

**SEPTEMBER 12, 2018 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated September 12, 2018. 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.



T.C. Broadnax
City Manager

9-7-18
Date



Elizabeth Reich
Chief Financial Officer

9-7-18
Date

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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

ADDITIONS:CONSENT AGENDA**Department of Convention and Event Services**

1. 18-913 Authorize changes to the Board of Directors of the Dallas Convention Center Hotel Development Corporation - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION**City Attorney's Office**

2. 18-902 An ordinance amending Ordinance No. 30878, passed by the Dallas City Council on June 13, 2018, which appointed certain persons as full-time and associate (part-time) municipal judges for a two-year term ending May 31, 2020, to fill one full-time municipal judge vacancy and two associate judge vacancies; providing a severability clause; and providing an effective date - Financing: This action has no cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS**Office of Economic Development**

Note: Addendum Item Nos. 3 and 4 must be considered collectively.

3. 18-787 Dallas Downtown Improvement District

A public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amendment to the management contract with Downtown Dallas, Inc. (DDI) authorizing the disbursement of assessments to DDI; providing for City participation in the District in an amount not to exceed \$715,238.85; authorizing payment of City's 2018 assessment directly to the District and providing for an effective date - Not to exceed \$715,238.85 - Financing: General Fund (\$469,405.87) and Convention and Event Services Enterprise Fund (\$245,832.98) (subject to appropriations) (see Fiscal Information)

4. 18-788 Authorize an amended and restated management contract with Downtown Dallas, Inc., the non-profit corporation designated as the management entity for the Dallas Downtown Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Downtown Dallas, Inc., and to address other amendments to the agreement form - Financing: No cost consideration to the City

Note: Addendum Item Nos. 5 and 6 must be considered collectively.

5. 18-789 **Deep Ellum Public Improvement District**

A public hearing concerning the proposed levy of assessment for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Deep Ellum Foundation authorizing the disbursement of assessments to Deep Ellum Foundation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

6. 18-790 Authorize an amended and restated management contract with Deep Ellum Foundation, the non-profit corporation designated as the management entity for the Deep Ellum Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Deep Ellum Foundation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

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

7. 18-791 **Klyde Warren Park/Dallas Arts District Public Improvement District**

A public hearing concerning the proposed levy of assessment for the Klyde Warren Park/Dallas Arts District Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County, pursuant to an amended and restated management contract with Woodall Rodgers Park Foundation authorizing the disbursement of assessments to Woodall Rodgers Park Foundation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

8. 18-792 Authorize an amended and restated management contract with Woodall Rodgers Park Foundation, the non-profit corporation designated as the management entity for the Klyde Warren Park/Dallas Arts District Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Woodall Rodgers Park Foundation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

Note: Addendum Item Nos. 9 and 10 must be considered collectively.

9. 18-793 **Knox Street Public Improvement District**

A public hearing concerning the proposed levy of assessment for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Knox Street Improvement District Corporation authorizing the disbursement of assessments to Knox Street Improvement District Corporation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

10. 18-794 Authorize an amended and restated management contract with Knox Street Improvement District Corporation, the non-profit corporation designated as the management entity for the Knox Street Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Knox Street Improvement District Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

Note: Addendum Item Nos. 11 and 12 must be considered collectively.

11. 18-795 **Lake Highlands Line Public Improvement District**

A public hearing concerning the proposed levy of assessment for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC) authorizing the disbursement of assessments to LHIDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

12. 18-796 Authorize an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC), the non-profit corporation designated as the management entity for the Lake Highlands Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to LHIDC, and to address other amendments to the agreement form - Financing: No cost consideration to the City

Note: Addendum Item Nos. 13 and 14 must be considered collectively.

13. 18-797 **North Lake Highlands Public Improvement District**

A public hearing concerning the proposed levy of assessment for the North Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC) authorizing the disbursement of assessments to LHIDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

14. 18-798 Authorize an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC), the non-profit corporation designated as the management entity for the North Lake Highlands Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to LHIDC, and to address other amendments to the agreement form - Financing: No cost consideration to the City

Note: Addendum Item Nos. 15 and 16 must be considered collectively.

15. 18-802 **Oak Lawn-Hi Line Public Improvement District**

A public hearing concerning the proposed levy of assessment for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation (OLHLIC) authorizing the disbursement of assessments to OLHLIC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

16. 18-803 Authorize an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation, the non-profit corporation designated as the management entity for the Oak Lawn-Hi Line Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Oak Lawn-Hi Line Improvement Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

Note: Addendum Item Nos. 17 and 18 must be considered collectively.

17. 18-804 **Prestonwood Public Improvement District**

A public hearing concerning the proposed levy of assessment for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Prestonwood Homeowners Association authorizing the disbursement of assessments to Prestonwood Homeowners Association; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

18. 18-805 Authorize an amended and restated management contract with Prestonwood Homeowners Association, the non-profit corporation designated as the management entity for the Prestonwood Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Prestonwood Homeowners Association, and to address other amendments to the agreement form - Financing: No cost consideration to the City

Note: Addendum Item Nos. 19 and 20 must be considered collectively.

19. 18-808 **South Side Public Improvement District**

A public hearing concerning the proposed levy of assessment for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amendment to the management contract with South Side Quarter Development Corporation (SSQDC) authorizing the disbursement of assessments to SSQDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

20. 18-809 Authorize an amended and restated management contract with South Side Quarter Development Corporation, the non-profit corporation designated as the management entity for the South Side Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to South Side Quarter Development Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

21. 18-810 Tourism Public Improvement District

A public hearing concerning the proposed levy of assessment for the Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final Service Plan for 2018-19, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments on Dallas hotels with 100 or more rooms, for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

Note: Addendum Item Nos. 22 and 23 must be considered collectively.

22. 18-815 University Crossing Public Improvement District

A public hearing concerning the proposed levy of assessment for the University Crossing Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPID, Inc.) authorizing the disbursement of assessments to UCPID, Inc.; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

23. 18-816 Authorize an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPIID, Inc.), the non-profit corporation designated as the management entity for the University Crossing Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to UCPIID, Inc, and to address other amendments to the agreement form - Financing: No cost consideration to the City

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

24. 18-817 **Uptown Public Improvement District**

A public hearing concerning the proposed levy of assessment for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County, pursuant to an amended and restated management contract with Uptown Dallas, Inc. authorizing the disbursement of assessments to Uptown Dallas, Inc.; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

25. 18-818 Authorize an amended and restated management contract with Uptown Dallas, Inc., the non-profit corporation designated as the management entity for the Uptown Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Uptown Dallas, Inc., and to address other amendments to the agreement form - Financing: No cost consideration to the City

Note: Addendum Item Nos. 26 and 27 must be considered collectively.

26. 18-819 **Vickery Meadow Public Improvement District**

A public hearing concerning the proposed levy of assessment for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Vickery Meadow Management Corporation authorizing the disbursement of assessments to Vickery Meadow Management Corporation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

27. 18-820 Authorize an amended and restated management contract with Vickery Meadow Management Corporation, the non-profit corporation designated as the management entity for the Vickery Meadow Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Vickery Meadow Management Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

EXECUTIVE SESSION NOTICE

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

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

Agenda Date: September 12, 2018

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	2	C	CES	NC	Authorize changes to the Board of Directors of the Dallas Convention Center Hotel Development Corporation - Financing: No cost consideration to the City
2.	All	I	ATT	NC	An ordinance amending Ordinance No. 30878, passed by the Dallas City Council on June 13, 2018, which appointed certain persons as full-time and associate (part-time) municipal judges for a two-year term ending May 31, 2020, to fill one full-time municipal judge vacancy and two associate judge vacancies; providing a severability clause; and providing an effective date - Financing: This action has no cost consideration to the City
3.	2,14	PH	ECO	\$715,238.85	<p>Dallas Downtown Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amendment to the management contract with Downtown Dallas, Inc. (DDI) authorizing the disbursement of assessments to DDI; providing for City participation in the District in an amount not to exceed \$715,238.85; authorizing payment of City's 2018 assessment directly to the District and providing for an effective date - Not to exceed \$715,238.85 - Financing: General Fund (\$469,405.87) and Convention and Event Services Enterprise Fund (\$245,832.98) (subject to appropriations) (see Fiscal Information)</p>
4.	2,14	PH	ECO	NC	Authorize an amended and restated management contract with Downtown Dallas, Inc., the non-profit corporation designated as the management entity for the Dallas Downtown Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Downtown Dallas, Inc., and to address other amendments to the agreement form - Financing: No cost consideration to the City

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
5.	2,14	PH	ECO	NC	<p>Deep Ellum Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Deep Ellum Foundation authorizing the disbursement of assessments to Deep Ellum Foundation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>
6.	2,14	PH	ECO	NC	<p>Authorize an amended and restated management contract with Deep Ellum Foundation, the non-profit corporation designated as the management entity for the Deep Ellum Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Deep Ellum Foundation, and to address other amendments to the agreement form - Financing: No cost consideration to the City</p>
7.	14	PH	ECO	NC	<p>Klyde Warren Park/Dallas Arts District Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Klyde Warren Park/Dallas Arts District Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County, pursuant to an amended and restated management contract with Woodall Rodgers Park Foundation authorizing the disbursement of assessments to Woodall Rodgers Park Foundation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
8.	14	PH	ECO	NC	Authorize an amended and restated management contract with Woodall Rodgers Park Foundation, the non-profit corporation designated as the management entity for the Klyde Warren Park/Dallas Arts District Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Woodall Rodgers Park Foundation, and to address other amendments to the agreement form - Financing: No cost consideration to the City
9.	14	PH	ECO	NC	<p>Knox Street Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Knox Street Improvement District Corporation authorizing the disbursement of assessments to Knox Street Improvement District Corporation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>
10.	14	PH	ECO	NC	Authorize an amended and restated management contract with Knox Street Improvement District Corporation, the non-profit corporation designated as the management entity for the Knox Street Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Knox Street Improvement District Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
11.	9,10,13	PH	ECO	NC	<p>Lake Highlands Line Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC) authorizing the disbursement of assessments to LHIDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>
12.	9,10,13	PH	ECO	NC	<p>Authorize an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC), the non-profit corporation designated as the management entity for the Lake Highlands Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to LHIDC, and to address other amendments to the agreement form - Financing: No cost consideration to the City</p>
13.	10	PH	ECO	NC	<p>North Lake Highlands Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the North Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC) authorizing the disbursement of assessments to LHIDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
14.	10	PH	ECO	NC	Authorize an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC), the non-profit corporation designated as the management entity for the North Lake Highlands Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to LHIDC, and to address other amendments to the agreement form - Financing: No cost consideration to the City
15.	6	PH	ECO	NC	<p>Oak Lawn-Hi Line Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation (OLHLIC) authorizing the disbursement of assessments to OLHLIC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>
16.	6	PH	ECO	NC	Authorize an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation, the non-profit corporation designated as the management entity for the Oak Lawn-Hi Line Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Oak Lawn-Hi Line Improvement Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
17.	12	PH	ECO	NC	<p>Prestonwood Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Prestonwood Homeowners Association authorizing the disbursement of assessments to Prestonwood Homeowners Association; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>
18.	12	PH	ECO	NC	<p>Authorize an amended and restated management contract with Prestonwood Homeowners Association, the non-profit corporation designated as the management entity for the Prestonwood Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Prestonwood Homeowners Association, and to address other amendments to the agreement form - Financing: No cost consideration to the City</p>
19.	2	PH	ECO	NC	<p>South Side Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amendment to the management contract with South Side Quarter Development Corporation (SSQDC) authorizing the disbursement of assessments to SSQDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
20.	2	PH	ECO	NC	Authorize an amended and restated management contract with South Side Quarter Development Corporation, the non-profit corporation designated as the management entity for the South Side Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to South Side Quarter Development Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City
21.	2,5,6,7,8,9,10,11,12,13,14	PH	ECO	NC	<p>Tourism Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final Service Plan for 2018-19, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments on Dallas hotels with 100 or more rooms, for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>
22.	14	PH	ECO	NC	<p>University Crossing Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the University Crossing Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPID, Inc.) authorizing the disbursement of assessments to UCPID, Inc.; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
23.	14	PH	ECO	NC	Authorize an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPID, Inc.), the non-profit corporation designated as the management entity for the University Crossing Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to UCPID, Inc, and to address other amendments to the agreement form - Financing: No cost consideration to the City
24.	14	PH	ECO	NC	Uptown Public Improvement District A public hearing concerning the proposed levy of assessment for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County, pursuant to an amended and restated management contract with Uptown Dallas, Inc. authorizing the disbursement of assessments to Uptown Dallas, Inc.; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)
25.	14	PH	ECO	NC	Authorize an amended and restated management contract with Uptown Dallas, Inc., the non-profit corporation designated as the management entity for the Uptown Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Uptown Dallas, Inc., and to address other amendments to the agreement form - Financing: No cost consideration to the City

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
26.	13	PH	ECO	NC	<p>Vickery Meadow Public Improvement District</p> <p>A public hearing concerning the proposed levy of assessment for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Vickery Meadow Management Corporation authorizing the disbursement of assessments to Vickery Meadow Management Corporation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)</p>
27.	13	PH	ECO	NC	<p>Authorize an amended and restated management contract with Vickery Meadow Management Corporation, the non-profit corporation designated as the management entity for the Vickery Meadow Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Vickery Meadow Management Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City</p>

TOTAL \$715,238.85



Agenda Information Sheet

File #: 18-913

Item #: 1.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality
AGENDA DATE: September 12, 2018
COUNCIL DISTRICT(S): 2
DEPARTMENT: Department of Convention and Event Services
EXECUTIVE: Joey Zapata

SUBJECT

Authorize changes to the Board of Directors of the Dallas Convention Center Hotel Development Corporation - Financing: No cost consideration to the City

BACKGROUND

The Articles of Incorporation for the Dallas Convention Center Hotel Development Corporation (DCCHDC) state that the DCCHDC should consist of three board members, who are employed by, and reside in, the city of Dallas. Each board member serves for a period of two years, may be reappointed, and can serve for six consecutive years. This action appoints Kimberly Bizer Tolbert as President, reappoints Shelia D. Robinson as Vice President, and reappoints John P. Johnson, Jr. as Treasurer and Secretary, all for a period of two years.

Effective May 10, 2017, Raquel Favela was appointed to serve on the DCCHDC Board of Directors as President. However, due to Ms. Favela's resignation, the City Manager recommends Kimberly Bizer Tolbert to replace Ms. Favela on the Board of Directors.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 10, 2010, City Council authorized the replacement of Shelia D. Robinson with Jo M. (Jody) Puckett to serve as a Board Member of the Dallas Convention Center Hotel Development Corporation by Resolution No. 10-0454.

On April 14, 2010, City Council authorized the replacement of Frank Poe with Al (Alberto) Rojas to serve as Secretary of the Dallas Convention Center Hotel Development Corporation by Resolution No. 10-0918.

On October 10, 2011, City Council authorized the replacement of Ryan Evans with Forest Turner to serve as President and replaced Jo M. (Jody) Puckett with Shelia D. Robinson to serve as Board Member of the Dallas Convention Center Hotel Development Corporation by Resolution No. 11-2719.

On August 28, 2013, City Council authorized the replacement of Forest Turner with Jose (Joey) Zapata to serve as President of the Dallas Convention Center Hotel Development Corporation by Resolution No. 13-1422.

On January 13, 2016, City Council authorized the replacement of Al (Alberto) Rojas with Juanita Ortiz to serve on the Dallas Convention Center Hotel Development Corporation by Resolution No. 16-0077.

On May 10, 2017, City Council authorized the replacement of Jose (Joey) Zapata with Raquel Favela, the replacement of Juanita Ortiz with John P. Johnson, Jr., and the reappointment of Shelia D. Robinson to serve on the Dallas Convention Center Hotel Development Corporation by Resolution No. 17-0745.

FISCAL INFORMATION

No cost consideration to the City.

September 12, 2018

WHEREAS, the Articles of Incorporation, upon the recommendation of the City Manager, authorize the City Council to approve changes to the Board of Directors of the Dallas Convention Center Hotel Development Corporation; and

WHEREAS, on February 10, 2010, City Council authorized the replacement of Shelia Robinson with Jo M. (Jody) Puckett to serve as a Board Member of the Dallas Convention Center Hotel Development Corporation by Resolution No. 10-0454; and

WHEREAS, on April 14, 2010, City Council authorized the replacement of Frank Poe with Al (Alberto) Rojas to serve as Secretary of the Dallas Convention Center Hotel Development Corporation by Resolution No. 10-0918; and

WHEREAS, on October 10, 2011, City Council authorized the replacement of Ryan Evans with Forest Turner to serve as President and replaced Jo M. (Jody) Puckett with Shelia Robinson to serve as Board Member of the Dallas Convention Center Hotel Development Corporation by Resolution No. 11-2719; and

WHEREAS, on August 28, 2013, City Council authorized the replacement of Forest Turner with Jose (Joey) Zapata to serve as President of the Dallas Convention Center Hotel Development Corporation by Resolution No. 13-1422; and

WHEREAS, on January 13, 2016, City Council authorized the replacement of Al (Alberto) Rojas with Juanita Ortiz to serve on the Dallas Convention Center Hotel Development Corporation by Resolution No. 16-0077; and

WHEREAS, on May 10, 2017, City Council authorized the replacement of Jose (Joey) Zapata with Raquel Favela to serve as President of the Dallas Convention Center Hotel Development Corporation, the replacement of Juanita Ortiz with John P. Johnson, Jr., and the reappointment of Shelia D. Robison to the Dallas Convention Center Hotel Development Corporation by Resolution No. 17-0745.

Now, Therefore,

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

SECTION 1. That Kimberly Bizer Tolbert is appointed to serve as the President of the Dallas Convention Center Hotel Development Corporation for a two-year term.

SECTION 2. That John P. Johnson, Jr. is reappointed to serve as the Treasurer and Secretary of the Dallas Convention Center Hotel Development Corporation for a two-year term.

SECTION 3. That Shelia Robinson is reappointed to serve as the Vice President of the Dallas Convention Center Hotel Development Corporation for a two-year term.

September 12, 2018

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-902

Item #: 2.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

An ordinance amending Ordinance No. 30878, passed by the Dallas City Council on June 13, 2018, which appointed certain persons as full-time and associate (part-time) municipal judges for a two-year term ending May 31, 2020, to fill one full-time municipal judge vacancy and two associate judge vacancies; providing a severability clause; and providing an effective date - Financing: This action has no cost consideration to the City

BACKGROUND

Chapters 29 and 30 of the Texas Government Code and Chapter VII of the Dallas City Charter provide that the municipal court of record shall be presided over by municipal court judges and that the City Council shall appoint, to serve a two-year term, full-time municipal judges and associate (part-time) municipal judges to preside over the City of Dallas municipal court of record and designate an administrative judge.

After the appointment of judges to be effective on August 1, 2018, the City was made aware of three vacancies created by the resignation of previously appointed municipal judges.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2018, City Council appointed 10 full-time municipal judges and 18 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2020, by Resolution No. 18-0846, Ordinance No. 30878.

On August 15, 2018, after the vacancy of the full-time municipal judge, the Judicial Nominating Commission met to recommend to the Ad Hoc Judicial Nomination Committee (Ad Hoc Judicial) one (1) candidate for full-time municipal judge.

On September 4, 2018, the Ad Hoc Judicial Nomination Committee convened to discuss and accept the recommendations to appoint one (1) full-time and two (2) associate (part-time) municipal judges

and forward to full City Council for approval.

FISCAL INFORMATION

This action has no cost consideration to the City.

ORDINANCE NO. _____

An ordinance amending Ordinance No. 30878, passed by the Dallas City Council on June 13, 2018, which appointed certain persons as full-time and associate (part-time) municipal judges for a two-year term ending May 31, 2020, to fill one full-time municipal judge vacancy and two associate judge vacancies; providing a severability clause; and providing an effective date.

