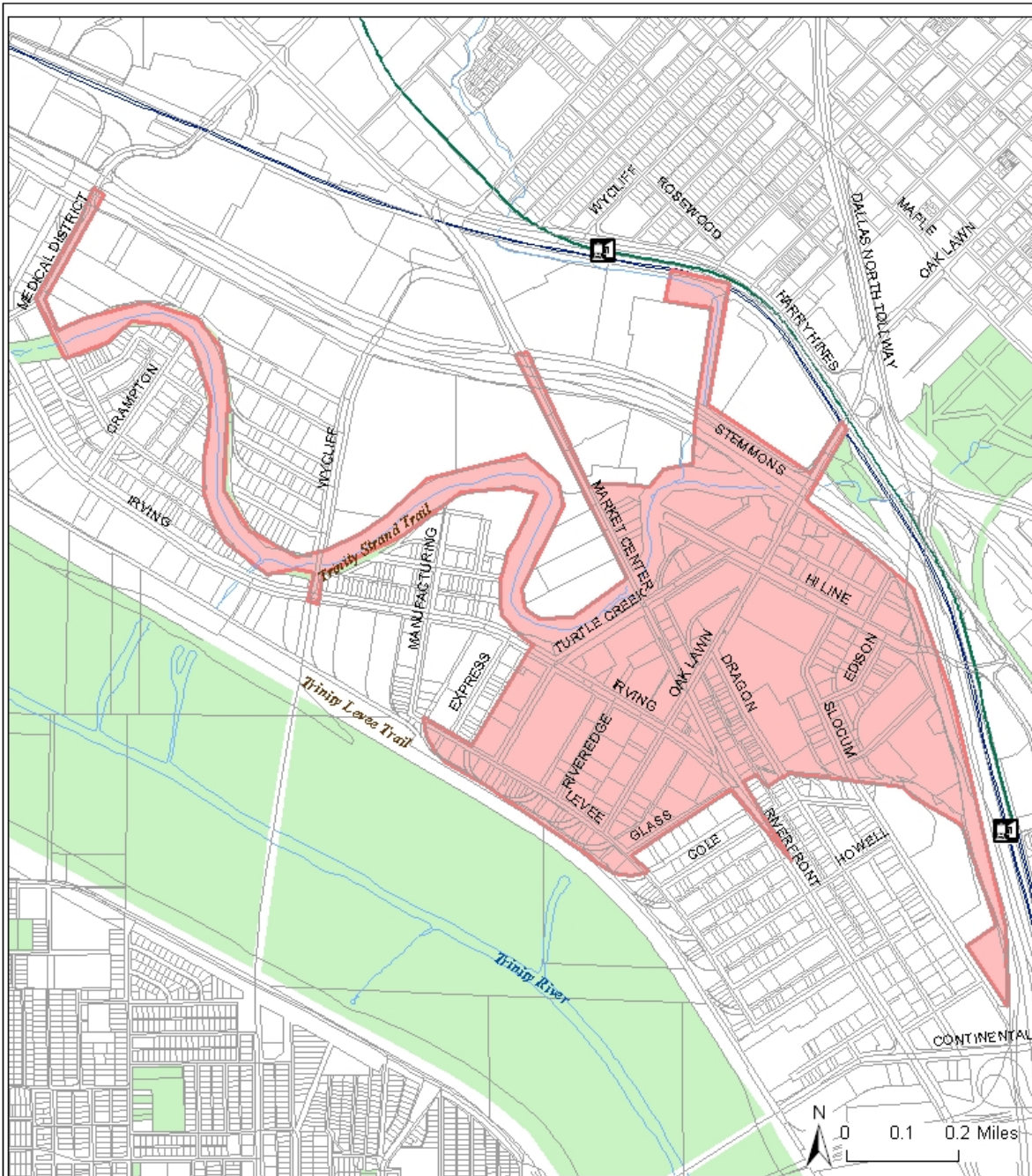
**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 671-9821

[http://www.dallas-ecodev.org/area\\_redevelopment.html](http://www.dallas-ecodev.org/area_redevelopment.html)

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Eight Tax Increment Financing District



## Design District TIF District

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

- TIF District Boundary
- DART Green Line
- Trinity Railway Express
- M Market Center & Victory Light Rail Stations



Office of Economic Development  
October 2011

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## Mission Statement

The mission of the Design District TIF District is to provide a source of funding for public infrastructure improvements that will assist in redeveloping an industrial and warehouse district to take full advantage of the expanding DART light rail system, to promote transit oriented development, and to improve access to the Trinity River and the quality of development adjacent to the Trinity Corridor. The Design District TIF District duration began on January 1, 2006, and will terminate on December 31, 2027, (including collection of the 2027 increment in calendar year 2028 and any related matters to be concluded in 2028).

## District Accomplishments

Dallas City Council established the Design District TIF District by Ordinance Number 26021 on June 8, 2005. The District was established to assist in the transformation of the old Stemmons Industrial area into a diversified, pedestrian friendly, mixed-use neighborhood near the heart of Downtown Dallas. The Design District TIF Board adopted the final Project Plan and Reinvestment Zone Financing Plan in 2006.

In February 2009, the TIF Board adopted a “Design District TIF Strategic Implementation Plan” to guide the next phases of development and improvements in the District.

During FY 2011, initial reimbursement process began for the “1525 Turtle Creek at the District” TIF project (apartments now called Alta 1900 Lofts). Public improvements associated with the TIF project were completed in late 2009-early 2010 and the Alta 1900 Lofts received a final certificate of occupancy in April 2010.

“Lower Oak Lawn in the Dallas Design District” won the Dallas Business Journal’s Best Real Estate Deals – Public-Private Deal of the Year in 2011. The award recognized the partnership efforts of PegasusAblon, the City of Dallas, Good Fulton Farrell architects, and others for the investment and development of master planned improvements in the Design District’s Oak Lawn Avenue and Hi Line Drive thoroughfares.

Staff began working with PM Realty Group and the North Central Texas Council of Governments (NCTCOG) toward developing an interlocal agreement and authorization for the design phase of the “Edison/Hi Line/Stemmons/Rail Transit Underpass Connection” project selected for funding by the North Central Texas Council of Governments (NCTCOG).

Discussion began with the Friends of the Trinity Strand Trail on potential TIF assistance for a proposed pedestrian connection at Oak Lawn Avenue as part of Phase I of the Trinity Strand Trail construction. In coordination with the City’s Park Department, staff is awaiting more detailed budget information when construction bids are received for the first segment of Phase I to determine if there may be alternative funding needs.



Alta 1900 Lofts and civic plaza along Oak Lawn Avenue at Hi Line Drive,



Public amenities and wayfinding signage installed as part of TIF District and NCTCOG public/private partnerships.

<b>Design District TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
1525 Turtle Creek at the District <i>(currently named Alta 1900 Lofts)</i>	1500 Block of Turtle Creek Blvd. at Oak Lawn Ave.	2010	Complete	214 residential units	\$24,000,000	\$4,402,000*
<b>Subtotal</b>				<b>214 units</b>	<b>\$24,000,000</b>	<b>\$4,402,000</b>
<b>Projects Within TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF</b>	<b>Approx. Value</b>	<b>TIF Investment</b>
International on Turtle Creek	150 Turtle Creek Blvd.	2006	Complete	157,640 square feet showroom & retail space	\$12,567,880	\$0
Trinity Lofts & Work/Live Showrooms	1403 Slocum St. & 1430 Dragon St.	2007	Complete	~92 units & 28,063 square feet showroom (164,030 square feet total)	\$11,360,810	\$0
Alta Design District	1531 Inspiration Dr.	2009	Complete	309 residential units	\$35,800,000	\$0
Alexan Design District ( <i>now Camden Design District</i> )	1551 Oak Lawn Ave.	2009	Complete	355 residential units	\$34,881,150	\$0
Green Zone, arts venue	161 Riveredge Dr.	2008	Complete	2,520 square feet performance space	\$500,000	\$0
Dallas Contemporary <sup>6</sup>	161 Glass St.	2010	Complete	6,000 square feet office space & 11,000 square feet gallery space for Center; & 22,000 square feet office/retail for tenants	\$2,583,670	\$0
Hi Line Drive Residential/Mixed Use	1400 Hi Line Dr.	2012	Planned	314 residential units; 29,000 square feet retail	\$38,187,000	\$0
<b>Subtotal</b>				<b>1,070 units; 214,703 square feet retail/showroom; 13,520 square feet gallery/arts venue; 28,000 square feet office</b>	<b>\$135,880,510</b>	<b>\$0</b>

Projects Utilizing and Not Utilizing TIF Funding			
Total	1,284 residential units; 214,703 square feet retail/showroom; 13,520 square feet gallery/arts; 28,000 square feet office	\$159,880,510	\$4,402,000
<p><sup>1</sup> All information updated as of September 30, 2011.</p> <p><sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.</p> <p><sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.</p> <p><sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown.</p> <p><sup>5</sup> Selected significant projects included.</p> <p><sup>6</sup> Tax-exempt property. Amount shown is approximate investment in improvements.</p>			

The City and community partners have District-wide initiatives that began in FY 2011 or have been ongoing. The Trinity Strand Trail (formerly known as the Old Trinity Trail) Master Plan improvements are an integral part of attracting new mixed-use development in the Trinity River corridor and creating a vibrant neighborhood with recreational opportunities in the Design District area. A total of over \$8.6 million has been raised to date. In addition, a land donation at Goat Hill, former Baby Doe’s site (valued at \$2 million) will equally benefit and assist with linkage of the Trinity Strand and Katy Trails.

Two trailheads are now complete at Hi Line Drive (by the river channel) in 2009 and the Turtle Creek Plaza and trailhead along Turtle Creek Boulevard between Market Center and Irving Boulevards in 2010. Phase 1 of the trail would run along the old Trinity River from Stemmons Freeway to Medical District Drive. The construction bid process began in late FY 11 for the initial segment of Phase I between the Turtle Creek Plaza and west toward Farrington Street.



Hi Line Drive trailhead

The Turtle Creek Plaza includes a 14-foot I-beam representing the height of the Trinity River during the 1908 flood, two free-standing kiosks with a map of the trail and history, and commemorative engraved bricks purchased by Friends of the Trinity Strand Trail.

The Hi-Line Drive pedestrian improvement project is now complete. The project was funded through the North Central Texas Council of Governments (NCTCOG)'s Regional Transportation Council's 2006 Sustainable Development Program. The improvements were constructed concurrently with TIF public improvements as part of the "1525 Turtle Creek at the District" project.

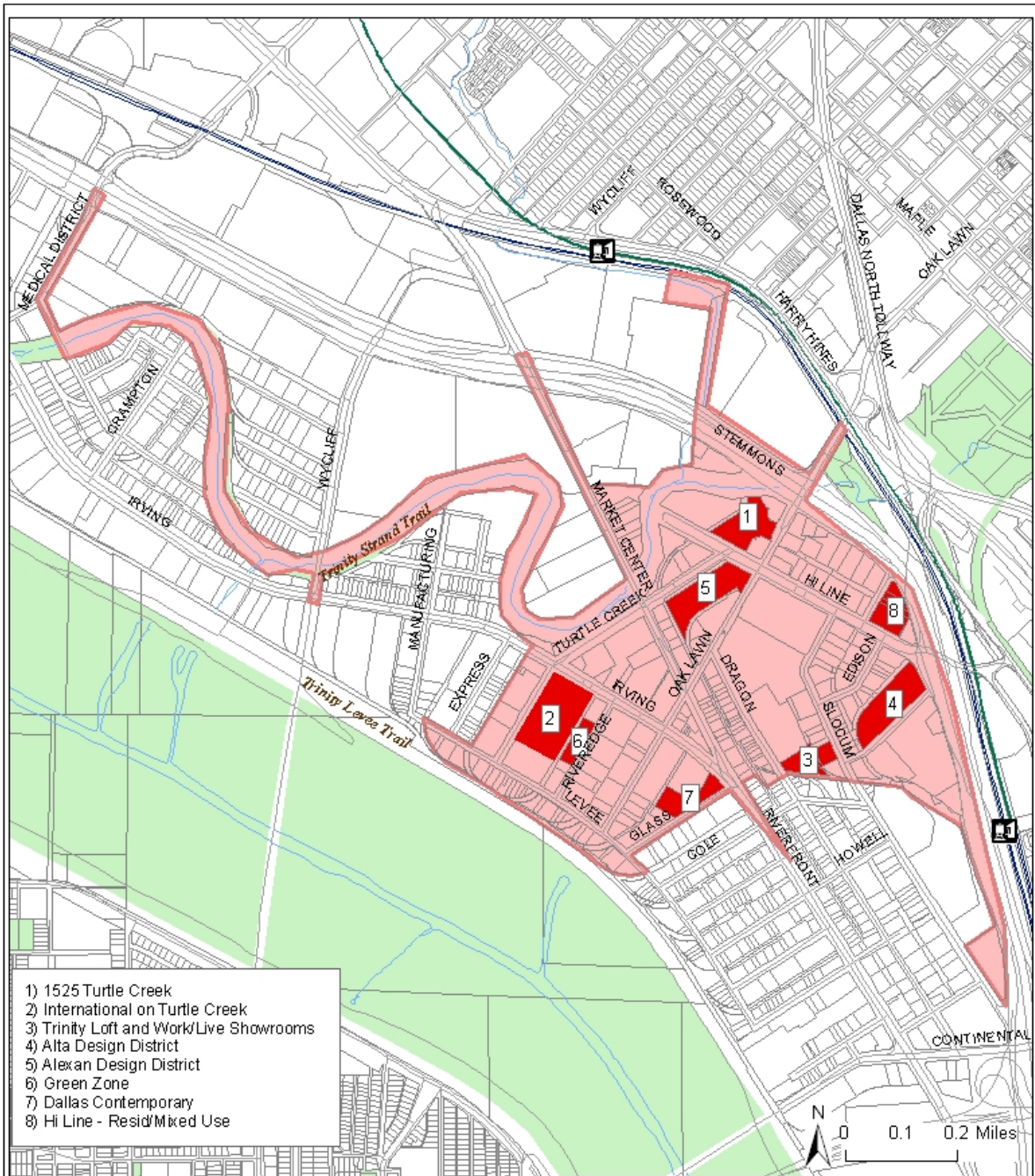
In June 2010, funding was approved in the amount of \$1,445,615 for the "Edison/Hi Line/Stemmons/Rail Transit Underpass Connection" project as part of the 2009 North Central Texas Council of Governments (NCTCOG) Sustainable Development (SD) Call for Projects. PM Realty Group is the private sponsor with a mixed use development planned at 1400 Hi Line Drive. During FY 11 staff coordinated with the NCTCOG on preparations for an interlocal agreement and clarifications on contracting procedures. An interlocal agreement between the City and NCTCOG along with a related City-Developer agreement with PM Realty Group is anticipated for late 2011. As part of the awarded funding, PM Realty Group would be reimbursed 80% of the cost of the improvements and provide 20% as a private local match.

Planned SD public infrastructure improvements include: pedestrian and crosswalk improvements along Edison Street between Stemmons Freeway and Hi Line Drive, along southbound Stemmons frontage road and improvements to the underpass of Hi Line Drive under Stemmons Freeway. These improvements would build on the 2006 SD Hi Line Drive improvements to create a stronger connection to the Victory DART Light Rail and TRE train stations and further enhance the gateway from downtown/Victory into the Design District.

District Initiatives				
Activity	Scope	Status	Investment	Source
<b>Trinity Strand Trail Master Plan.</b> Public/private partnership including the non-profit Friends of the Trinity Strand Trail.	To create a fully assessable hike, bike, and jogging trail system along the course of the Trinity River as it winds north of downtown. Approximately 7.8 miles. Total cost estimated at \$26 million. The initial phase will connect Stemmons	<i>Underway.</i> The Master Plan for Trinity Strand Trail was adopted in December 2004 by the Dallas' Park & Recreation Board. Bond funds have been programmed. Private fundraising also underway. Groundbreaking on Phase I, May 2008.	\$1 million for design and match for federal funds.	2003 Bond Program
			\$2.5 million for trail development	2006 Bond Program
			\$4,536,039 ( <i>required local match \$1,134,010 part of City bond funds</i> )	NCTCOG funds – Regional Toll Revenue (RTR) initiative

<p><b>Trinity Strand Trail Master Plan</b> <i>continued</i></p>	<p>Freeway to the Main Stem of the Trinity River. Two trailheads have been under construction – Turtle Creek Plaza and at Hi Line Dr. &amp; river channel</p>	<p>Design is 100% complete with construction anticipated to start early 2012 for 2 miles of trail. The trailhead at Turtle Creek Plaza was completed with a dedication in May 2010. The Hi Line trail head was completed summer 2009.</p>	<p>\$637,000 additional funds raised. Land donation at Goat Hill, former Baby Doe’s site (valued at \$2 million) will equally benefit and assist with linkage of the Trinity Strand and Katy Trails</p>	<p>Individuals and foundations, including Eugene McDermott &amp; Hoblitzelle Foundations</p>
<p><b>Turtle Creek Boulevard Public Improvements</b></p>	<p>Design and construction of street paving, storm drainage, water and wastewater improvements on Turtle Creek Blvd. from Market Center Blvd. to Levee St.</p>	<p><i>Completed in fall 2009.</i></p>	<p>\$3,587,746</p>	<p>2003 Bond Funds &amp; Water Utilities Capital Funds</p>
<p><b>Regional Transportation Council (RTC) Sustainable Development Program – Design</b> District TIF Walking/Bike Improvements</p>	<p>Pedestrian improvements will be constructed along Hi-Line Dr. between Stemmons Frwy. &amp; the Trinity Meanders</p>	<p><i>Complete.</i> Funding approved by the RTC in 2006. Interlocal Agreement approved by City Council, June 2008. Design completed September 2008. Improvements completed summer 2009</p>	<p>\$1,037,236 total includes: \$829,789 \$207,447</p>	<p>RTC funds TIF funds</p>
<p><b>Regional Transportation Council (RTC) 2009-10 Sustainable Development Program – Edison/Hi Line/ Stemmons/Rail Transit Underpass Connection</b></p>	<p>Pedestrian friendly sidewalk and crosswalk improvements along Edison St. between Stemmons Frwy. and Hi Line Dr. and pedestrian improvements along Stemmons frontage and Hi Line passing under Stemmons Freeway toward the Victory DART Light Rail &amp; TRE stations.</p>	<p><i>Funding approved.</i> Project selected by the RTC in June 2010. City Council authorized resolution of support for the project August 2010.  Pre-award authorization for the design phase, August 2011. Interlocal agreement and contracting to begin late 2011.</p>	<p>\$1,438,829 total includes: \$1,151,063 \$287,766</p>	<p>RTC funds Private local match</p>

# TIF District Development Project Map



- 1) 1525 Turtle Creek
- 2) International on Turtle Creek
- 3) Trinity Loft and Work/Live Showrooms
- 4) Alta Design District
- 5) Alexan Design District
- 6) Green Zone
- 7) Dallas Contemporary
- 8) Hi Line - Resid/Mixed Use

## Design District TIF - Current Development Projects

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-  DART Green Line
-  Trinity Railway Express
-  Market Center & Victory Light Rail Stations



City of Dallas  
Office of Economic Development  
October 2011

## Value and Increment Summary

The Design District TIF District's assessed 2011 taxable value was \$274,678,552. This represents an increase of \$132,826,490 or 93.6% over the base year (2005) value and a slight decline (-0.8%) over last year's final value. The TIF District anticipates collecting approximately \$1,130,360 in incremental tax revenue for tax year 2011. The positive increase in the District's tax base can be attributed on an approximate percentage basis to new construction (75% of the increase), property transactions (5%), and appreciating property values (21%) in the District.

## Objectives, Programs, and Success Indicators

The final Design District Project Plan and Reinvestment Zone Financing Plan was adopted in April 2006. Among the goals of the Plan are:

- To create additional taxable value attributed to new private investment in projects in the Design District TIF District totaling approximately \$1 billion.  
*\$159 million in new investment is underway or planned (16% of the goal)*
- To attract new private development in the District totaling approximately 1.4 million square feet of retail space, 2.4 million square feet of office space, 550 hotel rooms, and 4,200 new residential units.

*Approximately 970 apartments, 185,703 square feet of new or upgraded retail/showroom space, 11,000 square feet of gallery space, 28,000 square feet of office space and 2,500 square feet of arts space have been completed. Another 314 residential units and 29,000 square feet of retail are planned. (31% of the residential, 15% of the retail, and 1% of the office goal.)*



Alta Design District, 1531 Inspiration Dr.



Camden Design District, 1551 Oak Lawn Ave.



- To reach ridership at the future DART Market Center light rail station averaging 2,500 riders per weekday by 2015.



*This portion of the DART Green Line has been completed and the Market Center light rail opened in December 2010. Average daily ridership was 281 since the station opened through the August 2011 reporting period.*

Market Center DART  
Station

- To improve the access and connections to the DART light rail system within the Design District TIF District.

*Streetscape and open space improvements constructed as part of the approved "1525 Turtle Creek at the District" project have provided more pedestrian accessibility in the northern gateway of the District. Additional improvements planned near Edison Street and Hi Line Drive connecting through the underpass at Stemmons Freeway will provide improved access from the District to the Victory DART Light Rail and TRE Stations.*

- To support the conversion of the Design District area from industrial and warehousing land uses to a mixed-use, transit oriented neighborhood that complements the Victory development and the Trinity River Project.

*Mixed-use projects like the completed Trinity Lofts and others in the planning stages show positive movement for the District. The Trinity Lofts project was a mixture of new construction and conversion – the site previously had an 88,000 square foot warehouse/office and was redeveloped into 164,030 square feet of residential and showroom space. For other projects in the district approximately 219,676 square feet of space was demolished for new residential construction/showroom upgrade and 196,640 square feet of space converted into upgraded showrooms or new retail, gallery and office uses.*



*Trinity Lofts & Live/Work showrooms*

- To increase recreational opportunities, public open space and improve connections to the City of Dallas trails and open space system, including the Trinity Strand Trail, in the District.

*The Master Plan for the Trinity Strand Trail has been adopted and initial funding of \$8.6 million for design and trail development has been secured. Two trailheads are now completed at Turtle Creek Plaza along Turtle Creek Boulevard between Market Center and Irving Boulevards and at the western end of Hi Line Drive (by the river channel). Construction of Phase I of the trail from Stemmons Freeway to Medical District Drive is anticipated to begin in 2012. A civic plaza at Oak Lawn Avenue and Hi Line Drive has also been completed as part of the “1525 Turtle Creek at the District” project.*

- To generate approximately \$34.8 million (net present value) in increment over 20 years of collections.

*The District’s 2011 total taxable value of \$274,678,552 is slightly below the original projection of \$276,900,806. Current projections show total collections completed by 2027.*

## **Year-End Summary of Meetings**

The Design District TIF District Board of Directors met once during the fiscal year from October 1, 2010 to September 30, 2011. The Board approved and forwarded one item to City Council.

The Board can consist of up to ten members, including six City of Dallas appointees, two Dallas Independent School District appointees, one Dallas County appointee, one Dallas County Hospital District appointee and Dallas County Community College District has waived their right to an appointment. During FY 2011 the Board members were (FY 2011 Board meetings attended): Mike Morgan – City Representative (1 of 1 meetings),

William Mundinger – City Representative (0 of 1 meetings), Pat Priest – City Representative (1 of 1 meetings), Mike Kutner – City Representative (1 of 1 meetings), Leslie DeCillis – City Representative (0 of 1 meetings), Rick Loessberg – Dallas County Representative (0 of 1 meetings), Orlando Alameda – DISD Representative (1 of 1 meetings), and Hector Flores – DISD Representative (1 of 1 meetings). There was one City position and one Hospital District position vacant.

During the fiscal year, the City Council approved two items associated with the Design District TIF District:

- On February 23, 2011, the City Council passed Resolution Number 11-0527 accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On June 8, 2011, the City Council passed Ordinance Number 28222 granting a private license to LU12 Dallas Oak Lawn V, L.P. for the use of approximately 16 square feet of aerial space to install and maintain one awning over a portion of Hi Line Drive near its intersection with Turtle Creek Boulevard - Revenue: \$1,000 annual fee plus the \$20 ordinance publication fee.

### **Pending TIF Items**

- Consideration of the FY 2011 TIF District Annual Report and a recommendation to the City Council for approval.
- Review and approve amendments to the District's By-Laws related to TIF Board representation and the design review function.
- Review and approve overall TIF District design guidelines.

## Budget and Spending Status

Each TIF District establishes a budget for the public improvement expenditures necessary to support private investment in the district in the Project Plan and Reinvestment Zone Financing Plan. The current TIF District budget is shown below:

<b>Design District TIF District Projected Increment Revenues to Retire TIF Fund Obligations</b>			
Category	TIF Budget <sup>1</sup>	Allocated <sup>2</sup>	Balance
Paving & streetscape	\$19,391,433	\$2,339,541*	\$17,051,892
Wayfinding & District Signage	\$227,599	\$0	\$227,599
Water, Wastewater & Storm	\$7,556,286	\$1,395,815*	\$6,160,471
Open Spaces, Plazas, Portals, Civic	\$12,745,543	\$524,747*	\$12,220,796
Environmental remediation & Demolition	\$7,283,167	\$240,138	\$7,043,029
Utility burial	\$4,551,980	\$0	\$4,551,980
Trinity Strand Trail	\$7,283,167	\$0	\$7,283,167
Administration and implementation <sup>3</sup>	\$4,369,900	\$135,635	\$4,294,920
<b>Total Project Costs</b>	<b>\$63,409,075</b>	<b>\$4,635,876*</b>	<b>\$58,773,199</b>
<sup>1</sup> Budget shown above in current dollars; TIF Project Plan shows the budget in net present value. <sup>2</sup> Allocated amount includes \$98,240 in interest accrued as of FY 2011 (September 30, 2011). Additional interest of approximately \$128,537 is expected to accrue prior to final payment and categories impacted are shown with an *. <sup>3</sup> TIF administration costs shown are expended or committed through FY 2011.			

<b>Design District TIF District Project Plan Budget</b>	
<b>Category</b>	<b>TIF NPV Budget*</b>
Paving & streetscape	\$10,650,000
Wayfinding & District Signage	\$125,000
Water, Wastewater & Storm	\$4,150,000
Open Spaces, Plazas, Portals, Civic	\$7,000,000
Environmental remediation & Demolition	\$4,000,000
Utility burial	\$2,500,000
Trinity Strand Trail	\$4,000,000
Administration and Implementation	\$2,400,000
<b>Total</b>	<b>\$34,825,000</b>
<i>* As approved in the Project Plan and Reinvestment Zone Financing Plan.</i>	

<b>Design District TIF M/WBE Participation</b>			
<b>Project</b>	<b>Contractor</b>	<b>Total Contract Award Amount</b>	<b>Percentage Minority Participation</b>
Phase I – 1525 Turtle Creek Project development site public improvements	Spoor Electric & KDA Landscapes	\$1,108,021	44.4%
Phase II & III – 1525 Turtle Creek Project district-wide improvements	John Burns Construction Company of Texas & Metheny Landscape Development	\$3,473,759	30.2%
<b>Total</b>		<b>\$4,581,780</b>	<b>\$1,481,262 (32.3%)</b>

## FY 2012 Work Program

The FY 2012 work program includes:

- Continue staff support to finalize agreements and project implementation of the “Edison/Hi Line/Stemmons/Rail Transit Underpass Connection” project selected for funding by the North Central Texas Council of Governments (NCTCOG).
- Continue working with Friends of the Trinity Strand Trail and the City’s Park Department on improvements to the Trinity Strand Trail and open space system in the District.
- Attracting \$30 million in taxable value, including new development.
- Investigate additional sources of funding for the District.
- Update By-Laws for the District to reflect changes in board composition and design review.



PM Realty’s 1400 Hi Line Drive project under construction. The project includes extending streetscape improvements along Edison Street and the Hi Line Drive/Stemmons Freeway underpass connecting to the Victory area.

## Appendix A – Financials

**City of Dallas, Texas**  
**Design District Tax Increment Financing District Fund**  
**Reinvestment Zone Number Eight**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

	\$3,415 Interest Income
	\$1,165,261 Ad Valorem Taxes (Collected in FY2010-11 based on 2010 Certified Tax Roll)
	\$1,168,677 Total Revenue

**2. Amount and purpose of expenditures from the fund:**

	\$44,373 Administrative Expense
	\$175 Non-Capital outlay
	\$840,962 Capital outlay *
	\$74,370 Interest and fiscal charges
	\$959,880 Total Expenditures

\* The Zone incurred capital outlay expenditures during the fiscal year for the 1525 Turtle Creek at the District project.

**3. Amount of Principal and Interest due-on outstanding indebtedness:**

- a. Design District TIF District has incurred no bonded indebtedness as of September 30, 2011.
  
- b. The Zone entered into a development agreement with Alta Block 1500, LLC for the development of the "1525 Turtle Creek at the District" project in the TIF in an amount not to exceed \$4,402,000 plus a grant in lieu of interest on certain public improvements. The Zone began reimbursing the developer in fiscal year 2010.

**4. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable Value 2011*	Base Year 2005 Value	Est. Captured Value 2011**
City of Dallas	\$274,678,552	\$141,852,062	\$132,826,490
Dallas County	\$274,678,552	\$141,852,062	\$132,826,490
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*2011 taxable value shown for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.  
 \*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2012.

**5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

<b>Taxing Jurisdiction</b>	<b>Assessment Per \$100***</b>	<b>Amount of Estimated 2011 Increment****</b>
City of Dallas	0.71730	\$952,764
Dallas County	0.13371	\$177,596
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	<u>\$0.85101</u>	<u>\$1,130,360</u>

\*\*\*Participation rates for City of Dallas and Dallas County are 90% and 55% respectively for tax years 2008 - 2023.

\*\*\*\*The District began collecting increment in 2009.

B. The estimated amount of tax increment to be billed for the 2011 tax year is \$1,130,360. For the 2010 tax year, TIF district received \$1,165,261 in tax increment.



City of Dallas, Texas  
 Design District Tax Increment Financing District Fund  
 Balance Sheet as of September 30, 2011 (Unaudited)  
 With Comparative Totals for September 30, 2010, 2009, 2008 & 2007

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Assets:</b>					
Pooled cash and cash equivalents	\$536,478	\$1,602,028	\$655,790	\$0	\$0
Interest receivable	\$1,697	\$8,367	\$3,556	\$0	\$0
<b>Total assets</b>	<b>\$538,175</b>	<b>\$1,610,395</b>	<b>\$659,346</b>	<b>\$0</b>	<b>\$0</b>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$0	\$1,281,016	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0	\$0
Accrued interest	\$0	\$0	\$0	\$0	\$0
Due to general fund	\$0	\$0	\$35,163	\$35,163	\$12,378
<b>Total liabilities</b>	<b>\$0</b>	<b>\$1,281,016</b>	<b>\$35,163</b>	<b>\$35,163</b>	<b>\$12,378</b>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	\$538,175	\$329,379	\$624,183	(\$35,163)	(\$12,378)
<b>Total Liabilities and Fund Equity</b>	<b>\$538,175</b>	<b>\$1,610,395</b>	<b>\$659,346</b>	<b>\$0</b>	<b>\$0</b>
	\$0	\$0	\$0	\$0	\$0

Design District Tax Increment Financing District Fund  
 Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
 For the Period September 30, 2011 (Unaudited)  
 With Comparative Totals for September 30, 2010, 2009, 2008 & 2007

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Revenues:</b>						
Tax increment-Governmental	\$2,409,824	\$983,504	\$859,988	\$566,332	\$0	\$0
Tax increment-Intergovernmental	\$434,951	\$181,758	\$145,896	\$107,297	\$0	\$0
Interest income	\$24,056	\$5,514	\$13,476	\$5,067	\$0	\$0
Net increase (decrease) in fair value of investments	\$1,502	(\$2,099)	(\$2,306)	\$5,907	\$0	\$0
<b>Total revenues</b>	<b>\$2,870,333</b>	<b>\$1,168,677</b>	<b>\$1,017,054</b>	<b>\$684,603</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures:</b>						
Administrative expenses	\$135,635	\$44,373	\$30,841	\$25,257	\$22,785	\$12,378
Non-Capital Outlay	\$175	\$175	\$0	\$0	\$0	\$0
Capital outlay	\$2,079,383	\$840,962	\$1,238,421	\$0	\$0	\$0
Interest and fiscal charges	\$116,965	\$74,370	\$42,595	\$0	\$0	\$0
<b>Total expenditures</b>	<b>\$2,332,158</b>	<b>\$959,880</b>	<b>\$1,311,858</b>	<b>\$25,257</b>	<b>\$22,785</b>	<b>\$12,378</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>\$538,175</b>	<b>\$208,796</b>	<b>(\$294,804)</b>	<b>\$659,346</b>	<b>(\$22,785)</b>	<b>(\$12,378)</b>
<b>Fund balance (Deficit) at beginning of year as previously reported</b>						
	\$0	\$329,379	\$624,183	(\$35,163)	(\$12,378)	\$0
<b>Fund balance (deficit) at end of year</b>	<b>\$538,175</b>	<b>\$538,175</b>	<b>\$329,379</b>	<b>\$624,183</b>	<b>(\$35,163)</b>	<b>(\$12,378)</b>

Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.

City of Dallas, Texas  
Design District Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$4,369,900 over the life of the TIF to reimburse the City for administrative costs. The Zone began reimbursing the general fund in fiscal year 2009-10. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 9, 13  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 26 T and U

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller of Texas. The City Council approved Ordinance No. 25964 on April 27, 2005, establishing Tax Increment Financing Reinvestment Zone Number Nine (Vickery Meadow TIF District). On December 14, 2005, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 26181.

The Vickery Meadow TIF District's assessed 2011 taxable value was \$342,386,650. This represents an increase of 112.31% (\$181,116,330) from the 2005 base year value. The District's taxable value increased 8.2% (\$25,975,200) from the previous year's 2010 value. With the participation of the City and Dallas County, the district's increase in value will result in the collection of \$1,396,959 in incremental revenue for the Vickery Meadow TIF District fro the 2011 tax year.

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

On April 27, 2005, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Nine, the Vickery Meadow TIF District, by Ordinance No. 25964.

On December 14, 2005, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Vickery Meadow TIF District by Ordinance No. 26181.

On September 29, 2011, the Vickery Meadow TIF Board of Directors recommended the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District or District) and established a Board of Directors for the District to promote development or redevelopment in the Vickery Meadow area pursuant to Ordinance No. 25964, authorized by the City Council on April 27, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on December 14, 2005, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Vickery Meadow TIF District by Ordinance No. 26181; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on September 29, 2011, the Vickery Meadow TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Nine and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Nine, to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District; and the State Comptroller, as required by state law.

**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.

# Vickery Meadow TIF District FY 2011 Annual Report



*Image provided by Harvest Partners*



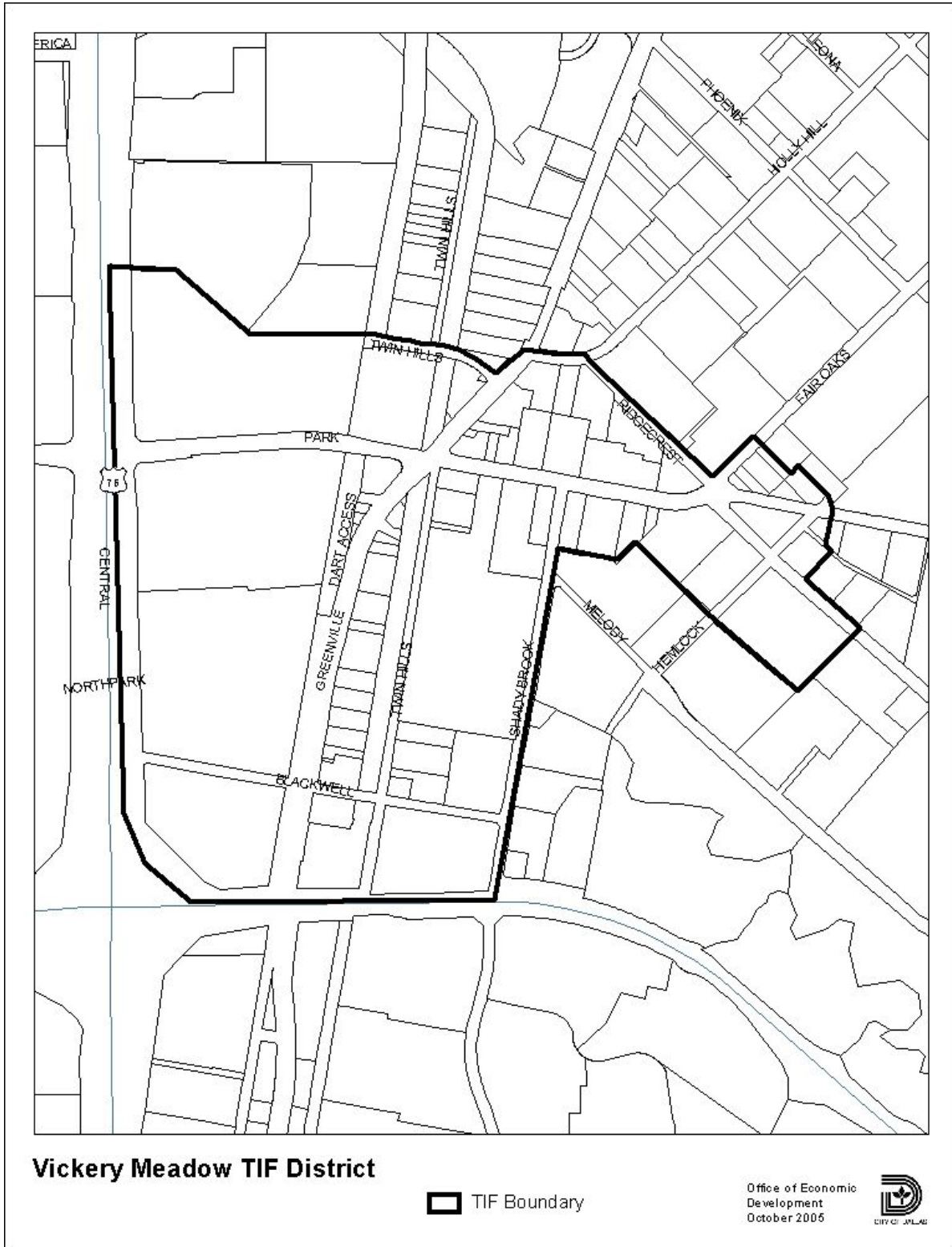
**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-4551

<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

## Reinvestment Zone Number Nine Vickery Meadow Tax Increment Financing District



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## **Mission Statement**

The mission of the Vickery Meadow TIF District is to provide a source of funding to enhance private investment in the real estate market for the Vickery Meadow TIF District area. The Vickery Meadow Tax Increment Financing (TIF) District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping functionally and structurally obsolete commercial and rental residential areas within a district to take full advantage of the DART light rail system, promote transit oriented development and implement context sensitive urban design standards.

The Dallas City Council established the Vickery Meadow TIF District by Ordinance Number 25964 on April 27, 2005. The Vickery Meadow TIF District took effect on January 1, 2006, and will terminate on December 31, 2027, (including collection of the 2027 increment in calendar year 2028 and any related matters to be concluded in 2028) or when the budget of \$33.4 million (2006 dollars) has been collected. The City of Dallas and Dallas County are the two participating jurisdictions. The City's participation is 80%, and the County's participation is 55% of taxes generated by the properties within the district by the respective taxing jurisdictions.

## **District Accomplishments**

The TIF District was established to assist in the creation of a catalyst mixed-use development on Central Expressway and Park Lane, the Shops at Park Lane, and extend redevelopment to the remainder of the District including the area generally known as "Five Points" at the intersection Park Lane, Fair Oaks Avenue, and Ridgcrest Road.

During FY 2011 additional stores opened in the Shops at Park Lane. Old Navy, HomeGoods, L'Acqua (nail salon), National University, Grimaldi's Pizzeria, Sprint, Carter and Ulta Beauty opened bringing the projects occupancy to 80%. The residential component of the project is 94% occupied. Stores slated to open during the remainder of the 2011 calendar year include Charming Charlie, Park Lane Tavern, AAA Travel and Insurance and Rare.

The Shops at Park Lane began \$4 million in capital improvements for the project during the fiscal year. The enhancements include completion of architectural and signage improvements including the first video boards for the garages facing North Central Expressway and the addition of an escalator connecting street level shops to plaza level shops. Wayfinding and branding signage was added throughout the project to improve visitors' navigation throughout the project

## **Exhibit A**

Many of the larger retail stores within the project experienced better than anticipated sales during the year. Below is a list of the sales rankings for a few of the large retailers in the Shops at Park Lane.

- Dick's Sporting Goods – Ranked #2 in a 12 store region (includes DFW)
- Saks Fifth Avenue Off Fifth – Ranked #6 out of 29 stores and has the highest conversion rate in their region
- Nordstrom Rack – Ranked #1 in the region
- HomeGoods – Ranked #1 in their district
- Old Navy – Ranked #1 in their 12 store district (includes Texas and Oklahoma)

**Exhibit A**

<b>Vickery Meadow TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
“The Shops at Park Lane” Phase I	SE corner of Park Lane & Central Expwy.	Phase I 2009	Phase I construction is complete	<b>Phase I</b> – 629K square feet of retail space (including a 76K square foot health club); 325 apartment units; 97K square feet of new office space; parking structures	<b>2010 DCAD Value -</b> \$198,208,930  <b>Private Investment Value</b>  <b>Phase I –</b> \$441,000,000	\$20,000,000*
“The Shops at Park Lane” Phase II	SE corner of Park Lane & Central Expwy.	Phase II TBD	Construction of Phase II has been delayed.	<b>Phase II</b> – approximately 71K square feet of retail space, a 250 key full-service hotel, approx. 300 apartment units, approx. 750,000 square feet of office space, and parking structure	<b>Anticipated Private Investment Value</b>  <b>Phase II –</b> \$309,000,000	
<b>Total</b>				<b>625 units, 700,000 square feet of retail space, 250 hotel rooms, 850,000 square feet of office space</b>	<b>\$750,000,000</b>	<b>\$20,000,000</b>
<p><sup>1</sup> All information updated as of September 30, 2011.</p> <p><sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.</p> <p><sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.</p> <p><sup>4</sup> Principal amount not to be exceeded per the development agreement. Asterisk indicates investment also includes interest not shown.</p>						

**Exhibit A**

<b>District Initiatives</b>				
<b>Activity</b>	<b>Scope</b>	<b>Status</b>	<b>Investment</b>	<b>Source</b>
<p><b>Regional Transportation Council (RTC) Sustainable Development Program</b> – Park Lane Light Rail Station Pedestrian Overpass</p>	<p>Pedestrian improvements to extend a platform from the Park Lane LR Station to the south side of Park Lane, landscaping and other enhancements that also tie into the “Park Lane” mixed use project</p>	<p>Funding approved by the RTC on April 13, 2006. Dallas Area Rapid Transit is the public sector sponsor for the project. Project eligible for funding in 2008; In 2009 Harvest Partners released the funding and will not construct the pedestrian over pass</p>	<p>\$1,500,000 total includes:  \$1,200,000  \$300,000</p>	<p>RTC funds  Private funds</p>
<p><b>Vickery Meadow Improvement District (VMID)– TREC 2006 Community Grant</b></p>	<p>The Texas Real Estate Council (TREC) of Dallas awarded a grant to be used to create a Planned Urban Design (Neighborhood Plan) for the Vickery Meadow Community</p>	<p>Organizational stages. James Harwick+ Partners, Inc. architectural design firm was hired to complete the plan. The plan was completed in 2009 and was adopted by the VMID Executive Board January 15, 2010.</p>	<p>\$78,000 total Includes:  \$50,000  \$28,000</p>	<p>TREC of Dallas  VMID funds</p>
<p><b>The Real Estate Council Foundation (TRECf), McCormack, Baron Salazar (MBS) – Economic Development Action Plans</b></p>	<p>The Real Estate Council Foundation and private donations provided financial support to engage McCormack Baron Salazar to develop action plans for economic development in three City Council designated areas:  1. Lancaster Corridor 2. South Dallas/Fair Park 3. <b>Five Points in Vickery Meadow</b></p>	<p>The Development Action Plans by MBS were released January 2011.</p>	<p>\$750,000 min Includes:  \$275,000  \$275,000  \$200,000</p>	<p>TRECf of Dallas  MBS Investment  Private Donations</p>
<p><b>HUD Community Challenge Grant for Transit Oriented Development and Affordable Housing</b></p>	<p>The City of Dallas was awarded a \$2.225 million Community Challenge Planning Grant from HUD on October 22, 2010. Grant funds are to be used for planning and land acquisition related to affordable housing and transit oriented development near 4 DART stations including the Park Lane Station.</p>	<p>Request for Proposals for the various planning activities were released in August 2011. 14 responses were received and the top 6 proposals will be interviewed October 2011. City Council consideration of a contract with the selected consultant(s) is slated for December 2011.</p>	<p>Grant Amount: \$2,225,000  Required Local Match for Grant: 20%</p>	<p>HUD  TIF Funds</p>

## TIF District Development Project Map



### Vickery Meadow TIF District *The Shops at Park Lane Project*

City of Dallas  
Office of Economic Development  
Created December 2010



#### Legend

- DART Dallas Rail Stations
- +— DART Red Line
- ▨ The Shops at Park Lane
- ▭ TIF Boundary

## Value and Increment Summary

The Vickery Meadow TIF District's assessed 2011 taxable value was \$342,386,650. This represents an increase of \$181,116,330 or 112.31% from the 2005 base year value. The District's taxable value increased 8.2% (\$25,975,200) from the previous year's 2010 value. The increase in district value can be attributed to an increase in value of Northpark Central I (8750 Central Expwy), a 20-story office building that was reported to be 91% occupied in March 2011 and an increase in value for the Shops at Park Lane as additional stores within the project opened throughout the fiscal year increasing the project's overall occupancy.

During FY 2011, the Vickery Meadow TIF District generated \$1,396,959 in TIF increment.

## Objectives, Programs, and Success Indicators

The final Vickery Meadow Project Plan and Reinvestment Zone Financing Plan were adopted in December 2005. The plans' development goals are provided below:

- Facilitate private development within the Vickery Meadow TIF District to stimulate and diversify the area's economy, eliminate unemployment or underemployment, and develop or expand business, transportation, and commercial activity.

*Approximately \$750 million in new investments is planned or has been constructed as part of The Shops at Park Lane. The project is anticipated to create 2,600 new jobs.*

- Secure new private development consisting of at least 850,000 square feet of retail space, 200 hotel rooms, 625 residential units (rental and owner occupied), and 410,000 square feet of office space.

*As of FY 2011, The Shops at Park Lane development has constructed approximately 629,000 square feet of retail space (74% of goal), 325 apartment units (52% of goal), 97,000 square feet of office space (24% of goal). The Planned Phase II, when constructed and completed, is expected to include a 250 room full-service hotel, 300 apartment units, and 750,000 square feet of office space.*

- Focus on traffic improvements and the redevelopment of properties within the Five-Points area as increment funds accumulate and can be supplemented with non-TIF sources.

*Staff serves a liaison for the City and is currently working with the Vickery Meadow Public Improvement District and other stakeholders to address these issues. The improvement district will also assist the TIF Board in developing strategies for redeveloping the Five-Points area for the proposed 2012 City of Dallas General Obligation Bond Program.*

- Generate additional taxable value totaling approximately \$322 million as a result of new private investment projects within the TIF District.

*The FY 2011 taxable value of the Shops at Park Lane is \$198,208,930 (62% of goal).*

- Encourage the redevelopment of the “Park Lane” site and improve pedestrian connections between the existing DART Park Lane light rail station to increase density while providing enhanced urban design for the TIF District.

*Staff is working with DART and Northwood Investors to identify potential funding sources for the construction of a pedestrian platform that would extend from the DART Light Rail station to the south side of Park Lane. Pedestrian connection improvements for the Park Lane Station and surrounding areas will be studied as a part of the HUD Challenge Grant funded planning activities for the area.*

- Increase commuters’ use of the DART Park Lane light rail station from 2,183 passengers per weekday in 2007 to 3,500 passengers by 2011 (three years after the anticipated completion of the “Park Lane” project).

*Staff will continue to work with DART and monitor progress as improvements are made within the station’s surrounding area and the “The Shops at Park Lane” evolves. During FY 2011, on average, the Park Lane Rail Station serviced 1988 passengers per week day.*

- Generate approximately \$51 million (total dollars) in increment over a 20 year period.

*To date, approximately \$4,051,040 in tax increment has been generated. This is approximately 8% of the TIF Budget anticipated to be generated over the 20-year term of the district.*

## Year-End Summary of Meetings

The Vickery Meadow TIF District Board of Directors met twice during FY 2011, December 7, 2010, and September 29, 2011. A meeting was cancelled due to lack of a quorum on June 21, 2011.

The Vickery Meadow TIF District Board of Directors consists of ten members including six City of Dallas appointees, two Dallas Independent School District (DISD) appointees, one Dallas County appointee and one Dallas County Hospital District appointee. DISD and DCHD each have one vacant appointment. During FY 2011, the Vickery Meadow TIF Board consisted of the following members:

### Board Member List

Kevin Felder – City Representative (Attended 2 of 2 meetings)  
Robert Giesler – City Representative (Attended 2 of 2 meetings)  
Beverly Tobian – City Representative (Attended 2 of 2 meetings)  
Gay Donnell – City Representative (Attended 2 of 2 meetings)  
Raj Narayanan – City Representative (Attended 0 of 2 meetings)  
Michon Fulgham – City Representative (Attended 2 of 2 meetings)  
Orlando Alameda – DISD Representative (Attended 2 of 2 meetings)  
Rick Loessberg – Dallas County Representative (Attended 0 of 2 meetings)

During FY 2011, the City council approved seven (7) items directly or indirectly associated with the Vickery Meadow TIF District. The council actions are listed below.

- On October 14, 2010, City Council approved Resolution No. 10-2593, authorizing a contract with Admiral Construction Company, lowest responsible bidder of seven, for the construction of 12 safe routes to school improvement projects (list attached) - Not to exceed \$1,355,837 - Financing: Texas Department of Transportation Grant Funds(\$1,330,737)and Water Utilities Capital Construction Funds (\$25,100). (includes Lowe and Tasby schools. Skillman – White Rock Elem).
- On October 27, 2010, City Council approved Resolution No. 10-2745 authorizing an agreement with Dallas Off-Road Bicycle Association for the development, operation and maintenance of off-road bicycle trails at Boulder Park located at 3200 Red Bird Lane, L.B. Houston Park located at 11223 Luna Road, Harry S. Moss Park located at 8000 Greenville Avenue, and Fair Oaks Park located at 7600 Fair Oaks Avenue for a period of ten-years with one five-year renewal option.
- On January 27, 2011, City Council approved Resolution No. 11-0260 authorizing (1) an application for and acceptance of the Community Challenge Planning Grant from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development for a three year period;



and (2) establishment of appropriations for the grant - Not to exceed \$2,225,000 - Financing: U.S. Department of Housing and Urban Development Office of Sustainable Housing and Communities Grant Funds.

- On February 24, 2011, City Council approved Resolution No. 11-0528 approving FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On February 24, 2011, City Council denied authorization of a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Brook Village Apartments located at 6852 Shady Brook Lane for the acquisition and rehabilitation of the proposed 213-unit multifamily residential development for low income families.
- On June 23, 2011, City Council approved Resolution No. 11-1720 authorizing moving expense and rental assistance payments for five eligible residents in the Acacia Village Apartments as a result of an official written offer of just compensation to purchase real property near the intersection of Park Lane and Ridgecrest Road to be used in conjunction with the Vickery Meadow Branch Library Project.

### **Pending TIF Items**

- Consideration of the FY 2011 Vickery Meadow TIF District Annual Report by the Vickery Meadow TIF District Board of Directors and a recommendation to the Dallas City Council for approval, as recommended by the TIF board.

## Budget and Spending Status

When created, each TIF district establishes in its Project Plan and Reinvestment Zone Financing Plan a budget for public improvement expenditures necessary to support private investment in the district. The Vickery Meadow TIF District was established April 2005. The TIF's public improvement budget is approximately \$51 million in total dollars (\$32.2 million NPV). The current budget for the district is below:

<b>Vickery Meadow TIF District Projected Increment Revenues to Retire TIF Fund Obligations</b>			
Category	TIF Budget <sup>1</sup>	Allocated <sup>2</sup>	Balance
<b>"Park Lane" Project:</b> - Environmental remediation, interior/exterior demolition, street/utility improvements & relocation, streetscape improvements, land acquisition, enhanced pedestrian area design & acquisition, engineering & design, non project costs	\$31,818,558	\$31,818,558*	\$0
<b>Five-Points Area Improvements:</b> - Environmental remediation, interior/exterior demolition, street/utility improvements & relocation, streetscape improvements, land acquisition, park/plaza design & acquisition, DART related improvements, engineering & design, non project costs	\$15,909,279	\$0	\$15,909,279
<b>Administration and Implementation</b>	\$3,492,246	\$203,923 <sup>3</sup>	\$3,288,323
<b>Total Project Costs</b>	<b>\$51,220,083</b>	<b>\$32,022,481</b>	<b>\$19,197,602</b>
<sup>1</sup> Budget shown above in total dollars; TIF Project Plan shows the budget in net present value. <sup>2</sup> Allocated amount includes any interest accrued as of FY 2011 (September 30, 2011). Additional interest of approximately \$8.5 million is expected to accrue prior to final payment and categories impacted are shown with an *. <sup>3</sup> Administration and Implementation amount shown is through FY 2011 and includes \$50,000 for district audits through 2012 and \$2,500 for consultant fees.			

<b>Vickery Meadow TIF District Project Plan Budget</b>	
<b>Category</b>	<b>TIF Budget (NPV)*</b>
<b>"Park Lane" Project:</b> - Environmental remediation, interior/exterior demolition, street/utility improvements & relocation, streetscape improvements, land acquisition, enhanced pedestrian area design & acquisition, engineering & design, non project costs	\$20,000,000
<b>Five-Points Area Improvements:</b> - Environmental remediation, interior/exterior demolition, street/utility improvements & relocation, streetscape improvements, land acquisition, park/plaza design & acquisition, DART related improvements, engineering & design, non project costs	\$10,000,000
<b>Administration and implementation</b>	\$2,195,100
<b>Total</b>	<b>\$32,195,100</b>
* As approved in the Project Plan and Reinvestment Zone Financing Plan in 2006 dollars. * Budget is for the 20-year term of the District.	

## FY 2012 Work Program

The FY 2012 work program for the Vickery Meadow TIF District is as follows:

- Identify additional redevelopment sites, potential developers and continue to seek growth in the District through the attraction of mixed-use, high-density development.
- Provide assistance with the implementation of the Shops at Park Lane development project.
- Work with the DART, Vickery Meadow Public Improvement District, and other entities on improvement initiatives for the Vickery Meadow area.
- Investigate additional sources of funding for the District improvements including a pedestrian platform that would extend from the Park Lane Light Rail Station, across Park Lane.

- Work with the consultant chosen to complete planning documents including design guidelines funded by the HUD Challenge Grant for the Vickery Meadow/Five Points/Park Lane Station area.
- Adoption of a mixed income housing policy for the district.
- Consider changes to the TIF board's by-laws related to the design review process and 2011 changes to State Law.
- Reevaluate the issuance of TIF Bonds for the District.

## Appendix A – Financials

**City of Dallas, Texas**  
**Vickery Meadow Tax Increment Financing District Fund**  
**Balance Sheet as of September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008 and 2007**

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Assets:</b>					
Pooled cash and cash equivalents	\$1,135,753	\$1,170,376	\$1,690,463	\$994,463	\$0
Interest receivable	\$3,507	\$6,100	\$9,163	\$6,445	\$0
Total assets	<u>\$1,139,260</u>	<u>\$1,176,476</u>	<u>\$1,699,625</u>	<u>\$1,000,909</u>	<u>\$0</u>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$24,900	\$0	\$0	\$0	\$0
Due to general fund	\$0	\$0	\$33,788	\$33,788	\$9,953
Total liabilities	<u>\$24,900</u>	<u>\$0</u>	<u>\$33,788</u>	<u>\$33,788</u>	<u>\$9,953</u>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	<u>\$1,114,360</u>	<u>\$1,176,476</u>	<u>\$1,665,838</u>	<u>\$967,121</u>	<u>(\$9,953)</u>
Total Liabilities and Fund Equity	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Vickery Meadow Tax Increment Financing District Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)**  
**For the Period September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008 and 2007**

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Revenues:</b>						
Tax increment-Governmental	\$2,569,844	\$989,073	\$1,025,142	\$555,630	\$0	\$0
Tax increment-Intergovernmental	\$539,345	\$207,891	\$214,950	\$116,504	\$0	\$0
Interest income	\$68,419	\$8,868	\$25,272	\$28,591	\$5,688	\$0
Affordable housing payment	\$1,000,000	\$0	\$0	\$0	\$1,000,000	\$0
Net increase (decrease) in fair value of investments	\$3,075	\$445	(\$12,596)	\$20,005	(\$4,779)	\$0
Total revenues	<u>\$4,180,683</u>	<u>\$1,206,277</u>	<u>\$1,252,768</u>	<u>\$720,730</u>	<u>\$1,000,909</u>	<u>\$0</u>
<b>Expenditures:</b>						
Administrative expenses	\$151,423	\$53,492	\$42,130	\$22,013	\$23,834	\$9,953
Non-Capital Outlay	\$24,900	\$24,900	\$0	\$0	\$0	\$0
Capital outlay	\$0	\$0	\$0	\$0	\$0	\$0
Principal retirement	\$44,796	\$44,796	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$2,845,204	\$1,145,204	\$1,700,000	\$0	\$0	\$0
Total expenditures	<u>\$3,066,323</u>	<u>\$1,268,392</u>	<u>\$1,742,130</u>	<u>\$22,013</u>	<u>\$23,834</u>	<u>\$9,953</u>
Excess (Deficiency) of Revenues over Expenditures	<u>\$1,114,360</u>	<u>(\$62,116)</u>	<u>(\$489,362)</u>	<u>\$698,716</u>	<u>\$977,075</u>	<u>(\$9,953)</u>
<b>Fund balance (Deficit) at beginning of year as previously reported</b>						
	\$0	\$1,176,476	\$1,665,838	\$967,121	(\$9,953)	\$0
<b>Fund balance (Deficit) at beginning of year, as restated</b>						
	\$0	\$1,176,476	\$1,665,838	\$967,121	(\$9,953)	\$0
<b>Fund balance (deficit) at end of year</b>						
	<u>\$1,114,360</u>	<u>\$1,114,360</u>	<u>\$1,176,476</u>	<u>\$1,665,838</u>	<u>\$967,121</u>	<u>(\$9,953)</u>

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**

City of Dallas, Texas  
**Vickery Meadow Tax Increment Financing District Fund**  
**Reinvestment Zone Number Nine**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

\$9,313	Interest Income
\$0	Affordable housing payment
\$1,196,964	Ad Valorem Taxes (Collected in FY'2009-10 based on 2009 Final Tax Roll)
<u>\$1,206,277</u>	Total Revenue

**2. Amount and purpose of expenditures from the fund:**

\$53,492	Administrative Expense
\$44,796	Principal retirement
\$1,145,204	Interest and fiscal charges
<u>\$1,268,392</u>	Total Expenditures

3. The Zone began reimbursing the General Fund for administrative costs in fiscal year 2009-10.

**4. a. Amount of Principal and Interest due on outstanding indebtedness as of September 30, 2011 is as follows:**

Developer	Project	Advance	Accrued	Less	Total (P & I)
		Principal	Interest	Payments	Outstanding
Northwood PL Holdings, LLC.	Park Lane	\$20,000,000	\$3,172,593	(\$2,890,000)	\$20,282,593
Total		<u>\$20,000,000</u>	<u>\$3,172,593</u>	<u>(\$2,890,000)</u>	<u>\$20,282,593</u>

**5. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable	Base Year	Est. Captured
	Value 2011*	2005 Value	Value 2011**
City of Dallas	\$342,386,650	\$161,270,320	\$181,116,330
Dallas County	\$342,386,650	\$161,270,320	\$181,116,330
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*Taxable value shown for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2011.

**6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment	Amount of
	Per \$100***	Estimated 2011 Increment***
City of Dallas	0.63760	\$1,154,798
Dallas County	0.13371	\$242,162
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	<u>\$0.77131</u>	<u>\$1,396,959</u>

\*\*\*Participation rates for City of Dallas and Dallas County are 80% and 55% respectively for tax years 2008 - 2017.

B. The total amount of estimated tax increment to be billed for the 2011 tax year is \$1,396,959. For the 2010 tax year, the Zone collected \$1,196,964 in increment.

7. Independent audits of the TIF for fiscal years 2007, 2008, 2009 and 2010, as approved by the board in an amount not to exceed 50,000, were completed by Grant Thornton LLP, the City's external auditors. Total cost of the audits was \$24,900. The balance of the approved funds will be used for audits of fiscal years 2011 and 2012.

City of Dallas, Texas  
Vickery Meadow Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
3. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
4. The Zone's Financial Plan permits expenditures not to exceed \$2,195,100 over the life of the TIF to reimburse the City for administrative costs. The Zone began reimbursing the general fund in fiscal year 2009-10. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.
5. The TIF entered into a development agreement with a developer on December 14, 2005 to reimburse the developer for TIF eligible costs up to principal amount of \$20.0 million plus accrued interest thereon, at an interest rate of 4.86%, for the construction of the Park Lane Project. The developer satisfied all contingencies as required by the terms of the agreement and the liability for the principal amount of \$20.0 million plus the accrued interest was recorded in fiscal year 2009. The TIF began reimbursing the developer in fiscal year 2009-10. The developer obligation balance, including principal and accrued interest, outstanding at September 30, 2011 is \$20,282,593.





**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 34 T U X Y & Z

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit to the chief executive officer of each taxing unit, as well as the State Comptroller. The City Council approved Ordinance No. 25965 on April 27, 2005, establishing Tax Increment Financing Reinvestment Zone Number Ten, (the Southwestern Medical District). On January 11, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 26204, as amended.

The Southwestern Medical District's assessed 2011 tax value was \$109,792,101, an increase of \$42,381,047 over the base year value. This property value change represents 62.9% increase from base value. The 2011 tax value decreased \$15,809,502 (12.6%) from the 2010 tax value.

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

On April 27, 2005, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Ten, the Southwestern Medical TIF District by Ordinance No. 25965.

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

On January 11, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Southwestern Medical TIF District by Ordinance No. 26204, as amended.

On December 16, 2011, the Southwestern Medical TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

**FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Ten, ("Southwestern Medical TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Southwestern Medical area pursuant to Ordinance No. 25965, authorized by the City Council on April 27, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on January 11, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Southwestern Medical TIF District by Ordinance No. 26204, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the chief executive officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on December 16, 2011, the Southwestern Medical TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Ten and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Ten, City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Ten, to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District; and to the State Comptroller, as required by state law.

**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.

# Southwestern Medical TIF District FY 2011 Annual Report



January 27, 2006 Motor Street Aerial (View Towards Downtown)



FirstWorthing



Greenway Investment Company

Southwestern Medical District TIF Study  
Dallas, Texas

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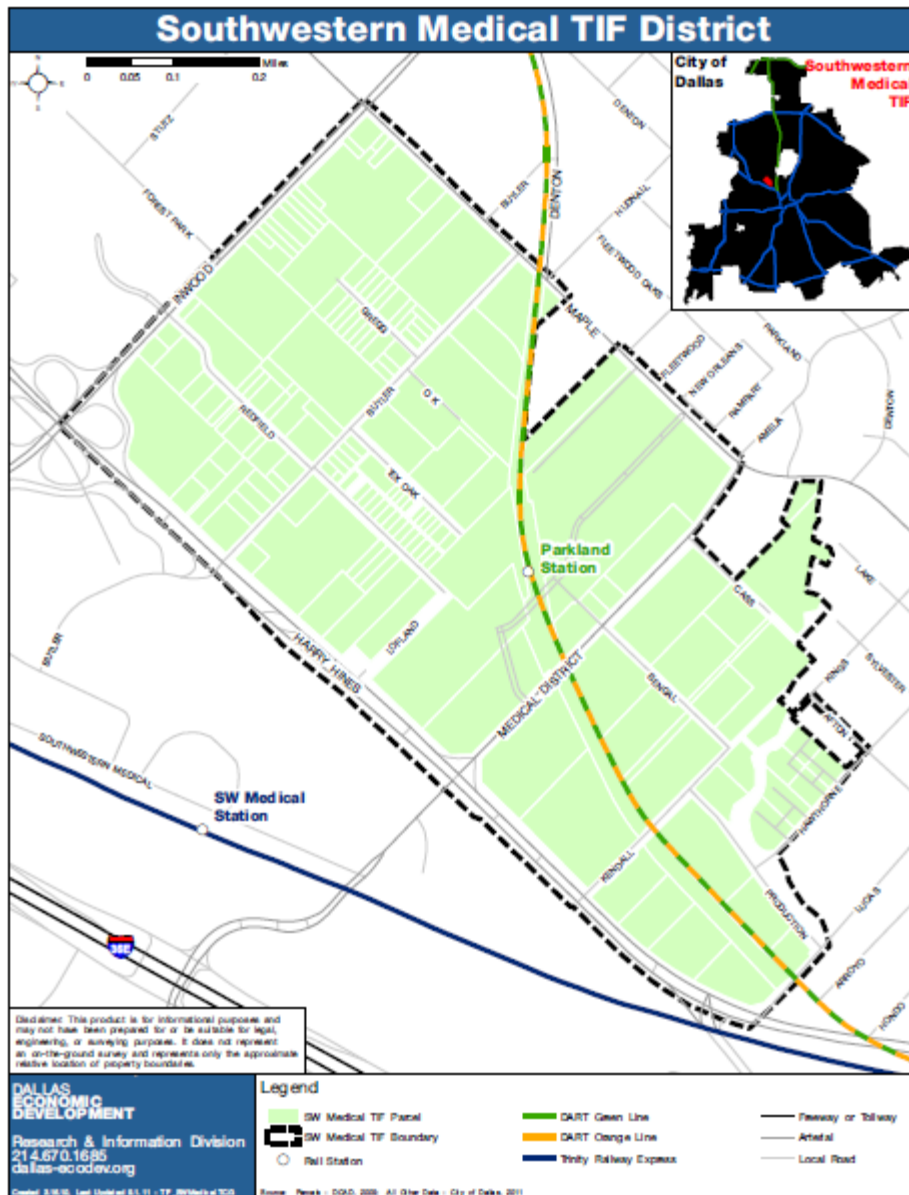
City of Dallas

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 671-9821

<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Ten Southwestern Medical Tax Increment Financing District



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## **Mission Statement**

The mission of the Southwestern Medical Tax Increment Financing District is to provide a source of funding for public infrastructure improvements anticipated to enhance the real estate market for the Southwestern Medical TIF District area. The Southwestern Medical TIF District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping a former industrial and warehouse district to take full advantage of the expanding DART light rail system, to promote transit oriented development, especially in areas that are major employment centers like the Medical District, and to implement appropriate urban design standards.

The Dallas City Council established the Southwestern Medical TIF District by Ordinance Number 25965 on April 27, 2005 and amended by Ordinance Number 27433 on December 10, 2008 and October 14, 2009. The Southwestern Medical District took effect on January 1, 2006 and is scheduled to terminate on December 31, 2027 (including collection of the 2027 increment on calendar year 2028 and any related matters to be concluded in 2028) or when the budget of \$27.5 million (2006 dollars) has been collected. The City of Dallas and Dallas County are the two participating jurisdictions; The City's participation is 80%, and the County's participation is 55%.

## **Southwestern Medical TIF District Accomplishments**

The initial project for the Southwestern Medical TIF District is the "Cityville (Colonial Reserve) at Southwestern Medical." FirstWorthing completed the first phase of this transit oriented development, including approximately 45,000 square feet of retail/ office space and 278 apartment units near the future DART Southwestern Medical District/Parkland light rail station. The designs of this project and its connection to the DART station, which will be located on the north side of Medical District Drive, are important elements for the success of the redevelopment effort. Total private investment for this development project is approximately \$22 million. This project will not receive TIF funds.

FirstWorthing, after completing the first phase, sold their remaining land holdings to Trammel Crow Residential Development (TCR) and Ronald McDonald House. The Alexan Project by TCR is a residential, transit oriented development, and includes 396 luxury apartments, completed in 2009. The project is comprised of approximately 377,816 square feet of residential space, located at 2034 Medical District Drive and 4805 Bengal Street. Total private investment for this development project is approximately \$31.5 million.

Adjacent to the Alexan project, Ronald McDonald House constructed 60 units of low-cost, temporary lodging/dorm facilities for families with children receiving medical care, totaling approximately 64,000 square feet of space, located at 4707 Bengal Street.

Maple Garden LP., has recently completed construction of 120 apartments at 5219 Maple Avenue, between Parkland East Parking Lot (EPL) and existing 5225 Maple apartment complex. The estimated private investment is \$4.9 million.

Parkland Memorial Hospital owns 21.5% of the land within the District. Parkland has undertaken a major construction project, replacing the outdated main hospital facility with a new one. The \$1.2 billion Parkland expansion plan includes 17 story hospital surrounded by new clinics and parking garages located around the planned Southwestern Medical District/Parkland DART light rail station. The construction work started with demolition at the corner of Harry Hines Boulevard and Medical District Drive to make way for new buildings and construction of East Parking Lot at the corner of Maple Avenue and Medical District Drive is in progress. The new facility is expected to be completed by the end of 2014.

UT Southwestern Medical Center and Children's Medical Center, located just outside of the district, are planning significant expansion within the next decade. In addition to the recent expansion of the main hospital and completion a new surgery center, Children's expects to complete a third tower at the main hospital, new radiology facilities, and a new Ambulatory Care Pavilion over the next three years.

UT Southwestern Medical District has recently completed constructing BioCenter on a 13 acre tract of land located at the northeast corner of Inwood Road and Redfield Street. BioCenter project provides a venue adjacent to UT Southwestern for bio-medical companies that are engaged in research, development, marketing and small-scale manufacturing of goods and services in the bio-medical industry. BioCenter project is designed to help commercialize university technology and draw biotechnology companies to North Texas.

DART Green Line expansion (NW corridor) is completed and the Southwestern Medical District/Parkland light rail station was opened in December 2010. During FY 2010, on average, the Southwestern Medical District/Parkland light rail station serviced 1,545 passengers per week day

Glenbrook Residential Inc is planning to develop 342 apartment and 6,500 square feet of retail at 5415 Maple Avenue. Intown Homes LLC is planning to construct townhomes at the corner of Hawthorne and Production Avenue.

Total private development in the Southwestern Medical TIF District is approximately \$58.5 million. Listed below are the projects in the Southwestern Medical TIF District at various stages of development.

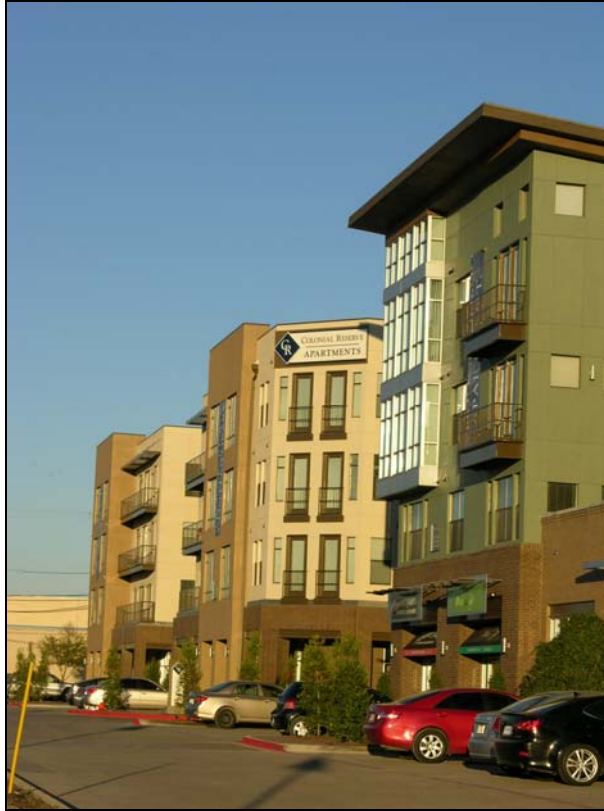




*Parkland DART Light Rail Station*



*Colonial Reserve formerly Cityville at Southwestern Medical*



*Colonial Reserve at SWM*



*Kroger at corner of Maple and Medical District Drive – under construction*



*Parkland Ambulatory Center at Harry Hines Boulevard and Medical District Drive*



*New Parkland Hospital - under construction*



*Ronald McDonald House*



*Alexan Project*

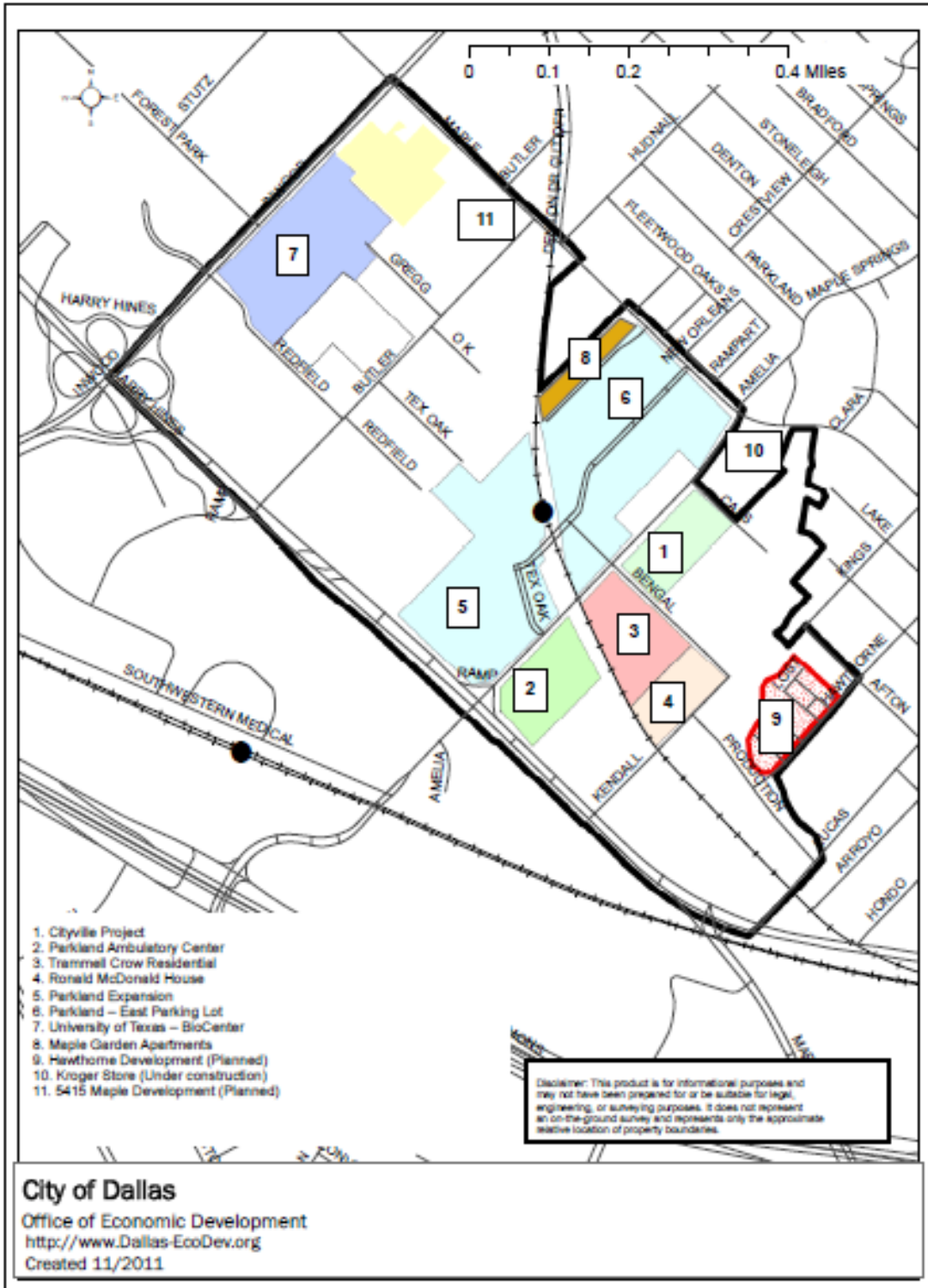


*Parkland – East Parking Lot (EPL)*



*Maple Garden Apartment – 5219 Maple Avenue*

## Current Development Status in the District



<b>Southwestern Medical TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Subtotal					\$0	\$0
<b>Projects Within TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF</b>	<b>Approx. Value</b>	<b>TIF Investment</b>
Cityville at Southwestern Medical	2222 Medical District Drive	2007	Complete	278 res. units; 45,000 SF commercial	\$22,034,850	\$0
Alexan Project by Trammell Crow Residential	4805 Bengal Street	2009	Complete	396 units	\$31,500,000	\$0
Parkland Ambulatory Center <sup>6</sup>	4900 Harry Hines Boulevard	2006	Complete	62,267 SF medical office	\$20,487,430	\$0
Ronald McDonald House <sup>6</sup>	4707 Bengal Street	2009	Complete	64,000 SF lodging for 60 families	\$10,693,800	\$0
Maple Garden Apartments	5219 Maple Avenue	2011	Complete	120 apartments	\$4,924,230	\$0
Parkland Hospital <sup>6</sup>	5201 Harry Hines Boulevard	2014	Under construction	2,000,000 SF medical office space		\$0
Total				Completed: 794 res. units; 45,000 SF retail; 62,267 SF medical office and 61,000 SF lodging. Under-construction: 2,000,000 SF medical office	\$89,640,310	\$0
<sup>1</sup> All information updated as of September 30, 2011. <sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage. <sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF district for redevelopment projects once pre-existing value and/or the demolition of structures is netted out. <sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown. <sup>5</sup> Selected significant projects included. <sup>6</sup> Tax-exempt properties.						

## Value and Increment Revenue Summary

The Southwestern Medical TIF District encompasses approximately 245.7 acres. The base value is the total appraised value of all taxable real properties in the Southwestern Medical TIF District as determined by the Dallas Central Appraisal District in the certified roll. The Southwestern Medical District's assessed 2011 tax value was \$109,792,101, an increase of \$42,381,047 over the base year value (62.9% increase from base value). The 2011 tax value decreased \$15,809,502 (12.6%) from the 2010 tax value. From the inception of the district, approximately, 73% of the increment is from the new construction and 27% from the general appreciation. The total 2011 increment revenue collected in 2012 is expected to be \$326,887. The actual construction that occurred in 2011 will be reflected on the 2012 tax roll.

## Objectives, Programs, and Success Indicators

The final Southwestern Medical Project Plan and Reinvestment Zone Financing Plan was adopted in January 2006 and amended in December 2008. Among the goals of the Plan are:

- Additional taxable value attributed to new private investment in projects in the Southwestern Medical TIF District shall total approximately \$280 million.

*Projects within the district had contributed approximately \$58.5 million (21% of goal) in additional taxable value from the inception of the District.*

- New private development in the Southwestern Medical TIF District shall add a total of approximately 300,000 square feet of retail/office space and at least 3,000 new apartment units.

*Projects underway within the district will contribute a minimum of 107,267 square feet of retail office space (35.7% of goal) and 794 residential units (26.4% of goal). In addition, Parkland Hospital expansion plan includes 17 story hospitals surrounded by new clinics and parking garages, worth \$1.2 billion.*

- Ridership at the future DART Parkland light rail station shall average 4,000 - 5,000 riders per weekday by 2015.

*The Southwestern Medical District/Parkland light rail station ridership averages for the past six months (April 2011 – September 2011): during weekdays 1,590 riders (39% of goal), during Saturdays 778 riders and during Sundays 590 riders. The Parkland light rail station started operating from December 2010 and the ridership is expected to increase in the upcoming years.*

- Improve the access and connections to the DART light rail system within the Southwestern Medical TIF District.



*The construction of the Southwestern Medical District/Parkland light rail stations is currently underway. Staff and the Board will continue to foster working relationships with Parkland, DART, and potential developers to encourage access and connections to this rail station. The Colonial Reserve/Cityville at Southwestern Medical District project includes streetscape improvements along Medical District Drive and Bengal Streets.*

- Support the conversion of the Southwestern Medical area from industrial and warehousing land uses to a mixed-use, transit oriented neighborhood that complements the Medical District.

*Staff and the Board will continue to foster a working relationship with Parkland, DART, and potential developers to encourage transit oriented development that complements the district. The Colonial Reserve/Cityville at Southwestern Medical, Alexan projects have resulted in the conversion of former industrial and warehousing uses to residential and retail uses. The Stemmons Corridor - Southwestern Medical District Area Plan (Vision and Policy Plan) was adopted by the City Council in June, 2010.*

- Increase recreational opportunities and improved connections to the City of Dallas trails and open space system in the Southwestern Medical Area.

*Staff and the Board will seek ways to increase recreational opportunities and trail connections within the District and in construction with the Parkland construction.*

- The Southwestern Medical TIF District will generate approximately \$27.5 million in increment over 20 years.

*The growth is significant in initial zone and new area that has been added will develop in the next couple of years. The district started collecting the increment from last three years and it is estimated that the district will generate \$27.5 million (in 2006 dollars) before the TIF expires in 2027. For the past three years, District has collected \$1.1 million (4% of the goal).*

- Develop a grant program to promote private medical industry and economic development in the District.

*Staff and the Board will continue to foster a working relationship with UT Southwestern Medical Center, Children's Hospital and Parkland Hospital to create investment opportunities in the District.*

## Year-End Summary of Meetings

During the fiscal year, the Southwestern Medical TIF District Board of Directors met once on December 12, 2010.

The Board can consist of up to ten members, including six City of Dallas appointees, one Dallas Independent School District appointees, one Dallas County appointee, one Dallas Community College District appointee, and one Dallas County Hospital District appointee. During FY 2011 the Board members were (FY 2011 Board meetings attended): Alexia Griffin – City Representative (0 of 1 meeting - no longer a TIF Board Member ), Lily Mak – City Representative (1 of 1 meeting), Ross Sherwood Martin – City Representative (0 of 1 meetings), Michael Serber– City Representative (1 of 1 meeting), Jacob Pollack – City Representative (1 of 1 meeting ), Rick Loessberg – Dallas County Representative (0 of 1 meeting), Orlando Alameda – DISD Representative (1 of 1 meeting – no longer a TIF Board Member), Hector Flores – DISD Representative (1 of 1 meeting – no longer a TIF Board Member), and Walter Jones – Hospital District Representative (1 of 1 meeting).

During the fiscal year, the City Council approved eleven items associated with the Southwestern Medical TIF District:

- On October 13, 2010, the City Council approved Ordinance No 28034, a public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Maple/Douglas, LP located near the intersection of Maple Avenue and Butler Street and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Maple/Douglas, LP by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water.
- On October 26, 2011, the City Council approved Resolution No. 10-2777, a public hearing to receive comments regarding an application for an MU-3 Mixed Use District on property zoned an IR Industrial Research District with deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street.
- On November 10, 2011, the City Council approved Resolution No.10-2881, abandoning portions of a water main easement, a drainage easement, three storm sewer easements, Redfield Street, Lofland Street, Tex-Oak Avenue, a street easement and an alley to Dallas County Hospital District d/b/a Parkland Health and Hospital System, the abutting owner, containing a total of approximately 83,225 square feet of land located near the intersection of Harry Hines Boulevard and Lofland Street, authorizing the quitclaim, and providing for the dedication of approximately 9,433 square feet of land needed for street right-of-way.

- On December 8, 2010, the City Council approved Resolution No. 10-3048, a public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street.
- On January 12, 2011, the City Council approved Resolution No. 11-0180, granting a private license to the Board of Regents of The University of Texas System for the use of approximately 12,672 square feet of land to use and maintain an electrical distribution feeder under portions of Harry Hines Boulevard, Record Crossing and Inwood Roads and Medical Center Drive rights-of-way near the intersection of Harry Hines Boulevard and Inwood Road.
- On January 26, 2011, the City Council approved Resolution No. 11-0301, a public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for CR Community Retail District uses on property zoned an IR Industrial Research District located on the south corner of Medical District Drive and Maple Avenue.
- On February, 23, 2011, the City Council approved Resolution No. 11-0520, a New Markets Tax Credit (NMTC) transaction, between the Dallas Development Fund (DDF) and its subsidiaries, JPMorgan Chase, N.A. (JPMC) and its subsidiaries, and the Kroger Co. and its affiliates (Developer) for the redevelopment of property located at 4901 Maple Street into a full service grocery store.
- On February, 23, 2011, the City Council approved Resolution No. 11-0529, accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On March 9, 2011, the City Council approved Resolution No. 11-0673, a public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street.
- On August 24, 2011, the City Council approved Resolution No. 11-2193, authorizing (1) a Project Supplemental Agreement to the Master Interlocal Agreement with Dallas County for the preliminary design of paving and drainage improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue; and (2) payment for the City's share of preliminary design costs - Not to

exceed \$720,000 - Financing: 2006 Bond Funds (\$80,000) and Capital Projects Reimbursement Funds (\$640,000).

- On August 24, 2011, the City Council approved Resolution No. 11-2194, authorizing (1) a Local Project Advance Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Medical District Drive from IH 35E to Harry Hines Boulevard; (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$14,276,490; (3) an increase in appropriations in the amount of \$14,276,490 in the Capital Projects Reimbursement Fund; and (4) payment to Texas Department of Transportation for engineering review and construction oversight costs - Not to exceed \$235,484 - Financing: 2006 Bond Funds

## Pending TIF Items

- FY 2011 Annual Report, Southwestern Medical TIF District.
- Update By-Laws of Southwestern Medical TIF District
- Potential TIF Project: Hawthorne Development



*Hawthorne Development - corner of Hawthorne Avenue and Production Drive*

## Budget and Spending Status

Each TIF district establishes a budget for the public improvement expenditures necessary to support private investment in the district in the Project Plan and Reinvestment Zone Financing Plan. The Southwestern Medical TIF District was established in April 2005, amended in December 2008 and October 2009. The Project Plan estimates for TIF public improvements total approximately \$46 million (\$27.5 million in 2006 dollars). The final budget for the district is below:

<b>Southwestern Medical TIF District Projected Increment Revenues to Retire TIF Fund Obligations</b>			
Category	TIF Budget*	Allocated**	Balance**
Paving, streetscape, utilities, public-use improvements, design & engineering	\$16,951,090	\$0	\$16,951,090
Environmental remediation and demolition	\$4,787,878	\$0	\$4,787,878
Utility burial	\$8,832,200	\$0	\$8,832,200
Economic Development Grant	\$13,816,713	\$0	\$13,816,713
Administration and implementation***	\$1,671,830	\$160,548	\$1,511,282
Total Project Costs	\$46,059,711	\$160,548	\$45,899,163
<p><small>* Budget shown above in current dollars; TIF Project Plan shows the budget in net present value.</small></p> <p><small>** Includes money expended and committed for existing and future projects including interest accrued on advanced funds as of the end of FY2011.</small></p> <p><small>*** TIF administration fee include funds expended of committed through FY 2011.</small></p>			

<b>Southwestern Medical TIF District Project Plan Budget</b>	
Category	Revised TIF Budget (in 2006 \$)
Paving, streetscape, utilities, public-use improvements, design & engineering	\$10,139,246
Environmental remediation and demolition	\$2,863,856
Utility burial	\$5,282,955
Economic Development Grant	\$8,264,428
Administration and implementation	\$1,000,000
Total Project Costs	\$27,550,485
<p><small>* As approved in the Project Plan and Reinvestment Zone Financing Plan.</small></p>	

<b>M/WBE Participation</b>			
<b>Project</b>	<b>Contractor</b>	<b>Total Contract Award Amount</b>	<b>Percentage Minority Participation</b>
Cityville at Southwestern Medical <sup>1</sup>	Davis Excavation	\$1,376,916.70	27.71% (\$381,544)
<sup>1</sup> voluntarily participated in the M/WBE program			

## FY 2012 Work Program

The work items for FY 2011 for the Southwestern Medical TIF District include:

- Adopt overall TIF Design Guidelines to guide the character and quality of development within the district.
- Update By-Laws of Southwestern Medical TIF District to reflect changes in board composition and the design review process.
- Adopt Mixed Income Housing Guidelines for the District.
- Promote development of the Hawthorne townhomes project.
- Increase recreational opportunities and improved connections to the City of Dallas trails and open space system in the Southwestern Medical Area.
- Assist with facility improvements included in Medical District Master Plan coordinated/adopted by Parkland Health and Hospital System, Children’s Medical Center, and UT Southwestern Medical Center.

## Financials Appendix:

City of Dallas, Texas  
Southwestern Medical Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$1,671,830 over the life of the TIF to reimburse the City for administrative costs. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.
5. The Zone had no developer advances outstanding at September 30, 2011. At the request of the developer, the development agreement was terminated during the fiscal year and the developer is no longer eligible to receive the TIF reimbursement for the entire obligation of \$1,822,250 including principal and accrued interest. This amount was recognized as developer contribution by the Zone.
6. All project costs resulting in public improvements which are owned by the City are capitalized.

City of Dallas, Texas  
Southwestern Medical Tax Increment Financing District Fund  
Balance Sheet as of September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Assets:</b>					
Pooled cash and cash equivalents	\$1,060,561	\$655,154	\$346,040	\$57,364	\$186,739
Interest receivable	\$3,285	\$3,462	\$1,896	\$328	\$1,301
<b>Total assets</b>	<b>\$1,063,846</b>	<b>\$658,615</b>	<b>\$347,936</b>	<b>\$57,692</b>	<b>\$188,040</b>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$0	\$0	\$0	\$0	\$53,302
Advances from developers	\$0	\$1,440,000	\$1,440,000	\$1,440,000	\$1,440,000
Due to general fund	\$0	\$0	\$36,823	\$36,823	\$11,453
Accrued liability	\$0	\$0	\$0	\$0	\$68,758
<b>Total liabilities</b>	<b>\$0</b>	<b>\$1,440,000</b>	<b>\$1,476,823</b>	<b>\$1,476,823</b>	<b>\$1,573,513</b>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	\$1,063,846	(\$781,385)	(\$1,128,886)	(\$1,419,131)	(\$1,385,474)
<b>Total Liabilities and Fund Equity</b>	<b>\$1,063,846</b>	<b>\$658,615</b>	<b>\$347,936</b>	<b>\$57,692</b>	<b>\$188,040</b>
	\$0	\$0	\$0	\$0	\$0

Southwestern Medical Tax Increment Financing District Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
For the Period September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Revenues:</b>						
Tax increment-Governmental	\$958,045	\$372,960	\$318,029	\$267,056	\$0	\$0
Tax increment-Intergovernmental	\$196,750	\$76,240	\$64,672	\$55,837	\$0	\$0
Interest income	\$61,698	\$5,662	\$6,369	\$3,595	\$4,219	\$26,566
Developer Participation & other revenue	\$1,481,970	\$1,440,000	\$0	\$0	\$31,260	\$3,807
Net increase (decrease) in fair value of investments	\$7,694	\$1,402	(\$1,644)	(\$3,476)	(\$243)	\$6,446
<b>Total revenues</b>	<b>\$2,706,156</b>	<b>\$1,896,264</b>	<b>\$387,426</b>	<b>\$323,012</b>	<b>\$35,236</b>	<b>\$36,819</b>
<b>Expenditures:</b>						
Administrative expenses	\$160,548	\$51,034	\$39,924	\$32,767	\$25,369	\$11,453
Non-Capital Outlay	\$0	\$0	\$0	\$0	\$0	\$0
Capital outlay	\$1,481,762	\$0	\$0	\$0	\$43,524	\$1,161,713
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total expenditures</b>	<b>\$1,642,310</b>	<b>\$51,034</b>	<b>\$39,924</b>	<b>\$32,767</b>	<b>\$68,893</b>	<b>\$1,173,166</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>\$1,063,846</b>	<b>\$1,845,230</b>	<b>\$347,502</b>	<b>\$290,245</b>	<b>(\$33,658)</b>	<b>(\$1,136,348)</b>
<b>Fund balance (Deficit) at beginning of year</b>						
as previously reported	\$0	(\$781,385)	(\$1,128,886)	(\$1,419,131)	(\$1,385,474)	(\$249,126)
<b>Fund balance (Deficit) at beginning of year,</b>						
as restated	\$0	(\$781,385)	(\$1,128,886)	(\$1,419,131)	(\$1,385,474)	(\$249,126)
<b>Fund balance (deficit) at end of year</b>	<b>\$1,063,846</b>	<b>\$1,063,846</b>	<b>(\$781,385)</b>	<b>(\$1,128,886)</b>	<b>(\$1,419,131)</b>	<b>(\$1,385,474)</b>

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**



**City of Dallas, Texas**  
**Southwestern Medical Tax Increment Financing District Fund**  
**Reinvestment Zone Number Ten**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

\$7,064	Interest Income	
\$449,201	Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Final Tax Roll)	
<u>\$1,440,000</u>	Developer Contribution	
<u>\$1,896,264</u>		Total Revenue

**2. Amount and purpose of expenditures from the fund:**

\$51,034	Administrative Expense	
\$0	Non-Capital Outlay	
\$0	Capital outlay *	
<u>\$0</u>	Interest and fiscal charges	
<u>\$51,034</u>		Total Expenditures

\* There was no capital outlay during the current fiscal year.

**3. The Zone began reimbursing the general fund for administrative costs in fiscal year 2008-09.**

4. Amount of Principal and Interest due-on outstanding indebtedness is as follows:

Project	Balance Due (Since Inception)			Payments/Adjustments To Date			Net Bal. Due
	Principal	Accrued Interest	Total Due	Principal	Accrued Interest	* Total	
Cityville @ SWM-Public Imps.	\$1,440,000	\$382,250	\$1,822,250	\$1,440,000	\$382,250	\$1,822,250	\$0
<b>Totals</b>	<b>\$1,440,000</b>	<b>\$382,250</b>	<b>\$1,822,250</b>	<b>\$1,440,000</b>	<b>\$382,250</b>	<b>\$1,822,250</b>	<b>\$0</b>

\* At the request of the developer, the development agreement was terminated and the developer is no longer eligible to receive the TIF reimbursement for principal and accrued interest. Total amount of \$1,822,250, including principle and accrued interest thru June 30, 2011, was recognized as developer contribution by the Zone.

5. Tax increment base and current captured appraised value retained by the zone:

Taxing Jurisdiction	Taxable Value 2011**	Base Year 2005 Value	Est. Captured Value 2011***
City of Dallas	\$109,792,101	\$67,411,054	\$42,381,047
Dallas County	\$109,792,101	\$67,411,054	\$42,381,047
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*\*2011 taxable value shown for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*\*Based on DCAD certified Taxable Value. The final values will be determined on February 01, 2012.

6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Amount of	
	Assessment Per \$100***	Estimated 2011 Increment
City of Dallas	0.63760	\$270,222
Dallas County	0.13371	\$56,666
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
<b>Total for all Jurisdictions</b>	<b>\$0.77131</b>	<b>\$326,887</b>

\*\*\*Participation rates for City of Dallas and Dallas County are 80% and 55% respectively for tax years 2008 - 2026.

B. The total amount of tax increment billed for the 2011 is \$326,887. For the 2010 tax year, the Zone collected \$449,201 in increment.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2, 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 45 A B E F K L P Q

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller,. The City Council approved Ordinance No. 26020 on June 8, 2005, establishing Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District). On August 29, 2005, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 26096, as amended.

The Downtown Connection TIF District's assessed tax value in 2011 was \$1,556,764,047. This represents an increase of 176.14% (\$991,846,730) over the adjusted 2005 base year value (\$564,917,317). The District's taxable value increased 1.15% (\$17,716,147) from the previous year's 2009 value. With the participation of the City and Dallas County, the districts increase in value will result in the collection of approximately \$8,440,665 in incremental revenue for the Downtown Connection TIF District for the 2011 tax year.

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

On June 8, 2005, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eleven, the Downtown Connection TIF District

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

by Ordinance No. 26020, as amended.

On August 29, 2005, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Downtown Connection TIF District, as amended.

On January 5, 2012 the Downtown Connection TIF District Board of Directors recommended the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

**FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District or District) and established a Board of Directors for the District to promote development or redevelopment in the Downtown Connection area pursuant to Ordinance No. 26020, authorized by the City Council on June 8, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on August 29, 2005, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Downtown Connection TIF District by Ordinance No. 26096; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on January 5, 2012, the Downtown Connection TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eleven and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eleven, to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District; and the State Comptroller, as required by state law.

**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**  
**Downtown Connection TIF District**  
**FY 2011**  
**Annual Report**



Main Street Gardens  
Photo Source: City of Dallas



City of Dallas

Office of Economic Development  
1500 Marilla Street, 2CN • Dallas, Texas 75201  
(214) 670-1685

<http://www.dallas-ecodev.org/>

**October 1, 2010 to September 30, 2011**



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## Mission Statement

The mission of the Downtown Connection Tax Increment Financing District is to create a fund for public capital improvements in the core of Downtown essential for development of key spaces and buildings as well as focusing on catalyst projects to create a greater density and critical mass of development within the Main Street core area.

The Downtown Connection TIF District was initiated by petition, pursuant to Section 311.005 (a)(5), Texas Tax Code through the sponsorship of the Downtown Improvement District and the Uptown Improvement District. The Downtown Connection TIF District took effect on June 8, 2005 per Ordinance No. 26020 and is scheduled to terminate on December 31, 2035 (including collections of the 2035 increment in calendar year 2036 or when the budget of \$189.8 million (2006 dollars) has been collected.

## District Accomplishments

Downtown redevelopment momentum continued during FY 2011. Many redevelopment projects were either approved, amended or started construction during the fiscal year.

**Atmos Complex Project Amendment** – City Council approved amendments to the original Atmos Complex redevelopment project. The number of residential units for the project remained the same at 230 units, but the construction of these units is now phased as listed below. The amended project's 170 affordable housing units will assist in the diversification of downtown's housing stock. Construction of Phase I of the project began June 2011.

- Phase I – 107 affordable residential units
- Phase II – 123 residential units  
(63 units will be affordable)



**Joule Hotel Expansion Project Amendment** – City Council approved amendments to the Joule Hotel Expansion project originally approved in 2010. The amended hotel expansion project will: (1) add approximately 32 hotel rooms inclusive of eight suites and three penthouses; (2) add approximately 11,000 square feet of banquet, catering and meeting space; (3) add approximately 24,700 square feet of retail space; and the construction of a new building approximately 9,200 square feet in size. In addition to the amended project components the developer's private investment increased

approximately \$21.4 million from \$85.8 million to \$107.2 million. Upon completion, this project completes contiguous redevelopment from Pegasus Plaza to the Mercantile Building and compliments surrounding investment in Stone Street, Kirby Building, Wilson Building, 3rd Rail Lofts, Gulf States Building, DP&L Buildings. Construction of this project began during the fiscal year.



Joule Hotel Expansion Amended  
Main Street Redevelopment Concept



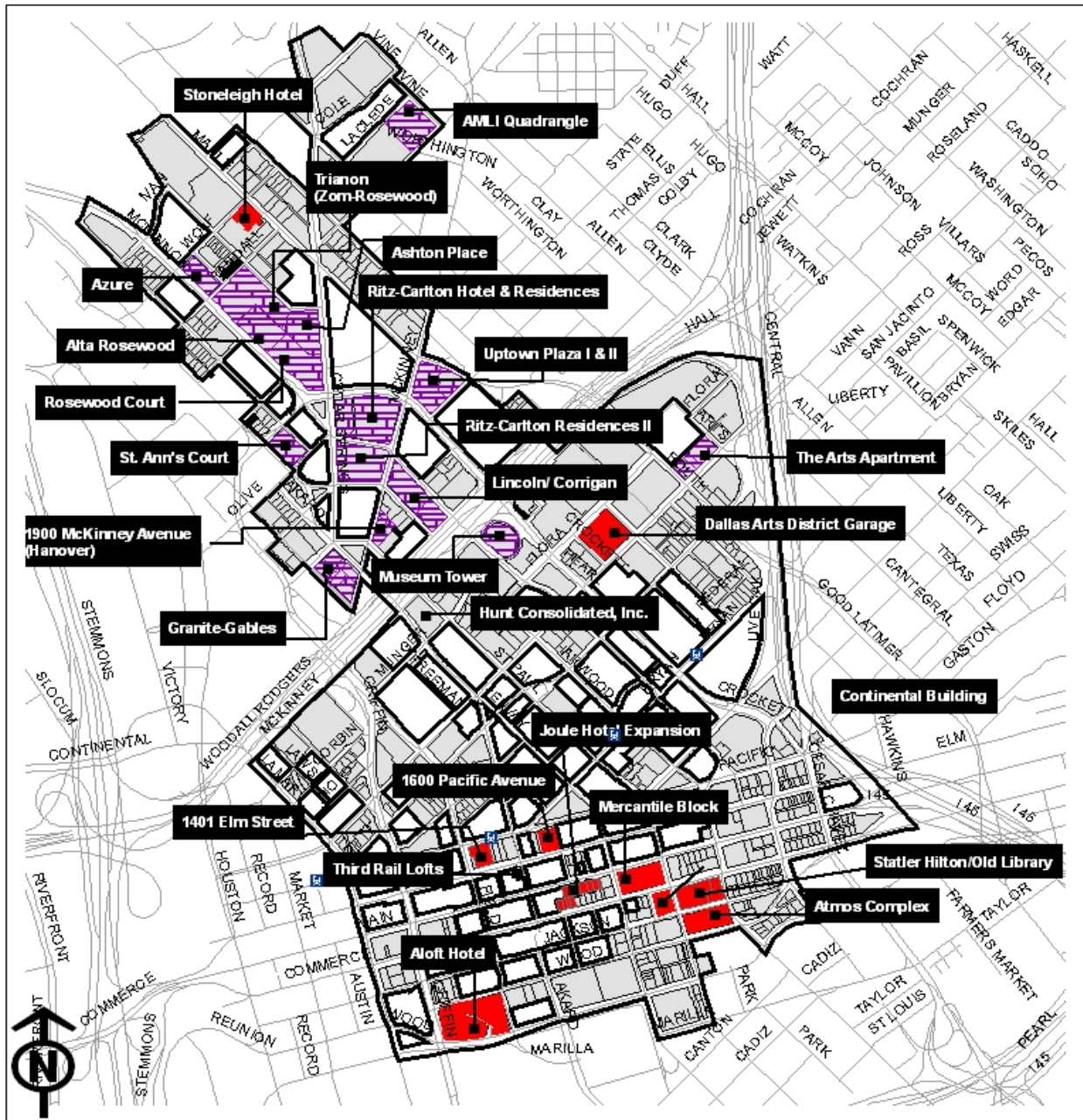
Joule Hotel Expansion Amendment  
Commerce Street Redevelopment Concept

**Statler Hilton and Old Public Library Redevelopment Project** – City Council approved a redevelopment project for the Statler Hilton and Old Public Library that will completely renovate both buildings, bringing them to a leasable condition. The projects include the removal of all obsolete equipment, furniture and operating systems (mechanical, electrical and plumbing systems), asbestos abatement and demolition of all interior walls, cleaning and restoration of all exterior elevations including the entire curtain wall system and store front, renovation of the elevator, electrical, fire, HVAC systems for both buildings. The exteriors of the buildings will be restored to their original condition.

**1401 Elm Street Redevelopment Project** – City Council approved redevelopment of 1401 Elm Street, a 52-story building, into a mixed use building that would house residential units, ground floor retail and office uses, with public spaces on the 9<sup>th</sup> and 50<sup>th</sup> floors. Multiple ownership and ground leases, coupled with the size and magnitude of the building has deterred redevelopment of the building. Private investment for this project is approximately \$137 million.



# Map of Projects within the Downtown Connection TIF District



## Downtown Connection TIF District Project Location Map

### Legend

- TIF Funded Projects
- Non-TIF Funded Projects
- Downtown Connection TIF Boundary



**City of Dallas**

Office of Economic Development  
 December 2011

Source: Economic Development Department/Area Redevelopment Division

**Downtown Connection TIF District Projects<sup>1</sup>**

<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Stoneleigh Hotel	2927 Maple	1 <sup>st</sup> Quarter 2008	Completed	17 additional hotel rooms	\$11,493,900	\$2,500,000
Mercantile Block	1800 Main Street 1808 Main Street	4 <sup>th</sup> Quarter 2008	Completed	366 res. units; 40,000 sf retail	\$36,000,000	\$58,000,000
Santa Fe Lofts IV (Aloft Hotel)	1033 Young Street	4 <sup>th</sup> Quarter 2009	Completed	170 hotel rooms; 4,000 sf retail	\$11,100,000	\$4,296,264
Dallas Arts District Garage	2301 Ross Avenue	1 <sup>st</sup> Quarter 2010	Completed	garage renovations/ updates	\$2,000,000	\$2,000,000
1600 Pacific Avenue	1600 Pacific Avenue	2 <sup>nd</sup> Quarter 2012	Approved	498,000 sf renovated commercial space	\$26,430,000	\$12,870,000
Continental Building	1810 Commerce Street	4 <sup>th</sup> Quarter 2012	Approved	199 res. units; 5,000 sf retail	\$46,000,000	\$18,305,700
Atmos Complex Phase I	Harwood and Wood Streets	1 <sup>st</sup> Quarter 2013	Approved	107 res. units	\$16,100,000	\$3,250,000
Joule Hotel Expansion (Amended)	Main and Commerce Streets	4 <sup>th</sup> Quarter 2013	Approved	32 hotel rooms; 24,700 sf retail; 9221 sf office	\$107,222,000	\$23,852,953
Statler Hilton	1914 Commerce Street	4 <sup>th</sup> Quarter 2013	Approved	589,457 sf renovated commercial space	\$39,128,000	\$13,168,950
Old Dallas Library	1954 Commerce Street	4 <sup>th</sup> Quarter 2013	Approved	131,800 sf renovated commercial space	\$11,308,000	\$3,020,350
1401 Elm Street	1401 Elm Street	4 <sup>th</sup> Quarter 2014	Approved	520 res. units; 464,400 sf office; 41,437 sf retail	137,000,000	\$30,000,000
Hall Arts Center	2301 Ross Avenue	4 <sup>th</sup> Quarter 2015	Approved	430,000 sf office; 30,000 sf retail	\$120,000,000	5,000,000
Atmos Complex Phase II	Harwood and Wood Streets	4 <sup>th</sup> Quarter 2016	Approved	123 res. units; 9,500 sf retail	\$25,000,000	\$11,750,000
<b>Subtotal</b>				1,315 res. units; 219 hotel rooms; 154,637 sf retail; 903,621 sf office; 1,219,257 sf renovated space	\$588,781,900	\$188,014,217

<b>Projects Within TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF</b>	<b>Approx. Value</b>	<b>Non- TIF Incentives</b>
Ashton	2215 Cedar Springs Road	2006	Completed	267 res. units	\$43,000,000	\$0
Trianon (Zom/Rosewood)	2820 McKinnon Street	3 <sup>rd</sup> Quarter 2006	Completed	335 res. units	\$43,425,000	\$0
Uptown Plaza Shopping I	2212 McKinney Avenue	3 <sup>rd</sup> Quarter 2006	Completed	84,000 sf retail	\$2,559,570	\$0
Hunt Consolidated	1900 Akard Street	2 <sup>nd</sup> Quarter 2007	Completed	400,000 sf office	\$54,175,800	\$6,300,000
Ritz-Carlton Hotel & Condos	2510 Cedar Springs	2 <sup>nd</sup> Quarter 2007	Completed	70 res. units; 218 hotel rooms	\$142,284,640	\$0
Third Rail Lofts (1414 Elm portion)	1414 Elm Street	3 <sup>rd</sup> Quarter 2007	Completed	14 res. units; 3,500 sf retail	\$2,550,000	\$1,800,000
Azure	2900 McKinnon Street	2 <sup>nd</sup> Quarter 2008	Completed	156 res. units	\$100,735,690	\$0

Project	Location	Calendar Year Complete	Status	Units/ SF	Approx. Value	Non- TIF Incentives
1900 McKinney (Hanover)	1900 McKinney Avenue	4 <sup>th</sup> Quarter 2008	Completed	230 res. units	\$53,500,000	\$0
Rosewood Court	2101 Cedar Springs Road	2 <sup>nd</sup> Quarter 2009	Completed	400,000 sf office,; 12,000 sf retail	\$71,037,000	\$0
Alta Rosewood	2728 McKinnon Street	4 <sup>th</sup> Quarter 2008	Completed	375 res. units	\$61,000,000	\$0
AML/ Quadrangle	2717 Howell Street	4 <sup>th</sup> Quarter 2008	Completed	220 res. units; 14,800 sf retail	\$26,550,000	\$0
Lincoln/ Corrigan	2000 McKinney Avenue	2 <sup>nd</sup> Quarter 2009	Completed	445,000 sf office, 15 res. units; 6,500 sf retail	\$73,900,000	\$0
Ritz-Carlton Residences II	2555 Pearl Street	4 <sup>th</sup> Quarter 2009	Completed	99 res. units	\$119,616,850	\$0
St. Ann's Court	2501 Harwood Street	1 <sup>st</sup> Quarter 2010	Completed	320,000 sf office	\$49,169,900	\$0
Granite/Gables	1717 McKinney Avenue	2 <sup>nd</sup> Quarter 2010	Completed	296 res. units, 330,000 s.f. office	\$43,698,890	\$0
CityWalk	511 N. Akard Street	4 <sup>th</sup> Quarter 2009	Completed	209 res. units	\$6,939,350	\$11,000,000
The Arts Apartment by JPI	2611 Ross Avenue	3 <sup>rd</sup> Quarter 2010	Completed	228 res. units	\$28,750,000	\$0
Museum Tower	800 Olive Street	4 <sup>th</sup> Quarter 2012	Under Construction	122 res. units	\$200,000,000	\$0
				2,636 res. units; 218 hotel rooms; 120,800 sf retail; 1,895,000 sf office	\$1,122,892,690	\$19,100,000
<b>Subtotal</b>						
<b>Projects Utilizing and Not Utilizing TIF Funding</b>						
				3,951 res. units; 437 hotel rooms; 275,437 sf retail; 2,798,621 sf office; 1,219,257 sf renovated space	\$1,711,674,590	\$207,114,217
<b>Total</b>						

<sup>1</sup> All information updated as of September 30, 2011.

<sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.

<sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.

<sup>4</sup> Principal amounts not to be exceeded per the development agreement.

<sup>5</sup> Selected significant projects included.

<sup>6</sup> Tax-exempt properties.

<sup>7</sup> Includes other incentives not shown. Contact City of Dallas Office of Economic Development for more information.

## Value and Increment Revenue Summary

The base value of the zone is the total appraised value of all taxable real property in the District as determined by the Dallas Central Appraisal District in the certified roll for 2005 with adjustments made to accommodate boundary amendments. The Downtown Connection TIF District's adjusted base value for the district is \$564,917,317. The Downtown Connection TIF District's 2011 assessed tax value was \$1,556,764,047. This represents an increase of \$991,846,730 (176.14%) over the adjusted base year value.

The district's value increased by \$17,716,147 (1.15%) from the previous year. This increase will result in an estimated collection of approximately \$8,440,665 in incremental revenue for the Downtown Connection TIF District.

## Development Goals and Objectives

The final Downtown Connection Project Plan and Reinvestment Zone Financing Plan were adopted in late 2005. The following objectives and actions items set the framework for the planned improvements within the Downtown Connection TIF District:

- Improve access between and within the Uptown and Downtown areas

*Construction continues on the Woodall Rodgers Deck Park with completion expected in 2013. Construction of pedestrian linkages connecting the DART light rail transit mall with the Main Street Retail District, public open spaces, City Hall and the Convention Center are underway. In July of 2010, the McKinney Avenue Transit Authority received a \$4.9 million grant from the Federal Transit Administration and matching grant of \$5 million from the North Central Texas Council of Government to complete the M-Line loop that branches off of McKinney Avenue at Olive Street. The line will improve connectivity between Uptown, Downtown, Woodall Rodgers Deck Park, the Arts District and DART downtown transit mall.*

*Additionally, the creation of a circulator system for the area, as recommended by the Downtown Dallas 360 Area Plan, will be explored in the coming fiscal year. Funding sources and optimal route(s) must be identified for the recommended circulator system.*

- Improve the image of the Downtown Connection Area

*With the installation of several high-tech digital sign boards within the Main Street core, continued redevelopment of vacant building, and programming of the various downtown parks activity downtown has increased dramatically. Major*

*corporate relocations downtown connection area, including Moneygram International, AT&T and Comerica Bank has increased daytime population.*

*The increased downtown daytime population, residency and activities for residents and visitors have added to the evolving image of the area.*

- Support redevelopment of the existing building supply

*During the fiscal year 13 existing buildings were approved for redevelopment within the Downtown Connection TIF District.*

- Develop a more diverse mixture of land uses within the Downtown Connection Area

*Projects announced, completed and/or underway within the district will contribute approximately 3,951 residential units; 437 hotel rooms; 275,437 square feet of retail; and 1,895,000 square feet of new Class "A" office space.*

- Increase open space and recreational opportunities in the Downtown Connection Area

*Main Street Gardens Park hosts many events annually including City Lights, an annual tree lighting ceremony held in the park, Moonlight Movie Series showing free outdoor movies on Saturdays in the park and Live in the Park on the Patio of the Lily Pad restaurant located in the park offering live music on Thursdays. Pegasus Plaza held the Taste of the Fair where foods from the annual State Fair of Texas could be sampled during the fiscal year.*

*Construction continued on both the Belo Garden Park and the Woodall Rodgers Deck Park. Land for the Pacific Garden Plaza/Park has been acquired using 2006 Bond funds. Funding for the construction of the Park will be requested in a future bond election for the City. The City of Dallas has contracted with DowntownDallas to provide operations and programming of these downtown parks as well as Pegasus Plaza.*

- Incentivize catalyst project(s) to accelerate reaching a critical mass of residential units, retail establishments, and public amenities for a vibrant downtown

*The original catalyst project included the Mercantile Block, Atmos Complex and Continental building. In 2008, the Mercantile Block completed redevelopment. The amended Atmos Complex project began construction June 2011 and its anticipated completion for Phase I of the project is February 2013, Phase II December 2016. The Continental began construction in October of 2011. These projects have added 366 residential units and 40,000 square feet of retail. Upon completion of the Atmos Complex and Continental Building, an additional 433*

*residential units (including 214 affordable units) and 10,000 square feet of retail will be added to the downtown market.*

## **Year-End Summary of Meetings**

The Downtown Connection TIF District Board of Directors met five (5) times during FY 2011, December 9, 2011, February 10, 2011, May 12, 2011, June 9, 2011 and August 11, 2011.

The Downtown Connection TIF District Board of Directors consists of nine (9) members including six (6) City of Dallas appointees, one (1) State Senator's office appointee, one (1) Dallas County appointee and one (1) State Representative's office appointee. During FY 2011, the Downtown Connection TIF Board consisted of the following members:

### Board Member List

Larry Good – City Appointee (Attended 4 of 5 meetings)  
Lucy Burns – City Appointee (Attended 5 of 5 meetings)  
Shelle Sills – City Appointee (Attended 5 of 5 meetings)  
Kirby White – City Appointee (Attended 5 of 5 meetings)  
Jon Ruff – City Appointee (Attended 4 of 5 meetings)  
Rick Loessberg – Dallas County Appointee (Attended 5 of 5 meetings)  
Hollis Brashear – State Senator's Office Appointee (Resigned from the Board 02/2011)  
Dodge Carter – State Representative's Appointee (Attended 4 of 5 meetings)

During FY 2011, the City Council approved thirty-eight (38) items directly or indirectly associated with the City Center TIF District. The council actions are listed below.

- On October 13, 2010, City Council approved Resolution No. 10-2621, authorizing a business personal property tax abatement agreement with MoneyGram International Inc. and/or its affiliates and subsidiaries (MPSI) located at 2828 North Harwood Street in the amount of 50 percent on the value of new business personal property for 10 years in accordance with the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$13,151; ten-year revenue estimated at \$131,505 (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$131,505).
- On October 13, 2010, City Council approved Resolution No. 10-2622, authorizing a Chapter 380 economic development grant agreement in an amount not to exceed \$278,500 with MoneyGram International Inc. and/or its affiliates and subsidiaries (MPSI) related to the relocation of its headquarters to 2828 North Harwood Street, Dallas, Texas 75201, pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Not to exceed \$278,500.



- On October 13, 2010, City Council approved Resolution No. 10-2581, authorizing (1) a contract with McCarthy Building Companies, Inc., best value proposer of four, in the amount of \$13,340,169 for a new park to be constructed on top of a structural deck, including parkscape and landscape, restaurant and cafe, performance pavilion, promenade, plazas, connecting walkways, dog park, solar lighting, electrical, mechanical, plumbing and security systems at Woodall Rodgers Park from St. Paul Street to Pearl Street; (2) the receipt and deposit of funds from the Woodall Rodgers Park Foundation in the amount of \$9,090,169; and (3) an increase in appropriations in the amount of \$1,586,250, from \$7,503,919 to \$9,090,169 in the Woodall Rodgers Development Fund - Not to exceed \$13,340,169 - Financing: 2006 Bond Funds (\$4,250,000) and Woodall Rodgers Development Funds (\$9,090,169).
- On October 26, 2010, City Council approved Resolution No. 10-2785, authorizing an increase in the contract with USA Environment, L.P. for unforeseen underground conditions unearthed during excavation at Belo Garden Park located at 1014 Main Street - Not to exceed \$314,116, from \$1,749,166 to \$2,063,282 - Financing: Capital Gifts, Donation and Development Funds.
- On October 26, 2010, City Council approved Resolution No. 10-2767, authorizing (1) a development agreement with Ricchi Dallas Investments, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition and an Economic Development TIF Grant to provide funding for the redevelopment of 1600 Pacific Avenue located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District); and (2) the Downtown Connection TIF District Board of Directors to dedicate an amount not to exceed \$12,870,200 (\$8,830,000 plus interest in an amount not to exceed \$4,040,200) from future Downtown Connection TIF District revenues in the form of a TIF Economic Development grant in accordance with the development agreement - Not to exceed \$12,870,200 - Financing: Downtown Connection TIF District Funds.
- On October 13, 2010, City Council approved Resolution No. 10-2768, authorizing A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Ricchi Dallas Investments, LLC up to \$12,870,200 for TIF-eligible project costs pursuant to the development agreement with Ricchi Dallas Investments, LLC - Financing: No cost consideration to the City.
- On November 10, 2010, City Council approved Resolution No. 10-2833, authorizing an ordinance granting a private license to DLD Properties, Ltd. for the use of a total of approximately 85 square feet of aerial space to install and maintain two projecting, attached video board signs over portions of Main and Elm Streets near their intersection with Four Way Place - Revenue: \$2,000 annually plus the \$20 ordinance publication fee.

- On November 10, 2010, City Council conducted a public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use within Planned Development District No. 619 for mixed uses on the south side of Main Street, west of Ervay Street by Resolution No. 10-2855. Denied.
- On November 10, 2010, City Council approved Resolution No. 10-2879, authorizing (1) Supplemental Agreement No. 1 to the design-build contract with Schneider Electric Buildings America, Inc. for Light Emitting Diode lighting retrofits at Thanksgiving Square, City Hall, Central Library, Meyerson Symphony Center and Jack Evans Police Headquarters in the amount of \$998,180; (2) the receipt and deposit of incentive funds in the amount of \$300,000; and (3) an increase in appropriations for the deposit of incentive funds in the amount of \$300,000 in the Energy Management Fund - Not to exceed \$998,180, from \$320,000 to \$1,318,180 - Financing: U.S. Department of Energy Grant Funds.
- On December 8, 2010, City Council approved Ordinance No. 28071 and Resolution No. 10-3047, authorizing a public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning relative to appropriate sign standards in the Arts District Special Provision Sign District including, but not limited to, provisions to allow video board signs, LED signs, and construction barricade signs in an area generally bounded by Harwood Street to the southwest, Woodall Rodgers Freeway to the northwest, Routh Avenue to the east, and Ross Avenue to the southeast and an ordinance granting revisions to the Arts District Special Provision Sign District.
- On February 23, 2011, City Council approved Resolution No. 11-0530, authorizing a resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On February 23, 2011, City Council approved Resolution No. 11-0549, authorizing a service agreement with ONCOR Electric Delivery for connecting new electrical services for pedestrian lights on Elm Street from Akard Street to Ervay Street.
- On February 23, 2011, City Council approved Resolution No. 11-0608, authorizing a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for St. Paul Apartments located at 1801 Young Street for the acquisition and new construction of the proposed 146-unit multifamily residential development for low income families.

- On February 23, 2011, City Council approved Resolution No. 11-0514, authorizing (1) the acceptance of the Transportation, Community and System Preservation Grant Funds (TXDOT); (2) the establishment of appropriations for the Transportation, Community and System Preservation Grant Funds (TXDOT) in the amount of \$400,000; and (3) an eighteen-month professional services contract for the Complete Streets Initiative with Kimley-Horn and Associates, Inc. in the amount of \$795,000, most advantageous proposer of five - Total not to exceed \$795,000.
- On March 9, 2011, City Council approved Resolution No. 11-0661, authorizing an amendment to the development agreement with Hamilton Atmos, LP for the redevelopment of 1900 Jackson Street, 1916 Jackson Street, 301 South Harwood Street, 1915 Wood Street, and 1815 Wood Street, the Atmos Complex, previously approved on October 22, 2008, by Resolution No. 08-2919 and 08-2920, in Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) to: (1) develop the Atmos Complex in two Phases; (2) increase the total number of units from approximately 220 units to a minimum of 87,000 square feet of residential space for Phase I (approximately 107 units) and a minimum of 115,000 square feet of residential space (approximately 123 units) for Phase II; (3) increase the number of affordable units from 23 units to a minimum of 87,000 square feet of affordable residential space (approximately 107 units) for Phase I and a minimum of 46,000 square feet of affordable residential space (approximately 63 units) for Phase II; (4) change the deadline to obtain a building permit for the project from April 20, 2011 to June 1, 2011 for Phase I and June 1, 2015 for Phase II; (5) change the date to obtain a certificate of occupancy for the project from February 28, 2013 to February 28, 2013 for Phase I and December 31, 2016 for Phase II; (6) change TIF funding from a principal of \$12,560,401 plus interest for a maximum total incentive not to exceed \$23,000,000 to an amount not to exceed \$15,000,000 plus interest for a total incentive not to exceed \$23,000,000 for Phases I and II; (7) change the due dates for the remaining option fee payment from April 20, 2011 to June 1, 2011; and (8) change the method of reimbursement to reflect the district's Increment Allocation policy approved by the Downtown Connection TIF District Board of Directors on September 16, 2009 - Not to exceed \$23,000,000.
- On March 9, 2011, City Council approved Resolution No. 11-0662, authorizing a resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Hamilton Atmos, LP in an amount not to exceed \$15,000,000 plus interest for a total amount not to exceed \$23,000,000 for TIF-eligible project costs pursuant to the development agreement with Hamilton Atmos, LP.
- On March 9, 2011, City Council approved Resolution No. 11-0639, authorizing (1) Supplemental Agreement No. 6 to the professional services contract with Thomas Balsley Associates for additional design services for Main Street Garden

Park located at 1920 Main Street in the amount of \$41,335, from \$1,012,773 to \$1,054,108; and (2) an increase in appropriations in the amount of \$41,335 in the Capital Gifts, Donation and Development Fund.

- On March 9, 2011, City Council approved Resolution No. 11-0663, authorizing (1) a public hearing to be held on April 13, 2011 to receive comments on a City of Dallas proposal to submit an amended application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$11,750,000 to fund a loan for Hamilton Atmos LP for development of the Atmos Lofts project for conversion of 3 vacant commercial buildings located at 301 South Harwood Street, 1815 Wood Street, and 1915 Wood Street into a mixed-use project including 9,500 square feet of bottom floor retail space, 123 apartment homes above the retail space with 63 apartment units deed restricted for 15 years for affordability to families with incomes at 80% or less of Area Median Family Income as established by HUD, and a parking garage and to fund site work, housing rehabilitation, and interest reserve; and at the close of the public hearing, (2) consideration of an amended application to HUD for a CDBG Section 108 Guarantee Loan Program loan for Hamilton Atmos LP in an amount not to exceed \$11,750,000.
- On April 13, 2011, City Council approved Resolution No. 11-0956, authorizing an ordinance granting a private license to the FC Continental Complex, L.P. for the use of a total of approximately 158 square feet of land to install, use and maintain two subsurface ventilation shafts under portions of St. Paul Street near its intersection with Commerce and Jackson Streets - Revenue: \$1,000 annually plus the \$20 ordinance publication fee.
- On April 13, 2011, City Council approved Resolution No. 11-0996, authorizing a public hearing to receive comments regarding adoption of the Downtown Dallas 360 Plan, which establishes a vision and a strategic action plan for the core downtown area in relation to the supporting districts surrounding it, and a resolution adopting the plan.
- On April 13, 2011, City Council approved Resolution No. 11-0975, authorizing the execution of a conditional grant agreement from the City Center Tax Increment Financing (TIF) District Fund to Hamilton Atmos LP for conversion of the vacant office building located at 1900 Jackson Street into 107 affordable residential units and residential amenities, 53 parking spaces located in the basements of 1900 Jackson Street and 1815 Wood Street, and streetscape and repair of all first floor windows and store fronts in the entire Atmos complex located at 1900 Jackson Street, 1815 Wood Street, 1915 Wood Street, and 301 South Harwood Street - Not to exceed \$1,500,000.
- On April 13, 2011, City Council approved Resolution No. 11-0100, authorizing a public hearing to receive comments on a City of Dallas proposal to submit an

amended application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$11,750,000 to fund a loan for Hamilton Atmos LP for development of the Atmos Lofts project to convert 3 vacant commercial buildings located at 301 South Harwood Street, 1915 Wood Street, and 1815 Wood Street into a mixed-use project including 9,500 square feet of bottom floor retail space, 123 apartment homes above the retail space with 63 apartment units deed restricted for 15 years for affordability to families with incomes at 80% or less of Area Median Family Income as established by HUD, and 199 parking spaces and to fund property acquisition, site work, housing rehabilitation, and interest reserve; and at the close of the public hearing, authorize (1) submission of an amended application to HUD for a CDBG Section 108 Guarantee Loan Program loan for Hamilton Atmos LP in an amount not to exceed \$11,750,000; and (2) the City Manager to submit the application and take necessary actions in connection with the application submission.

- On May 25, 2011, City Council approved Resolution No. 11-1345, authorizing Atmos Complex redevelopment project located at 1900 and 1916 Jackson Streets, 301 South Harwood Street, 1915 and 1815 Wood Streets to clarify that each phase of the Atmos Complex is independent, completion of Phase II of the project is not a requirement for reimbursement of Phase I of the project and the TIF reimbursement of \$15,000,000 plus interest up to \$8,000,000 for a total incentive amount of \$23,000,000 which is split amongst the project phases as follows: Phase I - \$3,250,000 plus interest and Phase II - \$11,750,000 plus interest.
- On June 22, 2011, City Council approved Resolution No. 11-1746, authorizing (1) a development agreement with Ricchi Development Group, LLC, to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, façade restoration, street and utility improvements and an Economic Development TIF Grant to provide funding for the redevelopment of 1914 Commerce Street (Former Statler Hilton Hotel building) located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District), and (2) the Downtown Connection TIF District Board of Directors to dedicate an amount not to exceed \$13,168,950 from future Downtown Connection TIF District revenues, a portion in the form of a TIF Economic Development grant, in accordance with the development agreement - Not to exceed \$13,168,950.
- On June 22, 2011, City Council approved Resolution No. 11-1747, authorizing a resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Ricchi Development Group, LLC up to \$13,168,950 for TIF-eligible project costs pursuant to the development agreement with Ricchi Development Group, LLC.

- On June 22, 2011, City Council approved Resolution No. 11-1748, authorizing (1) a development agreement with Ricchi 1954 Development Group, LLC, to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, façade restoration, street and utility improvements and an Economic Development TIF Grant to provide funding for the redevelopment of 1954 Commerce Street (Former Dallas Public Library building) located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District); and (2) the Downtown Connection TIF District Board of Directors to dedicate an amount not to exceed \$3,020,350 from future Downtown Connection TIF District revenues, a portion in the form of a TIF Economic Development Grant, in accordance with the development agreement - Not to exceed \$3,020,350.
- On June 22, 2011, City Council approved Resolution No. 11-1749, authorizing a resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Ricchi 1954 Development Group, LLC up to \$3,020,350, for TIF-eligible project costs pursuant to the development agreement with Ricchi 1954 Development Group, LLC.
- On June 22, 2011, City Council approved Resolution No. 11-1756, authorizing (1) the acceptance of \$7,600,000 of Community Development Block Grant Section 108 Guaranteed Loan Program Funds (Section 108 Loan Funds) from the U.S. Department of Housing and Urban Development (HUD) for the Continental Building downtown commercial building conversion project; (2) a loan agreement with FC Dallas TIF, LLC (the Section 108 Borrower) in the amount of \$7,600,000 of Section 108 Loan Funds for the Continental Building project (the Section 108 Borrower Loan) including conversion of the vacant commercial building at 1810 Commerce Street into 199 apartment units with 40 units for individuals and families with incomes at 80% or less of Area Median Family Income as established by HUD, and a loan interest reserve; (3) the City Manager, to enter into all necessary agreements with HUD including a Funding approval/Agreement, a Fiscal Agency Agreement, a promissory Note, up to two letters of agreement, for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; (4) amendments to Resolution No. 10-0372, previously approved on January 27, 2010, to modify the loan terms of the \$2,000,000 Downtown Connection Tax Increment Financing (TIF) District Affordable Housing Loan (the TIF Borrower Loan) with FC Continental Landlord, LLC by extending the maturity date of such loan to be coterminous with the senior project loan (described below) and by changing the payment terms to coincide with the new maturity date and to agree to limited rights of enforcement in addition to subordination of the City's lien to the senior loan with Forest City Capital Corporation, insured by HUD under the 221(d)(4) insurance program (the Senior Loan); (5) a loan agreement with FC Continental Landlord, LLC in the amount of \$2,000,000 from Downtown Connection TIF District Funds; (6) the City

Manager to establish appropriations for Section 108 Loan Funds and Downtown Connection TIF District Funds for an Affordable Housing Loan; and (7) the City Controller to deposit and disburse funds from an identified account with total disbursements not to exceed \$7,600,000 in Section 108 Loan Funds and \$2,000,000 in Downtown Connection TIF District Funds - Total not to exceed \$9,600,000 - Financing: Community Development Block Grant Section 108 Guaranteed Loan Funds (\$7,600,000) and Downtown Connection TIF District Funds (\$2,000,000).

