APRIL 25, 2007 CITY COUNCIL ADDENDUM
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated April 25, 2007. 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

Edward Scott
City Controller

4/20/07
Date

4/20/07
Date
REVISED 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.  MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

OPEN MICROPHONE

CLOSED SESSION

MINUTES  Item 1

CONSENT AGENDA  Items 2 - 31

CONSENT ADDENDUM  Items 1 - 23

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier than 9:30 a.m.  Items 32 - 35
Addendum Items 24 - 27

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.  Items 36 - 55
ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A.M.

ADDITIONS:

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize the purchase of one 40-ton and one 25-ton replacement articulated (pivoting frame) dump truck for hauling cover soil at the McCommas Bluff Landfill - Continental Equipment Co. L.P. in the amount of $398,248 and Holt Texas LTD in the amount of $250,000, lowest responsible bidders of five - Total not to exceed $648,248 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes

2. Authorize a professional services contract for specialized equipment and software services to be used in the assembly of a pavement management data collection vehicle for conducting street and alley condition inventories - Enterprise Information Solutions, Inc., most advantageous proposer of four - Not to exceed $500,000 - Financing: Current Funds

3. Authorize an eighteen-month service contract, with two twelve-month renewal options, to perform medical exams and fitness assessments for firefighters - MedProvider dba Health Texas, most advantageous proposer of three - Not to exceed $1,565,954 - Financing: Current Funds ($782,977 subject to annual appropriations)

City Secretary's Office

4. An ordinance amending Ordinance No. 26580 ordering the May 12, 2007 general election, in order to change some election-day and early voting locations - Financing: No cost consideration to the City

Code Compliance

5. Authorize moving expense and replacement housing payments for Delvin Mims in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed $38,901 - Financing: 2003 Bond Funds
ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Department of Development Services

6. Authorize settlement in lieu of proceeding further with condemnation in the lawsuit styled, City of Dallas v. Phillip W. Johnson et al., Cause No. cc-03-14904-c, pending in the County Court at Law No. 3, for a tract of land containing approximately 90 acres from owner Phillip W. Johnson located near Linfield Road and Interstate Highway 45 for the Trinity River Corridor Project - $795,000 - Financing: 1998 Bond Funds

7. Authorize (1) a public hearing to be held on May 23, 2007, to receive comments on a proposed redevelopment plan for the Jules E. Muchert Reserve Center located near the intersection of Northwest Highway and Thurgood Lane; and, at the close of the hearing, (2) consideration of a resolution authorizing the proposed redevelopment plan - Financing: No cost consideration to the City

8. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Metropolitan Sand and Gravel Company, L.L.C., for approximately 32 acres of land located near the intersection of Loop 12 and Pemberton Hill Road for the Trinity River Corridor Project - $395,000 - Financing: 1998 Bond Funds

9. An ordinance abandoning portions of seven various easements to PC Village Apartments Dallas, L.P., the abutting owner, containing approximately 83,286 square feet of land located near the intersection of Northwest Highway and Shadybrook Lane - Revenue: $5,000 plus the $20 ordinance publication fee

10. An ordinance abandoning a portion of Turtle Creek Boulevard to Block 1500, L.P. and Tower Land and Investment Company, the abutting owners, containing approximately 49,146 square feet of land located at the intersection of Turtle Creek Boulevard and Oak Lawn Avenue, and authorizing the quitclaim in exchange for approximately 5,423 square feet of needed street right-of-way - Revenue: $780,456 plus the $20 ordinance publication fee

Environmental & Health Services

11. Authorize (1) the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2007 through April 30, 2008; and (2) execution of the grant agreement - Not to exceed $420,360 - Financing: U.S. Department of Housing and Urban Development Grant Funds
ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Environmental & Health Services (Continued)

12. Authorize (1) the application for and acceptance of a grant from the Texas Department of Housing and Community Affairs for the provision of homebuyer assistance, housing placement, and transitional rental assistance for homeless individuals through the Homeless Services Program for the period October 1, 2007 through March 30, 2010; and (2) execution of the grant agreement - Not to exceed $550,000 - Financing: Texas Department of Housing and Community Affairs Grant Funds

Equipment & Building Services

13. Authorize an increase in the contract with J. N. Kent Construction Company, Inc. for the replacement of the water damaged ceiling system in L2/A/North at City Hall located at 1500 Marilla Street - $44,307, from $487,364 to $531,671 - Financing: Current Funds

Housing

14. Authorize (1) the acceptance of a grant from the ExxonMobil Foundation to provide funding for employment, training and basic education services to Dallas youth in the amount of $265,000; (2) the implementation of the Summer Youth Program for low- to moderate-income youth ages 16 and above, and certain costs for students and supervisor wages, supplies training, and materials for the period of April 25, 2007 to August 25, 2007, in the amount of $237,000; and (3) an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component in the amount of $28,000 - Total not to exceed $265,000 - Financing: 2007 ExxonMobil Foundation Grant Funds

Office of Cultural Affairs

15. Authorize a contract for the design and fabrication of a site-specific artwork for the new Fire Station No. 33 located at the intersection of Vernon Avenue and Illinois Avenue - Graphic Content, Inc. - Not to exceed $38,488 - Financing: 2003 Bond Funds

16. Authorize a contract for the fabrication and installation of a site-specific public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road - Meridian Energy Systems, Inc. - Not to exceed $123,000 - Financing: 2003 Bond Funds
ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Office of Financial Services

17. Authorize (1) the preparation of plans for the issuance of $135,350,000 in General Obligation Bonds, Series 2007; and (2) the establishment of appropriations in an amount not to exceed $135,691,406 - Financing: This action has no cost consideration to the City

18. A resolution (1) authorizing a commitment to fund up to 25% of incremental cost of undergrounding approximately 0.7 miles of the proposed TXU Electric Delivery 345 kilovolt electric West Levee to Norwood transmission line from the West Levee switching station to approximately Sylvan Avenue; and (2) directing the City Manager to include such funding in future budgets as appropriate - Financing: This action has no cost consideration to the City

Park & Recreation

19. Authorize Supplemental Agreement No. 1 to the professional services contract with Oglesby-Greene Architects, Inc. to provide for the historical regulatory reviews and approvals, construction documents, design of exhibits and interpretive graphics, cost estimating, bidding, and construction administration services for the exterior and interior areas of the butterfly house, lobby, and offices for the Texas Discovery Gardens at Fair Park, Phase III, located at 3601 Martin Luther King, Jr., Boulevard - Not to exceed $492,490, from $24,999 to $517,489 - Financing: 1995 Bond Funds ($145,895) and 1998 Bond Funds ($346,595)

Police

20. Authorize a twelve-month professional services agreement with Professional Development Institute, a non-profit corporation, located on the campus of the University of North Texas in Denton, for consultant services for the development of a real-time, intelligence-based, fusion center to serve as an information and intelligence hub for the North Central Texas Urban Area for the period of December 15, 2006 through December 31, 2007 - Not to exceed $150,000 - Financing: 2005-06 Urban Area Security Initiative Grant Funds
ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Police (Continued)

21. Authorize (1) the application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period of May 21, 2007 through June 3, 2007, in the amount of $90,000, (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of $25,398, and (3) execution of the grant agreement - Total not to exceed $115,398 - Financing: Current Funds ($25,398) and Texas Department of Transportation Grant Funds ($90,000)

Public Works & Transportation

22. Authorize an increase in the contract with CORE Construction, Inc. to provide modifications caused by unforeseen site conditions concerning existing utility lines for the new South Central Police Station to be located at 1999 East Camp Wisdom Road - $36,515, from $10,516,305 to $10,552,820 - Financing: 2003 Bond Funds

Trinity River Corridor Project

23. Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with the North Texas Tollway Authority (NTTA) and Texas Department of Transportation to increase the escrow of City funds for disbursement to NTTA in order to continue with the next phase of work associated with the Trinity Parkway Environmental Impact Statement - $1,500,000, from $7,000,000 to $8,500,000 - Financing: 1998 Bond Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

Economic Development

Note: Item Nos. 24 and 25 must be considered collectively.

Fireman's Fund Insurance Company

24. * Authorize a 75 percent new business personal property tax abatement agreement for five years with Fireman's Fund Insurance Company and California State Teachers Retirement System located at 500 North Akard - Revenue: First year revenue estimated at $9,115; five-year revenue estimated at $45,575 (Estimated revenue foregone for five-year abatement estimated at $136,725)
ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Economic Development (Continued)

Fireman's Fund Insurance Company

Note: Item Nos. 24 and 25 must be considered collectively.

25. * Authorize a four-year economic development grant agreement with Fireman's Fund Insurance Company related to the company's expansion and job creation at 500 North Akard - Not to exceed $25,000 annually for a total not to exceed $100,000 - Financing: Public/Private Partnership Program Funds

26. Authorize (1) a public hearing to be held on June 13, 2007, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and Dallas Independent School District, to receive comments to consider the creation of a tax increment financing reinvestment zone for the Fort Worth Avenue area (Fort Worth Avenue TIF District) 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 hearing, (2) consideration of an ordinance creating the Fort Worth Avenue TIF District - Financing: No cost consideration to the City

27. Authorize (1) a public hearing to be held on June 13, 2007, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and Dallas Independent School District, to receive comments to consider the creation of a tax increment financing reinvestment zone for the Twelve Hills area (Twelve Hills TIF District) 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 hearing, (2) consideration of an ordinance creating the Twelve Hills TIF District - Financing: No cost consideration to the City

CORRECTION:

Economic Development

35. Authorize amendments to Resolution No. 06-2441, previously approved on September 13, 2006, for the redevelopment of the Santa Fe IV building located at 1033 Young Street in the Downtown Connection TIF District to (a) remove the residential requirement and increase the number of hotel rooms from 116 to 195, (b) define allowable expenditures for private investment, and (c) extend the date to receive Landmark Commission review from March 31, 2007 to December 31, 2007, and (d) include Hamilton 1033 LLC and Santa Fe IV Hotel, LP, along with Santa Fe Lofts IV LP, as party to the development agreement - Financing: No cost consideration to the City
DELETIONS:

Mayor and Council Office

34. A resolution to authorize the City Manager to negotiate and enter into a development agreement with The Pillar Group, the developer of the Tower Petroleum Building redevelopment project (Mayor Pro Tem Hill and Councilmembers Blaydes, Salazar, Natinsky and Thornton-Reese)

Department of Development Services

ZONING CASES – INDIVIDUAL

44. A public hearing to receive comments regarding an application for a Planned Development District for retail and multifamily uses on property zoned an RR Regional Retail District on the southwest corner of Ferguson Road and Valley Glen Drive, with consideration for and an ordinance granting an MU-2 Mixed Use District
Recommendation of Staff and CPC: Approval of an MU-2 Mixed Use District in lieu of a Planned Development District Z067-151(JH)
KEY FOCUS AREA:  Neighborhood Quality of Life

AGENDA DATE:  April 25, 2007

COUNCIL DISTRICT(S):  8

DEPARTMENT:  Business Development & Procurement Services
Sanitation Services

CMO:  Dave Cook, 670-7804
Ramon F. Miguez, P.E., 670-3308

MAPSCO:  67K 67P

SUBJECT

Authorize the purchase of one 40-ton and one 25-ton replacement articulated (pivoting frame) dump truck for hauling cover soil at the McCommas Bluff Landfill - Continental Equipment Co. L.P. in the amount of $398,248 and Holt Texas LTD in the amount of $250,000, lowest responsible bidders of five - Total not to exceed $648,248 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes

BACKGROUND

This authorization will allow for the purchase of one 40-ton and one 25-ton replacement articulated (pivoting frame) dump truck to be used at the McCommas Bluff Landfill. Sanitation Services currently operates a fleet of five articulating dump trucks which are used to haul cover soil within the landfill. The expected life span of a truck working under conditions similar to the landfill is 8,500 hours. The two units being replaced have logged an excess of 8,000 hours and have had three transmission failures each. In fiscal year 2005-06, the landfill accepted 1,685,244 tons of waste for disposal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$648,248.00 - 2006 Equipment Acquisition Contractual Obligation Notes
M/WBE INFORMATION

0 - Vendors contacted
0 - No response
0 - Response (bid)
0 - Response (no bid)
0 - Successful

6 M/WBE and Non-M/WBE vendors were contacted.

The recommended awardees have fulfilled the good faith requirements set forth in the Good Faith Effort Plan adopted by Council Resolution #84-3501 as amended.

ETHNIC COMPOSITION

Continental Equipment Co. L.P.

<table>
<thead>
<tr>
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Holt Texas LTD

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BID INFORMATION

The following bids were received and opened on February 22, 2007. Bids were solicited by line. Bidders did not have to bid on every line. This purchase is being awarded to the lowest responsive and responsible bidders by line.

*Denotes successful bidders

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
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<tr>
<td>40-Ton Truck</td>
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<tr>
<td>*Continental Equipment Co. L.P.</td>
<td>8505 S. Central Expwy, Dallas, TX  75241</td>
<td>$398,248.00</td>
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<tr>
<td>Romco Equipment Co.</td>
<td>5151 Cash Road, Dallas, TX  75247</td>
<td>$419,535.00</td>
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Agenda Date 04/25/2007 - page 2
**BID INFORMATION (Continued)**

<table>
<thead>
<tr>
<th>Bidders</th>
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<th>Amount of Bid</th>
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<tr>
<td><strong>40-Ton Truck</strong></td>
<td></td>
<td></td>
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<tr>
<td>Holt Texas LTD.</td>
<td>2000 E. Airport Frwy. Irving, TX 75062</td>
<td>$440,000.00</td>
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<tr>
<td>Four Seasons Equipment Co.</td>
<td>4120 Cedar Lake Dr. Dallas, TX 75227</td>
<td><strong>Non-responsive</strong></td>
</tr>
<tr>
<td>RDO Equipment Co.</td>
<td>9024 N. W. Hwy 287 Fort Worth, TX 76177</td>
<td><strong>Non-responsive</strong></td>
</tr>
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</table>

**Four Seasons Equipment Co. and RDO Equipment Co. were deemed non-responsive because they did not meet qualifications as required by the bid specifications.**

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<th><strong>25-Ton Truck</strong></th>
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<td>Romco Equipment Co.</td>
<td>5151 Cash Road Dallas, TX 75247</td>
<td>$279,359.00</td>
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<td>Continental Equipment Co. L.P.</td>
<td>8505 S. Central Exprwy Dallas, TX 75241</td>
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<tr>
<td>Four Seasons Equipment Co.</td>
<td>4120 Cedar Lake Dr. Dallas, TX 75227</td>
<td><strong>Non-responsive</strong></td>
</tr>
<tr>
<td>RDO Equipment Co.</td>
<td>9024 N. W. Hwy 287 Fort Worth, TX 76177</td>
<td><strong>Non-responsive</strong></td>
</tr>
</tbody>
</table>

**Four Seasons Equipment Co. and RDO Equipment Co. were deemed non-responsive because they did not meet qualifications as required by the bid specifications.**

**OWNERS**

**Continental Equipment Co. L.P.**

Jess Butcher, President  
Larry Hall, Vice President
OWNERS (Continued)

Holt Texas LTD.

Allyn Archer, President
Dave Harris, Vice President
Charlie Strickland, Secretary
David Hennessee, Treasurer
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize the purchase of one 40-ton and one 25-ton replacement articulated (pivoting frame) dump truck for hauling cover soil at the McCommas Bluff Landfill - Continental Equipment Co. L.P. in the amount of $398,248 and Holt Texas LTD in the amount of $250,000, lowest responsible bidders of five - Total not to exceed $648,248 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes.

Continental Equipment Co. L.P. and Holt Texas LTD are local, non-minority firms, have signed the "Good Faith Effort" documentation, and propose to use their own work forces.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

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<td>Total local contracts</td>
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<td>100.00%</td>
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<tr>
<td>Total non-local contracts</td>
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<tr>
<td>TOTAL CONTRACT</td>
<td>$648,248.00</td>
<td>100.00%</td>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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<tr>
<th></th>
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<th>Percent</th>
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<td>WBE</td>
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<td><strong>Total</strong></td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
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</table>
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the purchase of one 40-ton and one 25-ton replacement articulated (pivoting frame) dump truck for hauling cover soil at McCommas Bluff Landfill, is hereby authorized with Continental Equipment Co. L.P. (257724) in the amount of $398,248.00 and Holt Texas LTD (506724) in the amount of $250,000.00 for a total not to exceed $648,248.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for one 40-ton and one 25-ton replacement articulated (pivoting frame) dump truck for hauling cover soil at McCommas Bluff Landfill. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds, from the following appropriation, in an amount not to exceed $648,248.00:

<table>
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<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
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Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the City Charter of the City of Dallas and it is accordingly so resolved.

Business Development and Procurement Services, 3FS
Office of Financial Services, 4FN
Sanitation Services
KEY FOCUS AREA: Neighborhood Quality of Life

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Public Works & Transportation

CMO: Dave Cook, 670-7804
Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize a professional services contract for specialized equipment and software services to be used in the assembly of a pavement management data collection vehicle for conducting street and alley condition inventories - Enterprise Information Solutions, Inc., most advantageous proposer of four - Not to exceed $500,000 - Financing: Current Funds

BACKGROUND

This item will authorize a professional services contract for specialized equipment and software services to be used in the assembly of a pavement management data collection vehicle for conducting street and alley condition inventories. The contracted vendor will provide coordination and installation of equipment, software and services in order to provide a vehicle for the Pavement Management Program to use in conducting street and alley condition inventories. The vehicle will be used by City staff to conduct detailed road condition assessments. These assessments are critical in making wise repair recommendations, identifying appropriate maintenance strategies and refining the annual “Needs List”. The annual Needs List is relied on by Public Works to plan for the Capital Improvements and Bond projects and by Street Services to plan for their annual maintenance work.

The Pavement Management Program will be able to inventory the entire street network (11,604 lane miles) and 1/3 of the alleys (500 miles) annually. This vehicle will significantly improve the City's ability to analyze roads and their appropriate repair and maintenance needs, forecast pavement performance, prioritize project candidates and provide the data necessary to maximize budgets. The resulting recommendations will have an impact on every dollar spent repairing and maintaining our City streets, alleys, curbs, gutters and sidewalks.
BACKGROUND (Continued)

This competitive sealed proposal was evaluated by a six member evaluation committee, with three committee members from different sections of Public Works, two members from Street Services and one member from Communication and Information Services. The proposal specified that submittals would be evaluated based on thirty percent for "Project approach/Implementation", twenty-five percent for "Specific Expertise", twenty percent for "Cost", twenty percent for "Contractors Capabilities", and five percent for "Good Faith Effort" implementation, totaling a maximum of one hundred percent.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 12, 2007, the Transportation and Environment Committee was briefed on developing an enhanced Pavement Management Program.

FISCAL INFORMATION

$500,000.00 - Current Funds

M/WBE INFORMATION

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

7 - M/WBE and Non-M/WBE vendors were contacted.

The recommended awardees have fulfilled the good faith requirements set forth in the Good Faith Effort Plan adopted by Council Resolution #84-3501 as amended.

ETHNIC COMPOSITION

Enterprise Information Solutions, Inc.

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<th>Ethnicity</th>
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<td>21</td>
</tr>
<tr>
<td>White Male</td>
<td>21</td>
<td>21</td>
</tr>
</tbody>
</table>
**PROPOSAL INFORMATION**

The following proposals were received and opened on December 15, 2006. This contract is being awarded to the most advantageous proposer.

*Denotes successful proposer

<table>
<thead>
<tr>
<th>Proposers</th>
<th>Address</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Enterprise Information Solutions, Inc.</td>
<td>9891 Broken Land Parkway University Park, IL 60466</td>
<td>95.33</td>
</tr>
<tr>
<td>Stantec Consulting Services, Inc.</td>
<td>8211 South 48th Street Phoenix, AZ 85044</td>
<td>87.57</td>
</tr>
<tr>
<td>Immersive Media</td>
<td>2407 SE 10th Avenue Portland, OR 97214</td>
<td>Non-responsive**</td>
</tr>
<tr>
<td>Infrastructure Management Services</td>
<td>116 North Roosevelt, Suite 131 Chandler, AZ 85226</td>
<td>Non-responsive**</td>
</tr>
</tbody>
</table>

**Immersive Media and Infrastructure Management Services were deemed non-responsive due to their proposals not addressing the entire scope of work.**

**OWNER**

**Enterprise Information Solutions, Inc.**

Andy Shaw President
Rick Garrett, Vice President
Sue Lee, Treasurer
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract for specialized equipment and software services to be used in the assembly of a pavement management data collection vehicle for conducting street and alley condition inventories - Enterprise Information Solutions, Inc., most advantageous proposer of four - Not to exceed $500,000 - Financing: Current Funds

Enterprise Information Solutions, Inc. is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

<table>
<thead>
<tr>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$0.00 0.00%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$500,000.00 100.00%</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$500,000.00 100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

<table>
<thead>
<tr>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00 0.00%</td>
<td>$0.00 0.00%</td>
<td></td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$0.00 0.00%</td>
<td>$0.00 0.00%</td>
<td></td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00 0.00%</td>
<td>$0.00 0.00%</td>
<td></td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00 0.00%</td>
<td>$0.00 0.00%</td>
<td></td>
</tr>
<tr>
<td>WBE</td>
<td>$0.00 0.00%</td>
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</tr>
<tr>
<td>Total</td>
<td>$0.00 0.00%</td>
<td>$0.00 0.00%</td>
<td></td>
</tr>
</tbody>
</table>
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager is authorized to execute a professional services contract with Enterprise Information Solutions, Inc. (VS0000012872) for specialized equipment and software services to be used in the assembly of a pavement management data collection vehicle for conducting street and alley condition inventories in an amount not to exceed $500,000.00, 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 Enterprise Information Solutions, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Enterprise Information Solutions, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds, from the following appropriation, in an amount not to exceed $500,000.00:

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>ACTIVITY</th>
<th>OBJECT</th>
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</tr>
</thead>
<tbody>
<tr>
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<td>PB33</td>
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<td>4735</td>
<td>PBW3026PMP1</td>
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</tr>
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</table>

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

DISTRIBUTION:

Business Development and Procurement Services, 3FS
Office of Financial Services, 4FN
Public Works and Transportation
KEY FOCUS AREA: Public Safety & Homeland Security

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Fire

CMO: Dave Cook, 670-7804
Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize an eighteen-month service contract, with two twelve-month renewal options, to perform medical exams and fitness assessments for firefighters - MedProvider dba Health Texas, most advantageous proposer of three - Not to exceed $1,565,954 - Financing: Current Funds ($782,977 subject to annual appropriations)

BACKGROUND

This service contract will provide physicals for approximately 1500 certified firefighters in 55 stations located throughout the City. Results of the exams will be discussed with the firefighter and they will be given an individualized health improvement plan that addresses his/her specific needs. After their physical exam, the firefighter will be categorized in one of three categories; fit for duty; conditionally fit for duty; and not fit for duty. In instances, where a condition is detected that would preclude an individual from safely working as a firefighter, that firefighter will be categorized as not fit for duty. The department will receive details on the condition of the firefighter at that point. For the categories fit for duty and conditionally fit for duty the department will only receive their category classification and not the details of the exam. The department will also receive aggregate data that will assist in monitoring the effectiveness of the program. In addition to the physical exam the individuals will be given a fitness assessment. The results of the fitness assessment will be graded Superior, Excellent, Good, Fair, Poor and Very Poor. Those firefighters receiving a Superior will receive a one time incentive pay of $350. Those receiving an Excellent will receive $250, and those with Good will receive $150.

Fighting fires and providing out-of-hospital emergency medical care requires strenuous physical exertion, and places extreme demands on the circulatory and respiratory systems as well as the musculoskeletal system. Between calls for service, however, firefighters and paramedics may be involved in routine station maintenance, training, inspection, or hydrant maintenance activities, or may even be asleep. They are frequently called upon to go from sleep, or relatively inactive states, to extreme physical exertion in a matter of minutes.
BACKGROUND (Continued)

They are also exposed to a variety of chemicals and harmful substances (carbon monoxide, hydrogen cyanide and hydrogen chloride are frequently present in smoke from fires). All of these factors contribute to a higher than normal health risk. Since the Dallas Fire-Rescue Department also provides emergency medical service, they are also exposed to a number of infectious diseases.

In an effort to improve the health and wellness of firefighters, the two major fire service organizations, the International Association of Fire Fighters (IAFF) and the International Association of Fire Chiefs (IAFC) worked jointly to develop a comprehensive wellness-fitness program designed specifically for the needs of and to address the hazards faced by firefighters. This program consists of five major components; medical evaluations, physical fitness, rehabilitation, behavioral health, and data collection.

Additionally, the National Fire Protection Association (NFPA) has developed standards regulating wellness-fitness programs for firefighters based on the program described above. NFPA 1582, Standard on Comprehensive Occupational Medical Program for Fire Departments, provides guidance to medical personnel regarding medical conditions that may prevent an individual from performing the essential job functions of a firefighter. NFPA 1583, Standard on Health-Related Fitness Programs for Fire Department Members, outlines the procedure for evaluating the fitness level of firefighters. This item will authorize a service contract to perform medical exams and fitness assessments for firefighters.

The evaluation criteria used for this bid was thirty percent for experience working with firefighter exams, thirty percent for board certified physicians, twenty-five percent for cost, ten percent for quality of reports, and five percent for fitness facility availability. The bid was evaluated by a five member committee, two representatives from Fire, one from Human Resources, one from Civil Service, and one from Equipment and Building Services.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 5, 2007, the Public Safety Committee was briefed on the Fire-Rescue Wellness Fitness Program.

FISCAL INFORMATION

$1,565,954.00 - Current Funds ($782,977.00 subject to annual appropriations)
M/WBE INFORMATION

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

16 - M/WBE and Non-M/WBE vendors were contacted.

The recommended awardees have fulfilled the good faith requirements set forth in the Good Faith Effort Plan adopted by Council Resolution #84-3501 as amended.

ETHNIC COMPOSITION

MedProvider dba Health Texas

Hispanic Female 161 Hispanic Male 10
Black Female 141 Black Male 12
Other Female 54 Other Male 23
White Female 787 White Male 210

PROPOSAL INFORMATION

The following proposals were received and opened on December 15, 2006. This contract is being awarded to the most advantageous proposer.

*Denotes successful proposer

<table>
<thead>
<tr>
<th>Proposers</th>
<th>Address</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>*MedProvider dba Health Texas</td>
<td>3500 Gaston</td>
<td>90.9</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75246</td>
<td></td>
</tr>
<tr>
<td>Columbia Medical Center of Plano</td>
<td>3901 West 15th St.</td>
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<td></td>
<td>Plano, TX 75075</td>
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<tr>
<td>The Wellness Group and Associates</td>
<td>2506 S. Lancaster Road</td>
<td>51.6</td>
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<tr>
<td></td>
<td>Dallas, TX 75216</td>
<td></td>
</tr>
</tbody>
</table>

OWNER

MedProvider dba Health Texas

Bill Robertson, CEO
Sarah Gahm, COO
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize an eighteen-month service contract, with two twelve-month renewal options, to perform medical exams and fitness assessments for firefighters - MedProvider dba Health Texas, most advantageous proposer of three - Not to exceed $1,565,954 - Financing: Current Funds ($782,977 subject to annual appropriations)

MedProvider dba health Texas is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$1,565,954.00</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
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<tr>
<td>TOTAL CONTRACT</td>
<td>$1,565,954.00</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hispanic American</td>
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<td>0.00%</td>
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</tr>
<tr>
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<td>0.00%</td>
<td>$0.00</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
</tr>
<tr>
<td>WBE</td>
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</tr>
<tr>
<td>Total</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
</tr>
</tbody>
</table>
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager is authorized to execute a contract with MedProvider dba Health Texas (VS0000020237) to perform medical exams and fitness assessments for firefighters for a term of eighteen months, with two twelve-month renewal options, in an amount not to exceed $1,565,954.00, 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 MedProvider dba Health Texas shall be based only on the amount of the services directed to be performed by the City and properly performed by MedProvider dba Health Texas under the contract.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $1,565,954.00:

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>OBJ</th>
<th>ENCUMBRANCE</th>
<th>AMOUNT</th>
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<tr>
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<td>DFD</td>
<td>2017</td>
<td>3040</td>
<td>CTDFDFY0820170683</td>
<td>$782,977</td>
</tr>
</tbody>
</table>

(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 City Charter of the City of Dallas and it is accordingly so resolved.

DISTRIBUTION:

Business Development and Procurement Services, 3FS
Office of Financial Services, 4FN
Fire
An ordinance amending Ordinance No. 26580 ordering the May 12, 2007 general election, in order to change some election-day and early voting locations - Financing: No cost consideration to the City

BACKGROUND

Some voting locations listed in Exhibit B attached to the ordinance calling the general election will not be available for use on May 12, 2007. In other cases, changes have been made by the Dallas County Elections Administrator so that all jurisdictions participating in the joint election may use the same polling places. Several early voting locations were added at the request of participating entities to provide more convenient hours for the voters.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council approved ordering a general election to be held on May 12, 2007, by Ordinance No. 26580 on February 14, 2007.

FISCAL INFORMATION

No cost consideration to the City.
ORDINANCE NO. ____________

An ordinance amending Ordinance No. 26580, passed by the city council on February 14, 2007; revising polling place locations and early voting locations for the general election to be held May 12, 2007; providing a saving clause; and providing an effective date.

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

SECTION 1. That Exhibit A of Ordinance No. 26580, passed by the city council on February 14, 2007, is amended by changing the polling place designations for the following precincts to the following locations:

<table>
<thead>
<tr>
<th>PRECINCT</th>
<th>LOCATION</th>
<th>ADDRESS</th>
<th>CITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1117</td>
<td>L G CIGARROA ELEM SCHOOL</td>
<td>9990 WEBB CHAPEL RD</td>
<td>DALLAS</td>
</tr>
<tr>
<td>1135</td>
<td>NORTHHAVEN METHODIST CHURCH</td>
<td>11211 PRESTON ROAD</td>
<td>DALLAS</td>
</tr>
<tr>
<td>1136</td>
<td>NORTHHAVEN METHODIST CHURCH</td>
<td>11211 PRESTON ROAD</td>
<td>DALLAS</td>
</tr>
<tr>
<td>1210</td>
<td>JILL STONE ELEM SCHOOL</td>
<td>6606 RIDGECREST</td>
<td>DALLAS</td>
</tr>
<tr>
<td>1213</td>
<td>JILL STONE ELEM SCHOOL</td>
<td>6606 RIDGECREST</td>
<td>DALLAS</td>
</tr>
<tr>
<td>1400</td>
<td>CROSBY ROAD REC CENTER</td>
<td>1610 CROSBY ROAD</td>
<td>CARROLLTON</td>
</tr>
<tr>
<td>1406</td>
<td>COUNTRY PLACE ELEM SCHOOL</td>
<td>2115 RAINTREE</td>
<td>CARROLLTON</td>
</tr>
<tr>
<td>2115</td>
<td>AUDelia CREEK ELEM SCHOOL</td>
<td>12600 AUDelia RD</td>
<td>DALLAS</td>
</tr>
<tr>
<td>2120</td>
<td>O'HENRY ELEM SCHOOL</td>
<td>4100 TYNES DRIVE</td>
<td>GARLAND</td>
</tr>
<tr>
<td>2207</td>
<td>MERRIMAN PARK ELEM SCHOOL</td>
<td>7101 WINEDEALE</td>
<td>DALLAS</td>
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<tr>
<td>2211</td>
<td>JILL STONE ELEM SCHOOL</td>
<td>6606 RIDGECREST</td>
<td>DALLAS</td>
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<tr>
<td>2235</td>
<td>CHARLES A GILL ELEM SCHOOL</td>
<td>10910 FERGUSON RD</td>
<td>DALLAS</td>
</tr>
<tr>
<td>3346</td>
<td>IRMA RANGEL- YOUNG WOMEN'S LEADERSHIP SCHOOL</td>
<td>1718 ROBERT B CULLUM</td>
<td>DALLAS</td>
</tr>
<tr>
<td>4435</td>
<td>ROSEMONT ELEM SCHOOL</td>
<td>719 N MONTCLAIR</td>
<td>DALLAS</td>
</tr>
<tr>
<td>4437</td>
<td>ROSEMONT ELEM SCHOOL</td>
<td>719 N MONTCLAIR</td>
<td>DALLAS</td>
</tr>
</tbody>
</table>

SECTION 2. That Exhibit B of Ordinance No. 26580, passed by the city council on February 14, 2007, is amended by alphabetically adding the following branch early voting location located inside the city of Dallas:

OUR REDEEMER LUTHERAN CHURCH 7611 PARK LANE DALLAS
SECTION 3. That Exhibit B of Ordinance No. 26580, passed by the city council on February 14, 2007, is amended by deleting the following branch early voting location located inside the city of Dallas:

THE BRADFORD AT LINCOLN PARK 8221 N CENTRAL EXPRESSWAY DALLAS

SECTION 4. That Exhibit B of Ordinance No. 26580, passed by the city council on February 14, 2007, is amended by alphabetically adding the following branch early voting location located outside the city of Dallas:

GRAND PRAIRIE ISD EDUCATION CENTER 2602 S BELTLINE RD GRAND PRAIRIE

SECTION 5. That Exhibit B of Ordinance No. 26580, passed by the city council on February 14, 2007, is amended by deleting the following branch early voting locations located outside the city of Dallas:

HIGHLAND PARK ISD ADMIN BUILDING WILMER COMMUNITY CENTER 7015 WESTCHESTER DR 101 DAVIDSON PLAZA DALLAS WILMER

SECTION 6. That Exhibit B of Ordinance No. 26580, passed by the city council on February 14, 2007, is amended by adding the following temporary branch early voting locations located outside the city of Dallas, along with the dates and times the locations are available for early voting:

**Tuesday, May 1, 2007** 6:30 pm – 8:30 pm

SUNNYVALE MIDDLE SCHOOL 216 COLLINS RD SUNNYVALE

**Monday, May 7, 2007** 6:00 pm – 9:30 pm

SUNNYVALE MIDDLE SCHOOL 216 COLLINS RD SUNNYVALE

**Tuesday, May 8, 2007** 2:30 pm – 9:00 pm

AUSTIN ELEMENTARY SCHOOL 815 NW 7TH STREET GRAND PRAIRIE
BUSH ELEMENTARY SCHOOL 511 E SPRINGDALE GRAND PRAIRIE
FANNIN ELEMENTARY SCHOOL 301 NE 28TH STREET GRAND PRAIRIE
SEQUIN ELEMENTARY SCHOOL 1450 SW FOURTH ST GRAND PRAIRIE
MOORE ELEMENTARY SCHOOL 3150 WATERWOOD DR GRAND PRAIRIE
CROCKETT ELEMENTARY SCHOOL 1340 SKYLINE DRIVE GRAND PRAIRIE
SECTION 7. That Ordinance No. 26580 will remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That this ordinance will 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

By ______________________________________
Assistant City Attorney

Passed ____________________________________

LC/UC/0127U
Authorize moving expense and replacement housing payments for Delvin Mims in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed $38,901 - Financing: 2003 Bond Funds

BACKGROUND

Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas entitled “Relocation Assistance-Eminent Domain” provides moving expense and replacement housing payments for homeowners displaced by the City of Dallas in conjunction with its real property acquisition activities. On June 14, 2006, the City Council approved Resolution No. 06-1561 which authorized the acquisition of real property Lot 20, Block 3/5906, in the Cadillac Place addition, official City numbers, and more commonly known as 2502 Cadillac Drive for the new Dallas Police Academy. Delvin Mims will be displaced as a direct result of this property acquisition. He has qualified for moving expense and replacement housing payments pursuant to City Code and will use the replacement housing payment to acquire a replacement property.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On June 14, 2006, the City Council authorized the acquisition of single family homes in the Cadillac Heights neighborhood for the new Dallas Police Academy by Resolution No. 06-1561.

FISCAL INFORMATION

2003 Bond Funds - $38,901

MAP

Attached
DALLAS POLICE ACADEMY PROJECT
RELOCATION ASSISTANCE

Lot 20, Block 3/5906—2502 Cadillac Drive
WHEREAS, on May 5, 2003, Dallas voters approved the use of General Obligation Bonds to acquire property for a new Dallas Police Academy facility; and

WHEREAS, Delvin Mims will be displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas entitled “Relocation Assistance-Eminent Domain” provides moving expense and replacement housing payments for homeowners displaced by the City of Dallas property acquisition activities; and

WHEREAS, on June 14, 2006, the City Council approved Resolution No. 06-1561 authorizing the acquisition of Lot 20, Block 3/5906, in the Cadillac Place addition, and more commonly known as 2502 Cadillac Drive located in the Cadillac Heights neighborhood, to be used in conjunction with the construction of the new Dallas Police Academy; and

Now, Therefore,

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

Section 1. That Delvin Mims will be displaced in conjunction with the new Dallas Police Academy and is entitled to moving expense and replacement housing payments pursuant to Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas, entitled "Relocation Assistance-Eminent Domain".

Section 2. That Delvin Mims is eligible to receive a moving expense payment in the amount of $1,000 and a replacement housing payment in the amount of $37,901.

Section 3. That the City Controller is authorized to draw warrants in favor of Delvin Mims in the amount of $38,901 representing moving expense and replacement housing payments.