WHEREAS, Chapters 29 and 30 of the Texas Government Code and Chapter VII of the Dallas City Charter provide that the municipal court of record be presided over by municipal court judges; and

WHEREAS, the Dallas City Charter provides that the city council shall appoint the municipal court judges and designate the administrative judge biennially in May of each even-numbered year to serve a two-year term; and

WHEREAS, on June 13, 2018, the City Council appointed 10 full-time municipal judges and 18 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2020; and

WHEREAS, after the appointment of the judges to be effective on August 1, 2018, the City was made aware of vacancies created by the resignation of previously appointed municipal judges; and

WHEREAS, as required by Section 13-5.2(d) of the Dallas City Code, on August 15, 2018, after the vacancy of the full-time municipal judge, the Judicial Nominating Commission recommended to the Ad Hoc Judicial Nominations Committee a candidate for the full-time municipal judge vacancy; and

WHEREAS, on September 4, 2018, the Ad Hoc Judicial Nominations Committee convened to discuss and accept the recommendations to appoint one full time and two associate (part-time) municipal judges and forward to the city council for consideration on September 12, 2018; and

WHEREAS, on September 12, 2018, the city council, at its regularly scheduled meeting, considered the full-time and the associate (part-time) municipal judge nominees; Now, Therefore,

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

Section 1. That the following person is appointed as a full-time municipal judge to fill the vacancy for the City of Dallas municipal court of record for the remainder of a two-year term ending May 31, 2020:

Marsha Tillman

SECTION 2. That the following persons are appointed as associate (part-time) municipal judges to fill the vacancy for the City of Dallas municipal court of record for the remainder of a two-year term ending May 31, 2020:

1. Frances Crumpler
2. Yodit Tewolde

SECTION 3. That the salary is \$109,242.00 per year for the administrative municipal judge, \$101,198.73 per year for full-time municipal judges with two or more years of judicial experience, \$90,043.20 per year for full-time municipal judges with less than two years of judicial experience, \$48.65 per hour for associate municipal judges with two or more years of judicial experience, and \$43.29 per hour for associate municipal judges with less than two years of judicial experience, in each case the salary to include such adjustments in salaries and number of paid working days and furlough days as are designated by the City of Dallas as to its salaried non-uniformed employees generally.

SECTION 4. That it is the intent of the city council that the judicial appointments set forth in this ordinance are severable, and if any appointment is declared invalid by the valid judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining judicial appointments, since the same would have been approved by the city council without the invalid appointment.

SECTION 5. That this ordinance shall take effect on September 12, 2018, and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By _____
Assistant City Attorney

Passed _____



Agenda Information Sheet

File #: 18-787

Item #: 3.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Dallas Downtown Improvement District

A public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amendment to the management contract with Downtown Dallas, Inc. (DDI) authorizing the disbursement of assessments to DDI; providing for City participation in the District in an amount not to exceed \$715,238.85; authorizing payment of City's 2018 assessment directly to the District and providing for an effective date - Not to exceed \$715,238.85 - Financing: General Fund (\$469,405.87) and Convention and Event Services Enterprise Fund (\$245,832.98) (subject to appropriations) (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed management contract amendment, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue.

Annually, City Council calls and holds a public hearing to consider the proposed assessment rate for

property in the Public Improvement Districts ("PID") and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel. After hearing and passing on the objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

Downtown Dallas Inc. provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include Downtown Safety Patrol Program, safety awareness and education programs, Clean Team Program, operation of the mass transportation facilities, landscaping, banner program, installation and maintenance of trash containers, promotion of downtown, installation of lighting, implement signage and wayfinding system, development of new public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act. The purpose of the District is to supplement and enhance services within the District, but not to replace or supplant existing City services provided within the District.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$8,107,177.00 in 2019 and reach \$8,475,000.00 in 2023. The total estimated assessment to be collected during the next five-year period is approximately \$41,461,177.00. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The gross assessment amount for 2018 is estimated to be \$8,323,181.11. This amount is equal to \$0.129 per \$100.00 of appraised value, as determined by DCAD. Once levied, this assessment apportionment shall not increase during the 2019 Service Plan year. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. The City of Dallas has contractually agreed to pay assessments against exempt City property in the District. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must also be established by contract.

For FY 2018-19, the estimated City participation is approximately \$715,238.85 (this amount excludes an estimated \$380,721.30 assessment for the Convention Center Hotel property under the auspices of a Local Government Corporation). Beginning with the FY 2016-17, the County discontinued collection of the City's assessment for City property within the District. The City's 2018 assessment and all future assessments will be paid directly to the District at the County's request. Every dollar of City assessment paid to the District will leverage approximately \$11.00 of assessments paid by private property owners. As a contributor, the City of Dallas will be represented on the governing Boards of Directors.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 24, 1992, City Council authorized the creation of the Dallas Downtown Improvement District by Resolution No. 92-2445.

On August 9, 2006, City Council held a public hearing to receive comments on the renewal of the Public Improvement District; and authorized the renewal of the Dallas Downtown Improvement District; approval of findings; establishing an effective date; approval of the service plan; designating the Dallas Central Business District Enterprises, Inc. as manager of the district; authorizing a contract; and authorizing appointment of City representatives to the governing Board by Resolution Nos. 06-2048 and 06-2049.

On June 12, 2013, City Council held a public hearing to receive comments concerning the renewal of the Downtown Improvement District; authorize approval of a resolution renewing the Downtown Improvement District for a period of seven years and approval of the Service Plan and management contract by Resolution No. 13-1015.

On September 10, 2014, City Council held a public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District; and an ordinance approving and adopting the final Service Plan for 2015 and final 2014 Assessment Plan and 2014 Assessment Roll by Resolution No. 14-1506; Ordinance No. 29456.

On September 9, 2015, City Council held a public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District; and an ordinance approving and adopting the proposed and final 2016 Service Plan and 2015 Assessment Roll by Resolution No. 15-1695; Ordinance No. 29860.

On September 14, 2016, City Council held a public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District and an ordinance approving and adopting the final 2017 Service Plan, the final 2016 Assessment Plan and the 2016 Assessment Roll by Resolution No. 16-1496; Ordinance No. 30201.

On September 13, 2017, City Council held a public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District and authorized and ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1482; Ordinance No. 30636.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Dallas Downtown Improvement District's final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1182.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

General Fund - \$469,405.87 (subject to appropriations)

Convention and Event Services Enterprise Fund - \$245,832.98 (subject to appropriations)

<u>Council District</u>	<u>Amount</u>
2	\$429,143.31
14	<u>\$286,095.54</u>
Total	\$715,238.85

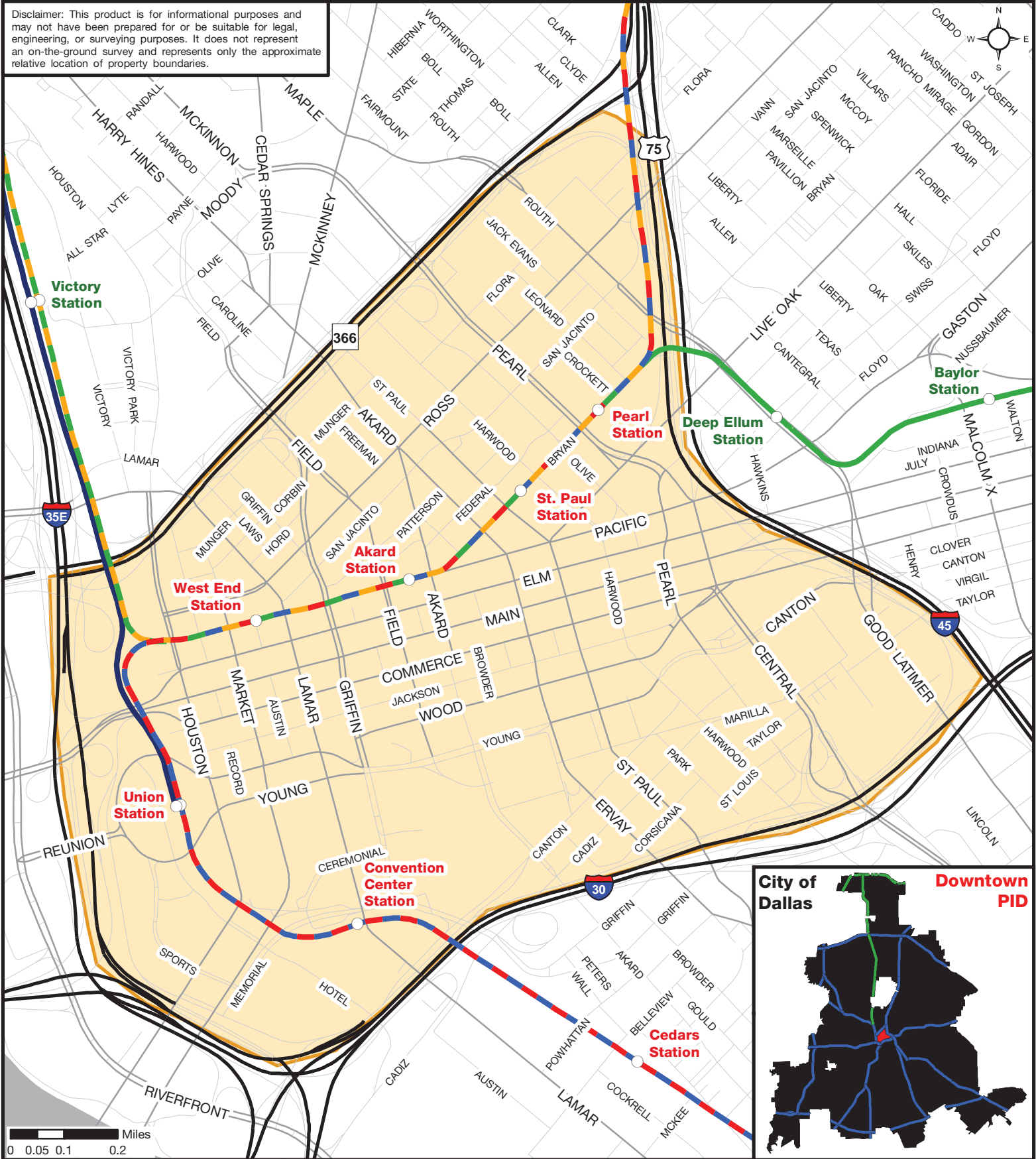
Cost consideration to others - the proposed assessment amount is approximately equal to \$0.129 per \$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

Downtown Improvement District (DID)

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



DALLAS ECONOMIC DEVELOPMENT
 Research & Information Division
 214.670.1685
 dallas-ecodev.org

Legend

- Downtown Improvement District
- Rail Station
- DART Green Line
- DART Orange Line
- DART Red Line
- DART Blue Line
- Trinity Railway Express
- Freeway or Tollway
- Arterial
- Local Road
- Flood Plain

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE DALLAS DOWNTOWN IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COST FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH DOWNTOWN DALLAS, INC. (DDI) AUTHORIZING THE DISPURSEMENT OF ASSESSMENTS TO DDI; AUTHORIZING PAYMENT OF CITY'S 2018 ASSESSMENT AND ALL FUTURE CITY ASSESSMENTS DIRECTLY TO THE DISTRICT; PROVIDING FOR CITY'S 2018 PARTICIPATION IN THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$715,238.85 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on June 24, 1992, City Council established the Dallas Downtown Improvement District (the "District"), as shown on the attached **Exhibit A - Map of the District**, pursuant to the Act finding that the Act's requirements and supplemental services and improvements were feasible and conferred a special benefit to the property in the District, designated Dallas CBD Enterprises, Inc. as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 92-2445; and

WHEREAS, on August 9, 2006, City Council held a public hearing to receive comments on the renewal of the Public Improvement District by Resolution No. 06-2048 and authorized the renewal of the Dallas Downtown Improvement District; approval of findings; establishing an effective date; approval of the service plan; designating the Dallas Central Business District Enterprises, Inc. as manager of the district; authorizing a contract; and authorizing appointment of City representatives to the governing Board by Resolution No. 06-2049; and

WHEREAS, on June 12, 2013, City Council the renewal of the held a public hearing to receive comments concerning the renewal of the Downtown Improvement District; authorize approval of a resolution renewing the Downtown Improvement District for a period of seven years and approval of the Service Plan and management contract by Resolution No.13-1015; and

WHEREAS, on September 10, 2014, City Council held a public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District; and authorized an ordinance approving and adopting the final Service Plan for 2015 and final 2014 Assessment Plan and 2014 Assessment Roll by Resolution No. 14-1506; Ordinance No. 29456; and

WHEREAS, on September 9, 2015, City Council held a public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District; and authorized an ordinance approving and adopting the proposed and final 2016 Service Plan and 2015 Assessment Roll by Resolution No. 15-1695; Ordinance 29860; and

WHEREAS, on September 14, 2016, City Council held a public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District and authorized an ordinance approving and adopting the final 2017 Service Plan, the final 2016 Assessment Plan and the 2016 Assessment Roll by Resolution No. 16-1496; Ordinance 30201; and

WHEREAS, on September 13, 2017, City Council held a public hearing concerning the proposed levy of assessment for the Dallas Downtown Improvement District and authorized and ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1482; Ordinance No. 30636.

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District and at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Dallas Downtown Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1182; and

WHEREAS, the District's manager provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan, as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.129 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD) is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amendment to the management contract with Downtown Dallas, Inc. (DDI) authorizing the disbursement of assessments to DDI; providing for City participation in the District in an amount not to exceed \$715,238.85; authorizing payment of City's 2018 assessment directly to the District and providing for an effective date and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The gross assessment amount for 2018 is estimated to be \$8,323,181.11. This amount shall be apportioned in an amount equal to \$0.129 per \$100.00 of appraised value, as determined by DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year. The City of Dallas has contractually agreed to pay assessments against exempt City property in the District. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must also be established by contract.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$8,323,181.11. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse funds for a total not to exceed \$715,238.85 for City's 2018 assessment as follows:

Fund 0001, Department BMS, Unit 1991, Object 3599 to pay assessments on City-owned property benefitting from services and improvements provided by the District, in an amount not to exceed \$469,405.87, to Vendor 503465, subject to annual appropriations; and

Fund 0080, Department CCT, Unit 7840, Object 3599 to pay assessments on City-owned property benefitting from services and improvements provided by the District, in an amount not to exceed \$245,832.98, to Vendor 503465, subject to annual appropriations.

SECTION 6. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, 6th Floor, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 7. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 8. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 9. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 10. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 11. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 12. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 13. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County in the Dallas Downtown Improvement District Fund, Fund 9P02, Department ECO, Unit 1857, Revenue Code 8576.

SECTION 14. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 15. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P02, Department ECO, Unit 1857, Object 3090 to General Fund, Fund 0001, Department ECO, Unit 1272, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 16. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P02, Department ECO, Unit 1857, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 17. That no assessment revenue will be disbursed to DDI unless an amended and restated management contract is executed.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P02, Department ECO, Unit 1857, Object 3034, Vendor 503465, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any reconciliation adjustments related to this activity.

SECTION 19. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P02, Department ECO, Unit 1857, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 20. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 21. That this ordinance 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 ordained.

APPROVED AS TO FORM
LARRY E. CASTO, City Attorney

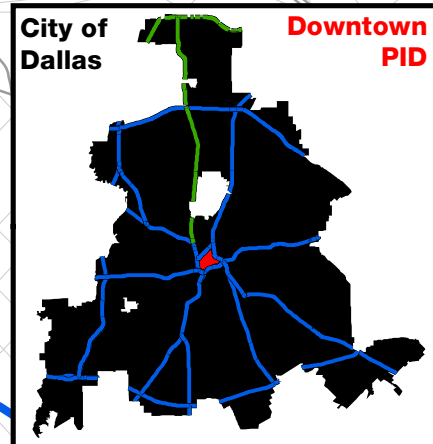
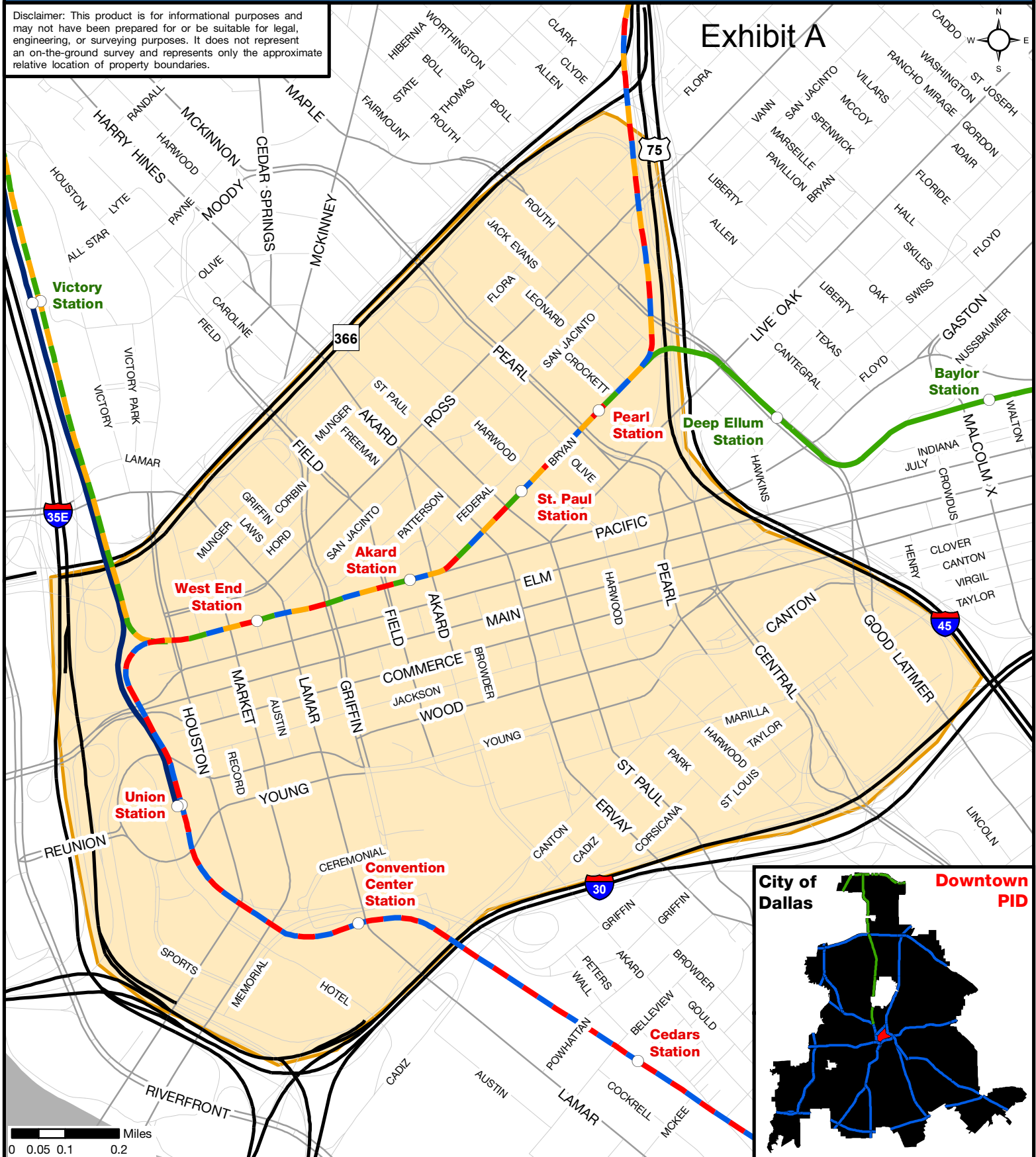
BY: 
Assistant City Attorney

Passed _____

Downtown Improvement District (DID)

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Exhibit A



DALLAS ECONOMIC DEVELOPMENT
 Research & Information Division
 214.670.1685
 dallas-ecodev.org

Legend

- Downtown Improvement District
- DART Green Line
- Arterial
- Rail Station
- DART Orange Line
- Local Road
- DART Red Line
- Trinity Railway Express
- Flood Plain
- DART Blue Line
- Freeway or Tollway

Exhibit B

Dallas Downtown Improvement District (DID) Service Plan 2019-2023

	<i>2019 Budget</i>	<i>2020 Budget</i>	<i>2021 Budget</i>	<i>2022 Budget</i>	<i>2023 Budget</i>
REVENUES & RESERVES					
Fund balance from previous year	\$3,383.00	\$11,387.00	\$11,932.99	\$11,815.99	\$12,018.70
Net assessment revenue*	\$8,033,181.00	\$8,121,545.99	\$8,210,883.00	\$8,301,202.71	\$8,392,515.94
Exempt jurisdictions	\$81,500.00	\$81,500.00	\$81,500.00	\$81,500.00	\$81,500.00
Interest on cash balances	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00
Other income & contributions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL INCOME & RESERVES	\$8,118,564.00	\$8,214,932.99	\$8,304,815.99	\$8,395,018.70	\$8,486,534.64
EXPENDITURES					
Organization & Administration	\$809,944.00	\$630,000.00	\$680,000.00	\$730,000.00	\$780,000.00
Capital Improvements ¹	\$333,788.00	\$300,000.00	\$300,000.00	\$305,000.00	\$315,000.00
Transportation and Improvements ²	\$455,811.00	\$455,000.00	\$460,000.00	\$465,000.00	\$470,000.00
Communications & Events ³	\$1,193,176.00	\$1,250,000.00	\$1,275,000.00	\$1,295,000.00	\$1,310,000.00
Services and Improvements ⁴	\$1,922,090.00	\$2,100,000.00	\$2,105,000.00	\$2,110,000.00	\$2,116,000.00
Safety ⁵	\$3,392,368.00	\$3,468,000.00	\$3,473,000.00	\$3,478,000.00	\$3,484,000.00
TOTAL EXPENDITURES	\$8,107,177.00	\$8,203,000.00	\$8,293,000.00	\$8,383,000.00	\$8,475,000.00
FUND BALANCE/RESERVES	\$11,387.00	\$11,932.99	\$11,815.99	\$12,018.70	\$11,534.64

* 2018 Assessment less admin fees, delinquent and/or protested accounts contingency, and exempt accounts removed by the County.