- On June 22, 2011, City Council approved Resolution No. 11-1811, authorizing (1) an increase in the contract with McCarthy Building Companies, Inc. for additional park amenities to include a children's garden and water features at Woodall Rodgers Park located at Woodall Rodgers Freeway from St. Paul Street to Pearl Street; (2) the receipt and deposit of funds from the Woodall Rodgers Park Foundation in the amount of \$2,496,601; and (3) an increase in appropriations in the amount of \$2,496,601 in the Woodall Rodgers Development Fund.
- On June 22, 2011, City Council approved Resolution No. 11-1811, authorizing an ordinance amending Ordinance No. 27931, which abandoned portions of Hawkins and Jack Evans Streets and an alley to Spire Development Holdings, LLC, to extend the final replat requirement from one year to 485 days - Revenue: \$5,400 plus the \$20 ordinance publication fee.
- On August 10, 2011, City Council approved Resolution No. 11-2029, authorizing an amendment to the Development Agreement with TIF Hotel, Inc., for the Joule Hotel Expansion Project previously approved on May 26, 2010, by Resolution Nos. 10-1331 and 10-1332, in Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) to: (1) increase minimum private investment by \$21,500,000, from \$76,500,000 to \$98,000,000; (2) increase minimum ground floor retail space from 12,500 square feet to a minimum 17,500 square feet of ground floor retail and office space; (3) add the building at 1608 Main Street and a portion of the Main Street alley to the expansion project; (4) add the construction of a building with a minimum of 7,500 square feet of commercial space; and (5) increase total TIF funding by \$3,194,403, from \$20,658,550 to \$23,852,953 (TIF funding from \$16,712,215 to \$19,670,663 plus a TIF Grant from \$3,946,335 to \$4,182,290) for a total incentive amount from \$20,658,550 to an amount not to exceed \$23,852,953 - Not to exceed \$23,852,953.
- On August 10, 2011, City Council approved Resolution No. 11-2030, authorizing a resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse TIF Hotel, Inc., an amount not to exceed \$19,670,663 plus a TIF Grant in an amount not to exceed \$4,182,290 for a total incentive amount not to exceed

\$23,852,953 for TIF eligible project costs pursuant to the development agreement with TIF Hotel, Inc.

- On August 10, 2011, City Council approved Resolution No. 11-2028, authorizing Supplemental Agreement No. 6 to the development agreement among the City of Dallas, the Downtown Dallas Development Authority (the DDDA), and FC Merc Complex, L.P. ("FC Merc"), a Texas limited partnership, FC Continental Complex, L.P. ("FCC"), a Texas limited partnership, FC Continental Landlord, LLC, a Texas limited liability company ("FC Continental") and FC Continental Manager, LLC, a Texas limited liability company and managing member of FC Continental (collectively called Forest City) to extend the substantial completion date for the Continental Building improvement project from December 31, 2011 to December 31, 2012, with the extension of the date for an additional six months subject to approval by the Director of Economic Development, Downtown Connection TIF District.
- On August 24, 2011, City Council approved Resolution No. 11-2229, authorizing a Chapter 380 economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program with Priority Fulfillment Service, Inc., a wholly owned subsidiary of PFSweb, Inc., related to the relocation of its prime customer contact center to 1201 Elm Street, Dallas, Texas 75202 - Not to exceed \$300,000.
- On August 24, 2011, City Council approved Resolution No. 11-2230, authorizing an application to the Office of the Governor Economic Development and Tourism through the Economic Development Bank nominating Priority Fulfillment Service, Inc., a wholly-owned subsidiary of PFSweb, Inc., located at 1201 Elm Street, Dallas, Texas 75202 to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303).
- On September 14, 2011, City Council approved Ordinance No. 28349 and Resolution No. 11-2413, authorizing an ordinance granting a private license to FC Continental Landlord, LLC for the use of approximately 56 square feet of land to maintain and use a building encroachment on a portion of Prather Street right-of-way, near the intersection with Commerce and Jackson Streets - Revenue: \$1,000 annually plus the \$20 ordinance publication fee.
- On September 28, 2011, City Council approved Resolution No. 11-2570, authorizing (1) a development agreement with 1401 Elm Street Holdings, LLC, to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, façade restoration, street and utility improvements and an Economic Development TIF Grant to provide funding for the redevelopment of 1401 Elm Street located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District); and (2) the Downtown Connection TIF District Board of Directors to dedicate an amount not to exceed \$30,000,000 from future Downtown Connection TIF District revenues,



a portion in the form of a TIF Economic Development Grant, in accordance with the development agreement - Not to exceed \$30,000,000.

- On September 28, 2011, City Council approved Resolution No. 11-2571, authorizing a resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse 1401 Elm Street Holdings, LLC up to \$30,000,000, for TIF-eligible project costs pursuant to the development agreement with 1401 Elm Street Holdings, LLC.

## Budget and Spending Status

The Downtown Connection TIF District's budget for public improvement expenditures is necessary to support private investment in the district in the Project Plan and Reinvestment Zone Financing Plan. The final plan estimates for TIF public improvements total approximately \$189.8 million (in 2006 dollars). The final, amended budget for the district is as follows:

<b>Downtown Connection TIF District</b>			
<b>Projected Increment Revenues to Retire TIF Fund Obligations</b>			
<b>Category</b>	<b>TIF Budget<sup>1</sup></b>	<b>Allocated<sup>3</sup></b>	<b>Balance</b>
<b>Catalyst Projects:</b> - <i>Environmental remediation, demolition, historic façade, restoration, street/utility improvements &amp; streetscape improvements, land acquisition, and non project costs, including, but not limited to machinery, equipment, materials and supplies</i>	\$68,000,000	\$68,000,000	\$0
<b>Redevelopment of Vacant/Underutilized Downtown Buildings</b> - <i>Environmental remediation, interior/exterior demolition, historic façade restoration, street/utility improvements, land acquisition, TIF grants, affordable housing</i>	\$177,378,020	\$138,089,725	\$39,288,295
<b>Uptown/Downtown connection improvements</b>	\$0	\$0	\$0
<b>Park and plaza design and acquisition</b>	\$3,264,472	\$0	\$3,264,472
<b>Affordable Housing<sup>2</sup></b>	\$3,000,000	\$2,000,000	\$1,000,000
<b>Retail Initiative/Streetscape Improvements</b>	\$1,985,000	\$459,845	\$1,525,155
<b>Downtown Area Plan</b>	\$515,000	\$512,464	\$2,536
<b>Administration and Implementation</b>	\$8,575,519	\$798,136	\$7,777,383
<b>Debt Service (Interest Only)</b>	\$150,363,000	\$150,363,000	\$0
<b>Total Project Costs</b>	<b>\$413,081,011</b>	<b>\$360,223,170</b>	<b>\$52,857,841</b>
<sup>1</sup> TIF Budget shown above in total dollars; TIF Project Plan shows the budget in net present value. <sup>2</sup> The Affordable Housing line item has been reduced by the amount of money allocated to the Continental project. <sup>3</sup> The Allocated total shown for the Redevelopment of Vacant/Underutilized Downtown Building line item reflects the total TIF District's commitment to projects currently in the Reimbursement Queue.			

<b>Downtown Connection TIF District Plan Budget</b>	
<b>Category</b>	<b>Budget in 2006 Dollars</b>
<b>Catalyst Projects:</b> - <i>Environmental remediation, demolition, historic façade, restoration, street/utility improvements &amp; streetscape improvements, land acquisition, and non project costs, including, but not limited to machinery, equipment, materials and supplies</i>	\$68,000,000
<b>Redevelopment of Vacant/Underutilized Downtown Buildings -</b> <i>Environmental remediation, interior/exterior demolition, historic façade restoration, street/utility improvements land acquisition, TIF grants, affordable housing</i>	\$110,867,206
<b>Uptown/Downtown connection improvements</b>	\$0
<b>Park and plaza design and acquisition</b>	\$1,500,000
<b>Affordable Housing</b>	\$3,000,000
<b>Retail Initiative/Streetscape Improvements</b>	\$1,985,000
<b>Downtown Area Plan</b>	\$515,000
<b>Administration and implementation</b>	\$3,940,386
<b>Debt Service (Interest Only)</b>	
<b>Total Project Costs</b>	<b>\$189,807,592</b>
<i>*Budget shown above in 2006 dollars; TIF Project Plan shows the budget in net present value.</i>	

<b>Downtown Connection TIF Participation</b>				
<b>Participation Jurisdictions</b>	<b>Duration of TIF District</b>	<b>Estimated TIF Collection Period</b>	<b>Participation Level</b>	<b>Contribution to TIF Fund</b>
City of Dallas	2006 -2035	30 years	90%	\$381,923,473
Dallas County	2006 -2035	20 years	55%	\$31,157,538
TOTAL				<b>\$413,081,011</b>

All values are expressed in current dollars, except where noted. The legal TIF life will be set at 30 years. TIF collection began in 2006. Actual collections period may vary.

<b>Downtown Dallas Development Authority  Status of DDDA Bond Sales and Repayment</b>				
<b>Project</b>	<b>Bond Sales</b>	<b>Principal + Interest</b>	<b>Total Paid</b>	<b>Balance Due</b>
Mercantile	Series 2006 \$50,605,343	\$139,671,210	\$3,325,000	\$136,346,210
Mercantile	Series 2007 \$28,950,514	\$67,301,055	\$4,346,379 <sup>1</sup>	\$60,024,895 <sup>2</sup>
<b>Totals</b>		<b>\$206,972,265</b>	<b>\$7,671,379</b>	<b>\$199,300,886</b>
<sup>1</sup> The amount shown is and will be comprised of interest only payments until 2012.				
<sup>2</sup> The amount shown is less \$2,929,781 in debt service payments.				

### M/WBE Participation

Public bidding is no longer required for TIF assisted projects. However, privately bid projects are monitored to ensure they abide by the City’s Good Faith Effort Policy and the TIF District Fair Share Agreement. Reporting is not required until project or benchmark completion.

<b>Downtown Connection TIF M/WBE Participation</b>				
<b>Project</b>	<b>Contractor</b>	<b>Total Contract Amount</b>	<b>Contract Award Amount</b>	<b>Percentage Minority Participation</b>
<b>Mercantile</b>	<b>Various</b>	<b>\$107,012,554</b>	<b>\$26,707,787</b>	<b>24.96%</b>
<b>Stoneleigh Hotel</b>	<b>Various</b>	<b>\$25,106,706</b>	<b>\$4,998,000</b>	<b>19.91%</b>
<b>Dallas Arts District Garage</b>	<b>Various</b>	<b>\$852,764</b>	<b>\$439,839</b>	<b>51.58%</b>

## **FY 2012 Work Program**

The work items for FY 2012 for the Downtown Connection TIF District are as follows:

- Evaluation and implementation of recommendations of the Downtown 360 Area Plan, Main Street Retail Activation Strategy and Parking Strategy.
- Adoption of overall TIF design guidelines for public improvements.
- Identify and support opportunities for improving physical connections between the Downtown Core and surrounding districts including the Convention Center, Uptown, Victory, the Cedars, and Deep Ellum neighborhoods.
- Complete existing development projects.
- Identify and promote redevelopment of key properties in the District.
- Consider changes to the TIF board's by-laws related to the design review process and 2011 changes to State Law.
- Adoption of a mixed income housing policy for the district.

## District Financials

City of Dallas, Texas  
Downtown Connection Tax Increment Financing District Fund  
Balance Sheet as of September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	2011	2010	2009	2008	2007
<b>Assets:</b>					
Pooled cash and cash equivalents	\$271,169	\$339,016	\$910,123	\$300,902	\$69,653
Interest receivable	\$1,300	\$2,105	\$4,511	\$0	\$476
Total assets	<u>\$272,469</u>	<u>\$341,121</u>	<u>\$914,634</u>	<u>\$303,294</u>	<u>\$106,107</u>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$0	\$48,978	\$69,476	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0	\$0
Due to general fund	\$0	\$0	\$0	\$0	\$155,762
Total liabilities	<u>\$0</u>	<u>\$48,978</u>	<u>\$69,476</u>	<u>\$0</u>	<u>\$191,741</u>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	<u>\$272,469</u>	<u>\$292,143</u>	<u>\$845,158</u>	<u>\$303,294</u>	<u>(\$85,633)</u>
Total Liabilities and Fund Equity	<u>\$272,469</u>	<u>\$341,122</u>	<u>\$914,634</u>	<u>\$303,294</u>	<u>\$106,108</u>
	(\$0)	\$0	\$0	\$0	\$0

Downtown Connection Tax Increment Financing District Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
For the Period September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008, and 2007

	ITD	2011	2010	2009	2008	2007
<b>Revenues:</b>						
Tax increment-Governmental	\$22,528,380	\$6,849,382	\$6,768,369	\$6,065,898	\$2,844,731	\$0
Tax increment-Intergovernmental	\$4,161,425	\$1,332,864	\$1,117,782	\$1,158,974	\$551,805	\$0
Interest income	\$112,996	\$5,328	\$18,085	\$17,515	\$37,450	\$18,838
Transfers from DDDA/other revenue	\$1,736,030	\$225,024	\$203	\$737,464	\$725,834	\$0
Net increase (decrease) in fair value of investments	\$3,837	\$377	(\$7,431)	\$5,507	(\$1,426)	\$4,053
Total revenues	<u>\$28,542,668</u>	<u>\$8,412,974</u>	<u>\$7,897,007</u>	<u>\$7,985,358</u>	<u>\$4,158,394</u>	<u>\$22,891</u>
<b>Expenditures:</b>						
Administrative expenses	\$798,136	\$169,530	\$205,171	\$122,087	\$145,586	\$155,762
Non-Capital Outlay	\$554,913	\$80,873	\$358,700	\$96,535	\$0	\$0
Capital outlay	\$227,345	\$0	\$0	\$0	\$227,345	\$0
Transfers to DDDA-Increment	\$26,689,805	\$8,182,245	\$7,886,151	\$7,224,872	\$3,396,536	\$0
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0	\$0
Total expenditures	<u>\$28,270,199</u>	<u>\$8,432,648</u>	<u>\$8,450,022</u>	<u>\$7,443,495</u>	<u>\$3,769,467</u>	<u>\$155,762</u>
Excess (Deficiency) of Revenues over Expenditures	<u>\$272,469</u>	<u>(\$19,674)</u>	<u>(\$553,015)</u>	<u>\$541,864</u>	<u>\$388,927</u>	<u>(\$132,871)</u>
Fund balance (Deficit) at beginning of year as previously reported	\$0	\$292,143	\$845,158	\$303,294	(\$85,633)	\$47,238
Fund balance (Deficit) at beginning of year, as restated	<u>\$0</u>	<u>\$292,143</u>	<u>\$845,158</u>	<u>\$303,294</u>	<u>(\$85,633)</u>	<u>\$47,238</u>
Fund balance (deficit) at end of year	<u>\$272,469</u>	<u>\$272,469</u>	<u>\$292,143</u>	<u>\$845,158</u>	<u>\$303,294</u>	<u>(\$85,633)</u>

**Note:** Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.

City of Dallas, Texas  
Downtown Connection Tax Increment Financing District Fund  
Reinvestment Zone Number Eleven  
As of September 30, 2011

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

1. Amount and source of revenue in the tax increment fund established for the zone:

\$5,705	Interest Income
\$225,024	Transfers from DDDA/other revenue
<u>\$8,182,245</u>	Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Certified Tax Roll)
<u>\$8,412,974</u>	Total Revenue

2. Amount and purpose of expenditures from the fund:

\$169,530	Administrative Expense
\$80,873	Non-Capital Outlay*
\$8,182,245	Transfers to DDDA-Increment
<u>\$0</u>	Interest and fiscal charges
<u>\$8,432,648</u>	Total Expenditures

\* These costs were incurred as follows:

Downtown Area Plan	\$75,303
Other	\$5,570
Total	<u>\$80,873</u>

3. Amount of Principal and Interest due-on outstanding indebtedness:

The Zone has a primary obligation to retire the bonds, issued by Downtown Dallas Development Authority (DDDA), from tax increment generated over the life of the Zone.

4. Tax increment base and current captured appraised value retained by the zone:

Taxing Jurisdiction	Taxable Value 2011	Base Year 2005 Value	Est. Captured Value 2011**
City of Dallas	\$1,556,764,047	\$564,917,317	\$991,846,730
Dallas County	\$1,556,764,047	\$564,917,317	\$991,846,730
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*\* Based on preliminary Taxable Values. Final values will be determined on February 01, 2012.

5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100	Amount of Estimated 2011 Increment
City of Dallas	0.71730	\$7,114,517
Dallas County	0.13371	\$1,326,149
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	<u>\$0.85101</u>	<u>\$8,440,665</u>

B. Estimated amount of tax increment to be billed for the 2011 tax year is \$8,440,665. For the 2010 tax year, increment in the amount of \$8,182,245 was collected and transferred to Downtown Dallas Development Authority(DDDA) in accordance with the terms of the DDDA bond indentures.

City of Dallas, Texas  
Downtown Connection Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$3,940,386 over the life of the TIF to reimburse the City for administrative costs. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.
5. All project costs resulting in capital improvements which are owned by the City are capitalized in the City's fixed assets.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2, 7, 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 45 L M; 46 J K

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 26043 on June 22, 2005, establishing Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District). On April 12, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 26304.

The Deep Ellum TIF District's assessed tax value in 2011 was \$149,510,055. This represents an increase of 31.3% (\$35,624,285) over the assessed value of the base year (2005) value and a slight decline (-1.6%) over last year's final value. With the participation of the City and Dallas County, this increase will result in the collection of approximately \$288,968 total in incremental revenue for the Deep Ellum TIF District for the 2011 tax year.

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

On June 22, 2005, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Twelve, the Deep Ellum TIF District by Ordinance No. 26043, as amended.

On April 12, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Deep Ellum TIF District by Ordinance No. 26304, as amended.

On January 3, 2012, the Deep Ellum TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Twelve, ("Deep Ellum TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Deep Ellum area pursuant to Ordinance No. 26043, authorized by the City Council on June 22, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on April 12, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Deep Ellum TIF District by Ordinance No. 26304, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded the State Comptroller; and

**WHEREAS**, on January 3, 2012, the Deep Ellum TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Twelve and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Twelve (Deep Ellum TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Twelve to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law.

**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.

# Deep Ellum TIF District FY 2011 Annual Report

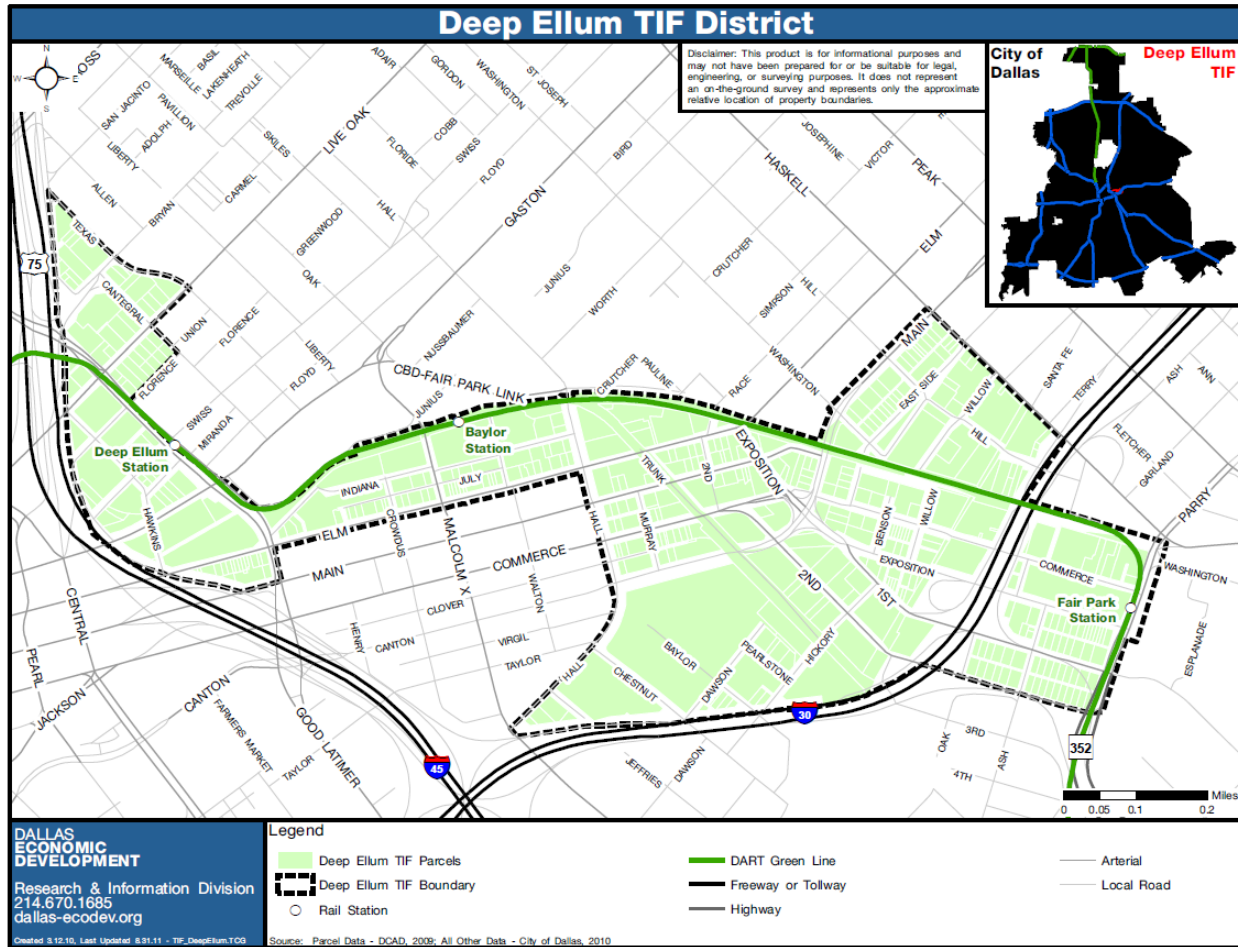


**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-4551  
<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

Source: Parcels - DCAD, 2009; Rail - DART, 2009; All Other Data - City of Dallas, 2010



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# Reinvestment Zone Number Twelve Deep Ellum Tax Increment Financing District

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## Mission Statement

The mission of the Deep Ellum Tax Increment Financing District is to provide a source of funding for public infrastructure improvements anticipated to enhance the real estate market for the Deep Ellum TIF District area. The Deep Ellum TIF District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping a former industrial and warehouse district to take full advantage of the expanding DART light rail system, promote transit oriented development, implement appropriate urban design standards, improve pedestrian connections between downtown, Fair Park, the Farmers Market, and the Baylor medical campus, and improve the quality of development east of downtown.

The Dallas City Council established the Deep Ellum TIF District by Ordinance Number 26043 on June 22, 2005. The Deep Ellum TIF District took effect on January 1, 2006 and is scheduled to terminate on December 31, 2027 (including collection of the 2027 increment on calendar year 2028 and any related matters to be concluded in 2028) or when the budget of \$27.2 million (2006 dollars) has been collected. The TIF boundary and final plan were amended in 2008, and the final plan was also amended in 2011. The City of Dallas and Dallas County are the two participating jurisdictions; The City's participation 85%, and the County's participation is 55%.

## Deep Ellum TIF District Accomplishments

During the FY 2011, DART completed construction of the new SE-1 Corridor light rail line, which included the planned Deep Ellum, Baylor, and Fair Park stations within the Deep Ellum TIF District.



*Rendering of Baylor Light Rail Station*



*Rendering of Fair Park Light Rail Station*

To date, there has been at least \$35.6 million in property value increase within the district, including redevelopment of the Bill Reed Building, town home/loft construction, and construction of the Ambrose Apartments on Indiana Street at N. Malcolm X Boulevard and the Olympia Arts building. This increase of \$35.6 million is due to over \$27.5 million (77.2%) in new development projects and approximately \$8.1 million (22.8%) in property value appreciation. Additionally, prospective projects include the redevelopment of the Continental Gin building, the Dr. Pepper building, the City Lights

mixed-use development, other underutilized commercial buildings, and warehousing structures as well as large tracts of vacant land.



*"The Ambrose" on Indiana Street*



*"Commerce Street Lofts" on Commerce Street*





*"Eastside Lofts" on First Avenue*



*"The Olympia Arts" Building on Eastside Avenue*



*Rendering of the potential City Lights Development on Live Oak Street*

<b>Deep Ellum TIF District Projects<sup>1</sup></b>						
<b>Projects and Potential Projects Within TIF District Utilizing TIF Funding<sup>2</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF</b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment</b>
Olympia Arts	3995 & 4000 Eastside Ave., 201 & 224 S. Hill Ave.	2010	Phase I Phase II Phase III Completed	18,000 SF retail, office, warehouse	\$1,005,750	\$595,000
City Lights	2601 Live Oak St.	2015	Proposed	350 res. units; 110,000 SF retail	\$75,000,000	TBD
Total				350 res. units; 118,000 SF retail, office, warehouse	\$76,005,750	\$595,000
<sup>1</sup> All information updated as of September 30, 2011. <sup>2</sup> All TIF funded projects. <sup>3</sup> Based upon estimated market value at completion or of comparable projects for anticipated projects, or DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF district for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.						

<b>Deep Ellum TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Not Utilizing TIF Funding<sup>2</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF</b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment</b>
The Ambrose	2901 Indiana St.	2008	Completed	325 res. units; 15,000 SF commercial	\$26,500,000	\$0
Commerce Street Lofts	3701, 3703, 3705, 3507, 3509, 3711, 3713, & 3715 Commerce St.	2007	Completed	8 live/ work units (approx. 18,000 SF)	\$2,241,490	\$0
Eastside Lofts	First Ave. and Hickory St.	2006	Completed	4 residential units (approx. 9,300 SF)	\$1,160,000	\$0
Total				337 res. units; 15,000 SF retail	\$29,901,490	\$0
<sup>1</sup> All information updated as of September 30, 2011. <sup>2</sup> Selected projects. <sup>3</sup> Based upon estimated market value at completion or of comparable projects for anticipated projects, or DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF district for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.						

<b>Deep Ellum TIF District Projects</b>				
<b>Total Projects Within TIF District Utilizing and Not Utilizing TIF Funding</b>				
Total		687 res. units; 143,000 SF retail, office, warehouse	\$105,907,240	\$595,000

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## Value and Increment Revenue Summary

The base value of the original zone is the total appraised value of all taxable real property in the district as determined by the Dallas Central Appraisal District in the 2005 tax roll and the District was amended in 2008 for an adjusted base value of \$113,885,770. The Deep Ellum TIF District's assessed 2011 tax value was \$149,510,055, which represents a decrease of \$2,363,226 (1.6%) from the 2010 value and an increase of \$35,624,285 (31.3%) from the base year. The TIF District anticipates collecting \$288,968 incremental tax revenue for tax year 2011.

## Objectives, Programs, and Success Indicators

The final Deep Ellum Project Plan and Reinvestment Zone Financing Plan as amended were adopted on April 12, 2006. Among the goals of the Plan are:

- To create additional taxable value attributed to new private investment in projects in the Deep Ellum TIF District totaling approximately \$187 million.

*Completed projects within the district contributed approximately \$30.9 million in additional taxable value (16.5% of goal), and planned projects will contribute approximately \$75 million (40.1% goal) totaling over \$105.9 million in additional taxable value (56.6%).*

- To attract new private development in the Deep Ellum TIF District totaling approximately 400,000 square feet of retail space, 35,000 square feet of office space, 250 hotel rooms, and at least 800 new residential units including lofts, town homes and apartments.

*Completed projects within the district contributed approximately 15,000 square feet of retail (3.8% of goal), 18,000 square feet of office/commercial (22.8% of goal), no hotel rooms, and 337 additional residential units (42.1% of goal), and planned projects will contribute approximately 110,000 square feet of retail (27.5% of goal) and 350 residential units (43.8%) totaling 125,000 square feet of retail (31.3% of goal), 18,000 square feet of office/commercial (22.8% of goal), no hotel rooms, and 687 residential units (85.9% of goal).*

*City authorized the sale approximately 83,478 square feet of unneeded and unwanted City-owned land located near the intersection of Live Oak and Cantegral Streets to the developer of the proposed City Lights Project.*

- To reach ridership at future DART light rail stations in the district averaging over 4,000 riders per weekday by 2015.

*The SE Corridor (Green Line) DART light rail line opened in December 2010 complementing the Deep Ellum, Baylor, and Fair Park light rail stations which opened in 2009. Current average ridership per weekday is 180 at the Deep Ellum Station, 551 at the Baylor Station, and 879 at the Fair Park Station.*

- To improve access and connections to the DART light rail system within the district.

*Staff and the Board will continue to foster working relationships with DART and potential developers to encourage access and connections to these stations.*

*Streetscape improvements and the changing from a one-way to a two-way street were planned as part of the 2006 Bond program for Elm Street between Exposition Avenue and Good-Latimer Expressway and Commerce Street. Planned improvements include wide sidewalks street trees, benches and bike racks; parallel parking; marked pedestrian crossings; and bikes sharing the two lanes of traffic. Conceptual design is approved and work is underway on preparation of construction documents. Additional funds will be needed to complete both Elm and Commerce Streets.*

- To support the conversion of the Deep Ellum area to a mixed-use, transit oriented neighborhood that complements Baylor Medical Center, Downtown Dallas, and Fair Park.

*Staff and the Board will continue to foster a working relationship with Baylor, DART, and potential developers to encourage transit oriented development that complements the district. When possible, staff and the Board will also take special studies into account. Though not physically in the TIF District, Baylor continues to be a powerful demand generator for Deep Ellum. Baylor University Medical Center at Dallas is a 1025-bed not-for-profit teaching hospital, providing patient care and research to residents of Dallas and the southwest United States. This nationally acclaimed medical center serves as flagship hospital for Baylor Health Care System and in 2009 was recertified as a Magnet Hospital for "Excellence in Nursing Services" from the American Nurses Credentialing Center -- the organization's highest level of recognition which merely two percent of hospitals nationwide have received. Also, Baylor Dallas was recognized in U.S. News & World Report's 2009 "America's Best Hospitals," a recognition that it has received for the past seventeen consecutive years.*

*To address the immediate health needs of the community, in 2009 Baylor Dallas announced its partnership. The program, which will be housed at*

*the Juanita J. Craft Recreation Center, will provide treatment and prevention services to the area's population which has been determined as medically underserved. The Institute will have a health clinic staffed by doctors and other medical specialists, affordable medications, plus diabetes education ranging from nutrition and cooking classes to exercise programs. The Craft Center will continue to offer its regular services and expand others for the institute. Baylor is investing \$15 million into the project. The institute will be open to all regardless of residency, insurance or income.*

*Growth and development on the hospital's campus was celebrated in several ways during 2009. In April, Baylor Dallas announced that it was the first hospital in the country to collaborate with GE Healthcare and BrainLAB to open technically advanced neurosurgery operating suites. The technology allows neurosurgeons on the medical staff to use real-time, intra-operative images of the brain during surgery. The \$16.5 million operating suites and four operating rooms opened along with implementation of a high-definition magnetic resonance scanner and BrainSUITE iMRI navigation system. The technology was implemented to help physicians more accurately view a tumor's location and remove diseased tissue with minimal impact.*

1. *The \$350 million expansion of the Baylor Charles A. Sammons Cancer Center at Dallas, which was previously announced in September 2008, also received a boost when Baylor Health Care System Foundation announced gifts exceeding \$20 million for what will be North Texas' largest outpatient cancer center and first dedicated hospital focusing on cancer patients. The donation was made possible through the generosity of the men and women of Sammons Enterprises, Inc. and the estate of founder Charles A. Sammons, who has quietly provided significant philanthropic support to Baylor University Medical Center for more than 50 years. The new cancer complex opened in 2011.*
- To increase recreational opportunities and improve connections to the City of Dallas trails and open space system in the district.

*Extension of the Santa Fe Trail (East Dallas Veloway II Project) into Deep Ellum (phase II) was completed from Woodrow Wilson High School to Hill Avenue in 2010. The Trail was extended from Deep Ellum to White Rock Lake with the completion of the bridge over Winstead Drive in December, 2010. The Staff and the Board will continue to encourage developers to create linkages to this trail system.*

- To generate approximately \$27.2 million (net present value) in increment over 20 years of collections.

*The assessed property value from the base year to 2011 increased by approximately 31.3% despite decrease of 1.6% since 2010. This is an increase of approximately \$35.6 million. Based upon current estimates and established 2011 values, the district will generate over \$27.2 million (in 2006 dollars) by FY 2027 before the TIF expires in 2028.*

- To diversify retail and commercial uses in the district.

*The staff and the Board saw the Phases I, II, & III of the Olympia Arts completed, which along with the Ambrose development, added over 33,000 square feet of retail, service, and commercial space. The staff and the Board will continue to work to expand retail and commercial uses to meet the existing and growing needs of the residential population and the increased traffic as a result of the expansion of the DART Light Rail system into the area.*

## **Year-End Summary of Meetings**

The Deep Ellum TIF District Board of met four times during the fiscal year from October 1, 2010 to September 30, 2011. The Board approved and forwarded two items to City Council for approval. An additional six (6) items related to properties in the TIF District were also considered by Council during the year. The most significant of these actions related to the design of street reconfiguration and streetscape improvements on Elm Street and a property sale related to the City Lights project.

The Board can consist of up to ten members, including five City of Dallas appointees, two Dallas Independent School District appointees, one Dallas County appointee, one Dallas Community College District appointee (note: during FY 2008, DCCCD waived the appointment of a representative, thus the City can appoint an additional representative if desired), and one Dallas County Hospital District appointee. The Board members are (FY 2011 Board meetings attended): Laura “Zane” Aveton – City Representative (2 of 4 meetings), Brian Barton – City Representative (3 of 4 meetings), Chase Evans – City Representative (3 of 4 meetings), Herbert Goodman – City Representative (2 of 4 meetings), John Miller – City Representative (4 of 4 meetings), Rick Loessberg – Dallas County Representative (3 of 4 meetings), Orlando Alameda – DISD Representative (4 of 4 meetings), and Hector Flores – DISD Representative (1 of 4 meetings). There is a vacant position on the Board as of September 30, 2011.

During the fiscal year the City Council approved eight (8) items associated with the Deep Ellum TIF District. Three (3) items were related to applications for Specific Use Permits (SUPs) in a City Council effort to improve the area for more suitable and compatible commercial uses and the Deep Ellum TIF District Annual Report for 2010.

- On February 23, 2010 the City Council, by Resolution 11-0531, authorized a resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District),

submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.

- On March 25, 2011 the City Council, by Resolution 1-1308, authorized a Supplemental Agreement No. 2 to the professional services contract with TranSystems Corporation to provide additional engineering design and surveying services to add the Deep Ellum Streetscape Project to Streetscape Group 06-3010 - Not to exceed \$694,859, from \$412,171 to \$1,107,030 - Financing: 2003 Bond Funds (\$301,088), 2006 Bond Funds (\$293,791) and Water Utilities Capital Improvement Funds (\$99,980).
- On March 25, 2011 the City Council, by Resolution 11-1358 and Ordinance Number 28206, held a public hearing to receive comments regarding an ordinance granting the renewal of Specific Use Permit No. 1757 for a Bar, lounge, or tavern and an Inside commercial amusement for 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 northeast corner of Elm Street and July Alley and authorized the ordinance. Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions Z101-187(RB).
- On June 22, 2011 the City Council, by Resolution 11-1753, authorized an amendment to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Financing Reinvestment Zone Number Twelve, City of Dallas, Texas ("Deep Ellum TIF District") in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311, hereafter the "Act"), to: (1) prioritize the redevelopment of the City Lights site' as a goal of the Plan; (2) expand the City Lights Improvements budget category to include City Lights Area Improvements; (3) add Exhibits G-1 and G-2 to the Plan to illustrate redevelopment plans for the City Lights site; and (4) authorize related changes to the Plan consistent with the directed sale of city property for the City Lights project - Financing: No cost consideration to the City.
- On June 22, 2011 the City Council, by Resolution 11-1760, authorized a resolution authorizing the sale of approximately 83,478 square feet of unneeded and unwanted City-owned land located near the intersection of Live Oak and Cantegral streets to Minerva Partners, Ltd., a Texas Limited Partnership, for the development of a high density mixed use project in accordance with the Deep Ellum TIF District Project Plan - Revenue: \$2,170,000.
- On June 22, 2011 the City Council, by Resolution 11-1792 and Ordinance Number 28278, held a public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Westdale Properties America I, Ltd., Westdale



Properties, Westdale Deep Ellum Lofts, and Dallas Area Rapid Transit located near the intersection of Main Street and Trunk Avenue and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Westdale Asset Management, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City.

- On August 10, 2011 the City Council, by Resolution 11-2037 and Ordinance Number 28299, held a public hearing to receive comments regarding an application for an ordinance granting the renewal of Specific Use Permit No. 1696 for a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Elm Street, east of Crowds Street and authorized the ordinance. Recommendation of Staff and CPC: Approval for a one-year period, subject to conditions Z101-123(WE).
- On August 10, 2011 the City Council, by Resolution 11-2038 and Ordinance Number 28300, held a public hearing to receive comments regarding an application for an ordinance granting the renewal of Specific Use Permit No. 1767 for a bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north line of Commerce Street, east of Good Latimer Expressway Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions Z101-257(RB).

In an ongoing effort for Deep Ellum to eliminate undesirable bar, lounges, and taverns, such establishments were required to obtain a Specific Use Permit (SUP) from the City of Dallas to comply with new zoning regulations. Three entertainment venues obtained SUPs during the fiscal year. They include Double Wide, La Grange, and the Black Swan Saloon.

## **Pending TIF Items**

The pending items for the Deep Ellum TIF District include:

- The City Council consideration of the FY 2011 Annual Report regarding the development and financial status of the District.
- Consideration of development incentives for City Lights project.
- Update By-Laws for Deep Ellum TIF District to reflect changes in Board composition and design review.

## Budget and Spending Status

Each TIF district establishes a budget for the public improvement expenditures necessary to support private investment in the district in the Project Plan and Reinvestment Zone Financing Plan. The Deep Ellum TIF District was established in June 2005 and did not collect or allocate any revenue in FYs 2006, 2007 & 2008; however, the Project Plan and Budget were amended in FY 2008 and project allocations were made for the Olympia Arts project. Preliminary estimates for TIF public improvements total \$44.2 million (\$27.2 in 2006 dollars). The amended budget for the TIF district is below.

<b>Deep Ellum TIF District Project Plan Budget Projected Increment Revenues to Retire TIF Fund Obligations</b>			
<b>Category</b>	<b>TIF Budget*</b>	<b>Allocated**</b>	<b>Balance</b>
Water, Wastewater, Storm & Off-site Utility Replacement	\$2,031,899	\$148,500	\$1,883,399
Paving Streetscape & Lighting	\$23,625,557	\$148,500	\$23,477,057
Open Space & Trails	\$2,296,929	\$0	\$2,296,929
Façade Restoration	\$4,046,971	\$298,000	\$3,748,971
Environmental Remediation & Demolition	\$343,112	\$0	\$343,112
Latino Cultural Center Area Improvements	\$8,142,264	\$0	\$8,142,264
Administration and Implementation	\$3,745,442	\$179,302	\$3,566,140
<b>Total Project Costs (excluding interest)</b>	<b>\$44,232,174</b>	<b>\$774,302</b>	<b>\$43,457,872</b>
<p><i>* Budget shown above in current dollar; TIF Project Plan shows the budget in net present value. ** Project and Administrative costs are allocated as increment collection began in FY 2008.</i></p>			

<b>Deep Ellum TIF District Project Plan Budget</b>	
<b>Category</b>	<b>TIF Budget*</b>
Water, Wastewater, Storm & Off-site Utility Replacement	\$1,247,748
Paving Streetscape & Lighting	\$14,507,977
Open Space & Trails	\$1,410,498
Façade Restoration	\$2,485,163
Environmental Remediation & Demolition	\$210,698
Latino Cultural Center Area Improvements	\$5,000,000
Administration and Implementation**	\$2,300,000
<b>Total Project Costs (excluding interest)</b>	<b>\$27,162,083</b>
<ul style="list-style-type: none"> <li>• <i>As approved in the Project Plan and Reinvestment Zone Financing Plan as amended June 22, 2011.</i></li> </ul> <p><i>Note: TIF Board may amend Project Plan budget with City Council approval.</i></p>	

## FY 2012 Work Program

The FY 2012 work program for the Deep Ellum TIF District includes:

- TIF Board consideration of overall TIF District Design Guidelines to guide the character and quality of development within the district and inclusion of design review as part of City peer review process.
- Negotiating incentive package to facilitate redevelopment of City Lights site.
- Encouraging recreational opportunities and improved connections to the City of Dallas trails and open space system in the district.
- Encouraging diverse retail and commercial uses within the district.
- Improving coordination with Baylor Health Care Systems.
- Completing existing development projects, and identifying an additional \$20 million in new private investment (utilizing and not utilizing TIF funds) within the district during the fiscal year.
- Supporting the strategic needs of the Latino Cultural Center.
- Investigate the feasibility of a Municipal Setting Designation for the District.

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## Appendix: Financials

City of Dallas, Texas  
Deep Ellum Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The Zone's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$2,300,000 over the life of the TIF to reimburse the City for administrative costs. The Zone began reimbursing the General Fund in fiscal year 2009-10. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.

Deep Ellum TIF District  
Annual Report

FY 2011

City of Dallas, Texas  
Deep Ellum Tax Increment Financing District Fund  
Balance Sheet as of September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008 and 2007

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
Assets:					
Pooled cash and cash equivalents	\$250,095	\$215,001	\$306,892	\$0	\$0
Interest receivable	\$903	\$1,103	\$1,667	\$0	\$0
<b>Total assets</b>	<b>\$250,997</b>	<b>\$216,104</b>	<b>\$308,559</b>	<b>\$0</b>	<b>\$0</b>
Liabilities and Fund Balance (Deficit):					
Liabilities:					
Accounts and contracts payable	\$0	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0	\$0
Accrued interest	\$0	\$0	\$0	\$0	\$0
Due to general fund	\$0	\$18,631	\$59,674	\$59,674	\$18,808
<b>Total liabilities</b>	<b>\$0</b>	<b>\$18,631</b>	<b>\$59,674</b>	<b>\$59,674</b>	<b>\$18,808</b>
Fund Balance (Deficit):					
Fund Balance (Deficit)	\$250,997	\$197,474	\$248,884	(\$59,674)	(\$18,808)
<b>Total Liabilities and Fund Equity</b>	<b>\$250,997</b>	<b>\$216,104</b>	<b>\$308,559</b>	<b>\$0</b>	<b>\$0</b>
	\$0	\$0	(\$0)	\$0	\$0

Deep Ellum Tax Increment Financing District Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
For the Period September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, 2008 and 2007

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
Revenues:						
Tax increment-Governmental	\$850,278	\$258,361	\$322,509	\$269,407	\$0	\$0
Tax increment-Intergovernmental	\$192,203	\$61,623	\$70,654	\$59,926	\$0	\$0
Interest income	\$7,901	\$1,544	\$3,929	\$2,428	\$0	\$0
Net increase (decrease) in fair value of investments	\$773	\$290	(\$2,281)	\$2,764	\$0	\$0
<b>Total revenues</b>	<b>\$1,051,155</b>	<b>\$321,819</b>	<b>\$394,810</b>	<b>\$334,526</b>	<b>\$0</b>	<b>\$0</b>
Expenditures:						
Administrative expenses	\$179,302	\$49,030	\$44,631	\$25,968	\$40,866	\$18,808
Non-Capital Outlay	\$20,038	\$10,750	\$9,288	\$0	\$0	\$0
Capital outlay	\$600,817	\$208,514	\$392,302	\$0	\$0	\$0
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total expenditures</b>	<b>\$800,157</b>	<b>\$268,295</b>	<b>\$446,221</b>	<b>\$25,968</b>	<b>\$40,866</b>	<b>\$18,808</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>\$250,997</b>	<b>\$53,524</b>	<b>(\$51,411)</b>	<b>\$308,558</b>	<b>(\$40,866)</b>	<b>(\$18,808)</b>
Fund balance (Deficit) at beginning of year as previously reported						
	\$0	\$197,474	\$248,884	(\$59,674)	(\$18,808)	\$0
Fund balance (Deficit) at beginning of year, as restated						
	\$0	\$197,474	\$248,884	(\$59,674)	(\$18,808)	\$0
<b>Fund balance (deficit) at end of year</b>	<b>\$250,997</b>	<b>\$250,997</b>	<b>\$197,474</b>	<b>\$248,884</b>	<b>(\$59,674)</b>	<b>(\$18,808)</b>

Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.

City of Dallas, Texas  
Deep Ellum Tax Increment Financing District Fund  
Reinvestment Zone Number Twelve  
As of September 30, 2011

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

1. Amount and source of revenue in the tax increment fund established for the zone:

\$1,834 Interest Income	
<u>\$319,984</u> Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Final Tax Rolls)	
<u>\$321,819</u>	Total Revenue

2. Amount and purpose of expenditures from the fund:

\$49,030 Administrative Expense	
\$10,750 Non-Capital Outlay	
\$208,514 Capital outlay *	
<u>\$0</u> Interest and fiscal charges	
<u>\$268,295</u>	Total Expenditures

\* These capital expenditures were incurred for the Olympia Arts Building redevelopment project.

3. TIF Administration Costs:

The Zone continued to reimburse the General Fund for administrative costs incurred during the fiscal year.

4. a. Amount of Principal and Interest due-on outstanding indebtedness:

None.

b. The Zone amended the development agreement with Deep Ellum Warehouse for the redevelopment of "Olympia Arts Building" in the TIF in an amount not to exceed \$595,000 and began reimbursing the developer in fiscal year 2009-10. The developer was fully reimbursed in FY2010-11.

c. The Zone entered into another development agreement with Margaux City Lights Partners for the development of "City Lights" project in the TIF in an amount not to exceed \$5,000,000 with anticipated reimbursement to begin in June 2012.

5. Tax increment base and current captured appraised value retained by the zone:

Taxing Jurisdiction	Taxable Value 2011*	Base Year 2008 Value	Est. Captured Value 2011**
City of Dallas	\$149,510,055	\$113,885,770	\$35,624,285
Dallas County	\$149,510,055	\$113,885,770	\$35,624,285
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*2011 taxable value shown for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2012.

6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100***	Amount of Estimated 2011 Increment****
City of Dallas	0.67745	\$241,337
Dallas County	0.13371	\$47,631
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	<u>\$0.81116</u>	<u>\$288,968</u>

\*\*\*Participation rates for City of Dallas and Dallas County are 85% and 55% respectively for tax years 2008 - 2021.

\*\*\*\*The District began collecting increment in fiscal year 2008-09.

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$288,968. For the 2010 tax year, \$319,984 in increment was collected.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 46 N P S and T

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 26147 on October 26, 2005, establishing Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District). On June 13, 2007, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 26773.

The Grand Park South TIF District's assessed 2011 taxable value was \$45,018,272. The District's 2011 taxable value increased of \$168,253 (0.4%) over its 2005 base year value of \$44,850,019 despite a \$4,514,217 (9.1%) decline in values over the last year. With the participation of the City and Dallas County, the increase over the base value will result in the collection of approximately \$1,473 in total incremental revenue for the Grand Park South TIF District for the 2011 tax year.

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

On October 26, 2005, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Thirteen, the Grand Park South TIF District by Ordinance No. 26147, as amended.

On June 13, 2007, the City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Grand Park South TIF District by Ordinance No. 26773.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's FY 2011 TIF Annual Reports.

**FISCAL INFORMATION**

No cost consideration to the City



February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Thirteen, ("Grand Park South TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Grand Park South area pursuant to Ordinance No. 26147, authorized by the City Council October 26, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, and

**WHEREAS**, on June 13, 2007, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Grand Park South TIF District by Ordinance No. 26773; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Thirteen to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law.

**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.

# Grand Park South TIF District FY 2011 Annual Report

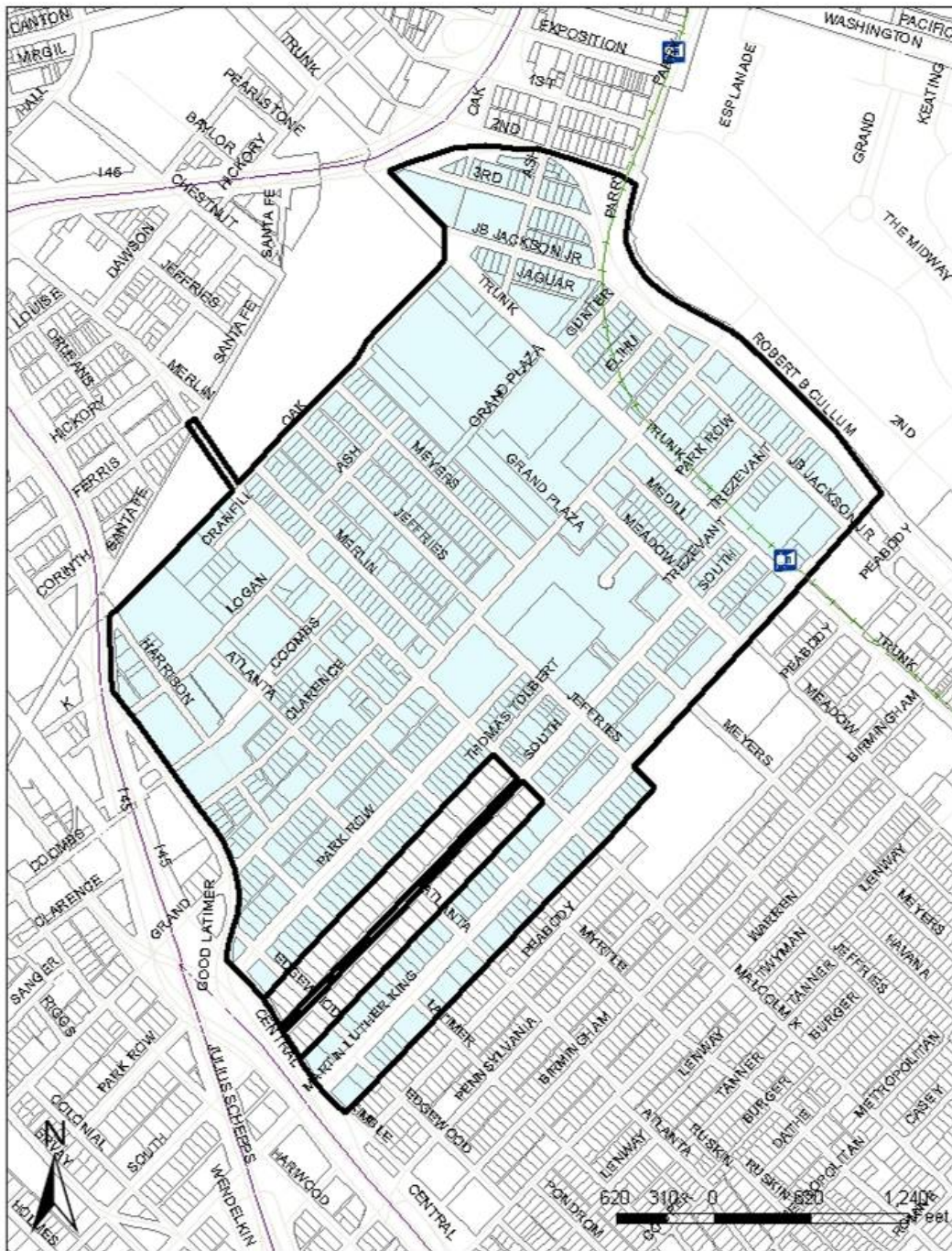


**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 5CS  
Dallas, Texas 75201  
(214) 670-1685  
<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Thirteen Tax Increment Financing District



**Grand Park South TIF District**

- Grand Park South TIF Boundary
- Parcels inside Grand Park South TIF
- DART rail line (planned)
- DART rail stations (planned)

Office of Economic  
Development  
February 2007



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## Mission Statement

The mission of the Grand Park South TIF District is to provide a source of funding for public infrastructure improvements necessary to enhance the real estate market for the Grand Park South TIF District area. The Grand Park South TIF District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping a former residential area in decline to take full advantage of the expanding DART light rail system, to promote transit oriented development in the historical context of the neighborhood, to implement appropriate urban design standards, and to improve the quality of development south of Downtown.

The Dallas City Council established the Grand Park South TIF District by Ordinance Number 26147 on October 26, 2005. The Grand Park South District took effect on January 1, 2006 and is scheduled to terminate on December 31, 2035 (including collection of the 2035 increment in calendar year 2036 and any related matters to be concluded in 2036) or when the budget of \$30.3 million (2006 dollars) has been collected. The City of Dallas and Dallas County are the two participating jurisdictions. The City's participation is 90%, and the County's participation is 65%.

## District Accomplishments

The Grand Park South TIF District is composed of neighborhoods to the south of Fair Park including the Grand Avenue, Martin Luther King, Jr. Boulevard, and Malcolm X Boulevard corridors. The District exhibits deteriorated structures, inadequate sidewalks and streets, faulty lot layouts, unsanitary or unsafe conditions, and deteriorated site improvements. These conditions substantially arrest or impair the sound growth of the City and property within the area. The District's strengths include the following:

- Proximity to downtown
- Adjacency to Fair Park
- J.B. Jackson Transit Center which includes DART's Green Line MLK Station
- South Boulevard – Park Row Historic District
- Nation's only intersection of Malcolm X and Martin Luther King, Jr. Boulevards

September 2011 marked the two year anniversary of the opening of DART's Fair Park and MLK light rail stations. The stations are located along DART's new Green Line which was completed during the first quarter of the fiscal year. It extends approximately 28 miles and links southeast Dallas to Farmers Branch and Carrollton.



DART's Green Line MLK Station is a component of the J.B. Jackson Transit Center

## Grand Park South TIF District – Past, Current and Anticipated Projects<sup>1</sup>

### Projects Within TIF District Utilizing TIF Funding

Project	Location	Units <sup>2</sup>	Status	Year Complete	Approximate Investment <sup>3</sup>	TIF Investment <sup>4</sup>
Fair Park Estates (formerly the Park Row Estates)	Malcolm X Boulevard and Park Row Avenue	30 single family units	The development's initial two units were completed in September 2008. Two additional units were completed during FY 2011.	TBD (4 units completed)	\$4,300,000	TBD
Phase I – Hall Family Mixed-use Project	South Trunk Avenue between Gunter and Park Row avenues (along Dart's Green Line)	38 multi-family units	The project's anticipated start date is February 2012	TBD	TBD	TBD

<sup>1</sup> All information updated as of September 30, 2011.

<sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.

<sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF district for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.

<sup>4</sup> TBD indicates that development agreement has not yet been adopted and TIF investment is yet to be determined.

Construction was completed on two units that comprise the Fair Park Estates housing development during the fiscal year. The project, which has been impeded by a variety of constraints, completed its initial two units during FY 2008.

## Value and Increment Revenue Summary

The Grand Park South TIF District's assessed 2011 taxable value was \$45,018,272. The District's 2011 taxable value increased of \$168,253 (0.4%) over its 2005 base year value of \$44,850,019 despite a \$4,514,217 (9.1%) decline in values over the last year. With the participation of the City and Dallas County, the increase over the base value will result in the collection of approximately \$1,473 in total incremental revenue for the District.

The 2011 tax year represents the Grand Park South TIF District's fifth year of increment collections which is anticipated to be received in FY 2012.

## Objectives, Programs and Success Indicators

The Grand Park South Final Project Plan and Reinvestment Zone Financing Plan was adopted on June 13, 2007 by City Ordinance Number 26773. The plan's defined development goals are provided below:

- Create additional taxable value attributed to new private investment in projects in the Grand Park South TIF District totaling approximately \$579 million.

*Property values in the TIF District have not increased appreciably since its creation. There is an ongoing effort to create additional taxable value that is attributed to new private development.*

- Encourage transit-oriented development within the District. This includes the creation of a new town center in proximity to DART's MLK Green Line station while providing access and connections to the station that will allow ridership to exceed over 2,400 per day by 2015.

*The Green Line's MLK and Fair Park stations, which have been open since September 2009, are expected to entice transit-oriented development throughout the District. The MLK station averaged approximately 827 riders per day during the FY 2011 while the Fair Park Station averaged approximately 666 riders per day.*

- Attract new private development in the District totaling approximately 2,400 residential units by 2035, including development of new single-family homes, mid-rise residential, such as town homes, and higher density residential near the *MLK Green Line station*, while preserving and restoring historic single-family residences.

*Upon its completion the Fair Park Estates project will result in 30 residential units (1.3% of the goal). To date, four of the project's 30 units have been completed. Accordingly, there is an ongoing effort to attract new residential units within the District while preserving and restoring historic single-family residences.*

- Diversify housing options within the District by providing various types of housing, including town home, multi-family, and single-family projects, at a range of price points including approximately 20% of new units at or below 80% of Area Median



Income (AMI), 60% of new units at market rate, and 20% of new units above market rate. Replace existing multi-family housing stock in substandard condition (approximately 500 units) with new residential development at 60% of AMI. Expand homeownership opportunities in the district.

*There is an ongoing effort to provide a variety of housing options within the Grand Park South TIF District.*

- Grow and diversify retail and commercial uses within the District. Consolidate new retail and other commercial activities to support a new town center in proximity to the MLK Green Line station; create a neighborhood retail center in proximity to the Grand Avenue and Malcolm X Boulevard intersection; enhance retailing opportunities and design through infill development along Martin Luther King, Jr. Boulevard, and, in some cases, convert existing retail and commercial buildings to residential uses. Attract 300,000 square feet of retail space and 150,000 square feet of office or other commercial space in new private development by 2035.

*To date there has been no progress on this goal.*

- Expand parks and open space within the District by encouraging the development of both private and public parks and open space, such as pocket parks, plazas, courtyards, and recreation areas, within walking distance (1/4 mile) of new residential development, especially new mid and higher density residential development.

*The City's Design Studio is currently examining parks, open space, and streetscape improvements along Martin Luther King Boulevard.*

- Improve security and safety through pedestrian lighting and design that encourages "eyes on the street."

*There is an ongoing effort to provide new construction that will facilitate security and safety improvements within the District through pedestrian lighting and designs that encourages "eyes on the street." Also, the South Dallas Fair Park Trust Fund is currently examining prospective funding sources to provided surveillance cameras throughout the District.*

- Generate approximately \$30.3 million (net present value) in increment over 25 years of collection.

*The District's assessed property value has increased 0.4% over its 2005 base year value. This increase has generated approximately \$218,905 in incremental revenue (0.7% of the goal).*

## **Year-End Summary of Meetings**

TIF Boards can consist of up to ten members including five City of Dallas appointees, two Dallas Independent School District (DISD) appointees, one Dallas County appointee, one Dallas County Community College District (DCCCD) appointee and one Dallas County Hospital District appointee.

The Grand Park South TIF District Board, which met one time during the fiscal year, consisted of the following members during FY 2011:

1. Jim Slaughter – City Representative (attended 1 of 1 meetings)
2. Robert W. Ivey, III – City Representative (attended 0 of 1 meetings)
3. Traswell C. Livingston – City Representative (attended 1 of 1 meetings)
4. Rick Loessberg – Dallas County Representative (attended 1 of 1 meetings)
5. Orlando Alameda – DISD Representative (attended 1 of 1 meetings)
6. Hector Flores – DISD Representative (attended 1 of 1 meetings)

The Dallas City Council approved six items during the fiscal year related to the District. These items are summarized below:

- On November 10, 2010, the City Council approved Resolution No. 10-2820, authorizing (1) the acceptance of a grant from the First Lady's Family Initiative for Texas, a program of The Barbara Bush Texas Fund for Family Literacy, for expansion of the adult literacy efforts into a family literacy program at the Martin Luther King Jr. Branch Library; and (2) execution of the grant agreement - Not to exceed \$44,906 - Financing: The Barbara Bush Texas Fund for Family Literacy Grant Funds
- On November 10, 2010, the City Council approved Resolution 10-2878, authorizing Supplemental Agreement No. 1 to the design-build contract with MYCON General Contractors, Inc. for the construction of improvements at the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Boulevard and the West Dallas Multipurpose Center located at 2828 Fish Trap Road - Not to exceed \$2,762,806, from \$344,322 to \$3,107,128 - Financing:

2006 Bond Funds (\$250,000) and 2008-09 Community Development Block Grant - Recovery Funds (\$2,512,806)

- On February 23, 2011, the City Council approved Resolution Number 11-0532, accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
- On April 27, 2011, the City Council approved Resolution Number 11-1157, conducting a public hearing to receive comments regarding an application for a WMU-5 Walkable Mixed Urban Use District on property zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595 on two separate parcels: (1) northwest line of Park Row Avenue between J. B. Jackson Boulevard and Trunk Avenue, and (2) northwest line of Grand Avenue between Fourth Avenue and Trunk Avenue, and an application for a WR-5 Walkable Urban Residential District on property zoned as an MF-1(A) Subdistrict within Planned Development District No. 595 on two separate parcels: (1) southeast line of Elihu Street south of Fourth Avenue, and (2) northwest line of Elihu Street south of Fourth Avenue Recommendation of Staff and CPC: Approval, subject to a Shopfront (SH) Overlay on part of Parcel A and all of Parcel B, and a Height Modification (HM) Overlay on Parcels B, C, and D Z090-218(RB)
- On June 8, 2011, the City Council approved Ordinance Number 28223; granting a WMU-5 Walkable Mixed Urban Use District with a Shopfront Overlay on part of Tract A and all of Tract B and a Height Modification Overlay on property zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595, and a WR-5 Walkable Urban Residential District with a Height Modification Overlay on Tracts C and D on property zoned as an MF-1(A) Multifamily Subdistrict within Planned Development District No. 595, on four separate tracts: (1) northwest line of Park Row Avenue between J. B. Jackson Boulevard and Trunk Avenue; (2) northwest line of Grand Avenue between Fourth Avenue and Trunk Avenue; (3) southeast line of Elihu Street south of Fourth Avenue; and (4) northwest line of Elihu Street south of Fourth Avenue - Financing: No cost consideration to the City
- On September 14, 2011, the City Council approved Resolution Number 11-2394, authorizing a Community Based Non-Profit Grant Agreement to enhance the quality of life for the residents in the South Dallas/Fair Park Trust Fund target area to provide funding to Jeffries Street-Learning Center - Not to exceed \$35,000 - Financing: South Dallas/Fair Park Trust Funds

## Pending TIF Items

Pending items for the Grand Park South TIF District include the following:

- Approval of the FY 2011 Annual Report
- Utilization of TIF funding to secure the District's initial redevelopment project
- Approval of the Grand Park South TIF District Mixed Income Housing Policy
- Review changes to the Grand Park South TIF District By-Laws concerning potential changes in the composition of the District's Board of Directors and design review process

## Budget and Spending Status

The Grand Park South TIF District's Project Plan and Reinvestment Zone Financing Plan established a budget for public improvement expenditures that are necessary to support private investment. Even so the economy and financial constraints prohibited new private development from occurring within the District during the fiscal year.

The District's budget and spending to date are provided below:

<b>Grand Park South TIF District Projected Increment Revenues to Retire TIF Fund Obligations</b>			
<b>Category</b>	<b>TIF Budget (Total Dollars)</b>	<b>Allocated</b>	<b>Balance</b>
Infrastructure Improvements	\$51,206,667	\$0	\$51,206,667
Environmental Remediation	\$5,084,349	\$0	\$5,084,349
Façade Restoration	\$3,813,263	\$0	\$3,813,263
Parks, Open Space and Signature Entries	\$7,263,357	\$0	\$7,263,357
Grant and Loan Program	\$1,089,503	\$0	\$1,089,503
Administration and Implementation*	\$4,176,431	\$170,915	\$4,005,516
<b>Total Project Costs</b>	<b>\$72,633,570</b>	<b>\$170,915</b>	<b>\$72,462,655</b>

*\* Administrative cost is based on actual hours worked on TIF related activities by City staff.*

<b>Grand Park South TIF District Project Plan Budget (NPV Values)</b>	
<b>Category</b>	<b>TIF Budget (NPV)</b>
Infrastructure Improvements	\$21,360,667
Environmental Remediation	\$2,120,917
Façade Restoration	\$1,590,688
Parks, Open Space and Signature Entries	\$3,029,882
Grant and Loan Programs	\$454,482
Administration and Implementation	\$1,742,182
<b>Total Project Costs</b>	<b>\$30,298,818</b>
<i>All values discounted to 2006 dollars at 5% annually. Actual expenditure value will depend on timing of the project costs.</i>	

## **FY 2012 Work Program**

The FY 2011 work program for the Grand Park South TIF District includes:

- Continue efforts to allocate TIF funds towards the historic restoration of homes along Park Row in collaboration with Preservation Dallas
- Review changes to the Grand Park South TIF District By-Laws concerning potential changes in the composition of the District's Board of Directors and design review process
- Encourage development projects within the District
- Coordination with the City's TOD grant planning and redevelopment efforts

## Appendix: Financials

**City of Dallas, Texas**

**Grand Park South Tax Increment Financing District Fund**

**Reinvestment Zone Number Thirteen**

**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

\$503	Interest Income	
<u>\$39,688</u>	Ad Valorem Taxes (Collected in FY'2009-10 based on 2009 Certified Tax Roll)	
<u>\$40,191</u>	Total Revenue	

**2. Amount and purpose of expenditures from the fund:**

\$39,597	Administrative Expense	
\$0	Public works	
\$0	Capital outlay	
\$0	Interest and fiscal charges	
	Total	
<u>\$39,597</u>	Expenditures	

**3.** The Zone began reimbursing the General Fund for administrative costs incurred through fiscal year 2008-09.

**4. a. Amount of Principal and Interest due-on outstanding indebtedness:**

None.

**5. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable Value 2011*	Base Year 2005 Value	Est. Captured Value 2011**
City of Dallas	\$45,018,272	\$44,850,019	\$168,253
Dallas County	\$45,018,272	\$44,850,019	\$168,253
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*2011 taxable value shown for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2012.

**6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100***	Amount of Estimated 2011 Increment
City of Dallas	0.71730	\$1,207
Dallas County	0.15802	\$266
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	\$0.87532	\$1,473

\*\*\*Participation rates for City of Dallas and Dallas County are 90% for tax years 2007-2026 and 65% for tax years 2007-2021 respectively.

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$1,473. For the 2010 tax year, \$39,688 in increment was collected.

**City of Dallas, Texas**  
**Grand Park South Tax Increment Financing District Fund**  
**Balance Sheet as of September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008 and 2007**

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Assets:</b>					
Pooled cash and cash equivalents	\$38,450	\$37,744	\$44,280	\$31	\$0
Interest receivable	\$230	\$342	\$262	\$56	\$0
	<hr/>				
Total assets	\$38,680	\$38,086	\$44,542	\$87	\$0
<hr/>					
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$0	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0	\$0
Deferred tax revenue	\$0	\$0	\$0	\$0	\$0
Due to general fund	\$0	\$0	\$1,781	\$1,781	\$29,259
	<hr/>				
Total liabilities	\$0	\$0	\$1,781	\$1,781	\$29,259
<hr/>					
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	\$38,680	\$38,086	\$42,761	(\$1,694)	(\$29,259)
	<hr/>				
Total Liabilities and Fund Equity	\$38,680	\$38,086	\$44,542	\$87	\$0
	(\$0)	(\$0)	(\$0)	(\$0)	\$0



**Grand Park South Tax Increment Financing District Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)**  
**For the Period September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008 and 2007**

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
Revenues:						
Tax increment-Governmental	\$176,899	\$34,991	\$40,774	\$61,819	\$39,315	\$0
Tax increment-Intergovernmental	\$30,344	\$4,697	\$6,019	\$11,889	\$7,738	\$0
Interest income	\$2,150	\$386	\$796	\$511	\$457	\$0
Net increase (decrease) in fair value of investments	\$202	\$117	(\$314)	\$399	(\$0)	\$0
<b>Total revenues</b>	<b>\$209,595</b>	<b>\$40,191</b>	<b>\$47,275</b>	<b>\$74,618</b>	<b>\$47,510</b>	<b>\$0</b>
Expenditures:						
Administrative expenses	\$170,915	\$39,597	\$51,951	\$30,163	\$19,946	\$29,259
Non-Capital Outlay	\$0	\$0	\$0	\$0	\$0	\$0
Capital outlay	\$0	\$0	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total expenditures</b>	<b>\$170,915</b>	<b>\$39,597</b>	<b>\$51,951</b>	<b>\$30,163</b>	<b>\$19,946</b>	<b>\$29,259</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>\$38,680</b>	<b>\$594</b>	<b>(\$4,675)</b>	<b>\$44,455</b>	<b>\$27,565</b>	<b>(\$29,259)</b>
Fund balance (Deficit) at beginning of year as previously reported	\$0	\$38,086	\$42,761	(\$1,694)	(\$29,259)	\$0
Fund balance (Deficit) at beginning of year, as restated	\$0	\$38,086	\$42,761	(\$1,694)	(\$29,259)	\$0
Fund balance (deficit) at end of year	\$38,680	\$38,680	\$38,086	\$42,761	(\$1,694)	(\$29,259)

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**

## Notes to Financials

City of Dallas, Texas  
Grand Park South Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The Zone's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$4,105,732 over the life of the TIF to reimburse the City for administrative costs. The Zone began reimbursing the General Fund for costs incurred through fiscal year 2008-09. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 9, 10, 13, 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 17 W; 26 D H V Y Z; 27 A-D F-H J K N P-U W; 36 C D

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 26148 on October 26, 2005, establishing Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District). On December 13, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 26534, as amended.

The Skillman Corridor TIF District's assessed tax value in 2011 was \$412,987,631. This represents an increase of 22.9% (\$77,030,320) over the assessed value of the base year (2005) value and an increase of 3% (\$12,301,877) over the final value for the previous year. With the participation of the City, Dallas County and the Richardson Independent School District, this increase will result in the collection of approximately \$653,489 total in incremental revenue for the Skillman Corridor TIF District for the 2011 tax year.

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

On October 26, 2005, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Fourteen, the Skillman Corridor District TIF District by Ordinance No. 26148, as amended.

On December 13, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Skillman Corridor TIF District by Ordinance No. 26534, as amended.

On December 9, 2011, the Skillman Corridor TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Fourteen, ("Skillman Corridor TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Skillman Corridor area pursuant to Ordinance No. 26148, authorized by the City Council on October 26, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on December 13, 2006, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Skillman Corridor District TIF District by Ordinance No. 26534 as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on December 9, 2011, the Skillman Corridor TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Fourteen and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Fourteen to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law.

**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.

# Skillman Corridor TIF District FY 2011 Annual Report



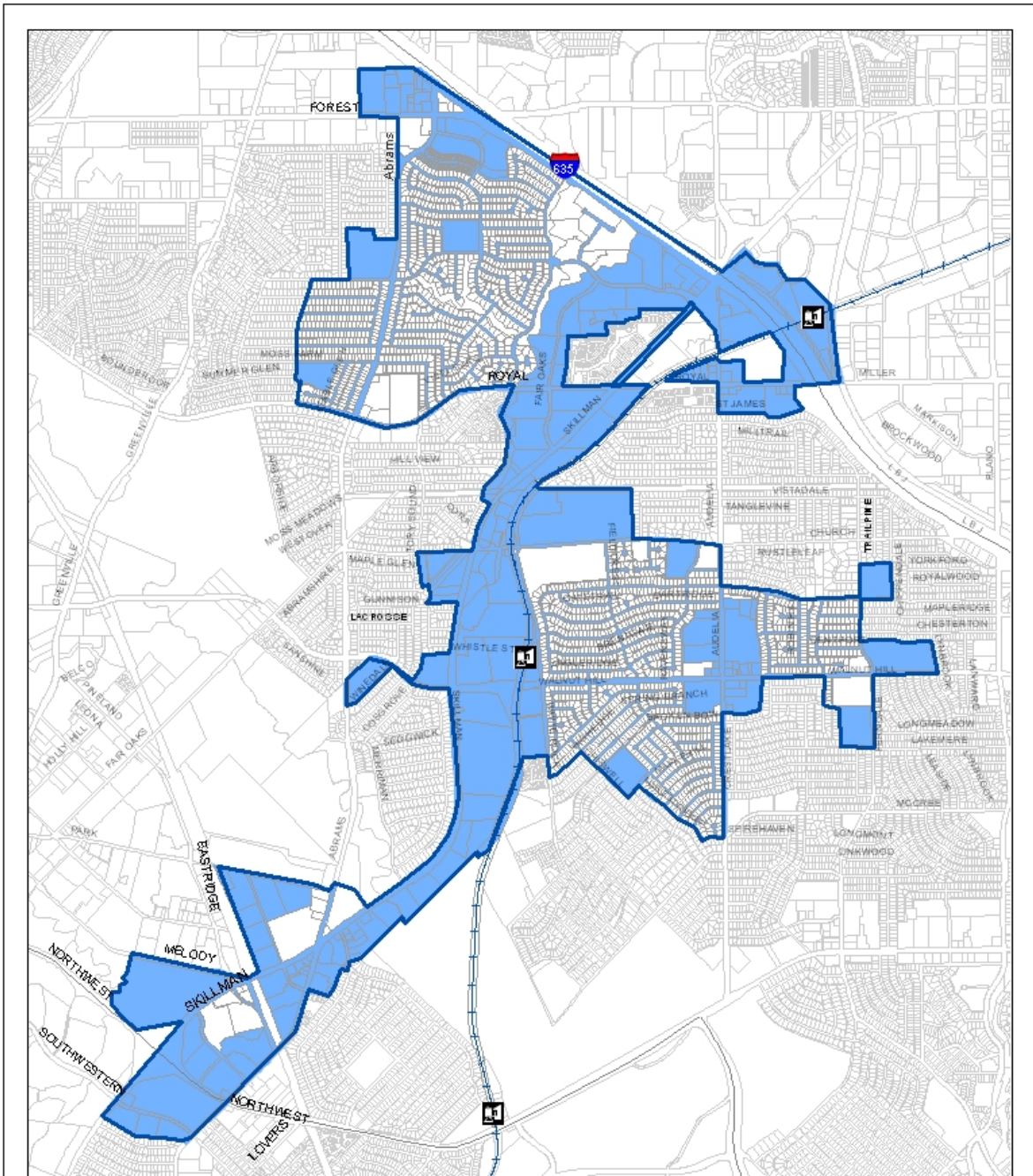
**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 671-9821

[http://www.dallas-ecodev.org/area\\_redevelopment.html](http://www.dallas-ecodev.org/area_redevelopment.html)





**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Fourteen Tax Increment Financing District



## Skillman Corridor TIF District

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

-  Existing DART Station
-  DART Blue Line
-  TIF Perimeter Boundary
-  Properties & right-of-way inside TIF



Office of Economic Development  
October 2011

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## Mission Statement

The mission of the Skillman Corridor TIF District is to provide a source of funding for public infrastructure improvements that will assist in creating a more sustainable mix of rental and owner-occupied residential property in the Skillman Corridor. This effort will help encourage the redevelopment of structurally obsolete apartment complexes and retail centers, better trail and recreational connections, and transit-oriented development near the Skillman/Walnut Hill DART light rail station and the existing Skillman/LBJ DART light rail station. The Skillman Corridor TIF District duration began on January 1, 2006, and will terminate on December 31, 2035, (including collection of the 2035 increment in calendar year 2036 and any related matters to be concluded in 2036).

## Skillman Corridor TIF District Accomplishments

Dallas City Council established the Skillman Corridor TIF District by Ordinance Number 26148 on October 26, 2005. In December 2006, the district's boundaries were amended to include several Richardson Independent School District (RISD) campuses to help facilitate RISD meet future changing campus needs as the area is redeveloped. The RISD Board of Trustees approved contributing the debt service portion of future RISD increment to the TIF District up to \$10 million (net present value or a total amount of just over \$16 million). This financial participation marks the first financial participation by a school district in a Dallas TIF District since 1999. The Dallas City Council adopted the Skillman Corridor TIF District Project Plan and Reinvestment Zone Financing Plan on December 13, 2006 by Ordinance 26534.

In May 2009, the Skillman Corridor TIF Board adopted a "Skillman Corridor TIF Strategic Implementation Plan" to guide the next phases of development and improvements in the District.

In 2007, a development agreement with Prescott Realty Group (Prescott) for the District's catalyst project "Lake Highlands Town Center (LHTC)" for TIF funding was approved by the Skillman Corridor TIF Board and the City Council. In addition, the project received funding commitments from Dallas Area Rapid Transit (DART) and the North Central Texas Council of Governments (NCTCOG) for a light rail station and related improvements at Skillman Street and Walnut Hill Lane along the existing DART Blue Line; Dallas County for infrastructure improvements; and City of Dallas bond funds for infrastructure improvements.

During FY 2011, staff continued to work extensively with Prescott and interagency partners (Dallas County, DART, and NCTCOG) on the completion of infrastructure and other public improvements as part of the LHTC horizontal site development phase. An operation and maintenance agreement for non-standard public improvements has been executed with Prescott and the Lake Highlands Public Improvement District (LHPID) has agreed to partial assignment of those responsibilities.

The 20 acres of park land and trails constructed as part of the project was conveyed to the City on March 31, 2011. Maintenance responsibility has been designated to Prescott, future owners and/or the Lake Highlands Public Improvement District (LHPID).

Due to the economic downturn and contracted lending markets, vertical development at the LHTC has been delayed. The TIF Board approved an initial deadline extension for the project in December 2010. Staff had been working with Prescott on potential amendments to the development agreement over the last couple years.

In June 2011, the TIF Board and City approved an amended development agreement for the Lake Highlands Town Center (LHTC) that increased the TIF funding dedication of future TIF revenues from \$23,000,000 to a maximum of \$40,000,000; required that a third party consultant acceptable to the City be engaged to complete an analysis and recommendations for the physical and economic elements of the development plan; and restructured project phasing and related requirements.

In preparation for finalizing the recommended amendment, the City commissioned Street Works, LLC (SW), a development consulting firm, to conduct a preliminary review of the LHTC development plans. SW has provided some design observations and indicated some modifications, including additional public costs may be needed to better position the project for long term success. Allowing a Phase I of development to proceed quickly was strongly recommended so that LHTC can be viable in the marketplace.

Prescott has engaged Street Works, LLC and is in the process of completing an initial due diligence phase. Following this initial phase, the scope of work includes development of a specific strategy and interaction with stakeholder groups.

In FY 2011, a development agreement with Audelia WGK, LLC for the White Rock Place development was approved by the Skillman Corridor TIF Board and the City Council. The site is located at the southwest corner of Walnut Hill Lane and Audelia Road and has operated as Lake Highlands Plaza shopping center; however, the majority of the retail space is vacant. The site will be redeveloped into a smaller retail component of 18,000 square feet and approximately 17 residential lots for new single-family homes. The development supports the District's adopted strategic plan recommendation that portions of underutilized commercial property at Walnut Hill Lane and Audelia Road be converted to residential use and retail space be consolidated.

The TIF Board and City Council also approved a Skillman Corridor TIF District Grant Program that includes three general categories: (1) facilitate transit-oriented and catalyst developments; (2) encourage the redevelopment of obsolete retail and commercial centers, and (3) offset the cost of affordable housing in residential developments.

A development agreement with the Richardson Independent School District (RISD) was approved in FY 2011 to provide reimbursement pursuant to the Interlocal Agreement

between the City and RISD for stadium facility improvements for the Lake Highlands High School.

Several projects in the District have been completed or in the development stage this year as shown in the following table.

<b>Skillman Corridor TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. or Estimated Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Lake Highlands Town Center <sup>2</sup>	NE and SE corner Walnut Hill/Skillman	Public Improv – 2010; Ph I – 2014 Future Phases - 2015-18	<i>Sitework/public improv. complete Phase I development</i> (85,000 square feet retail and 200 units) anticipated to start 1st Q 2012	1,265 res. units/ 219,650 square feet retail space/ 30,000 square feet office	\$218,000,000	\$40,000,000
White Rock Place	SW Corner Walnut Hill & Audelia	Sitework/ public improv - 2013	Approved	17 SF lots; 18,000 sf retail reconfig.	\$14,000,000	\$2,372,000
<b>Subtotal</b>				<b>1,282 res. Units; 237,650 square feet retail; 30,000 square feet office</b>	<b>\$229,000,000</b>	<b>\$42,372,000</b>
<b>Projects Within TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Trimark Town Homes	9400 Block Timberleaf Dr	2005	Complete	84 units	\$10,121,307	n/a
Medallion Retail Center expansion/renov.	6300 E Northwest Hwy & 5720 Skillman St.	2006	Complete	88,800 square feet new space	\$8,578,740 added value	n/a
Kingsley Square Redevelopment	7203 Skillman St.	2007	Complete	76,000 square feet retail	\$9,804,390	n/a

Wal Mart Supercenter	9382 LBJ Fwy.	2008	Complete	204,000 square feet retail	\$19,877,160	n/a
The Avery on Southwestern (formerly Village View Apts)	8910 Southwestern Blvd.	2009	Complete	422 units	\$37,750,000	n/a
Dallas Children's Theater <sup>6</sup> – exterior improv., main entry & garden	6343 Northwest Hwy	2009	Complete	n/a	\$1,293,060	n/a
Timbercreek redevelopment	Skillman St@Northwest Hwy	2011-2012	Partial completion	485,000 square feet retail	\$60,000,000	n/a
White Rock/Toscana Redevelopment	6800 block Skillman St	Ph I -2015 Ph II - 2017	Planned	Ph I – 323 units Ph II – 328 units	\$80,000,000	n/a
<b>Subtotal</b>				<b>1,157 res units; 853,800 square feet retail</b>	<b>\$227,424,657</b>	<b>\$0</b>
<b>Projects Utilizing and Not Utilizing TIF Funding</b>						
<b>Total</b>				<b>2,439 res units; 1,091,450 square feet retail; 30,000 square feet office</b>	<b>\$456,424,657</b>	<b>\$42,372,000</b>
<p><sup>1</sup> All information updated as of September 30, 2011.</p> <p><sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.</p> <p><sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.</p> <p><sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown.</p> <p><sup>5</sup> Selected significant projects included.</p> <p><sup>6</sup> Tax-exempt property. Amount shown is approximate investment in improvements.</p> <p><sup>7</sup> Includes other incentives not shown. Contact City of Dallas Office of Economic Development for more information.</p>						

In addition to TIF incentives, there have been other public funding commitments in support of the Lake Highlands Town Center (LHTC) project as shown in the District Initiatives table below. A unique partnership has been formed with Prescott and representatives from the City, Dallas County, DART, and the North Central Texas Council of Governments (NCTCOG) as a result of the interdependent layering of funding for infrastructure and public improvements requiring on-going coordination in support of the LHTC. The lessons learned can serve as a model for future interagency cooperation with the private sector in furthering transit-oriented development (TOD).

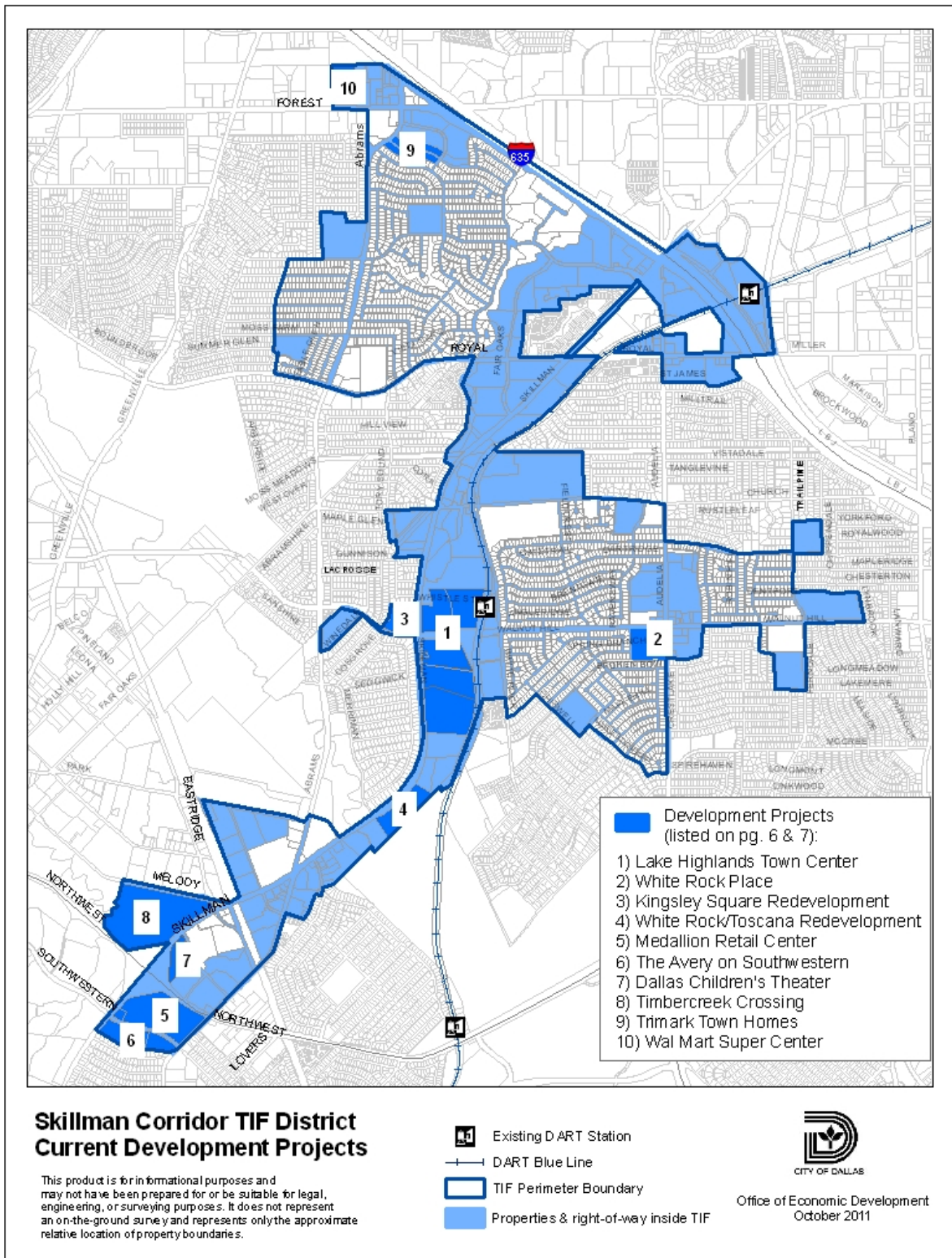
In June 2010, the North Central Texas Council of Governments (NCTCOG) Regional Transportation Council (RTC) awarded funding for two Sustainable Development (SD) Projects in the Skillman Corridor TIF District including the "LBJ/Skillman Urban Planning Initiative" (planning study) and The "Lake Highlands TOD Multimodal Connectivity Project" (infrastructure project).

The LBJ/Skillman Urban Planning Initiative will include evaluating the best land use and development mix in the LBJ/Skillman DART Station area and strategies to encourage transit-oriented development (TOD) and supporting pedestrian/bike improvements. The NCTCOG staff will manage the consultant selection process for the study with representation from the City and during the study there will be a project review committee that may include community representatives. In August 2009, the Skillman TIF Board approved a pledge of TIF funding in the amount of \$25,000 as matching funds for the project. NCTCOG funding includes \$100,000 with a required local 20% match of \$25,000 for a total study amount of \$125,000. During FY 2011, the scope was finalized and an interlocal agreement between the City and NCTCOG was approved by City Council. The consultant selection process is anticipated to begin in late 2011.

The "Lake Highlands TOD Multimodal Connectivity Project, with Dallas County and Prescott Realty Group as partners, was selected for funding as an infrastructure project totaling \$3,243,000 to expand the hike and bike trail south from the LHTC to the existing White Rock Creek Trail (at Skillman Street, north of Abrams Road). The scope also includes intersection improvements for Walnut Hill Lane and Skillman Street. Dallas County and Prescott will provide the 20% local match (estimated at \$648,000) and Dallas County will advance the remaining project costs and request 80% reimbursement by the NCTCOG. During FY 11 staff coordinated with the NCTCOG on preparations for an interlocal agreement and clarifications on contracting procedures. Contracting is anticipated to begin in late 2011.

<b>District Initiatives – Other Public Support for LHTC</b>				
<b>Activity</b>	<b>Scope</b>	<b>Status</b>	<b>Investment</b>	<b>Source</b>
<b>New DART Light Rail Station – Skillman St./Walnut Hill Ln.</b>	Along the existing DART Blue Transit Line, a new station will be added on the northeast side.	Funding approved by DART Board in October 2006. Station opened Dec. 2010.	\$10,000,000	DART
<b>City 2006 Bond Funds – Proposition Eight</b>	Public infrastructure support for a transit-oriented development at Skillman St/Walnut Hill Ln.	Council authorized bond sale and a Chapter 380 grant agreement in 2007. Infrastructure improvements completed 2010.	\$4,677,282	2006 City Bond Program
<b>Dallas County Major Capital Improvement Program (MCIP)</b>	Funding in support of the LHTC for transportation infrastructure including bridge over Jackson Creek, collector streets, and pedestrian improvements.	Initial funding pledged in May 2007. A project specific agreement was approved by Commissioners Court in May 2008. Improvements completed in 2010.	\$3,421,846	Dallas County MCIP Fund 196, Project 8201
<b>North Central Texas Council of Governments (NCTCOG) with DART local funding exchange.</b>	Traffic and median improvements, collector streets, and pedestrian access and transit related improvements.	NCTCOG Regional Transportation Council (RTC) approved Oct. 2007. Interlocal agreement with City executed May 2008. Construction completed in 2010.	\$5,150,000 \$1,287,500	NCTCOG/RTC  Local Match – Private ( <i>eligible for TIF reimbursement</i> )
<b>Regional Transportation Council (RTC) 2009-10 Sustainable Development Program – Lake Highlands TOD Multimodal Connectivity Project</b>	Hike/bike trail extending from south end of Lake Highland Town Center Trail into the White Rock Creek Trail near Skillman Street. Skillman/Walnut Hill intersection improvements including second left hand turn land at west bound Walnut Hill onto Skillman and pedestrian improvements.	<i>Funding approved.</i> Project selected by the RTC in June 2010. City Council authorized resolution of support for the project August 2010.  Interlocal agreement and contracting to begin late 2011.	\$3,467,778 total includes: \$2,774,222 \$693,556	RTC funds  Local match from private source and Dallas County Major Capital Improvement Program (MCIP) funds.
<b>Regional Transportation Council (RTC) 2009-10 Sustainable Development Program – LBJ/Skillman Urban Planning Initiative</b>	Planning study to determine future land use, development scenarios, and zoning to facilitate transit oriented development (TOD) near the LBJ/Skillman DART Station area, potential pedestrian and transit linkages, and opportunities for new trails and open spaces.	<i>Funding approved.</i> Project selected by the RTC in June 2010. City Council authorized resolution of support for the project August 2010.  Interlocal agreement approved August 2011 and consultant selection late 2011.	\$125,000 total includes: \$100,000 \$25,000	RTC funds  Local match from Skillman Corridor TIF Fund
<b>Total Investment</b>			<b>\$28,129,406</b>	

# TIF District Development Project Map



## Value and Increment Revenue Summary

The Skillman Corridor TIF District's assessed 2011 City taxable value was \$412,987,631 and varies for other taxing jurisdictions due to exemption levels. This represents an increase of \$77,030,320 or 22.9% over the base year (2005) value and a 3% increase over last year's final value. The TIF District anticipates collecting approximately \$653,489 in incremental tax revenue for tax year 2011. The anticipated RISD portion totals \$28,701 and 30% or \$8,610 will be earmarked for the RISD Facility Improvements TIF budget line item pursuant to RISD's interlocal agreement with the City. The positive increase in the District's tax base can be attributed on an approximate percentage basis to added value of new construction (68% of the increase), major property transactions including sites under development (16%), and appreciating property values (15%) in the District.

## Objectives, Programs, and Success Indicators

Among the goals of the Plan are:

- To create additional taxable value attributed to new private investment in projects in the Skillman Corridor TIF District totaling approximately \$592 million.  
*Over \$456 million in new investment is completed, underway or planned (77% of the goal).*



White Rock Place redevelopment – currently vacant retail space (above) and plan for residential conversion and consolidation of viable retail spaces (right).

### MASTER PLAN



BERKENBILE  
LANDSCAPE ARCHITECTS

WHITE ROCK PLACE -  
LANDSCAPE ARCHITECTS



- To attract new private development in the Skillman Corridor TIF District totaling approximately 740,000 square feet of new or upgraded retail space and 6.4 million square feet of new or upgraded residential development including town home, multi-family, and single-family projects.  
*1,091,450 square feet of new and upgraded retail space is completed or underway (exceeding the goal by 47%). Approximately 2,439 residential units are completed, under construction or planned, approximately 2,146,320 square feet (34% of the goal).*



Elevation for LHTC Phase I residential/retail project

- To focus on encouraging the redevelopment of properties on the Skillman Street corridor and the existing DART Light Rail Station at LBJ and Skillman to increase density and provide enhanced urban design for the District.

*The TIF Board adopted a Skillman Corridor TIF District Strategic Implementation Plan to better focus redevelopment activities and TIF expenditures including supporting the Skillman/LBJ Gateway planning effort to promote TOD development at the LBJ/Skillman DART Station area. A NCTCOG Regional Transportation Council (RTC) funded planning study, anticipated to being in 2012, will examine development options and public improvements needed to facilitate TOD development around the LBJ DART station.*

*TXDOT has a preferred alternative for the LBJ Freeway/Skillman/Audelia intersection (incorporating the extensive efforts made by community leaders to present an alternative to an original flyover bridge design) and is now moving forward with the schematic design and environmental document.*

- To maintain the stability of local schools as redevelopment occurs in the housing market.

*In May 2007, the TIF Board adopted "Skillman Corridor TIF District Relocation Assistance/Student Retention Program Guidelines" with substantial input from the Richardson Independent School District (RISD) and Prescott Realty Group as part of negotiating the LHTC development agreement. A concerted effort was made at the start of the LHTC redevelopment to relocate remaining tenants to other apartment complexes within the RISD. Occupancy levels were low at the time and of*

*the 110 unit relocations specifically tracked in August 2007, 78% relocated to another complex in the RISD.*

*Current RISD enrollment data for 2011-12 indicates that overall enrollment for the eleven RISD campuses within the TIF District is up 13.9% compared to the 2006-07 school year when tracking for the potential impact of TIF related redevelopment began. Over the six year period, all elementary schools gained students and only Lake Highlands High School had a 3.3% enrollment decline. Staff and the Board will continue to work with school district representatives to monitor enrollment.*

- To reach ridership at existing and future DART light rail stations in the District averaging over 3,000 riders per weekday by 2015.

*Currently the average daily ridership level is 1,427 at the existing Skillman/LBJ light rail station and 402 at the Lake Highlands light rail station (since the station opened in December 2010 through the September 2011 reporting period). Staff will continue to monitor ridership trends.*

- To improve access and connections to the DART light rail system within the District.

*The new Lake Highlands DART opened December 6, 2010. The new station is the first infill station constructed by DART while DART Rail is in operation. The station area is being incorporated with the development of the Lake Highlands Town Center (LHTC).*



Lake Highlands DART station

- To increase recreational opportunities and improve connections to the City of Dallas trails and open space system in the District.

*The 20 acres of park and trails as part of the LHTC has been completed and was conveyed to the City in March 2011; however, maintenance of the park space will be handled private and/or by the Lake Highlands Public Improvement District (PID). The NCTCOG Regional Transportation Council (RTC) has also approved funding to expand the hike and bike trail south from the LHTC to the existing White Rock Creek Trail (at Skillman, north of Abrams).*



LHTC park land and trail

- To generate approximately \$49.7 million (net present value) in increment over 20 years of collections.

*The District's 2011 total taxable value of \$412,987,631 is approximately 28% behind the original projection of \$577,893,625. The economic downturn has impacted the pace of new construction and existing property values. Current projections show total collections completed by 2029.*

- To diversify retail and commercial uses in the District.

*Upgrades were made at the Kingsley Square and Medallion Center. A Wal Mart Supercenter was completed in 2008 and the Timbercreek Crossing development had Wal Mart/Sam's Club and J.C. Penney anchor openings this year.*



Timbercreek Crossing – anchor stores opened and remaining construction is underway.

## Year-End Summary of Meetings

The Skillman Corridor TIF District Board of Directors met five times during the fiscal year from October 1, 2010 to September 30, 2011. The Board approved and forwarded seven items to City Council.

The Board can consist of up to ten members, including six City of Dallas appointees, one Dallas Independent School District appointee, one Richardson School District appointee, one Dallas County appointee, one Dallas County Hospital District appointee and Dallas County Community College District has waived their right to an appointment. During FY 2011 the Board members were (FY 2011 Board meetings attended): Alan Walne, Chair – City Representative (5 of 5 meetings), James Frye – City Representative (4 of 5 meetings), Robb Stewart – City Representative (5 of 5 meetings), Marcus Valerin (5 of 5 meetings), Rick Loessberg – Dallas County Representative (1 of 5 meetings), Orlando Alameda – DISD Representative (4 of 5 meetings), and Luke Davis – RISD Representative (4 of 5 meetings). There were two City positions (Donna Halstead, Vice Chair resigned at the beginning of FY 2011) and one Hospital District position vacant.

During the fiscal year, the City Council approved nineteen items associated with development projects or public initiatives in the Skillman Corridor TIF District:

- On January 12, 2011, the City Council held a public hearing and passed Ordinance Number 28094 granting an amendment to the conditions for Planned Development District No. 742 for RR Regional Retail District Uses and Multifamily uses at the north corner of Northwest Highway and Skillman Street Recommendation of Staff and CPC: Approval, subject to conditions Z090-214(RB).
- On February 23, 2011, the City Council passed Resolution Number 11-0533 accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On March 9, 2011, the City Council passed Ordinance Number 28149 amending the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District) to: (1) modify the TIF Project Plan budget to reflect Economic Development Grants as an eligible item; and (2) authorize an amendment to Ordinance No. 26534, previously approved on December 13, 2006, to reflect this modification.

- On March 9, 2011, the City Council passed Resolution Number 11-0695 authorizing the establishment of the City of Dallas Skillman Corridor TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Skillman Corridor TIF District.
- On March 9, 2011, the City Council passed Resolution Number 11-0696 authorizing (1) a development agreement with Audelia WGK, LLC to dedicate future TIF revenues for an economic development grant and other eligible project costs related to the White Rock Place development located at the southwest corner of Walnut Hill Lane and Audelia Road in Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District); and (2) the Skillman Corridor TIF District Board of Directors to dedicate a principal amount not to exceed \$1,915,000 plus an additional grant in lieu of interest for a maximum incentive not to exceed.
- On March 9, 2011, the City Council passed Resolution Number 11-0697 declaring the intent of Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) to reimburse Audelia WGK, LLC a principal amount not to exceed \$1,915,000 plus an additional grant in lieu of interest for a maximum incentive not to exceed \$2,372,000 for certain TIF-eligible project costs related to the White Rock Place development located at the southwest corner of Walnut Hill Lane and Audelia Road in the Skillman Corridor TIF District.
- On April 13, 2011, the City Council passed Resolution Number 11-0931 authorizing (1) a contract with The Fain Group, Inc., lowest responsible bidder of nine, for the construction of Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station in an amount not to exceed \$3,945,824; (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$2,425,112; and (3) an increase in appropriations in the amount of \$2,425,112 in the Capital Projects Reimbursement Fund - Total not to exceed \$3,945,824 - Financing: 2003 Bond Funds (\$1,520,713) and Capital Projects Reimbursement Funds (\$2,425,112).
- On April 13, 2011, the City Council passed Resolution Number 11-0932 authorizing payment to the Texas Department of Transportation for the City's share of engineering and contingency costs for Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station - Not to exceed \$151,333 - Financing: 2003 Bond Funds.
- On April 13, 2011, the City Council passed Resolution Number 11-0933 authorizing license agreements with Dallas Area Rapid Transit and Oncor for the

use of their rights-of-way to construct and maintain the proposed Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station - Financing: No cost consideration to the City

- On April 13, 2011, the City Council passed Resolution Number 11-1153 authorizing an amendment to Resolution No. 06-1483, previously approved on May 24, 2006, to modify the By-Laws for Tax Increment Financing Zone Number Fourteen (Skillman Corridor TIF District) to: (1) provide for a position on the Design Review Committee for a representative of the Lake Highlands Public Improvement District and any additional public improvement districts that may be established within the TIF District boundary in the future; (2) acknowledge Dallas County Hospital District's waiver of their appointee to the Skillman Corridor TIF District Board of Directors and to increase the number of City Council appointed Board of Directors from five to six; and (3) approve the corresponding changes to the By-Laws of the Skillman Corridor TIF District Board of Directors.
- On June 22, 2011, the City Council passed Resolution Number 11-1695 authorizing a professional services contract with Bridgefarmer and Associates, Inc. for the preliminary engineering design of bridge, paving and drainage improvements for the LBJ Freeway at Skillman Street interchange planned improvements - Not to exceed \$323,127 - Financing: 2003 Bond Funds.
- On June 22, 2011, the City Council passed Resolution Number 11-1696 authorizing a Local Project Advance Funding Agreement with the Texas Department of Transportation for voluntary engineering design services for the LBJ Freeway at Skillman Street interchange planned improvements.
- On June 22, 2011, the City Council passed Resolution Number 11-1744 authorizing an amendment to the development agreement with PC LH Land Partners, LP for the development of the Lake Highlands Town Center, previously approved on June 13, 2007, by Resolution No. 07-1739 and 07-1740, in Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) to: (1) change TIF funding dedication of future TIF revenues from \$23,000,000 to a maximum of \$40,000,000; (2) require that a third party consultant acceptable to the City be engaged to complete an analysis and recommendations for the physical and economic elements of the development plan; (3) allow a portion of the TIF funding as an economic development grant; (4) allow a portion of the TIF District's available cash up to \$1,370,000 to be released toward reimbursement of completed infrastructure; (5) extend project completion deadlines; (6) restructure minimum square footage and investment requirements for a Phase I and Future Phases; and (7) change the method of reimbursement to reflect the district's Increment Allocation policy as amended by the Skillman Corridor TIF District Board of Directors on June 1, 2011 - Not to exceed \$40,000,000 - Financing: Skillman Corridor TIF District Funds.

- On June 22, 2011, the City Council passed Resolution Number 11-1745 declaring the intent of Tax Increment Financing District Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) to reimburse PC LH Land Partners, LP in an amount not to exceed \$40,000,000 for TIF-eligible project costs pursuant to the development agreement with PC LH Land Partners, LP.
- On August 10, 2011, the City Council passed Resolution Number 11-1996 Authorize Supplemental Agreement No. 1 to the professional services contract with Dunkin, Sims, Stoffels, Inc. for schematic design through construction administration services for the proposed Lake Highlands Trail crossing at Audelia Road and an on street bike lane on White Rock Trail, including traffic/trail signage, median modifications, street markings, a new traffic signal on Audelia Road at the trail crossing and traffic control plans, located at the Oncor utility right-of-way from Ferndale Road to White Rock Trail - Not to exceed \$48,850, from \$34,110 to \$82,960 - Financing: 2006 Bond Funds.
- On August 24, 2011, the City Council passed Resolution Number 11-2234 authorizing (1) an Interlocal Agreement with the North Central Texas Council of Governments (NCTCOG), detailing project roles and responsibilities for a Sustainable Development Grant Program grant in the amount of \$100,000 in RTC local funds to be administered by NCTCOG, for the Skillman/LBJ Urban Planning Initiative Study; and (2) transfer of funds to NCTCOG from the Skillman Corridor TIF in the amount of \$25,000 serving as a local match, and return of any unused local match fund balance to the Skillman Corridor TIF - Not to exceed \$25,000 - Financing: Skillman Corridor TIF District Funds.
- On September 14, 2011, the City Council held a public hearing and passed Ordinance Number 28370 changing the name of Impala Lane between Skillman Street on the northwest and Quality Lane on the southeast, to Theater Way (*related to Dallas Children's Theater*).
- On September 28, 2011, the City Council passed Resolution Number 11-2568 authorizing (1) a development agreement with Richardson Independent School District (RISD) to provide reimbursement pursuant to the Interlocal Agreement between the City and RISD for the design, engineering, professional services and construction of stadium facility improvements for the Lake Highlands High School located at 9449 Church Road; and (2) the Skillman Corridor TIF District Board of Directors to dedicate up to \$5,000,000 from future Skillman Corridor TIF District revenues in accordance with the development agreement - Not to exceed \$5,000,000 - Financing: Skillman Corridor TIF District Funds.
- On September 28, 2011, the City Council passed Resolution Number 11-2569 declaring the intent of Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) to reimburse RISD up to \$5,000,000 for certain TIF-eligible project costs related to stadium facility improvements for the

Lake Highlands High School located at 9449 Church Road in the Skillman Corridor TIF District.

## Pending TIF Items

- Consideration of the FY 2011 TIF District Annual Report and a recommendation to the City Council for approval.
- Review and approve amendments to the District's By-Laws related to TIF Board representation and the design review function.
- Review and approve overall TIF District design guidelines.



LHTC amphitheater gathering space. The first special event, Lake Highlands Oktoberfest was being planned at the end of FY 2011.



## Budget and Spending Status

Each TIF District establishes a budget for the public improvement expenditures necessary to support private investment in the district in the Project Plan and Reinvestment Zone Financing Plan. The current TIF District budget is shown below:

<b>Skillman Corridor TIF District Projected Increment Revenue to Retire TIF Fund Obligations</b>			
Category	TIF Budget <sup>1</sup>	Allocated <sup>2</sup>	Balance
<b>Skillman/Walnut Hill TOD Town Center:</b> environmental remediation, interior/exterior demolition, street & utility improvements, streetscape, land acquisition, park/plaza design & acquisition, and economic development grants	\$44,801,465	\$40,000,000	\$4,801,465
<b>Other Skillman Corridor Improvements:</b> environmental remediation, interior/exterior demolition, street & utility improvements, streetscape, land acquisition, park/plaza design & acquisition, and economic development grants	\$53,232,663	\$2,372,000	\$50,860,663
<b>Relocation Assistance/Student Retention</b>	\$1,000,000	\$0	\$1,000,000
<b>RISD Facility Improvements</b>	\$5,000,000	\$0	\$5,000,000
<b>Administration and implementation<sup>3</sup></b>	\$5,941,668	\$240,790	\$5,780,293
<b>Total Project Costs</b>	<b>\$109,975,796</b>	<b>\$42,612,790</b>	<b>\$67,363,006</b>
<p><small>1. Budget shown above in total dollars. However, TIF plan shows the budget in net present value. 2. Allocated amount for Other Skillman Corridor category includes a portion as a grant in lieu of interest up to \$457,000; the actual interest accrual may be less. No interest has accrued as of September 30, 2011.</small></p> <p><small>3. TIF administration costs shown are expended or committed through FY 2011. Costs include \$25,000 local match for a NCTCOG grant funded planning study.</small></p>			

<b>Skillman Corridor TIF District Project Plan Budget</b>	
<b>Category</b>	<b>TIF Budget*</b>
<b>Skillman/Walnut Hill TOD Town Center:</b> environmental remediation, interior/exterior demolition, street & utility improvements, streetscape, land acquisition, park/plaza design & acquisition, and economic development grants	\$20,000,000
<b>Other Skillman Corridor Improvements:</b> environmental remediation, interior/exterior demolition, street & utility improvements, streetscape, land acquisition, park/plaza design & acquisition, and economic development grants	\$23,809,003
<b>Relocation Assistance/Student Retention</b>	\$531,833
<b>RISD Facility Improvements</b>	\$2,659,164
<b>Administration and implementation</b>	\$2,684,296
<b>Total</b>	<b>\$49,684,296</b>
* As approved in the Project Plan and Reinvestment Zone Financing Plan (discounted to 2006 dollars).	

<b>Skillman Corridor TIF M/WBE Participation</b>			
<b>Project</b>	<b>Contractor</b>	<b>Total Contract Award Amount</b>	<b>Percentage Minority Participation</b>
LHTC Civil Engineering/Design	Pacheco Koch & TBG Landscape Architects	\$1,225,000	76%
LHTC – Environmental Consulting ( <i>private competitive bidding</i> )	Southwest Geoscience	\$256,365	100%
LHTC – Abatement ( <i>private competitive bidding</i> )	AMX Environmental	\$2,954,777	33%
LHTC – Demolition ( <i>private competitive bidding</i> )	Intercon Demolition	\$1,861,230	21%
LHTC – Geotechnical Services ( <i>private competitive bidding</i> )	Terracon	\$11,500	47%
LHTC – Public Bid (City) Package #1 for dirtwork, storm sewer, sanitary sewer, and retaining wall construction	Walton Construction	\$9,782,947	18%
LHTC – Utilities ( <i>private competitive bidding</i> )	Tri-Dal	\$1,102,291	6%
LHTC – Tree relocation/ test lab	Environmental Design & Terracon	\$567,331	n/a
LHTC – Park/Trail improvements ( <i>private competitive bidding</i> )	Valley Crest	\$2,500,000	35%
<b>City/Private Bid Total</b>		<b>\$20,261,441</b>	<b>\$5,227,256 (25.8%)</b>
<b>Dallas County Public Bid Package – LHTC bridge, roads, streetscape, signals</b>	Austin Bridge and Road, Inc.	<b>\$8,076,506</b>	<b>9%</b>

## FY 2012 Work Program

The FY 2012 work program includes:

- Continue coordination efforts for the LHTC and other development projects.
- Working with Street Works, LLC and Prescott Realty Group on a collaborative process to review the LHTC development plan and consider potential modifications.
- Continue working to support the efforts of the LBJ/Skillman Gateway Plan.
- Staff support for interlocal agreements and implementation of the LBJ/Skillman Urban Planning Initiative and Lake Highlands TOD Multimodal Connectivity projects selected for funding by the North Central Texas Council of Governments (NCTCOG).
- Monitor the impact of redevelopment on RISD student enrollment.
- Working to improve connections to the City of Dallas trails and open space system in the District.
- Investigate additional sources of funding for the District.
- Update By-Laws for the District to reflect changes in Board composition and design

**ONE DISTRICT, TWO NEIGHBORHOODS**  
*We see a district with two neighborhoods both mixed and multiple use where appropriate*

- There are two separate mixed use neighborhoods, one around the DART station and the other around the water feature. Together they make up a new TOD (Transit oriented DISTRICT). So the LHTC is actually two mixed use neighborhoods connected carefully to create one new urban focused District.
- The market is the key retail component of a merchandising program; it should be located as close as possible to where the two mixed use neighborhoods connect. It should be within a walkable distance from each neighborhood.
- The market should come on line first along with service retail and one residential building in each neighborhood.

**Neighborhood 1**

- Multi-Use / Mixed-Use
- Higher Density
- Residential in neighborhood (1) is all four-story or higher over one story of street retail, where appropriate
- Residential product is all multi-family
- This neighborhood built around the DART, is primarily residential and medical office with service & convenience retail

**Neighborhood 2**

- Mixed-Use / Multi-Use
- Medium Density
- Residential in neighborhood (2) is all four-story or less over retail, it can be multi-family or townhouses
- Neighborhood 2 is built around the open space and water feature is residentially driven but with a majority of entertainment, food, service & market retail, all at the street.

Street-Works AuthenticITY

10

OUR OBSERVATIONS & THOUGHTS  
 Lake Highlands, Texas - May 20, 2011

An initial recommendation from Street Works, LLC for the LHTC is to consider the site as one district comprised of two neighborhoods of distinctly different character.

## Appendix A – Financials

City of Dallas, Texas

Skillman Corridor Tax Increment Financing District Fund

Reinvestment Zone Number Fourteen

As of September 30, 2011

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

	\$13,651 Interest Income
	\$490,156 Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Certified Tax Roll)
	\$503,807 Total Revenue

**2. Amount and purpose of expenditures from the fund:**

	\$88,943 Administrative Expense
	\$136,578 Non-Capital outlay (1)
	\$1,370,000 Capital outlay (2)
	\$0 Interest and fiscal charges
	\$1,595,521 Total Expenditures

(1) These expenditures were for the following projects:

COG Skillman/LBJ Urban Planning Study	\$25,000.00
Partial Reimbursement for RISD Public Imp.	\$111,578.00
Total	\$136,578.00

(2) Capital outlay was a partial reimbursement of expenditures incurred by the developer for the Lake Highland Town Center project in accordance with the terms of the development agreement.

3. The Zone began reimbursing the General Fund for administrative costs in fiscal year 2008-09.

**4. a. Amount of Principal and Interest due-on outstanding indebtedness:**

None.

b. The Zone entered into a development agreement; as amended, with PC LH Land Partners, LP for the "Lake Highland Town Center" development in the TIF in an amount not to exceed \$40,000,000 and began reimbursing the developer in fiscal year 2011. The Zone also entered into a development agreement with Audelia WGK, LLC for the White Rock Place redevelopment in an amount not to exceed \$2,372,000 with anticipated completion by December 31, 2013 and reimbursement to begin thereafter.

5. Tax increment base and current captured appraised value retained by the zone:

Taxing Jurisdiction	Taxable Value 2011*	Base Year 2005 Value	Est. Captured Value 2011**
City of Dallas	\$412,987,631	\$335,957,311	\$77,030,320
Dallas County	\$412,904,127	\$335,909,087	\$76,995,040
Richardson School District # 1 (INS)	\$245,028,285	\$235,461,409	\$9,566,876
Richardson School District # 2 (Operating)	\$0	\$0	\$0
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*Taxable value shown for participating taxing jurisdictions. County & RISD #1 values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2012.

6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100***	Amount of Estimated 2010 Increment***
City of Dallas	0.67745	\$521,842
Dallas County	0.13371	\$102,946
Richardson Independent School District # 1 (INS)	0.30000	\$28,701
Richardson Independent School District # 2 (Operating)	0.75000	\$0
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
<b>Total for all Jurisdictions</b>	<b>\$1.86115</b>	<b>\$653,489</b>

\*\*\*Participation rate for City of Dallas is 85% for tax years 2008 - 2025.

\*\*\*Participation rate for Dallas County is 55% for tax years 2008 - 2023.

Richardson Independent School District(RISD) participates at the rate of 16.48%(debt service portion only) for tax years 2008 - 2021. 30% or \$8,610 of the anticipated 2011 RISD increment of \$28,701 will be earmarked for the RISD Facility Improvements TIF budget line item pursuant to RISD's interlocal agreement with the City of Dallas.

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$653,489. For the 2010 tax year, the Zone collected \$490,156 in increment.

City of Dallas, Texas  
 Skillman Corridor Tax Increment Financing District Fund  
 Balance Sheet as of September 30, 2011 (Unaudited)  
 With Comparative Totals for September 30, 2010, 2009, 2008 and 2007

	2011	2010	2009	2008	2007
<b>Assets:</b>					
Pooled cash and cash equivalents	\$1,970,137	\$1,553,255	\$936,684	\$0	\$0
Interest receivable	\$6,080	\$8,097	\$5,091	\$0	\$0
<b>Total assets</b>	<b>\$1,976,217</b>	<b>\$1,561,353</b>	<b>\$941,776</b>	<b>\$0</b>	<b>\$0</b>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$1,506,578	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0	\$0
Accrued interest	\$0	\$0	\$0	\$0	\$0
Due to general fund	\$0	\$0	\$57,155	\$57,155	\$31,688
<b>Total liabilities</b>	<b>\$1,506,578</b>	<b>\$0</b>	<b>\$57,155</b>	<b>\$57,155</b>	<b>\$31,688</b>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	\$469,639	\$1,561,353	\$884,621	(\$57,155)	(\$31,688)
<b>Total Liabilities and Fund Equity</b>	<b>\$1,976,217</b>	<b>\$1,561,353</b>	<b>\$941,776</b>	<b>\$0</b>	<b>\$0</b>
	\$0	\$0	\$0	\$0	\$0

Skillman Corridor Tax Increment Financing District Fund  
 Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
 For the Period September 30, 2010 (Unaudited)  
 With Comparative Totals for September 30, 2010, 2009, 2008 and 2007

	ITD	2011	2010	2009	2008	2007
<b>Revenues:</b>						
Tax increment-Governmental	\$1,510,785	\$382,176	\$486,957	\$641,652	\$0	\$0
Tax increment-Intergovernmental	\$640,847	\$107,980	\$212,659	\$320,209	\$0	\$0
Interest income	\$35,051	\$11,818	\$15,903	\$7,330	\$0	\$0
Grant from City	\$0	\$0	\$0	\$0	\$0	\$0
Net increase (decrease) in fair value of investments	\$5,324	\$1,833	(\$4,946)	\$8,437	\$0	\$0
<b>Total revenues</b>	<b>\$2,192,007</b>	<b>\$503,807</b>	<b>\$710,573</b>	<b>\$977,627</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures:</b>						
Administrative expenses	\$215,790	\$88,943	\$33,841	\$35,851	\$25,467	\$31,688
Non-Capital Outlay	\$136,578	\$136,578	\$0	\$0	\$0	\$0
Capital outlay	\$1,370,000	\$1,370,000	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total expenditures</b>	<b>\$1,722,368</b>	<b>\$1,595,521</b>	<b>\$33,841</b>	<b>\$35,851</b>	<b>\$25,467</b>	<b>\$31,688</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>\$469,639</b>	<b>(\$1,091,713)</b>	<b>\$676,732</b>	<b>\$941,776</b>	<b>(\$25,467)</b>	<b>(\$31,688)</b>
<b>Fund balance (Deficit) at beginning of year as previously reported</b>						
	\$0	\$1,561,353	\$884,621	(\$57,155)	(\$31,688)	\$0
<b>Fund balance (Deficit) at beginning of year, as restated</b>						
	\$0	\$1,561,353	\$884,621	(\$57,155)	(\$31,688)	\$0
<b>Fund balance (deficit) at end of year</b>	<b>\$469,639</b>	<b>\$469,639</b>	<b>\$1,561,353</b>	<b>\$884,621</b>	<b>(\$57,155)</b>	<b>(\$31,688)</b>

Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.

City of Dallas, Texas  
Skillman Corridor Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
3. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
4. The Zone's Financial Plan permits expenditures not to exceed \$5,941,668 over the life of the TIF to reimburse the City for administrative costs. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 3, 6  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 43 V Y Z & 44 Q V

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as to the State Comptroller. The City Council approved Ordinance No. 26798 on June 13, 2007, as amended, establishing Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District). On March 26, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 27129, as amended.

The Fort Worth Avenue TIF District's assessed tax value in 2011 was \$108,937,115. This represents an increase of \$22.8 million (26.5%) over the assessed value of the base year (2007) value and \$5.8 million (5.7%) over the total for the previous year. With the participation of the City and Dallas County, this increase will result in the collection of approximately \$157,698 total in incremental revenue for the Fort Worth Avenue TIF District for the 2011 tax year.

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

On June 13, 2007, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Fifteen, the Fort Worth Avenue TIF District by Ordinance No. 26798.

On March 26, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Fort Worth Avenue TIF District by Ordinance No. 27129, as amended.

On November 22, 2011, the Fort Worth Avenue TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 3, 2012, a memo was submitted to the Economic Development Committee regarding all 17 of the City's FY 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Fifteen, ("Fort Worth Avenue TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Fort Worth Avenue area pursuant to Ordinance No. 26798, authorized by the City Council on June 13, 2007, as amended, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on March 26, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Fort Worth Avenue TIF District by Ordinance No. 27129, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on November 22, 2011, the Fort Worth Avenue TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Fifteen and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Fifteen to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the district and to the state comptroller, as required by state law.

**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.

# Fort Worth Avenue TIF District FY 2011 Annual Report



The historic Belmont Hotel



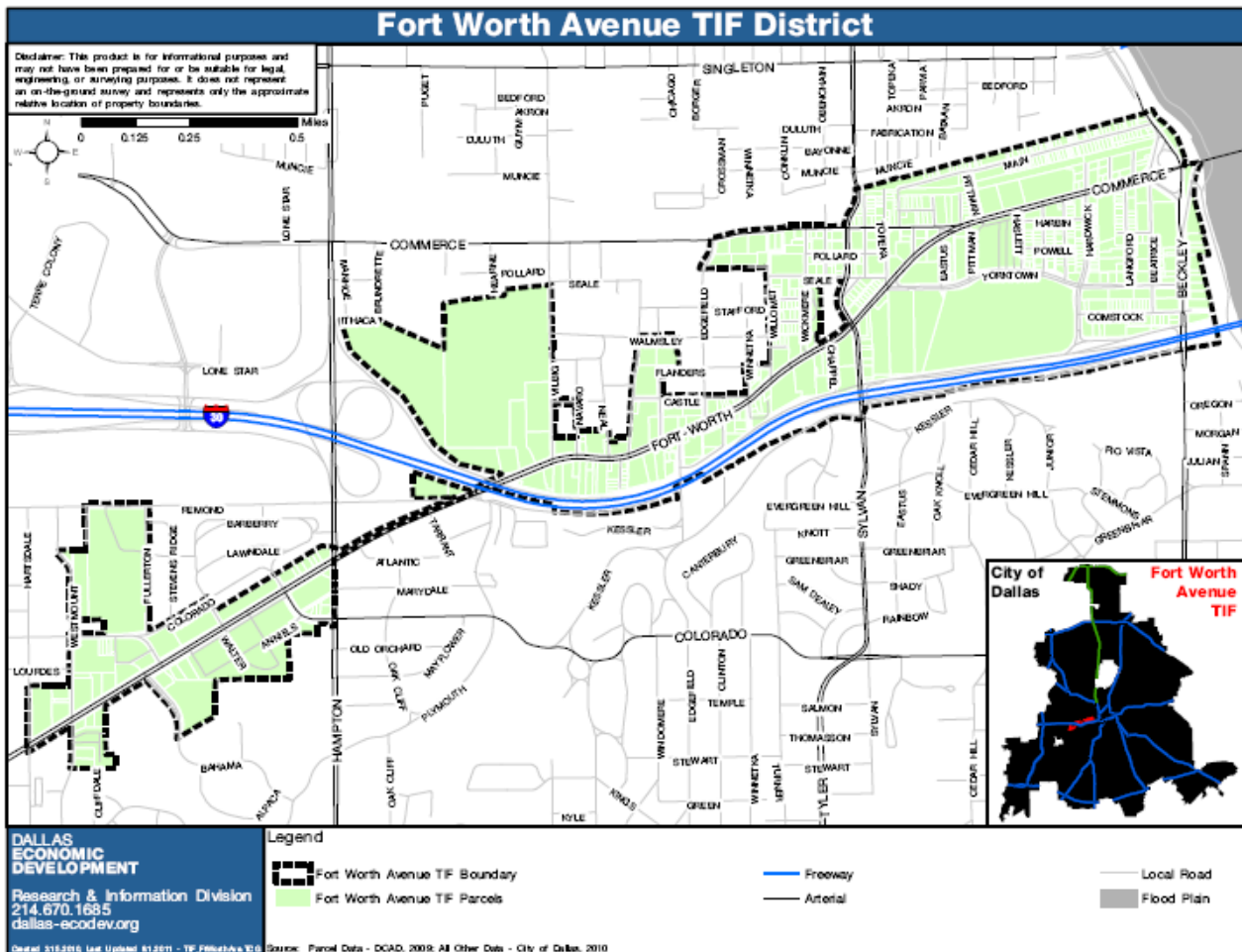
**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-4551

[www.dallas-ecodev.org/redevelopment](http://www.dallas-ecodev.org/redevelopment)

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Fifteen Fort Worth Avenue Tax Increment Financing District



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## Mission Statement

The mission of the Fort Worth Avenue TIF District is to provide a source of funding for public infrastructure improvements necessary to enhance the real estate market for the Fort Worth Avenue TIF District area. The Fort Worth Avenue TIF District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping urban corridors to take full advantage of the Trinity River project, the signature Santiago Calatrava bridges, and the undeveloped/underdeveloped land parcels near downtown Dallas.

The Fort Worth Avenue TIF District was proposed in April 2007 to assist the creation of a more sustainable mix of rental and for-sale residential property in the Fort Worth Avenue area. This shift will help to encourage the creation of more owner-occupied residential units and mixed-use development, the removal and redevelopment of structurally obsolete apartment complexes and retail centers, and the facilitation of necessary environmental remediation and redevelopment of the property near the Trinity River and downtown Dallas, as well as better trail and recreational connections.

The Dallas City Council established the Fort Worth Avenue TIF District by Ordinance Number 26798 on June 13, 2007. The Fort Worth Avenue District began to collect funds on January 1, 2008, and it is scheduled to terminate on December 31, 2029 (including collection of the 2029 increment in calendar year 2030 and any related matters to be concluded in 2030) or when the budget of \$69.4 million (2008 dollars) has been collected. The City of Dallas and Dallas County are the two participating jurisdictions. The City's participation essentially follows a bell curve, beginning with 0 percent in 2008. It increases to 55 percent in 2009 and 2010, then 70 percent in 2011 through 2013, then 85 percent for 2014 through 2020. It then decreases to 70 percent for 2021 and 2022 and decreases to 55 percent thereafter. The County's participation was 0% in 2008 and increased to 55% in 2009 and thereafter.

## District Accomplishments

The Fort Worth Avenue TIF District is generally bounded by commercial and multi-family residential properties along the Fort Worth Avenue corridor between the Trinity River and Hartsdale Avenue. The district encompasses underutilized and/or deteriorated commercial, industrial, residential, and multi-family residential properties along the Fort Worth Avenue corridor. The district contains a mix of uses, primarily composed of existing industrial and commercial structures, vacant and abandoned office structures, surface parking lots, and undeveloped property. Strengths of the district include proximity to downtown and the future Santiago Calatrava bridges, planned transit service improvements, Coombs Creek, and the surrounding stable, single-family neighborhoods.

One project, the Belmont Hotel, was completed adjacent to the district in 2005. Several additional projects have begun or are expected to commence during the first few years of the district:

The first major redevelopment near the district is the Belmont Hotel, immediately adjacent to the district on the north side of Fort Worth Avenue. Originally designed and built in 1946 by architect Charles Dilbeck, the Belmont was completely renovated in late 2005. Total current taxable value: \$2.1 million.



Photo: Options RE



The Haley-Henman Gallery at 2335 Hardwick Street opened September 9, 2007 in a former printing shop. This 3,200-square-foot gallery exhibits the diversity of local and regional artists in various media. Total current taxable value: \$101,690.

McDonald's, at 2747 Fort Worth Avenue, completed construction in 2009. Total current taxable value: \$1,512,230.



Photo: City of Dallas



Photo: City of Dallas

Avalon at Kessler Park (formerly Fairways at La Reunion) is a 198-unit senior living apartment community at the corner of Fort Worth Avenue and Bahama Drive, just west of Hampton Road. Construction was completed in August 2010 for a cost of \$22 million.



Construction at the new Comerica Bank, at 2605 Fort Worth Avenue, was completed in 2010. Total current taxable value: \$1,473,910.



Photo: City of Dallas

Just northwest of the Belmont, the Villas at the Belmont range from \$350,000 to \$800,000 in price. Seven of the 34 Mediterranean style villas are currently planned or under construction, with 4 homes complete. Total estimated value when complete: \$20 million.

Metro Paws Animal Hospital is a 4,700 square foot veterinary clinic planned to start construction in the fall of 2011 directly west of the Belmont on Fort Worth Avenue. Council approved \$116,000 in TIF funding on June 22, 2011. Total estimated construction cost: \$1.3 million.

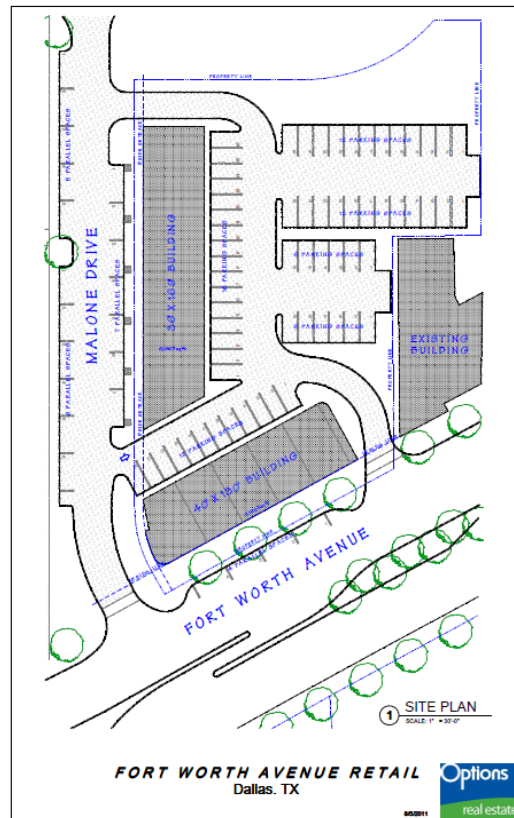


The Collective is a mixed-use development planned on the site of the former Colorado Place Apartments at the northwest and southwest corners of Colorado Boulevard and Fort Worth Avenue. When complete, it will have 326 apartments and 75,000 square feet of commercial and retail space. Total estimated construction cost: \$45 million.