These warrants are to be paid as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Dept</th>
<th>Unit</th>
<th>Obj</th>
<th>CT</th>
<th>Vendor No</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5R44</td>
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<td>5R44</td>
<td>PBW</td>
<td>R960</td>
<td>4240</td>
<td>PBW03R960G4</td>
<td>VC0000002330</td>
<td>$  1,000</td>
</tr>
</tbody>
</table>
Section 4. That this resolution shall take effect immediately from and after its passage in accordance with provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Distribution:

Code Compliance – Karen Plunkett
City Attorney - Jesus Toscano, Jr.
Department of Development Service – Gladys Bowens
Public Works and Transportation – Kenneth Odu
ADDENDUM ITEM # 6

KEY FOCUS AREA: Economic Development
               Neighborhood Quality of Life

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Development Services
             City Attorney's Office

CMO: A. C. Gonzalez, 671-8925
     Thomas P. Perkins, Jr., 670-3491

MAPSCO: 56V

SUBJECT

Authorize settlement in lieu of proceeding further with condemnation in the lawsuit styled, City of Dallas v. Phillip W. Johnson et al., Cause No. cc-03-14904-c, pending in the County Court at Law No. 3, for a tract of land containing approximately 90 acres from owner Phillip W. Johnson located near Linfield Road and Interstate Highway 45 for the Trinity River Corridor Project - $795,000 - Financing: 1998 Bond Funds

BACKGROUND

This item authorizes a settlement for the acquisition of approximately 90 acres of unimproved land for the Trinity River Corridor Project. This parcel is being purchased as part of the proposed chain of wetlands, which is part of the Dallas Floodway Extension Project. The property will serve flood control, environmental restoration, recreation and grasslands.

This settlement will allow acquisition of the property without proceeding to a jury trial.

PRIOR ACTION / REVIEW (COUNCIL BOARDS, COMMISSIONS)

Authorized acquisition on August 13, 2003 by Resolution No. 03-2116.

Authorized deposit of the Special Commissioners’ Award on June 9, 2004 by Resolution No. 04-1824.

FISCAL INFORMATION

1998 Bond Funds - $795,000
MAPS

Attached
A RESOLUTION AUTHORIZING SETTLEMENT OF A CONDEMNATION SUIT

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

CONDEMNATION SUIT: Cause No. cc-03-14904-c, in County Court at Law No. 3, and styled City of Dallas v. Phillip W. Johnson, et al., filed pursuant to City Council Resolution No. 03-2116.

PROPERTY: Approximately 89.975 acres of land situated in City Block 7643 in the City of Dallas, Dallas County, Texas, as described in said condemnation suit.

PROJECT: Trinity River/Dallas Floodway Extension project

AWARD: $287,920.00

SETTLEMENT AMOUNT: $795,000.00

DESIGNATED FUNDS: Trinity River Corridor Project Fund No. TP14, Department PBW, Unit N962, Activity TRPP, Program No. PB98N962, Object 4210, CT-DEVN962LJ75.

WHEREAS, the City Attorney instituted a Condemnation Suit for the acquisition of the Property for the Project; and

WHEREAS, the Special Commissioners in Condemnation appointed by the Court in the Condemnation Suit made an Award, which the landowner appealed; and

WHEREAS, at a court ordered mediation the parties agreed upon the Settlement Amount, subject to Council approval; and

WHEREAS, the City Council desires to authorize the City Attorney to settle the condemnation suit for the Settlement Amount; Now, Therefore,

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

SECTION 1. That the City Attorney is authorized to settle said Condemnation Suit for the Settlement Amount, and to take the appropriate steps and execute all documents necessary to effect the settlement.

SECTION 2. That the City Controller is hereby authorized and directed to issue a check, paid out of and charged to the Designated Funds, in the amount of the Settlement Amount less the Award, or $507,080.00, payable to Dawson & Sodd, P.C. Trust Account or a title insurance company.
SECTION 3. That the City Controller is further authorized to issue checks out of the Designated Funds in payment of any closing costs, title policy premiums, litigation expenses, and expert witness expenses incurred for the litigation or settlement of this case.

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.

APPROVED AS TO FORM
Thomas P. Perkins, Jr.
City Attorney
By: [Signature]
   Assistant City Attorney
KEY FOCUS AREA: Economic Development

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): 10

DEPARTMENT: Department of Development Services

CMO: A. C. Gonzalez, 671-8925

MAPSCO: 27Z

SUBJECT

Authorize (1) a public hearing to be held on May 23, 2007, to receive comments on a proposed redevelopment plan for the Jules E. Muchert Reserve Center located near the intersection of Northwest Highway and Thurgood Lane; and, at the close of the hearing, (2) consideration of a resolution authorizing the proposed redevelopment plan - Financing: No cost consideration to the City

BACKGROUND

On May 9, 2006, the federal government declared the Jules E. Muchert Reserve Center (Reserve Center) located at 10031 Northwest Highway as Surplus Property. The City of Dallas has been recognized as the Local Redevelopment Authority (LRA) in the Base Realignment and Closure process and is responsible for the coordination of community input and reuse options for this Reserve Center.

On June 7, 2006 an advertisement of the closure and the request for Notices of interest (NOI) was placed in the Dallas Morning News as required by federal regulations. An informational meeting and open house was held at the Reserve Center on July 20, 2006 and 5 responsive NOI’s from interested parties were received by the due date of September 29, 2006.

In accordance with federal regulations, the LRA must hold a public hearing on the proposed redevelopment of the Reserve Center.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City
MAPS

Attached
WHEREAS, the Jules E. Muchert Reserve Center, located at 10031 Northwest Highway, Block 2999, Dallas County, Texas, and consisting of a two story brick main building containing approximately 29,752 square feet and a shop building at the rear of the site containing approximately 6,363 square feet, constructed in 1957 and situated on approximately 5.19 acres of land (“the Property”) was declared surplus by the federal government in the Federal Register on May 9, 2006 and placed on the list of military installations recommended for closure and realignment; and

WHEREAS, under applicable base closure and realignment regulations, a Local Redevelopment Authority (“LRA”) may be designated by the Department of the Army to coordinate community input and redevelopment options for the Property; and

WHEREAS, the City of Dallas has been recognized and designated as the LRA for the Property in the Base Realignment and Closure process; and

WHEREAS, the City of Dallas, as the LRA, is to receive community input regarding the Property, developing a comprehensive redevelopment plan for the Property and submitting same to HUD and the Department of the Army for review and approval; and

WHEREAS, the City of Dallas, as the LRA, ran an advertisement using the federal promulgated form in the Dallas Morning News on June 7, 2006 as required by federal regulation advising the public of the closure and sale of the Property and soliciting Notices of Interest (“NOI’s”) for the redevelopment and use of the Property; and

WHEREAS, an informational meeting and open house was held at the Property on Thursday, July 20, 2006, and

WHEREAS, various NOI’s from interested parties were received by the due date of September 29, 2006; and

WHEREAS, the City Council of the City of Dallas desires to give notice of and hold a public hearing in accordance with federal regulations with respect to the closure and redevelopment of the Property; Now Therefore,

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

Section 1. That the City Manager or designee is hereby authorized and directed to notify the public of such closure and redevelopment of the Property and of a public hearing soliciting comments regarding same by delivering a public notice to the official newspaper advertising same to be published no later the ten (10) days prior to the date of the hearing.
Section 2. That the City hold a public hearing in the City Council Chambers, 1500 Marilla Street, Dallas, Texas 75201, on May 23, 2007 to receive comments on the closure and redevelopment of the Property, including without limitations the NOI’s received by the City.

Section 3. That at the close of said public hearing City Staff is directed to develop a proposed redevelopment plan for approval by the City Council and submission to the Department of the Army and HUD.

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: Trinity River

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Development Services

CMO: A. C. Gonzalez, 671-8925

MAPSCO: 57U

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Metropolitan Sand and Gravel Company, L.L.C., for approximately 32 acres of land located near the intersection of Loop 12 and Pemberton Hill Road for the Trinity River Corridor Project - $395,000 - Financing: 1998 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 32 acres of land located near the intersection of Loop 12 and Pemberton Hill Road from Metropolitan Sand and Gravel Company, L.L.C. This property will be used for the Great Trinity Forest. The consideration is based on an independent fee appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

1998 Bond Funds - $395,000

OWNER

Metropolitan Sand and Gravel Company, L.L.C.

Linda Kahn, Managing Member

MAPS

Attached
A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR A MUNICIPAL PURPOSE AND PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROPERTY": The tracts or parcels of land described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Trinity River Corridor

"PROPERTY INTEREST": Fee

"OWNER": Metropolitan Sand and Gravel Company, L.L.C., 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": $395,000.00

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Development Services 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, in the OFFER AMOUNT payable out of Trinity River Corridor Fund No. 8P14, Department PBW, Unit N966, Activity TRPP, Program No. PB98N966, Object 4210, Encumbrance No. CT-DEVN966LJ82.
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 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 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.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY
Assistant City Attorney
EXHIBIT A

Field Notes Describing Land to Be Acquired By The City of Dallas In Block 6257 From Metropolitan Sand and Gravel Company, L.L.C.

Being an approximate 1,394,205.4677 square feet, or 32.0066 acre tract of land in the Cornelius Cox Survey, Abstract Number 284, Dallas County, Texas, and being in Block 6257, official City Numbers, and being part of the property conveyed to Metropolitan Sand and Gravel Co., L.L.C., a Missouri limited liability company, by Quit-Claim Deed dated December 17, 1998, recorded in Volume 98253, Page 01933, and Quit-Claim Deed dated December 17, 1998, recorded in Volume 98253, Page 01948, of said deed records, and referred to as Tract No. 3 and Tract No. 1, in said deeds, and being more particularly described as follows:

Beginning at the intersection of the west line of Pemberton Hill Road (a variable with Right Of Way) as conveyed to the County of Dallas by deed recorded in Volume 3432, Page 216, of said deed records, with the south line of Elam Road (a 60 Foot wide Right of Way), as conveyed to the County of Dallas by deed recorded in Volume 2234, Page 336, of said deed records, said intersection being the northeast corner of said Metropolitan Sand and Gravel Company tract No. 1, a 5/8" Iron Rod with Red Plastic Cap Stamped “Dallas” set for corner;

Thence in a southerly and southeasterly direction, bearing to the left along the curving west line of Pemberton Hill Road, same being the curving east line of said Metropolitan Sand and Gravel Company Tract No. 1, said curve having a central angle of 21°37'01", a radius of 1034.22 feet, and a chord which bears South 10°10'03" East, a distance of 412.41 feet, an arc distance of 414.88 feet to a W Iron Rod found at the end of said curve;  

Thence South 21°00'33" East, continuing along the last mentioned common line, a distance of 4.30 feet to the beginning of a curve to the right, from which a found ½" Iron Rod with a Red Plastic Cap Stamped “R.P.L.S. 3688, bears South 47°14'30" East, a distance of 0.32 feet;

Thence continuing in a southeasterly and southerly direction along the last mentioned common line and along said curve to the right, having a central angle of 21°41'00", a radius of 1096.28 feet, and a long chord which bears South 10°10'03" East, a distance of 412.41 feet, an arc distance of 414.88 feet to a ½" Iron Rod found at the end of said curve; ρ_eo
EXHIBIT A

Field Notes Describing Land to Be Acquired By The City of Dallas In Block 6257 From Metropolitan Sand and Gravel Company, L.L.C.

Thence South 0°37'00 West, continuing along the last mentioned common line, a distance of 492.19 feet to the southeast corner of said Metropolitan Sand and Gravel Company Tract No. 1, same being the northeast corner of a tract of land conveyed to Roy E. Jacobie, etal, by deed recorded in Volume 5644, Page 367, of said deed records, from which a found 5/8" Iron Rod bears North 89°32'00" West, a distance of 0.49 feet;

Thence North 89°32'00" West, along the south line of said Metropolitan Sand and Gravel Company Tract No. 1, same being the north line of said Jacobie tract, a distance of 493.49 feet to the intersection of same with the east line of said Metropolitan Sand and Gravel Company Tract No. 3, from which a found 5/8" Iron Rod bears South 58°29'13" West, a distance of 0.91 feet;

Thence South 0°16'52" West along the east line of said Metropolitan Sand and Gravel Company Tract No.3, same being the west line of said Jacobie tract, a distance of 1153.78 feet to the intersection of same with the north line of Loop 12 (a variable width Right of Way), as conveyed to the State of Texas, by deed recorded in Volume 2435, Page 0217, of said deed records, a found ½" Iron Rod with a Red Plastic Cap Stamped "R.P.L.S. 3688;"  

Thence North 89°47'26" West along said north line of Loop 12, same being the south line of said Metropolitan Sand and Gravel Company Tract No.3, a distance of 192.26 feet to a found concrete highway monument;

Thence continuing in a westerly direction along the last mentioned common line, bearing to the left along a curve with a central angle of 02°43'23", a radius of 2984.79 feet, a long chord of 141.84 feet which bears South 88°50'53" West, an arc distance of 141.86 feet to the southwest corner of said Metropolitan Sand and Gravel Company Tract No.3, same being the southeast corner of a tract of land conveyed to Rhadames Solano, by deed recorded in Volume 98070, Page 02972, of said deed records, from which a found ½" Iron Rod with a Yellow Plastic Cap bears North 87°50'24" West, a distance of 2.89 feet;

Thence North 0°14'52" East, along the west line of said Metropolitan Sand and Gravel Company Tract No.3, same being the east line of said Solano tract, a distance of 2439.98 feet to the intersection of same with said south line of said Elam Road, from which a found ½" Iron Rod bears North 0°12'04" East, a distance of 3.29 feet;
EXHIBIT A

Field Notes Describing Land to Be Acquired By The City of Dallas In Block 6257 From Metropolitan Sand and Gravel Company, L.L.C.

Thence South 89°38'57" East, (deed South 89 degrees 32 minutes East) along the said south line of Elam Road, same being the north line of said Metropolitan Sand and Gravel Company Tract No.3, passing at a distance of 335.48 feet the northeast corner of said tract 3, same being the northwest corner of said Metropolitan Sand and Gravel Company Tract No.1, from which a found ½" Iron Rod bears South 08°46'53" West, a distance of 0.59 feet, and continuing along the last mentioned common line, a total distance of 684.92 feet to the Point of Beginning and containing approximately 1,394,205.4677 square feet, or 32.0066 acres of land.

Basis of Bearing: Bearings are based on the west line of Pemberton Hill Road as South 0°37'00" West, as called for in Tract No.1, in deeds recorded in Volume 98253, Page 01933, and recorded in Volume 98253, Page 01948, Deed Records, Dallas County, Texas.
SUBJECT

An ordinance abandoning portions of seven various easements to PC Village Apartments Dallas, L.P., the abutting owner, containing approximately 83,286 square feet of land located near the intersection of Northwest Highway and Shadybrook Lane – Revenue: $5,000 plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of seven various easements to PC Village Apartments Dallas, L.P., the abutting owner. The current apartments are to be demolished and the new improvements will be three-story wood framed apartments.

This transaction is consistent with the recommendations of the Real Estate Task Force.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: $5,000 plus the $20 ordinance publication fee

OWNER

P. C. Village Apartments Dallas, L.P.

Pogue Brothers No. 2 Limited Partnership, General Partner

Jeffrey Blake Pogue, General Partner
Blair Matthew Pogue, General Partner
David Brent Pogue, General Partner
MAPS

Attached
ORDINANCE NO. ____________

An ordinance providing for the abandonment and relinquishment of portions of a 10' water main easement, a 6' drainage easement, a variable width water and sewer main easement, a 15' utility easement, a 10' sanitary sewer easement, a 10' drainage easement, and a variable width water main easement, located in City Block A/5413 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to PC Village Apartments Dallas, L.P.; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein; providing for the conveyance of new easements to the City of Dallas and the relocation of existing facilities; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing a future effective date for the abandonment, relinquishment and quitclaim made herein; providing for the payment of the publication fee; and providing an effective date for this ordinance.

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of PC Village Apartments Dallas, L.P., a Texas limited partnership; hereinafter referred to as GRANTEE, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tracts of land to GRANTEE, and is of the opinion that, subject to the terms and conditions herein provided, said portions of easements are no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to GRANTEE as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to GRANTEE for the consideration and subject to the terms and conditions hereinafter more fully set forth; Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tracts of land described in Exhibit A, attached hereto and
made a part hereof; subject, however, to the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of FIVE THOUSAND AND NO/100 ($5,000.00) DOLLARS paid by GRANTEE, and the further consideration described in Sections 8 and 9, the City of Dallas does by these presents FOREVER QUITCLAIM unto the said GRANTEE, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to those certain tracts or parcels of land hereinabove described in Exhibit A. TO HAVE AND TO HOLD all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said GRANTEE forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, GRANTEE accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the City Controller is authorized to deposit the sum paid by GRANTEE pursuant to Section 2 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Development Services - Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon GRANTEE, its successors and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally
and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to GRANTEE herein, GRANTEE, its successors and assigns, agree to indemnify, defend, release and hold the City of Dallas whole and harmless against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by GRANTEE, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which GRANTEE, its successors and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. GRANTEE, its successors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive, Environmental Response, Compensation Liability Act, 42 U.S.C. Section 9601 et seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.
SECTION 9. That this abandonment, relinquishment and quitclaim of the City's right, title and interest in and to said portions of a 10' water main easement, a 6' drainage easement, a variable width water and sewer main easement, a 15' utility easement, a 10' sanitary sewer easement, a 10' drainage easement, and a variable width water main easement shall not become effective until and unless: (i) the existing installations and facilities are relocated, at GRANTEE's expense, to the new easement(s) to be provided by GRANTEE and acceptable to the Director of Development Services, as is hereinafter provided; and (ii) plans for the construction and relocation of installations within the new easement(s) are approved by the Director of Development Services; and (iii) said construction and relocation of installations are completed, approved and accepted in writing by the Director of Development Services. All work shall be done at the sole cost of GRANTEE and to the satisfaction of the Director of Development Services.

SECTION 10. 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 Development Services, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which GRANTEE shall likewise pay, the Director of Development Services, or designee shall deliver to GRANTEE a certified copy of this ordinance. The Director of Development Services, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 11. 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. THERESA O'DONNELL
City Attorney Director of Development Services

BY ____________________________ BY ____________________________
Assistant City Attorney Assistant Director

Passed ______________________.
ABANDONMENT OF 10' WIDE WATER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 2,388 square foot tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 191 and the John C. Cook Survey, Abstract No. 259, and being a ten foot wide Water Main Easement situated in Lot 2, Block A/5413 as dedicated on the Final Plat of Summit Addition No. 2, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72029, Page 02019, same being situated in the tracts of land conveyed to PC Village Apartments Dallas, LP, as evidenced in a Deed Without Warranty recorded in Volume 95165, Page 01289, both of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said tract being more particularly described by metes and bounds as follows:

COMMENCING at an "X" cut found the south corner of a visibility clip at the northwest corner of said Lot 2, same being the intersection of the south right of way line of State Highway Loop 12 (Northwest Highway), a variable width right of way with the east right of way line of Shady Brook Lane (a called 60' wide right of way);

THENCE South 00°02'20" East, along the west line of said Lot 2 and the east right of way line of said Shady Brook Lane, a distance of 73.38 feet to a 5/8-inch iron rod found for the point of curvature of a curve to the right;

THENCE in a southerly direction continuing along the west line of said Lot 2 and the east right of way line of said Shady Brook Lane and along the arc of said curve to the right, through a central angle of 03°15'52", having a radius of 860.00 feet, a chord bearing of South 01°35'36" West, a chord distance of 48.99 feet and an arc length of 49.00 feet to the POINT OF BEGINNING, same being on the north line of said 10' wide Water Main Easement;

THENCE South 84°43'29" East, departing the west line of said Lot 2 and the east right of way line of said Shady Brook Lane and along the north line of said water main easement, a distance of 115.18 feet to a corner;

THENCE North 13°25'00" East, along a west line of said water main easement, a distance of 115.18 feet to the south line of a variable width Water and Sanitary Sewer Easement as dedicated in said Volume 72029, Page 01289;

THENCE South 82°05'55" East, departing the west line of said water main easement and along the south line of said water and sanitary sewer easement, a distance of 10.05 feet to a corner on the east line of said 10' Water Main Easement;
ABANDONMENT OF 10' WIDE WATER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE South 13°25'00" West, departing the south line of said water and sanitary sewer easement and along the east line of said 10' Water Main Easement, a distance of 124.82 feet to a corner;

THENCE North 84°43'29" West, along the south line of said water main easement, a distance of 123.03 feet to a corner on the curving west line of aforesaid Lot 2 and the east right of way line of aforesaid Shady Brook Lane, said curve being a non-tangent curve to the left;

THENCE in a northerly direction, along the west line of said Lot 2 and the east right of way line of said Shady Brook Lane and along the arc of said curve to the left, through a central angle of 00°39'59", having a radius of 860.00 feet, a chord bearing of North 03°33'32" East, a chord distance of 10.00 feet and an arc length of 10.00 feet to the POINT OF BEGINNING and containing 0.055 of an acre (2,388 square feet) of land, more or less.

Notes:

1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 2001021, Pg. 01509, D.R.D.C.T., said bearing being N 53°04'51" W.

2. "CM" indicates controlling monuments. "IRF" indicates iron rod found.
Notes:

1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 200121, Pg. 01509, D.R.D.C.T., said bearing being N 53°45' W,

2. "CM" indicates controlling monuments. "RF" indicates iron rod found.

EX 15' DP&L CO. & SW
BELL TELE. CO. ESMT.
VOL. 72060, PG. 1498
(ABANDON BY SEP. INST.)

ABANDONMENT OF 10' WIDE WATER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

GRAPHIC SCALE

( IN FEET )
1 inch = 60 ft.

BROCKETT : DAVIS : DRAKE, inc.
Consulting Engineers
Civil & Structural Engineering-Surveying
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Reviewed by:
SPRG NO.: 687
12-20-xx
ABANDONMENT OF 10' WIDE WATER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

VICINITY MAP
Mapsco Page 36-X
ABANDONMENT OF 6’ WIDE DRAINAGE EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING two tracts of land, containing an area of 7,737 square feet, situated in the B.B.B.
& C.R.R. Survey, Abstract No. 191 and the John C. Cook Survey, Abstract No. 259, and
being two six foot wide Drainage Easements situated in Lot 2, Block A/5413 as
dedicated on the Final Plat of Summit Addition No. 2, an Addition to the City of Dallas,
Texas, according to the Plat thereof recorded in Volume 72029, Page 02019, same being
situated in the tracts of land conveyed to PC Village Apartments Dallas, LP, as evidenced
in a Deed Without Warranty recorded in Volume 95165, Page 01289, both of the Deed
Records of Dallas County, Texas (D.R.D.C.T.), said two tracts being more particularly
described by metes and bounds as follows:

TRACT 1:

COMMENCING at an "X" cut found the south corner of a visibility clip at the northwest
corner of said Lot 2, same being the intersection of the south right of way line of State
Highway Loop 12 (Northwest Highway), a variable width right of way with the east right
of way line of Shady Brook Lane (a called 60’ wide right of way);

THENCE South 00°02’20" East, along the west line of said Lot 2 and the east right of
way line of said Shady Brook Lane, a distance of 7.50 feet to the POINT OF BEGINNING,
same being on the north line of aforesaid 6’ wide Drainage Easement;

THENCE in an easterly direction, departing the west line of said Lot 2, the east right of
way line of said Shady Brook Lane and along the north line of said 6’ wide Drainage
Easement, the following:

North 59°04’24" East, a distance of 45.55 feet to the point of curvature of a curve
to the right;

Along the arc of said curve to the right, through a central angle of 36°25’51”,
having a radius of 95.89 feet, a chord bearing of North 77°17’19” East, a chord
distance of 59.95 feet and an arc length of 60.97 feet to the point of compound
curvature of a curve to the right;

Along the arc of said curve to the right, through a central angle of 11°32’01”,
having a radius of 1811.08 feet, a chord bearing of South 78°43’45” East, a chord
distance of 363.95 feet and an arc length of 364.57 feet to the end of said
curve;

South 74°17’17” East, a distance of 223.97 feet to the point of curvature of a
curve to the right;

Along the arc of said curve to the right, through a central angle of 14°15’48”,
having a radius of 474.08 feet, a chord bearing of South 67°09’23” East, a chord
distance of 117.71 feet and an arc length of 118.02 feet to the point of tangency
of said curve;
ABANDONMENT OF 6' WIDE DRAINAGE EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

South 60'01'29" East, a distance of 147.43 feet to a corner on the east line of said Lot 2, some being the west line of Lot 5C, Block A/5413 of Summit Addition No. 5–III, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 2001021, Page 01509, D.R.D.C.T.;

THENCE South 24°28'40" West, departing the north line of said drainage easement and along the common line of said Lots 2 and 5C, a distance of 6.03 feet to a corner on the south line of said 6' wide Drainage Easement;

THENCE in a westerly direction, departing the common line of said Lots 2 and 5C and along the south line of said 6' wide Drainage Easement, the following:

North 60'01'29" West, a distance of 148.01 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 14°15'48", having a radius of 468.08 feet, a chord bearing of North 67°09'23" West, a chord distance of 116.22 feet and an arc length of 116.52 feet to the point of tangency of said curve;

North 74°17'17" West, a distance of 224.03 feet to the point of curvature of a non-tangent curve to the left;

Along the arc of said curve to the left, through a central angle of 1132'09", having a radius of 1805.08 feet, a chord bearing of North 78°43'40" West, a chord distance of 362.82 feet and an arc length of 363.43 feet to the point of compound curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 36°25'51", having a radius of 89.89 feet, a chord bearing of South 77°17'19" West, a chord distance of 56.20 feet and an arc length of 57.16 feet to the point of tangency of said curve;

South 59°04'24" West, a distance of 49.13 feet to a corner on the west line of aforesaid Lot 2 and the aforesaid east right of way line of Shady Brook Lane;

THENCE North 00°02'20" West, departing the south line of said drainage easement, along the west line of said Lot 2 and the east right of way line of said Shady Brook Lane, a distance of 6.99 feet to the POINT OF BEGINNING and containing 0.132 of an acre (5,756 square feet) of land, more or less.

(For SPRG use only)
Reviewed by: [Signature]
Date: 4-18-01
SPRG NO.: [Signature]

BROCKETT DAVIES DRAKE, inc.
consulting engineers
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(214)824-3647, fax (214) 824-7064
Page 2 of 7
ABANDONMENT OF 6' WIDE DRAINAGE EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

TRACT 2:

COMMENCING at the southeast corner of aforesaid Lot 2, Block A/5413, same being the southwest corner of Lot 5C, Block A/5413 of Summit Addition No. 5–III, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 2001021, Page 01509, D.R.D.C.T.;

THENCE North 48°25'00" East, along the common line of said Lots 2 and 5C, a distance of 196.47 feet to a corner;

THENCE North 28°25'00" East, continuing along the common line of said Lots 2 and 5C, a distance of 164.13 feet to the POINT OF BEGINNING, same being on the south line of aforesaid 6' wide Drainage Easement;

THENCE in a westerly direction, departing the common line of said Lots 2 and 5C and along the south line of said 6' wide Drainage Easement, the following:

North 76°35'00" West, a distance of 39.01 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 60°48'56", having a radius of 97.00 feet, a chord bearing of South 73°00'32" West, a chord distance of 98.19 feet and an arc length of 102.96 feet to the point of tangency of said curve;

South 42°36'04" West, a distance of 155.44 feet to a corner;

West, a distance of 29.21 feet to a corner on the curving south line of said Lot 2 and the north line of Lot 1, Block A/5413 of Summit Addition No. 1, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 71194, Page 02259, D.R.D.C.T., said curve being a non–tangent curve to the right;

THENCE in a westerly direction, departing the south line of said drainage easement, along the south line of said Lot 2 and the north line of said Lot 1 and along the arc of said curve to the left, through a central angle of 03°00'53", having a radius of 141.00 feet, a chord bearing of North 36°01'00" West, a chord distance of 7.42 feet and an arc length of 7.42 feet to the end of said curve, same being on the north line of said 6' wide Drainage Easement;

THENCE in an easterly direction, departing the common line of said Lots 1 and 2 and along the north line of said 6' wide Drainage Easement, the following:

East, a distance of 30.94 feet to a corner;

(For SPRG use only)
Reviewed by: 
Date: 4–18–67
SPRG NO.: 689
ABANDONMENT OF 6’ WIDE DRAINAGE EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

North 42°36’04” East, a distance of 152.80 feet to the point of curvature of a
curve to the right;

Along the arc of said curve to the right, through a central angle of 60°48’56’’,
having a radius of 103.00 feet, a chord bearing of North 73°00’32” East, a chord
distance of 104.27 feet and an arc length of 109.33 feet to the point of tangency
of said curve;

South 76°35’00” East, a distance of 40.61 feet to a corner on the aforesaid
common line on Lots 2 and 5C;

THENCE South 28°25’00” West, departing the north line of said drainage easement and
along the common line of said Lots 2 and 5C, a distance of 6.21 feet to the POINT OF
BEGINNING and containing 0.045 of an acre (1,981 square feet) of land, more or less.

Notes:

1. Bearings based on the southerly line of Lot 5C, Block A/5413
   of Summit Addition No. 5–III, as recorded in Vol. 2001021, Pg.
   01509, D.R.D.C.T., said bearing being N 53°04’51” W.

2. “CM” indicates controlling monuments. “IRF” indicates iron rod
   found.

(For SPRG use only)
Reviewed by:  
Date:  
SPRG NO.:  

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ABANDONMENT OF 6' WIDE DRAINAGE EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

S. H. LOOP 12
(NORTHWEST HIGHWAY)
(VARIABLE WIDTH R.O.W.)

LOT 1A, BLOCK A/5412
VILLAGE HILL
VOL. 2004151, PG. 0020
D.R.D.C.T.

LOT 2, BLOCK A/5413
SUMMIT ADDITION NO. 2
VOL. 72029, PG. 02019
D.R.D.C.T.

LOT 1, BLOCK A/5413
SUMMIT ADDITION NO. 1
VOL. 71194, PG. 02259
D.R.D.C.T.

GRAPHIC SCALE
(1 INCH = 100 FEET)

Reviewed by: 
Date: 
SPRG NO.: 

CIVIL & STRUCTURAL ENGINEERING SURVEYING
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BROCKETTE, DAVIS & DRAKE, Inc.
consulting engineers

Page 5 of 7
ABANDONMENT OF 6' WIDE DRAINAGE EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

S. H. LOOP 12
(NORTHWEST HIGHWAY)
(VARIABLE WIDTH R.O.W.)

MATCH LINE (SEE PAGE 5 OF 6)

LOT 1, BLOCK A/5413
SUMMIT ADDITION NO. 1
VOL. 71194, PG. 02239
D.R.D.C.T.

LOT 2, BLOCK A/5413
SUMMIT ADDITION NO. 2
VOL. 72029, PG. 02019
D.R.D.C.T.

LOT 5C, BLOCK A/5413
SUMMIT ADDITION NO. 5-III
VOL. 2001021, PG. 01509
D.R.D.C.T.

LOT 3, BLOCK A/5413
SUMMIT ADDITION NO. 3
VOL. 72103, PG. 02603
D.R.D.C.T.

(For SPRG use only)
Reviewed by: JL
Date: 4-18-07
SPRG NO.: 689

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CURVE DATA TABLE

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<th>L</th>
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<td>97.00′</td>
<td>102.96′</td>
<td>N5°17′19″W</td>
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<tr>
<td>C2</td>
<td>60°48′56″</td>
<td>102.96′</td>
<td>109.90′</td>
<td>N5°09′32″W</td>
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<tr>
<td>C3</td>
<td>63°01′33″</td>
<td>147.43′</td>
<td>154.42′</td>
<td>N5°36′01″W</td>
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CURVE DATA TABLE

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<td>N5°17′19″W</td>
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<td>154.42′</td>
<td>N5°36′01″W</td>
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GRAPHIC SCALE
1 inch = 100 ft.

Page 6 of 7
ABANDONMENT OF 6' WIDE DRAINAGE EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

VICINITY MAP

Mapsco Page 36--X
ABANDONMENT OF VARIABLE WIDTH WATER & SEWER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 22,078 square foot tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 191 and the John C. Cook Survey, Abstract No. 259, and being a variable width Water & Sewer Main Easement situated in Lot 2, Block A/5413 as dedicated on the Final Plat of Summit Addition No. 2, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72029, Page 02019, same being situated in the tracts of land conveyed to PC Village Apartments Dallas, LP, as evidenced in a Deed Without Warranty recorded in Volume 95165, Page 01289, both of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found for the northeast corner of said Lot 2, same being the northwest corner of Lot 5C, Block A/5413 of Summit Addition No. 5–II, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 2001021, Page 01509, D.R.D.C.T., said iron rod also being on the south right of way line of State Highway Loop 12 (Northwest Highway), a variable width right of way:

THENCE South 24°28'40" West, departing the south right of way line of said Northwest Highway and along the common line of said Lots 2 and 5C, a distance of 19.41 feet to a corner on the south line of said Water & Sewer Main Easement;

THENCE in a westerly direction, departing the common line of said Lots 2 and 5C and along the south line of said water & sewer main easement, the following:

North 76°35'00" West, a distance of 78.00 feet to a corner;

South 15°54'24" West, a distance of 23.74 feet to a corner;

North 64°25'55" West, a distance of 308.50 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 17°40'00", having a radius of 306.74 feet, a chord bearing of North 73°15'55" West, a chord distance of 94.21 feet and an arc length of 94.58 feet to the point of tangency of said curve;

North 82°05'55" West, a distance of 339.00 feet to a corner;
ABANDONMENT OF VARIABLE WIDTH WATER & SEWER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

North 07°54'05" East, a distance of 10.00 feet to a corner;

North 82°05'55" West, a distance of 50.00 feet to the most westerly, southwest corner of said water & sewer main easement;

THENCE North 07°54'05" East, along the most westerly line of said water & sewer main easement, a distance of 10.00 feet to the northwest corner of said water & sewer main easement;

THENCE in an easterly direction, along the north line of said water & sewer main easement, the following:

South 82°05'55" East, a distance of 389.00 feet to the point of curvature of a curve to the right;

Along the arc of said curve to the right, through a central angle of 17°40'00", having a radius of 326.74 feet, a chord bearing of South 73°15'55" East, a chord distance of 100.35 feet and an arc length of 100.75 feet to the point of tangency of said curve;

South 64°25'55" East, a distance of 213.26 feet to a corner;

North 23°51'03" East, a distance of 48.57 feet to a corner on the curving north line of aforesaid Lot 2 and the south right of way line of aforesaid Northwest Highway, said curve being a non-tangent curve to the right;

THENCE in an easterly direction, along the north line of said Lot 2, the south right of way line of said Northwest Highway and along the arc of said curve to the right, through a central angle of 05°15'34", having a radius of 1840.08 feet, a chord bearing of South 61°16'00" East, a chord distance of 168.85 feet and an arc length of 168.91 feet to the POINT OF BEGINNING and containing 0.507 of an acre (22,078 square feet) of land, more or less.

Notes:

1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 2001021, Pg. 01509, D.R.D.C.T., said bearing being N 53°04'51" W.

2. "CM" indicates controlling monuments. "IRF" indicates iron rod found.

Reviewed by: ____________________________
Date: ________________
SPRG NO.: ________________
ABANDONMENT OF VARIABLE WIDTH WATER & SEWER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

S. H. LOOP 12
(NORTHWEST HIGHWAY)

(VARIABLE WIDTH R.O.W.)

POINT OF BEG.

 Reviewed by: 
 Date: 4-13-07
 SPRG NO.: C84

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GRAPHIC SCALE

1 inch = 100 ft.

Page 3 of 5
ABANDONMENT OF VARIABLE WIDTH WATER & SEWER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

LINE DATA TABLE
L1: 515'4"72'W, 23.74'
L2: N07'54'05"E, 10.00'
L3: N25'05'54"W, 50.00'
L4: N07'54'05"E, 10.00'
L5: N23'51'03"E, 48.57'

Notes:
1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 200121, Pg. 01509, D.R.D.C.T., said bearing being N 53'04'51" W.
2. "OM" indicates controlling monuments. "IRF" indicates iron rod found.

Reviewed by: ____________________________
Date: 4-13-73
SPRG NO.: GPA

For SPRG use only

GRAPHIC SCALE
1 inch = 100 ft.

Page 4 of 5
ABANDONMENT OF VARIABLE WIDTH WATER & SEWER MAIN EASEMENT
LOT 2, BLOCK A/5413, SUMMIT ADDITION NO. 2
CITY OF DALLAS, DALLAS COUNTY, TEXAS

VICINITY MAP

Reviewed by:  
Date: 4-12-87  
SPRG NO.: 84

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Mapsco Page 36-X
ABANDONMENT OF 15' WIDE UTILITY EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 5,226 square foot tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 191, and being a fifteen foot wide Utility Easement situated in Lot 5C, Block A/5413 as originally dedicated in the Final Plat of Summit Addition No. 5, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72246, Page 1065, and being shown on the Final Plat of Summit Addition No. 5–III, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 2001021, Page 01509, same being situated in the tracts of land conveyed to PC Village Apartments Dallas, LP, as evidenced in a Deed Without Warranty recorded in Volume 95165, Page 01289, all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found for the northeast corner of Lot 4, Block A/5413 of Summit No. 4, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72177, Page 01344, D.R.D.C.T., same being an inner ell corner of said Lot 5C, said iron rod also being on the east line of said 15' wide Utility Easement;

THENCE North 53°04'51" West, departing the east line of said utility easement and along the common line of said Lots 4 and 5C, a distance of 15.45 feet to a corner on the curving west line of said 15' wide Utility Easement, said curve being a non-tangent curve to the right;

THENCE in a northerly direction, departing the common line of said Lots 4 and 5C and along the west line of said 15' wide Utility Easement, the following:

Along the arc of said curve to the right, through a central angle of 07°11'35", having a radius of 1145.00 feet, a chord bearing of North 26°44'40" East, a chord distance of 143.65 feet and an arc length of 143.75 feet to the end of said curve;

North 26°25'49" East, a distance of 89.53 feet to a corner;

North 02°38'15" East, a distance of 125.19 feet to a corner on the north line of said Lot 5C, same being on the south right of way line of State Highway Loop 12 (Northwest Highway), a variable width right of way;

THENCE South 24°30'43" East, departing the west line of said utility easement and along the north line of said Lot 5C and the south right of way line of said Northwest Highway, a distance of 32.87 feet to a 5/8-inch iron rod found for a corner;

(For SPRG use only)
Reviewed by: 
Date: 12-26-06
SPRG NO.: A05
ABANDONMENT OF 15' WIDE UTILITY EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE South 02'38'15" West, continuing along the north line of said Lot 5C and the
south right of way line of said Northwest Highway, a distance of 99.10 feet to a
5/8-inch iron rod found for a corner;

THENCE South 26'25'49" West, departing the south right of way line of said Northwest
Highway and along the east line of said Lot 5C, a distance of 93.20 feet to an "X"
cut found for the point of curvature of a non–tangent curve to the left;

THENCE in a southerly direction, continuing along the east line of said Lot 5C for
part of the way and along the east line of aforesaid utility easement and along the
arc of said curve to the left, through a central angle of 07'24'19"", having a radius
of 1130.00 feet, a chord bearing of South 26'39'50" West, a chord distance of 145.95
feet and an arc length of 146.05 feet to the POINT OF BEGINNING and containing
0.120 of an acre (5,226 square feet) of land, more or less.