¹ Public Improvements, landscape and parks.

² Downtown circulator, operation and maintenance of mass transportation facilities.

³ Special supplemental service for promotion and improvement of the DID, including, entertainment and events, and retail recruitment.

⁴ Community programs, Clean Team, environmental enhancements and sanitation.

⁵ Downtown Safety Patrol, Homeless outreach, education & coordination.

Exhibit C



**DOWNTOWN
DALLAS INC**

901 Main Street
Suite 7100
Dallas, TX 75202
p 214.744.1270
f 214.744.1986

Downtown Dallas, Inc. Improvement District 2019 Assessment Plan

The costs of the services and improvements by the District will be paid primarily by special assessment against properties in the District. Annual assessments are based on the total value of real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The District service area is shown on a map attached hereto. The assessment to be levied for properties in the District service area is \$.1290 per \$100 of appraised value. Dependent upon future District property values and the changing needs of the District, the assessment rate stated above is not anticipated to change in the next five years. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of \$0.15 per \$100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code.

As provided by Chapter 372 of The Code, the City of Dallas is responsible for payments of assessments against exempt municipal property in the District. Properties not liable for assessment include City rights-of-way and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code). Payment of assessments by other exempt jurisdictions shall be established by contract.



Agenda Information Sheet

File #: 18-788

Item #: 4.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Downtown Dallas, Inc., the non-profit corporation designated as the management entity for the Dallas Downtown Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Downtown Dallas, Inc., and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On June 12, 2013, City Council authorized the renewal of the Dallas Downtown Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with the Downtown Dallas, Inc. (DDI) as the management entity for the District. DDI is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract a cooperative relationship is established between the City and DDI with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). DDI is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is deducted from the first dollars collected until the entire fee is paid. After said fee has been paid,

subsequent collections had been transferred to a separate DDI established bank account. DDI has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by DDI to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 24, 1992, City Council authorized the creation of the Dallas Downtown Improvement District by Resolution No. 92-2445.

On August 9, 2006, City Council held a public hearing to receive comments on the renewal of the Dallas Downtown Improvement District and authorized the renewal of the Dallas Downtown Improvement District; approval of findings; establishing an effective date; approval of the service plan; designating the Dallas Central Business District Enterprises, Inc. as manager of the district; authorizing a contract; and authorizing appointment of City representatives to the governing Board by Resolution Nos. 06-2048 and 06-2049.

On June 12, 2013, City Council held a public hearing to receive comments concerning the renewal of the Downtown Improvement District; authorize approval of a resolution renewing the Downtown Improvement District for a period of seven years and approval of the Service Plan and management contract by Resolution No. 13-1015.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

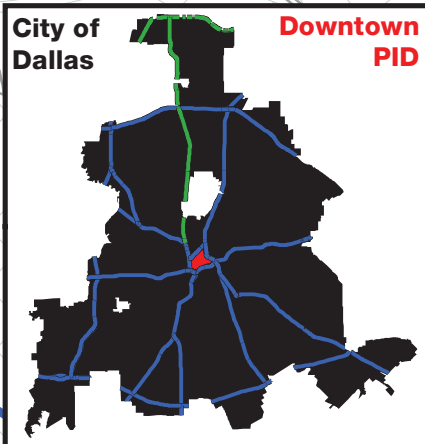
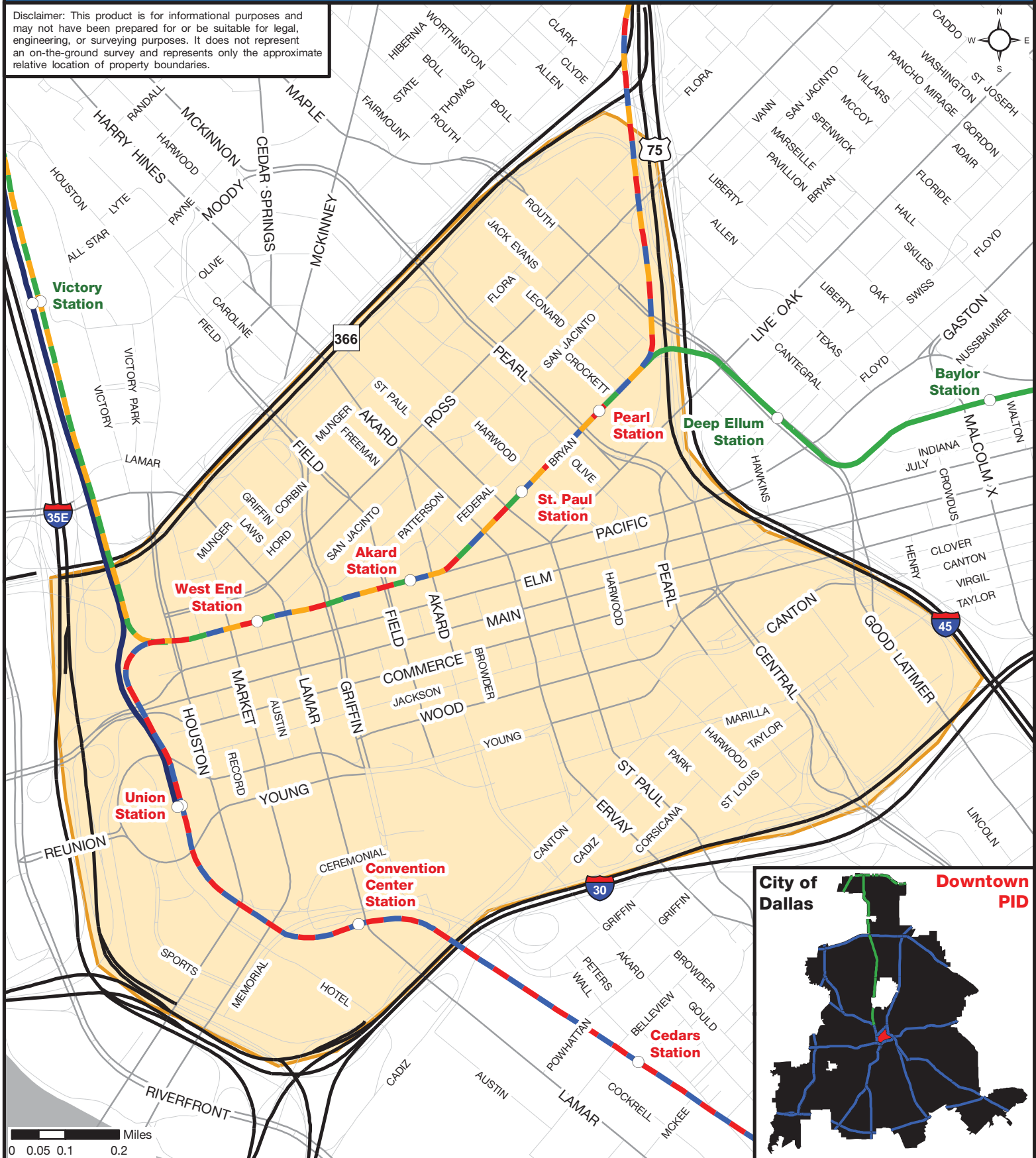
No cost consideration to the City.

MAP

Attached

Downtown Improvement District (DID)

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



DALLAS ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Legend

- Downtown Improvement District
- Rail Station
- DART Green Line
- DART Orange Line
- DART Red Line
- Trinity Railway Express
- DART Blue Line
- Freeway or Tollway
- Arterial
- Local Road
- Flood Plain

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on June 24, 1992, City Council established the Dallas Downtown Improvement District (the “District”), as shown on the attached **Exhibit A - Map of the District**, pursuant to the Act finding that the Act’s requirements and supplemental services and improvements were feasible and conferred a special benefit to the property in the District, designated Dallas CBD Enterprises, Inc. as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 92-2445; and

WHEREAS, on August 9, 2006, City Council held a public hearing to receive comments on renewal of the District by Resolution No. 06-2048 and authorized renewal; approved findings; established an effective date; approved the service plan; designated Dallas CBD Enterprises, Inc. as manager of the District; authorized a contract; and authorized appointment of City representatives to the governing Board by Resolution No. 06-2049; and

WHEREAS, on June 12, 2013, City Council held a public hearing to receive comments concerning renewal of the District; authorized a resolution renewing the District for a period of seven years and approved the Service Plan and management contract by Resolution No. 13-1015; and

WHEREAS, on April 1, 2018, the City consented to Dallas CBD Enterprises, Inc.’s assignment of rights, interests and obligations of the District’s management contract to Downtown Dallas, Inc. (DDI); and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with DDI.

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 an amended and restated management contract with Downtown Dallas, Inc., the non-profit corporation designated as the management entity for the District to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Downtown Dallas, Inc., and to address other amendments to the agreement form.

September 12, 2018

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by DDI to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-789

Item #: 5.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Deep Ellum Public Improvement District

A public hearing concerning the proposed levy of assessment for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Deep Ellum Foundation authorizing the disbursement of assessments to Deep Ellum Foundation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel.

After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

The Deep Ellum Foundation provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$614,394 in 2019 and reach \$1,132,489 in 2023. The total estimated assessments to be collected during the next five-year period is approximately \$4,390,350. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$623,275. This amount is approximately equal to \$0.12 per \$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation subject to appropriations set forth in the petition that created the District.
Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 25, 1999, City Council authorized creation of the Deep Ellum Public Improvement District by Resolution No. 99-2604.

On August 9, 2006, City Council authorized a public hearing to receive comments on the renewal of the public improvement district by Resolution No. 06-2050 and authorized the Deep Ellum Public Improvement District and contract by Resolution No. 06-2051.

On August 14, 2013, City Council authorized renewal of the Deep Ellum Public Improvement District Service Plan and contract by Resolution No. 13-1376.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2017 Assessment Plan and Assessment Roll by Resolution No. 17-1483; Ordinance No. 30637.

On May 23, 2018, City Council authorized renewal of the Deep Ellum Public Improvement District Service Plan and contract by Resolution No. 18-0784.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Deep Ellum Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1183.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

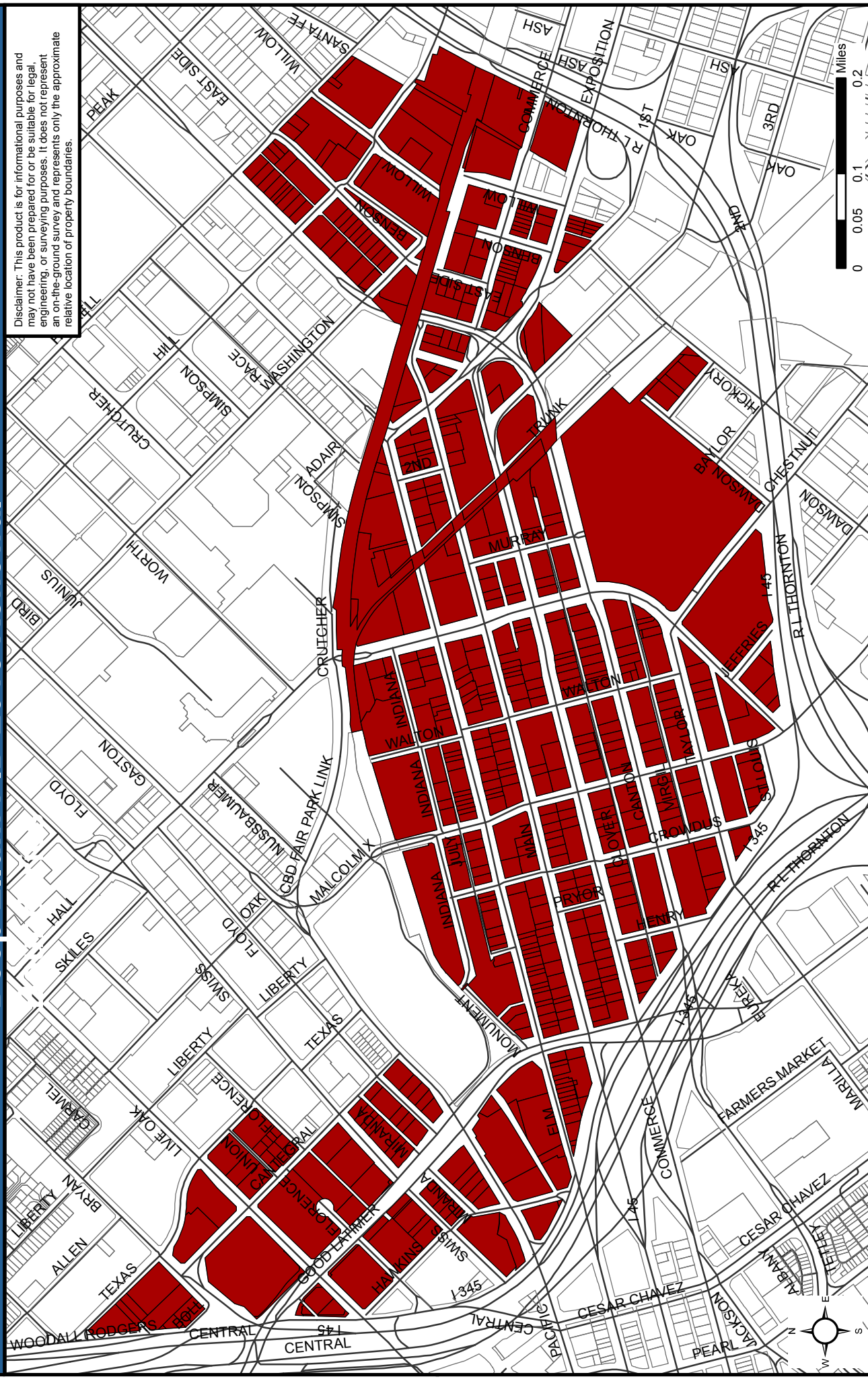
Cost consideration to others - the proposed assessment amount is approximately equal to \$0.12 per \$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

Deep Ellum PID 2018 Renewal

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Legend

- DEPID 2018 Renewal Parcels
- Parcel 2017
- STREETS

DALLAS ECONOMIC DEVELOPMENT
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ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE DEEP ELLUM PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH DEEP ELLUM FOUNDATION AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO DEEP ELLUM FOUNDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on August 25, 1999, the City Council established the Deep Ellum Public Improvement District (the District), pursuant to the Act, finding that the petition satisfied the Act's requirements and the supplemental services and improvements were feasible and conferred a special benefit to the property in the District; designated Deep Ellum Foundation as the manager of the District and authorized a contract for management services; and approved the District Service Plan by Resolution No. 99-2604; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2017 Assessment Plan and Assessment Roll by Resolution No. 17-1483; Ordinance No. 30637; and

WHEREAS, on May 23, 2018, City Council held a public hearing to receive comments concerning the renewal of the Deep Ellum Public Improvement District; approval of the Service Plan and management contract by Resolution No. 18-0784, as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Deep Ellum Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1183; and

WHEREAS, the Deep Ellum Foundation provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.12 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Deep Ellum Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Deep Ellum Foundation authorizing the disbursement of assessments to Deep Ellum Foundation; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2018 is proposed to be \$623,275. This amount shall be apportioned in an amount equal to \$0.15 per \$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$614,394. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Deep Ellum Public Improvement District Fund, Fund 9P01, Department ECO, Unit 1856, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P01, Department ECO, Unit 1856, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P01, Department ECO, Unit 1856, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Deep Ellum Foundation unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P01, Department ECO, Unit 1856, Object 3034, Vendor VS0000021356, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing net of administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P01, Department ECO, Unit 1856, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 20. That this ordinance 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 ordained.