Sylvan|Thirty is planned for the southeast quadrant of the Sylvan Avenue and Fort Worth Avenue intersection. The project is anticipated to contain approximately 200 residential units and 53,800 square feet of retail and restaurant space. Total estimated value when complete: TBD.

Options Real Estate is proposing additional retail space west of the Belmont and Smoke Restaurant. Estimated square footage and total value to be determined.



Rendering: Options RE

In front of the Dallas West Mobile Home Park at 400 West Commerce, Options Real Estate plans several retail and office trailers. The Airstream-style trailers will offer a variety of services and should be open in 2012.

Projects Within the Fort Worth Avenue TIF District Utilizing TIF Funding <sup>1</sup>						
Project	Location	Calendar Year Complete	Status	Units/ SF <sup>2</sup>	Approx. Value <sup>3</sup>	TIF Investment <sup>4</sup>
Metro Paws Animal Hospital	1007 Fort Worth Avenue	2012	Approved	4,700 sf vet clinic	\$1,358,500	\$116,000
The Collective	2201 and 2300 Fort Worth Avenue	Not Set	Planned	326 apartments 75,000 sf retail	\$45 million	TBD
Sylvan Thirty	712-738 Fort Worth Avenue	Not Set	Planned	53,800 sf retail/ rest. 200 apartments	TBD	TBD
<b>Subtotal</b>				<b>526 homes 128,800 sf retail</b>	<b>TBD</b>	<b>TBD</b>

Projects Within the Fort Worth Avenue TIF District Not Utilizing TIF Funding <sup>5</sup>						
Project	Location	Calendar Year Complete	Status	Units/ SF <sup>2</sup>	Approx. Value <sup>3</sup>	Public Investment
Jack's Backyard (former)	510 West Commerce Street	2008	Space available	5,600 sf restaurant 2,800 sf patio	\$359,920	
McDonald's	2747 Fort Worth Ave.	2009	Complete	4,938 restaurant	\$1,512,230	
Comerica Bank	2727 Fort Worth Ave.	2010	Complete	3,600 sf bank	\$1,473,910	
Avalon at Kessler Park <sup>6</sup>	2600 Bahama Drive	2010	Complete	198 apartments	\$22,000,000	
Aldi <sup>6</sup>	2505 Ft Worth Ave.	2011	Complete	16,895 sf retail	\$1,862,000	
The Villas at the Belmont	Fort Worth Avenue & Sylvan Avenue	TBD	Under Construction	34 homes	\$20,000,000	
Retail west of Belmont	919 Fort Worth Avenue	TBD	Planned	TBD retail space	TBD	
Office and retail trailers	400 W. Commerce	2012	Planned	TBD retail/office	TBD	
<b>Subtotal</b>				<b>232 homes 13,368 sf restaurant 20,495+ sf retail</b>	<b>\$47,208,060</b>	<b>\$0</b>

Projects Adjacent to the Fort Worth Avenue TIF <sup>5</sup>						
Project	Location	Calendar Year Complete	Status	Units/ SF <sup>2</sup>	Approx. Value <sup>3</sup>	Public Investment
Belmont Hotel	901 Fort Worth Avenue	2005	Complete	67 hotel rooms	\$2,286,600	\$370,000 PPP Funds & \$359,995 2003 Bond Funds
Smoke	NWC Sylvan Avenue & Fort Worth Avenue	2007	Complete	5,750 SF restaurant		
<b>Total</b>				<b>5,750 sf retail 67 hotel rooms</b>	<b>\$2,286,600 (DCAD 2011)</b>	<b>\$729,995</b>

<sup>1</sup> All information updated as of September 30, 2011.  
<sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.  
<sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed).  
<sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown.  
<sup>5</sup> Selected significant projects included. The retail west of the Belmont is part of a project previously called Dilbeck Court, which received public infrastructure assistance as one large project.  
<sup>6</sup> The development agreements for the La Reunion projects were terminated during the fiscal year. TIF award was contingent on completion of components of project including construction of Courtyards at La Reunion and fulfillment of affordable housing requirements. The deadlines for these and other requirements passed without progress.

The City and community partners have initiatives in and adjacent to the district that began in FY 2011 or have been ongoing. Together, over \$23 million in bond funding, grant funding, and private funds will be spent for these projects. They will help to support new mixed-use development, to create a vibrant neighborhood in the Fort Worth Avenue corridor, and to increase recreational opportunities and connections to the Trinity River Corridor and downtown.

The **Coombs Creek Trail** will connect Stevens Park, the Stevens Park Golf Course, future development near Colorado Boulevard, and the southern edge of the district to the Trinity River and the Katy Trail. Phase I, from Beckley Avenue to Sylvan Avenue, was completed in March, 2009. The design contract for Phase II, from Sylvan Avenue to Stevens Golf Course was awarded June 10, 2009, and this phase of the trail was completed in September 2010. The potential alignment for Phase III, to run through the Stevens Golf Course tennis area, is currently being studied.



Photos: City of Dallas

The **Trinity Overlook**, a pavilion and observation deck, completed construction at the Trinity Lakes near the southeast corner of the intersection of Beckley Avenue and West Commerce Street, just east of the district, on October 29, 2008. This project was built with \$248,815 in 1998 bond funds and a \$100,000 donation from MetLife Foundation.



Trinity Overlook – complete

Photo: City of Dallas

The **West Dallas Signature** project was selected for funding through the North Central Texas Council of Governments (NCTCOG)'s Regional Transportation Council's Sustainable Development Program Call for Projects. This planning project will use the standards and goals established in the West Dallas Urban Structure and Guidelines to create a redevelopment and investment strategy to prioritize capital improvement projects in the West Dallas area. The project area is bounded by Singleton Boulevard to the north, the Trinity River levee to the east, Interstate 30 to the south, and Sylvan Avenue to the west.

In 2009 the Park Department began design for an \$8 million renovation of the **Stevens Park Golf Course**, adjacent to the district. Renovation plans include 1) erosion control for Coombs Creek, 2) renovation of the golf course to include drainage, bridge construction, cart paths, etc. 3) irrigation improvements 4) construction of a maintenance facility. The golf course will re-open in October 2011.

In addition to these projects, the City's Public Works and Transportation Department is working on a new design for the **North Beckley Avenue and West Commerce Street intersection**. This \$4.75 million project will help to relieve future congestion on North Beckley Avenue, improves pedestrian and bicycle access to the Trinity River Corridor, and includes upgraded storm sewer, water and sanitary sewer systems, wider sidewalks, street trees, street furniture, bike lanes, and pedestrian lighting. In addition, the project will reuse stormwater runoff for irrigation purposes.

Deedie and Rusty Rose have given \$2 million, part of their \$5 million donation to the Trinity Trust, to found the **Dallas CityDesign Studio** at City Hall. The studio works closely with those involved in the Trinity River Corridor Project, including developers, businesses, residents, and other city departments, to enhance urban design in the corridor. Architect and planner Brent Brown is the director, and urban planner Larry Beasley, known for his work in downtown Vancouver, is a special advisor.

Conceptual design work continues for the **Fort Worth Avenue Streetscape** project. This project entails designing a complete street from Beckley Avenue to Westmoreland Road and includes design for wide sidewalks, street trees, on-street parking, bike lanes, and new medians. Engineering design and construction funding will be requested in a future bond program.

District Initiatives				
Activity	Scope	Status	Investment	Source
<b>Coombs Creek Trail</b>	To create a hike, bike, and jogging trail system along the course of Coombs Creek as it winds west of downtown. Phases I-III will run from Beckley Avenue through the Stevens Golf Course tennis area to Hampton Road. Phase IV will connect Beckley Avenue to the Trinity Levee Trail	<i>Underway.</i> Phase I: Design began in June 2006 Construction completed March 2009. Phase II: Design began July 2009. Construction completed. September 2010. Phase III: Alignment feasibility study began July 2009. Phase IV: Timing contingent on the Calatrava bridge schedule.	Cost to date:  Phase I (total): \$394,896 Phase II ( total): \$541,917 Phase III (design) \$20,020 (construction: \$1,500,000) Phase IV (design and construction) \$1,000,000	2003 and 2006 Bond Programs for Phases I and II. Phase III and IV design and construction funding will be requested on a future bond program.
<b>Trinity Overlook</b>	Pavilion and observation deck at the southeast corner of Beckley Avenue and West Commerce Street near the Trinity Lakes	<i>Complete.</i> Construction started July 2008 and completed in October 2008.	\$168,334	1998 bond funds
			\$100,000	MetLife Foundation via the Trust for Public Land
<b>West Dallas Signature Project</b>	Transit planning project	<i>Under way.</i> NCTCOG has begun procurement of the consultant team. Work to begin early 2012.	\$ 25,406	West Dallas Chamber of Commerce
			\$101,625	Regional Transportation Council
<b>Sylvan Avenue reconstruction</b>	Sylvan Avenue from the I-30 service road to Fort Worth Avenue	<i>Survey complete.</i> Engineering design on hold pending conceptual design work.	\$1,719,379	2006 Bond Program
	Sylvan Avenue from West Commerce Street to Singleton Boulevard	<i>On hold.</i>	\$ 2,552,600	2006 Bond Program
<b>Fort Worth Avenue Streetscape Improvements</b>	Master plan for roadway and streetscape design for Fort Worth Avenue from Beckley Avenue to Westmoreland Road.	<i>Design.</i> Survey work is complete and design is set to be at 50% by year end.  Construction funding may be sought in future bond programs.	Up to \$200,000	2003 Bond Funds

<b>N Beckley Avenue &amp; West Commerce Street intersection improvements</b>	Design, engineering, and construction of intersection improvements, including sidewalks and street trees.	<i>Design.</i> Contract awarded. Construction start planned for 2013 and completion in 2015.	\$450,000 for design \$4,300,000 for construction	\$1 million available from 1998 bond funds; remaining funding TBD
<b>Beatrice Street (West Commerce Street to West Comstock Street) reconstruction</b>	Design, engineering, and construction of intersection improvements.	<i>Design.</i> Design is 65% finished. Project currently on hold pending completion of the design of the Beckley Avenue and West Commerce Street intersection	\$982,751	2006 Bond Program
<b>Fort Worth Avenue from Edgefield Avenue to Plymouth Road</b>	Street resurfacing	<i>Under way.</i> This project began construction in September 2011 and is scheduled to take eight weeks to complete.	\$323,032	2006 Bond Program

<b>Initiatives Adjacent to District</b>				
<b>Activity</b>	<b>Scope</b>	<b>Status</b>	<b>Investment</b>	<b>Source</b>
<b>Stevens Park Golf Course renovation</b>	Design, engineering, construction, and interim management	<i>Under Construction.</i> This project was approved by Council on November 10, 2010 and is on track to be complete by October 2011.	Design: \$835,000 Construction: \$8,184,630	2003 and 2006 bond funds, Stevens Park Golf Course Improvement Funds and Golf Improvement Funds

## Value and Increment Revenue Summary

The Fort Worth Avenue TIF District’s base tax value for 2007 was \$86,133,447. This base value reflects a boundary amendment approved in March 2008 and adjustments to the base to reflect the final 2007 values of the parcels in the district. The district’s 2011 assessed tax value, as determined by the Dallas Central Appraisal District, was \$108,937,115. This represents an increase of approximately \$22.8 million (26.5%) over the assessed value of the base year (2007) value and an increase of approximately \$5.8 million (5.7%) over the previous year. Although many properties fell in value, Avalon at Kessler Park rose by about \$7 million, canceling out many of the losses. With the participation of the City and Dallas County, this increase will result in the collection of approximately \$157,698 total in incremental revenue for the district.

## Objectives, Programs, and Success Indicators

The final Fort Worth Avenue Project Plan and Reinvestment Zone Financing Plan was adopted on March 26, 2008. The Final Project Plan addresses the following development goals and objectives:

- Create additional taxable value attributable to new private investment in projects in the Fort Worth Avenue TIF District totaling approximately \$1,290,239,340 over the term of the district.

*Completed projects have added approximately \$18.9 million to the value of the district. Projects currently under development are expected to generate an additional \$65 million in added taxable value.*

*Actual values are up by approximately \$23 million over the base. This increase is approximately 2% of the goal for the area.*

- Attract new, higher density, private development in the Fort Worth Avenue TIF District totaling approximately 1,033,910 square feet of retail space and 9,444 residential units including townhome, multi-family, single-family, and condominium projects.

*Construction has started at the Villas at the Belmont and has completed on Avalon at Kessler Park (formerly the Fairways at La Reunion). When complete, these projects will add 34 single-family homes and 198 multi-family homes to the district. The projects under construction represent 2.5% of the housing goal.*

*Planned projects within the district may add additional retail space and residential units.*

- Focus on encouraging the redevelopment of properties in the Fort Worth Avenue corridor to increase density and to provide enhanced urban design for the district that meets the intent of the *Fort Worth Avenue Corridor Land Use and Urban Design Study* and the requirements of the West Commerce Street/Fort Worth Avenue Special Purpose District (PD 714), adopted by Ordinance No. 25898 on February 23, 2005, as amended.

*The Villas at the Belmont, currently under development by Options Real Estate, will provide, at build-out, 34 new single-family homes on previously vacant land near Sylvan Avenue.*

*Proposed development west of the Belmont, currently planned by Options Real Estate Development, is expected to provide additional retail and residential space on land previously occupied by one single-family house.*

*The Collective, a mixed-use residential, retail, and commercial development, is expected to add 326 multi-family units and 75,000 square feet of retail and commercial space on the site of the former Colorado Place Apartments.*



*Sylvan|Thirty, a mixed-use residential and retail development, is expected to add 200 multi-family units and 53,800 square feet of retail on previously under-utilized land.*

*The Coombs Creek Trail, Trinity Overlook, West Dallas Signature Project, Fort Worth Avenue Streetscape Improvements, reconstruction of West Commerce Street and Beckley Avenue, and reconstruction of Sylvan Avenue will provide public infrastructure projects that comply with PD 714 and provide wide sidewalks, street trees, and pedestrian amenities central to the dense urban design as envisioned in the Urban Design Study and as required in PD 714. These projects, when fully funded, will add an additional \$23,399,590 in non-TIF funds for district-related projects.*

- Improve access and connections to the planned improvement of transit services, including a light rail or modern streetcar line, within the district.

*Each development is reviewed individually for wide sidewalks, shade, and improved transit stops. In addition, landscape design for each project includes planning for a potential light rail or streetcar line.*

*The Fort Worth Avenue Streetscape Study will provide for wide sidewalks, shade, and transit station locations along the corridor.*

*Planned extensions of the Coombs Creek Trail will connect the center of the corridor to Union Station and additional transit services.*

- Increase recreational opportunities and improve connections to the City of Dallas trails and open space system in the district, especially the Trinity River and Coombs Creek.

*The Collective, east of Avalon at Kessler Park, will connect to an extension of the Coombs Creek Trail. Phase I of the trail, from Beckley Avenue to Sylvan Avenue, was completed in March 2009. Future phases will follow Coombs Creek, continue through Stevens Park Golf Course, and connect to the proposed development.*

- Maintain the stability of local schools as redevelopment occurs in the housing market.

*Leaders from the neighborhood schools have been invited to participate in the TIF district meetings.*

- Generate approximately \$69 million (NPV; 2008 dollars) in increment over 21 years, with up to 85 percent participation by the City and 55 percent participation by the County.

*TIF increment collections began in tax year 2009, generating approximately \$157,698 total in incremental revenue for the district during the 2011 fiscal year. Another \$178,589 is expected in the 2012 fiscal year. Avalon at Kessler Park, the McDonald's, and Comerica Bank are complete and have begun to contribute to the TIF fund.*

- Diversify retail and commercial uses in the district.

*The Aldi grocery store, completed in 2011, added 16,895 square feet of retail space. Metro Paws Animal Hospital will provide 4,700 square feet of veterinary clinic space. In addition, the Cliff Café re-opened as Smoke in September 2009 and retained restaurant space in the district.*

*Planned development west of the Belmont will provide additional retail space.*

*The Collective will add 40,000 square feet of retail and commercial space.*

*Sylvan|Thirty is planned to contain a natural foods grocery store and add 53,800 square feet of retail space to the district.*

## **Year-End Summary of Meetings and Council Items**

During the fiscal year from October 1, 2010 to September 30, 2011, the Fort Worth Avenue TIF District Board of Directors held 4 meetings.

The Board can consist of up to ten members, including five City of Dallas appointees, two Dallas Independent School District appointees, one Dallas County appointee, one Dallas Community College District appointee, and one Dallas County Hospital District appointee. On October 2, 2007, the Dallas County Community College District officially waived its right to appoint a representative to the Fort Worth Avenue TIF Board. This action allows the City of Dallas to appoint a total of six members to the board.

During FY 2011 the Board members were: Randall White, city appointee and chairman (attended 3 of 3 meetings, resigned May 11, 2011); Deborah Carpenter, city appointee and vice chair (attended 4 of 4 meetings); Scott Griggs, city appointee (attended 0 of 0 meetings; resigned October 10, 2010); JD Jasso, city appointee (attended 4 of 4 meetings); J. B. Jones, city appointee (attended 4 of 4 meetings); Pam Williams, city appointee (attended 2 of 4 meetings); Orlando Alameda, DISD appointee (attended 3 of 4 meetings); Hector Flores, DISD appointee (attended 3 of 4 meetings); and Rick Loessberg, Dallas County appointee (attended 1 of 4 meetings). The Dallas County Hospital District has not appointed a board member and has not waived its right to do so.

During the fiscal year from October 1, 2010 to September 30, 2011, the City Council approved seven items associated with the Fort Worth Avenue TIF District:

- On November 10, 2010, Council approved Resolution 10-2877 authorizing Supplemental Agreement No. 1 to the professional services contract with Wallace Roberts & Todd, LLC to provide engineering design and surveying services for intersection improvements at North Beckley Avenue and West Commerce Street - Not to exceed \$477,811, from \$24,975 to \$502,786 - Financing: 1998 Bond Funds (\$404,751) and Water Utilities Capital Improvement Funds (\$73,060)
- On February 9, 2011, Council approved Resolution 11-0421 authorizing the use of conveyances as buildings on property on the south side of West Commerce Street between Pittman Street and Haslett Street, in accordance with the provisions of Section 51A-4.603 of the Dallas Development Code.
- On February 23, 2011, Council approved Resolution 11-0534 accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On March 9, 2011, Council approved Ordinance 28146 amending the comprehensive plan of the City of Dallas to incorporate the West Dallas Urban Structure and Guidelines and a resolution adopting the West Dallas Urban Structure and Guidelines for the area generally located north of Interstate 30, west and south of the Trinity River, and east of Sylvan Avenue.
- On June 22, 2011, Council approved Resolution 11-1754 authorizing (1) a development agreement with J & K Investments, LLC and/or its affiliate Metro Paws Animal Hospital, LLC in an amount not to exceed \$116,000, payable from future Fort Worth Avenue TIF District funds in consideration of the development of Metro Paws Animal Hospital in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and (2) the Fort Worth Avenue TIF District Board of Directors to dedicate up to \$116,000 from future Fort Worth Avenue TIF revenues in accordance with the development agreement.
- On June 22, 2011, Council approved Resolution 11-1755 declaring the intent of Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to reimburse J & K Investments, LLC and/or its affiliate Metro Paws Animal Hospital, LLC for eligible expenditures pursuant to the development agreement up to \$116,000 for certain improvements related to the development of Metro Paws Animal Hospital in the Fort Worth Avenue TIF District - Financing: No cost consideration to the City

- On September 28, 2011, Council approved Resolution 11-2555 45 authorizing the sale of approximately 4,490 square feet of City-owned land located near the intersection of Sylvan Avenue and Interstate Highway 30 to the Texas Department of Transportation - Revenue: \$67,350

### Pending TIF Items

The Fort Worth Avenue TIF District is expected to review the following items during FY 2011-2012:

- FY 2011 Annual Report for the Fort Worth Avenue TIF District
- A TIF funding application for Sylvan|Thirty
- A TIF funding application for The Collective
- General TIF district design guidelines
- Affordable housing policy
- Amendments to the by-laws relating to membership and design review

### Budget and Spending Status

Each TIF district, in the Project Plan and Reinvestment Zone Financing Plan, establishes a budget for the public improvement expenditures necessary to support private investment in the district. The Fort Worth Avenue TIF District was established in June 2007 and collected \$106,164 in FY 2011. It is anticipated to collect approximately \$157,698 in FY 2012.

The Fort Worth Avenue budget and spending to date is shown below.

<b>Fort Worth Avenue TIF District Projected Increment Revenues to Retire TIF Fund Obligations*</b>			
<b>Category</b>	<b>TIF Budget</b>	<b>Allocated</b>	<b>Balance</b>
<b>Public infrastructure improvements:</b> paving, streetscape, water/wastewater, storm sewer, utility burial/relocation, and land acquisition	\$80,093,760	\$116,000	\$79,977,760
<b>Affordable housing</b>	\$10,748,015	\$0	\$10,748,015
<b>Environmental remediation &amp; demolition</b>	\$12,897,617	\$0	\$12,897,617
<b>Parks, open space, trails, and gateways</b>	\$12,897,617	\$0	\$12,897,617
<b>Façade restoration</b>	\$6,448,809	\$0	\$6,448,809
<b>Economic development grants</b>	\$21,496,030	\$0	\$21,496,030
<b>Administration and implementation</b>	\$4,334,643	\$208,263	\$4,126,380
<b>Total project costs</b>	<b>\$148,916,491</b>	<b>\$324,263</b>	<b>\$148,592,228</b>
<i>*Budget shown above in current dollars, updated yearly; TIF Project Plan shows the budget in net present value. Values above do not include interest payments or receipts.</i>			

<b>Fort Worth Avenue TIF District Project Plan Budget (NPV, 2008 dollars)</b>	
<b>Category</b>	<b>TIF Budget*</b>
<b>Public infrastructure improvements:</b> paving, streetscape, water/wastewater, storm sewer, utility burial/relocation, and land acquisition	\$37,259,794
<b>Affordable housing</b>	\$5,000,000
<b>Environmental remediation &amp; demolition</b>	\$6,000,000
<b>Parks, open space, trails, and gateways</b>	\$6,000,000
<b>Façade restoration</b>	\$3,000,000
<b>Economic development grants</b>	\$10,000,000
<b>Administration and implementation</b>	\$2,200,000
<b>Total project costs</b>	<b>\$69,459,794</b>
<i>* As approved in the Final Project Plan and Reinvestment Zone Financing Plan.</i>	

## FY 2012 Work Program

Pending items for the Fort Worth Avenue TIF District include:

- Encourage development projects within the district in accordance with the final Project Plan and Reinvestment Zone Financing Plan, specifically development on the site of the former Colorado Place Apartments and development on the Sylvan|Thirty site.
- Consider changes to TIF by-laws related to the design review process and the membership of the TIF board.
- Review and approve overall TIF design guidelines.
- Develop an affordable housing policy for the district.
- Continue working to coordinate public design and improvement efforts.

## Appendix: Financials

**City of Dallas, Texas**  
**Fort Worth Avenue Tax Increment Financing District Fund**  
**Reinvestment Zone Number Fifteen**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

	\$230 Interest Income	
	\$105,929 Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Certified Tax Roll)	
	\$106,160 Total Revenue	

**2. Amount and purpose of expenditures from the fund:**

	\$717 Administrative Expense	
	\$0 Non-Capital outlay	
	\$717 Total Expenditures	

3. The Zone began reimbursing the general fund for the TIF administrative costs in fiscal year 2009-10.

**4. a. Amount of Principal and Interest due on outstanding indebtedness:**

Fort Worth TIF District has incurred no bonded indebtedness as of September 30, 2011.

**b.** The Zone entered into a development agreement with J&K Investments, LLC for Metro Paws Animal Hospital in the TIF in an amount not to exceed \$116,000 with anticipated completion by May 30, 2012 and reimbursement to begin thereafter upon availability of TIF funds.

**5. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable Value 2011*	Base Year 2007 Value	Est. Captured Value 2011**
City of Dallas	\$108,937,115	\$86,133,447	\$22,803,668
Dallas County	\$108,927,115	\$86,133,447	\$22,793,668
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*2011 taxable value for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2012.

**6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100 ***	Amount of Estimated 2011 Increment****
City of Dallas	0.55790	\$127,222
Dallas County	0.13371	\$30,476
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
<b>Total for all Jurisdictions</b>	<b>\$0.69161</b>	<b>\$157,698</b>

\*\*\* Participation rate for Dallas County is 0% for 2008 and 55% for years 2009 to 2028.

City of Dallas participates at variable rates as follow s:

Tax Year	Rate
2008	0%
2009 - 2010	55%
2011 - 2013	70%
2014 - 2020	85%
2021 - 2022	70%
2023 - 2029	55%

\*\*\*\*The District began collecting increment in fiscal year 2009-10.

B. Total amount of estimated tax increment to be billed for the 2011 tax year is \$157,698. For the 2010 tax year, increment in the amount of \$105,929 was received.

City of Dallas, Texas  
**Fort Worth Avenue Tax Increment Financing District Fund**  
**Balance Sheet as of September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008 and 2007**

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Assets:</b>					
Pooled cash and cash equivalents	\$2	\$2,805	\$0	\$0	\$0
Interest receivable	\$3	\$46	\$0	\$0	\$0
<b>Total assets</b>	<b>\$5</b>	<b>\$2,851</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$0	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0	\$0
Accrued interest	\$0	\$0	\$0	\$0	\$0
Due to general fund	\$0	\$108,289	\$98,917	\$46,481	\$20,084
<b>Total liabilities</b>	<b>\$0</b>	<b>\$108,289</b>	<b>\$98,917</b>	<b>\$46,481</b>	<b>\$20,084</b>
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	\$5	(\$105,438)	(\$98,917)	(\$46,481)	(\$20,084)
<b>Total Liabilities and Fund Equity</b>	<b>\$5</b>	<b>\$2,851</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	\$0	(\$0)	\$0	\$0	\$0

**Fort Worth Avenue Tax Increment Financing District Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)**  
**For the Period September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008 and 2007**

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Revenues:</b>						
Tax increment-Governmental	\$117,548	\$81,881	\$35,667	\$0	\$0	\$0
Tax increment-Intergovernmental	\$33,983	\$24,048	\$9,935	\$0	\$0	\$0
Interest income	\$616	\$235	\$381	\$0	\$0	\$0
Grant from City	\$0	\$0	\$0	\$0	\$0	\$0
Net increase (decrease) in fair value of investments	\$2	(\$5)	\$6	\$0	\$0	\$0
<b>Total revenues</b>	<b>\$152,149</b>	<b>\$106,160</b>	<b>\$45,989</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures:</b>						
Administrative expenses	\$152,144	\$717	\$52,510	\$52,437	\$26,397	\$20,084
Non-capital outlay	\$0	\$0	\$0	\$0	\$0	\$0
Capital outlay	\$0	\$0	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total expenditures</b>	<b>\$152,144</b>	<b>\$717</b>	<b>\$52,510</b>	<b>\$52,437</b>	<b>\$26,397</b>	<b>\$20,084</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>\$5</b>	<b>\$105,443</b>	<b>(\$6,521)</b>	<b>(\$52,437)</b>	<b>(\$26,397)</b>	<b>(\$20,084)</b>
<b>Fund balance (Deficit) at beginning of year</b>						
as previously reported	\$0	(\$105,438)	(\$98,917)	(\$46,481)	(\$20,084)	\$0
Prior period restatement	\$0	\$0	\$0	\$0	\$0	\$0
<b>Fund balance (Deficit) at beginning of year, as restated</b>	<b>\$0</b>	<b>(\$105,438)</b>	<b>(\$98,917)</b>	<b>(\$46,481)</b>	<b>(\$20,084)</b>	<b>\$0</b>
<b>Fund balance (Deficit) at end of year</b>	<b>\$5</b>	<b>\$5</b>	<b>(\$105,438)</b>	<b>(\$98,917)</b>	<b>(\$46,481)</b>	<b>(\$20,084)</b>

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**



City of Dallas, Texas  
Fort Worth Avenue Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$4,334,643 over the life of the TIF to reimburse the City for administrative costs. The Zone began reimbursing the general fund in fiscal year 2009-10. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 1, 3  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 43 T – Y; 53 B – D; and 54 A – C

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 26799 on June 13, 2007, establishing Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), as amended. On February 27, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 27090, as amended.

The Davis Garden TIF District's assessed 2011 taxable value is \$140,804,869. Although this is an increase of \$2,970,272 (2.2%) from its adjusted base value of \$137,834,597, property values declined by \$18,622,649 (11.7%) from 2010 to 2011. With the participation of the City and Dallas County, the increase over the adjusted base value will result in the collection of approximately \$20,543 in total incremental revenue for the Davis Garden TIF District for the 2011 tax year.

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

On June 13, 2007, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Sixteen, the Davis Garden TIF District by Ordinance No. 26799, as amended.

On February 27, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Davis Garden TIF District by Ordinance No. 27090, as amended.

On December 12, 2011, the Davis Garden TIF Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's FY 2011 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Sixteen, ("Davis Garden TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Davis Garden area pursuant to Ordinance No. 26799, authorized by the City Council on June 13, 2007, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on February 27, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Davis Garden TIF District by Ordinance No. 27090, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on December 12, 2011, the Davis Garden TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Sixteen and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Sixteen to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law.

**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.

**Davis Garden TIF District  
FY 2011  
Annual Report**

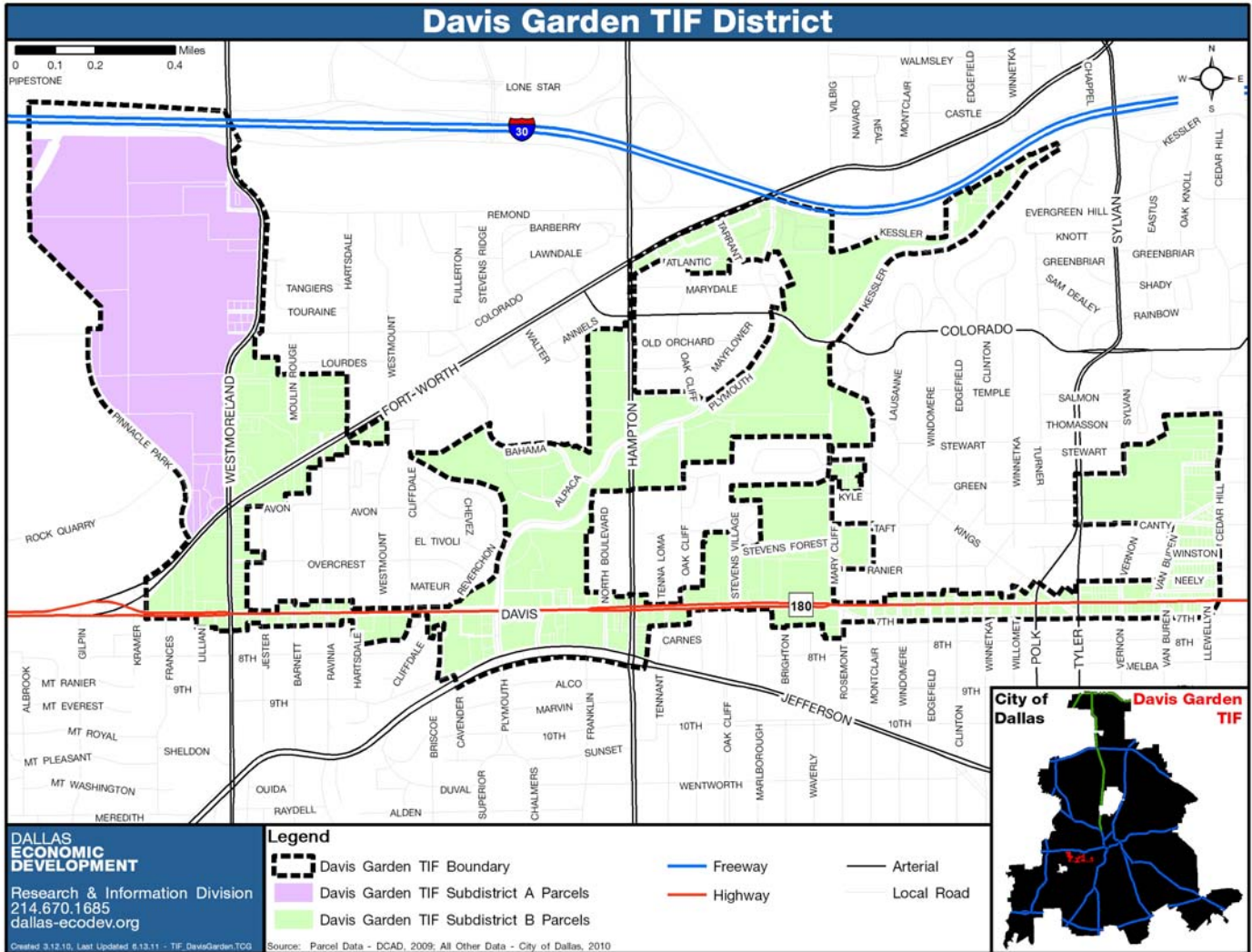


**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 5CS  
Dallas, Texas 75201  
(214) 670-1685  
<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Sixteen Tax Increment Financing District



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## Mission Statement

The mission of the Davis Garden TIF District is to provide a funding source to facilitate public infrastructure improvements to enhance the area's real estate market. The District exemplifies the City of Dallas' efforts to provide a model for redeveloping urban corridors and transitioning deteriorated multi-family properties and large infill tracts of vacant land into a more sustainable mix of for-sale and rental housing. It is anticipated to provide linkages to stable neighborhoods in North Oak Cliff, redevelop aging retail centers, and enhance connectivity through improvements to area trails.

The Dallas City Council established the Davis Garden TIF District by Ordinance Number 26799 on June 13, 2007, as amended. The TIF District took effect on January 1, 2008 and is scheduled to terminate on December 31, 2039 (including collection of the 2039 increment in calendar year 2040 and any related matters to be concluded in 2040). The City of Dallas and Dallas County are the District's participating taxing jurisdictions. The City's annual participation rates are as follows:

- 0% in 2008
- 55% in 2009 and 2010
- 70% in 2011
- 90% in 2012 and thereafter

Dallas County's participation rate was 55% in 2008 through 2011. The county's annual participation rate increased to 75% in 2012 and thereafter.

## District Accomplishments

The Davis Garden TIF District is located southwest of downtown Dallas in the North Oak Cliff neighborhood. It includes portions of the Davis Street, Fort Worth Avenue, and Hampton Road corridors, as well as land adjacent to Pinnacle Park, commercial property and multi-family developments. The District features numerous opportunities for redevelopment in areas near amenities such as Coombs Creek Trail, Kidd Springs Park, Stevens Park Golf Course, and the Twelve Hills Nature Center.

Single-family neighborhoods were excluded from the District since they are not targeted for development or redevelopment activities. Kidd Springs Park, Stevens Park Golf Course, and the Twelve Hills Nature Center were included to enable improvements and enhance the connectivity between surrounding neighborhoods. The local elementary schools were included for similar reasons.

Originally the District's geographic area contained approximately 583 acres (excluding rights-of-way). However, during the fiscal year the geographic area was amended to include selected adjacent properties. The properties that comprise the boundary amendment have a total land area of approximately 105 acres. Their inclusion increased the District's geographic area to approximately 688 acres.

Since its creation City Council has approved TIF funding for nine projects within the District. This includes the following projects which were approved during the fiscal year:

- **The Canyon in Oak Cliff** – awarded an amount not to exceed \$128,875,756 in total funding (\$69,808,000 in future TIF revenues plus an additional grant up to \$59,067,756 pursuant to the Davis Garden TIF District Grant Program) for the construction of public infrastructure improvements on approximately 196 acres of undeveloped land located southwest of Interstate Highway 30 and North Westmoreland Road (June 8, 2011). The anticipated total project cost is approximately \$472 million.
- **North Oak Cliff Streetcar Extension** – awarded an amount not to exceed \$3,000,000 pursuant to the Davis Garden TIF District Grant Program, to make funding available for a grant to provide benefits to the Davis Garden TIF District through the extension of the North Oak Cliff Streetcar system to District (June 22, 2011). The estimated total cost for the project has not been determined.

The District's potential development sites include the following which were prepared for future development activities by Affiliates of SLF III – Davis Garden TIF, L.P. (SLF):

1. **Chateau Crete Assembly**
  - 1818 Stevens Forest
  - 1836 Stevens Forest
  - 1916 Stevens Forest
  - 2002 Stevens Forest
2. **Acorn Tree Assembly**
  - 2105 West Davis
  - 2211 West Davis
3. **Cliffwood Assembly**
  - 1836 West Davis
4. **King's Highway Assembly**
  - 1610 King's Highway
  - 1616 King's Highway
  - 1618 King's Highway
  - 1622 King's Highway
  - 1630 King's Highway
5. **Kidd Springs Assembly**
  - 829 Cedar Hill
  - 901 Cedar Hill
6. **Northhills Assembly**
  - 640 North Plymouth
  - 2643 West Davis

SLF's preparation of the sites also facilitated the demolition of 1,503 outdated apartment units in accordance with the District's goal to replace 1,969 functionally obsolete apartments and 84,524 square feet of commercial space with approximately 1,960 for-sale units, 765 rental units, and 472,000 square feet of improved, reconfigured, or new neighborhood retail space. Redevelopment of the six sites is anticipated to build upon North Oak Cliff's successful residential market while enticing the expansion of resident and commercial activity within the District.

## Davis Garden Final Plan Amendment (June 8, 2011)

On June 8, 2011, City Council approved Ordinance Number 28237 which authorized the following amendments to the Project Plan and Reinvestment Zone Financing Plan (Final Plan for the Davis Garden TIF District):

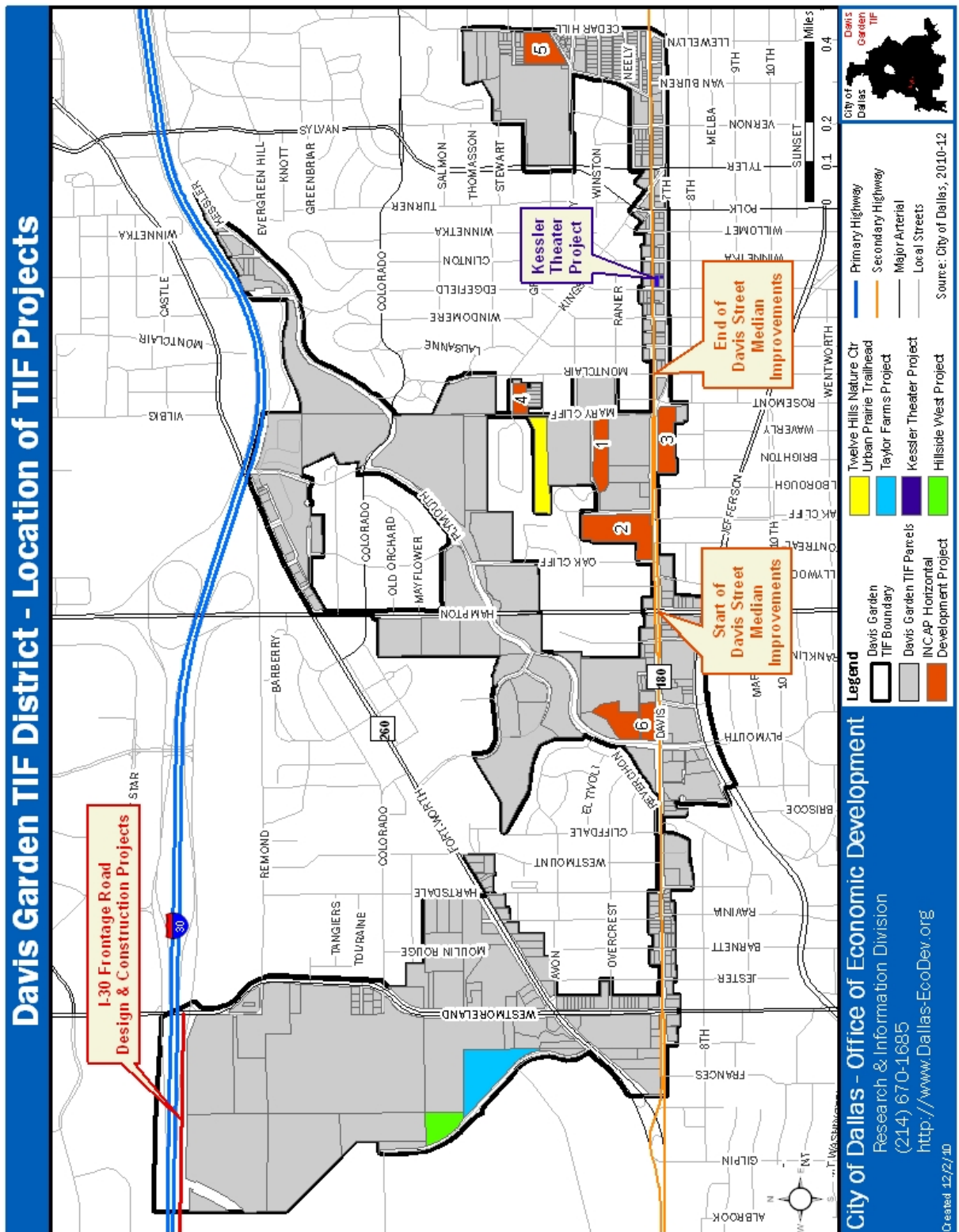
1. Extended the duration of the Davis Garden TIF District by a 10 year period from December 31, 2029 through December 31, 2039.
2. Increased the City of Dallas' participation from a variable rate of 55 to 85% to a flat rate of 90%.
3. Directed the City Manager to negotiate an increase in Dallas County's participation rate from 55% to 75% and execute an amendment to the Interlocal Agreement between the City and County to reflect such increase.
4. Divided the District into two sub-areas. Sub-area A consists of the area that comprises The Canyon Master Development Plan while sub-area B consists of the remainder of the District.
5. Amended the Davis Garden TIF District Budget to:
  - Increase the Davis Garden TIF District budget from \$38,267,083 to \$103,658,541 (in 2008 dollars)
  - Modify the names of budget categories from Environmental Remediation to Environmental Remediation/Demolition, and from Parks, Open Space, Trails, Streetscape to District-wide Improvements – Parks, Open Space, Trails, Trolley/Streetcar
  - Amend budget categories to:
    - Increase Infrastructure Improvements from \$22,074,732 to \$33,219,568
    - Decrease Environmental Remediation/Demolition from \$6,131,870 to \$4,300,000
    - Increase Affordable Housing from \$7,072,911 to \$11,920,435
    - Increase Historic Façade Restoration from \$536,539 to \$1,946,858
    - increase District-wide Improvements – Parks, Open Space, Trails, Trolley/Streetcar from \$1,303,023 to \$4,358,953

- Increase Administration and Implementation from \$1,148,008 to \$1,877,595
  - Add a budget category to the TIF Project for The Canyon in Oak Cliff in an amount of \$46,035,132 (in 2008 dollars)
6. Separated future revenues from property that comprises the Canyon Master Development Plan (sub-area A) from revenues generated from property within the remainder of the District (sub-area B). The revenues generated from subarea A will be used to:
- Fund some outstanding TIF obligations (e.g. the \$4 million for the development agreement with SLF)
  - The Kessler Theater Renovation project
  - All infrastructure reimbursements for the Canyon area.

The separation allows the city to insure that TIF increment generated outside sub-area A will not be used for the reimbursement of TIF eligible expenditures for the Canyon in Oak Cliff project.

7. Modified the allocation of tax increment to the Affordable Housing category. Prior to the authorization of this amendment, 20% of the remaining annual tax increment that the District received after paying administrative expenses was set aside for affordable housing. Moving forward, the direct allocation of tax increment to the Affordable Housing category will discontinue for Subarea A once the Taylor Farms and Hillside West projects' TIF obligations have been reimbursed. Subarea B will continue contributing to the category.

# TIF Projects Location Map



**Davis Garden TIF District – Past, Current and Anticipated Projects<sup>1</sup>**

Project	Location	Units/Square Feet <sup>2</sup>	Status	Year Complete	Approximate Investment / Assessed Value <sup>3</sup>	TIF Investment <sup>4</sup>
Settles Garage (Good Space)	614 West Davis	3,879 square feet of office and retail space	Complete	December 2007	\$113,110 (assessed value)	\$0
Kemp Garage (Good Space)	632 West Davis	4,000 square feet of office/show room space	Complete	June 2008	\$105,000 (assessed value)	\$0
SLF's Horizontal Development project (Environmental remediation and demolition of six obsolete apartment complexes and a \$1 million deposit into the Davis Garden TIF District Increment Fund for future TIF infrastructure improvements that benefit the District in lieu of the developer constructing median improvements, streetscape or other public improvements within the District)	<ol style="list-style-type: none"> <li>1. <b>Chateau Crete Assembly</b> <ul style="list-style-type: none"> <li>- 1818 Stevens Forest</li> <li>- 1836 Stevens Forest</li> <li>- 1916 Stevens Forest</li> <li>- 2002 Stevens Forest</li> </ul> </li> <li>2. <b>Acorn Tree Assembly</b> <ul style="list-style-type: none"> <li>- 2105 West Davis</li> <li>- 2211 West Davis</li> </ul> </li> <li>3. <b>Cliffwood Assembly</b> <ul style="list-style-type: none"> <li>- 1836 West Davis</li> </ul> </li> <li>4. <b>King's Highway Assembly</b> <ul style="list-style-type: none"> <li>- 1610 King's Highway</li> <li>- 1616 King's Highway</li> <li>- 1618 King's Highway</li> <li>- 1622 King's Highway</li> <li>- 1630 King's Highway</li> </ul> </li> <li>5. <b>Kidd Springs Assembly</b> <ul style="list-style-type: none"> <li>- 829 Cedar Hill</li> <li>- 901 Cedar Hill</li> </ul> </li> <li>6. <b>Northhills Assembly</b> <ul style="list-style-type: none"> <li>- 640 North Plymouth</li> <li>- 2643 West Davis</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>1. Chateau Crete Assembly (219 units)</li> <li>2. Acorn Tree Assembly (449 units)</li> <li>3. Cliffwood Assembly (247 units)</li> <li>4. King's Highway Assembly (84 units)</li> <li>5. Kidd Springs Assembly (177 units)</li> <li>6. Northhills Assembly (327 units)</li> </ol>	<p>Preparation for future development activities on the six sites is complete.</p> <p>The developer must deposit \$1 million into the Davis Garden TIF District Increment Fund by December 2011.</p>	December 2011	7,072,210 (assessed value)	\$4,008,247
Twelve Hills Nature Center's Urban Prairie Trailhead project (park, open space, and streetscape improvements)	888 Stevens Hills Lane	N/A	Complete	July 2010	\$312,648 (approximate investment)	\$118,820

Project	Location	Units/Square Feet <sup>2</sup>	Status	Year Complete	Approximate Investment / Assessed Value <sup>3</sup>	TIF Investment <sup>4</sup>
Kessler Theater Renovation project (environmental remediation and demolition, historical façade, and infrastructure improvements)	1214 West Davis and 1215 West 7 <sup>th</sup> Streets	6,300 square feet of office and retail space; and 5,100 square foot entertainment venue	The project's environmental remediation and demolition activities are complete. The historical façade and infrastructure improvements are under way.	January 2012	\$1,358,293 (approximate investment)	\$199,643 [136,343 if the project is approved for a sustainable development grant application by the North Central Texas Council of Governments ("NCTCOG")]
Taylor Farms multi-family housing development (environmental remediation, infrastructure and public right-of-way improvements)	32 Pinnacle Park Boulevard	160 units (All units will be affordable housing)	The project's environmental remediation, infrastructure and public right-of-way improvements began November 2010.	April 2012	\$21,691,600 (approximate investment)	\$2,071,197
I-30 Frontage Road design project (engineering and design for Phase 1 of a new eastbound frontage road)	South side of I-30 between Cockrell Hill Road and Westmoreland Road	N/A	The project's engineering and design components are underway.	August 2011	\$436,919 (approximate investment)	\$436,919
Hillside West senior housing development (environmental remediation and infrastructure improvements)	4512 West Davis Street	130 units (All units will be affordable housing)	The project's environmental remediation and infrastructure improvements are scheduled to begin May 2011.	July 2012	\$16,635,808 (approximate investment)	\$1,600,000
I-30 Frontage Road construction project	South side of I-30 between Cockrell Hill Road and Westmoreland Road	N/A	The project's construction is scheduled to begin July 2011.	July 2015	\$10,573,794 (approximate investment)	\$3,806,503

Project	Location	Units/Square Feet <sup>2</sup>	Status	Year Complete	Approximate Investment / Assessed Value <sup>3</sup>	TIF Investment <sup>4</sup>
The Canyon in Oak Cliff	196 acres of undeveloped property located southwest of Interstate Highway 30 and North Westmoreland Road	2,881 residential units (529 for-sale units / 2,352 rental units); 516,000 square of retail space; 1,245,200 square feet of office/medical space; and A 310 key full-service hotel	The project's Infrastructure Improvements are scheduled to begin December 2011.	Ongoing	\$472,000,000 (approximate investment)	\$128,875,756 in total funding (\$69,808,000 in future TIF revenues plus an additional grant up to \$59,067,756 pursuant to the Davis Garden TIF District Grant Program)
North Oak Cliff Streetcar Extension	Not Applicable (benefits provided through the extension of the North Oak Cliff Streetcar system to the Davis Garden TIF District)	Not applicable	TBD	TBD	Not applicable	\$3,000,000 pursuant to the Davis Garden TIF District Grant Program

<sup>1</sup> All information updated as of September 30, 2011.

<sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.

<sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF district for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.

<sup>4</sup> TBD indicates that development agreement has not yet been adopted and TIF investment is yet to be determined.





The Canyon in Oak Cliff's Conceptual Site Plan

## Value and Increment Revenue Summary

The Davis Garden TIF District's assessed 2011 taxable value is \$140,804,869. Although this is an increase of \$2,970,272 (2.2%) from its adjusted base value of \$137,834,597, property values declined by \$18,622,649 (11.7%) from 2010 to 2011. With the participation of the City and Dallas County, the increase over the adjusted base value will result in the collection of approximately \$20,543 in total incremental revenue for the District.

The 2011 tax year represents the Davis Garden TIF District's third year of increment collections which is anticipated to be received in FY 2012.

## Objectives, Programs and Success Indicators

The Davis Garden Final Project Plan and Reinvestment Zone Financing Plan was approved on February 27, 2008, as amended. The plan's defined development goals are provided below:

- Utilize TIF funding to encourage needed horizontal improvements and site preparation in the District. This includes environmental remediation and demolition of structurally and functionally obsolete structures to set the stage for future redevelopment activities as described in this plan.

*Since the District's creation the environmental remediation and demolition of obsolete apartment complexes consisting of 1,503 units have been completed. The six sites where the complexes were once located have been prepared for future redevelopment activities.*

- Utilize TIF funding to encourage the needed redevelopment of the large area (approximately 210 acres) located southwest of the intersection of Interstate Highway 30 and North Westmoreland Road.

*SLF III – The Canyon TIF, L.P.'s the Canyon in Oak Cliff was approved by City Council on June 8, 2011. The project consists of construction of public infrastructure improvements on approximately 196 acres of the undeveloped land in this area.*

- Create additional taxable value attributed to new private development and appreciation totaling approximately \$1.7 billion over the District's 32-year life.

*Two projects completed along Davis Street (the Settles Garage, Kemp Garage) since the District's creation. The renovation on a third project (Kessler Theater) is scheduled to be completed during the first quarter of FY 2012. The \$2,970,272 increase over the District's adjusted base value*

*is attributed to the appreciation of property within sub-area A. The property in sub-area A has increased \$23,187,712 above its adjusted base value of \$4,051,748. In comparison, the property in sub-area B has decreased \$20,217,440 below its adjusted base value of \$133,782,849.*

- Attract new private development in the District by replacing approximately 2,100 residential units with new residential units that will establish a more sustainable mix of for-sale and rental units; add approximately 6,600 residential units to increase population density in the area; and develop approximately 663,300 square feet of retail space and 1,245,000 square feet of other commercial space.

*The following progress has been made since the District's creation:*

- *The Taylor Farms project (160 units), which was approved by City Council on November 9, 2009, is currently under construction. GFD Opportunity I, LLC must complete the project and receive its Certificate of Occupancy by April 1, 2012.*
- *The Hillside West (130 units) project was approved by City Council on April 28, 2010. Its construction commenced during May 2011. GFD Opportunity II, LLC must complete the project and receive its Certificate of Occupancy by July 2, 2012.*
- *Six additional sites have been prepared for future redevelopment activities.*



The Taylor Farms project under construction



The Taylor Farms project's business center and swimming pool

- Diversify housing options within the district by increasing homeownership opportunities while maintaining an affordable housing component of no less than 20% of all new units built throughout the Davis Garden TIF District.

*Projects under construction will satisfy 53% of the Davis Garden TIF District's Affordable Housing goal of 550 units upon their completion. The Taylor Farms project will provide 160 units (29% of the goal) while the Hillside West project will provide 130 units (24% of the goal).*

- Encourage the redevelopment of properties along the Davis Street, Fort Worth Avenue, North Westmoreland Road and Hampton Road corridors for new residential and commercial uses that feature enhanced urban design standards which are complementary to the historic and conservation districts in the immediate area.

*Site preparation is complete for the redevelopment of six sites throughout the District. This includes three sites located along Davis Street.*

- Sustain the stability of local schools while redevelopment activities occur within the area's neighborhoods by encouraging strong communication between the Dallas Independent School District and area developers

*Staff is working closely with neighborhood schools to coordinate redevelopment activities with school needs. Additionally, administrators from the schools and members of the Parent Teacher Associations have been invited to participate in the District's TIF Board meetings.*

- Diversify commercial and retail uses in the District by restoring historic commercial buildings and finding redevelopment options for commercial structures that are architecturally less significant.

*The Kessler Theater, Settles Garage, and Kemp Garage are properties with historic significance that have been converted for commercial use since the District's creation.*

*The renovated Kessler Theater contains office and retail space for independent businesses, an instructional arts center for children, and a performance venue. It is located at 1214 West Davis Street. The Settles Garage, which is located at 614 W. Davis, features the Bolsa Restaurant and approximately 1,850 square feet of office space. The Kemp Garage is located at 632 W. Davis. It features approximately 4,000 square feet of commercial room space.*

Kessler Theater  
Renovation Project:  
the renovated  
exterior façade,  
showroom and bar.



- Provide opportunities for needed basic retail such as grocery stores, national tenants and diversify retail shopping.

*There is an ongoing effort to provide opportunities that address the basic retail needs of the District's residents and occupants.*

- Improve recreational opportunities and connections to City trails and open space within the District while providing better connections to County trails and other recreational amenities in the area.

*The following progress has been made since the District's creation:*

- *The Twelve Hills Nature Center, Inc.'s Urban Prairie Trailhead project was approved by City Council on October 14, 2009.*
- *Work was completed on 3/4 mile within the District along the Coombs Creek Trail (along Kessler Parkway from Sylvan Avenue to the tennis courts at Stevens Park Golf Course). The project was funded by the 2006 Bond Fund program.*
- *Approximately \$8 million in upgrades was approved for Stevens Park Golf Course by City Council on November 10, 2010. The project is being subsidized by several funding sources including the 2003 and 2006 Bond Fund programs. The upgrades are substantially completed with finalization of all work scheduled for the first quarter of FY 2012.*



The 8th Hole at Stevens Park Golf Course

- Improve transportation including but not limited to hike and bike trails, bus, trolley, streetcar, and freeway access, street improvements and construction of new public streets and thoroughfares.

*The following progress has been made since the District's creation:*

- *City Council approved projects for the design and construction for Phase 1 of a new eastbound frontage road for I-30 located between Cockrell Hill Road and Westmoreland Road during previous fiscal year.*
  - *SLF III – The Canyon TIF, L.P.'s North Oak Cliff Streetcar Extension project was approved by City Council on June 22, 2011. The project's approval will provide funding to extend the North Oak Cliff Streetcar system to Davis Garden TIF District.*
  - *City staff is currently working to identify potential infrastructure improvements that may be funded by SLF's \$1 million deposit into the Davis Garden TIF District Increment Fund for future TIF infrastructure improvements that benefit the District in lieu of the developer constructing median improvements, streetscape or other public improvements.*
- Generate approximately \$103.7 million (2008 dollars) in real property tax increment for the TIF Fund over 32 years of collections.

*The District's assessed property value has increased 2.2% over its adjusted base value. This increase has generated approximately \$202,297 in incremental revenue (0.2% of the goal).*

## Developments that are Adjacent to the District



Homes in the Kessler Woods community (located adjacent to the TIF District and across the street from SLF's Chateau Creek redevelopment site)



Homes in the Kessler Springs community (within proximity of the District's Cedar Oaks apartment community which is located on Cedar Hill Avenue)



## Year-End Summary of Meetings

TIF Boards can consist of up to ten members including six City of Dallas appointees, two Dallas Independent School District (DISD) appointees, one Dallas County appointee and one Dallas County Hospital District appointee. The Dallas County Community College District (DCCCD) waived its Board representation for this TIF District.

The Davis Garden TIF Board, which met four times during the fiscal year, consisted of the following members:

- Kathy Hewitt – City Representative (attended 4 of 4 meetings)
- Ed Oakley – City Representative (attended 4 of 4 meetings)
- Enrique A. MacGregor – City Representative (attended 4 of 4 meetings)
- Daniel J. Sherman – City Representative (attended 0 of 1 meetings)
- Jennifer Stolarski – City Representative (attended 4 of 4 meetings)
- Bryan Scott Jenke – City Representative (attended 2 of 4 meetings)
- Rick Loessberg – Dallas County Representative (attended 1 of 4 meetings)
- Orlando Alameda – DISD Representative (attended 4 of 4 meetings)
- Hector Flores – DISD Representative (attended 2 of 4 meetings)

The Dallas City Council approved eighteen items during the fiscal year related to the District. These items are summarized below:

- On November 10, 2010, the City Council approved Resolution Number 10-2871, authorizing (1) a multi-faceted construction contract for: (a) Coombs Creek erosion control; (b) renovation of the Stevens Park Golf Course to include drainage, bridge construction, cart paths, soil preparation, grassing, and landscaping; (c) installation of a recycled water irrigation system and pump station in coordination with Dallas Water Utilities; and (d) construction of a service center maintenance facility and cart building at Stevens Park Golf Course located at 1005 North Montclair Avenue with Wadsworth Golf Construction Company, best value proposer of seven in the amount of \$7,997,917; (2) an increase in appropriations in the Stevens Park Golf Course Improvement Fund in the amount of \$3,500,000; (3) a loan from Dallas Water Utilities Capital Construction Fund in the amount of \$3,500,000 to be repaid from golf revenue; and (4) an amendment to the golf professional concession contract with James

R. Henderson to define roles, responsibilities, compensation and reimbursement for personal services performed and costs incurred during the premises closure including, but not limited to security, insurance, staffing to close and re-open the restaurant and pro shop and increased unemployment taxes as a result of the closure of Stevens Park Golf Course for renovation in the amount of \$186,713 - Total not to exceed \$8,184,630 - Financing: 2003 Bond Funds (\$1,000,000), 2006 Bond Funds (\$3,497,917), Stevens Park Golf Course Improvement Funds (\$3,500,000) and Golf Improvement Funds (\$186,713)

- On December 8, 2010, the City Council approved Resolution Number 10-3008, authorizing a contract for relocation and restoration of the WPA-era stone pavilion to include removal of the existing parking lot and driveway; and replacement with new parallel parking; construction of new sidewalks; and repair and restoration of stone benches, tables and walls Stevens Park located at 1005 North Montclair Avenue - Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of thirteen - Not to exceed \$457,758 - Financing: 2003 Bond Funds
- On December 8, 2010, the City Council approved Resolution Number 10-3076, authorizing Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc., for additional engineering and survey services on Chalk Hill Road from West Davis Street to 800 feet south of IH 30 eastbound frontage road - Not to exceed \$54,552, from \$464,096 to \$518,648 - Financing: 2006 Bond Funds [10-3076; APPROVED].
- On December 8, 2010, the City Council approved Resolution Number 10-3077, authorizing Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc., for additional engineering and survey services on Chalk Hill Road from IH 30 westbound frontage road to Singleton Boulevard - Not to exceed \$181,487, from \$507,618 to \$689,105 - Financing: 2006 Bond Funds (\$176,519) and Water Utilities Capital Improvement Funds (\$4,968)
- On December 8, 2010, the City Council approved Resolution Number 10-3079, authorizing a second amendment to the development agreement with INCAP Master Development, LLC, previously approved on May 28, 2008, by Resolution No. 08-1585, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: (1) extend the completion deadline for the design of the median improvements component from December 31, 2010 to December 31, 2011; (2) extend the completion deadline for the median improvements from December 31, 2011 to December 31, 2012; (3) allow the funds designated for median improvements to be used for streetscape or other public improvements at an alternative location within the Davis Garden TIF District subject to the Davis Garden TIF Board's approval; and (4) approve the assignment of the development agreement from INCAP to Stratford Land Fund III, L.P. or its affiliates or any other party approved by the Director without obligation to own or

develop the six apartment complex sites that comprise approximately thirty acres of land located in the Davis Garden TIF District - Financing: No cost consideration to the City

- On February 9, 2010, the City Council approved Resolution Number 11-0402, authorizing a contract for interior renovation and expansion of Kidd Springs Recreation Center located at 700 West Canty Street - Speed Fab-Crete Corporation, best value proposer of ten - Not to exceed \$1,188,565 - Financing: 2006 Bond Funds
- On February 23, 2010, the City Council approved Resolution Number 11-0535, accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
- On May 25, 2011, the City Council approved Resolution Number 11-1346, authorizing a public hearing to be held on June 8, 2011 to receive comments on amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: (1) extend the term of the TIF District by a 10 year period from December 31, 2029 through December 31, 2039; (2) increase the City of Dallas' participation from a variable rate of 55 to 85% to a flat rate of 90%; (3) direct the City Manager to negotiate an increase in Dallas County's participation rate from 55% to 75% and to execute an amendment to the Interlocal Agreement between the City of Dallas and Dallas County to reflect such increase; (4) increase the Davis Garden TIF District budget from \$38,267,083 to \$103,658,541 (in 2008 dollars); (5) modify the names of budget categories from Environmental Remediation to Environmental Remediation/Demolition, and from Parks, Open Space, Trails, Streetscape to District-wide Improvements - Parks, Open Space, Trails, Trolley/Streetcar; (6) amend budget categories to: increase Infrastructure Improvements from \$22,074,732 to \$33,219,568, decrease Environmental Remediation/Demolition from \$6,131,870 to \$4,300,000, increase Affordable Housing from \$7,072,911 to \$11,920,435, increase Historic Façade Restoration from \$536,539 to \$1,946,858, increase District-wide Improvements - Parks, Open Space, Trails, Trolley/Streetcar from \$1,303,023 to \$4,358,953, and increase Administration and Implementation from \$1,148,008 to \$1,877,595; and (7) add a budget category to the TIF Project Plan for The Canyon in Oak Cliff in an amount of \$46,035,132; and at the close of the public hearing, consideration of an ordinance amending Ordinance No. 27090, previously approved on February 27, 2008, to reflect these modifications and all corresponding modifications to the Project Plan and Reinvestment Zone Financing Plan - Financing: No cost consideration to the City

- On June 8, 2011, the City Council approved Resolution Number 11-1568, conducting a public hearing to receive comments on amendments to the Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) - Financing: No cost consideration to the City
- On June 8, 2011, the City Council approved Ordinance Number 28237, authorizing amendments to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: (1) extend the term of the TIF District by a 10 year period from December 31, 2029 through December 31, 2039; (2) increase the City of Dallas' participation from a variable rate of 55 to 85% to a flat rate of 90%; (3) direct the City Manager to negotiate an increase in Dallas County's participation rate from 55% to 75% and to execute an amendment to the Interlocal Agreement between the City of Dallas and Dallas County to reflect such increase; (4) increase the Davis Garden TIF District budget from \$38,267,083 to \$103,658,541 (in 2008 dollars); (5) modify the names of budget categories from Environmental Remediation to Environmental Remediation/Demolition, and from Parks, Open Space, Trails, Streetscape to District-wide Improvements - Parks, Open Space, Trails, Trolley/Streetcar; (6) amend budget categories to: increase Infrastructure Improvements from \$22,074,732 to \$33,219,568, decrease Environmental Remediation/Demolition from \$6,131,870 to \$4,300,000, increase Affordable Housing from \$7,072,911 to \$11,920,435, increase Historic Façade Restoration from \$536,539 to \$1,946,858, increase District-wide Improvements - Parks, Open Space, Trails, Trolley/Streetcar from \$1,303,023 to \$4,358,953, and increase Administration and Implementation from \$1,148,008 to \$1,877,595; and (7) add a budget category to the TIF Project Plan for The Canyon in Oak Cliff in an amount of \$46,035,132 - Financing: No cost consideration to the City
- On June 8, 2011, the City Council approved Resolution Number 11-1569, authorizing the establishment of the City of Dallas Davis Garden TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Davis Garden TIF District - Financing: No cost consideration to the City
- On June 8, 2011, the City Council approved Resolution Number 11-1570, authorizing (1) a development agreement with SLF III - The Canyon TIF, L.P., "SLF." to dedicate future TIF revenues for eligible project costs and for an economic development grant pursuant to the Davis Garden TIF District Grant Program to support the development of the Canyon in Oak Cliff located in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) and to participate through Dallas Water Utilities (DWU) in the costs of

certain water and wastewater infrastructure improvements subject to future appropriation from current funds and pursuant to the provisions of Dallas City Code Chapter 49, Section 62(j); and (2) the Davis Garden TIF District Board of Directors to dedicate up to \$69,808,000 plus an additional grant up to \$59,067,756 - Not to exceed \$128,875,756 (\$69,808,000 plus an additional grant up to \$59,067,75) - Financing: Davis Garden TIF District Funds

- On June 8, 2011, the City Council approved Resolution Number 11-1571, declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse the SLF III - The Canyon TIF, L.P., "SLF" up to \$69,808,000 plus an additional grant up to \$59,067,756 pursuant to the Davis Garden TIF District Grant Program for total funding not to exceed \$128,875,756 supporting the development of the Canyon in Oak Cliff located in the Davis Garden TIF District - Financing: No cost consideration to the City
- On June 22, 2011, the City Council approved Resolution Number 11-1691, authorizing Supplemental Agreement No. 2 to the professional services contract with Freese and Nichols, Inc. for additional design services, bid phase services, and construction administration services for the renovation of the existing golf course, erosion control improvements, recycled water irrigation system, maintenance and cart barn at Stevens Park Golf Course located at 1005 North Montclair Avenue - Not to exceed \$207,655, from \$968,985 to \$1,176,640 - Financing: 2006 Bond Funds
- On June 22, 2011, the City Council approved Resolution Number 11-1750, authorizing a third amendment to the development agreement with INCAP Master Development, LLC, originally approved on May 28, 2008, by Resolution No. 08-1585, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: (1) waive the deadlines for the environmental remediation and demolition activities that were required in the development agreement; and (2) accept the deposit of funds in the amount of \$1,000,000 to the Davis Garden TIF District Tax Increment Fund for future TIF infrastructure improvements that benefit the District in lieu of the developer constructing median improvements, streetscape or other public improvements within the Davis Garden TIF District by December 31, 2011 - Financing: No cost consideration to the City
- On June 22, 2011, the City Council approved Resolution Number 11-1751, authorizing a development agreement with SLF III – The Canyon TIF, L.P., "SLF" to dedicate future TIF revenues pursuant to the Davis Garden TIF District Grant Program that are necessary or convenient to the implementation of the project plans for the Davis Garden TIF District to extend and to support the North Oak Cliff Streetcar in the Davis Garden TIF District - Not to exceed \$3,000,000 - Financing: Davis Garden TIF District Funds

- On June 22, 2011, the City Council approved Resolution Number 11-1752, declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse the SLF III - The Canyon TIF, L.P., "SLF" a grant of up to \$3,000,000, pursuant to the Davis Garden TIF District Grant Program, for expenditures necessary or convenient to the implementation of the project plans for the Davis Garden TIF District to extend and to support the North Oak Cliff Streetcar in the Davis Garden TIF District - Financing: No cost consideration to the City
- On August 24, 2011, the City Council approved Resolution Number 11-2190, authorizing an increase in the contract with Wadsworth Golf Construction Company for additions to include a retaining wall around the water tank, separate electrical service for the cart barn and maintenance yard, canopy and improvements to the clubhouse, changes to the cart path, low fence around portions of the perimeter of the golf course, retaining wall adjacent to hole number two, and a credit for staining creek bank stabilization walls at Stevens Park Golf Course located at 1005 North Montclair Avenue - Not to exceed \$467,260, from \$7,997,917 to \$8,465,177 - Financing: 2006 Bond Funds

## Pending TIF Items

Pending items for the Davis Garden TIF District include the following:

- Complete the prioritized list of potential infrastructure improvements that may be funded by SLF's \$1 million deposit into the Davis Garden TIF District Increment Fund for future TIF infrastructure improvements that benefit the District in lieu of the developer constructing median improvements, streetscape or other public improvements within the District
- Approval of the FY 2011 Annual Report
- Approval of the Davis Garden TIF District Mixed Income Housing Policy
- Review changes to the Davis Garden TIF District By-Laws concerning potential changes in the composition of the District's Board of Directors and design review process

## Budget and Spending Status

The Davis Garden TIF District's Project Plan and Reinvestment Zone Financing Plan established a budget for public improvement expenditures that are necessary to support private investment. The District's budget and spending to date are provided on the following charts:

<b>Davis Garden TIF District Projected Increment Revenues to Retire TIF Fund Obligations</b>			
Category	TIF Budget (Total Dollars)	Allocated	Balance
Environmental Remediation/Demolition	\$77,352,359	\$3,013,246	\$74,339,113
Infrastructure Improvements	\$10,012,627	\$5,382,206	\$4,630,421
Affordable Housing	\$27,756,946	\$3,671,197	\$24,085,749
Historic Façade Restoration	\$4,533,294	\$86,535	\$4,446,759
District Wide Improvements - Parks, Open space, Trails, Trolley/Streetcar	\$10,149,900	\$3,088,145	\$7,061,755
The Canyon in Oak Cliff Improvements ***	\$107,193,629	\$69,808,000	\$37,385,629
Administration and Implementation**	\$4,372,014	\$354,438*	\$4,017,576
<b>Total Project Costs</b>	<b>\$241,370,769</b>	<b>85,403,767</b>	<b>\$155,967,002</b>
<p><i>All values are estimated expenditures based on Annual TIF Project Costs and Debt Service schedules. These values depend on timing of projects and will fluctuate. An interest rate of 5% is used throughout the TIF term.</i></p> <p><i>*TIF administration costs show are committed through FY 2011 including \$222,736 in cumulative expenses as of FY 2010 and an additional \$131,380 in expenses incurred in FY 2011 but not booked at fiscal year close.</i></p>			

<b>Davis Garden TIF District Project Plan Budget (NPV Values)</b>	
Category	TIF Budget (NPV)
Environmental Remediation/Demolition	\$33,219,568
Infrastructure Improvements	\$4,300,000
Affordable Housing	\$11,920,435
Historic Façade Restoration	\$1,946,858
District Wide Improvements - Parks, Open space, Trails, Trolley/Streetcar	\$4,358,953
The Canyon in Oak Cliff Improvements *	\$46,035,132
Administration and Implementation	\$1,877,595
<b>Total Project Costs</b>	<b>\$103,658,541</b>
<p><i>All values discounted to 2008 dollars at 5% annually. Actual expenditure values will depend on the timing of project costs.</i></p> <p><i>* Amount will be reduced if other sources of improvement funds are identified and allocated to The Canyon in Oak Cliff.</i></p>	

## FY 2012 Work Program

The FY 2012 work program for the Davis Garden TIF District includes:

- Encourage development projects within the District in accordance with its final Project Plan and Reinvestment Zone Financing Plan
- Review changes to the Davis Garden TIF District By-Laws concerning potential changes in the composition of the District’s Board of Directors and design review process
- Finalize SLF’s horizontal development project and utilize their \$1 million deposit into the Davis Garden TIF District Increment Fund for priority infrastructure improvements



## Appendix: Financials

**City of Dallas, Texas**  
**Davis Garden Tax Increment Financing District Fund**  
**Reinvestment Zone Number Sixteen**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

-\$1	Interest Income
<u>\$163,660</u>	Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Certified Tax Roll)
<u>\$163,659</u>	Total Revenue

**2. Amount and purpose of expenditures from the fund:**

\$280	Administrative Expense
\$0	Non-Capital outlay
\$0	Capital outlay
<u>\$0</u>	Interest and fiscal charges
	Total
<u>\$280</u>	Expenditures

**3.** The zone began reimbursing the General Fund for TIF administration costs in fiscal year 2009-10.

**4. Amount of Principal and Interest due-on outstanding indebtedness:**

- a.** Davis Garden TIF District has incurred no bonded indebtedness as of September 30, 2011.
- b.** The Zone entered into a development agreement with INCAP Master Development, LLC for horizontal development in the TIF in an amount not to exceed \$4,008,247 plus a grant, if applicable, in lieu of interest. Reimbursement is expected to begin in June 2012 from available future increment collections.

**5. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable	Base Year	Est. Captured
	Value 2011*	2007 Value	Value 2011**
City of Dallas	\$140,804,869	\$137,834,597	\$2,970,272
Dallas County	\$140,804,869	\$137,834,597	\$2,970,272
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College District	\$0	\$0	\$0

\*2011 taxable value shown for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2012.

**6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment	Amount of Estimated
	Per \$100***	2011 Increment
City of Dallas	0.55790	\$16,571
Dallas County	0.13371	\$3,971
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	\$0.69161	\$20,543

\*\*\* Participation rate for Dallas County is 0% for tax year 2008 and 55% for tax years 2009 to 2029.

City of Dallas participates at variable rates as follows:

Tax Year	Rate
2008	0%
2009 - 2010	55%
2011 - 2013	70%
2014 - 2020	85%
2021 - 2023	70%
2024 - 2029	55%

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$20,543. For the 2010 tax year, increment in the amount of \$163,660 was collected.

**City of Dallas, Texas**  
**Davis Garden Tax Increment Financing District Fund**  
**Balance Sheet as of September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008 and 2007**

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Assets:</b>					
Pooled cash and cash equivalents	\$1	\$621	\$0	\$0	\$0
Interest receivable	\$0	\$0	\$0	\$0	\$0
	<hr/>				
Total assets	\$1	\$621	\$0	\$0	\$0
	<hr/>				
<b>Liabilities and Fund Balance (Deficit):</b>					
<b>Liabilities:</b>					
Accounts and contracts payable	\$0	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0	\$0
Accrued interest	\$0	\$0	\$0	\$0	\$0
Due to general fund	\$1,456	\$165,456	\$128,720	\$75,045	\$18,257
	<hr/>				
Total liabilities	\$1,456	\$165,456	\$128,720	\$75,045	\$18,257
	<hr/>				
<b>Fund Balance (Deficit):</b>					
Fund Balance (Deficit)	(\$1,455)	(\$164,834)	(\$128,720)	(\$75,045)	(\$18,257)
	<hr/>				
Total Liabilities and Fund Equity	\$1	\$621	\$0	\$0	\$0
	<hr/>				
	\$0	\$0	\$0	\$0	\$0

**City of Dallas, Texas**  
**Davis Garden Tax Increment Financing District Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)**  
**For the Period September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009, 2008 and 2007**

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
<b>Revenues:</b>						
Tax increment-Governmental	\$163,669	\$123,964	\$39,705	\$0	\$0	\$0
Tax increment-Intergovernmental	\$57,610	\$39,695	\$17,915	\$0	\$0	\$0
Interest income	\$0	\$0	\$0	\$0	\$0	\$0
Net increase (decrease) in fair value of investments	\$1	(\$1)	\$1	\$0	\$0	\$0
<b>Total revenues</b>	<b>\$221,280</b>	<b>\$163,659</b>	<b>\$57,621</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures:</b>						
Administrative expenses	\$222,735	\$280	\$93,736	\$53,675	\$56,787	\$18,257
Non-Capital Outlay	\$0	\$0	\$0	\$0	\$0	\$0
Capital outlay	\$0	\$0	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total expenditures</b>	<b>\$222,735</b>	<b>\$280</b>	<b>\$93,736</b>	<b>\$53,675</b>	<b>\$56,787</b>	<b>\$18,257</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>(\$1,455)</b>	<b>\$163,380</b>	<b>(\$36,115)</b>	<b>(\$53,675)</b>	<b>(\$56,787)</b>	<b>(\$18,257)</b>
Fund balance (Deficit) at beginning of year as previously reported	\$0	(\$164,834)	(\$128,720)	(\$75,045)	(\$18,257)	\$0
Fund balance (Deficit) at beginning of year, as restated	\$0	(\$164,834)	(\$128,720)	(\$75,045)	(\$18,257)	\$0
Fund balance (deficit) at end of year	(\$1,455)	(\$1,455)	(\$164,834)	(\$128,720)	(\$75,045)	(\$18,257)

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**

## Notes to Financials

City of Dallas, Texas  
Davis Garden Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$1,803,922 over the life of the TIF to reimburse the City for administrative costs. The Zone began reimbursing the general fund in fiscal year 2009-10. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2, 4, 5, 7, 8, 14  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 35 M R U V Y; 36 A B E F J K; 45 C G J K L N P S  
T U V X Y Z; 55 B C F K P Q R T U V X Y; 65 B C G L M

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as the State Comptroller. The City Council approved Ordinance No. 27432, as amended on December 10, 2008, establishing Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District) The Transit-Oriented Development (TOD) around DART stations was created in the central portion of the City to help create a series of unique destinations. On April 14, 2010, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 27854, as amended.

The TOD TIF District's assessed tax value in 2011 was \$185,181,491. This represents a decrease of 8.4% (\$16,893,030) from the assessed value of the base year (2008 and 2010), as amended. The TIF District anticipates no incremental tax revenue collection for tax year 2011. The largest decline in value occurred with land and industrial properties in the Cedars West area and a modest decline in the Mockingbird/Lovers area related to demolition and lingering impacts of the economic downturn on commercial properties. There was an overall 5% increase in value in the Lancaster Corridor area.

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

On December 10, 2008, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Seventeen, the TOD TIF District by Ordinance No. 27432, as amended.

On April 14, 2010, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the TOD TIF District by Ordinance No. 27854, as amended.

On December 9, 2011, the TOD TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

**FISCAL INFORMATION**

No cost consideration to the City



February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Seventeen, ("TOD TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment of Transit-Oriented Development (TOD) sites pursuant to Ordinance No. 27432, as amended, authorized by the City Council on December 10, 2008, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on April 14, 2010, the City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the TOD TIF District by Ordinance No. 27854; as amended and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on December 9, 2011, the TOD TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Seventeen and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**) is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Seventeen to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law.

**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.

# TOD TIF District FY 2011 Annual Report



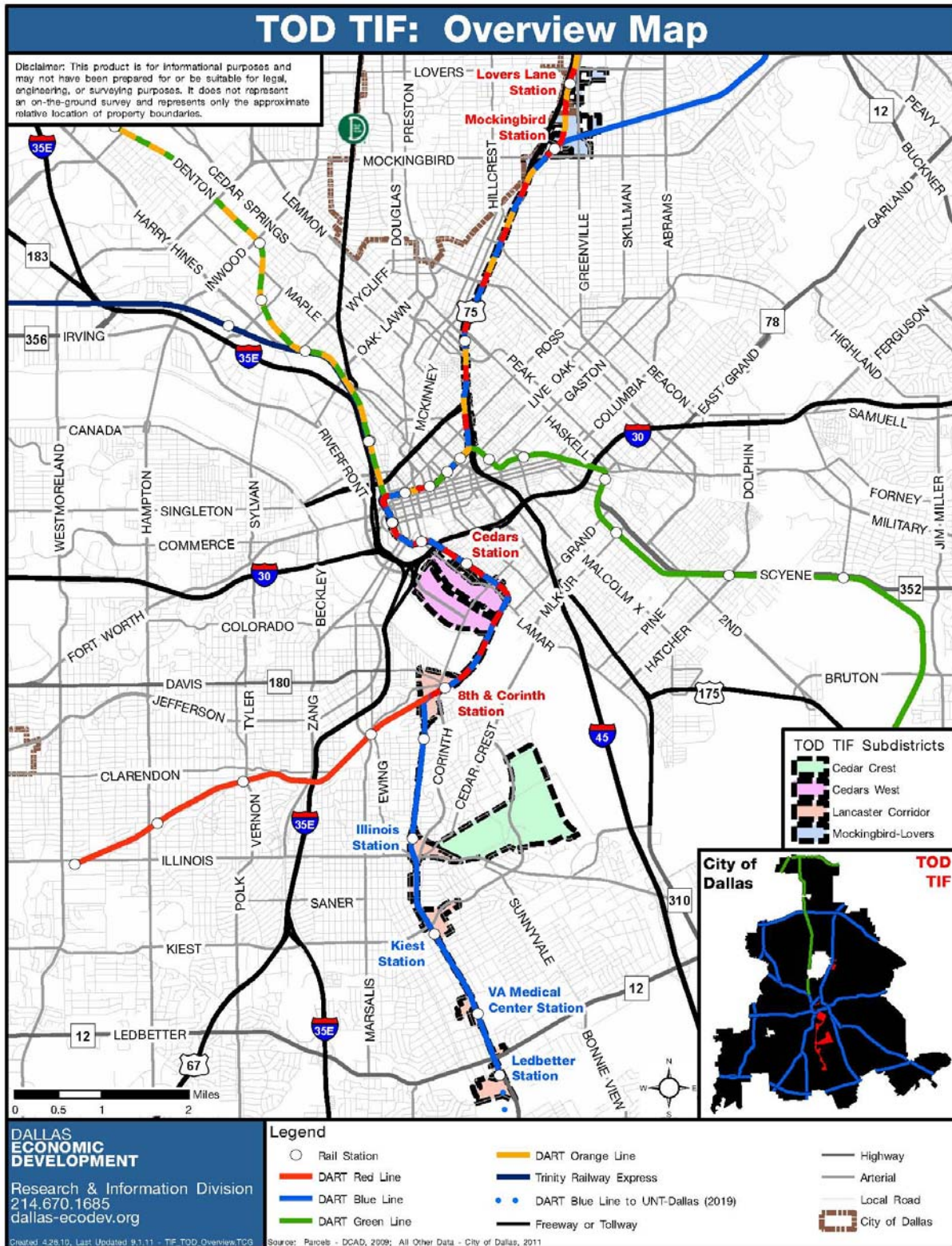
**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 671-9821

[http://www.dallas-ecodev.org/area\\_redevelopment.html](http://www.dallas-ecodev.org/area_redevelopment.html)

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Seventeen Tax Increment Financing District



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## Mission Statement

The mission of the TOD TIF District is to provide a source of funding for public infrastructure improvements that will help create a series of unique destinations, as well as foster the construction of structures or facilities that will be useful or beneficial to the development of transit stations along the DART light rail system in the central portion of the City. Redevelopment of the Lancaster Corridor and encouragement of transit-oriented mixed-use development (TOD's) around DART stations are top City priorities. Linkage of areas proximate to the Lovers Lane/Mockingbird, Cedars West, and Lancaster Corridor transit stations via the DART Rail Lines facilitates higher density urban development in all areas and permits tax increment sharing to occur.

The TOD TIF District duration began on January 1, 2009, and will terminate on December 31, 2038, (including collection of the 2038 increment in calendar year 2039 and any related matters to be concluded in 2039).

## TOD TIF District Accomplishments

Dallas City Council established the TOD TIF District by Ordinance Number 27432 on December 10, 2008, as amended.

The TOD TIF District contains a series of DART light rail station areas connected by the rail line. Chapter 311 of the Tax Code was amended in 2007 to allow the creation of a reinvestment zone for properties that have some connection to and will benefit a mass transit rail system. The original TIF boundary included three sub-districts (and eight DART light rail stations) – Mockingbird/Lovers Lane, Cedars West, and the Lancaster Corridor within the District defined by the relationship of areas geographically and/or to redevelopment goals.

During FY 2010, the staff and the TIF Board worked on boundary amendments and the final TIF Plan. In April 2010, the TIF boundary was amended including modifications to the Mockingbird/Lovers Lane and Cedars West Sub-Districts and an expansion of the Lancaster Corridor Sub-District to extend to the Ledbetter Station at the southern terminus of the DART Blue Line. A new sub-district, "Cedar Crest" was added to include the "Wonderview" 200-acre master planned development for the former Kiest landfill site and adjacent property along with the Cedar Crest Golf Course area. In November 2010, an additional boundary amendment that added the former Lancaster-Kiest library building and adjacent commercial properties into the District was approved by City Council.

The Dallas City Council adopted the TOD TIF District Project Plan and Reinvestment Zone Financing Plan on April 14, 2010 by Ordinance 27854, as amended in April and November 2010.

In FY 2010, the TIF Board and City Council approved a development agreement dedicating up to \$8,492,273 in future TIF revenues in support of the Lancaster Urban

Village project. The Lancaster Urban Village project is being viewed as an important seed project for the Veterans Hospital "VA" DART Station area and has been planned in conjunction with a related project to expand the Dallas Urban League offices and training facilities. Staff worked extensively with City Wide Community Development Corporation and their partner Catalyst Urban Development, LLC on coordination for other funding programs to complete the financing package for the project. In 2009, City Council approved an economic development forgivable loan agreement for to assist with land assemblage and related costs for the Dallas Urban League expansion and adjacent mixed-use development. In December 2010, the TIF Board approved a deadline extension for the project to allow an additional time to secure remaining financing sources for the project necessary due to the complexity with structuring both Housing and Urban Development (HUD) Sec 108 and 221d4 programs and New Market Tax Credit sources.

In October 2010, the City was awarded a \$2.225 million HUD Community Challenge Planning Grant to be shared among three focus areas: 1) Lancaster Corridor/TOD TIF District (primarily Kiest and VA Station areas), 2) the DART Green Line Corridor including Hatcher Station-Spring Avenue JB Jackson, and Buckner station areas, and 3) the Vickery Meadow / Five Points Area. Funding activities will include creation of area plans, preconstruction planning related to affordable housing and mixed-use development within ½ mile of transit stations and land acquisition as needed. During FY 2011, a request for proposals (RFP) was issued for preparation of area plans and recommended consultant selection(s) are anticipated for City Council consideration in December 2011.

During FY 2011, the TIF Board and City Council approved a development agreement with Southern Methodist University (SMU) dedicating up to \$400,000 for reimbursement of a local match as part of a NCTCOG Sustainable Development grant for pedestrian improvements along SMU Boulevard and a Katy Trail Extension from SMU Boulevard to Twin Sixties Drive. These improvements will provide district wide benefits that improve pedestrian and bicycle safety and connectivity to the Mockingbird DART Station, existing businesses and new development along with providing additional green space for residents and employees of the area.

Initial projects within the District completed, under construction or in the development stage are shown in the table below. During FY 2011, staff continued discussions with Sphinx Development Corporation on plans and funding needs for future phases of the Fiji/Compton project along with other prospective projects in the various sub-districts.

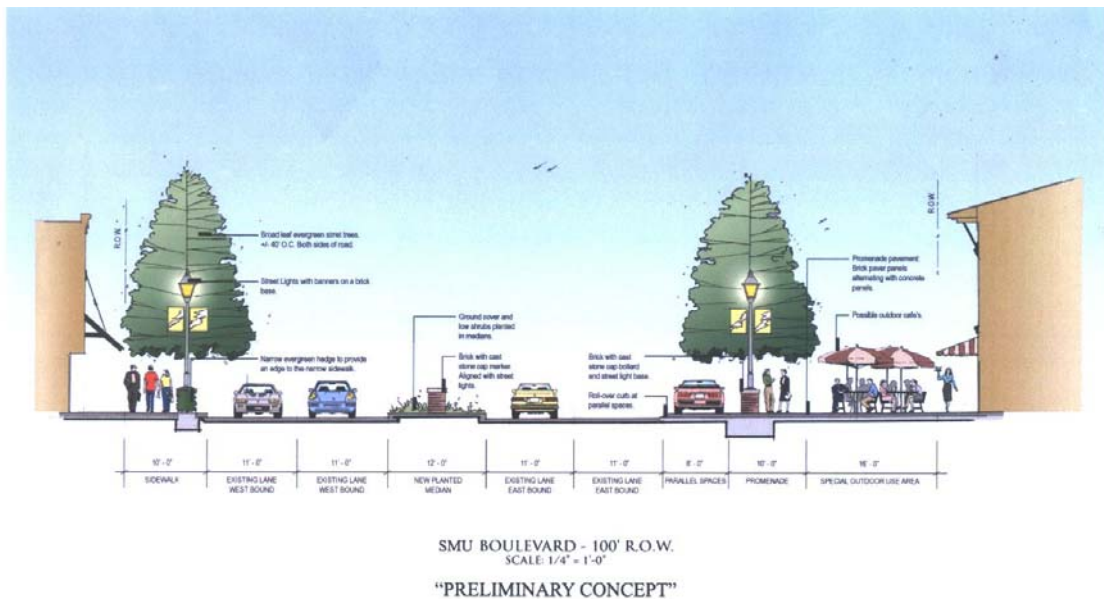
<b>TOD TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/SF<sup>2</sup></b>	<b>Approx. or Estimated Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Lancaster Urban Village – Ph I- Mixed Use Building	SW corner Ann Arbor Ave. & Lancaster Rd.	Ph I - 2013	Planned	193 units; 14,131 square feet retail	\$25,940,028	\$8,492,273
Ph II -Urban League Expansion (related project office/training facility) <sup>(6) (7)</sup>	SW corner Ann Arbor Ave. & Lancaster Rd.	Ph II - 2014	Planned	46,568 square feet office	\$9,888,751	n/a
<b>Subtotal</b>				<b>193 units; 14,131 square feet retail; 46,568 square feet office</b>	<b>\$35,828,779</b>	<b>\$8,492,273</b>
<b>Projects Within TIF District Not Utilizing TIF Funding<sup>5</sup></b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
The Shelby	5609 SMU Blvd.	2009	Complete	55 units; 3,720 square feet retail	\$8,168,860	n/a
Crest Plaza Shopping Ctr. Remodel <sup>(7)</sup>	2603 S. Lancaster Rd.	2010	Complete	112,000 square feet retail	\$1,000,000 Added Investment	n/a
The BLVD (former Shamburger site)	SW corner SMU Blvd. & Greenville Ave.	2013	Planned	417 units; 9,100 square feet retail	\$29,572,600	n/a
Sphinx Development Corp. – Fiji/Compton Phase I	201 Fran Way	2010	Complete	130 senior apt. units	\$2,170,140	n/a
Sphinx Development Corp. – Fiji/Compton Phase II	1515 Compton Street	2013	Planned	50 townhomes	\$7,124,950	n/a
Southside Boutique Hotel <sup>(7)</sup>	1325 S. Lamar	2012	Planned	76 hotel rooms (55,000 square feet total with amenities)	\$15,000,000	n/a

<b>Subtotal</b>	<b>652 units; 76 hotel rooms 124,820 square feet retail</b>	<b>\$63,036,550</b>	<b>\$0</b>
<b>Projects Utilizing and Not Utilizing TIF Funding</b>			
<b>Total</b>	<b>845 units; 76 hotel rooms; 138,951 square feet retail; 46,568 square feet office</b>	<b>\$98,865,329</b>	<b>\$8,492,273</b>
<p><sup>1</sup> All information updated as of September 30, 2011.</p> <p><sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.</p> <p><sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.</p> <p><sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown.</p> <p><sup>5</sup> Selected significant projects included.</p> <p><sup>6</sup> Tax-exempt property. Amount shown is approximate investment in improvements.</p> <p><sup>7</sup> Includes other incentives not shown. Contact City of Dallas Office of Economic Development for more information.</p>			



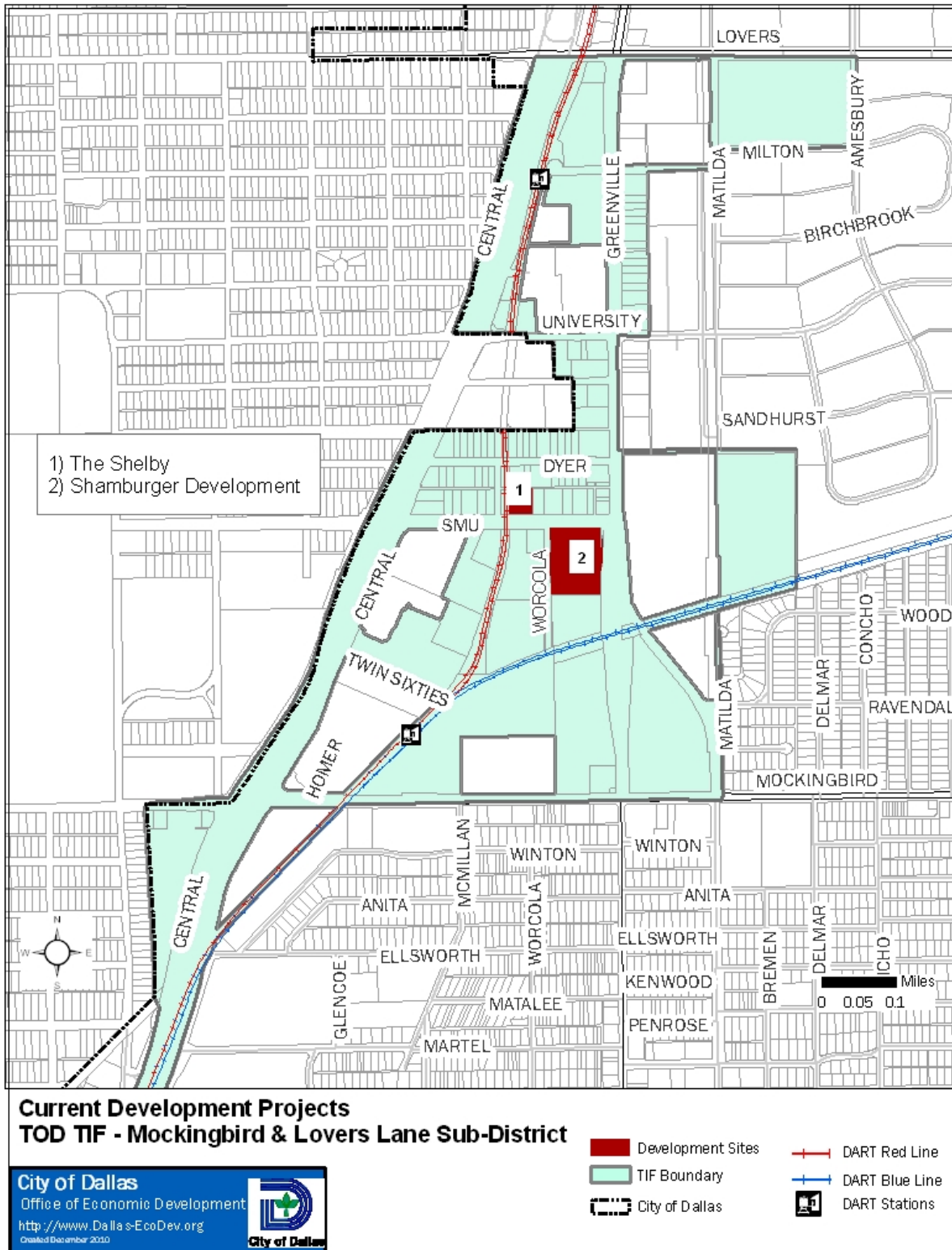
The City and other partners have initiatives that began prior to FY 2011; however, will have a direct impact with public infrastructure for the District going forward. Two projects received funding commitments in 2006 from the North Central Texas Council of Government’s Sustainable Development Call for Projects. Agreements are in place and the projects are currently in design.

District Initiatives – Other Public Support for Projects				
Activity	Scope	Status	Investment	Source
<b>Mockingbird Plaza Sustainable Development Project</b>	Streetscape improvements along SMU Blvd. and trail/bicycle improvements from SMU Blvd to Mockingbird DART Station.  City bond funds also authorized for SMU Blvd. improvements.	Funding approved by the NCTCOG's RTC on April 13, 2006. City Council authorized support in June 2006 and authorized Interlocal Agreement December 2006. Implementation is anticipated to begin with design in early 2012.	\$1,600,000	NCTCOG/RTC 2006  Local Match – Private ( <i>agreement for TIF eligible reimbursement</i> )  2006 City bond funds
			\$ 400,000	
			\$1,038,300	
<b>Sphinx at Fiji/Compton – Phase I-II Sustainable Development Project</b>	Infrastructure including paving and drainage	Funding approved by the RTC on April 13, 2006. City Council authorized support in June 2006 and authorized Interlocal Agreement December 2006. Project is nearly completed.	\$2,811,986  \$ 702,997	NCTCOG/RTC 2006  Local Match – 2003 City bond funds

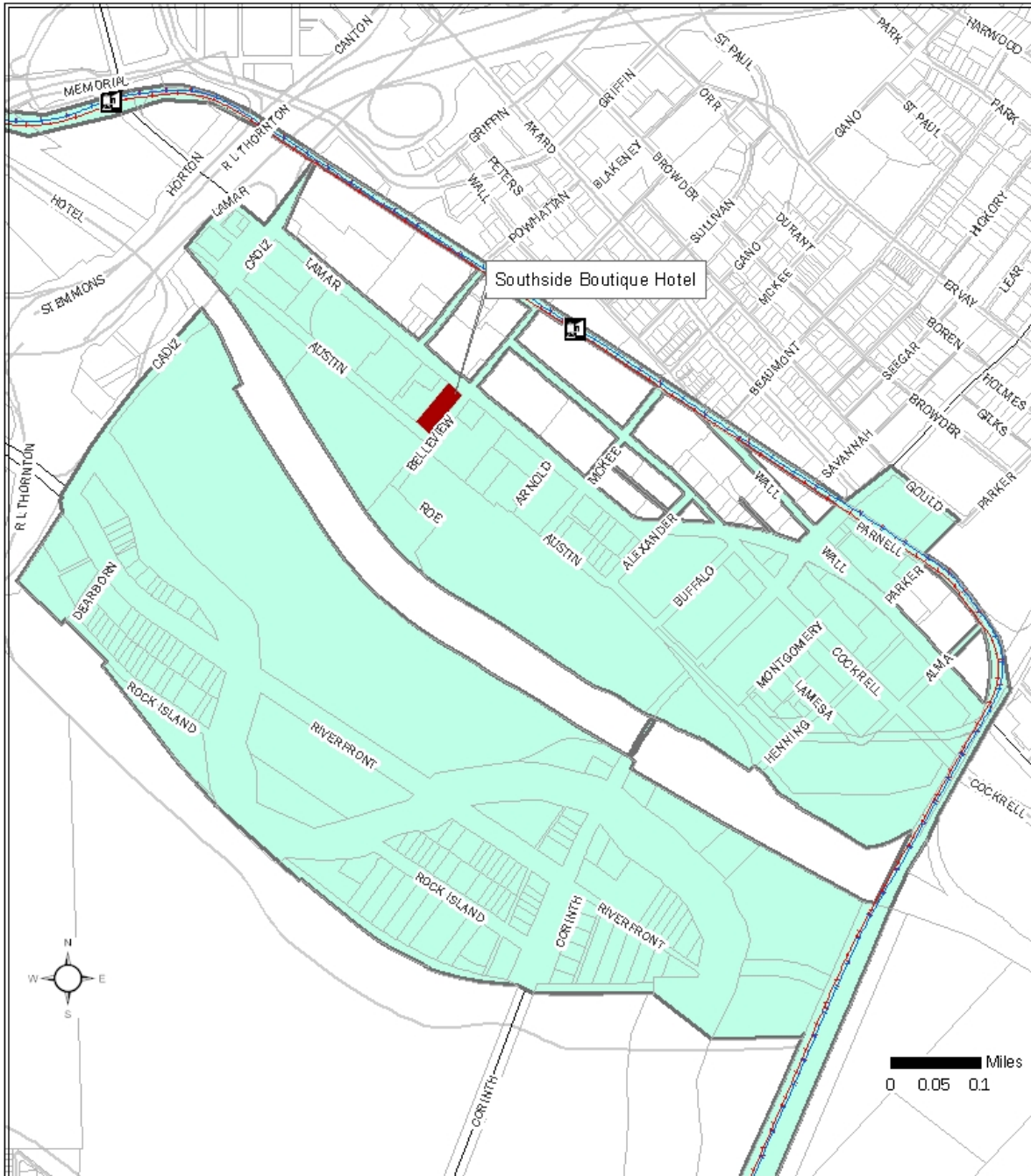


Streetscape concept as part of Mockingbird Plaza Sustainable Development Project

# TIF District Development Project Map – Part 1 of 5



# TIF District Development Project Map – Part 2 of 5



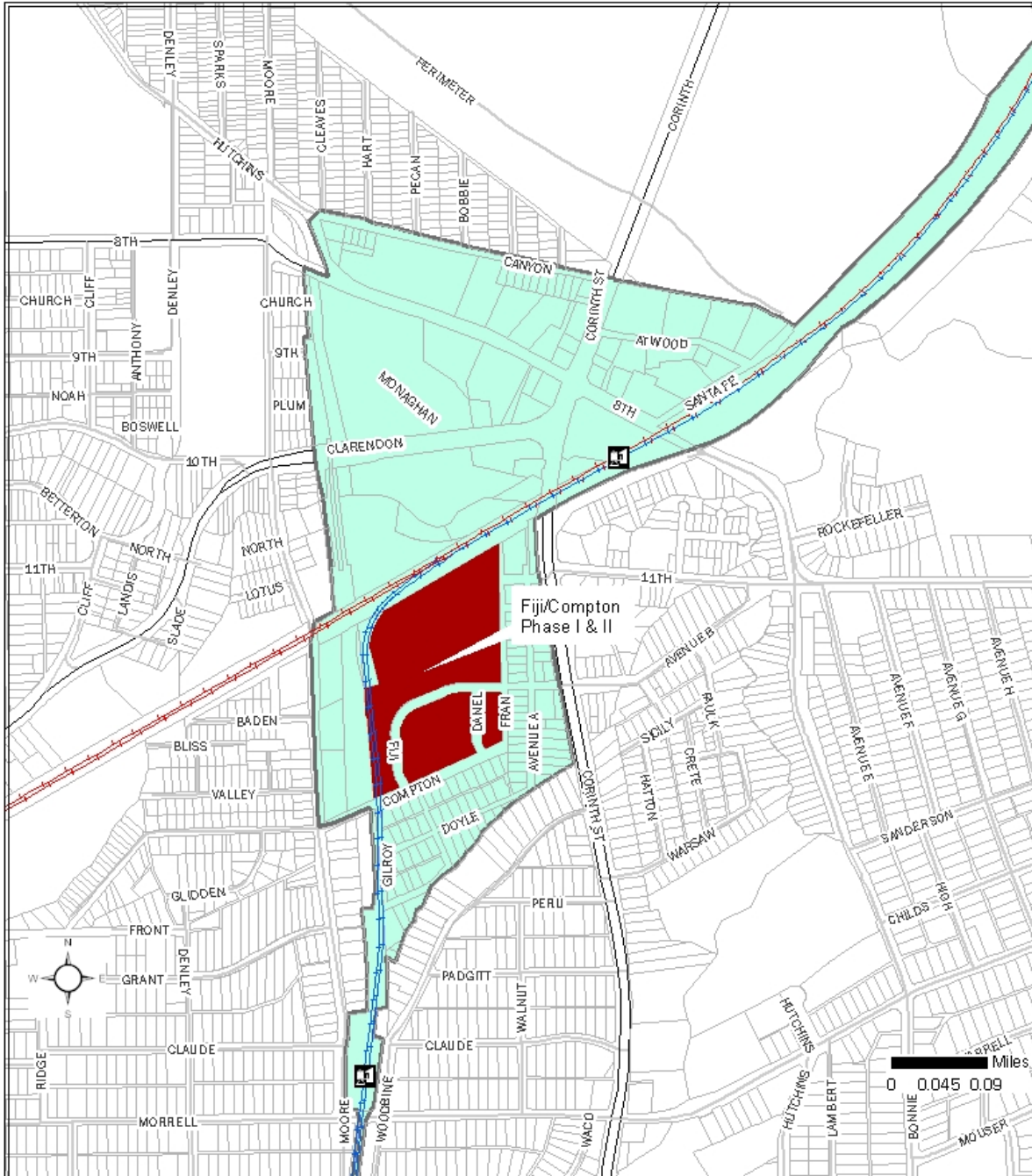
## Current Development Projects TOD TIF - Cedars West Sub-District

**City of Dallas**  
Office of Economic Development  
<http://www.DallasEcoDev.org>  
Created November 2010



-  Development Sites
-  TIF Boundary
-  Excluded Property
-  City of Dallas
-  DART Red Line
-  DART Blue Line
-  DART Stations

# TIF District Development Project Map – Part 3 of 5



**Current Development Projects**  
**TOD TIF - 8th & Corinth Station (Lancaster Corridor Sub-District)**

City of Dallas  
 Office of Economic Development  
<http://www.DallasEcoDev.org>  
 Created November 2010

- Development Sites
- TIF Boundary
- City of Dallas
- DART Red Line
- DART Blue Line
- 8 DART Stations

# TIF District Development Project Map – Part 4 of 5



- 1) Crest Plaza Shopping Ctr. remodel
- 2) Lancaster Urban Village - Urban League expansion & Phase I mixed-use devel.

## Current Development Projects TOD TIF - Kiest & VA Station Areas (Lancaster Corridor Sub-District)

**City of Dallas**  
Office of Economic Development  
<http://www.DallasEcoDev.org>  
Created November 2010



- Development Sites
- TIF Boundary
- City of Dallas
- DART Red Line
- DART Blue Line
- DART Stations

## Value and Increment Revenue Summary

The TOD TIF District's assessed 2011 City taxable value was \$185,181,491 and varies for other taxing jurisdictions due to exemption levels. This represents a decrease of \$16,893,030 or -8.4% over the base year (2008 and 2010) value, as amended. The TIF District anticipates no incremental tax revenue collection for tax year 2011. The largest decline in value occurred with land and industrial properties in the Cedars West area and a modest decline in the Mockingbird/Lovers area related to demolition and lingering impacts of the economic downturn on commercial properties. There was an overall 5% increase in value in the Lancaster Corridor area.

## Objectives, Programs, and Success Indicators

The final TOD TIF Project Plan and Reinvestment Zone Financing Plan was adopted in April 2010. Among the goals of the Plan are:

- To create additional taxable value attributable to new private investment in projects in the TOD TIF District totaling approximately \$2,431,000,000  
*Over \$98 million in new investment is underway or planned (3.8% of the goal).*
- To attract higher density new private development in the TOD TIF District totaling approximately 2,480,000 square feet of new or upgraded retail and office space and 13,900 residential units, including townhome, multi-family, and single-family projects.  
*138,951 square feet of new and upgraded retail space and 46,568 square feet of office space is underway or planned (7.5% of the goal).  
Approximately 845 residential units are under construction or planned (6% of the goal).*



Fiji/Compton Phase I - Sphinx at Fiji Seniors opened this year. The groundbreaking ceremony held in February 2011, was attended by various elected officials, City staff, and other partners that assisted Sphinx Development Corporation with the project.

- To focus on encouraging the redevelopment of properties in the TOD TIF District, increase density and provide enhanced urban design for the various station areas that is commensurate with forwardDallas!, the City’s Comprehensive Plan.  
*Initial development projects under construction or planned show momentum for more urban, pedestrian friendly redevelopment in support of forwardDallas!.*
- Encourage development projects that will increase DART ridership at rail stations within the TOD TIF District.  
*Initial development projects completed, under construction or planned will add 845 new households in close proximity to DART stations. The most recent average daily ridership figures as of September 2011 for the eight DART light rail stations in or adjacent to the District are shown in the table below:*

Average Daily Ridership at DART LRT Stations in or adjacent to the District		
Station	Daily ridership – Sept 2011	%change from prior year
Lovers Lane	1,103	-8.0%
Mockingbird	3,086	-10.2%
Cedars	868	-23.1%
8 <sup>th</sup> & Corinth	1,674	-19.1%
Illinois	996	-13.9%
Kiest	1,179	-14.7%
VA Medical Center	938	-8.7%
Ledbetter	2,278	-10.0%



The BLVD (former Shamburger warehouse site) under construction

- To improve access and connections between DART light rail station areas and strategic Dallas area amenities such as the campus and future research facilities of Southern Methodist University, the Bush Presidential Library, the Trinity River, Southside on Lamar, and the heart of Cedars to the Convention Center area, Dallas Zoo, Cedar Crest Golf Course, and Veterans Memorial Hospital.  
*The planned Mockingbird Plaza Sustainable Development Project and 2006 bond program public improvements will facilitate better pedestrian connectivity along SMU Boulevard and to the Mockingbird DART Station. Connections will be improved for this area in close proximity to Southern Methodist University and the planned Bush Presidential Library. Improvements planned as part of the Lancaster Urban Village will improve connectivity to the Veterans Memorial Hospital and DART station.*
- To increase recreational opportunities and improve connections to the City of Dallas trails and open space system in the District.  
*Mockingbird Plaza Sustainable Development Project improvements will provide for a walking and bicycle trail between SMU Boulevard and the Mockingbird DART station. An extension of the Katy Trail improvements, with City bond funds, in the Mockingbird area was in the property acquisition and initiating construction phase in FY 11. Staff will continue to work with the Park and Recreation Department and other entities to address park and trail needs as the District evolves.*
- To maintain the stability of local schools as redevelopment occurs in the housing market and promote improved training and job creation through partnerships with Southern Methodist University, Dallas County Community College District, the VA Hospital, Urban League, and the future University of North Texas Law School.  
*Redevelopment projects thus far have primarily involved vacant or underutilized commercial sites. A partnership with the Urban League and coordination with the VA Hospital has begun as part of the Lancaster Urban Village project. Partnerships with Southern Methodist University and Dallas County Community College District can also continue to be explored in FY 2012.*
- To generate approximately \$185.2 million (NPV; 2009 dollars) in increment over 28 years of collections, with up to 85 percent participation by the City and 55 percent participation by Dallas County.  
*Taxable value for the District for 2011 declined by \$16,893,030 or -8.4% over the amended base year (2008 and 2010) value. The TIF District anticipates no incremental tax revenue collection for tax year 2011. The largest decline in value occurred with land and industrial properties in the Cedars West area and a modest decline in the Mockingbird/Lovers area related to demolition and lingering impacts of the economic downturn on commercial properties. There was an overall 5% increase in value in the Lancaster Corridor area.*



- To diversify retail and commercial uses in the District.  
*Retail leasing as part of The Shelby has brought a new restaurant along SMU Boulevard. The upgrades completed at the Crest Plaza Shopping Center will double the size of a grocery store in an underserved area.*



The Shelby Lofts with Twisted Root Burger Co. on the ground floor.

- Add residential density including but not limited to provisions for affordable housing, elderly and special needs housing, and a sustainable mix of product types and destination related activities near DART light rail station within the District to promote overall system ridership and increase ridership levels at the specific stations in the District.  
*Initial projects completed, under construction or planned would add a significant number of new units adjacent or in close proximity to DART stations.*

## Year-End Summary of Meetings

The TOD TIF District Board of Directors met two times during the fiscal year from October 1, 2010 to September 30, 2011.

The Board can consist of up to twelve members, including eight City of Dallas appointees and one appointee from each of the other taxing jurisdictions (Dallas Independent School District, Dallas County Dallas County Hospital District, and Dallas County Community College District). During FY 2011 the Board members were (FY 2010 Board meetings attended): Zad Roumaya – City Representative (0 of 2 meetings), Jack Wierzenski – City Representative (2 of 2 meetings), Jud Pankey – City Representative (2 of 2 meetings), James Frye – City Representative (2 of 2 meetings), Rick Loessberg – Dallas County Representative (0 of 2 meetings), Andrew Jones –

DCCCD Representative (1 of 2 meetings), and Hector Flores – DISD Representative (2 of 2 meetings). There were four City positions and one Hospital District position vacant.

During the fiscal year, the City Council approved forty-three items associated with development projects or public initiatives in the TOD TIF District:

- On October 13, 2010, the City Council passed Resolution Number 10-2599 authorizing the rejection of all bids received for approximately 34,600 square feet of land, improved with the old Lancaster/Kiest Library, located near the intersection of Lancaster Road and Corning Avenue. *(Potential development site, surplus City property)*

*The following four items are related to the Lancaster Urban Village Project:*

- On October 13, 2010, the City Council passed Ordinance Number 28029 abandoning portions of two sanitary sewer easements to City Wide Community Development Corporation, the abutting owner, containing a total of approximately 374 feet of land located near the intersection of Lancaster Road and Mentor Avenue - Revenue: \$5,400 plus the \$20 ordinance publication fee.
- On October 13, 2010, the City Council held a public hearing and passed Ordinance Number 28032 granting a Planned Development District for certain Mixed Uses on property zoned a CR Community Retail District and an R-7.5(A) Single Family District on the west line of Lancaster Road, south of Ann Arbor Avenue and the west line of Denley Drive, south of Ann Arbor Avenue. Recommendation of Staff and CPC: Approval, subject to a Tract 1 development/Tract 2 conceptual plan, elevation and conditions. Z090-203(RB).
- On October 13, 2010, the City Council passed Ordinance Number 28037 abandoning a portion of Denley Drive and street easements to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners, containing a total of approximately 16,156 square feet of land located near the intersection of Ann Arbor Avenue and Denley Drive, authorizing the quitclaim, and providing for the dedication of approximately 13,102 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee.
- On October 13, 2010, the City Council passed Resolution Number 10-2652 authorizing (1) a public hearing to be held on November 17, 2010 to receive comments on an amended City of Dallas proposal to submit an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$8,492,000 to provide funds for the Lancaster Urban Village Project for land acquisition at the southeast quadrant of the intersection of South Lancaster Road and Ann Arbor Avenue and to fund a loan interest reserve, sitework, commercial development and development of a parking garage for a

mixed-use, transit-oriented development along the South Lancaster Road corridor across from the Veterans Affairs Medical Center (V.A.); and at the close of the public hearing, (2) consideration of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan for the Lancaster Urban Village Project in an amount not to exceed \$8,492,000 - Financing: No cost consideration to the City. *(Related to Lancaster Urban Village project)*

- On October 26, 2010, the City Council passed Resolution Number 10-2738 authorizing a public hearing to be held on November 10, 2010 to receive comments on an amendment to Tax Increment Reinvestment Zone Number Seventeen (TOD TIF District) to increase the geographic area of the TOD TIF District in the Lancaster Corridor Sub-District to include properties located at 2809, 2815, 2901, 2911, 2915, 2919, 2935, 3005, 3011, 3015, 3023, 3025, and 3039 Lancaster Road located on the western frontage of Lancaster Road between Corning Avenue and Saner Avenue; and at the close of the public hearing, (2) consideration of an ordinance amending Ordinance Nos. 27432, previously approved on December 10, 2008, as amended and 27854, previously approved on April 14, 2010, to reflect these changes.
- On October 26, 2010, the City Council passed Resolution Number 10-2771 authorizing an amendment to Resolution No. 10-1239, previously approved on May 12, 2010, to increase the loan amount by \$1,300,000 on an existing Chapter 380 economic development forgivable loan with Sapphire Road Development, LLC for the acquisition of improved and unimproved properties, located along the Lancaster Corridor Neighborhood Investment Program Area, including associated closing costs, relocation, environmental remediation, demolition, and/or predevelopment costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the area - Not to exceed \$1,300,000, from \$2,700,000 to \$4,000,000 - Financing: 2006 Bond Funds.
- On October 26, 2010, the City Council passed Resolution Number 10-2756 declaring City-owned land located at 311 Avenue A near the intersection of Fran Way and Avenue B unwanted and unneeded and authorizing its advertisement for sale by sealed bid with no minimum bid specified. *(Related to Sphinx Development Corporation – Fiji/Compton project area).*
- On November 10, the City Council passed Resolution Number 10-2817 authorizing a New Markets Tax Credit (NMTC) transaction, between the Dallas Development (DDF) Fund and its subsidiaries, US Bank, N.A. (US Bank) and its subsidiaries, and Matthews Southwest and its partners (Developer) for the restoration and development of historic property located at 1325 South Lamar Street into a boutique hotel (Project). *(Related to South Side Boutique Hotel project)*

- On November 10, the City Council passed Resolution Number 10-2845 authorizing Authorize a historic preservation tax exemption for the Dallas Coffin Company Building located at 1325 South Lamar Street for a ten-year period on 100% of the land and structure value - Revenue: First year tax revenue foregone estimated at \$49,733 (Estimated revenue foregone for ten years is \$497,330). *(Related to South Side Boutique Hotel project)*
  
- On November 10, 2010, the City Council held a public hearing and passed Ordinance Number 28059 amending Ordinance Nos. 27432, previously approved on December 10, 2008, as amended and 27854, previously approved on April 14, 2010, to increase the geographic area of the TOD TIF District in the Lancaster Corridor Sub-District to include properties located at 2809, 2815, 2901, 2911, 2915, 2919, 2935, 3005, 3011, 3015, 3023, 3025, and 3039 Lancaster Road located on the western frontage of Lancaster Road between Corning Avenue and Saner Avenue - Financing: No cost consideration to the City.
  
- On December 8, 2010, the City Council held a public hearing and passed Ordinance Number 28070 granting a Planned Development District for MU-3 Mixed Use District Uses on property zoned an MU-3 Mixed Use District on the northeast corner of North Central Expressway and Twin Sixties Drive Recommendation of Staff: Approval, subject to a conceptual plan, Zone 2 development plan, a Zone 3 development plan, and staff's recommended conditions, and no change in zoning for that portion of the property under new ownership Recommendation of Staff and CPC: Approval, subject to a conceptual plan, Zone 2 development plan, a Zone 3 development plan, and conditions, and no change in zoning for that portion of the property under new ownership Z067-284(RB) CPC Recommendation Followed. *(Related to The BLVD project, former Shamburger site).*
  
- On January 12, 2011, the City Council passed Resolution Number 11-0194 authorizing an amendment to Resolution No. 09-1965, previously approved on August 12, 2009, to increase the loan amount by \$275,000 on an existing economic development loan with City Wide Community Development Corporation (CWCDC) for the acquisition of improved and unimproved properties located within the Lancaster Corridor, including associated relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial or mixed-use redevelopment as part of the Economic Development Plan for the Lancaster Corridor - Not to exceed \$275,000, from \$1,000,000 to \$1,275,000 - Financing: 2006 Bond Funds. *(Related to Lancaster Urban Village project)*



Rendering of Dallas Urban League expansion.

- On January 26, 2011, the City Council passed Resolution Number 11-0260 authorizing (1) an application for and acceptance of the Community Challenge Planning Grant from the U.S. Department of Housing and Urban Development's Office of Sustainable Housing and Communities for planning and land acquisition related to affordable housing and Transit Oriented Development for a three year period; and (2) establishment of appropriations for the grant - Not to exceed \$2,225,000 - Financing: U.S. Department of Housing and Urban Development Office of Sustainable Housing and Communities Grant Funds.
- On January 26, 2011, the City Council passed Resolution Number 11-0273 authorizing an increase in the contract with Alta Construction Services, Inc. for the construction of additional paving and drainage improvements for Avenue A, Avenue B, Avenue C, Compton Street, Fran Way, Fiji Street, Sphinx Street, Tonga Street, and associated alleys - Not to exceed \$104,158, from \$1,818,799 to \$1,922,957 - Financing: Capital Projects Reimbursement Funds. *(Related to Sphinx Development Corporation – Fiji/Compton project area).*
- On January 26, 2011, the City Council passed Resolution Number 11-0282 authorizing the sale of an unwanted and unneeded City-owned land located near the intersection of Fran Way and Avenue B to SDC Sachse Senior Villas, LLC, the highest bidder - Revenue: \$2,600. *(Related to Sphinx Development Corporation – Fiji/Compton project area).*
- On February 23, 2011, the City Council passed Resolution Number 11-0536 accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.

- On February 23, 2011, the City Council passed Resolution Number 11-0610 authorizing a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Veterans Place located at 4623 South Lancaster Road for the acquisition and new construction of the proposed 147-unit multifamily residential development for low income families - Financing: No cost consideration to the City Recommendation of Staff: Approval. *(Related to potential Veteran's Place project).*
- On March 9, 2011, the City Council passed Resolution Number 11-0683 authorizing the continued occupancy under the lease agreement with Jess Baroukh L.L.C. for approximately 5,000 square feet of office space located at 2645 South Lancaster Road for the operation of the Women, Infants and Children Clinic through May 31, 2011 - Total not to exceed \$7,500 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations). *(Related to Crest Plaza Shopping Center)*
- On April 27, 2011, the City Council held a public hearing and passed Ordinance Number 28186 granting a Planned Development District for mixed uses on property zoned an MU-3 Mixed Use District on the southeast corner of the North Central Expressway and SMU Boulevard Recommendation of Staff and CPC: Approval of a Planned Development District for mixed uses, subject to a conceptual plan, Subarea 1 development plan, Subarea 2 development plan and conditions Z090-181(WE). *(Related to Southern Methodist University facilities).*
- On April 27, 2011, the City Council passed Resolution Number 11-1193 authorizing (1) the establishment of a Fiji-Compton Economic Development Program, pursuant to Chapter 380 of the Texas Local Government Code to make loans and grants to promote local economic development and to stimulate business and commercial activity in the Fiji-Compton area; and (2) the execution of a conditional grant agreement in the amount of \$240,000 with Sphinx Development Corporation or its wholly owned subsidiary to provide funding for the construction of twelve residential units in accordance with the Fiji-Compton Economic Development Program - Not to exceed \$240,000 - Financing: 2006 Bond Funds. *(Related to Sphinx Development Corporation – Fiji/Compton project area).*
- On May 25, 2011, the City Council passed Resolution Number 11-1314 authorizing acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from AP-Prescott Twin Sixties, LP of approximately 1,796 square feet of land located near Twin Sixties Drive and U.S. 75 Central Expressway for the Katy Trail, Phase VI Project - Not to exceed \$121,900 (\$120,000 plus closing costs not to exceed \$1,900) - Financing: 2006 Bond Funds.

- On June 8, 2011, the City Council passed Resolution Number 11-1543 authorizing (1) a development agreement with Southern Methodist University to dedicate future TIF revenues for TIF eligible project costs related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a trail connection in Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District); and (2) the TOD TIF District Board of Directors to dedicate up to \$400,000 from future TOD TIF District revenues in accordance with the development agreement - Not to exceed \$400,000 - Financing: TOD TIF District Funds.
- On June 8, 2011, the City Council passed Resolution Number 11-1544 declaring the intent of Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) to reimburse Southern Methodist University up to \$400,000 for certain TIF-eligible project costs related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a Katy Trail connection in the TOD TIF District.
- On June 8, 2011, the City Council passed Resolution Number 11-1583 authorizing (1) the acceptance of \$8,492,000 of Community Development Block Grant Section 108 Guaranteed Loan funds (Section 108 Loan funds) from the U.S. Department of Housing and Urban Development (HUD) for the Lancaster Urban Village community economic development project; (2) a loan agreement with City Wide Community Development Corporation (City Wide CDC) in the amount of \$8,492,000 of Section 108 funds for the Lancaster Urban Village community economic development project including public infrastructure, sitework, commercial development, residential development, and development of a parking garage for a mixed-use, transit-oriented development along the South Lancaster Road corridor across from the Veterans Affairs Medical Center (V.A.) at the southwest quadrant of the intersection of South Lancaster Road and Ann Arbor Avenue, and for a loan interest reserve; (3) the City Manager, to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement, for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; (4) the City Manager to establish appropriations for the Section 108 funds; and (5) the City Controller to deposit and disburse funds from an identified account - Total not to exceed \$8,492,000 - Financing: Community Development Block Grant Section 108 Guaranteed Loan Funds. *(Related to Lancaster Urban Village project)*
- On June 22, 2011, the City Council passed Resolution Number 11-1697 authorizing (1) a license agreement with Dallas Area Rapid Transit for the use of their right-of-way to construct and maintain the proposed Katy Trail, Phase VI from Ellsworth Street to Worcola Street; and (2) Supplemental Agreement No. 9

to the Master Interlocal Agreement with Dallas Area Rapid Transit for the use of their right-of-way to construct and maintain the pedestrian bridges over Mockingbird Lane and over the DART Light Rail Train Red Line track near Twin Sixties Drive.

- On June 22, 2011, the City Council passed Resolution Number 11-1698 authorizing (1) termination of the existing Interlocal Agreement with and payment to the Texas Department of Transportation for the Katy Trail, Phase VI from Ellsworth Street to Worcola Street, previously approved on November 8, 2006, by Resolution No. 06-3065; (2) a Local Project Advance Funding Agreement with the Texas Department of Transportation for the design and construction of the Katy Trail, Phase VI from Ellsworth Street to Worcola Street; and (3) the receipt and deposit of Regional Toll Revenue funds from the Texas Department of Transportation in an amount not to exceed \$6,480,000; and (4) an increase in appropriations in the amount of \$6,480,000 in the Regional Toll Revenue II Fund - Total not to exceed \$6,674,000 - Financing: 2006 Bond Funds (\$194,000) and Regional Toll Revenue II Funds (\$6,480,000).
- On June 22, 2011, the City Council passed Resolution Number 11-1699 authorizing (1) a Project Specific Agreement with Dallas County for the Katy Trail, Phase VI from Ellsworth Street to Worcola Street; and (2) the receipt and deposit of funds from Dallas County in an amount not to exceed \$1,000,000; and (3) an increase in appropriations in the amount of \$1,000,000 in the Capital Projects Reimbursement Fund - Not to exceed \$1,000,000 - Financing: Capital Projects Reimbursement Funds (\$1,000,000).
- On June 22, 2011, the City Council passed Resolution Number 11-1700 authorizing a contract with AUI Contractors, LLC, lowest responsible bidder of four, for construction of the Katy Trail, Phase VI from Ellsworth Street to Worcola Street – Not to exceed \$6,974,629 - Financing: 2006 Bond Funds (\$697,463), Capital Projects Reimbursement Funds (\$697,463) and Regional Toll Revenue II Funds (\$5,579,703).
- On June 22, 2011, the City Council passed Resolution Number 11-1708 authorizing (1) an amendment to the development agreement with Prescott Realty Group and Southern Methodist University to add implementation of three projects with the Mockingbird Plaza Sustainable Development Project; and (2) payment to Prescott Realty Group for engineering design cost (list attached) - Not to exceed \$300,000 - Financing: 2006 Bond Funds.
- On June 22, 2011, the City Council passed Ordinance Number 28244 abandoning a portion of an alley to Sapphire Road Development, LLC, the abutting owner, containing approximately 9,086 square feet of land located near the intersection of Lancaster Road and Mentor Avenue, authorizing the quitclaim and providing for the dedication of approximately 4,068 square feet of land



needed for right-of-way - Revenue: \$18,172 plus the \$20 ordinance publication fee. *(Related to potential Veteran's Place project).*

- On June 22, 2011, the City Council passed Resolution Number 11-1759 authorizing an amendment to Resolution No. 10-2771, previously approved on October 26, 2010, to increase the loan amount by \$300,000 on an existing Chapter 380 economic development forgivable loan with Sapphire Road Development, LLC for the acquisition of improved and unimproved properties, located along the Lancaster Corridor Neighborhood Investment Program Area, including associated closing costs, relocation, environmental remediation, demolition, and/or predevelopment costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the area - Total not to exceed \$300,000, from \$4,000,000 to \$4,300,000 - Financing: 2006 Bond Funds. *(Related to potential Veteran's Place project).*
- On August 10, 2011, the City Council held a public hearing and passed Ordinance Number 28301 granting a Planned Development District for mixed uses on property zoned a CR Community Retail District and an R-7.5(A) Single Family District on the northwest corner of South Lancaster Road and Atlas Drive Recommendation of Staff and CPC: Approval, subject to a development plan and conditions Z101-203(MG). *(Related to potential Veteran's Place project).*
- On August 10, 2011, the City Council passed Resolution Number 11-2008 authorizing acquisition from Premier Place of Dallas, L.P. of approximately 3,798 square feet of land located near Twin Sixties Drive and U.S. 75 Central Expressway for Katy Trail Phase VI Project - Not to exceed \$268,000 (\$265,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds.
- On August 24, 2011, the City Council passed Resolution Number 11-2197 authorizing (1) an increase in the contract with JRJ Paving, L.P., for the construction of Katy Trail, Phase III from McCommas Street to Sandhurst Street in an amount not to exceed \$95,020, from \$809,298 to \$904,318; (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$76,016; and (3) an increase in appropriations in the amount of \$76,016 in the Capital Projects Reimbursement Fund - Total not to exceed \$95,020 - Financing: 2003 Bond Funds (\$19,004) and Capital Projects Reimbursement Funds (\$76,016).
- On August 24, 2011, the City Council passed Resolution Number 11-2203 authorizing acquisition from American Fund US Investment LP of approximately 280 square feet of land located near Mockingbird Lane and the DART Light Rail for the Katy Trail Phase VI Project - Not to exceed \$23,280 (\$21,280 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds.