Notes:

1. Bearings based on the southerly line of Lot 5C, Block A/5413
   of Summit Addition No. 5–III, as recorded in Vol. 2001021, Pg.
   01509, D.R.D.C.T., said bearing being N 53'04'51" W.

2. "CM" indicates controlling monuments. "IRF" indicates iron rod
   found.
ABANDONMENT OF 15' WIDE UTILITY EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

S. H. LOOP 12
(NORTHWEST HIGHWAY)
(VARIABLE WITH R.O.W.)

LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
VOL. 2001021, PG. 01509
D.R.D.C.T.

LOT 4, BLOCK D/5414
VILLAGE GLEN NO. 1
VOL. 99005, PG. 00017
D.R.D.C.T.

LOT 5C, BLOCK A/5413
SUMMIT ADDITION NO. 5-III
VOL. 2001021, PG. 01509
D.R.D.C.T.

Notes:
1. Bearings based on the southerly line of Lot 5C, Block A/5413
   of Summit Addition No. 5-III, as recorded in Vol. 2001021, Pg.
   01509, D.R.D.C.T., said bearing being N 53°45' W.

2. "CM" indicates controlling monuments, "IRF" indicates iron rod
   found.

Reviewed by: [Signature]
Date: [Date]
SPRG NO.: 685

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Brockett Davis Drake, Inc.
Consulting Engineers
ABANDONMENT OF 15' WIDE UTILITY EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

VICINITY MAP
Mapsco Page 36–X
ABANDONMENT OF 10’ WIDE SANITARY SEWER EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 14,381 square foot tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 191, and being a ten foot wide Sanitary Sewer Easement situated in Lot 5C, Block A/5413 as originally dedicated in the Final Plat of Summit Addition No. 5, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72246, Page 1065, and being shown on the Final Plat of Summit Addition No. 5–III, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 2001021, Page 01509, same being situated in the tracts of land conveyed to PC Village Apartments Dallas, LP, as evidenced in a Deed Without Warranty recorded in Volume 95165, Page 01289, all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said tract being more particularly described by metes and bounds as follows:

COMMENCING at the northwest corner of aforesaid Lot 5C, Block A/5413, same being the northeast corner of Lot 2, Block A/5413 of Summit Addition No. 2, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72029, Page 02019, D.R.D.C.T., said iron rod also being on the south right of way line of State Highway Loop 12 (Northwest Highway), a variable width right of way;

THENCE South 24°28’40” West, departing the south right of way line of said Northwest Highway and along the common line of said Lots 2 and 5C, a distance of 11.36 feet to the POINT OF BEGINNING, same being on the north line of said 10’ wide Sanitary Sewer Easement;

THENCE in a southeasterly direction, departing the common line of said Lots 2 and 5C and along the north line of said sanitary sewer easement, the following:

South 38°08’13” East, a distance of 88.58 feet to a corner;

South 56°26’27” East, a distance of 227.13 feet to the point of curvature of a curve to the right;

Along the arc of said curve to the right, through a central angle of 15°33’40”, having a radius of 205.00 feet, a chord bearing of South 48°39’37” East, a chord distance of 55.51 feet and an arc length of 55.68 feet to the point of tangency of said curve;

South 40°52’47” East, a distance of 90.94 feet to a corner;

South 36°20’06” East, a distance of 274.76 feet to the point of curvature of a curve to the right;

Along the arc of said curve to the right, through a central angle of 11°49’23”, having a radius of 205.00 feet, a chord bearing of South 30°25’25” East, a chord distance of 42.23 feet and an arc length of 42.30 feet to the point of tangency of said curve;
ABANDONMENT OF 10' WIDE SANITARY SEWER EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

South 24°30'43" East, a distance of 21.86 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 24°56'30", having a radius of 145.00 feet, a chord bearing of South 36°58'58" East, a chord distance of 62.62 feet and an arc length of 63.12 feet to the end of said curve, same being on the easterly line of aforesaid Lot 5C and the southerly right of way line of aforesaid Northwest Highway;

THENCE South 02°38'15" West, departing the north line of said sanitary sewer easement and along the easterly line of said Lot 5C and the southerly right of way line of said Northwest Highway, a distance of 12.44 feet to a corner on the curving south line of said sanitary sewer easement, said curve being a non-tangent curve to the right;

THENCE in a northwesterly direction, departing the easterly line of said Lot 5C and the southerly right of way line of said Northwest Highway and along the south line of said sanitary sewer easement, the following:

Along the arc of said curve to the right, through a central angle of 27°46'02", having a radius of 155.00 feet, a chord bearing of North 38°23'44" West, a chord distance of 74.38 feet and an arc length of 75.12 feet to the point of tangency of said curve;

North 24°30'43" West, a distance of 21.86 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 11°49'23", having a radius of 195.00 feet, a chord bearing of North 30°25'25" West, a chord distance of 40.17 feet and an arc length of 40.24 feet to the point of tangency of said curve;

North 36°20'06" West, a distance of 274.36 feet to a corner;

North 40°52'47" West, a distance of 90.54 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 15°33'40", having a radius of 195.00 feet, a chord bearing of North 48°39'37" West, a chord distance of 52.80 feet and an arc length of 52.96 feet to the point of tangency of said curve;

North 56°26'27" West, a distance of 223.83 feet to a corner where said easement bisects Lot 5C in a southwesterly direction;
ABANDONMENT OF 10' WIDE SANITARY SEWER EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

South 44°22'52" West, a distance of 395.69 feet to the point of curvature of a
curve to the left;

Along the arc of said curve to the left, through a central angle of 04°42'52", having
a radius of 115.00 feet, a chord bearing of South 42°21'26" West, a chord distance
of 9.46 feet and an arc length of 9.46 feet to the point of tangency of said curve;

South 40°00'00" West, a distance of 134.13 feet to a corner;

South 50°00'00" East, a distance of 12.47 feet to a corner on the south line of
aforesaid Lot 5C, same being the north line of Lot 3, Block A/5413 of Summit
Addition No. 3, an Addition to the City of Dallas, Texas, according to the Plat
thereof recorded in Volume 72103, Page 02603, D.R.D.C.T.;

THENCE South 77°42'47" West, along the common line of said Lots 5C and 3, a distance
of 12.64 feet to a corner on a south line of said 10' wide sanitary sewer easement;

THENCE North 50°00'00" West, departing the common line of said Lots 5C and 3 and
continuing along the south line of said sanitary sewer easement, a distance of 4.74 feet
to the point of curvature of a non-tangent curve to the right;

THENCE in a southwesterly direction, continuing along the south line of said sanitary
sewer easement and along the arc of said curve to the right, through a central angle of
02°39'44", having a radius of 136.58 feet, a chord bearing of South 41°31'23" West, a
chord distance of 6.35 feet and an arc length of 6.35 feet to a corner on the common
line of said Lots 5C and 3;

THENCE South 77°42'47" West, along the common line of said Lots 5C and 3, a distance
of 19.22 feet to a corner on the curving north line of said 10' wide sanitary sewer
 easement, said curve being a non-tangent curve to the left;

THENCE in a northerly direction, departing the common line of said Lots 5C and 3 and
along the north line of said sanitary sewer easement, the following:

Along the arc of said curve to the left, through a central angle of 10°00'45", having
a radius of 126.58 feet, a chord bearing of North 45°00'22" East, a chord distance
of 22.09 feet and an arc length of 22.12 feet to the point of tangency of said
curve;

North 40°00'00" East, a distance of 143.67 feet to the point of curvature of a
curve to the right;
ABANDONMENT OF 10' WIDE SANITARY SEWER EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Along the arc of said curve to the right, through a central angle of 04°42'52", having a radius of 125.00 feet, a chord bearing of North 42°21'26" East, a chord distance of 10.28 feet and an arc length of 10.29 feet to the point of tangency of said curve;

North 44°42'52" East, a distance of 395.39 feet to a corner;

North 38°08'13" West, a distance of 79.79 feet to a corner on the aforesaid common line of Lots 2 and 5C;

THENCE North 24°28'40" East, along the common line of said Lots 2 and 5C, a distance of 11.26 feet to the POINT OF BEGINNING and containing 0.330 of an acre (14,381 square feet) of land, more or less.

Notes:

1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5–III, as recorded in Vol. 2001021, Pg. 01509, D.R.D.C.T., said bearing being N 53°04'51" W.

2. "CM" indicates controlling monuments. "IRF" indicates iron rod found.
ABANDONMENT OF 10' SANITARY SEWER EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

S. H. LOOP 12
(NORTHWEST HIGHWAY)
(VARIABLE WIDTH R.O.W.)

LOT 5C, BLOCK A/5413
SUMMIT ADDITION NO. 5-III
VOL. 2001021, PG. 01509
D.R.D.C.

LOT 2, BLOCK A/5413
SUMMIT ADDITION NO. 2
VOL. 72029, PG. 02019
D.R.D.C.

LOT 3, BLOCK A/5413
SUMMIT ADDITION NO. 3
VOL. 72103, PG. 02803
D.R.D.C.

LOT 5C, BLOCK A/5413
SUMMIT ADDITION NO. 5-III
VOL. 2001021, PG. 01509
D.R.D.C.

GRAPHIC SCALE

1 inch = 100 ft.

BROCKETTE : DAVIS : DRAKE , inc.
consulting engineers

Civil & Structural Engineering - Surveying
4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
(214) 924-3645, fax (214) 624-7064

Reviewed by: [Signature]
Date: [Date]
SPRG NO.: [Number]

Page 5 of 7
ABANDONMENT OF 10' WIDE SANITARY SEWER EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

S. H. LOOP 12
(NORTHWEST HIGHWAY)
(VARIABLE WIDTH R.O.W.)

MATCH LINE (SEE PAGE 5 OF 6)

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

CURVE DATA TABLE

| Curve No. | D | R | L | C
|-----------|---|---|---|---
| C1        | 15'33'40" | 205.00' | 55.51' | S48°39'37"E
| C6        | 15'33'40" | 205.00' | 55.51' | S48°39'37"E
| C2        | 11'49'23" | 205.00' | 42.23' | S42°21'26"W
| C7        | 14'42'32" | 195.00' | 9.46'  | S42°21'26"W
| C3        | 24'56'30" | 145.00' | 62.62' | N53°00'22"W
| C8        | 10'00'45" | 126.58' | 5.35'  | N53°00'22"W
| C4        | 27'48'02" | 195.00' | 74.38' | N48°25'25"W
| C9        | 15'33'40" | 205.00' | 40.17' | N48°25'25"W
| C5        | 11'49'23" | 205.00' | 52.96' | N48°25'25"W
| C10       | 14'42'32" | 195.00' | 10.28' | N48°25'25"W

LINE DATA TABLE

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<td>12.47'</td>
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<tr>
<td>L2</td>
<td>S77°42'47&quot;W</td>
<td>12.64'</td>
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<tr>
<td>L3</td>
<td>N50°00'00&quot;W</td>
<td>4.74'</td>
</tr>
<tr>
<td>L4</td>
<td>S77°42'47&quot;W</td>
<td>19.22'</td>
</tr>
</tbody>
</table>

Notes:
1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 2001021, Pg. 01509, D.R.D.C., said bearing being N 53°04'51" W.
2. "CM" indicates controlling monuments. "RF" indicates iron rod found.

Reviewed by: [Signature]
Date: 12-20-01
SPRG NO.: [SPRG 56]
ABANDONMENT OF 10' WIDE SANITARY SEWER EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

VICINITY MAP
Mapsco Page 36–X
EXHIBIT A - TRACT VI

ABANDONMENT OF 10' WIDE DRAINAGE EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 3,972 square foot tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 191, and being a ten foot wide Drainage Easement situated in Lot 5C, Block A/5413 as originally dedicated in the Final Plat of Summit Addition No. 5, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72246, Page 1065, and being shown on the Final Plat of Summit Addition No. 5-III, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 2001021, Page 01509, some being situated in the tracts of land conveyed to PC Village Apartments Dallas, LP, as evidenced in a Deed Without Warranty recorded in Volume 95165, Page 01289, all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said tract being more particularly described by metes and bounds as follows:

COMMENCING at the southwest corner of aforesaid Lot 5C, Block A/5413, same being the southeast corner of Lot 2, Block A/5413 of Summit Addition No. 2, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72029, Page 02019, D.R.D.C.T.;

THENCE North 48°25'00" East, along the common line of said Lots 2 and 5C, a distance of 196.47 feet to a corner;

THENCE North 28°25'00" East, continuing along the common line of said Lots 2 and 5C, a distance of 162.06 feet to the POINT OF BEGINNING, same being the southwest corner of aforesaid 10' wide Drainage Easement;

THENCE North 28°25'00" East, continuing along the common line of said Lots 2 and 5C, a distance of 10.35 feet to a corner on the north line of said 10' wide Drainage Easement;

THENCE in an easterly direction, departing the common line of said Lots 2 and 5C and along the north line of said drainage easement, the following:

South 76°35'00" East, a distance of 144.17 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 58°42'08", having a radius of 75.00 feet, a chord bearing of North 74°03'56" East, a chord distance of 73.52 feet and an arc length of 76.84 feet to the point of tangency of said curve;

North 44°42'52" East, a distance of 55.78 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 13°09'20", having a radius of 75.00 feet, a chord bearing of North 38°08'12" East, a chord distance of 17.18 feet and an arc length of 17.22 feet to the point of tangency of said curve;

(For SPRG use only)
Reviewed by: [Signature]
Date: 12-02-06
SPRG NO.: 00126
ABANDONMENT OF 10' WIDE DRAINAGE EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

North 31'33'32" East, a distance of 95.71 feet to a corner on the curving north line of aforesaid Lot 5C, same being on the south right of way line of State Highway Loop 12 (Northwest Highway), a variable width right of way, said curve being a non-tangent curve to the right;

THENCE in a southeasterly direction, departing the north line of said drainage easement, along the north line of said Lot 5C, the south right of way line of said Northwest Highway and along the arc of said curve to the right, through a central angle of 00'18'51", having a radius of 1825.08 feet, a chord bearing of South 56'49'18" East, a chord distance of 10.01 feet and an arc length of 10.01 feet to the end of said curve, same being on the south line of said 10' wide Drainage Easement;

THENCE in a westerly direction, departing the north line of said Lot 5C and the south right of way line of said Northwest Highway and along the south line of said drainage easement, the following:

South 31'33'32" West, a distance of 95.43 feet to the point of curvature of a curve to the right;

Along the arc of said curve to the right, through a central angle of 13'09'20", having a radius of 85.00 feet, a chord bearing of South 38'08'12" West, a chord distance of 19.47 feet and an arc length of 19.52 feet to the point of tangency of said curve;

South 44'42'52" West, a distance of 55.78 feet to the point of curvature of a curve to the right;

Along the arc of said curve to the right, through a central angle of 58'42'08", having a radius of 85.00 feet, a chord bearing of South 74'03'56" West, a chord distance of 83.33 feet and an arc length of 87.09 feet to the point of tangency of said curve;

North 76'35'00" West, a distance of 146.85 feet to the POINT OF BEGINNING and containing 0.091 of an acre (3,972 square feet) of land, more or less.

Notes:

1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 2001021, Pg. 01509, D.R.D.C.T., said bearing being N 53'04'51" W.

2. "CM" indicates controlling monuments. "IRF" indicates iron rod found.
ABANDONMENT OF 10' WIDE DRAINAGE EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(NORTHWEST HIGHWAY)

GRAPHIC SCALE

1 inch = 100 ft.

Notes:
1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 2001021, Pg. 01509, D.R.D.C.T., said bearing being N 21° 54' 57" W.
2. "CM" indicates controlling monument not marking iron rod found.

Reviewed by: [Signature]
Date: 12-20-99
SPRG NO.: C088

[Map of drainage easement with points of beginning and community marked]
ABANDONMENT OF 10' WIDE DRAINAGE EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

VICINITY MAP
Mapsco Page 36-X

BROCKETT· DAVIS· DRAKE , Inc.
Consulting engineers
Civil & Structural Engineering Surveying
4444 North Central Expressway, Suite 1100, Dallas, Texas 75204
(214) 524-3847, fax (214) 524-7064

Reviewed by: [Signature]
Date: 12-30-06
SPRG NO.: 688
Exhibit A – Tract VII

ABANDONMENT OF VARIABLE WIDTH WATER MAIN EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 27,504 square foot tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 191, and being a variable width Water Main Easement situated in Lot 5C, Block A/5413 as originally dedicated in the Final Plat of Summit Addition No. 5, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72246, Page 1065, and being shown on the Final Plat of Summit Addition No. 5–III, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 2001021, Page 01509, same being situated in the tracts of land conveyed to PC Village Apartments Dallas, LP, as evidenced in a Deed Without Warranty recorded in Volume 95165, Page 01289, all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), said tract being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of aforesaid Lot 5C, Block A/5413, same being the northeast corner of Lot 2, Block A/5413 of Summit Addition No. 2, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 72029, Page 02019, D.R.D.C.T., said iron rod also being on the south right of way line of State Highway Loop 12 (Northwest Highway), a variable width right of way;

THENCE in a southeasterly direction, along the north line of said Lot 5C and the south right of way line of said Northwest Highway, the following:

South 40°32′12″ East, a distance of 50.30 feet to a 5/8–inch iron rod found for the point of curvature of a non–tangent curve to the right;

Along the arc of said curve to the right, through a central angle of 01°30′02″, having a radius of 1825.08 feet, a chord bearing of South 56°23′08″ East, a chord distance of 47.80 feet and an arc length of 47.80 feet to a 5/8–inch iron rod found for the end of said curve;

South 77°30′12″ East, a distance of 52.00 feet to a 5/8–inch iron rod found for the point of curvature of a non–tangent curve to the right;

Along the arc of said curve to the right, through a central angle of 06°14′50″, having a radius of 1845.08 feet, a chord bearing of South 51°00′46″ East, a chord distance of 201.08 feet and an arc length of 201.18 feet to a 5/8–inch iron rod found for the end of said curve;

South 40°52′51″ East, a distance of 122.92 feet to a 5/8–inch iron rod found for a corner;

South 36°20′08″ East, a distance of 299.57 feet to a 5/8–inch iron rod found for a corner;

South 24°30′43″ East, a distance of 84.43 feet to a 5/8–inch iron rod found for a corner;

South 02°38′15″ West, a distance of 31.43 feet to a corner on the south line of aforesaid Water Main Easement, same being the point of curvature of a non–tangent curve to the right.
ABANDONMENT OF VARIABLE WIDTH WATER MAIN EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE in a northwesterly direction, departing the north line of said Lot 5C and the south right of way line of said Northwest Highway and along the south line of said water main easement, the following:

Along the arc of said curve to the right, through a central angle of 26°24'52", having a radius of 150.00 feet, a chord bearing of North 37°43'09" West, a chord distance of 68.54 feet and an arc length of 69.15 feet to the point of tangency of said curve;

North 24°30'43" West, a distance of 21.86 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 11°49'23", having a radius of 200.00 feet, a chord bearing of North 30°25'24" West, a chord distance of 41.20 feet and an arc length of 41.27 feet to the point of tangency of said curve;

North 36°20'06" West, a distance of 274.56 feet to a corner;

North 40°52'47" West, a distance of 90.74 feet to the point of curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 15°33'40", having a radius of 200.00 feet, a chord bearing of North 48°39'37" West, a chord distance of 54.15 feet and an arc length of 54.32 feet to the point of tangency of said curve;

North 56°26'27" West, a distance of 227.94 feet to a corner;

North 38°08'13" West, a distance of 86.80 feet to a corner on the aforesaid west line of Lot 5C and the aforesaid east line of Lot 2;

THENCE North 24°28'40" East, along the common line of said Lots 5C and 2, a distance of 17.00 feet to the POINT OF BEGINNING and containing 0.631 of an acre (27,504 square feet) of land, more or less.

Notes:

1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 2001021, Pg. 01509, D.R.D.C.T., said bearing being N 53°04'51" W.

2. "CM" indicates controlling monuments. "IRF" indicates iron rod found.
ABANDONMENT OF VARIABLE WIDTH WATER MAIN EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

S. H. LOOP 12
(NORTHWEST HIGHWAY)
(VARIABLE WIDTH R.O.W.)

MATCH LINE (SEE PAGE 4 OF 4)

GRAPHIC SCALE
( IN FEET )
1 inch = 100 ft.

 Reviewed by:  
 Date: 12-20-xx  
 SPRG NO.: 690

BROCKETT, DAVIS & DRAKE, inc.  
consulting engineers
Civil & Structural Engineering/Surveying
4144 North Central Expressway, Suite 1100  Dallas, Texas 75204
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Page 3 of 5
ABANDONMENT OF VARIABLE WIDTH WATER MAIN EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5-III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CURVE DATA TABLE

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Notes:
1. Bearings based on the southerly line of Lot 5C, Block A/5413 of Summit Addition No. 5-III, as recorded in Vol. 2001021, Pg. 01509, D.R.D.C.T., said bearing being N 53°4'51" W.
2. "eM" indicates controlling monuments. "IRF" indicates iron rod found.

BRACKETTE DAVIS DRAKE, Inc.
Civil & Structural Engineering Surveying
4144 North Central Expressway, Suite 1100 Dallas, Texas 75204
(214) 824-3647, fax (214) 824-7084

Page 4 of 5
ABANDONMENT OF VARIABLE WIDTH WATER MAIN EASEMENT
LOT 5C, BLOCK A/5413, SUMMIT ADDITION NO. 5–III
CITY OF DALLAS, DALLAS COUNTY, TEXAS

VICINITY MAP

Mapsco Page 36–X
SUBJECT
An ordinance abandoning a portion of Turtle Creek Boulevard to Block 1500, L.P. and Tower Land and Investment Company, the abutting owners, containing approximately 49,146 square feet of land located at the intersection of Turtle Creek Boulevard and Oak Lawn Avenue, and authorizing the quitclaim in exchange for approximately 5,423 square feet of needed street right-of-way - Revenue: $780,456 plus the $20 ordinance publication fee

BACKGROUND
This item authorizes the abandonment of a portion of Turtle Creek Boulevard to Block 1500, L.P. and Tower Land and Investment Company, the abutting owners in exchange for approximately 6,757 square feet of needed street right-of-way. The proposed area to be abandoned will be included with the property of the abutting owners for a 250 unit, Class A, multi-family property. This transaction is consistent with the recommendation of the Real Estate Task Force. The abandonment fee is based on an independent appraisal.

Notices were sent to 9 property owners within 300 feet of the area to be abandoned. There were no responses received in opposition to this request.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)
This item has no prior action.

FISCAL INFORMATION
Revenue: $780,456 plus the $20 ordinance publication fee

OWNERS
Block 1500, L.P.
**OWNERS (continued)**

Design Center Holdings, L.L.C., General Partner

TCF Interests Partnership, Ltd., Manager

Crow Holdings, General Partner
Harlan R. Crow, Chairman of the Board/CEO

**Tower Land and Investment Company**

Robert Payne, President
Rosemary G. Payne, Secretary

**MAPS**

Attached
ORDINANCE NO. ______________

An ordinance providing for the abandonment of a portion of Turtle Creek Boulevard located adjacent to City Blocks 37/7888 and 39/7888 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Block 1500, L.P. and Tower Land and Investment Company; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the conveyance of needed land to the City of Dallas; providing for a future effective date for the abandonment; providing for the payment of the publication fee; and providing an effective date for this ordinance.

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Block 1500, L.P., a Texas limited partnership, and Tower Land and Investment Company, a Texas corporation, hereinafter referred to collectively as GRANTEE, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to GRANTEE, and is of the opinion that, subject to the terms, future effective date and conditions herein provided, said portions of Turtle Creek Boulevard are not needed for public use, and same should be abandoned and quitclaimed to GRANTEE, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to GRANTEE for the consideration and subject to the terms and conditions hereinafter more fully set forth; Now, Therefore,

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

SECTION 1. That the tracts of land described in Exhibit A, which is attached hereto and made a part hereof, be and the same are abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions and future effective date hereinafter more fully set out.
SECTION 2. That for and in monetary consideration of the sum of SEVEN HUNDRED EIGHTY THOUSAND FOUR HUNDRED FIFTY-SIX DOLLARS AND NO/100 ($780,456.00) DOLLARS paid by GRANTEE, and the further consideration described in Sections 8, 9, 10, 11, 12, 13, 14 and 15 the City of Dallas does by these presents FOREVER QUITCLAIM unto the said GRANTEE, subject to the conditions, reservations, future effective date and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to those certain tracts or parcels of land hereinabove described in Exhibit A, as follows: unto Block 1500, L.P. all of its right, title and interest in Tract I of Exhibit A; and unto Tower Land and Investment Company, all of its right, title and interest in Tract II of Exhibit A. TO HAVE AND TO HOLD all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said GRANTEE forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, GRANTEE accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the City Controller is authorized to deposit the sum paid by GRANTEE pursuant to Section 2 above in the General Fund 0001, Agency DEV, Balance Sheet 0519 and Department of Development Services - Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.
SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and for all intents and purposes made a part hereof.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon GRANTEE, their respective successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to GRANTEE herein, GRANTEE, their successors and assigns, agree to indemnify, defend, release and hold the City of Dallas whole and harmless against any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the property described in Exhibit A by GRANTEE, their successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which GRANTEE, their successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. GRANTEE, their successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, “Hazardous Substance” means the following: (a) any "hazardous substances" under the Comprehensive, Environmental Response, Compensation Liability Act, 42 U.S.C. Section 9601 et seq., as amended, (b) any
"hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder. For the purposes of this indemnity, Block 1500, L. P. and Tower Land and Investment Company, referred to collectively as GRANTEE, will only be liable as to their respective parcels being abandoned to each of them.

SECTION 9. That the abandonment and quitclaim of both of the tracts of land described in Exhibit A shall not become effective until and unless Block 1500, L.P. records a final replat of the properties adjoining Tract 1 of Exhibit A within one year after passage of this ordinance showing: a) the dedication of land pursuant to Section 12 below; and b) frontage on a public street for all of the parcels of land adjacent to the abandonment area shown in Tract 1 of Exhibit A. This final replat shall be recorded by Block 1500, L.P. in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas. Failure to record a final replat in accordance with the terms of this section shall render this ordinance null and void, and of no further effect. Further, this final replat shall be recorded in the Deed Records of Dallas County, Texas before a certified copy of this ordinance shall be delivered to GRANTEE.
SECTION 10. That as a further condition of this abandonment and as a part of the consideration for the quitclaim made herein, Tower Land and Investment Company shall file a final replat of its adjoining properties prior to the issuance of any building permits affecting Tract II of Exhibit A abandoned and quitclaimed herein. This final replat shall be recorded by Tower Land and Investment Company in the Deed Records of Dallas County, Texas after its approval by the City Plan Commission of the City of Dallas.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, GRANTEE shall:

(a) immediately upon the effective date of this abandonment, which occurs upon the recording of the final replat of the properties adjoining Tract 1 of Exhibit A, close, barricade and/or place signs in the areas described in Exhibit A in accordance with detailed plans approved by the Director of Development Services. GRANTEE's responsibility for keeping the areas described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by GRANTEE, their successors and assigns, to the satisfaction of the Director of Development Services; and

(b) maintain access for fire apparatus within 50 feet of the fire department connection at 1501 Turtle Creek Boulevard until the building is demolished.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, Block 1500, L.P. shall convey by General Warranty Deed to the City of Dallas, within one year of the effective date of this ordinance, good, indefeasible and marketable fee simple title to a certain property located in City Block 37/7888, containing a total of approximately 5,423 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. Failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 13. That at such time as the instrument described in Section 12 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Development Services is authorized and directed to record said instrument in the Deed Records of Dallas County, Texas.
SECTION 14. That this ordinance and the properly executed instruments referenced in Section 12 above, approved as to form by the City Attorney, be forwarded to a title insurance company for closing and issuance of an owner's policy of title insurance, approved as to form by the City Attorney. Subsequent to closing, all instruments conveying a real estate interest to the City of Dallas shall be recorded in the Real Property Records of Dallas County, Texas and thereafter returned to the City Secretary for permanent record.

SECTION 15. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, GRANTEE shall pay all closing costs and title expenses associated with the acquisition of the property described in Section 12 above including, without limitation, the premium for an owner's policy of title insuring title unto City.

SECTION 16. 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 Development Services, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which GRANTEE shall likewise pay, the filing of the final replats set forth in Sections 9 and 10, and conveyance of the land as described in Section 12, the Director of Development Services, or designee: (i) shall deliver to GRANTEE a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a QUITCLAIM DEED with regard to the areas abandoned herein, to GRANTEE hereunder, as more fully specified by ownership tracts as identified in Section 2 hereof, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Development Services, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.
SECTION 17. 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

BY
Assistant City Attorney

Passed__________________

THERESA O'DONNELL
Director of Development Services

BY
Assistant Director
EXHIBIT A-TRACT 1

FIELD NOTES DESCRIBING A 40,435 SQUARE FOOT (0.9283 ACRE) PORTION OF TURTLE CREEK BOULEVARD, TO BE ABANDONED

ALL THAT certain lot, tract or parcel of land lying and being situated in the City and County of Dallas, Texas, more particularly described as follows:

BEING a 40,435 Square Foot (0.9283 Acre) portion of Turtle Creek Boulevard, between High-Line Drive and Oak Lawn Avenue, and out of the James A. Sylvester Survey, Abstract No. 1383, and being a part of the Trinity Industrial District Addition, Installment No. 13, recorded in Volume 26, Page 165 of the Map Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" dia. steel rod found at the most Southerly corner of Lot 1, Block 37/7888 of said Trinity Industrial District Addition, Installment No. 13, at the intersection of the Northeast line of High-Line Drive (160' Right-of-Way) with the Northwest line of Turtle Creek Boulevard (130' Right-of-Way) as established by said addition plat:

THENCE North 58°14'50" East, departing the last said Northeast line of High-Line Drive and with the said Northwest line of Turtle Creek Boulevard, a distance of 61.33 feet to an "X" cut in a brick planter at the beginning of a curve to the right:

THENCE Northeasterly with the said Northwest line of Turtle Creek Boulevard and along said curve (pass at 38.60 feet a 5/8" dia. steel rod which bears North 37°45'07" West a distance of 0.49 feet, and at 329.30 feet a 5/8" dia. steel rod found at the common South corner of Lots 3 and 4, Block 37/7888 of said Trinity Industrial District Installment No. 13), having a Radius of 1,064.70 feet, a Central Angle of 22°38'13", an Arc Length of 420.65 feet and a Chord which bears North 69°33'57" East a distance of 417.92 feet to a 5/8" dia. steel rod with cap marked "CITY OF DALLAS" set at the Northeast corner of this tract:

THENCE South 22°35'33" West, departing the last said Northwest line of Turtle Creek Boulevard, a distance of 22.50 feet to an "X" cut in concrete pavement at the beginning of a curve to the left:

THENCE Southwesterly along said curve, having a Radius of 1,545.50 feet, a Central Angle of 1°54'35", an Arc Length of 51.52 feet and a Chord which bears South 25°05'17" West a distance of 51.51 feet to an "X" cut in concrete pavement:

THENCE South 24°07'59" West a distance of 47.21 feet to an "X" cut in concrete pavement:

THENCE South 15°31'16" West a distance of 35.57 feet to a 5/8" dia. steel rod with cap marked "CITY OF DALLAS" set in the Southeast line of Turtle Creek Boulevard, same being the Northwest line of Lot 1, Block 39/7888 of said Trinity Industrial District Installment No. 13 and the non-tangent beginning of a curve to the left, and Southeast corner of this tract:
FIELD NOTES DESCRIBING A 40,435 SQUARE FOOT (0.9283 ACRE) PORTION OF TURTLE CREEK BOULEVARD, TO BE ABANDONED

THENCE Southwesterly with the said Southeast line of Turtle Creek Boulevard and along said curve to the left, having a Radius of 934.70 feet, a Central Angle of 1°35'00", an Arc Length of 25.83 feet and a Chord which bears South 75°05'26" West a distance of 25.83 feet to a 5/8" dia. steel rod with cap marked "CITY OF DALLAS" set at a non-tangent point:

THENCE North 60°03'29" West, departing the last said Southeast line of Turtle Creek Boulevard, a distance of 84.60 feet to an "X" found cut in concrete pavement:

THENCE South 29°53'34" West, a distance of 18.02 feet to an "X" found cut in concrete pavement at the non-tangent beginning of a curve to the left:

THENCE West-Southwesterly along said curve, having a Radius of 28.50 feet, a Central Angle of 119°44'23", an Arc Length of 59.56 feet and a Chord which bears South 67°06'40" West a distance of 49.30 feet to an "X" found cut in concrete pavement at the non-tangent end of said curve:

THENCE North 60°06'27" West a distance of 17.99 feet to an "X" found cut in concrete pavement at an inside corner of this tract:

THENCE South 29°53'33" West a distance of 113.72 feet to a 5/8 inch dia. steel rod found at the non-tangent beginning of a curve to the left, on the said Southeast line of Turtle Creek Boulevard:

THENCE Southwesterly along said curve, having a Radius of 934.70 feet, a Central Angle of 2°13'37", an Arc Length of 36.33 feet and a Chord which bears South 59°54'07" West a distance of 36.33 feet to the intersection of the Southeast line of Turtle Creek Boulevard with the Northeast line of High-Line Drive , from which a 5/8" dia. steel rod bears North 38°37'00" West a distance of 1.05 feet:

THENCE North 60°06'10" West, with the said Northeast line of High-Line Drive (produced) a distance of 147.76 feet to the POINT OF BEGINNING, containing 40,435 Square Feet, or 0.9283 Acres of land.

Basis of Bearings: The Northeast Right-of-Way line of High-Line Drive, at N60°06'10" West, as shown on the plat of the Trinity Industrial District Addition, Installment No. 13, recorded in Volume 26, Page 165 of the Map Records of Dallas County, Texas.
TURTLE CREEK BOULEVARD RIGHT-OF-WAY TO BE ABANDONED
BETWEEN HI LINE DRIVE AND OAK LAWN AVENUE
CITY OF DALLAS BLOCK 7888
SAMUEL LOCKHART SURVEY, ABSTRACT NO. 817
JAMES A SYLVESTER SURVEY, ABSTRACT NO. 1383
CITY OF DALLAS
DALLAS COUNTY, TEXAS

BEING a 8,711 square foot tract of land situated in the Samuel Lockhart Survey, Abstract No. 817 and the James A. Sylvester Survey, Abstract No. 1383, City of Dallas Block 7888, Dallas County, Texas and being a portion of Turtle Creek Boulevard (a 130-foot right-of-way), said 8,711 square foot tract of land being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod (controlling monument) found for the point of intersection of the southeasterly right-of-way line of said Turtle Creek Boulevard with the northeasterly right-of-way line of Hi Line Drive (a 160-foot right-of-way), same being the westernmost corner of Lot 1, Block 39, TRINITY INDUSTRIAL DISTRICT INSTALLMENT NO. 13, an addition to the City of Dallas as described by plat recorded in Volume 23, Page 165, Deed Records of Dallas County, Texas, from which a 5/8-inch iron rod (controlling monument) found for the point of intersection of the northeasterly right-of-way line of said Hi Line Drive with the northwesterly right-of-way line of said Turtle Creek Boulevard and the southernmost corner of Lot 1, Block 37 of said TRINITY INDUSTRIAL DISTRICT INSTALLMENT NO. 13 bears North 60°06'10" West, at a distance of 147.89 feet, said point of commencing also being in a curve to the right, the radius point of which bears South 28°51'22" East, at a distance of 934.70 feet;

THENCE Northeasterly along the southeasterly right-of-way line of said Turtle Creek Boulevard, the northwesterly line of said Lot 1, Block 39 and with said curve to the right through a central angle of 02°16'46", for an arc distance of 37.18 feet, a chord bearing of North 60°00'14" East and a chord distance of 37.18 feet to the POINT OF BEGINNING;

THENCE North 29°53'33" East, a distance of 112.95 feet to a point for corner;

THENCE South 60°06'27" East, a distance of 17.99 feet to the point of curvature of a non-tangent curve to the right, the radius point of which bears South 82°45'42" East, at a distance of 28.50 feet;

THENCE Northeasterly along said curve to the right through a central angle of 119°44'43", for an arc distance of 49.30 feet, a chord bearing of North 67°06'40" East and a chord distance of 49.30 feet to a point for corner;

THENCE North 29°53'33" East, a distance of 18.02 feet to a point for corner;
TURTLE CREEK BOULEVARD RIGHT-OF-WAY TO BE ABANDONED BETWEEN HI LINE DRIVE AND OAK LAWN AVENUE CITY OF DALLAS BLOCK 7888 SAMUEL LOCKHART SURVEY, ABSTRACT NO. 817 JAMES A SYLVESTER SURVEY, ABSTRACT NO. 1383 CITY OF DALLAS DALLAS COUNTY, TEXAS

THENCE South 60°03'28" East, a distance of 84.52 feet to a point for corner in the southeasterly right-of-way line of aforementioned Turtle Creek Boulevard and being in a curve to the left, the radius point of which bears South 15°36'50" East, at a distance of 934.70 feet;

THENCE Southwesterly along said curve to the left through a central angle of 13°14'33", for an arc distance of 216.03 feet, a chord bearing of South 67°45'53" West and a chord distance of 215.55 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 8,711 square feet or 0.2000 of an acre of land.