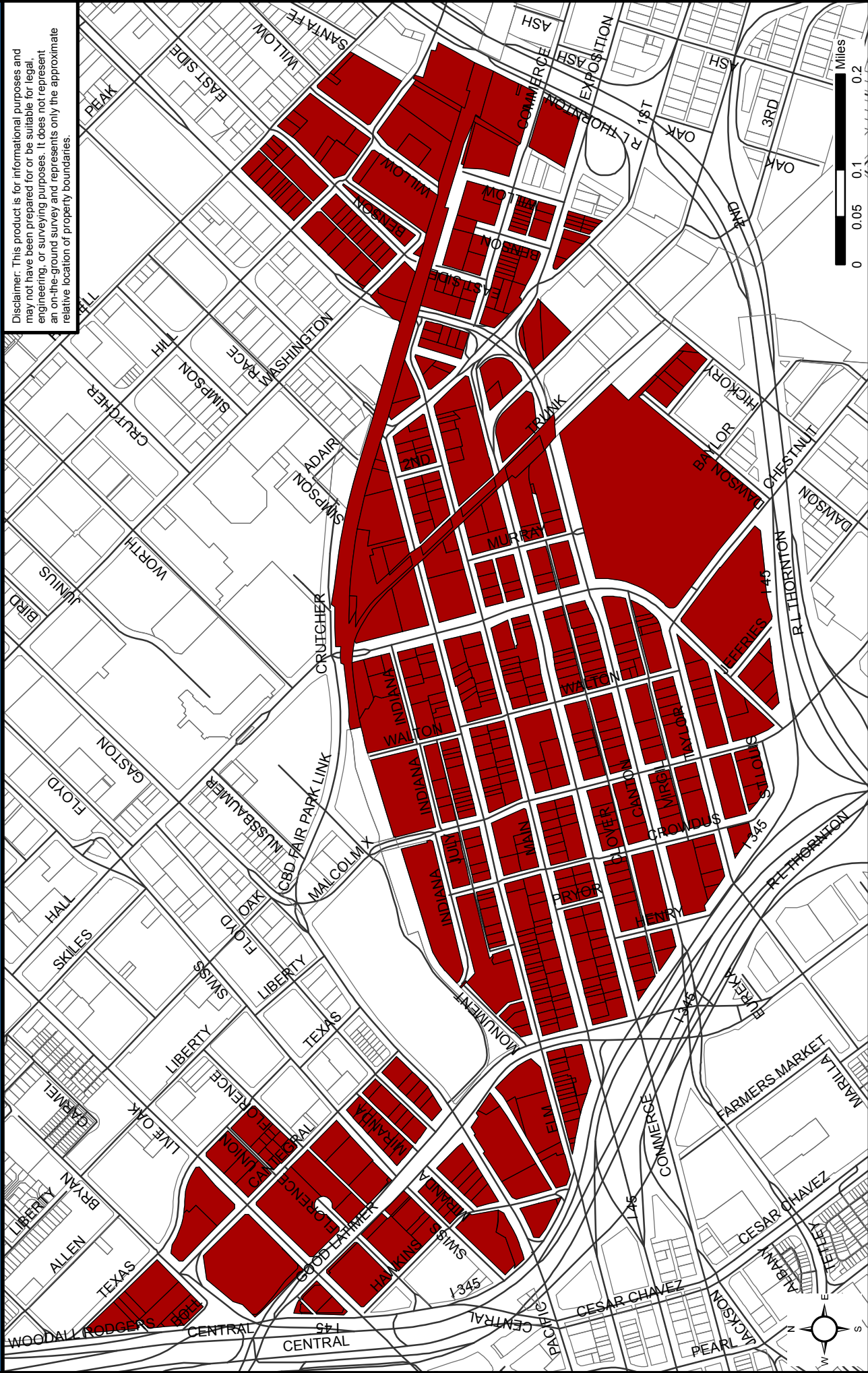
APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY:  _____
Assistant City Attorney

Passed _____

Exhibit A - Deep Ellum PID 2018 Renewal Boundaries

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Legend

- DEPID 2018 Renewal Parcels
- Parcel 2017
- STREETS

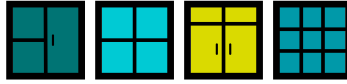
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EXHIBIT B
DEEP ELLUM PID
Service Plan 2018-2023 | Updated July 11, 2018

	2018		2019		2020		2021		2022		2023	
Revenues and Reserves	BUDGET		BUDGET		BUDGET		BUDGET		BUDGET		BUDGET	
Gross assessments revenue	\$502,620.36		\$630,658.32		\$760,242.00		\$874,341.92		\$1,005,560.20		\$1,156,464.73	
PID Oversight Charge from City + County Fees	\$22,383.50		-\$7,383.50		-\$7,383.50		-\$7,383.50		-\$7,383.50		-\$7,383.50	
Net Assessment Revenue	\$480,236.86		\$623,274.82		\$752,858.50		\$866,958.42		\$998,176.70		\$1,149,081.23	
Fund balance from previous year ⁶	\$4,348.00		\$15,000.00		\$15,000.00		\$15,000.00		\$15,000.00		\$15,000.00	
Interest on cash balances	\$600.00		\$630.00		\$661.50		\$694.58		\$729.30		\$765.77	
Projected Adjustment for Property Tax Protest	NA		-\$9,511.00		-\$11,413.00		-\$13,125.00		-\$15,094.00		-\$17,358.00	
Total Income and Reserves	\$485,184.86		\$629,393.82		\$757,107.00		\$869,528.00		\$998,812.00		\$1,147,489.00	
Improvements ¹	19%	\$82,481.43	17%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Transportation and related expenses ²	4%	\$29,111.09	6%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Capital Improvments & Maintenance ⁷		N/A										
Business Development and Recruitment ³	3%	\$19,407.39	4%	\$122,878.76	20%	\$148,421.40	20%	\$170,905.60	20%	\$196,762.40	20%	\$226,497.80
Marketing and Promotion ⁴	50%	\$208,629.49	43%	\$61,439.38	10%	\$74,210.70	10%	\$85,452.80	10%	\$98,381.20	10%	\$113,248.90
Public Safety ⁵	6%	\$33,962.94	7%	\$92,159.07	15%	\$111,316.05	15%	\$128,179.20	15%	\$147,571.80	15%	\$169,873.35
Administration	11%	\$72,777.73	15%	\$92,159.07	15%	\$111,316.05	15%	\$128,179.20	15%	\$147,571.80	15%	\$169,873.35
Financial Audit and Insurance	7%	\$38,814.79	8%	\$43,007.57	7%	\$51,947.49	7%	\$59,816.96	7%	\$68,866.84	7%	\$79,274.23
	100%		100%		100%		100%		100%		100%	
Total Expenditures⁶		\$485,184.86		\$614,393.82		\$742,107.00		\$854,528.00		\$983,812.00		\$1,132,489.00
Fund Balance/Reserves		\$15,000.00		\$15,000.00		\$15,000.00		\$15,000.00		\$15,000.00		\$15,000.00

- Graffiti control, landscaping, park improvements, trash pickup and neighborhood improvements
- Acquisition, construction, operation and maintenance of transportation facilities and wayfinding signage including neighborhood parking programs
- Business development and recruitment to promote the District as well as efforts to ease the burden of opening and operating a business.
- Marketing and other promotional activities including but not limited to wifi, website, light pole banners, and newsletter.
- Safety and security related initiatives including but not limited to lighting and signage.
- The Public Improvement District started 2015 with a carry over balance of approximately \$200,000 accumulated from unspent funds from the Categories of Improvements, Business Development, and Marketing and Promotion. The Carry over funds is the rest of loss of staff to oversee the management of these categories for most of FY 2015. Following the hiring of a new Executive Director, who started June 1, 2015, and the expansion of the DEPID boundaries in 2014 the DEPID has requested to spend the carry over balance for delayed neighborhood projects, which will include testing Crowdus Street as a pedestrian corridor, neighborhood-wide parking strategies, art mural projects and a new professionally done Deep Ellum website.
- The Public Improvement District was renewed in 2018 with an adjusted service plan for 2019-2025. With the renewed service plan, the two Categories of Improvements and Transportation and related expenses were combined into one new category, Capital Improvements & Maintenance. The years 2019 through 2023 here reflect the renewed service plan categories. The years 2016 through 2018 reflect the previous service plan categories. Category descriptions are based on the current service plan structure. They will be updated to the new service plan in 2019 when the new service plan goes into effect.

EXHIBIT C



DEEP ELLUM FOUNDATION

Stephanie Keller Hudiburg
Executive Director
Deep Ellum Foundation
PO Box 710596, Dallas, Texas 75371

July 16, 2018

Deep Ellum Public Improvement District 2018 Assessment Plan

The cost of the services and improvements provided by the Deep Ellum Public Improvement District (DEPID) will be paid primarily by special assessments against property in the District. Annual assessments will be based on the total value of real property and improvements as certified by the Dallas Central Appraisal District.

All property owners not exempt from assessment will be assessed at a uniform rate. For the tax year of 2018, the rate continues to be \$0.12 per \$100.00 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. DEPID will recognize and honor exemptions listed by the Dallas Central Appraisal District, including homestead, disability, senior citizen and exemptions for property owned by tax-exempt entities. Payment of the DEPID assessment by any exempt owners must be established by contract.

DEPID's assessments will be collected by Dallas County for the City of Dallas, in accordance with the management contract between the City of Dallas and The Deep Ellum Foundation, the non-profit corporation that manages the District.

Sincerely,

Stephanie Keller Hudiburg, Deep Ellum Foundation
Executive Director



Agenda Information Sheet

File #: 18-790

Item #: 6.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality
AGENDA DATE: September 12, 2018
COUNCIL DISTRICT(S): 2, 14
DEPARTMENT: Office of Economic Development
EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Deep Ellum Foundation, the non-profit corporation designated as the management entity for the Deep Ellum Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Deep Ellum Foundation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On May 23, 2018, City Council authorized the renewal of the Deep Ellum Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with the Deep Ellum Foundation as the management entity for the District. Deep Ellum Foundation is a private nonprofit corporation created under the provisions of Section 501 (c) (3) of the Internal Revenue Code.

Through the management contract a cooperative relationship is established between the City and Deep Ellum Foundation with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). The Deep Ellum Foundation is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is deducted from the first dollars collected until the entire fee is paid. After said fee has been paid,

subsequent collections had been transferred to a separate Deep Ellum Foundation established bank account. Deep Ellum Foundation has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Deep Ellum Foundation to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 25, 1999, City Council authorized creation of the Deep Ellum Public Improvement District by Resolution No. 99-2604.

On May 23, 2018, City Council held a public hearing to receive comments concerning the renewal of the Deep Ellum Public Improvement District; approval of the Service Plan and management contract by Resolution No. 18-0724.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

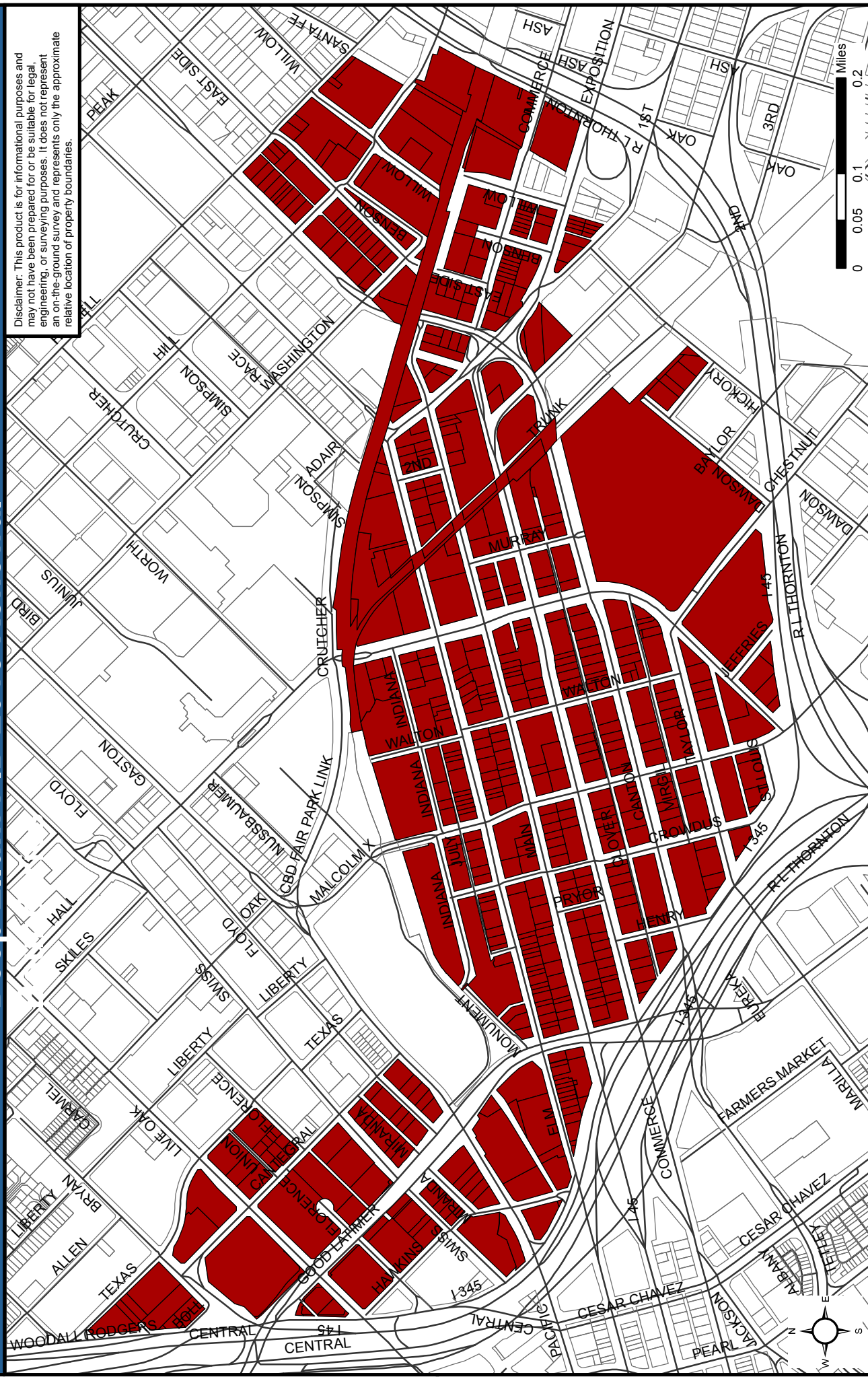
No cost consideration to the City.

MAP

Attached

Deep Ellum PID 2018 Renewal

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Legend

- DEPID 2018 Renewal Parcels
- Parcel 2017
- STREETS

DALLAS ECONOMIC DEVELOPMENT
 Research & Information Division
 214.670.1685
 dallas-ecodev.org

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on August 25, 1999, City Council authorized the creation of the Deep Ellum Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Deep Ellum Foundation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 99-2604; and

WHEREAS, on May 23, 2018, City Council authorized renewal of the Deep Ellum Public Improvement District Service Plan and contract by Resolution No. 18-0784; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Deep Ellum Foundation.

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 an amended and restated management contract with Deep Ellum Foundation (DEF), the non-profit corporation designated as the management entity for the Deep Ellum Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Deep Ellum Foundation, and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by DEF to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-791

Item #: 7.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Klyde Warren Park/Dallas Arts District Public Improvement District

A public hearing concerning the proposed levy of assessment for the Klyde Warren Park/Dallas Arts District Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County, pursuant to an amended and restated management contract with Woodall Rodgers Park Foundation authorizing the disbursement of assessments to Woodall Rodgers Park Foundation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel.

After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

The Klyde Warren Park Foundation provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services and improvements for properties specifically benefitted by their proximity to Klyde Warren Park (KWP) and Dallas Arts District (DAD), but not to replace or supplant existing City or other services provided. The general nature of the proposed services and improvements to be performed by the District for KWP and DAD includes security, sanitation, graffiti control and landscape improvements, marketing and promotional activities, distinctive lighting and signage, landscaping and water features, KWP/DAD improvements, trash pick-up, cultural enhancement, programs, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$1,268,012 in 2019 and reach \$1,856,497 in 2023. The total estimated assessments to be collected during the next five-year period is approximately \$7,741,342. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$1,268,012. This amount is approximately equal to \$0.025 per \$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

The annual assessment rate is capped and shall not exceed \$0.025 per \$100.00 evaluation. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 13, 2013, City Council authorized creation of the Klyde Warren Park Public Improvement District by Resolution No. 13-1375.

On June 25, 2014, City Council authorized the dissolution of the Klyde Warren Park Public Improvement District by Resolution No. 14-1073.

On June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District for a period of seven-years and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 14-1074.

On September 14, 2016, City Council authorized the 2016 assessment rate for the Klyde Warren Park/Dallas Arts District Public Improvement District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20% of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Ordinance No. 30203.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1484; Ordinance No. 30638.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Klyde Warren Park/Dallas Arts District Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1184.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

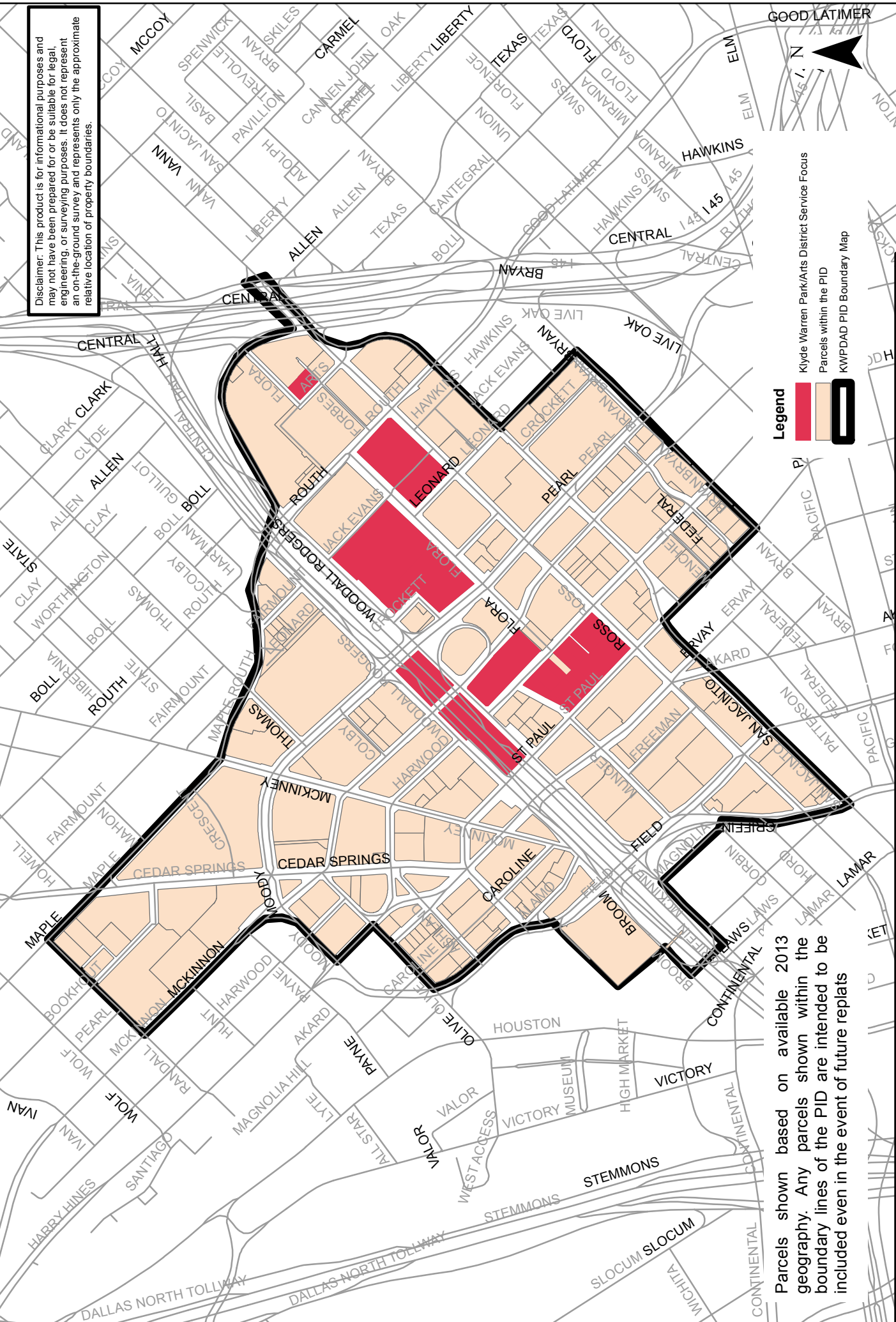
Cost consideration to others - the proposed assessment amount is approximately equal to \$.025 per

\$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Legend

- Klyde Warren Park/Arts District Service Focus
- Parcels within the PID
- KWP/DAD PID Boundary Map

Parcels shown based on available 2013 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats

DALLAS ECONOMIC DEVELOPMENT
 Area Redevelopment Division
 214.670.1685
 dallas-ecodev.org

Klyde Warren Park/Arts District PID (KWP/DADPID) Boundary Map

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE KLYDE WARREN PARK/DALLAS ARTS DISTRICT PIMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY, PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH KLYDE WARREN PARK FOUNDATION AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO KLYDE WARREN PARK FOUNDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on August 13, 2013, City Council authorized the creation of the Klyde Warren Park Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Woodall Rodgers Park Foundation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 13-1375; and

WHEREAS, on June 25, 2014, City Council authorized the dissolution of the Klyde Warren Park Public Improvement District by Resolution No. 14-1073; and

WHEREAS, on June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District for a period of seven-years and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 14-1074, as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, on September 14, 2016, City Council authorized the 2016 assessment rate for the Klyde Warren Park/Dallas Arts District Public Improvement District and approved a decrease in the Security line item in the 2017 Service Plan by more than 20 percent of the budgeted amount for that category and shifting of funds from Security cost savings to other Service Plan budget categories by Ordinance No. 30203; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1484; Ordinance No. 30638; and