- On August 24, 2011, the City Council passed Resolution Number 11-2204 authorizing acquisition from American Fund US Investment LP of approximately 590 square feet of land located near Mockingbird Lane and the DART Light Rail for the Katy Trail Phase VI Project - Not to exceed \$47,840 (\$44,840 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds.
- On August 24, 2011, the City Council passed Resolution Number 11-2205 authorizing acquisition from American Fund US Investment LP of approximately 2,240 square feet of land located near Mockingbird Lane and the DART Light Rail for the Katy Trail Phase VI Project - Not to exceed \$179,000 (\$176,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds.
- On August 24, 2011, the City Council passed Resolution Number 11-2206 authorizing acquisition from American Fund US Investment LP of approximately 282 square feet of land located near Mockingbird Lane and the DART Light Rail for the Katy Trail Phase VI Project - Not to exceed \$399,000 (\$395,000 plus closing costs and title expenses not to exceed \$4,000) - Financing: 2006 Bond Funds.
- On August 24, 2011, the City Council held a public hearing and passed Ordinance Number 28340 granting an amendment to Specific Use Permit No. 1140 for a Municipal Service Center on property zoned an MU-3 Mixed Use District, on both sides of Worcola Street, south of SMU Boulevard Recommendation of Staff and CPC: Approval, subject to a site plan and conditions Z101-243(RB). *(City of University Park facility)*
- On September 14, 2011, the City Council passed Ordinance Number 28373 amending Ordinance No. 28244, which abandoned a portion of an alley near the intersection of Mentor Avenue and Denley Drive to Sapphire Road Development, LLC by altering the preamble; adding a new Section for the waiver of certain provisions of the Dallas Development Code; amending Sections 1, 2, 3, 16 and 17; removing Sections 9, 10, 11, 12, 13, and 14; and renumbering all said Sections accordingly - Revenue: \$5,400 plus the ordinance publication fee. *(Related to potential Veteran's Place project).*
- On September 14, 2011, the City Council held a public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 799 in an area bounded by Lovers Lane, Amesbury Drive, Milton Street and Matilda Street to the west Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions Z101-201(MW). Approved as amended with ordinance to come back. *(Related to potential redevelopment of former Signature Point apartments)*
- On September 28, 2011, the City Council passed Ordinance Number 28419 granting an amendment to Planned Development District No. 799 in an area

bounded by Lovers Lane to the north, Amesbury Drive to the east, Milton Street to the south and Matilda Street to the west - Z101-201. *(Related to potential redevelopment of former Signature Point apartments)*

## **Pending TIF Items**

- Consideration of the FY 2011 TIF District Annual Report and a recommendation to the City Council for approval.
- Review and approve amendments to the District's By-Laws related to TIF Board representation and the design review function.
- Review and approve overall TIF District design guidelines.

## Budget and Spending Status

Each TIF District establishes a budget for the public improvement expenditures necessary to support private investment in the district in the Project Plan and Reinvestment Zone Financing Plan. The current TIF District budget is shown below:

<b>TOD TIF District Projected Increment Revenue to Retire TIF Fund Obligations</b>			
Category	TIF Budget*	Allocated	Balance
<b>Lancaster Corridor Sub-Districts:</b> public infrastructure improvements; environmental remediation & demolition; parks, open space, trails, gateways; façade restoration; grants for high density projects; and transit related improvements	\$79,278,287	\$4,215,673	\$75,062,614
<b>Cedar Crest Sub-District:</b> public infrastructure improvements; environmental remediation & demolition; parks, open space, trails, gateways; façade restoration; grants for high density projects; and transit related improvements	\$55,626,692	\$0	\$55,626,692
<b>Mockingbird/Lovers Lane Sub-District:</b> public infrastructure improvements; environmental remediation & demolition; parks, open space, trails, gateways; façade restoration; grants for high density projects; and transit related improvements	\$33,542,595	\$400,000	\$33,142,595
<b>Cedars (West) Sub-District:</b> public infrastructure improvements; environmental remediation & demolition; parks, open space, trails, gateways; façade restoration; grants for high density projects; and transit related improvements	\$109,349,350	\$0	\$109,349,350
<b>Affordable Housing</b>	\$30,439,966	\$4,276,600	\$26,163,366
<b>Administration and implementation</b>	\$7,822,990	\$165,952**	\$7,701,907
<b>Total Project Costs</b>	<b>\$317,079,320</b>	<b>\$9,058,225</b>	<b>\$308,021,095</b>
<small>* NOTE: Budget shown above in total dollars. However, TIF plan shows the budget in net present value.                      **TIF administration costs shown are committed through FY 2011 including \$121,083 in cumulative expenses as of FY 2010 and an additional \$44,869 in expenses incurred in FY 2011 but not booked at fiscal year close.</small>			

<b>TOD TIF District Final Project Plan Budget</b>	
<b>Category</b>	<b>TIF Budget*</b>
<b>Lancaster Corridor Sub-Districts:</b> public infrastructure improvements; environmental remediation & demolition; parks, open space, trails, gateways; façade restoration; grants for high density projects; and transit related improvements	\$49,781,005
<b>Cedar Crest Sub-District:</b> public infrastructure improvements; environmental remediation & demolition; parks, open space, trails, gateways; façade restoration; grants for high density projects; and transit related improvements	\$25,326,728
<b>Mockingbird/Lovers Lane Sub-District:</b> public infrastructure improvements; environmental remediation & demolition; parks, open space, trails, gateways; façade restoration; grants for high density projects; and transit related improvements	\$30,020,910
<b>Cedars (West) Sub-District:</b> public infrastructure improvements; environmental remediation & demolition; parks, open space, trails, gateways; façade restoration; grants for high density projects; and transit related improvements	\$54,576,532
<b>Affordable Housing</b>	\$21,832,521
<b>Administration and implementation</b>	\$3,640,000
<b>Total</b>	<b>\$185,177,697</b>
* As approved in the Project Plan and Reinvestment Zone Financing Plan (discounted to 2009 dollars).	

## FY 2012 Work Program

The FY 2012 work program includes:

- Provide staff support for the Lancaster Urban Village project and other current projects in the District.
- Work with interested developers on potential TIF project proposals.
- Continue coordination efforts for the 2006 NCTCOG Sustainable Development Project and bond program improvements.
- Work to improve connections to the City of Dallas trails and open space system in the District.
- Provide staff support for Lancaster Corridor projects as part of a proposed HUD Community Challenge Grant.
- Investigate additional sources of funding for the District.
- Update By-Laws for the District to reflect changes in Board composition and design



NORTHWEST CORNER VIEW

LANCASTER URBAN VILLAGE  
DALLAS, TEXAS

BIG  
02-04-10

## Appendix A – Financials

**City of Dallas, Texas**  
**TOD Tax Increment Financing District Fund**  
**Reinvestment Zone Number Fourteen**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

	\$0 Interest Income
	\$0 Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Final Tax Roll)
	\$0 Total Revenue

**2. Amount and purpose of expenditures from the fund:**

	\$0 Administrative Expense
	\$0 Non-Capital outlay
	\$0 Capital outlay
	\$0 Interest and fiscal charges
	\$0 Total Expenditures

**3.** TIF administrative costs associated with staff time spent are being accumulated thru fiscal year 2009-10. The Zone will begin reimbursing the General Fund for these costs starting in fiscal year 2011-12 upon collection of increment.

**4. a. Amount of Principal and Interest due-on outstanding indebtedness:**

None.

**b.** The Zone entered into a development agreement with City Wide CDC for the "Lancaster Urban Village" development in the TIF in an amount not to exceed \$8,492,273 with anticipated completion by December 31, 2013 and reimbursement to begin thereafter from future tax increments. The Zone also entered into a development agreement with Southern Methodist University to reimburse up to \$400,000 as part of a NCTCOG grant local match with project completion anticipated by December 31, 2013 and reimbursement to begin thereafter.

**5. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable Value 2011*	Base Year 2008 Value	Est. Captured Value 2011**
City of Dallas	\$185,181,491	\$202,074,521	(\$16,893,030)
Dallas County	\$185,181,491	\$202,074,521	(\$16,893,030)
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*Taxable value shown for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2012.

**6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100***	Amount of Estimated 2011 Increment****
City of Dallas	0.55790	\$0
Dallas County	0.13371	\$0
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	\$0.69161	\$0

\*\*\*Participation rates for City of Dallas are 70% for tax years 2009-2011, 85% for tax years 2012-2029 and 70% for tax years 2030-2035.

\*\*\*Participation rates for Dallas County are 0% for tax years 2009-2010 and 55% for tax years 2011-2030.

\*\*\*\*The District is anticipated to collect increment by June of fiscal year 2011-12 for tax year 2011.

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$0. For the 2010 tax year, the Zone collected no increment.



**City of Dallas, Texas**  
**TOD Tax Increment Financing District Fund**  
**Balance Sheet as of September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009 and 2008**

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>
<b>Assets:</b>				
Pooled cash and cash equivalents	\$0	\$0	\$0	\$0
Interest receivable	\$0	\$0	\$0	\$0
<b>Total assets</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Liabilities and Fund Balance (Deficit):</b>				
<b>Liabilities:</b>				
Accounts and contracts payable	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0
Accrued interest	\$0	\$0	\$0	\$0
Due to general fund	\$121,083	\$121,083	\$47,444	\$0
<b>Total liabilities</b>	<b>\$121,083</b>	<b>\$121,083</b>	<b>\$47,444</b>	<b>\$0</b>
<b>Fund Balance (Deficit):</b>				
Fund Balance (Deficit)	(\$121,083)	(\$121,083)	(\$47,444)	\$0
<b>Total Liabilities and Fund Equity</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**TOD Tax Increment Financing District Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)**  
**For the Period September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010, 2009 and 2008**

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>
<b>Revenues:</b>					
Tax increment-Governmental	\$0	\$0	\$0	\$0	\$0
Tax increment-Intergovernmental	\$0	\$0	\$0	\$0	\$0
Interest income	\$0	\$0	\$0	\$0	\$0
Grant from City	\$0	\$0	\$0	\$0	\$0
Net increase (decrease) in fair value of investments	\$0	\$0	\$0	\$0	\$0
<b>Total revenues</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures:</b>					
Administrative expenses	\$121,083	\$0	\$73,638	\$47,444	\$0
Non-Capital Outlay	\$0	\$0	\$0	\$0	\$0
Capital outlay	\$0	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0
<b>Total expenditures</b>	<b>\$121,083</b>	<b>\$0</b>	<b>\$73,638</b>	<b>\$47,444</b>	<b>\$0</b>
<b>Excess (Deficiency) of Revenues over Expenditures</b>	<b>(\$121,083)</b>	<b>\$0</b>	<b>(\$73,638)</b>	<b>(\$47,444)</b>	<b>\$0</b>
<b>Fund balance (Deficit) at beginning of year</b>					
as previously reported	\$0	(\$121,083)	(\$47,444)	\$0	\$0
<b>Fund balance (Deficit) at beginning of year, as restated</b>					
	\$0	(\$121,083)	(\$47,444)	\$0	\$0
<b>Fund balance (deficit) at end of year</b>					
	(\$121,083)	(\$121,083)	(\$121,083)	(\$47,444)	\$0

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**

City of Dallas, Texas  
TOD Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
3. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
4. The Zone's Financial Plan permits expenditures not to exceed \$7,822,990 over the life of the TIF to reimburse the City for administrative costs. The Zone will begin reimbursing the General Fund upon collection of tax increment in fiscal year 2011-12. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Office of Economic Development

**CMO:** Ryan S. Evans, 670-3314

**MAPSCO:** 33 R; 34 J K N P Q T U

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**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit to the chief executive officer of each taxing unit, as well as the State Comptroller. The City Council approved Ordinance No. 27435 on December 10, 2008, establishing Tax Increment Financing Reinvestment Zone Number Eighteen (Maple/Mockingbird TIF District). On September 23, 2009, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 27690.

The Maple/Mockingbird TIF District's 2011 assessed taxable value was \$170,250,969. This represents a decrease of \$13,754,040 or 7.5% from the 2008 base year value and a decrease of \$4,118,806 or 2.5% from last year's (2010) district value. The decrease is solely attributed to property value decline within the District.

As a result of the decrease in property value below the base value for the district, there will be no increment generated for the TIF District during FY 2011.

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

On December 10, 2008, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eighteen, the Maple/Mockingbird TIF District, by Ordinance No. 27435.

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

On September 23, 2009, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Maple/Mockingbird TIF District by Ordinance No. 27690.

On December 15, 2011, the Maple/Mockingbird TIF Board of Directors recommended the FY 2011 Annual Report be accepted and approved.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding all 18 of the City's 2011 TIF Annual Reports.

**FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District) and established a Board of Directors for the District to promote development or redevelopment in the Maple/Mockingbird area pursuant to Ordinance No. 27435, authorized by the City Council on December 10, 2008, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on September 23, 2009, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Maple/Mockingbird TIF District by Ordinance No. 27690; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on December 15, 2011, the Maple/Mockingbird TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eighteen and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Eighteen, to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District ; and to the State Comptroller, as required by state law.

**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.

# Maple/Mockingbird TIF District FY 2011 Annual Report



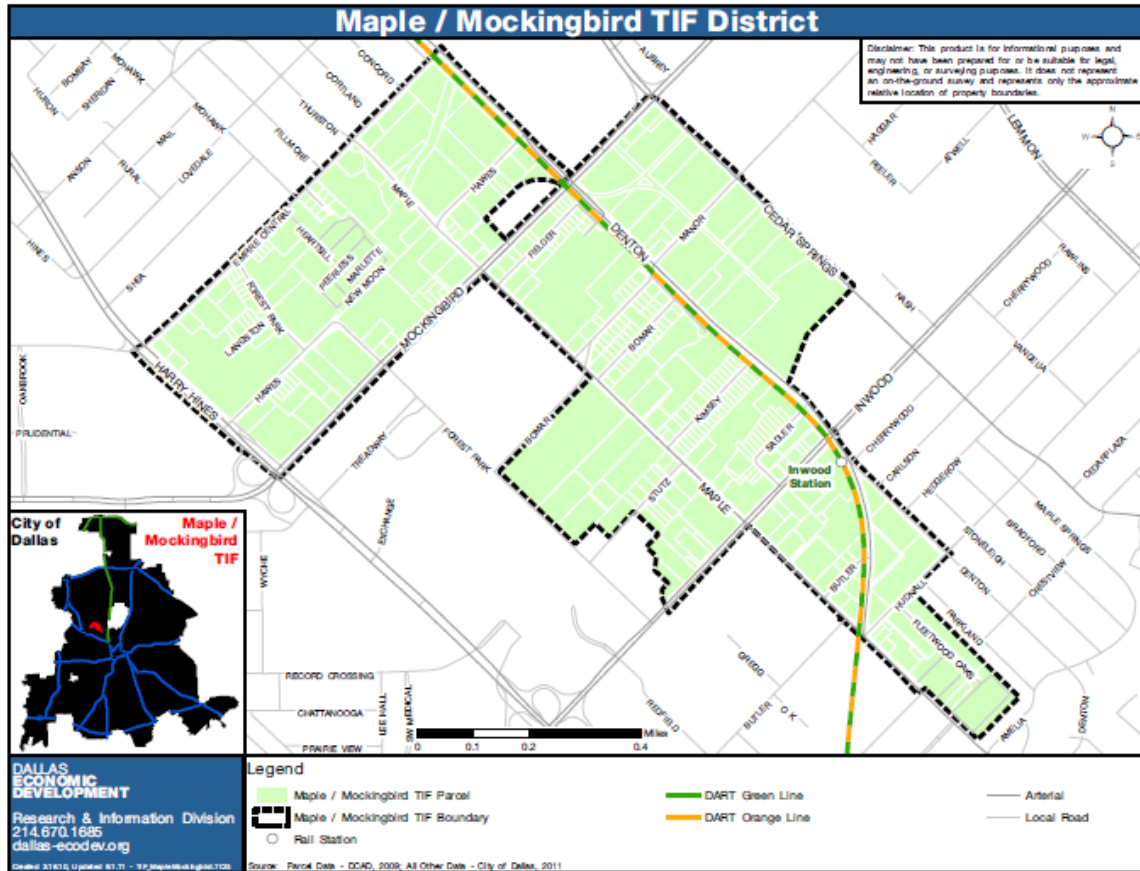
**City of Dallas**

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-1685

<http://www.dallas-ecodev.org>

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Eighteen Maple/Mockingbird Tax Increment Financing District



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## Mission Statement

The mission of the Maple/Mockingbird TIF District is to provide a source of funding for public infrastructure improvements necessary to enhance the real estate market for the Maple/Mockingbird TIF District area. The Maple/Mockingbird Tax Increment Financing (TIF) District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping underdeveloped land area near employment centers to take full advantage of the expanding DART light rail system and area resources such as Love Field Airport and the Southwestern Medical District.

The Maple/Mockingbird TIF District took effect on January 1, 2009, and will terminate on December 31, 2033, (including collection of the 2033 increment in calendar year 2034 and any related matters to be concluded in 2034) or when the budget of \$27.8 million (NPV) or \$58 million total dollars has been collected. The City of Dallas and Dallas County are the two participating jurisdictions. The City's participation is 70% in 2009 through 2011, increases to 85% in 2012 through 2026, and then decreases to a rate of 70% for the duration of the District. Dallas County's participation is 55% for the first twenty years of the District.

## District Accomplishments

The initial project for the Maple/Mockingbird TIF District is the Reserve on the North Campus Streetscape project. The project will provide enhanced public streetscape adjacent to a townhome project under construction at 2303 Stutz Road. The public improvements consist of a widened sidewalk, with tree plantings and pedestrian lighting. This will be the first public improvement for the District and will set the standard for future developments to follow.

Major employers Parkland Memorial Hospital, UT Southwestern Medical Center and Children's Medical Center are located just outside of the district and are planning significant expansion within the next decade. Parkland Memorial Hospital has undertaken a major construction project, replacing the outdated facility with a new one. The \$1.2 billion Parkland expansion plan includes 17 story hospital surrounded by new clinics and parking garages located around the Southwestern Medical District/Parkland DART light rail station.

New development within the District are slowly picking up. JLB Partners is constructing Maple Avenue Apartments, 300 units at 6008 Maple Avenue. Elliot's hardware has recently relocated to 5439 Denton Drive. Chicory Court IX, LP, is planning to construct approximately 252 apartments.

DART Green Line expansion (NW corridor) is completed and the Inwood/Love Field light rail station was opened in December 2010. During FY 2010, on average, the Inwood/Love Field light rail station serviced 824 passengers per week day

Total existing and planned private development in the Maple/Mockingbird TIF District is approximately \$83.6 million. Listed below are the projects in the Maple/Mockingbird TIF District at various stages of development



Reserve @ the North Campus Streetscape Improvements



Reserve @ the North Campus



JLB Partners, Maple Apartments

<b>Maple/Mockingbird TIF District Projects<sup>1</sup></b>						
<b>Projects Within TIF District Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
Reserve @ the North Campus Street-scape Project	Public ROW adjacent to 2303 Stutz Rd.	2011	Approved	N/A	\$98,200	\$98,200
<b>Subtotal</b>				N/A	\$98,200	\$98,200
<b>Projects Within TIF District Not Utilizing TIF Funding</b>						
<b>Project</b>	<b>Location</b>	<b>Calendar Year Complete</b>	<b>Status</b>	<b>Units/ SF<sup>2</sup></b>	<b>Approx. Value<sup>3</sup></b>	<b>TIF Investment<sup>4</sup></b>
The Reserve	2303 Stutz Rd	2012	12 units completed and 12 under construction	30 Townhomes Planned	\$14,000,000	\$0
JLB Apartments	6008 Maple Avenue	2013	Under Construction	300 apartments	\$30,000,000	\$0
Elliot's Hardware	5439 Denton Drive	2011	Completed	Retail - Approx. 30,000 square feet	\$3,161,730	\$0
Champion Homes	5522 Maple Avenue	2013	Planned	252 units 7,200 square feet - retail space, 8,000 square feet office space,	\$36,468,442	-
<b>Subtotal</b>				606 residential units	\$83,630,172	\$0

<b>Total</b>	<b>30,000 square feet retail completed 7,200 square feet of retail space planned; and 8,000 square feet of office space planned</b>	<b>\$83,728,372</b>	<b>\$98,200</b>
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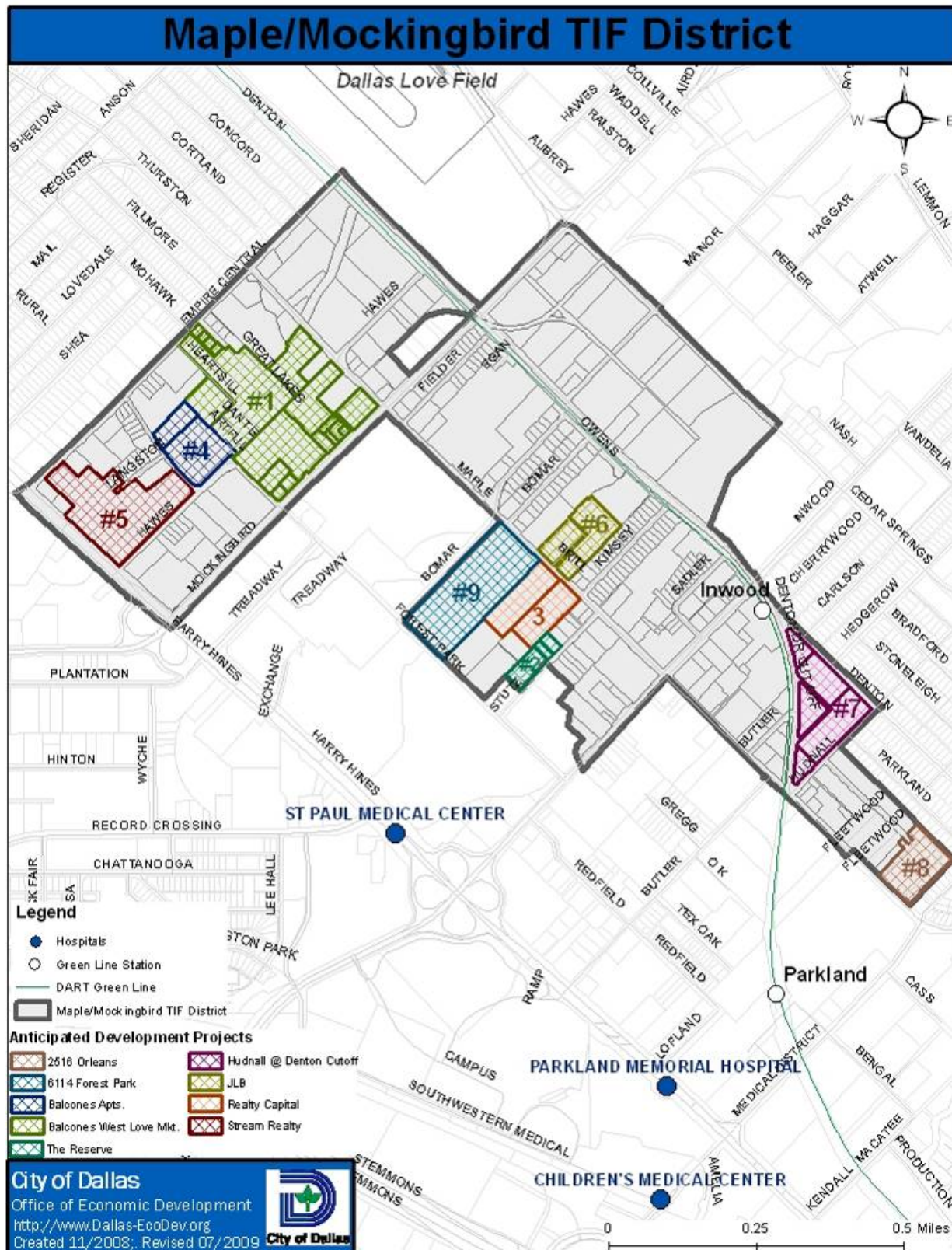
<sup>1</sup> All information updated as of September 30, 2011.

<sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.

<sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed). Values may not be fully captured by the TIF District for redevelopment projects once pre-existing value and/or the demolition of structures is netted out.

<sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted.

## TIF District Development Status Map



## Value and Increment Summary

The Maple/Mockingbird TIF District's assessed 2011 taxable value was \$170,250,969. This represents a decrease of \$13,754,040 or 7.5% from the 2008 base year value and a decrease of \$4,118,806 or 2.5% from last year's (2010) district value. The decrease is solely attributed to property value decline within the District.

As a result of the decrease in property value below the base value for the district, there will be no increment generated for the TIF District during FY 2011.

## Objectives, Programs, and Success Indicators

The final Maple/Mockingbird Project Plan and Reinvestment Zone Financing Plan was adopted in September 2009. The plans' development goals are provided below:

- To create additional taxable value attributed to new private investment in projects in the Mockingbird/Maple TIF District of a minimum of \$120 million over the initial five years of the TIF District.

*Projects under construction and planned within the district will contribute approximately \$83.7 million in new development (70% of goal).*

- To attract new private development adding approximately 2,500 new residential units and 650,000 square feet of retail space to increase the area's population density and shopping options, adding approximately 1.2 million square feet of new retail, office and medical.

*New developments (completed/under construction/planned) within the will add 606 residential units (24% of goal); 37,200 square feet of retail (5.7%) and 8,000 square feet of office space (0.7%).*

- To increase the District's housing options while maintaining an affordable housing component of 20% of all new units built.

*All residential projects that receive TIF funding are required to provide affordable units that total 20% of units being constructed. The Reserve at the North Campus for sale residential project did not receive TIF funding and was not required to provide affordable units.*

- To focus on encouraging the redevelopment of properties in the area south and west of Love Field with enhanced urban design.

*Development within the District will comply with forwardDallas!, the City's Comprehensive Plan, an advocate of pedestrian friendly, high density urban design.*

- To diversify retail, office and medical uses in the District by identifying redevelopment options for obsolete and under-utilized commercial structures, thereby capturing demand from residents of Oak Lawn, the Park Cities, Bluffview and Northwest Dallas.

*Approximately 650,000 of improved retail and 500,000 square feet of office and medical space is anticipated to be developed within the District.*

- To improve access and connections to the Inwood and Parkland stations on DART's Green Line and support increased levels of ridership at these stations.

*Staff and the Board will continue to foster a working relationship with Medical District, DART, and potential developers to encourage transit oriented development that complements the district. The Green Line Inwood/Love Field light rail station rider ship average for the past six months (April 2011 – September 2011): during weekday 842 riders per month, during Saturdays 450 riders per month and during Sundays 252 riders per month. The Inwood/Love Field light rail station started operating from December 2010 and the ridership is expected to increase in the upcoming years.*

- To improve recreational opportunities for the community and provide connections to the City of Dallas' trails and open space system in the District, enhance connections to other trail systems within Dallas County and create additional recreational amenities in the area.

*Staff and the Board will seek ways to increase recreational opportunities and proposed trail connections within the District.*

- To sustain the stability of local schools as redevelopment occurs in the housing market by maintaining strong communications between the Dallas Independent School District and area developers.

*Staff and the Board will work with DISD preventatives providing an avenue for developers to maintain strong communications as redevelopment occurs.*

- To make a desirable neighborhood that incubates and supports growth of the Southwestern Medical District and medical businesses in Dallas,



particularly taxable property and employment related to medical technology.

*Staff and the Board will continue to foster a working relationship with UT Southwestern Medical Center, Children's Hospital and Parkland Hospital to create investment opportunities in the District.*

- To generate an NPV of \$27.8 million or approximately \$58 million in total dollars in TIF revenues over 25 years of collections.

*Current economic conditions have contributed to declining property value within the District. The actual construction that occurred in 2011 will be reflected in 2012 tax roll. No increment has been collected to date.*

## **Year-End Summary of Meetings**

The Maple/Mockingbird TIF District Board of Directors met once during FY 2011 on January 11, 2011.

TIF Boards can consist of up to ten members, including six City of Dallas appointees, one Dallas Independent School District (DISD) appointees, one Dallas County appointee, one Dallas Community College District appointee and one Dallas County Hospital District appointee. During FY 2011 the Board members were (FY 2011 Board meetings attended): Se-Gwen Tyler – City Representative (Attended 1 of 1 meeting); Curtis Parker – City Representative (Attended 1 of 1 meeting); Dennis Stone – City Representative (Attended 0 of 1 meeting); Garrett Gibbons – City Representative (Attended 1 of 1 meeting); Tim Slaughter – City Representative (Attended 0 of 1 meeting – no longer a TIF Board Member); Ward Richmond – City Representative (Attended 1 of 1 meetings); Orlando Alameda– DISD Representative (Attended 1 of 1 meeting – no longer a TIF Board member); Rick Loessberg – Dallas County Representative (Attended 0 of 1 meeting); Hector Flores – DISD Representative (Attended 0 of 1 meetings – no longer a TIF Board member );

During FY 2011, the City council approved ten (10) items directly or indirectly associated with the Maple/Mockingbird TIF District. The council actions are listed below.

- On October 26, 2010, City Council approved Resolution No. 10-2777 authorizing a public hearing to receive comments regarding an application for an MU-3 Mixed Use District on property zoned an IR Industrial Research District with deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Bulter Street.

- On December 8, 2010, City Council approved Resolution No. 10-3048 authorizing a public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street.
- On February 23, 2011, City Council approved Resolution No. 11-0537 accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law.
- On March 9, 2011, City Council approved Resolution No. 11-0660 authorizing an amendment to the development agreement with Reserve at Stutz Road, LLC, previously approved on August 25, 2010, by Resolution Nos. 10-2165 and 10-2166, in Tax Increment Financing Reinvestment Zone Number Eighteen (Maple/Mockingbird TIF District) to extend project deadlines for obtaining: a construction permit from December 31, 2010 to June 30, 2011; a Certificate of Acceptance from December 31, 2011 to June 30, 2012; and an Operating and Maintenance Agreement from December 31, 2011 to June 30, 2012 and to allow for additional extensions of project deadlines up to 6 months for good cause and additional consideration, subject to the Maple/Mockingbird TIF District Board of Director's approval and final authorization by the Director of the Office of Economic Development.
- On March 9, 2011, City Council approved Resolution No. 11-0673 authorizing a public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street.
- On April 13, 2011, City Council approved Resolution No. 11-0994 authorizing a public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Cedar Springs Investments, LLC located near the intersection of Cedar Springs Road and Manor Way and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Qualex, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water.

- On June 22, 2011, City Council approved Resolution No. 11-1784 authorizing a public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street Recommendation of Staff and CPC: Approval of the MU-3 Mixed Use District and approval of the deed restrictions volunteered by the applicant Z090-169(WE) Note: This item was considered by the City Council at public hearings on October 26 and December 8, 2010, and March 9, 2011, and was taken under advisement until June 22, 2011, with the public hearing open.
- On August 10, 2011, City Council approved Resolution No. 11-2061 authorizing a public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northeast side of Maple Avenue, southwest of Inwood Road.
- On August 10, 2011, City Council approved Resolution No. 11-2064 Ordinance No. 28331 authorizing a public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street.
- On August 24, 2011, City Council approved Resolution No. 11-2245/Ordinance No. 28348 authorizing a public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting the deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northeast side of Maple Avenue, southwest of Inwood Road.

### **Pending TIF Items**

- Consideration of the FY 2011 Maple/Mockingbird TIF District Annual Report and a recommendation to the Dallas City Council for approval.
- Update By-Laws of Maple/Mockingbird TIF District to reflect changes in board composition and the design review process.

## Budget and Spending Status

Each TIF district establishes in its Project Plan and Reinvestment Zone Financing Plan a budget for public improvement expenditures necessary to support private investment in the district. The TIF's public improvement budget is approximately \$58.4 million in total dollars (\$27.8 million NPV). The current budget for the district is below:

<b>Maple/Mockingbird TIF District</b>			
<b>Projected Increment Revenue of Retire TIF Fund Obligations</b>			
Category	TIF Budget <sup>1</sup>	Allocated	Balance
<b>Infrastructure/Utility Improvements</b> - design and engineering; street paving construction and resurfacing; utility improvement, relocation and burial; streetscape; open space	\$33,226,915	\$98,200	\$33,128,715
<b>Environmental Remediation and Demolition</b>	\$4,731,681	\$0	\$4,731,681
<b>Affordable Housing</b>	\$8,937,619	\$0	\$8,937,619
<b>Retail/High Density Grant Program</b>	\$8,527,540	\$0	\$8,527,540
<b>Administration and Implementation<sup>2</sup></b>	\$2,997,516	\$68,305	\$2,929,211
<b>Total Project Costs</b>	<b>\$58,421,271</b>	<b>\$166,505</b>	<b>\$58,254,766</b>
<p><sup>1</sup>Budet shown in total dollars. TIF Project Plan shows the budget in Net Present Value.</p> <p><sup>2</sup> TIF administration fee include funds expended of committed through FY 2011. ,</p>			

<b>Maple/Mockingbird TIF District Project Plan Budget</b>	
Category	TIF Budget (NPV)*
<b>Infrastructure/Utility Improvements</b> - design and engineering; street paving construction and resurfacing; utility improvement, relocation and burial; streetscape; open space	\$15,800,000
<b>Environmental Remediation and Demolition</b>	\$2,250,000
<b>Affordable Housing</b>	\$4,250,000
<b>Retail/High Density Grant Program</b>	\$4,055,000
<b>Administration and Implementation</b>	\$1,425,373
<b>Total Project Costs</b>	<b>\$27,780,373</b>
<i>* As approved in the Project Plan and Reinvestment Zone Plan in 2009 dollars.</i>	

## FY 2012 Work Program

The FY 2012 work program for the Maple/Mockingbird TIF District is as follows:

- Assist with issues related to Reserve at North Campus project.
- Adopt overall TIF Design Guidelines to guide the character and quality of development within the district.
- Update By-Laws of Maple/Mockingbird TIF District to reflect changes in board composition and the design review process.
- Adopt Mixed Income Housing Guidelines for the District.
- Identify additional redevelopment sites, work with developers of anticipated development projects within the district to bring them to fruition and continue to seek growth in the District through the attraction of mixed-use, high-density development.

## Appendix – Financials

City of Dallas, Texas  
Maple/Mockingbird Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
3. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
4. The Zone's Financial Plan permits expenditures not to exceed \$2,830,683 over the life of the TIF to reimburse the City for administrative costs. The Zone is expected to begin reimbursing the General Fund in fiscal year 2011-12. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.

City of Dallas, Texas  
Maple/Mockingbird Tax Increment Financing District Fund  
Balance Sheet as of September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, and 2008

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>
<b>Assets:</b>				
Pooled cash and cash equivalents	\$9	\$3,482	\$0	\$0
Interest receivable	\$10	\$18	\$0	\$0
Total assets	<u>\$20</u>	<u>\$3,500</u>	<u>\$0</u>	<u>\$0</u>
<b>Liabilities and Fund Balance (Deficit):</b>				
<b>Liabilities:</b>				
Accounts and contracts payable	\$0	\$0	\$0	\$0
Advances from developers	\$0	\$0	\$0	\$0
Accrued interest	\$0	\$0	\$0	\$0
Due to general fund	\$68,305	\$64,800	\$31,247	\$0
Total liabilities	<u>\$68,305</u>	<u>\$64,800</u>	<u>\$31,247</u>	<u>\$0</u>
<b>Fund Balance (Deficit):</b>				
Fund Balance (Deficit)	(\$64,780)	(\$61,300)	(\$31,247)	\$0
Total Liabilities and Fund Equity	<u>\$3,525</u>	<u>\$3,500</u>	<u>\$0</u>	<u>\$0</u>
	\$3,505	\$0	\$0	\$0

Maple/Mockingbird Tax Increment Financing District Fund  
Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)  
For the Period September 30, 2011 (Unaudited)  
With Comparative Totals for September 30, 2010, 2009, and 2008

	<u>ITD</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>
<b>Revenues:</b>					
Tax increment-Governmental	\$3,476	\$0	\$3,476	\$0	\$0
Tax increment-Intergovernmental	\$0	\$0	\$0	\$0	\$0
Interest income	\$39	\$23	\$16	\$0	\$0
Grant from City	\$0	\$0	\$0	\$0	\$0
Net increase (decrease) in fair value of investments	\$9	\$1	\$8	\$0	\$0
Total revenues	<u>\$3,525</u>	<u>\$25</u>	<u>\$3,500</u>	<u>\$0</u>	<u>\$0</u>
<b>Expenditures:</b>					
Administrative expenses	\$68,305	\$3,505	\$33,554	\$31,247	\$0
Non-Capital Outlay	\$0	\$0	\$0	\$0	\$0
Capital outlay	\$0	\$0	\$0	\$0	\$0
Interest and fiscal charges	\$0	\$0	\$0	\$0	\$0
Total expenditures	<u>\$68,305</u>	<u>\$3,505</u>	<u>\$33,554</u>	<u>\$31,247</u>	<u>\$0</u>
Excess (Deficiency) of Revenues over Expenditures	<u>(\$64,780)</u>	<u>(\$3,480)</u>	<u>(\$30,054)</u>	<u>(\$31,247)</u>	<u>\$0</u>
<b>Fund balance (Deficit) at beginning of year</b>					
as previously reported	\$0	(\$61,300)	(\$31,247)	\$0	\$0
<b>Fund balance (Deficit) at beginning of year,</b>					
as restated	<u>\$0</u>	<u>(\$61,300)</u>	<u>(\$31,247)</u>	<u>\$0</u>	<u>\$0</u>
<b>Fund balance (deficit) at end of year</b>					
	<u>(\$64,780)</u>	<u>(\$64,780)</u>	<u>(\$61,300)</u>	<u>(\$31,247)</u>	<u>\$0</u>

**Note:** Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.

**City of Dallas, Texas**  
**Maple/Mockingbird Tax Increment Financing District Fund**  
**Reinvestment Zone Number Fourteen**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

\$25	Interest Income
\$0	Ad Valorem Taxes (Collected in FY2010-11 based on 2010 Certified Tax Roll)
<u>\$25</u>	Total Revenue

**2. Amount and purpose of expenditures from the fund:**

\$3,505	Administrative Expense
\$0	Interest and fiscal charges
<u>\$3,505</u>	Total Expenditures

3. TIF administrative costs associated with staff time spent are being accumulated for fiscal years 2009 thru 2011 and General Fund will be reimbursed for these costs starting in fiscal year 20011-12 upon collection of tax increment by June of 2012.

**4. a. Amount of Principal and Interest due-on outstanding indebtedness:**

None.

**5. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable Value 2011*	Base Year 2008 Value	Est. Captured Value 2011**
City of Dallas	\$170,250,969	\$183,140,018	(\$12,889,049)
Dallas County	\$170,250,969	\$183,140,018	(\$12,889,049)
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*Taxable value shown for participating taxing jurisdictions. County values are approximate and will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 01, 2012.

**6. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100***	Amount of Estimated 2011 Increment****
City of Dallas	0.55790	\$0
Dallas County	0.13371	\$0
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	<u>\$0.69161</u>	<u>\$0</u>

\*\*\*Participation rates for City of Dallas are 70% for tax years 2009-2011, 85% for tax years 2012-2026 and 70% for tax years 2027-2031.

\*\*\*Participation rate for Dallas County is 55% for tax years 2009-2030.

\*\*\*\*The District began collecting increment in fiscal year 2009-10 for tax year 2009.

B. The total estimated amount of tax increment to be billed for the 2011 tax year is \$0.00. For the 2010 tax year, the Zone collected \$0.00 in increment.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 11A B C D F G H K L M P Q R

---

**SUBJECT**

A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District), submitted by the Cypress Waters TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City

**BACKGROUND**

State law (the Tax Increment Financing Act, Chapter 311 of the Tax Code) requires that the governing body of a city shall submit an annual report on the status of each reinvestment zone it has created to the Chief Executive Officer of each taxing unit that levies taxes on real property in the zone, as well as to the State Comptroller. The City Council approved Ordinance No. 28074 on December 8, 2010, establishing Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District). On April 11, 2011, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for this District by Ordinance No. 28224, as amended.

The Cypress Waters TIF District's assessed tax value in 2011 was \$73,381, one dollar less than the base year (2010) value of \$73,382. No increase over the assessed value of the base year is expected until calendar year 2013, when Phase I is partially under construction and the agricultural exemption is removed from some of the property in the district. The City begins participation in 2012 and Dallas County begins participation in 2014.

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

On December 8, 2010, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Nineteen, the Cypress Waters TIF District by Ordinance No. 28074.

On April 11, 2011, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cypress Waters TIF District by Ordinance No. 28224, as amended.

On November 21, 2011, the Cypress Waters TIF District Board of Directors recommended that the FY 2011 Annual Report be accepted and approved.

On February 3, 2012, a memo was submitted to the Economic Development Committee regarding all 17 of the City's FY 2010 TIF Annual Reports.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, the City recognizes the importance of its role in local economic development initiatives and programs; and

**WHEREAS**, the City has established Tax Increment Financing Reinvestment Zone Number Nineteen, ("Cypress Waters TIF District" or "District") and established a Board of Directors for the District to promote development or redevelopment in the Cypress Waters area pursuant to Ordinance No. 28074, authorized by the City Council on December 8, 2010, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

**WHEREAS**, on April 11, 2011, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Cypress Waters TIF District by Ordinance No. 28224, as amended; and

**WHEREAS**, the Tax Increment Financing Act specifies that the governing body of a city shall submit an annual report on the financial status of the district to the Chief Executive Officer of each taxing unit that levies taxes on real property in a reinvestment zone, and a copy of the report shall be forwarded to the State Comptroller; and

**WHEREAS**, on November 21, 2011, the Cypress Waters TIF District Board of Directors passed a motion accepting the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Nineteen and recommending approval of same by the City Council.

**NOW, THEREFORE,**

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

**Section 1.** That the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District), City of Dallas, Texas, as of September 30, 2011, a copy of which is attached hereto (**Exhibit A**), is hereby accepted.

**Section 2.** That the City Manager is hereby authorized to submit the FY 2011 Annual Report for Tax Increment Financing Reinvestment Zone Number Nineteen to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the district and to the state comptroller, as required by state law.

**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.

# Cypress Waters TIF District FY 2011 Annual Report



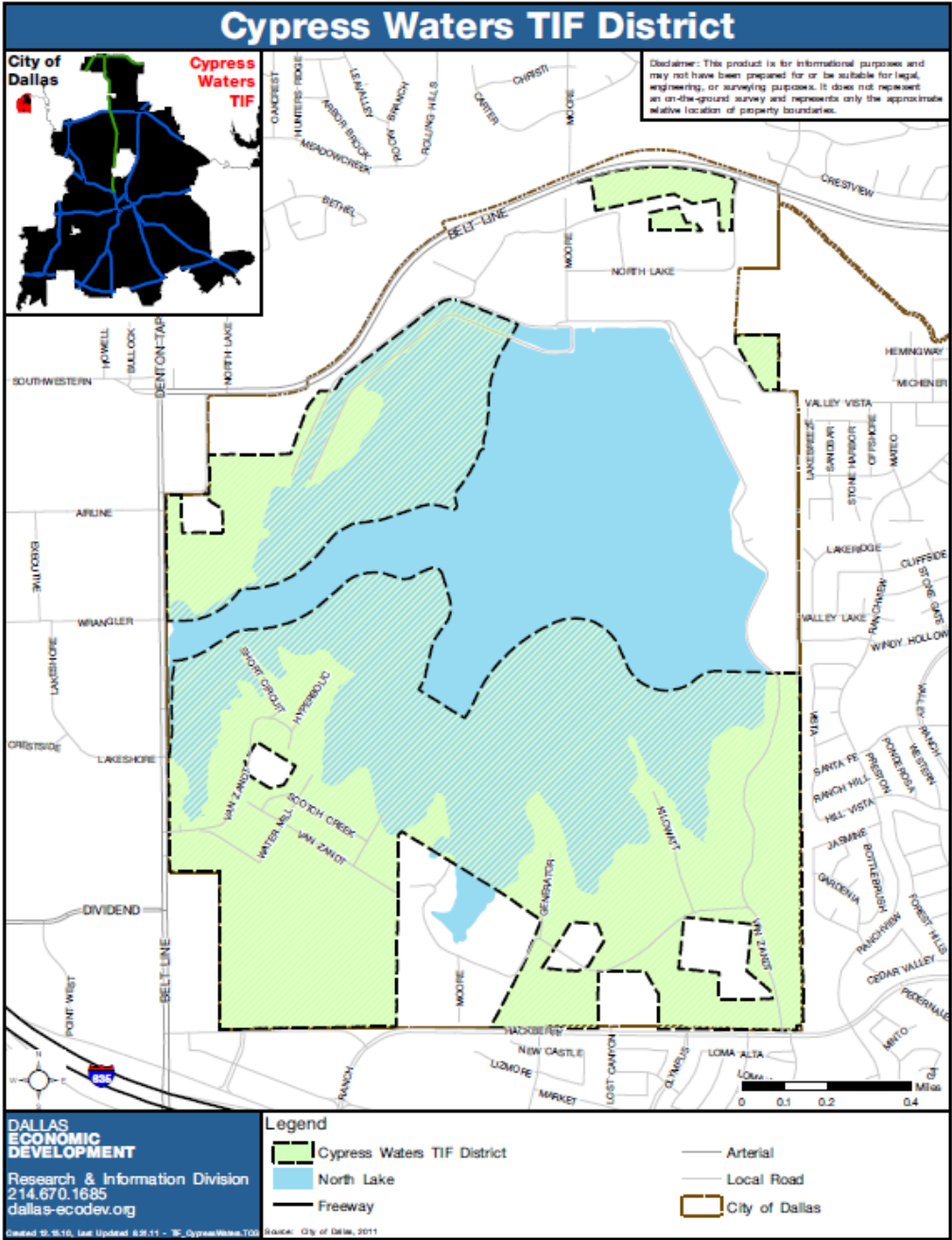
City of Dallas

Office of Economic Development  
1500 Marilla Street, 2CN  
Dallas, Texas 75201  
(214) 670-4551

[www.dallas-ecodev.org/redevelopment](http://www.dallas-ecodev.org/redevelopment)

**October 1, 2010 to September 30, 2011**

# Reinvestment Zone Number Nineteen Cypress Waters Tax Increment Financing District



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## Mission Statement

The Cypress Waters Tax Increment Financing (TIF) District represents the outgrowth of the City of Dallas' effort to provide a model for supporting the development of underdeveloped land near employment centers and to take full advantage of the planned expansion of the DART light rail system along the Cotton Belt Line.

The Cypress Waters TIF District was established on December 8, 2010 to encourage the initial development of a large tract of undeveloped land within the City of Dallas (approximately 1,661 acres in total) surrounding North Lake. This district will promote the creation of pedestrian-oriented traditional neighborhood development (TND) containing multifamily and residential development, a potential senior housing component, pedestrian-oriented retail development, and additional commercial development.

The Dallas City Council established the Cypress Waters TIF District by Ordinance Number 28074 on December 8, 2010. The Cypress Waters District will begin to collect funds on January 1, 2012, and it is scheduled to terminate on December 31, 2040 (including collection of the 2040 increment in calendar year 2041 and any related matters to be concluded in 2041) or when the budget of \$65 million (2010 dollars) has been collected. The City of Dallas and Dallas County are the two participating jurisdictions. The City will participate at 85% starting in 2012. The County's participation will be 55% from 2014 to 2033 or until the County's participation reaches the budget limit of \$10,500,000.

## District Accomplishments

The district is located in the area north and east of the intersection of LBJ Freeway (I-635) and Belt Line Road, with the entire site being located within the City of Dallas. The district contains approximately 939 acres of contiguous undeveloped land which will be adjacent to a 362 acre lake (upon the planned reduction of North Lake). The remaining property in the 1,661 acre area is non-TIF area, including proposed school sites, drilling sites, and a former power plant. Due to the remoteness of the property in the Cypress Waters TIF District from the remainder of the City of Dallas, fully developing the property will require significant public expenditures for infrastructure/utility improvements (including extensive water and wastewater transmission, storage and distribution improvements); construction of primary roadway improvements; facilities for police, fire and emergency services; environmental remediation; lake reclamation, etc. The use of TIF funds will allow this large, master-planned development, which is currently located outside of accessible City of Dallas services, to commence development much sooner, and to proceed to completion much more quickly, than such would occur absent the use and availability of TIF funds.

One project has been approved by the TIF board and by Council. Cypress Waters Phase I was approved by Council on June 6, 2011. This phase will be approximately

660 multifamily units, master planned using the design principles of Traditional Neighborhood Development. The unit mix includes both flat and townhome rental units.

Projects Within the Cypress Waters TIF District Utilizing TIF Funding <sup>1</sup>						
Project	Location	Calendar Year Complete	Status	Units/ SF <sup>2</sup>	Approx. Value <sup>3</sup>	TIF Investment <sup>4</sup>
Cypress Waters Phase I	Cypress Waters Blvd & Chapel Oaks, northeast of Belt Line Rd and Hackberry Rd	2013	Approved	660 units	\$45,000,000	\$9,757,267*
<b>Subtotal</b>				660 units	\$45,000,000	\$9,757,267*

<sup>1</sup> All information updated as of September 30, 2011.

<sup>2</sup> Based upon either the TIF application or required minimum stated in the development agreement. May be updated for completed projects based on actual unit mix and square footage.

<sup>3</sup> Based upon 1) market value of comparable projects for anticipated projects, 2) private investment stated in the development agreement for projects that are approved or under construction, or 3) DCAD market value for completed projects (unless project has not yet been assessed).

<sup>4</sup> Principal amount not to be exceeded per the development agreement. TBD indicates that development agreement has not yet been adopted. Asterisk indicates investment also includes interest not shown.

## Value and Increment Revenue Summary

The Cypress Waters TIF District’s base tax value for 2010 was \$73,382. This base value reflects adjustments to the base to reflect the final 2010 values of the parcels in the district. The district’s 2011 assessed tax value, as determined by the Dallas Central Appraisal District, was \$73,381. No increase over the assessed value of the base year is expected until 2013, when Phase I is partially under construction and the agricultural exemption is removed from some of the property in the district. The City begins participation in 2012 and Dallas County begins participation in 2014.

## Objectives, Programs, and Success Indicators

The final Cypress Waters Project Plan and Reinvestment Zone Financing Plan was adopted on June 8, 2011. The Final Project Plan addresses the following development goals and objectives:

- Create additional taxable value attributable to new private investment in projects in the Cypress Waters TIF District totaling approximately \$2.2 billion over the thirty year life of the TIF district.

*Cypress Waters Phase I is expected to generate an additional \$45 million in added taxable value.*



*No additional taxable value is expected until the agricultural exemption for approximately 34 acres under Phase I is removed in 2012. Removing this exemption is expected to increase the taxable value for the district from \$73,382 to more than \$1.5 million.*

- Attract new private development, including approximately 10,000 new residential units, 4,000,000 square feet of commercial space (including approximately 700,000 square feet of data center use and 2,000,000 square feet of light warehouse/industrial use), and an estimated 150,000 square feet of pedestrian-oriented retail space, all of which are anticipated to create an estimated 9,000 on-site jobs.

*Construction on Phase I is expected to begin in January 2012. When complete, this project will add 660 multi-family homes, representing 6.6% of the housing goal.*

- To improve ridership on DART via the planned expansion along the Cotton Belt Line.

*The master plan for the district includes development adjacent to the planned Cotton Belt Station on the north side of the district.*

- Improve recreational opportunities for the community and the future residents within the TIF district via extensive, publicly accessible green space on the site along the lake edge and along power line easements, in addition to multiple parks, hike and bike trails and pedestrian connections throughout the district. Additional open space may be available through the utilization of Coppell ISD land and as part of an MMD and/or TIF-funded public amenity center.

*The Phase I development includes extra wide sidewalks leading to the adjacent power line easement and to a future connection to the lake trail*

- Create a model for exceptional development standards in terms of its complexity, scope, design, environmental sensitivity, and connectivity.

*The Phase I development is a model for dense, pedestrian-oriented development on under-utilized, infill property.*

- Develop the property in a manner where fiscal impacts for the remainder of the City are limited and a development pattern is secured that is a net benefit to the City from a fiscal, land use and community standpoint.

*Cypress Waters is in a location outside of currently accessible City services. As part of Phase I, the developer will construct temporary facilities for police and fire service.*

- Generate an NPV of \$65 million or approximately \$160 million in total dollars in TIF revenues over the 30-year life of the district.

*City participation in TIF increment collections will begin in tax year 2012. No incremental revenue is expected for the district during the 2011 fiscal year.*

## **Year-End Summary of Meetings and Council Items**

During the fiscal year from October 1, 2010 to September 30, 2011, the Cypress Waters TIF District Board of Directors held 3 meetings.

The board can consist of up to ten members, including five City of Dallas appointees, one Coppell Independent School District appointee, one Carrollton-Farmers Branch Independent School District appointee, one Dallas County appointee, one Dallas Community College District appointee, and one Dallas County Hospital District appointee. On January 24, 2011, the Dallas County Community College District officially waived its right to appoint a representative to the Cypress Waters TIF Board. This action allows the City of Dallas to appoint a total of six members to the board.

During FY 2011 the Board members were: Mary Poss, city appointee and vice-chairperson (attended 2 of 3 meetings); Veletta Lill, city appointee (attended 3 of 3 meetings); Elizabeth Solender, city appointee (attended 2 of 3 meetings); Dr. Jose Gomez, city appointee (attended 2 of 3 meetings); Michael Buckley, city appointee (attended 2 of 2 meetings); Kelly Penny, Coppell ISD appointee (attended 3 of 3 meetings); Rick Loessberg, Dallas County appointee (attended 2 of 3 meetings); and Steven Roth, Dallas County Hospital District appointee (attended 3 of 3 meetings). The Carrollton-Farmers Branch Independent School District has not appointed a board member and has not waived its right to do so.

During the fiscal year from October 1, 2010 to September 30, 2011, the City Council approved six items associated with the Cypress Waters TIF District:

- On December 8, 2010, Council held a public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Nineteen for the Cypress Waters area, to be known as the Cypress Waters TIF District, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City
- On December 8, 2010, through Resolution 10-3052, Council approved Ordinance 28074 establishing Tax Increment Financing Reinvestment Zone Number Nineteen to be known as the Cypress Waters TIF District, under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City.
- On June 8, 2011, through Resolution 11-1545, Council approved Ordinance 28224, 1) approving the Project Plan and Reinvestment Zone Financing Plan for

Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District); and (2) authorizing a participation agreement with Dallas County for Tax Increment Financing Reinvestment Zone Number Nineteen - Financing: No cost consideration to the City.

- On June 8, 2011, Council approved Resolution 11-1546 authorizing the establishment of the City of Dallas Cypress Waters TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas Office of Economic Development to promote economic development within the Cypress Waters TIF District - Financing: No cost consideration to the City.
- On June 8, 2011, Council approved Resolution 11-1547 authorizing (1) a development agreement with Billingsley LD, Ltd. to: (a) dedicate future TIF revenues for TIF eligible project costs related to the Cypress Waters Phase I development located at the northeast quadrant of South Belt Line Road and Hackberry Road in Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District); (b) participate in the construction costs of certain water infrastructure improvements not to exceed thirty percent of the actual contract costs for such water and wastewater infrastructure improvements, pursuant to Section 212.071 of the Local Government Code subject to future appropriations from Dallas Water Utilities; and (c) participate in the cost of the engineering in an amount not to exceed \$221,220 for Cypress Waters Phase I eligible water and wastewater infrastructure; and (2) the Cypress Waters TIF District Board of Directors to dedicate an amount not to exceed \$9,757,267 plus an additional grant in an amount not to exceed five percent of such dedication net of DWU participation costs as necessary and convenient to the implementation of the Cypress Waters TIF District Project Plan - Not to exceed \$9,978,487 - Financing: Cypress Waters TIF District Funds (\$9,757,267) and Water Utilities Capital Improvement Funds (\$221,220)
- On June 8, 2011, Council approved Resolution 11-1548 declaring the intent of Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District) to reimburse Billingsley LD, Ltd. a principal amount not to exceed \$9,757,267 plus an additional grant in an amount not to exceed five percent of such dedication, net of DWU participation costs, as necessary and convenient to the implementation of the Cypress Waters TIF District Project Plan and related to the Cypress Waters Phase I development located at the northeast quadrant of South Belt Line Road and Hackberry Road in the Cypress Waters TIF District - Financing: No cost consideration to the City.

### Pending TIF Items

The Cypress Waters TIF District is expected to review the following items during FY 2011-2012:

- FY 2011 Annual Report for the Cypress Waters TIF District
- Potential changes to TIF by-laws to reflect changes in board composition and design review process
- A mixed income housing policy

### Budget and Spending Status

Each TIF district, in the Project Plan and Reinvestment Zone Financing Plan, establishes a budget for the public improvement expenditures necessary to support private investment in the district. The Cypress Waters TIF District was established in December 2010 and has not collected any TIF funds in FY 2011. No funds are expected to be collected until the agricultural exemption is removed from the Phase I land in 2012 and a portion of the resulting rollback taxes paid to the fund in 2013.

The Cypress Waters budget and spending to date is shown below.

<b>Cypress Waters TIF District Projected Increment Revenues to Retire TIF Fund Obligations*</b>			
<b>Category</b>	<b>TIF Budget</b>	<b>Allocated</b>	<b>Balance</b>
<b>Public infrastructure improvements</b>	\$146,736,068	\$9,757,267	\$136,978,801
<b>Public safety improvements</b>	\$11,313,895	\$0	\$11,313,895
<b>Administration and implementation</b>	\$2,065,585	\$54,138	\$2,011,447
<b>Total project costs</b>	<b>\$160,115,548</b>	<b>\$9,811,405</b>	<b>\$150,304,143</b>
<i>*Budget shown above in current dollars, updated yearly; TIF Project Plan shows the budget in net present value. Values above do not include interest payments.                      **Administration and implementation for FY 2011 are included in the above allocation.</i>			

<b>Cypress Waters TIF District Project Plan Budget (NPV, 2008 dollars)</b>	
<b>Category</b>	<b>TIF Budget*</b>
<b>Public infrastructure improvements:</b> paving, streetscape, water/wastewater, storm sewer, utility burial/relocation, and land acquisition	\$58,198,583
<b>Public safety</b>	\$6,000,000
<b>Administration and implementation</b>	\$1,500,000
<b>Total project costs</b>	<b>\$65,698,583</b>
<i>* As approved in the Final Project Plan and Reinvestment Zone Financing Plan.</i>	

## **FY 2012 Work Program**

Pending items for the Cypress Waters TIF District include:

- Encourage development projects within the district in accordance with the final Project Plan and Reinvestment Zone Financing Plan.
- Consider changes to TIF by-laws related to the design review process and the membership of the TIF board.
- Review and approve overall TIF design guidelines.
- Develop a mixed income housing policy for the district.

## Appendix: Financials

**City of Dallas, Texas**  
**Cypress Waters Tax Increment Financing District Fund**  
**Reinvestment Zone Number Nineteen**  
**As of September 30, 2011**

Chapter 311.016 of V.C.T.A. requires the following information as part of the annual report on the status of the TIF District. Information is contained in detail on the attached financial statements.

**1. Amount and source of revenue in the tax increment fund established for the zone:**

	\$0 Interest Income
	\$0 Affordable housing payment
	\$0 Ad Valorem Taxes (Collected in FY'2010-11 based on 2010 Final Tax Roll)
	\$0 Total Revenue

**2. Amount and purpose of expenditures from the fund:**

	\$0 Administrative Expense
	\$0 Interest and fiscal charges
	\$0 Total Expenditures

**3. Amount of Principal and Interest due-on outstanding indebtedness:**

- a. The zone did not have any bonded indebtedness at fiscal year end.
- b. The Zone entered into a development agreement with Billingsley LD, Ltd for the Cypress Waters Phase I development in an amount not to exceed \$9,757,267 with anticipated completion by December 31, 2014 and reimbursement to begin thereafter upon availability of TIF funds.

**4. Tax increment base and current captured appraised value retained by the zone:**

Taxing Jurisdiction	Taxable Value 2011*	Base Year 2010 Value	Est. Captured Value 2011**
City of Dallas	\$0	\$73,382	\$0
Dallas County	\$0	\$73,382	\$0
Dallas Independent School District	\$0	\$0	\$0
Dallas County Hospital District	\$0	\$0	\$0
Dallas County Community College Dist.	\$0	\$0	\$0

\*Taxable value shown for participating taxing jurisdictions. County will begin participating in tax year 2014 and the values will vary slightly from the City value due to different exemption levels.

\*\*Based on preliminary Taxable Value. The final values will be determined on February 1, 2012.

**5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality:**

A. Estimated tax increment shared by the municipality and other participating taxing jurisdictions:

Taxing Jurisdiction	Assessment Per \$100***	Amount of Estimated 2012 Increment***
City of Dallas	0.67745	\$0
Dallas County	0.00000	\$0
Dallas Independent School District	0.00000	\$0
Dallas County Hospital District	0.00000	\$0
Dallas County Community College District	0.00000	\$0
Total for all Jurisdictions	\$0.67745	\$0

\*\*\*Participation rates for City of Dallas and Dallas County are 85% for tax years 2012 to 2034 and 55% for tax years 2014 to 2033 respectively.

B. The total amount of estimated tax increment to be billed for the 2011 tax year is shown above. For the 2010 tax year, the Zone collected no increment.

**City of Dallas, Texas**  
**Cypress Waters Tax Increment Financing District Fund**  
**Balance Sheet as of September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010**

	<u>2011</u>	<u>2010</u>
Assets:		
Pooled cash and cash equivalents	\$0	\$0
Interest receivable	\$0	\$0
	<hr/>	<hr/>
Total assets	\$0	\$0
	<hr/> <hr/>	<hr/> <hr/>
Liabilities and Fund Balance (Deficit):		
Liabilities:		
Accounts and contracts payable	\$0	\$0
Due to general fund	\$8,025	\$8,025
	<hr/>	<hr/>
Total liabilities	\$8,025	\$8,025
	<hr/>	<hr/>
Fund Balance (Deficit):		
Fund Balance (Deficit)	(\$8,025)	(\$8,025)
	<hr/>	<hr/>
Total Liabilities and Fund Equity	\$0	\$0
	<hr/> <hr/>	<hr/> <hr/>
	\$0	\$0

**Cypress Waters Tax Increment Financing District Fund**  
**Statement of Revenues, Expenditures and Changes in Fund Balance (Deficit)**  
**For the Period September 30, 2011 (Unaudited)**  
**With Comparative Totals for September 30, 2010**

	<u>TD</u>	<u>2011</u>	<u>2010</u>
Revenues:			
Tax increment-Governmental	\$0	\$0	\$0
Tax increment-Intergovernmental	\$0	\$0	\$0
Interest income	\$0	\$0	\$0
Affordable housing payment	\$0	\$0	\$0
Net increase (decrease) in fair value of investments	\$0	\$0	\$0
	<hr/>	<hr/>	<hr/>
Total revenues	\$0	\$0	\$0
	<hr/>	<hr/>	<hr/>
Expenditures:			
Administrative expenses	\$8,025	\$0	\$8,025
Non-Capital Outlay	\$0	\$0	\$0
Capital outlay	\$0	\$0	\$0
Interest and fiscal charges	\$0	\$0	\$0
	<hr/>	<hr/>	<hr/>
Total expenditures	\$8,025	\$0	\$8,025
	<hr/>	<hr/>	<hr/>
Excess (Deficiency) of Revenues over Expenditures	(\$8,025)	\$0	(\$8,025)
	<hr/>	<hr/>	<hr/>
Fund balance (Deficit) at beginning of year as previously reported	\$0	(\$8,025)	\$0
	<hr/>	<hr/>	<hr/>
Fund balance (Deficit) at beginning of year, as restated	\$0	(\$8,025)	\$0
	<hr/>	<hr/>	<hr/>
Fund balance (deficit) at end of year	(\$8,025)	(\$8,025)	(\$8,025)
	<hr/> <hr/>	<hr/> <hr/>	<hr/> <hr/>

**Note: Fiscal year 2010-11 unaudited financial statements are based on the 13th period close numbers and are subject review by the City Controller's Office prior to approval by the City Council. In case of any material changes, TIF board will be provided with the updated financial statements.**



City of Dallas, Texas  
Cypress Waters Tax Increment Financing District  
Notes to Financial Statements for the Year Ended September 30, 2011

1. The measurement focus used for the TIF Zone fund is a flow of financial resources. The financial statements are prepared using the modified accrual basis of accounting. Under the modified accrual basis of accounting, tax increment revenues and interest are recognized as revenue when they become both "measurable" and "available" to finance expenditures of the current period. Expenditures are recognized when the liability is incurred.
2. The TIF's cash balances are invested in the City's investment pool and include amounts in demand deposits as well as short-term investments. Pooled investments and short-term non-pooled investments are treated as cash equivalents. Investment income on the pooled investments is prorated monthly based upon the average daily cash balance in each fund.
3. State statute requires that each taxing jurisdiction remit its ad valorem taxes to the Zone by May 1 of each year (remittance to occur no more than 90 days after taxes for the jurisdiction become delinquent).
4. The Zone's Financial Plan permits expenditures not to exceed \$2,065,585 over the life of the TIF to reimburse the City for administrative costs. Any future remittance for administrative expenses would come from excess cash as tax increment revenue increases as a result of increased assessed values.



**KEY FOCUS AREA:** A Cleaner, Healthier City Environment  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 1  
**DEPARTMENT:** Housing/Community Services  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 54K

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**SUBJECT**

Authorize the release of lien on a secured, no interest, forgivable loan with Legacy Counseling Center, Inc., for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street in the amount of \$6,734 - Financing: No cost consideration to the City

**BACKGROUND**

City Council authorization is required to secure or release a lien on real property (Dallas City Code Section 2-11.1 - 2.11.2).

On November 12, 2007, the City Council approved Resolution No. 07-3300, which authorized the execution of a secured, no-interest forgivable loan agreement with Legacy Counseling Center, Inc. (Legacy) for non-substantial rehabilitation at the Legacy Founders Cottage located at 828 South Tyler Street, Dallas, Dallas County, Texas (75208). The rehabilitation activities were funded through FY2007-08 Housing Opportunities for Persons with AIDS (HOPWA) grant funds.

The agency provides facility based housing assistance and hospice/respite care to critically ill persons living with HIV/AIDS, at the Legacy Founders Cottage. The agency also provides mental health and substance abuse services for persons living with HIV/AIDS at its Oak Lawn location.

Any building or structure assisted under HOPWA for non-substantial rehabilitation must be maintained as a facility to provide housing or assistance for persons living with HIV/AIDS for a period of not less than three (3) years. Legacy Counseling Center, Inc. has provided housing and assistance for persons living with HIV/AIDS at Legacy Founders Cottage for the time period required by the U.S. Department of Housing and Urban Development.

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

Authorized a contract with Legacy Counseling Center, Inc. for facility based housing assistance on September 28, 2011, by Resolution No. 11-2528.

Authorized a secured, no interest forgivable loan agreement with Legacy Counseling Center, Inc. on October 13, 2010, by Resolution No. 10-2569.

Authorized a contract with Legacy Counseling Center, Inc. for facility based housing assistance on September 22, 2010, by Resolution No. 10-2367.

Authorized the second twelve-month renewal option to the contract with Legacy Counseling Center, Inc. for facility based housing assistance on August 12, 2009, by Resolution No. 09-1913.

Authorized the first twelve-month renewal option to the contract with Legacy Counseling Center, Inc. for facility based housing assistance on August 13, 2008, by Resolution No. 08-2055.

### **FISCAL INFORMATION**

No cost consideration to the City

February 22, 2012

**WHEREAS**, City Council authorized a secured, no-interest forgivable loan agreement with Legacy Counseling Center, Inc. (Legacy) for non-substantial rehabilitation at the Legacy Founders Cottage located at 828 South Tyler Street, Dallas, Dallas County, Texas (75208), funded through FY2007-08 Housing Opportunities for Persons with AIDS (HOPWA) grant funds; and

**WHEREAS**, any building or structure assisted under HOPWA for non-substantial rehabilitation must be maintained as a facility to provide housing or assistance for persons living with HIV/AIDS for a period of not less than three (3) years; and

**WHEREAS**, Legacy Counseling Center, Inc. has provided housing and assistance for persons living with HIV/AIDS at Legacy Founders Cottage for the time period required by the U.S. Department of Housing and Urban Development;

**NOW, THEREFORE;**

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

**Section 1.** That following approval as to form by the City Attorney, the City Manager is hereby authorized to release the lien on a secured, no interest, forgivable loan with Legacy Counseling Center, Inc., for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street.

**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.



**KEY FOCUS AREA:** A Cleaner, Healthier City Environment

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services

**CMO:** Ryan S. Evans, 670-3314

**MAPSCO:** N/A

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**SUBJECT**

Authorize the acceptance of additional grant funds from the Dallas Housing Finance Corporation for the purpose of providing warranty home repairs for low-income qualified homeowners under the Home Repair Program and appropriating the funds for home repairs - Not to exceed \$50,000, from \$163,272 to \$213,272 - Financing: Dallas Housing Finance Corporation Grant Funds

**BACKGROUND**

The City created the Dallas Housing Finance Corporation (DHFC) in April of 1984 to provide financing for affordable single-family home ownership and multifamily rehabilitation and development within the City.

Periodically the DHFC has funds available for additional affordable housing purposes. In 2004 the DHFC voted to provide \$27,300 to the City of Dallas to continue to provide low-income and moderate-income elderly and/or disabled homeowners with minor home repair services. The City accepted the funding and appropriated it for those services.

In June 2006, the DHFC voted to provide \$100,000 to the Home Repair Program for necessary and emergency home repair services for low-income families.

The City's Home Repair Program receives and processes applications on a first come - first serve basis given available grant funding. Currently, there is no available funding for income-eligible homeowners facing minor home repairs.

In December 2011, the DHFC voted to provide \$50,000 to the Home Repair Program for necessary warranty home repair services for low-income families.

This resolution authorizes the City of Dallas to accept \$50,000 from the DHFC 2011 Fiscal/Calendar Year for low-income homeowners warranty home repairs; authorizes the City Controller to deposit and disburse the funds; and authorizes the City Manager to appropriate the funds for warranty repairs in the Home Repair Program.

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

On October 28, 1998, the City Council approved the Program Statement authorizing the Housing Department to implement the Home Improvement Loan Program by Resolution No. 98-3157.

On August 23, 2000, the City Council authorized approval of the Program Statement for the Home Improvement Loan Program by Resolution No. 00-2656.

On June 27, 2001, the City Council authorized approval of a Program Statement for the Home Repair Program by Resolution No. 01-2049.

On August 14, 2002, the City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-2272.

On October 23, 2002, the City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-1725.

On May 26, 2004, the City Council accepted \$27,300 from the Dallas Housing Finance Corporation by Resolution No. 04-1822.

On February 14, 2007, Council accepted \$100,000 from the Dallas Housing Finance Corporation by Resolution No. 07-0521.

On December 10, 2008, the City Council accepted \$125,000 from the Dallas Housing Finance Corporation by Resolution No. 08-3342.

## **FISCAL INFORMATION**

Dallas Housing Finance Corporation Grant Funds - \$50,000



February 22, 2012

**WHEREAS**, the City of Dallas has previously accepted Dallas Housing Finance Corporation funds to provide Dallas low-income and moderate-income elderly and/or disabled homeowners with minor repair services; and

**WHEREAS**, on May 26, 2004, the City Council accepted \$27,300 from the Dallas Housing Finance Corporation by Resolution No. 04-1725; and

**WHEREAS**, on February 14, 2007, Council accepted \$100,000 from the Dallas Housing Finance Corporation by Resolution No. 07-0521; and

**WHEREAS**, on December 10, 2008, the City Council accepted \$125,000 from the Dallas Housing Finance Corporation by Resolution No. 08-3342; and

**WHEREAS**, the Dallas Housing Finance Corporation has voted to provide \$50,000 funding to the City of Dallas to provide warranty home repair services to low-income homeowners; and

**WHEREAS**, the City Council desires to offer health and safety solutions for low-income homeowners with warranty repair services; **NOW, THEREFORE,**

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

**Section 1.** That the City of Dallas accepts \$50,000 from the Dallas Housing Finance Corporation for the purpose of funding warranty repair services for low-income families under the Home Repair Program.

**Section 2.** That the City Controller is authorized to deposit funds in an amount not to exceed \$50,000 into Fund 0319, Agency HOU, Unit 9815, Revenue Sources 8428.

**Section 3.** That the City Manager is authorized to increase appropriations in the amount of \$50,000 from \$163,272 to \$213,272 in Fund 0319, Agency HOU, Unit 9815, OBJ 3099.

**Section 4.** That the City Controller is authorized to disburse these funds under the Home Repair Program as follows: Fund 0319, Agency HOU, Unit 9815, OBJ 3099.

**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.



**KEY FOCUS AREA:** A Cleaner, Healthier City Environment

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services

**CMO:** Ryan S. Evans, 670-3314

**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** preliminary adoption of Substantial Amendment No. 13 to the FY 2008-12 Consolidated Plan Budget to: **(a)** accept \$433,200 in Emergency Solutions Grant funds; **(b)** realign \$10,000 under the Essential Services and Operations to Homeless Prevention; **(c)** reprogram \$1,000,000 in Community Development Block Grant funds from the Residential Development/Acquisition Loan Program to the Mortgage Assistance Program; and **(d)** adopt the City of Dallas Affordable Rent Schedule as the City's overall maximum standard for determining affordable rents and the maximum HOME Investment Partnerships Act (HOME) rent levels for accomplishment and goal requirements required in the Consolidated Plan; and **(2)** a public hearing to be held on March 28, 2012 to receive comments on the proposed amendments - Not to exceed \$1,443,200 - Financing: 2011-12 Emergency Solutions Grants Funds (\$433,200), 2011-12 Emergency Shelter Grant Funds (\$10,000), 2005-06 Community Development Block Grant Funds (\$109,535), 2006-07 Community Development Block Grant Funds (\$300,000), 2008-09 Community Development Block Grant Funds (\$249,671), 2009-10 Community Development Block Grant Funds (\$258,768) and 2010-11 Community Development Block Grant Funds (\$82,026)

**BACKGROUND**

On May 20, 2009, the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) law consolidated three of the separate homeless assistance programs administered by HUD under the McKinney-Vento Homeless Assistance Act into a single grant program, and revised the Emergency Shelter Grants program. Emergency Shelter Grant was renamed the Emergency Solutions Grants (ESG) program. The HEARTH Act also codified into law the Continuum of Care planning process to assist with homeless coordination of services and addressing the needs of the homeless.

## **BACKGROUND** (Continued)

On December 5, 2011, HUD released the interim rule for the HEARTH: Emergency Solutions Grant program and Consolidated Plan Conforming Amendments, which replaces the Emergency Shelter Grant program. The change in the program's name, from Emergency Shelter Grants to Emergency Solutions Grant, reflects the change in the program's focus from addressing the needs of homeless people in emergency or transitional shelters to assisting people to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness. Under the Emergency Solutions requirements, street outreach and emergency shelter expenditures are capped at 60% of the grant award. The administrative cap was increased from 5% to 7.5% of the grant award. The matching requirements (dollar-for-dollar) will remain the same.

HUD has now made available an allocation of \$433,200 under the Emergency Solutions Grant. Activities eligible for funding under this allocation are as follows:

- Homelessness Prevention
- Rapid Re-Housing
- Homeless Management Information Systems (HMIS)
- Administration

The City plans to use these funds for homeless prevention, rapid re-housing, HMIS, and administrative costs. Homeless prevention will be provided by the Martin Luther King, Jr. Community Center (MLK) and West Dallas Multipurpose Center (WDMC). Rapid re-housing services will be determined through a Request for Competitive Sealed Proposal. This item also reallocates \$10,000 under Essential Services and Operations under the old Emergency Shelter Grant to homeless prevention, housing relocation and stabilization, under the Emergency Solutions Grant to adjust to the new program category caps.

This preliminary adoption also calls for a reprogramming of Residential Development/Acquisition Loan Program funds to the Mortgage Assistance Program (MAP) in the amount of \$1,000,000. This requested reprogramming serves an immediate need for additional MAP funds for new homebuyers.

Finally, this substantial amendment includes the addition of the City of Dallas Affordable Rent Schedule which sets forth the City's overall maximum standard for determining affordable rents. The City has been informed by HUD that it must publish its standard for determining affordable rents, and considers the overall maximum affordable rent limits to be 30% of 80% of Area Median Family Income (AMFI) with rent for unit sizes adjusted for family size and utility allowances as set out in Exhibit A attached.



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

On February 6, 2012, the Housing Committee was briefed on the requested Substantial Amendment No. 13 for Emergency Solutions Grant, Emergency Shelter Grant, Community Development Block Grant Funds, and the addition of the City of Dallas Affordable Rent Schedule.

On February 2, 2012, the Community Development Commission was briefed on Substantial Amendment No. 13 for the Emergency Solutions Grant.

On June 22, 2011, City Council approved the FY 2011-12 Consolidated Plan Budget and FY 2010-11 Reprogramming Budget.

On June 8, 2011, the City Council held a public hearing to receive comments on the Proposed FY 2011-12 Consolidated Plan Budget and the FY 2010-11 Reprogramming Budget.

On May 18, 2011, the City Council by Resolution No. 11-1271, approved preliminary adoption of the Proposed FY 2011-12 Consolidated Plan Budget, the FY 2010-11 Reprogramming Budget and authorized the public hearing on June 8, 2011.

On April 20, 2011, the City Council was briefed on the City Manager's Proposed FY 2011-12 Consolidated Plan Budget and the Community Development Commission's recommendations.

On April 19, 2011, the CDC concurred with the City Manager's revised budget recommendations with one amendment to include funding to non-profit organizations for eligible public improvement projects.

On April 18, and 19, 2011, the CDC reconvened to review the City Manager's revised budget recommendations.

On April 7, 2011, the CDC concurred with the City Manager's proposed budget with no amendments.

On March 3, 2011, the Community Development Commission (CDC) was briefed on the City Manager's Proposed FY 2011-12 Consolidated Plan Budget and in March the CDC held review meetings.

City Council on February 23, 2011, authorized the release of unobligated funds from their originally budgeted purposes for future reprogramming in conjunction with the FY 2011-12 Consolidated Plan.

## **FISCAL INFORMATION**

2005-06 Community Development Block Grant Funds - \$109,535  
2006-07 Community Development Block Grant Funds - \$300,000  
2008-09 Community Development Block Grant Funds - \$249,671  
2009-10 Community Development Block Grant Funds - \$258,768  
2010-11 Community Development Block Grant Funds - \$ 82,026  
2011-12 Emergency Solutions Grant Funds - \$433,200  
2011-12 Emergency Shelter Grant Funds - \$10,000





February 22, 2012

**WHEREAS**, on May 20, 2009, the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) law consolidated three of the separate homeless assistance programs administered by HUD under the McKinney-Vento Homeless Assistance Act into a single grant program, and revised the Emergency Shelter Grant program to Emergency Solutions Grant; and

**WHEREAS**, on June 22, 2011, City Council approved the FY 2011-12 Consolidated Plan Budget and FY 2010-11 Reprogramming Budget by Resolution No. 11-1679, which included the Emergency Shelter Grant - first allocation; and

**WHEREAS**, the Mortgage Assistance Program provides financial assistance to eligible low to moderate income first-time homebuyers; and

**WHEREAS**, on September 28, 2011, the City Council approved the second renewal of the service contract with Enterprise Community Partners, Inc. for the Mortgage Assistance Program for the period October 1, 2011 through September 30, 2011; and

**WHEREAS**, on December 5, 2011, HUD released the interim rule for the HEARTH: Emergency Solutions Grant program and Consolidated Plan Conforming Amendments, which replaced the Emergency Shelter Grant program and allocated \$433,200 of Emergency Solutions Grant funds to the City of Dallas; and

**WHEREAS**, the City is required to publish its standard for determining affordable rents and identify its proposed accomplishments and goal to fund multi-family projects in terms of the number of units that will meet HOME rent limits; and

**WHEREAS**, federal regulations and City's Citizen Participation Plan requires not less than a 30-day public comment period and public hearing be held on any substantial amendment;

**NOW, THEREFORE;**

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

**Section 1.** Authorize **(1)** preliminary adoption of Substantial Amendment No. 13 to the FY 2008-12 Consolidated Plan Budget to: **(a)** accept \$433,200 in Emergency Solutions Grant funds; **(b)** realign \$10,000 under the Essential Services and Operations to Homeless Prevention; **(c)** reprogram \$1,000,000 in Community Development Block Grant funds from the Residential Development/Acquisition Loan Program to the Mortgage Assistance Program; **(d)** adopt the City of Dallas Affordable Rent Schedule as the City's overall maximum standard for determining affordable rents and the maximum HOME Investment Partnerships Act (HOME) rent levels for accomplishment and goal requirements required in the Consolidate Plan; and **(2)** a public hearing to be held on March 28, 2012 to receive comments on the proposed amendments.

February 22, 2012

**Section 2.** That the City Manager is hereby authorized to increase appropriations in Fund ES11 in the amount of \$433,200 for the Emergency Solutions Grant.

**Section 3.** That the City Controller is hereby authorized to receive and deposit grant funds into Fund ES11 in the amount of \$433,200.

**Section 4.** That the City Controller is hereby authorized to disburse grant funds in the amount of \$433,200 as listed below.

<u>Fund</u>	<u>Unit</u>	<u>Project Name</u>	<u>Amount</u>
Homeless Prevention - Financial Assistance			
ES11	810D	MLKing, Jr. Community Center	\$ 40,500
ES11	811D	WDM Center	\$ 40,500
Rapid Re-housing (Contractors)			
ES11	814D	Financial Assistance	\$ 30,000
ES11	812D	Housing Relocation & Stabilization	\$245,456
Homeless Management Information Systems			
ES11	813D	Data Management	\$ 25,000
Administration			
ES11	752D	Housing Community Services	\$ 51,744

**Section 5.** That the City Manager is hereby authorized to decrease Emergency Shelter Grant appropriations in the amount of \$10,000 from Fund ES11, Unit 750D in the amount of \$7,900 and Fund ES11, Unit 751D in the amount of \$2,100. Increase appropriations for Fund ES11, Unit 810D by \$5,000 and Fund ES11, Unit 811D by \$5,000.

February 22, 2012

**Section 6.** That the City Manager is hereby authorized to decrease Community Development Block Grant (CDBG) appropriations for the Residential Development/Acquisition Loan Program (RDALP) by \$1,000,000 and increase CDBG appropriations for the Mortgage Assistance Program by \$1,000,000.

**Reduce**

<u>Fund</u>	<u>Unit</u>	<u>Project Name</u>	<u>Amount</u>
CD05	4363	RDALP	\$109,535
CD06	3955	RDALP	\$300,000
CD08	297A	RDALP	\$249,671
CD09	639B	RDALP	\$258,768
CD10	423C	RDALP	\$ 82,026

**Increase**

<u>Fund</u>	<u>Unit</u>	<u>Project Name</u>	<u>Amount</u>
CD11	717D	Mortgage Assistance Program	\$1,000,000

**Section 7.** That the City adopts the Affordable Rent Schedule attached as Exhibit A as the City's overall maximum standard for determining affordable rents, and includes the HOME rent limits chart attached as Exhibit B in its Consolidated Plan in order to describe the rent requirements for specifying in the Plan the number of extremely low-income and low-income families to whom the City will provide affordable housing.

**Section 8.** That a public hearing will be held on March 28, 2012 to receive comments on the proposed use of funds.

**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

### City of Dallas Affordable Rent Schedule (Effective December 1, 2011)

Area Median Family Income (AMFI) for a Household of Four (4) for the Dallas Area for 2012: \$70,100

<u>Household Size</u>	<sup>1</sup> <b>80% of Dallas AMFI</b> (Maximum Allowable Qualifying Income)
1 Person	\$39,300
2 Persons	\$44,900
3 Persons	\$50,500
4 Persons	\$56,100
5 Persons	\$60,600

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<u>Unit Type</u>	<sup>2</sup> Monthly Maximum Rents <b>30% of 80% of AMFI</b> (Including Utilities)	<sup>3</sup> Utility Allowance	<u>Monthly Maximum Rent</u> (Excluding Utilities)
Efficiency	\$ 983.00	\$106	\$ 877.00
1 Bedroom	\$1,053.00	\$130	\$ 923.00
2 Bedroom	\$1,263.00	\$162	\$1,101.00
3 Bedroom	\$1,459.00	\$186	\$1,273.00

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<sup>1</sup> Income limits are for 2012 and are subject to change annually upon notification from HUD. HUD allows for rounding up to the nearest \$50 in determining eligibility.

<sup>2</sup> Rents assume 1.5 persons per bedroom

<sup>3</sup> Utility allowances are based on HUD's Section 8 allowances and assume that units are all electric; tenant pays for electric and water/sewer/trash collection; and the landlord furnishes the kitchen range and refrigerator.

**Exhibit B**

**Rent Limits for 2012  
HOME and Fair Market Rents (FMR)**

HOME definitions are effective: **July 13, 2011 through July 13, 2012**<sup>1</sup>

FMR definitions are effective: **Sept. 2011 through Sept. 2012**<sup>1</sup>

HUD Metro FMR Area (HMFA) estimate of the median family income for the Dallas area is:

**\$70,100**

Number of Bedrooms In Unit	Nominal Household Size <sup>2</sup>	HOME Rents		Fair Market Rents (FMR) Total Rent
		"Low" 4	"High" 5	
0	1	\$605	\$671*	\$649
1	1	\$648	\$744*	\$719
2	3	\$777	\$905*	\$868
3	4	\$898	\$1,134	\$1,130
4	6	\$1,002	\$1,245	\$1,337
5	7	\$1,106	\$1,356	\$1,538
6	9	\$1,209	\$1,466	\$1,738

<sup>1</sup> Ending date is depended upon HUD's release of the new rent limits for the Federal Fiscal Year.

<sup>2</sup> "Nominal Household Size" estimates are derived by multiplying the number of bedrooms in a unit by 1.5 persons, (HUD's recommended "rule of thumb") and then rounding down to the nearest whole integer.

**The HUD "HOME" Program rents published June 28, 2011, effective July 13, 2011:**

"Low" 4 = 30% of AMFI (cannot exceed the High HOME Rents)

"High" 5 = 30% of 65% of AMFI

\* (High 5) - HOME Program Rent held at last year' (2010) level. For all HOME projects, the maximum allowable rent is the HUD calculated High HOME Rent Limit and/or Low HOME Rent Limit.

**Updated on 1/12/12**



**KEY FOCUS AREA:** A Cleaner, Healthier City Environment

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 1

**DEPARTMENT:** Housing/Community Services

**CMO:** Ryan S. Evans, 670-3314

**MAPSCO:** 45W

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**SUBJECT**

Authorize renewal of the tri-party contract grant agreement between the City of Dallas, the U.S. Department of Housing and Urban Development, and the Dallas Housing Authority for the Shelter Plus Care Grant which provides rental assistance funds to be distributed by the Dallas Housing Authority for single room occupancy of homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2012 through May 11, 2013 - Total not to exceed \$374,016 - Financing: U.S. Department of Housing and Urban Development Grant Funds

**BACKGROUND**

In 1992, the City of Dallas as grantee and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (ASD) as project sponsor applied for and were awarded a Shelter Plus Care grant in the amount of \$2,626,560 for ten years of rental assistance in connection with the moderate rehabilitation of Hillcrest House located at 834 North Marsalis Avenue, Dallas, Texas.

Hillcrest House is a four-story residential facility with 64 single room occupancy housing units serving homeless persons with HIV/AIDS. Because ASD was not an eligible grantee under the Shelter Plus Care program, the City of Dallas partnered with the agency on the Shelter Plus Care/SRO grant award to support Hillcrest House.

Accordingly, the City of Dallas and the U.S. Department of Housing and Urban Development (HUD) entered into a Shelter Plus Care Agreement dated May 12, 1995 for rental assistance for the Hillcrest House facility. The original term of the Shelter Plus Care/SRO grant was for ten years through May 15, 2005. From 2006 through May 11, 2012, Hillcrest House has been awarded \$2,209,536 in annual renewals.

## **BACKGROUND** (Continued)

In contrast to the other Shelter Plus Care grants received by the City of Dallas (which are tenant based rental assistance grants received and administered directly by the City of Dallas), Shelter Plus Care/SRO rental assistance is required by law to be administered through a public housing authority. Therefore, the City of Dallas works with Dallas Housing Authority to provide this assistance to ASD for the Hillcrest House.

Recipients of Shelter Plus Care/SRO grants funds are required to match the aggregate amount of rental assistance with supportive services. ASD provides the match through its other grant sources providing supportive services at Hillcrest House.

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

Authorized the FY2010 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 13, 2011, by Resolution No. 11-0916.

Authorized the FY2009 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 14, 2010, by Resolution No. 10-0866.

Authorized the FY2008 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 22, 2009, by Resolution No. 09-1055.

Authorized the FY2007 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on April 23, 2008, by Resolution No. 08-1251.

Authorized the FY2006 renewal of a Shelter Plus Care Grant to provide rental assistance funds to be distributed by Dallas Housing Authority for single room occupancy for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue on May 23, 2007, by Resolution No. 07-1516-02.

## **FISCAL INFORMATION**

\$374,016 - U. S. Department of Housing and Urban Development Grant Funds



February 22, 2012

**WHEREAS**, there is a need to assist the homeless population with HIV/AIDS by providing rental assistance in conjunction with supportive services; and

**WHEREAS**, the U.S. Department of Housing and Urban Development awarded Shelter Plus Care Grant funds to provide rental assistance for homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue, and has renewed such Shelter Plus Care Grant funds for \$374,016 for an additional year;

**NOW, THEREFORE;**

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

**Section 1.** That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute the renewal of the tri-party contract grant agreement between the City of Dallas, the U.S. Department of Housing and Urban Development, and the Dallas Housing Authority for the Shelter Plus Care Grant which provides rental assistance funds to be distributed by the Dallas Housing Authority for single room occupancy of homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period of May 12, 2012 through May 11, 2013, and execute any and all documents required by the agreement.

**Section 2.** That the proceeds from the Shelter Plus Care Grant shall be distributed directly from the U.S. Department of Housing and Urban Development to the Dallas Housing Authority.

**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.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 56C

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**SUBJECT**

Authorize a public hearing to be held on March 28, 2012 to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to East Dallas Community Organization (“EDCO”), a qualified non-profit organization, under the HB110 process of the City’s Land Transfer Program and the release of the City’s non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

**BACKGROUND**

The HB110 process of the City’s Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code (“Code”) and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions.

Property eligible for the HB110 process of the City’s Land Transfer Program must to be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit’s receipt of the quitclaim deed. The quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code.

## **BACKGROUND (continued)**

Per the Code, the sales price of each property is \$1,000 for up to 7,500 square feet of land plus \$0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records. Prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public.

EDCO submitted a proposal to construct two (2) single-family townhomes containing approximately 1,500 to 1,650 square feet each on the one unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached to the resolution, for purchase by low to moderate income homebuyers at a proposed sales price from \$100,000 to \$115,000 each, with construction to begin in December 2013.

This item calls for a public hearing on March 28, 2012, at 1:00 PM in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, to allow the public an opportunity to comment on the proposed sale of the one unimproved property to EDCO. At the close of the public hearing, the City Council will be asked to authorize the sale of the property to EDCO by quitclaim deed and the release of the City's non-tax liens included in the foreclosure judgment and the post-judgment non-tax liens, if any.

In conformance with the Code, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News.

## **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

This item has no prior action.

## **FISCAL INFORMATION**

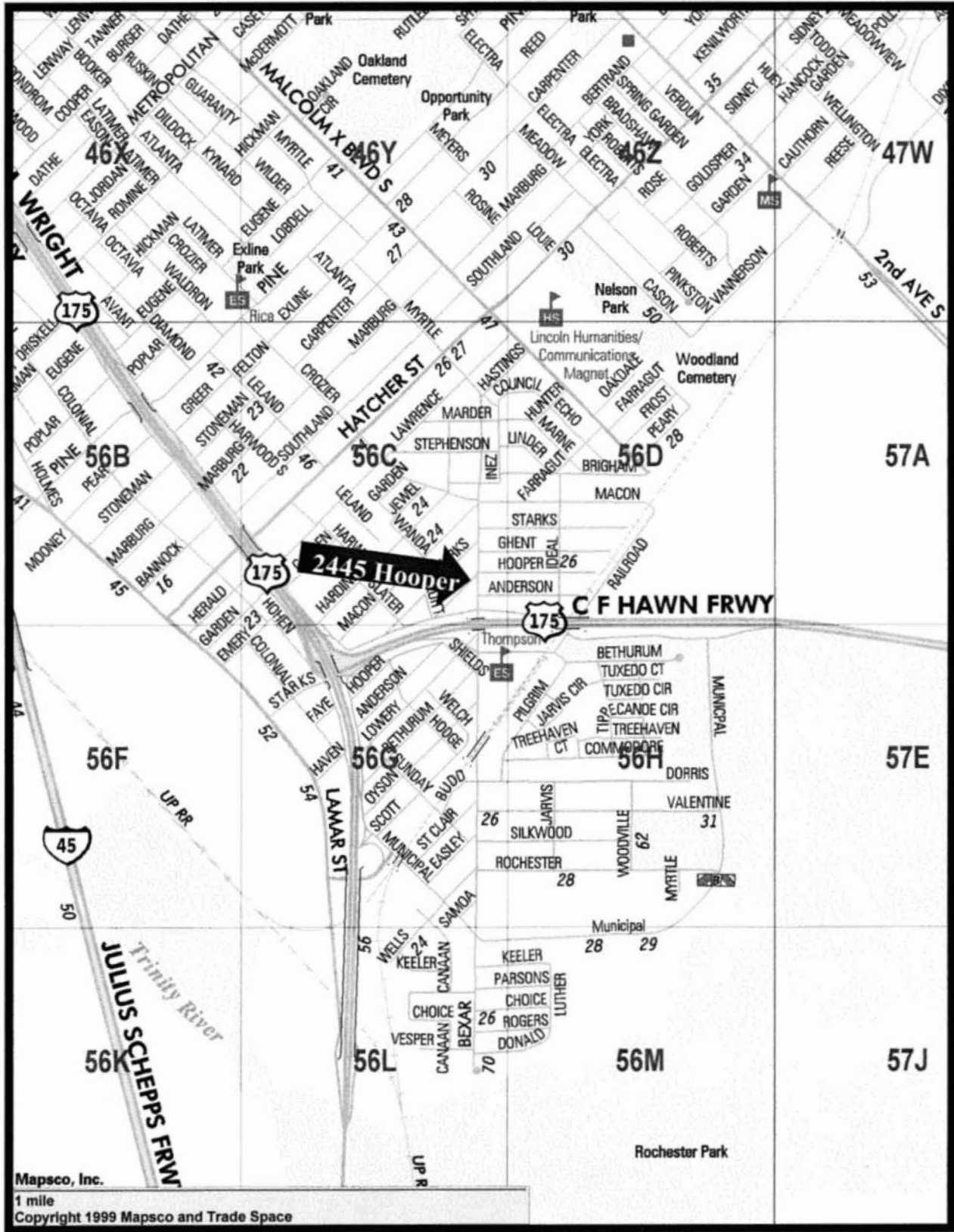
No cost consideration to the City.

## **MAP**

Attached

## Tax Foreclosure and Seizure Property Resale

<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Value</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>
2445 Hooper Street	East Dallas Community Organization	56C	\$4,000	\$1,000	V	R-5(A)



**MAPSCO 56C**

February 22, 2012

**WHEREAS**, the of the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions; and

**WHEREAS**, property eligible for the HB110 process of the City's Land Transfer Program must be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed; and

**WHEREAS**, the quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code; and

**WHEREAS**, per the Code, the sales price of each property is \$1,000 for up to 7,500 square feet of land plus \$0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records; and

**WHEREAS**, prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public; and

**WHEREAS**, East Dallas Community Organization ("EDCO") submitted a proposal to construct two (2) single-family townhomes containing approximately 1,500 to 1,650 square feet each on the one unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached to the resolution, for purchase by low to moderate income homebuyers at a proposed sales price from \$100,000 to \$115,000 each, with construction to begin in December 2013; and

**WHEREAS**, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News; **NOW, THEREFORE**,

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

February 22, 2012

**SECTION 1.** That the public hearing shall be held at 1:00 p.m. on March 28, 2012 in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against the proposed sale by quitclaim deed of one (1) unimproved property, identified on Exhibit A, acquired by the taxing authorities from the Sheriff to EDCO, a qualified non-profit organization in accordance with the HB 110 process of the City's Land Transfer Program.

**SECTION 2.** That at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing shall be placed on the property, notification of the public hearing shall be mailed to property owners within 200 feet of the property, and notice of the public hearing shall be published in the Dallas Morning News.

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



**EXHIBIT "A"**

**TAX FORECLOSURE PROPERTY SALE**

<b><u>Address</u></b>	<b><u>Mapsco</u></b>	<b><u>Non-Profit Organization</u></b>	<b><u>Sale Amount</u></b>	<b><u>Council District</u></b>
2445 Hooper Street	56C	East Dallas Community Organization	\$1,000.00	7



**KEY FOCUS AREA:** A Cleaner, Healthier City Environment

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services

**CMO:** Ryan S. Evans, 670-3314

**MAPSCO:** N/A

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**SUBJECT**

Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2011 through March 31, 2012 - Not to exceed \$80,060, from \$7,332,423 to \$7,412,483 - Financing: Department of State Health Services Grant Funds

Since 1974, the Department of State Health Services (DSHS) has funded the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in Dallas. The WIC Program provides nutritious food, nutrition, education, breastfeeding promotion and support, and referrals to health and social services. The program serves infants, children under age 5, and pregnant, postpartum and breastfeeding women. WIC is a United States Department of Agriculture program administered in Texas by the Department of State Health Services. In Dallas County, the WIC Program is administered by the City of Dallas, Housing/Community Services Department.

This item authorizes the acceptance of additional grant funds, increasing the total contract budget by \$80,060. These funds are the result of funding of \$2,250 for Clinical Lactation Practicum as set forth in DSHS funding approvals dated December 1, 2011 and January 13, 2012 and \$77,810 for DSHS Dietetic Internship as set forth in DSHS funding approval dated January 13, 2012. The total expenditures are not to exceed \$80,060.

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

Authorized a contract for the Special Supplemental Nutrition Program for Women, Infants and Children Program in the amount of \$7,332,423 on September 28, 2011, by Resolution No. 11-2531.

**FISCAL INFORMATION**

\$80,060 - Department of State Health Services Grant Funds

February 22, 2012

**WHEREAS**, the Department of State Health Services has awarded additional grant funds in the amount of \$80,060 for the continuation of the City of Dallas Women, Infants and Children (WIC) Program; and

**WHEREAS**, there is a continued need for the Special Supplemental Nutrition Program for Women, Infants and Children, funded through the Department of State Health Services;

**NOW, THEREFORE;**

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

**Section 1.** That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute the first amendment to the contract (Contract No. 2012-039952) with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2011 through March 31, 2012, and execute any and all documents required by the contract.

**Section 2.** That the City Controller is hereby authorized to receive and deposit grant funds from the Department of State Health Services in Fund F342, Dept. HOU, Unit 3895, Revenue Source 6509 in the amount not to exceed \$80,060.

**Section 3.** That the City Manager is hereby authorized to increase appropriations in the amount of \$80,060, from \$7,332,423 to \$7,412,483 in Fund F342, Dept. HOU, Unit 3895, Revenue Source 6509, according to the attached Schedule.

**Section 4.** That the City Controller is hereby authorized to disburse grant funds from the Department of State Health Services in Fund F342, Dept. HOU, Unit 3895 using Object Code according to the attached Schedule in the amount not to exceed \$80,060.

**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.

**SCHEDULE**

**Department of State Health Services  
Women, Infant and Children Program  
October 1, 2011 through March 31, 2012  
Fund F342, Dept. HOU, Unit 3895, Revenue Source 6509**

<b><u>Object Code</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
1101	Salaries	\$77,810
3361	Professional Development	<u>\$ 2,250</u>
	Total	\$80,060

**AGENDA ITEM # 34**

**KEY FOCUS AREA:** Make Government More Efficient, Effective and Economical

**AGENDA DATE:** February 22, 2012

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

**DEPARTMENT:** Office of Financial Services

**CMO:** Jeanne Chipperfield, 670-7804

**MAPSCO:** N/A

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**SUBJECT**

Authorize a public hearing to be held on March 28, 2012 to receive comments on the proposed FY 2012-13 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

**BACKGROUND**

Each year the City of Dallas holds a series of public hearings to provide the citizens of Dallas the opportunity to speak on next year's budget.

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

This item has no prior action.

**FISCAL INFORMATION**

No cost consideration to the City.





February 22, 2012

**WHEREAS**, the City Council is committed to providing the citizens of Dallas with the opportunity to speak on the City's proposed FY 2012-13 budget;

**Now, Therefore,**

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

**Section 1.** That a public hearing on the City's proposed FY 2012-13 Operating, Capital, Grant and Trust budgets will be held on March 28, 2012 in the Council Chambers.

**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.



**AGENDA ITEM # 35**

**KEY FOCUS AREA:** Better Cultural, Arts and Recreational Amenities  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Park & Recreation  
**CMO:** Paul D. Dyer, 670-4071  
**MAPSCO:** 36-X Y 46-B

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**SUBJECT**

Authorize a contract for a stone entry feature and sign, landscaping and lighting at the La Vista Drive intersection and landscaping at the Munger Boulevard intersection located at the Swiss Avenue Medians - Denali Construction Services, LLC, lowest responsible bidder of four - Not to exceed \$68,310 - Financing: 2006 Bond Funds

**BACKGROUND**

On December 1, 2011, four bids were received for a stone entry feature and sign, landscaping and lighting at the La Vista Drive intersection and landscaping at the Munger Boulevard intersection located at the Swiss Avenue Medians. This item authorizes the award of the construction contract to Denali Construction Services, LLC for Base Bid and Alternate A with a total bid amount of \$68,310.

Denali Construction Services, LLC has had no contractual activities with the City of Dallas for the past three years.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	April 2010
Completed Design	November 2011
Begin Construction	March 2012
Complete Construction	September 2012

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

The Park and Recreation Board authorized advertisement for bids on October 20, 2011.

The Park and Recreation Board authorized award of the contract on February 2, 2012.

**FISCAL INFORMATION**

2006 Bond Funds - \$68,310

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**Denali Construction Services, LLC**

White Male	20	White Female	2
Black Male	2	Black Female	0
Hispanic Male	28	Hispanic Female	4
Other Male	0	Other Female	1

**BID INFORMATION**

The following four bids with quotes were received and opened on December 1, 2011:

\*Denotes the successful bidder

<b><u>Bidders</u></b>	<b><u>Base Bid</u></b>	<b><u>Alternate A**</u></b>	<b><u>Total Bid</u></b>
*Denali Construction Services, LLC 3023 Wheelock Street, Dallas, TX	\$67,630.00	\$680.00	\$68,310.00
Henneberger Construction, Inc.	\$70,082.00	\$4,200.00	\$74,282.00
C. Green Scaping, LP	\$82,211.20	\$580.00	\$82,791.20
Texas Standard Construction, Ltd.	\$139,350.00	\$20,000.00	\$159,350.00

\*\*Alternate A - provides for bronze plaques.

**OWNER**

**Denali Construction Services, LLC**

Vickey Wiener, Owner/Chief Executive Officer

**MAP**

Attached

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a contract for a stone entry feature and sign, landscaping and lighting at the La Vista Drive intersection and landscaping at the Munger Boulevard intersection located at the Swiss Avenue Medians - Denali Construction Services, LLC, lowest responsible bidder of four - Not to exceed \$68,310 - Financing: 2006 Bond Funds

Denali Construction Services, LLC is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Construction

### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$64,100.00	93.84%
Total non-local contracts	\$4,210.00	6.16%
<b>TOTAL CONTRACT</b>	<b>\$68,310.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Denali Construction Services, LLC	WFDB48829Y0312	\$64,100.00	100.00%
<b>Total Minority - Local</b>		<b>\$64,100.00</b>	<b>100.00%</b>

#### Non-Local Contractors / Sub-Contractors

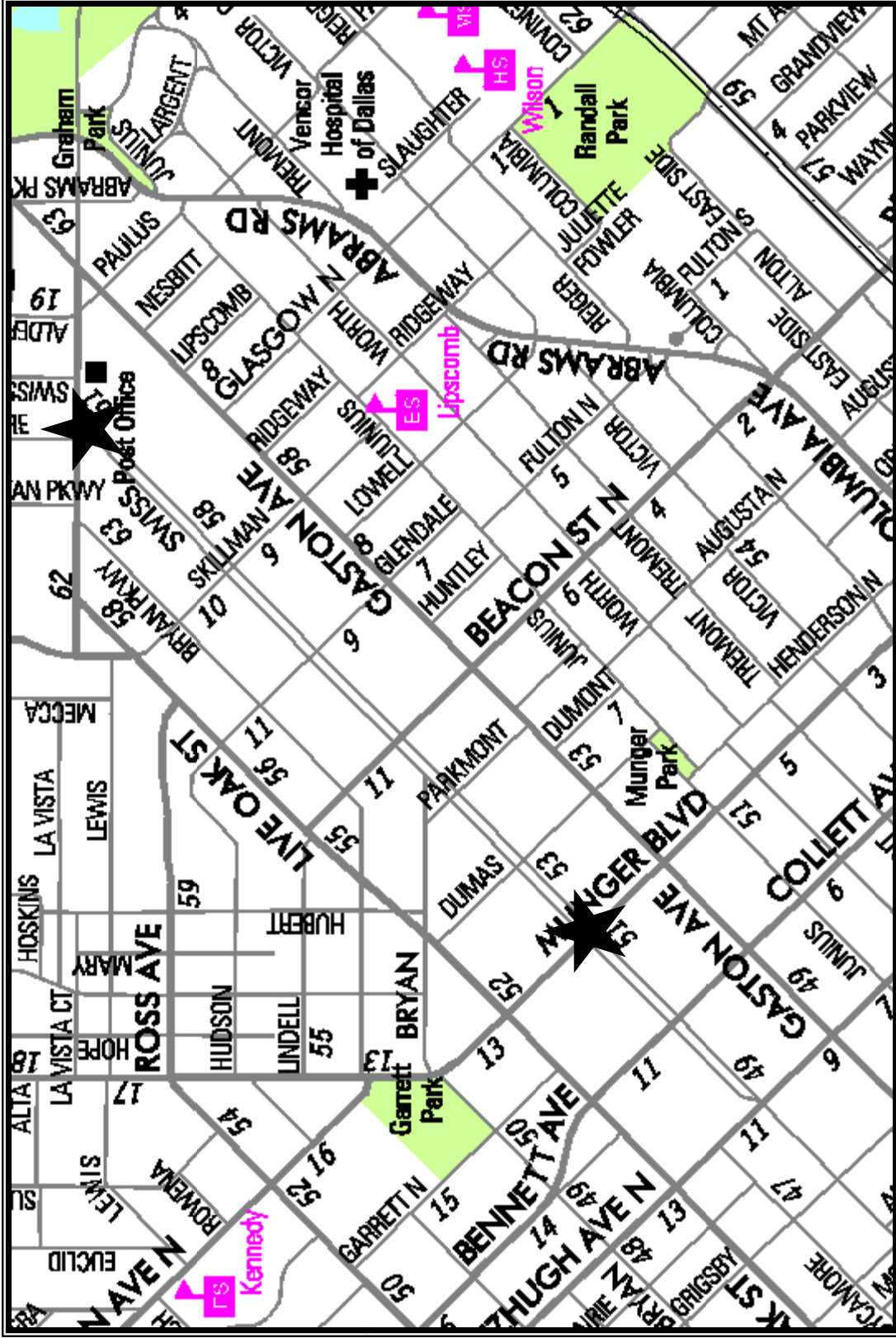
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
All-Fair Electric, Inc.	WFWB51733N1212	\$4,210.00	100.00%
<b>Total Minority - Non-local</b>		<b>\$4,210.00</b>	<b>100.00%</b>

### TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$64,100.00	100.00%	\$68,310.00	100.00%
<b>Total</b>	<b>\$64,100.00</b>	<b>100.00%</b>	<b>\$68,310.00</b>	<b>100.00%</b>

# Swiss Avenue Median

Council District 14



4800-6100 Swiss Avenue





February 22, 2012

**WHEREAS**, on December 1, 2011, four bids were received for a stone entry feature and sign, landscaping and lighting at the La Vista Drive intersection and landscaping at the Munger Boulevard intersection located at the Swiss Avenue Medians.

<u>Bidders</u>	<u>Base Bid</u>	<u>Alternate A**</u>	<u>Total Bid</u>
Denali Construction Services, LLC	\$67,630.00	\$680.00	\$68,310.00
Henneberger Construction, Inc.	\$70,082.00	\$4,200.00	\$74,282.00
C. Green Scaping, LP	\$82,211.20	\$580.00	\$82,791.20
Texas Standard Construction, Ltd.	\$139,350.00	\$20,000.00	\$159,350.00

\*\*Alternate A - provides for bronze plaques.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to enter into a contract with Denali Construction Services, LLC for a stone entry feature and sign, landscaping and lighting at the La Vista Drive intersection and landscaping at the Munger Boulevard intersection located at the Swiss Avenue Medians, in an amount not to exceed \$68,310.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Denali Construction Services, LLC, after approval as to form by the City Attorney's Office.

**SECTION 3.** That the City Controller is hereby authorized to pay the amount of \$68,310 to Denali Construction Services, LLC, as follows:

(2006) Park and Recreation Facilities Improvement Funds Fund 8T00, Department PKR, Unit T289, Object 4599 Activity RFSI, Program PK03K270, CT-PKR12019309 Commodity 91200, Vendor VC0000008671	\$19,000
(2006) Park and Recreation Facilities Improvement Funds Fund 9T00, Department PKR, Unit T289, Object 4599 Activity RFSI, Program PK03K270, CT-PKR12019309 Commodity 91200, Vendor VC0000008671	<u>\$49,310</u>
Total amount not to exceed	\$68,310

February 22, 2012

**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.

**KEY FOCUS AREA:** Better Cultural, Arts and Recreational Amenities

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Park & Recreation

**CMO:** Paul D. Dyer, 670-4071

**MAPSCO:** 22-J

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**SUBJECT**

Authorize **(1)** a multi-faceted construction manager at risk contract for: **(a)** improvements at Elm Fork Gun Range; **(b)** tennis court renovations at L.B. Houston Tennis Center; **(c)** renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscaping; and **(d)** upgrade of the existing golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road with Rogers-O'Brien Construction Company, Ltd., best value proposer of three for the Guaranteed Maximum Price of \$4,770,259; and **(2)** an amendment to the management agreement with Mickey Ray Piersall to define roles, responsibilities and compensation as a result of the closure of L.B. Houston Golf Course for renovation in the amount of \$205,275 – Total not to exceed \$4,975,534 – Financing: 2003 Bond Funds (\$540,526), 2006 Bond Funds (\$3,629,733), Golf Improvement Funds (\$705,275) and Park Improvement Funds (\$100,000)

**BACKGROUND**

L.B. Houston Sports Complex includes a nationally acclaimed gun range, a 16 court tennis facility and tennis pro shop and an 18-hole championship golf course. L.B. Houston Golf Course opened for play in early 1969. The renovation of the existing golf course includes, erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscape form and planting selections. Golf course renovations are necessary to retain a product that will generate attendance and revenues required to sustain the golf system. The City has maintained a golf system and courses which are consistently recognized throughout the metroplex as top quality destinations.

**BACKGROUND** (Continued)

The selection of a contract was conducted in a two-phase process. A Request for Qualifications (RFQ) was issued by the Park and Recreation Department on October 26, 2011. The RFQ provided information about the project, including the budget and scope of work. Proposers were asked to provide information about their firm, their team, management philosophy and approach to the project. Three firms submitted proposals. A selection committee reviewed the submittals, and based on evaluation criteria included in the RFQ, selected the three firms for further consideration. These three firms were invited to participate in A Request for Proposals (RFP).

On December 15, 2011, three proposals were received for the L.B. Houston Golf Course and Clubhouse. After the interviews were completed, a selection committee comprised of City of Dallas Park and Recreation Department staff, Planning and Design Development Division and Business Development & Procurement Services selected Rogers-O'Brien Construction Company, Ltd. for the L.B. Houston gun range, tennis complex, golf course and clubhouse.

The evaluation criteria utilized to score the short listed proposals is as follows:

<u>Item</u>	<u>Weighting</u>
1. Overall responsiveness of the submittal	5%
2. Demonstrated previous technical experience and competence of prime firm(s) with similar projects	15%
3. Approach to the project, including compliance with the schedule	15%
4. General qualifications and experience of affiliated firms	15%
5. Qualifications and experience of personnel proposed to be assigned to the project	10%
6. Commitment to the Good Faith Effort Plan	15%
7. Proposed fees and general conditions	<u>25%</u>
	100%

This action will award a multifaceted construction contract for **(a)** improvements at Elm Fork Gun Range; **(b)** tennis court renovations at L.B. Houston Tennis Center; **(c)** renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, driving range improvements and landscaping; and **(d)** upgrade of the existing golf course clubhouse.

Rogers-O'Brien Construction Company, Ltd. intends to comply with and meet the City of Dallas, Business Inclusion and Development Plan M/WBE participation goal for this project.

**BACKGROUND** (Continued)

This action will also amend the management contract with Mickey Ray Piersall that was approved on June 11, 2008, by Resolution No. 08-1655. The City of Dallas golf course facility and grounds operations are managed through city forces and the business operations are managed by private contractors who are PGA Professionals. This public/private contractual partnership maximizes the revenue potential and return on investment for both the operator and the City of Dallas. The golf course renovation will close the course for approximately eight months, during which time the golf pro will have no opportunity to generate revenue from the facility but will continue to have financial responsibility for many aspects of the operation. The golf pro will also provide services to include preparation of marketing plan for the course re-opening and professional input during the course construction regarding the final product including landscaping selection, greens, and fairway grading and profile development.

The City proposes to compensate Mr. Piersall for expenses and a one-time annual compensation of \$85,000 for his professional oversight during construction. The proposed one-time annual compensation is based on other municipal contract comparables during golf course renovations. Substantiated and validated expenses of approximately \$95,275 will be incurred by Mr. Piersall, against which he has no opportunity to generate revenue. During the year that the course will be closed, expenses will include maintaining the telephone lines, liquor license, golf carts insurance, pest control and golf shop security system. The costs for the golf pro staff to close and re-open the pro shop and café, and losses for merchandise liquidation are also considered for compensation. Mr. Piersall will also incur expenses extending for a period of three years beyond the re-opening of the course for unemployment taxes per the Federal Unemployment Tax Act (FUTA). Mr. Piersall will have to terminate his employees, who may file for unemployment. The unemployment rates are based on activity for a period of twelve quarters. The city is proposing to reimburse Mr. Piersall the difference between what he currently pays for unemployment tax and the rate he will be charged after the course re-opens for a period of twelve quarters. The City is proposing to compensate Mr. Piersall a lump sum payment of \$180,275, and reimbursing him on actual expenses incurred for increased unemployment taxes over the next three years, in an amount not to exceed \$25,000 for a total amount of \$205,275.

During the term of the renovation and course closure, the City will assume all utility costs for the golf course, pro shop and cart barn.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	November 2011
Completed Design	January 2012
Begin Construction	March 2012
Complete Construction	October 2012

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

The Park and Recreation Board authorized the management agreement on May 15, 2008.

City Council authorized the management agreement on June 11, 2008, by Resolution No. 08-1655.

The Park and Recreation Board authorized award of the contract and amendment to the management agreement on February 2, 2012.

**FISCAL INFORMATION**

2003 Bond Funds - \$540,526  
2006 Bond Funds - \$3,629,733  
Golf Improvement Funds - \$705,275  
Park Improvement Funds - \$100,000

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Rogers-O'Brien Construction Company, Ltd.

White Male	119	White Female	15
Black Male	5	Black Female	1
Hispanic Male	64	Hispanic Female	4
Other Male	0	Other Female	1

Mickey Ray Piersall

Hispanic Female	0	Hispanic Male	4
Black Female	0	Black Male	4
Other Female	0	Other Male	1
White Female	6	White Male	5

## **PROPOSAL INFORMATION**

The following three proposals were received and opened on December 15, 2011:

\*Denotes successful proposer

<b><u>Proposers</u></b>	<b><u>Scores</u></b>
*Rogers-O'Brien Construction Company, Ltd. 1901 Regal Row, Dallas, TX	783.3
TDI Golf and Restorations	734.2
Wadsworth Golf Construction Co.	725.8

## **OWNERS**

### **Rogers-O'Brien Construction Company, Ltd.**

Preston McAfee, President and Chief Executive Officer  
Gary Frazier, Vice President  
Patrick D. O'Brien, Chairman of the Board  
Mike Orr, Treasurer

### **Mickey Ray Piersall Golf Shop**

Mickey Piersall, Owner

## **MAP**

Attached

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize **(1)** a multi-faceted construction manager at risk contract for: **(a)** improvements at Elm Fork Gun Range; **(b)** tennis court renovations at L.B. Houston Tennis Center; **(c)** renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscaping; and **(d)** upgrade of the existing golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road with Rogers-O'Brien Construction Company, Ltd., best value proposer of three for the Guaranteed Maximum Price of \$4,770,259; and **(2)** an amendment to the management agreement with Mickey Ray Piersall to define roles, responsibilities and compensation as a result of the closure of L.B. Houston Golf Course for renovation in the amount of \$205,275 – Total not to exceed \$4,975,534 – Financing: 2003 Bond Funds (\$540,526), 2006 Bond Funds (\$3,629,733), Golf Improvement Funds (\$705,275) and Park Improvement Funds (\$100,000)

Rogers-O'Brien Construction Company, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

**PROJECT CATEGORY:** Construction

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$4,770,259.00	100.00%
Total non-local contracts	\$0.00	0.00%
<b>TOTAL CONTRACT</b>	<b>\$4,770,259.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

None

#### Non-Local Contractors / Sub-Contractors

None



**TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$0.00</u>	<u>0.00%</u>	<u>\$0.00</u>	<u>0.00%</u>



Rogers-O'Brien Construction

January 27, 2012

Mr. Paul Dyer  
Department Director  
City of Dallas Parks and Recreation  
1500 Marilla Street Room 6FN  
Dallas, TX 75201

Re: LB Houston Sports Complex

Dear Mr. Dyer:

Please allow this letter to serve as our Initial Guaranteed Maximum Price (IGMP) for the above referenced project. The sum total including allowances is Four Million Seven Hundred Seventy Thousand Two Hundred Fifty Nine dollars (\$4,770,259). Rogers-O'Brien is committed to complying with the City of Dallas Business Inclusion and Business Development Plan.

Very truly yours,  
Rogers-O'Brien Construction

Gary A. Frazier  
Vice President

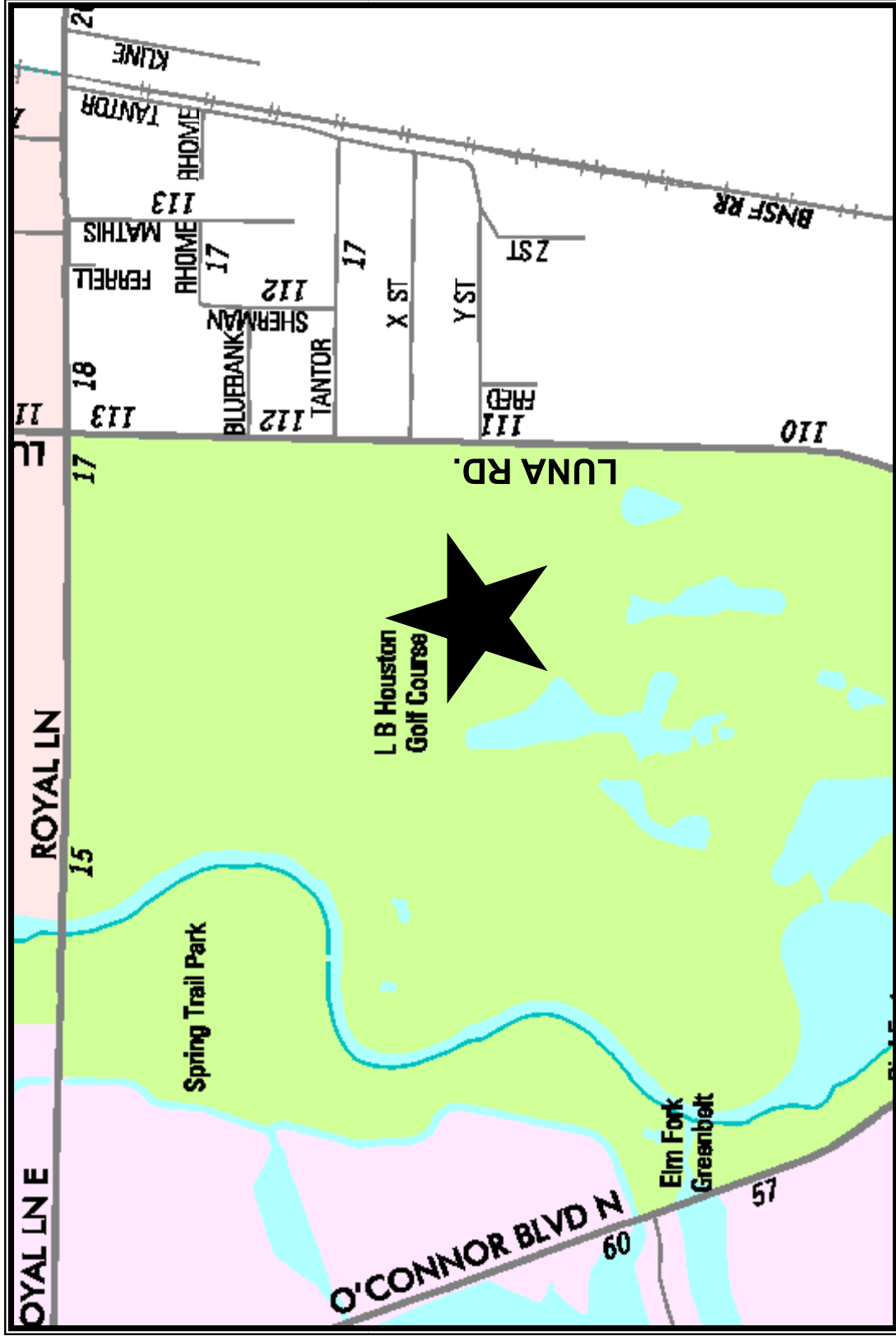
1901 Regal Row  
Dallas, Texas 75235  
Main 214.962.3000  
Fax 214.962.3001

3901 S. Lamar Blvd. #200  
Austin, Texas 78704  
Main 512.486.3800  
Fax 512.486.3701

[www.rogers-obrien.com](http://www.rogers-obrien.com)

# L. B. Houston Golf Course

Council District 6



11223 Luna Road

Mapsc0 # 22-J



February 22, 2012

**WHEREAS**, on December 15, 2011, three proposals were received and opened for improvements at L.B. Houston Golf Course and Clubhouse including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscaping; and upgrade of the existing golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road; and

**WHEREAS**, it has been determined that acceptance of the proposal offer from Rogers-O'Brien Construction Company, Ltd. for a Guaranteed Maximum Price in the amount of \$4,770,259 is the best value for the City of Dallas; and

**WHEREAS**, this will authorize a construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd., for improvements at Elm Fork Gun Range; tennis court renovations at L.B. Houston Tennis Center; renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscaping; and upgrade of the existing golf course clubhouse at L.B. Houston Golf Course, in an amount not to exceed \$4,770,259; and

**WHEREAS**, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

**WHEREAS**, the Park and Recreation Board has developed a golf pro shop management plan which provides for the operation of the golf pro shops at Cedar Crest, L. B. Houston, Stevens Park, Tenison Park and Grover C. Keeton Golf Courses through professional managers as independent contractors; and

**WHEREAS**, the City Charter requires that the City Council approve any contract which exceeds one year in duration; and

**WHEREAS**, on June 11, 2008, Resolution No. 08-1655 authorized a management agreement for the operation of the golf pro shop that provides for full service golf facilities at Cedar Crest, L.B. Houston, Stevens Park, Tenison Park and Grover C. Keeton to the citizens including merchandise, golf carts, club repairs, club rentals, food and drink, beer, driving range, lessons, and building reservations through professional managers as independent contractors; and

**WHEREAS**, this will authorize an amendment to the management agreement contract with Mickey Ray Piersall Golf Shop to define roles, responsibilities, compensation and reimbursement for professional services performed and costs incurred during the premises closure including security, insurance, staffing to close and re-open the restaurant and pro shop and increased unemployment taxes as a result of the closure of L.B. Houston Golf Course for renovation, in an amount not to exceed \$205,275.

February 22, 2012

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the 2006 Bond Funds originally allocated as indicated below be reprogrammed for L.B. Houston Sports Complex as approved by the Park and Recreation Board.

<u>Project</u>	<u>Program Allocation</u>	<u>Revised Allocation</u>	<u>Unit</u>	<u>Fund</u>
Elm Fork Gun Range	\$375,758	\$0	T073	1T00
L.B. Houston Sports Complex	\$0	\$375,758	P685	1T00

**SECTION 2.** That the City Manager is hereby authorized to enter into a construction manager at risk contract with Rogers-O'Brien Construction Company, Ltd., for improvements at Elm Fork Gun Range; L.B. Houston Tennis Center and tennis court renovations; renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscaping; and upgrade of the existing golf course clubhouse at L.B. Houston Golf Course, in an amount not to exceed \$4,770,259.

**SECTION 3.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Rogers-O'Brien Construction Company, Ltd, after approval as to form by the City Attorney's Office.

**SECTION 4.** That the City Controller is hereby authorized to pay the amount of \$4,770,259 to Rogers-O'Brien Construction Company, Ltd., as follows:

(2003) Major Recreational Facilities Improvement Fund Fund 3R00, Department PKR, Unit P685, Object 4599 Activity MAPK, Program PKP685, CT-PKR12019310.2 Commodity 91200, Vendor VS0000008780	\$93,971
(2003) Neighborhood Park and Recreation Facilities Fund Fund 3R05, Department PKR, Unit P685, Object 4599 Activity MAPK, Program PKP685, CT-PKR12019310.2 Commodity 91200, Vendor VS0000008780	\$50,000

February 22, 2012**SECTION 4.** (Continued)

(2003) Major Recreational Facilities Improvement Fund Fund 4R00, Department PKR, Unit P685, Object 4599 Activity MAPK, Program PKP685, CT-PKR12019310.2 Commodity 91200, Vendor VS0000008780	\$74,779
(2003) Neighborhood Park and Recreation Facilities Fund Fund 4R05, Department PKR, Unit P685, Object 4599 Activity MAPK, Program PKP685, CT-PKR12019310.2 Commodity 91200, Vendor VS0000008780	\$1,146
(2003) Major Recreational Facilities Improvement Fund Fund 6R00, Department PKR, Unit P685, Object 4599 Activity MAPK, Program PKP685, CT-PKR12019310.2 Commodity 91200, Vendor VS0000008780	\$299,556
(2003) Neighborhood Park and Recreation Facilities Fund Fund 4R05, Department PKR, Unit K100, Object 4599 Activity CWPK, Program PK06T046.6, CT-PKR12019310.2 Commodity 91200, Vendor VS0000008780	\$7,905
(2003) Neighborhood Park and Recreation Facilities Fund Fund 5R05, Department PKR, Unit K100, Object 4599 Activity CWPK, Program PK06T046.6, CT-PKR12019310.2 Commodity 91200, Vendor VS0000008780	\$10,319
(2003) Neighborhood Park and Recreation Facilities Fund Fund 6R05, Department PKR, Unit K100, Object 4599 Activity CWPK, Program PK06T046.6, CT-PKR12019310.2 Commodity 91200, Vendor VS0000008780	\$2,850
(2006) Park and Recreation Facilities Improvement Fund Fund 1T00, Department PKR, Unit T046, Object 4599 Activity CCSS, Program PK06T046.6, CT-PKR12019310.1 Commodity 91200, Vendor VS0000008780	\$278,926
(2006) Park and Recreation Facilities Improvement Fund Fund 1T00, Department PKR, Unit P685, Object 4599 Activity MAPK, Program PKP685, CT-PKR12019310.1 Commodity 91200, Vendor VS0000008780	\$3,350,807

February 22, 2012**SECTION 4.** (Continued)

Golf Improvement Funds, Fund 0332, Department PKR  
Unit 9363, Object 4599, Activity PK19, Program PKP685  
CT-PKR12019310.2, Commodity 91200, Vendor  
VS0000008780 \$500,000

Park Improvement Funds, Fund 0641, Department PKR  
Unit 6421, Object 4599, Activity SUAR, Program PKP685  
CT-PKR12019310.2, Commodity 91200, Vendor  
VS0000008780 \$100,000

Total amount not to exceed \$4,770,259

**SECTION 5.** That the City Manager is hereby authorized to enter into an amendment to the management agreement with Mickey Ray Piersall Golf Shop to define roles, responsibilities and compensation as a result of the closure of L.B. Houston Golf Course for renovation, in an amount not to exceed \$205,275.

**SECTION 6.** That the City Controller is hereby authorized to pay compensation in an amount not to exceed \$180,275 during the premises closure and an amount not to exceed \$25,000 in future payments for twelve quarters for a total amount of \$205,275 after the premises re-opens for documented increases in unemployment taxes to Mickey Ray Piersall Golf Shop from Golf Improvement Funds subject to appropriations, Fund 0332, Department PKR, Unit 9363, Object 3070, Activity PK19, CT-PKRCT12D013, Commodity 92500, Vendor VS0000006814.