Bearings shown herein are based on the northeasterly right-of-way line of Hi Line Drive being North 60°06'10" West as described by the Final Plat of TRINITY INDUSTRIAL DISTRICT INSTALLMENT NO. 13 recorded in Volume 23, Page 165 of the Map Records of Dallas County, Texas.

I hereby certify that this metes and bounds description and attached plat represent a survey made on the ground under my supervision during the months of May and June, 2006 and described by metes and bounds above and accompanying parcel plat.

Lyndon M. Hodgins
Registered Professional Land Surveyor
Texas Registration No. 4584

Date 6-26-06

Page 2 of 4

REVIEWED BY EJT 5/14/06
EXHIBIT A-TRACT 2

CURVE TABLE

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LINE TABLE

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NOTES:
1. Bearings and distances shown herein are based on the northeastern right-of-way line of Hi Line Drive being North 80°36'10" West as described by the Final Plot of TRINITY INDUSTRIAL DISTRICT INSTALLMENT NO. 13 recorded in Volume 23, Page 185 of the Map Records of Dallas County, Texas.
2. Metes and Bounds description of tract shown herein was prepared of even date.

LEGEND

5/8" IRF - 5/8" IRON ROD FOUND
(CM) - CONTROLLING MONUMENT

RIGHT-OF-WAY ABANDONMENT OF TURTLE CREEK BOULEVARD BETWEEN HI LINE DRIVE AND OAK LAWN AVENUE
CITY OF DALLAS BLOCK 7888
SAMUEL LOCKHART SURVEY, ABST. NO. 817 and
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DATE: JUNE, 2006
JOB NO. 206032.00
PAGE 3 of 4
EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit “A”, owned and/or operated by the City of Dallas or any utility or communications company, public or private, (“Utility”) and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE’S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE’S successors and assigns. Should GRANTEE’S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE’S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.
FIELD NOTES DESCRIBING A 5,423 SQUARE FOOT TRACT OF LAND IN THE
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383 AND LYING IN BLOCK
37/7888 OFFICIAL CITY OF DALLAS BLOCK NUMBERS

ALL THAT certain lot, tract or parcel of land lying and being situated in the City and County of Dallas, Texas, more particularly described as follows:

BEING a 5,423 Square Foot tract of land out of the James A. Sylvester Survey, Abstract No. 1383, and being a part of Block 37/7888, official City numbers, and being a part of the property conveyed to CH Design District, LP by deed recorded in Volume 2001062, Page 9718 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at an "X" found cut in concrete slope protection at the Northwest corner of a parcel titled "Tract 2," from Industrial Properties Corporation to the City of Dallas, recorded in Volume 4504, Page 498 of the Deed Records of Dallas County, said corner lying at the intersection of the South line of Interstate Highway 35 (Stemmons Freeway) and the North line of Lot 4, Block 37/7888 of the Trinity Industrial District Addition, Installment No. 13, recorded in Volume 26, Page 165 of the Map Records of Dallas County:

THENCE South 55°29'00" East with the West-Southwest line of said Tract 2, being a common line with said Stemmons Freeway, a distance of 78.24 feet to a ½" dia. steel rod found at an outside corner of this tract:

THENCE South 10°23'01" East, continuing along the said common line with Stemmons Freeway a distance of 11.54 feet to the intersection with the West line of Oak Lawn Avenue (an 80-foot Right-of-Way), said intersection being the non-tangent corner of a curve to the left, from which a 5/8" dia. steel rod bears South 10°22'42" East a distance of 0.77 feet:

THENCE Southwesterly with the said West line of Oak Lawn Avenue and along said Curve, having a Radius of 1,482.69 feet, a Central Angle of 7°08'51", an Arc Length of 184.96 feet and a Chord which bears South 27°57'06" West a distance of 184.84 feet, to the intersection with the North line of Turtle Creek Boulevard (a 130-foot Right-of-Way), said intersection being the non-tangent corner of a curve to the left, from which a 5/8" dia. steel rod bears South 18°15'33" West a distance of 2.29 feet:

THENCE Westerly with the said North line of Turtle Creek Boulevard and along said Curve, having a Radius of 1,064.70 feet, a Central Angle of 1°28'15", an Arc Length of 27.33 feet and a Chord which bears South 81°37'11" West a distance of 27.33 feet to a 5/8" dia. steel rod with cap marked "CITY OF DALLAS" (hereafter referred to as "5/8" steel rod with cap") set at the Southwest corner of this tract:

THENCE North 22°35'33" East, departing the last said North line of Turtle Creek Boulevard, a distance of 41.51 feet to a 5/8" steel rod with cap set at an outside corner of this tract:
EXHIBIT C

FIELD NOTES DESCRIBING A 5,423 SQUARE FOOT TRACT OF LAND IN THE JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383 AND LYING IN BLOCK 37/7888 OFFICIAL CITY OF DALLAS BLOCK NUMBERS

THENCE South 61°35'47" East a distance of 4.00 feet to a 5/8" steel rod with cap set at the Southeast corner of the Exterior Building Foot-Print of a single-story commercial building:

THENCE North 28°24'13" East with the East line of said Exterior Building Footprint a distance of 160.05 feet to a 5/8" steel rod with cap set at the Northeast corner of said building footprint:

THENCE North 61°30'39" West with the North line of said Exterior Building Footprint a distance of 89.92 feet to a 5/8" steel rod with cap set at the Northwest corner of said building footprint:

THENCE South 28°26'15" West with the West line of said Exterior Building Footprint a distance of 1.09 feet to an exterior corner of this tract (unable to monument):

THENCE North 55°23'06" West a distance of 31.03 to a 5/8" steel rod with cap set in the North line of the above referenced Lot 4, Block 37/7888:

THENCE South 76°17'13" East with the said North line of Lot 4 a distance of 58.28 feet to the POINT OF BEGINNING, containing 5,423 square feet of land.

Basis of Bearings: The common line between Lots 3 and 4, Block 37/7888 of the Trinity Industrial District Addition, Installment No. 13, at North 31°45'10" West, as shown on the plat thereof recorded in Volume 23, Page 165 of the Map Records of Dallas County, Texas.

Page 2 of 3
Interstate Highway 35 (Stemmons Freeway)
FIELD NOTES DESCRIBING A 1,334 SQUARE FOOT TRACT OF LAND IN THE
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383 AND LYING IN BLOCK
37/7888 OFFICIAL CITY OF DALLAS BLOCK NUMBERS

ALL THAT certain lot, tract or parcel of land lying and being situated in the City and County of
Dallas, Texas, more particularly described as follows:

BEING a 1,334 Square Foot tract of land out of the James A. Sylvester Survey, Abstract No. 1383,
and being a part of Block 37/7888, official City numbers, and being a part of the property conveyed
to CH Design District, LP by deed recorded in Volume 2001062, Page 9718 of the Deed Records of
Dallas County, Texas and being more particularly described as follows:

COMMENCING at an "X" found cut in concrete slope protection at the Northwest corner of a parcel
titled "Tract 2," from Industrial Properties Corporation to the City of Dallas, recorded in Volume 4504,
Page 498 of the Deed Records of Dallas County, said corner lying at the intersection of the South
line of Interstate Highway 35 (Stemmons Freeway) and the North line of Lot 4, Block 37/7888 of the
Trinity Industrial District Addition, Installment No. 13, recorded in Volume 26, Page 165 of the Map
Records of Dallas County:

THENCE North 76°17'13" West with the said North line of Lot 4, a distance of 58.28 feet to a 5/8"
dia. steel rod with cap marked "CITY OF DALLAS" (hereafter referred to as 5/8" dia. steel rod with
cap);

THENCE South 55°23'06" East a distance of 31.03 feet to a point on the West line of an Exterior
Building Footprint (unable to monument), and said point being the POINT OF BEGINNING of the
herein described tract:

THENCE North 28°26'15" East with the West line of said Exterior Building Footprint a distance of
1.09 feet to a 5/8" dia. steel rod with cap set at the Northwest corner of said Exterior Building Foot-
print:

THENCE South 61°30'39" East with the North line of said Exterior Building Footprint a distance of
89.92 feet to a 5/8" dia. steel rod with cap set at the Northeast corner of said Exterior Building Foot-
print:

THENCE South 28°24'13" West with the East line of said Exterior Building Footprint a distance of
160.05 feet to a 5/8" dia. steel rod with cap set at the Southeast corner (produced) of said Exterior
Building Footprint:

THENCE North 61°35'47" West with the South line (produced) of said Exterior Building Footprint a
distance of 4.00 feet to a 5/8" dia. steel rod with cap set at the Southwest corner of this tract:
FIELD NOTES DESCRIBING A 1,334 SQUARE FOOT TRACT OF LAND IN THE JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383 AND LYING IN BLOCK 37/7888 OFFICIAL CITY OF DALLAS BLOCK NUMBERS

THENCE North 28°24'13" East, departing the last said South line of said Exterior Building Footprint (produced) a distance of 129.76 feet to an inside corner of this tract:

THENCE North 14°11'44" West a distance of 30.17 feet to an inside corner of this tract:

THENCE North 55°23'06" West a distance of 65.89 feet to the POINT OF BEGINNING, containing 1,334 Square Feet of land.

Basis of Bearings: The common line between Lots 3 and 4, Block 37/7888 of the Trinity Industrial District Addition, Installment No. 13, at North 31°45'10" West, as shown on the plat thereof recorded in Volume 23, Page 165 of the Map Records of Dallas County, Texas.

N:\ENGR\SURVEY\HOLT\Oak Lawn\Boundary 2.doc

[Signature]

3-15-07
KEY FOCUS AREA: Neighborhood Quality of Life

AGENDA DATE: April 25, 2007
COUNCIL DISTRICT(S): All
DEPARTMENT: Environmental & Health Services
CMO: Charles W. Daniels, 670-3390
MAPSCO: N/A

SUBJECT

Authorize (1) the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2007 through April 30, 2008; and (2) execution of the grant agreement - Not to exceed $420,360 - Financing: U.S. Department of Housing and Urban Development Grant Funds

BACKGROUND

The City of Dallas Environmental and Health Services Department will continue using the funds to provide rental assistance to hard-to-serve homeless persons with disabilities and their families. This includes homeless persons who are seriously mentally ill, have chronic problems with alcohol, drugs or both or have AIDS and related diseases.

Under the grant agreement, the program will provide full or partial rental payments for 50 persons. Clients will select the site in which they choose to reside based on their individual needs. Rental payments will be made at the Fair Market Rent rate. (Clients with income are required to pay 30% of their adjusted income for rent).

The Shelter Plus Care program requires that social or rehabilitative services be provided to all persons for whom rental payments are made. These services are provided by community agencies, through non-financial agreements with the City, and city caseworkers. These services include case management, drug treatment, medication, psychiatric counseling, legal aid, employment, and training classes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 12, 2006 by Resolution No. 06-1090.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 27, 2005 by Resolution No. 05-1337.

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 14, 2004 by Resolution No. 04-1193.

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 9, 2003 by Resolution No. 03-1201.

Authorized the acceptance of grant funds to provide tenant based rental assistance for homeless persons with disabilities on April 24, 2002 by Resolution No. 02-1365.

FISCAL INFORMATION

$420,360 - U.S. Department of Housing and Urban Development Grant Funds
COUNCIL CHAMBER

April 25, 2007

WHEREAS, there is a need to assist homeless persons by providing rental assistance, in conjunction with support services; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides Shelter Plus Care Grant funds to assist the homeless with rental assistance; and

WHEREAS, HUD approved the City of Dallas' renewal application for Shelter Plus Care funds totaling $420,360;

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 accept Shelter Plus Care Grant No. TX01C600037 from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2007 through April 30, 2008, and execute any and all agreements and other documents required by this grant.

Section 2. That the City Controller is hereby authorized to receive and deposit grant funds in Fund F152, Department EHS, Unit 0289, Revenue Source 6506, in an amount not to exceed $420,360.

Section 3. That the City Manager is hereby authorized to establish appropriations in Fund F152, Department EHS, Unit 0289, Object Code 3330, in an amount $414,860 and Object Code 2140 in the amount of $5,500.

Section 4. That the City Controller is hereby authorized to disburse grant funds from Fund F152, Department EHS, Unit 0289, Object Code 3330, in an amount $414,860 and Object Code 2140 in the amount of $5,500.

Section 5. That the City Manager is hereby authorized to reimburse to HUD any expenditures identified as ineligible.

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.

DISTRIBUTION: Environmental and Health Services
City Attorney's Office
Office of Financial Services, 4FN
KEY FOCUS AREA: Neighborhood Quality of Life

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): All

DEPARTMENT: Environmental & Health Services

CMO: Charles W. Daniels, 670-3390

MAPSCO: N/A

SUBJECT

Authorize (1) the application for and acceptance of a grant from the Texas Department of Housing and Community Affairs for the provision of homebuyer assistance, housing placement, and transitional rental assistance for homeless individuals through the Homeless Services Program for the period October 1, 2007 through March 30, 2010; and (2) execution of the grant agreement - Not to exceed $550,000 - Financing: Texas Department of Housing and Community Affairs Grant Funds

BACKGROUND

The Texas Department of Housing and Community Affairs, administers the HOME Investment Partnerships Program. The HOME Investment Partnerships Program includes three types of funding initiatives: Owner Occupied Housing Assistance, Homebuyer Assistance, and Tenant Based Rental Assistance. We will be pursuing two initiatives, the Tenant Based Rental Assistance and the Homebuyer Assistance.

Under the grant agreement, the Homebuyer Assistance program will help homeless clients who have become self-sufficient with hard costs, such as down payments and closing costs. The Tenant Based Rental Assistance program will pay rent, utilities, and security deposits for clients who have not become fully independent in scattered site units. Clients will select the site in which they choose to reside based on their individual needs. Rental payments will be made at the Fair Market Rent rate. (Clients with income are required to pay 30% of their adjusted income for rent).

The formula entitlement grant program uses a statutory method to allocate housing funds awarded in the HOME Investment Partnerships Program to each Uniform State Service Region utilizing the Regional Allocation Formula to award funds to Texas cities on behalf of their metropolitan areas.


**BACKGROUND** (Continued)

Accordingly, the Environmental and Health Services Department has prepared an application for a competitive Tenant Based Rental Assistance and a Homebuyer Assistance grant seeking $550,000 in funding to provide for closing costs and housing placement assistance and transitional rental assistance for the period October 1, 2007 through March 30, 2010 for homeless individuals who access services through the Homeless Services Program.

The grant would provide supplemental funding for an additional housing caseworker to assist in the administration services to the Homeless Services Program. The housing caseworker would provide housing case management, and work with the other caseworkers to ensure that eligible homeless clients generated by the program will have access to care and support services as well as rental assistance.

The HOME Investment Partnerships Program competitive grant program does not require a cash match, but does require the applicant to demonstrate leveraging. There is however, an application fee of $30 to be submitted with the grant application.

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

This item has no prior action.

**FISCAL INFORMATION**

$550,000 - Texas Department of Housing and Community Affairs Grant Funds
WHEREAS, there is a need to assist chronic homeless persons by providing stability in homebuyer assistance and in rental assistance, in conjunction with support services; and

WHEREAS, the Texas Department of Housing and Community Affairs, HOME Investment Partnerships Program, has issued a Notice of Funding Availability for competitive grant funds, soliciting applications for special projects that provides grant funds to assist the homeless with rental assistance and homebuyer assistance; and

WHEREAS, the Environmental and Health Services Department has prepared an application for Tenant Based Rental Assistance and Homebuyer Assistance competitive grant funds to provide housing placement assistance and transitional rental assistance for the period October 1, 2007 through March 30, 2010 for homeless individuals with disabilities;

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 apply for and accept a grant from the Texas Department of Housing and Community Affairs for the provision of homebuyer assistance, housing placement, and transitional rental assistance for homeless individuals through the Homeless Services Program for the period October 1, 2007 through March 30, 2010 in an amount not to exceed $550,000.

Section 2. That the City Controller is hereby authorized to receive and deposit grant funds in Fund F154, Department EHS, Unit 0290, Revenue Source 6509, in an amount not to exceed $550,000.

Section 3. That the City Manager is hereby authorized to establish appropriations in Fund F154, Department EHS, Unit 0290, Object Code 3099, in an amount not to exceed $550,000.

Section 4. That the City Controller is hereby authorized to disburse grant funds from Fund F154, Department EHS, Unit 0290, Object Code 3099, in an amount not to exceed $550,000.
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.

DISTRIBUTION: Environmental and Health Services
City Attorney’s Office
Office of Financial Services, 4FN
KEY FOCUS AREA: Staff Accountability

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): 2

DEPARTMENT: Equipment & Building Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 45Q

SUBJECT

Authorize an increase in the contract with J. N. Kent Construction Company, Inc. for the replacement of the water damaged ceiling system in L2/A/North at City Hall located at 1500 Marilla Street - $44,307, from $487,364 to $531,671 - Financing: Current Funds

BACKGROUND

The original contract authorized the construction of renovation and upgrade of technology at the Emergency Operations Center. Change Order #1 was an administrative action that consisted of minor electrical, lighting, drywalls and hardware changes to the base contract scope of work. This action, Change Order #2, will reconstruct the grid and ceiling, reset existing heating, ventilation and air conditioning supply grilles and new lights in L2/A/North. Water infiltration in Room L2/A/North of City Hall required abatement of asbestos mastic at the ceiling and demolition of water damaged gypsum board walls, ceiling tile and grid.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the original construction contract on September 27, 2006 by Resolution #06-2574.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction May 2007
Complete Construction July 2007

FISCAL INFORMATION

$44,307 - Current Funds
**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**J. N. Kent Construction Company, Inc.**

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<thead>
<tr>
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<th>Male</th>
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<tbody>
<tr>
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<tr>
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<td>Other</td>
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<td>0</td>
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<tr>
<td>White</td>
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</table>

**OWNER(S)**

**J. N. Kent Construction Company, Inc.**

George Kent, President

**MAP**

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with J. N. Kent Construction Company, Inc. for the replacement of the water damaged ceiling system in L2/A/North at City Hall located at 1500 Marilla Street - $44,307, from $487,364 to $531,671 - Financing: Current Funds

J. N. Kent Construction Company, Inc., is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

<table>
<thead>
<tr>
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<th>Amount</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>Local contracts</td>
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<td>100.00%</td>
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<tr>
<td>Non-local contracts</td>
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<td>TOTAL THIS ACTION</td>
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<td>100.00%</td>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

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<th>Local</th>
<th>Certification</th>
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<th>Percent</th>
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<tbody>
<tr>
<td>Garland Heating and Air Conditioning</td>
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<td>$8,900.00</td>
<td>20.09%</td>
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<td>Total Minority - Local</td>
<td></td>
<td>$8,900.00</td>
<td>20.09%</td>
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Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

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<th></th>
<th>This Action</th>
<th>Participation to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amount</td>
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<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$8,900.00</td>
<td>20.09%</td>
</tr>
<tr>
<td>Asian American</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
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<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
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<td>0.00%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$8,900.00</strong></td>
<td><strong>20.09%</strong></td>
</tr>
</tbody>
</table>
WHEREAS, on September 27, 2006, Council authorized a construction contract for the renovation and upgrade of technology at the Emergency Operations Centers located at 1500 Marilla by Resolution #06-2574; and,

WHEREAS, on January 31, 2007, Change Order No. 1 to the construction contract with J. N. Kent Construction Company, Inc. for design modifications, increasing the contract from $474,838 to $487,364 was authorized by Administrative Action #07-0409; and,

WHEREAS, it is now desirable to authorize Change Order No. 2 to the contract with J. N. Kent Construction Company, Inc., for the replacement of the water damaged ceiling system in L2/A/North at City Hall;

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 Change Order No. 2 to the contract with J. N. Kent Construction Company, Inc., for the replacement of the water damaged ceiling system in L2/A/North at City Hall after it has been approved as to form by the City Attorney.

Section 2. That the City Manager is hereby authorized to disburse funds in accordance with the terms and provisions of the contract from:

Current Funds
Fund 0001, Department EBS, Unit 3064, Act. EB07
Obj. 3210, Program #06DC010, CT #EBS0227CT53
Vendor #500626 in an amount not to exceed $44,307

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.

Distribution: Equipment & Building Services, Sheila Singleton, 6BN
Office of Financial Services, 4FN
City Attorney
SUBJECT

Authorize (1) the acceptance of a grant from the ExxonMobil Foundation to provide funding for employment, training and basic education services to Dallas youth in the amount of $265,000; (2) the implementation of the Summer Youth Program for low- to moderate-income youth ages 16 and above, and certain costs for students and supervisor wages, supplies training, and materials for the period of April 25, 2007 to August 25, 2007, in the amount of $237,000; and (3) an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component in the amount of $28,000 - Total not to exceed $265,000 - Financing: 2007 ExxonMobil Foundation Grant Funds

BACKGROUND

For the past twenty-five years, the ExxonMobil Foundation has provided funds for employment and training services for Dallas youths. The City of Dallas has again been awarded summer youth program funds from the ExxonMobil Foundation. Eligible youths are recruited citywide and must have family incomes consistent with Community Development Block Grant guidelines for low and moderate-income households. The goal of the ExxonMobil program is to provide a meaningful work experience and education assistance that will benefit 100 youth. The Dallas County Community College District's El Centro College will provide basic educational services. The educational component of the program is called the ExxonMobil Academy. Through the ExxonMobil Academy, participants receive traditional and computer-assisted instruction to improve academic skills in reading, writing and math in preparation for the next school year.

The cornerstone of the program is the youth work experience. The work experience component benefits the youths and community at large. For the fifteenth summer, participating youths will construct four single-family homes for purchase by low-income first-time homebuyers.
BACKGROUND (continued)

In conjunction with the Housing Department's Nonprofit Development Division, a Community Housing Development Organization (CHDO) will coordinate and manage the construction of four single-family homes. Over the last twenty-five years, the students have built 27 single family homes.

Private lenders participate by making construction loans available to the CHDO. ExxonMobil Foundation funds the students' wages, with a small percentage of funds used for additional construction costs and tools.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

This item has no prior action.

FISCAL INFORMATION

2007 ExxonMobil Foundation Grant Funds - $265,000

OWNER(S)

ExxonMobil Foundation

Gerald McElvy, President
WHEREAS, the ExxonMobil Foundation has donated funds each year for the past twenty-five years for the provision of summer employment opportunities for economically disadvantaged youths; and

WHEREAS, the ExxonMobil Foundation has made $265,000 available for a Dallas youth employment program in the summer of 2007; and

WHEREAS, the ExxonMobil Foundation and the City of Dallas agree that basic and remedial educational services and construction technology will improve the academic skills of youth being served through the grant; and

WHEREAS, the Dallas County Community College District has agreed to provide the services needed to improve the academic and work skills of youth being served through the grant; and

WHEREAS, the generosity of the ExxonMobil Foundation through its contributions has allowed the City to expand services to youth; 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 accept the grant from the ExxonMobil Foundation in the amount of $265,000 for employment, training and basic education services to Dallas youth and the implementation of the Summer Youth Program for low-to moderate-income youth ages 16 and above, and certain costs for students and supervisor wages, supplies training, and materials for the period of April 25, 2007 to August 25, 2007.

Section 2. That the City Controller be and is hereby authorized to deposit grant funds received into Fund 0857, Dept HOU, Unit 9765, Revenue Source 8428.

Section 3. That the City Manager is authorized to establish appropriations in Fund 0857, Dept HOU, Unit 9765, in an amount not to exceed $265,000.

Section 4. That the City Controller be and is hereby authorized to disburse funds according to the attached Schedule A.

Section 5. That, upon approval as to form by the City Attorney, the City Manager is hereby authorized to execute an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic educational component as a part of the 2007 ExxonMobil Summer Youth Program in an amount not to exceed $28,000.
Section 6. That the City Controller be authorized to encumber and disburse ExxonMobil Foundation funds as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Dept</th>
<th>Unit</th>
<th>Object</th>
<th>Encumbrance</th>
<th>Vendor</th>
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<tr>
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<td>HOU</td>
<td>9765</td>
<td>3099</td>
<td>CT HOU9765F034</td>
<td>256009</td>
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Section 7. 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.

DISTRIBUTION:
Housing Department
City Attorney’s Office
Office of Financial Services/Community Development, 4FN
## SCHEDULE A
### 2005 EXXONMOBIL SUMMER YOUTH PROGRAM
**Fund 0857, Agency HOU, Org. 9765**

<table>
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<tr>
<td>1306 Medicare</td>
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<tr>
<td>1308 Deferred Compensation</td>
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<tr>
<td>1311 Unemployment Insurance</td>
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<td>1314 Worker’s Compensation</td>
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**TOTAL (1000)**  
$211,000.00

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<tr>
<td>2231 Clothing</td>
<td>$3,500.00</td>
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<td>2232 Food Supplies</td>
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<td>2280 Other Supplies</td>
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<td>2310 Building Materials</td>
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**TOTAL (2000)**  
$10,405.00

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<td>3040 Medical Laboratory (Med Alert)</td>
<td>$2,250.00</td>
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<td>3060 Van Rental</td>
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<tr>
<td>3320 Landscaping Services</td>
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<tr>
<td>3361 Professional Development</td>
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<tr>
<td>3410 Equipment Rental</td>
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**TOTAL (3000)**  
$15,595.00

**GRAND TOTAL**  
$237,000.00
KEY FOCUS AREA: Neighborhood Quality of Life

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): 3

DEPARTMENT: Office of Cultural Affairs

CMO: Charles W. Daniels, 670-3390

MAPSCO: 54T

SUBJECT

Authorize a contract for the design and fabrication of a site-specific artwork for the new Fire Station No. 33 located at the intersection of Vernon Avenue and Illinois Avenue - Graphic Content, Inc. - Not to exceed $38,488 - Financing: 2003 Bond Funds

BACKGROUND

The City of Dallas Public Art Ordinance provides that all appropriations for city capital improvement projects shall include an amount equal to 1.5% (or .75%) of the total capital improvement project appropriation to be used for the design services of artists and for the creation of artworks for new city facilities (Dallas City Code Article X, SEC. 2-103.(a)).

The public art project for the new Fire Station No. 33 was included in the list of 2003 Bond Program public art projects approved by City Council on October 13, 2004, Resolution No. 04-2933. Artist firm Graphic Content, Inc. (lead artist Art Garcia) was selected and approved by the Public Art Committee and the Cultural Affairs Commission.

ESTIMATED SCHEDULE OF PROJECT

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<tr>
<td>Complete Design</td>
<td>June 2007</td>
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<tr>
<td>Begin Fabrication</td>
<td>July 2007</td>
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<tr>
<td>Complete Fabrication</td>
<td>May 2008</td>
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PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)


The Quality of Life Committee was briefed on March 26, 2007.
FISCAL INFORMATION

$38,488 – 2003 Bond Funds

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Graphic Content, Inc.

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

OWNER(S)

Graphic Content, Inc.

Art Garcia, President

MAP

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a contract for the design and fabrication of a site-specific artwork for the new Fire Station No. 33 located at the intersection of Vernon Avenue and Illinois Avenue - Graphic Content, Inc. - Not to exceed $38,488 - Financing: 2003 Bond Funds

Graphic Content, Inc. a local, minority firm, has not signed the "Good Faith Effort" documentation. Due to the specific nature of public art projects, it is normal practice for commissioned artist to control the project to ensure the fidelity of the concept and aesthetic quality of the final work. Artist for public art projects are selected via processes outlined in the City of Dallas Cultural Policy.

PROJECT CATEGORY: Other Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$38,488.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$38,488.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors
None

Non-Local Contractors / Sub-Contractors
None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$0.00</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Total</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs, working with the Public Art Committee, has identified a public art project to complement the new Fire Station No. 33 located at the intersection of Vernon Avenue and Illinois Avenue; and

WHEREAS, funding for this project was approved by City Council on October 13, 2004, Resolution No. 04-2933; and

WHEREAS, the artist selection process was carried out in conformity with the City’s Public Art Ordinance and Cultural Policy, and Graphic Content, Inc. was selected for the project; and

WHEREAS, the artist’s proposal has been reviewed and approved by the City’s Public Art Committee and Cultural Affairs Commission; and

WHEREAS, $38,488 is now currently available from 2003 Bond Funds to support the design and fabrication of a site-specific artwork for the new Fire Station No. 33 located at the intersection of Vernon Avenue and Illinois Avenue;

Now, Therefore,

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

SECTION 1. That the City Manager be authorized to execute a contract with Graphic Content, Inc. to design and fabricate a site-specific artwork for the new Fire Station No. 33 located at the intersection of Vernon Avenue and Illinois Avenue, after approval as to form by the City Attorney.

SECTION 2. That the City Controller be authorized to pay the amount of $38,488 from 2003 Bond Funds as follows:

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>ACTV</th>
<th>OBJ</th>
<th>PROGRAM #</th>
<th>ENCUMBRANCE #</th>
<th>VENDOR #</th>
</tr>
</thead>
<tbody>
<tr>
<td>6R41</td>
<td>PBW</td>
<td>PA09</td>
<td>PUBA</td>
<td>4425</td>
<td>PB03R940</td>
<td>PBW03PA09G1</td>
<td>514189</td>
</tr>
</tbody>
</table>

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.

DISTRIBUTION

Office of Cultural Affairs, Eric McGehearty, Majestic Theater
Public Works, Pankaj Shah, 320 E. Jefferson Blvd Room 211
City Attorney, 7DN
KEY FOCUS AREA: Neighborhood Quality of Life

AGENDA DATE: April 25, 2007
COUNCIL DISTRICT(S): 3
DEPARTMENT: Office of Cultural Affairs
CMO: Charles W. Daniels, 670-3390
MAPSCO: 43T

SUBJECT

Authorize a contract for the fabrication and installation of a site-specific public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road - Meridian Energy Systems, Inc. - Not to exceed $123,000 - Financing: 2003 Bond Funds

BACKGROUND

The City of Dallas Public Art Ordinance provides that all appropriations for city capital improvement projects shall include an amount equal to 1.5% (or .75%) of the total capital improvement project appropriation to be used for the design services of artists and for the creation of artworks for new City facilities (Dallas City Code Article X, SEC. 2-103.(a).

On November 8, 2000, Resolution No. 00-3440, funding for the design phase of the Dallas Animal Shelter public art project was approved by City Council, and the construction phase was approved on October 13, 2004, Resolution No. 04-2933. Artist Brad Goldberg was selected, and the contract for the design phase was approved by City Council on September 24, 2003, Resolution No. 03-2532.

Throughout the course of the design phase for the Animal Shelter the artist worked in collaboration with the architect in the design of a site specific public art project consisting of constructed wetlands feature for on-site treatment and re-use of water used in cleaning the animal holding areas. A component of the artist's design is the installation of a wind turbine power system that will create a balance between the energy it produces and the energy used in the water recycling system. It will also provide a visual icon seen from the adjacent highway.

Meridian Energy Systems, Inc. has been identified as the most qualified contractor to fabricate and install the site-specific public art project. Meridian Energy Systems, Inc. was approved by the Public Art Committee and the Cultural Affairs Commission.
ESTIMATED SCHEDULE OF PROJECT

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Begin fabrication</td>
<td>May 2007</td>
</tr>
<tr>
<td>Complete fabrication</td>
<td>May 2007</td>
</tr>
<tr>
<td>Begin Installation</td>
<td>May 2007</td>
</tr>
<tr>
<td>Complete Installation</td>
<td>July 2007</td>
</tr>
</tbody>
</table>

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)


City Council authorized a professional services contract for the design phase on September 24, 2003, by Resolution No. 03-2532.

City Council authorized a construction contract for the facility on February 22, 2006, by Resolution No. 06-0649.

The Quality of Life Committee was briefed on March 26, 2007.

FISCAL INFORMATION

$123,000 – 2003 Bond Funds

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Meridian Energy Systems, Inc.

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>13</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>2</td>
</tr>
</tbody>
</table>

OWNER(S)

Meridian Energy Systems, Inc.

Andrew McCalla, President

MAP

Attached
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a contract for the fabrication and installation of a site-specific public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road - Meridian Energy Systems, Inc. - Not to exceed $123,000 - Financing: 2003 Bond Funds

Meridian Energy Systems, Inc. a non-local, non-minority firm, has not signed the "Good Faith Effort" documentation. Due to the specific nature of public art projects, it is normal practice for commissioned artist to control the project to ensure the fidelity of the concept and aesthetic quality of the final work. Artist for public art projects are selected via processes outlined in the City of Dallas Cultural Policy.

PROJECT CATEGORY: Other Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

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<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$123,000.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$123,000.00</td>
<td>100.00%</td>
</tr>
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</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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<tr>
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<td>0.00%</td>
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<tr>
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<tr>
<td>WBE</td>
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<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
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<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs, working with the Public Art Committee, has identified a public art project to complement the new Dallas Animal Shelter located at 1818 N. Westmoreland Road; and

WHEREAS, funding for this project was approved in the 1998 Bond Program Public Art Plan by City Council on November 8, 2000, Resolution No. 00-3440; and

WHEREAS, funding for this project was also approved in the 2003 Bond Program Public Art Plan by City Council October 13, 2004, Resolution No. 04-2933; and

WHEREAS, the design phase has been completed and Meridian Energy Systems, Inc. has been selected to fabricate and install a site-specific public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road; and

WHEREAS, artist Brad Goldberg was authorized by City Council on September 24, 2003, Resolution No. 03-2532 to design a public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road; and

WHEREAS, $123,000 is now currently available from 2003 Bond Funds to support the fabrication and installation of a public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road;

Now, Therefore,

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

SECTION 1. That the City Manager be authorized to execute a contract for the fabrication and installation of a site-specific public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road, after approval as to form by the City Attorney.

SECTION 2. That the City Controller be authorized to pay the amount of $123,000 from 2003 Bond Funds as follows:

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>ACTV</th>
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<th>ENCUMBRANCE</th>
<th>VENDOR #</th>
</tr>
</thead>
<tbody>
<tr>
<td>3R46</td>
<td>PBW</td>
<td>PA05</td>
<td>PUBA</td>
<td>4425</td>
<td>PB03PA07</td>
<td>PBW03PA07G1</td>
<td>VS0000018912</td>
</tr>
</tbody>
</table>
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.

DISTRIBUTION

Public Works, Robert VanBuren, 320 E. Jefferson
Public Works, Rosemary Prichard, 320 E. Jefferson
Office of Cultural Affairs, Margaret Robinette, Majestic Theater
City Attorney, 7DN
KEY FOCUS AREA: Economic Development  
Neighborhood Quality of Life  
Public Safety & Homeland Security  
Staff Accountability

AGENDA DATE: April 25, 2007
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Financial Services
CMO: Dave Cook, 670-7804
MAPSCO: N/A

SUBJECT

Authorize (1) the preparation of plans for the issuance of $135,350,000 in General Obligation Bonds, Series 2007; and (2) the establishment of appropriations in an amount not to exceed $135,691,406 - Financing: This action has no cost consideration to the City

BACKGROUND

On November 7, 2006, voters approved a $1,353,520,000 bond program. City Council authorization is required to begin preparations for the sale of these general obligation bonds on May 23, 2007 or June 13, 2007. Delivery of the proceeds is estimated to be June 26, 2007 or July 17, 2007.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Finance, Audit & Accountability Committee was briefed on April 9, 2007.

FISCAL INFORMATION

This action has no cost consideration to the City.

M/WBE INFORMATION

The City will request all bidders to provide minority and women-owned business enterprise participation information. This information will be provided prior to the May 23, 2007 or June 13, 2007 City Council meeting.

See Attachment I
### Estimate of Total Bond Issuance Costs and M/WBE Participation

<table>
<thead>
<tr>
<th>Description</th>
<th>Vendor Details</th>
<th>Cost</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Co-Bond Counsel</strong></td>
<td>Vinson &amp; Elkins (Vendor #341246)</td>
<td>$101,500</td>
<td>29.7%</td>
</tr>
<tr>
<td></td>
<td>West &amp; Associates (Vendor #330805)</td>
<td>45,303</td>
<td>13.3%</td>
</tr>
<tr>
<td><strong>Co-Financial Advisors</strong></td>
<td>First Southwest Company (Vendor #193056)</td>
<td>61,926</td>
<td>18.1%</td>
</tr>
<tr>
<td></td>
<td>Estrada Hinojosa - (Vendor #259910)</td>
<td>41,284</td>
<td>12.1%</td>
</tr>
<tr>
<td><strong>Out-of-Pocket Expenses</strong></td>
<td>First Southwest Company (Vendor #193056)</td>
<td>10,000</td>
<td>2.9%</td>
</tr>
<tr>
<td><strong>Official Statement Typing</strong></td>
<td>First Southwest Company (Vendor #193056)</td>
<td>1,500</td>
<td>0.4%</td>
</tr>
<tr>
<td><strong>Official Statement Printing</strong></td>
<td>Munoz Printing Co. (Vendor #129044)</td>
<td>8,000</td>
<td>2.3%</td>
</tr>
<tr>
<td><strong>Rating Agencies</strong></td>
<td>Moody's Investors Service (Vendor #951236)</td>
<td>26,393</td>
<td>7.7%</td>
</tr>
<tr>
<td></td>
<td>Standard &amp; Poor's (Vendor #954974)</td>
<td>28,000</td>
<td>8.2%</td>
</tr>
<tr>
<td><strong>Auditor</strong></td>
<td>KPMG L.L.P. (Vendor #092122)</td>
<td>8,000</td>
<td>2.3%</td>
</tr>
<tr>
<td><strong>Filing Fee</strong></td>
<td>Attorney General (Vendor #344989)</td>
<td>9,500</td>
<td>2.8%</td>
</tr>
<tr>
<td><strong>Total Issuance Costs</strong></td>
<td></td>
<td>$341,406</td>
<td>100%</td>
</tr>
</tbody>
</table>

Total M/WBE Participation as % of Total Issuance Costs: 27.7%
COUNCIL CHAMBER

April 25, 2007

WHEREAS, the adopted capital improvement programs currently underway and/or scheduled require issuance of $135,350,000 of voter approved general obligation bonds for various capital purposes; and

WHEREAS, the issuance of $135,350,000 general obligation bonds is the first sale of general obligation bonds authorized by the voters on November 7, 2006 bond program; and

WHEREAS, it is desired to proceed with the preparatory work necessary to issue bonds through a competitive sale on May 23, 2007 or June 13, 2007; 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 proceed with the necessary preparations for the sale of not more than $135,350,000 General Obligation Bonds, Series 2007, with such sale to occur on May 23, 2007 or June 13, 2007.