WHEREAS, the Woodall Rodgers Park Foundation provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, the City Council must review the proposed 2019 Service Plan and 2018 Assessment Plan and hold a public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the 2018 assessment against real property and real property improvements exclusive of right-of-way, to continue funding for the District for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Klyde Warren Park/Dallas Arts District Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1184; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$.025 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Klyde Warren Park/Dallas Arts District Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County, pursuant to an amended and restated management contract with Woodall Rodgers Park Foundation, authorizing the disbursement of assessments to Woodall Rodgers Park Foundation; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment amount for 2018 is proposed to be \$1,268,012. This amount shall be apportioned in an amount equal to \$.025 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. Once levied, this assessment rate shall not increase during the 2019 service plan year. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

SECTION 4. That City Council hereby authorizes and adopts the final 2019 Service Plan, which includes the shifting of funds in excess of 20 percent among budget categories as previously approved by Ordinance No. 30203, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$1,268,012. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Klyde Warren Park/Dallas Arts District Public Improvement District Fund, Fund 9P03, Department ECO, Unit 1858, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P03, Department ECO, Unit 1858, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P03, Department ECO, Unit 1858, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Woodall Rodgers Park Foundation. unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P03, Department ECO, Unit 1858, Object 3034, Vendor VS0000083698, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P03, Department ECO, Unit 1858, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

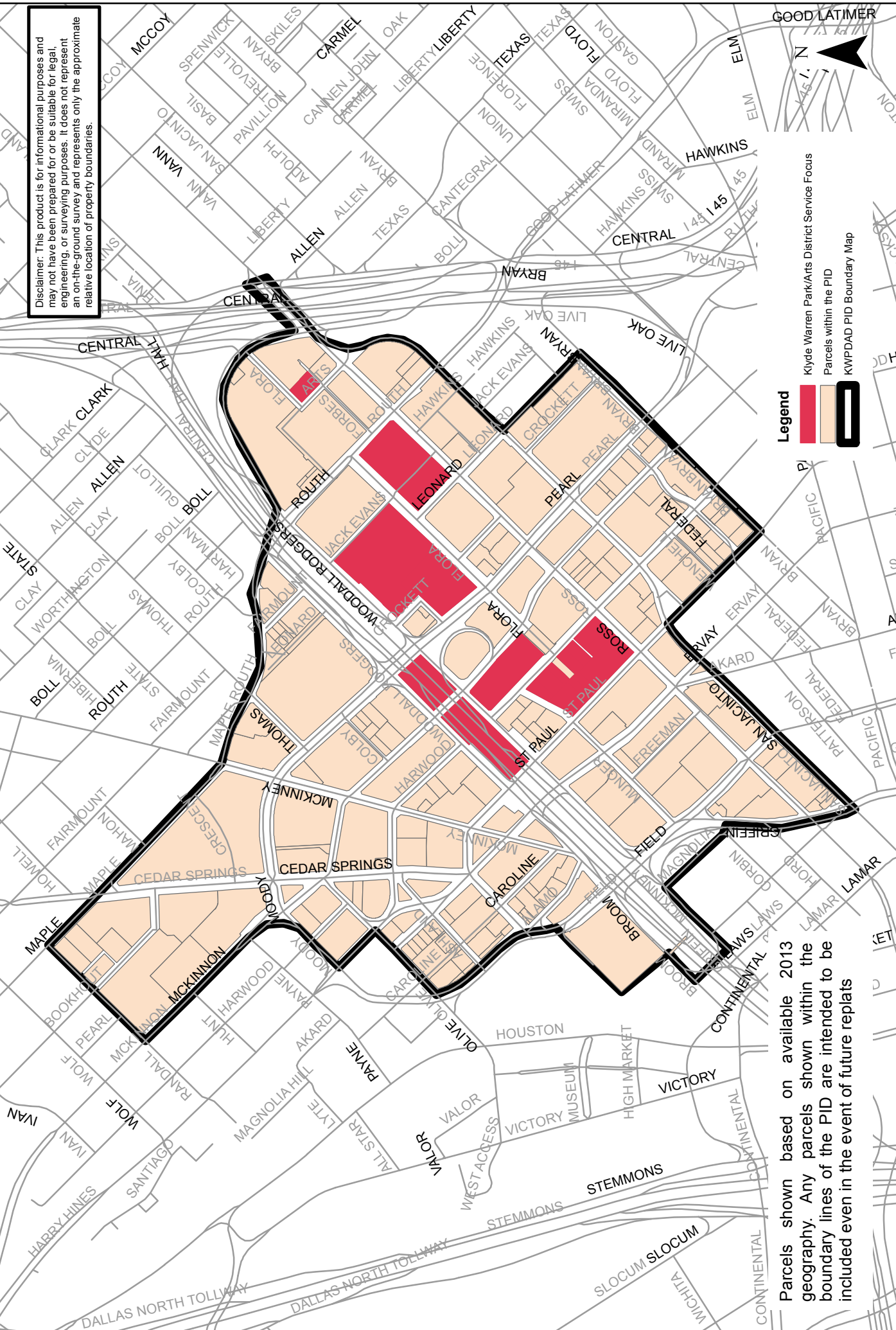
SECTION 20. That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

Passed _____

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Legend

- Klyde Warren Park/Arts District Service Focus
- Parcels within the PID
- KWP/DAD PID Boundary Map

Parcels shown based on available 2013 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats

Exhibit A

Klyde Warren Park/Arts District PID (KWP/DADPID)

Boundary Map

DALLAS
ECONOMIC
DEVELOPMENT

Area Redevelopment Division
214.670.1685
dallas-ecodev.org

EXHIBIT B

KLYDE WARREN PARK/DALLAS ARTS DISTRICT PID BUDGET PROPOSED SERVICE PLAN 2019

REVENUE	2019 Proposed Plan	2020 Revised Plan	2021 Revised Plan	2022 Plan *	2023 Plan *
Fund Balance from previous year	-	-	-	-	-
¹ Net assessment revenue	\$1,268,012.25	\$1,394,813.48	\$1,534,294.82	\$1,687,724.30	\$1,856,496.74
TOTAL REVENUE	\$1,268,012.25	\$1,394,813.48	\$1,534,294.82	\$1,687,724.30	\$1,856,496.74
EXPENDITURES					
Security	\$244,603.01	\$269,063.31	\$295,969.64	\$325,566.61	\$358,123.27
Sanitation	\$260,039.82	\$286,043.81	\$314,648.19	\$346,113.00	\$380,724.31
Scrubbing and power washing pavers	\$22,004.24	\$24,204.67	\$26,625.13	\$29,287.65	\$32,216.41
Waste disposal	\$17,749.77	\$19,524.75	\$21,477.23	\$23,624.95	\$25,987.44
Landscape improvements	\$249,626.23	\$274,588.86	\$302,047.74	\$332,252.52	\$365,477.77
Water features and general maintenance	\$100,850.87	\$110,935.95	\$122,029.55	\$134,232.50	\$147,655.75
Cultural enhancement (programs)	\$99,412.71	\$109,353.98	\$120,289.38	\$132,318.32	\$145,550.15
Marketing and promotion	\$91,012.02	\$100,113.22	\$110,124.54	\$121,136.99	\$133,250.69
Administration	\$47,694.83	\$52,464.32	\$57,710.75	\$63,481.82	\$69,830.01
Liability insurance and financial audit	\$79,804.58	\$87,785.04	\$96,563.54	\$106,219.90	\$116,841.89
Holiday lighting and Decorations	\$31,942.71	\$35,136.99	\$38,650.68	\$42,515.75	\$46,767.33
Signage	\$14,829.82	\$16,312.80	\$17,944.08	\$19,738.49	\$21,712.33
² Contingency	\$8,441.63	\$9,285.79	\$10,214.37	\$11,235.80	\$12,359.39
TOTAL OPERATING EXPENDITURES	\$1,268,012.25	\$1,394,813.48	\$1,534,294.82	\$1,687,724.30	\$1,856,496.74
FUND BALANCE/ RESERVES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

KWP and DAD will support the remaining operating costs of their organizations, which is not included in the Service Plan

* 2022 Plan is first year of PID renewal; Assume renewal of PID

¹ Proposed plan assumes a 10% increase in property values each year based on future Uptown and Downtown development

² Allowance made for anticipated tax refunds due to protests by property owners

Exhibit C

Klyde Warren Park/Dallas Arts District Public Improvement District Assessment Plan

The costs of the services and improvements by the District will be paid primarily by special assessment against properties in the District. Annual assessments are based on the total value of real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The Klyde Warren Park/Dallas Arts District Public Improvement District (PID) proposed assessment rate for 2018 is \$0.025 per \$100 of appraised value. The annual assessment rate shall not exceed \$0.025 per \$100 valuation. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.



Agenda Information Sheet

File #: 18-792

Item #: 8.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality
AGENDA DATE: September 12, 2018
COUNCIL DISTRICT(S): 14
DEPARTMENT: Office of Economic Development
EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Woodall Rodgers Park Foundation, the non-profit corporation designated as the management entity for the Klyde Warren Park/Dallas Arts District Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Woodall Rodgers Park Foundation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On June 25, 2014, City Council authorized the renewal of the Klyde Warren Park/Dallas Arts District Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for a 7-year term and a management contract with Woodall Rodgers Park Foundation (WRPF) as the management entity for the District. WRPF is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract, a cooperative relationship is established between the City and WRPF, with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). WRPF is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is

deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate WRPf established bank account. WRPf has been responsible for wiring funds back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by WRPf to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 13, 2013, City Council authorized creation of the Klyde Warren Park Public Improvement District by Resolution No. 13-1375.

On June 25, 2014, City Council authorized the dissolution of the Klyde Warren Park Public Improvement District by Resolution No. 14-1073.

On June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District for a period of seven-years and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 14-1074.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

No cost consideration to the City.

MAP

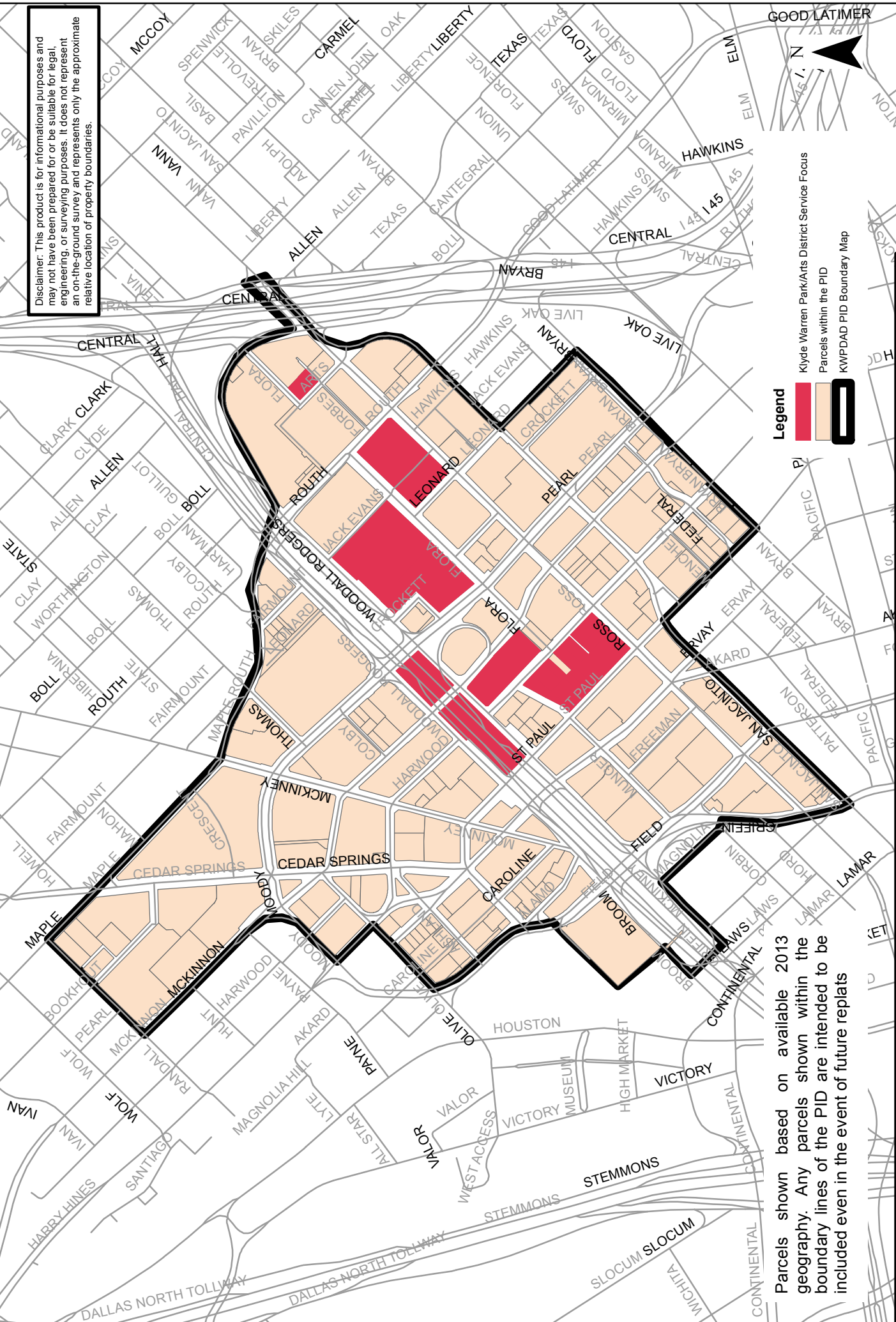
Attached

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Legend

- Klyde Warren Park/Arts District Service Focus
- Parcels within the PID
- KWP/DAD PID Boundary Map



Parcels shown based on available 2013 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats

Klyde Warren Park/Arts District PID (KWP/DADPID) Boundary Map

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on August 13, 2013, City Council authorized the creation of the Klyde Warren Park Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Woodall Rodgers Park Foundation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 13-1375; and

WHEREAS, on June 25, 2014, City Council authorized the dissolution of the Klyde Warren Park Public Improvement District by Resolution No. 14-1073; and

WHEREAS, on June 25, 2014, City Council authorized the creation of the Klyde Warren Park/Dallas Arts District Public Improvement District for a period of seven-years and designated the Woodall Rodgers Park Foundation as the management entity for the District by Resolution No. 14-1074; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Woodall Rodgers Park Foundation.

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 an amended and restated management contract with Woodall Rodgers Park Foundation, the non-profit corporation designated as the management entity for the Klyde Warren Park/Dallas Arts District Public Improvement District (District), to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Woodall Rodgers Park Foundation, and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

September 12, 2018

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Woodall Rodgers Park Foundation to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-793

Item #: 9.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Knox Street Public Improvement District

A public hearing concerning the proposed levy of assessment for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Knox Street Improvement District Corporation authorizing the disbursement of assessments to Knox Street Improvement District Corporation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel.

After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

The Knox Street Improvement District Corporation provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$1,199,352 in 2019 and reach \$333,866 in 2023. The total estimated assessments to be collected for during the next five-year period is approximately \$1,948,078. The District shall incur no bonded indebtedness. Future years' budgets may alter significantly as the result of the carryover funds accumulated through 2018 from the previous term to be used to fund capital improvement projects such as gateway markers and streetscape improvements and/or possibly in conjunction with Knox Complete Streets (and related feasibility study costs). Capital Improvements include traffic studies related to Knox Complete Streets and Cole-McKinney Two Way Conversion, as well as gateway marker costs. 2019 Capital Improvements reflects anticipated spending of majority of carryover funds from prior years to complement Knox Complete Streets (but may be separate project from Complete Streets).
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$362,208. This amount is approximately equal to \$0.15 per

\$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the City Council passing on all objections. The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 2010, City Council authorized creation of the Knox Street Public Improvement District, Service Plan and management contract by Resolution No. 10-1670.

On September 9, 2015, City Council authorized an ordinance approving and adopting the proposed and final 2015 Assessment Plan and the 2016 Assessment Roll by Resolution No. 15-1698; Ordinance No. 29863.

On June 28, 2017, City Council held a public hearing to receive comments on the renewal of the Knox Street Public Improvement District and authorized the Service Plan and the management contract by Resolution No. 17-1119.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan, and 2017 Assessment Roll by Resolution No. 17-1485; Ordinance 30639.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Knox Street Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1185.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts

(PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

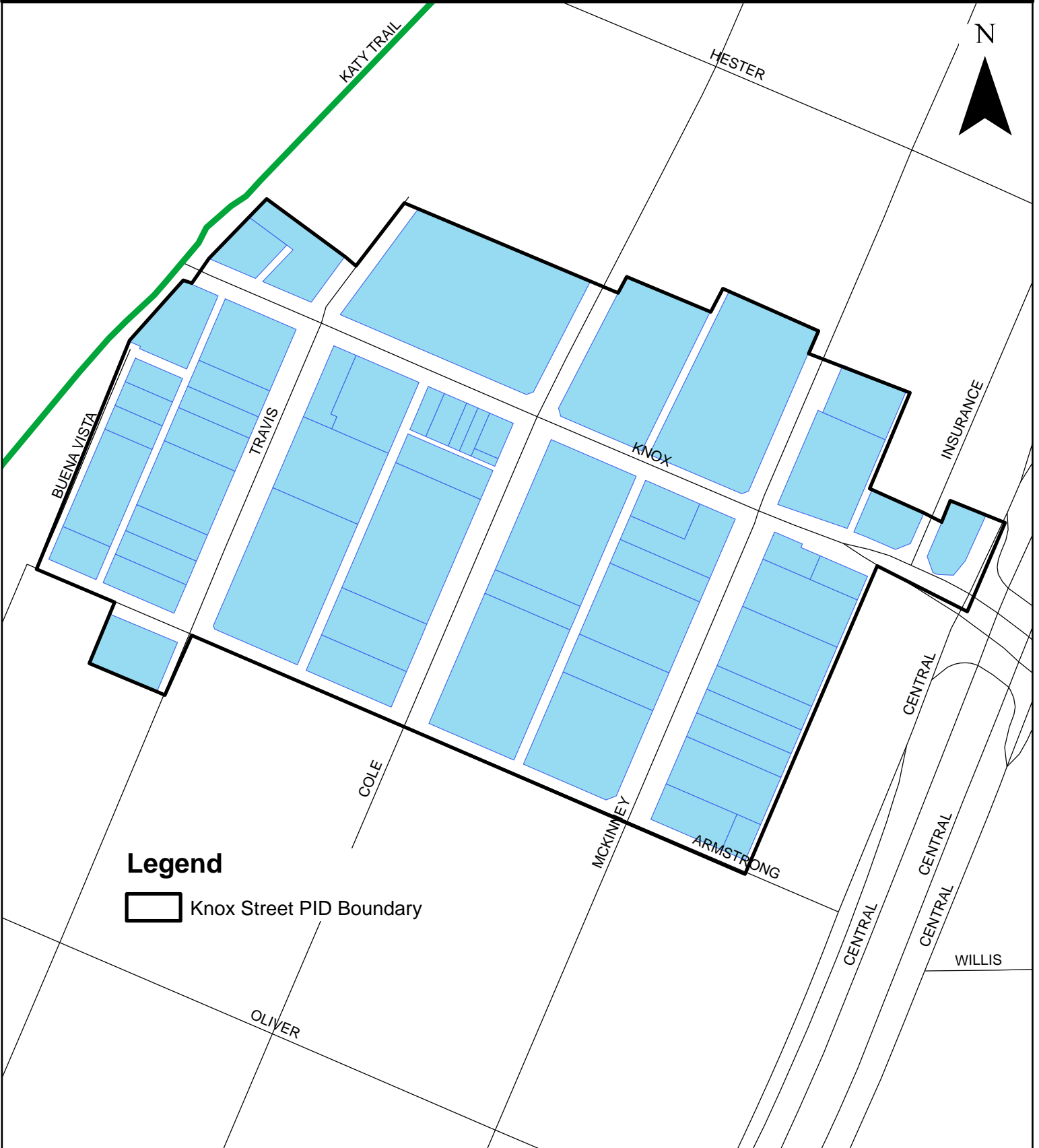
FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to \$0.15 per \$100.00 of appraised value as determined by the DCAD. (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

Knox Street PID



Legend

 Knox Street PID Boundary

City of Dallas

Office of Economic Development

<http://www.Dallas-EcoDev.org>

Created 04/2010

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE KNOX STREET PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH KNOX STREET IMPROVEMENT DISTRICT CORPORATION AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO KNOX STREET IMPROVEMENT DISTRICT CORPORATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on June 23, 2010, the City Council established the Knox Street Public Improvement District (the District), pursuant to the Act, finding that the petition satisfied the Act's requirements and the supplemental services and improvements were feasible and conferred a special benefit to the property in the District; designated Knox Street Improvement District Corporation as the manager of the District and authorized a contract for management services; and approved the District Service Plan by Resolution No. 10-1670; and

WHEREAS, on June 28, 2017, City Council held a public hearing to receive comments concerning the renewal of the Knox Street Public Improvement District; approval of the Service Plan and management contract by Resolution No. 17-1119, as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1488; Ordinance No. 30642; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Knox Street Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1183; and

WHEREAS, the Knox Street Improvement District Corporation provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.15 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Knox Street Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Knox Street Improvement District Corporation authorizing the disbursement of assessments to Knox Street Improvement District Corporation; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD.