**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.



**KEY FOCUS AREA:** Economic Vibrancy  
Better Cultural, Arts and Recreational Amenities

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Park & Recreation

**CMO:** Paul D. Dyer, 670-4071

**MAPSCO:** 22-J

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**SUBJECT**

Authorize Supplemental Agreement No. 1 to the professional services contract with Dan Shipley Architect, Inc. for design development through construction administration services for renovations of the golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road - Not to exceed \$72,855, from \$22,550 to \$95,405 - Financing: 2003 Bond Funds

**BACKGROUND**

The original professional services contract was authorized by Administrative Action No. 11-2282 on August 22, 2011, for conceptual and design services including preparation of on-site existing conditions evaluation, cost estimate and clubhouse improvements at L.B. Houston Golf Course, in an amount not to exceed \$22,550.

This action will authorize Supplemental Agreement No. 1 to the professional services contract with Dan Shipley Architect, Inc. for design development through construction administration services for renovations of the golf course clubhouse at L.B. Houston Golf Course, in an amount not to exceed \$72,855, making a revised contract amount of \$95,405.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	November 2011
Complete Design	May 2012
Begin Construction	July 2012
Complete Construction	October 2012

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

The Park and Recreation Board authorized Supplemental Agreement No. 1 on February 2, 2012.

**FISCAL INFORMATION**

2003 Bond Funds - \$72,855

Design	\$22,550
Supplemental Agreement No. 1 (this action)	<u>\$72,855</u>
Total	\$95,405

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Dan Shipley Architect, Inc.

White Male	1	White Female	2
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

**OWNER**

**Dan Shipley Architect, Inc.**

Dan Shipley, FAIA, President

**MAP**

Attached

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize Supplemental Agreement No. 1 to the professional services contract with Dan Shipley Architect, Inc. for design development through construction administration services for renovations of the golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road - Not to exceed \$72,855, from \$22,550 to \$95,405 - Financing: 2003 Bond Funds

Dan Shipley Architect, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Architecture & Engineering

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$72,855.00	100.00%
Non-local contracts	\$0.00	0.00%
<b>TOTAL THIS ACTION</b>	<b>\$72,855.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Abadi Architecture and Accessibility	HFMB51703N1212	\$1,005.00	1.38%
MK and Associates, Inc.	IMMB48754N0312	\$9,500.00	13.04%
ETI Environmental Services	PMDB49428Y0612	\$2,800.00	3.84%
<b>Total Minority - Local</b>		<b>\$13,305.00</b>	<b>18.26%</b>

#### **Non-Local Contractors / Sub-Contractors**

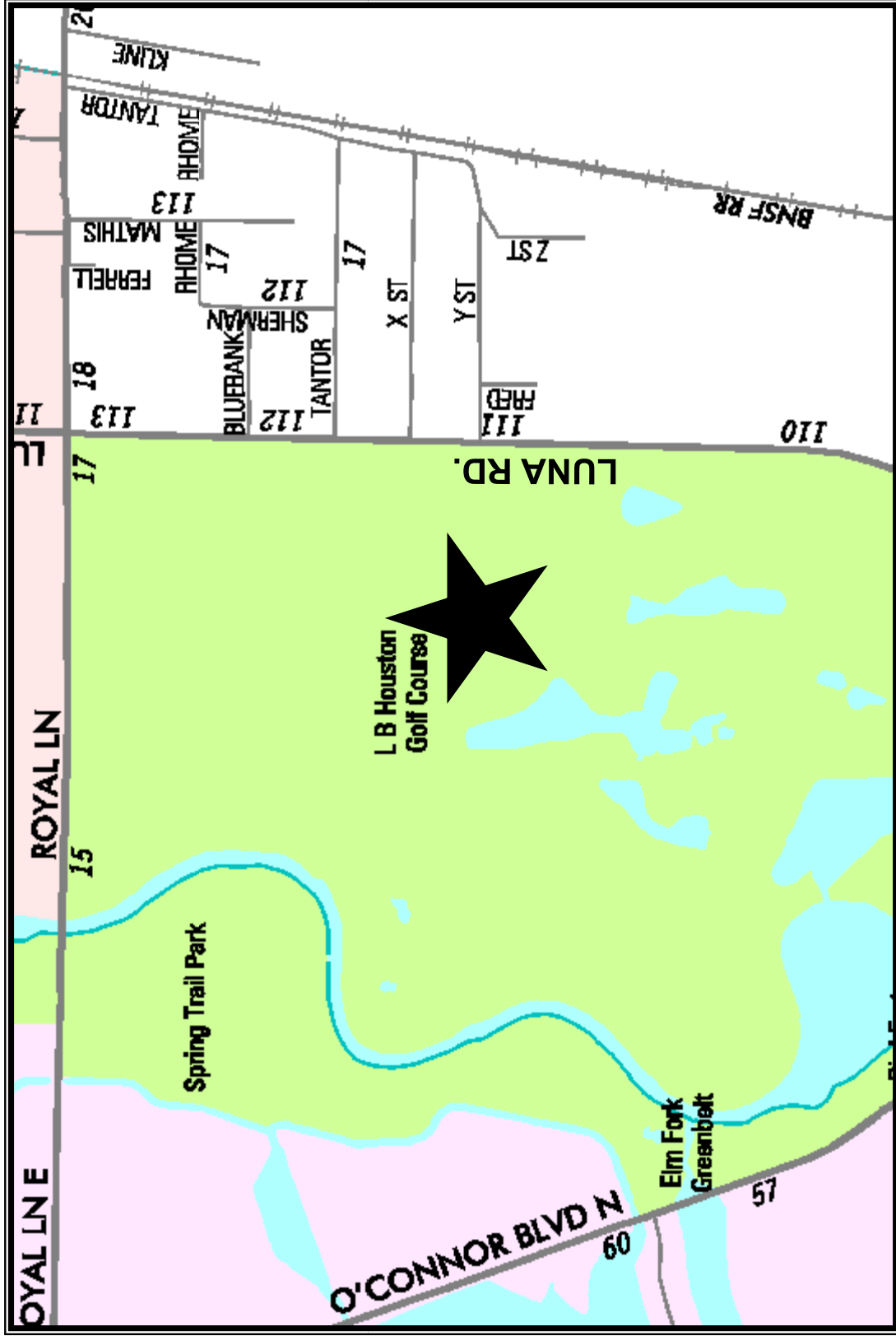
None

### **TOTAL M/WBE PARTICIPATION**

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$1,005.00	1.38%	\$3,405.00	3.57%
Asian American	\$12,300.00	16.88%	\$13,200.00	13.84%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$1,600.00	1.68%
<b>Total</b>	<b>\$13,305.00</b>	<b>18.26%</b>	<b>\$18,205.00</b>	<b>19.08%</b>

# L. B. Houston Golf Course

Council District 6



11223 Luna Road

Mapsc0 # 22-J

February 22, 2012

**WHEREAS**, on August 22, 2011, by Administrative Action No. 11-2282, Dan Shipley Architect, Inc. was awarded a contract for conceptual and design services including preparation of on-site existing conditions evaluation, cost estimate and clubhouse improvements at L.B. Houston Golf Course located at 11223 Luna Road, in an amount not to exceed \$22,550; and

**WHEREAS**, this action will authorize Supplemental Agreement No. 1 to the professional services contract with Dan Shipley Architect, Inc. for design development through construction administration services for renovations of the golf course clubhouse at L.B. Houston Golf Course, in an amount not to exceed \$72,855, increasing the original contract amount from \$22,550 to \$95,405.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 with Dan Shipley Architect, Inc. for design development through construction administration services for renovations of the golf course clubhouse at L.B. Houston Golf Course, in an amount not to exceed \$72,855, increasing the original contract amount from \$22,550 to \$95,405.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Dan Shipley Architect, Inc., after approval as to form by the City Attorney's Office.

**SECTION 3.** That the City Controller is hereby authorized to pay the amount of \$72,855 to Dan Shipley Architect, Inc. from (2003) Major Recreational Facilities Improvement Fund, Fund 4R00, Department PKR, Unit T218, Object 4112, Activity MMCF, Program PK06T218, CT-PKR11019280, Commodity 92500, Vendor VS0000017827.

**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 ITEM # 38**

**KEY FOCUS AREA:** Better Cultural, Arts and Recreational Amenities  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 1  
**DEPARTMENT:** Park & Recreation  
**CMO:** Paul D. Dyer, 670-4071  
**MAPSCO:** 54-B

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**SUBJECT**

Authorize an increase in the contract with Speed Fab-Crete Corporation for new storefront and doors in meeting rooms, replacement of drywall, upgrade HVAC controls, demolition and replacement of light fixtures, and replacement of HVAC units at Kidd Springs Recreation Center located at 700 West Canty Street - Not to exceed \$133,039, from \$1,188,565 to \$1,321,604 - Financing: 2006 Bond Funds

**BACKGROUND**

The original contract with Speed Fab-Crete Corporation was authorized by Council on February 9, 2011, by Resolution No. 11-0402 for interior renovation and expansion of Kidd Springs Recreation Center, in an amount not to exceed \$1,188,565.00.

This action will authorize Change Order No. 1 to the contract with Speed Fab-Crete Corporation in an amount not to exceed \$133,038.16, from \$1,188,565.00 to \$1,321,603.16 for new storefront and doors in meeting rooms, replacement of drywall, upgrade HVAC controls, demolition and replacement of light fixtures, and replacement of HVAC units at Kidd Springs Recreation Center.

**ESTIMATED SCHEDULE OF PROJECT**

Began Construction	May 2011
Complete Construction	April 2012

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

The Park and Recreation Board authorized the advertisement for a Request for Competitive Sealed Proposals on August 19, 2010.

The Park and Recreation Board authorized award of the contract on January 13, 2011.

City Council authorized award of the contract on February 9, 2011, by Resolution No. 11-0402.

The Park and Recreation Board authorized Change Order No. 1 on February 2, 2012.

**FISCAL INFORMATION**

2006 Bond Funds - \$133,038.16

Contract Amount	\$1,188,565.00
Change Order No. 1 (this action)	<u>\$133,038.16</u>
Total	\$1,321,603.16

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Speed Fab-Crete Corporation

White Male	41	White Female	10
Black Male	1	Black Female	0
Hispanic Male	56	Hispanic Female	1
Other Male	0	Other Female	0

**OWNERS**

**Speed Fab-Crete Corporation**

David Bloxom, President  
Ronald A. Hamm, Vice President  
Gwen Pierce, Secretary  
Jim Barton, Treasurer

**MAP**

Attached



## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize an increase in the contract with Speed Fab-Crete Corporation for new storefront and doors in meeting rooms, replacement of drywall, upgrade HVAC controls, demolition and replacement of light fixtures, and replacement of HVAC units at Kidd Springs Recreation Center located at 700 West Canty Street - Not to exceed \$133,039, from \$1,188,565 to \$1,321,604 - Financing: 2006 Bond Funds

Speed Fab-Crete Corporation is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Construction

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$5,223.00	3.93%
Non-local contracts	\$127,815.16	96.07%
<b>TOTAL THIS ACTION</b>	<b>\$133,038.16</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
R & A Masonry	HFDB51406Y1212	\$4,200.00	80.41%
Posadas Painting	HFDB50392Y0912	\$1,023.00	19.59%
<b>Total Minority - Local</b>		<b>\$5,223.00</b>	<b>100.00%</b>

#### **Non-Local Contractors / Sub-Contractors**

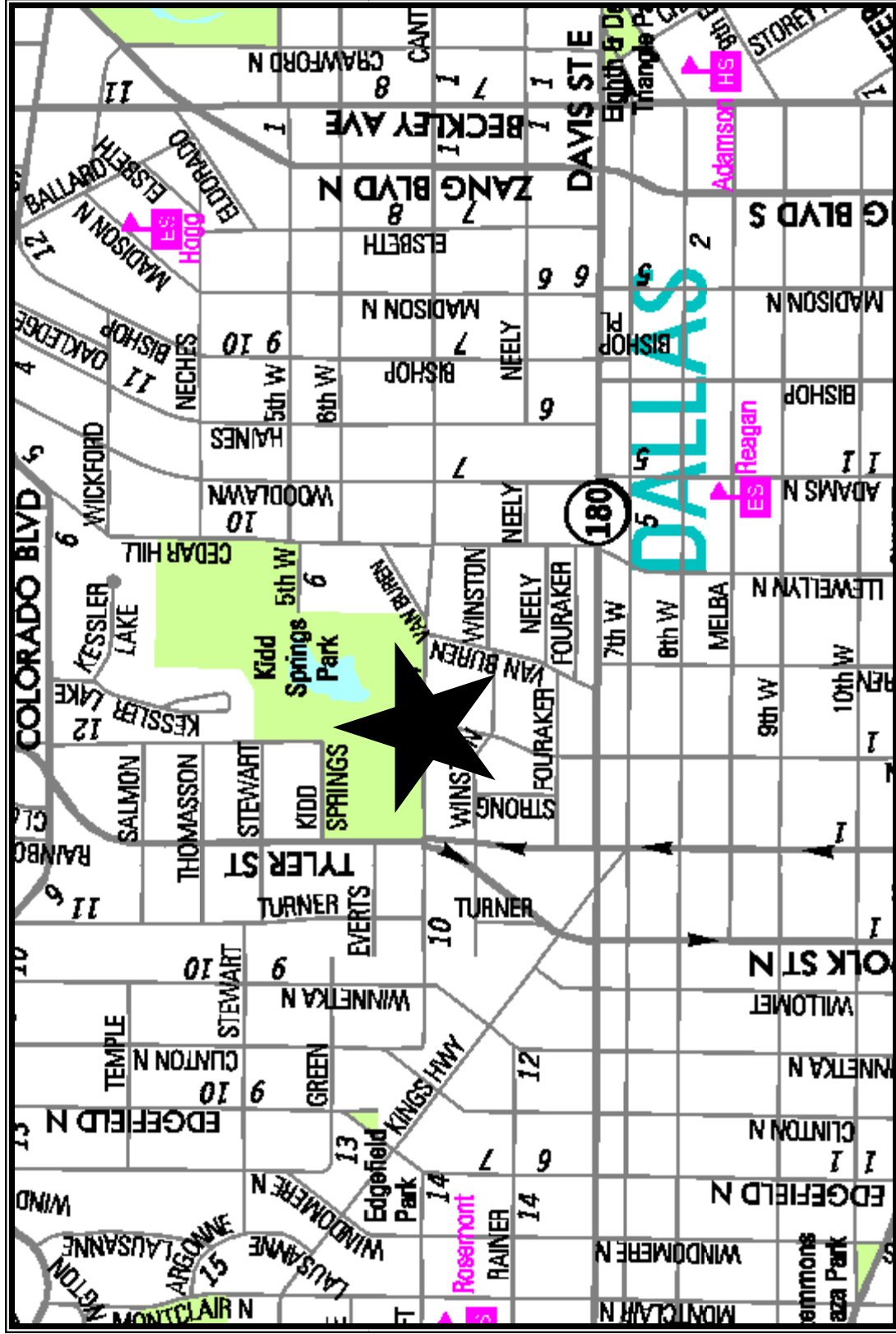
<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Unibell Inc.	BMDB50444Y0912	\$44,320.40	34.68%
Galvan Floors	HFMB52261N0113	(\$500.00)	-0.39%
Big D Concrete	WFDB48970Y0412	\$400.00	0.31%
Ram Tool Supply	WFWB48766N0312	\$400.00	0.31%
Texas Specialties	WFWB43450N0113	(\$429.00)	-0.34%
<b>Total Minority - Non-local</b>		<b>\$44,191.40</b>	<b>34.57%</b>

**TOTAL M/WBE PARTICIPATION**

	<b>This Action</b>		<b>Participation to Date</b>	
	<b><u>Amount</u></b>	<b><u>Percent</u></b>	<b><u>Amount</u></b>	<b><u>Percent</u></b>
African American	\$44,320.40	33.31%	\$142,764.40	10.80%
Hispanic American	\$4,723.00	3.55%	\$93,514.00	7.08%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$371.00	0.28%	\$127,618.00	9.66%
Total	<u>\$49,414.40</u>	<u>37.14%</u>	<u>\$363,896.40</u>	<u>27.53%</u>

# Kidd Springs Recreation Center

Council District 1



700 West Canty Street

MapSCO 54-B



February 22, 2012

**WHEREAS**, on February 9, 2011, by Resolution No. 11-0402, Speed Fab-Crete Corporation was awarded a contract for interior renovation and expansion of Kidd Springs Recreation Center located at 700 West Canty Street, in an amount not to exceed \$1,188,565.00; and

**WHEREAS**, that Change Order No. 1 provides for new storefront and doors in meeting rooms, replacement of drywall, upgrade HVAC controls, demolition and replacement of light fixtures, and replacement of HVAC units at Kidd Springs Recreation Center, in an amount not to exceed \$133,038.16, increasing the contract amount from \$1,188,565.00 to \$1,321,603.16.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute Change Order No. 1 to the contract with Speed Fab-Crete Corporation for new storefront and doors in meeting rooms, replacement of drywall, upgrade HVAC controls, demolition and replacement of light fixtures, and replacement of HVAC units at Kidd Springs Recreation Center, in an amount not to exceed \$133,038.16, increasing the contract amount from \$1,188,565.00 to \$1,321,603.16.

**SECTION 2.** That the City Controller is hereby authorized to pay the amount of \$133,038.16 to Speed Fab-Crete Corporation from (2006) Park and Recreation Facilities Improvement Fund, Fund 9T00, Department PKR, Unit T194, Object 4310, Activity RFSI, Program PK06T194, CT-PKR10019225, Vendor VS0000049258.

**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.



**KEY FOCUS AREA:** Public Safety Improvements and Crime Reduction

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Police

**CMO:** A. C. Gonzalez, 671-8925

**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** public hearings to be held on March 28, 2012 and April 25, 2012 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and at the close of the public hearing on April 25, 2012, **(2)** consideration of an ordinance amending Chapter 31 of the Dallas City Code to re-adopt and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors - Financing: No cost consideration to the City

**BACKGROUND**

Enforcement of the Dallas juvenile curfew ordinance began May 1, 1994. Section 370.002 of the Local Government Code requires that the curfew ordinance be reviewed every three years after conducting public hearings to receive citizen comments on whether the curfew ordinance should be abolished, continued, or modified. The last renewal of the Dallas juvenile curfew ordinance (which contained nighttime curfew hours) was approved on April 22, 2009 and became effective May 1, 2009. The daytime curfew hours were added to the juvenile curfew ordinance on May 13, 2009 and became effective May 18, 2009. Another review and re-adoption of the juvenile curfew ordinance must be accomplished by May 1, 2012 or the juvenile curfew ordinance will automatically expire.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

This item has no prior action.

**FISCAL INFORMATION**

No cost consideration to the City.





February 22, 2012

**WHEREAS**, enforcement of the Dallas juvenile curfew ordinance began on May 1, 1994; and

**WHEREAS**, Section 370.002 of the Local Government Code requires that a city's juvenile curfew ordinance be reviewed and re-adopted every three years, after public hearings are conducted to receive citizen comments; and

**WHEREAS**, it has been almost three years since the last renewal of the Dallas juvenile curfew ordinance, which renewal became effective May 1, 2009; and

**WHEREAS**, another review and re-adoption of the city's juvenile curfew ordinance, which establishes daytime and nighttime curfew hours for minors, must be accomplished by May 1, 2012 or the juvenile curfew ordinance will automatically expire;

**Now, Therefore,**

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

**Section 1.** That public hearings on re-adopting and continuing in effect Section 31-33 of Chapter 31, "OFFENSES - MISCELLANEOUS," of the Dallas City Code, which establishes the City's juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors, will be held on March 28 and April 25, 2012, in the City Council Chambers to receive citizen comments on the renewal of the Dallas juvenile curfew ordinance.

**Section 2.** That an ordinance to re-adopt and continue in effect Section 31-33 of Chapter 31, "OFFENSES - MISCELLANEOUS," of the Dallas City Code, which establishes the City's juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors, will be considered by the City Council on April 25, 2012, after the public hearing.

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



**AGENDA ITEM # 40**

**KEY FOCUS AREA:** Public Safety Improvements and Crime Reduction

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Police

**CMO:** A. C. Gonzalez, 671-8925

**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** the application for and acceptance of the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant from the U.S. Department of Justice, Office of Justice Programs as a sub-grantee in the amount of \$150,000 to provide a proactive program to address the problem of human trafficking, for the period October 1, 2011 through September 30, 2013; **(2)** In-Kind contributions in the amount of \$166,886; and **(3)** execution of the grant agreement - Total not to exceed \$316,886 - Financing: U.S. Department of Justice Grant Funds (\$150,000) and In-Kind Contributions (\$166,886) (subject to annual appropriations)

**BACKGROUND**

This grant funds a cooperative effort between the Vice Unit of the Dallas Police Department. Under this award the Dallas Police Department, as a member of the North Texas Anti-Trafficking Team, will participate in a human trafficking task force to provide support for state and local law enforcement to work more collaboratively with victim services organizations, federal law enforcement, U.S. Attorneys Offices, and the Civil Rights Division of the U.S. Department of Justice in the identification and rescue of human trafficking victims who are in the United States. The primary goal of this program is to increase saving victims of trafficking, pursue investigations on individuals and organizations that will result in criminal prosecutions and large asset forfeitures. This will be achieved through 1) training of law enforcement in trafficking victim identification and the development of proactive law enforcement tactics; 2) the rescue of trafficking victims by providing needed services in collaboration with trafficking victims service providers; and 3) the successful prosecution of human traffickers in coordination with U.S. Attorneys Offices.

The Dallas Police Department provides In-Kind contributions for a part-time detective from the Enforcement Squad of the Vice Unit that will invest 50% of their time for Anti-Trafficking Task Force grant activities. The In-Kind contributions includes salary, pension and FICA costs for the two (2) year term of the grant; which are funded by the City's general fund.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

On February 13, 2012, the Public Safety Committee is scheduled to be briefed.

**FISCAL INFORMATION**

\$150,000 - U.S. Department of Justice Grant Funds

\$166,886 - In-Kind Contributions (subject to annual appropriations)

February 22, 2012

**WHEREAS**, the U.S. Department of Justice, Office of Justice Programs has made the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant funds available, for the period October 1, 2011 through September 30, 2013; and

**WHEREAS**, the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant will provide \$150,000; and

**WHEREAS**, the City of Dallas contributes an In-Kind contribution of \$166,886; and

**WHEREAS**, such funding was awarded to the City of Dallas as a sub-grantee on October 1, 2011; 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 be and is hereby authorized to apply for and accept the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant, 2011-, in an amount not to exceed \$150,000 and execute the grant agreement.

**Section 2.** That the City Manager be authorized to establish appropriations in the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant in the amount of \$316,886, in Fund F360, Department DPD, Unit 4287, Object **3899**.

**Section 3.** That the City Controller be authorized to deposit grant funds in the amount of \$150,000 into Fund F360, Department DPD, Unit 4287, Revenue Source 6506.

**Section 4.** That the City Manager be authorized to provide an In-Kind Contribution in the amount of \$166,886 (subject to annual appropriations).

**Section 6.** That the City Controller be and is hereby authorized to disburse from Fund F360, Department DPD, Unit 4287, Object Code 3899, an amount not to exceed \$150,000.

**Section 7.** In the event of loss or misuse of funds, the City of Dallas will return all funds to the U.S. Department of Justice, Office of Justice Programs in full.

**Section 8.** That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.



**AGENDA ITEM # 41**

**KEY FOCUS AREA:** Public Safety Improvements and Crime Reduction

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Police  
Sustainable Development and Construction

**CMO:** A. C. Gonzalez, 671-8925  
Ryan S. Evans, 670-3314

**MAPSCO:** 45H

---

**SUBJECT**

Authorize a fourth amendment to the lease agreement with Dallas Children's Advocacy Center to extend the lease for an additional one-year period for the continued use of approximately 3,731 square feet of office space and five parking spaces located at 3611 Swiss Avenue near its intersection with Gordon Street by the Police Department's Youth and Family Crimes Division for the period January 1, 2012 through December 31, 2012 – Total not to exceed \$49,250 – Financing: Current Funds (subject to annual appropriations)

**BACKGROUND**

This item authorizes a fourth amendment to the lease agreement with Dallas Children's Advocacy Center for an additional one-year period. This extension of the lease term will provide for the continued use of approximately 3,731 square feet of office space and five parking spaces to be used by the Police Department's Youth and Family Crimes Division while working with Dallas Children's Advocacy Center on child abuse cases. The Child Abuse Unit of Youth and Family Crimes Division uses this facility to address the special needs of victims of child abuse. The facility has been specially designed for this purpose and will continue to be used in this manner.

The monthly rental during the one-year extension period of the lease agreement will remain at the current rental rate of \$4,104.10.

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

Authorized a third amendment to the lease agreement with Dallas Children's Advocacy Center on August 19, 2010, by Resolution No. 10-1981.

Authorized a second amendment to the lease agreement with Dallas Children's Advocacy Center on October 26, 2005, by Resolution No. 05-3037.

Authorized a first amendment to the lease agreement with Dallas Children's Advocacy Center on November 8, 2000, by Resolution No. 00-3421.

Authorized a two-year lease agreement with Dallas Children's Advocacy Center on December 9, 1998, by Resolution No. 98-3515.

Authorized a five-year lease agreement with Dallas Children's Advocacy Center on February 14, 1996, by Resolution No. 96-0677.

### **FISCAL INFORMATION**

\$49,249.20 – Current funds (subject to annual appropriations)

### **OWNER**

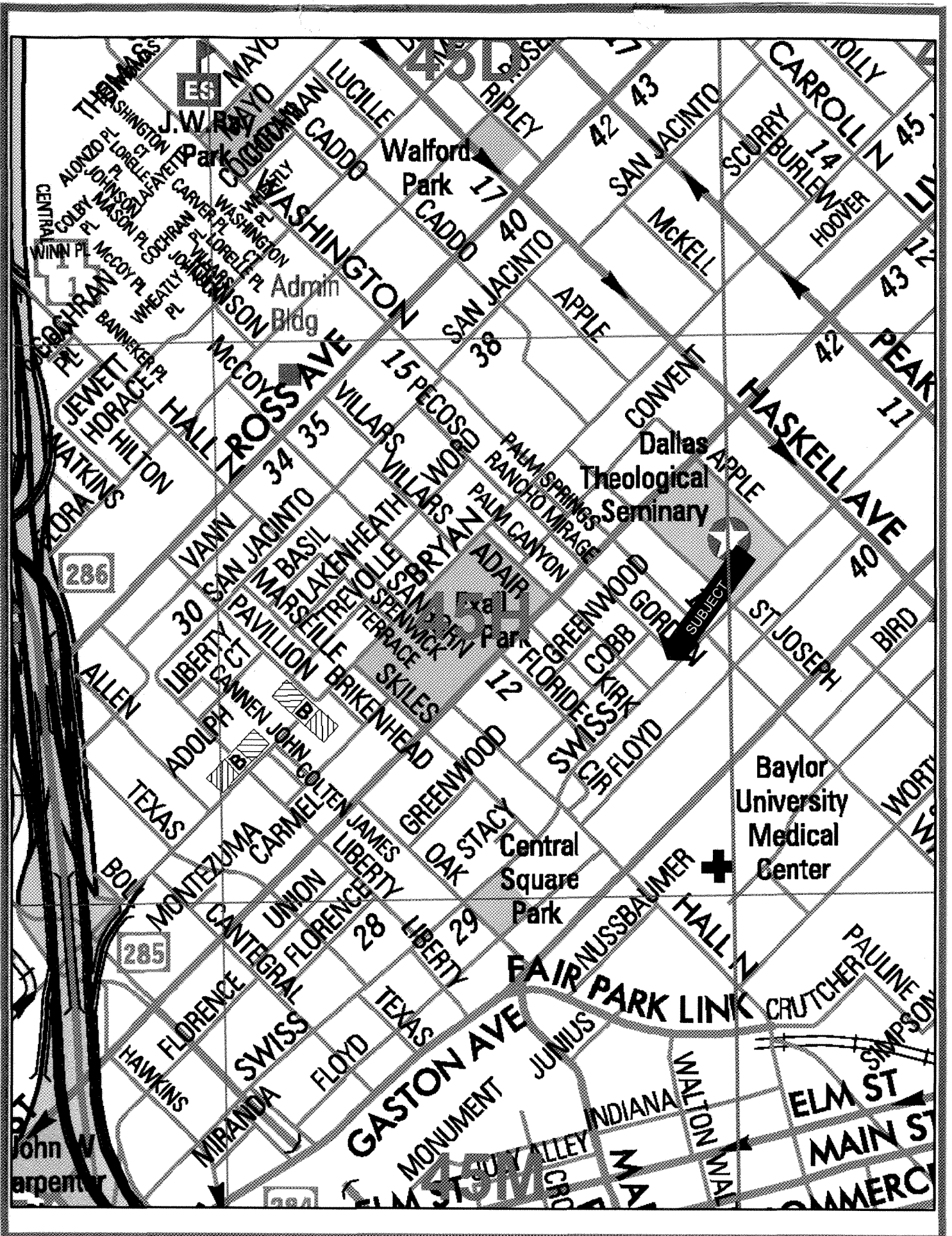
**Dallas Children's Advocacy Center**

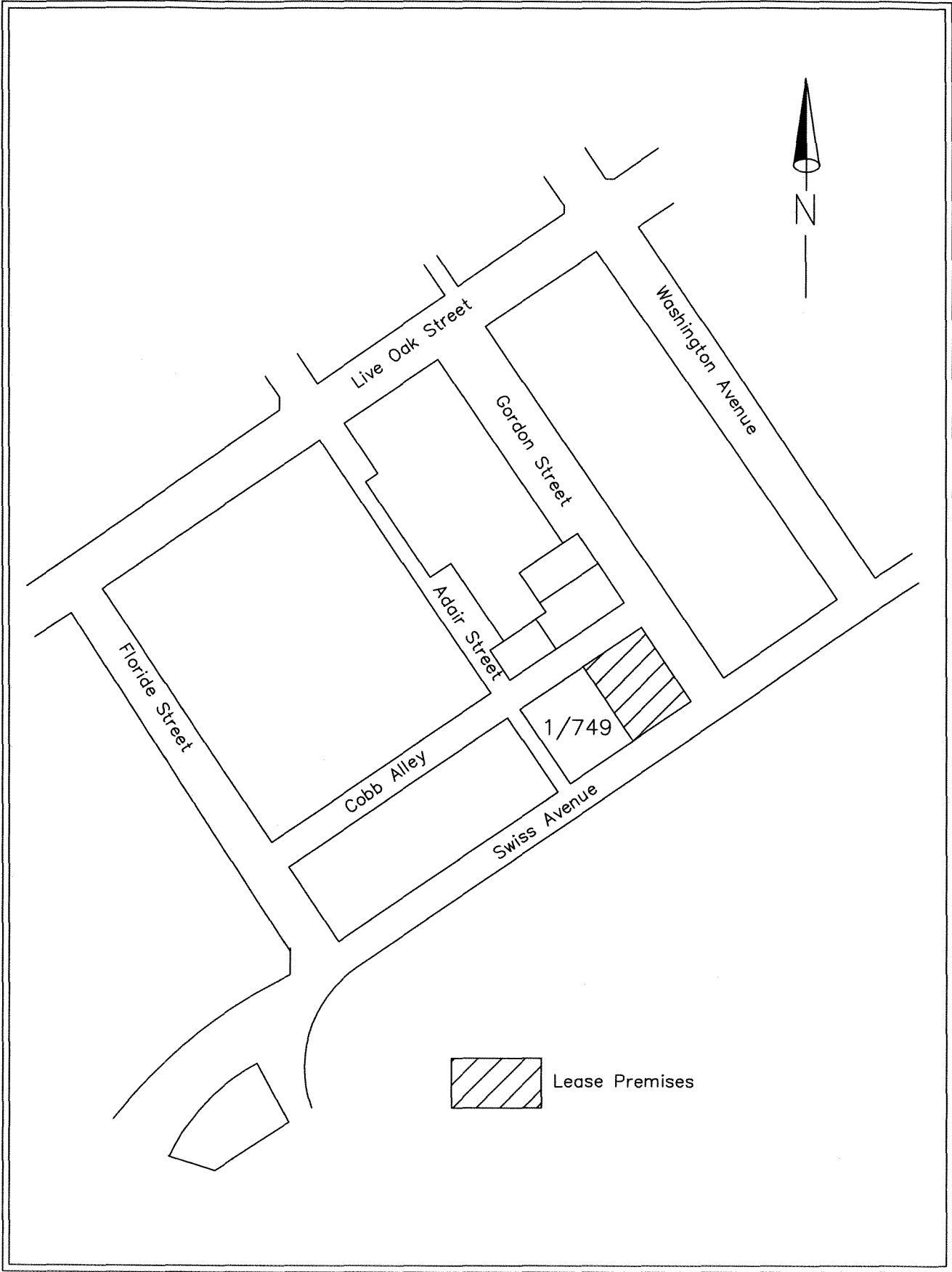
Lynn M. Davis, President/CEO

### **MAPS**

Attached







February 22, 2012

**WHEREAS**, on December 9, 1998, the City Council of the City of Dallas approved Resolution No. 98-3515, authorizing the City Manager to execute a lease agreement dated December 21, 1998, (the "Lease") with Dallas Children's Advocacy Center as Lessor ("Landlord") and City of Dallas, as Lessee ("City") for approximately 3,731 square feet of office space and five (5) parking spaces located at 3611 Swiss Avenue; Dallas, Dallas County, Texas to be used by the Dallas Police Department's Youth and Family Crimes Division; and

**WHEREAS**, the Lease was amended by the First Amendment to the Lease Agreement dated January 22, 2000, extending the term of the Lease to December 31, 2005; and

**WHEREAS**, the Lease was amended by the Second Amendment to the Lease Agreement dated November 7, 2005, extending the term of the Lease to December 31, 2010; and

**WHEREAS**, the Lease was amended by the Third Amendment to the Lease Agreement dated August 19, 2010, extending the term of the Lease to December 31, 2011; and

**WHEREAS**, the Lease, as amended, expires by its own terms on December 31, 2011; and

**WHEREAS**, the parties desire to extend the lease term for one (1) year, at the same rental rate;

**NOW, THEREFORE,**

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

**SECTION 1.** That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to execute a Fourth Amendment to the Lease Agreement between Dallas Children's Advocacy, a nonprofit corporation and the City of Dallas.

**SECTION 2.** That the special terms and conditions of the Fourth Amendment to the Lease Agreement are:

- (a) The term of the Lease is extended for one (1) year, effective January 1, 2012 and ending December 31, 2012, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.
- (b) Base Rental payments shall be as follows (subject to annual appropriations):

January 1, 2012 – December 31, 2012	\$4,104.10 per month
-------------------------------------	----------------------

February 22, 2012

- (c) All other terms of the Lease, as previously amended, not expressly amended hereby shall remain unchanged and in full force and effect.

**SECTION 3.** That the City Controller be and is hereby authorized to draw warrants payable to Dallas Children's Advocacy Center or its successors and assigns on the first day of each month in advance during the lease term effective January 1, 2012 in the amount specified below:

January 1, 2012 – December 31, 2012 (subject to annual appropriations)	\$4,104.10 per month
---	----------------------

**SECTION 4.** That the payments will be charged as follows:

January 1, 2012 through December 31, 2012: Fund 0001, Department DPD, Unit 2163, Object 3330, Encumbrance Number DPDLEAS12C11, Commodity Code 97145, Vendor No. 263854

**SECTION 5.** That the City Controller is hereby authorized to draw warrants payable to the communication companies upon receipt of a bill for charges throughout the term of the lease.

**SECTION 6.** That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas and it is accordingly so resolved.

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Public Works Department  
Convention and Event Services

**CMO:** Jill A. Jordan, P.E., 670-5299  
Ryan S. Evans, 670-3314

**MAPSCO:** 45P

---

**SUBJECT**

Authorize Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services for the Dallas Convention Center Facility Improvement Program - Not to exceed \$1,217,060, from \$4,251,551 to \$5,468,611 - Financing: 2009 Convention Center Revenue Bonds

**BACKGROUND**

A professional services contract with HKS, Inc. for architectural and engineering design services was authorized on January 27, 2010, by Resolution No. 10-0328. This contract has been organized in a manner that will be supplemented to accomplish multiple projects within the Dallas Convention Center Facility Improvement Program. Projects under this contract which have been authorized to date are the Facility Assessment, Upper Level D Meeting Rooms, Chilled Water Loop, Building Envelope Waterproofing, Fire Alarm and Emergency Lighting Replacement, Area C Concept Design and Lobby A and A/B Prefunction Area floor replacement and wall treatments.

This action will authorize Supplemental Agreement No. 4 for architectural and engineering design through construction administrative services for furnishings in the Prefunction areas of A, B, and D; the upgrade of finishes for C and D Lobby and associated restrooms; and the Lower Level C Meeting Rooms, Ballroom C and Prefunction Area E restrooms in the Dallas Convention Center facility. Also, this supplemental agreement authorizes roof drain and stormwater piping system investigations and additional roof inspection services for the water infiltration and roof replacement projects. All of these projects are included in the Dallas Convention Center Facility Improvement Program. There will be future Council action on this contract as additional projects are identified to complete the Dallas Convention Center Improvement Program.

## **ESTIMATED SCHEDULE OF PROJECT**

Began Design	February 2010
Completed Design	July 2012
Begin Construction	September 2012
Complete Construction	October 2013

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

Authorized a professional services contract with HKS, Inc. for architectural and engineering design services for the finish out of the Upper Level D Meeting Rooms and assessment of existing spaces for the Dallas Convention Center Improvement Program on January 27, 2010, by Resolution No. 10-0328.

Authorized Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Dallas Convention Center Improvement Program on August 25, 2010, by Resolution No. 10-2142.

Authorized Supplemental Agreement No. 2 to the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Dallas Convention Center Improvement Program on June 22, 2011, by Resolution No. 11-1709.

Authorized Supplemental Agreement No. 3 to the professional services contract with HKS, Inc. for architectural and engineering design services for the interior design, construction documents, and construction administration for the upgrades to the Lobby A and A/B prefunction areas which includes new flooring and wall treatments for the Dallas Convention Center Improvement Program on December 14, 2011, by Resolution No. 11-3257.

## **FISCAL INFORMATION**

2009 Convention Center Revenue Bonds - \$1,217,060

## **M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**HKS, Inc.**

Hispanic Female	22	Hispanic Male	32
African-American Female	18	African-American Male	19
White Female	191	White Male	400
Other Female	27	Other Male	30

**OWNER(S)**

**HKS, Inc.**

Ralph Hawkins, AIA, President and Chief Executive Officer  
Nunzio DeSantis, AIA, Principal and Executive Vice President  
Craig Beale, AIA, Principal and Executive Vice President  
Dan Noble, AIA, Principal and Executive Vice President  
Craig Williams, Attorney, Principal and Senior Vice President

**MAP**

Attached.

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services for the Dallas Convention Center Facility Improvement Program - Not to exceed \$1,217,060, from \$4,251,551 to \$5,468,611 - Financing: 2009 Convention Center Revenue Bonds

HKS, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Architecture & Engineering

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$1,206,210.00	99.11%
Non-local contracts	\$10,850.00	0.89%
<b>TOTAL THIS ACTION</b>	<b>\$1,217,060.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Johnson/McKibben Architects, Inc.	BMMB49969N0712	\$149,700.00	12.41%
Campos Engineering, Inc.	HMDB51630Y1212	\$48,250.00	4.00%
Garza Program Management	HMDB49699Y0712	\$45,930.00	3.81%
MS Dallas	WFWB48217Y0212	\$44,695.00	3.71%
PHW Architectural Lighting Design	WFWB5106N1112	\$21,050.00	1.75%
FocusEGC	WFWB49776N0712	\$9,500.00	0.79%
Access by Design	WFDB51795Y1212	\$1,050.00	0.09%
<b>Total Minority - Local</b>		<b>\$320,175.00</b>	<b>26.54%</b>

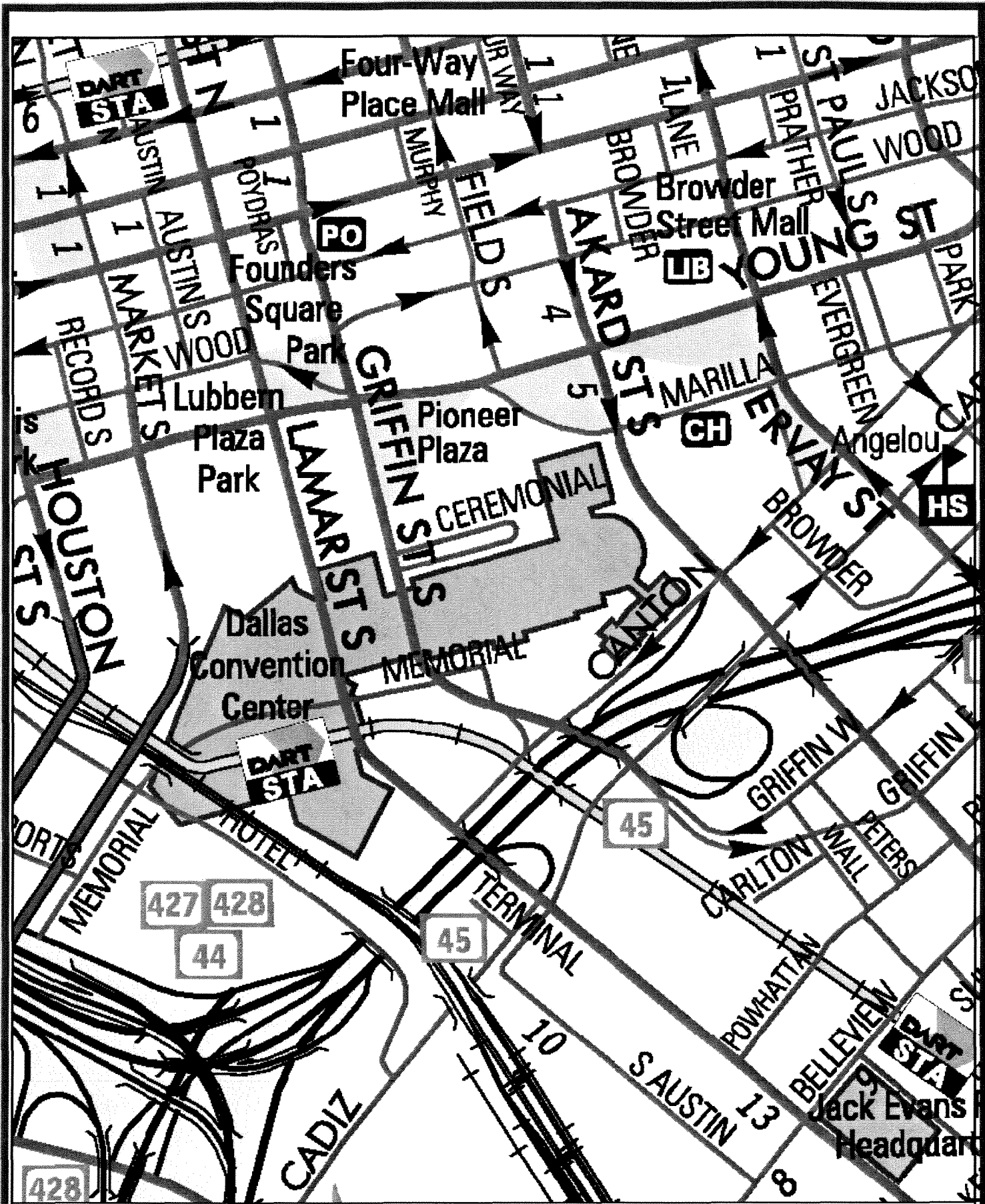
#### **Non-Local Contractors / Sub-Contractors**

None



**TOTAL M/WBE PARTICIPATION**

	<b>This Action</b>		<b>Participation to Date</b>	
	<b><u>Amount</u></b>	<b><u>Percent</u></b>	<b><u>Amount</u></b>	<b><u>Percent</u></b>
African American	\$149,700.00	12.30%	\$477,700.00	8.74%
Hispanic American	\$94,180.00	7.74%	\$1,067,410.00	19.52%
Asian American	\$0.00	0.00%	\$198,140.00	3.62%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$76,295.00	6.27%	\$253,290.00	4.63%
Total	<u>\$320,175.00</u>	<u>26.31%</u>	<u>\$1,996,540.00</u>	<u>36.51%</u>



Dallas Convention Center

February 22, 2012

**WHEREAS**, on January 27, 2010, Resolution No. 10-0328 authorized a professional services contract with HKS, Inc. for architectural and engineering design for the Dallas Convention Center Improvement Program in the amount of \$2,616,466; and,

**WHEREAS**, on August 25, 2010, Resolution No. 10-2142 authorized Supplemental Agreement No. 1 to the contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Dallas Convention Center Improvement Program in the amount of \$54,625, from \$2,616,466 to \$2,671,091; and,

**WHEREAS**, on June 22, 2011, Resolution No. 11-1709 authorized Supplemental Agreement No. 2 to the contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Dallas Convention Center Improvement Program in the amount of \$1,437,740, from \$2,671,091 to \$4,108,831; and,

**WHEREAS**, on December 14, 2011, Resolution No. 11-3257 authorized Supplemental Agreement No. 3 to the professional services contract with HKS, Inc. for architectural, engineering, and interior design services to include interior improvements for Lobby A and A/B prefunction areas at the Dallas Convention Center in the amount of \$142,720, increasing the contract from \$4,108,831 to \$4,251,551; and,

**WHEREAS**, it is now desirable to authorize Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services for the Dallas Convention Center Facility Improvement Program in the amount of \$1,217,060, increasing the contract from \$4,251,551 to \$5,468,611.

**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. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services for the Dallas Convention Center Facility Improvement Program in the amount of \$1,217,060, increasing the contract from \$4,251,551 to \$5,468,611, after it has been approved as to form by the City Attorney.

February 22, 2012

**Section 2.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

2009 Convention Center Revenue Bonds	
Fund 0568, Dept. CCT, Unit 4722, Act. CCIM	
Obj. 4112, Program #PBC00038, CT PBWCC4722D1	
Vendor #089018, in an amount not to exceed	\$1,217,060

**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.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2, 6  
**DEPARTMENT:** Street Services  
**CMO:** Forest E. Turner, 670-3390  
**MAPSCO:** 44 G K

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**SUBJECT**

Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at the intersections of Sylvan Avenue at Irving Boulevard and Sylvan Avenue at the park access ramp; and **(2)** the establishment of appropriations in the amount of \$44,927 in the Texas Department of Transportation Grant Fund - Total not to exceed \$44,927 – Financing: Texas Department of Transportation Grant Funds

**BACKGROUND**

The Texas Department of Transportation (TxDOT) is replacing three existing, two-lane bridge structures on Sylvan Avenue (main channel, south levee, and north levee) with one continuous six-lane bridge spanning the entire width of the floodway from Gallagher Street to Irving Boulevard. As a part of this construction, TxDOT will provide new signage for the traffic signal at Sylvan Avenue and Irving Boulevard and will install a new traffic signal at Sylvan Avenue and the park access ramp (on the bridge). To remain consistent with other equipment in the city-wide system, the City of Dallas will provide traffic signs and traffic control equipment for the project. TxDOT will reimburse the City for 100% of the project cost.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

Authorized a professional services contract with HNTB Corporation on May 24, 1989, by Resolution No. 89-1591.

Authorized a Master Interlocal Agreement with Dallas County on November 11, 1992, by Resolution No. 92-3863.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)** (Continued)

Authorized Supplemental Agreement to Interlocal Agreement with Dallas County on January 12, 1994, by Resolution No. 94-0212.

Authorized Supplemental Agreement No. 1 with HNTB Corporation on January 28, 2004, by Resolution No. 04-409.

Authorized an Interlocal Agreement with TxDOT on January 28, 2004, by Resolution No. 04-0410.

Authorized Supplemental Agreement No. 3 with HNTB Corporation on September 12, 2007, by Resolution No. 07-2581.

Authorized Supplemental Agreement No. 4 with HNTB Corporation on June 25, 2008, by Resolution No. 08-1826.

Authorized Supplemental Agreement No. 5 with HNTB Corporation on April 13, 2011, by Resolution No. 110941.

Authorized the termination of the existing Interlocal Agreement previously authorized by Resolution 04-0410, and enter into a Local Project Advance Funding Agreement with TxDOT on May 25, 2011, by Resolution No. 11-1302.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Construction            February 2012  
Complete Construction        May 2013

**FISCAL INFORMATION**

Texas Department of Transportation Grant Funds - \$44,927.00

<b><u>Council District</u></b>	<b><u>Amount</u></b>
2	\$944.00
6	<u>\$43,983.00</u>
Total Amount	\$44,927.00

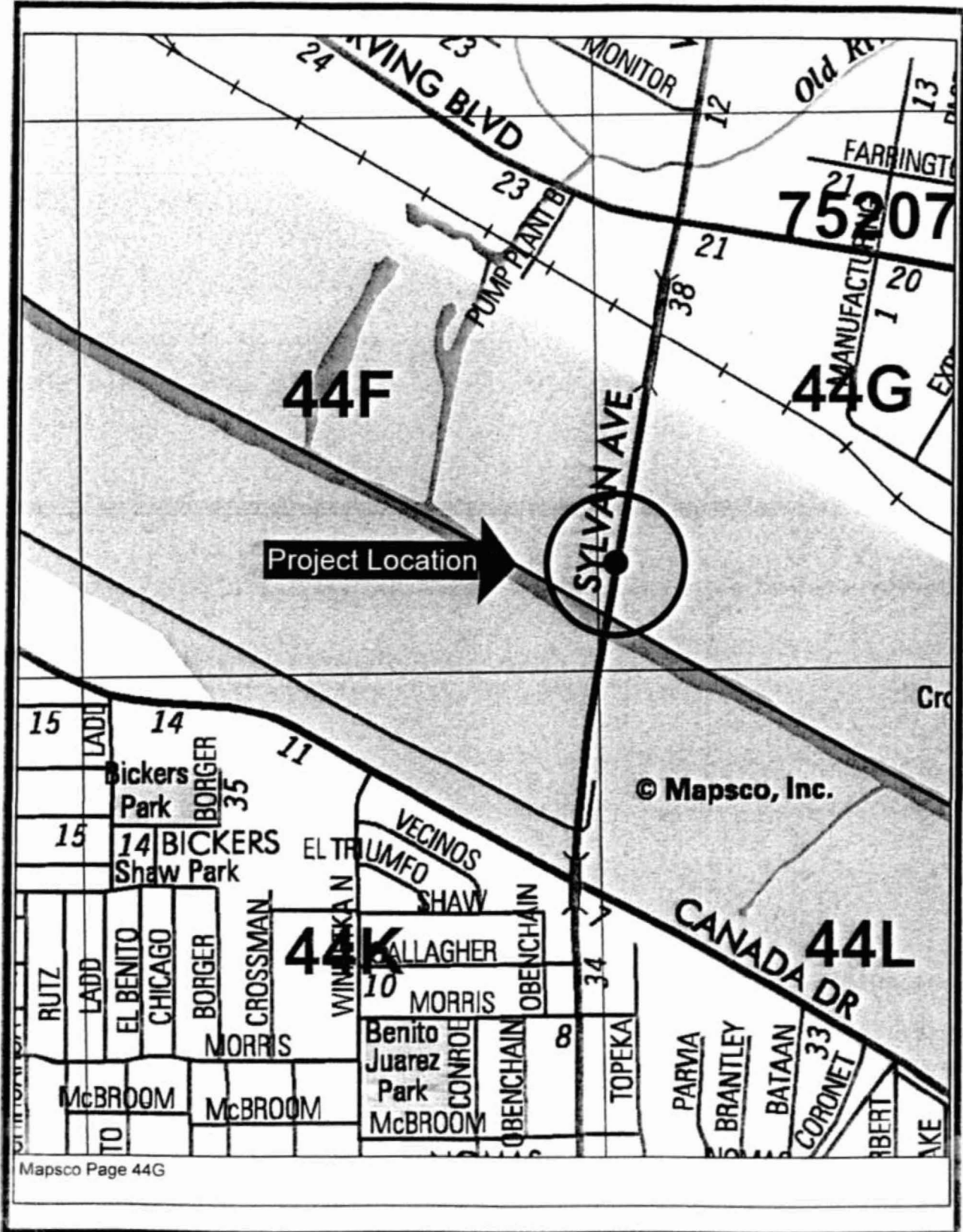
**MAPS**

Attached

**Irving Boulevard at Sylvan Avenue**



**Sylvan Avenue at Park Access Ramp**





February 22, 2012

**WHEREAS,** the Texas Department of Transportation (TxDOT) will provide cost reimbursement for traffic signal improvements at the intersections of Sylvan Avenue at Irving Boulevard and Sylvan Avenue at the park access ramp; and

**WHEREAS,** TxDOT will fund 100% of the project in an amount not to exceed \$44,927.00; and

**WHEREAS;** the City of Dallas desires to enter into an agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for traffic signal improvements at the intersections of Sylvan Avenue at Irving Boulevard and Sylvan Avenue at the park access ramp.

**Now, Therefore,**

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

**Section 1.** That the City Manager be and is hereby authorized to execute an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at the intersections of Sylvan Avenue at Irving Boulevard and Sylvan Avenue at the park access ramp, after it has been approved as to form by the City Attorney.

**Section 2.** That the City Manager is hereby authorized to establish an appropriation in the amount of \$44,927.00 in Fund S8FD, Dept. STS, Unit 88FD, Act. THRG Obj. 4820, Major Program TxDOT, Program TPS8FD12.

**Section 3.** That the City Controller is hereby authorized to disburse funds from Fund S8FD, Dept. STS; Unit 88FD, Act. THRG, Obj. 4820, Major Program TxDOT, Program TPS8FD12 in an amount not to exceed \$44,927.00.

**Section 4.** That the City Controller is hereby authorized to deposit all reimbursements from TxDOT pertaining to this project in an amount not to exceed \$44,927.00 in Fund S8FD Dept. STS, Unit 88FD, Revenue Source 6508.

**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.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 46P

---

**SUBJECT**

An ordinance amending Ordinance No. 26908 which closed portions of South Boulevard and Trezevant Street located near their intersection with Trunk Avenue, to extend the deadline from 120 days to 180 days to receive approval from Dallas Area Rapid Transit (DART) and to extend the dedication requirement of needed right-of-way from one year to three years - Financing: No cost consideration to the City

**BACKGROUND**

This item authorizes the amendment of Ordinance No. 26908 which closed portions of South Boulevard and Trezevant Street located near their intersection with Trunk Avenue, to extend the deadline from 120 days to 180 days to receive DART's Board Resolution of approval and to extend the dedication requirement of needed right-of-way from one year to three years.

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

On August 22, 2007, Council approved Ordinance No. 26908.

**FISCAL INFORMATION**

No cost consideration to the City

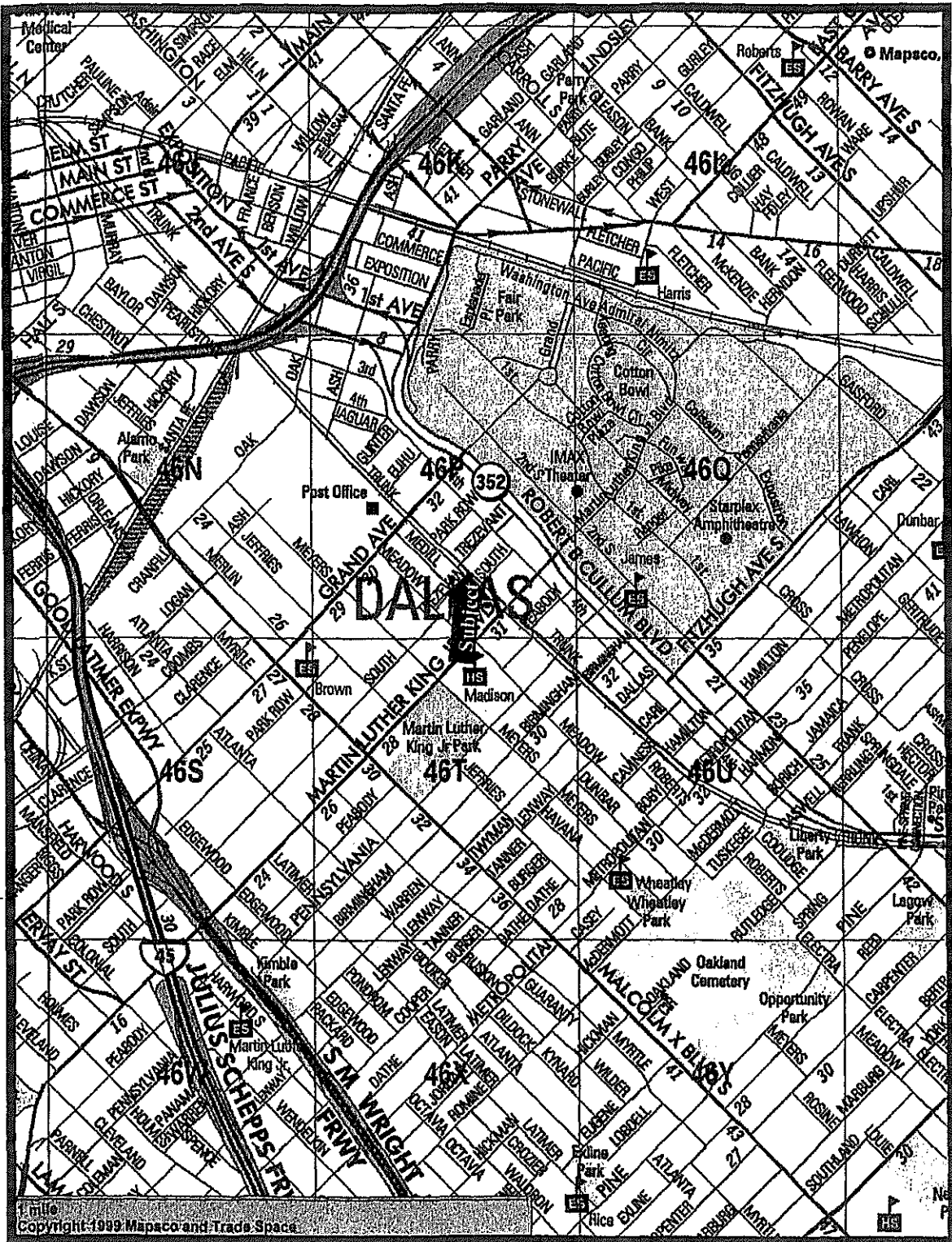
**OWNER**

**Dallas Area Rapid Transit**

Gary Thomas, President/Executive Officer

**MAPS**

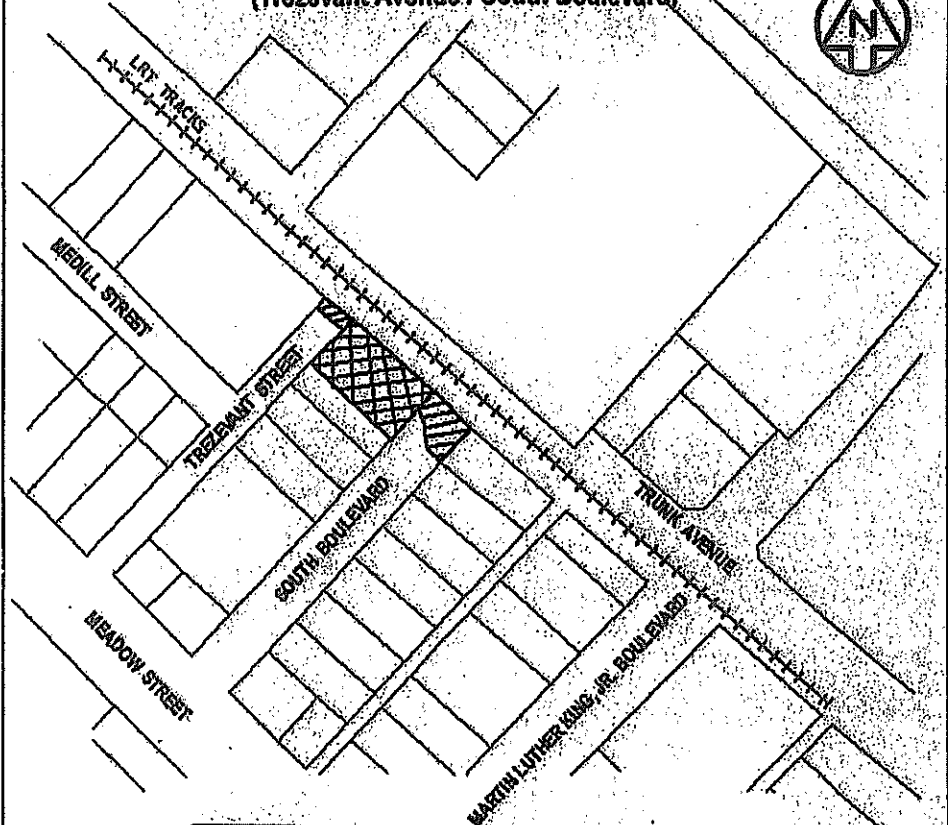
Attached



Mapasco 46P

# SE1 Project

(Trezevant Avenue / South Boulevard)



STREETS TO BE CLOSED



DEDICATION TO CITY



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

An ordinance amending Ordinance No. 26908, by altering Sections 5(a) and 5(d) to extend the 120 day deadline to receive Dart's Board Resolution and dedicate needed right-of-way; providing for consideration to be paid to the City of Dallas; providing for payment of the publication fee; providing a savings clause; and providing an effective date.

**oooOooo**

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

**SECTION 1.** That Ordinance No. 26908 adopted by the City Council of the City of Dallas on August 22, 2007, be and the same is hereby amended by altering Sections 5(a) and 5(d) as follows:

**“Section 5.** That this closure shall not become effective unless and until DART has:

- a) within 180 [~~120~~] days following passage of this ordinance, submitted an official copy of a Dallas Area Rapid Transit Board Resolution accepting the terms, provisions and conditions of this ordinance and including within said resolution the name of the street being closed, the ordinance number and date of approval by Dallas City Council;
  
- d) within three years [~~one year~~] following passage of this ordinance, record a final replat showing the fee simple dedication of not less than 8,293 square feet of land from its abutting property in City Block 2/1348, a description of which is attached hereto and made a part hereof as Attachment D.”

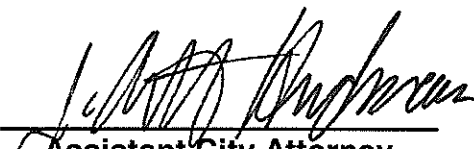
**SECTION 2.** That the terms and conditions of Ordinance No. 26908 shall remain in full force and effect except as amended hereby.

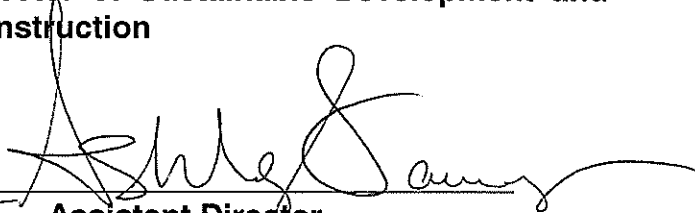
**SECTION 3.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in Deed Records of Dallas, County, Texas, which certified copy shall be delivered to the Director of Sustainable Development and Construction, or her designee. Upon receipt of the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Sustainable Development and Construction, or her designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Sustainable Development and Construction, or her designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

**SECTION 4.** 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:**  
**Thomas P. Perkins, Jr.**  
City Attorney

**THERESA O'DONNELL**  
Director of Sustainable Development and  
Construction

BY   
Assistant City Attorney

BY   
Assistant Director

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



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 33B

---

**SUBJECT**

An ordinance amending Ordinance No. 27602 which closed a portion of Cullum Lane located near the intersection of Harry Hines Boulevard and Cullum Lane, to extend the deadline from 120 days to one year to receive approval from Dallas Area Rapid Transit (DART) - Financing: No cost consideration to the City

**BACKGROUND**

This item authorizes the amendment of Ordinance No. 27602 which closed a portion of Cullum Lane located near the intersection of Harry Hines Boulevard and Cullum Lane, to extend the deadline from 120 days to one year to receive DART's Board Resolution of approval.

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

On August 12, 2009, Council approved Ordinance No. 27602.

**FISCAL INFORMATION**

No cost consideration to the City.

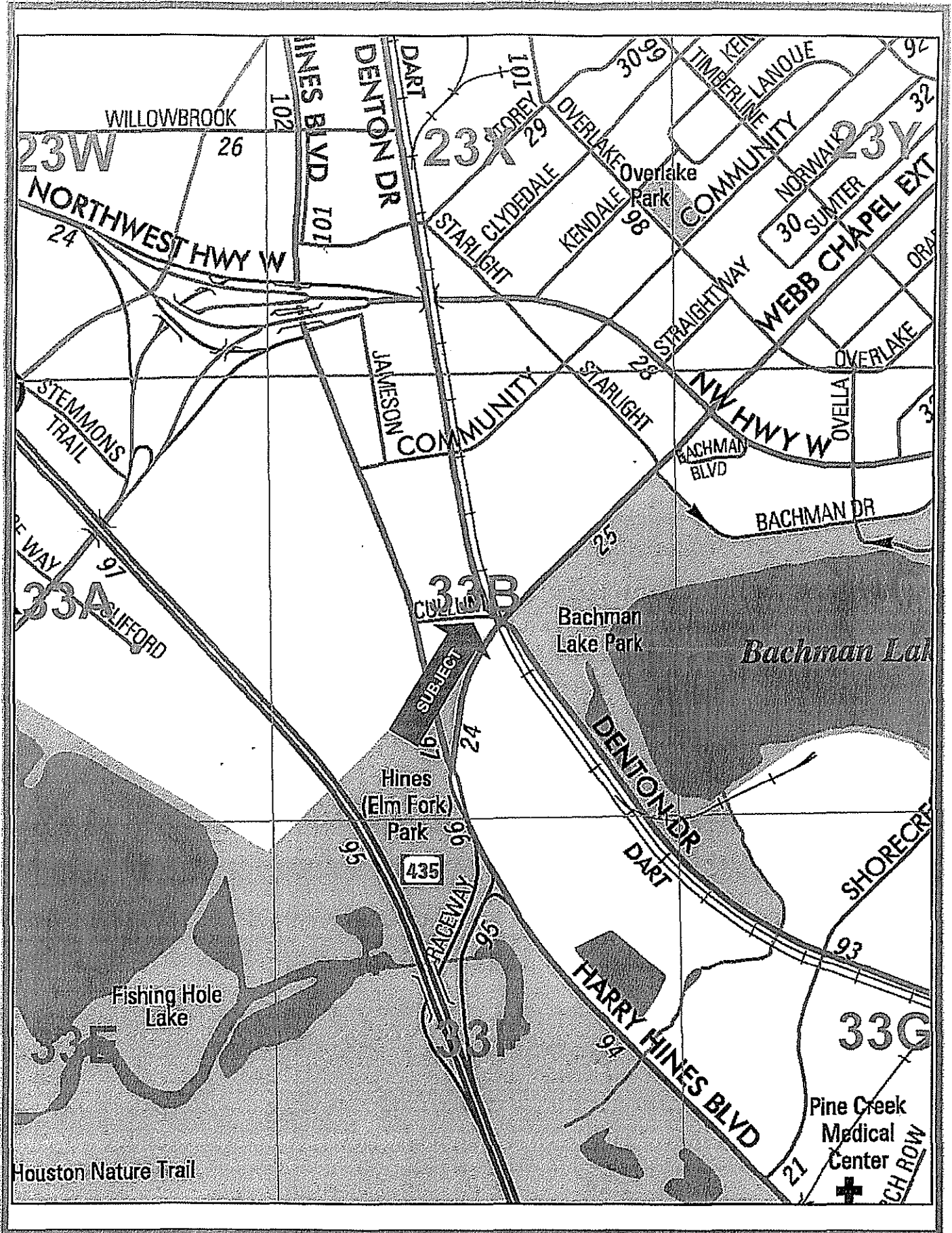
**OWNER**

**Dallas Area Rapid Transit**

Gary Thomas, President/Executive Officer

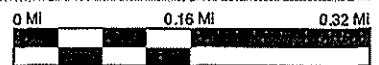
**MAPS**

Attached



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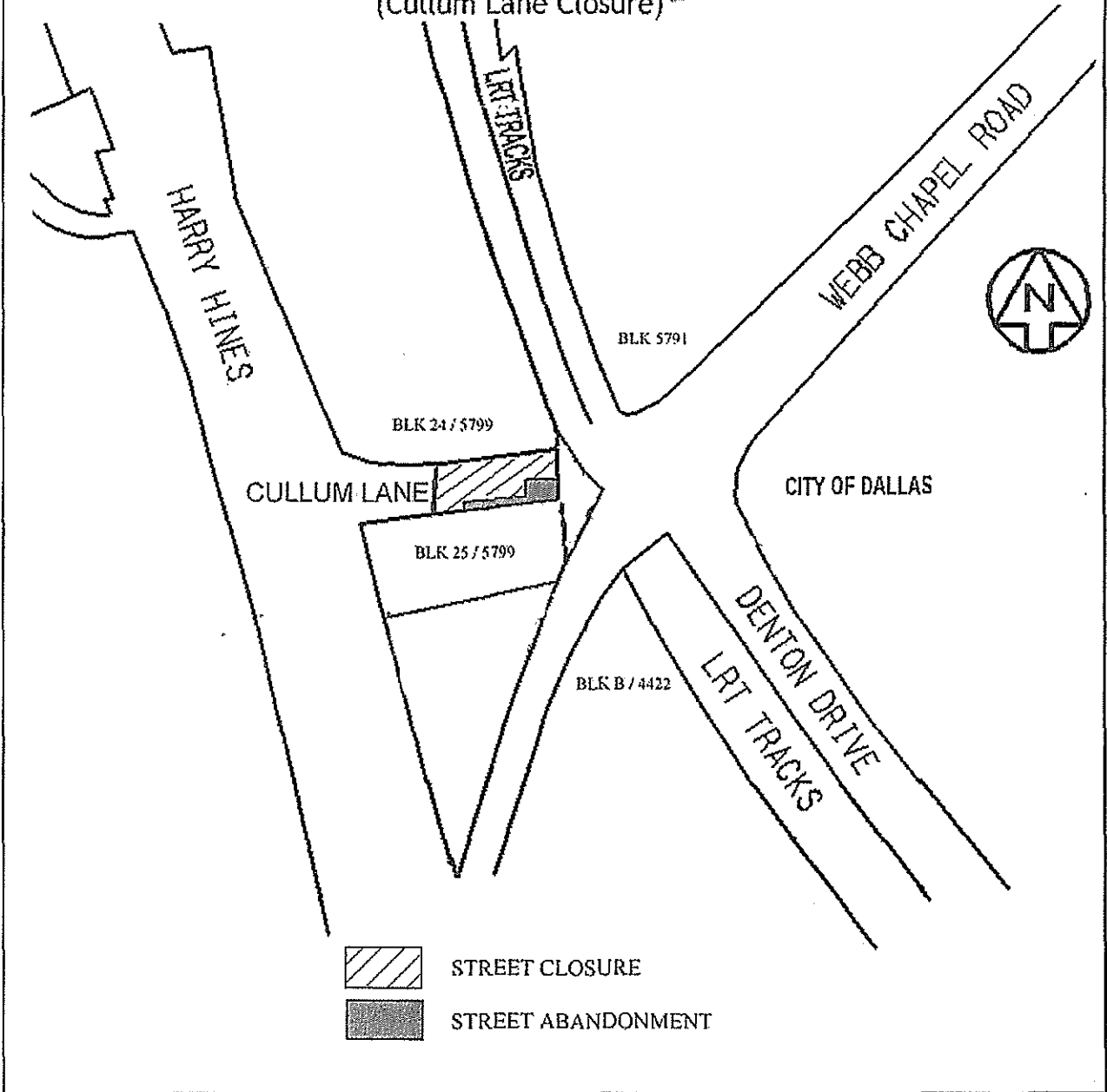
MAPSCO 33B



Scale 1 : 10 223

# NW 2 Project

(Cullum Lane Closure)





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

An ordinance amending Ordinance No. 27602, by altering Section 5(a) to extend the 120 day deadline to receive Dart's Board Resolution; providing for payment of the publication fee; providing a savings clause; and providing an effective date.

**oooOooo**

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

**SECTION 1.** That Ordinance No. 27602 adopted by the City Council of the City of Dallas on August 12, 2009, be and the same is hereby amended by altering Section 5(a) to read as follows:

**“SECTION 5.** That this closure shall not become effective unless and until DART has:

- a) within [~~120 days~~] one year following passage of this ordinance, submitted an official copy of a Dallas Area Rapid Transit Board Resolution accepting the terms, provisions and conditions of this ordinance and including within said resolution the name of the street being closed, the ordinance number and date of approval by Dallas City Council.”


**SECTION 2.** That the terms and conditions of Ordinance No. 27602 shall remain in full force and effect except as amended hereby.

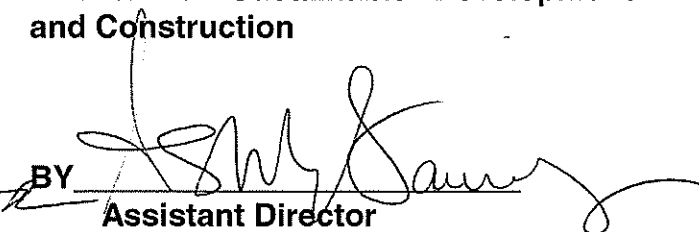
**SECTION 3.** That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Sustainable Development and Construction, or her designee. Upon receipt of the fee for publishing this ordinance which **GRANTEE** shall pay, the Director of Sustainable Development and Construction, or her designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Sustainable Development and Construction, or her designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

**SECTION 4.** 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:**  
**THOMAS P. PERKINS, JR.**  
City Attorney

**THERESA O'DONNELL**  
Director of Sustainable Development  
and Construction

BY   
Assistant City Attorney

BY   
Assistant Director

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

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** All

---

**SUBJECT**

An ordinance correcting Chapter 51A, Dallas Development Code: Ordinance No. 19455, of the Dallas City Code, as amended by correcting Sections 51A-1.105, “Fees,” 51A-4.203, “Industrial Uses,” 51A-4.501, “Historic Overlay District,” 51A-4.605, “Design Standards,” 51A-4.702, “Planned Development (PD) District Regulations,” 51A-4.803, “Site Plan Review,” 51A-7.603, “Applications,” 51A-7.909, “Attached Non-Premise District Activity Videoboard Signs,” 51A-7.913, “Construction Barricade Signs,” 51A-7.930, “Supergraphic Signs,” 51A-7.1212, “Cultural Institution Digital Signs,” 51A-7.1214, “Construction Barricade Signs,” 51A-10.131, “Application of Division,” and 51A-10.135, “Alternative Methods of Compliance With Tree Replacement Requirements” – Financing: No cost consideration to the City

**BACKGROUND**

During review of Chapter 51A, staff discovered minor errors to several sections. The corrections include correcting the department’s name; correcting numbering, references, and names; adding clarifying words; and replacing extraneous words.

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

This item has no prior action.

**FISCAL INFORMATION**

No cost consideration to the City.





**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 1, 2, 3, 6, 11, 14

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 670-3314

**MAPSCO:** 5 W; 15 A B F; 36 B, 37 X; 45 E F Q R T U V Y Z; 46 N S; 47 B; 52 B C D G H; 53 A B C

**SUBJECT**

An ordinance correcting Chapter 51P, Dallas Development Code: Planned Development District Regulations, of the Dallas City Code, as amended by correcting Article 114, Division S-79 of Article 193, Article 272, Article 317, Article 631, Article 770, and Article 799 – Financing: No cost consideration to the City

**BACKGROUND**

During review of Chapter 51P, staff determined that certain typographic and non-substantive errors occurred as well as certain exhibits were incorrect or missing when ordinances were codified.

The corrections include attaching Exhibit 114D, "Shared Use Parking Chart for Phase I" that was inadvertently missing from the ordinance; correcting a typo in the size of a sign in Planned Development Subdistrict No. 79; including a correct copy of Exhibits 272B, "Schedule A," and 272D, "Schedule B," in Planned Development District No. 272; including a correct copy of Exhibit 317D, "Land Use and Development Standards Chart," in Planned Development District No. 317; omitting the reference to Exhibit 631E, "Light Mixed Use Area 1 development plan;" correcting the size of Planned Development District No. 770 listed in Section 51P-770.102; and attaching Exhibit 799B (Property Description) inadvertently missing from the ordinance.

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

This item has no prior action.

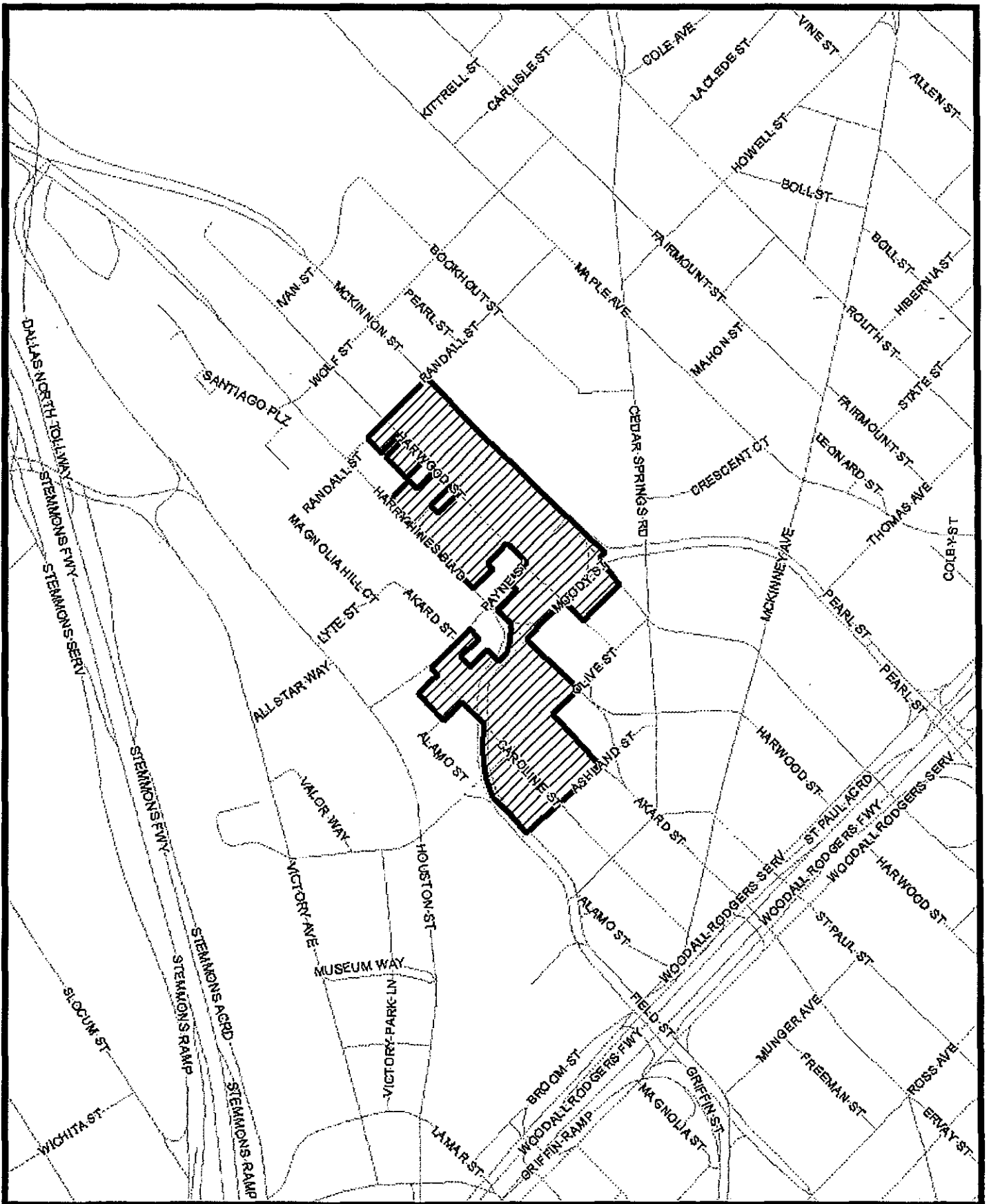
**FISCAL INFORMATION**

No cost consideration to the City.

**MAPS**

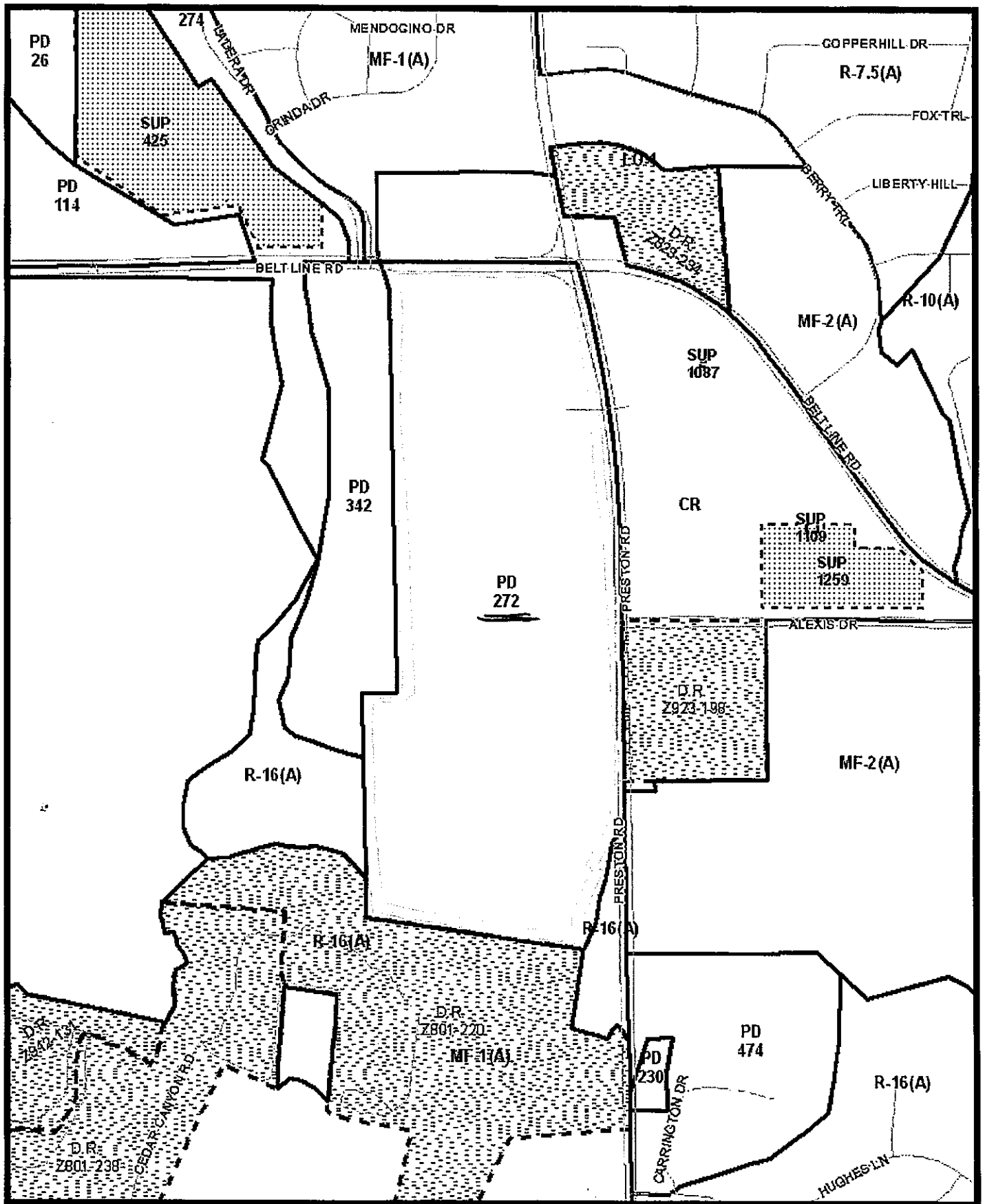
Attached.





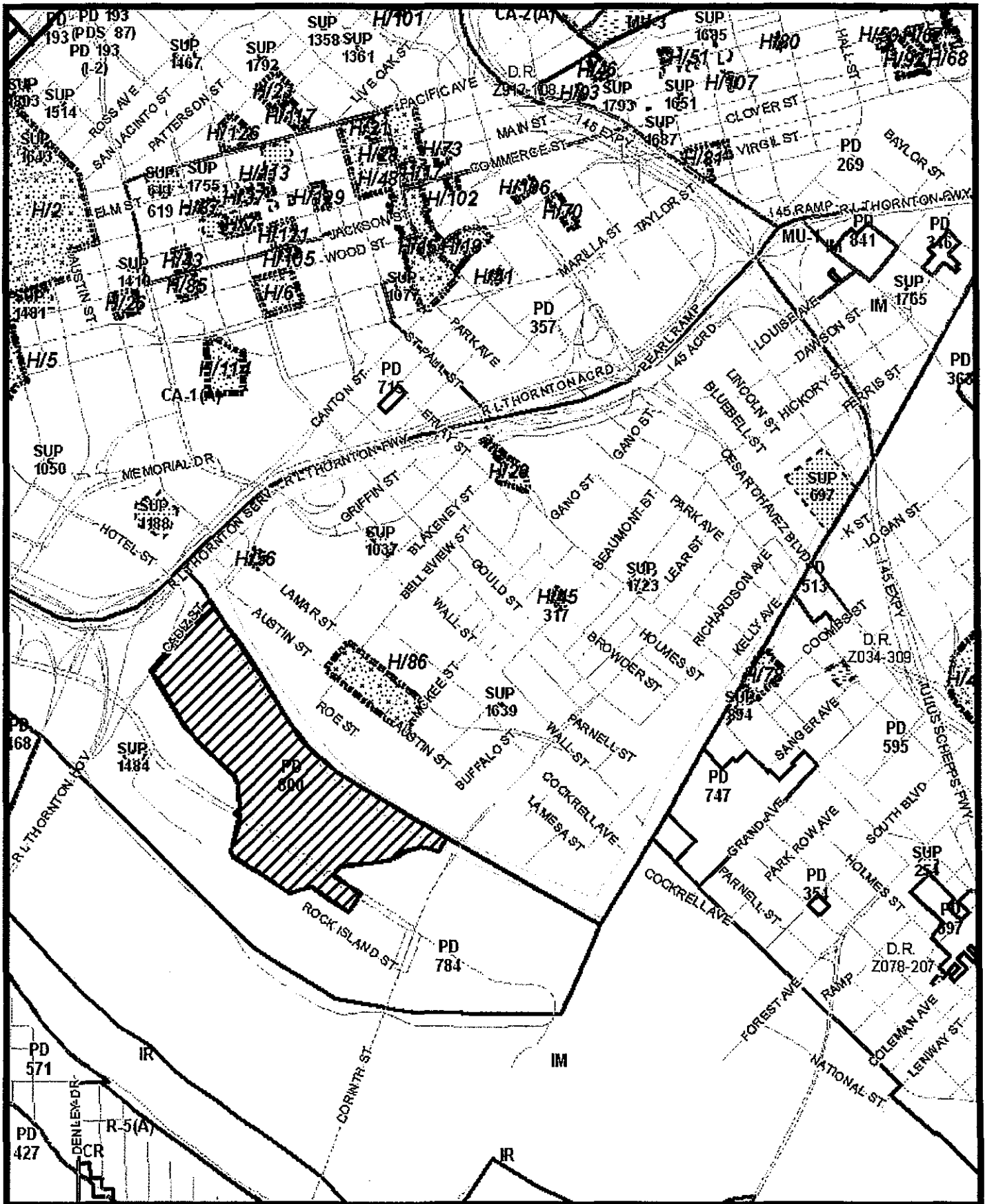
1:7,200

Planned Development Subdistrict No. 79



1:6,000

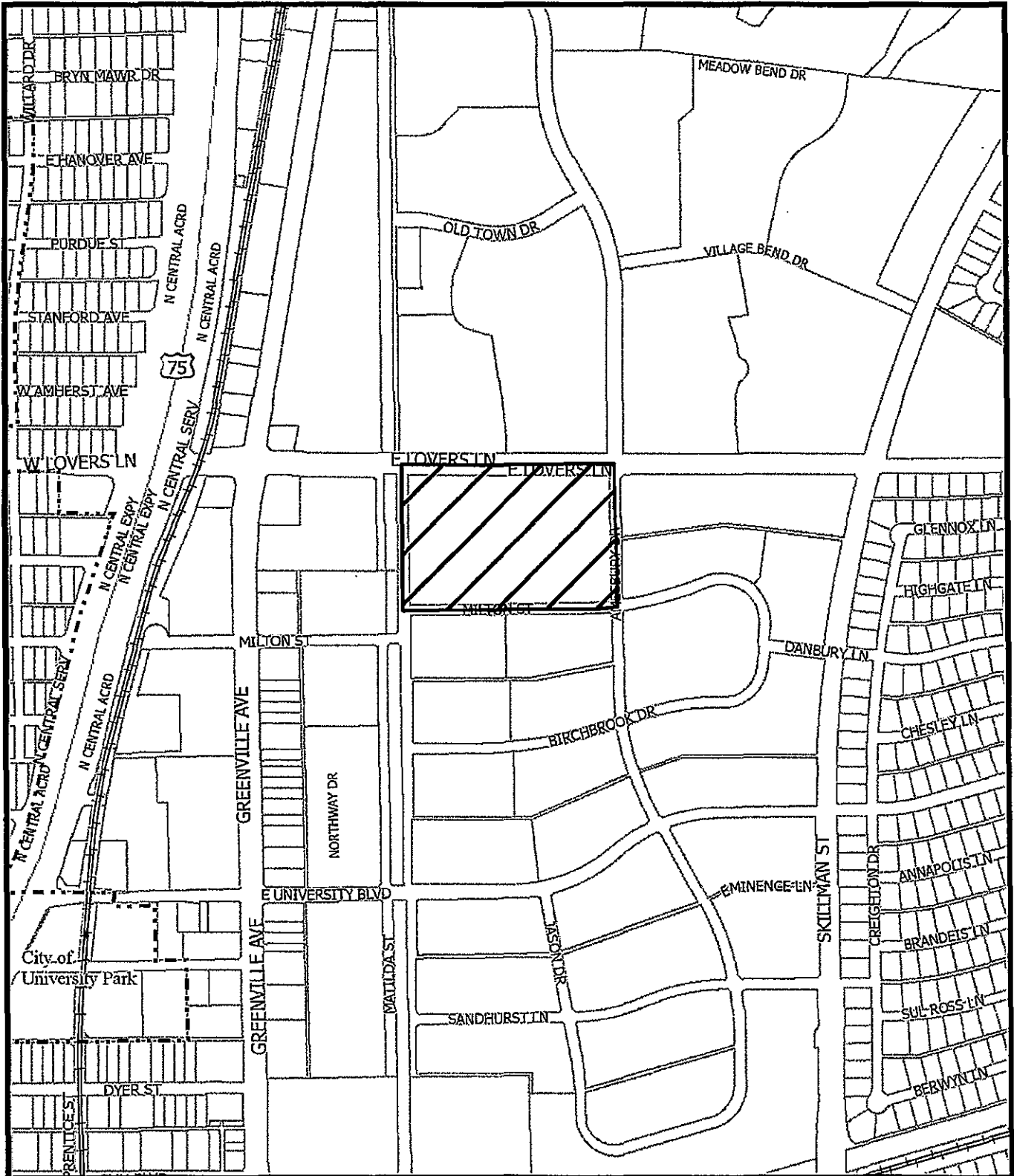
Planned Development District No. 272



1:15,000

Planned Development District No. 317





1:7,200

# VICINITY MAP

Map no:           G-8          

Case no:           Z101-201          

DATE: April 25, 2011



**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 2, 3, 6, 8, 12, 13, 14

**DEPARTMENT:** Sustainable Development and Construction

**CMO:** Ryan S. Evans, 670-3314

**MAPSCO:** 6 G L; 26 F K L; 34 P T; 35 V W; 36 S, W; 37 X; 42 R; 43 J N; 44 P; 45 M; 46 J; 47 B; 53 U V; 65 U; 69 A K; 74 D

---

**SUBJECT**

An ordinance correcting **(1)** Historic Overlay District No. 67; **(2)** Historic Overlay District No. 68; **(3)** Planned Development District No. 601; **(4)** Planned Development District No. 462; **(5)** a municipal setting designation at 5417, 5422, 5427, 5430, 5432, 5502, 5506, 5512, and 5514 Redfield Street and 2231, 2241, and 2311 Butler Street; **(6)** Planned Development District No. 770; **(7)** creating Planned Development Subdistrict No. 84 within Planned Development District No. 193; **(8)** a municipal setting designation at 2504, 2506, 2514, 2518, 2522, 2602, 2606, and 2610 Bomar Avenue, 6010 Forest Park Road, and 5919, 5925, and 6102 Maple Avenue; **(9)** Specific Use Permit No. 1749; **(10)** Specific Use Permit No. 1450; **(11)** Planned Development District No. 745; **(12)** Planned Development District No. 816; **(13)** Ordinance 27799 which rezoned a tract of land from R-7.5(A) Single Family District to CS Commercial Service District; **(14)** Specific Use Permit No. 1766; **(15)** Specific Use Permit No. 1804; **(16)** Specific Use Permit No. 1816; **(17)** Planned Development District No. 780; and **(18)** Specific Use Permit No. 1915 – Financing: No cost consideration to the City

**BACKGROUND**

The City Council, on March 22, 1995, closed the public hearing and approved Ordinance No. 22362 for the creation of Historic Overlay District No. 67 for “The Texas Farm and Ranch Building” on the northeast corner of Trunk Avenue and Commerce Street and Ordinance No. 22363 for the creation of Historic Overlay District No. 68 for “The Dallas Tent and Awning Building/Murray Building” on the north side of Commerce Street, east of Trunk Avenue. Subsequent to the passage of the ordinances it was determined that the names of the historic districts were switched, the property description for Historic Overlay No. 67 was incorrect, and the Exhibits A and B in the ordinances had been inadvertently switched. The correction corrects the historic district names, the property description for Ordinance No. 22362 and attaches the correct Exhibits A and B to the correct ordinance.

## **BACKGROUND (continued)**

The City Council, on April 11, 2001, closed the public hearing and approved Ordinance No. 24581 for the creation of Planned Development District No. 601 on the north and east corners of Carroll Avenue and Gurley Avenue. Subsequent to the passage of the ordinance it was determined that the property description for Tract 2 in Section 1 of the ordinance was incorrect. The correction corrects the property description in the ordinance.

The City Council, on May 24, 2006, closed the public hearing and approved Ordinance No. 26352 for an amendment to Planned Development District No. 462 on the southwest side of Henderson Avenue between Capitol Avenue and Fuqua Street. Subsequent to the passage of the ordinance it was determined that the property description listed in Exhibit A was incorrect. The correction attaches the correct property description to the ordinance.

The City Council, on June 11, 2008, closed the public hearing and approved Ordinance No. 27221 for the establishment of a municipal setting designation prohibiting the use of groundwater from beneath property generally located at 5417, 5422, 5427, 5430, 5432, 5502, 5506, 5512, and 5514 Redfield Street and 2231, 2241, and 2311 Butler Street. The City Council, on November 10, 2008, closed the public hearing and approved Ordinance No. 27408 for the establishment of a municipal setting designation prohibiting the use of groundwater from beneath property generally located at 2504, 2506, 2514, 2518, 2522, 2602, 2606, and 2610 Bomar Avenue, 6010 Forest Park Road, and 5919, 5925, and 6102 Maple Avenue. Subsequent to the passage of the ordinances it was determined that the property descriptions listed in Exhibit A for each ordinance were incorrect. The correction attaches the correct exhibits to the ordinances.

The City Council, on August 13, 2008, closed the public hearing and approved Ordinance No. 27273 for the expansion of and the amendment to Planned Development District No. 770 on the northeast side of La Vista Drive, southeast of East Grand Avenue. Subsequent to the passage of the ordinance it was determined the overall property description was inadvertently omitted from the ordinance. The correction attaches the exhibit to the ordinance.

The City Council, on November 10, 2008, closed the public hearing and approved Ordinance No. 27395 for the creation of Planned Development Subdistrict No. 84 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on both sides of Oak Lawn Avenue between Brown Street and Congress Avenue. Subsequent to the passage of the ordinance it was determined that the property description listed in Exhibit A was incorrect. The correction attaches the correct exhibit to the ordinance.

## **BACKGROUND (continued)**

The City Council, on March 25, 2009, closed the public hearing and approved Ordinance No. 27513 for the creation of Specific Use Permit No. 1749 for an open-enrollment charter school on the north side of Wheatland Road, east of R.L. Thornton Freeway. Subsequent to the passage of the ordinance it was determined that the property description listed in Section 1 of the ordinance was incorrect. The correction corrects the property description in the ordinance.

The City Council, on August 26, 2009, closed the public hearing and approved Ordinance No. 27630 for the expansion of and the amendment to Specific Use Permit No. 1450 for an open-enrollment charter school in the southwest quadrant of Illinois Avenue and Chalmers Street. Subsequent to the passage of the ordinance it was determined that the traffic management plan was inadvertently omitted from the ordinance. The correction attaches the traffic management plan to the ordinance.

The City Council, on October 28, 2009, closed the public hearing and approved Ordinance No. 27713 for the amendment to Planned Development District No. 745 on the east and west sides of Manderville Lane, north of Blair Road, and south of Royal Lane. Subsequent to the passage of the ordinance it was determined that the property description in Exhibit B was incorrect. The correction attaches the correct Exhibit B to the ordinance.

The City Council, on January 27, 2010, closed the public hearing and approved Ordinance No. 27797 for the creation of Planned Development District No. 816 on the south line of Camp Wisdom Road, between Houston School Road and Lancaster Road. Subsequent to the passage of the ordinance it was determined that Exhibit A, the property description, was inadvertently omitted from the ordinance. The correction attaches Exhibit A to the ordinance.

The City Council, on January 27, 2010, closed the public hearing and approved Ordinance No. 27799 changing the zoning on a tract of land from an R-7.5(A) Single Family District to a CS Commercial Service District on the north side of C.F. Hawn Freeway, east of Silverado Drive. Subsequent to the passage of the ordinance it was determined that Exhibit A, the property description, was inadvertently omitted from the ordinance. The correction attaches Exhibit A to the ordinance.

The City Council, on January 27, 2010, closed the public hearing and approved Ordinance No. 27800 for the creation of Specific Use Permit No. 1766 for commercial motor vehicle parking on the north side of C.F. Hawn Freeway, east of Silverado Drive. Subsequent to the passage of the ordinance it was determined that Exhibit A, the property description, was inadvertently omitted from the ordinance. The correction attaches Exhibit A to the ordinance.

## **BACKGROUND (continued)**

The City Council, on April 28, 2010, closed the public hearing and approved Ordinance No. 27860 for the creation of Specific Use Permit No. 1800 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on the north side of Commerce Street, west of Sylvan Avenue. Subsequent to the passage of the ordinance it was determined that the Specific Use Permit number listed in the ordinance was incorrect. The correction changes the SUP No. from SUP No. 1800 to SUP No. 1804.

The City Council, on April 27, 2011, closed the public hearing and approved Ordinance No. 28192 for the creation of Specific Use Permit No. 1816 for an outside salvage or reclamation use on the north line of Singleton Boulevard. east of Pluto Street. Subsequent to the passage of the ordinance it was determined that time period listed in the ordinance did not reflect the City Council motion. The correction corrects the time period in the ordinance.

The City Council, on June 22, 2011, closed the public hearing and approved Ordinance No. 28259 for the amendment and expansion of Planned Development District No. 780 on the west side of Waterview Parkway, south of Frankford Road. Subsequent to the passage of the ordinance it was determined that the property description was incorrect. The correction attaches the correct property description to the ordinance.

The City Council, on November 7, 2011, closed the public hearing and approved Ordinance No. 28467 for the creation of Specific Use Permit No. 1915 for a bar, lounge, or tavern on the south line of Elm Street, west of Malcolm X Boulevard. Subsequent to the passage of the ordinance it was determined that Exhibit A, the property description, was inadvertently omitted from the ordinance. The correction attaches Exhibit A to the ordinance.

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

On March 22, 1995, the City Council approved Ordinance No. 22362 for the creation of Historic Overlay District No. 67 on the northeast corner of Trunk Avenue and Commerce Street

On March 22, 1995, the City Council approved Ordinance No. 22363 for the creation of Historic Overlay District No. 68 on the north side of Commerce Street east of Trunk Avenue.

## **PRIOR ACTION (continued)**

On April 11, 2001, the City Council approved Ordinance No. 24581 for the creation of Planned Development District No. 601 on the north corner of Carroll Avenue and Gurley Avenue.

On May 24, 2006, the City Council approved Ordinance No. 26352 for an amendment to Planned Development District No. 462 on the southwest side of Henderson Avenue between Capitol Avenue and Fuqua Street.

On June 11, 2008, the City Council approved Ordinance No. 27221 for the establishment of a municipal setting designation prohibiting the use of groundwater from beneath property generally located at 5417, 5422, 5427, 5430, 5502, 5506, 5512, and 5514 Redfield Street and 2231, 2241, and 2311 Butler Street.

The City Council, on November 10, 2008, closed the public hearing and approved Ordinance No. 27408 for the establishment of a municipal setting designation prohibiting the use of groundwater from beneath property generally located at 2504, 2506, 2514, 2518, 2522, 2602, 2606, and 2610 Bomar Avenue, 6010 Forest Park Road, and 5919, 5925, and 6102 Maple Avenue.

On August 13, 2008, the City Council approved Ordinance No. 27273 for the expansion of and the amendment to Planned Development District No. 770 on the northeast side of La Vista Drive, southeast of East Grand Avenue.

On November 10, 2008, the City Council approved Ordinance No. 27395 for the creation of Planned Development District No. 84 within Planned Development District No. 193, the Oak Lawn Special Purpose District both sides of Oak Lawn Avenue between Brown Street and Congress Avenue.

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On January 27, 2010, the City Council approved Ordinance No. 27797 for the creation of Planned Development District No. 816 on the south line of Camp Wisdom Road, between Houston School Road and Lancaster Road.

### **PRIOR ACTION (continued)**

On January 27, 2010, the City Council approved Ordinance No. 27799 changing the zoning on a tract of land from an R-7.5(A) Single Family District to a CS Commercial Service District on the north side of C.F. Hawn Freeway, east of Silverado Drive.

On January 27, 2010, the City Council approved Ordinance No. 27800 for the creation of Specific Use Permit No. 1766 for commercial motor vehicle parking North side of C.F. Hawn Freeway, east of Silverado Drive.

On April 28, 2010, the City Council approved Ordinance No. 27860 for the creation of Specific Use Permit No. 1800 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on the north side of Commerce Avenue, west of Sylvan Avenue.

On April 27, 2011, the City Council approved Ordinance No. 28192 for the creation of Specific Use Permit No. 1816 for an outside salvage or reclamation use on the north line of Singleton Boulevard east of Pluto Street.

On June 22, 2011, the City Council approved Ordinance No. 28259 for the creation of Planned Development District No. 780 on the west side of Waterview Parkway, south of Frankford Road.

On September 28, 2011, the City Council approved Ordinance No. 28419 for the amendment to Planned Development District No. 799 in an area bound by Lovers Lane, Amesbury Drive, Milton Street, and Matilda Street.

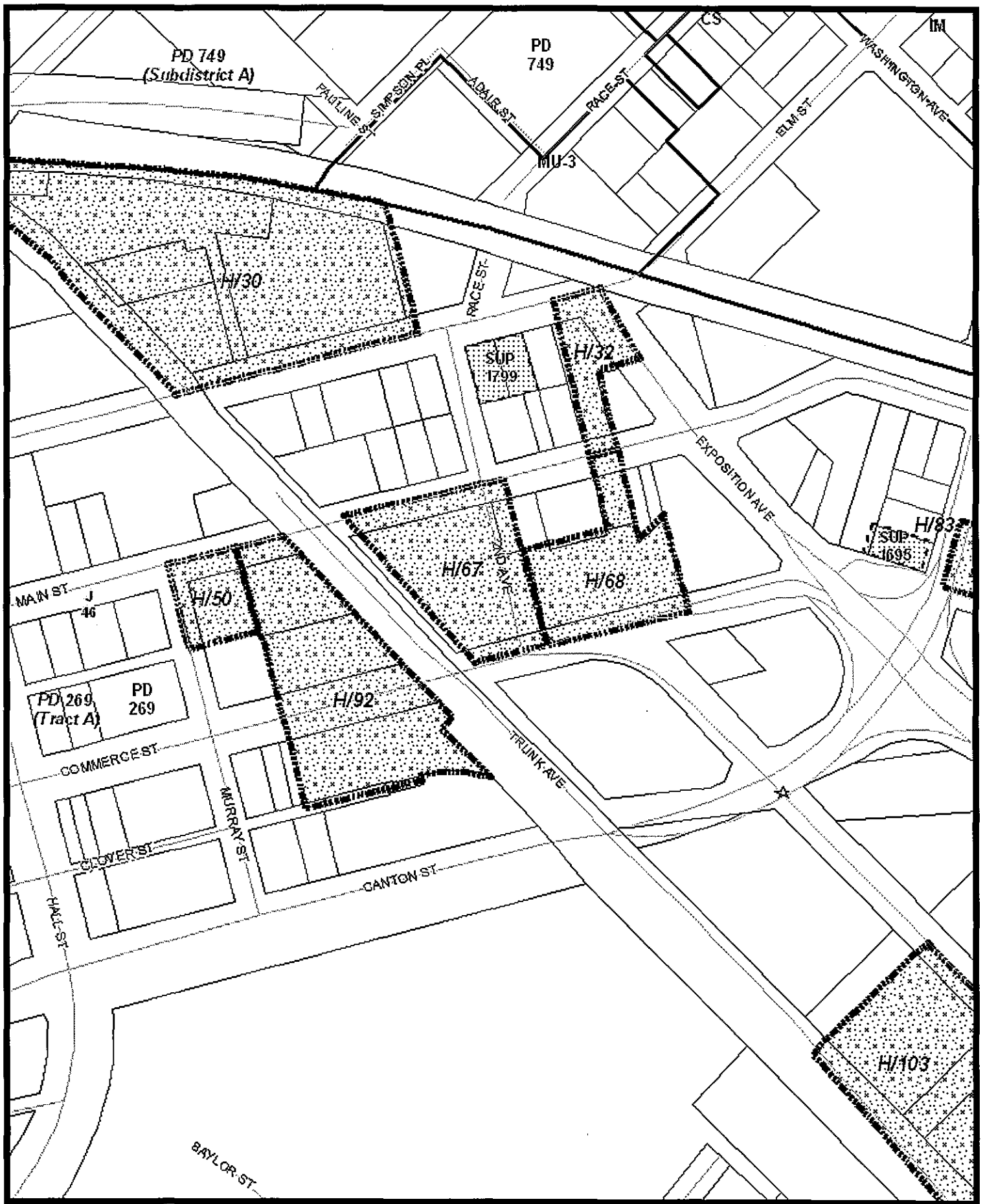
On November 7, 2011, the City Council approved Ordinance No. 28467 for the creation of Specific Use Permit No. 1915 for a bar, lounge, or tavern on the south line of Elm Street, west of Malcolm X Boulevard.

### **FISCAL INFORMATION**

No cost consideration to the City.

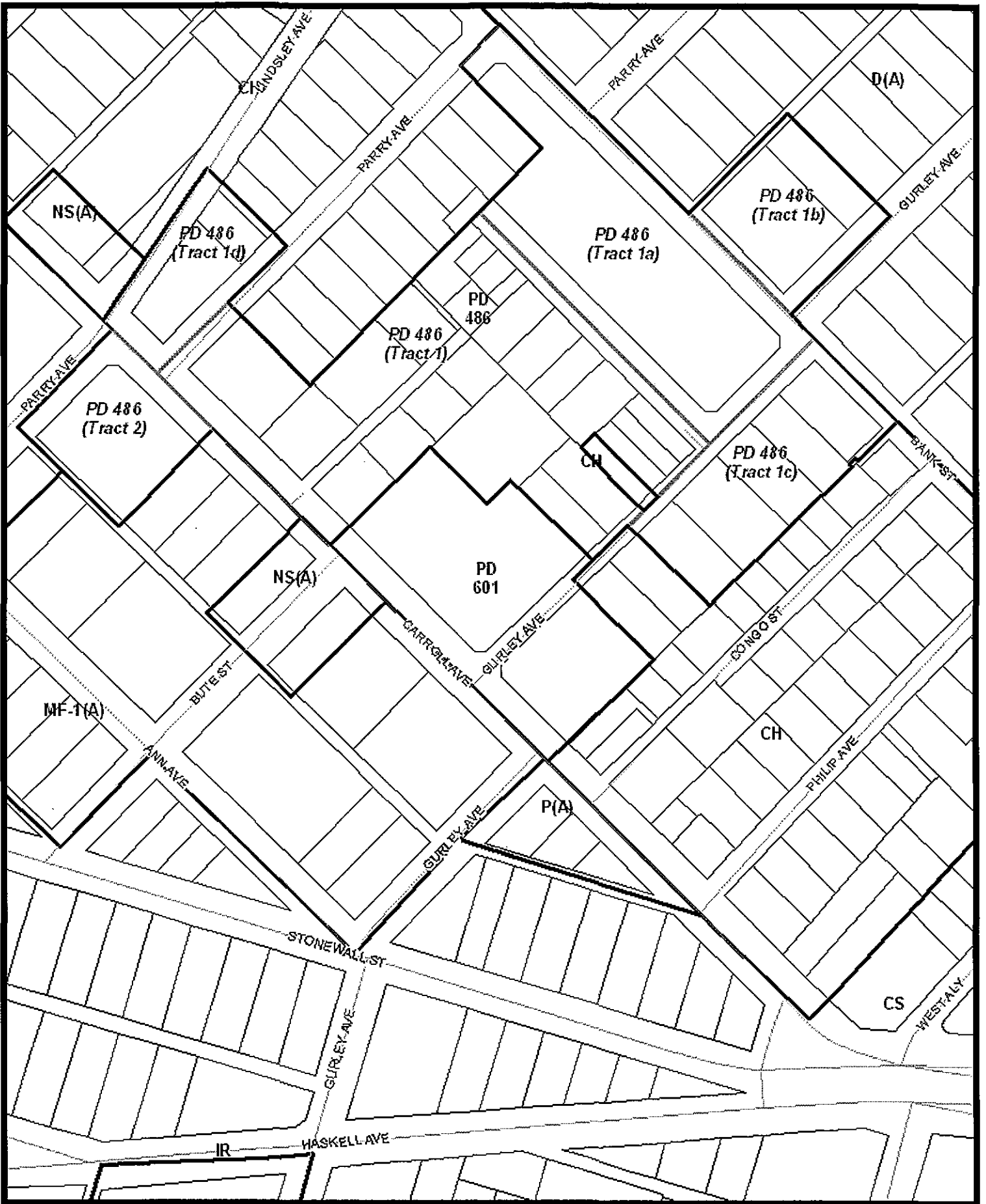
### **MAPS**

Attached.