Section 2. That the City Manager is authorized to appropriate $135,691,406 in accordance with Attachment II.

Section 3. That the City Manager, the City's Co-Financial Advisors, and the City's Co-Bond Counsel are hereby authorized and directed to prepare an Official Statement with respect to such bonds and to take such other action and prepare such other documents as are necessary and incidental to the issuance, sale and delivery of the bonds.

Section 4. That the City Manager be and is hereby authorized to use the previously contracted professional services of First Southwest Company and Estrada Hinojosa & Company, Inc. as co-financial advisors for the proposed bond sale. If the bonds are issued, payment for the advisory services and out-of-pocket expenses of First Southwest Company (Vendor #193056) are estimated to be $73,426 and payment for the advisory services and out-of-pocket expenses of Estrada Hinojosa & Company, Inc. (Vendor #259910) are estimated to be $41,284 and shall be made from the interest earnings on the bond proceeds.
Section 5. That the City Manager be and is hereby authorized to use the previously contracted professional services of Vinson & Elkins L.L.P. and West & Gooden, P.C. as co-bond counsel in connection with the sale and delivery of the bonds. If the bonds are issued, payment for the opinion of Vinson & Elkins L.L.P. (Vendor #341246) shall be at the rate of $1.00 per $1,000 increment of bonds issued plus an hourly rate of $90.00 to $250.00 for services rendered by individual attorneys (estimated to be $101,500), and shall be made from the interest earnings on the bond proceeds. If the bonds are issued, payment for the opinion of West & Gooden, P.C. (Vendor #330805) shall be at the rate of $0.15 per $1,000 increment of bonds issued plus an hourly rate of $90.00 to $225.00 for services rendered by individual attorneys (estimated to be $45,303), and shall be made from the interest earnings on the bond proceeds.

Section 6. That the City Manager be and is hereby authorized to obtain bond ratings from Moody's Investors Service (Vendor #951236) and from Standard & Poor's, Inc. (Vendor #954974) in connection with the sale of the bonds. If the bonds are issued, payment for the bond ratings are estimated to be $54,393 and shall be made from the interest earnings on the bond proceeds.

Section 7. That the City Manager be and is hereby authorized to use the previously contracted professional services of KPMG L.L.P. to obtain an independent auditor's consent letter in connection with the sale and delivery of the bonds. If the bonds are issued, payment for the services of KPMG L.L.P. (Vendor #092122) are estimated to be $8,000 and shall be made from the interest earnings on the bond proceeds.

Section 8. That the City Manager be and is hereby authorized to use Munoz Printing Co. to print and mail official statements. If the bonds are issued, payment for the services of Munoz Printing Co. (Vendor #129044) are estimated to be $8,000 and shall be made from the interest earnings on the bond proceeds.

Section 9. That the City Controller be and is hereby authorized to make payment to U.S. Bank Trust N.A. for services provided as paying agent/registrar with respect to the bonds at an annual cost of $200 plus mailing expenses from the General Fund 0001, Dept BMS, Unit 1125, Object 3537, (Vendor # 355655) if the bonds are issued.

Section 10. That the City Manager is authorized and directed to file an Official Statement with respect to such bonds and prepare such other documents as are necessary and incidental to the issuance, sale and delivery of the bonds with the Attorney General; and that the City Controller be and is hereby authorized to make the payment for filing with the Attorney General’s office prior to receiving the Bond Proceeds (no later than May 18, 2007 or June 8, 2007). The cost is estimated to be $9,500 and shall be made from the General Fund 0001, Department BMS, Unit 1125, Object 3537, Encumbrance Number CT SP07 GO AG FEE, Vendor 344989 and shall be reimbursed with bond proceeds.
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.

DISTRIBUTION:

Office of Financial Services, Administration, 4FN
"ATTACHMENT II"

The following amounts are hereby appropriated from the following funds indicated:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street &amp; Transportation Improvements Fund (6T22)</td>
<td>$ 36,869,104</td>
</tr>
<tr>
<td>Flood Protection and Storm Drainage Facilities Fund (6T23)</td>
<td>44,002,103</td>
</tr>
<tr>
<td>Park and Recreation Facilities Fund (6T00)</td>
<td>32,555,888</td>
</tr>
<tr>
<td>Library Facilities Fund (6T42)</td>
<td>3,322,940</td>
</tr>
<tr>
<td>Cultural Arts Facilities Fund (6T49)</td>
<td>10,463,786</td>
</tr>
<tr>
<td>City Hall, City Service and City Maintenance Facilities Fund (6T60)</td>
<td>827,081</td>
</tr>
<tr>
<td>Economic Development in the Southern Area of the City Fund (6T52)</td>
<td>1,642,864</td>
</tr>
<tr>
<td>Public Safety Facilities Fund (6T33)</td>
<td>6,007,640</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 135,691,406</strong></td>
</tr>
</tbody>
</table>
KEY FOCUS AREA: Neighborhood Quality of Life

AGENDA DATE: April 25, 2007
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Financial Services
CMO: Dave Cook, 670-7804
MAPSCO: N/A

SUBJECT

A resolution (1) authorizing a commitment to fund up to 25% of incremental cost of undergrounding approximately 0.7 miles of the proposed TXU Electric Delivery 345 kilovolt electric West Levee to Norwood transmission line from the West Levee switching station to approximately Sylvan Avenue; and (2) directing the City Manager to include such funding in future budgets as appropriate - Financing: This action has no cost consideration to the City

BACKGROUND

The City of Dallas is a party to a Public Utility Commission of Texas ("PUC") administrative proceeding (PUC docket no. 32455) involving the application of TXU Electric Delivery ("TXU") for a certificate of convenience and necessity for a proposed 345 kilovolt electric transmission line within the City of Dallas (the "Proceeding"). The proposed transmission line would connect the West Levee switching station in Dallas with the Norwood switching station in Irving. TXU Electric Delivery and the City of Dallas have worked for several years to determine the best routing for the proposed transmission line. The Dallas City Council approved a locally preferred route for the transmission line. The City of Dallas has provided testimony in the case.

In the Proceeding, the City has sought, among other relief, an order of the PUC eliminating or limiting any cost to the City of undergrounding approximately 0.7 miles of the Transmission Line in the vicinity of the West Levee switching station and Sylvan Avenue in furtherance of the City’s Trinity River Project (the "Underground"). TXU has consistently represented and it has been accepted in the Proceeding that the incremental cost of the Undergrounding will be $17,000,000. The administrative law judges ("ALJs") of the State Office of Administrative Hearings who heard evidence and argument in the Proceedings issued a proposal for decision ("PFD") on March 12, 2007, recommending that the PUC order that the City not have to share in the incremental costs of the Undergrounding.
BACKGROUND (continued)

At an open meeting of the PUC commissioners on April 12, 2007, whereat they considered the PFD in the Proceeding, there was substantial deliberation among the commissioners indicating that a majority of the commissioners would likely approve an order calling for the City to contribute twenty-five percent of the incremental cost of the undergrounding ($4,250,000), and the PUC tabled the final decision in this case until their next open meeting on, April 26, 2007 in order for the City to consider the funding of a portion of the costs.

This action would commit the City of Dallas to fund up to 25% of incremental cost of undergrounding approximately 0.7 miles of the proposed TXU Electric Delivery 345 Kilovolt electric West Levee to Norwood transmission line from the West Levee switching station to approximately Sylvan Avenue. Additionally, this action would direct the City Manager to include such funding in future budgets as appropriate. If approved, the remaining incremental undergrounding expense would be included in TXU Electric Delivery's system-wide rate base.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed in Closed Session on April 18, 2007.

FISCAL INFORMATION

This action has no cost consideration to the City.
WHEREAS, the City of Dallas is a party to a Public Utility Commission of Texas (“PUC”) administrative proceeding (PUC docket no. 32455) involving the application of TXU Electric Delivery (“TXU”) for a certificate of convenience and necessity for a proposed 345 kilovolt electric transmission line within the City of Dallas (the “Proceeding”), and that in the Proceeding the City has sought, among other relief, an order of the PUC eliminating or limiting any cost to the City of undergrounding approximately 0.7 miles of the Transmission Line in the vicinity of TXU’s West Switching Station and the Woodall-Rogers bridge across the Trinity River in furtherance of the City’s Trinity River Project (the “Undergrounding”);

WHEREAS, TXU has consistently represented and it has been accepted in the Proceeding and the City believes that the incremental cost of the Undergrounding will be $17,000,000;

WHEREAS, the administrative law judges (“ALJs”) of the State Office of Administrative Hearings who heard evidence and argument in the Proceedings on March 12, 2007, issued a proposal for decision (“PFD”) recommending that the PUC order that the City not have to share in the incremental costs of the Undergrounding;

WHEREAS, on April 12, 2007, at an open meeting of the PUC commissioners whereat they considered PFD in the Proceeding there was substantial preliminary discussion among the Commissioners indicating that a majority of the commissioners would likely approve an order calling for the City to contribute twenty-five percent of the incremental cost of the undergrounding ($4,250,000), and the PUC set the Proceeding over to April 26, 2007 in order to clarify the City’s intent in that regard; and

WHEREAS, interests of the City, its residents and businesses, and the region would best be served if the Undergrounding were approved and in order to assure that the PUC commissioners do so, Now, Therefore,

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

SECTION 1. That the City is committed to fund up to 25% of incremental cost of undergrounding approximately 0.7 miles of the proposed TXU Electric Delivery 345 Kilovolt electric West Levee to Norwood transmission line from the West Levee switching station to approximately Sylvan Avenue (described as Links A2, A1 and C in TXU-ED’s Application).

SECTION 2. That the City Manager is directed to dedicate sufficient funds to pay up to twenty-five percent of the incremental cost of the undergrounding in future budgets, as appropriate, if the PUC enters an order directing that TXU accomplish the Undergrounding and include the remaining portion of the incremental cost thereof in system-wide rate base.
SECTION 3. That the precise timing, procedures, sources, and other details of the funding shall be resolved by the City Manager in consultation with TXU subject to any further action required of the City Council within such time period as may be provided by the PUC.

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: Neighborhood Quality of Life

AGENDA DATE: April 25, 2007
COUNCIL DISTRICT(S): 7
DEPARTMENT: Park & Recreation
CMO: Paul D. Dyer, 670-4071
MAPSCO: 46-Q

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Oglesby-Greene Architects, Inc. to provide for the historical regulatory reviews and approvals, construction documents, design of exhibits and interpretive graphics, cost estimating, bidding, and construction administration services for the exterior and interior areas of the butterfly house, lobby, and offices for the Texas Discovery Gardens at Fair Park, Phase III, located at 3601 Martin Luther King, Jr., Boulevard - Not to exceed $492,490, from $24,999 to $517,489 - Financing: 1995 Bond Funds ($145,895) and 1998 Bond Funds ($346,595)

BACKGROUND

Previously, Texas Discovery Gardens had hired Oglesby-Greene Architects, Inc. for the design which included demolition and renovation of the ballroom and kitchen and the construction of new rest rooms for the Texas Discovery Gardens at Fair Park, Phase I. Texas Discovery Gardens has completed Phase I components, which included these amenities.

On April 19, 2006 (Administrative Action No. 06-1128), a contract was authorized with Oglesby-Greene, Inc. for the bidding and construction administration services for the improvements which included the facade restoration and landscaping at the front entry for the Texas Discovery Gardens at Fair Park, Phase II, in the amount of $24,999. Phase II was funded by the 2003 Bond Program and construction is in progress.

Funds are included in the 2006 Bond Funds for the construction of Phase III, which includes the butterfly house, lobby, and offices. This action would include the following scope of work:

- Historical regulatory reviews and approvals, including the City of Dallas Landmark Commission and the Texas Historical Commissions
- Construction documents
BACKGROUND (Continued)

- Design of exhibits and interpretive graphics
- Cost estimating
- Bidding and construction administration services

These items total $492,490, making a revised contract amount of $517,489.

ESTIMATED SCHEDULE OF PROJECT

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>Begin Design</td>
<td>May 2007</td>
</tr>
<tr>
<td>Complete Design</td>
<td>October 2007</td>
</tr>
<tr>
<td>Begin Construction</td>
<td>February 2008</td>
</tr>
<tr>
<td>Complete Construction</td>
<td>June 2009</td>
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</table>

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized approval of plans and specifications for Phase II on March 5, 2005.

The Park and Recreation Board authorized Supplemental Agreement No. 1 on April 5, 2007.

FISCAL INFORMATION

- 1995 Bond Funds - $145,895
- 1998 Bond Funds - $346,595

<table>
<thead>
<tr>
<th>Contract Type</th>
<th>Amount</th>
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<tr>
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<td>Supplemental Agreement No. 1</td>
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Oglesby-Greene Architects, Inc.

<table>
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<tr>
<th>Ethnicity</th>
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<td>White Female</td>
<td>2</td>
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<tr>
<td>Hispanic Male</td>
<td>1</td>
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OWNERS

Oglesby-Greene Architects, Inc.

Joe McCall, President
Graham Greene, Vice President

MAP

Attached
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with Oglesby-Greene Architects, Inc. to provide for the historical regulatory reviews and approvals, construction documents, design of exhibits and interpretive graphics, cost estimating, bidding, and construction administration services for the exterior and interior areas of the butterfly house, lobby, and offices for the Texas Discovery Gardens at Fair Park, Phase III, located at 3601 Martin Luther King, Jr., Boulevard - Not to exceed $492,490, from $24,999 to $517,489 - Financing: 1995 Bond Funds ($145,895) and 1998 Bond Funds ($346,595)

Oglesby-Greene Architects, Inc. is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

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<td>Abadi Accessibility</td>
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<td>KJM &amp; Associates</td>
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Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

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<td><strong>Total</strong></td>
<td><strong>$39,225.00</strong></td>
<td><strong>7.96%</strong></td>
</tr>
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</table>
Texas Discovery Gardens
Fair Park
Council District 7

3601 Martin Luther King Jr. Blvd.
Mapsco # 46Q
WHEREAS, previously, Texas Discovery Gardens had hired Oglesby-Greene, Inc. for the design which included demolition and renovation of the ballroom and kitchen and the construction of new rest rooms for the Texas Discovery Gardens at Fair Park, Phase I; and

WHEREAS, Texas Discovery Gardens has completed Phase I components, which included demolition and renovation of the ballroom and kitchen, and the construction of new rest rooms at Fair Park; and

WHEREAS, on April 19, 2006 (Administrative Action 06-1128), authorized a contract with Oglesby-Greene, Inc. for the bidding and construction administration services for the improvements to the exterior, front entry and lawn areas for the Texas Discovery Gardens at Fair Park, Phase II in the amount of $24,999; and

WHEREAS, it is now desired to enter into Supplemental Agreement No. 1 with Oglesby-Greene, Inc. to provide design for the historical regulatory reviews and approvals, construction documents, design of exhibits and interpretive graphics, cost estimating, bidding, and construction administration services for the exterior and interior areas of the butterfly house, lobby, and offices for the Texas Discovery Gardens at Fair Park, Phase III located at 3601 Martin Luther King, Jr., Boulevard, in the amount of $492,490, making a revised contract amount of $517,489.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Supplemental Agreement No. 1 to the professional services contract with Oglesby-Greene, Inc. to provide design for the historical regulatory reviews and approvals, construction documents, design of exhibits and interpretive graphics, cost estimating, bidding, and construction administration services for the exterior and interior areas of the butterfly house, lobby, and offices for the Texas Discovery Gardens at Fair Park, Phase III in the amount of $492,490, making a revised contract amount of $517,489, be hereby approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager be authorized to execute the contract with Oglesby-Greene, Inc., after approval as to form by the City Attorney's Office.
SECTION 3. That the City Controller be and is hereby authorized to pay the amount of $492,490 to Oglesby-Greene, Inc., as follows:

1995 Neighborhood Park and Recreation Facilities Fund 0L00, Department PKR, Unit L774, Object 4112, Activity SUAR, Program PKDISCOV, CT-PKR06018810, Commodity 92500, Vendor 332593 $4,891

1995 Neighborhood Park and Recreation Facilities Fund 0M00, Department PKR, Unit L774, Object 4112, Activity SUAR, Program PKDISCOV, CT-PKR06018810, Commodity 92500, Vendor 332593 $58,210

1995 Neighborhood Park and Recreation Facilities Fund 0N00, Department PKR, Unit L774, Object 4112, Activity SUAR, Program PKDISCOV, CT-PKR06018810, Commodity 92500, Vendor 332593 $82,794

1998 Park, Playground, Recreation and Community Facilities Fund 0P00, Department PKR, Unit K304, Object 4112, Activity SUAR, Program PKDISCOV, CT-PKR06018810, Commodity 92500, Vendor 332593 $129,638

1998 Park, Playground, Recreation and Community Facilities Fund 8P00, Department PKR, Unit K304, Object 4112, Activity SUAR, Program PKDISCOV, CT-PKR06018810, Commodity 92500, Vendor 332593 $5,676

1998 Park, Playground, Recreation and Community Facilities Fund 9P00, Department PKR, Unit K304, Object 4112, Activity SUAR, Program PKDISCOV, CT-PKR06018810, Commodity 92500, Vendor 332593 $103,666

1998 Park, Playground, Recreation and Community Facilities Fund 1P00, Department PKR, Unit K304, Object 4112, Activity SUAR, Program PKDISCOV, CT-PKR06018810, Commodity 92500, Vendor 332593 $107,615

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: Public Safety & Homeland Security

AGENDA DATE: April 25, 2007
COUNCIL DISTRICT(S): All
DEPARTMENT: Police
City Manager's Office
CMO: Ryan S. Evans, 670-3302
Mary K. Suhm, 670-5306
MAPSCO: N/A

SUBJECT
Authorize a twelve-month professional services agreement with Professional Development Institute, a non-profit corporation, located on the campus of the University of North Texas in Denton, for consultant services for the development of a real-time, intelligence-based, fusion center to serve as an information and intelligence hub for the North Central Texas Urban Area for the period of December 15, 2006 through December 31, 2007 - Not to exceed $150,000 - Financing: 2005-06 Urban Area Security Initiative Grant Funds

BACKGROUND
The City of Dallas desires to develop a real-time, intelligence-based, fusion center within the Dallas Police Department to serve as an information and intelligence hub for the North Central Texas Urban Area. The primary purpose of the fusion center will be to collect, evaluate, collate, analyze, report and disseminate intelligence relating to potential all-hazard and all-crime threats confronting the Dallas - North Texas Region. To develop this fusion center, professional consulting services will be provided by the Professional Development Institute, a non-profit corporation located on the campus of the University of North Texas in Denton, Texas, and its principal contractor for this agreement, Dr. Robert W. Taylor. The City realizes and agrees that Consultant and its principal contractor for this agreement are involved in the business of criminal justice education, public administration and legal consulting, criminal justice agency training, and general management consulting.

The consulting services rendered to the City will include direct assistance in coordinating the planning activities within the Dallas Police Department, examining the structural and resource requirements for the Fusion Center, conducting a comprehensive information needs analysis and working to establish compatibility with newly planned and existing information technologies. Consultants will assist in providing new training and curricula in crime and threat analysis for the Dallas Police Department personnel, as the Fusion Center develops.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 16, 2007, the Public Safety Committee was briefed.

FISCAL INFORMATION

$150,000 - 2005-06 Urban Area Security Initiative Grant Funds
WHEREAS, the City of Dallas desires to enter into a professional services agreement with the Professional Development Institute, a non-profit corporation located on the campus of the University of North Texas in Denton, Texas, as the Consultant, to develop a real-time, intelligence-based, fusion center located in the Dallas Police Department to serve as an information and intelligence hub for the North Central Texas urban Area for the period of December 15, 2006 through December 31, 2007, and

WHEREAS, the Consultant has the special knowledge and abilities in the areas of intelligence gathering and analysis, international and domestic terrorism, fusion center development, criminal justice, survey research, operational analysis, public administration, management consulting, and police services; and

WHEREAS, it is in the best interest of the City of Dallas to enter into this professional services agreement; 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 a twelve-month professional services agreement with the Professional Development Institute (VC00000002334), a non-profit corporation, located on the campus of the University of North Texas in Denton, Texas for consultant services for the development of a real-time, intelligence-based, fusion center to serve as an information and intelligence hub for the North Central Texas Urban Area, in an amount not to exceed $150,000 upon approval as to form by the City Attorney, for the period of December 15, 2006 through December 31, 2007.

Section 2. That the City Controller be and is hereby authorized to disburse funds, subject to annual appropriation in periodic payments of funding by the City Council, from the following appropriation, in an amount not to exceed $150,000

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>OBJECT</th>
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</table>

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 & Homeland Security

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Ryan S. Evans, 670-3302

MAPSCO: N/A

SUBJECT

Authorize (1) the application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period of May 21, 2007 through June 3, 2007, in the amount of $90,000 (2) a City contribution of pension and Federal Insurance Contributions Act costs in the amount of $25,398, and (3) execution of the grant agreement – Total not to exceed $115,398 – Financing: Current Funds ($25,398) and Texas Department of Transportation Grant Funds ($90,000)

BACKGROUND

The Texas Department of Transportation provides grant funds from the National Highway Traffic Safety Administration for local law enforcement agencies to provide enforcement actions targeting injury and fatality accidents. The Comprehensive Step Grant was awarded to the City of Dallas for fiscal year 2006-2007 in October 2006, in the amount of $1,200,000.00. This grant provides funding for the reimbursement of officer overtime salaries in the enforcement of Driving While Intoxicated laws, as well as a traffic enforcement plan targeting speeding, safety belt and red light violations. The City of Dallas has been the recipient of such grants from the Texas Department of Transportation for many years.

As a part of the overall traffic safety plan from the Texas Department of Transportation, separate grants called “wave grants” are available for grantees throughout the grant year targeting specific violations. The Impaired Driver Mobility (IDM) grant was awarded to the City of Dallas earlier this year targeting Driving While Intoxicated violators during four specific periods of time when there are traditionally a high number of accidents involving these violators. The “Click-It or Ticket” wave grant of $90,000.00 will provide for the reimbursement of overtime salaries for officers and supervisors enforcing safety belt violations throughout the City of Dallas from May 21-June 3, 2007. The grant is fully funded; however, the City will incur $25,398 in expenses for pension and FICA costs that is associated with the overtime expenditures.
**BACKGROUND** (Continued)

This enforcement action follows a national public service campaign stressing the importance of the proper use of safety belts and child safety seats. The non-use of safety belts was a factor in over 50% of traffic fatalities the past two years. The sites selected for enforcement action have been surveyed for compliance with the safety belt ordinance and all have a high incidence of non-compliance. Post initiative surveys of targeted areas have shown a compliance rate of over 90% in the past three years of the Click-It or Ticket campaign in the City of Dallas.

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

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on March 27, 2002 by Resolution No. 02-1095.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on November 13, 2002 by Resolution No. 02-3216.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on April 9, 2003 by Resolution No. 03-1205.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on November 12, 2003 by Resolution No. 03-3109.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on April 28, 2004 by Resolution No. 04-1456.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on May 11, 2005 by Resolution No. 05-1477.

Authorized an application for and acceptance of the “Click It or Ticket” Overtime Enforcement grant from the Texas Department of Transportation for a safety belt initiative on April 26, 2006 by Resolution No. 06-1219.

On April 16, 2007, the Public Safety and Homeland Security Committee was briefed.

**FISCAL INFORMATION**

$90,000 – Texas Department of Transportation Grant Funds
$25,398 – Current Funds
WHEREAS, the Texas Department of Transportation has made the “Click It or Ticket” Overtime Enforcement grant funds available for overtime salaries for a safety belt enforcement initiative for the period May 21, 2007 through June 3, 2007; and

WHEREAS, the “Click It or Ticket” Overtime Enforcement grant will provide $90,000; and

WHEREAS, the City of Dallas contributes pension and FICA costs of $25,398; and

WHEREAS, it is in the best interest of the City of Dallas to apply for and accept such funding; Now Therefore,

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

Section 1. That the City Manager or designee be and is hereby authorized to apply for and accept the “Click It or Ticket” Overtime Enforcement grant in the amount of $90,000 and execute the grant agreement.

Section 2. That the City Manager be authorized to establish the appropriation in the "Click It or Ticket" Overtime Enforcement grant fund in the amount of $90,000, in Fund S186, Department DPD, Unit 0274, Object Code 3899.

Section 3. That the City Controller be authorized to deposit grant funds in the amount of $90,000 into Fund S186, Department DPD, Unit 0274, Revenue Source 6506.

Section 4. That the City Controller be authorized to transfer funds in an amount not to exceed $90,000 from Fund S186, Department DPD, Unit 0274, Object Code 3899 to Fund 0001, Department DPD, Unit 2127, Object Code 5011 after the expenditure of overtime in Fund 0001, Department DPD, Unit 2127, Object Code 1202.

Section 5. That in the event of the loss or misuse of funds, the grantee will return all funds to the Texas Department of Transportation, in full.

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.
SUBJECT

Authorize an increase in the contract with CORE Construction, Inc. to provide modifications caused by unforeseen site conditions concerning existing utility lines for the new South Central Police Station to be located at 1999 East Camp Wisdom Road - $36,515, from $10,516,305 to $10,552,820 - Financing: 2003 Bond Funds

BACKGROUND

In the 2003 Bond Program, the citizens of Dallas approved funding for the design and construction of a new South Central Police Station to be located near the northwest corner of Camp Wisdom and Lancaster Road.

On October 27, 2004, Resolution No. 04-3095 authorized the acceptance of a donation of five tracts of land from The Villages of Runyon Springs, for the site of the South Central Police Station.

On April 13, 2005, Resolution No. 05-1104 authorized a professional services contract with Perkins & Will - CRA, LLP to provide schematic design, design development, preparation of construction bid documents, bid evaluation and construction administration for the South Central Police Station.

On June 28, 2006, Resolution No. 06-1792 authorized a contract with CORE Construction, Inc., for the construction of the new South Central Police Station. The new 38,000 s.f. station will house up to 400 officers and operate as a multiple shift, 24-7 facility. Construction will include a fuel dispensing area and a secondary public roadway.
**BACKGROUND** (Continued)

On December 13, 2006, Resolution 06-3440 authorized Change Order No. 1 to the contract with CORE Construction, Inc. to provide for the relocation of water and wastewater lines for the South Central Police Station project, increasing the contract by $136,036.43.

As a part of construction, water must be brought to the site from a water line to the east, across Lancaster Road. Due to the fact that Lancaster Road is a State Highway, exact utility line locations have been difficult to verify. The tap location for the water line must be revised due to an existing storm sewer line on the east side of Lancaster Road and the piping must be re-routed to bypass an existing gas line on the west side of Lancaster Road.

This action will authorize Change Order No. 6 to the contract with CORE Construction, Inc. for the construction of the South Central Police Station to provide utility line modifications caused by unforeseen site conditions of the existing lines, increasing the contract in the amount of $36,514.48, from $10,516,304.85 to $10,552,819.33.

**ESTIMATED SCHEDULE OF PROJECT**

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<th>Event</th>
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<tr>
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<td>May 2006</td>
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<tr>
<td>Began Construction</td>
<td>August 2006</td>
</tr>
<tr>
<td>Complete Construction</td>
<td>August 2007</td>
</tr>
</tbody>
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**PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized acceptance of the site donation on October 27, 2004 by Resolution No. 04-3095.

Authorized a professional services contract on April 13, 2005 by Resolution No. 05-1104.

Authorized a construction contract on June 28, 2006 by Resolution No. 06-1792.

Authorized Change Order No. 1 to the construction contract on December 13, 2006 by Resolution No. 06-3440.
**FISCAL INFORMATION**

2003 Bond Funds - $36,514.48

- Design $1,262,419.00
- Supplemental Agreement No. 1 $3,800.00
- Construction $10,316,949.00
- Permit/Fees $24,817.00
- Testing (est.) $55,720.00 (est.)
- Furniture, Fixtures, & Equipment (est.) $600,000.00 (est.)
- Public Art $199,494.00
- Contingency $694,443.67
- Change Order Nos. 1-5 $199,355.85
- Change Order No. 6 (this action) $36,514.48

Total Project Cost $13,393,513.00 (est.)

**MWBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

CORE Construction, Inc.

- African-American Female 0  African-American Male 0
- Hispanic Female 0  Hispanic Male 42
- White Female 6  White Male 22
- Other Female 1  Other Male 3

**OWNER(S)**

CORE Construction, Inc.

Keith Roeschley, President
Marc Robertson, Executive Vice President

**MAP**

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with CORE Construction, Inc. to provide modifications caused by unforeseen site conditions concerning existing utility lines for the new South Central Police Station to be located at 1999 East Camp Wisdom Road - $36,515, from $10,516,305 to $10,552,820 - Financing: 2003 Bond Funds

CORE Construction, Inc. is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

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<td>TOTAL THIS ACTION</td>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

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<tr>
<td>Total</td>
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</table>
WHEREAS, on October 27, 2004, Resolution No. 04-3095 authorized acceptance of a site donated to the City of Dallas near the intersection of Camp Wisdom Road and Lancaster Road for a new South Central Police Station; and,

WHEREAS, in the 2003 Bond Program, the citizens of Dallas approved funding for the design and construction of a new South Central Police Station; and,

WHEREAS, on April 13, 2005, Council Resolution No. 05-1104 authorized a professional services contract with Perkins & Will - CRA, LLP to provide schematic design, design development, preparation of construction bid documents, bid evaluation and construction administration for the South Central Police Station in the amount of $1,262,419; and,

WHEREAS, the proposals were received and opened on May 11, 2006 and CORE Construction, Inc. was selected for the construction of the new South Central Police Station, and awarded a contract in an amount not to exceed $10,316,949; and,

WHEREAS, on December 13, 2006, Resolution No. 06-3440 authorized Change Order No. 1 to the contract with CORE Construction, Inc. to provide for the relocation of water and wastewater lines for the South Central Police Station in the amount of $136,036.43, from $10,316,949.00 to $10,452,985.43; and,

WHEREAS, on December 21, 2006, Administrative Action No. 06-3525 authorized Change Order No. 2 to the contract with CORE Construction, Inc. to provide for underground power supply to the facility in lieu of overhead, increasing the contract in the amount of $11,613.00, from $10,452,985.43 to $10,464,598.43; and,

WHEREAS, on January 10, 2007, Administrative Action No. 07-0225 authorized Change Order No. 3 to the contract with CORE Construction, Inc. to provide modifications to the electrical conduit and boxes and to furnish and install wire mold floor boxes at the front desk room, increasing the contract in the amount of $11,615.42, from $10,464,598.43 to $10,476,213.85; and,

WHEREAS, on February 9, 2007, Administrative Action No. 07-0556 authorized Change Order No. 4 to the contract with CORE Construction, Inc. to provide for underground conduit to accommodate cabling for security cameras, add to offices with doors and delete four open cubicle offices, increasing the contract in the amount of $15,093.00, from $10,476,213.85 to $10,491,306.85; and,

WHEREAS, on February 26, 2007, Administrative Action No. 07-0589 authorized Change Order No. 5 to the contract with CORE Construction, Inc. to provide additional length of drainage swale, increasing the contract in the amount of $24,998.00, from $10,491,306.85 to $10,516,304.85; and,
WHEREAS, it is now necessary to authorize an increase in the contract with CORE Construction, Inc. to provide modifications caused by unforeseen site conditions concerning existing utility lines for the new South Central Police Station to be located at 1999 East Camp Wisdom Road in the amount of $36,514.48, from $10,516,304.85 to $10,552,819.33.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to increase the contract with CORE Construction, Inc. to provide modifications caused by unforeseen site conditions concerning existing utility lines for the new South Central Police Station to be located at 1999 East Camp Wisdom Road in the amount of $36,514.48, from $10,516,304.85 to $10,552,819.33.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

<table>
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<th>Police Facilities Fund</th>
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<td>Fund 5R44, Department PBW, Unit R963, Act. POFA</td>
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<tr>
<td>Obj. 4310, Program #PB03R963, CT PBW03R963I1</td>
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<tr>
<td>Vendor #VS0000010088, in an amount not to exceed $36,514.48</td>
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</tbody>
</table>

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.

Distribution: Public Works and Transportation, Cheryl Nichols, OCMC, Room 101
Public Works and Transportation, Martha Welch, OCMC, Room 321
Police Department, Jan Adams, Jack Evans Police Headquarters, Room 2S134
City Attorneys Office
KEY FOCUS AREA: Trinity River

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): All

DEPARTMENT: Trinity River Corridor Project

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: Various

SUBJECT

Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with the North Texas Tollway Authority (NTTA) and Texas Department of Transportation to increase the escrow of City funds for disbursement to NTTA in order to continue with the next phase of work associated with the Trinity Parkway Environmental Impact Statement - $1,500,000, from $7,000,000 to $8,500,000 - Financing: 1998 Bond Funds

BACKGROUND

On November 18, 1998, Council authorized entering into an agreement with the North Texas Tollway Authority (NTTA) permitting the escrow of City funds, in the amount of $5 million, for disbursement by the NTTA to undertake the development of an Environmental Impact Statement (EIS) for the Trinity Parkway. NTTA contracted with Halff Associates to perform this work. On April 13, 2005, Council recommended the Combined-Modified (3B) alignment as the locally preferred alignment for the Trinity Parkway. On April 20, 2005, the NTTA Board of Directors voted to move forward with this alignment in the remaining EIS document process. On April 27, 2005, Council approved Supplemental Agreement No. 1 to the Interlocal Agreement with NTTA and TxDOT permitting an increase in the escrow of City funds for disbursement to NTTA to continue with the second phase of work associated with the Trinity Parkway Environmental Impact Statement in the amount of $2,000,000, from $5,000,000 to $7,000,000.

In order to address concerns expressed by the U.S. Army Corps of Engineers (Corps) regarding the proximity of the planned Trinity Parkway to the Trinity River Levees, it will be necessary for NTTA to further refine the Trinity Parkway Environmental Impact Statement, to possibly include two additional alignments or to modify two existing alignments. Other modifications to the EIS are also needed to incorporate 2030 demographic data set to provide additional federally required National Environmental Policy Act (NEPA) analysis, and additional geotechnical surveys and analysis.
BACKGROUND (Continued)

This action would authorize Supplemental Agreement No. 2 to the Interlocal Agreement with the North Texas Tollway Authority and TxDOT permitting an increase in the escrow of City funds for disbursement to NTTA to continue with the additional work associated with the Trinity Parkway Environmental Impact Statement in the amount of $1,500,000, increasing the escrow funding from $7,000,000 to $8,500,000. It is estimated that the additional funding will be sufficient to complete the process through the Record of Decision. However, it may be necessary for the City to provide supplemental funding to complete the process depending on the nature of any additional studies that may be mandated by the various resource agencies in order to secure their project approval. Additionally, this action would authorize deposit of any reimbursed funds or interest earnings pertaining to this project from NTTA to the City.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction October 2008
Complete Construction January 2013

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

Authorized the Trinity Parkway Corridor Major Transportation Investment Study conducted by the Texas Department of Transportation as the locally preferred plan on September 10, 1997, by Resolution No. 97-2918.

Authorized an agreement with NTTA permitting the escrow of $5 million for disbursement by the NTTA, for the development of the Trinity Parkway Environmental Impact Statement on November 18, 1998, by Resolution No. 98-3382.

Authorized NTTA to include “Combined Parkway – Modified” alternative in the Trinity Parkway Environmental Impact Statement on October 8, 2003, by Resolution No. 03-2763.

Authorized “Alternative 3B”, also referred to as the “Combined Parkway – Modified” alternative in the Trinity Parkway Environmental Impact Statement as the locally preferred alignment for the Trinity Parkway on April 13, 2005, by Resolution No. 05-1210.