The assessment amount for 2018 is proposed to be 362,208. This amount shall be apportioned in an amount equal to \$0.15 per \$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$1,199,352. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that

the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Knox Street Public Improvement District Fund, Fund 9P04, Department ECO, Unit 1859, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P04, Department ECO, Unit 1859, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P04, Department ECO, Unit 1859, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Knox Street Improvement District Corporation unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P04, Department ECO, Unit 1859, Object 3034, Vendor VS0000062768, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P04, Department ECO, Unit 1859, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 20. That this ordinance 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 ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY:  _____
Assistant City Attorney

Passed _____



Legend

 Knox Street PID Boundary

Exhibit B

Knox Street Public Improvement District - 2019-2023 Service Plan

YTD July 31, 2018

	2019 Forecast	2020 Forecast	2021 Forecast	2022 Forecast	2023 Forecast
INCOME					
Carryover Fund Balance From Previous Year	\$	882,603 \$	45,459 \$	34,612 \$	23,768 \$
Interest	\$	-	-	-	-
Net Assessment Revenue	\$	362,208 \$	310,839 \$	320,165 \$	329,770 \$
TOTAL INCOME & RESERVES	\$	1,244,811 \$	345,452 \$	343,931 \$	342,692 \$
EXPENSES					
Capital Improvements ⁽¹⁾	\$	1,050,280 \$	158,020 \$	163,483 \$	169,111 \$
Public Safety and Security ⁽⁴⁾	\$	49,173 \$	50,648 \$	52,167 \$	53,732 \$
Marketing & Promotions ⁽⁵⁾	\$	88,709 \$	90,647 \$	92,643 \$	94,700 \$
PID Renewal Fee	\$	-	-	-	-
Insurance & Audit	\$	11,033 \$	11,364 \$	11,704 \$	12,056 \$
Administrative	\$	157 \$	161 \$	166 \$	171 \$
TOTAL EXPENSES	\$	1,199,352 \$	310,840 \$	320,163 \$	329,770 \$
Balance YTD 2018					
Current New Income	\$	-	-	-	-
TOTAL CARRYOVER FUNDS AT YEAR END	\$	45,459 \$	34,612 \$	23,768 \$	12,922 \$

⁽¹⁾ Carryover funds will be used to fund capital improvement projects such as (but not limited to) gateway markers, streetscape improvements and/or in conjunction with Knox Complete Streets (and related feasibility study costs). 2018 Capital Improvements reflects anticipated spend of majority of carryover from prior years to complement Knox Complete Streets (but may be separate projects from Complete Streets).

⁽⁴⁾ Security includes private security patrol, off-duty police, camera and related security systems equipment and monitoring.

⁽⁵⁾ Website, marketing, social media, branding, banners, special events and Christmas lights.

⁽⁶⁾ Pringing, mailing, notice, legal, audit and miscellaneous administrative expenses.

⁽⁷⁾ Payment to City of allad upon successful renewal of PID.

⁽²⁾ Actual Revenues (ie Cash Basis) in these years. Future years are on a tax year basis.

^(*) pid Oversight Charges: Starting in 2016, includes \$2.75 per account fee.

EXHIBIT C
KNOX STREET PUBLIC IMPROVEMENT DISTRICT
ASSESSMENT PLAN 2018

The cost of the services and improvements provided by the Knox Street Public Improvement District will be paid primarily by assessments against real properties within the Knox Street Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The cost of improvements and services in the district will be assessed by application of a single rate applied to all non-exempt property on the combined value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment rate for 2018 is proposed at \$0.15 per \$100.00 of appraised value. The annual assessment rate, during the seven-year life of the District, will not exceed \$0.15 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District.

The Knox Street PID assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Knox Street Improvement District Corporation.



Agenda Information Sheet

File #: 18-794

Item #: 10.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Knox Street Improvement District Corporation, the non-profit corporation designated as the management entity for the Knox Street Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Knox Street Improvement District Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On June 28, 2017, City Council authorized the renewal of the Knox Street Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with the Knox Street Improvement District Corporation as the management entity for the District. Knox Street Improvement District Corporation is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract a cooperative relationship is established between the City and Knox Street Improvement District Corporation with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). The Knox Street Improvement District Corporation is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the

annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate Knox Street Improvement District Corporation established bank account. Knox Street Improvement District Corporation has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Knox Street Improvement District Corporation to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment. No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 2010, City Council authorized creation of the Knox Street Public Improvement District by Resolution No. 10-1670.

On June 28, 2017, City Council held a public hearing to receive comments concerning the renewal of the Knox Street Public Improvement District; approval of the Service Plan and management contract by Resolution No. 17-1119.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

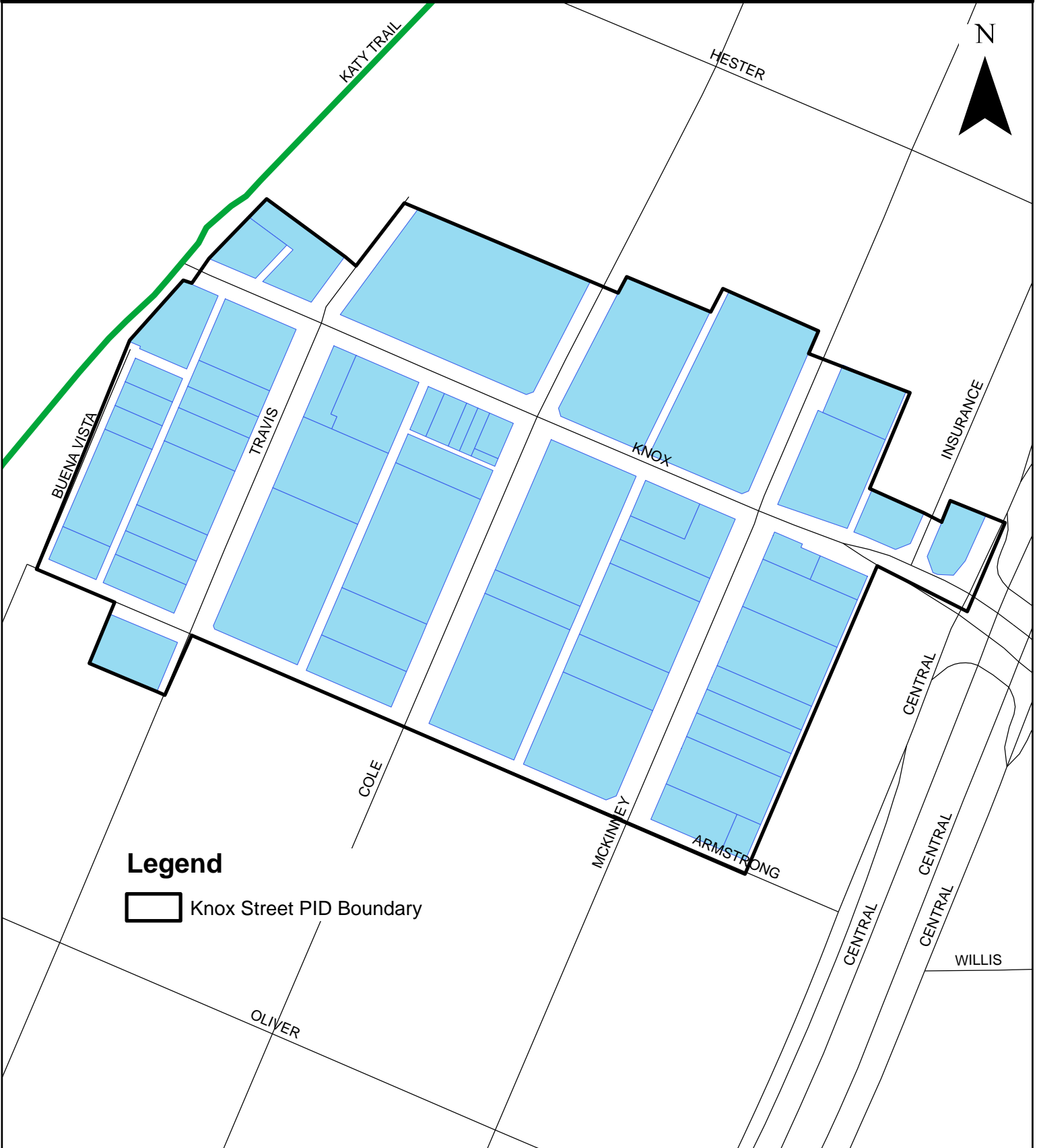
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

Knox Street PID



Legend

 Knox Street PID Boundary

City of Dallas

Office of Economic Development

<http://www.Dallas-EcoDev.org>

Created 04/2010

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on June 23, 2010, City Council authorized the creation of the Knox Street Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Knox Street Improvement District Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 10-1670; and

WHEREAS, on June 28, 2017, City Council authorized the renewal of the Knox Street Public Improvement District and approval of the Service Plan and management contract by Resolution No. 17-1119; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Knox Street Improvement District Corporation.

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 an amended and restated management contract with Knox Street Improvement District Corporation, the non-profit corporation designated as the management entity for the Knox Street Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Knox Street Improvement District Corporation, and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Knox Street Improvement District Corporation to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

September 12, 2018

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-795

Item #: 11.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 9, 10, 13

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Lake Highlands Line Public Improvement District

A public hearing concerning the proposed levy of assessment for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC) authorizing the disbursement of assessments to LHIDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID.

At the adjournment of the hearing on the proposed assessments, the City Council must hear and

pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel. After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

The Lake Highlands Improvement District Corporation (LHIDC) provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$689,814 in 2019 and reach \$1,278,439 in 2023. The total estimated assessments to be collected during the next five-year period is approximately \$4,832,410. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD. The assessment amount for 2018 is proposed to be \$689,814.34. This amount is approximately equal to \$0.13 per \$100.00 of appraised value as determined by DCAD.

Once levied, this assessment rate shall not increase during the 2019 Service Plan year. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. Properties otherwise exempt from ad valorem taxes are not subject to assessment.

Property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code will be exempt from assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

- (e) Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2008, City Council authorized creation of the Lake Highlands Public Improvement District, approval of the Service Plan and management contract by Resolution No. 08-1866.

On August 12, 2015, City Council held a public hearing to receive comments concerning the renewal and expansion of the Lake Highlands Public Improvement District, and authorized approval of the Service Plan and management contract by Resolution No. 15-1473.

On September 13, 2017 City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1486; Ordinance No. 30640.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Lake Highlands Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1186.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.




FISCAL INFORMATION

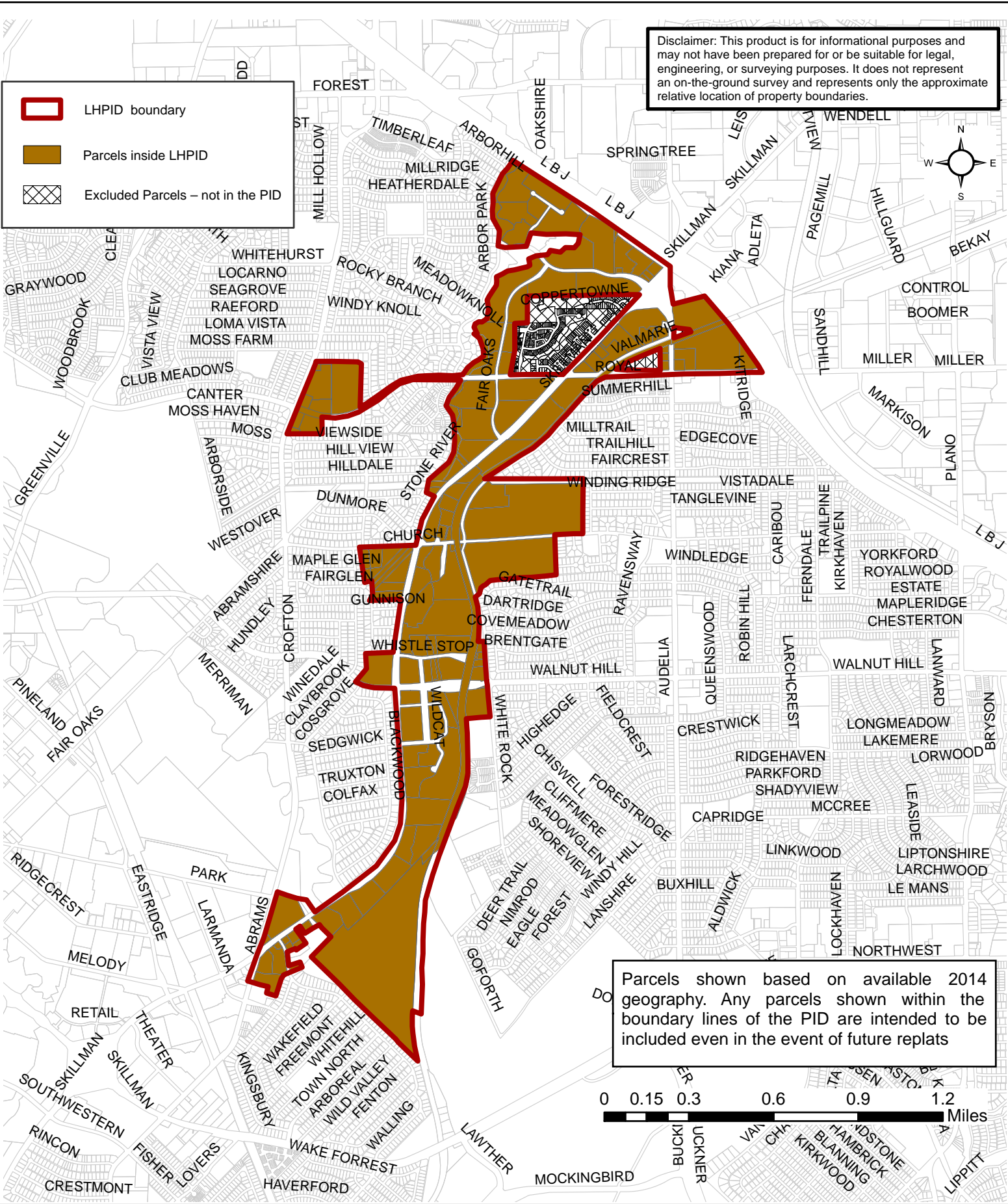
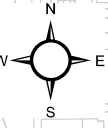
Cost consideration to others - the proposed assessment amount is approximately equal to \$0.13 per \$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

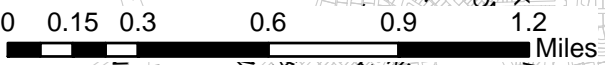
Attached

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

-  LHPID boundary
-  Parcels inside LHPID
-  Excluded Parcels – not in the PID



Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats



Lake Highlands PID Boundary Map

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH LAKE HIGHLANDS IMPROVEMENT DISTRICT CORPORATION (LHIDC) AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO LHIDC; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on June 25, 2008, City Council established the Lake Highlands Public Improvement District (District), pursuant to the Act, finding that the petition satisfied the Act's requirements and the supplemental services and improvements were feasible and conferred a special benefit to the property in the District, designated Lake Highlands Improvement District Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, by Resolution No. 08-1866; and

WHEREAS, City Council has subsequently authorized the renewal of the District on August 12, 2015 by Resolution No 15-1473 as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1486; Ordinance No. 30640; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Lake Highlands Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1186; and

WHEREAS, the Lake Highlands Improvement District Corporation provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.13 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Lake Highlands Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC) authorizing the disbursement of assessments to LHIDC; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD.

The assessment amount for 2018 is proposed to be \$689,814. This amount shall be apportioned in an amount equal to \$0.13 per \$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$689,814. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Lake Highlands Public Improvement District Fund, Fund 9P05, Department ECO, Unit 1860, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P05, Department ECO, Unit 1860, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P05, Department ECO, Unit 1860, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Lake Highlands Improvement District Corporation unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P05, Department ECO, Unit 1860, Object 3034, Vendor VS92046, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P05, Department ECO, Unit 1860, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 20. That this ordinance 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 ordained.