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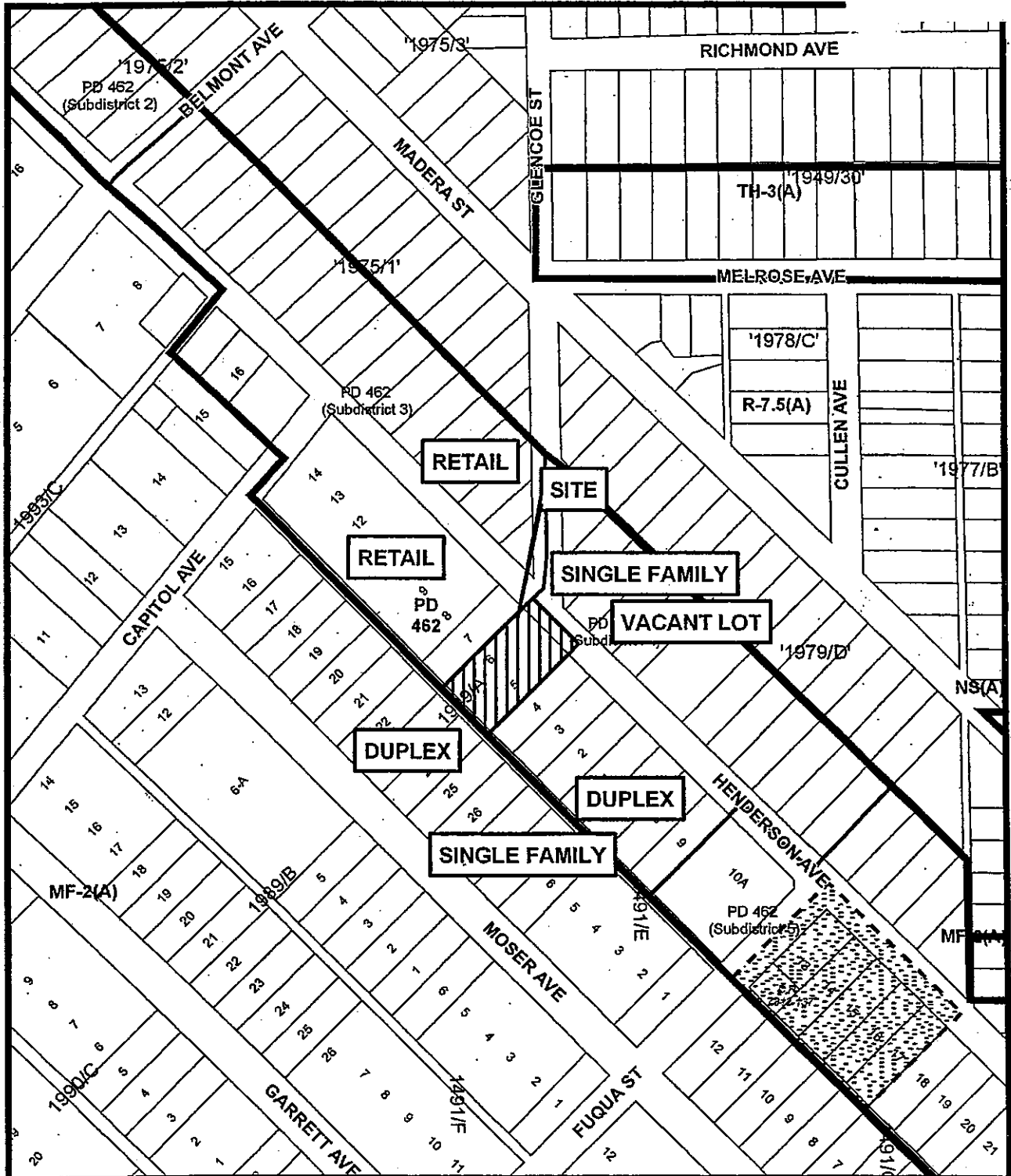
Ordinances 22362 and 22363



1:1,800

Ordinance 24581





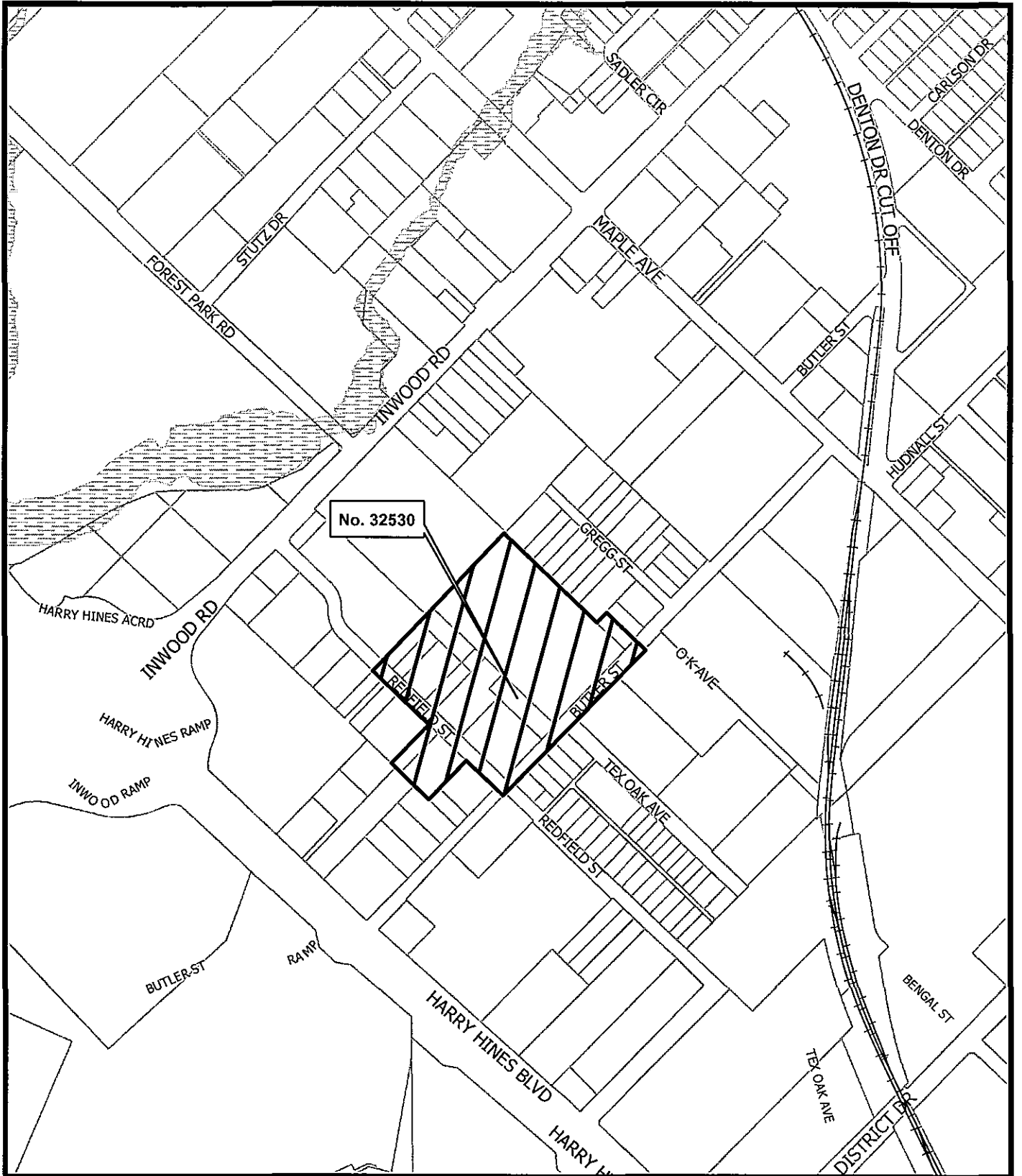
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# ZONING AND LAND USE

I-8

Map no: \_\_\_\_\_

Case no: Z056-193(WE)

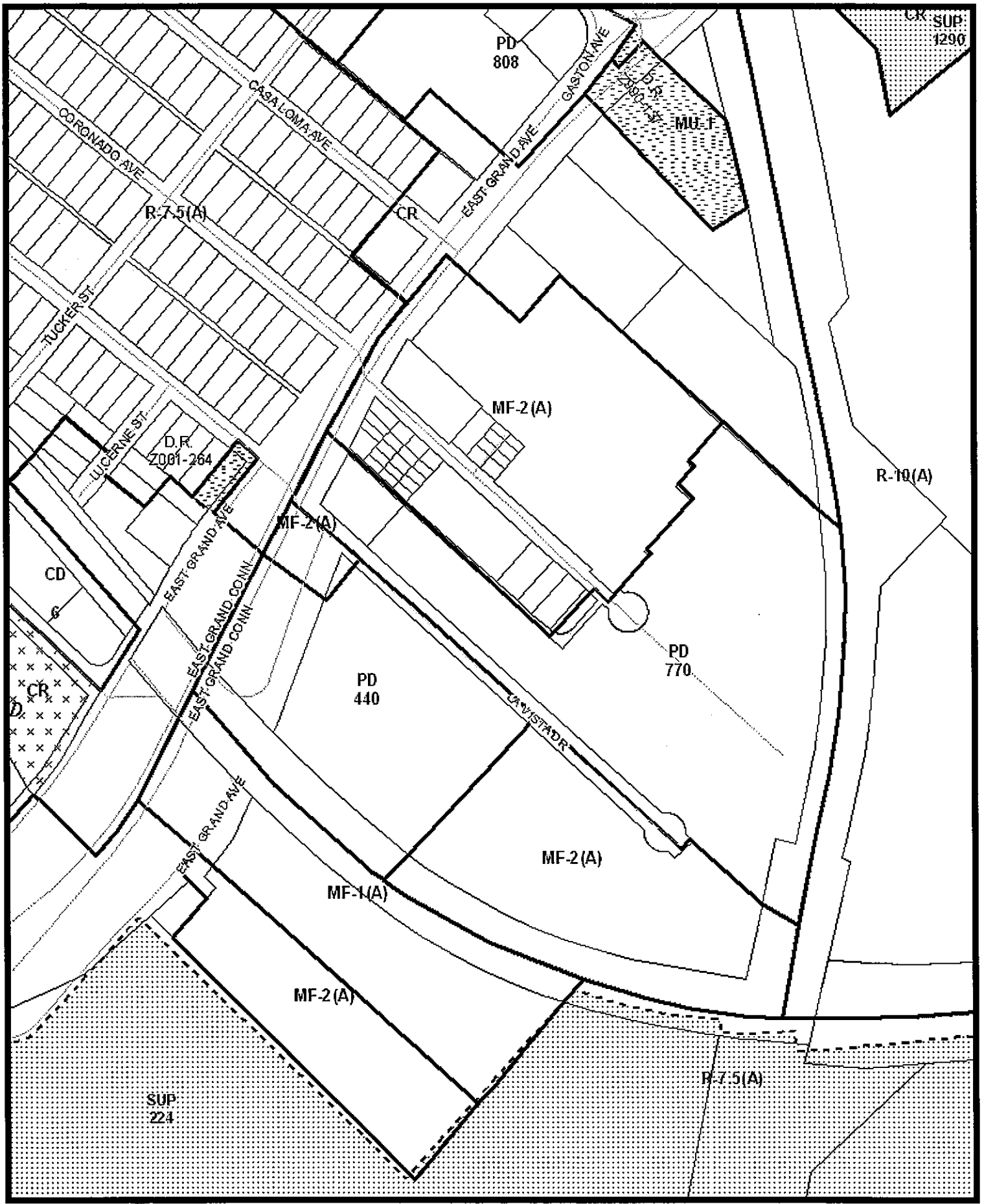


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# VICINITY MAP

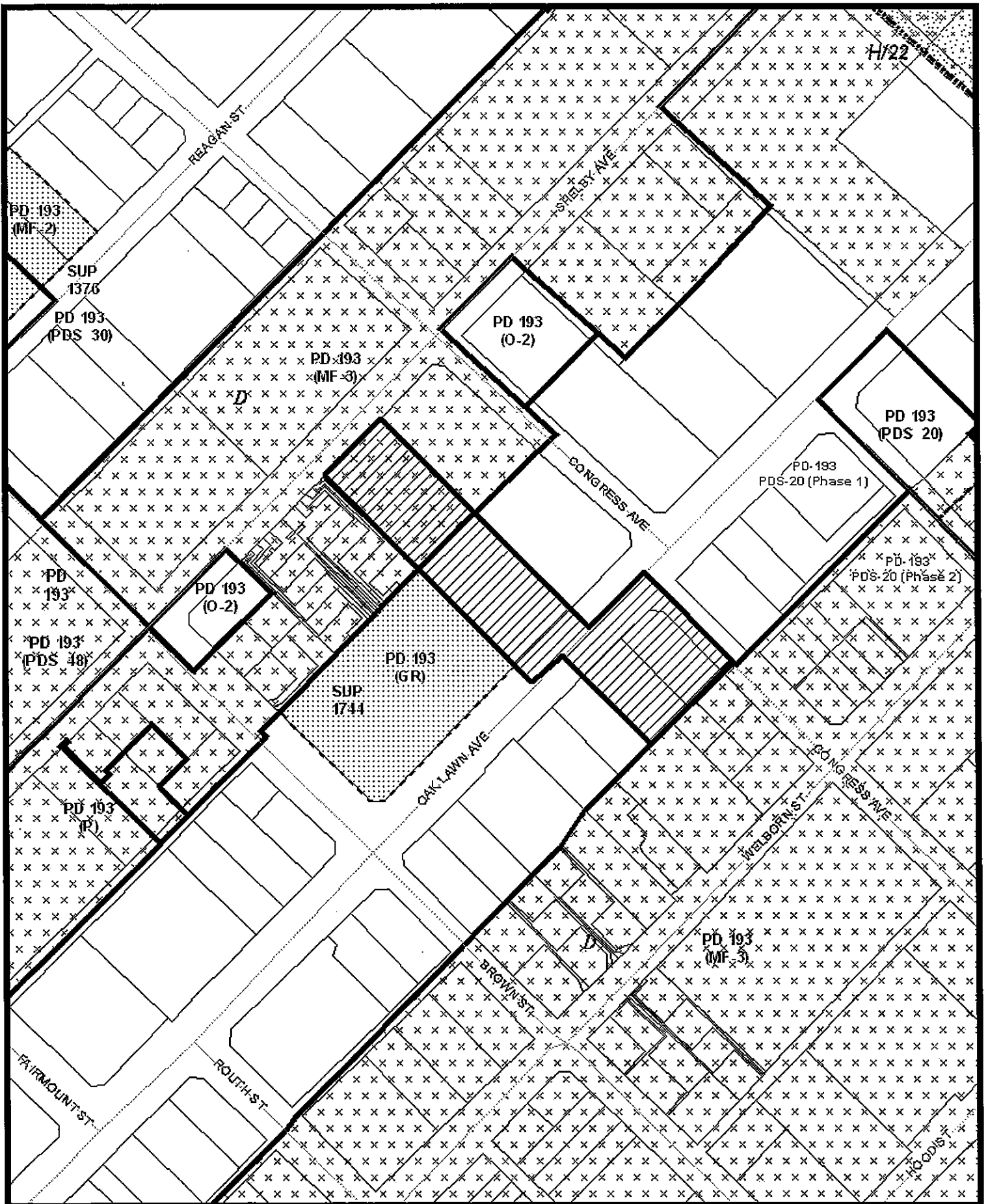
Case no: W078-007

Date: 1/30/2012



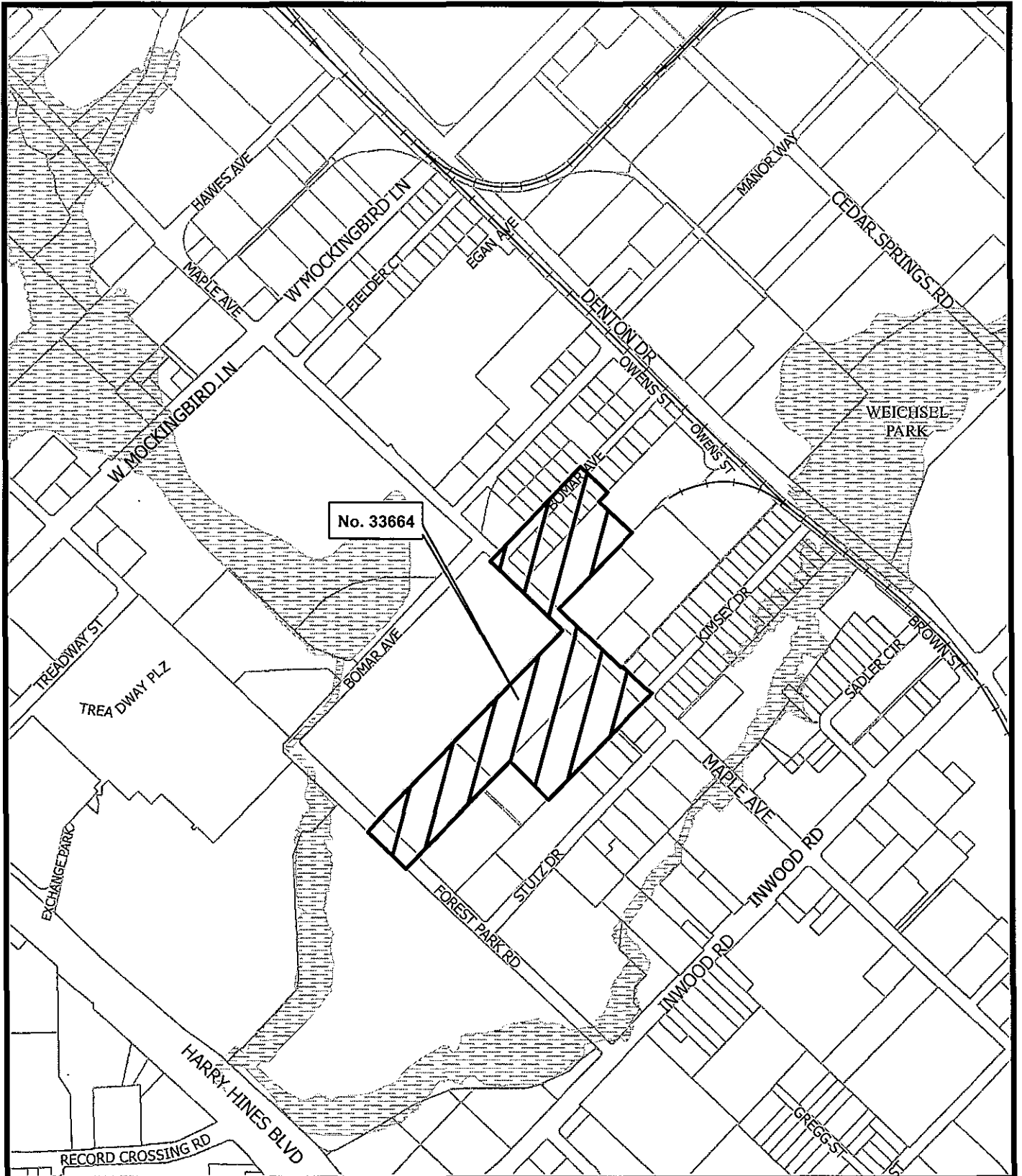
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Ordinance 27273



1:1,800

Ordinance 27395

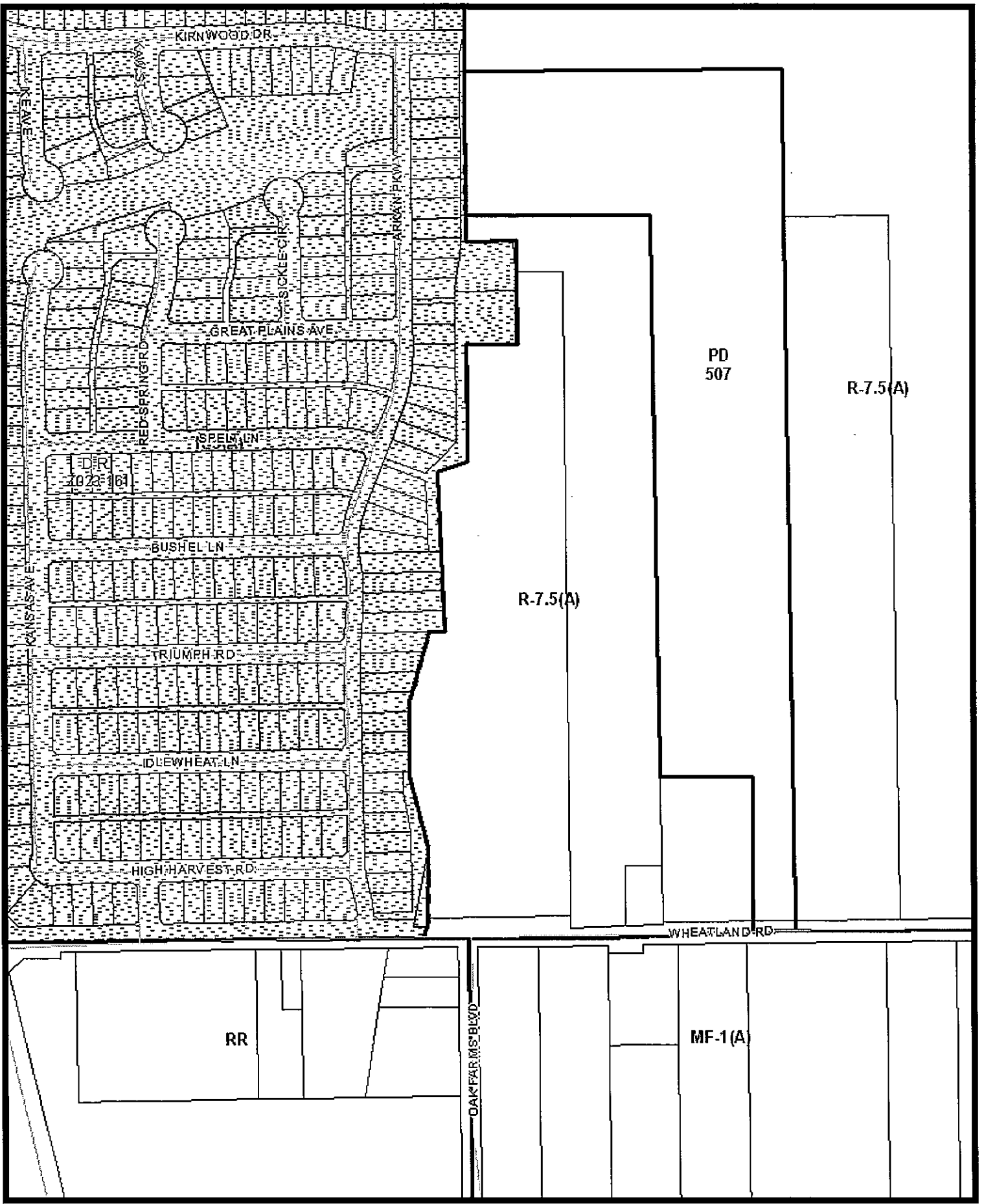


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## VICINITY MAP

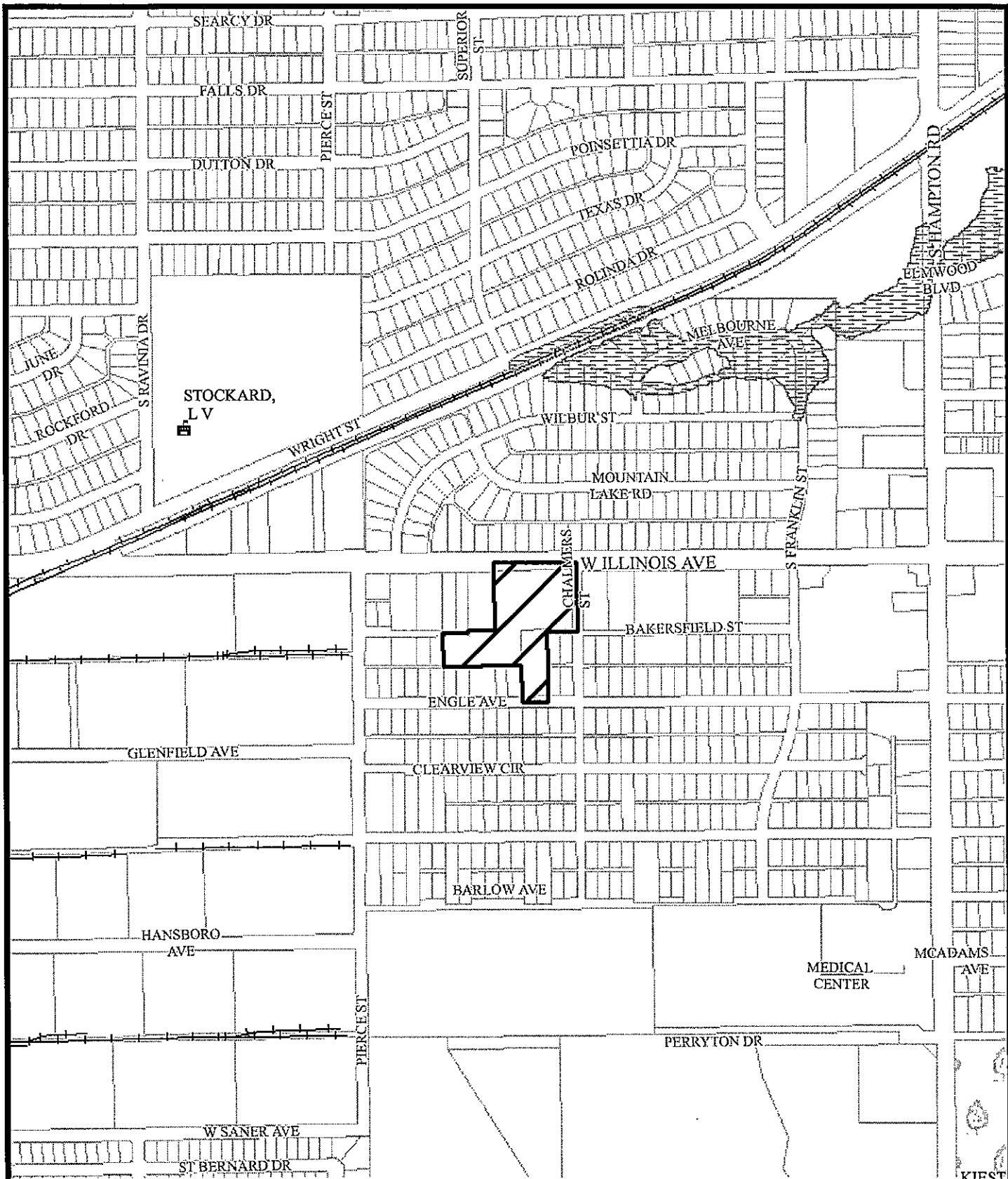
Case no: MSD089-001

Date: 1/30/2012



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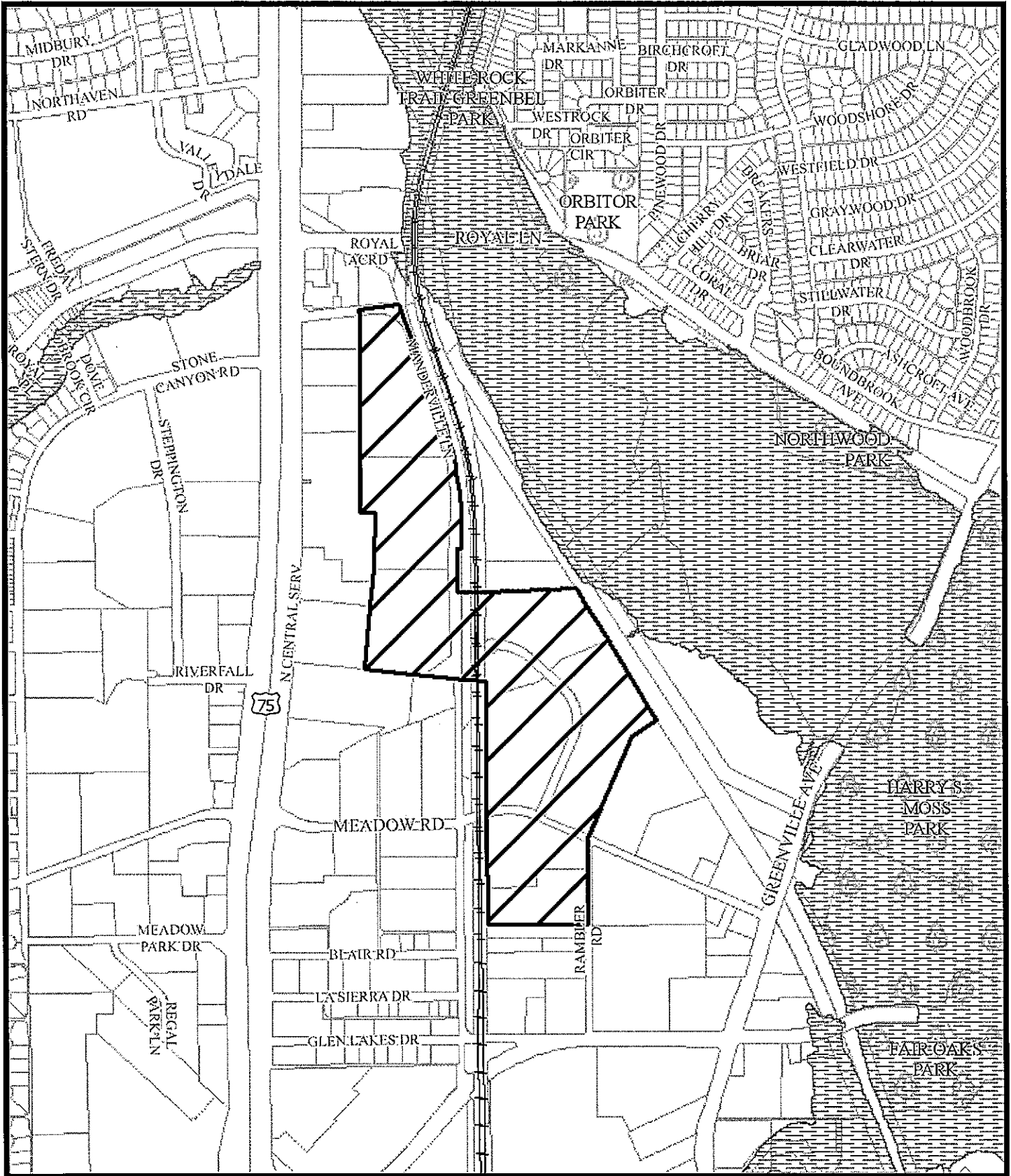
Ordinance 27513



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# VICINITY MAP

Map no:           M-5, M-6            
 Case no:           Z089-146 OTH



1:10,800

# VICINITY MAP

Map no: **E-8**  
 Case no: **Z089-233 WE**







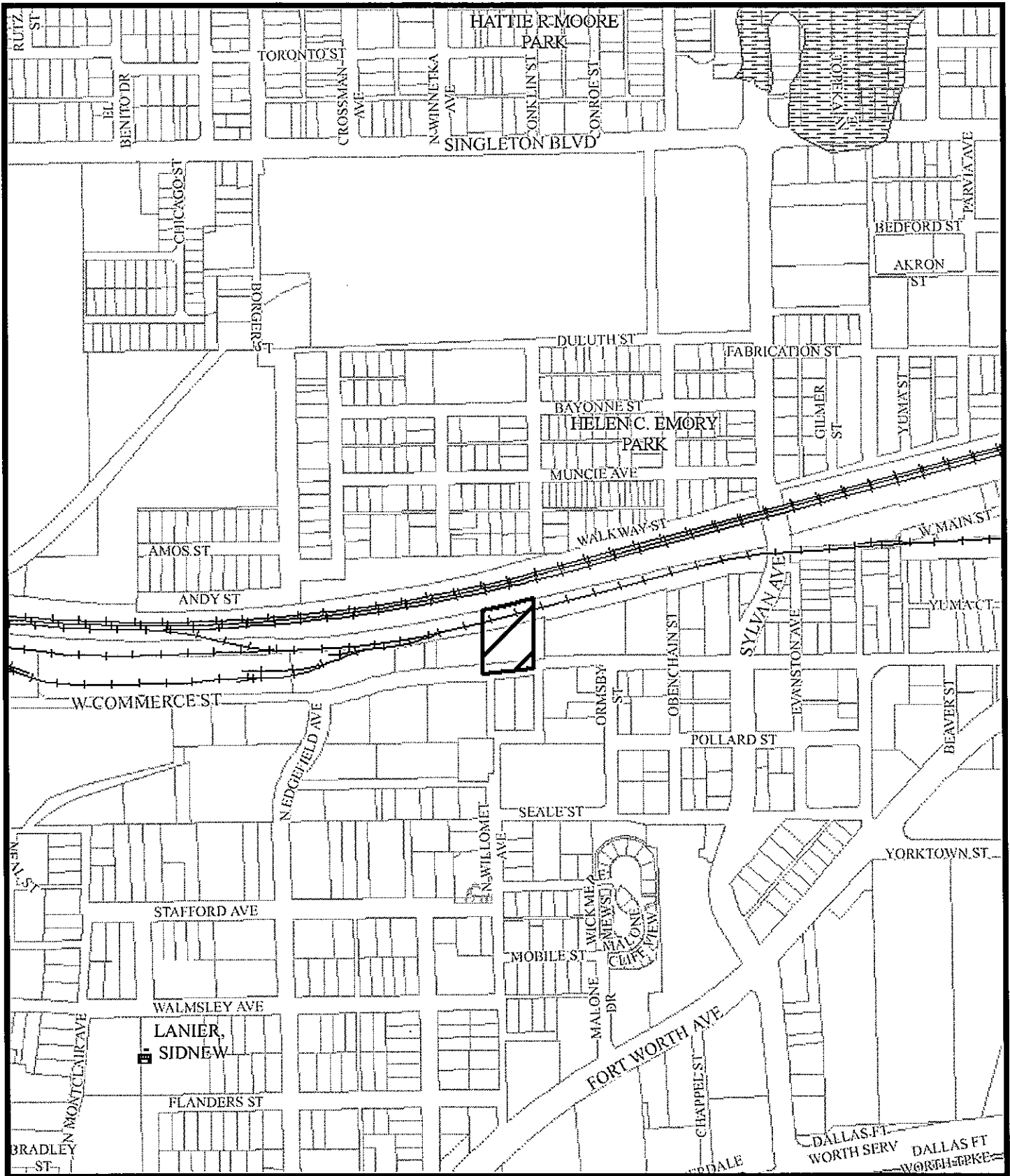
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# VICINITY MAP

Map no:           O-12            
 Case no:           Z089-196 WE          

DATE: May 14, 2009

GIS Tech: SHolyoak



1:6,000

# VICINITY MAP

Map no:           K-6            
 Case no:           Z089-260 RB

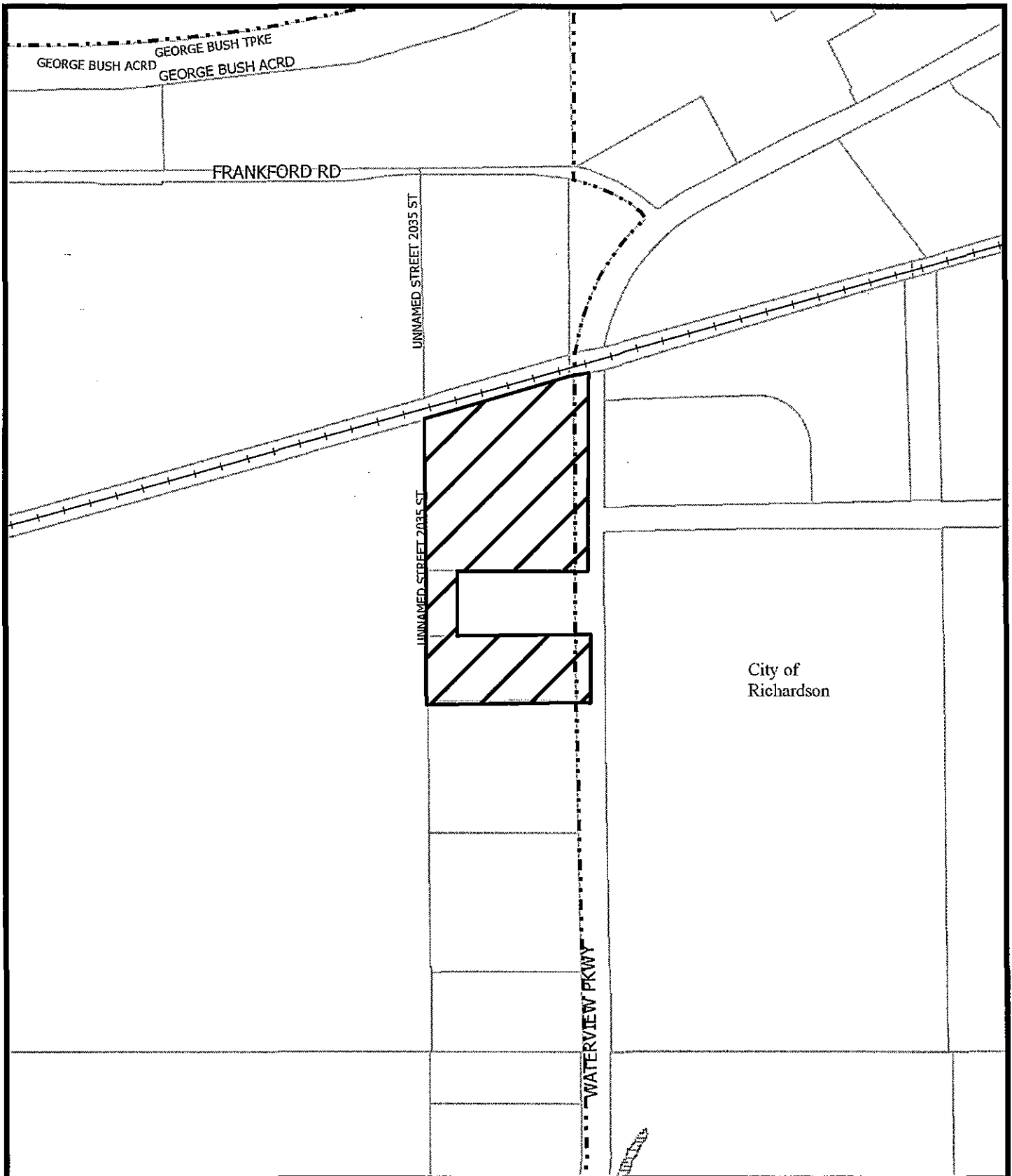


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# VICINITY MAP

Map no:           J-5            
Case no:           Z090-124          

DATE: October 25, 2010

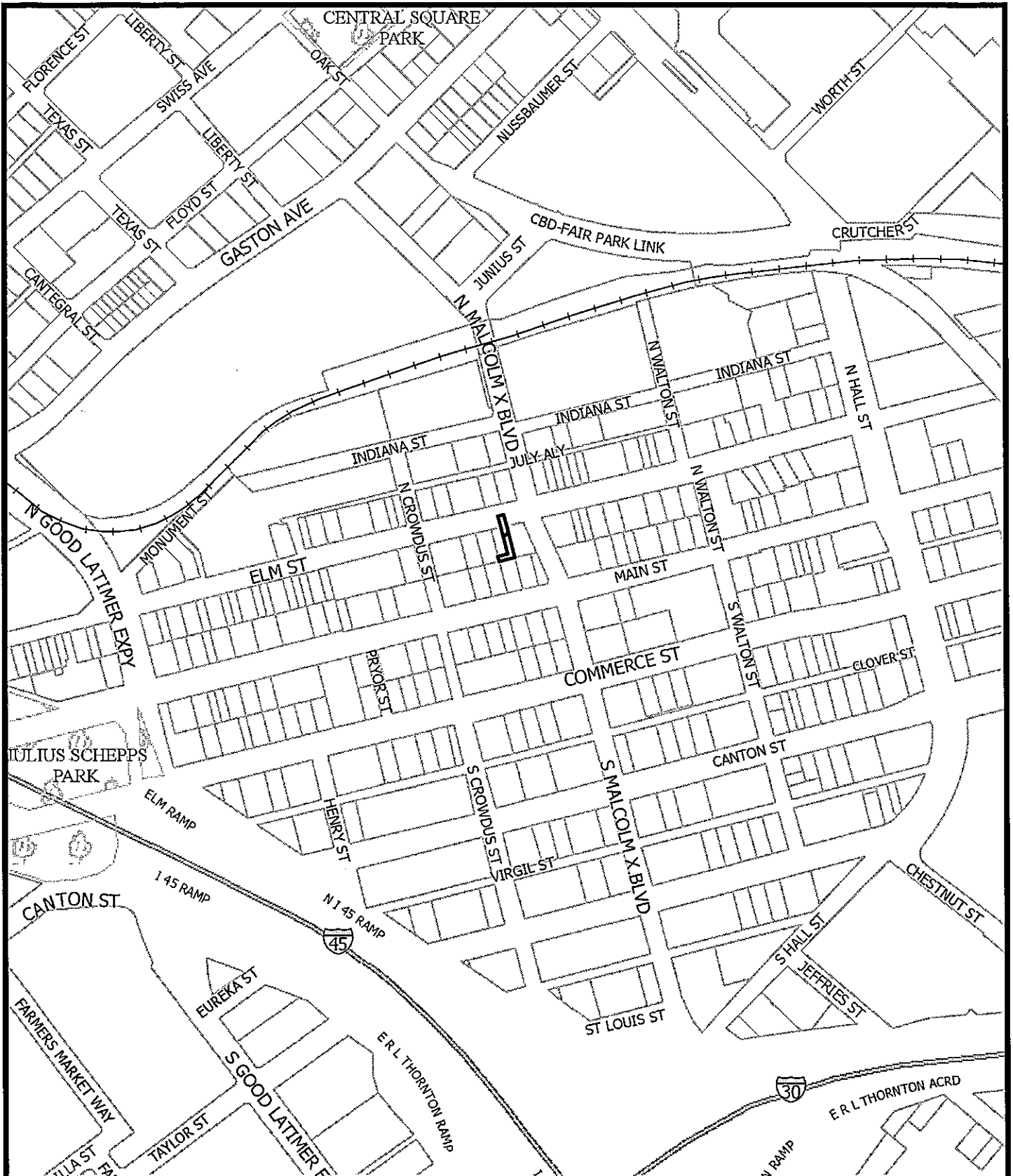


1:7,200

# VICINITY MAP

Map no:           A-8            
Case no:           Z101-208          

DATE: April 21, 2011



1:4,800

# VICINITY MAP

Map no:           J-8            
 Case no:           Z101-344

**KEY FOCUS AREA:** Better Cultural, Arts and Recreational Amenities

**AGENDA DATE:** February 22, 2012

**COUNCIL DISTRICT(S):** 2, 7

**DEPARTMENT:** Trinity Watershed Management

**CMO:** Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 45 Y, 55 C

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**SUBJECT**

Authorize Supplemental Agreement No. 2 to the Local Project Advance Funding Agreement with the Texas Department of Transportation for construction administration services for the Santa Fe Trestle Hike and Bike Trail Improvement Project - Not to exceed \$12,000, from \$24,000 to \$36,000 – Financing: 1998 Bond Funds

**BACKGROUND**

On February 26, 1997, Council authorized a Local Project Advance Funding Agreement (LPAFA) between the City of Dallas and the Texas Department of Transportation (TxDOT) for the design and construction of improvements to the Santa Fe Trestle Trail (originally identified as the Santa Fe Bridge/Fair Park/Marsalis Hike and Bike Trail). The 1998 Bond Program authorized funding to construct trails, canoe launches and improve trailheads in the Great Trinity Forest and the Dallas Floodway. In May 2001, Council authorized the submission, acceptance and implementation of the City’s candidate projects for Statewide Transportation Enhancement Projects (STEP) in which additional funds were sought for this project. In January 2002, the project was accepted as a candidate for additional STEP funds. The following January, the Council authorized the City to execute Supplemental Agreement No. 1 to the LPAFA with TxDOT for the City to design and construct the bicycle improvements to the Santa Fe Trestle Hike and Bike Trail.

This action will authorize the execution of Supplemental Agreement No. 2 to the LPAFA with TxDOT for construction administration for the Santa Fe Trestle Hike and Bike Trail Improvement Project in an amount not to exceed \$12,000.00, from \$24,000.00 to \$36,000.00.

**ESTIMATED SCHEDULE OF PROJECT**

Began Construction	July 2010
Complete Construction	March 2012

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

Authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation for the design and construction of the Santa Fe Trestle Trail (originally identified as the Santa Fe/Fair Park/Marsalis Hike and Bike Trail) Project on February 26, 1997, by Resolution No. 97-0625.

Authorized the submission, acceptance and implementation of City of Dallas candidate projects for Statewide Transportation Enhancement Projects on May 23, 2001, by Resolution No. 01-1667.

Authorized Supplemental Agreement No. 1 to the Local Project Advance Funding Agreement with the Texas Department of Transportation for the design and construction by the City of Dallas of the bicycle and pedestrian improvements to the Santa Fe Trestle Trail on January 22, 2003, by Resolution No. 03-0368.

**FISCAL INFORMATION**

1998 Bond Funds - \$12,000.00

Original Contract Amount	\$24,000.00
Supplemental Agreement No. 1	\$ 0.00
Supplemental Agreement No. 2 (this action)	<u>\$12,000.00</u>
Total Project Cost	\$36,000.00

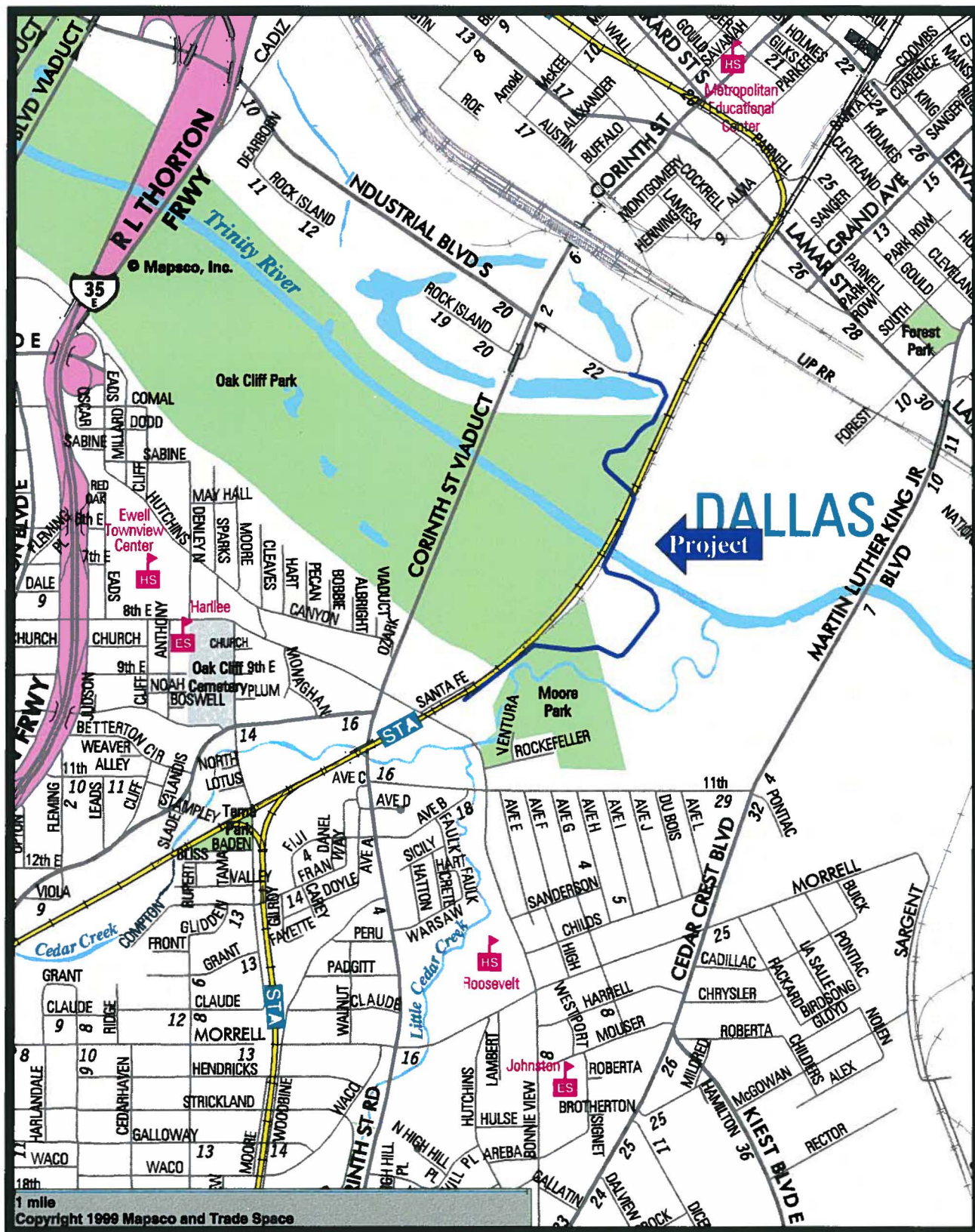
<b><u>Council District</u></b>	<b><u>Amount</u></b>
2	\$6,000.00
7	<u>\$6,000.00</u>
Total	\$12,000.00

**MAPS**

Attached



# Santa Fe Trestle Trail



# Mapsco 45Y & 55C



February 22, 2012

**WHEREAS**, Santa Fe Trestle Trail (originally identified as Santa Fe Bridge/Fair Park/Marsalis Hike and Bike Trail) was nominated as a candidate project in the Statewide Transportation Enhancement Program (STEP), provided by the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991; and,

**WHEREAS**, the project received \$1,200,000 of ISTEA funding to be matched by \$300,000 of local funding for design, construction, and other miscellaneous expenses; and,

**WHEREAS**, on February 26, 1997, Resolution No. 97-0625 authorized the Local Project Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the design and construction of the Santa Fe Trestle Trail; and

**WHEREAS**, on May 23, 2001, Resolution No. 01-1667 authorized the submission, acceptance, and implementation of the City of Dallas candidate project for STEP; and,

**WHEREAS**, Santa Fe Trestle Trail was accepted in January 2002, as a candidate project to provide additional STEP funds to complete the project; and,

**WHEREAS**, on January 22, 2003, Resolution No. 03-0368 authorized the execution of Supplemental Agreement No. 1 to the Local Project Advance Funding Agreement with TxDOT for the design and construction by the City of Dallas of the bicycle/pedestrian improvements to the Santa Fe Trestle Trail; and,

**WHEREAS**, the City of Dallas now desires to authorize Supplement No. 2 to the Local Project Advance Funding Agreement with TxDOT for the construction administration for the Santa Fe Trestle Hike and Bike Trail in an amount not to exceed \$12,000.00, increasing the contract amount from \$24,000.00 to \$36,000.00.

**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 Supplemental Agreement No. 2 to the Local Project Advance Funding Agreement with the Texas Department of Transportation for construction administration services for the Santa Fe Trestle Hike and Bike Trail Improvement Project in an amount not to exceed \$12,000.00, increasing the contract amount from \$24,000.00 to \$36,000.00.

February 22, 2012

**Section 2.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Trinity River Corridor Project Fund  
Fund 5P14, Dept. PBW, Unit. N966, Act. TRPP  
Obj. 4111, Program No. PB98N966, Encumbrance No. PBW98N966D4  
Vendor #020318, in an amount not to exceed \$12,000.00

**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.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** Outside City Limits  
**DEPARTMENT:** Water Utilities  
**CMO:** Forest E. Turner, 670-3390  
**MAPSCO:** Outside City Limits

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**SUBJECT**

Authorize a short-term contract with Luminant Generation Company LLC for untreated water service for the period January 1, 2012 through December 31, 2013 - Estimated Annual Revenue: \$1,229,892

**BACKGROUND**

This item is for authorization to enter into a short-term untreated water contract with Luminant Generation Company LLC (“Luminant”) for 8,000 acre-feet (2,606,808,000 gallons) of Dallas’ Lake Fork water per year in calendar year 2012 and up to 8,000 acre-feet of Lake Fork water in calendar year 2013 for a combined total of up to 16,000 acre-feet (5,213,616,000 gallons) of water. Untreated water purchased by Luminant under this contract will be used at Luminant’s Martin Lake Power Plant.

In 1981, the City of Dallas entered into a contractual relationship for water with the Sabine River Authority (SRA) who is the owner and operator of the Lake Fork reservoir, which is located in the Sabine River Basin in East Texas. As a result, Dallas has rights to 74 percent of the dependable yield of Lake Fork not to exceed 131,860 acre-feet of water per year.

Luminant (formerly Texas Utilities Electric Company) is also party to the 1981 contract, as well as the First Supplement to the contract that was signed in 1986. Included in this contract as supplemented is the option for Luminant to purchase up to 17,000 acre-feet/year of Lake Fork water from Dallas.

## **BACKGROUND** (Continued)

On February 23, 2011, Dallas and Luminant entered into an Untreated Water Purchase Contract ("Long-Term Contract") for a term of 40 years in accordance with the terms of the Option, allowing Luminant to purchase Lake Fork water (in an amount of 6,000 acre-feet in calendar year 2011 and 12,000 acre-feet per year in calendar years 2012 through 2050) for use in the operation of its Martin Lake Power Plant. Martin Lake Power Plant feeds into the ERCOT transmission system that powers most of the state of Texas. Luminant has indicated Martin Lake is considered to be in the northern part of the ERCOT system and the largest load centers in that part of the system are the Dallas-Fort Worth metroplex, Tyler and Waco.

On September 1, 2011, Dallas and Luminant entered into a Short-Term Untreated Water Purchase Contract ("Short-Term Contract") via Administrative Action 112329 for the sale by Dallas to Luminant of an additional 8,000 ac-ft of Lake Fork water for a term commencing on August 29, 2011 thru February 29, 2012 and for the same purpose and use as the untreated water purchased under the Long-Term Contract.

Due to the ongoing drought conditions, Luminant has a critical need to secure additional water from Dallas to help ensure adequate water to support its Martin Lake Power Plant operations.

Luminant desires to enter into an additional Short-Term Untreated Water Purchase Contract ("Contract") for the sale by Dallas to Luminant of an additional 8,000 ac-ft of untreated water in calendar year 2012 and up to 8,000 ac-ft of untreated water in calendar year 2013 of Lake Fork untreated water for the same purpose and use as the untreated water purchased under the Long-Term and the Short-Term Contracts. If Luminant does not need all or any portion of the 8,000 acre-feet of water allocated for calendar year 2013, Luminant shall provide notice to Dallas by October 1, 2012, stating the amount of water which Luminant plans to purchase in 2013.

Luminant plans to continue to divert the Lake Fork water from the Sabine River and pump it to Martin Lake for use as cooling water in the operation of power generating units at its Martin Lake Steam Electric Station Facility located in Rusk County, Texas. At their expense Luminant constructed facilities necessary for transporting the water from the Sabine River to Martin Lake.

Luminant shall maintain the Water Release Agreement executed on April 1, 2007 ("Water Release Agreement") with SRA in connection with the untreated water deliveries under this Contract, which separate agreement shall govern the terms and conditions under which SRA will release water to Luminant from Lake Fork pursuant to this Contract.

## **BACKGROUND** (Continued)

Dallas Water Utilities (DWU) regular untreated water rate applies to this contract. Luminant will be obligated under contract to make monthly payments to Dallas based upon 8,000 ac-ft of water per year for calendar year 2012. Monthly payments for calendar year 2013 will be based upon the amount of water (up to 8,000 ac-ft) that Luminant plans to purchase from Dallas in 2013.

Contract includes provision whereby Luminant agrees that during periods of water shortages Dallas may, in accordance with its drought contingency plan as approved by the Texas Commission on Environmental Quality (TCEQ), reasonably restrict Luminant's withdrawals of untreated water when such water is needed for Dallas' municipal use. No restrictions will be imposed on Luminant unless Dallas has imposed restrictions on withdrawals as to all similarly situated users.

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

Briefed to the Transportation and Environment Committee on November 23, 2009.

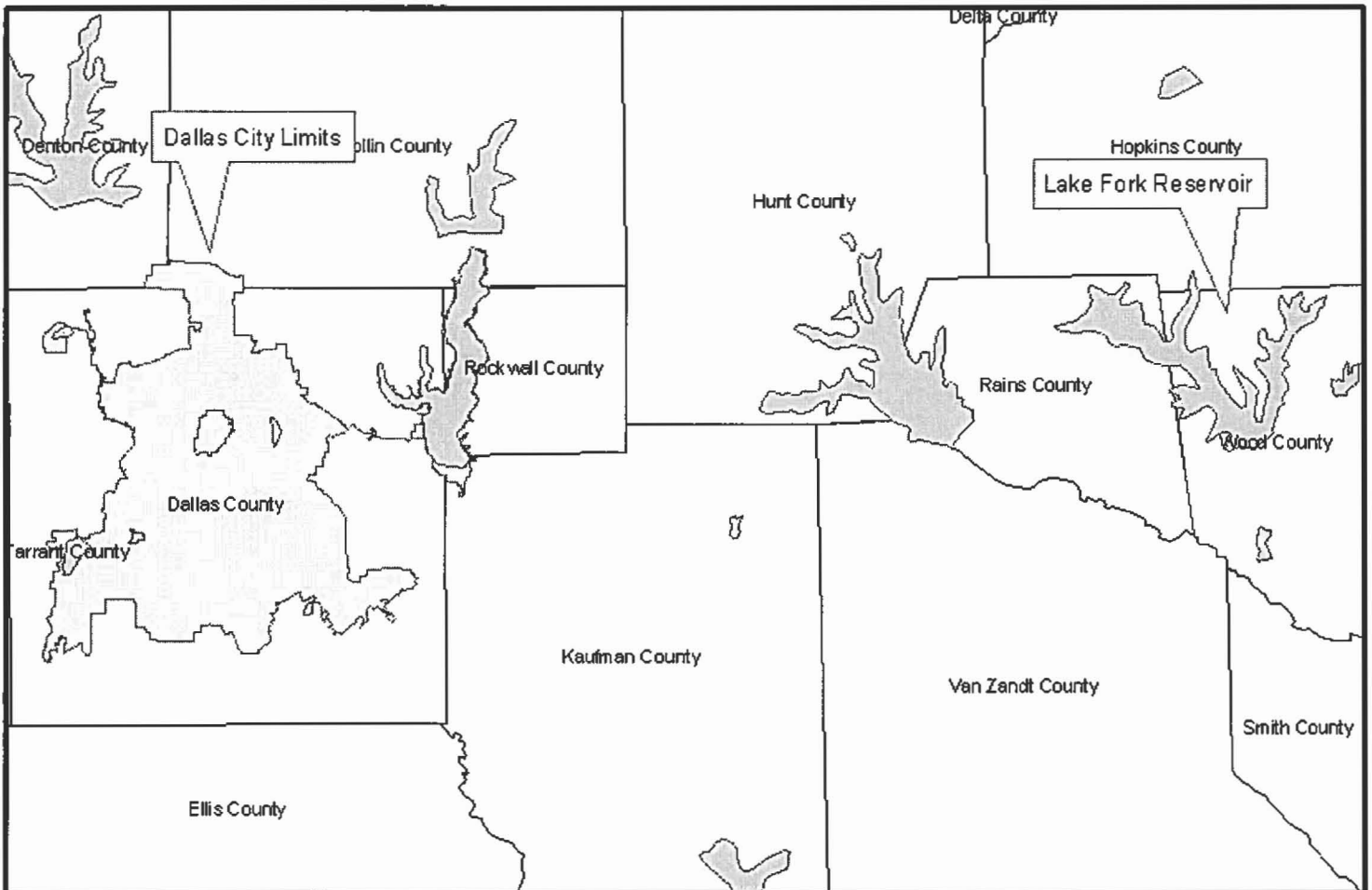
On February 23, 2011, the Dallas City Council approved an untreated water purchase contract with Luminant Generation Company LLC via Council Resolution No. 11-0579 for Lake Fork water.

## **FISCAL INFORMATION**

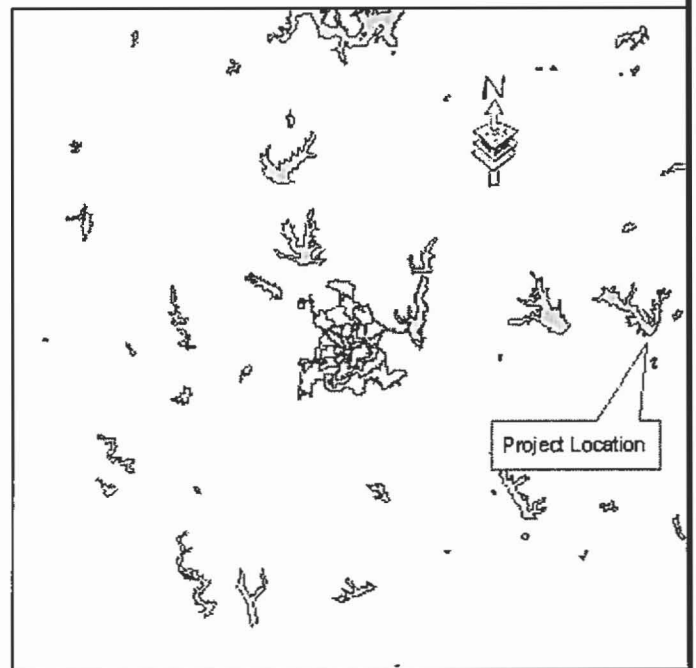
Estimated Annual Revenue: \$1,229,892 for calendar year 2012; and up to \$1,229,892 for calendar year 2013 (based on current rates)

## **MAP**

Attached.



Dallas Mapsco: Out of Dallas Mapsco Area  
 Council District: Outside City Limits



**Dallas Water  
 Utilities**

**Lake Fork**



February 22, 2012

**WHEREAS**, on July 8, 1981, pursuant to Resolution No. 81-1936, the Dallas City Council authorized execution of the Water Supply and Conveyance Contract between Dallas and Sabine River Authority (SRA) and Texas Utilities Generating Company (TUGCO) (Power Companies); and,

**WHEREAS**, on July 30, 1986, the City of Dallas entered into the First Supplement to Water Supply Contract and Conveyance agreement between Dallas, SRA and Texas Utilities Electric Company (TUEC) which set a deadline of September 1, 2009 for TUEC to exercise the option to purchase 17,000 acre-feet per year of water from Dallas; and,

**WHEREAS**, Luminant Generation Company LLC, (formerly Texas Utilities Electric Company) exercised its option on July 24, 2006 to purchase 17,000 acre-feet of water per year from Dallas; and,

**WHEREAS**, Luminant Generation Company LLC, and the City of Dallas entered into a forty-year Untreated Water Purchase Contract on February 23, 2011 whereby Luminant agreed to purchase 6,000 acre-feet of Lake Fork water in calendar year 2011 and 12,000 acre-feet of Lake Fork water per year of water in calendar years 2012 through 2050; and,

**WHEREAS**, Luminant Generation Company LLC, desires to enter into a short-term untreated water contract with Dallas for 8,000 acre-feet of water in calendar year 2012 and up to 8,000 acre-feet of water in calendar year 2013; and,

**WHEREAS**, Luminant will pay Dallas for the water and incur the cost of capital improvements necessary to transport the water to Martin Creek and any operations and maintenance and capital costs imposed by SRA; **Now, Therefore,**

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

**SECTION 1.** That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into a Short-Term Untreated Water Contract with Luminant Generation Company LLC for 8,000 acre-feet of Dallas' Lake Fork water in calendar year 2012 and up to 8,000 acre-feet in calendar year 2013, said untreated water purchase by Luminant Generation Company LLC to begin on March 1, 2012.

**SECTION 2.** That the City Controller be and is hereby authorized and directed to deposit receipts for service provided under this contract to the Water Utilities Current Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACTIVITY</u>	<u>RESOURCE REVENUE CODE</u>
0100	DWU	7005	7REV	7849

February 22, 2012

**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.





**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 9  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 37 E

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**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from James C. Campbell of a tract of land containing approximately 2,745 square feet located near the intersection of Fisher Road and Trammel Drive for drainage improvements associated with Rush Creek culvert replacements for the Rush Creek Local Drainage Relief and Utility Relocation Project - Not to exceed \$13,000 (\$10,157 plus closing costs and title expenses not to exceed \$2,843) - Financing: 2006 Bond Funds

**BACKGROUND**

This item authorizes the acquisition of a tract of land containing approximately 2,745 square feet located near the intersection of Fisher Road and Trammel Drive from James C. Campbell. This property will be used for drainage improvements associated with Rush Creek Culvert Replacements, Rush Creek Local Drainage Relief and Utility Relocation Project. The consideration is based on an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

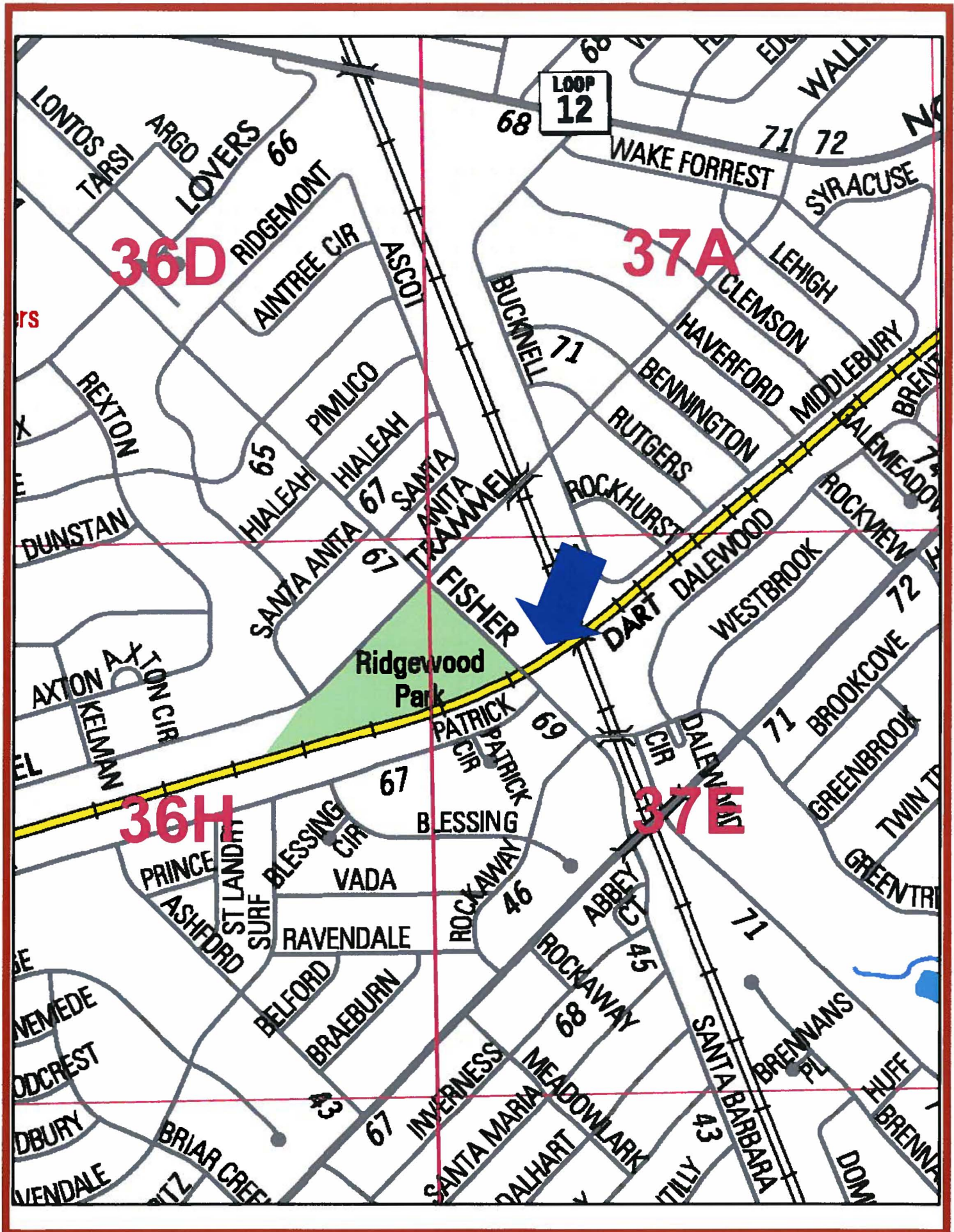
2006 Bond Funds - \$13,000 (\$10,157 plus closing costs and title expenses not to exceed \$2,843)

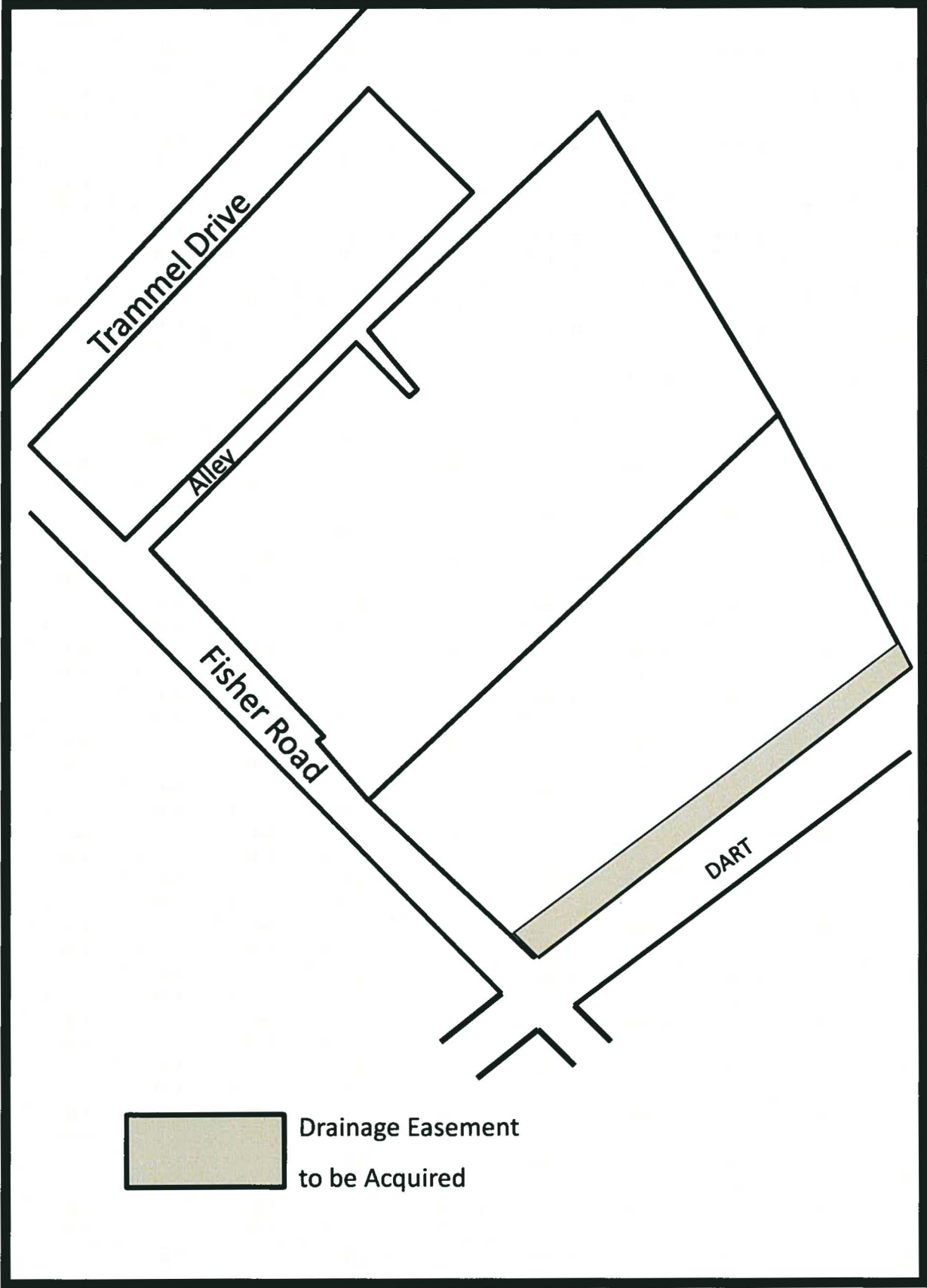
**OWNER**

James C. Campbell

**MAPS**

Attached







February 22, 2012

**A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.**

**DEFINITIONS:** For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROPERTY": Approximately 2,745 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Flood Protection and Storm Drainage Improvements associated with Rush Creek Culvert Replacements, Rush Creek Local Drainage Relief and Utility Relocation Project

"USE": Drainage improvements, including but not limited to the reconstruction of the storm drainage system, drainage structures and wastewater system

"PROPERTY INTEREST": Drainage Easement

"OWNER": James C. Campbell, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$10,157

"CLOSING COSTS AND TITLE EXPENSES ": Not to exceed \$2,843

"AUTHORIZED AMOUNT": \$13,000

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

**SECTION 1.** That the USE of the PROPERTY for the PROJECT is a public use.

**SECTION 2.** That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

February 22, 2012

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

**SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Flood Protection and Storm Drainage Facilities Fund, Fund No. 7T23, Department PBW, Unit T533, Activity SDRS, Program No. PB06T533 Object 4210, Encumbrance No. CT-PBW06T533E1. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

**SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation, the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

**SECTION 6.** That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

**SECTION 7.** That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

**SECTION 8.** That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

**SECTION 9.** That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

February 22, 2012

**SECTION 10.** That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

**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.

**APPROVED AS TO FORM:  
THOMAS P. PERKINS, JR., City Attorney**

BY   
**Assistant City Attorney**

**DRAINAGE EASEMENT**

**Exhibit A**

J.W. Grandstaff Addition – Vol. 10, Pg. 355

M.R.D.C.T.

2,745 square feet out of Volume 2002229, Page 12169

D.R.D.C.T.

City of Dallas Block 5425

and being out of the

D. A. Murdock Survey, Abstract No. 997

City of Dallas, Dallas County, Texas

Being a 2,745 square feet or 0.063 acre tract of land situated in the D. A. Murdock Survey, Abstract Number 997, in the City of Dallas, Dallas County, Texas, and being part of Block 5425 Official City of Dallas Numbers, and being part of a tract of land conveyed to James C. Campbell by Deed Without Warranty recorded in Volume 2002229, Page 12169 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

**BEGINNING** in at a 1/2" iron rod found in the intersection of the east line of Fisher Road (40' Right-of-Way) and the north line of the DART Rail Line, conveyed to Dallas Area Rapid Transit by deed recorded in Volume 90177, Page 4219 of the Deed Records of Dallas County, Texas;

**THENCE** North 45°45'35" West, a distance of 10.46 feet, along the east line of Fisher Road, same being the west line of said Campbell tract, to a 5/8" iron rod with plastic cap stamped "SGI", set for the northwest corner of said 0.063 acre tract also being the northwest corner of a 10 foot Sanitary Sewer Easement, by Deed recorded in Volume 3902, Page 381 of the Deed Records of Dallas County, and being the beginning of a non-tangent curve to the left, having a radius of 2804.41 feet and a delta angle of 05°39'10";

**THENCE** continuing along said curve to the left, a distance of 276.68 feet (Chord Bears: North 58°34'30" East, a distance of 276.57 feet), along the north line of said 10' Sanitary Sewer Easement, to a 5/8" iron rod with plastic cap stamped "SGI", set for the northeast corner of said 0.063 acre tract and being in the west line of a tract of land conveyed to Dallas Area Rapid Transit by deed recorded in Volume 88083, Page 4905 of the Deed Records of Dallas County, Texas, same being the east line of said Campbell tract;

**THENCE** South 21°17'59" East, a distance of 10.26 feet, along the west line of said Dallas Area Rapid Transit tract, and the common east line of said Campbell tract, to the southeast corner of said 0.063 acre tract, and being in the north line of a tract of land conveyed to Dallas Area Rapid Transit by deed recorded in Volume 90177, Page 4219 of the Deed Records of Dallas County, Texas, from which a 5/8" iron rod found bears: South 78°53'18" East, 2.08 feet, and being the beginning of a non-tangent curve to the right, having a radius of 2814.41 feet and a delta angle of 05°32'35";

**THENCE** continuing along said curve to the right, a distance of 272.28 feet (Chord Bears: South 58°34'01" West, a distance of 272.17 feet), along the north line of said DART Rail Line tract, recorded in Volume 90177, Page 4219 of the Deed Records of Dallas County, Texas, and the common south line of said Campbell tract to the **POINT OF BEGINNING**, and containing 2,745 square feet or 0.063 acres of land, more or less, subject to 10' Sanitary Sewer Easement recorded in Volume 3902, Page 381 of the Deed Records of Dallas County, Texas.

FIELD NOTES O.K.  
Jenna E. Rozant 6/28/11

**DRAINAGE EASEMENT**

J.W. Grandstaff Addition – Vol. 10, Pg. 355

M.R.D.C.T.

2,745 square feet out of Volume 2002229, Page 12169

D.R.D.C.T.

City of Dallas Block 5425

and being out of the

D. A. Murdock Survey, Abstract No. 997

City of Dallas, Dallas County, Texas

**BASIS OF BEARING:** The Basis of Bearing is the centerline of Trammel Drive assumed as, North 73°47'20" East (Plat Record Bearing: North 73°57'19" East), as monumented on the ground, parallel with the south line of Trammel Drive, and shown on Ridgewood Park No. 3, recorded in Volume 23, Page 77 of the Map Records of Dallas County, Texas.

FIELD NOTES O.K.  
DER 6/28/11

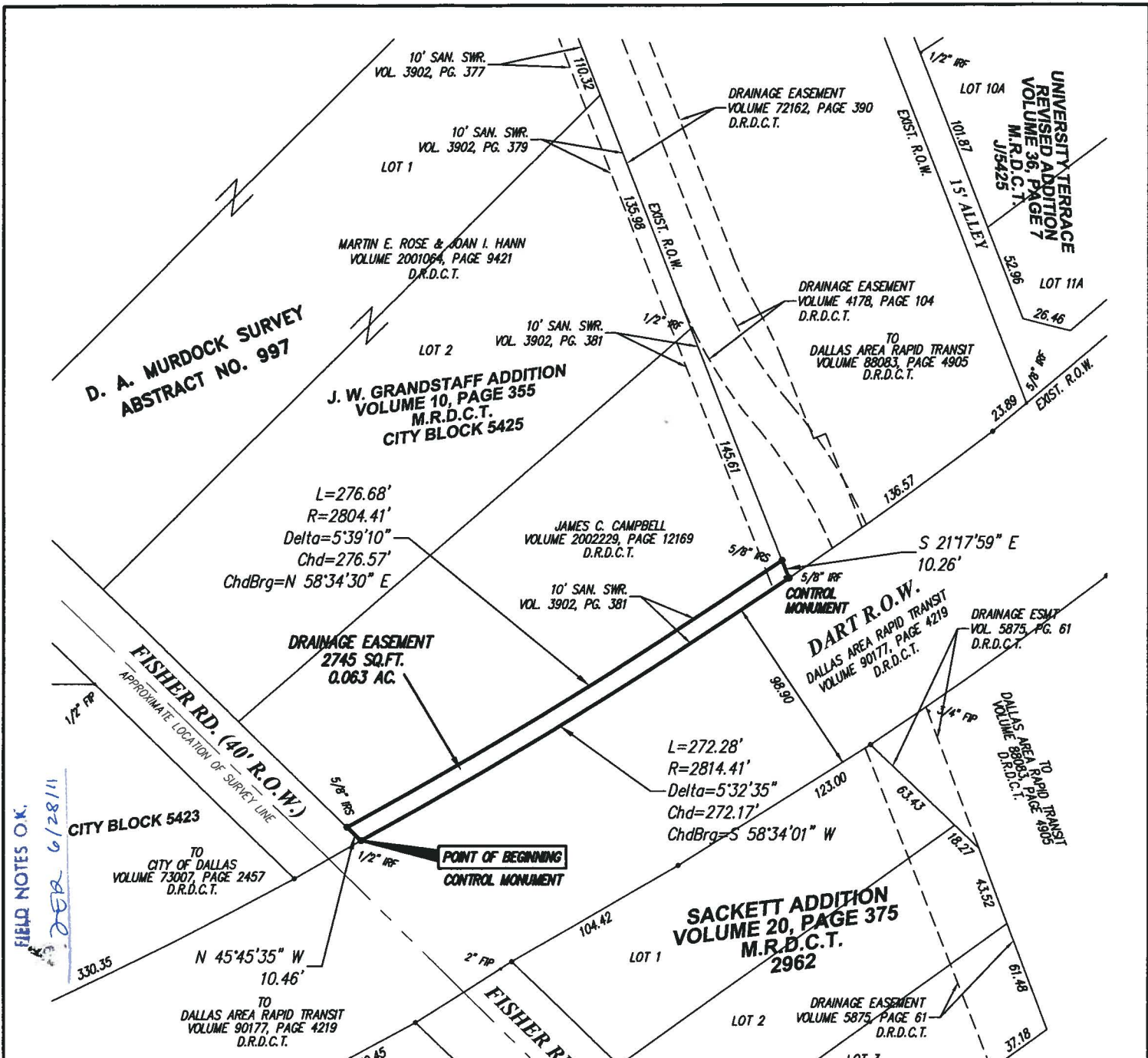
I, Louis M. Salcedo, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land, and the monuments shown thereon were found and/or placed under my personal supervision in accordance with the platting rules and regulations of the City Plan Commission of the City of Dallas, Texas.

Signed this 27

day of June 2011 by:

[Signature]  
Louis M. Salcedo R.P.L.S. 3664





FIELD NOTES O.K.  
 DEB 6/28/11

**GENERAL NOTES**

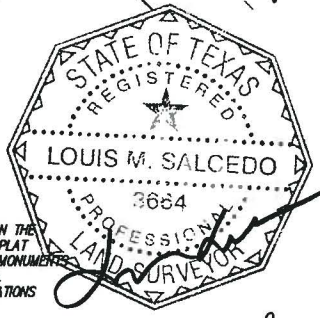
1. THE BASIS OF BEARING IS THE CENTERLINE OF TRAMMEL DRIVE ASSUMED AS, NORTH 73°47'20" EAST (PLAT RECORD BEARING: NORTH 73°57'19" EAST), AS MONUMENTED ON THE GROUND, PARALLEL WITH THE SOUTH LINE OF TRAMMEL DRIVE, AND SHOWN ON RIDGEWOOD PARK NO. 3, RECORDED IN VOLUME 23, PAGE 77 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.
2. 5/8" IRS - IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "SG"

**SURVEYOR'S CERTIFICATE**

I, LOUIS M. SALCEDO, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM AN ACUTAL ON THE GROUND SURVEY OF THE LAND, AND THE MONUMENTS SHOWN THEREON WERE FOUND AND/OR PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE PLATTING RULES AND REGULATIONS OF THE CITY PLAN COMMISSION OF THE CITY OF DALLAS, TEXAS.

*Louis M. Salcedo*  
 LOUIS M. SALCEDO  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3664

DATE 6-27-11



Registered Surveyor: Louis M. Salcedo  
 Registered Land Surveyor No. : 3664  
 in the State of Texas  
 Date of Survey : February 24, 2010  
 Date of Last Revision: May 4, 2011  
 Date Printed: May 4, 2011  
 SGI Project No. 07313

**DRAINAGE EASEMENT**

for  
 J.W. Grandstaff Addition - Vol. 10, Pg. 355  
 2745 square feet out of Vol. 2002229, Pg. 12169  
 M.R.D.C.T.  
 City of Dallas Block 5425  
 and being out of the  
 D. A. Murdock Survey, Abstract No. 997  
 City of Dallas, Dallas County, Texas

**SGI** Salcedo Group, Incorporated  
 Asbuilt Land Title Surveyors  
 400 South Zang Boulevard, Suite No. 1420 - Dallas, Texas 75208  
 Phone: (214) 941-8610, Fax: (214) 941-2331 www.salcedogroupinc.com

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** City Controller  
**CMO:** Jeanne Chipperfield, 670-7804  
**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** establishment of a non-profit corporation, the City of Dallas Education Finance Corporation, for the purpose of financing or refinancing of educational facilities and/or housing facilities incidental to education facilities; **(2)** approval of the Corporation's certificate of formation and bylaws; **(3)** appointment of the Corporation's initial Board of Directors; **(4)** the Mayor to execute and deliver a certificate approving the bonds to be issued for the benefit of Uplift Education, a Texas non-profit corporation, and the facilities to be financed with the proceeds of the bonds for the purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended; and **(5)** the City Manager to file the Corporation's certificate of formation with the Secretary of State - Financing: No cost consideration to the City

**BACKGROUND**

Uplift Education, a Texas non-profit corporation that currently operates nine charter schools in the DFW Metroplex, has requested the City of Dallas create an Education Finance Corporation's ("EFC") in order to issue obligations ("bonds") and loan the proceeds to Uplift Education ("Uplift") so it can expand its existing campuses and develop additional schools. Uplift anticipates pursuing bond financing of approximately \$70-90 million for these purposes within Dallas and Fort Worth. Of the total amount to be financed, approximately \$36 million is expected to be used for projects within the Dallas city limits. Further, Uplift's finance plan includes approximately \$15 million of Qualified School Construction Bonds ("QSCBs") necessitating the creation of an EFC. In order to issue QSCBs, the user must have a jurisdictional nexus with the EFC – i.e., the user must be located within the legal boundaries of the "Sponsoring Entity" such as the City of Dallas in this case. Otherwise, EFCs generally have statewide issuing authority – i.e., an EFC created by the City of Houston could issue tax-exempt bonds for a user in Dallas.

## **BACKGROUND** (Continued)

It is important to note that bonds issued by an EFC are not obligations of either the State of Texas or the Sponsoring Entity/City that created the EFC. Neither the faith and credit nor the taxing power of the State of Texas or the Sponsoring Entity is pledged for payment of the bonds. Likewise, the EFC does not have a separate independent obligation to pay the bonds.

The debt is payable from revenues received by the EFC from the user, and owners of bonds look only to the user for payment. For that reason, EFCs are referred to as "conduit corporations." Also, the issuance of the bonds does not impact the credit rating of the Sponsoring Entity, the ability of the Sponsoring Entity to issue debt, or have any other affect on the Sponsoring Entity's debt obligations and ability to incur debt obligations.

Bonds issued through an EFC decrease the user's cost of borrowing. It is able to decrease the cost of borrowing because a conduit corporation can issue tax-exempt bonds – i.e., the holder of the bond is not required to pay federal income tax on the interest earnings from the bond. As a result, investors in bonds will not require as high an interest rate on the tax-exempt bonds since they will not be required to pay federal income tax on the interest earned on tax-exempt bonds. Additionally, if a user has received an allocation from the Texas Education Agency to issue QSCBs, the federal government will subsidize the cost of the interest paid by the user (on such bonds).

Uplift Education operates its nine existing charter schools under five separate charters from the State of Texas. Under Texas law, charter schools are part of the public school system. The schools do not discriminate in the selection of their students. Rather, students submit applications to attend. If there are more applications than spaces available, the schools conduct a lottery to determine which students will be admitted. Uplift's students tend to be economically disadvantaged. Approximately 83% of the students at Uplift's urban schools (64% for all Uplift schools) are entitled to receive free or reduced price lunches. The racial diversity of Uplift's students is as follows: approximately 57% are Hispanic; 18% are African American; 16% are Asian or Pacific Islanders; and, 9% are white.

Uplift opened its flagship school in Irving, Texas, North Hills Preparatory, during 1997. From 2002 to 2008, Uplift opened Peak Preparatory (East Dallas – 4600 Bryan Street), Summit International Preparatory (Arlington), Hampton Preparatory (Southwest Dallas – 8915 South Hampton Rd.) and Williams Preparatory (Northwest Dallas – 1750 Viceroy Drive). The next phase in Uplift's expansion process focused on increasing Uplift's presence within its existing service area through the opening of satellite schools in the communities surrounding its existing campuses. In 2010-11 Uplift opened Laureate Preparatory (Downtown Dallas – 2020 North Lamar St.) and Heights Preparatory (West Dallas – 2650 Canada Drive). In 2011-12, Uplift opened Infinity Preparatory (Irving) and Pinnacle Preparatory (Oak Cliff – 735 West Illinois Avenue).



**BACKGROUND** (Continued)

The current phase in Uplift's expansion seeks to further increase its presence within Dallas and to expand to Fort Worth. In particular, in 2012-13, Uplift expects to open Laureate Secondary Preparatory, to serve Dallas' Deep Ellum area and Mighty Preparatory and Meridian Preparatory, to serve Fort Worth. Uplift presently has approximately 5,800 students.

Uplift has received significant support in establishing its charter schools, with charitable contributions of approximately \$70 million since its inception.

The City Council is asked to approve the City of Dallas Education Finance Corporation's ("CoDEFc's") board members, the bylaws and certificate of formation. The Corporation's Board of Directors shall consist of at least seven (7) persons, and up to eleven (11) persons, and confirmed by this action. To be eligible to serve as a Director, a person must be a resident of the City and at least eighteen (18) years of age. Directors may be removed from office at any time, with or without cause, by the City Manager/Council. Each Director shall serve for two-year terms or until a successor is designated by the City Manager and appointed by the City Manager/Council. No board director may serve for more than six consecutive years.

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

The Economic Development Committee is scheduled to be briefed on February 6, 2012.

This item was deferred by Councilmember Kadane on February 8, 2012.

**FISCAL INFORMATION**

No cost consideration to the City



February 22, 2012

**WHEREAS**, pursuant to the authority granted by Sections 53.35(b) and 53A.35(b), Texas Education Code, as amended (collectively referred to herein as the "Act"), the Dallas City Council desires to authorize the creation of a non-profit corporation (the "Corporation") to act on its behalf in financing and refinancing, under the Act, educational facilities, housing facilities and facilities incidental, subordinate or related thereto, including acquiring land, all for the purpose of aiding public schools and private schools under the Act; and

**WHEREAS**, the City Council hereby finds that the creation of the Corporation is in the best interest of the City and its citizens; and

**WHEREAS**, the Corporation may exercise the powers granted in the Act for such purposes as may be consistent with the Act; and

**WHEREAS**, this meeting is open to the public as required by law, and public notice of the time, place and purpose of this meeting was given as required by Chapter 551, Texas Government Code.

**NOW, THEREFORE,**

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

**Section 1.** That the findings and declarations contained in the preambles of this Resolution are incorporated herein as part of this Resolution.

**Section 2.** That This City Council hereby approves the Certificate of Formation (the "Certificate") for the City of Dallas Education Finance Corporation in substantially the form attached hereto as **Exhibit "A"** and authorizes the filing of the Certificate with the Secretary of State of Texas in accordance with the Act provided, however, that the EFC shall neither pledge the faith and credit nor the taxing powers of the City of Dallas for the payment of principal and redemption premium of, if any, or interest on any bonds, notes or other obligations of the Corporation, and that the Board of Directors of the Corporation shall meet and file notice of each meeting in accordance with the requirements of Chapter 551, Texas Government Code (Open Meetings Act).

**Section 3.** That this City Council hereby appoints those persons named in the Certificate, each of whom on the date of his appointment is duly qualified in accordance with the Act, to serve as the initial members of the Board of Directors of the Corporation.

February 22, 2012

**Section 4.** That the Corporation is authorized to finance the projects described in the preambles hereof through the issuance of one or more series or issues of revenue bonds, notes or other obligations that are payable solely from revenues to be received by or on behalf of the Corporation pursuant to agreements between the Corporation and educational institutions or amounts to be received from persons acting on behalf of such educational entities, with the City having no obligation to pay the Corporation or any other person, including, specifically, the holders of such obligations, any amounts with respect to such obligations. Such obligations shall never constitute a debt or pledge of the faith and credit of the taxing power of the City.

**Section 5.** That it is intended that the Corporation be a duly constituted authority and instrumentality of the City, with the power to act on its behalf and to accomplish the public purposes of the State within the meaning of regulations and revenue rulings of the Treasury Department of the Internal Revenue Service of the United States promulgated under Sections 103 and 115 of the Internal Revenue Code of 1986, as amended (the "Code").

**Section 6.** That this City Council hereby approves the initial Bylaws for the Corporation in substantially the form and substance attached hereto as **Exhibit "B"**.

**Section 7.** That this resolution shall take effect immediately from and after its adoption.

**Section 8.** That it is the intention of the City Council that this resolution and every provision or portion hereof be considered severable, and that no portion or provision hereof shall become inoperative or fail by any reason of unconstitutionality or invalidity of any such portion or provision. If an provision, section, subsection, sentence, clause, or phrase of this resolution, or the application of same to any person or set of circumstances for any reason whatsoever is held to be unconstitutional, void, or invalid or for any reason unenforceable, then the validity of the remaining portions of this resolution or the application thereof shall remain in full force and effect.

**Section 9.** That all resolutions or ordinances, or parts thereof respectively, in conflict herewith are hereby repealed only to the extent that same are inconsistent or in conflict herewith.

**Section 10.** That the City Secretary of the City of Dallas is hereby authorized and directed to publish the caption of this resolution in the manner and for the length of time prescribed by law.

**Section 11.** That upon the publication of notice and the holding of a public hearing, the mayor of the City of Dallas is authorized to execute and deliver a certificate approving the bonds to be issued for the benefit of Uplift Education, a Texas non-profit corporation and the facilities to be financed with proceeds of such bonds for the purpose of satisfying the requirements of Section 147(f) of the Code.

February 22, 2012

**Section 12.** That the City Manager is hereby authorized to approve, subsequent to the date of the adoption of this resolution, any technical amendments to the Certificate of Formation as required by the Texas Secretary of State in connection with the filing of the Certificate of Formation.

**Section 13.** That the City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Section 14.** 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**

### **CERTIFICATE OF FORMATION OF CITY OF DALLAS EDUCATION FINANCE CORPORATION**

I, the undersigned natural person over the age of 18, acting as an incorporator, adopt the following Certificate of Formation of City of Dallas Education Finance Corporation:

#### **ARTICLE 1: NAME**

The name of the Corporation is "City of Dallas Education Finance Corporation."

#### **ARTICLE 2: NONPROFIT CORPORATION**

The Corporation is a nonprofit corporation governed by Section 53.35(b) and 53A.35(b) of the Texas Education Code and the Texas Nonprofit Corporation Law. When it dissolves, all of its assets will be distributed to the City of Dallas, Texas (the "*City*").

#### **ARTICLE 3: DURATION**

The Corporation will continue in perpetuity.

#### **ARTICLE 4: PURPOSES**

The purpose for organizing the Corporation is to provide an instrumentality to exercise the powers granted to an entity having the powers set forth under Chapter 53 and 53A, Texas Education Code, and particularly, Section 53.35(b) and 53A.35(b) of the Texas Education Code (collectively, the "*Act*"). The specific purposes for which the Corporation is organized and may issue bonds on behalf of the City are any purposes permitted by the Act including, but not limited to, the financing or refinancing of "educational facilities" or "housing facilities" (as such terms are defined in the Act) and facilities which are incidental, subordinate, or related thereto or appropriate in connection therewith located in the State of Texas in accordance with and subject to the provisions of the Act, and to be done for or on behalf of the City. The Corporation is a duly constituted authority and a public instrumentality within the meaning of the regulations of the United States Department of the Treasury and the rulings of the Internal Revenue Service prescribed and promulgated pursuant to Section 103 of the Internal Revenue Code of 1986, as amended, and the Corporation is authorized to act on behalf of the City as provided in this Certificate of Formation. However, the Corporation is not a political subdivision or political corporation of the State of Texas within the meaning of its constitution and laws, including without limitation, Article III, Section 52 of said constitution, and no agreements, bonds, debts or obligations of the Corporation are or shall ever be deemed to be the agreements, bonds, debts or obligations, or the lending of credit, or a grant of public money or thing of value, of or by the City, or any other political corporation, subdivision or agency of the State of Texas, or a pledge of the faith and credit of any of them. As of the date of this Certificate of Formation, the term "housing facility" means a single- or multi-family residence used exclusively for housing or

boarding, or housing and boarding students, faculty, or staff members of an institution of higher learning. The term includes infirmary and student union building, but does not include a housing or boarding facility for the use of a fraternity, sorority, or private club.

**ARTICLE 5: POWERS**

Except as this Certificate of Formation otherwise provides, the Corporation has all the powers of a nonprofit corporation provided in the Texas Business Organizations Code. Moreover, the Corporation has all implied powers necessary and proper to carry out its express powers. The Corporation may reimburse directors for expenses incurred in rendering services to or for the Corporation, but are not otherwise entitled to compensation for services.

**ARTICLE 6: RESTRICTION AND REQUIREMENTS**

Regardless of any other provision of this Certificate of Formation or the laws of the State of Texas, the Corporation shall not:

- (1) Permit any part of the net earnings of the Corporation to inure to the benefits of any private individual (except that reasonable compensation may be paid for personal services rendered to or for the Corporation affecting one or more of its purposes);
- (2) Carry on propaganda, or otherwise attempt to influence legislation;
- (3) Participate in, or intervene in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office; or,
- (4) Attempt to influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drives.

If the Corporation is a private foundation within the meaning of Section 509(a) of the Code, the Corporation:

- (1) Shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Code;
- (2) Shall not engage in any act of self-dealing as defined in Section 4941(d) of the Code;
- (3) Shall not retain any excess business holdings as defined in Section 4943(c) of the Code;
- (4) Shall not make any investments in such manner as to subject it to tax under Section 4944 of the Code; and,
- (5) Shall not make any taxable expenditures as defined in Section 4945(d) of the Code.

**ARTICLE 7: MEMBERSHIP**

The Corporation will have no members.

**ARTICLE 8: INITIAL REGISTERED OFFICE AND AGENT**

The street address of the Corporation’s initial registered office is 1500 Marilla St., Room 4DN, Dallas, Texas 75201. The name of the initial registered agent at this office is Jeanne Chipperfield.

**ARTICLE 9: MANAGING BODY OF CORPORATION**

The management of the Corporation is vested in its Board of Directors and such committees of the board that the board may, from time-to-time, establish. The bylaws will provide the qualifications, manner of selection, duties, terms, and other matters relating to the Board of Directors. The directors shall be appointed by the governing body of the City of Dallas, Texas, and subject to removal by the governing body of the City of Dallas. The initial Board will consist of seven persons. The initial Board will consist of the following persons at the following addresses:

Tricia Dzina  
9212 Mill Hollow  
Dallas, TX 75243

Greg Johnson  
9227 Club Glen  
Dallas, TX 75243

Grady Jordon, Jr.  
13760 Noel Rd., Suite 1100  
Dallas, TX 75240

Catherine Manning  
2907 Magnolia Hill Court  
Dallas, TX 75201

Mitch Paradise  
6264 Martel Ave  
Dallas, TX 75214

David Ray  
510 S. Cesar Chavez, #5304  
Dallas, TX 75201

Gary Scott  
5440 Del Roy Drive  
Dallas, TX 75229

The number of directors may be increased or decreased by amending this Certificate of Formation. The number of directors may not be decreased to fewer than seven, nor increased to more than eleven. Directors shall serve until the successors are appointed. Each director, including the initial directors, shall be eligible for reappointment. Directors are removable by the governing body of the City of Dallas, Texas for cause or at will, and must be appointed for a term of two years. No officer or employee of the City is eligible for appointment as a director. Any vacancy occurring on the board of directors through death, resignation or otherwise shall be filled by designation by the City Manager and appointment by the governing body of the City of Dallas, Texas. To be eligible to serve as a Director, a person must be a resident of the City and at least eighteen (18) years of age. No Director may serve for more than six consecutive years.



**ARTICLE 10: LIMITATION ON LIABILITY OF DIRECTORS**

A director is not liable to the Corporation or members for monetary damages for an act of omission on the director's capacity as director except as otherwise provided by a Texas statute.

**ARTICLE 11: INDEMNIFICATION**

The Corporation may indemnify a person who was, is, or is threatened to be made a named defendant or respondent in litigation or other proceedings because the person is or was a director or other person related to the Corporation as provided by the provisions of the Texas Business Organizations Code governing indemnification. As the bylaws provide, the Board may define the requirements and limitations for the Corporation to indemnify directors, officers, or others related to the Corporation.

**ARTICLE 12: AMENDMENT**

This Certificate of Formation may at any time and from time to time be amended as provided in the Act if the City Council of the City by appropriate resolution finds and determines that such amendment is advisable and authorizes or directs that such amendment be made.

**ARTICLE 13: CONSTRUCTION**

All references in these Articles to statutes, regulations, or other sources of legal authority refer to the authorities cited, or their successors, as they may be amended from time to time. As used herein, references to the "Internal Revenue Code of 1986" and the "Code" include corresponding provisions of any subsequent federal tax law.

**ARTICLE 14: APPROVAL BY CITY**

The City has specifically authorized the Corporation by Ordinance to act on its behalf to further the public purposes stated in said Ordinance and this Certificate of Formation, and the City has by said Ordinance approved this Certificate of Formation. A copy of said Ordinance is attached to this Certificate of Formation and made a part hereof for all purposes.

**ARTICLE 15: ORGANIZERS**

The name and street address of each organizer are:

<u>NAME</u>	<u>ADDRESS</u>
Yasmin Bhatia	1750 Viceroy Dr. Dallas, TX 75235
William J. Mays	1750 Viceroy Dr. Dallas, TX 75235
Rosemary Perlmeter	1750 Viceroy Dr. Dallas, TX 75235

**Exhibit A**

IN WITNESS WHEREOF, this Certificate of Formation has been executed on \_\_\_\_\_, 2012 by the undersigned.

ORGANIZERS:

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Yasmin Bhatia

---

William J. Mays

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Rosemary Perlmeter

**STATE OF TEXAS** §

**COUNTY OF DALLAS** §

I, the undersigned, a Notary Public in and for the above State, do hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, 2012, personally appeared Yasmin Bhatia, William J. Mays and Rosemary Perlmeter, who, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing documents as organizers, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

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Notary Public, State of Texas

[SEAL]

## EXHIBIT B

### BYLAWS

#### OF

### CITY OF DALLAS EDUCATION FINANCE CORPORATION

#### ARTICLE I

##### POWERS AND PURPOSES

**Section 1.1. Financing of Projects.** In order to implement the purposes for which the City of Dallas Education Finance Corporation (the "*Corporation*") was formed, as set forth in the Certificate of Formation, the Corporation may issue obligations to finance all or part of the cost of one or more projects pursuant to the provisions of the Section 53.35(b) and 53A.35(b), Texas Education Code, as amended (the "*Act*").

**Section 1.2. Use of Obligation Proceeds.** The proceeds of any notes, bonds, or other obligations of the Corporation shall be used solely for secular purposes.

**Section 1.3. No Faith and Credit of the City of Dallas.** Neither the faith and credit nor the taxing powers of the City of Dallas (the "*City*") shall be pledged for the payment of principal and redemption premium of, if any, or interest on such bonds, notes or other obligations of the Corporation.

**Section 1.4. Books and Records; Approval of Programs and Financing Statements.** The Corporation shall keep correct minutes of the proceedings of its board of directors (the "*Board of Directors*") and committees having any of the authority of the Board of Directors. All books and records of the Corporation may be inspected by any director or his agent or attorney for proper purpose at any reasonable time; and at all times the governing body of the City will have access to the books and records of the Corporation. The governing body of the City shall be entitled to review and to revise the financial affairs, programs, and activities of the Corporation at any time and from time to time, and the City shall have all other rights reserved to it in the Certificate of Formation of the Corporation.

**Section 1.5. Nonprofit Corporation.** The Corporation shall be a nonprofit corporation, and no part of its net earnings remaining after payment of if its expenses, bonds, or other obligations shall ever inure to the benefit of any individual, firm or corporation, except that in the event sufficient provision has been made for the full payment of the expenses, bonds, and other obligations of the Corporation, then any net earnings of the Corporation thereafter accruing shall be paid to the City.

**Section 1.6. Effects of Certificate of Formation and Ordinance.** The affairs of the Corporation shall at all times be conducted in a manner subject to and in compliance with the provisions and requirements of the Certificate of Formation of the Corporation and the Ordinance of the City ordering its creation.

**Section 1.7. Closing Fees.** Upon the closing of any financing by the Corporation, the applicant shall pay a closing fee in an amount determined by the Corporation, which fee may be waived by the Board of Directors.

## ARTICLE II

### BOARD OF DIRECTORS

**Section 2.1. Powers, Number and Term of Office.** The property and affairs of the Corporation shall be managed and controlled by the Board of Directors, and subject to the restrictions imposed by law, the Certificate of Formation, and these Bylaws, the Board of Directors shall exercise all of the powers of the Corporation.

The Board of Directors shall consist of not less than seven nor more than eleven directors, each of whom shall be appointed by the governing body of the City.

The directors constituting the first Board of Directors shall be those directors named in the Certificate of Formation, each of whom, as well as any subsequent directors, shall serve for a term of two years. Each director shall serve until his or her successor is appointed by the governing body of the City up to a maximum of six years. No officer or employee of the City is eligible for appointment as a director.

Any director may be removed from office at any time, with or without cause, by the governing body of the City of Dallas, Texas. All vacancies, from whatever cause, shall be designated by the City Manager and appointed by the governing body of the City of Dallas, Texas.

**Section 2.2. Meetings of Directors.** The Corporation is subject to the Texas Open Meetings Act, Chapter 551, Texas Government Code. The Board of Directors may hold its meetings at any place which the Board of Directors may from time to time designate.

**Section 2.3. Annual Meetings.** The annual meeting of the Board of Directors shall be held at the principal office of the Corporation on the second Tuesday of October of each year, if not a legal holiday, and if a legal holiday, then at the next secular day following, at noon, or a such time and place as shall be fixed by the consent in writing of all of the directors. All other meetings may be held at the place selected by the Board within the boundaries of the City.

**Section 2.4. Regular Meetings.** Regular meetings of the Board of Directors shall be held without necessity of notice at such times and places as shall be designated, from time to time, by resolution of the Board of Directors.

**Section 2.5. Special Meetings.** Special Meetings of the Board of Directors shall be held whenever called by the president, by the secretary, by a majority of the directors at the time in office or upon advice or request by the governing body of the City.

The Corporation shall give notice to each director of each Special Meeting in person, or by mail, telephone, or telegraph, at least two hours before the meeting. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a Special Meeting. At any meeting at which every director shall be present, even though without any notice to the directors, any matter pertaining to the purpose of the Corporation may be considered and acted upon.

**Section 2.6. Quorum.** A majority of the directors fixed by these Bylaws shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors, unless the act of a greater number is required by law.

**Section 2.7. Conduct of Business.** At the meetings of the Board of Directors, matters pertaining to the purposes of the Corporation shall be considered in such order as from time to time the Board of Directors may determine.

At all meetings of the Board of Directors, the president shall preside, and in the absence of the president, the vice president shall exercise the powers of the president.

The secretary of the Corporation shall act as secretary of all meetings of the Board of Directors, but in the absence of the secretary, the presiding officer, subject to the first paragraph of Section 3.1, may appoint any person to act as secretary of the meeting.

**Section 2.8. Compensation of Directors.** Directors shall not receive any salary or compensation for their services, except that they may be reimbursed for their actual expenses incurred in performing such services.

## ARTICLE III

### OFFICERS

**Section 3.1. Titles and Term of Office.** The officers of the Corporation shall be a president, a vice president, a secretary and a treasurer, and such other officers as the Board of Directors may from time to time elect or appoint. In the absence of the secretary, any officer other than the president may act in the secretary's place. Terms of the officers shall not exceed two years. Officers shall serve until their successor is appointed.

All officers shall be subject to removal from office with or without cause, at any time by a vote of a majority of the entire Board of Directors.

A vacancy in the office of any officers shall be filled by a vote of a majority of the Directors.

**Section 3.2. Powers and Duties of the President.** The president shall be the chief executive officer of the Corporation, and subject to the Board of Directors, the president shall be in general charge of the properties and affairs of the Corporation; the president shall preside at all meetings of the Board of Directors; in furtherance of the purposes of the Corporation, the president may sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgage notes, and other instruments in the name of the Corporation.

**Section 3.3. Vice President.** The vice president shall have such powers and duties as may be assigned by the Board of Directors and shall exercise the powers of the president during that officer's absence or inability to act. Any action taken by the vice president in the performance of the duties of the president shall be conclusive evidence of the absence or inability of the president to act at the time such action was taken.

**Section 3.4. Treasurer.** The treasurer shall have custody of all the funds and securities of the Corporation which come into his or her hands. When necessary or proper, he may endorse, on behalf of the Corporation, for collection, checks, notes, and other obligations and shall deposit the same to the credit of the Corporation in such bank or banks or depositories as shall be designated in the manner prescribed by the Board of Directors; he may sign all receipts and vouchers for payment made to the Corporation; either alone or jointly with such other officer as is designated by the Board of Directors; whenever required by the Board of Directors, he shall render a statement of the cash account; he shall enter or cause to be entered regularly in the books of the Corporation to be kept by him for that purpose full and accurate amounts of all money received and paid out on account of the Corporation; the treasurer shall perform all acts incident to the position of treasurer subject to the control of the Board of Directors, he shall, if required by the Board of Directors, give such bond for the faithful discharge of his duties in such form as the Board of Directors may require.

**Section 3.5. Secretary.** The secretary shall keep the minutes of all meetings of the Board of Directors in the books provided for that purpose; he shall attend to the giving and servicing of all notices; in furtherance of the name of the Corporation; and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation; he shall have charge of the corporate books, records, and securities of the Corporation except those of which the treasurer shall have custody and charge pursuant to the preceding Section 3.4, and such other books and papers as the Board of Directors may direct, all of which shall at all reasonable times be open to inspection upon application at the office of the Corporation during business hours, and he shall in general perform all duties incident to the office of secretary subject to the control of the Board of Directors.

**Section 3.6. Compensation.** Officers as such shall not receive any salary or compensation for their services, except that they may be reimbursed for their actual expenses incurred in performing such services.

## ARTICLE IV

### PROVISION REGARDING CERTIFICATE OF FORMATION AND BYLAWS

**Section 4.1. Effective Date.** These Bylaws shall become effective only upon the occurrence of the following events:

- (1) the approval of these Bylaws by the governing body of the City; and
- (2) the adoption of these Bylaws by the Board of Directors.

**Section 4.2. Amendments to Certificate of Formation and Bylaws.** The Certificate of Formation may at any time and from time to time be amended by the methods prescribed therein.

These Bylaws may be amended at any time and from time to time by majority vote of the Board of Directors with approval of the governing body of the City.

## ARTICLE V

### GENERAL PROVISIONS

**Section 5.1. Principal Office.** The principal office of the Corporation shall be located at 1500 Marilla Street, Room 4DN, Dallas, Texas 75201.

**Section 5.2. Fiscal Year.** The fiscal year of the Corporation shall be as determined by the Board of Directors.

**Section 5.3. Seal.** The seal of the Corporation shall be as determined by the Board of Directors.

**Section 5.4. Resignations.** Any director or officer may resign at any time. Such resignations shall be made in writing directed to the City Manager and the president of the Corporation. A resignation shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the City Manager and the president. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 3  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 54 B

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**SUBJECT**

Authorize an amendment to the development agreement with the Kessler Theater, LLC, previously approved on November 9, 2009, by Resolution No. 09-2762-01, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Kessler Theater project to July 1, 2012 - Financing: No cost consideration to the City

**BACKGROUND**

On November 9, 2009, City Council approved the Kessler Theater, LLC's request for \$199,643 in TIF reimbursement for the Kessler Theater's renovation. The project will include: (1) environmental remediation, demolition, and façade improvements at 1214 West Davis Street. The environmental remediation and demolition activities will consist of the assessment and removal of asbestos hazards. The façade improvements include repairs to the theater's façade and the replacement of its awnings, blade sign, doors, marquee, and poster cases; and (2) infrastructure improvements along West Davis Street between North Clinton Avenue and North Winnetka Avenue, and infrastructure improvements along North Clinton Avenue between West Davis and West 7<sup>th</sup> Streets. The infrastructure improvements will consist of converting on-street parking along West Davis Street and the sidewalk along North Clinton Avenue to expand the existing pedestrian area adjacent to the theater. The expanded pedestrian area will accommodate the removal and replacement of the existing sidewalks, the planting of native plants and trees, and the addition of pedestrian lighting, outdoor seating (i.e. benches, tables, and chairs) and bike racks. The new sidewalks shall be measured from the back of the curb and include a 3-foot wide landscaping/pedestrian lighting zone adjacent to the curb and a 7-foot wide pedestrian zone.

## **BACKGROUND** (Continued)

The project was delayed, in part, to allow the developer to receive a grant from the North Central Texas Council of Governments (NCTCOG). Approximately, \$60,000 in TIF funds will leverage approximately \$180,000 in grant funds. The TIF match will be funded by existing funds contributed to the Davis Garden TIF District by Stratford Land Fund III, L.P. The process to secure NCTCOG grant funding and final historical preservation approvals caused delays in the project's completion. The requested extensions to the project deadlines will resolve this issue.

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

On June 13, 2007, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Sixteen, the Davis Garden TIF District by Ordinance No. 26799, as amended.

On February 27, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Davis Garden TIF District by Ordinance No. 27090, as amended.

On November 9, 2009, the City Council authorized (1) a development agreement with the Kessler Theater, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, historical façade, and infrastructure improvements at 1214 West Davis Street and 1215 West 7<sup>th</sup> Street in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and (2) the Davis Garden TIF Board of Directors to dedicate up to \$199,643 from future Davis Garden TIF revenues in accordance with the development agreement in an amount not to exceed \$199,643 by Resolution Nos. 09-2762-01 and 09-2762-02.

On June 2, 2011, the Davis Garden TIF Board of Directors reviewed the status of the Kessler Theater's renovation and authorized the Director of the Office of Economic Development to extend the related deadlines by six months for good cause in accordance with Section 2.J. of the executed development agreement with the Kessler Theater, LLC.

On December 12, 2011, the Davis Garden TIF Board of Directors recommended City Council consideration and approval of an amendment to the development agreement with the Kessler Theater, LLC.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding the amendment to the development agreement with the Kessler Theater, LLC.

**FISCAL INFORMATION**

No cost consideration to the City

**OWNER**

**Kessler Theater, LLC  
A Texas limited liability company**

Edwin Cabaniss, Managing Member

**DEVELOPER**

**Kessler Theater, LLC  
A Texas limited liability company**

Edwin Cabaniss, Managing Member

**MAP**

Attached.



February 22, 2012

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

**WHEREAS**, on June 13, 2007, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Sixteen (the Davis Garden TIF District) in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the District through the use of tax increment financing by Ordinance No. 26799, as amended; and

**WHEREAS**, on February 27, 2008, the City Council authorized the Davis Garden TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27090, as amended; and

**WHEREAS**, on November 9, 2009, the City Council authorized (1) a development agreement with the Kessler Theater, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation and demolition, historical façade, and infrastructure improvements at 1214 West Davis Street and 1215 West 7<sup>th</sup> Street in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and (2) the Davis Garden TIF Board of Directors to dedicate up to \$199,643 from future Davis Garden TIF revenues in accordance with the development agreement in an amount not to exceed \$199,643 by Resolutions Nos. 09-2762-01 and 09-2762-02; and

**WHEREAS**, on June 2, 2011, the Davis Garden TIF Board of Directors reviewed the status of the Kessler Theater's renovation and authorized the Director of the Office of Economic Development to extend the related deadlines by six months for good cause in accordance with Section 2.J. of the executed development agreement with the Kessler Theater, LLC; and

**WHEREAS**, on December 12, 2011, the Davis Garden TIF Board of Directors recommended City Council consideration and approval of an amendment to the development agreement with the Kessler Theater, LLC; and

**WHEREAS**, in furtherance of the Davis Garden TIF District Project Plan and Reinvestment Zone Financing Plan, the City desires to reimburse the Kessler Theater, LLC for the costs of environmental remediation, historical façade, and infrastructure improvements at 1214 West Davis Street and 1215 West 7<sup>th</sup> Street in the Davis Garden TIF District.

**NOW, THEREFORE,**

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

February 22, 2012

**Section 1.** That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute an amendment to the development agreement with the Kessler Theater, LLC, previously approved on November 9, 2009, by Resolution No. 09-2762-01, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to:

- A. Extend the completion deadline for all required environmental remediation and demolition activities at the Project site from September 31, 2010 to July 1, 2012.
- B. Extend the completion deadline for all historical façade improvements at the Project site from January 1, 2012 to July 1, 2012.
- C. Extend the deadline to complete all streetscape improvements along West Davis Street and North Clinton Avenue and obtain a certificate of acceptance for these and other infrastructure improvements that are funded by reimbursements from the TIF fund or are located in the public right of way from January 1, 2012 to July 1, 2012.
- D. Extend the deadline to execute and fund an operating and maintenance agreement for non-standard public improvements associated with the Project from January 1, 2012 to July 1, 2012.
- E. Extend the deadline to lease 50% of the theater's commercial and office space from January 1, 2012 to July 1, 2012.

**Section 2.** That Exhibit A to Resolution No. 09-2762-01 is hereby replaced by the Conceptual Site Plan attached hereto as **Exhibit A**.

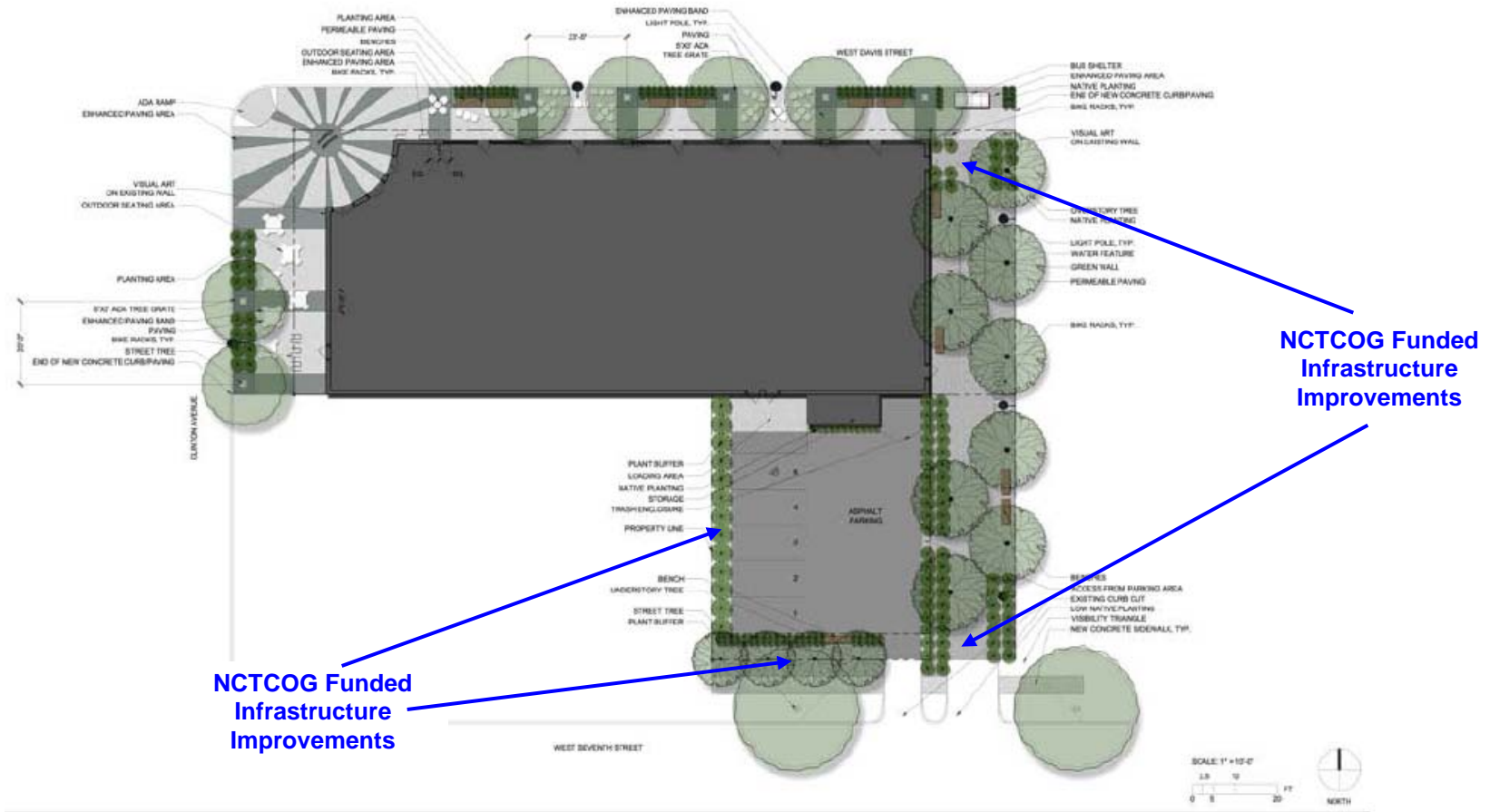
**Section 3.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

**Section 4.** That all other terms and conditions as set forth in Resolution Nos. 09-2762-01 and 09-2762-02 shall remain in full force and effect, except as specifically outlined in Section 1 above.

**Section 5.** That the Director of the Office of Economic Development, after approval and recommendation of the Davis Garden TIF District Board of Directors, may authorize minor modifications to the project including the development site plan and/or an extension of the project deadlines up to six months.

**Section 6.** 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.





Kessler Alley  
 Exhibit, Trace  
 2009 August 31



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 3  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 53 B

---

**SUBJECT**

Authorize an amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Hillside West project and modify the developer's fees for the project from an amount not to exceed the lesser of \$1,784,744 or 11% of the total cost of the project improvements to an amount not to exceed 11% of the total cost of the project improvements - Financing: No cost consideration to the City

**BACKGROUND**

On April 28, 2010, City Council approved GFD Opportunity II, LLC's request for \$1,600,000 in TIF reimbursement for the development of the Hillside West senior housing project. The project will include the following improvements at 4512 West Davis Street: (1) environmental remediation activities that will consist of the assessment and removal of environmental hazards; (2) construction of a senior housing development and clubhouse within a 4-story building. The building will contain approximately 104,086 square feet in total residential rental space and 130 affordable housing units. The clubhouse will measure approximately 7,000 square feet and contain the housing development's leasing office, a business center, and a fitness center. The common area will also include an outdoor pool adjacent to the clubhouse, a circulation/mechanical area that will measure approximately 23,536 square feet and the housing development's corridors, lobbies, elevators, etc.; and (3) infrastructure, streetscaping, and landscaping improvements that will consist of the burial of overhead utilities; the construction of water utilities, storm water drainage, sanitary sewers and new sidewalks; the replacement and repair of existing sidewalks; the planting of native plants and trees; and the addition of pedestrian lighting. The new sidewalks for the development project shall be a minimum of 12' measured from the back of the curb and include a minimum 3-foot wide landscaping/pedestrian lighting zone adjacent to the curb and a minimum 7-foot wide pedestrian zone.

## **BACKGROUND** (Continued)

Although the project received a low-income housing tax credit from the Texas Department of Housing and Community Affairs, the agency's process for approving the tax credit assistance created an unexpected delay in the start of its construction. The requested extensions to the project deadlines will resolve this issue.

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

On June 13, 2007, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Sixteen, the Davis Garden TIF District by Ordinance No. 26799, as amended.

On February 27, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Davis Garden TIF District by Ordinance No. 27090, as amended.

On April 28, 2010, the City Council authorized (1) a development agreement with GFD Opportunity II, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation, infrastructure and public right-away improvements located at 4512 West Davis Street in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and (2) the Davis Garden TIF District Board of Directors to dedicate up to \$1,600,000 from future Davis Garden TIF District revenues in accordance with the development agreement in an amount not to exceed \$1,600,000 by Resolution Nos. 10-1098 and 10-1099.

On December 12, 2011, the Davis Garden TIF Board of Directors recommended City Council consideration and approval of an amendment to the development agreement with GFD Opportunity II, LLC.

On February 6, 2012, a memo was submitted to the Economic Development Committee regarding the amendment to the development agreement with GFD Opportunity II, LLC.

## **FISCAL INFORMATION**

No cost consideration to the City

**OWNER**

**GFD Opportunity II, LLC  
A Texas Limited Liability Company**

Brandon Bolin, Principal

**MAP**

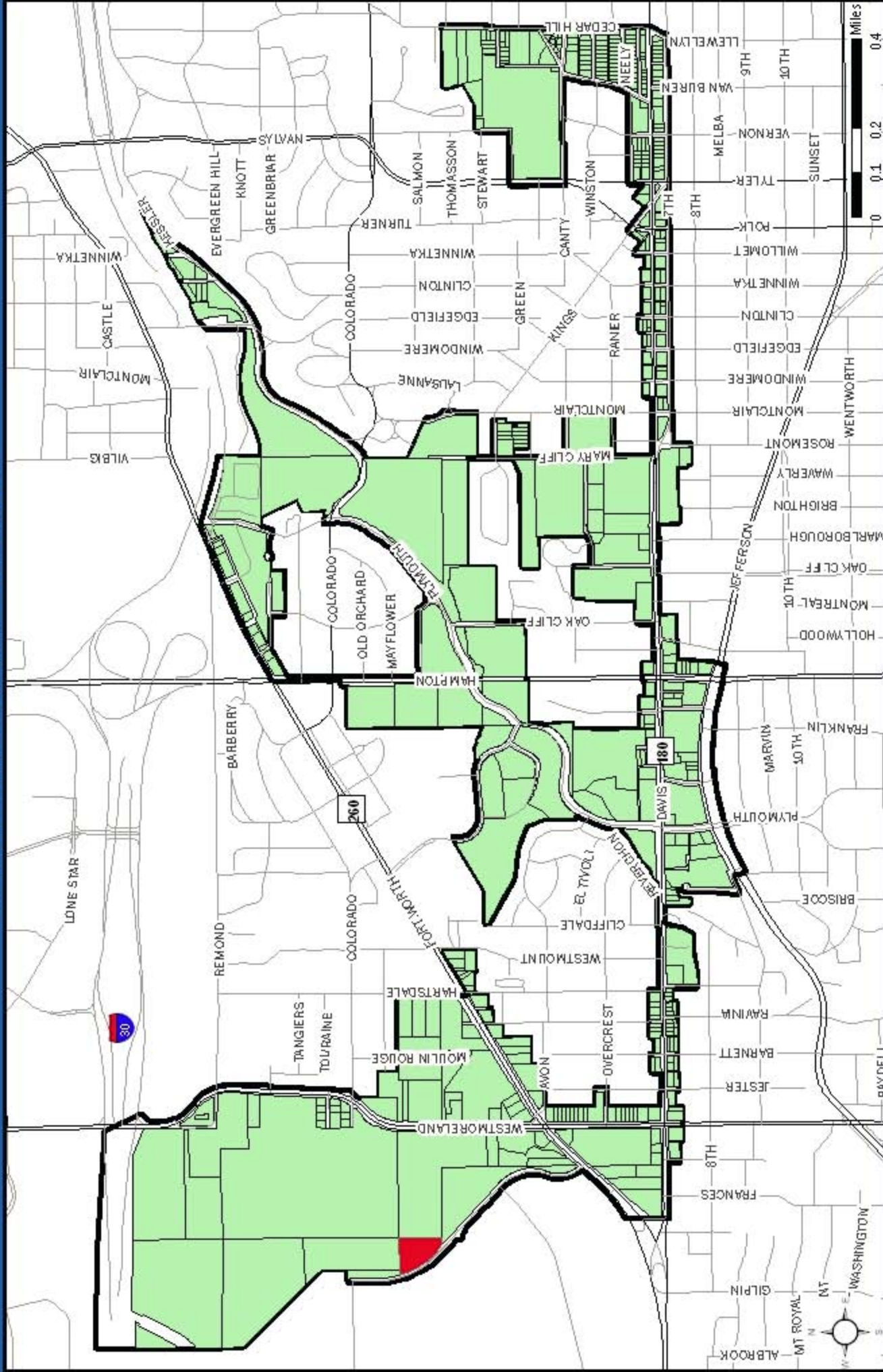
Attached.

**DEVELOPER**

**GFD Opportunity II, LLC  
A Texas Limited Liability Company**

Brandon Bolin, Principal

# Davis Garden TIF District



City of Dallas  
 Davis Garden TIF  
 Source: City of Dallas, 2009-09

- Legend**
- Davis Garden TIF Boundary
  - Primary Highway
  - Davis Garden TIF Parcels
  - Secondary Highway
  - Hillside West Project Site
  - Major Arterial
  - Local Streets

**City of Dallas - Office of Economic Development**  
 Research & Information Division  
 (214) 670-1685  
<http://www.Dallas-EcoDev.org>  
 Created 1/16/08, Last Updated 11/6/08 - RZ.16\_Web\_Map.TG

February 22, 2012

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

**WHEREAS**, on June 13, 2007, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Sixteen (the Davis Garden TIF District) in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the District through the use of tax increment financing by Ordinance No. 26799, as amended; and

**WHEREAS**, on February 27, 2008, the City Council authorized the Davis Garden TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 27090, as amended; and

**WHEREAS**, on April 28, 2010, the City Council authorized (1) a development agreement with GFD Opportunity II, LLC to dedicate future TIF revenues for eligible project costs related to environmental remediation, infrastructure and public right-away improvements located at 4512 West Davis Street in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and (2) the Davis Garden TIF District Board of Directors to dedicate up to \$1,600,000 from future Davis Garden TIF District revenues in accordance with the development agreement in an amount not to exceed \$1,600,000 by Resolution Nos. 10-1098 and 10-1099; and

**WHEREAS**, on December 12, 2011, the Davis Garden TIF Board of Directors recommended City Council consideration and approval of an amendment to the development agreement with GFD Opportunity II, LLC; and

**WHEREAS**, in furtherance of the Davis Garden TIF District Project Plan and Reinvestment Zone Financing Plan, the City desires to reimburse the GFD Opportunity II, LLC for the costs of environmental remediation, infrastructure and public right-away improvements at 4512 West Davis Street (or the project's final address if different) in the Davis Garden TIF District.

**NOW, THEREFORE,**

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

February 22, 2012

**Section 1.** That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute an amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to:

- A. Extend the deadline to complete the construction of the Hillside West project and obtain the applicable certificate of occupancy from July 2, 2012 to July 2, 2013.
- B. Extend the completion deadline for all required environmental remediation on the property from September 21, 2011 to March 21, 2012.
- C. Extend the deadline to obtain a final certificate of acceptance for all public infrastructure improvements associated with the project from May 1, 2012 to May 1, 2013.
- D. Extend the deadline for the developer to submit the project's final elevations diagrams that depict the location and width of sidewalks, location of pedestrian lighting, and location and type of native plants and trees that will be planted from April 12, 2011 to April 12, 2012.
- E. Extend the deadline to obtain Design Review approval for the project's final elevations, physical elements and the quality of its building material from April 12, 2011 to April 12, 2012.
- F. Extend the deadline to execute and fund an operation and maintenance agreement for non-standard public improvements associated with the project, and if necessary, obtain a license from City for the purpose of maintaining any improvements in the public right-of-way from May 1, 2012 to May 1, 2013.
- G. Modify the developer's fees for the project from an amount not to exceed the lesser of \$1,784,744.00 or 11% of the total cost of the project improvements to an amount not to exceed 11% of the total cost of the project improvements.

**Section 2.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

**Section 3.** That all other terms and conditions as set forth in Resolution Nos. 10-1098 and 10-1099 shall remain in full force and effect, except as specifically outlined in Section 1 above.

February 22, 2012

**Section 4.** That the Director of the Office of Economic Development, after approval and recommendation of the Davis Garden TIF District Board of Directors, may authorize minor modifications to the project including the development site plan and/or an extension of the project deadlines up to six months.

**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 ITEM # 56**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 5  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 58 G

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of less than 3,500 square feet on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay on the southwest corner of South Buckner Boulevard and Umphress Road

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions

Z112-123(MW)



**FILE NUMBER:** Z112-123(MW)

**DATE FILED:** October 28, 2011

**LOCATION:** Southwest corner of South Buckner Boulevard and Umphress Road

**COUNCIL DISTRICT:** 5

**MAPSCO:** 58-G

**SIZE OF REQUEST:** ±0.45 acre

**CENSUS TRACT:** 91.05

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**REPRESENTATIVE:** Permitted Development, Audra Buckley

**APPLICANT/OWNER:** Roshani Enterprises, Inc.

**REQUEST:** An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay

**SUMMARY:** The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the existing convenience store.

**CPC RECOMMENDATION:** Approval of a D-1 Liquor Control Overlay and Approval of a Specific Use Permit for a two-year period; subject to a site plan and conditions.

**STAFF RECOMMENDATION:** Approval of a D-1 Liquor Control Overlay and Approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The ±0.45-acre request site is developed with a ±1,365-square foot general merchandise or food store (convenience store) with a motor vehicle fueling station (gas pumps) and a ±786-square-foot auto service center.
- The applicant intends to renovate and expand the existing structures and to reconfigure the gas pumps. The expanded convenience store will be ±2,196 square feet in size (an ±831-square foot expansion); the expanded auto service center will be ±1,949 square feet in size (a ±1,163-square foot expansion).
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store.
- The general merchandise or food store, vehicle fueling station and auto service center uses are permitted by right. The sale of alcoholic beverages on the property requires a D-1 Liquor Control Overlay and a specific use permit.
- The request site is surrounded by a restaurant with drive-through service to the north; personal service and auto-related uses to the east and auto-related uses to the south and west.
- It is noted that to the northwest, there is a childcare facility within 300 feet of the request site. However, distance requirements do not apply to establishments regulated by TABC Chapter 26 (Wine and Beer Retailers Off-Premise Permit).

**Zoning History:**

There have been no recent zoning requests within the immediate vicinity of request site.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
Buckner Boulevard	Principal Arterial	100
Umphress Road	Local	60

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 366	Convenience store with gas pumps; auto service center
<b>North</b>	PDD No. 366	Drive-through restaurant
<b>East</b>	PDD No. 366	Personal services; auto-related use
<b>South</b>	PDD No. 366	Auto-related use
<b>West</b>	PDD No. 366; CR	Auto-related use

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within a *Multi-Modal Corridor*. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

In general, the applicant’s proposal is consistent with the following goal and policy of the Comprehensive Plan.

## LAND USE ELEMENT

Goal 1.1: Promote desired development

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

### **Land Use Compatibility:**

The ±0.45-acre request site is developed with a ±1,365-square foot general merchandise or food store (convenience store) with a motor vehicle fueling station (gas pumps) and a ±786-square-foot auto service center. The applicant intends to renovate and expand the existing structures and to reconfigure the gas pumps. The expanded convenience store will be ±2,196 square feet in size (an ±831-square foot expansion); the expanded auto service center will be ±1,949 square feet in size (a ±1,163-square foot expansion).

The general merchandise or food store, vehicle fueling station and auto service center uses are permitted by right. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store and, therefore, requests a D-1 Liquor Control Overlay and an SUP for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on the request site.

The "D" Overlay District is a Liquor Control Overlay District which prohibits an individual from selling or serving alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises. The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

The request site is surrounded by a restaurant with drive-through service to the north; personal service and auto-related uses to the east and auto-related uses to the south and west. It is noted that to the northwest, there is a childcare facility within 300 feet of the request site. However, distance requirements do not apply to establishments regulated by TABC Chapter 26 (Wine and Beer Retailers Off-Premise Permit).

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.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

The applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

**Development Standards:**

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD 366 Subarea 2	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail/ combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

**Traffic:**

The Engineering Section of the Building Inspection Division of the Department of

Z112-123(MW)

Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

**Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area, the requirement for a motor vehicle fueling station is two (2) spaces and the requirement for a auto service center is one (1) space per 500 square feet of floor area with a minimum of 4 spaces required.

Therefore, the proposed  $\pm 2,196$ -square foot convenience store with gas pumps requires 13 parking spaces; the  $\pm 1,949$  -square foot auto service center requires four (4) spaces. Therefore, a total of 17 spaces is required, as depicted on the site plan, 18 spaces will be provided.

**Landscaping:**

Landscaping must be provided in accordance with Planned Development District No. 366 regulations (§51P-366.110).



**CPC Action: January 19, 2012:**

**Motion:** It was moved to recommend **approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet for a two-year period, subject to a site plan and conditions on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay on the southwest corner of South Buckner Boulevard and Umphress Road.

Maker: Rodgers  
Second: Peterson  
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 200 Mailed: 15  
**Replies:** For: 1 Against: 2

**Speakers:** For: Jesse Diaz, 9217 Homeplace Dr., Dallas, TX, 75217  
James Leaks, 1958 Yuca Dr., Dallas, TX, 75217  
Kay Leaks, 1958 Yuca Dr., Dallas, TX, 75217  
Joseph Lashley, 1618 Hillburn Dr., Dallas, TX, 75217  
Audra Buckley, 2814 Main St., Dallas, TX, 75226  
  
Against: None

Z112-123(MW)

**Partners/Principals/Officers:**

**Roshani Enterprises, Inc.: Officers**

Archana Amin, President/Secretary  
Kurt Amin, Vice President

**Police Report:**

An online search of the Dallas Police Department's offense incident reports for the period from January 1, 2005 to January 2, 2012 revealed the following results:

Offense Records										
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0022343-X</a>	01/23/2010	URQUHART,SANDY	ASSAULT	01731	S	BUCKNER...	332	1252	08312	
<a href="#">0086523-X</a>	03/30/2010	SOLIS, JOSE	AUTO THEFT-UUMV	01731	S	BUCKNER...	332	1252	07122	
<a href="#">0088456-X</a>	04/01/2010	SMITH, ASHLEY	THEFT	01731	S	BUCKNER...	332	1252	06951	
<a href="#">0095022-Y</a>	04/14/2011	BRETADO,JESUS,	AUTO THEFT-UUMV	01731	S	BUCKNER...	332	1252	07123	
<a href="#">0097557-W</a>	04/03/2009	AMIN,ARCHANA,	ASSAULT	01731	S	BUCKNER...	332	1252	14081	08311
<a href="#">0109186-V</a>	04/14/2008	*FINA SERVICE STATION	FORGERY & COUNTERF...	01731	S	BUCKNER...	333	1252	10021	
<a href="#">0134026-V</a>	05/06/2008	*BUCKNER AUTO CENTER	ROBBERY	01731	S	BUCKNER...	333	1252	03742	06902
<a href="#">0164095-W</a>	06/07/2009	*BUCKNER SERVICE CEN...	THEFT	01731	S	BUCKNER...	332	1252	06934	
<a href="#">0167152-V</a>	06/05/2008	*BUCKNER AUTO SERV (F...	ROBBERY	01731	S	BUCKNER...	333	1252	03312	
<a href="#">0167332-V</a>	06/05/2008	*FINA GAS STATION	THEFT	01731	S	BUCKNER...	333	1252	06935	
<a href="#">0181557-W</a>	06/22/2009	*BUCKNER AUTO REPAIR	THEFT	01731	S	BUCKNER...	332	1252	06902	11020
<a href="#">0217968-Y</a>	08/16/2011	*PAREJA'S ALIGNMENT	THEFT	01731	S	BUCKNER...	332	1252	06901	
<a href="#">0278376-V</a>	09/07/2008	*FINA	THEFT	01731	S	BUCKNER...	333	1252	06934	
<a href="#">0283582-R</a>	04/17/2006	WARREN, NAPOLEAN	TRAFFIC MOTOR VEHI...	01731	S	BUCKNER...	329	1252	32090	
<a href="#">0301643-Y</a>	11/15/2011	ALDAMA,CARLOS	TRAFFIC MOTOR VEHI...	01731	S	BUCKNER...	332	1252	32090	

Search Records - Offense										
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
<a href="#">0307490-P</a>	04/20/2005	*R AND M AUTO CENTER	THEFT	01731	S	BUCKNER...	329	1252	06901	
<a href="#">0340515-T</a>	05/10/2007	*FINA SERVICE CENTER	BURGLARY	01731	S	BUCKNER...	329	1252	05133	
<a href="#">0348985-W</a>	07/01/2009	*BUCKNER SERVICE CEN...	LOST PROPERTY	01731	S	BUCKNER...	332	1252	42020	
<a href="#">0424818-T</a>	06/08/2007	*BUCKNER AUTO SERVIC...	ROBBERY	01731	S	BUCKNER...	329	1252	03711	
<a href="#">0547600-T</a>	07/22/2007	ORTA,TITO	ROBBERY	01731	S	BUCKNER...	329	1252	03A41	
<a href="#">0642570-T</a>	08/31/2007	*BUCKNER AUTO SERVICE	ROBBERY	01731	S	BUCKNER...	329	1252	03712	
<a href="#">0687708-T</a>	10/13/2007	CLEMENTS,RON	AGGRAVATED ASSAULT	01731	S	BUCKNER...	329	1252	04212	26760
<a href="#">0701325-T</a>	10/26/2007	PERALES,JOE	ASSAULT	01731	S	BUCKNER...	333	1252	08192	
<a href="#">0724218-R</a>	09/23/2006	*BUCKNER AUTO SERVICE	FORGERY & COUNTERF...	01731	S	BUCKNER...	329	1252	10021	
<a href="#">0776943-T</a>	12/21/2007	*BUCKNER SERVICE CEN...	BURGLARY	01731	S	BUCKNER...	333	1253	05128	
<a href="#">0839997-R</a>	11/03/2006	CISNEROS, JUAN	AUTO THEFT-UUMV	01731	S	BUCKNER...	329	1252	07223	
<a href="#">0840186-R</a>	11/03/2006	*BUCKNER AUTO SERVIC...	THEFT	01731	S	BUCKNER...	329	1252	06902	
<a href="#">0880962-P</a>	11/02/2005	WHITFIELD,DONALD	ASSAULT	01731	S	BUCKNER...	329	1252	08122	
<a href="#">0898333-R</a>	11/29/2006	*BUCKNER SERVICE CEN...	THEFT	01731	S	BUCKNER...	329	1252	06905	
<a href="#">0968546-P</a>	12/06/2005	*AZTEC AUTO CENTER	FOUND PROPERTY	01731	S	BUCKNER...	329	1252	43020	

**Z112-123  
CPC Recommended Conditions**

1. **USE:** The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.