Authorized Supplemental Agreement No. 1 to the Interlocal Agreement with NTTA and TxDOT permitting an increase in the escrow of City funds for disbursement to NTTA to continue with the second phase of work associated with the Trinity Parkway Environmental Impact Statement in the amount of $2,000,000, from $5,000,000 to $7,000,000 on April 27, 2005, by Resolution No. 05-1377.
FISCAL INFORMATION

1998 Bond Funds - $1,500,000

MAP

Attached.
WHEREAS, improved traffic mobility in this region may accelerate economic development, improve air quality, advance traffic safety, and generally enhance the quality of life for all residents; and,

WHEREAS, the North Texas Tollway Authority (the "NTTA"), at the request of the City of Dallas (the "City"), has initiated studies to evaluate the feasibility of the Trinity Parkway as a toll supported project and, as a component of those studies, has produced a Draft Environmental Impact Statement to assess the social, economic and environmental impacts associated with each alternative developed; and,

WHEREAS, as the City recognizes the value and necessity of the Trinity Parkway to stimulate, facilitate and sustain the diversity and vitality of local and regional economic development; and,

WHEREAS, the NTTA is in the process of seeking environmental approval for the Trinity Parkway through a tiered decision making process; and,

WHEREAS, with the completion of the Texas Department of Transportation’s Trinity Parkway Corridor Major Transportation Investment Study (MTIS) the City Council authorized Resolution No. 97-2918 on September 10, 1997, which endorsed the recommended Plan of Action; and,

WHEREAS, on April 13, 2005, the City Council which expressed the City Council’s recommended locally preferred alignment for the Trinity Parkway as “Alternative Alignment 3B”, also referred to as the Combined Parkway – Modified in the Draft Environmental Impact Statement by Resolution No. 05-1210; and,

WHEREAS, on April 20, 2005, the NTTA Board of Directors identified “Alternative Alignment 3B” as its locally preferred alternative; and,

WHEREAS, on April 27, 2005, the City Council authorized Supplemental Agreement No. 1 to the Interlocal Agreement with NTTA and TxDOT permitting an increase in the escrow of City funds for disbursement to NTTA to continue with the second phase of work associated with the Trinity Parkway Environmental Impact Statement in the amount of $2,000,000, from $5,000,000 to $7,000,000, by Resolution No. 05-1377; and,

WHEREAS, in order to address concerns expressed by the U.S. Army Corps of Engineers (Corps) regarding the proximity of the planned Trinity Parkway to the Trinity River Levees, it will be necessary for NTTA to further refine the Trinity Parkway Environmental Impact Statement, including the addition of two new alignments and other modifications in order to accommodate changes required by the Corps; and,
WHEREAS, it is now necessary for the City to provide an increase in the escrow of City funds for disbursement to NTTA in order to continue with the additional work associated with the Trinity Parkway Environmental Impact Statement.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into Supplemental Agreement No. 2 to the Interlocal Agreement with NTTA and TxDOT permitting an increase in the escrow of City funds for disbursement to NTTA in order to continue with the next phase of work associated with the Trinity Parkway Environmental Impact Statement in the amount of $1,500,000, from $7,000,000 to $8,500,000.

SECTION 2. That the City Manager is hereby authorized to execute Supplemental Agreement No. 2 after it has been approved as to form by the City Attorney.

SECTION 3. 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, Agency PBW, Unit N965, Activity TRPP
  - Object 4111, Encumbrance No. CT-PBW98N965C3-01
  - Vendor #237925, in an amount not to exceed $1,500,000

SECTION 4. That the City Controller is hereby authorized to deposit any reimbursed funds or interest earning received from the NTTA pertaining to this project in Fund 8P14, Agency PBW, Unit N965, Object 5023.

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.

Distribution: Trinity River Corridor Project, Rebecca Dugger, 6BS
City Attorney
KEY FOCUS AREA: Economic Development

AGENDA DATE: April 25, 2007
COUNCIL DISTRICT(S): 14
DEPARTMENT: Office of Economic Development
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 45K

SUBJECT

Fireman's Fund Insurance Company

* Authorize a 75 percent new business personal property tax abatement agreement for five years with Fireman's Fund Insurance Company and California State Teachers Retirement System located at 500 North Akard - Revenue: First year revenue estimated at $9,115; five-year revenue estimated at $45,575 (Estimated revenue foregone for five-year abatement estimated at $136,725)

* Authorize a four-year economic development grant agreement with Fireman's Fund Insurance Company related to the company's expansion and job creation at 500 North Akard - Not to exceed $25,000 annually for a total not to exceed $100,000 - Financing: Public/Private Partnership Program Funds

BACKGROUND

City staff has been in negotiations with Fireman's Fund Insurance Company (Fireman's) to retain and expand its presence in Downtown Dallas. The company has been considering consolidating its field offices and potentially relocating its employees out of Dallas. Currently, Fireman's has 175 existing employees at Bryan Tower in Dallas but will add a minimum of 275 new employees. Fireman’s will be investing $5,000,000 in new business personal property and $7,000,000 in tenant improvements. Fireman's will lease 125,000 square feet on a 13 year lease. The service center will provide a variety of functions including underwriting support, marketing, and billing and policy processing.

Fireman's Fund Insurance Company is a national property and casualty insurer headquartered in California. The company provides commercial insurance coverage to small to mid-sized businesses as well as personal insurance coverage to the homeowner's market. Fireman's Fund has maintained a Dallas presence for over 50 years.
**BACKGROUND (continued)**

Staff is recommending an economic development grant not to exceed $100,000 ($25,000 in 2007, 2008, 2009 and 2010) from Public/Private Partnership Funds and a five-year abatement of 75 percent of the value of new business personal property (estimated forgone revenue of $136,725).

The California State Teachers Retirement System is included as a contracting party to the proposed agreement pursuant to Chapter 312 of the Tax Code which requires the owner of the real property to be a participant in the tax abatement agreement.

This Fireman’s project creates/retains 450 jobs in Downtown Dallas which exceeds the minimum requirement of 250 jobs to be eligible under the Public/Private Partnership Program criteria.

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

This item has no prior action.

**FISCAL INFORMATION**

Revenue: First year revenue estimated at $9,115; five year revenue estimated at $45,575 (Estimated revenue foregone for five-year abatement estimated at $136,725)

Public/Private Partnership Program Funds - $25,000 annually for a total not to exceed $100,000

**MAP**

Attached.
WHEREAS, the City of Dallas recognizes the importance of its role in local economic development; and

WHEREAS, on April 12, 2006, the City Council elected to continue its participation in tax abatement and established by Resolution No. 06-1105 appropriate Public/Private Partnership Program Guidelines and Criteria governing tax abatement and economic development grant agreements to be entered into by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act"); and

WHEREAS, pursuant to Section 32.2011, the Property Redevelopment and Tax Abatement act provides that the designation of an area as an enterprise zone under the Texas Enterprise Zone Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and

WHEREAS, the City desires to enter into a business personal property tax abatement with Fireman’s Fund Insurance Company for job creation and business personal property improvements located at 500 North Akard.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized, upon approval as to form by the City Attorney, to execute a 75 percent new business personal property tax abatement agreement for five years with Fireman’s Fund Insurance Company and California State Teachers Retirement System.

Section 2. That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

Section 3. That the property which will be described in the tax abatement agreement, attached hereto as Exhibit A (Metes and Bounds) and depicted on the attached site map as (Map - the "Property"), is located within a State of Texas Enterprise Zone.

Section 4. That the tax abatement agreement shall provide, among other provisions, the following:

(a) The Property subject to tax abatement shall be located entirely within a Texas enterprise zone in the City of Dallas, Texas.

(b) None of the Property subject to tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.
Section 4 (continued)

(c) That the development of the Property will conform to all requirements of the City's zoning ordinance, and that the use of the Property is consistent with the general purpose of encouraging development or redevelopment in the reinvestment zone during the period the tax abatement is in effect.

(d) The City will grant Fireman's Fund Insurance Company a 75 percent abatement of the added value to the business personal property for a period of five-years for property located at 500 North Akard as provided in Exhibit A (Metes and Bounds).

(e) That the job creation/retention requirement of the tax abatement agreement will be 450 jobs and that the required investment in real property improvements will be $7,000,000.

(f) A description of the kind, number, location and costs of all proposed improvements to the Property.

(g) That access to the Property will be provided to allow for the inspection by City inspectors and officials to ensure that the improvements or repairs are made according to the specification and terms of the tax abatement agreement.

(h) That Property tax revenue lost as a result of the tax abatement agreement will be recaptured by the City if job creation/retention numbers are not made as provided by the tax abatement agreement.

(i) A requirement that the owner of the Property certify annually to the governing body of each taxing unit that the owner is in compliance with each applicable term of the agreement.

(j) That the City of Dallas may terminate or modify the agreement if the property owner fails to comply with the agreement.

(k) That the tax abatement agreement shall be personal to Fireman's Fund Insurance Company and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

Section 5. That this resolution take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Distribution: Office of Economic Development - Tenna Kirk, 5CS
Office of Economic Development - David Henley, 5DN
City Attorney's Office - Barbara Martinez
Exhibit A

TRACT 1:

A tract or parcel of land situated in the City of Dallas, Dallas County, Texas; and being part of the John Grigaby Survey, Abstract No. 495; and also being part of City Block 234 and all of City Block 235 of the Bullington's Addition as recorded in Volume 32, Page 83 of the Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a point for corner at the intersection of the southwesterly right-of-way line of North Ervay Street (60 foot right-of-way) with the southeasterly right-of-way line of San Jacinto Street (64 foot right-of-way);

THENCE South 44° 19' 15" East along the said southwesterly right-of-way line of North Ervay Street a distance of 282.71 feet to a point for corner in the northerly right-of-way line of Patterson Avenue (50 foot right-of-way);

THENCE South 45° 24' 45" West along the said northerly right-of-way line of Patterson Avenue a distance of 271.94 feet to a point for corner in the northwesterly right-of-way line of North Akard Street (60 foot right-of-way);

THENCE North 13° 40' 00" West along the said northwesterly right-of-way line of North Akard Street a distance of 330.09 feet to a point for corner in the said southeasterly right-of-way line of San Jacinto Street;

THENCE North 45° 50' 45" East along the said southeasterly right-of-way line of San Jacinto Street a distance of 103.65 feet to the POINT OF BEGINNING and containing 53,182 square feet, more or less, or 1.2209 acres.

TRACT 2:

COMMENCING at a point for corner at the intersection of the southeasterly right-of-way line of North Ervay Street (60 foot right-of-way) with the northwesterly right-of-way line of Patterson Avenue (50 foot right-of-way);

THENCE North 44° 19' 15" West along the said northwesterly right-of-way line of North Ervay Street a distance of 73.78 feet to the POINT OF BEGINNING;

THENCE North 44° 19' 15" West continuing along the said northwesterly right-of-way line of North Ervay Street a distance of 117.00 feet to a point for corner;

THENCE North 45° 40' 45" East a distance of 8.10 feet to a point for corner;

THENCE South 44° 19' 15" East a distance of 117.00 feet to a point for corner;

THENCE South 45° 40' 45" West a distance of 8.10 feet to the POINT OF BEGINNING and containing 0.0218 acre, more or less.
WHEREAS, the City of Dallas recognizes the importance of its role in local economic development; and

WHEREAS, on April 12, 2006, the City Council elected to continue its participation in tax abatement and established by Resolution No. 06-1105 appropriate Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered into by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act"); and

WHEREAS, on April 12, 2006, the City Council elected to continue its participation in economic development grants per Chapter 380 of the Texas Local Government Code; and

WHEREAS, pursuant to Section 32.2011, the Property Redevelopment and Tax Abatement act provides that the designation of an area as an enterprise zone under the Texas Enterprise Zone Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and

WHEREAS, the City desires to enter into an economic development grant agreement with Fireman's Fund Insurance Company for job creation located at 500 North Akard.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized, upon approval as to form by the City Attorney, to execute a four-year economic development grant with Fireman's Fund Insurance Company related to the company's expansion and job creation at 500 North Akard - Not to exceed $25,000 annually for a total not to exceed $100,000.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed $100,000 from Fund 0352, Department ECO, Unit 9992, Object 3562, Activity PPPF, Encumbrance No. ECO9992G044, Vendor No. VC0000002679.

Section 3. That this resolution take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Distribution: Office of Economic Development - Tenna Kirk, 5CS
Office of Economic Development - David Henley, 5DN
City Attorney's Office - Barbara Martinez
KEY FOCUS AREA: Economic Development

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): 3, 6

DEPARTMENT: Office of Economic Development

CMO: A. C. Gonzalez, 670-8925

MAPSCO: 43Y 43Z 44Q-U

SUBJECT

Authorize (1) a public hearing to be held on June 13, 2007, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and Dallas Independent School District, to receive comments to consider the creation of a tax increment financing reinvestment zone for the Fort Worth Avenue area (Fort Worth Avenue TIF District) 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 hearing, (2) consideration of an ordinance creating the Fort Worth Avenue TIF District - Financing: No cost consideration to the City.

BACKGROUND

This action is to authorize a public hearing to hear comments and consider the proposed Fort Worth Avenue TIF District on June 13, 2007. The Fort Worth Avenue TIF District represents the efforts of the Fort Worth Avenue Development Group (FWADG) and the City to assist in implementing the vision for a vibrant mixed-use corridor that connects downtown and the Trinity River to stable neighborhoods in North Oak Cliff and capitalizes on a future DART Light Rail Line planned for the area. The impetus for the proposed TIF District came from the Fort Worth Avenue Development Group, a group of residents, business and property owners that worked with the City on a Visioning and Conceptual Land Use Plan and the creation of a Planned Development District (PD 714).

The proposed District encompasses the neighborhood on the western edge of the planned Commerce Avenue Calatrava bridge and spans to Fort Worth Avenue past Hampton to Westmount. The TIF District would facilitate the redevelopment of vacant and underutilized properties and the creation of a mixed-income neighborhood with supporting retail and improved pedestrian connections. DART has included a future rail line for the area in its recent 2030 Plan.

During the 22 year term of the proposed TIF District, additional taxable value attributed to new private investment is projected at $1,262,184,358.
BACKGROUND (continued)

TIF collections would begin in 2009 and it is anticipated that the $62,183,280 TIF budget will be reached within 18 years.

The potential public improvements, based on an estimated budget of approximately $62,183,280 (2008 dollars) would include:

- Public infrastructure improvements (water, wastewater, storm, paving, streetscape, utility burial/relocation, and land acquisition)
- Environmental remediation & demolition
- Facade restoration
- Parks, open spaces, trails & gateways
- Grants for high density projects

The Tax Increment Financing ("TIF") Act requires that the City provide all taxing units with a minimum of 60-days notice prior to the public hearing that precedes the establishment of a reinvestment zone for tax increment financing unless a waiver of this requirement is granted by the governing bodies of both the county and school district. Staff has requested waivers from Dallas County and the Dallas Independent School District and anticipates that the waiver will be granted. This action authorizes the public hearing and directs City staff to give 60-days notice, if a waiver is not granted, to each taxing unit in the proposed Fort Worth Avenue TIF District, and directs City staff to give notice of the public hearing in a newspaper having general circulation in the City.

The action to set the public hearing date and to notify other taxing units does not commit the City to create the TIF zone.

The preliminary reinvestment zone financing plan for the Fort Worth Avenue TIF District consists of a program of public improvements, under the authority of the TIF Act, which is intended to stimulate private investment that would not otherwise occur.

After the close of the public hearing the City shall consider an ordinance creating a TIF reinvestment zone for the Fort Worth Avenue area to be known as "Tax Increment Financing Reinvestment Zone X, City of Dallas, Texas" (also referred to as the Fort Worth Avenue TIF District). State Law requires TIF reinvestment zones for the City to be numbered consecutively based on the date the zone is created, accordingly, the zone number for the Fort Worth Avenue TIF District will be assigned at the time the ordinance is approved. It is anticipated that the ordinance will provide for the Fort Worth Avenue TIF District to terminate after 22 years or on the date that all project costs have been paid in full, whichever occurs first.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 16, 2007, the Economic Development and Housing Committee was briefed on policy initiatives for proposed new Fort Worth Avenue TIF District.

FISCAL INFORMATION

No cost consideration to the City
WHEREAS, the City of Dallas desires to promote the development and redevelopment of the Fort Worth Avenue area by creating a tax increment financing ("TIF") reinvestment zone, (the "Fort Worth Avenue TIF District"), pursuant to the Tax Increment Financing Act, Chapter 311 of the Tax Code as amended, (the "Act"); and

WHEREAS, on February 23, 2005, the City Council approved Criteria for Evaluating Potential TIF Districts as a policy tool for the Area Redevelopment Program by Resolution No. 05-0745; and

WHEREAS, City Council finds that the Fort Worth Avenue area (as shown in Exhibit A) substantially impairs the sound growth of the municipality and that development or redevelopment of the district would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, in accordance with the Act, the City must hold a public hearing on the creation of the proposed Fort Worth Avenue TIF District and its benefits to the City and to property in the proposed district; and

WHEREAS, the Act further requires the City to notify the other taxing jurisdictions which levy real property taxes in the proposed Fort Worth Avenue TIF District of its intent to establish the reinvestment zone at least sixty (60) days prior to holding a public hearing regarding the creation of the Zone, unless the 60-day requirement is waived by the county and school district and to publish notice of the hearing in a newspaper having general circulation in the City.

NOW, THEREFORE,

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

Section 1. That pending the receipt of waivers for the 60-day requirement for notice from the governing bodies of Dallas County and Dallas Independent School District prior to June 13, 1007, a public hearing is authorized to be held before the City Council on June 13, 2007, for the purpose of receiving public comment on the creation of a TIF reinvestment zone for the proposed Fort Worth Avenue TIF District and its benefits to the City and to property in the proposed reinvestment zone.

Section 2. That the City Council finds the recitals above to be true and correct.

Section 3. That if such waivers are not received by June 13, 2007, this public hearing shall be deferred to a date that is 60 days after the date notice was sent.

Section 4. That a preliminary reinvestment zone financing plan has been evaluated in accordance with the statutory criteria prescribed by the Act and the approved criteria in Resolution No. 05-0745.
Section 5. That after the close of the public hearing the City shall consider an ordinance creating a Tax Increment Financing Reinvestment Zone, City of Dallas, Texas, to be known as the Fort Worth Avenue TIF District.

Section 6. That the boundaries for the Fort Worth Avenue TIF District are shown on the map attached hereto as Exhibit A and the preliminary reinvestment zone financing plan, showing the tentative plans for development of the zone, and an estimate of the general impact of the proposed zone on property values and tax revenue for the Fort Worth Avenue TIF District is attached hereto as Exhibit B.

Section 7. That the City Manager is hereby directed to obtain waivers for the 60-day notice requirement from the governing bodies of Dallas County and Dallas Independent School District and unless such waivers are granted by Dallas County and Dallas Independent School District, this hearing shall be deferred to a date that is 60 days after written notice was provided to each of the taxing jurisdictions that the City intends to establish the reinvestment zone, and requesting that each taxing unit designate within 15 days after receiving such notice a representative to meet with the City Council, or the Council's designated representative, to discuss the preliminary reinvestment zone financing plan, as required by the Act.

Section 8. That not later than the seventh (7) day before the date of the public hearing, the City Manager shall cause notice of the public hearing to be published in a newspaper having general circulation in the City.

Section 9. That the City Manager or her designee is authorized to act on behalf of the City Council to undertake all other preliminary preparations and actions in accordance with the Act including notice to the taxing jurisdictions, the formal presentations of the TIF Project Plan to the governing bodies of the Dallas County and Dallas Independent School District and meeting with the designated representatives of each of the taxing units levying real property taxes in the proposed reinvestment zone.

Section 10. 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.

Distribution: Office of Economic Development – Tenna Kirk, 5CS
City Attorney's Office - Barbara Martinez
City Attorney's Office - Sarah Hasib
Fort Worth Avenue
Tax Increment Financing District

Project Plan
&
Reinvestment Zone Financing Plan

May 23, 2007
Acknowledgements

The Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan was prepared by the City of Dallas, Office of Economic Development, based on a preliminary plan prepared by the Fort Worth Avenue Development Group. The Office of Economic Development wishes to acknowledge the efforts of everyone who contributed to the development of this plan, including the following organizations and individuals:

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Fort Worth Avenue Development Group
Monte Anderson, Property and Business Owner
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Section 1 - Project Plan

Background

The Fort Worth Avenue Tax Increment Financing (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 corridor provides great views of downtown as well as direct access between downtown Dallas and residential and commercial areas to the west which touch both West Dallas and North Oak Cliff. With some notable exceptions where property has been redeveloped, many of the existing multi-family and commercial buildings in the corridor are reaching structural obsolescence. Older retail centers do not adequately serve the needs of the community due to dated facilities, design, lack of pedestrian amenities, adequate signage and parking, and difficulties in tenant recruitment. Public infrastructure in the corridor is lacking and the existing six lane thoroughfare is not optimally utilized.

The Fort Worth Avenue TIF District (the “District”) was proposed in April 2007 to assist in creating a more sustainable mix of rental and for-sale residential property in the Fort Worth Avenue area. This shift will help 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 facilitate necessary environmental remediation and redevelopment of the property near the Trinity River and downtown Dallas, as well as better trail and recreational connections.

The Fort Worth Avenue TIF District includes and is bounded by the West Commerce Street bridge on the east and follows West Commerce Street to the West Commerce Street/Fort Worth Avenue fork located next to Pittman Street. At the fork, the Fort Worth Avenue TIF District follows Fort Worth Avenue to the intersection of Worth Avenue and Hartsdale. The property in the TIF District primarily fronts or is closely associated with either West Commerce or Fort Worth Avenue. A map of the Fort Worth Avenue TIF District, is included below (see Exhibit A). All property in the TIF District is contiguous and consistent with the economic objectives in this Plan. The District contains approximately 470 acres, not counting rights-of-way that the Dallas Central Appraisal District (DCAD) does not identify as land parcels.

A preliminary version of the Fort Worth Avenue TIF District is being initiated by the City of Dallas, pursuant to Section 311.005, Texas Tax Code as the Fort Worth Avenue area substantially impairs the sound growth of Dallas, retards the provision of housing accommodations, and constitutes an economic and social liability and is a menace to the public welfare due to a substantial number of substandard, deteriorating, and deteriorated structures and infrastructure. This preliminary plan, including the district boundaries, project plan, and financing plan, is the result the efforts of a collaborative of
neighborhood associations, Fort Worth Avenue corridor community leaders, and City staff.

Less than 10 percent of property in the District is currently being used for residential use with fewer than five living units.

The estimated taxable value of the zone for tax year 2007 is $79,188,488. This estimated base value is based on 2006 data from the Dallas Central Appraisal District and will be adjusted to match the tax roll certified in July 2007. It equates to 0.12% of the $64,793,508,959 (certified 2006) of taxable real property in the City of Dallas. Texas cities may not create a reinvestment zone if the total appraised value of taxable real property in the proposed zone and existing reinvestment zones exceeds 15% of the total appraised value of taxable real property in the municipality and any industrial districts created by the municipality. The value of the proposed zone and all other reinvestment zones in Dallas is beneath this statutory limit.

In addition, the appraised value of real property in this and all other Dallas TIF reinvestment zones combined is below the maximum threshold of 10 percent of the City’s tax base as set by the City’s Financial Management Performance Criteria (FMPC) as amended on April 11, 2007.

The proposed duration of the Fort Worth Avenue TIF District is 22 years. The TIF will begin on January 1, 2008, and it is scheduled to terminate December 31, 2029. 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. TIF collections will terminate once the TIF budget has been collected or December 31, 2029, whichever occurs first. Based on current development projections, the TIF budget is expected to be reached in 2026, after eighteen years of collections.
Exhibit A: Fort Worth Avenue TIF District Map
Development Goals and Objectives

The following development goals will meet the specific needs of the Fort Worth Avenue TIF District:

- **Goal 1** – To create additional taxable value attributed to new private investment in projects in the Fort Worth Avenue TIF District totaling approximately $1,250,000,000 over 14 years. A list of anticipated development projects is attached (see Exhibit B-1).

- **Goal 2** – To attract higher density new private development in the Fort Worth Avenue TIF District totaling approximately 1,032,910 square feet of retail space and 10,284,997 square feet of residential development including town home, multi-family, and single-family projects.

- **Goal 3** – To focus on encouraging the redevelopment of properties on the Fort Worth Avenue corridor and to increase density and provide enhanced urban design for the District (Exhibit A) that is commensurate with the Fort Worth Avenue Land Use Ordinance, adopted by Ordinance No. 25898 on February 23, 2005.

- **Goal 4** – To improve access and connections to the planned extension of the DART light rail system within the District.

- **Goal 5** – To increase recreational opportunities and improve connections to the City of Dallas trails and open space system in the District, especially the Trinity River.

- **Goal 6** – To maintain the stability of local schools as redevelopment occurs in the housing market.

- **Goal 7** – To generate approximately $62 million (NPV; 2008 dollars) in increment over 18 years of collections, with up to 85 percent participation by the City and 55 percent participation by the County.

- **Goal 8** – To diversify retail and commercial uses in the District.

The following specific objectives set the framework for the planned public improvements within the Fort Worth Avenue TIF District:

- Provide funding for land acquisition, environmental remediation and interior/exterior demolition assistance to encourage redevelopment of property within the Fort Worth Avenue TIF District.
• Upgrade basic infrastructure including streetscape improvements, utilities, storm drainage, and water/wastewater lines to support redevelopment in the District.

• Improve the pedestrian environment through sidewalk improvements, landscaping, lighting, design standards, and burial of overhead utilities, including improved pedestrian connection between and throughout park facilities and future facilities in the district.

• Develop programs to assist in the retention of families in the corridor that may be displaced as a result of TIF-related renovations to find housing in the area.

• Provide funding for school facility improvements or modifications in response to changing enrollment patterns resulting from development and redevelopment along the corridor.

• Coordinate linkages with the planned DART light rail line by extending streetscape improvements to create enhanced pedestrian areas adjacent to the planned line.

• Direct overall development of the Fort Worth Avenue TIF District through the application of design guidelines for public improvements and private development consistent with the regulations set forth in PD 714.

• Encourage development of new residential and retail uses to complement the District.

• Develop a grant program to promote greater density in the corridor.

The Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan (the “Project Plan”) provides a long term plan to replace and upgrade the infrastructure and encourage redevelopment of underutilized property in the Fort Worth Avenue TIF District. The public improvements enumerated in the Project Plan provide for $62,183,280 (net present value) worth of public infrastructure improvements; environmental remediation and demolition; parks, open space, trails and gateways; façade restoration; grants for high density projects; and administration. Tax increment financing will be used to pay for these improvements.

Certain costs of improvements, as further discussed herein, are eligible for funding with tax increment revenues under legislative actions taken in 2005. These improvements enumerated in the Project Plan may be implemented in the form of loans or grants of TIF revenues, subject to final construction plans, for costs associated with dense redevelopment, particularly on irregularly shaped and small lots as found in the district. The cost to provide adequate density on these lots includes expensive parking structures and other considerations, which increase the cost of development. The City will enact and implement controls sufficient to ensure that any grant funds provided will
be used to fulfill the public purposes of developing and diversifying the economy of the Fort Worth Avenue TIF District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

This plan is intended to encourage private development and public infrastructure improvements thereby improving the economic factors for redeveloping the Fort Worth Avenue TIF District.
Exhibit B-1: Fort Worth Avenue TIF District List of Anticipated Development Projects

<table>
<thead>
<tr>
<th>#</th>
<th>Development</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Film Production Studios Mixed Use</td>
<td>NW corner of W Commerce &amp; Hardwick</td>
</tr>
<tr>
<td>2</td>
<td>Dallas RV Park redevelopment</td>
<td>SW corner of W Commerce &amp; Haslett / 2200 Haslett</td>
</tr>
<tr>
<td>3</td>
<td>ATS Tire Store redevelopment</td>
<td>SW corner of W Commerce &amp; Pittman</td>
</tr>
<tr>
<td>4</td>
<td>Mission Motel redevelopment</td>
<td>SE corner of W Commerce &amp; Eastus</td>
</tr>
<tr>
<td>5</td>
<td>Postal Credit Union redevelopment</td>
<td>SE corner of FWA &amp; Yorktown / 641 Yorktown</td>
</tr>
<tr>
<td>6</td>
<td>Dallas Central Post Office</td>
<td>NW corner of I30 &amp; Hardwick / 2121 Hardwick</td>
</tr>
<tr>
<td>7</td>
<td>Trinity River redevelopment Ph I</td>
<td>Bounded by Commerce, Beckley, I-30 and Hardwick</td>
</tr>
<tr>
<td>8</td>
<td>Trinity River redevelopment Ph II</td>
<td>Bounded by Commerce, Beckley, I-30 and Hardwick</td>
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<td>9</td>
<td>Trinity River redevelopment Ph III</td>
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<td>Trinity River redevelopment Ph IV</td>
<td>Bounded by Commerce, Beckley, I-30 and Hardwick</td>
</tr>
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<td>11</td>
<td>Trinity River redevelopment Ph V</td>
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</tr>
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<td>12</td>
<td>Dilbeck Center Mixed Use</td>
<td>835-1027 Fort Worth</td>
</tr>
<tr>
<td>13</td>
<td>Villas @ Dilbeck Court</td>
<td>NE corner of Mobile &amp; Malone</td>
</tr>
<tr>
<td>14</td>
<td>Willomet Residential</td>
<td>SE corner of FWA &amp; Winnetka</td>
</tr>
<tr>
<td>15</td>
<td>Castle Residential</td>
<td>SE corner of FWA &amp; Clinton</td>
</tr>
<tr>
<td>16</td>
<td>Kessler View Mixed Use</td>
<td>SE corner of FWA &amp; Edgefield</td>
</tr>
<tr>
<td>17</td>
<td>Western Heights Mixed Use</td>
<td>NW corner of FWA &amp; Windomere</td>
</tr>
<tr>
<td>18</td>
<td>Moxie Mixed Use</td>
<td>SE corner of FWA &amp; Navaro</td>
</tr>
<tr>
<td>19</td>
<td>Paradise Mixed Use</td>
<td>SE corner of FWA &amp; Vilbig</td>
</tr>
<tr>
<td>20</td>
<td>360 Mixed Use</td>
<td>SE corner of FWA &amp; I30</td>
</tr>
<tr>
<td>21</td>
<td>Pound Ridge Residential</td>
<td>Dallas Police Car Pound / 1675 Vilbig</td>
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<td>22</td>
<td>La Reunion Town Center</td>
<td>2300 and 2201 FWA</td>
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<tr>
<td>23</td>
<td>Stevens Park Place Mixed Use</td>
<td>NW corner of FWA &amp; Jacqueline / 2519-2821 FWA</td>
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<tr>
<td>24</td>
<td>La Reunion Town Center (senior living)</td>
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</table>

Note: The anticipated development projects listed above are subject to market conditions and may change over time both in terms of product type and location. The projected value of the above projects and the unspecified infill development is estimated in Exhibit H.
Description of Fort Worth Avenue TIF District

The Fort Worth Avenue TIF District is generally bounded by commercial and multifamily residential properties along the Fort Worth Avenue corridor between the Trinity River and Hartsdale Avenue. Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way, measured from the reinvestment zone. Boundaries that approximate property lines shall be construed as following such property lines (see Exhibit A).

The District contains approximately 470 acres, not counting rights-of-way that the Dallas Central Appraisal District (DCAD) does not identify as land parcels.

Appendix A identifies all real property accounts within the Fort Worth Avenue TIF District boundary, according to 2007 Dallas Central Appraisal District records. Parcels identified as outparcels in Exhibit A are not within the TIF District unless the boundaries are further amended in accordance with the law. The base value of the District is the total appraised value of all taxable real property in the District as determined by the Dallas Central Appraisal District certified tax roll for 2007.

The estimated real property taxable value of all taxable real property within the Fort Worth Avenue TIF District for tax year 2007 is $79,188,448. This estimated base value is based on 2006 data from DCAD and will be adjusted to match the tax roll when certified in July 2007.

Existing Uses

The Fort Worth Avenue TIF District encompasses underutilized and/or deteriorated commercial, residential, and multifamily residential properties along the Fort Worth Avenue corridor. A significant number of the existing uses are pre-existing non-conforming uses. The District is a mixed-use area, primarily composed of existing industrial and commercial structures, vacant and abandoned office structures, surface parking lots, and undeveloped property. Exhibit C shows the existing conditions for the area within the Fort Worth Avenue TIF Boundary (for specific parcels included in the TIF District refer to Exhibit A, the TIF Boundary Map).
Exhibit C: Fort Worth Avenue TIF District Existing Conditions

Aging Motor Courts

Coombs Creek

Existing Auto-Related Uses
**Existing Zoning**

The Fort Worth Avenue area is generally governed by Planned Development District 714.

**Market Feasibility**

The predominant land use in the planned Fort Worth Avenue TIF District development program is for-sale residential units and mixed-use development. If built as planned, this development will create a more sustainable balance of residential and non-residential uses in the district. In addition, the residential development should also drive the demand for new retail space in the corridor, as well as mitigate the presence of pre-existing, non-conforming businesses.

Therefore, the market feasibility evaluation conducted by city staff in April, 2007 showed that by creating a more sustainable mix of residential and conforming business uses, the residential and retail development markets will expand and enable property value in the area to increase. This analysis was made in accordance with the provisions of Section 311.011 of the Texas Tax Code.

Focused discussions with neighborhood leaders have indicated that there is an unmet demand for for-sale town homes and condominiums in the area. Despite this perceived demand for alternative housing types, the cost of converting an existing apartment complex to an alternative use is prohibitive without some form of public assistance for infrastructure.

Additionally, neighborhood leaders have expressed a long felt need for better retail and an expanded offering of goods and services that better meets the needs of the community. Similarly, despite this perceived demand, the cost of converting existing non-conforming uses to conforming uses is prohibitive without some form of public subsidy for infrastructure improvements.

While the appeal of the Fort Worth Avenue area has led to the redevelopment of a few projects, most notably Home Depot and the Belmont hotel, a comprehensive redevelopment effort has not occurred throughout the district.

In addition, the planned expansion of the DART light rail system to the area has facilitated the demand for a multi-faceted, self-sustaining, destination neighborhood center where shopping, professional services, recreation, and suitable entertainment are readily available and accessible in a pedestrian-friendly environment.

**Exhibit E** shows a forecast for new construction for the area. If this plan is adopted and implemented, by 2029, it is estimated that approximately 5,819 apartments and another 3,716 town homes and condominiums will be developed. This change in housing type will enable the area to attract approximately 1,032,910 square feet of new retail space, 231,367 square feet of office space, and 90,000 square feet of commercial space to be used as film production studios.
<table>
<thead>
<tr>
<th>Parcel and Use</th>
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<td>Trinity River redev. Ph IV</td>
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<td><strong>231,367</strong></td>
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</table>
TIF District Policy Considerations

The Fort Worth Avenue TIF District’s estimated real property tax value in 2007 was $79,188,448 for the City and varies for the other taxing entities based on exemption levels. By 2029, the District’s assessed real property tax value is forecasted to increase to approximately $1,801,005,483. Since the TIF receives revenue only from the taxable value which exceeds the base year, “captured” taxable value accruing to the Fort Worth Avenue TIF District will be approximately $1,721,817,035. Of the $1,721,817,035 in captured taxable value, approximately $1,262,184,358 will be attributable to new private investment and $459,632,678 will be due to property appreciation.

The cumulative incremental property tax revenue potential of the planned development will be approximately $62,183,280 (net present value) for public improvement projects.

Future development projects in the Fort Worth Avenue TIF District may include demolition or extensive renovation of existing multi-family residential property. It is understood that some displacement may occur by redevelopment activity within the TIF District and the City will only provide TIF assistance for projects where the incidence and impact of any displacement has been minimized. Specific relocation plans and policies will be developed at a later date.

Twenty percent of all housing units in the District using TIF funds must meet the City and County established criteria for affordable housing. Affordable housing units are those which are affordable to a household earning 80% or below of the median family income for the Dallas metropolitan area. A developer may, subject to City and County approval, propose an alternative means of fulfilling the City’s and County’s affordable housing requirement.

Other requirements to qualify for TIF funds include compliance with Fair Share Guidelines for private construction and promotion of hiring for neighborhood residents for permanent jobs created. This latter requirement means TIF applicants will agree to sponsor job fairs or other programs to attract residents to jobs. The process for Fair Share Compliance and City oversight will be negotiated by City staff and included in the development agreement for each individual project.

Design guidelines for new development and redevelopment in the Fort Worth Avenue TIF District shall be developed and adopted by the Fort Worth Avenue TIF Board of Directors within two years after the creation of the District. Once the guidelines are adopted, any future development project requesting TIF funds will be required to comply with these design guidelines.
Section 2: Project Plan Improvements

The public improvements enumerated in the Project Plan provide for approximately $62 million for the public improvement categories listed below (see Exhibit G in Section 3 for a budget of proposed public improvements):

Public Improvements

The Fort Worth Avenue TIF District budget will be used to fund improvements related to development projects that support the area. This development will be associated with the replacement or redevelopment of existing non-conforming uses, retail centers, and other commercial uses in the corridor.

Public Infrastructure Improvements

A. Street and utility improvements. This category includes TIF eligible expenditures for street paving and related items, infrastructure upgrades/relocation (water, wastewater, storm sewer), and burial of overhead utilities.

B. Streetscape Improvements. The category includes lighting, sidewalk and infrastructure improvements, expanding and enhancing pedestrian and vehicle continuity in the corridor and other streetscape improvements related to specific projects.

C. Land Acquisition. The City may consider acquiring property, using eminent domain as necessary and to the extent permitted by law, to implement the TIF Plan. Potential land acquisitions may include but are not limited to properties needed for pedestrian safety and accessibility.

Environmental Remediation & Demolition

A. Environmental Remediation, Interior/Exterior Demolition. The Fort Worth Avenue area has several buildings that have been financially unfeasible to redevelop because of the cost of environmental remediation of asbestos, lead-based paint and other contaminants, as well as interior and exterior demolition costs. Interior and exterior demolition expenses are tied directly to the remediation expenses. These costs are TIF eligible expenditures. Remediation of environmentally hazardous materials and associated improvements, using TIF funds, greatly improves the marketability of these buildings or can enable redevelopment of a structurally obsolete building. This budget category is necessary for furthering the Fort Worth Avenue redevelopment effort.
Parks, Open Space, Trails, and Gateways

A. **Park and plaza design and acquisition.** Public open space is an important amenity in the Fort Worth Avenue area. Funding would be provided for design, improvements, and land acquisition as necessary for implementation.

Façade Restoration

A. **Façade restoration.** The district contains many motor court hotels that may be renovated to provide for visitors to the district. These motor courts will require extensive façade restoration work.

Grants for High Density Projects

A. **Grants.** The City may make economic development loans or grants to further implement this Plan and to encourage additional density in the district. This additional density will require costly parking structures. Projects receiving such loans or grants must be consistent with the goals and objectives of the Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan and would be subject to specific project agreements and City Council approval.