APPROVED AS TO FORM:

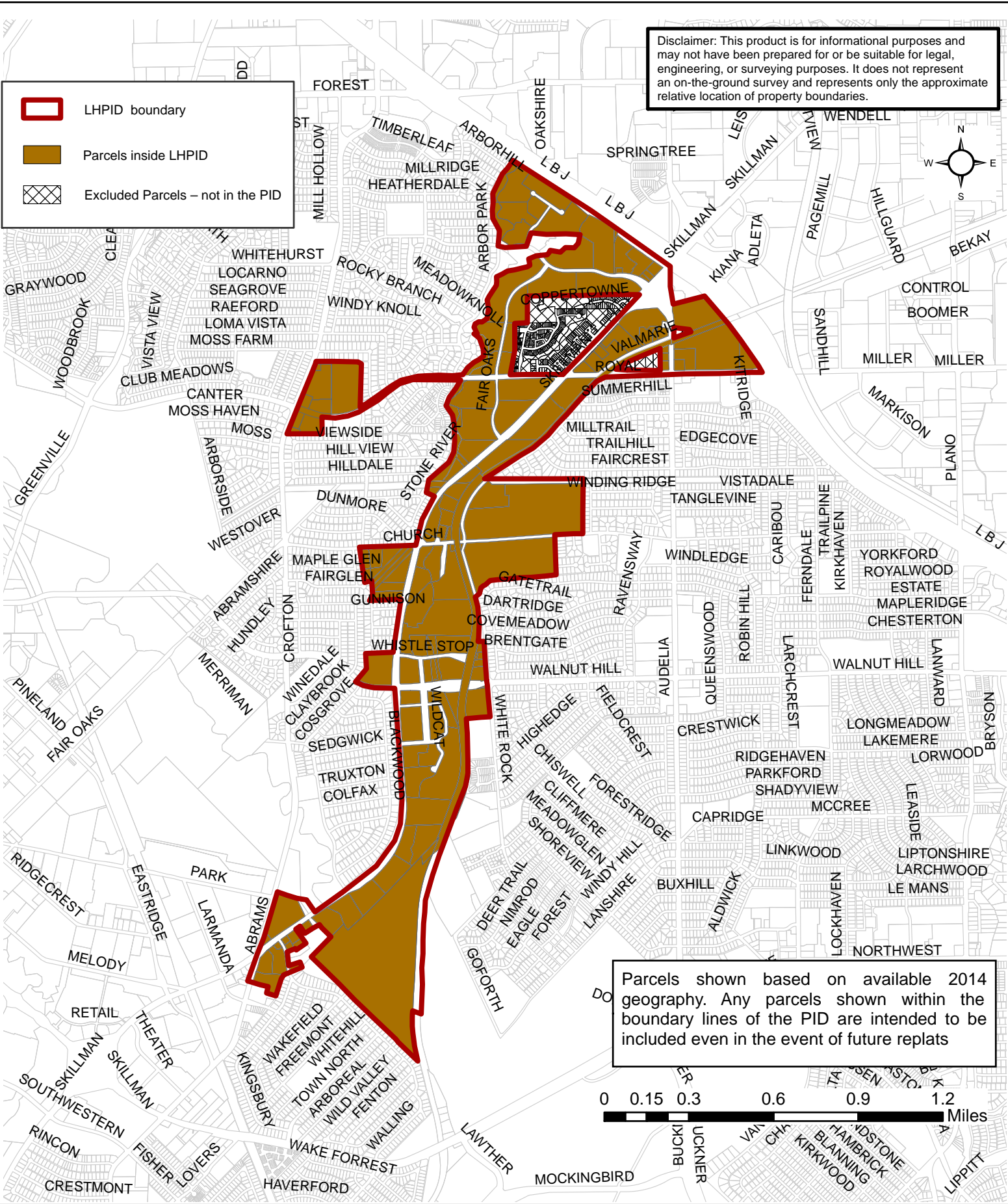
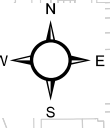
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

Passed _____

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

-  LHPID boundary
-  Parcels inside LHPID
-  Excluded Parcels – not in the PID



Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats

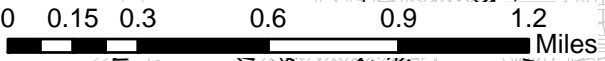


Exhibit A - Lake Highlands PID Boundary Map

**LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR SERVICE PLAN (2019-2023)**

	2019	2020	2021	2022	2023 ⁽⁵⁾
INCOME					
Net Assessment	\$689,814.34	\$815,669.91	\$947,678.41	\$1,100,808.28	\$1,278,438.92
Interest on Cash Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Income	\$689,814.34	\$815,669.91	\$947,678.41	\$1,100,808.28	\$1,278,438.92
EXPENSES					
Renewal/Creation Fee					
Public Safety ⁽¹⁾	45%	\$367,051.46	\$426,455.29	\$495,363.72	\$575,297.51
Improvements ⁽²⁾	33%	\$227,638.73	\$312,733.88	\$363,266.73	\$421,884.84
Promotion ⁽³⁾	6%	\$41,388.86	\$56,860.70	\$66,048.50	\$76,706.34
Administration ⁽⁴⁾	10%	\$68,981.43	\$81,566.99	\$94,767.84	\$127,843.89
Audit	2%	\$13,796.29	\$16,313.40	\$18,953.57	\$25,568.78
Insurance	4%	\$27,592.57	\$32,626.80	\$37,907.14	\$44,032.33
	100%				
Total Expenses	\$689,814.34	\$815,669.91	\$947,678.41	\$1,100,808.28	\$1,278,438.92
Surplus Carried Forward	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Notes:

The assessment amount is approximately equal to \$0.13 per \$100 of appraised value as determined by the Dallas Central Appraisal District (DCAD).
Net assessment reflects the deduction of City and County fees from the gross assessment collection.

- ⁽¹⁾ Regular Security Patrol, patrol vehicle lease and related expenses
- ⁽²⁾ Design and construction of public infrastructure improvements and maintenance of common areas including non standard ROW, medians and parks;
- ⁽³⁾ Website, marketing and outreach, marketing materials, promotion, community events, business development
- ⁽⁴⁾ Office supplies, administration, notice mailings
- ⁽⁵⁾ 2023 Assessment is an estimate pending a successful renewal.

Exhibit C
LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
2018 ASSESSMENT PLAN

The cost of the services and improvements provided by the Lake Highlands Public Improvement District will be paid primarily by assessments against real properties within the Lake Highlands Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The service area is identified on the enclosed map. All properties will be assessed at a uniform rate. The proposed assessment rate for the 2018 is proposed at \$0.13 per \$100.00 of appraised value. Each subsequent year, a recommended assessment rate will be determined by the budget prepared by the management corporation. Assessment will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

Properties not liable for assessment include City rights-of-way, City-owned park properties and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (exempt under the provisions of Section 11.24 and 11.28 of the Property Tax Code), and property owned by persons already receiving and qualifying for the 65-or-older homestead exemption (under Section 11.13(c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract.

The District's assessments will be collected by Dallas County or other collection agent as determined by the City of Dallas, in accordance with management contract between the City of Dallas and the Lake Highlands Improvement District Corporation, the non-profit management corporation for the District.



Agenda Information Sheet

File #: 18-796

Item #: 12.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 9, 10, 13

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC), the non-profit corporation designated as the management entity for the Lake Highlands Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to LHIDC, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On August 12, 2015, City Council authorized the renewal of the Lake Highlands Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with the Lake Highlands Improvement District Corporation (LHIDC) as the management entity for the District. LHIDC is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code. LHIDC currently manages both the Lake Highlands and North Lake Highlands public improvement districts (PIDs).

Through the management contract a cooperative relationship is established between the City and LHIDC with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). LHIDC is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is

deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate LHIDC. established bank account. LHIDC has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by LHIDC to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2008, City Council authorized creation of the Lake Highlands Public Improvement District, approval of the Service Plan and management contract by Resolution No. 08-1866.

On August 12, 2015, City Council held a public hearing to receive comments concerning the renewal and expansion of the Lake Highlands Public Improvement District, and authorized approval of the Service Plan and management contract by Resolution No. 15-1473.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.




FISCAL INFORMATION

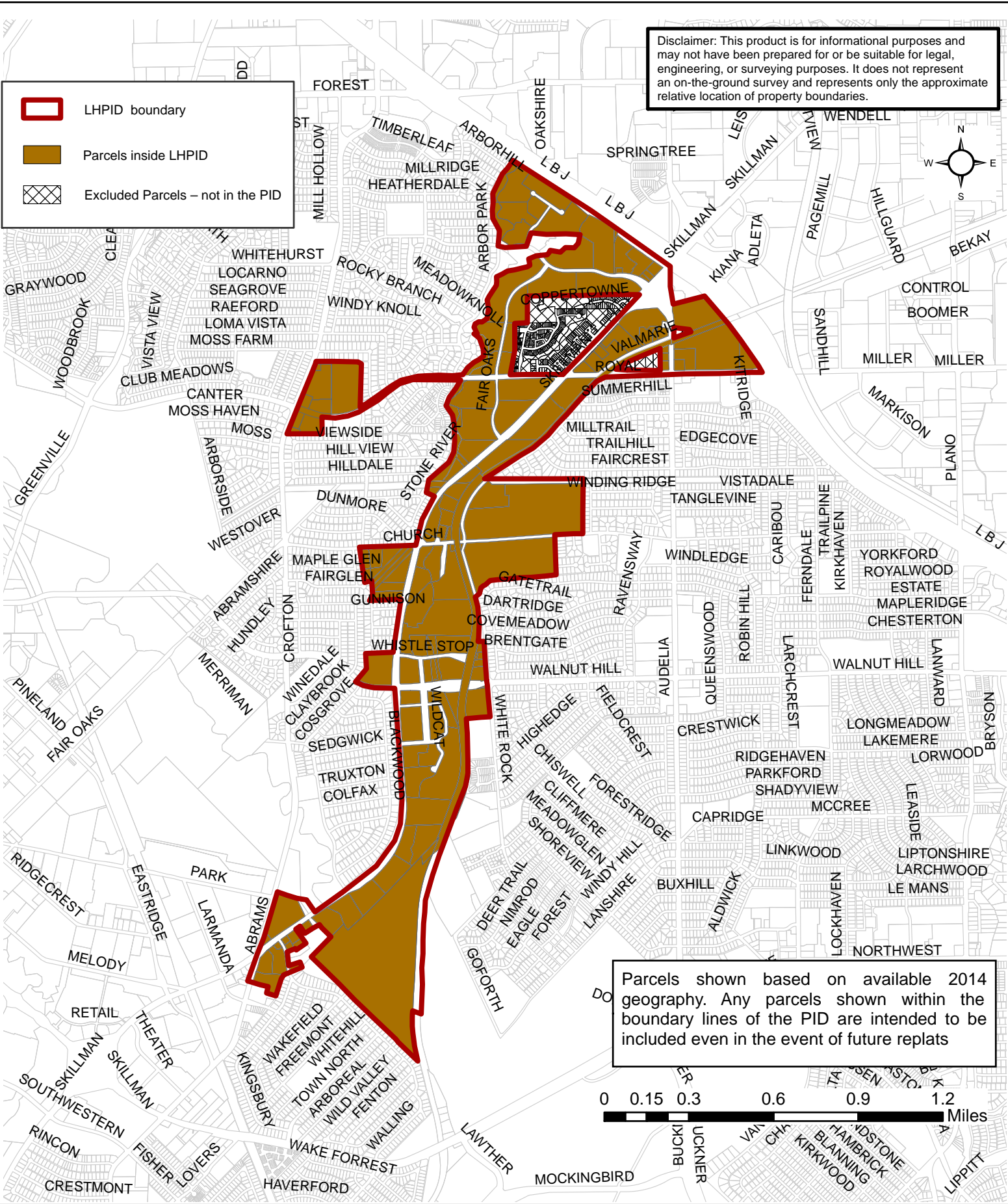
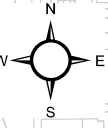
No cost consideration to the City.

MAP

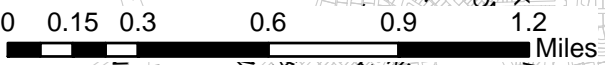
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-  LHPID boundary
-  Parcels inside LHPID
-  Excluded Parcels – not in the PID



Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats



Lake Highlands PID Boundary Map

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on June 25, 2008, City Council authorized creation of the Lake Highlands Public Improvement District, approval of the Service Plan and management contract by Resolution No. 08-1866; and

WHEREAS, on August 12, 2015, City Council held a public hearing to receive comments concerning the renewal and expansion of the Lake Highlands Public Improvement District, and authorized approval of the Service Plan and management contract by Resolution No. 15-1473; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Lake Highlands Improvement District Corporation (LHIDC).

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 an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC), the non-profit corporation designated as the management entity for the Lake Highlands Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to LHIDC, and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by LHIDC to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-797

Item #: 13.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality
AGENDA DATE: September 12, 2018
COUNCIL DISTRICT(S): 10
DEPARTMENT: Office of Economic Development
EXECUTIVE: T.C. Broadnax

SUBJECT

North Lake Highlands Public Improvement District

A public hearing concerning the proposed levy of assessment for the North Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC) authorizing the disbursement of assessments to LHIDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel.

After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

Lake Highlands Improvement District Corporation (LHIDC) provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$382,588 in 2019 and reach \$763,927 in 2023. The total estimated assessments to be collected during the next five-year period is approximately \$2,752,411. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$382,588. This amount is approximately equal to \$0.12 per \$100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation subject to appropriations set forth in the petition that created the District.

Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way and City parks are not subject to assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 9, 2017, City Council authorized creation of the North Lake Highlands Public Improvement District (District), in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Lake Highlands Improvement District Corporation as the manager of the District, authorized a contract for management services; approval of the District Service Plan and annual updates by Resolution No. 17-1232.

On September 13, 2017 City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1487; Ordinance No. 30641.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed North Lake Highlands Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1187.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

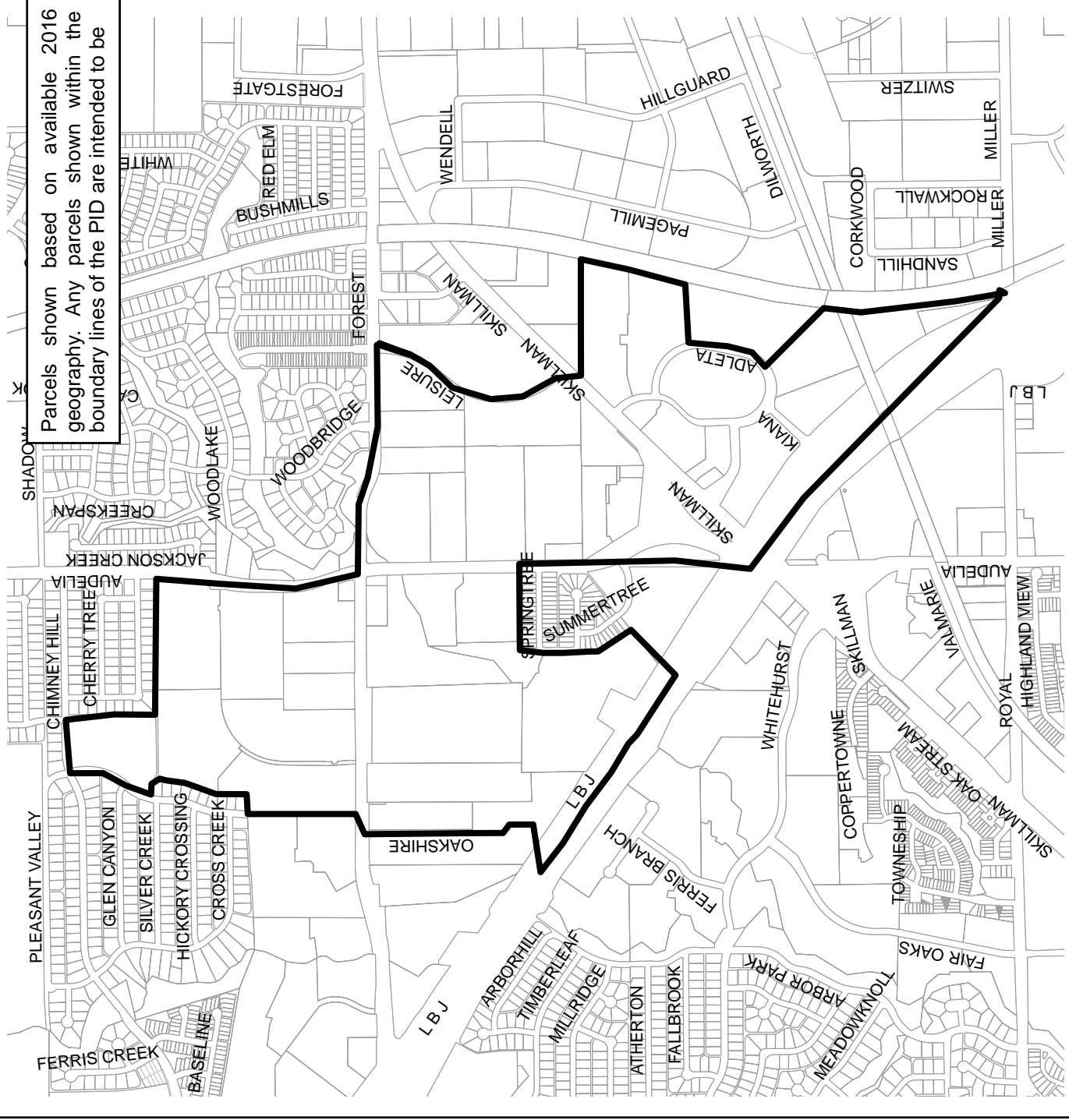
FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to \$0.12 per \$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

Parcels shown based on available 2016 geography. Any parcels shown within the boundary lines of the PID are intended to be



North Lake Highlands PID Boundary Map

City of Dallas
Office of Economic Development
Created 8/2017

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE NORTH LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH LAKE HIGHLANDS IMPROVEMENT DISTRICT CORPORATION (LHIDC) AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO LHIDC; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on August 9, 2017, City Council authorized the creation of the North Lake Highlands Public Improvement District (District), as shown on the attached **Exhibit A – Map of the District**, in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Lake Highlands Improvement District Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 17-1232; and

WHEREAS, on September 13, 2017 City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1487; Ordinance No. 30641; and

WHEREAS, City Council must review the proposed 2018 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the North Lake Highlands Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1187; and

WHEREAS, the Lake Highlands Improvement District Corporation (LHIDC) provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in Exhibits B and C; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.12 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the North Lake Highlands Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC) authorizing the disbursement of assessments to LHIDC; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD).

The assessment amount for 2018 is proposed to be \$382,588. This amount shall be apportioned in an amount equal to \$0.12 per \$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$382,588. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the North Lake Highlands Public Improvement District Fund, Fund 9P06, Department ECO, Unit 1861, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P06, Department ECO, Unit 1861, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P06, Department ECO, Unit 1861, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Lake Highlands Improvement District Corporation unless an amended and restated management contract is executed.


SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P06, Department ECO, Unit 1861, Object 3034, Vendor VS92046, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P06, Department ECO, Unit 1861, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 20. That this ordinance 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 ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

Passed _____

Parcels shown based on available 2016 geography. Any parcels shown within the boundary lines of the PID are intended to be

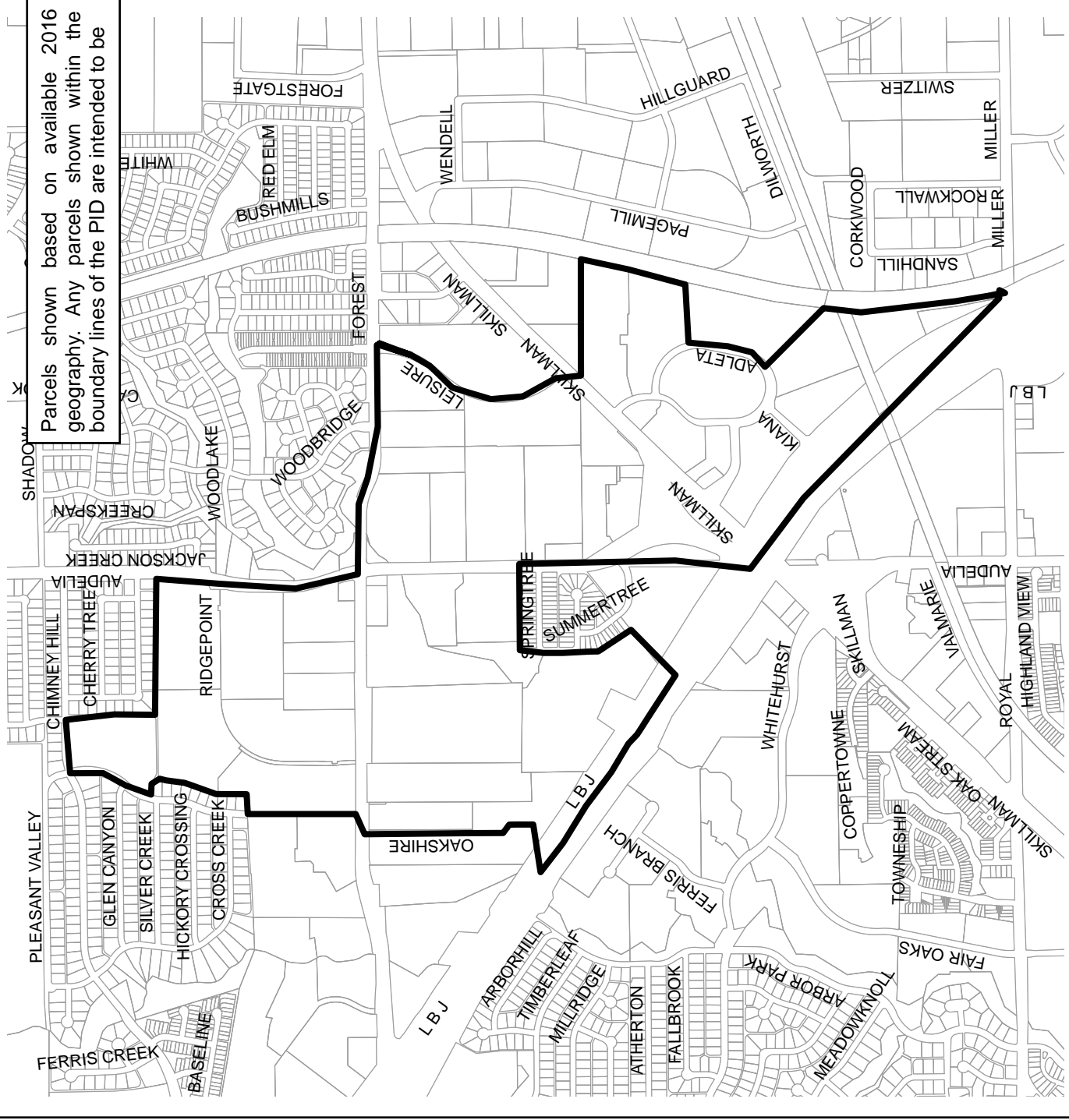


Exhibit B

NORTH LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT

	2019	2020	2021	2022	2023
INCOME					
Net Assessment*	\$ 382,587.75	\$ 440,530.35	\$ 529,375.67	\$ 635,990.05	\$ 763,927.31
Interest on Cash Balance	\$ -	\$ -	\$ -	\$ -	\$ -
Total Income	\$ 382,587.75	\$ 440,530.35	\$ 529,375.67	\$ 635,990.05	\$ 763,927.31
Public Safety ⁽¹⁾	60% \$ 229,552.65	60% \$ 264,318.21	55% \$ 291,156.62	55% \$ 349,794.53	50% \$ 381,963.66
Improvements ⁽²⁾	18% \$ 68,865.80	18% \$ 79,295.46	23% \$ 121,756.40	23% \$ 146,277.71	28% \$ 213,899.65
Promotion ⁽³⁾	6% \$ 22,955.27	6% \$ 26,431.82	6% \$ 31,762.54	6% \$ 38,159.40	6% \$ 45,835.64
Administration ⁽⁴⁾	10% \$ 38,258.78	10% \$ 44,053.04	10% \$ 52,937.57	10% \$ 63,599.01	10% \$ 76,392.73
Audit	2% \$ 7,651.76	2% \$ 8,810.61	2% \$ 10,587.51	2% \$ 12,719.80	2% \$ 15,278.55
Insurance	4% \$ 15,303.51	4% \$ 17,621.21	4% \$ 21,175.03	4% \$ 25,439.60	4% \$ 30,557.09
	100%	100%	100%	100%	100%
Total Expenses	\$ 382,587.75	\$ 440,530.35	\$ 529,375.67	\$ 635,990.05	\$ 763,927.31
Surplus Carried Forward					

Notes:

The assessment amount is approximately equal to \$0.12 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District (DCAD).
 *Net assessment reflects the deduction of City and County fees from the gross assessment collection.