**CPC Recommended:**

- |   |
|---|
| 3. <b>TIME LIMIT:</b> This specific use permit expires on ( <u>two years</u> ). |
|---|

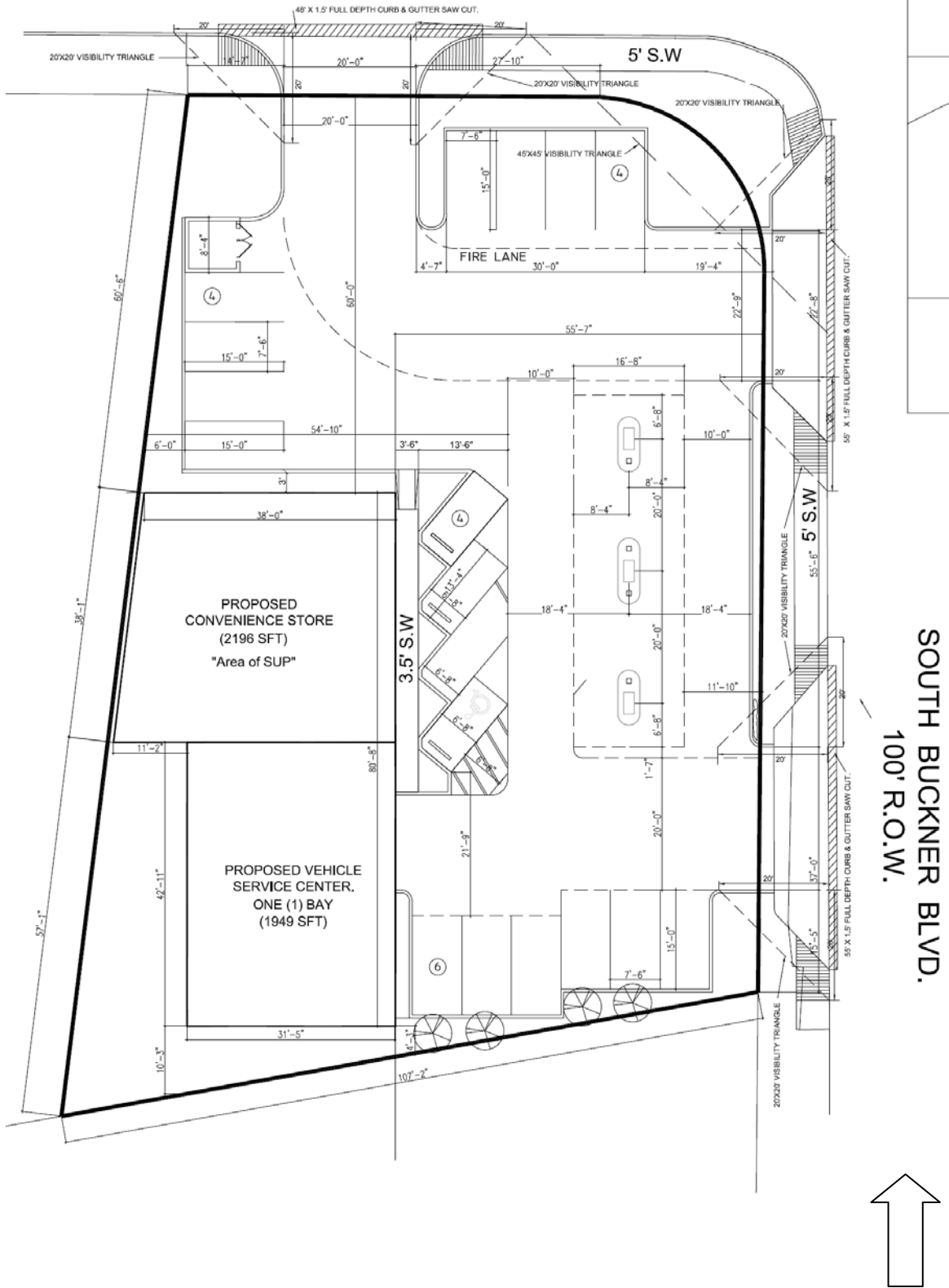
**Staff Recommended:**

- |   |
|---|
| 3. <b>TIME LIMIT:</b> This specific use permit expires on ( <u>two years</u> ), but is eligible for automatic renewal for additional <u>five-year</u> 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.) |
|---|

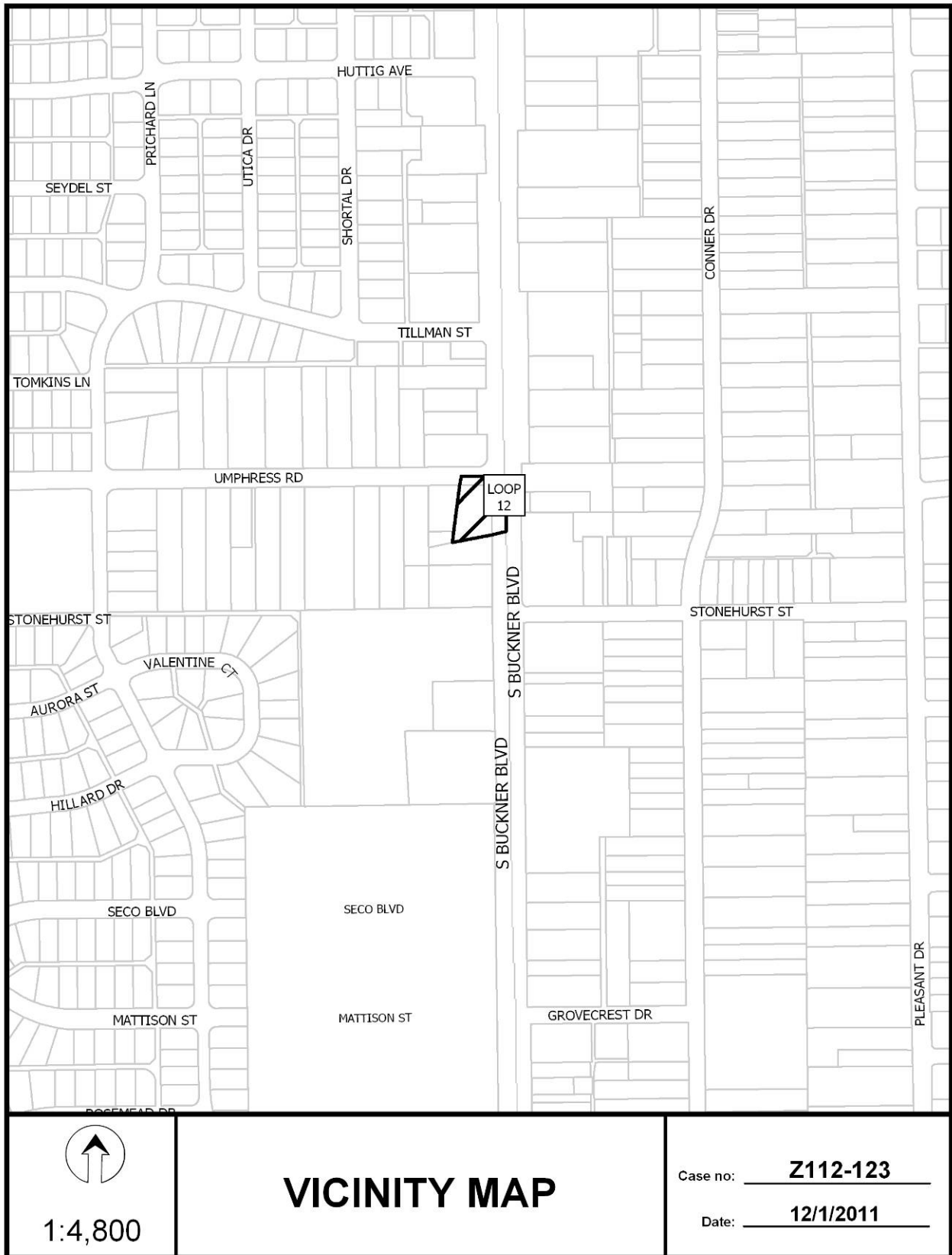
4. **FLOOR AREA:** Maximum floor area is 2,196 square feet.
5. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
6. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

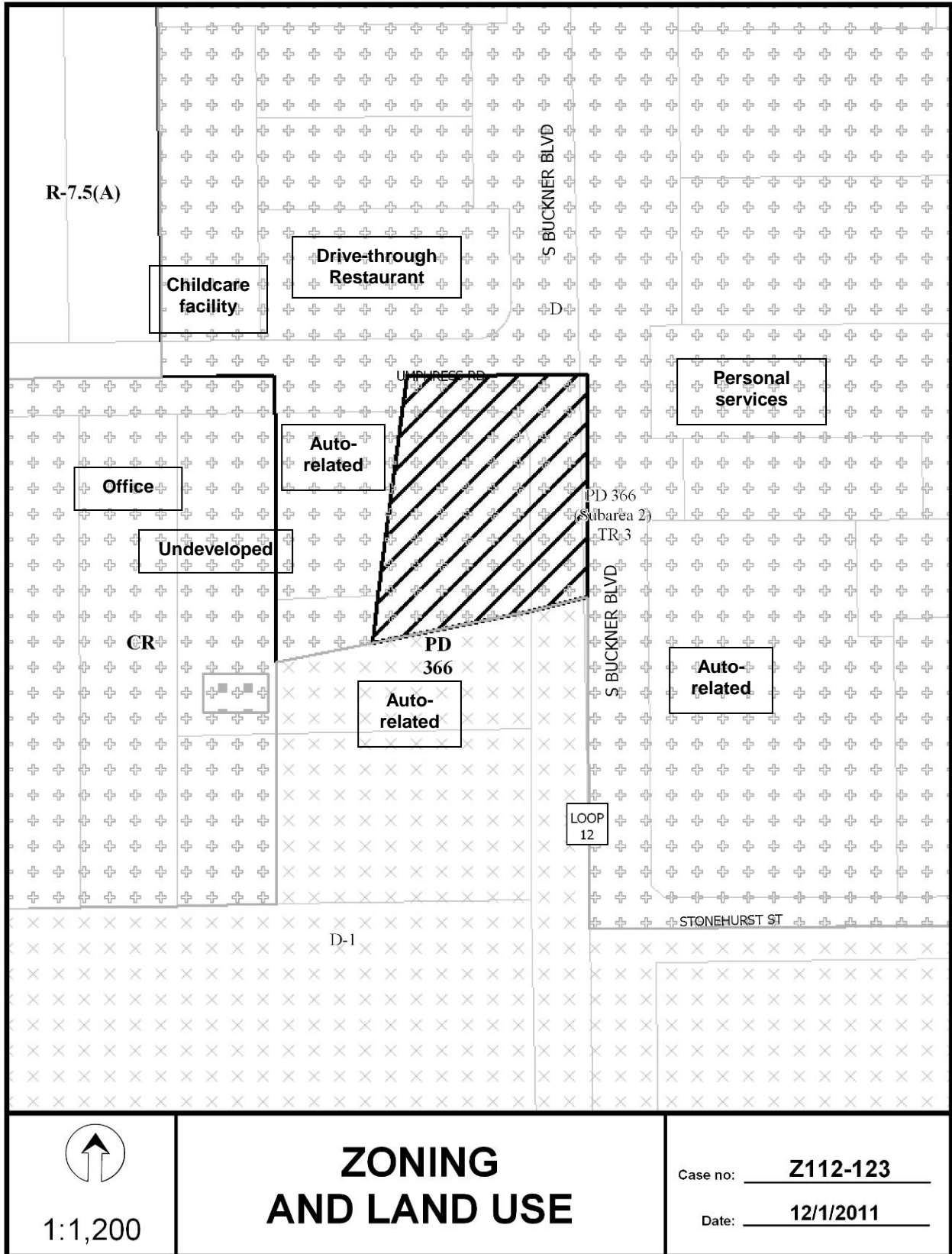
**Proposed Site Plan**

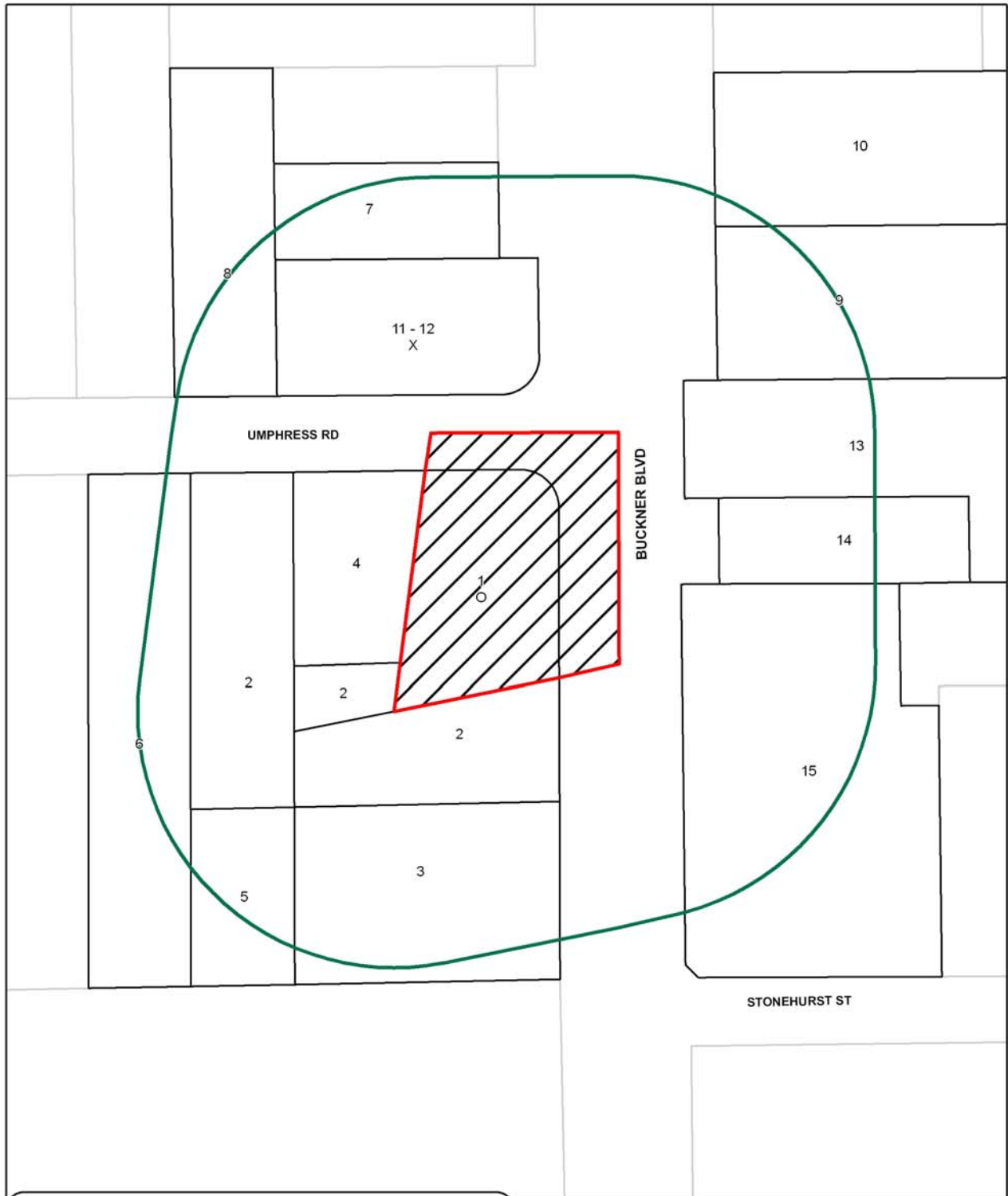
UMPHRESS ROAD  
60' R.O.W.



SOUTH BUCKNER BLVD.  
100' R.O.W.







<u>15</u>	Property Owners Notified (16 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>2</u>	Replies in Opposition (1 parcels)
<u>200'</u>	Area of Notification
<u>1/19/2012</u>	Date

**Z112-123**  
**CPC**



1:1,200



## *Notification List of Property*

### *Z112-123*

*15 Property Owners Notified    2 Property Owners Opposed    1 Property Owner in Favor*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
O	1	1731 BUCKNER BLVD	ROSHANI ENTERPRISES INC
	2	8024 UMPHRESS RD	HAWKINS MARTHA ANN
	3	1705 BUCKNER BLVD	HILL F S
	4	8032 UMPHRESS RD	REDD JOHN D
	5	8024 UMPHRESS RD	HILL F S
	6	8012 UMPHRESS RD	BAHENA MARIO JR &
	7	1811 BUCKNER BLVD	ALAM JAVED
	8	8025 UMPHRESS RD	COLEMAN VIKKI R
	9	1802 BUCKNER BLVD	CERVANTES EDGAR
	10	1818 BUCKNER BLVD	NASSER INVESTMENTS INC
X	11	1801 BUCKNER BLVD	ADAMS DANIEL D ETAL
X	12	1801 BUCKNER BLVD	KENTUCKY FRIED CHICKEN
	13	1734 BUCKNER BLVD	KO KUN BAIK
	14	1718 BUCKNER BLVD	PEP BOYS MANNY MOE &
JACK			
	15	1710 BUCKNER BLVD	PEP BOYS MANNY MOE &
JACK			



**AGENDA ITEM # 57**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 63 S

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an NO(A) Neighborhood Office District and a CR Community Retail District, on the northwest corner of Camp Wisdom Road and Westmoreland Road

Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan, and conditions  
Z112-133(RB)



**FILE NUMBER:** Z112-133(RB)

**DATE FILED:** November 18, 2011

**LOCATION:** Camp Wisdom Road and Westmoreland Road, Northwest Corner

**COUNCIL DISTRICT:** 8

**MAPSCO:** 63 S

**SIZE OF REQUEST:** Approx. 8.95 Acres

**CENSUS TRACT:** 109.01

---

**APPLICANT:** A. W. Brown

**REPRESENTATIVE:** Edward F. Cummings

**OWNERS:** A. W. Brown Fellowship Charter School; City of Dallas

**REQUEST:** An application for a Specific Use Permit for an Open-enrollment charter school on property zoned an NO(A) Neighborhood Office District and a CR Community Retail District.

**SUMMARY:** The applicant is proposing to operate an open-enrollment charter school with a projected enrollment in excess of 1,000 students. It should be noted that a portion of the site previously permitted an open-enrollment charter school under Specific Use Permit No. 1466, which has expired. The request represents utilization of the land area and improvements associated with SUP No. 1466 as well as an approximate five acre expansion.

**CPC RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan, and conditions.

**STAFF RECOMMENDATION:** Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan, and conditions.

**BACKGROUND INFORMATION:**

- A portion of the request site permitted an open-enrollment charter school (SUP No. 1466) which expired on May 31, 2006.
- The applicant proposes to provide for this open-enrollment charter school utilizing existing improvements as well as an approximate five acre expansion.
- The proposed school will accommodate an anticipated enrollment in excess of 1,000 students, grades pre-k through two.
- Existing deed restrictions on a portion of the property zoned a CR Community Retail District provide for a maximum floor area ratio (0.5:1) as well as maximum structure height (30 feet).

**Zoning History:** There have been no recent zoning requests in the area.

<b><u>Thoroughfare</u></b>	<b><u>Designation; Existing &amp; Proposed ROW</u></b>
Camp Wisdom Road	Principal Arterial; 100' & 100' ROW
Westmoreland Road	Principal Arterial; 100' & 100' ROW

**STAFF ANALYSIS:**

**Comprehensive Plan:** The request site is located in an area considered a Commercial center or corridor. These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

**Land Use Compatibility:** The request site is partially developed (west line of Westmoreland Road, north of Camp Wisdom Road) with an open-enrollment charter school, while the balance is undeveloped. An approximate five acre expansion will add to the campus, providing for enrollment in excess of 1,000 students, grades pre-k through two. The applicant has operated at this location under the previously referenced SUP No. 1466 since April, 2002, however the SUP expired on May 31, 2006.

The site's existing and proposed improvements are oriented along the Westmoreland Road frontage. Except for the low density residential development north, northeast, and west (in relation to the northern half of the request site), the site is adjacent to nonresidential zoning and uses. Specifically, an undeveloped property zoned for NO(A) District Uses is situated to the east with various retail uses to the south, at the intersection of Camp Wisdom Road and Westmoreland Road. Lastly, the southern half of the site abuts retail and commercial uses to the west.

It should be noted the single family subdivision to the north is largely undeveloped, while the single family uses to the west are developed on lots that average approximately 360 feet in depth, with the physical improvements generally situated within the first 90 feet of the properties' American Way street frontage. Lastly, a mature stand of trees separates this portion of the site from these residential uses. As a result, significant separation exists from the site.

Staff has worked with the applicant to ensure the above referenced residential areas are not impacted by a school at this location. Certain site design (location of outdoor play areas, on-site circulation as required by the traffic management plan, and additional screening materials) has been incorporated into the school campus.

As a result of this analysis, staff supports the request, subject to the attached site plan, traffic management plan (providing for biennial updates), and conditions.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's traffic management plan and supports as an acceptable analysis.

**Landscaping:** The site possesses landscape materials provided during the initial construction of improvements associated with the school. The attached site plan provides landscaping that complies with Article X. On a parallel matter, the applicant has submitted a tree survey and has proposed no removal of any of the existing tree mass between the northernmost building facades and the property line.

**CPC ACTION**

(January 19, 2012)

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for an Open-enrollment charter school for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan and conditions on property zoned an NO(A) Neighborhood Office District and a CR Community Retail District, on the northwest corner of Camp Wisdom Road and Westmoreland Road.

Maker: Lavallaisaa  
Second: Shellene  
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 400                      Mailed: 44  
**Replies:** For: 0                         Against: 1

**Speakers:** None



A.W. Brown Board of Directors/Officers

Rev. Armond W. Brown – CEO

James D. Montfort – CFO

Cynethia Belton

Attorney Lorenzo Brown – President

Paula D. Brown (ex-officio)

Judy H. Carroll

Attorney Veretta Frazier

Artrey Gipson

Dr. Lisa A. King-Hatley

Dr. Paula R. Lewis

Nan McKnight – Vice President

Wanda Peer - Secretary

Lou Ann Phillips

Susie Temple

Annie L. Thomas - Treasurer

Anthony Webb

Z112-133

**RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT  
FOR AN OPEN ENROLLMENT CHARTER SCHOOL**

1. **USE:** The only use authorized by this specific use permit is an open-enrollment charter 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 (five years from the passage of the ordinance), but is eligible for automatic renewal for additional five-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 site plan.
5. **CLASSROOMS:** The maximum number of classrooms is 71.
7. **HOURS OF OPERATION:** The open-enrollment charter school may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.
8. **INGRESS/ EGRESS:** Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
9. **OFF-STREET PARKING:** Parking must be located as shown on the attached site plan.
10. **TRAFFIC MANAGEMENT PLAN:**
  - A. **In general.** Operation of the open-enrollment charter school 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 November 1, 2013. After the initial traffic study, the

Property owner or operator shall submit updates of the traffic study to the director by November 1<sup>st</sup> of each odd-numbered year.

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 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.

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 the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A 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.

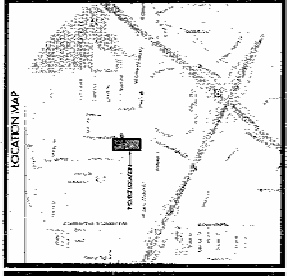
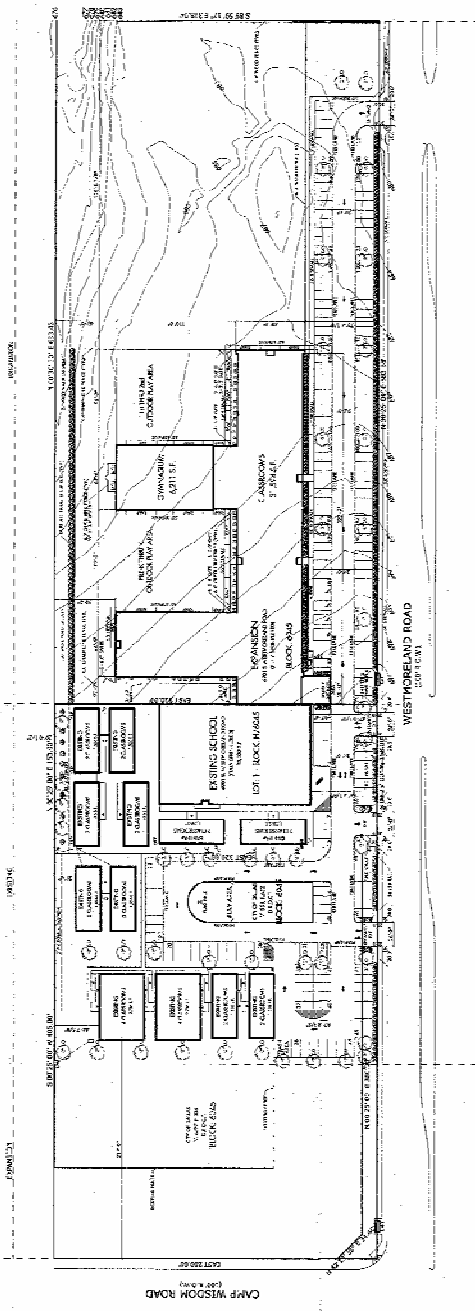
11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

Z112-133(RB)

12. 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.



<p>CUMMINGS &amp; ASSOCIATES          10000 WEST 10TH AVENUE, SUITE 100          DENVER, COLORADO 80231          PHONE: 303.751.1234          FAX: 303.751.1235          WWW.CUMMINGS-AND-ASSOCIATES.COM</p>	<p>DATE: 12.28.11          SCALE: 1" = 500'          DRAWN BY: CHU          SHEET NAME: SITE PLAN / LANDSCAPE PLAN          SHEET NO.: SP</p>		<p><b>A. W. BROWN</b>          FELLOWSHIP LEADERSHIP ACADEMY          SOUTH CAMBUS          4991 E. WESTMORELAND BLVD. DENVER, CO 80237</p>	<p><b>SITE PLAN</b></p>	<p>Z112-133 (RB)</p>
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**LANDSCAPE LEGEND**

	2" IN SIZE MORNING GLORY
	3" IN SIZE MORNING GLORY
	4" IN SIZE MORNING GLORY
	5" IN SIZE MORNING GLORY

**PROJECT DATA**

PROJECT NO.	100112	OWNER	AWB
DATE	12/28/11	PROJECT NAME	FELLOWSHIP LEADERSHIP ACADEMY
CLIENT	A. W. BROWN	PROJECT ADDRESS	4991 E. WESTMORELAND BLVD.
DESIGNER	CUMMINGS & ASSOCIATES	PROJECT CITY	DENVER, CO
SCALE	1" = 500'	PROJECT STATE	CO
DATE	12/28/11	PROJECT COUNTY	DENVER
PROJECT NO.	100112	PROJECT ZIP	80237
DATE	12/28/11	PROJECT ELEVATION	5200
CLIENT	A. W. BROWN	PROJECT AREA	1.5 AC
DESIGNER	CUMMINGS & ASSOCIATES	PROJECT PERMITS	13
SCALE	1" = 500'	PROJECT STATUS	100%
DATE	12/28/11	PROJECT TYPE	EDUCATION
PROJECT NO.	100112	PROJECT PHASE	100%
DATE	12/28/11	PROJECT COST	100%
CLIENT	A. W. BROWN	PROJECT BUDGET	100%
DESIGNER	CUMMINGS & ASSOCIATES	PROJECT SCHEDULE	100%
SCALE	1" = 500'	PROJECT RISK	100%
DATE	12/28/11	PROJECT COMPLIANCE	100%

TRAFFIC MANAGEMENT PLAN  
AND QUEUING ANALYSIS  
A. W. BROWN FELLOWSHIP CHARTER SCHOOL  
NOVEMBER 1, 2011

A.W. Brown Fellowship Charter School located at 6901 S. Westmoreland Avenue provides educational services for 1,050 students in early childhood through second grade as follows:

	Classes			Number of Students		
	<u>Present</u>	<u>Proposed</u>	<u>Total</u>	<u>Present</u>	<u>Proposed</u>	<u>Total</u>
Pre K-3	10	0	10	250	0	250
Pre K-4	10	0	10	250	0	250
Pre K-5	0	10	10	0	250	250
First Grade	0	10	10	0	150	150
Second Grade	0	10	10	0	150	150
<b>Total</b>	<b>20</b>	<b>30</b>	<b>50</b>	<b>500</b>	<b>550</b>	<b>1,050</b>

The school provides one central drop-off/pickup location (reference site plan). The traffic management plan provides for on-site queuing of 62 vehicles in a double row with one single lane loading and unloading in the drop-off/pick-up zone. Normally, a queuing space must be provided for every 10 students unless sufficient historical observations/counts proving that a lesser/higher number is justified for this school. During drop-off/pick-up, the school expects to have a maximum of 40 to 50 vehicles in the queuing spaces provided at any given time. This is based on 10 years experience at our present location.

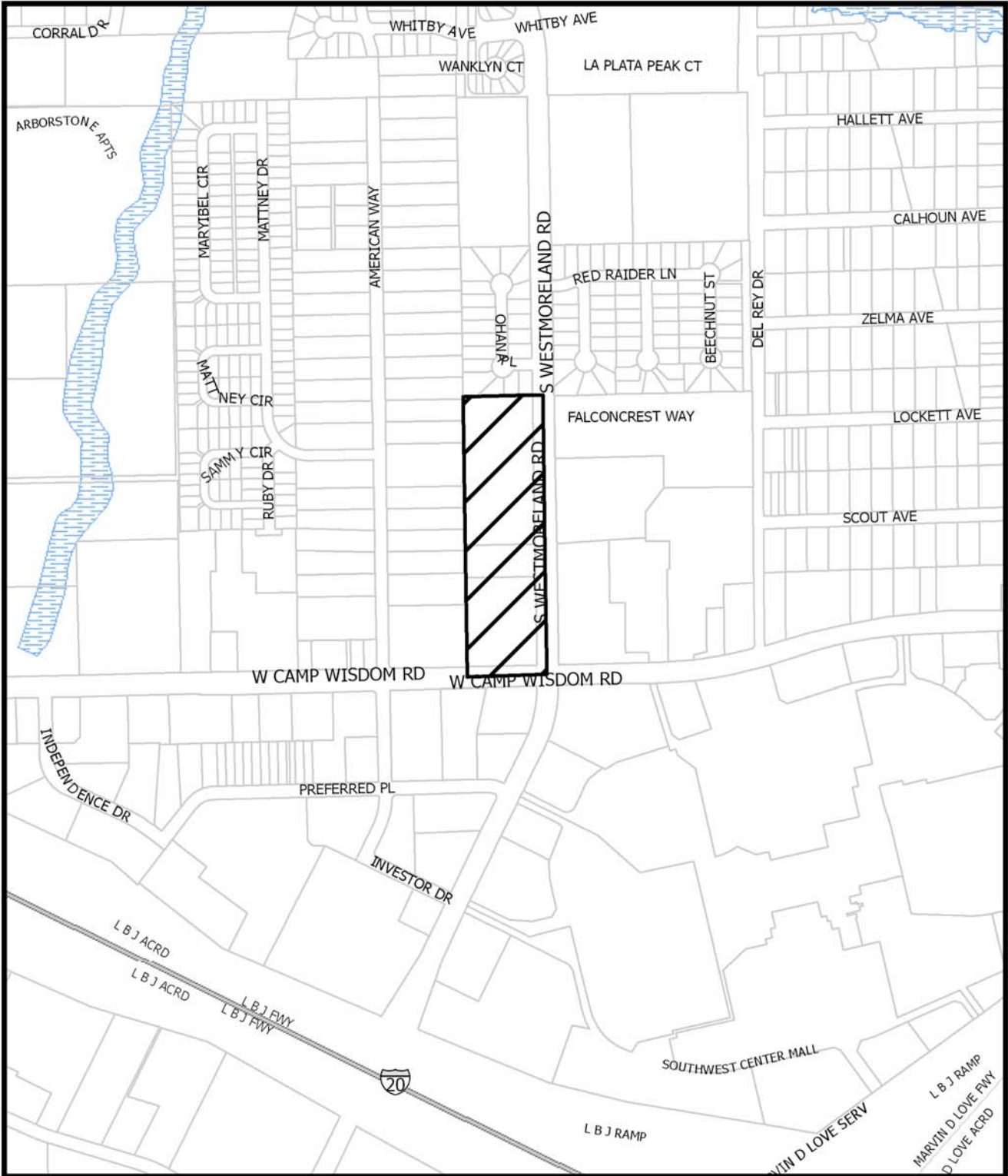
Morning and afternoon carpool is from 6:30 a.m. to 8:00 a.m. and from 3:15 p.m. to 6:00 p.m. Traffic flow is as follows:

- Cars enter the campus driveway by turning right from Westmoreland.
- A minimum of seven (7) carpool attendants will assist with morning drop-off; thereby decreasing the time a vehicle remains in the drop-off zone.
- A minimum of seven (7) carpool attendants will assist with afternoon pick-up to safely expedite the loading of students in the pick-up zone.
- A School Administrator will be present at morning drop-off and afternoon pick-up to provide supervision and to ensure safety procedures are followed.
- During traffic periods, the school will provide traffic cones to direct one-way traffic flow.
- The school will provide security personnel to assist with traffic management as needed.
- During drop-off/pick-up, four (4) vehicles are anticipated to be loaded or unloaded in the drop-off/pick-up zone (this will be conducted single file with no students crossing a drive lane to load or unload a vehicle).
- Exiting from the campus is provided along the east side of the campus onto Westmoreland.

Park and Escort (parents park their car and walk their children to and from class) parking is provided in the area designated on the site plan and is available from 6:30 a.m. to 6:30 p.m. All families will be educated on the traffic flow plan of the school through the annually published Parent Handbook, and reinforced throughout the year by means of student orientation, parent/teacher meetings and notes sent home to parents from school.

2112-133





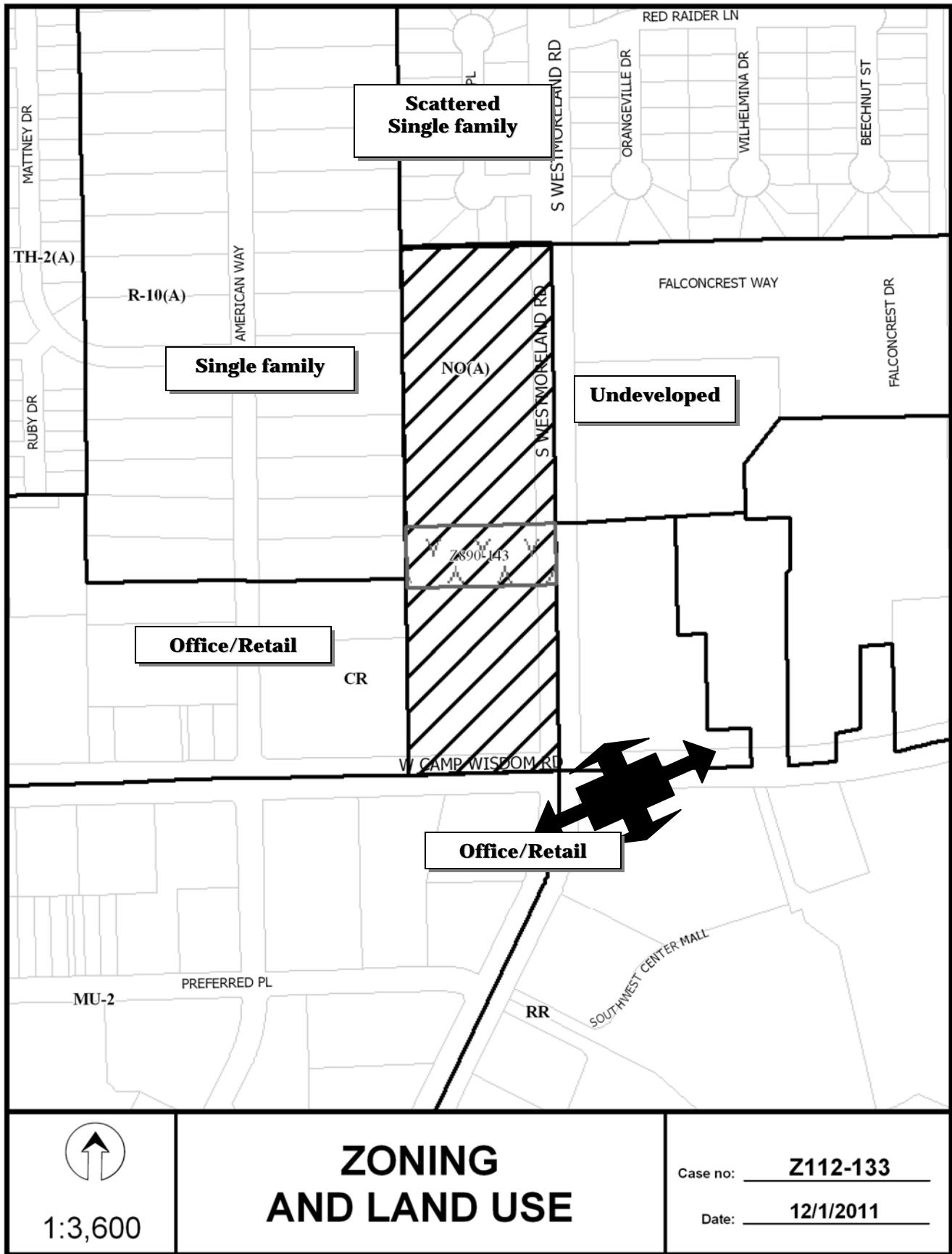
1:7,200

# VICINITY MAP

Case no:           Z112-133          

Date:           12/1/2011







**Notification List of Property**

**Z112-133**

**44 Property Owners Notified      1 Property Owner Opposed      0 Property Owners in**

<b>Vote</b>	<b>Label</b>	<b>Address</b>	<b>Owner</b>
	1	6801 WESTMORELAND RD	LOVE CHAPEL MISSIONARY
	2	6811 ORANGEVILLE DR	WESTMORELAND VILLAGE LP
	3	6901 WESTMORELAND RD	A W BROWN FELLOWSHIP
CHARTER			
	4	3907 CAMP WISDOM RD	S.K.D PROPERTY
MANAGEMENT			
	5	7010 AMERICAN WAY	GRUPO GLEMKA TEXAS LLC
	6	6900 WESTMORELAND RD	ST MATTHEW BAPTIST CH INC
	7	6900 WESTMORELAND RD	WESTMORELAND VILLAGE LP
	8	7100 WESTMORELAND RD	SJJ MCCADDEN LLC
	9	7110 WESTMORELAND RD	SHOWBIZ PIZZA TIME INC
	10	3910 CAMP WISDOM RD	FORTY DEGREES LLC
	11	3906 CAMP WISDOM RD	SANTA FE HONG KONG LTD
	12	6938 AMERICAN WAY	CONTRERAS ALEJANDRO &
	13	6930 AMERICAN WAY	DELACRUZ MARIA E
	14	6922 AMERICAN WAY	GAYTAN ALBERTO A &
	15	6914 AMERICAN WAY	GAYTAN JOSEFINA
X	16	6906 AMERICAN WAY	GARCIA CONNIE
	17	6830 AMERICAN WAY	MORGAN DAVID RAY
	18	6822 AMERICAN WAY	RUBIO OSCAR
	19	6814 AMERICAN WAY	DAVIS A J & LOIS &
	20	6806 AMERICAN WAY	RIVERA MELCHOR
	21	6730 AMERICAN WAY	Taxpayer at
	22	6722 AMERICAN WAY	LUCERO LUIS ALAN
	23	6714 AMERICAN WAY	STRAIN JAMES K
	24	6724 OHANA PLC	MACIAS EDNA &
	25	6720 OHANA PLC	JONES LATASHA D
	26	6716 OHANA PLC	BLACK LANETTE &

Tuesday, January 24, 2012

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
27		6727 OHANA PLC	SMITH LEMAYA
28		6833 WILHELMINA DR	MARTINEZ MARIA
29		6825 WILHELMINA DR	JACKSON MATTHEW
30		6821 WILHELMINA DR	WASHINGTON GLORIA
31		6816 ORANGEVILLE DR	GRIFFIN ALVIN R &
32		6820 ORANGEVILLE DR	BROWN TERRY
33		6824 ORANGEVILLE DR	PATINO CARLOS A
34		6828 ORANGEVILLE DR	MALONE BESSIE L
35		6832 ORANGEVILLE DR	BECERRA G JAVIER
36		6831 ORANGEVILLE DR	PEDDOMO EDGARDO
37		6827 ORANGEVILLE DR	JOHNSON LISA
38		6823 ORANGEVILLE DR	BREWER ERNEST &
39		6819 ORANGEVILLE DR	BERRY ERICKA &
40		6815 ORANGEVILLE DR	LEVEY HOWARD II
41		3777 CAMP WISDOM RD	TRU 2005 RE I LLC
42	WESTMORELAND	3737 CAMP WISDOM RD	CAMP WISDOM
43	LIVING	3904 CAMP WISDOM RD	CULLUM JOINT REVOCABLE
44	HOLDINGS	7163 WESTMORELAND RD	SHERWIN WILLIAMS REALTY

*Tuesday, January 24, 2012*

**AGENDA ITEM # 58**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 45 F

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a hotel or motel use on property zoned Subdistrict B Historic Core within Planned Development District No. 225, the State Thomas Special Purpose District with Historic Overlay No. 25, on the north corner of Thomas Avenue and Fairmount Street  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions Z112-135(CH)



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ACM: Ryan S. Evans

**FILE NUMBER:** Z112-135(CH)                      **DATE FILED:** November 21, 2011

**LOCATION:** North corner, Thomas Avenue and Fairmount Street

**COUNCIL DISTRICT:** 14                                      **MAPSCO:** 45F

**SIZE OF REQUEST:** Approx. 15,422 sq.ft.              **CENSUS TRACT:** 0017.02

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**APPLICANT:** GJ Development, L.L.C.

**REPRESENTATIVE:** Roger Albright

**OWNER:** GJ Development, L.L.C.

**REQUEST:** An application for a Specific Use Permit for a hotel or motel use on property zoned Subdistrict B Historic Core within Planned Development District No. 225, the State Thomas Special Purpose District, with Historic Overlay No. 25.

**SUMMARY:** The purpose of this request is to operate a hotel on this property.

**CPC RECOMMENDATION:** Approval, for a five-year time period with eligibility for automatic renewal for additional five-year periods; subject to a site plan and conditions.

**STAFF RECOMMENDATION:** Approval, for a five-year time period with eligibility for automatic renewal for additional five-year periods; subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The 15,422 square foot site is currently platted as two lots. One lot is developed with a vacant two-story building, the other lot is vacant.
- The applicant is requesting a SUP for hotel uses for both lots. Both buildings would be operated by the same owner, who also owns the hotel and condominium building across Fairmount Street.
- The request is across the street from hotel and condominium uses to the south and west, with office and single family houses on the same block to the north and east.
- The site is located within the Historic Core subdistrict of the State Thomas Special Purpose District, and Historic Overlay No. 25. Therefore, Landmark Commission approval is required for new construction and exterior renovations. The applicant received a courtesy review by the Landmark Commission on January 3, 2012, and expects to submit for formal Landmark Commission approval in February, 2012.

**Zoning History:**

Z089-267: On November 9, 2009, the City Council approved an SUP for a medical clinic on property zoned Tract Ia portion of Planned Development District No. 225, H/25, the State Thomas Special Purpose District.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
Thomas Avenue	Local Street	37 ft.	37 ft.
Fairmount Street	Local Street	34 ft.	34 ft.



**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD 225, Historic Core, H/25	One existing building and vacant lot
<b>North</b>	PDD 225, Historic Core, H25	Single Family and Office
<b>South</b>	PD 225, Fringe Transition	Multi-Family
<b>East</b>	PDD 225, Transition Zone	Single Family
<b>West</b>	PD 193, PDS 49	Apartments and hotel

**Comprehensive Plan:**

The comprehensive plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as within an *Urban Neighborhood* Building Block on the ***forwardDallas! Vision Illustration***, adopted June 2006. This building block should be predominantly residential, but are distinguished from other neighborhoods by a wide variety of housing options available. These neighborhoods will have concentrations of shops or offices along key corridors or at key intersections, which provide important services and job opportunities. These areas may have mixed-use buildings with ground floor shops.

In general, the applicant’s proposal for a Specific Use Permit to operate a hotel use at this location is not inconsistent with the following goal and policy of the Comprehensive Plan.

LAND USE ELEMENT

Goal 1.2: Promote desired development

Policy 1.2.1: Use Vision Building Blocks as a general guide for desired development patterns

**STAFF ANALYSIS:**

**Land Use Compatibility:** The site is currently developed with a vacant building on half the lot. The area to the north is zoned PDD 225, Historic Core subdistrict and Historic Overlay No. 25 and is developed with residential and office uses. The area to the east is

zoned PDD 225, Transition Zone subdistrict and is developed with residential uses. The area to the south is zoned PDD 225, Fringe Transition subdistrict and is developed with multi-family uses. The area to the west is zoned PD 193 and is developed with hotel and condominiums uses.

The proposal includes two lots. The corner lot's existing two-story building is currently vacant. The applicant is proposing to use this building for six guest rooms. The applicant is proposing to construct a new two-story building on the vacant lot, which will contain six units. At this time, the applicant does not know if any of the units will be used as offices for the operation of the hotel. The development standards for the Historic District in City Code Section 51P-225.107(e) restrict the maximum lot size allowed in the historic core, so the two lots can not be replatted.

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.

The applicant's request, subject to a site plan and conditions, complies with the general provisions for consideration of a Specific Use Permit. The request is located in an area anticipated for residential and office uses. Therefore, the proposed hotel is considered an appropriate use for the location.

**Parking:**

Pursuant to §51A-4.205 of the Dallas Development Code, the off-street parking requirement for the hotel or motel use is one space per unit (for units one to 250) and one space per 200 square feet of floor area other than guest rooms. Therefore, the proposed project, which consists of 12 guest rooms, will require 12 units.

If the applicant uses any of the 12 units as offices, parking will need to be recalculated. Currently the existing parking lot has 5 additional parking spaces over the requirement, if all units are used as guest units.

An existing parking lot at the rear of both of the lots contains 17 parking spaces. One parking space is handicapped equipped. The parking lot has a buffer on the south side consisting of a Red-Tipped Photinia hedge and a fence. For the east side of the parking lot, the applicant is proposing a wrought iron gate with landscaping. Access to the parking lot is off Fairmount Street.

**Landscaping:**

Landscaping will be provided in accordance with City Code Section 51P-109(b), the Preservation Criteria for the Historic District. The landscape plan provided complies with these regulations.

Z112-135(CH)

**Owner: GJ Development, L.L.C.**

**List of Officers**

Janet J, Jenson, Managing Member and sole member

**CPC Action:** January 19, 2019

**Motion:** It was moved to recommend **approval** of a Specific Use Permit for a hotel or motel use for a five-year time period with eligibility for automatic renewal for additional five-year periods; subject to a site plan and conditions on property zoned Subdistrict B Historic Core within Planned Development District No. 225, the State Thomas Special Purpose District, on the north corner of Thomas Avenue and Fairmount Street.

Maker: Peterson  
Second: Bernbaum  
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

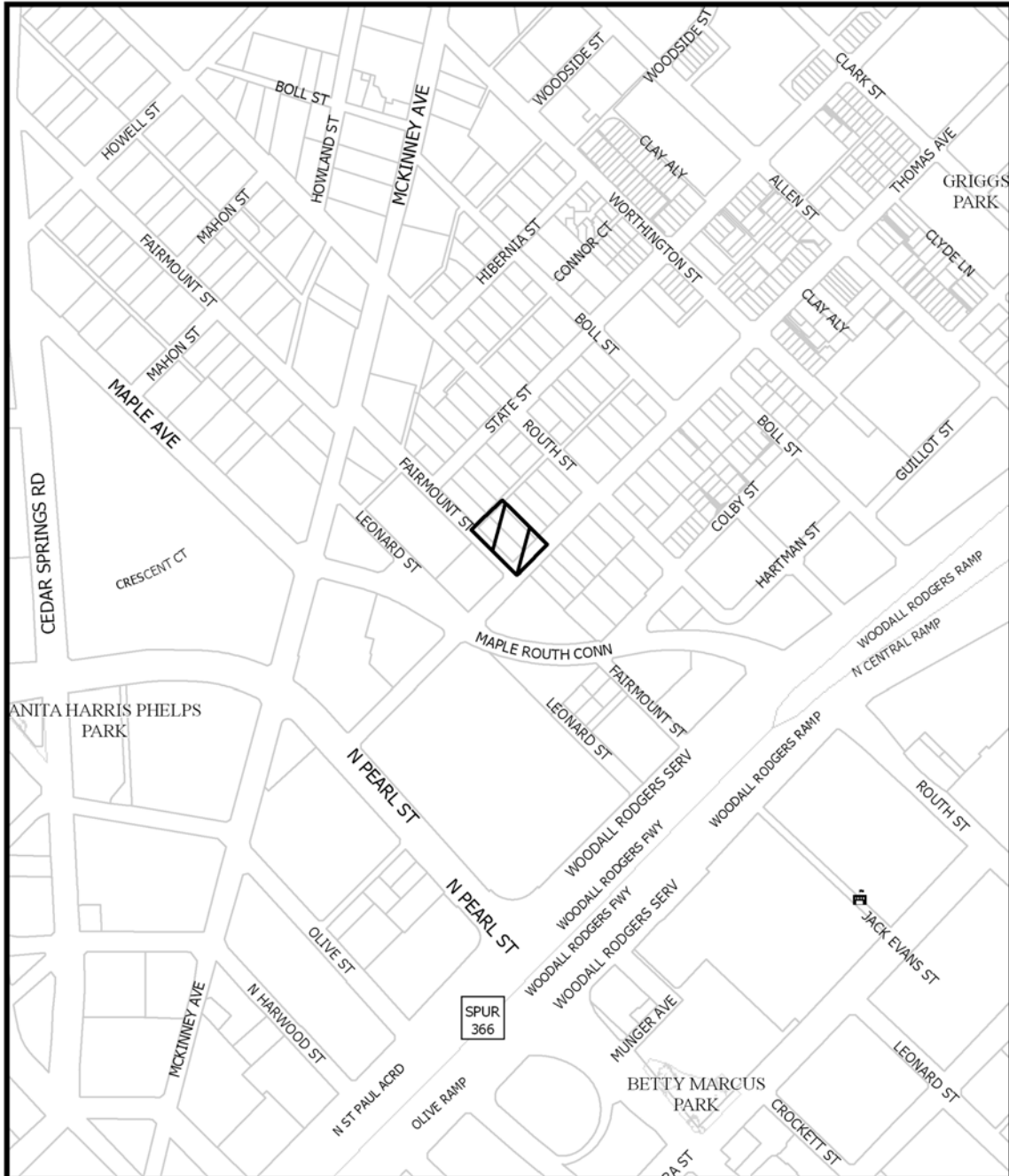
**Notices:** Area: 200 Mailed: 49  
**Replies:** For: 2 Against: 0

**Speakers:** For: Roger Albright, 3301 Elm St., Dallas, TX, 75226  
Judy Smith Hearst, 2512 Thomas Ave., Dallas, TX, 75201  
Against: None

**CPC Recommended SUP CONDITIONS**

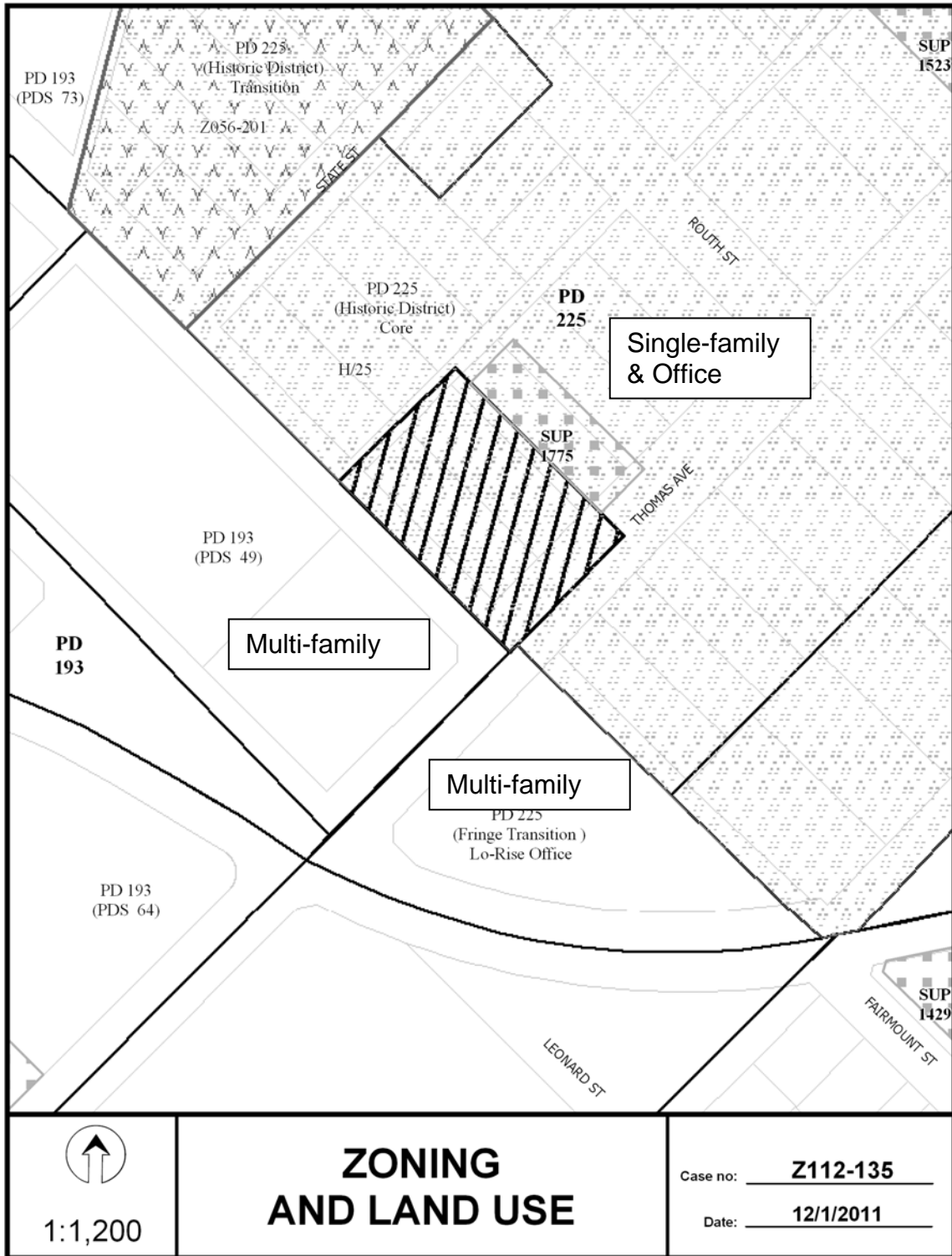
1. USE: The only use authorized by this specific use permit is a hotel or motel.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_(five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-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 site plan.
5. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
6. SQUARE FOOTAGE: Maximum floor area is 9,566 square feet.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. 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.





 1:4,800	<h2>VICINITY MAP</h2>	Case no: <u>    <b>Z112-135</b>    </u> Date: <u>    <b>12/1/2011</b>    </u>
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CITY PLAN COMMISSION RESPONSES



<u>49</u>	Property Owners Notified (25 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>1/19/2012</u>	Date

**Z112-135**  
**CPC**



1:1,200

1/24/2012

## **Notification List of Property**

### **Z112-135**

**49 Property Owners Notified**  
**Owners in**

**0 Property Owners Opposed**

**2 Property**

<b>Vote</b>	<b>Label</b>	<b>Address</b>	<b>Owner</b>
	1	2504 STATE ST	NEMEC EDWARD C & PAULA R
	2	2505 THOMAS AVE	GJ DEVELOPMENT LLC
	3	2500 STATE ST	MCBRIDE THOMAS R
	4	2504 STATE ST	NEMEC EDWARD C & PAULA R
	5	2508 STATE ST	PELLETIER GEORGE TRUSTEE
	6	2321 ROUTH ST	PELLETIER GEORGE A
O	7	2315 ROUTH ST	ROUTH STREET PARTNERS LLC
	8	2317 ROUTH ST	PELLETIER GEORGE ET AL
	9	2519 THOMAS AVE	WALKER JOHN NEWTON
	10	2517 THOMAS ST	BAYLESS ALVIN KENT &
	11	2515 THOMAS AVE	TIMELESS COLLECTABLES INC
	12	2512 THOMAS AVE	HEARST JUDITH SMITH
	13	2516 THOMAS ST	OTTO PHYLLIS ELAINE
	14	2504 THOMAS AVE	STATE THOMAS APARTMENTS
	15	2400 THOMAS AVE	STATE THOMAS APT LP &
7	16	2502 THOMAS AVE	STATE THOMAS APARTMENTS
	17	2510 THOMAS AVE	STATE THOMAS APARTMENTS
O	18	2332 LEONARD ST	GIVENS RECORDS DEV LP
	19	2300 LEONARD ST	GOSTANIAN RAFFI J
	20	2300 LEONARD ST	KELLY JOSEPH T & BONNIE L
	21	2300 LEONARD ST	RUBDOWN LLC
	22	2300 LEONARD ST	BONNEVILLE LP
	23	2300 LEONARD ST	BOSWELL MARK S
	24	2300 LEONARD ST	VERSES SOCRATES & JUDY
	25	2300 LEONARD ST	OUTSIDE RESOURCES INC
	26	2300 LEONARD ST	AIELLO ROBERT

<b>Vote</b>	<b>Label</b>	<b>Address</b>	<b>Owner</b>
27		2300 LEONARD ST	GLOGAU ALEXANDER I
28		2300 LEONARD ST	LABEN GARY S &
29		2300 LEONARD ST	EDUCATIONAL DEV GROUP
30		2300 LEONARD ST	US BANK NATL ASSN TR
31		2300 LEONARD ST	WARNER WILLIAM JAMES
32		2300 LEONARD ST	VELIZ JOSE G
33		2300 LEONARD ST	BERARDUCCI BRENT A
34		2300 LEONARD ST	DMP DALCON LLC
35		2300 LEONARD ST	HAJDUSIEWICZ NICK
36		2300 LEONARD ST	KARCHMER DON A
37		2300 LEONARD ST	BUESCHER AMBER R
38		2300 LEONARD ST	KIM DANIEL J
39		2300 LEONARD ST	REMSSEN LARRY M
40		2300 LEONARD ST	PK PPTIES LLC
41		2300 LEONARD ST	GREESON JON M JR
42		2300 LEONARD ST	SELL STEPHEN G
43		2300 LEONARD ST	SCIOLI VANCE J JR
44		2300 LEONARD ST	BARWEL PARTNERS LP
45		2300 LEONARD ST	HAAS MARK L
46		2300 LEONARD ST	AREFI GINO R
47		2300 LEONARD ST	POWELL DAVID G
48		2300 LEONARD ST	DALLAS METRO CLUB LLC
49		2300 LEONARD ST	GIVEN CHARLES S

**AGENDA ITEM # 59**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 10  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 17 Y

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 572 for a public school other than an open-enrollment charter school on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane  
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan and conditions.  
Z112-137(WE)



ACM: Ryan S. Evans

**FILE NUMBER:** Z112-137(WE)                      **DATE FILED:** November 11, 2011

**LOCATION:** Pleasant Valley Drive and Chimney Hill Lane, southeast corner

**COUNCIL DISTRICT:** 10                              **MAPSCO:** 17-Y

**SIZE OF REQUEST:** Approx. 8.391 acres              **CENSUS TRACT:** 190.35

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**APPLICANT / OWNER:** Richardson Independent School District (see attached list of Board Members)

**REPRESENTATIVE:** MASTERPLAN  
Karl Crawley

**REQUEST:** An application for an amendment to Planned Development District No. 572 for a public school other than an open-enrollment charter school

**SUMMARY:** The purpose of this request is to expand the existing elementary school. RISD is proposing to expand the building by an additional 5,150 square feet of floor area, which will include 4 new classrooms.

**CPC RECOMMENDATION:** Approval, subject to a development plan, traffic management plan and conditions

**STAFF RECOMMENDATION:** Approval, subject to a development plan, traffic management plan and conditions

**BACKGROUND INFORMATION:**

- The Richardson Independent School District is proposing to expand the existing 76,121 square foot elementary school by an additional 5,150 square feet, which will include 4 classrooms. The new addition will be constructed between the breezeway, which is located on the southern portion of the campus, adjacent to the circular driveway.
- The surrounding land uses are primarily residential.

**Zoning History:** There has not been any recent zoning change requested in the area.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Chimney Hill Lane	Local	60 ft.	60 ft.
Pleasant Valley Dr.	Local	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	PDD No. 572	Elementary School
<b>North</b>	R-7.5(A)	Single Family
<b>South</b>	MF-1(A)w/deed restrictions	Multifamily
<b>East</b>	R-7.5(A)	Single Family
<b>West</b>	R-7.5(A)	Single Family

**COMPREHENSIVE PLAN:** The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in an Urban Neighborhood.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or



duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

**LAND USE**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The 8.391 acre campus is developed with a one-story, 76,121 square foot elementary school. The applicant's request to amend Planned Development District No. 572 will allow for the school to increase the school's building footprint by 5,121 square feet.

The new addition will accommodate four additional classrooms. The 5,121 square foot addition will be constructed between a breezeway, which is located on the southern portion of the campus, adjacent to the circular driveway. The student enrollment will not change as a result of the 4 additional classrooms. The school currently has 720 students.

Staff has reviewed and recommends approval of the applicant's request for an amendment to Planned Development District No. 572 for a public school other than an open enrollment charter school. The proposed development should not adversely impact the surrounding area.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 572	25'	10'15'	85,000 sq. ft. or 1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family, Elementary school, Radio, television or microwave tower

**Parking:** The requirement for off-street parking for the school is derived by two criterions: 1) the number of classrooms and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The Dallas Development Code requirement for off-street parking for an elementary school is:

- one and one-half spaces for each kindergarten/elementary school classroom;

The number of required off-street parking spaces for the elementary school is 69 spaces and the applicant is proposing to provide 71 off-street parking spaces. The total number of proposed classrooms determines the number of required parking spaces.

RISD will have to meet the parking requirements in accordance to Section 51A-4.200 of the Dallas Development Code for any future expansion.

**Landscaping:** Landscaping of any development will be in accordance with Article X, as amended.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Staff has reviewed and supports the proposed conditions. Typically, there is language in the Planned Development District conditions that prohibits new schools from queuing within the City's right-of-way. This language was not included in the proposed PDD conditions because the request site is an existing elementary school. Aikin Elementary School has been in operation since the 1980s. The applicant has provided staff with a Traffic Management Plan (TMP) that reflects the current implementation of the administration's procedures in directing traffic during school hours.

The Engineering Section of the Department of Sustainable Development and Construction has reviewed and supports the Traffic Management Plan. The applicant is required, as with all Traffic Management Plans, to submit a traffic study to the director biannually, to determine if the TMP is being implemented effectively.

**CPC Action** (January 19, 2012)

**Motion:** It was moved to recommend **approval** of an amendment to Planned Development District No. 572 for a Public school other than an Open-enrollment charter school, subject to a revised development plan, traffic management plan and conditions on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane.

Maker: Shellene  
Second: Schwartz  
Result: Carried: 15 to 0

For: 15 - Davis, Wally, Anglin, Abtahi, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene,  
Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 0  
Vacancy: 0

**Notices:** Area: 500 Mailed: 129  
**Replies:** For: 2 Against: 13

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75201  
Brenda Payne, 400 S. Greenville Ave., Richardson, TX, 75081  
Mike Longanecker, 6968 Blackwood Dr., Dallas, TX, 75231  
Against: Chuck Stegman, 9923 Glen Canyon Dr., Dallas, TX, 75243  
Kathy Ogle, 10119 Chimney Hill Ln., Dallas, TX, 75243  
Ray Nannis, 10031 Glen Canyon Dr., Dallas, TX, 75243  
Suzanne Massey, 12406 Pleasant Valley Dr., Dallas, TX, 75243

**BOARD OF TRUSTEES  
RISD**

- Kim Quirk, President
- Karen Holburn, Vice President
- Kris Oliver, Treasurer
- Kim Caston, Secretary
- Luke Davis
- Karen Ellis
- Lanet Greenhaw

**ADMINISTRATION**

- Kay Waggoner, PH.D., Superintendent
- Patti Kieker, Deputy Superintendent
- Joyce Wilson, Assistant Superintendent
- Tony Harkleroad, Assistant Superintendent
- Mia Martin, General Counsel
- Jennie Moore, Executive Director of Communication and Public Affairs
- Michael Longanecker, AIA, Executive Director of Facilities and Construction

**PROPOSED CPC PDD  
CONDITIONS**

**ARTICLE 572.**

**PD 572.**

**SEC. 51P-572.101. LEGISLATIVE HISTORY.**

PD 572 was established by Ordinance No. 24171, passed by the Dallas City Council on January 26, 2000. Ordinance No. 24171 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 24171 was amended by Ordinance No. 24574, passed by the Dallas City Council on April 11, 2001.

**SEC. 51P-572.102. PROPERTY LOCATION AND SIZE.**

PD 572 is established on property generally located at the southeast corner of Chimney Hill Lane and Pleasant Valley Drive. The size of PD 572 is approximately 8.3912 acres.

**SEC. 51P-572.103. DEFINITIONS AND INTERPRETATIONS.**

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all code references are to Chapter 51A.
- (c) This district is considered to be a residential zoning district.

**SEC. 51P-572.104. LANDSCAPE/DEVELOPMENT PLAN.**

- (a) For a public or private school [use] other than an open-enrollment charter school, development and use of the Property must comply with the landscape/development plan (Exhibit 572A). In the event of a conflict between the provisions of this article and the landscape/development plan, the provisions of this article control.
- (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.

**SEC. 51P-572.105. MAIN USES PERMITTED.**

- (a) Public school other than an open-enrollment charter school or private school.
- (b) Radio, television, or microwave tower. *[Only one radio, television, or microwave tower is permitted, and must be located as shown on the landscape/development plan.]*

(c) Except as provided in Subsections (a) and (b), the uses permitted in this district are those 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 the Dallas Development Code, as amended. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this planned development 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 planned development district, etc.

#### **SEC. 51P-572.106. ACCESSORY USES.**

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

#### **SEC. 51P-572.107. 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 contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls).

(a) Front yard. Minimum front yard is 25 feet.

(b) Side and rear yard.

(1) For single family structures, minimum side yard and rear yard is five feet.

(2) For all other uses, minimum side yard is 10 feet and minimum rear yard is 15 feet.

(c) Density. No maximum dwelling unit density.

(d) Floor area.

(1) For a public or private school [use] other than an open-enrollment charter school, maximum floor area is [~~75,000~~] 82,000 square feet.

(2) For all other uses, no maximum floor area.

(e) Height.

(1) Except for the radio, television, or microwave tower shown on the landscape/development plan, no portion of a structure over 26 feet in height may be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2)

may project through the slope to a height not to exceed the maximum structure height of 12 feet above the slope whichever is less.

(2) Maximum structure height for the radio, television, or microwave tower shown on the landscape/development plan is 30 feet.

(3) Maximum structure height for all other uses is 30 feet.

(f) Lot coverage.

(1) Maximum lot coverage is 45 percent for residential structures and 25 percent for nonresidential structures.

(2) Aboveground parking structures are included in lot coverage calculations, surface parking lots, and underground parking structures are not.

(g) Lot size.

(1) For a public or private school [~~use~~] other than an open-enrollment charter school, no minimum lot size.

(2) For all other uses, minimum lot size is 7,500 square feet.

(h) Stories. No maximum number of stories above grade.

#### **SEC. 51P-572.108. OFF-STREET PARKING AND LOADING.**

(a) [~~For a public or private school use, off-street parking must be provided as shown on the landscape/development plan. Parking is permitted in the required front yard.~~] 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 all other uses, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.~~] For a public school other than an open-enrollment charter school, a minimum of 69 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.

(c) Parking is permitted in the required front yard.

**SEC. 51P-572.109. FENCING.**

For a public or private school ~~[use]~~ other than an open-enrollment charter school, fencing must be provided as shown on the landscape/development plan.

**SEC. 51P-572.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-572.111. LANDSCAPING.**

(a) For a public or private school ~~[use]~~ other than an open-enrollment charter school, landscaping must be provided as shown on the landscape/development plan prior to the issuance of a certificate of occupancy.

(b) For all other uses, landscaping must be provided in accordance with Article X.

(c) Plant material must be maintained in a healthy, growing condition.

**SEC. 51P-572.112. SIGNS.**

Signs must comply with the provisions for non-business zoning districts contained in Article VII.

**SEC. 51P-572.113. INGRESS-EGRESS.**

For a public or private school ~~[use]~~ other than an open-enrollment charter school, ingress and egress must be provided as shown on the landscape/development plan.

**SEC. 51P-572.114. VISUAL OBSTRUCTION REGULATIONS.**

Except as provided in this section, development must comply with the visual obstruction regulations contained in Section 51A-4.602. For a public or private school use, a chain link fence, as shown on the landscape/development plan, may be located in the visibility triangle.

**SEC. 51P-572.115. 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.



~~[SEC. 51P-572.116. 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 director of public works and transportation.~~

~~(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development 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.]~~

~~[SEC. 51P-572.117. ZONING MAP.]~~

~~[PD 572 is located on Zoning Map No. D-9.]~~

SEC. 51P- .116. 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 B).

(b) 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, 2014**. After the initial traffic study, the Property owner or operator shall submit biannual updates of the traffic study to the director by March 1 of each even-numbered year.

(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;

(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.

(c) 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.

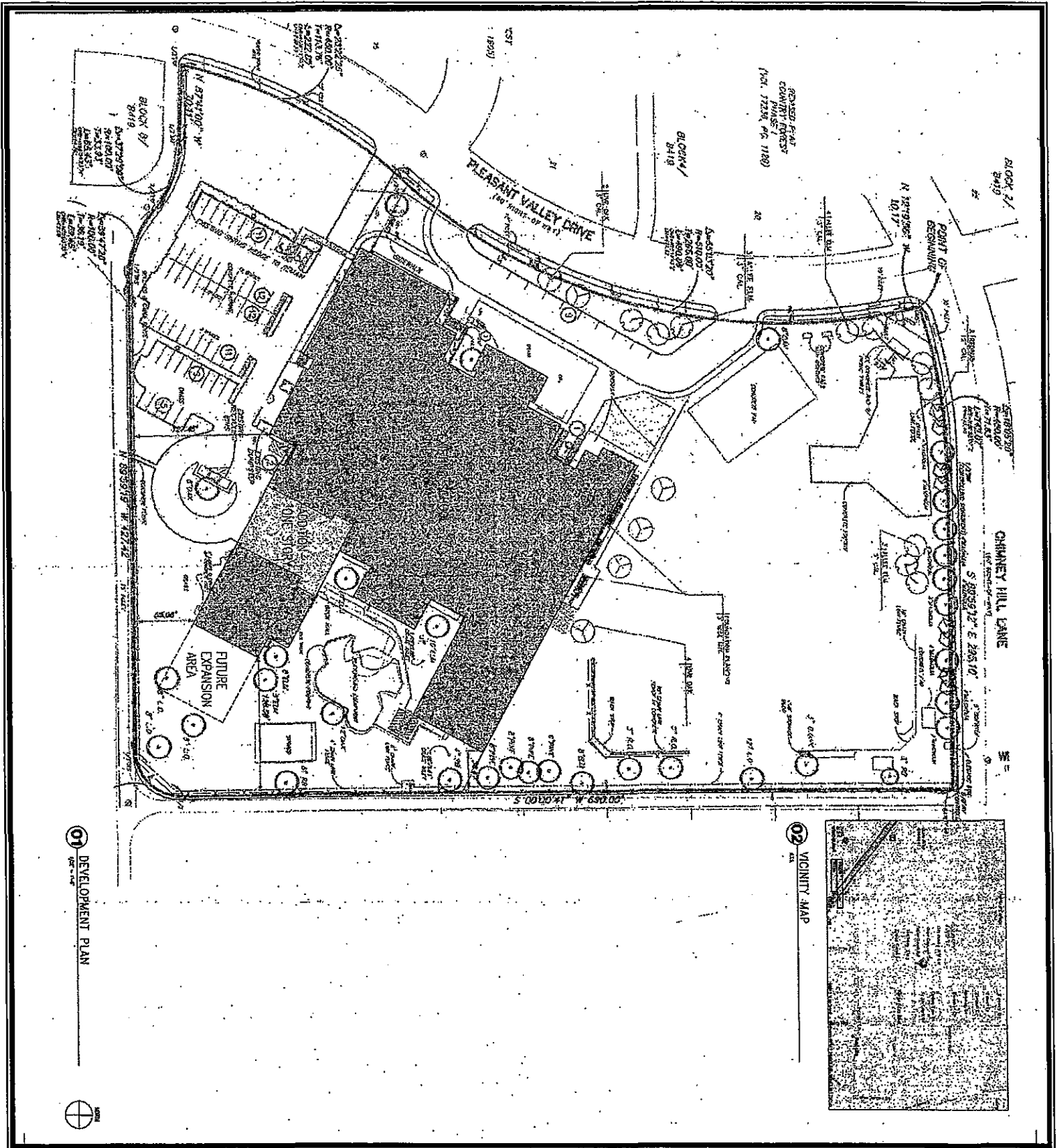
(3) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

**SEC. 51P-572.117. 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 or a certificate of occupancy for a use in this planned development 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.

**PROPOSED DEVELOPMENT PLAN**



01 DEVELOPMENT PLAN

02 VICINITY MAP

<b>Aikin Elementary School Traffic Management Plan</b>
--

**Introduction:**

Aikin Elementary School was constructed at its present location in the early 1980's. The facilities have been expanded throughout the years. The school has approximately 720 students in 46 homeroom classrooms. At this time the District is proposing to construct a new one-story classroom addition in order to reduce class sizes and free up space for specialty classrooms. **The number of students will remain the same.**

**Overview:**

Aikin is presently served by one special needs bus. The school day is from 8:00 a.m. to 3:00 p.m.

**The Site:**

The school is surrounded on all two sides by streets, including Pleasant Valley Drive and Chimney Hill Lane, a further description of the surrounding streets follows. Each of the adjacent streets has a minimum of 60 feet of right of way and at least 36 feet of pavement. The pavement width allows either queuing or parking in the outside lanes and a free travel lane. Both streets have School Zones. The school is also surrounded by two alleys. The alley to the south separates the school from a large multifamily complex to the south. This will be discussed later in this Plan. There is also a manned Crosswalk in front of the school on Pleasant Valley.

**Queuing Analysis:**

<b>Queuing Analysis:</b>					
Grade	Nos. of Classrooms	Students/ Class	Nos. of Students	Time Start	Time Dismissal
K	4	15	60	8:00 a.m.	3:00 p.m.
1	7	18	126	8:00 a.m.	3:00 p.m.
2	7	18	126	8:00 a.m.	3:00 p.m.
3	7	18	126	8:00 a.m.	3:00 p.m.
4	7	18	126	8:00 a.m.	3:00 p.m.
5	7	18	126	8:00 a.m.	3:00 p.m.
6	7	18	126	8:00 a.m.	3:00 p.m.
Subtotal Grades K-6			720		
<b>Total</b>	<b>46</b>		<b>720</b>	8:00 a.m.	3:00 p.m.

Observation and information provided by the school principal shows approximately 5% of the students are dropped off and picked up by area child care facilities in vans.

Approximately 60% of the remaining students walk to school, with the remaining arriving by vehicles. Taking into account the number of students arriving by vans, walking leaves approximately 468 children arriving by personal vehicle.

**REFERENCE TTI REPORT: "OPERATIONS AND SAFETY AROUND SCHOOL: OVERVIEW OF PROJECT ACTIVITIES AND FINDINGS"**  
BY TEXAS DEPARTMENT OF TRANSPORTATION & US DEPARTMENT OF HIGHWAYS

**Table 43. South Carolina DOT Recommendations for On-site Stacking Length**

School Type	Student Population	Loop Drive Stacking Length (Linear Feet)
Elementary	200 - 600	900 - 1,200
	600 - 1,400	1,200 - 1,500
Middle	200 - 600	900 - 1,200
	600 - 1,200	1,200 - 1,500
High	400 - 800	800 - 1,200
	800 - 2,500	1,200 - 1,500

Note: For high school populations greater than 2,500 students, consider two separate student pick up/drop-off loops

According to the above chart the remaining student population would require a stacking length of a maximum of 1,200 feet.

The school district in conjunction with the Department of Public Works/Transportation has developed a system of No Parking zones on the streets in order to accommodate the pick-up and drop-off of students.

The school is surrounded on two sides by existing streets. The bus and day-care vans that serve the school currently queue in the rear of the school. Parents presently queue on the west side of Pleasant Valley and enter the parent drop-off lane in front of the school at the southern driveway. The parent drop off loop is one-way from south to north and allows queuing on the two outside lanes and passage thru the center lane. A school attendant is located at a marked crosswalk from the southern driveway (south side) to Glen Canyon Drive. The attendant also directs traffic in order to keep cars moving into the queue lanes within the drop-off loop.

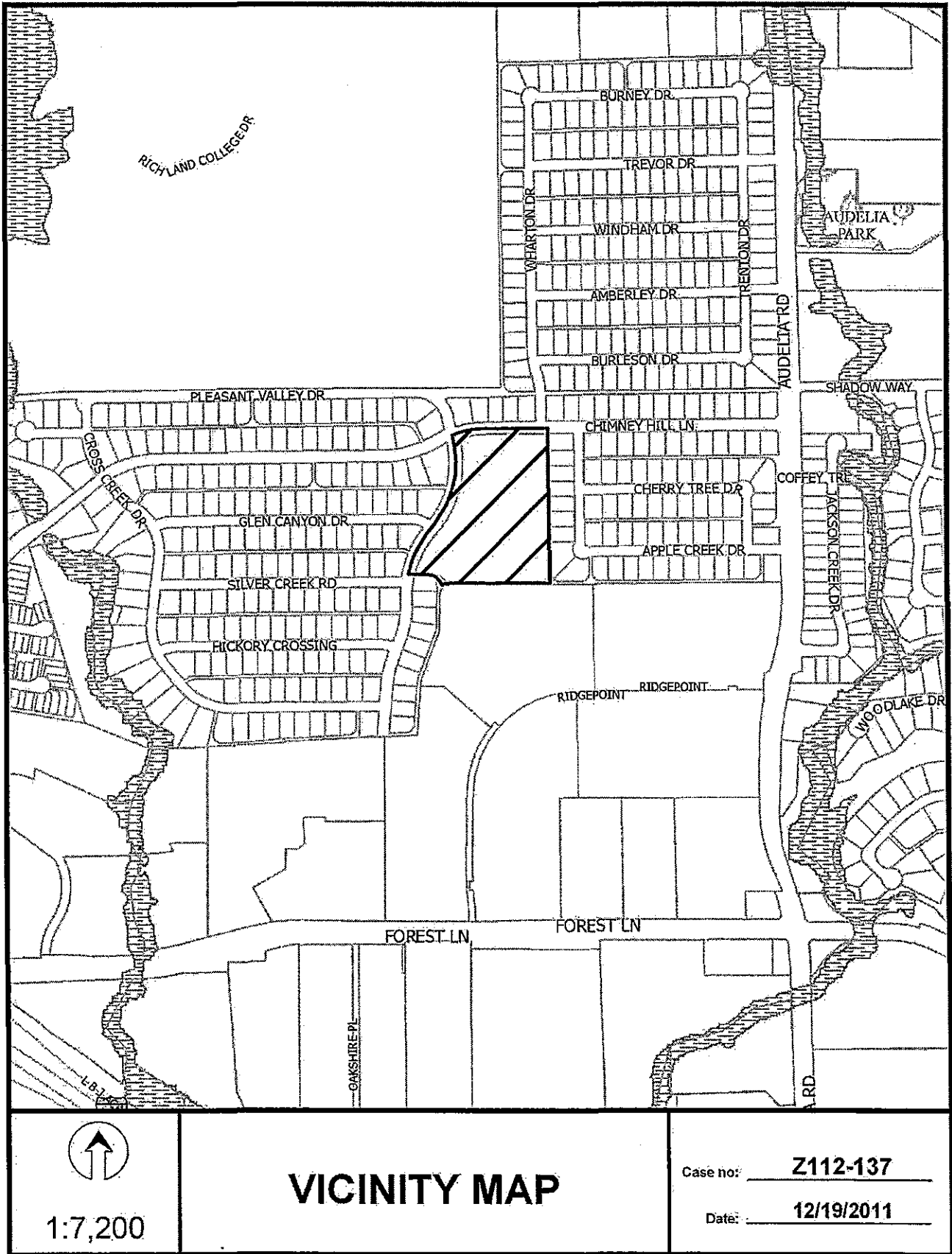
Queuing is limited to the west side of Pleasant Valley from Glen Canyon to Chimney Hill and the east side of Pleasant Valley south of the south drop-off loop. With the amount of children that walk to school there is more than adequate queue length from these limited areas. Approximately 200 students walk with parent supervision from the apartments located south of the school. There is a secure access gate through the

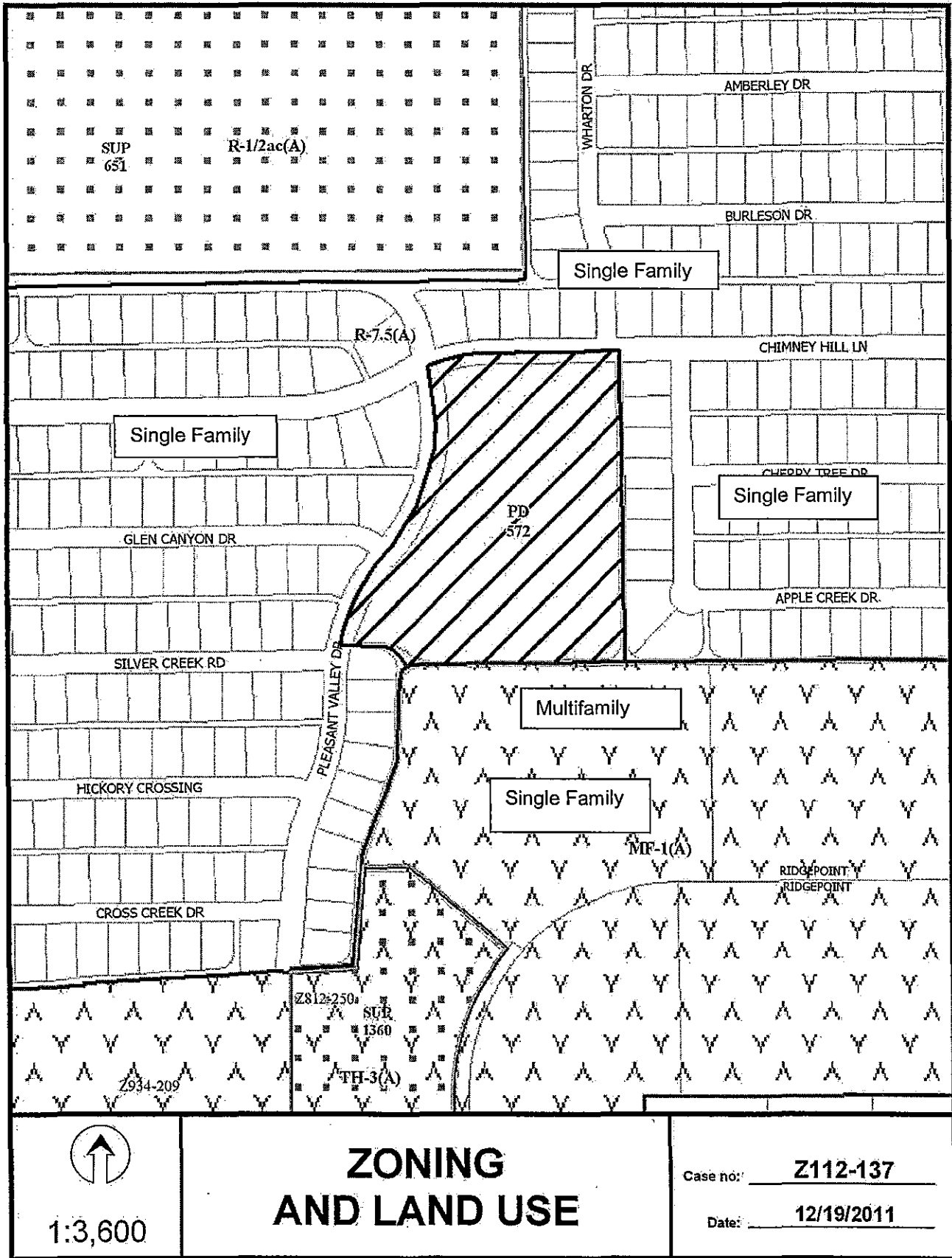
existing fence from the apartments to the alley along the south side of the school and thru to the school. Parents wait for their children at the rear of the school to walk them home.



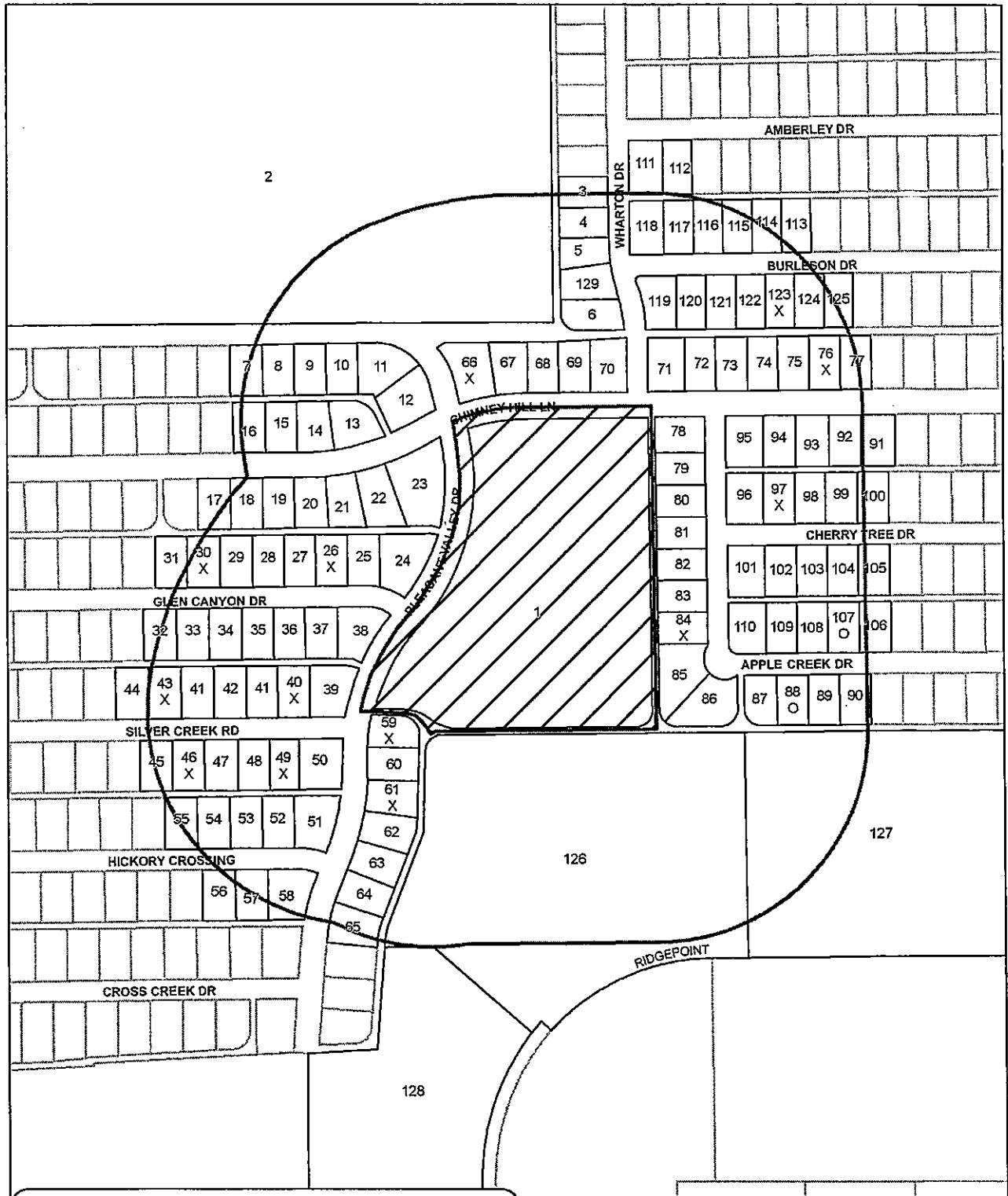








**CPC RESPONSES**



<u>129</u>	Property Owners Notified (130 parcels)
<u>2</u>	Replies in Favor (2 parcels)
<u>13</u>	Replies in Opposition (13 parcels)
<u>500'</u>	Area of Notification
<u>1/19/2012</u>	Date

**Z112-137**  
**CPC**



1:3,600



<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
X	26	10023 GLEN CANYON DR	SANDERS LARRY &
	27	10019 GLEN CANYON DR	MARIN MARCO & ROYLA
	28	10015 GLEN CANYON DR	FRIEDMAN JULIE
	29	10011 GLEN CANYON DR	PAVELEK NATALIE K
X	30	10007 GLEN CANYON DR	HERRING JEFFREY B ETAL
	31	10003 GLEN CANYON DR	DILLER DENNIS CLARK &
	32	10002 GLEN CANYON DR	KOENITZER BRIAN E & BRIDGET
	33	10006 GLEN CANYON DR	CHRISTMAS RAYMOND &
	34	10010 GLEN CANYON DR	WELLS GREGORY J & SARAH K
	35	10014 GLEN CANYON DR	STACH WILLY & MARIA
	36	10018 GLEN CANYON DR	LURICH KENNETH T JR
	37	10022 GLEN CANYON DR	ESAN CAROLINE I
	38	10026 GLEN CANYON DR	GIST GARY L & DEWITTE C
	39	10023 SILVER CREEK RD	DHALIWAL KULWINDER S &
X	40	10019 SILVER CREEK RD	TAYLOR ROBIN L TR
	41	10015 SILVER CREEK RD	BERRY CHARLES W
	42	10011 SILVER CREEK RD	FORD JOAN SESSOMS
X	43	10003 SILVER CREEK RD	THACKER DAMIAN M &
	44	9935 SILVER CREEK RD	MOORE MATTHEW B
	45	10002 SILVER CREEK RD	MARCUM CHERIE R
X	46	10006 SILVER CREEK RD	CRADDUCK HARRY V JR
	47	10010 SILVER CREEK RD	LEEMAN DAVID P &
	48	10014 SILVER CREEK RD	MATTO LINNA N
X	49	10018 SILVER CREEK RD	TAEGER ROBERT E
	50	10022 SILVER CREEK RD	WILLIAMS SCOTT & ALISON
	51	10023 HICKORY CROSSING ST	HELMS ROBIN &
	52	10019 HICKORY CROSSING ST	LONG JAY L
	53	10015 HICKORY CROSSING ST	MOSKOP KERRY P
	54	10011 HICKORY CROSSING ST	Taxpayer at
	55	10007 HICKORY CROSSING ST	GREENE DANIEL W &
	56	10010 HICKORY CROSSING ST	MINNERUP ROBERT

*Tuesday, January 24, 2012*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
	57	10014 HICKORY CROSSING ST	HABENICHT SUZANNE L
	58	10018 HICKORY CROSSING ST	MOSER STEVEN C &
X	59	12230 PLEASANT VALLEY DR	WILKE CHRISTINA D
	60	12226 PLEASANT VALLEY DR	MORALES JOSE &
X	61	12222 PLEASANT VALLEY DR	BARNER TODD A & STEFANI
	62	12218 PLEASANT VALLEY DR	PARKER GREGG D &
	63	12214 PLEASANT VALLEY DR	WYLIE ROBERT W &
	64	12210 PLEASANT VALLEY DR	JERNBERG WILLIAM &
	65	12206 PLEASANT VALLEY DR	RILEY HERBERT L JR &
X	66	10103 CHIMNEY HILL LN	STEELE GEORGE G &
	67	10107 CHIMNEY HILL LN	MASSOUD JENNIFER E
	68	10111 CHIMNEY HILL LN	MAUPIAN BRIAN
	69	10115 CHIMNEY HILL LN	TURNER TRAVIS &
	70	10119 CHIMNEY HILL LN	GRUBER ROBERT P &
	71	10201 CHIMNEY HILL LN	DUVALL ALLEN S & DIANE
	72	10205 CHIMNEY HILL LN	MARTIN JACK
	73	10209 CHIMNEY HILL LN	FRYE DOUGLAS R
	74	10215 CHIMNEY HILL LN	JARIS NANCY K
	75	10219 CHIMNEY HILL LN	ELMORE STEVEN G
X	76	10223 CHIMNEY HILL LN	EVANS O MORRIS III &
	77	10227 CHIMNEY HILL LN	MYERS DONALD R &
	78	10001 APPLE CREEK DR	COLLINS STEPHEN P
	79	10005 APPLE CREEK DR	TA KRISTI
	80	10009 APPLE CREEK DR	BERRY RICHARD L & JANE R
	81	10015 APPLE CREEK DR	COPELAND J DAVID & GAYLE C
	82	10019 APPLE CREEK DR	WRIGHT ALAN B & TIFFANY L
	83	10023 APPLE CREEK DR	ANDERSON CLARENCE J
X	84	10027 APPLE CREEK DR	BATTAGLIA ANTONINO
	85	10031 APPLE CREEK DR	SCARBOROUGH DON JR
	86	10102 APPLE CREEK DR	MCLEOD BRUCE B III &

*Tuesday, January 24, 2012*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
	87	10106 APPLE CREEK DR	LEE CHARLES & NGUYEN DANG
O	88	10110 APPLE CREEK DR	MERRELL STEPHEN & PEGGY
	89	10114 APPLE CREEK DR	COLLINS BRADLEY W &
	90	10118 APPLE CREEK DR	CHUOKE TONY
	91	10226 CHIMNEY HILL LN	BERRY DAMON
	92	10222 CHIMNEY HILL LN	CROUCH ELICIA A
	93	10218 CHIMNEY HILL LN	SIBLEY STUART D
	94	10214 CHIMNEY HILL LN	HARRIS W MAJORS &
	95	10210 CHIMNEY HILL LN	GONZALEZ FRANCISCO &
	96	10101 CHERRY TREE DR	KENNEDY JEFFREY & AUBREY
X	97	10105 CHERRY TREE DR	CHUANG HENRY
	98	10109 CHERRY TREE DR	KELLA NAND
	99	10115 CHERRY TREE DR	CHILDS H KONATA
	100	10119 CHERRY TREE DR	VAN WEY ANGELA
	101	10102 CHERRY TREE DR	MARGRAHAM FAMILY TRUST
	102	10106 CHERRY TREE DR	GRANT GINA A &
	103	10110 CHERRY TREE DR	PARKHURST NANCI & KENNETH
	104	10114 CHERRY TREE DR	DELUCA LOUIS A JR
	105	10118 CHERRY TREE DR	COKE DONALD G
	106	10119 APPLE CREEK DR	STEGER ANDREW & LISA BOYD
O	107	10115 APPLE CREEK DR	MOSMEYER DAVIS G JR &
	108	10109 APPLE CREEK DR	JAKS IRREVOCABLE FAMILY TRUST
	109	10105 APPLE CREEK DR	PARKER RICHARD A & SHAROLYN S
	110	10101 APPLE CREEK DR	BENSON CARL W &
	111	9702 AMBERLEY DR	MEIERHOFER ADAM & BRANDY
	112	9706 AMBERLEY DR	HOLLOWAY STEVE BRADLEY
	113	9723 BURLESON DR	BERGMAN PHILIP J
	114	9719 BURLESON DR	HAWKINS WILLIAM L

*Tuesday, January 24, 2012*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
	115	9715 BURLESON DR	BURNETT CHERYL L
	116	9709 BURLESON DR	MCKEE JOHN D
	117	9705 BURLESON DR	GUTIERREZ CRUZ
	118	9701 BURLESON DR	DAILY PHILIP L &
	119	9702 BURLESON DR	HUNT AUSTIN PAUL &
	120	9706 BURLESON DR	WATT MICHAEL G & ESTHER
	121	9710 BURLESON DR	HEIDGERD PAUL W &
	122	9714 BURLESON DR	STEAD ELIZABETH C
X	123	9718 BURLESON DR	MCLENDON LARRY R ETAL
	124	9722 BURLESON DR	BONDURANT WILLIAM
	125	9726 BURLESON DR	ROSS SANDRA
	126	12121 AUDELIA RD	ROC TX INDIGO LLC
	127	12111 AUDELIA RD	ROC TX INDIGO LLC
	128	9663 FOREST LN	RICHARDSON I S D
	129	12417 WHARTON DR	MATTA ANIBAL

*Tuesday, January 24, 2012*



**AGENDA ITEM # 60**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 5  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 59 K

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District on the north side of Lake June Road, west of St. Augustine Road  
Recommendation of Staff and CPC: Approval  
Z112-118(WE)  
Note: This item was considered by the City Council at a public hearing on February 8, 2012, and was taken under advisement until February 22, 2012, with the public hearing open.



**ACM: Ryan S. Evans**

**FILE NUMBER:** Z112-118(WE)                      **DATE FILED:** October 21, 2011

**LOCATION:** North side of Lake June Road, west of St. Augustine Road

**COUNCIL DISTRICT:** 5                                      **MAPSCO:** 59-K

**SIZE OF REQUEST:** Approx. 6,000 sq. ft.              **CENSUS TRACT:** 119.00

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**APPLICANT / OWNER:** Rodolfo & Socorro Hernandez

**REPRESENTATIVE:** Rodolfo & Socorro Hernandez

**REQUEST:** An application for an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of the request is to develop the site with a general merchandise or food store less than 3,500 square feet.

**CPC RECOMMENDATION:** Approval

**STAFF RECOMMENDATION:** Approval

**BACKGROUND INFORMATION:**

- The applicant’s request for an NS(A) Neighborhood Service District will allow for the development of retail and personal service uses on site.
- The request site is currently undeveloped and is adjacent to an office and a general merchandise or food store. Properties to the north and west of the site are undeveloped and are located within a flood plain.

**Zoning History:** There have been three zoning changes requested in the area.

1. Z101-276 On Wednesday, December 15, 2011 the City Council approved an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family. (not shown on map)
2. Z089-165 On Wednesday, April 23, 2009, the City Council approved a Planned Development District for CR Community Retail District uses on property zoned a CR-D Community Retail District with a Liquor Control Overlay and an R-7.5(A) Single Family District.
3. Z101-174 On Wednesday, June 22, 2011, the City Council approved a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
Lake June Road	Principal Arterial	80 ft.	107 ft.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-7.5(A)	Undeveloped
<b>North</b>	R-7.5(A)	Single Family
<b>South</b>	CR	Undeveloped
<b>East</b>	NS(A)	Office, General merchandise store
<b>West</b>	R-7.5(A)	Single Family

**COMPREHENSIVE PLAN:** The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being located along a Transit or Multi-Modal Corridor.

Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

**LAND USE**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The approximately 6,000 square foot site is undeveloped and is rectangular in shape. The request site is adjacent to an existing retail development that is zoned an NS(A) Neighborhood Service District. The applicant’s request for an NS(A) Neighborhood Service District will allow for the development of a general merchandise or food store less than 3,500 square feet.

The request site is currently undeveloped and is adjacent to an office and a general merchandise or food store. The properties that are north and west of the site are undeveloped and are located within a flood plain.

The applicant’s request for an NS(A) Neighborhood Service District is compatible with the adjacent zoning district and uses that are proposed for the site. The adjacent flood plain creates a natural barrier to the existing single family uses that are north and west of the site. The request for an NS(A) neighborhood Service District should not have any adverse impact on the surrounding area.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) – existing Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
NS(A) – Proposed Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office

**Landscaping:** Landscaping of any development will be in accordance with Article X, as amended.

**Parking:** The parking regulation for a general merchandise or food store less than 3,500 square feet is one space per 200 square feet of floor area. The number of parking spaces required on site will be determined by the total square footage of the proposed development.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

**CPC Action** (January 5, 2012)

**Motion:** It was moved to recommend **approval** of an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District on the north side of Lake June Road, west of St. Augustine Road.

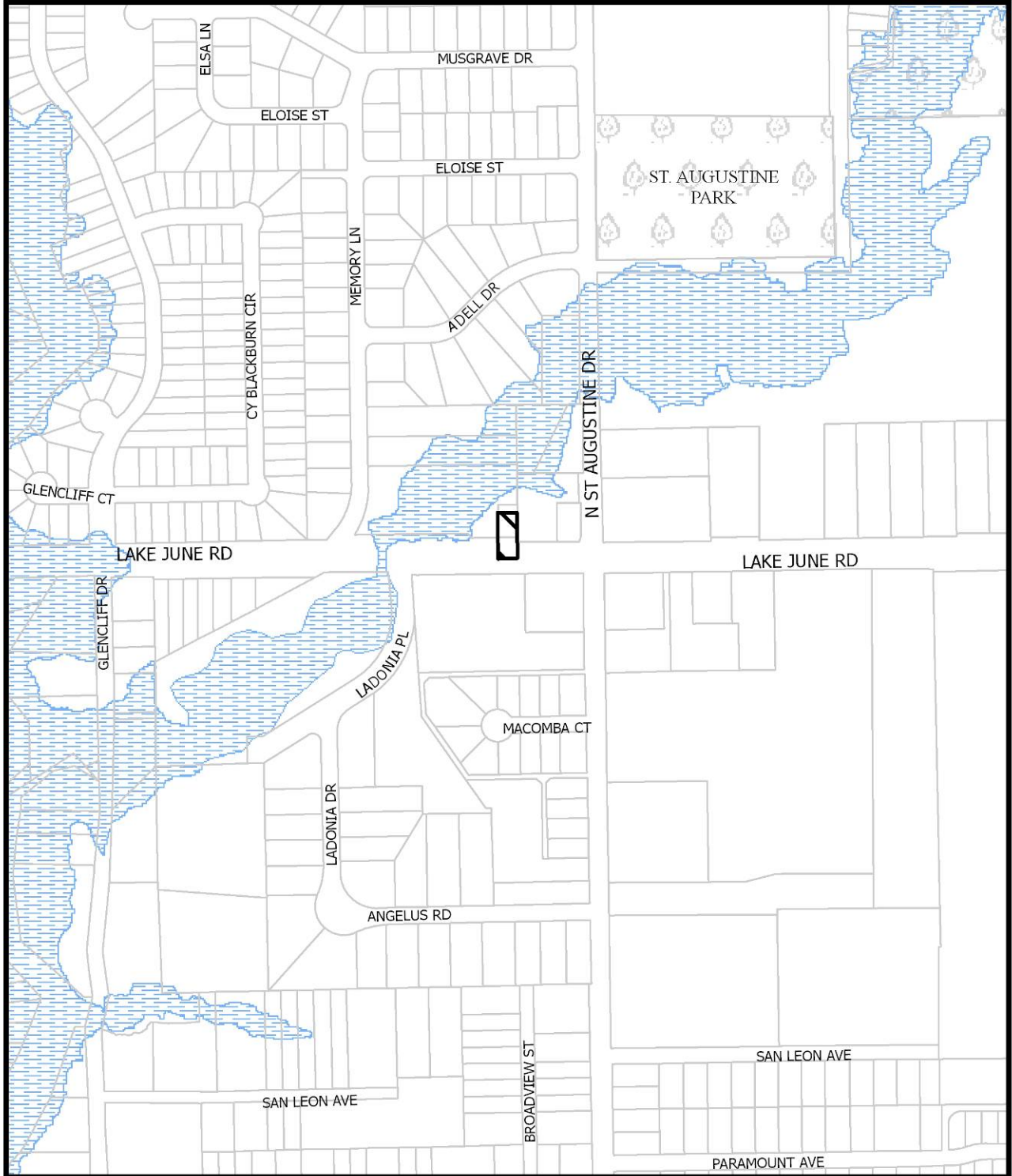
Maker: Rodgers  
Second: Hinojosa  
Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin, Abtahi, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene,  
Bernbaum, Wolfish, Schwartz, Alcantar

Against: 0  
Absent: 0  
Vacancy: 1 - District 14

**Notices:** Area: 200 Mailed: 8  
**Replies:** For: 0 Against: 0

**Speakers:** For: Socorro Hernandez, 9501 Lake June Rd., Dallas, TX, 75217  
Against: Kenneth Winn, 1310 Memory Ln., Dallas, TX, 75217  
Against (Did not speak): Sandra Winn, 1310 Memory Ln., Dallas, TX, 75217



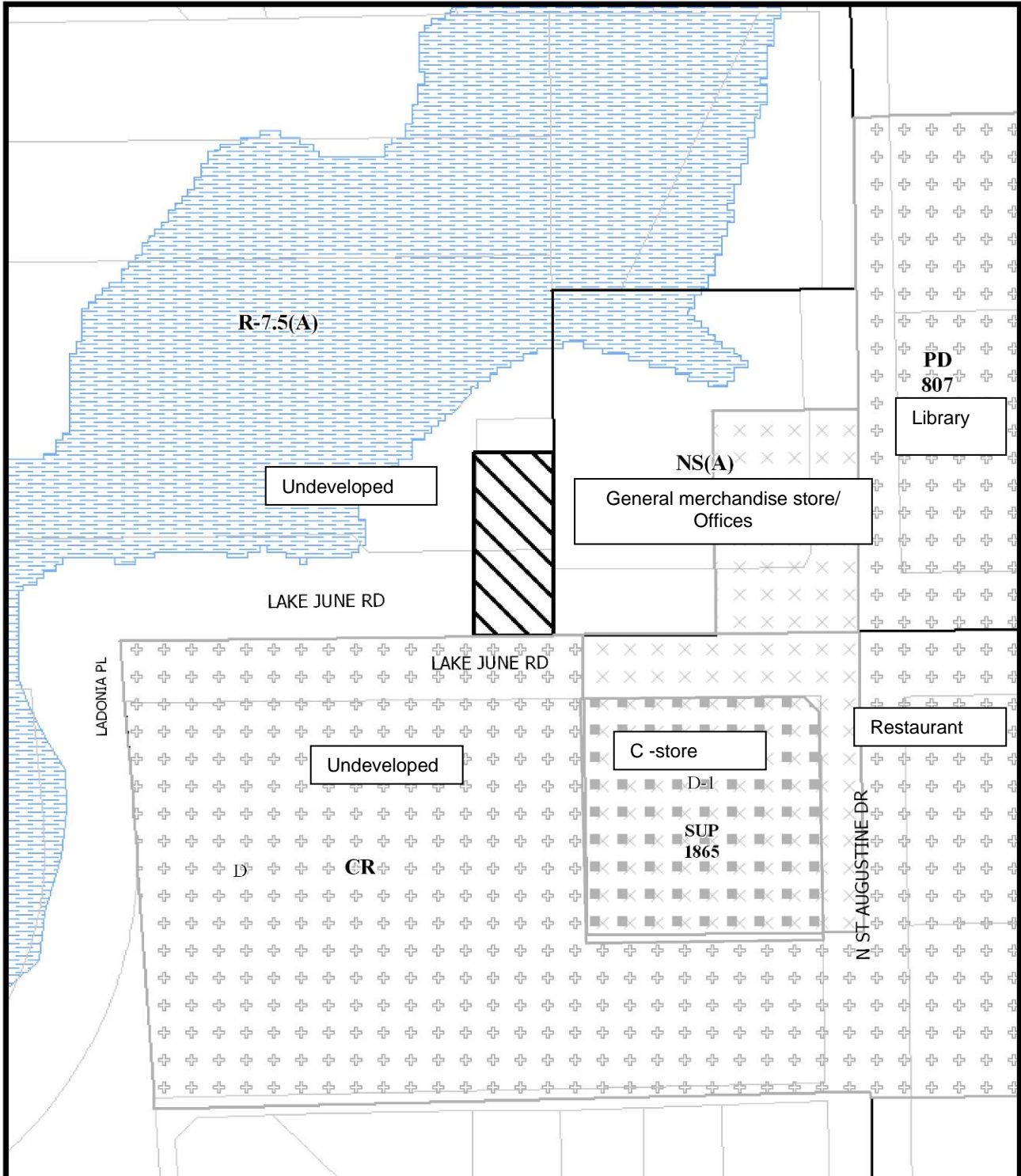
1:4,800

# VICINITY MAP

Case no:           Z112-118          

Date:           12/19/2011



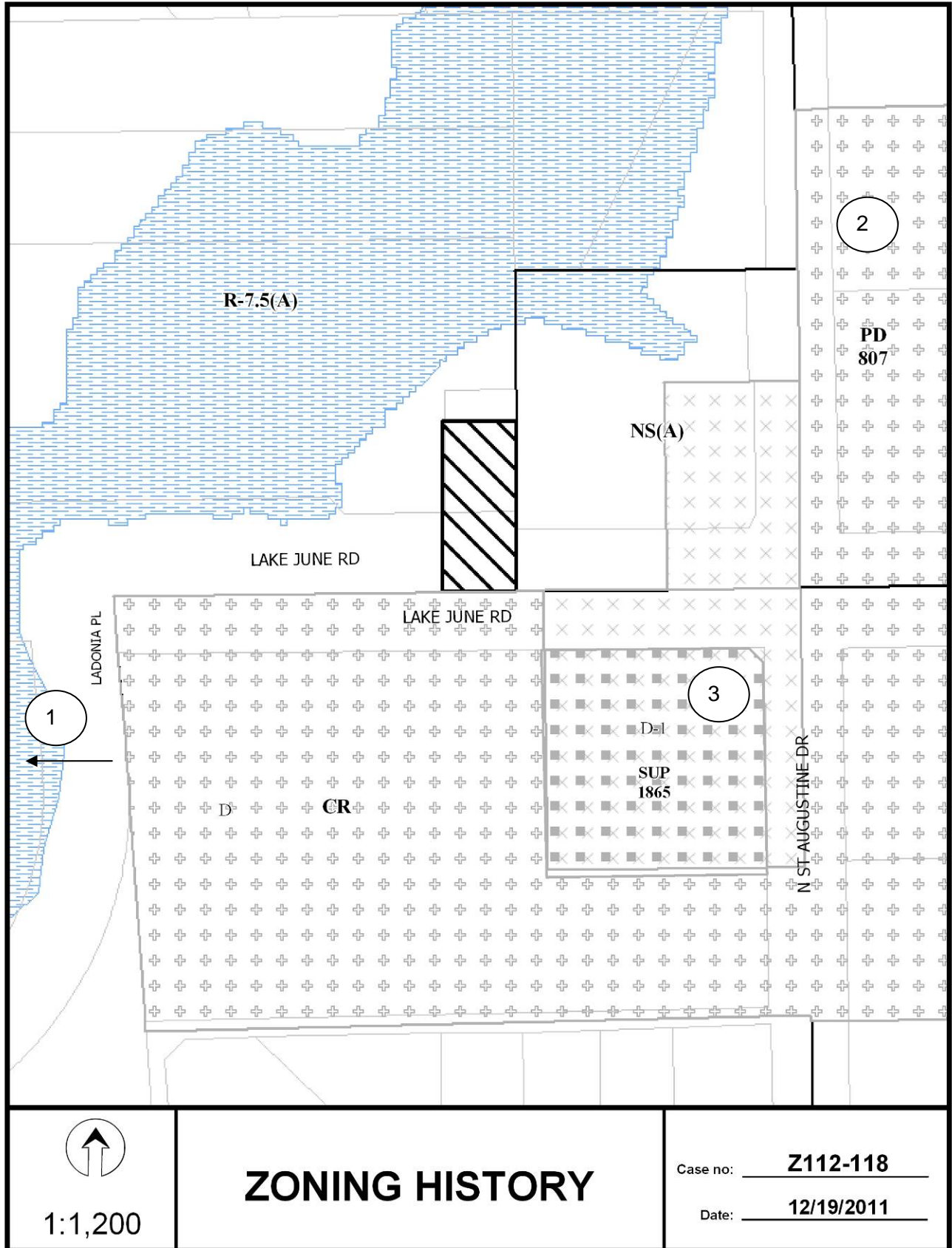


1:1,200

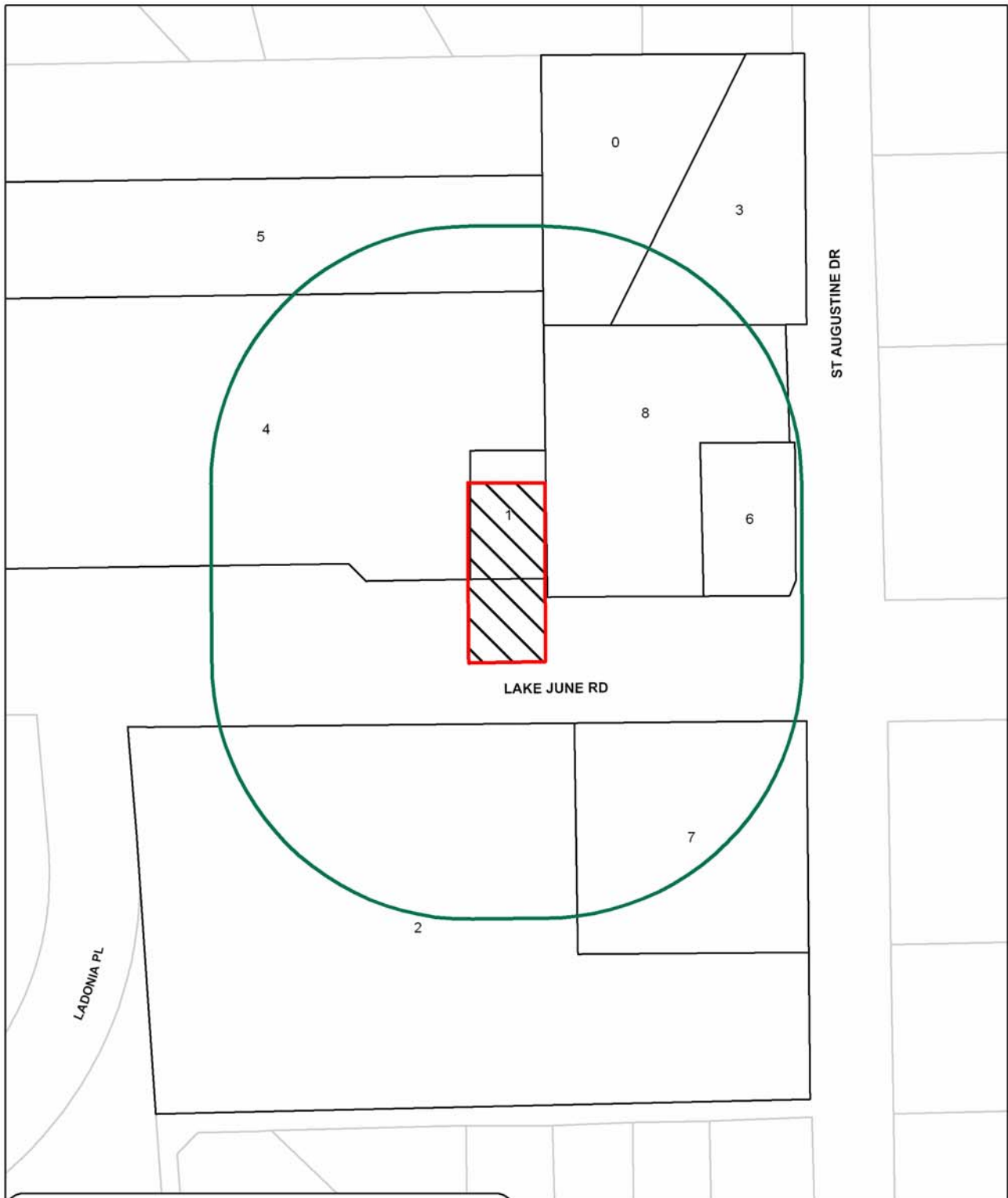
# ZONING AND LAND USE

Case no: **Z112-118**

Date: **12/19/2011**



**CPC RESPONSES**



<u>8</u>	Property Owners Notified (9 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>1/5/2012</u>	Date

**Z112-118**  
**CPC**



1:1,200

## ***Notification List of Property Owners***

### ***Z112-118***

<b><i>8 Property Owners Notified</i></b>			<b><i>0 Property Owners Opposed</i></b>	<b><i>0 Property Owners in Favor</i></b>
<b><i>Vote</i></b>	<b><i>Label</i></b>	<b><i>Address</i></b>		<b><i>Owner</i></b>
1	9501	LAKE JUNE RD		HERNANDEZ RODOLFO & SOCORRO
2	9500	LAKE JUNE RD		9500 LAKE JUNE LLC
3	1313	ST AUGUSTINE RD		REDD JOE
4	1310	MEMORY LN		WINN KENNETH B
5	1324	MEMORY LN		CERVANTES JOSE F & MARIA
6	9545	LAKE JUNE RD		LEAL FAMILY PS THE
7	1200	ST AUGUSTINE RD		EVEREST FINANCIAL CORP
8	9543	LAKE JUNE RD		LEE CHY D

***Thursday, January 12, 2012***

**AGENDA ITEM # 61**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 46 G; L

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting for a Planned Development District for a public school other than an open-enrollment charter school and D(A) Duplex District uses on property zoned an D(A) Duplex District and a CS Commercial Service District on the south corner of South Barry Avenue and Philip Avenue, and certain lots in an area generally bounded by South Fitzhugh Avenue, Philip Avenue, South Barry Avenue and Gurley Avenue

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, traffic management plan and conditions

Z101-342(WE)

Note: This item was considered by the City Council at a public hearing on January 25, 2012, and was taken under advisement until February 22, 2012, with the public hearing open.



ACM: Ryan S. Evans

**FILE NUMBER:** Z101-342(WE)                      **DATE FILED:** July 29, 2011

**LOCATION:** South corner of S. Barry Avenue and Philip Avenue, and certain lots in an area generally bounded by S. Fitzhugh Avenue, Philip Avenue, S. Barry Avenue and Gurley Avenue

**COUNCIL DISTRICT:** 2                                      **MAPSCO:** 46-G & L

**SIZE OF REQUEST:** Approx. 6.389 acres              **CENSUS TRACT:** 25.00

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**APPLICANT / OWNER:** Dallas Independent School District (see attached list of Board Members)

**REPRESENTATIVE:** MASTERPLAN  
Karl Crawley

**REQUEST:** An application for a Planned Development District for a public school other than an open-enrollment charter school and D(A) Duplex District uses on property zoned an D(A) Duplex District and a CS Commercial Service District.

**SUMMARY:** The purpose of this request is to permit DISD to construct a 2-story, 99,000 square foot elementary school. A portion of the off-street parking will be developed within a residential block, which is located across Philip Avenue from the campus.

**CPC RECOMMENDATION:** Approval, subject to a development plan, landscape plan, traffic management plan and conditions.

**STAFF RECOMMENDATION:** Approval, subject to a development plan, landscape plan, traffic management plan and conditions.

**BACKGROUND INFORMATION:**

- The Dallas Independent School District is proposing to construct a new two-story, 99,000 square foot elementary school which will have a maximum student enrollment of approximately 850 students.
- The request site was currently developed as an elementary school but has been razed in order to develop the new school. A portion of the site will have an off-street parking lot developed within a residential block as well as have several vacant lots designated solely as geo-thermal fields.
- The applicant’s request for a Planned Development District is to modify the screening requirements for the off-street parking and loading areas. The proposed elementary school will comply with the development standards and regulations specified in a D(A) Duplex District except for 2 exceptions.
- The surrounding land uses are primarily single family. However, there are several retail and commercial uses that are located on East Grand Avenue. The request site is also adjacent to Planned Development District No. 497, which is an existing nursery. A 15-foot alley separates the proposed elementary school from the existing nursery.

**Zoning History:** There has not been any recent zoning changes requested in the area.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Barry Avenue	Minor Arterial	100 ft.	100 ft.
Philip Avenue	Local	60 ft.	60 ft.
E. Grand Avenue	Local	60 ft.	60 ft.
Fitzhugh Avenue	Local	50 ft.	50 ft.
Gurley Avenue	Local	60 ft.	60 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	D(A), CS	Single Family
<b>Northeast</b>	D(A), CS	Single Family, Undeveloped
<b>Southwest</b>	D(A), PD No. 497	Single Family, Nursery
<b>Southeast</b>	D(A), CS	Single Family, Retail, Commercial, undeveloped
<b>Northwest</b>	D(A)	Single Family



**COMPREHENSIVE PLAN:** The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in an Urban Neighborhood Building Block.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

## **LAND USE**

### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

### **STAFF ANALYSIS:**

**Land Use Compatibility:** The 6.389 acre site is divided into two tracts, with the larger of the two tracts, approximately 3.629 acres, being undeveloped. A large portion of the remaining 2.76 acres is also undeveloped. However, there is a vacant church that will be razed to allow for the development of a parking lot at the northeast corner of Philip Avenue and Fitzhugh Avenue.

The applicant, Dallas Independent School District (DISD), is proposing to redevelop the site with a two-story, 99,000 square foot elementary school, which will have a maximum student enrollment of approximately 850 students and 39 classrooms. The request site was recently developed as an elementary school but has been razed in order to accommodate the new school. The main campus will be developed on the 3.629 acre tract. The remaining properties are located within a residential block that is directly across Philip Avenue. These lots are interspersed throughout the residential block and

will be designated solely as geo-thermal fields, with the exception of the parking lot that will be constructed at the northeast corner of Philip Avenue and Fitzhugh Avenue.

The applicant’s request for a Planned Development District is twofold: 1) to modify the screening requirements for the off-street parking and loading areas; and 2) to permit fences in the required front yard. These modifications involve eliminating screening of the school’s off-street parking areas. The representative has indicated that DISD has a policy of not screening the parking areas due to the safety concerns for the students and faculty members.

The off-street parking area will be secured with a perimeter fence that is masonry and/or wrought iron. The development code prohibits any fences above 4-feet in height in the required front yard. The proposed elementary school will comply with the development standards and regulations as outlined in the D(A) Duplex District regulations except for the 2 exceptions mentioned above.

DISD has designed the school to only have one primary access, which is from Philip Avenue. The proposed development will have an internal driveway that meanders in front of the school. This internal driveway will be used for student drop-off and pick-up. However, additional queuing will be accommodated within the parking lot across Philip Avenue. The traffic management plan illustrates the additional queuing for student pick-up. Based on the traffic management plan, the circulation pattern is divided into two separate, “one-way queue lines; one queue line would begin on Philip Avenue and extend into the new parking lot. It is intended that the queue lines would be designated to specific groups (based upon first letter of the last name, grade, etc.) by the school administration to balance the number of vehicles in each queue line.” Philip Avenue will be designated as a one way street during certain school hours.

Staff has reviewed and recommends approval of the applicant’s request for a Planned Development District for a public school other than an open enrollment charter school, subject to a development plan, landscape plan, traffic management plan and conditions. The proposed school should not adversely impact the surrounding area.

**Development Standards:**

<b>DISTRICT</b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
D(A) - existing Duplex	25'	5'	1 Dwelling Unit/ 3,000 sq. ft.	36'	60%	Min. Lot: 6,000 sq. ft	Duplex & single family
CS - existing Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office
Proposed PD Single Family & Public School	25'/15'	5'	1 Dwelling Unit/ 3,000 sq. ft.	36'	60%	Min. Lot: 6,000 sq. ft	Duplex, Single family, elementary school, public utilities

**Parking:** The requirement for off-street parking for an elementary school, pursuant to the Dallas Development Code is one and one-half space for each elementary school classroom.

The number of required off-street parking spaces for the proposed elementary school is 59 spaces and the applicant is proposing to provide 112 off-street parking spaces. The total number of proposed classrooms determines the number of required parking spaces. DISD is proposing approximately 39 classrooms for the elementary school.

DISD will have to meet the parking requirements in accordance to Section 51A-4.200 of the Dallas Development Code for any future expansion.

The applicant has acquired certain lots within the adjacent residential block to develop a parking lot for the new school. Access to the surface parking lot is from Fitzhugh Avenue and Philip Avenue. Philip Avenue will be designated as a one way street during certain school hours. The proposed surface parking lot, in addition to, the additional off-street parking spaces that are located on the main school's campus will meet the necessary parking requirements for the proposed elementary school.

Additional off-street parking for service trucks is provided on the southwest portion of the school. Access to the service area is from E. Grand Avenue.

**Landscaping:** Landscaping of any development will be in accordance with the attached landscape plan.

**CPC Action** (December 1, 2011)

**Motion:** In considering an application for a Planned Development District for a public school other than an open-enrollment charter school and D(A) Duplex District uses on property zoned an D(A) Duplex District and a CS Commercial Service District on the south corner of S. Barry Avenue and Philip Avenue, and certain lots in an area generally bounded by S. Fitzhugh Avenue, Philip Avenue, S. Barry Avenue and Gurley Avenue, it was moved to **hold** this case under advisement until December 15, 2012.

Maker: Wally  
Second: Bagley  
Result: Failed: 4 to 8

For: 4 - Wally, Rodgers, Bagley, Lavallaisaa  
Against: 8 - R. Davis, Anglin, Hinojosa, Tarpley, Shellene, Bernbaum, Schwartz, Alcantar  
Absent: 1 - Wolfish  
Vacancy: 1 - District 14

Conflict: 1 - M. Davis

**CPC Action** (December 15, 2011)

**Motion:** It was moved to recommend **approval** of a Planned Development District for a public school other than an open-enrollment charter school and D(A) Duplex District uses, subject to a development plan, revised landscape plan, traffic management plan and revised conditions providing screening on lots adjacent to residential uses on property zoned an D(A) Duplex District and a CS Commercial Service District on the south corner of S. Barry Avenue and Philip Avenue, and certain lots in an area generally bounded by S. Fitzhugh Avenue, Philip Avenue, S. Barry Avenue and Gurley Avenue.

Maker: Tarpley  
Second: R. Davis  
Result: Carried: 8 to 4

For: 8 - R. Davis, Anglin, Hinojosa, Tarpley, Shellene, Bernbaum, Schwartz, Alcantar

Against: 4 - Wally, Rodgers, Bagley, Lavallaisaa  
Absent: 1 - Wolfish  
Vacancy: 1 - District 14  
Conflict: 1 - M. Davis

**Notices:** Area: 500 Mailed: 151  
**Replies:** For: 29 Against: 23

**Speakers:** For: Karl Crawley, 900 Jackson St., Dallas, TX, 75201  
Karen Mendez, 1814 Cool Springs Dr., Mesquite TX, 75181  
Christina Chienvichai, 4625 Lawler Rd., Garland, TX, 75042  
Esleben Gonnet, 1115 Meandering Way, Mesquite, TX, 75150  
Oliva Lopez, 4834 Gurley Ave., Dallas, TX, 75223  
Ovidia Amaya, 1405 S. Fitzhugh Ave., Dallas, TX, 75223  
Ana Maria Gracia, 4833 Philip Ave., Dallas, TX, 75223  
Iris Ramirez, 5023 Philip Ave., Dallas, TX, 75223  
Edgar Barroso, 5023 Philip Ave., Dallas, TX, 75223  
Lyana Henderson, Address not given  
Annette Chavez, 5328 Lindsley Ave., Dallas, TX, 75223  
Regina Delora, Address not given  
Robert Frick, 635 Westport Pkwy., Grapevine, TX, 76051  
For (Did not speak): Lisa Henderson, 3507 Ambassator way, Balch Springs, TX, 75180  
Maria Garcia, 4511 Philip Ave., Dallas, TX, 75223

Maria Andrade, 5018 Philip Ave., Dallas, TX, 75223  
Mayra Rodriguez, 5018 Philip Ave., Dallas, TX, 75223  
Maria Villa, 5007 Philip Ave., Dallas, TX, 75223  
Gleicy Villa, 5007 Philip Ave., Dallas, TX, 75223  
Ana Lilia Martinez, 4808 Philip Ave., Dallas, TX, 75223  
Maria Martinez, 4715 Philip Ave., Dallas, TX, 75223  
Blanca Martinez, 4802 Philip Ave., Dallas, TX, 75223  
Irma Arriaga, 4815 Philip Ave., Dallas, TX, 75223  
Petra Martinez, 4818 Philip Ave., Dallas, TX, 75223  
Leonor Ramirez, 5023 Philip Ave., Dallas, TX, 75223  
Emilia Cid, 5303 Terry St., Dallas, TX, 75223  
Violeta Gonzalez, 4921 Terry St., Dallas, TX, 75223  
Emma Salazar, 5305 Terry St., Dallas, TX, 75223  
Socarro Guerrero, 5236 Terry St., Dallas, TX, 75223  
Celia Lopez, 5106 E. R.L. Thornton Fwy., Dallas, TX, 75223  
Elizabeth Ramirez, 5106 E. R.L. Thornton Fwy., Dallas, TX, 75223  
Ana Lopez, 5106 E. R. L. Thornton Fwy., Dallas, TX, 75223  
Jesse Moreno, 4809 Victor St., Dallas, TX, 75214  
Maria Martinez, 2926 Jerome St., Dallas, TX, 75223  
Lili Faz, 5921 E. Grand Ave., Dallas, TX, 75223  
Olivia Marie Santos, 59423 Palo Pinto Ave., Dallas, TX, 75206  
Kathleen Wilkinson, 1520 N. Beckley Ave., Dallas, TX, 75203  
Karen Wyse, 914 Northlake Dr., Richardson, TX, 75080  
Arden Showalter, 5547 Morningside Ave., Dallas, TX, 75206  
Susan Campbell, 9333 Meadowbrook Dr., Dallas, TX, 75220  
Veronica Huerta, 5107 Lindsley Ave., Dallas, TX, 75223  
Maria Esther Tavares, 5234 Lindsley Ave., Dallas, TX, 75223  
Jose Malo, 5432 Lindsley Ave., Dallas, TX, 75223  
Juan Espinoza, 5234 Lindsley Ave., Dallas, TX, 75223  
Sara Cervantes, 5210 Lindsley Ave., Dallas, TX, 75223  
Walt Human, 907 Bank St., Dallas, TX, 75223  
Ben Leal, 907 Bank St., Dallas, TX, 75223  
Thomas Harbiso, 907 Bank St., Dallas, TX, 75223  
Maria Martinez, 921 Ann Ave., Dallas, TX, 75223  
Elena Mendez, 917 Ann Ave., Dallas, TX, 75223  
Maria Aparicio, 917 Ann Ave., Dallas, TX, 75223  
Ericka Rodriguez, 917 Ann Ave., Dallas, TX, 75223  
Monica Reveles, 917 Ann Ave., Dallas, TX, 75223  
Maria Suastegul, Ann Ave., Dallas, TX, 75223  
Maria Leal, 917 Ann Ave., Dallas, TX, 75223  
Hector Contreras, 921 Ann Ave., Dallas, TX, 75223  
Jeromie Napoleon, 4700 Garland Ave., Dallas, TX, 75223  
Marilyn Paredes, 5333 Garland Ave., Dallas, TX, 75223  
Sophia Paredes, 5333 Garland Ave., Dallas, TX, 75223  
Adela Hernandez, 4802 Garland Ave., Dallas, TX, 75223  
Sonia Esquivel, 5416 Garland Ave., Dallas, TX, 75223

Juan Gamez, 5307 Parry Ave., Dallas, TX, 75223  
Maria Reveles, 5111 Parry Ave., Dallas, TX, 75223  
Rosalio Gamez, 5303 Parry Ave., Dallas, TX, 75223  
Rocio Andrada, 5310 Parry Ave., Dallas, TX, 75223  
Javier Gurrola, 5322 Parry Ave., Dallas, TX, 75223  
Beatriz Flores, 5311 Parry Ave., Dallas, TX, 75223  
Katia Brenez, 5315 Parry Ave., Dallas, TX, 75223  
Ubaldo Gamez, 5306 Parry Ave., Dallas, TX, 75223  
Manuela Alvarado, 5316 Parry Ave., Dallas, TX, 75223  
Martha Ruiz, 4539 Parry Ave., Dallas, TX, 75223  
Ester De Pizano, 4806 Parry Ave., Dallas, TX, 75223  
Roberto Jimenez, 5302 Ash Ln., Dallas, TX, 75223  
Yanet Cid, 5120 Ash Ln., Dallas, TX, 75223  
Maria Banda, 5304 Ash Ln., Dallas, TX, 75223  
Maribel Moncada, 5304 Ash Ln., Dallas, TX, 75223  
Josefina Banda, 5304 Ash Ln., Dallas, TX, 75223  
Maria Jimenez, 5203 Ash Ln., Dallas, TX, 75223  
Martha Garza, 1403 S. Fitzhugh Ave., Dallas, TX, 75223  
Rosalinda Soto, 1308 S. Fitzhugh Ave., Dallas, TX, 75223  
Tim Welsler, 1405 S. Fitzhugh Ave., Dallas, TX, 75223  
Maria Longoria, 1333 Fitzhugh Ave., Dallas, TX, 75223  
Aruceli Lopez, 5334 Santa Fe Ave., Dallas, TX, 75223  
Arturo Hernandez, 5334 Santa Fe Ave., Dallas, TX, 75223  
Maria Medina, 4700 Santa Fe Ave., Dallas, TX, 75223  
Imelda Lopez, 407 Fairview Ave., Dallas, TX, 75223  
Paulo Lopez, 407 Fairview Ave., Dallas, TX, 75223  
Maria Gomez, 1405 Caldwell Ave., Dallas, TX, 75223  
Mayra Quiroz, 1405 Caldwell Ave., Dallas, TX, 75223  
Julian Sarabia, 1405 Caldwell Ave., Dallas, TX, 75223  
Jazmin Quiroz, 1405 Caldwell Ave., Dallas, TX, 75223  
Esperanza, 1405 Caldwell Ave., Dallas, TX, 75223  
Melissa Sarabia, 1405 Caldwell Ave., Dallas, TX, 75223  
Susana Lopez, 4834 Gurley Ave., Dallas, TX, 75223  
Simon Puentes, 4839 Gurley Ave., Dallas, TX, 75223  
Diania Lopez, 4822 Gurley Ave., Dallas, TX, 75223  
Maria Gonzalez, 5227 Gurley Ave., Dallas, TX, 75223  
Gloria Lopez, 4839 Gurley Ave., Dallas, TX, 75223  
Quamesha Ingram, Address not given  
Against: Shawn Busari, 4906 Gurley Ave., Dallas, TX, 75223  
Norma Hernandez, 5019 Philip Ave., Dallas, TX, 75223  
Jewel Floyd, 3815 Myrtle St., Dallas, TX, 75215  
Claudia Lozano, 4939 Philip Ave., Dallas, TX, 75223  
Luis Recinos, 4930 Gurley Ave., Dallas, TX, 75223  
Christina Sallinas, 4930 Gurley Ave., Dallas, TX, 75223  
Gail Blessing, Address not given  
Agustina Del Rio, 1015 S. Barry Ave., Dallas, TX, 75223

Against (Did not speak): Rolando Lozano, 4939 Philip Ave., Dallas, TX, 75223  
Angie Lozano, 4939 Philip Ave., Dallas, TX, 75223  
Hershel Floyd, 3815 Myrtle St., Dallas, TX, 75215  
Victor Recinos, 4930 Gurley Ave., Dallas, TX, 75223  
Michael Sapelalut, 4831 Parry Ave., Dallas, TX, 75223  
Claudia Nava, 4831 Parry Ave., Dallas, TX, 75223

Staff: Phil Erwin, Chief Arborist, City of Dallas

<b>BOARD OF TRUSTEES DISD</b>
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- District 1** Edwin Flores, Ph. D., J.D, Second Vice President
- District 2** Mike Morath
- District 3** Bruce Parrott, Board Secretary
- District 4** Nancy Bingham
- District 5** Lew Blackburn, Ph. D., President
- District 6** Carla Ranger
- District 7** Eric Cowan
- District 8** Adam Medrano, First Vice President
- District 9** Bernadette Nutall



**CPC PROPOSED PDD  
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 South corner of S. Barry Avenue and Philip Avenue, bounded by S. Fitzhugh Avenue, Philip Avenue, S. Barry Avenue, and Gurley Avenue. The size of PD \_\_ is approximately 6.389 acres.

**SEC. 51P- \_\_\_\_ .103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, PRIVATE UTILITIES means a utility owned and operated by a public school, other than an open-enrollment charter school which includes a geo-thermal system used in conjunction with a public school.

(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.