Administration and Implementation

A. **Administration and Implementation.** Administrative costs, including reasonable charges for the time spent by employees of the municipality and/or employees associated with any non-profit groups established to assist with implementation within the TIF District will be eligible for reimbursement as project costs, upon approval by the TIF Board of Directors and in connection with the implementation of the Fort Worth Avenue TIF Project Plan and Reinvestment Zone Financing Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures and equipment are included in this category.

State law has been amended to permit the Fort Worth Avenue TIF District to consider making direct grants to accomplish any of these purposes. The Fort Worth Avenue TIF District Board of Directors may provide for a program to make economic development Loans or Grants from TIF funds in an aggregate amount not to exceed the amount of tax increment produced by the municipality and paid into the tax increment fund for the District as necessary or convenient to implement this Plan. Projects receiving such Loans or Grants must be consistent with the goals and objectives of the Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan and would be subject to specific project agreements and City Council approval of the Loan or Grant program and the project agreements.
Planned Private Development

Planned private development in the district within the next 20 years includes:

- 10.2 million square feet of residential development including town home, multi-family, and single-family projects
- 1 million square feet of additional retail development
- 230,000 square feet of additional office development
- 90,000 square feet of additional industrial development

Several projects are expected to commence during the first three years of the Fort Worth Avenue TIF District. These include La Reunion Town Center, the Villas at Dilbeck Court, Dilbeck Center, a mixed use community developed by Cienda Partners, and a mixed use community developed by Square Foot, Inc. See Exhibit F for concepts of future development.
La Reunion is the district's $200 million catalyst project. It is the proposed redevelopment of the Colorado Place apartments at Fort Worth Avenue and Colorado Boulevard.
Villas at Dilbeck Court and Dilbeck Center are redevelopment projects planned for currently underutilized land west of Sylvan and Fort Worth Avenue, next to the Belmont Hotel.
Section 3: Financing Plan

Tax increment financing ("TIF") is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. Public improvements strengthen existing communities and attract investment. The Tax Increment Financing Act is found in Chapter 311 of the Texas Tax Code (the "Act").

The governing body of a municipality may designate an area as a reinvestment zone if the City Council finds that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future. The additional tax dollars generated by growth of real property value flow to a "tax increment financing fund" ("TIF fund") for a specified term of years. Money flowing to the TIF fund each year is then disbursed according to the Project Plan approved by the TIF board and the City Council, as prescribed by the Act and the ordinance designating the reinvestment zone. The TIF fund may be used to make grants in furtherance of the development for the District and for public improvements within the reinvestment zone. TIF funds may also be used for public improvements at places of public assembly, such as a park, or for affordable housing, even though outside the zone.

The illustration below shows how taxes from real properties in a TIF zone flow to a taxing jurisdiction and to a TIF fund. This assumes real property values in the TIF zone rise soon after the zone’s designation.

**Real Property Tax Flow with Tax Increment Financing**
Inclusion of property in a TIF district does not change tax rates for the property. Tax rates in a TIF zone are the same as tax rates outside the zone and within the same set of taxing jurisdictions.

Once the public improvements are completed and paid for, the TIF is dissolved and the full amount of the taxes collected in the area are kept by the taxing jurisdictions. In effect, the taxing jurisdictions are “investing” future earnings to receive the benefit of higher tax revenues from new development. Also, taxing jurisdictions are not restricted from raising their tax rates during the life of the zone.

**Financing Plan**

The Reinvestment Zone Financing Plan provides for incremental financing and predicts revenues for the Fort Worth Avenue TIF District.
Exhibit G: Fort Worth Avenue TIF District Project Plan Improvements

<table>
<thead>
<tr>
<th>Category</th>
<th>Estimated TIF Expenditure (2008 dollars)</th>
<th>Estimated TIF Expenditure (actual)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Infrastructure Improvements</td>
<td>$40,983,280</td>
<td>$73,963,534</td>
</tr>
<tr>
<td>paving, streetscape, water/wastewater, storm sewer, utility burial/relocation, and land acquisition</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Remediation &amp; Demolition</td>
<td>$6,000,000</td>
<td>$10,828,348</td>
</tr>
<tr>
<td>Parks, open space, trails, and gateways</td>
<td>$6,000,000</td>
<td>$10,828,348</td>
</tr>
<tr>
<td>Façade restoration</td>
<td>$3,000,000</td>
<td>$5,414,174</td>
</tr>
<tr>
<td>Grants for high density projects</td>
<td>$4,000,000</td>
<td>$7,218,898</td>
</tr>
<tr>
<td>Administration and implementation</td>
<td>$2,200,000</td>
<td>$3,970,396</td>
</tr>
<tr>
<td>Total Project Costs</td>
<td><strong>$62,183,280</strong></td>
<td><strong>$112,223,695</strong></td>
</tr>
</tbody>
</table>

* All values discounted to 2008 dollars at 5% annually. Actual expenditure value will depend on timing of project cost.

** All values in column (c) 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.

The project principal costs in Exhibit G are expressed as if paid in 2008. Cash for most of these expenditures will not be drawn until subsequent years.

Financing Method. Based on legislative changes in 2005, the City may now allow for private, competitive bidding of TIF public improvements. Under this scenario, a developer will typically fund and build public improvements and then request a TIF payment for those costs. TIF payments are made based on available increment and other conditions set forth in project development agreements. Previously, public improvements were publicly bid with private groups advancing funds for these improvements and earning applicable interest until the advance was repaid by the future cash flows to TIF District fund, if and when funds were available. Interest is no longer applicable with private bidding.

The City may negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of projects within the TIF District, using any financial instrument, subject to City Council approval of the note or credit line or issue bonds or other obligations for eligible TIF expenditures.
The City may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the District, eliminating unemployment and underemployment in the District, and developing or expanding transportation, business, and commercial activity in the District, including programs to make grants and loans from the tax increment fund of the District in an aggregate amount not to exceed the amount of the tax increment produced by the municipality and paid into the tax increment fund for the District.

Financing Policy and Long Term Financing. The goal of the Fort Worth Avenue TIF District is to leverage increment accrued to maximize development in the District.

Expected Revenues. Exhibit H is a list of developments anticipated in the Fort Worth Avenue TIF District through 2021. Some of the identified developments may not occur, while other development projects likely may replace them. This schedule represents the best estimate of anticipated development in the area. Actual timing, floor area, uses and other attributes of the identified developments may differ from the schedule.

Unit values supporting appraisal estimates in Exhibit H are based on observations of values assigned to comparable developments by the Dallas Central Appraisal District (DCAD). Actual construction costs or trading prices may differ. Because tax increments are measured by DCAD values, these values are the relevant measures of value for a TIF financing plan.

The sites anticipated for redevelopment with the Fort Worth Avenue TIF District may constitute most of the redevelopment in the District through 2021, although some unnamed sites will inevitably substitute for the listed sites. Further redevelopment after 2021 is likely, but is not forecasted in this analysis for two reasons: (1) Tax increments are estimated to flow to the TIF zone for only 19 years; (2) Forecasts further into the future are only marginally reliable.

Based on the development projects identified in Exhibit H and other stated assumptions, Exhibit I estimates annual City and County real property taxes from the TIF District and annual percentages and amounts of the real property tax growth increment reinvested each year in the Fort Worth Avenue TIF District fund. Cumulative increased property value is expected to reach approximately $1,801,005,483 during the 22-year term of the TIF District. Because the TIF fund receives revenue only from the taxable value which exceeds the base year, “captured” taxable value accruing to the Fort Worth Avenue TIF District is approximately $1,617,939,244. This includes approximately $1,262,184,358 million in increased taxable value attributable to new private investment and $459,632,678 million in increased taxable value due to property appreciation.

Projections assume a variable reinvestment rate for the City, and 55 percent for Dallas County with a maximum term of 22 years or until the Project Cost Budget of $112,223,705 ($62,183,286 in 2008 dollars) is reached. The City and County are not expected to participate during the first year of the TIF District term. The final terms of participating taxing jurisdictions’ contributions of tax increment shall be set forth in interlocal participation agreements between the City and the County.
<table>
<thead>
<tr>
<th>Parcel and Use</th>
<th>Developer</th>
<th>Location</th>
<th>Completed before Jan 1</th>
<th>Land Area</th>
<th>Building Space</th>
<th>DCAD Appraisal (before new construction)</th>
<th>Net New Appraisal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Villas @ Dilbeck Court</td>
<td>Dilbeck Partners Ltd</td>
<td>NE corner of Mobile &amp; Malone</td>
<td>2008</td>
<td>4.4</td>
<td>190,896</td>
<td>$161,883</td>
<td>$8,218,864</td>
</tr>
<tr>
<td>Res/Office/Film Production Studios</td>
<td>N/A</td>
<td>NW corner of W Commerce &amp; Hardwick</td>
<td>2009</td>
<td>7</td>
<td>322,821</td>
<td>$389,568</td>
<td>$36,412,139</td>
</tr>
<tr>
<td>Dallas RV Park Redevelopment</td>
<td>Cienda Partners</td>
<td>SW corner of W Commerce &amp; Haslett / 2200 Haslett</td>
<td>2009</td>
<td>8</td>
<td>353,001</td>
<td>$1,031,630</td>
<td>$29,706,846</td>
</tr>
<tr>
<td>Kessler View Mixed Use</td>
<td>N/A</td>
<td>SE corner of FWA &amp; Edgemont</td>
<td>2009</td>
<td>3.6</td>
<td>157,050</td>
<td>$684,495</td>
<td>$12,376,513</td>
</tr>
<tr>
<td>La Reunion</td>
<td>La Reunion Towncenter LLC</td>
<td>2400 Bahama</td>
<td>2009</td>
<td>6.4</td>
<td>279,025</td>
<td>$1,232,104</td>
<td>$9,989,975</td>
</tr>
<tr>
<td>ATS Tire Store Redevelopment</td>
<td>Square Foot Inc</td>
<td>SW corner of W Commerce &amp; Pittman</td>
<td>2010</td>
<td>0</td>
<td>9,445</td>
<td>$514,808</td>
<td>$5,035,336</td>
</tr>
<tr>
<td>Mission Motel Redevelopment</td>
<td>N/A</td>
<td>SE corner of W Commerce &amp; Eastus</td>
<td>2010</td>
<td>3.4</td>
<td>146,208</td>
<td>$6,294,788</td>
<td>$204,500,000</td>
</tr>
<tr>
<td>Postal Credit Union Rede.</td>
<td>N/A</td>
<td>SE corner of FWA &amp; Yorkevan / 641 Yorkevantown</td>
<td>2010</td>
<td>3.3</td>
<td>144,093</td>
<td>$881,600</td>
<td>$12,631,446</td>
</tr>
<tr>
<td>Dilbeck Center Mixed Use</td>
<td>Dilbeck Partners Ltd</td>
<td>825-1027 Fort Worth</td>
<td>2010</td>
<td>2.5</td>
<td>107,080</td>
<td>$402,032</td>
<td>$5,523,050</td>
</tr>
<tr>
<td>Willenot Residential</td>
<td>N/A</td>
<td>SE corner of FWA &amp; Winnetia</td>
<td>2010</td>
<td>4.4</td>
<td>189,765</td>
<td>$33,157</td>
<td>$15,747,867</td>
</tr>
<tr>
<td>La Reunion (senior)</td>
<td>La Reunion Towncenter LLC</td>
<td>2300, 2201 FWA</td>
<td>2010</td>
<td>21.3</td>
<td>929,767</td>
<td>$7,765,932</td>
<td>$204,500,000</td>
</tr>
<tr>
<td>Stevens Park Place Mixed Use</td>
<td>N/A</td>
<td>NW corner of FWA &amp; Jacqueline / 2519-2821 FWA</td>
<td>2010</td>
<td>7.9</td>
<td>345,903</td>
<td>$2,798,799</td>
<td>$16,831,455</td>
</tr>
<tr>
<td>Western Heights Mixed Use</td>
<td>N/A</td>
<td>NW corner of FWA &amp; Winmorem</td>
<td>2011</td>
<td>3.9</td>
<td>171,980</td>
<td>$454,946</td>
<td>$6,315,452</td>
</tr>
<tr>
<td>Castle Residential</td>
<td>N/A</td>
<td>SE corner of FWA &amp; Clinton</td>
<td>2012</td>
<td>1.9</td>
<td>81,437</td>
<td>$408,438</td>
<td>$16,168,007</td>
</tr>
<tr>
<td>Mosix Mixed Use</td>
<td>N/A</td>
<td>SE corner of FWA &amp; Navaro</td>
<td>2013</td>
<td>3.2</td>
<td>137,942</td>
<td>$235,742</td>
<td>$7,970,764</td>
</tr>
<tr>
<td>Paradise Mixed Use</td>
<td>N/A</td>
<td>SE corner of FWA &amp; Vilbig</td>
<td>2013</td>
<td>2.8</td>
<td>121,144</td>
<td>$1,010,969</td>
<td>$12,755,655</td>
</tr>
<tr>
<td>Dallas Central Post Office</td>
<td>N/A</td>
<td>NW corner of I30 &amp; Hardwick / 2121 Hardwick</td>
<td>2014</td>
<td>37.9</td>
<td>1,648,872</td>
<td>$219,346,108</td>
<td>$10,788,436</td>
</tr>
<tr>
<td>360 Mixed Use</td>
<td>N/A</td>
<td>SE corner of FWA &amp; I30</td>
<td>2014</td>
<td>2.0</td>
<td>85,920</td>
<td>$803,996</td>
<td>$10,788,436</td>
</tr>
<tr>
<td>Pound Ridge Residential</td>
<td>N/A</td>
<td>Dallas Police Car Pound / 1675 Vilbig</td>
<td>2016</td>
<td>59.8</td>
<td>2,206,963</td>
<td>$133,371,333</td>
<td>$1,262,184,358</td>
</tr>
<tr>
<td>Trinity River redev. Ph I</td>
<td>N/A</td>
<td>Bounded by Commerce, Beckley, I-30 and Hardwick</td>
<td>2017</td>
<td>7.5</td>
<td>328,369</td>
<td>$2,639,688</td>
<td>$100,000,000</td>
</tr>
<tr>
<td>Trinity River redev. Ph II</td>
<td>N/A</td>
<td>Bounded by Commerce, Beckley, I-30 and Hardwick</td>
<td>2018</td>
<td>7.5</td>
<td>328,369</td>
<td>$2,717,848</td>
<td>$100,000,000</td>
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<tr>
<td>Trinity River redev. Ph III</td>
<td>N/A</td>
<td>Bounded by Commerce, Beckley, I-30 and Hardwick</td>
<td>2019</td>
<td>7.5</td>
<td>328,369</td>
<td>$2,799,384</td>
<td>$100,000,000</td>
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<tr>
<td>Trinity River redev. Ph IV</td>
<td>N/A</td>
<td>Bounded by Commerce, Beckley, I-30 and Hardwick</td>
<td>2020</td>
<td>7.5</td>
<td>328,369</td>
<td>$2,883,365</td>
<td>$100,000,000</td>
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<tr>
<td>Trinity River redev. Ph V</td>
<td>N/A</td>
<td>Bounded by Commerce, Beckley, I-30 and Hardwick</td>
<td>2021</td>
<td>7.5</td>
<td>328,369</td>
<td>$2,969,866</td>
<td>$100,000,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SFParcel and Use Developer Location</th>
<th>Completed before Jan 1</th>
<th>Land Area</th>
<th>Building Space</th>
<th>DCAD Appraisal (before new construction)</th>
<th>Net New Appraisal</th>
</tr>
</thead>
</table>

- **Preliminary Project Plan & Reinvestment Zone Financing Plan Page 25**
- **Fort Worth Avenue TIF District**
- **Exhibit H: Fort Worth Avenue TIF District List of Anticipated Development Projects**
## Exhibit I: Annual Real Property Appraisals and City/County Tax to the Fort Worth Avenue TIF Fund

### FORT WORTH AVENUE - PROJECTED TIF INCREMENT SCHEDULE

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Property Value Estimate</th>
<th>Property Value Growth</th>
<th>Cumulative Value Increase</th>
<th>Anticipated Growth</th>
<th>Anticipated Increment Revenue</th>
<th>Part. Rate</th>
<th>Tax Increment Revenue into TIF</th>
<th>Part. Rate</th>
<th>Tax Increment Revenue into TIF</th>
<th>Tax Increment TOTAL TIF Fund</th>
<th>2006 NPV @ 5.00%</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>$112,223,695</td>
<td>$91,175,475</td>
<td>$21,048,220</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$112,223,695</td>
<td>$91,175,475</td>
</tr>
</tbody>
</table>

### Assumptions:

1. City of Dallas is expected to participate in the TIF District for a period of 21 years beginning in 2009 at a rate of 55%.
2. Dallas County is expected to participate in the TIF District for a period of 21 years beginning in 2009 at a rate of 55%.
3. Tax rate is assumed to be constant at 2007 rate. Actual rate will vary annually.
4. Tax appraisals are for Jan. 1 of the year. Levies occur by Sept. 30 of the year. Tax receipts generally occur 12-13 months after appraisal.
5. The base value shown in the above projections does not reflect variations in taxable value by individual taxing entity. The projections are estimates that will be reviewed annually as new tax roll information becomes available. The budget figures will be indexed to the net present value totals.
Financial Assumptions

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions that have been adopted.

Inflation. The generally accepted inflation for construction costs and the value of improvements is 3 percent per annum. Based on current market rates, net present values of the tax increment were calculated at a discount rate of 5 percent per annum.

Appreciation. Property appreciation is assumed to be 2 percent per annum on average.

Tax Rate Changes. Although tax rates will likely increase during the thirty year development period, the financial plan conservatively assumes that the 2007 tax rate will remain constant for the life of the Fort Worth Avenue TIF District, except to incorporate tax rate changes when known.

Remittance to the TIF Fund. The proposed duration of the Fort Worth Avenue TIF District is 22 years; it is scheduled to terminate December 31, 2029. TIF collections will terminate once the TIF budget of $62,183,286 (net present value) has been collected or December 31, 2029, whichever occurs first. Based on current development projections, the TIF budget is expected to be reached in 2029, after nineteen years. Annual percentages of collected annual tax increments invested in the TIF fund by the City of Dallas follow this bell curve formula:

<table>
<thead>
<tr>
<th>TIF year</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>TIF year 1</td>
<td>0%</td>
</tr>
<tr>
<td>TIF years 2 and 3</td>
<td>55%</td>
</tr>
<tr>
<td>TIF years 4 through 6</td>
<td>70%</td>
</tr>
<tr>
<td>TIF years 7 through 13</td>
<td>85%</td>
</tr>
<tr>
<td>TIF years 14 through 15</td>
<td>70%</td>
</tr>
<tr>
<td>TIF year 16 and thereafter</td>
<td>55%</td>
</tr>
</tbody>
</table>

Dallas County will be asked to participate in the TIF program. Exhibit I includes County tax increments. It assumes that 55% of County tax increments from the zone will be invested in the TIF fund for the same years in which the City of Dallas invests increments. County participation will be pursuant to a participation agreement by the County Commissioners Court.

Early termination. The City Council may terminate this TIF zone earlier than 2029 if all obligations of the TIF have been satisfied. The City Council may also terminate this zone within three years of the adoption of the Final Project Plan and Reinvestment Zone Financing Plan if the TIF fund has no financial obligations.
Financial Feasibility

The private development plans, public improvement program, general financing strategy, and financial assumptions were all included in a preliminary assessment prepared by the City of Dallas, Office of Economic Development. The study is intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011, Texas Tax Code, and is available upon request.

Cumulative private development is expected to increase property value to $1,721,817,035 during the term of the TIF District. Since the TIF receives revenue only from the taxable value which exceeds the base year, “captured” taxable value accruing to the Fort Worth Avenue TIF District will be approximately $1,721,817,035.

If revenues are received at the predicted rate, increment collections will be reached and final project improvements completed by Year 19 of the TIF term.

On a strict “pay-as-you-go” basis, the progress of the public improvements portion of the development program is a direct result of the revenues received and matched by the City’s contributions. Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not meet expectations, then the pace of public improvements will be slowed or discontinued altogether based upon the advice of the Board of Directors and the approval of the City Council.

The Reinvestment Zone Financing Plan provides that the City and County will begin to realize additional revenues from the TIF in Year 23 of the program.

Based upon a set of TIF District assumptions and analysis, the preliminary project plan and reinvestment zone financing plan is feasible.

Financial Policies

General financial policies are governed by the City of Dallas Public/Private Partnership Program that was first approved by the City Council on March 13, 1996. This program provides a framework for development incentives in a variety of areas. Within this framework the Fort Worth Avenue Board of Directors has adopted specific policies for the Fort Worth Avenue TIF District:

- Public improvements will be phased at a pace that coincides with private development.

- Private developers desiring City participation in sharing the costs of infrastructure improvements needed for their projects must obtain approval for and sign a Development Agreement with the City.
Reimbursement priorities and the method of apportioning available increment will be set forth in the Development Agreement.

Each Development Agreement is mutually exclusive - that is, the nature and extent of support from public funds may change over time as the District becomes more developed.

The City may negotiate with financial institutions to secure notes or lines of credit to aid in the funding of projects within the TIF District, subject to City Council approval, or may issue certificates of obligation or TIF bonds for projects as described earlier in the Project Plan.

If a developer requests funding for infrastructure improvements at a time when sufficient funds are not available in the TIF Reserve Fund, then improvements may be:

~ deferred until funds are available
~ constructed at the sole expense of the developer
~ constructed at developer expense, with the City reimbursing the developer as funds become available

Should project costs be paid that directly benefit the developer of a project, such as grants made to a developer as permitted by Chapter 311 of the Texas Tax Code, the City will enact and implement controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the economy of the Fort Worth Avenue TIF District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

The Fort Worth Avenue TIF Board may from time-to-time recommend amendments to these financial policies which will affect the operations of the TIF District.

The City reserves the right to amend this plan to provide for the establishment of a "sales tax increment" collection process, as permitted by Chapter 311 of the Texas Tax Code.

**Other Financial Benefits**

During the 22 year TIF term, approximately 1,032,910 square feet of retail space is expected to be constructed within the boundaries of the Fort Worth Avenue TIF District. The City and DART each have a one-cent sales tax; therefore, this additional retail space will generate additional sales tax revenue. Similarly, additional office space generates additional BPP tax. **Exhibit J** estimates City and DART sales tax attributed to the additional retail development and additional BPP tax attributed to the office and industrial space. By 2029, the City and DART will each receive roughly $19,927,325 million (net present value) in incremental sales tax revenue from the Fort Worth Avenue TIF District.
### Exhibit J: Estimated Annual City/DART Sales Tax from Net New Development in the Fort Worth Avenue TIF District

| Tax Year | General Fund Sliding | General Fund Sliding | DCCCD Sliding | DISD Sliding | DCHD Sliding | DISO Sliding | DCHD Sliding | DCCCD Sliding | DISO Sliding | DISD Sliding | DCHD Sliding | CITY Sliding | DART Sliding | TOTAL Increments | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax | Sales Tax |
|----------|----------------------|----------------------|---------------|-------------|-------------|-------------|-------------|---------------|-------------|-------------|-------------|-------------|-------------|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 1 2008   | $71,481              | $30,968              | $147,294      | $24,899     | $7,940      | $0           | $0           | $0             | $0           | $0           | $0           | $115,013    | $18,092    | $24,311      | $3,058    | $975      | $1,310    | $174      | $1,425    | $1,600    | $272,582  |
| 2 2009   | $294,285             | $4,125,658           | $1,232,000    | $299,389    | $53,148     | $14,423      | $5,732       | $0             | $0           | $0           | $0           | $2,070,342  | $2,070,342  | $31,868      | $3,058    | $975      | $1,310    | $174      | $1,425    | $1,600    | $272,582  |
| 3 2010   | $900,967             | $359,711             | $5,615,319    | $993,344    | $16,000     | $11,120      | $5,905       | $0             | $0           | $0           | $0           | $2,132,000  | $2,132,000  | $37,030      | $3,058    | $975      | $1,310    | $174      | $1,425    | $1,600    | $272,582  |
| 4 2011   | $1,226,282           | $359,711             | $5,615,319    | $993,344    | $16,000     | $11,120      | $5,905       | $0             | $0           | $0           | $0           | $2,132,000  | $2,132,000  | $37,030      | $3,058    | $975      | $1,310    | $174      | $1,425    | $1,600    | $272,582  |
| 5 2012   | $855,527             | $359,711             | $5,615,319    | $993,344    | $16,000     | $11,120      | $5,905       | $0             | $0           | $0           | $0           | $2,132,000  | $2,132,000  | $37,030      | $3,058    | $975      | $1,310    | $174      | $1,425    | $1,600    | $272,582  |
| 6 2013   | $889,585             | $359,711             | $5,615,319    | $993,344    | $16,000     | $11,120      | $5,905       | $0             | $0           | $0           | $0           | $2,132,000  | $2,132,000  | $37,030      | $3,058    | $975      | $1,310    | $174      | $1,425    | $1,600    | $272,582  |

**Assumptions**

1) Gross floor areas and timing estimates are from a separate schedule.
2) Estimated sales per square foot are adjusted annually for inflation at 3%.
Conclusions

The Fort Worth Avenue TIF District Project Plan and Reinvestment Zone Financing Plan, have been determined to be feasible based on a set of assumptions and analysis performed by the staff of the Office of Economic Development of the City of Dallas. The success of the District development will allow the City of Dallas to encourage a more sustainable mix of residential housing in the area. The creation of the La Reunion will provide a destination and gathering place for the entire Fort Worth Avenue area. In addition, through adopted design standards, modifications to the zoning code for the area and incentives for more desirable development, the City of Dallas hopes that this District will serve as a model for the redevelopment of other similar corridors.
Appendix A: 2007 DCAD Real Property Accounts in the Fort Worth Avenue TIF District

(This chart will be provided prior to filing the preliminary plan with the City Secretary.)
KEY FOCUS AREA: Economic Development

AGENDA DATE: April 25, 2007

COUNCIL DISTRICT(S): 1, 3

DEPARTMENT: Office of Economic Development

CMO: A. C. Gonzalez, 670-8925

MAPSCO: 43T 43X-Z 44W 44X 53C-D 54A-C

SUBJECT

Authorize (1) a public hearing to be held on June 13, 2007, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and Dallas Independent School District, to receive comments to consider the creation of a tax increment financing reinvestment zone for the Twelve Hills area (Twelve Hills TIF District) 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 hearing, (2) consideration of an ordinance creating the Twelve Hills TIF District - Financing: No cost consideration to the City.

BACKGROUND

This action is to authorize a public hearing to hear comments and consider the proposed Twelve Hills TIF District on June 13, 2007. The proposed District encompasses portions of the Davis Street, Fort Worth Avenue, and Hampton Road corridors; the escarpment adjacent to Pinnacle Park, and properties with redevelopment potential surrounding Stevens Park Golf Course, the Twelve Hills Nature Center, and Kidd Springs Park. The TIF District would facilitate the redevelopment of several deteriorated multi-family properties into town homes and upgraded apartments. Additional neighborhood retail and commercial development along with improved parks and trail connections is planned.

Staff has been working with Incap Fund on strategies for transitioning deteriorated multi-family properties into a more sustainable mix of for-sale and rental housing that will connect to stable neighborhoods in North Oak Cliff, redevelop aging retail centers, and enhance area trails and parks.

During the 22 year term of the proposed TIF District, additional taxable value attributed to new private investment is projected at $599,289,198 TIF collections would begin in 2009 and it is anticipated that the $32,428,754 TIF budget will be reached within 17 years.
BACKGROUND (continued)

The potential TIF-eligible improvements, based on an estimated budget of approximately $32,428,754 (2008 dollars) would include:

- Public infrastructure improvements (water, wastewater, storm, paving, streetscape, utility burial/relocation, and land acquisition)
- Environmental remediation & demolition
- Facade restoration
- Parks, open spaces, trails & gateways
- Grants for high density projects

The Tax Increment Financing ("TIF") Act requires that the City provide all taxing units with a minimum of 60 days written notice prior to the public hearing that it intends to establish the reinvestment zone unless a waiver of this requirement is granted by the governing bodies of both the county and school district. Staff has requested waivers from Dallas County and the Dallas Independent School District and anticipates that the waivers will be granted prior to the public hearing. This action authorizes the public hearing and directs City staff to give notice of less than 60 days in anticipation of such waivers being granted by Dallas County and the Dallas Independent School District. If the waivers are not obtained, then the public hearing must be deferred. This action further directs City staff to give notice of the public hearing in a newspaper having general circulation in the City.

The action to set the public hearing date and to notify other taxing units does not commit the City to create the TIF zone.

The preliminary reinvestment zone financing plan for the Twelve Hills TIF District consists of a program of improvements, under the authority of the TIF Act, which is intended to stimulate private investment that would not otherwise occur.

After the close of the public hearing the City shall consider an ordinance creating a TIF reinvestment zone for the Twelve Hills area to be known as "Tax Increment Financing Reinvestment Zone X, City of Dallas (also referred to as the Twelve Hills TIF District). State Law requires TIF reinvestment zones for the City to be numbered consecutively based on the date the zone is created, accordingly, the zone number for the Twelve Hills TIF District will be assigned at the time the ordinance is approved. It is anticipated that the ordinance will provide for the Twelve Hills TIF District to terminate after 22 years or on the date that all project costs have been paid in full, whichever occurs earlier.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 16, 2007, the Economic Development and Housing Committee was briefed on the policy initiatives for the proposed new Twelve Hills TIF District.
FISCAL INFORMATION

No cost consideration to the City
WHEREAS, the City of Dallas desires to promote the development and redevelopment of the Twelve Hills area by creating a tax increment financing ("TIF") reinvestment zone, (the "Twelve Hills TIF District"), pursuant to the Tax Increment Financing Act, Chapter 311 of the Tax Code as amended, (the "Act"); and

WHEREAS, on February 23, 2005, the City Council approved Criteria for Evaluating Potential TIF Districts as a policy tool for the Area Redevelopment Program by Resolution No. 05-0745; and

WHEREAS, City Council finds that the Twelve Hills area (as shown in Exhibit A) substantially impairs the sound growth of the municipality and that development or redevelopment of the district would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, in accordance with the Act, the City must hold a public hearing on the creation of the proposed Twelve Hills TIF District and its benefits to the City and to property in the proposed district; and

WHEREAS, the Act further requires the City to notify the other taxing jurisdictions which levy real property taxes in the proposed Twelve Hills TIF District of its intent to establish the reinvestment zone at least sixty (60) days prior to holding a public hearing regarding the creation of the Zone, unless the 60-day requirement is waived by the county and school district and to publish notice of the hearing in a newspaper having general circulation in the City.

NOW, THEREFORE,

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

Section 1. That pending the receipt of waivers for the 60-day requirement for notice from the governing bodies of Dallas County and Dallas Independent School District prior to June 13, 2007, a public hearing is authorized to be held before the City Council on June 13, 2007, for the purpose of receiving public comment on the creation of a TIF reinvestment zone for the proposed Twelve Hills TIF District and its benefits to the City and to property in the proposed reinvestment zone.

Section 2 That the City Council finds the recitals above to be true and correct.

Section 3 That if such waivers are not received by June 13, 2007, this public hearing shall be deferred to a date that is 60 days after the date notice was sent.

Section 4. That a preliminary reinvestment zone financing plan has been evaluated in accordance with the statutory criteria prescribed by the Act and the approved criteria in Resolution No. 05-0745.
Section 5. That after the close of the public hearing the City shall consider an ordinance creating a Tax Increment Financing Reinvestment Zone, City of Dallas, Texas, to be known as the Twelve Hills TIF District.

Section 6. That the boundaries for the Twelve Hills TIF District are shown on the map attached hereto as Exhibit A and the preliminary reinvestment zone financing plan, showing the tentative plans for development of the zone, and an estimate of the general impact of the proposed zone on property values and tax revenue for the Twelve Hills TIF District is attached hereto as Exhibit B.

Section 7. That the City Manager is hereby directed to obtain waivers for the 60-day notice requirement from the governing bodies of Dallas County and Dallas Independent School District and unless such waivers are granted by Dallas County and Dallas Independent School District, this hearing shall be deferred to a date that is 60 days after written notice was provided to each of the taxing jurisdictions that the City intends to establish the reinvestment zone, and requesting that each taxing unit designate within 15 days after receiving such notice a representative to meet with the City Council, or the Council's designated representative, to discuss the preliminary reinvestment zone financing plan, as required by the Act.

Section 8. That not later than the seventh (7) day before the date of the public hearing, the City Manager shall cause notice of the public hearing to be published in a newspaper having general circulation in the City.

Section 9. That the City Manager or her designee is authorized to act on behalf of the City Council to undertake all other preliminary preparations and actions in accordance with the Act including notice to the taxing jurisdictions, the formal presentations of the TIF Project Plan to the governing bodies of the Dallas County and Dallas Independent School District and meeting with the designated representatives of each of the taxing units levying real property taxes in the proposed reinvestment zone.

Section 10. 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.

Distribution: Office of Economic Development – Tenna Kirk, 5CS
City Attorney's Office - Barbara Martinez
City Attorney's Office - Sarah Hasib
TWELVE HILLS
Tax Increment Financing District

PRELIMINARY
Project Plan
&
Reinvestment Zone Financing Plan

April 12, 2007
Acknowledgements

This Preliminary Twelve Hills TIF District Project Plan and Reinvestment Zone Financing Plan was prepared by the City of Dallas, Office of Economic Development, based on an initial preliminary plan prepared by Stein Planning and Management.
Section 1: Project Plan

Background

The proposed Twelve Hills Tax Increment Financing (TIF) District represents the outgrowth of the City of Dallas’ effort to provide a model for redeveloping urban corridors, transitioning deteriorated multifamily properties into a more sustainable mix of ownership, and rental housing that will connect to stable neighborhoods in North Oak Cliff, redeveloping aging retail centers, and enhancing connectivity to area trails and parks.

The proposed Twelve Hills TIF District is located in the area southwest of Downtown and the Trinity River, encompassing portions of the Davis Street, Fort Worth Avenue, and Hampton Road corridors, including the Balcones escarpment adjacent to Pinnacle Park and commercial and multifamily properties with redevelopment potential surrounding Stevens Park Golf Course, Coombs Creek Trail, the Twelve Hills Nature Center, and Kidd Springs Park. Single-family homes within the area were excluded since they are not targeted for development or redevelopment. Stevens Park, the Twelve Hills Nature Center, and Kidd Springs Park were included to enable improvements and enhanced connectivity to surrounding neighborhoods. A map of the Twelve Hills TIF District is included below (see Exhibit A). The property included in the district creates a contiguous corridor that is consistent with the economic objectives of this Plan. The District contains approximately 583 acres (excluding rights-of-way).

Davis Street and Fort Worth Avenue provide access between downtown Dallas and residential and commercial areas to the southwest. Many of the existing multi-family and commercial buildings in the corridor are structurally obsolete. Multi-family complexes in the district were primarily built during the 1960s and 1970s. Older retail centers do not adequately serve the needs of the community because they are not readily adaptable to current retail needs, inadequate signage, and insufficient parking. Public infrastructure in the corridor is often lacking and connections to the Coombs Creek Trail, Stevens Park, and Kidd Springs Park are limited despite their proximity. See Exhibit B for existing conditions within the district.

Redevelopment of property in the Twelve Hills TIF District will require significant expenditures for environmental remediation, demolition, infrastructure improvements such as storm, water, and wastewater infrastructure, streets and streetscape improvements, façade restoration, and public open space, parks, and trail connections. The use of TIF funds will make it possible for this strategically located area to compete with other sites where development is not hampered by environmental issues and deteriorated infrastructure.
Incap Fund ("Incap") commissioned a draft Preliminary TIF District Project Plan and Reinvestment Zone Financing Plan for this area. Incap saw the potential for transitioning deteriorated multi-family properties within the proposed district into a more sustainable mix of ownership and rental housing that will connect to stable neighborhoods in North Oak Cliff with supporting retail. Incap has acquired or is negotiating to acquire 104+/- acres and will attempt to acquire approximately 200 acres on Westmorelard Road between Interstate Highway 30 and Davis Street. Modeled on the successful renewal of the Knox-Travis area of Dallas, Incap’s objective for the area is to replace 1,969 existing, functionally obsolete apartments and 84,524 square feet of commercial space with approximately 1,598 for-sale homes, 515 rental residences, and 85,000 square feet of neighborhood retail services. This objective supports community objectives in the Dallas Comprehensive Plan, forwardDallas!.

Based on the Incap request and position as lead developers, the City seeks designation of a reinvestment zone for tax increment financing ("TIF") of improvements in the Twelve Hills area. Infrastructure improvements and other project costs related to planned Incap projects are estimated at a present value of approximately $30 million (nominal dollar need is higher due to the time value of money). But for that degree of public participation, Incap believes that redevelopment of deteriorating apartments would not occur to same degree.

The proposed TIF District will facilitate a mix of new housing, the preservation and restoration of historic structures, new retail and other commercial uses, improved connections to public open space and trails, and public infrastructure. The total estimated taxable appraised value of real property within the proposed Twelve Hills TIF District for 2007, based on 2006 Dallas Central Appraisal District information, is $103,383,316. Less than 10% of property in the District is currently being used for residential use with fewer than five living units.

The proposed duration of the Twelve Hills TIF District is 22 years, beginning on January 1, 2008; it is scheduled to terminate 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 $32.4 million (2008 dollars) has been collected, whichever occurs first. The City’s participation is as follows:

- 0% in 2008
- 55% in 2009 and 2010
- 70% in 2011, 2012, and 2013
- 85% in 2014 through 2020
- 70% in 2021, 2022, and 2023
- 55% in 2024 and thereafter

Based on current development projections, the TIF budget is expected to be reached by 2025, after seventeen years of collections.
Exhibit A:
Twelve Hills TIF District Boundary
Exhibit B: Existing Conditions

Retail centers that do not serve the needs of the community due to facilities that are not readily adaptable to current retail needs, lack of pedestrian amenities, and limited connectivity to parks and open space.

Deteriorating Multi-family
Development Goals and Objectives

The following development goals will meet the specific needs of the proposed Twelve Hills TIF District:

- **Goal 1** – To create additional taxable value attributed to new private investment in projects in the Twelve Hills TIF District totaling approximately $599 million. Refer to Schedule 1 and Schedule 2.

- **Goal 2** – To attract new private development in the Twelve Hills TIF District totaling approximately 2,725 new residential units and 472,000 square feet of retail space or other commercial space.

- **Goal 3** – To diversify housing options within the district, by increasing homeownership opportunities while maintaining an affordable housing component of 20% of all new units built.

- **Goal 4** - To focus on encouraging the redevelopment of properties along the Davis Street, Fort Worth Avenue, and Hampton Road corridors for new residential and commercial uses with enhanced urban design.

- **Goal 5** – To maintain the stability of local schools as redevelopment occurs in the housing market.

- **Goal 6** – To diversify retail and commercial uses in the District by restoring architecturally historic commercial buildings and finding redevelopment options for significant older, less architecturally significant commercial structures.

- **Goal 7** – To improve recreational opportunities and connections to the City of Dallas trails and open space system in the District.

- **Goal 8** – To generate approximately $32.4 million (net present value) in increment over 17 years of collections.

The following specific objectives set the framework for the planned public improvements within the proposed Twelve Hills TIF District:

- Provide funding for environmental remediation and interior/exterior demolition assistance to encourage redevelopment of property within the Twelve Hills TIF District.

- Upgrade basic infrastructure including storm drainage, water/ wastewater lines, and streets to support redevelopment within the District.

- Encourage a higher level of infrastructure improvements for new development in through streetscape and utility improvements.
• Improve the pedestrian environment through sidewalk improvements, landscaping, lighting, and design standards, including improved pedestrian connection between and throughout existing park facilities and future facilities in the district.

• Direct overall development of the Twelve Hills TIF District through the application of design guidelines for public improvements and private development.

• Develop programs to assist in façade restoration of historic commercial structures.

• Improve and enhance connections to parks and open spaces for the neighborhood, including Stevens Park, Coombs Creek Trail, Kidd Springs Park, and the Twelve Hills Nature Center.

The proposed Twelve Hills TIF District Project Plan and Reinvestment Zone Financing Plan provides a long term plan to replace and upgrade the infrastructure and encourage redevelopment of underutilized property in the Twelve Hills TIF District. The public improvements enumerated in the Project Plan provide for $32,428,754 (net present value) worth of water, wastewater, storm and other infrastructure improvements; façade restoration; parks, open space, and trail connections; environmental remediation and demolition; paving and streetscape improvements; and design and engineering. Tax increment financing will be used to pay for these improvements.

Certain costs of improvements, as further discussed herein, are eligible for funding with tax increment revenues under legislative actions taken in 2005. These improvements enumerated in the Project Plan may be implemented in the form of loans or grants of TIF revenues, subject to final construction plans, for costs associated with redevelopment, including but not limited to: environmental remediation and demolition of existing structures and facilities; public infrastructure improvements - sidewalks, lighting, streets, landscaping and utilities; façade improvements; parks, open space, and trail improvements; and design and engineering. The City will enact and implement controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the economy of the proposed Twelve Hills TIF District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

This plan is intended to encourage private development and public infrastructure improvements thereby improving redevelopment possibilities for the Twelve Hills TIF District.
Description of Twelve Hills TIF District

The proposed Twelve Hills TIF District is generally bounded by commercial and multifamily properties along Davis Street between Pinnacle Park Boulevard and Cedar Hill Avenue. There are approximately 583 acres in the proposed zone (excluding public rights-of-way). Zone boundaries that follow public streets and highways include the full width of such rights-of-way. Boundaries that approximate property lines follow such property lines.

The estimated taxable value of the zone for tax year 2007 is $103,383,316. This estimated base value is based on 2006 data from the Dallas Central Appraisal District and will be adjusted to match the tax roll certified in July 2007. It equates to 0.16% of the $64,793,508,959 (certified 2006) of taxable real property in the City of Dallas. Texas cities may not create a reinvestment zone if the total appraised value of taxable real property in the proposed zone and existing reinvestment zones exceeds 15% of the total appraised value of taxable real property in the municipality and any industrial districts created by the municipality. The value of the proposed zone and all other reinvestment zones in Dallas is beneath the statutory limit.

Market Feasibility and Planned Development

The predominant land use in the proposed Twelve Hills TIF District development program is residential. If built as planned, this development will create a more sustainable balance of owner-occupied and rental units in the district. In addition, the residential development should also drive the demand for new retail space in the area.

Planned private development includes:

- 2,725 residential units, including both for-sale and rental property.
- 472,000 square feet of retail or other commercial uses.

Several potential projects are expected to commence during the first three years of the Twelve Hills TIF District. Incap Fund has acquired or is negotiating to acquire approximately 104 acres in the Twelve Hills area of Oak Cliff. Based on the successful renewal of the Knox-Travis area of Dallas, Incap’s objective is to replace 1,969 existing, functionally obsolete apartments and 84,524 square feet of commercial space with approximately 1,598 for-sale homes, 515 rental residences and 85,000 square feet of neighborhood retail services. The mean sale price of the new homes is pegged at $340,000. In addition, twenty percent of total units to be built will be affordable to a household earning 80% of median income for the Dallas metropolitan area.

Additionally, Incap will attempt to acquire approximately 200 acres on Westmoreland Road between Interstate Highway 30 and Davis Street for approximately 400 homes, retail services and a nature preserve for the north tip
of the Balcones Escarpment. Replacement of worn-out apartments with upscale homes is expected to spur further investment by Incap or others to renew the retail facilities on or near Davis Street, Hampton Road and Fort Worth Avenue to appeal to new markets.

Market analysis suggests that these developments are feasible but would likely not occur without the creation and implementation of this TIF District to fund needed TIF eligible improvements in the District.

The estimated 2007 taxable value of the entire TIF zone is approximately $103 million. Upon completion and absorption of the renewed Twelve Hills TIF district estimated taxable value is forecast to increase to $971 million by 2029, more than nine times present taxable value. If this vision is realized, Dallas gains these benefits:

Financial benefits:

With the tax increment financing (“TIF”) program in place, net new City of Dallas real property tax from the proposed zone is reasonably forecast at $44.5 million (in 2008 dollars) over the 22-year life of the proposed district. These amounts are above and beyond all tax on the district’s base value of $103 million of current real property value.

The number of dwellings in the zone will remain approximately the same. Based upon anticipated development, the total number of residential units would increase to approximately 2,900, for a net increase of approximately 600 units. Most of these net additional units would be west of Westmoreland Road where there are fewer than ten homes today. With the number of households relatively constant, the cost of City services should not materially increase. It’s possible that municipal service expenses for the area may even decrease due to lower demand for code enforcement and police responses related to deteriorated apartment units.

In the same 22-year horizon, net new real property tax forecasts (excluding annual tax from the 2007 base value) for these entities are approximately (in 2008 dollars):

- Dallas County: $13 million
- Dallas County Hospital District: $15 million
- Dallas County Community College District: $5 million
- Dallas Independent School District: $92 million

During the 22-year proposed TIF term, approximately 472,000 square feet of retail space is expected to be constructed within the boundaries of the Twelve Hills TIF District for a net increase of approximately 120,000 square feet. Because the City and DART each have a one-cent sales tax, this generates municipal revenue. By 2029, the City and DART will each receive roughly $2,128,510 million (net present value) in incremental sales tax revenue from the
Twelve Hills TIF District. Refer to Schedule 3 for estimates of City and DART sales tax attributed to the additional retail development.

All jurisdictions should receive financial benefits from anticipated higher values of the existing single-family homes outside the zone but within proximity.

Qualitative benefits:

(1) Homeownership percentages rise as Incap replaces 1,969 existing rental units with 1,598 for-sale residences and 515 rental residences.
(2) Deteriorating and functionally obsolete apartments are removed.
(3) Obsolete streets and utilities are replaced at developer expense and risk until a tax stream from the development itself reimburses part of the expense for the needed public improvements.
(4) Twenty percent of the new homes constructed in the zone will be affordable to households earning 80% of the median household income for the Dallas metropolitan area.
(5) Oak Cliff and the southern side of the City of Dallas are re-established as home to an economically diverse population that includes middle- and upper-income households.
(6) A sizeable natural area with unique topography on the Balcones escarpment is preserved for present and future generations.

Renovation of the Twelve Hills area is a costly proposition. Land assembly is difficult and costly relative to suburban areas. Public improvements (streets, sewers, curbs and gutters, sidewalks, water lines, buried and overhead utility lines and street lights) are obsolete and require costly removal and replacement. Existing structures in the area are themselves a deterrent to new homeowners. Unlike suburban areas where buyers are confident demand is strong and investments secure, buyers must be persuaded that a trend of decline will be reversed by commitments to upgrade and maintain a community.

There is evidence that a market can be created for owner-occupied homes in older neighborhoods of quality. Town homes in the Oak Cliff Gateway TIF zone show there is willingness to pay upwards of $300,000 (and in a few cases, more than $400,000) for the right products. But the size of the market in Oak Cliff is unproven and any developer who embarks on a large-scale project takes a large risk. Incap’s experience in the Knox-Travis area indicated that approximately 10% of the total cost of redevelopment must go for replacement of existing public improvements. Consequently, Incap seeks designation of a reinvestment zone for tax increment financing (“TIF”) of public improvements in the Twelve Hills Corridor. Incap estimates its need for public participation through TIF at a present value of approximately $30 million (nominal dollar need is higher due to the time value of money). Dallas County will be asked to reimburse a portion of these actual expenses. But for that degree of public participation, Incap believes that redevelopment of deteriorating apartments would not occur to same degree.
TIF District Policy Considerations

Twenty per cent of new residential units constructed in Twelve Hills will be affordable to a household earning 80% of the median household income for the Dallas metropolitan area. The initial affordable units will be on the site of the existing North Hills apartments at Davis Street and Plymouth Road. Incap plans to work with a developer versed in using tax credits to deliver quality affordable housing for rent for both families and seniors. It's important to Incap that these units blend well into the community. The tax credit program is locally administered by the Dallas Housing Finance Corporation. Incap has explored with the City Housing Department a mortgage gap assistance program to help households with lower than median incomes buy homes. Although funds to make this possible for a large number of households don't appear likely, Incap retains an interest in programs to make affordable for-sale housing economically feasible.

High quality urban design is an objective for Twelve Hills. Prior to the approval of a development agreement for TIF reimbursement, design guidelines will be finalized. Emphasis will be on preservation of the historic street layout, integrating new construction with adjacent structures, and building streetscape elements that provide a street-level environment that is safe, comfortable, interesting and attractive for pedestrians.

Other requirements to qualify for TIF funds include compliance with Fair Share Guidelines for private construction and promotion of hiring for neighborhood residents for permanent jobs created. This latter requirement means TIF applicants will agree to sponsor job fairs or other programs to attract residents to jobs. The process for Fair Share Compliance and City oversight will be negotiated by City staff and included in the development agreement for each individual project.

It is understood that some displacement may occur by redevelopment activity within the TIF District and the City will only provide TIF assistance for projects where the impact of any displacement has been minimized. Specific relocation plans and policies will be developed at a later date. At a minimum, Incap, the initial developer in the District, has agreed to provide existing tenants assistance with finding alternative housing, the return of security deposits, and some towards moving expenses or new leases.
Section 2: Financing Plan

Texas local governments have used tax increment financing ("TIF") since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for development. Statutory law governing TIF is found in Chapter 311 of the Texas Tax Code (the "Act"). The public improvements facilitated by tax increment financing strengthen existing communities and attract investment.

A municipality makes an area eligible for tax increment financing by designating a TIF reinvestment zone ("TIF zone"). All or part of the increased tax revenue due to greater real property value in the zone flows to a "tax increment fund" ("TIF fund") for a specified maximum term of years. Once established, this term may not be extended. Money flowing to the TIF fund is disbursed according to a plan approved by a Board of Directors (the "TIF Board") and the City Council, as prescribed by the Act. With few exceptions, dollars in the TIF fund may be used only for public improvements in the TIF zone.

Exhibit C shows how rising tax revenue from greater appraised value in a TIF zone flows with time to a taxing jurisdiction’s general fund and to a TIF fund. The irregular diagonal line of Exhibit C depicts values in the zone rising at various rates over time. Exhibit C assumes the entire tax increment is dedicated to the TIF fund, as evidenced by the flat line at the base of the shaded polygon. (Only part of the tax increments in the Twelve Hills TIF zone will be dedicated to the TIF fund, however, as this plan will explain.)

Exhibit C
Tax Flow with Tax Increment Financing

- Taxes retained by participating jurisdiction
- Taxes to TIF fund
- Taxes retained by taxing jurisdictions
- TIF contributions begin and end
- TIF fund dissolves
- Base year
- Base value of zone
- Time
- Tax $
Inclusion of property in a TIF zone does not change any tax rate for the property. Tax rates in a TIF zone are the same as tax rates outside the zone, but within the same set of taxing jurisdictions.

Dallas has created fourteen TIF zones since 1986. Without their creation it is doubtful that Uptown, Cityplace, Victory, the Oak Cliff Gateway, Southwest Medical District, Park Lane and other areas would have revitalized in the manner that they have. Most of the initial TIF Districts were located in or around the downtown area or adjacent to DART light rail line stations. The Twelve Hills TIF District is unique in its focus on addressing policy concerns identified in the Dallas Comprehensive Plan, forwardDallas!. Exhibit D summarizes these issues.

**Exhibit D:**
**ForwardDallas! Policy Issues Addressed by Twelve Hills TIF District**

| Encourages development south of IH-30 |
| Replaces existing apartments with a similar number of homes for sale, plus some rental homes as a means of providing affordable housing and encouraging homeownership |
| Wide range of home prices |
| 20% of residences will be affordable housing to meet Dallas County guidelines |
| Significant percentages of each annual tax increment are retained by the City General Fund |
| City incurs little or no material increase in expenses for service delivery; service expenses may even decrease |
| Private investment is large: approximately $300 million within 5 years, ultimately approximately $600 million |
| Zone includes a municipal golf course and park (Stevens Park), a mid-size city park with a lake (Kidd Springs), potential trails along the Coombs Creek waterway and preserves a major natural area on the Balcones Escarpment |
| Zone includes distressed and under-utilized areas |
| Zone abuts and stabilizes historic neighborhoods |
Development and Tax with Tax Increment Financing

Exhibit E is a conceptual plan showing anticipated development within the zone. The conceptual development plan corresponds to the tentative names of projects in Schedule 1. Schedule 1 calculates net taxable value added for each project within the zone, but expresses that net value in 2007 dollars. With inflation, these values will increase when the projects are built, absorbed and appraised for taxes. Inflation adjustments for time are made in Schedule 2.

Based on Schedule 1 and other stated assumptions about inflation, tax rates and tax collection rates, Schedule 2 and Schedule 3 forecast annual taxable values, taxes levied and real property tax collections for relevant taxing jurisdictions over a horizon of thirty years.

Starting with tax year 2009 (Year 2 of the TIF zone), a portion of the real property tax collected by the City of Dallas will flow to a TIF fund. This fund will reimburse TIF project costs according to a duly adopted project plan and financing plan for the Twelve Hills reinvestment zone. Annual percentages of collected annual tax increments invested in the TIF fund by the City of Dallas follow this bell curve formula:

<table>
<thead>
<tr>
<th>TIF year</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>TIF year 1</td>
<td>0%</td>
</tr>
<tr>
<td>TIF years 2 and 3</td>
<td>55%</td>
</tr>
<tr>
<td>TIF years 4 through 6</td>
<td>70%</td>
</tr>
<tr>
<td>TIF years 7 through 13</td>
<td>85%</td>
</tr>
<tr>
<td>TIF years 14 through 16</td>
<td>70%</td>
</tr>
<tr>
<td>TIF year 17 and thereafter</td>
<td>55%</td>
</tr>
</tbody>
</table>

Dallas County will be asked to participate in the TIF program. Schedule 2 County forecasts County tax increments. It assumes that 55% of County tax increments from the zone will be invested in the TIF fund for the same years in which the City of Dallas invests increments. County participation will be pursuant to a participation agreement by the County Commissioners Court.

The majority of tax increments generated in the Twelve Hills TIF zone over the coming 22 years will flow to the general operating funds of the relevant taxing jurisdictions. Schedule 3 presents forecasts of annual real property tax increments retained by taxing entities. The City and DART are the only two entities that collect sales tax. Anticipated sales tax from net new retail floor area in the district is forecast in Schedule 3.
Exhibit E
Twelve Hills Conceptual Development Plan
TIF Project Costs and Debt Service

The TIF fund will be used to reimburse TIF project costs. Schedule 4 lists anticipated project costs. These project costs are expenses for public improvements and municipal administrative expenses for the TIF program. The list of TIF project costs may be amended from time to time by the City Council in accord with relevant law.

Pursuant to a project plan and financing plan (to be approved) by the Dallas City Council and pursuant to one or more development agreements, balances in the TIF fund will be disbursed to reimburse TIF project costs. The City will not be obligated to reimburse TIF project costs unless there are sufficient dollars in the TIF fund to reimburse them. Disbursement from the TIF fund shall be timely made and not unreasonably withheld.

If development and real property appraisals, tax levies tax collections and project cost expenses occur according to assumptions in this plan, reimbursement of TIF project costs according to the project plan and financing plan is expected by 2029, but collection is estimated to be complete after 17 years. Reimbursement of TIF project costs thus appears economically feasible.

This plan assumes the reinvestment zone will be designated by the City Council in calendar year 2007, thus making the certified 2007 tax roll (based on January 1, 2007 conditions) the base value for the zone. The TIF zone will terminate at the end of calendar 2029 or at such other date as set by the City Council. This extended term enables the City of Dallas and other local taxing jurisdictions to allocate percentages of tax increments to the TIF fund in later years if, in their discretion, further investments are warranted. The City Council may terminate this TIF zone at an earlier date if all obligations of the TIF fund have been satisfied. The City Council may also terminate this zone within three years of the adoption of the Final Project Plan and Reinvestment Zone Financing Plan if the TIF fund has no financial obligations.

The tax increment financing fund may have a residual balance of cash after all its financial obligations have been met. Any residual balance will be refunded to taxing entities participating in the TIF program on a pro rata basis according to their respective contributions.

No bonded indebtedness is currently anticipated for the TIF fund. The City may, however, determine at a future date that it would be advantageous to issue obligations backed by a reliable cash flow to the TIF fund and/or other sources, thus reimbursing TIF project costs at an earlier date than otherwise. The City reserves all powers to determine the appropriateness of issuing securities and to approve an issue of securities, yet it has no obligation to issue securities to prepay TIF obligations.
## Schedule 1

**Anticipated Development within Proposed Twelve Hills TIF District**

### Assumptions

Schedule represents anticipated development. Items are subject to change.

Estimated 2007 taxable appraisals of existing properties are the same as 2006, except exempt properties that revert to taxable status.

All values on this sheet are expressed in 2007 dollars.

Initial DCAD “market” appraisals for new residences are 90% of total selling price.

Initial DCAD “market” appraisals for new rental residential properties are 20% of the appraised value.

Percentage of for-sale residences with homestead exemption is based on 45 comparable homes at the intersection of Travis and Haskill.

### Tables

#### Project Units SF Jan. 1, per Unit Price Total DCAD Selling "Market" Homestead of Project Residual Residential Value

<table>
<thead>
<tr>
<th>Project</th>
<th>Units</th>
<th>Selling by</th>
<th>Selling</th>
<th>DCAD</th>
<th>&quot;Market&quot;</th>
<th>Homestead</th>
<th>Total</th>
<th>Residential Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sites owned, under purchase contract or currently in negotiation for purchase by Incap</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acorn Tree &amp; Gulf Latin</td>
<td>162</td>
<td>2010</td>
<td>$340,000</td>
<td>$55,080</td>
<td>$46,572</td>
<td>$41,640</td>
<td>$4,750,000</td>
<td>8.97</td>
</tr>
<tr>
<td>Bahama Glen</td>
<td>362</td>
<td>2014</td>
<td>$340,000</td>
<td>$110,500</td>
<td>$90,450</td>
<td>$83,538</td>
<td>$6,820,310</td>
<td>16.25</td>
</tr>
<tr>
<td>Brockwood</td>
<td>150</td>
<td>2013</td>
<td>$340,000</td>
<td>$51,000</td>
<td>$45,900</td>
<td>$38,566</td>
<td>$4,380,180</td>
<td>9.67</td>
</tr>
<tr>
<td>Chateau Crest &amp; Sebastian</td>
<td>93</td>
<td>2010</td>
<td>$340,000</td>
<td>$31,620</td>
<td>$28,458</td>
<td>$23,904</td>
<td>$2,177,870</td>
<td>4.40</td>
</tr>
<tr>
<td>Country Green</td>
<td>94</td>
<td>2009</td>
<td>$340,000</td>
<td>$31,960</td>
<td>$28,764</td>
<td>$24,161</td>
<td>$1,970,070</td>
<td>4.93</td>
</tr>
<tr>
<td>Emory Park &amp; Virginia Manor</td>
<td>102</td>
<td>2012</td>
<td>$340,000</td>
<td>$34,680</td>
<td>$31,212</td>
<td>$26,218</td>
<td>$1,214,950</td>
<td>4.97</td>
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<tr>
<td>Incap total or average</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,598</td>
<td></td>
<td></td>
<td>$340,000</td>
<td>$643,320</td>
<td>$488,980</td>
<td>$410,749</td>
<td>$37,043</td>
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<tr>
<td>Cantera Crossing</td>
<td>250</td>
<td>2000</td>
<td>$340,000</td>
<td>$11,560</td>
<td>$10,404</td>
<td>$8,739</td>
<td>$1,265,000</td>
<td>2.55</td>
</tr>
<tr>
<td>North Hills</td>
<td>200</td>
<td>2000</td>
<td>$340,000</td>
<td>$11,560</td>
<td>$10,404</td>
<td>$8,739</td>
<td>$1,265,000</td>
<td>2.55</td>
</tr>
<tr>
<td>Plymouth</td>
<td>65</td>
<td>71,503</td>
<td>$340,000</td>
<td>$3,932</td>
<td>$3,932</td>
<td>$3,932</td>
<td>$3,932</td>
<td>1.67</td>
</tr>
<tr>
<td>Fort Worth Avenue</td>
<td>0</td>
<td>2012</td>
<td>$340,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>8.81</td>
</tr>
<tr>
<td>North Hills</td>
<td>0</td>
<td>2000</td>
<td>$340,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>8.81</td>
</tr>
<tr>
<td>Subtotal or average</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medicaid, if estimated</td>
<td></td>
<td></td>
<td></td>
<td>$340,000</td>
<td>$20,064</td>
<td>$20,064</td>
<td>$20,064</td>
<td>2.55</td>
</tr>
<tr>
<td>701 W. Davis block retail</td>
<td>0</td>
<td>2013</td>
<td>$340,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>$89,000</td>
<td>8.81</td>
</tr>
<tr>
<td>Davis / Hampton new retail space:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15% of land area in Davis / Hampton commercial center</td>
<td>0</td>
<td>2015</td>
<td>$89,000</td>
<td>$10,680</td>
<td>$10,680</td>
<td>$5,002,518</td>
<td>8.81</td>
<td>0 $5,677,482</td>
</tr>
<tr>
<td>Subtotal or average</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other sites east of Hartsdale Ave. assumed redeveloped by Incap or others</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2609 W. Davis apartments</td>
<td>120</td>
<td>2000</td>
<td>$340,000</td>
<td>$11,560</td>
<td>$10,404</td>
<td>$8,739</td>
<td>$1,265,000</td>
<td>2.55</td>
</tr>
<tr>
<td>Total or average for redeveloped sites</td>
<td>2,725</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Source: Stein Planning and Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Schedule 2

**Annual Real Property Appraisals and City/County Tax to TIF Fund**

**Assumptions:**
- City of Dallas is expected to participate in the Twelve Hills TIF District for a period of 17 years beginning in 2009. The participation rate varies as follows:
  - TIF year 1: 0%
  - TIF years 2 and 3: 55%
  - TIF years 4 through 6: 70%
  - TIF years 7 through 13: 85%
  - TIF years 14 through 16: 70%
  - TIF years 17 and thereafter: 55%
- Dallas County is expected to participate in the Twelve Hills TIF District for a period of 17 years beginning in 2009 at a rate of 55%.
- Tax rate is assumed to be constant at 2007 rate. Actual rate will vary annually.
- Tax appraisals are for Jan. 1 of the year. Levies occur by Sept. 30 of the year. Tax receipts generally occur 12-13 months after appraisal.
- Stream of annual investments in TIF reflects intent to retire TIF obligations after 17 years of collections.

### TWELVE HILLS - PROJECTED TIF INCREMENT SCHEDULE

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Property Value Estimate</th>
<th>Cumulative Prop. Value Growth</th>
<th>Anticipated Captured Value</th>
<th>Anticipated Increment Revenue</th>
<th>Anticipated Accumulated Revenue (NPV)</th>
<th>Tax Increment Revenue into TIF CITY @ various</th>
<th>Tax Increment Revenue into TIF COUNTY @ 55%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base 2007</td>
<td>$103,383,316</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 2008</td>
<td>$110,450,982</td>
<td>2.00%</td>
<td>$2,067,666</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>2 2009</td>
<td>$114,205,663</td>
<td>35.62%</td>
<td>$36,822,347</td>
<td>$192,019</td>
<td>$174,167</td>
<td>$147,680</td>
<td>$44,339</td>
</tr>
<tr>
<td>3 2010</td>
<td>$219,052,048</td>
<td>111.88%</td>
<td>$115,668,732</td>
<td>$603,182</td>
<td>$605,219</td>
<td>$463,901</td>
<td>$139,281</td>
</tr>
<tr>
<td>4 2011</td>
<td>$261,045,063</td>
<td>152.50%</td>
<td>$157,661,745</td>
<td>$36,822,347</td>
<td>$192,019</td>
<td>$147,680</td>
<td>$44,339</td>
</tr>
<tr>
<td>5 2012</td>
<td>$369,246,446</td>
<td>257.16%</td>
<td>$265,863,130</td>
<td>$1,677,207</td>
<td>$2,827,628</td>
<td>$1,357,072</td>
<td>$320,136</td>
</tr>
<tr>
<td>6 2013</td>
<td>$427,065,040</td>
<td>313.09%</td>
<td>$323,681,724</td>
<td>$2,041,958</td>
<td>$3,513,696</td>
<td>$1,652,201</td>
<td>$389,757</td>
</tr>
<tr>
<td>7 2014</td>
<td>$527,669,398</td>
<td>410.40%</td>
<td>$424,286,082</td>
<td>$3,140,709</td>
<td>$6,583,412</td>
<td>$2,629,810</td>
<td>$510,899</td>
</tr>
<tr>
<td>8 2015</td>
<td>$599,817,660</td>
<td>460.19%</td>
<td>$496,434,344</td>
<td>$3,674,774</td>
<td>$9,070,645</td>
<td>$3,076,999</td>
<td>$597,775</td>
</tr>
<tr>
<td>9 2016</td>
<td>$644,062,471</td>
<td>523.01%</td>
<td>$540,709,155</td>
<td>$4,002,511</td>
<td>$11,650,699</td>
<td>$3,351,423</td>
<td>$651,088</td>
</tr>
<tr>
<td>10 2017</td>
<td>$665,076,779</td>
<td>543.31%</td>
<td>$561,693,463</td>
<td>$4,157,844</td>
<td>$14,203,256</td>
<td>$3,481,488</td>
<td>$676,356</td>
</tr>
<tr>
<td>11 2018</td>
<td>$684,284,794</td>
<td>561.89%</td>
<td>$580,901,478</td>
<td>$4,300,029</td>
<td>$16,717,393</td>
<td>$3,600,544</td>
<td>$699,485</td>
</tr>
<tr>
<td>12 2019</td>
<td>$768,805,142</td>
<td>643.65%</td>
<td>$695,421,826</td>
<td>$4,925,677</td>
<td>$19,440,195</td>
<td>$4,124,418</td>
<td>$801,259</td>
</tr>
<tr>
<td>13 2020</td>
<td>$797,503,752</td>
<td>671.40%</td>
<td>$694,120,436</td>
<td>$5,138,113</td>
<td>$22,185,046</td>
<td>$4,302,297</td>
<td>$835,816</td>
</tr>
<tr>
<td>14 2021</td>
<td>$826,926,485</td>
<td>750.88%</td>
<td>$725,543,169</td>
<td>$4,577,116</td>
<td>$24,496,801</td>
<td>$3,703,463</td>
<td>$873,653</td>
</tr>
<tr>
<td>15 2022</td>
<td>$845,505,015</td>
<td>777.89%</td>
<td>$742,121,699</td>
<td>$4,681,702</td>
<td>$26,748,760</td>
<td>$3,886,086</td>
<td>$893,616</td>
</tr>
<tr>
<td>16 2023</td>
<td>$862,415,115</td>
<td>794.19%</td>
<td>$759,031,799</td>
<td>$4,788,380</td>
<td>$28,942,393</td>
<td>$3,874,022</td>
<td>$913,978</td>
</tr>
<tr>
<td>17 2024</td>
<td>$879,663,418</td>
<td>799.58%</td>
<td>$767,280,102</td>
<td>$4,048,097</td>
<td>$30,708,564</td>
<td>$3,113,349</td>
<td>$934,748</td>
</tr>
<tr>
<td>18 2025</td>
<td>$897,256,686</td>
<td>799.89%</td>
<td>$783,873,370</td>
<td>$4,139,841</td>
<td>$32,428,754</td>
<td>$3,183,909</td>
<td>$955,932</td>
</tr>
<tr>
<td>19 2026</td>
<td>$915,201,820</td>
<td>805.25%</td>
<td>$811,818,504</td>
<td>$0</td>
<td>$32,428,754</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>20 2027</td>
<td>$933,505,856</td>
<td>802.96%</td>
<td>$830,122,540</td>
<td>$0</td>
<td>$32,428,754</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>21 2028</td>
<td>$952,175,973</td>
<td>821.02%</td>
<td>$848,792,657</td>
<td>$0</td>
<td>$32,428,754</td>
<td>$0</td>
<td>$0</td>
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<tr>
<td>22 2029</td>
<td>$971,219,493</td>
<td>839.44%</td>
<td>$867,836,177</td>
<td>$0</td>
<td>$32,428,754</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

**Total (2008 - 2029)**

- **Base 2007:** $103,383,316
- **2008 NPV @ 5%:** $32,428,748
- **2008 NPV @ 5%:** $32,428,754
- **2008 NPV @ 5%:** $26,574,509
- **2008 NPV @ 5%:** $5,854,239

**Note:** The base value shown in the above projections does not reflect variations in taxable value by individual taxing entity. The projections are estimates that will be reviewed annually as new tax roll information becomes available. The budget figures will be indexed to the net present value totals.
Base
2007
1
2008
$15,077
$4,527
$31,069
2
2009
$120,829
$36,277
$553,293
3
2010
$379,555
$113,957
$1,738,038
4
2011
$344,901
$155,329
$2,369,025
5
2012
$581,602
$261,929
$3,994,859
6
2013
$708,086
$318,892
$4,863,642
7
2014
$464,084
$418,008
$6,375,323
8
2015
$543,000
$489,089
$7,459,422
9
2016
$591,428
$532,708
$8,124,696
10
2017
$614,380
$553,382
$8,440,006
11
2018
$635,390
$572,306
$8,728,626
12
2019
$727,838
$655,576
$9,998,628
13
2020
$759,229
$683,850
$10,429,854
14
2021
$1,587,198
$714,807
$10,902,012
15
2022
$1,623,465
$731,141
$11,151,121
16
2023
$1,660,458
$747,800
$11,405,212
17
2024
$2,547,286
$764,793
$11,664,385
18
2025
$2,605,016
$782,126
$11,928,741
19
2026
$5,919,781
$1,777,347 $12,198,385
20
2027
$6,053,254
$1,817,420 $12,473,421
21
2028
$6,189,396
$1,858,296 $12,753,958
22
2029
$6,328,261
$1,899,988 $13,040,106
TOTAL During TIF $40,999,515 $15,889,549 $180,623,822
$17,900,903 $7,498,998 $91,646,674
2008 NPV

Tax Year

$5,252
$93,529
$293,799
$400,461
$675,292
$822,152
$1,077,687
$1,260,943
$1,373,401
$1,426,701
$1,475,490
$1,690,171
$1,763,066
$1,842,880
$1,884,989
$1,927,941
$1,971,751
$2,016,438
$2,062,019
$2,108,511
$2,155,933
$2,204,304
$30,532,710
$15,491,984

$1,675
$29,826
$93,692
$127,706
$215,349
$262,182
$343,672
$402,112
$437,974
$454,972
$470,530
$538,992
$562,238
$587,690
$601,119
$614,816
$628,787
$643,037
$657,573
$672,399
$687,522
$702,947
$9,736,809
$4,940,357

$0
$0
$0
$0
$3,693
$3,804
$6,530
$6,726
$6,928
$7,136
$7,350
$18,169
$18,714
$19,275
$19,854
$20,449
$21,063
$21,695
$22,345
$23,016
$23,706
$24,417
$274,871
$129,342

CITY
COUNTY
Incremental Incremental
DISD
DCHD
DCCCD
Revenue to
Revenue
Incremental Incremental Incremental
CITY
General Fund General Fund
RP Tax
RP Tax
RP Tax
Incremental
(various) (Assume 45%)Assume 100%Assume 100%Assume 100% BPP Tax
$0
$0
$0
$0
$1,109
$1,142
$1,961
$2,019
$2,080
$2,142
$2,207
$5,455
$5,619
$5,787
$5,961
$6,140
$6,324
$6,514
$6,709
$6,910
$7,118
$7,331
$82,527
$38,834

COUNTY
Incremental
BPP Tax
$0
$0
$0
$0
$410
$423
$725
$747
$770
$793
$816
$2,018
$2,079
$2,141
$2,205
$2,272
$2,340
$2,410
$2,482
$2,557
$2,633
$2,712
$30,533
$14,367

DCCCD
Incremental
BPP Tax
$0
$0
$0
$0
$7,610
$7,839
$13,456
$13,860
$14,276
$14,704
$15,145
$37,439
$38,562
$39,719
$40,911
$42,138
$43,402
$44,704
$46,045
$47,427
$48,850
$50,315
$566,403
$266,525

DISD
Incremental
BPP Tax

$0
$0
$0
$0
$1,286
$1,325
$2,275
$2,343
$2,413
$2,486
$2,560
$6,329
$6,519
$6,714
$6,916
$7,123
$7,337
$7,557
$7,784
$8,017
$8,258
$8,505
$95,745
$45,053

DCHD
Incremental
BPP Tax

$0
$0
$0
$0
$60,777
$62,601
$107,465
$110,689
$114,009
$117,430
$120,952
$298,995
$307,964
$317,203
$326,719
$336,521
$346,617
$357,015
$367,726
$378,757
$390,120
$401,824
$4,523,384
$2,128,510

CITY
Incremental
Sales Tax

Retained Real Property, Sales, and BPP Tax
from Net New Development in District

Schedule 3

$0
$0
$0
$0
$60,777
$62,601
$107,465
$110,689
$114,009
$117,430
$120,952
$298,995
$307,964
$317,203
$326,719
$336,521
$346,617
$357,015
$367,726
$378,757
$390,120
$401,824
$4,523,384
$2,128,510

DART
Incremental
Sales Tax

$57,600
$833,754
$2,619,041
$3,397,422
$5,864,696
$7,114,688
$8,918,650
$10,401,639
$11,314,693
$11,751,561
$12,152,325
$14,278,604
$14,885,657
$16,342,630
$16,721,119
$17,107,390
$18,350,700
$18,772,269
$23,435,921
$23,970,447
$24,515,910
$25,072,536
$287,879,251
$142,230,057

TOTAL
Incremental
Taxes
Generated

________________________________________________________________

________________________________________________________________

Preliminary Twelve Hills TIF District Project Plan & Reinvestment Zone Financing Plan

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Schedule 4

TIF Project Plan Improvements

Project costs are public improvements paid or reimbursed by TIF.
Project costs may be changed in subsequent project and financing plans.
This schedule excludes interest, which is also a project cost.

<table>
<thead>
<tr>
<th>Category</th>
<th>(a)</th>
<th>(b)</th>
<th>(c)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Estimated TIF Expenditure (npv)</td>
<td>Estimated TIF Expenditure (actual)</td>
<td></td>
</tr>
<tr>
<td>Infrastructure Improvements</td>
<td>$23,348,703</td>
<td>$41,100,324</td>
<td></td>
</tr>
<tr>
<td>Environmental Remediation and Demolition</td>
<td>$6,485,751</td>
<td>$11,416,757</td>
<td></td>
</tr>
<tr>
<td>Parks, open space, and trails</td>
<td>$1,378,222</td>
<td>$2,426,061</td>
<td></td>
</tr>
<tr>
<td>Façade Restoration</td>
<td>$567,503</td>
<td>$998,966</td>
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</tr>
<tr>
<td>Administration and Implementation</td>
<td>$648,575</td>
<td>$1,141,676</td>
<td></td>
</tr>
<tr>
<td><strong>Total Project Costs (excluding interest)</strong></td>
<td>$32,428,754</td>
<td>$57,083,783</td>
<td></td>
</tr>
</tbody>
</table>

* All values discounted at 5% annually. Actual expenditure value will depend on timing of project cost. Design and engineering costs may be considered in the above categories.
Appendix A
2007 Real Property Accounts in the Twelve Hills TIF District

TO BE PROVIDED PRIOR TO FILING