**SEC. 51P-\_\_\_\_.104. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit \_\_\_\_A: development plan.
- (2) Exhibit \_\_\_\_B: landscape plan
- (3) Exhibit \_\_\_\_C: traffic management plan.

**SEC. 51P- \_\_\_\_ .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 \_\_\_\_A). 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.

**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 D(A) Duplex District, subject to the same conditions applicable in the D(A) Duplex District, as set out in Chapter 51A. For example, a use permitted in the D(A) Duplex 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 D(A) Duplex District is subject to DIR in this district; etc.

(b) The following additional uses are permitted by right:

- Public school other than an open-enrollment charter school.
- Private utilities. *[Tracts 3, 4, 5, 6, and 7 only.]*

**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 his section, the yard, lot and space regulations for the D(A) Duplex District apply.

(b) Front yard. For a public school other than an open-enrollment charter school, minimum front yard is 25 feet on Philip Avenue, 15 feet on S. Barry Avenue, and 15 feet on E. Grand Avenue as shown on the development plan.

(c) Floor area. For a public school other than an open-enrollment charter school, maximum floor area is 99,000 square feet.

(d) Lot Coverage. Maximum lot coverage is

- (1) 50 percent for a public school other than an open-enrollment charter school;
- (2) 60 percent for residential structures; and
- (3) 25 percent for nonresidential structures.

Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

**SEC. 51P- \_\_\_\_\_.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 59 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.

(c) Screening is not required for off-street parking areas.

**SEC. 51P- \_\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P- \_\_\_\_\_.111. FENCE.**

(a) A minimum 4-foot high fence must be provided on Tract 2 in the location shown on the development plan. The fence must be masonry, wrought iron, or a combination of masonry and wrought iron.

(b) A minimum 4-foot high fence is permitted by right in the front yard in Tracts 1 and 2, but cannot exceed a maximum height of 6 feet.

**SEC. 51P- \_\_\_\_\_.112. LANDSCAPING AND TREE REPLACEMENT.**

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) For a public school other than an open-enrollment charter school,

- (1) landscaping must be provided as shown on the landscape plan;
  - (2) replacement trees may be planted on any Dallas Independent School District site within 5 miles of the Property; and
  - (3) landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.
- (c) Plant materials must be maintained in a healthy, growing condition.

*CPC Recommendation*

<b>SEC. 51P- ____ .114.                      SCREENING.</b>
Screening must be provided on lots adjacent to residential uses

*Applicant's proposal*

<b>SEC. 51P- ____ .114.                      SCREENING.</b>
Applicant's request is per the Development Code

**SEC. 51P- \_\_\_\_ .115.                      SIGNS.**

Signs must comply with the provisions for non-business zoning districts in Article VII.

**SEC. 51P- \_\_\_\_ .116.                      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 \_\_\_\_ B).

(b) 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 **November 1, 2013**. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each odd-numbered year.

(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;

(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.

(c) Phase II. Before issuance of a building permit for Phase II, the Property owner or operator shall:

(A) 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

(B) submit an amended traffic management plan.

(d) 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.

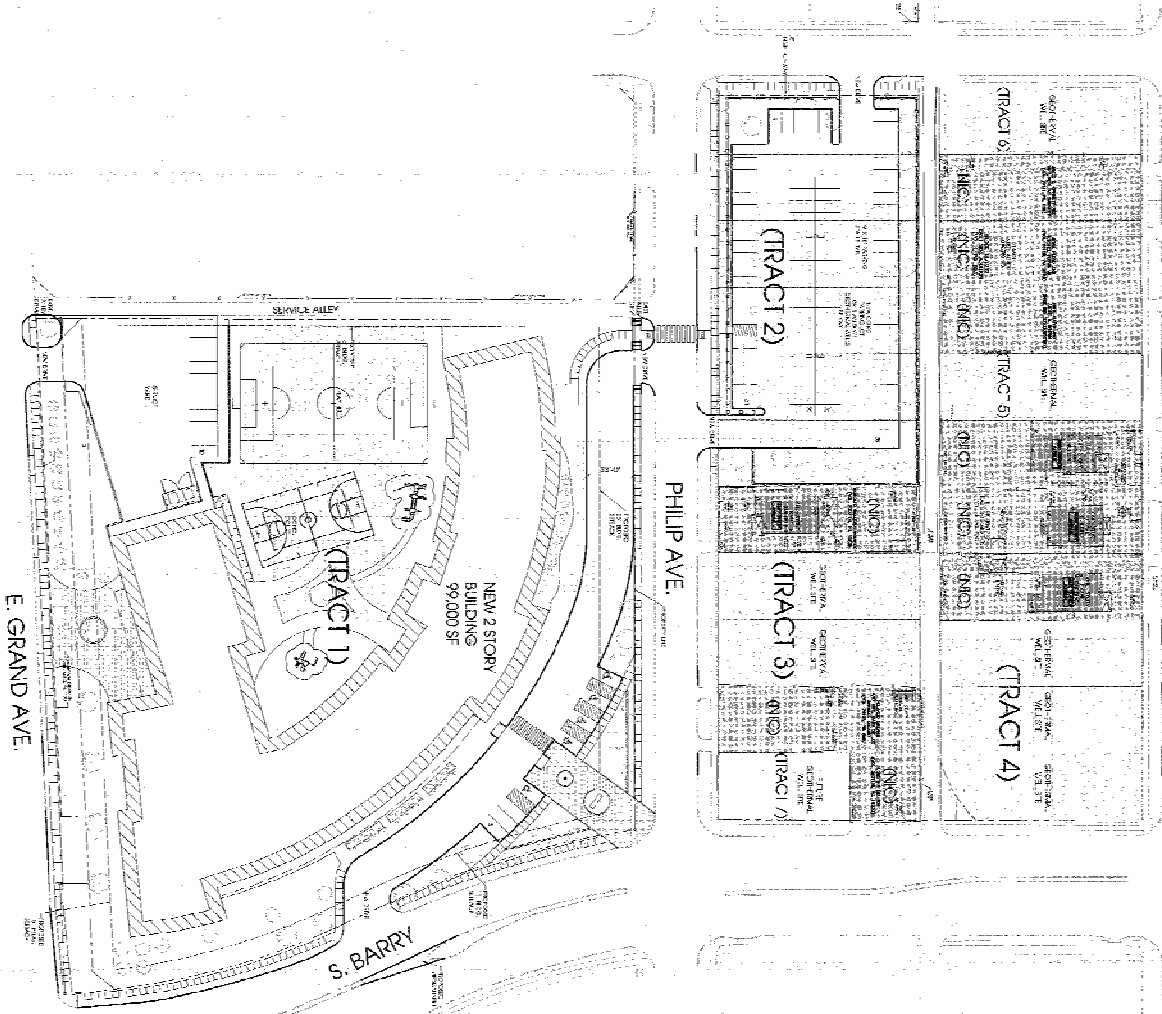
**SEC. 51P- \_\_\_\_ .117.                      ADDITIONAL PROVISIONS.**

- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (a) 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.

**SEC. 51P- \_\_\_\_ .118.                      COMPLIANCE WITH CONDITIONS.**

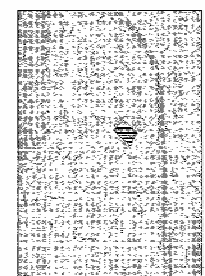
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to 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.

**PROPOSED DEVELOPMENT PLAN**



**DEVELOPMENT SUMMARY**

OCCUPANCY: PUBLIC SCHOOL  
 NUMBER OF STUDENTS: 37  
 NAME OF BUILDING: ORAN M. ROBERTS ELEMENTARY SCHOOL  
 NUMBER OF BUILDINGS: 5  
 TOTAL SQUARE FEET: 99,000  
 PROJECT LOCATION: 4919 E. GRAND AVENUE, DALLAS, TEXAS 75223



VICINITY MAP



ARCHITECTS



FOR 350,000+  
 APPROVAL, BERTINIS,  
 OR CONSULTING

**ORAN M. ROBERTS  
 ELEMENTARY SCHOOL**  
 4919 E. GRAND AVENUE  
 DALLAS, TEXAS 75223

BD PAC-60374  
 ONG 202  
 DIS INCL 19

SCALE: AS SHOWN  
 DATE: 08/20/2019

**D1.00**  
 DEVELOPMENT PLAN

2019/08/20





**Oren M. Roberts Elementary School  
Traffic Management Plan**

A Traffic Management Plan (TMP) is important to maintain an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. The analysis summarized below utilizes the proposed site plan to identify the projected queuing (i.e., vehicle stacking) space needed on site to accommodate the projected peak demands related to drop-off/pick-up for the School. A concerted effort by the school administration and the parents is encouraged to provide and maintain safe and efficient traffic operations.

#### School Hours

The school is expected to operate on a uniform daily schedule. Classes on typical school days for all grades will begin at 8:00 AM and conclude at 3:00 PM. While these are the scheduled class times, it can be assumed that not all students will enter /exit the site at these exact times based upon normal distribution patterns. Occasional special events at the school that generate traffic may also occur outside the traditional peak drop-off and pick-up periods; while some of the measures presented in this report may be applicable in conjunction with special events, these traffic characteristics are not covered in this analysis.

#### Passenger Vehicles

##### Queue Lengths

A goal for any school is to accommodate all vehicular queuing and drop-off! pick-up procedures on private property (i.e., off public right-of-way). A standardized technique for projecting necessary queue length does not exist, however DeShazo has developed a proprietary methodology for estimating peak vehicular queue at public elementary schools based upon historical studies conducted by DeShazo at various similar school sites. Maximum queuing at schools consistently occurs during the afternoon peak period when students are being picked-up by private automobile — the morning period is typically not a significant traffic issue since the drop-off activity is more temporally distributed and occurs much more quickly than student pick-up. The DeShazo model projects the peak queue conditions experienced during the afternoon peak hour.

Based upon the DeShazo model, the maximum number of vehicles in queue during the PM peak hour is equivalent to approximately 50% of the total inbound PM peak hour traffic volume. [NOTE: Based on the information obtained from DISD, 497 students are currently enrolled at the school. Following the redevelopment, the school will provide an ultimate enrollment capacity of 850 students (i.e., a theoretical net increase of 353 students). Since, this TMP is designed for the ultimate scenario, the total enrollment of 850 students was used to calculate the total inbound PM peak hour inbound volume.] The PM peak hour inbound volume is calculated as follows:

1. Calculate the site generated trip ends for “elementary schools” based upon the projected number of students using the ITE Trip Generation equations. [ITE Trip Generation is a compilation of actual traffic generation data by land use as collected over several decades by creditable sources across the country, and it is accepted as the standard methodology to determine trip generation volumes for various land uses where sufficient data exists.]

2. Increase the peak hour trip ends by 33% (i.e. apply a factor of +1.33).

*NOTE: Application of the DeShazo-adjusted methodology described above yields trip generation values greater than the default trip totals otherwise derived using the standard ITE equations for “elementary schools”.*

For the DISD-Oran M. Roberts North Elementary School, the following assumptions were employed in the DeShazo Model:

- 850 total students
- No students will be bused

*NOTE: Based upon DeShazo’s field observations conducted at the existing school, it was noted that a higher-than-average number of students currently travel to/from the school by walking. Typically, an adjustment could be made to the trip generation calculation in the DeShazo Model to account for walk trips; however, for this analysis, since no busing is provided, the net effect to trip generation from the two modes was assumed to offset. So, no modifications to the standard DeShazo Model were applied.*

Trip generation equations/rates for the ITE Land Use Code 520 - Elementary School were used in the DeShazo model (excerpts from the ITE Trip Generation are provided in Appendix A). Based on DeShazo’s methodology the maximum passenger vehicle queue for the school was estimated to be 68 vehicles or 1,360 linear feet (@20 feet/vehicle). More information and detailed queue calculations are also provided in Appendix A.

## Circulation

The existing school site does not provide internal roadways for vehicular circulation and queuing; all passenger loading occurs within public right-of-way or off-site. Most passenger loading occurs on Philip Avenue, which operates as one-way, eastbound during the morning and afternoon periods on school days. However, under existing conditions, traffic congestion on Philip Avenue adjacent to the school is significant during these periods (particularly the afternoon pick-up period) due to the prevalence of vehicles parking on the street, and an overall lack of traffic management.

Although space limitations prohibit the ability to accommodate a significant roadway within the site boundary, the new site plan does provide a small internal roadway. This roadway is adjacent to the new front door of the school and is intended to operate as one-way flow with entry on Philip Avenue and exit (by right-turn only) on Barry Avenue. The internal roadway is expected to provide adequate curbside for passenger unloading during the morning drop-off.

For the afternoon pick-up period, however, the projected queue length exceeds the available curbside length along the internal roadway. Some of the pick-up queue can be accommodated internally, while some of the queue can be accommodated within the new parking lot located across Philip Avenue. Nevertheless, it will be necessary to continue to utilize Philip Avenue to accommodate a portion of the vehicular queue generated during the afternoon pick-up period. The recommended circulation pattern developed by DeShazo is divided into two separate, one-way queue lines - one queue line would begin within the internal roadway and extend onto Philip Avenue, and the second queue line would begin on Philip Avenue and extend into the new parking lot. It is intended that the queue lines would be designated to specific groups (based upon first letter of last name, grade, etc.) by the school administration to balance the number of vehicles in each queue line.

Detailed illustrations of the proposed circulation plan are provided in Exhibit 2.

#### Afternoon Pick-Up: Internal Queue Line

Passenger vehicles picking-up students in the “internal queue line” should enter the internal roadway at school driveway from Philip Avenue, form a single queue lane beginning at the easternmost portion of the designated loading area, and circulate one-way eastbound to the exit onto Barry Avenue. The designated loading area is located in front of the main door of the school building near the eastern end of school driveway. To exit vehicles should turn right on to southbound Barry Avenue (left-turn on Barry Avenue will be prohibited by the future median closure). This queue line may extend onto Philip Avenue (along south curb only), but assignment of students to queue lines should be adjusted accordingly to prevent the queue from extending into the intersection of Fitzhugh Avenue.

*NOTE: Also see important instructions in the next section: “Staff Assistance”.*

#### Afternoon Pick-Up: Philip Avenue Queue Line

Passenger vehicles picking-up students in the “Philip Avenue queue line” should enter the new parking lot via the new parking lot driveway on Fitzhugh Avenue, and then circulate within the parking lot aisles to the driveway on Philip Avenue. After stopping before proceeding onto Philip Avenue, vehicles may enter Philip Avenue by left-turn (one-way, eastbound) and proceed to the designated loading area along the south curb. The queue shall begin at the easternmost point of the designated loading area.

NOTE: Also see important instructions in the next section: “Staff Assistance”.

## Staff Assistance

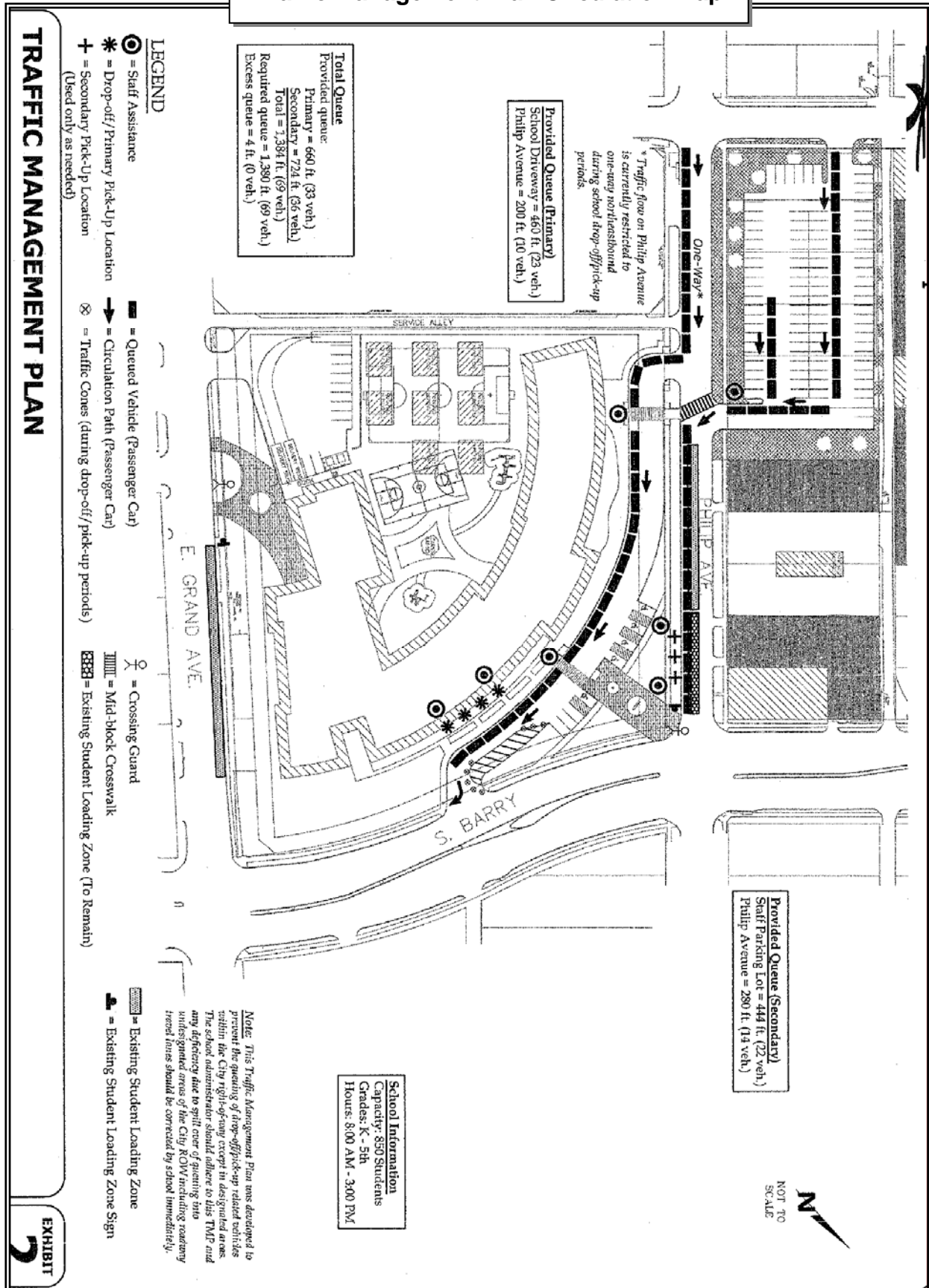
To optimize safety, it is important to have a staff from the school present where- and whenever students are dropped-off or picked-up, including the bus area (if applicable). The general responsibility of the authorized staff is to ensure all vehicles in the immediate vicinity of the designated loading area are in a fully stopped condition before loading/unloading occurs and to provide general oversight and limited assistance (where practical to do so). At the appropriate interval, the authorized staff should instruct motorists when it is safe to advance/exit. [NOTE: Only deputized officers of the law (including school crossing guards) may instruct traffic within public rights-of-way.]

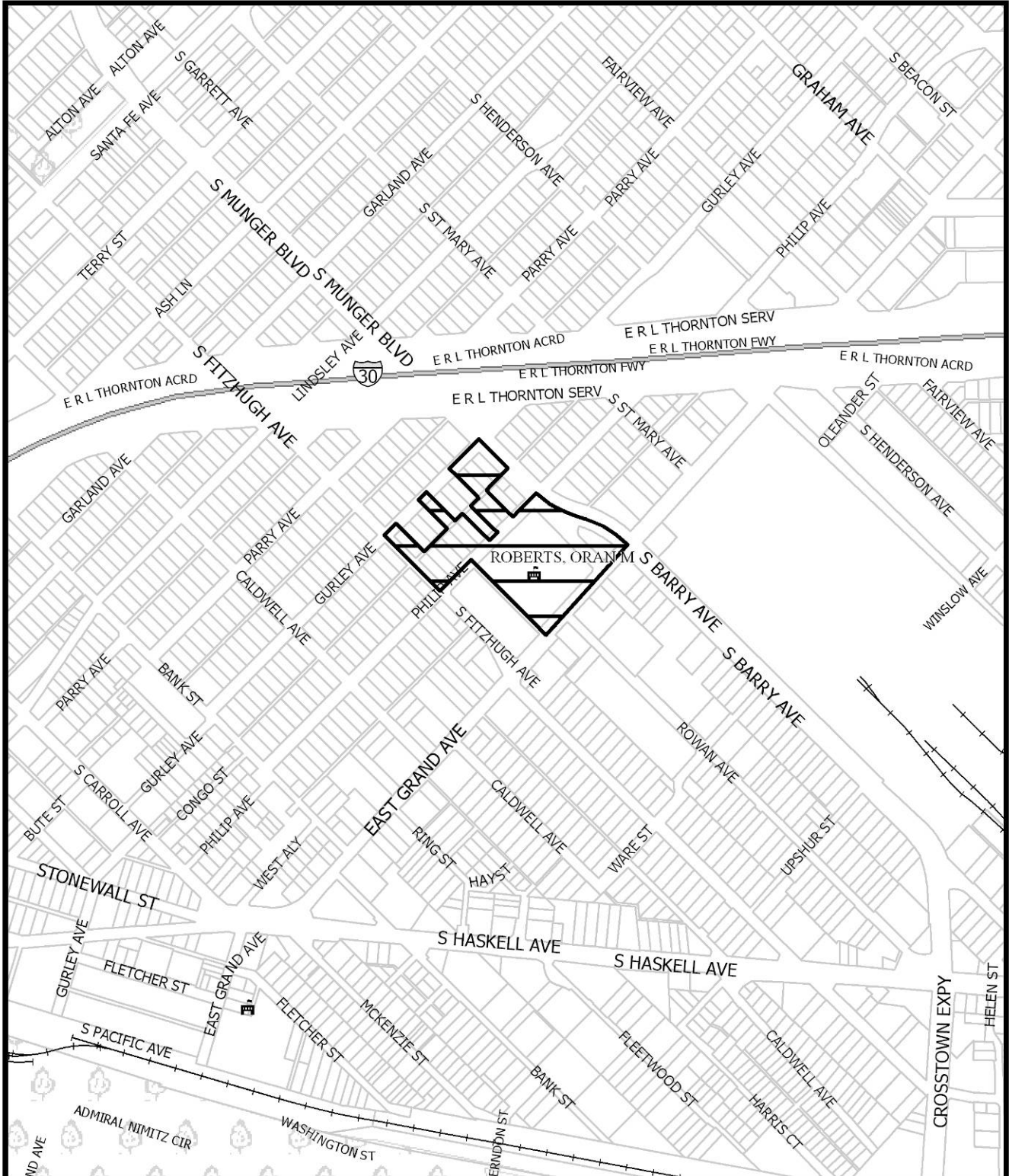
In the morning, at least two staff members should be available at the designated passenger drop-off area on the internal roadway to guide and assist vehicles to designated locations and direct students into the school building. Likewise, during the afternoon, at least two staff members should be available at each of the two designated passenger loading areas to facilitate orderly and expedient passenger loading.

A greater presence is needed in the afternoon due to the increased volume of vehicular and pedestrian traffic. One or more staff member(s) should be present at each of the two designated pedestrian crossing points along the internal roadway to assist students in crossing the path of vehicular traffic. One staff member should be present at the parking lot driveway on Philip Avenue to assist vehicles in entering the street and guide the vehicles to the designated secondary loading area on Philip Avenue. It is recommended that the staff should oversee operations and ensure traffic flows according to the TMP. Other general protocols to be imposed:

- parking in the queue lines should be discouraged
- passenger unloading and loading should only occur at the curbside

### Traffic Management Plan Circulation Map



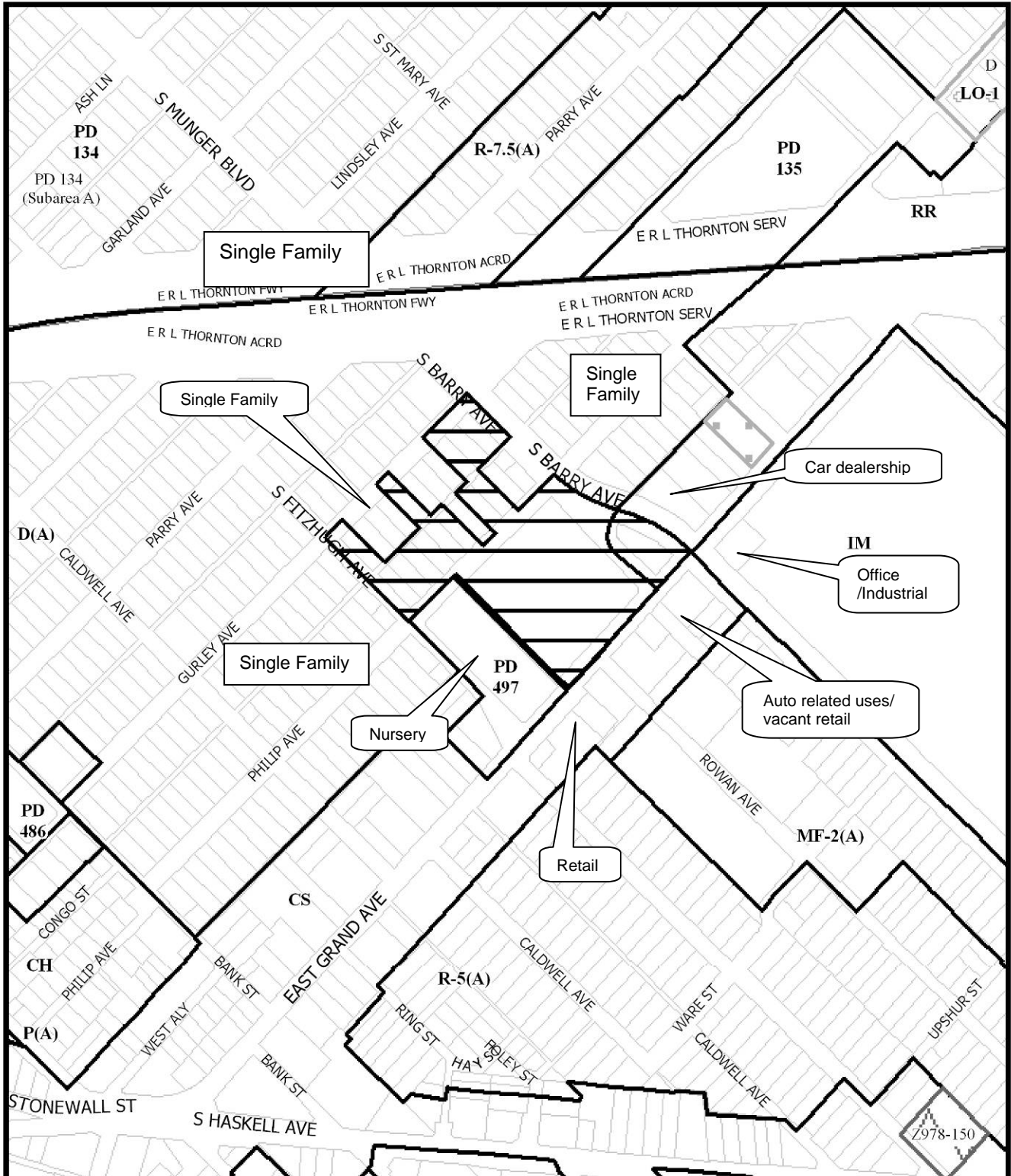


1:7,200

# VICINITY MAP

Case no: **Z101-342**

Date: **11/17/2011**



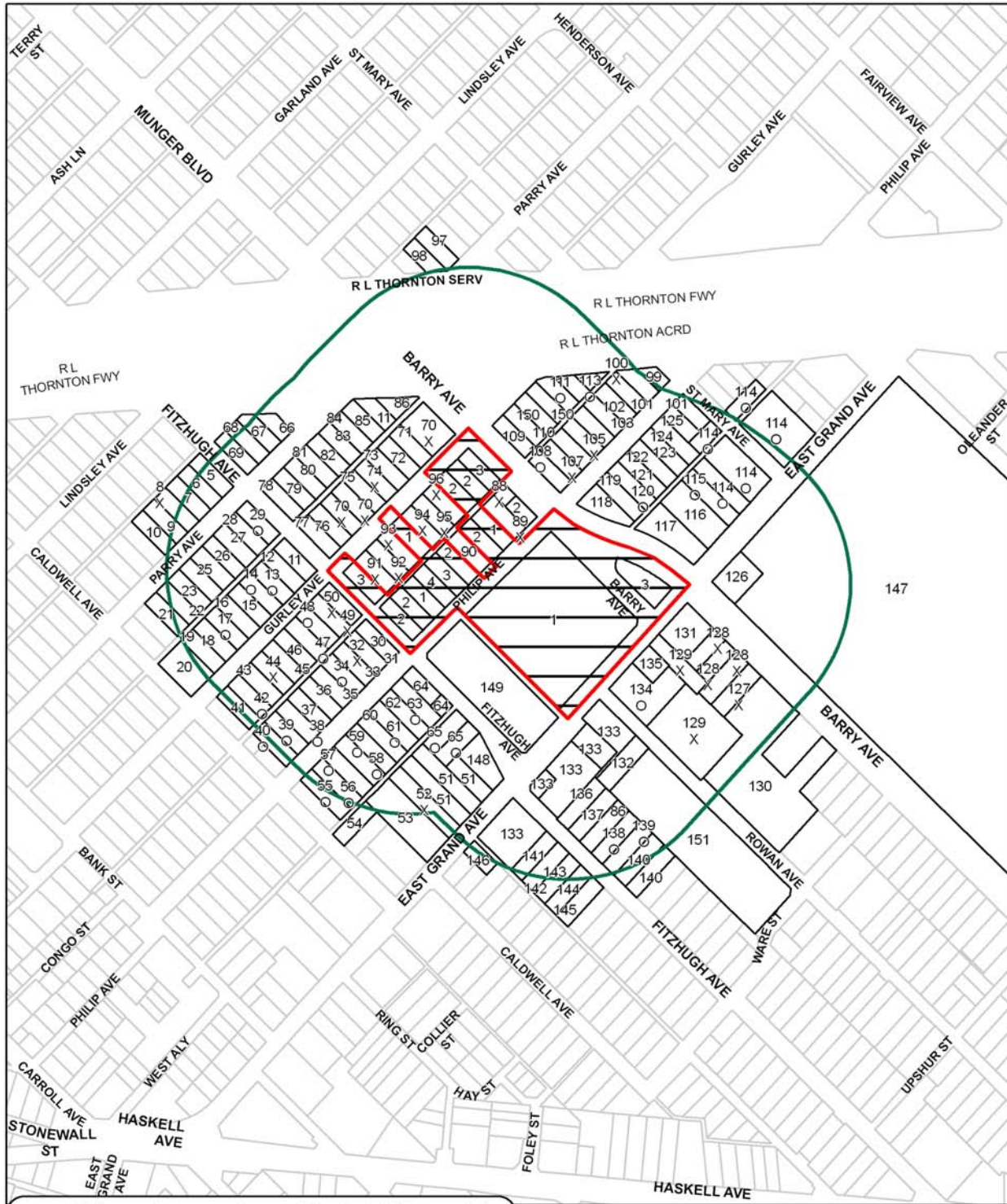
1:4,800

# ZONING AND LAND USE

Case no:           Z101-342          

Date:           11/17/2011

**CPC RESPONSES**



<u>151</u>	Property Owners Notified (186 parcels)
<u>29</u>	Replies in Favor (35 parcels)
<u>23</u>	Replies in Opposition (28 parcels)
<u>500'</u>	Area of Notification
<u>12/1/2011</u>	Date

**Z101-342**  
**CPC**



1:4,800



## **Notification List of Property Owners**

### **Z101-342**

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
	1	4922 GURLEY AVE	Dallas ISD
	2	4936 GURLEY AVE	Dallas ISD
	3	4942 GURLEY AVE	Dallas ISD
	4	4915 PHILIP AVE	Dallas ISD
	5	4843 PARRY AVE	STITT CHARLIE N
	6	4839 PARRY AVE	BRITAIN O H
	7	4835 PARRY AVE	APOLINAR NORA B
X	8	4831 PARRY AVE	NAVA CLAUDIA
	9	4827 PARRY AVE	DAVILA MANUEL & IMELDA
	10	4823 PARRY AVE	HASSON DOROTHY JEAN &
	11	4845 GURLEY AVE	GILMORE RALPH CURTIS
	12	4839 GURLEY AVE	MENDOZA ESTANISLAO
O	13	4833 GURLEY AVE	BARCENAS RAUL &
O	14	4829 GURLEY AVE	SANCHEZ OSCAR JUAREZ
	15	4825 GURLEY AVE	CHECKERED ENTERPRISES LP
	16	4823 GURLEY AVE	HOUSTON MARY LOU EST OF
O	17	4819 GURLEY AVE	SKINNER BONNIE
	18	4813 GURLEY AVE	LOPEZ GUADALUPE &
	19	4811 GURLEY AVE	BANDA JESUS A
	20	4801 GURLEY AVE	ROES CHAPEL BAPT CH
	21	4810 PARRY AVE	GUERRERO OLGA & REGLIO
	22	4814 PARRY AVE	TIMMINS CURTIS D
	23	4818 PARRY AVE	SANCHEZ CLAUDIO
	24	4820 PARRY AVE	SANCHEZ MARTIN G
	25	4826 PARRY AVE	CABRERA RICARDO RAZO & MIRIAM
	26	4830 PARRY AVE	WESTERN WILLIE JAMES

*Friday, December 30, 2011*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
	27	4834 PARRY AVE	TAPIA ALEJANDRO &
	28	4838 PARRY AVE	SOLIS CLAUDIA
O	29	4842 PARRY AVE	ELLIS RACHEL LEE
	30	4843 PHILIP AVE	DAVIS RICHARD
	31	4841 PHILIP AVE	BEASLEY TALESIA
X	32	4839 PHILIP AVE	JONES CATHY
	33	4835 PHILIP AVE	ZAPATA JOSE D
O	34	4831 PHILIP AVE	GRACIA TIBURCIO &
	35	4825 PHILIP AVE	MARTINEZ VENANCIO
	36	4821 PHILIP AVE	ALVARADO ANGEL LEYVA &
	37	4819 PHILIP AVE	FERNANDEZ ISABEL
O	38	4815 PHILIP AVE	ARRIAGE ENRIQUE &
O	39	4809 PHILIP AVE	ANGEL CRESPIAN & SOFIA
O	40	4805 PHILIP AVE	JAIMES ROQUE &
	41	4804 GURLEY AVE	ELLIS DAVID
O	42	4808 GURLEY AVE	RUSSELL IDA BESSIE M
	43	4814 GURLEY AVE	INTERRANTE ROSS JR
X	44	4818 GURLEY AVE	BEMRICH YUKIKO
	45	4822 GURLEY AVE	RODRIGUEZ ISABELL
	46	4826 GURLEY AVE	JONES BONNIE
O	47	4830 GURLEY AVE	TORRES PEDRO GONZALES &
O	48	4834 GURLEY AVE	LOPEZ JOSE LUIS &
X	49	4838 GURLEY AVE	COMPTON CLIFTON C &
X	50	4842 GURLEY AVE	FLOYD HERSHEL JR & EFFIE
	51	4835 EAST GRAND AVE	MCCORMICK ARTHUR J JR & PATRICIA L
X	52	4821 EAST GRAND AVE	HOPSTOWN INCORPORATED
	53	4813 EAST GRAND AVE	MSC I LTD
	54	1118 CALDWELL AVE	DUMAS MOISES & ILSA R
O	55	4806 PHILIP AVE	TOVAR GASTON
O	56	4808 PHILIP AVE	MARTINEZ CIRILO
O	57	4814 PHILIP AVE	MARTINEZ JULIAN

*Friday, December 30, 2011*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
O	58	4818 PHILIP AVE	MARTINEZ VENANCIO G
O	59	4822 PHILIP AVE	MONGES MARGARITA ET AL
	60	4826 PHILIP AVE	GUERRERO ASCENCION L &
O	61	4830 PHILIP AVE	EQUIA LILIA
	62	4834 PHILIP AVE	RIDRIGUEZ TANIS &
O	63	4838 PHILIP AVE	SALDANA RUBAN & LETICIA
	64	4840 PHILIP AVE	FRIENDLY MEMORIAL FULL GOSPEL
O	65	1119 FITZHUGH AVE	FRIENDLY MEMORIAL FULL GOSPEL
	66	4915 PARRY AVE	MUENNINK 35 HOLMES LLC
	67	4911 PARRY AVE	GONZALEZ BALTAZAR &
	68	4907 PARRY AVE	DALLAS HOUSING
	69	4901 PARRY AVE	BROWN JOHNNY M ESTATE OF
X	70	4911 GURLEY AVE	FLOYD HERSHEL JR
	71	4935 GURLEY AVE	SOTO FERNANDO C
	72	4931 GURLEY AVE	ALVAREZ ROSA
	73	4927 GURLEY AVE	REYNOSO JAIME
X	74	4923 GURLEY AVE	FLOYD JEWEL &
	75	4919 GURLEY AVE	GREEN HARVEY L EST OF
	76	4907 GURLEY AVE	FULLER HOYT M & BERTHA M
	77	4903 GURLEY AVE	S H A L INVESTMENTS LTD
	78	4902 PARRY AVE	VAZQUEZ JUAN
	79	4906 PARRY AVE	NUNO LOPEZ LETICIA
	80	4910 PARRY AVE	DALLAS HOUSTING ACQUISITION & DEV
	81	4912 PARRY AVE	PERRY RICK &
	82	4916 PARRY AVE	PERRY RICKEY &
	83	4922 PARRY AVE	ZAPATA MAURICIO
	84	4926 PARRY AVE	DEER RESOURCES LP &
	85	4930 PARRY AVE	ELLIS WILLIE J ESTATE OF
	86	1220 FITZHUGH AVE	GILMORE RALPH CURTIS
	87	911 BARRY AVE	CHONG TONY
X	88	1015 BARRY AVE	DEL RIO AUGUSTINA

*Friday, December 30, 2011*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
X	89	4939 PHILIP AVE	LOZANO ROLANDO
	90	4927 PHILIP AVE	DELGADO RODOLFO GALLEGOS
X	91	4906 GURLEY AVE	GARRETT JAMES C ESTATE
X	92	4910 GURLEY AVE	FLOYD JEWEL & HERSHEL JR
X	93	4916 GURLEY AVE	FLOYD EFFIE F & ANDREW BROWN
X	94	4926 GURLEY AVE	GARCIA J TRINIDAD ETAL
X	95	4928 GURLEY AVE	RECINOS VICTOR V
X	96	4930 GURLEY AVE	SALINAS CRISTINA CARRENO
	97	5103 PARRY AVE	REVELES BERTA A
	98	5101 PARRY AVE	REVELES MARIA &
	99	5119 PHILIP AVE	JOBINAN ENTERPRISES INC
X	100	5115 PHILIP AVE	LAKES EDWARD R
	101	5118 PHILIP AVE	GILMORE RALPH C
	102	5107 PHILIP AVE	BARRIOS CARLOS MORALES &
	103	5103 PHILIP AVE	DAVILA VICTOR
O	104	5023 PHILIP AVE	RAMIREZ JOSE &
X	105	5019 PHILIP AVE	HERNANDEZ JUAN A &
X	106	5015 PHILIP AVE	HERNANDEZ JUAN A &
X	107	5011 PHILIP AVE	SHEAD ELVINE
O	108	5007 PHILIP AVE	DOMINGUEZ DIEGO J &
	109	5006 GURLEY AVE	MIDFIRST BANK
	110	5010 GURLEY AVE	HICKS JAMES
O	111	5022 GURLEY AVE	BALDERAS ADOLFO
	112	5102 GURLEY AVE	BALDERAS ADOLFO & ELISA P
O	113	5110 R L THORNTON FWY	LOPEZ ALFONSO
O	114	5201 EAST GRAND AVE	TAMEX INVESTMENTS INC
O	115	5107 EAST GRAND AVE	EAST GRAND AVE BAZAAR
	116	5021 EAST GRAND AVE	VILLANUEVA ROBERTO &
	117	5019 EAST GRAND AVE	VILLANUEVA ROBERTO &
	118	5002 PHILIP AVE	GUZMAN DANIEL ROBLES
	119	5014 PHILIP AVE	OEUR POV &

*Friday, December 30, 2011*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
O	120	5018 PHILIP AVE	ANDRADE GERARDO & MARIA G
	121	5022 PHILIP AVE	ESPARZA LORENZO &
	122	5102 PHILIP AVE	HOGG WILL
	123	5106 PHILIP AVE	WILSON LATINA D
	124	5110 PHILIP AVE	OLIVA ANTONIO
	125	5114 PHILIP AVE	ESTRELLO RAYMOND C
	126	5002 EAST GRAND AVE	CASTILLO GRAND PLAZA LLC
X	127	1305 BARRY AVE	GUNTER VIRGIL
X	128	1211 BARRY AVE	GUNTER VIRGIL W
X	129	4916 EAST GRAND AVE	GUNTER VIRGIL &
	130	1315 BARRY AVE	CASA GRANDE VILLAGE LLC
	131	1201 BARRY AVE	FRETWELL JOHN
	132	1215 ROWAN AVE	FIGUEROA JOSE
	133	4850 EAST GRAND AVE	BALLAS VICTOR
O	134	4902 EAST GRAND AVE	CHEN STEVEN H
	135	4908 EAST GRAND AVE	JOHNSON & BURRESS INC
	136	1214 FITZHUGH AVE	REYES CARLOS
	137	1216 FITZHUGH AVE	GILMORE CURTIS
O	138	1224 FITZHUGH AVE	MONDRAGON PEDRO B &
O	139	1230 FITZHUGH AVE	LUGO YESENIA &
	140	1304 FITZHUGH AVE	OHAKWE POLYCARP
	141	1215 FITZHUGH AVE	GAUNA JOE L &
	142	1217 FITZHUGH AVE	JBIII INVESTMENTS INC
	143	1219 FITZHUGH AVE	JB III INVESTMENTS INC
	144	1227 FITZHUGH AVE	CRAWFORD IKE
	145	1229 FITZHUGH AVE	VALENCIANO JOSE &
	146	4808 EAST GRAND AVE	RSN ROYALE LLC
	147	5200 EAST GRAND AVE	CITY WAREHOUSE LP
	148	4839 EAST GRAND AVE	BERRY PATRICK RAY
	149	4911 GRAND AVE	BAYA FORTUNA II LP
	150	5018 GURLEY AVE	HICKS JAMES ALVIN II

*Friday, December 30, 2011*

Z101-342(WE)

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
	151	1321 ROWAN AVE	FAIR PARK BIBLE

*Friday, December 30, 2011*

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 47 L; M; Q; R

**SUBJECT**

A public hearing to receive comments regarding an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the northeast line of Lawnview Avenue, south of Forney Road  
Recommendation of Staff and CPC: Approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant, and retention of the D-1 Liquor Control Overlay  
Z101-196(RB)





**FILE NUMBER:** Z101-196(RB)

**DATE FILED:** February 23, 2011

**LOCATION:** Northeast Line of Lawnview Avenue, South of Forney Road

**COUNCIL DISTRICT:** 7

**MAPSCO:** 47 L, M, Q, R

**SIZE OF REQUEST:** Approx. 13.789 Acres

**CENSUS TRACT:** 84

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**APPLICANT:** SDC Lawnview, L. P.-Jay Oji, President and Joseph Agumadu, Vice President and Manager

**REPRESENTATIVE:** Adolphus Oji

**OWNER:** SDC Oakwood Townhomes- Jay Oji, President and Joseph Agumadu, Vice President and Manager

**REQUEST:** An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay.

**SUMMARY:** The applicant proposes to develop the site with a maximum of 150 retirement housing dwelling units. Additionally, deed restrictions have been volunteered to prohibit certain uses as well as provide for certain development standards.

**CPC RECOMMENDATION:** Approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant, and retention of the D-1 Liquor Control Overlay.

**STAFF RECOMMENDATION:** Approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant, and retention of the D-1 Liquor Control Overlay.

**DESIGNATED ZONING CASE**

**BACKGROUND INFORMATION:**

- The request site is undeveloped and possesses a change of elevation downward from northwest to southeast.
- The site possesses frontage along both Lawnview Avenue and Forney Road; the applicant intends to utilize the Lawnview Avenue frontage as the main entrance.
- The applicant proposes to develop the site with 150 retirement housing dwelling units.
- Deed restrictions have been volunteered restricting permitted uses as well as providing for certain development standards.

**Zoning History:** There have been no recent zoning activity in the immediate area relevant to the request.

<u>Thoroughfare/Street</u>	<u>Designation; Existing &amp; Proposed ROW</u>
Lawnview Avenue	Collector; 60' & 60' ROW
Forney Road	Collector; 60' & 60' ROW

**STAFF ANALYSIS:**

**Comprehensive Plan:** The request site is located in an area considered a Residential Neighborhood. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections.

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

**Land Use Compatibility:** The request site is undeveloped and slopes downward from northwest to southeast. While the site fronts on both Lawnview Avenue and Forney

Road, the applicant proposes to utilize the Lawnview Avenue frontage as the main entrance to the property. Plans call for a maximum of 150 retirement housing dwelling units.

The surrounding area consists of largely of low density residential uses. Property to the east and south of the site's Lawnview Avenue frontage is undeveloped. An institutional use (Kiagram Hall of Jehovah's Witness) abuts the site's eastern boundary along Forney Road. Lastly, an elevated rail right-of-way traverses along the site's eastern boundary.

While there is merit to removing CR zoning in close proximity to low density residential uses, staff does have a concern as to zoning that permits medium density residential uses (i.e., 32-35 multifamily dwelling units per acre) in this area. Due to flood plain that traverses along the site's eastern boundary, it would be anticipated that any development (existing zoning or requested residential zoning) will be lessened due to this environmental issue, yet could cause a concentration of permitted development (ie, density and structure height) within that portion of the site outside of the flood plain.

Staff has discussed this issue with the applicant (as well as the applicant's involvement in community meetings) and accepts the volunteered deed restrictions which address many of staff's issues. Regardless of the concern of characteristics associated with typical multifamily development (i.e., noise generated from outside activity areas) in close proximity to low density single family uses, staff has determined that an MF-1(A) District provides density maximums that more than accommodates the proposed 120 dwelling units.

As a result of this analysis, staff supports the applicant's requested development but is recommending approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to the attached deed restrictions. Lastly, staff is recommending the retention of the existing D-1 Liquor Control Overlay. Regardless of the requested residential zoning district, staff has long recommended retention of any liquor control overlays so as to serve as a base of consideration for any future zoning requests in these respective areas that would permit uses involving the selling/serving alcoholic beverages.

**Traffic:** The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the applicant's request and determined that it will not significantly impact the surrounding street system.

**Landscaping:** As an undeveloped parcel, the site is void of landscape materials, but does possess significant native vegetation and trees. Prior to issuance of a building

Z101-196(RB)

permit, the applicant will be required to submit a tree survey as well as a landscape plan that complies with Article X.

**CPC ACTION:**

(June 16, 2011)

**Motion:** In considering an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the northeast line of Lawnview Avenue, south of Forney Road, it was moved to **hold** this case under advisement until July 7, 2011.

Maker: Bagley  
Second: Tarpley  
Result: Carried: 11 to 0

For: 11 - R. Davis, Anglin, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 3 - Wally, M. Davis, Rodgers  
Vacancy: 1 - District 6

**Notices:** Area: 400                      Mailed: 95  
**Replies:** For: 6                              Against: 3

**Speakers:** None

(July 7, 2011)

**Motion:** In considering an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the northeast line of Lawnview Avenue, south of Forney Road, it was moved to **hold** this case under advisement until July 21, 2011.

Maker: Bagley  
Second: M. Davis  
Result: Carried: 13 to 0

For: 13 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Bagley, Lavallaisaa, Tarpley, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 1 - Shellene

Z101-196(RB)

Vacancy: 1 - District 6

**Notices:** Area: 400 Mailed: 95

**Replies:** For: 6 Against: 4

**Speakers:** None

(July 21, 2011)

**Motion:** In considering an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the northeast line of Lawnview Avenue, south of Forney Road, it was moved to **hold** this case under advisement until August 18, 2011.

Maker: Bagley  
Second: Wally  
Result: Carried: 12 to 0

For: 12 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Bagley, Lavallaisaa\*, Tarpley, Bernbaum,  
Wolfish, Peterson, Alcantar

Against: 0  
Absent: 2 - Shellene, Schwartz  
Vacancy: 1 - District 6

\*out of the room, shown voting in favor

**Notices:** Area: 400 Mailed: 95

**Replies:** For: 6 Against: 4

**Speakers:** None

(August 18, 2011)

**Motion:** In considering an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the northeast line of Lawnview Avenue, south of Forney Road; it was moved to **hold** this case under advisement until September 15, 2011.

Maker: Bagley  
Second: M. Davis  
Result: Carried: 13 to 0

For: 13 - Anglin, M. Davis, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 2 - R. Davis, Wally  
Vacancy: 0

**Notices:** Area: 400 Mailed: 95  
**Replies:** For: 6 Against: 4

**Speakers:** None

(September 15, 2011)

**Motion:** In considering an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with the D-1 Liquor Control Overlay on the northeast line of Lawnview Avenue, south of Forney Road, it was moved to **hold** this case under advisement until October 20, 2011.

Maker: Bagley  
Second: M. Davis  
Result: Carried: 12 to 0

For: 12 - Anglin, M. Davis, Rodgers, Hinojosa\*, Bagley, Lavallaisaa, Tarpley, Shellene\*, Wolfish\*, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 3 - R. Davis, Wally, Bernbaum  
Vacancy: 0

\*out of the room, shown voting in favor

**Motion to Reconsider:** It was moved to **reconsider** the action to hold this case under advisement until October 20, 2011.

Maker: Bagley  
Second: Alcantar  
Result: Carried: 12 to 0

For: 12 - Anglin, M. Davis, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Wolfish, Schwartz, Peterson, Alcantar

Against: 0

Absent: 3 - R. Davis, Wally, Bernbaum  
Vacancy: 0

**Motion:** In considering an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with the D-1 Liquor Control Overlay on the northeast line of Lawnview Avenue, south of Forney Road, it was moved to **hold** this case under advisement until November 17, 2011.

Maker: Bagley  
Second: Shellene  
Result: Carried: 12 to 0

For: 12 - Anglin, M. Davis, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Wolfish, Schwartz, Peterson, Alcantar

Against: 0  
Absent: 3 - R. Davis, Wally, Bernbaum  
Vacancy: 0

**Notices:** Area: 400 Mailed: 95  
**Replies:** For: 6 Against: 4

**Speakers:** None

(November 17, 2011)

**Motion:** It was moved to recommend **approval** of an MF-1(A) District in lieu of an MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant, and retention of the D-1 Liquor Control Overlay on property zoned a CR Community Retail District with the D-1 Liquor Control Overlay on the northeast line of Lawnview Avenue, south of Forney Road.

Maker: Bagley  
Second: Wolfish  
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers, Hinojosa, Bagley, Lavallaisaa, Tarpley, Shellene, Bernbaum, Wolfish, Schwartz, Alcantar

Against: 0  
Absent: 1 - Peterson  
Vacancy: 0

**Notices:** Area: 400 Mailed: 95

Z101-196(RB)

**Replies:** For: 6                      Against: 4

**Speakers:** None



**DEED RESTRICTIONS**

THE STATE OF TEXAS )  
 )  
COUNTY OF DALLAS )

KNOW ALL PERSONS BY THESE PRESENTS:

**I.**

The undersigned, SDC Lawnview Villas, LP a Texas company, ("the Owner"), is the owner of the following described property ("the Property"), being a tract or parcel of land situated in the City of Dallas, Dallas County Texas, and being part of Block A/5807 Lawnview Apartment Addition, as recorded in County Clerk's file Number 201000249749, Real Property Records, Dallas County, Texas, and being more particularly described in Exhibit A.

**II.**

The Owner does hereby impress all of the Property with the following deed restrictions ("Restrictions"), to wit:

1. Main Uses. The following main uses are permitted on the property:

a. Residential uses.

-- Handicapped group dwelling unit. *[See section 51A-4.209(3.1)]*

-- Retirement housing.

-- Single family

b. Transportation uses.

-- Transit passenger shelter.

-- Transit passenger station or transfer center. *[SUP]*

c. Utility and public services uses.

-- Local utilities *[SUP or RAR may be required. See Section 51A-4.212(4)]*.

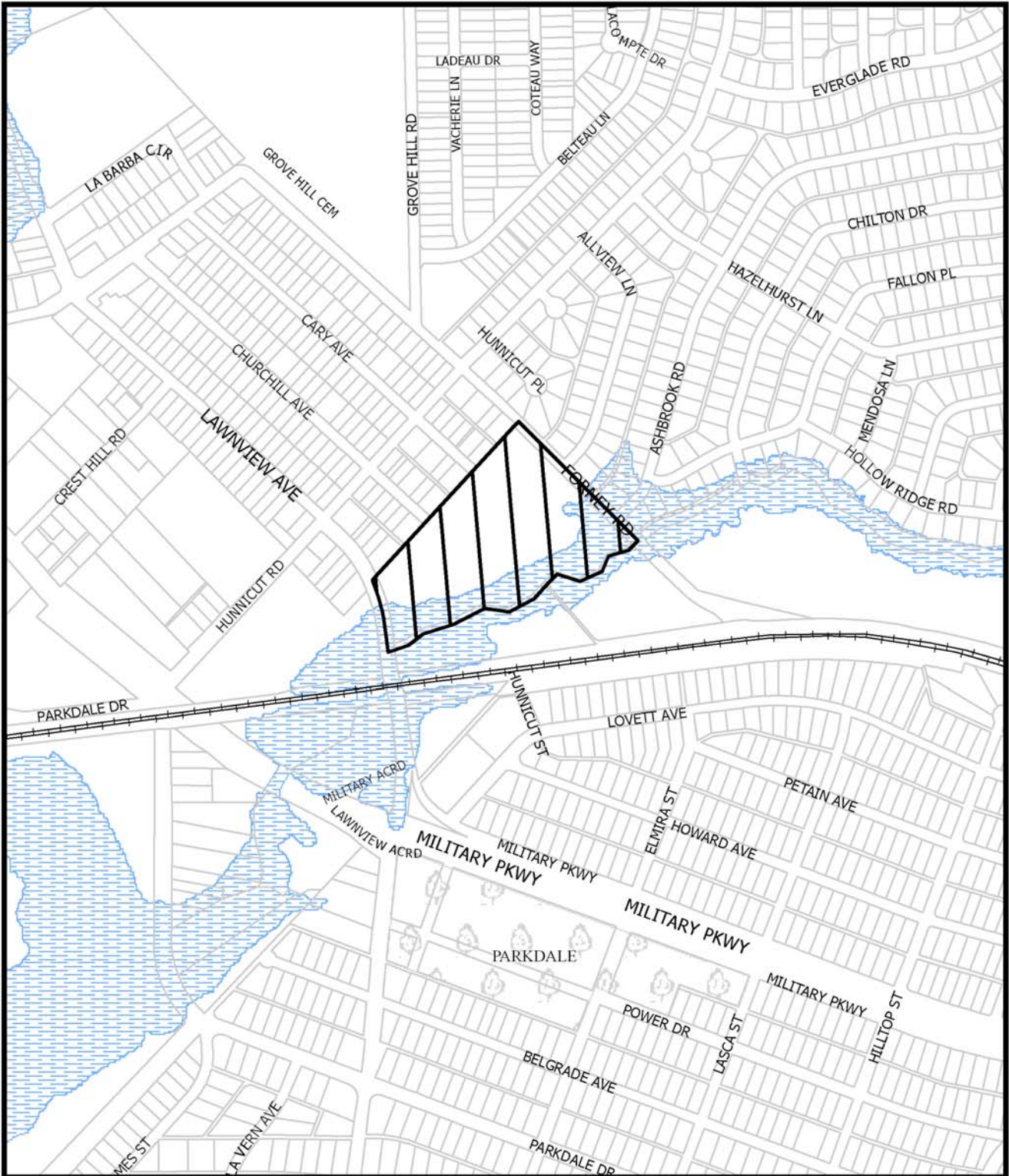
2. Maximum number of stories is two.

3. Maximum number of dwelling units is 150.

4. Maximum number of stories is two.

5. Minimum setback from the property line is 20' except adjacent to Lawnview.

6. A 6 foot perimeter fence with controlled access gates is required.
7. No gates for vehicular traffic may be located less than 50 feet from the back of the street curb.
8. Access via Forney Road for exit only or when Lawnview is obstructed. Police and firefighting access via Forney Road is permitted at all times.



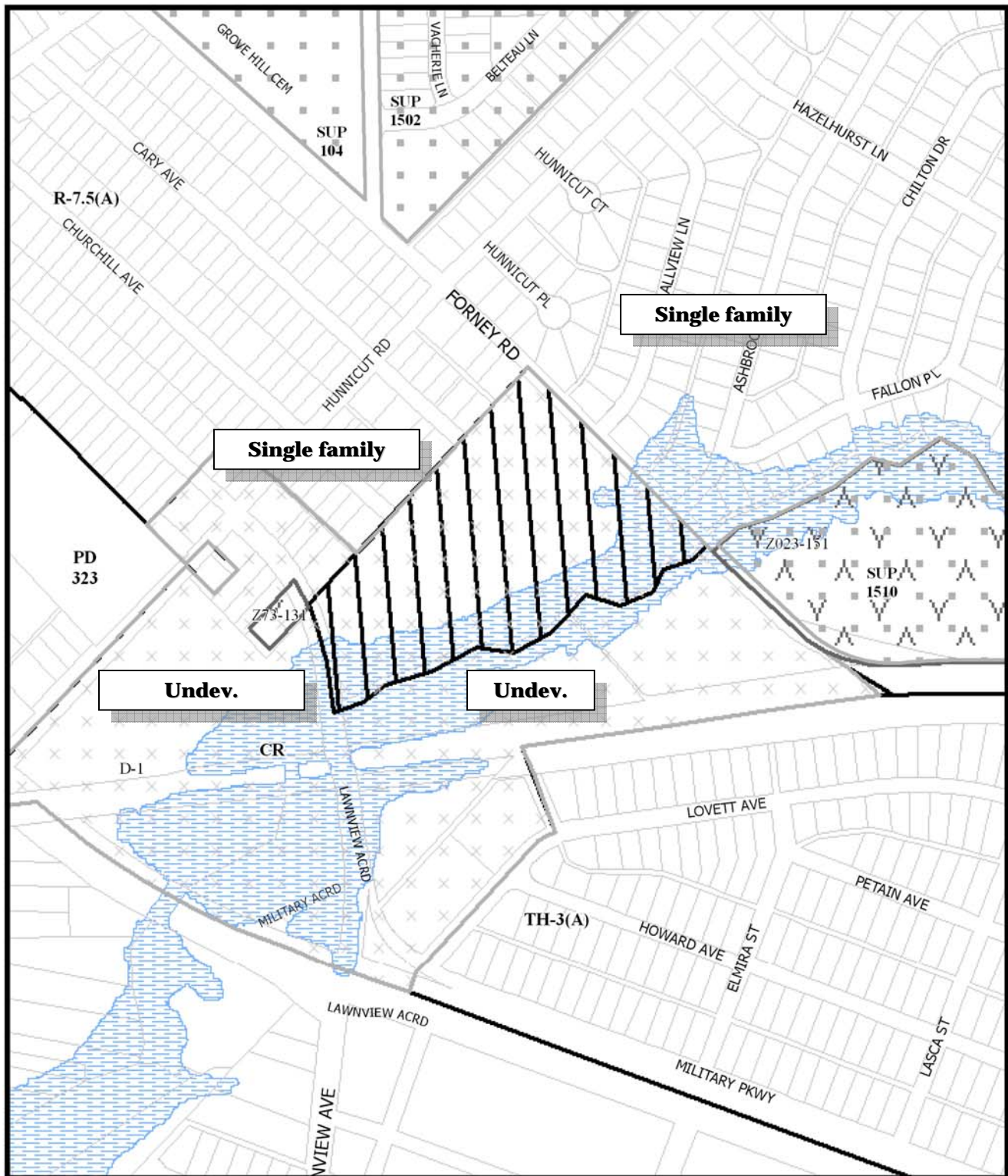
1:7,200

# VICINITY MAP

Map no:           J-9          

Case no:           Z101-196          

DATE: May 19, 2011



1:4,800

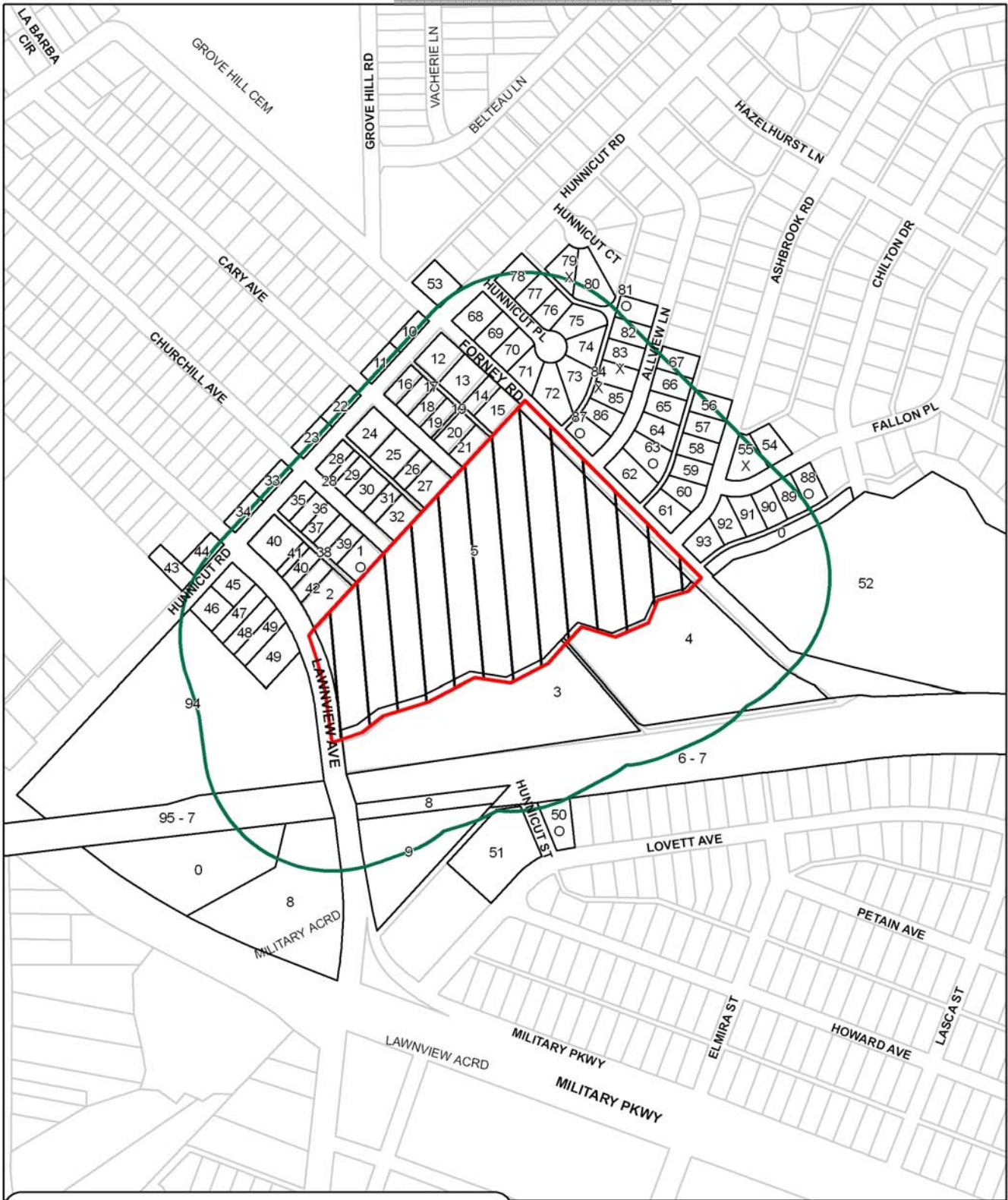
# ZONING AND LAND USE

Map no: J-9

Case no: Z101-196

DATE: May 19, 2011

# CPC RESPONSES



<b>95</b>	Property Owners Notified (101 parcels)
<b>6</b>	Replies in Favor (6 parcels)
<b>4</b>	Replies in Opposition (4 parcels)
<b>400'</b>	Area of Notification
<b>11/17/2011</b>	Date <b>9/15/2011</b> Under Advisement

**Z101-196**  
**CPC**



1:4,800

***Notification List of Property******Z101-196***

***95 Property Owners Notified***      ***4 Property Owners Opposed***      ***6 Property Owners in***

<b><i>Vote</i></b>	<b><i>Label</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
O	1	5822 CHURCHILL	WASHINGTON REGINA K
	2	4146 LAWNVIEW	MUNOZ JUAN C
	3	4110 LAWNVIEW	CLAY M L
	4	6008 FORNEY	ESTE SPANISH CONGR OF
	5	4120 LAWNVIEW	ASPEN ACQUISITIONS INC
	6	9999 NO NAME	UNION PACIFIC RR CO
	7	4401 LINFIELD	ST LOUIS S W RAILWAY CO
	8	5800 MILITARY	County of Dallas
	9	5800 MILITARY	MCELROY JOSEPH III
	10	5718 FORNEY	CARDENAS GUILLERMO
	11	5719 CARY	RANGEL SILVESTRE &
	12	5806 FORNEY	JOHNSON DARRELL
	13	5814 FORNEY	RANSOM JESSIE &
	14	5818 FORNEY	WELLS FARGO BANK NA
	15	5822 FORNEY	BROWN ELLA JO
	16	5803 CARY	MARTINEZ RICARDO
	17	5807 CARY	QUEVEDO NOE Q & REFINA
	18	5811 CARY	QUEVEDO NOE & RUFINA
	19	5815 CARY	SCANTLEN MARVIN M
	20	5819 CARY	LOPEZ FRANCISCO & MARIA
	21	5823 CARY	SMITH SHELLIE BAMBI
	22	5718 CARY	ACOSTA ROMUALDO &
	23	5719 CHURCHILL	BELTRAN MARIO & GRACIELA
	24	5802 CARY	ROMERO ALFREDO
	25	5814 CARY	LOPEZ EDUARDO &
	26	5818 CARY	NELSON EDWARD ALLEN

***Tuesday, November 22, 2011***

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
	27	5822 CARY	NELSON EDWARD ALLEN &
	28	5803 CHURCHILL	LACROIX WILLIAM R &
	29	5807 CHURCHILL	ROMERO FELIPE & AMPARO
	30	5811 CHURCHILL	DIAZ JUAN
	31	5819 CHURCHILL	PEREZ CARLOS &
	32	5823 CHURCHILL	BROWN CONCHITA
	33	5718 CHURCHILL	BARTON EVELYN M
	34	4202 LAWNVIEW	FULLER EARL BETTY S LIFE ESTATE
	35	5800 CHURCHILL	BELL JIMMY DOUGLAS
	36	5806 CHURCHILL	RUIZ CHARLES C JR &
	37	5810 CHURCHILL	NARVAEZ JUAN ANTONIO
	38	5814 CHURCHILL	RENERIA ONESIMO A &
	39	5818 CHURCHILL	SNEED WILLIAM HENRY
	40	4162 LAWNVIEW	DALLAS BAPTIST ASSOCIATION INC
	41	4158 LAWNVIEW	DALLAS BAPTIST ASSOCIATION INC
	42	4150 LAWNVIEW	MUNOZ JUAN C
	43	6569 HUNNICUT	ROBOC INVESTMENTS PS
	44	4203 LAWNVIEW	STEPHENS ROBERT E
	45	4161 LAWNVIEW	ADAMS & HENDERSON
	46	6570 HUNNICUT	CORLEY ALMA G
	47	4157 LAWNVIEW	NUSS JUDY C
	48	4153 LAWNVIEW	NUSS CATHERINE
	49	4149 LAWNVIEW	MENDOZA GILLERMINA
O	50	6003 LOVETT	LARA ADALBERTO & FELICITAS
	51	5957 LOVETT	KC & GIGI INVESTMENTS INC
	52	5800 FORNEY	HFG ENCLAVE LAND INT LTD
	53	6903 HUNNICUT	BUSTAMANTE MARTHA
	54	4607 FALLON	BAILEY JOE E & RAMONA N
X	55	4603 FALLON	BRENTBLACK BRENDA L
	56	4627 ASHBROOK	PRICE ALVIN & RHONDA
	57	4623 ASHBROOK	VAZQUEZ VICTORIA NACOLE &

*Tuesday, November 22, 2011*

Z101-196(RB)

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
	58	4617 ASHBROOK	HURLEY LARRY H &
	59	4613 ASHBROOK	KLINGBEIL TIMOTHY DREW
	60	4607 ASHBROOK	BODWIN CHARLES H &
SHERRY	61	4603 ASHBROOK	TAFALLA JESSE & NELLIE
	62	6902 ALLVIEW	SANCHEZ JOSE
O	63	6906 ALLVIEW	THOMAS ANN MARLENE
	64	6912 ALLVIEW	JOHNSON CAROLYN L
	65	6916 ALLVIEW	FILGO MARK & JANICE
	66	6922 ALLVIEW	TONEY JERRY LYNN
	67	6926 ALLVIEW	MILLER DONALD W
	68	6902 HUNNICUT	WILLIAMS GILL D I &
	69	6906 HUNNICUT	MCCULLEN MILDRED
	70	6910 HUNNICUT	JOHNSON PERCELL M &
	71	6914 HUNNICUT	RAJU SHIJU &
	72	6920 HUNNICUT	JEFFREY JOHNNIE RENEE
	73	6924 HUNNICUT	HILBURN BOBBIE F
	74	6930 HUNNICUT	CLARKE BRENDA M
	75	6934 HUNNICUT	SHIVES RUBEN JR
	76	6940 HUNNICUT	HERNANDEZ VANESSA
	77	6946 HUNNICUT	ABRON ANNIE
	78	6950 HUNNICUT	WILLIAMS MARIAN
X	79	6958 HUNNICUT	MATTHEW ALEX J
	80	6962 HUNNICUT	WASHINGTON WILLIE E
O	81	6933 ALLVIEW	MULLINS DAVID EUGENE &
	82	6927 ALLVIEW	MCGHEE STEVEN
X	83	6923 ALLVIEW	STRADFORD GEORGE C
X	84	6917 ALLVIEW	GREER BILL C
	85	6913 ALLVIEW	HAYNES CHARLES R &
	86	6907 ALLVIEW	ROBERTS TOMMY L
O	87	6903 ALLVIEW	CORSEY ROBERT L &
O	88	4616 FALLON	SMITH MARY L &

*Tuesday, November 22, 2011*



Z101-196(RB)

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
89		4612 FALLON	WHALEY BARBARA
	WILLINGHAM		
90		4606 FALLON	ODAMAH NICHOLAS S &
91		4602 FALLON	DALLAS HOUSING
	AUTHORITY		
92		4606 ASHBROOK	MATHA SALVADOR JR
93		4602 ASHBROOK	MCMILLIN JULIA MARIE &
94		6532 HUNNICUT	MARIA KANNON ZEN
95		9999 NO NAME	UNION PACIFIC RR CO

*Tuesday, November 22, 2011*



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2012  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Sustainable Development and Construction  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 62 Z; 63 W; 72 D; 73 A

**SUBJECT**

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District and an MF-2(A) Multifamily District, and an ordinance terminating Specific Use Permit No. 1621 for a Child-care facility and Private school on both sides of Westmoreland Road, north of Wheatland Road  
Recommendation of Staff and CPC: Approval, subject to a Tract 1 development plan/Tract 2 conceptual plan, a Tract 3 development plan, traffic management plan, and conditions, and approval of the termination of Specific Use Permit No. 1621  
Z101-335(RB)



**FILE NUMBER:** Z101-335(RB)

**DATE FILED:** July 22, 2011

**LOCATION:** Both Sides of Westmoreland Road, North of Wheatland Road

**COUNCIL DISTRICT:** 8

**MAPSCO:** 62 Z, 63 W, 72 D, 73A

**SIZE OF REQUEST:** Approx. 60.82 Acres

**CENSUS TRACT:** 166.07

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**APPLICANT/OWNER:** Inspiring Body of Christ

**REPRESENTATIVE:** Audra Buckley

**REQUEST:** An application for a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District and an MF-2(A) Multifamily District, and the termination of Specific Use Permit No. 1621 for Child-care facility and Private school.

**SUMMARY:** The applicant proposes to create a PDD for the existing uses as well as provide for development of the balance of the site under a unified zoning district.

**CPC RECOMMENDATION:** Approval subject to a Tract 1 development plan/Tract 2 conceptual plan, a Tract 3 development plan, traffic management plan, and conditions, and approval of the termination of Specific Use Permit No. 1621.

**STAFF RECOMMENDATION:** Approval subject to a Tract 1 development plan/Tract 2 conceptual plan, a Tract 3 development plan, traffic management plan, and conditions, and approval of the termination of Specific Use Permit No. 1621.

**DESIGNATED ZONING CASE**

**BACKGROUND INFORMATION:**

- The request site consists of three tracts: Tract 1 is developed with a church and surface parking; Tract 2 is undeveloped; and, Tract 3 is developed with a church structure, surface parking, and support functions near the main structure. This tract reflects the land area permitting SUP No. 1621 for a Child-care facility and Private school, which is being requested for termination, with the requested PDD permitting both uses by right.
- The applicant is requesting a PDD for consideration of the following: 1) permit child-care facility and private school uses by right; 2) consider entire property as one lot for off-street parking purposes; 3) alternate artificial lot provisions; and, 4) alternate sign regulations providing for three video boards.

**Zoning History:** There has been no recent zoning activity in the immediate area relevant to this request.

<b>Thoroughfare/Street</b>	<b>Designation; Existing &amp; Proposed ROW</b>
Westmoreland Road	Principal Arterial; 100' & 100' ROW
Cockrell Hill Road	Principal Arterial; 100' & 100' ROW
Glennlyons Drive	Local; 50' ROW

**STAFF ANALYSIS:**

**Comprehensive Plan:** The request area is located in an area considered a Commercial center or corridor. These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

**LAND USE ELEMENT**

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

**Land Use Compatibility:** The site consists of three tracts: Tract 1 is developed with a church and surface parking; Tract 2 is undeveloped; and, Tract 3 is developed with a church structure, surface parking, and support functions near the main structure. This tract reflects the land area permitting SUP No. 1621 for a Child-care facility and Private school, which is being requested for termination.

The applicant is requesting a PDD for consideration of the following: 1) permit child-care facility and private school uses by right; 2) consider entire property as one lot for off-street parking purposes; 3) alternate artificial lot provisions; and, 4) alternate sign regulations providing for three video boards.

Tract 1 abuts the Tract 2 (undeveloped) portion of the request to the north, multifamily uses and Tract 3 to the east, undeveloped property zoned for MU-1 District Uses and SUP No. 1486 for a mini-warehouse use to the south, and office and single family uses within the Duncanville city limits to the west. Tract 2 abuts multifamily and retail uses to the north, multifamily uses to the east, the Tract 1 portion of the request site to the south, and single family uses within the Duncanville city limits to the west. Lastly, Tract 3 abuts multifamily and office uses to the north and east, retail uses to the south and the southern portion of Tract 1 to the west.

Staff has determined the scale of overall development that could be permitted by the request (existing for Tracts 1 and 3; proposed for Tract 2) generally represents a reduction of development rights (that portion zoned an MU-2) and a small increase in development rights and permitted uses [that portion zoned an MF-2(A)] will not have an impact on the built environment. The physical improvements are somewhat internalized, thus no impact on the improvements at the perimeter of the site. As a result of this analysis, staff supports the applicant's request for a PDD as well as supporting the termination of SUP No. 1621.

**Traffic:** In conjunction with the request, the Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's Traffic Impact Analysis and determined the proposed development will not significantly impact the surrounding street system.

**Off-Street Parking:** The applicant will be providing parking for all uses per Dallas Development Code requirements. Additionally, the applicant's request will consider the entire property as one lot for off-street parking purposes.

Both Tract 1 and 3 provide a total of 2,702 off-street spaces, well in excess of existing parking requirements (Tract 1-1,200 spaces, and Tract 3-840 spaces). Due to the typical safety issues associated with child-care facilities and schools, staff is recommending that any tract containing either of these uses must provide all parking as well as unloading/loading areas on the tract in which the use is located.

**Landscaping:** The request site is currently governed by Article X. These requirements are requested to be maintained with the exception of an expanded definition of an artificial lot.

Current provisions within Article X permit installation of required landscape materials by 'phasing' such requirements. The artificial lot is established by the building official to provide a footprint around the area of development, inclusive of street frontage. No more than 50 percent of a building site may be considered for consideration of an artificial lot.

Staff is supporting aggregate land area for an artificial lot to exceed this 50 percent limitation. Additionally, 25 feet around the proposed improvements will be required in the calculation of an artificial lot, thus providing for a greater 'landscape footprint' as anticipated development occurs.

**Traffic Management Plan:** At this time, SUP No. 1621 (Tract 3) provides for a maximum of 306 students and a maximum of nine classrooms for the private school, but no regulations for the child-care facility. The applicant has indicated 1,029 elementary-aged children utilize the child-care facility. The time period expires on April 26, 2016, but provides for automatic renewal, subject to compliance with the automatic renewal provisions as provided by the Dallas Development Code.

Normally, a traffic management plan (TMP) is required for any school but not for a child-care facility. In consideration of the existing private school located on the same tract as the child-care facility, staff has determined a TMP is warranted. The applicant submitted this requirement on December 28, 2011. Staff concurs with the analysis of the submitted TMP and furthermore will require biennial updates as noted in the attached conditions.

With respect to the child-care facility component utilizing Tract 3, this property provides for a significant paved parking area to serve for unloading/loading of children (structure was constructed as a church, prior to the applicant developing a larger facility on what is known as Tract 1 in this application), so any possible queuing within the site's street frontages is virtually eliminated. As noted in the TMP for the private school component, the companion child-care facility operates on varied hours with no conflict for unloading/loading operations associated with the school's fixed hours; 8:00 a.m. to 3:15 p.m.

**CPC ACTION**

(November 17, 2011)

**Motion:** In considering an application for a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District, MF-2(A) Multifamily District, and the termination of Specific Use Permit No. 1621 for Child-care facility and private school on both sides of Westmoreland Road, north of Wheatland Road, it was moved to **hold** this case under advisement until December 15, 2011.

Maker: Wally



Z101-335(RB)

Second: Lavallaisaa  
Result: Carried: 14 to 0

For: 14 - R. Davis, Wally, Anglin, M. Davis, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene, Bernbaum, Wolfish, Schwartz,  
Alcantar

Against: 0  
Absent: 1 - Peterson  
Vacancy: 0

**Notices:** Area: 500 Mailed: 101  
**Replies:** For: 6 Against: 1

**Speakers:** None

(December 15, 2011)

**Motion:** In considering an application for a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District, MF-2(A) Multifamily District, and the termination of Specific Use Permit No. 1621 for Child-care facility and Private school on both sides of Westmoreland Road, north of Wheatland Road, it was move to **hold** this case under advisement until January 5, 2012.

Maker: Lavallaisaa  
Second: Hinojosa  
Result: Carried: 12 to 0

For: 12 - R. Davis, Wally, M. Davis, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Tarpley, Shellene,  
Bernbaum, Wolfish, Alcantar

Against: 0  
Absent: 2 - Anglin, Schwartz  
Vacancy: 1 - District 14

**Notices:** Area: 500 Mailed: 101  
**Replies:** For: 7 Against: 1

**Speakers:** None

(January 5, 2012)

**Motion:** In considering an application for a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District, MF-2(A) Multifamily District, and the termination of Specific Use Permit No. 1621 for Child-care facility and Private school

Z101-335(RB)

on both sides of Westmoreland Road, north of Wheatland Road, it was move to **hold** this case under advisement until January 19, 2012.

Maker: Lavallaisaa

Second: Wally

Result: Carried: 14 to 0

For: 14 - Davis, Wally, Anglin\*, Abtahi, Rodgers,  
Hinojosa, Bagley, Lavallaisaa, Tarpley,  
Shellene\*, Bernbaum, Wolfish, Schwartz,  
Alcantar

Against: 0

Absent: 0

Vacancy: 1 - District 14

\*out of the room, shown voting in favor

**Notices:** Area: 500

Mailed: 101

**Replies:** For: 7

Against: 1

**Speakers:** None

(January 19, 2012)

**Motion:** It was moved to recommend **approval** for a Planned Development District for Certain Mixed Uses, subject to a revised Tract 1 development plan/Tract 2 conceptual plan with the following changes: (1) Provide future requirements to measure pedestrian crossings across Westmoreland, subject to conditions. 2) Delete Sec. 51P-113, (3)(D) "Ticker tape streaming is permitted and must be located within the bottom 10 percent of the effective area.", and 3) Signs must be constructed in compliance with the location and appearance as shown on the development plan, a Tract 3 development plan, traffic management plan, and revised conditions, and **approval** of the termination of Specific Use Permit No. 1621 for Child-care facility and Private school on property zoned an MU-2 Mixed Use District and MF-2(A) Multifamily District, on both sides of Westmoreland Road, north of Wheatland Road.

Maker: Lavallaisaa

Second: Rodgers

Result: Carried: 11 to 3

For: 11 - Davis, Wally, Abtahi, Rodgers, Hinojosa,  
Bagley, Lavallaisaa, Shellene, Bernbaum,  
Schwartz, Alcantar

Against: 3 - Anglin, Tarpley, Wolfish

Absent: 1 - Peterson

Vacancy: 0

Z101-335(RB)

<b>Notices:</b>	Area: 500	Mailed: 101
<b>Replies:</b>	For: 7	Against: 1

**Speakers:** For: Audra Buckley, 2814 Main St., Dallas, TX, 75226  
Charles Robinson, 2528 Kool Ave., Dallas, TX, 75241  
Against: None

**IBOC, Inc. - Officers**

Robert Qualls, Chairman

Rickie G. Rush, President

Lalia L. Williams, Chief Financial Officer

Nettie F. Cox, Director

Julia M. Fuller, Director

Z101-335

**CPC RECOMMENDED CONDITIONS  
ARTICLE XXX.**

**PD XXX.**

**SEC. 51P-XXX.101. LEGISLATIVE HISTORY.**

PD XXX was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_.

**SEC. 51P-XXX.102. PROPERTY LOCATION AND SIZE.**

PD XXX is established on property generally located on both sides of Westmoreland Road, north of Wheatland Road. The size of PD XXX is approximately 60.48 acres.

**SEC. 51P-XXX.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, DETACHED VIDEOBOARD SIGN means an on-premise sign that displays changing content through still images, scrolling images, or moving images, including video or animation on a fixed display composed of electronically illuminated segments or a series of grid lights, including cathode ray, light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic, videoboards, or other electronic media or technology. Detached videoboard signs may be constructed as monument or non-monument signs.

(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 nonresidential district.

**SEC. 51P-XXX.104. CONCEPTUAL PLAN.**

For Tract 2, development and use of the Property must comply with the Tract 1 development plan/Tract 2 conceptual plan. In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls.

**SEC. 51P-XXX.105. DEVELOPMENT PLAN.**

(a) For Tract 1 development and use must comply with the Tract 1 development plan/Tract 2 conceptual plan.

(b) For Tract 3 development and use must comply with the Tract 3 development plan.

(c) Prior to the issuance of a building permit for Tract 2, a development plan must be approved by the City Plan Commission.

**SEC. 51P-XXX.106. MAIN USES PERMITTED.**

The following uses are the only main uses permitted:

- (1) Agricultural uses.
  - Crop production. *[Tract 2 only.]*
- (2) Institutional and community service uses.
  - Adult day care facility.
  - Child-care facility.
  - Church.
  - Community service center.
  - Convalescent and nursing homes, hospice care, and related institutions.
  - Private school.
- (3) Miscellaneous uses.
  - Carnival (temporary). *[By special authorization of the building official.]*
  - Temporary construction or sales office.
- (4) Office uses.
  - Medical clinic.
  - Office.
- (5) Recreation uses.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (6) Residential uses.
  - Retirement housing. *[Tract 2 only.]*

**SEC. 51P-XXX.107. ACCESSORY USES.**

\_\_\_\_\_As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217(b). For more information regarding accessory uses, consult Section 51A-4.217.

**SEC. 51P-XXX.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) Front yard. Minimum front yard is 15 feet.
- (b) Side and rear yard. Minimum side and rear yard is 15 feet.
- (c) Density.
  - (1) Tract 1. No maximum density.
  - (2) Tract 2. Maximum of 32 dwelling units or suites per acre.
  - (3) Tract 3. No maximum density.
- (d) Floor area ratio. Maximum floor area ratio is 1:1.
- (e) Height.
  - (1) Except as provided in this subsection, maximum structure height is 40 feet.
  - (2) Maximum structure height for the existing church structure on Tract 1 is 90 feet, inclusive of a 30 foot-tall steeple.
  - (3) If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. 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.
  - (1) Tract 1. Maximum lot coverage is 30 percent.
  - (2) Tract 2. Maximum lot coverage is 60 percent.
  - (3) Tract 3. Maximum lot coverage is 60 percent.
  - (4) Parking structures. 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.
- (h) Stories. Maximum number of stories above grade is three.

**SEC. 51P-XXX.109. OFF-STREET PARKING AND LOADING.**

(a) Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements.

(b) Except as provided in this paragraph, Tracts 1, 2, and 3 are considered one lot. Exception: Required off-street parking and loading for a child-care facility and private school must be located on the tract as the child-care facility and private school.

**SEC. 51P- \_\_\_\_ .110. TRAFFIC MANAGEMENT PLAN.**

(a) In general.

(1) In general. Operation of the private school must comply with the attached traffic management plan.

(b) Queuing. Except as provided in the traffic management plan, queuing is only permitted inside the Property. Except as provided in the traffic management plan, student drop-off and pick-up are not permitted within city rights-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 November 1, following two years after the date of the required traffic management plan as required in subparagraph (a). After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1 of each subsequent two-year period.

(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) Queuing within the City right-of-way is prohibited unless written approval is obtained from the director of public works and transportation.

(4) Queuing within the City right-of-way must not impede maneuvering for emergency vehicles.

(5) 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 the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(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.

**SEC. 51P- \_\_\_\_ .111. WESTMORELAND ROAD PEDESTRIAN CROSSING.**

(a) In general.

(1) In general. The property consists of three tracts of land; Tracts 1 and 2 located on the west line of Westmoreland Road, and Tract 3 located on the east line of Westmoreland Road. This district permits Tracts 1, 2, and 3 to be considered as one lot for off-street parking purposes and as a result, will require pedestrians to routinely cross Westmoreland Road, a six lane divided thoroughfare.

(b) Pedestrian crossing study.

(1) The Property owner or operator shall prepare an analysis of the impact of pedestrian crossings between the three tracts of the Property, which are separated by Westmoreland Road, to determine pedestrian safety is not compromised. The initial pedestrian crossing study must be submitted to the director by November 1, 2013. After the initial pedestrian crossing study, the Property owner or operator shall submit updates of the pedestrian crossing study to the director by November 1 of each subsequent two-year period.

(2) The pedestrian crossing study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different days (two of which would include a Sunday and a holiday in which the Property owner offers a significant activity in which a large gathering is anticipated), and must contain an analysis of the following:

- (A) duration of pedestrian crossings;
- (B) pedestrian counts for duration period;
- (C) how pedestrians are crossing between tracts;

(3) Within 30 days after submission of a pedestrian crossing study update, the director shall determine if the current pedestrian crossing study is sufficient.

(A) If the director determines that the current pedestrian crossing study is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current pedestrian crossing study results in reduced pedestrian safety or increased traffic congestion, the director shall require the Property owner to submit an amended pedestrian crossing study. If the Property owner fails to submit an amended pedestrian crossing study within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A pedestrian crossing study may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a pedestrian crossing study if the proposed amendments improve pedestrian safety or decrease traffic congestion.

**SEC. 51P-XXX.112. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-XXX.113. LANDSCAPING.**

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X. Plant materials must be maintained in a healthy, growing condition.

(b) Artificial lot.

(1) An artificial lot is the land area that includes any new building footprint and a minimum of 25 feet around the building footprint.

(2) An artificial lot does not require public street frontage.

(3) An artificial lot has no aggregate land area maximum.

**SEC. 51P-XXX.114. SIGNS.**

(a) In general. Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(b) Detached videoboard signs.

(1) Location and number. A maximum of three detached videoboard signs are permitted and may only be erected on property with frontage on South Westmoreland or Cockrell Hill Road as follows:

(A) On Tract 1, a maximum of two detached videoboard signs are permitted. Signs must be constructed in compliance with the location and appearance as shown on the Tract 1 development plan/Tract 2 conceptual plan.

(B) On Tract 2, a maximum of one detached videoboard sign is permitted. Each sign must be a minimum distance of 500 feet from any videoboard sign located on Tract 1.

(C) Detached videoboard signs must be located a minimum of twenty feet from the property line and may not project into public rights-of-way, required yards, fire lanes, parking lots, or driveways.

(2) Size.

(A) Maximum effective area is 100 square feet. Minimum effective area is 40 square feet.

(B) Maximum overall height is 20 feet above grade.

(C) Maximum width of sign face is 10 feet.

(D) Minimum clearance above grade is 11 feet.

(3) Display.

(A) Static messages may not change more frequently than once every eight seconds, with a transition period of two seconds or less. Changes of message must occur simultaneously on the entire sign face.

(B) Video or animated display may not change more frequently than once every twenty seconds, with a transition period of two seconds or less.

(C) Detached videobaord signs may only operate between the hours of 6:00 a.m. and 10:00 p.m., Monday through Sunday.

(D) Display must be internally controlled to automatically dim the brightness from 10000 NITS during the day to 750 NITS during the evening and night.

(E) Detached videoboard signs must have display on both sides of each sign.

(F) Sound is prohibited.

**SEC. 51P-XXX.115. 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.

**SEC. 51P-XXX.116. COMPLIANCE WITH CONDITIONS.**

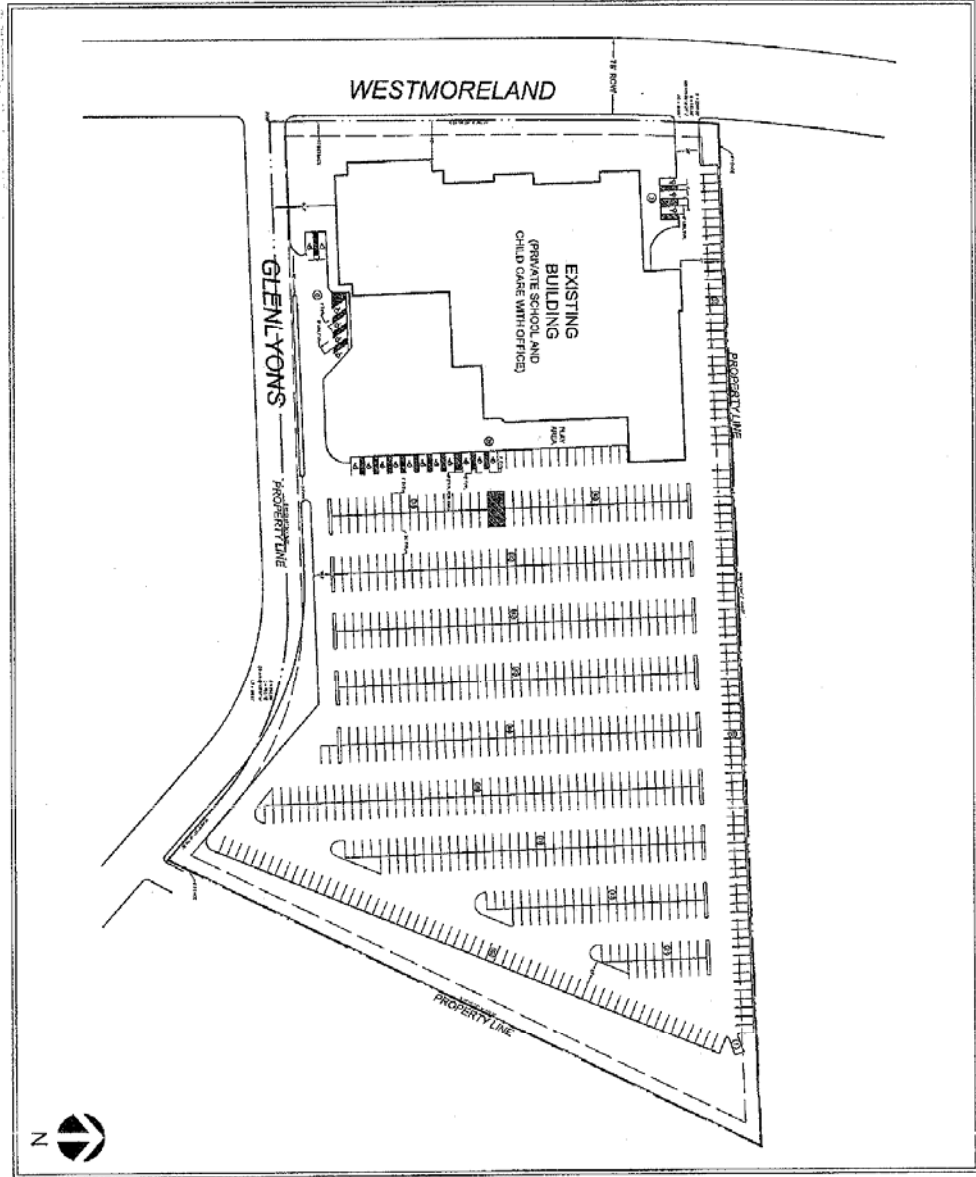
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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.

Z101-335(RB)



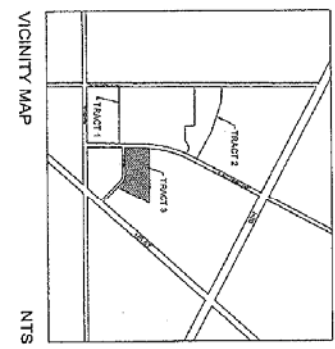
2 TRACT 3 DEVELOPMENT PLAN  
SCALE: 1" = 90'-0"



CASE NUMBER: Z101 - 335 (RB)

USES: CHILD-CARE FACILITY, PRIVATE SCHOOL, OFFICE

FLOOR AREA	CHILD-CARE FACILITY	PRIVATE SCHOOL	OFFICE
# CLASSROOMS	N/A	28	N/A
TOTAL FLOOR AREA	179,000 SF		
LAND AREA	APPROX. 46,573 SF (10.48 AC.)		
LOT COVERAGE	38.5%		
REQUIRED PARKING	179 SPACES		
PROVIDED PARKING	643 SPACES		
HIGHLIGHTS	2 STORIES/ APPROX. 70' INCLUSIVE OF STEEPLE		



7700 S. WESTMORELAND  
CITY OF DALLAS, TEXAS



PERMITTED DEVELOPMENT  
2814 Main St, Dallas, Ste 102  
Dallas, Texas 75223  
214.686.3635  
www.permitteddevelopmentdallas.com

DATE	11/09/11
PROJECT NUMBER	
CASE NUMBER	

**Proposed Tract 3 Development Plan**

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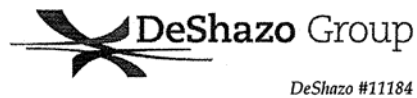
**TRAFFIC MANAGEMENT PLAN FOR  
INSPIRING BODY OF CHRIST SCHOOL  
IN DALLAS, TEXAS**

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Prepared for:  
**Inspiring Body of Christ Church**  
7710 Westmoreland Road  
Dallas, TX 75237

Prepared by:  
**DeShazo Group, Inc.**  
Texas Registered Engineering Firm F-3199  
*Engineers • Planners*  
400 South Houston Street  
Suite 330 • Union Station  
Dallas, Texas 75202  
Phone 214/748-6740

December 28, 2011



Traffic Management Plan for  
**Inspiring Body of Christ School**  
< DeShazo Project No. 11184 >

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## **Technical Memorandum**

**To:** Mr. Charles Robinson — Inspiring Body of Christ Church  
**From:** DeShazo Group, Inc.  
**Date:** December 28, 2011  
**Re:** Traffic Management Plan for Inspiring Body of Christ School in Dallas, Texas  
(DeShazo Project No. 11184)

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### **INTRODUCTION**

The services of DeShazo Group, Inc. (DeShazo) were retained by the Inspiring Body of Christ (IBOC) School to conduct a traffic management plan (TMP) for their campus ("the School") located at 7710 S. Westmoreland Road in Dallas, Texas. DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering.

The existing school has a total enrollment of 167 Day Care students (0 through 5 years old) plus 125 students in grades 1<sup>st</sup> through 6<sup>th</sup>. This TMP is developed for the ultimate master plan and the analyses contained herein are based upon an assumed increase in the total enrollment to 1,059 students and a comparable Day Care-to-grade school student enrollment ratio.

#### **Purpose**

The purpose of this report is to develop procedures to promote traffic safety and efficiency to be used by the school during the morning drop-off and afternoon pick-up hours. The TMP is available for distribution to the City of Dallas staff ("the Staff") for review as to fulfill the associated requirements of the local approval process.

### **TRAFFIC MANAGEMENT PLAN**

A Traffic Management Plan (TMP) is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. The analysis summarized below utilizes the site plan to identify the projected queuing (i.e., vehicle stacking) space and parking demand needed on site to accommodate the projected peak demands related to student drop-off and pick-up at the school. A concerted effort by the school administration and the parents is encouraged to provide and maintain safe and efficient traffic operations.

**School Hours**

Classes on typical school days begin at 8:00 AM and conclude at 3:15 AM. Although the school currently operates on a uniform daily schedule, extended (before- and after-school) care is provided for all students. Parents may drop students off as early as 6:00 AM and pick up as late as 6:00 PM. The number of students attending extended Day Care is not consistent and varies from one day to another. Thus, it can be assumed that not all students will enter/exit the site at these exact times based upon normal distribution patterns. In addition, occasional special events at the church that generate traffic may also occur outside the traditional peak drop-off and pick-up periods; while some of the measures presented in this report may be applicable in conjunction with special events, these combined traffic characteristics are not covered in this analysis.

**Queue Lengths**

A goal for any school should be to accommodate all vehicular queuing and passenger loading/unloading on private property (i.e., not utilize public right-of-way for drop-off/pick-up). At the same time the schools should try to manage the number of vehicles present on site at any given time in order to minimize potential of vehicles queuing and/or parking in public right-of-way.

Maximum queuing at the existing IBOC School currently occurs during the morning peak period when student drop-off is concentrated to a shorter time period than the afternoon pick-up. In contrast with typical public schools, the afternoon period at the IBOC School is currently not a significant traffic issue because the pick-up activity is dispersed from 3:00 PM to 6:00 PM. The school, however, should be prepared to experience more concentrated pick-up activities under full-enrollment conditions. The data and projections provided in this study represent the peak queue conditions experienced during the afternoon peak period.

DeShazo conducted site observations of the morning drop-off and afternoon pick-up related conditions on Friday, December 2 and Wednesday, December 14, 2011 at the existing school. The existing school features two primary unloading/loading areas for student drop-off/pick-up. The Day Care loading/unloading area is located at the north porte-cochere of the school building. Another loading/unloading area for 1<sup>st</sup> through 6<sup>th</sup> grades is located on east side of the same building. It was observed that the majority of the parents/care takers park their vehicles and walk inside the school to drop-off and/or pick-up the student(s).

During the afternoon peak period, a maximum of 50 personal vehicles were observed to be on site at the same time. Existing pick-up-related queue observations are included in **Appendix**. [NOTE: No students were observed walking to/from the campus to/from surrounding neighborhoods.]

The total number of students staying for extended after-school Day Care is a major factor in the afternoon traffic. This characteristic results in a longer, less pronounced pick-up period. Therefore, in order to accurately represent and evaluate the traffic demands, data were subjectively separated into two school groups:

DeShazo Group, Inc.  
December 28, 2011

- A) *Day Care* — The observed school peak hour (from 3:15 PM – 4:15 PM) for the existing 167-student Day Care is 15 inbound vehicles and no queue considering all parent park to pick up their children.
- B) *1<sup>st</sup>-6<sup>th</sup> Grade School* — The observed school peak hour (from 3:15 PM – 4:15 PM) for the existing 125 Grade School students is 35 inbound vehicles and a peak queue of 5 vehicles.

For the Inspiring Body of Christ School, the following assumptions were employed in the queue calculations:

- 1,059 total students (57% Day Care/43% Grade School)
- Student enrollment will be the same at each campus (i.e., 50% at main building)
- No bus services available for students
- No students walk to/from the school

For the purposes of the queue analysis, it is assumed that the two release groups will not coincide with each other, giving an initial release group of approximately 455 students (1<sup>st</sup> to 6<sup>th</sup> grades) and a later release of approximately 604 Day Care students.

Traffic analyses are customarily based on the highest (i.e., peak) one-hour of each critical traffic period. Due to the long duration of traffic periods generated by the IBOC School, the peak conditions are notably lower than typical schools. However, as previously stated it is assumed that peak traffic conditions will become more pronounced and similar to typical school peak traffic conditions as the enrollment increases to the ultimate capacity. Therefore, for purposes of conservatively projecting future traffic conditions, the trip generation for the future school was based upon standard equations from the Institute of Transportation Engineers (ITE) *Trip Generation* (8<sup>th</sup> Edition) manual for "private school" rather than extrapolating the existing peak hour traffic volumes. In addition, a standardized technique for determining queue length does not exist; however, DeShazo has developed a proprietary methodology for estimating vehicular queue at schools as a function of trip generation based upon various, prior, school studies performed around the Dallas metropolitan area.

The projected peak hour (3:15 PM to 4:15 PM) trip generation for the Grade School only is 128 inbound vehicles, resulting in a maximum queue of **51 vehicles** at each site. Excerpts of the *Trip Generation* are included in the **Appendix**.

As previously mentioned, all Day Care pick-up vehicles are expected to park upon arriving to pick-up students. The projected parking generation for Day Care during this same peak hour is 25 vehicles based on extrapolation of existing conditions. A total parking supply of 35 spaces located in front of the porte-cochere should satisfy the peak parking demand.

NOTE: The peak hour for Day Care is not expected to coincide with that of Grade School. The calculated peak hour trip generation, per ITE and for reference purpose only, is 147 inbound vehicles.

*Traffic Management Plan for  
Inspiring Body of Christ School  
Page 3*

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December 28, 2011

The existing school campus generates very little queuing during peak traffic conditions and therefore does not provide a delineated queue area. However, the existing parking lot provides opportunities to create ample queue length on site by designating queue aisles. For purposes of this analysis, a queue area of more than 1580 feet (about 79 vehicles @ 20 feet per vehicle) was identified. This queue length is based on recommended pick-up operations depicted on **Exhibit 1**. Although alternative configurations may provide additional queuing spaces, the recommended pick-up plan, as illustrated, is considered sufficient for the projected needs of the IBOC School.

The subject site provides ample parking for staff and parents who may opt to park instead of stand in a pick-up queue.

### **Circulation**

Each site contains multiple access driveways. While access of individual driveways is not currently restricted to particular grades, passenger vehicles dropping-off/picking-up students typically access the school site via the driveway closest to their desired loading/unloading area. It is recommended that the School implements the following plan.

Passenger vehicles loading/unloading students should enter the school site at Driveway 4, circulate one-way northbound through the parking lot aisle and either (a) enter the loading/unloading queue from the north or (b) park. The designated start of the loading/unloading area is located in front of the east door of the school building. It is recommended that the gate at Driveway 3 remains closed at all times. Vehicles should immediately exit at Driveway 2. Day Care passenger vehicles should enter and exit the school site from Driveway 1 on S. Westmoreland Rd. Detailed illustrations of the proposed circulation plan are provided in **Exhibit 1**.

### **Staff Assistance**

It is important to have a staff presence wherever students are dropped-off or picked-up. In the morning, there should be at least two staff members at each drop-off/pick-up area to guide vehicles to designated locations and direct students into the school building. Staff should still be present at all times in sufficient numbers to monitor all loading operations.

### **Bus Circulation**

--Not Applicable (no buses)--

## **RECOMMENDATIONS**

1. Maintain current release times for day care and grade school students so long as traffic operations continue to function safely and efficiently. However, on an as-needed-basis, adjust specific release times so that each loading area is utilized to optimum efficiency.
2. Maintain existing "self-managed," single-queue lane for passenger loading and unloading so long as safety, sufficient traffic operational efficiency, and on-site

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Inspiring Body of Christ School  
Page 4

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December 28, 2011*

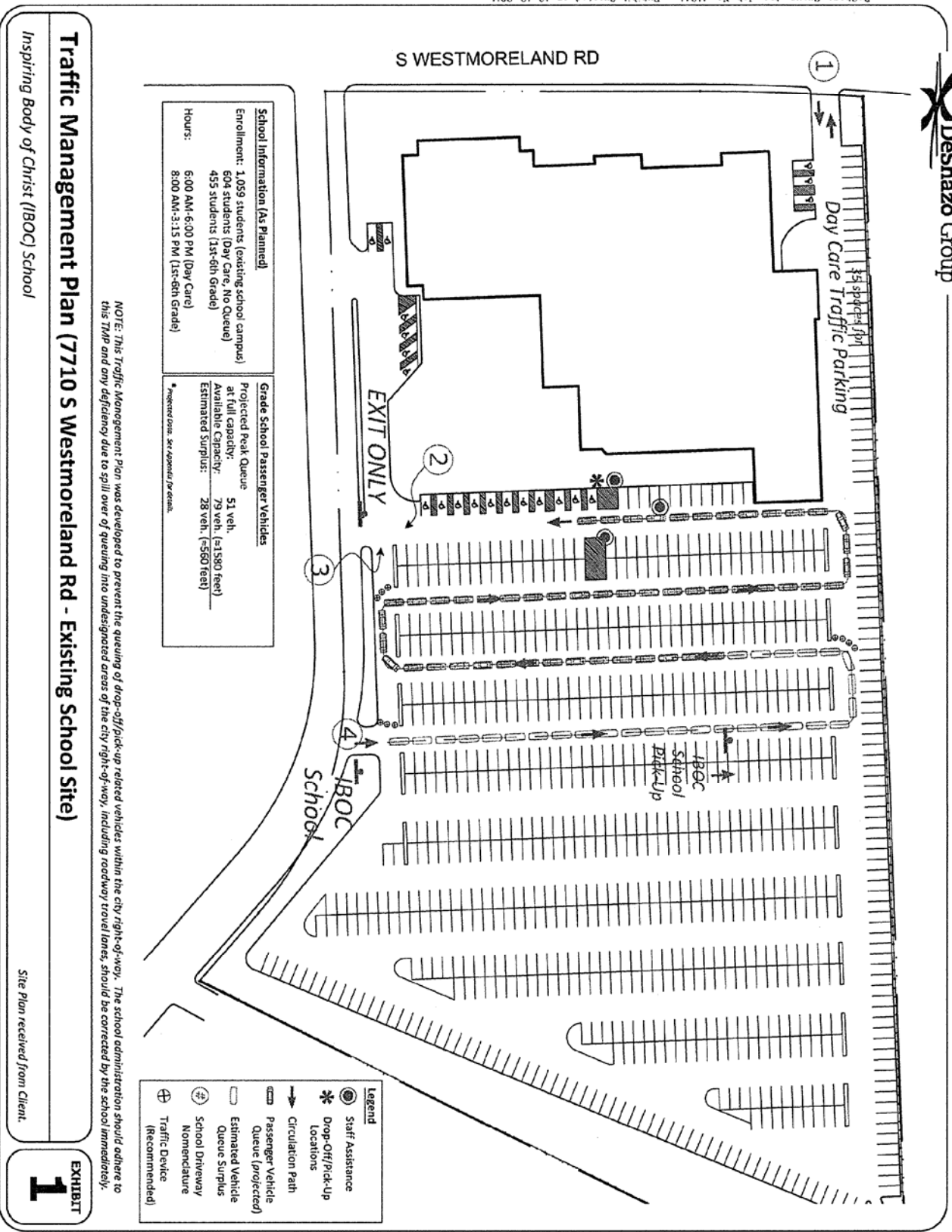
queuing are achieved. However, if required, IBOC staff should implement a "managed" queue procedure utilizing resources such as registered hang tags, hand radios and public announcement during afternoon pick-up periods.

3. Passenger vehicles should be encouraged to use specific driveways to enter the site. See **Exhibit 1**.
4. Distribute "school circulation maps" to students' parents/guardians at the beginning of each academic period (e.g., semester, etc.) to establish the designated circulation patterns and other protocols.
5. As needed, install devices (may be temporary - such as traffic cones) within the campus to facilitate the proper traffic circulation and/or promote traffic calming.

This TMP is to be used by Inspiring Body of Christ School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The Plan was developed with the intent of optimizing passenger vehicle loading/unloading within the site and to avoid vehicle queuing and passenger loading/unloading within the City right-of-way. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness and compliance and to consider adjustments as needed to provide overall safety.

**END OF MEMO**

*Traffic Management Plan for  
Inspiring Body of Christ School  
Page 5*



**Traffic Management Plan (7710 S Westmoreland Rd - Existing School Site)**  
 Inspiring Body of Christ (IBOC) School

Site Plan received from client.

**EXHIBIT 1**

NOTE: This Traffic Management Plan was developed to prevent the queuing of drop-off/pick-up related vehicles within the city right-of-way. The school administration should adhere to this TMP and any deficiency due to spill over of queuing into undesignated areas of the city right-of-way, including roadway travel lanes, should be corrected by the school immediately.

26322

061236

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas, as amended, are amended to allow the following property ("the Property"), which is presently zoned as an MF-2(A) Multifamily District and an MU-2 Mixed Use District, to be used under Specific Use Permit No. 1621 for a child-care facility and private school:

BEING all of Lots 1 and 5 in City Block A/7544 at the northeast corner of Westmoreland Road and Glennlyons Drive, fronting approximately 444.25 feet on the east line of Westmoreland Road, having a depth of 1070.60 feet, and containing approximately 7 acres.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is a child-care facility and 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 is approved for a period that expires on April 26, 2016, and 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 and maintained in accordance with Article X of the Dallas Development Code, as amended. Plant materials must be maintained in a healthy, growing condition.
5. CLASSROOMS: The maximum number of classrooms for the private school is nine.

26322

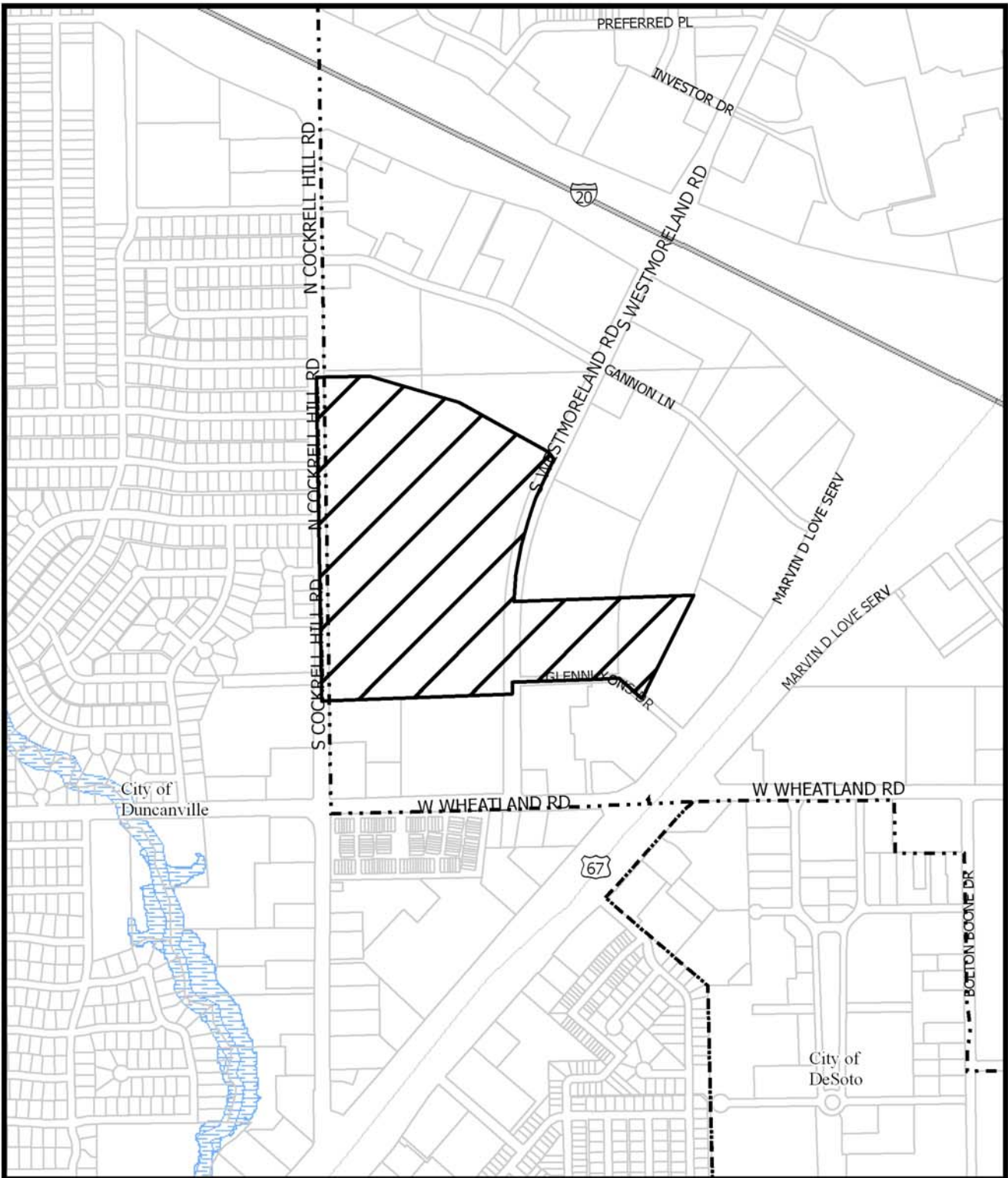
061236

6. ENROLLMENT: Enrollment in the private school is limited to kindergarten through sixth grade and may not exceed 306 students.
7. FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence, as shown on the attached site plan.
8. HOURS OF OPERATION: The child-care facility and private school may only operate between 6:00 a.m. and 6:00 p.m., Monday through Friday.
9. INGRESS AND EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
10. PARKING: A minimum of 19 off-street parking spaces must be provided for the child-care facility, and a minimum of 14 off-street parking spaces must be provided for the private school in the location shown on the attached site plan.
11. PICK-UP AND DROP-OFF: A pick-up and drop-off area for the child-care facility and private school must be provided in the location shown on the attached site plan.
12. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
13. 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.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

SECTION 4. That the building official shall not issue a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this ordinance and with the construction codes and all other ordinances, rules, and regulations of the City of Dallas.





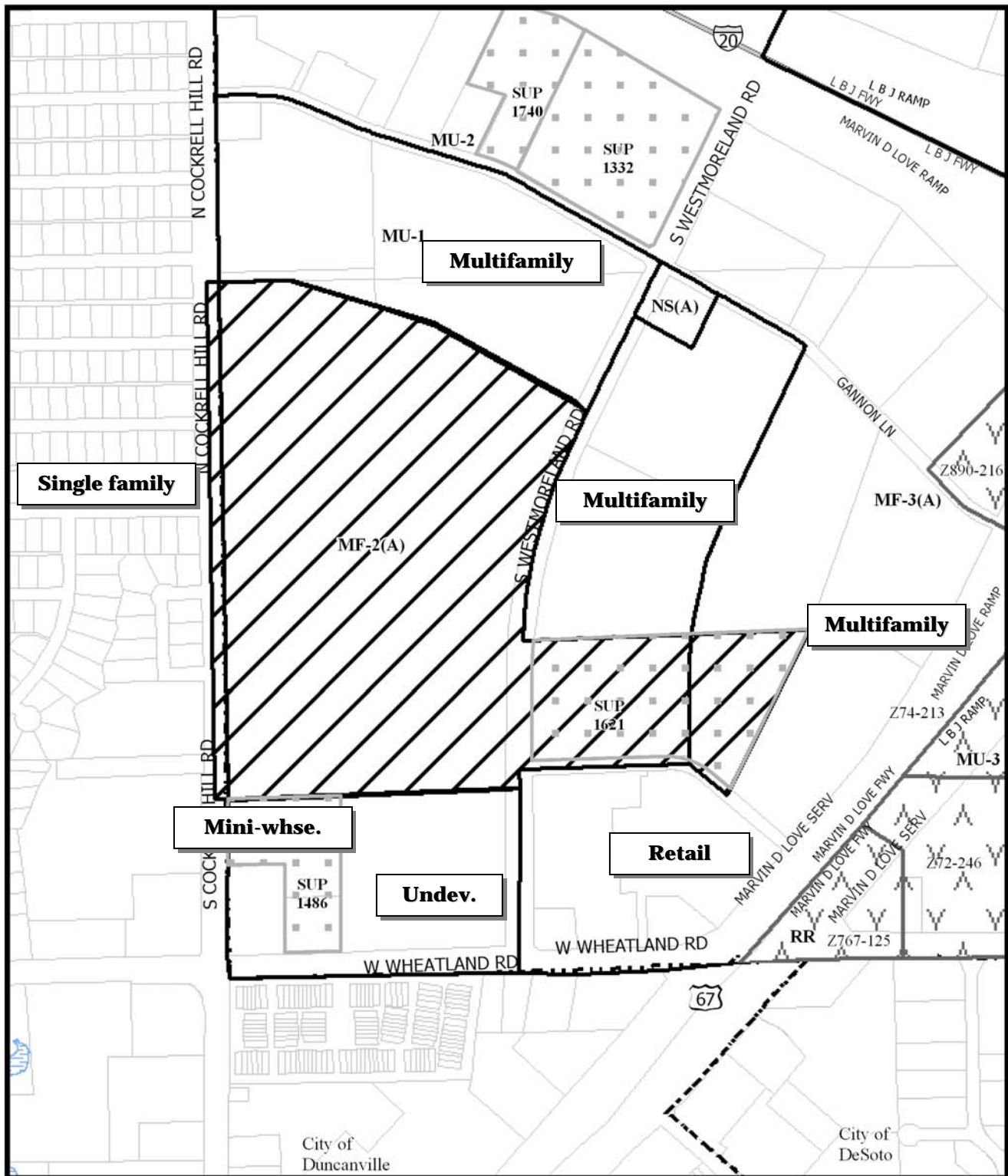
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# VICINITY MAP

Map no:           P-5          

Case no:           Z101-335          

DATE: August 18, 2011



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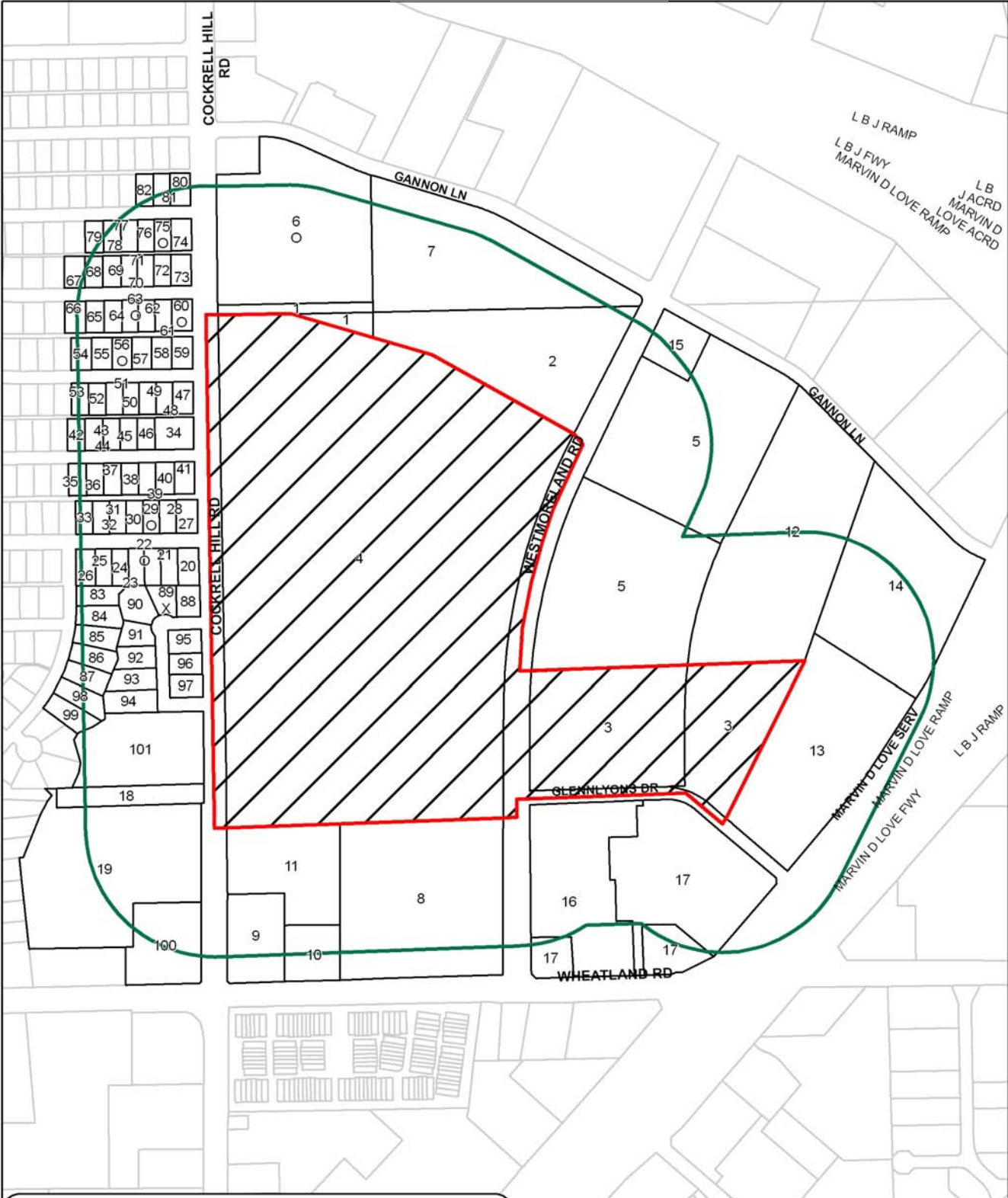
# ZONING AND LAND USE

Map no:           P-5          

Case no:           Z101-335          

DATE: August 18, 2011

# CPC RESPONSES



<u>101</u>	Property Owners Notified (106 parcels)
<u>7</u>	Replies in Favor (7 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>500'</u>	Area of Notification
<u>1/19/2012</u>	Date <u>1/5/2012</u> Under Advisement

**Z101 - 335**  
**CPC**



1:6,000

**Notification List of Property**

**Z101-335**

**101 Property Owners Notified**      **1 Property Owner Opposed**      **7 Property Owners in**

<b>Vote</b>	<b>Label</b>	<b>Address</b>	<b>Owner</b>
	1	7400 COCKRELL HILL	JA GEE CORPORATION
	2	7575 WESTMORELAND	WESTMORELAND ROAD APARMEN
	3	7700 WESTMORELAND	INSPIRING BODY OF CHRIST
	4	7701 WESTMORELAND	INSPIRING BODY OF CHRIST CHURCH
INC			
	5	7676 WESTMORELAND	FLORIDA WORLD PPTIES LLC
O	6	4350 GANNON	SLINK ENTERPRISE LTD PS
	7	7575 WESTMORELAND	WESTMORELAND ROAD APARMENTS LP
	8	7800 COCKRELL HILL	ASHPORT PARTNERSHIP LTD
	9	8120 COCKRELL HILL	SURFCOMBER DUNC ASSOC
	10	4305 WHEATLAND	SHREEMBREZEE INV LLC
	11	8110 COCKRELL HILL	VALK DONALD L
	12	3950 GANNON	HEAD START OF GREATER
	13	8081 MARVIN D LOVE	NAP SPRINGMAN FUND II
	14	7905 MARVIN D LOVE	CARLETON CEDAR RIDGE LTD
	15	7500 WESTMORELAND	DUNCANVILLE ISD ET AL
	16	4101 WHEATLAND	1027 WILSHIRE ASSOC LLC
	17	4000 WHEATLAND	KONGS PROPERTIES INC
	18	315 COCKRELL HILL	HSU L R ETAL
	19	419 COCKRELL HILL	FRISCO HEALTH INVESTMENTS
	20	826 CENTER	ABEITA ALEX
	21	822 CENTER	KING JAKE T III
O	22	818 CENTER	HARRIS JIMMY R
	23	814 CENTER	CONTRERAS MARIA S &
	24	810 CENTER	KOVAR BEVERLY S & WALTER J
	25	806 CENTER	RODRIGUEZ THOMAS
	26	802 CENTER	RAY RONALD K

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
		27 827 CENTER	OROZCO ROBERTA &
		28 823 CENTER	THORNHILL R W & GENEVA
O		29 819 CENTER	LE MONG LIEN T
		30 815 CENTER	MCLAURIN JOHNNIE TR
		31 811 CENTER	SORIANO MARIA
		32 807 CENTER	RICE EARNEST & RENETTE
		33 803 CENTER	CORONA GUADALUPE
		34 823 CHERRY	LEIJA TOMAS M
		35 802 CHERRY	PAIGE KENNETH R &
		36 806 CHERRY	THRASH LARRY L
		37 810 CHERRY	GARCIA FELIX
		38 814 CHERRY	CRAIG JAMES ALTON JR
		39 818 CHERRY	MARGIE MCGRAW &
		40 822 CHERRY	BLACK GEORGE T &
		41 826 CHERRY	MADSEN JOHN G
		42 803 CHERRY	FUDZIE PATRICIA
		43 807 CHERRY	VASQUEZ JESSE & DIANA
		44 811 CHERRY	CANCINO KENIA
		45 815 CHERRY	LIESCH CHARLES A &
		46 819 CHERRY	LIVINGSTON LORI
		47 826 FLAMINGO WAY	ROSS LARRY L & MARY E
		48 822 FLAMINGO WAY	YOUNG REGINALD J &
		49 818 FLAMINGO WAY	HUNT KEITH D
		50 814 FLAMINGO WAY	UMANA JOSE
		51 810 FLAMINGO WAY	DETTAN SEANG
		52 806 FLAMINGO WAY	DEMENT CHARLES LOWELL &
		53 802 FLAMINGO WAY	HUNTER REGINA D
		54 803 FLAMINGO WAY	BOWEN SHERMAN &
		55 807 FLAMINGO WAY	SOLACHE JANIE JAIMES &
O		56 811 FLAMINGO WAY	BRUMIT MARVIN L
		57 815 FLAMINGO WAY	ROBERTS JOHN L &

*Thursday, January 05, 2012*

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
		58 819 FLAMINGO WAY	GRIFFIN LEONARD JR &
		59 823 FLAMINGO WAY	SLATTEN WILLIE J
O		60 826 GRANADA	SCOTT WILLIAM M & JANE M
		61 822 GRANADA	REESE REGGIE DEVON &
		62 818 GRANADA	GONZALEZ ADRIANA
O		63 814 GRANADA	BAUER MARY F
		64 810 GRANADA	STRUCK DIANE
		65 806 GRANADA	GILSTRAP JUANITA
		66 802 GRANADA	RENE LAURA
		67 803 GRANADA	MITCHELL SAMMIE L &
		68 807 GRANADA	HAYER ROBERT F & DOROTHY
		69 811 GRANADA	MCFARLING MELVIN L ETAL
		70 815 GRANADA	MARIN FRANCISCO &
		71 819 GRANADA	RODGERS SHARON
		72 823 GRANADA	YOUNGBLOOD EMILY
ANNETT			
		73 827 GRANADA	BUSTAMANTE EDUARDO S
		74 826 MADRID	PHILLIPS GLENWOOD BEN &
O		75 822 MADRID	HANKINS ROBERT L & ANETA
		76 818 MADRID	HULBERT SLADE S
		77 814 MADRID	GLASS BETTY
		78 810 MADRID	HARRIS WILMA FAYE
		79 806 MADRID	MONCIVAIS ELIZABETH
		80 827 MADRID	ERPILLO PROPERTIES LLC
		81 823 MADRID	SHIRLEE DENISE M &
		82 819 MADRID	HOLLY BIRDIE G & HARRELL
		83 102 CLIFFWOOD	ROBERTSON JANET G
		84 106 CLIFFWOOD	HERNANDEZ ARAMIS
		85 202 CLIFFWOOD	BRISCOE CHARLENE R
		86 206 CLIFFWOOD	WARE SHIRLEY G &
		87 210 CLIFFWOOD	ZUKAS MU CHA
		88 203 MARTIN LUTHER	GRAVES BILLY F

Thursday, January 05, 2012

Z101-335(RB)

<i>Vote</i>	<i>Label</i>	<i>Address</i>	<i>Owner</i>
X	89	207 MARTIN LUTHER	PARSLEY LEONARD & MARY A
	90	211 MARTIN LUTHER	MARTINEZ VANESSA
	91	215 MARTIN LUTHER	CAIN CECIL R JR & LEIDA E
	92	219 MARTIN LUTHER	WOOD MARILYN L
	93	223 MARTIN LUTHER	BROCK DONALD
	94	227 MARTIN LUTHER	JOHNSON DERRICK D
	95	214 MARTIN LUTHER	FRANKLIN CHARMAINE M &
	96	218 MARTIN LUTHER	JONES SHARON L &
	97	222 MARTIN LUTHER	MURPHY DONALD JR
	98	214 CLIFFWOOD	PRICE CHRISTOPHER D &
BERTHA C			
	99	218 CLIFFWOOD	HITT STEVEN A & ASHLEY S
	100	515 COCKRELL HILL	TEAGUE MARY TRUST
	101	311 COCKRELL HILL	NEW LIFE IN CHRIST

*Thursday, January 05, 2012*