- ⁽¹⁾ Public Safety consists of enhanced neighborhood patrols, security enhancements, emergency preparedness
- ⁽²⁾ Improvements include aesthetic improvements, acquisition and instillation of public art, the establishment of parks and youth recreation sites, and educational programming
- ⁽³⁾ Promotion includes business recruitment related expenses, branding efforts, marketing and outreach efforts and materials, and advertising
- ⁽⁴⁾ Administrative costs include management fee, annual tax preparation, bookkeeping charges, office supplies, and postage for public notifications

Exhibit C
NORTH LAKE HIGHLANDS PUBLIC IMPROVEMENT DISTRICT
2018 ASSESSMENT PLAN

The cost of the services and improvements provided by the North Lake Highlands Public Improvement District will be paid primarily by assessments against real properties within the North Lake Highlands Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The service area is identified on the enclosed map. All properties will be assessed at a uniform rate. The proposed assessment rate for the 2018 is proposed at \$0.12 per \$100.00 of appraised value. Each subsequent year, a recommended assessment rate will be determined by the budget prepared by the management corporation. Assessment will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

Properties not liable for assessment include City rights-of-way, City-owned park properties and properties not owned by the City of Dallas but have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (exempt under the provisions of Section 11.24 and 11.28 of the Property Tax Code). Payment of assessment by other exempt jurisdictions must be established by contract.

The District's assessments will be collected by Dallas County or other collection agent as determined by the City of Dallas, in accordance with management contract between the City of Dallas and the Lake Highlands Improvement District Corporation, the non-profit management corporation for the District.



Agenda Information Sheet

File #: 18-798

Item #: 14.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 10

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC), the non-profit corporation designated as the management entity for the North Lake Highlands Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to LHIDC, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On August 9, 2017, City Council authorized the creation of the North Lake Highlands Public Improvement District to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with Lake Highlands Improvement District Corporation (LHIDC) as the management entity for the District. UCPID, Inc. is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code. LHIDC currently manages both the Lake Highlands and North Lake Highlands public improvement districts (PIDs).

Through the management contract a cooperative relationship is established between the City and LHIDC with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). LHIDC is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is

deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate LHIDC. established bank account. LHIDC has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by LHIDC to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 9, 2017, City Council authorized creation of the North Lake Highlands Public Improvement District, approval of the Service Plan and management contract by Resolution No. 17-1232.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on August 9, 2017, City Council authorized creation of the North Lake Highlands Public Improvement District, approval of the Service Plan and management contract by Resolution No. 17-1232; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Lake Highlands Improvement District Corporation (LHIDC).

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 an amended and restated management contract with Lake Highlands Improvement District Corporation (LHIDC), the non-profit corporation designated as the management entity for the North Lake Highlands Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to LHIDC, and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by LHIDC to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-802

Item #: 15.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Oak Lawn-Hi Line Public Improvement District

A public hearing concerning the proposed levy of assessment for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation (OLHLIC) authorizing the disbursement of assessments to OLHLIC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass

on any objections to a proposed assessment and may amend a proposed assessment on any parcel.

After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property. The Oak Lawn-Hi Line Improvement Corporation (OLHLIC) provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include enhance security and public safety within the District, litter and graffiti control, public improvements, landscape improvements including planting, hardscape and street furniture within public open space and public right-of-way and related services and improvements that are authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$368,084 in 2019 and reach \$446,344 in 2023. The total estimated assessments to be collected during the next five-year period is approximately \$2,024,396. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$362,146. This amount is equal to \$0.15 per \$100.00 of appraised value as determined by DCAD. Once levied, this assessment apportionment shall not increase during the 2019 Service Plan year. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.
- (e) Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for

payment of assessment against exempt City property in the District. City rights-of-way and City parks are not subject to assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 24, 2009, City Council held a public hearing to receive comments concerning the creation of the Oak Lawn-Hi Line Public Improvement District; approval of a resolution creating the Oak Lawn-Hi Line Public Improvement District; approval of the Service Plan and a management contract by Resolution No. 09-1679.

On June 15, 2016, City Council held a public hearing to receive comments concerning the renewal of the Oak Lawn-Hi Line Public Improvement District; approval of the Service Plan and management contract by Resolution No. 16-1022.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1488; Ordinance No. 30642.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Oak Lawn-Hi Line Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1188.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

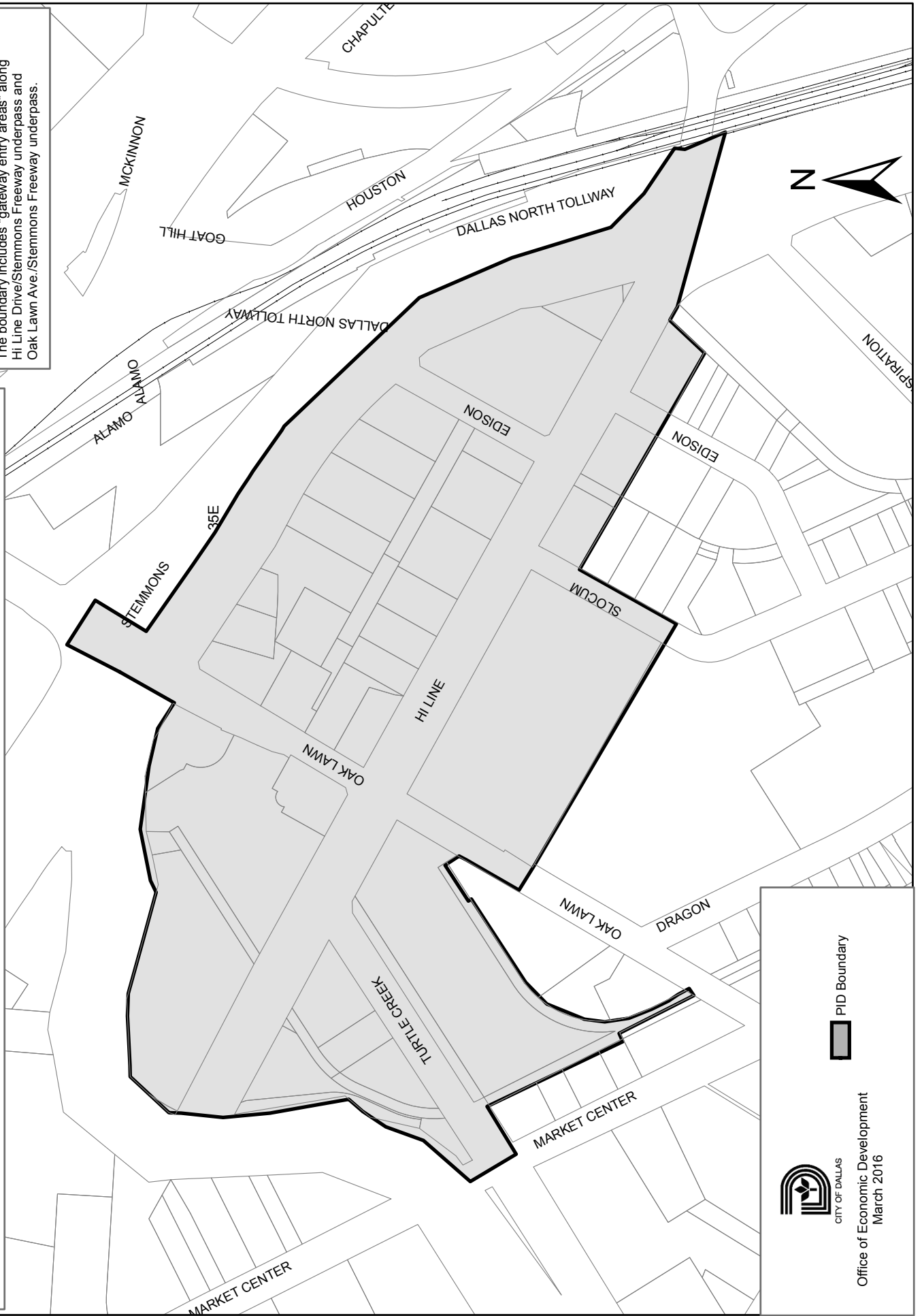
Cost consideration to others - the proposed assessment amount is approximately equal to \$0.15 per \$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

Oak Lawn - Hi Line Public Improvement District

Note: Parcels shown based on available 2015 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels. The boundary includes "gateway entry areas" along Hi Line Drive/Stemmons Freeway underpass and Oak Lawn Ave./Stemmons Freeway underpass.



CITY OF DALLAS
Office of Economic Development
March 2016

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE OAK LAWN-HI LINE PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH OAK LAWN-HI LINE IMPROVEMENT CORPORATION AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO OLHLC; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on June 24, 2009, City Council established the Oak Lawn Hi-Line Public Improvement District (the District), pursuant to the Act, finding that the petition satisfied the Act's requirements and the supplemental services and improvements were feasible and conferred a special benefit to the property in the District; designated Oak Lawn-Hi Line Improvement District Corporation as the manager of the District and authorized a contract for management services; and approved the District Service Plan by Resolution No. 09-1679; and

WHEREAS, on June 15, 2016, City Council held a public hearing to receive comments concerning the renewal of the Oak Lawn-Hi Line Public Improvement District; approval of the Service Plan and management contract by Resolution No. 16-1022, as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1488; Ordinance No. 30642; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Oak Lawn-Hi Line Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1188; and

WHEREAS, the Oak Lawn-Hi Line Improvement District Corporation provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.15 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Oak Lawn-Hi Line Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation (OLHLIC) authorizing the disbursement of assessments to OLHLIC; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD.

The assessment amount for 2018 is proposed to be \$362,146. This amount shall be apportioned in an amount equal to \$0.15 per \$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$368,084. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Oak Lawn-Hi Line Public Improvement District Fund, Fund 9P07, Department ECO, Unit 1862, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P07, Department ECO, Unit 1862, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P07, Department ECO, Unit 1862, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Oak Lawn-Hi Line Improvement Corporation unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P07, Department ECO, Unit 1862, Object 3034, Vendor VS0000062817, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P07, Department ECO, Unit 1862, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 20. That this ordinance 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 ordained.

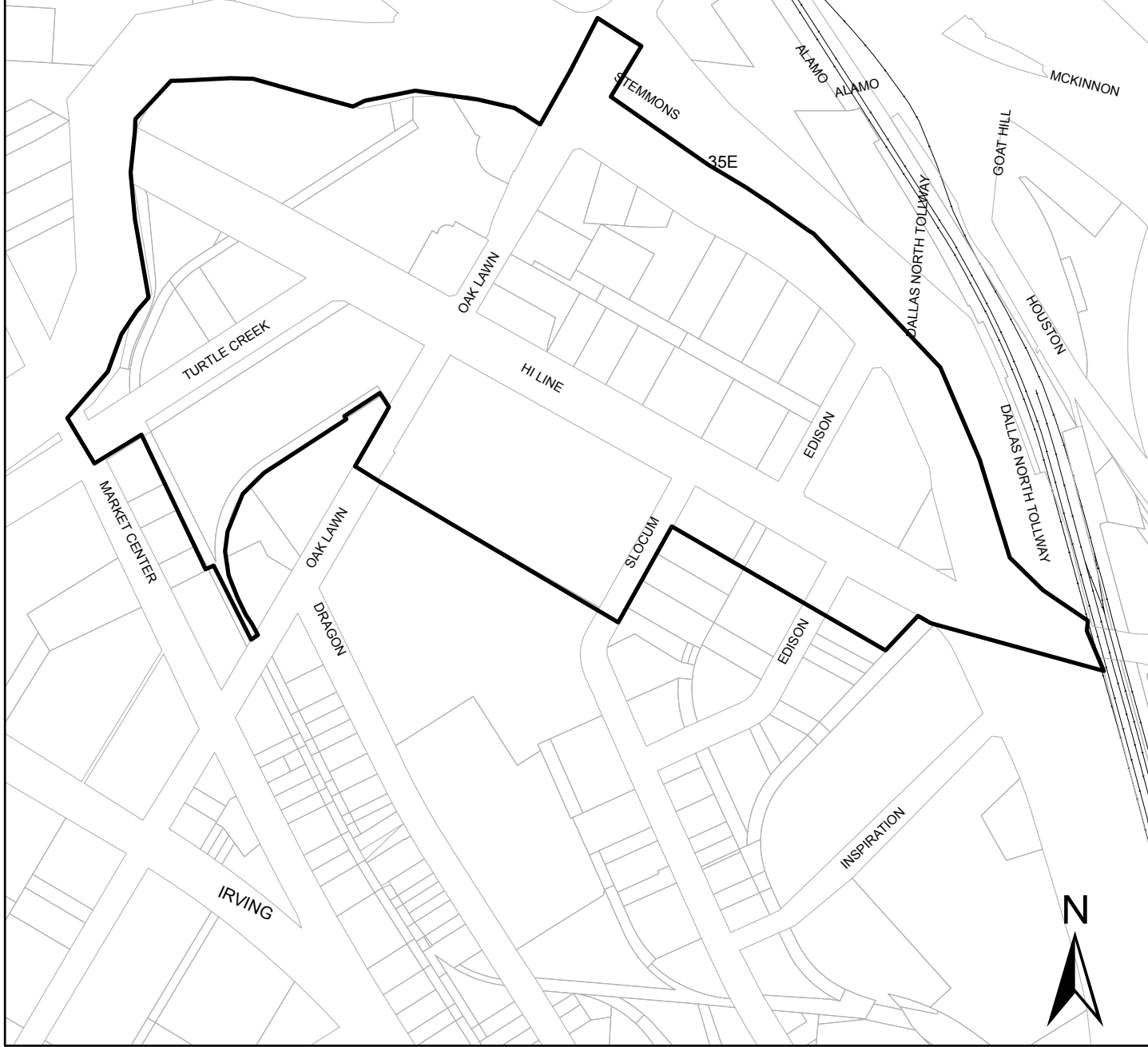
APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY:  _____

Assistant City Attorney

Passed _____

Note: Parcels shown based on available 2015 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels. The boundary includes "gateway entry areas" along Hi Line Drive/Stemmons Freeway underpass and Oak Lawn Ave./Stemmons Freeway underpass.



Oak Lawn - Hi Line Public Improvement District

Exhibit A

 PID Boundary



CITY OF DALLAS S

Office of Economic Development
March 2016

Exhibit B
Oak Lawn-Hi Line Public Improvement District - Five Year Service Plan

	2019	2020	2021	2022	2023
INCOME					
Net assessment revenue ⁽¹⁾	\$362,146	\$386,000	\$405,000	\$425,000	\$446,250
Interest on cash balances	\$84	\$87	\$90	\$92	\$94
Other income & contributions ⁽²⁾	\$5,854	\$0	\$0	\$0	\$0
TOTAL INCOME	\$368,084	\$386,087	\$405,090	\$425,092	\$446,344
EXPENDITURES					
Security/PID Patrol ⁽³⁾	\$75,000	\$78,220	\$81,631	\$85,212	\$88,972
Area Improvements ⁽⁴⁾	\$120,000	\$126,000	\$132,000	\$138,000	\$144,000
General Administrative ⁽⁵⁾	\$30,000	\$33,000	\$36,000	\$39,000	\$42,000
Marketing/Promotion ⁽⁶⁾	\$20,000	\$23,000	\$26,000	\$29,000	\$32,000
Capital Improvements ⁽⁷⁾	\$102,084	\$103,411	\$105,580	\$109,230	\$114,032
Insurance and Audit ⁽⁸⁾	\$21,000	\$22,456	\$23,879	\$24,650	\$25,340
TOTAL EXPENDITURES	\$368,084	\$386,087	\$405,090	\$425,092	\$446,344

Oak Lawn-Hi Line Public Improvement District--Assessment Plan

The assessment amount is approximately equal to \$0.15 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District (DCAD).

Notes

1. Net assessment reflects the deduction of City and County fees from the gross assessment collection.
2. Expenditures are anticipated to exceed net assessment revenue and interest income in the earlier years. Deficits will be met with property owner donations.
3. Public Safety consists of contract security patrols inside PID boundary.
4. Area improvements include landscape/irrigation to include turf, trees and periodic flower changes as well as litter and graffiti control. Maintenance of above standard improvements including benches, trash receptacles and bike racks is included. Periodic improvements to refurbish specialty signage and painting treatments.
5. General Administrative costs include management fee, annual tax preparation, bookkeeping charges and postage for public notices.
6. Marketing/Promotion is a public information dissemination primarily through Internet which links neighborhoods together for public safety communication, etc. Seasonal decorations are also planned.
7. Capital Improvements may include transportation planning/design for gateway connections around PID. Replacement of signage, gateway icons, benches, light fixtures, statues, and water falls, etc. Major fencing project around Oak Lawn and Hi Line bridge intersections is being added.
8. Insurance expense provides for liability coverage binder and cost of required annual financial audit.

**OAK LAWN - HI LINE PUBLIC IMPROVEMENT DISTRICT
2018 ASSESSMENT PLAN**

The cost of the services and improvements provided by the Oak Lawn-Hi Line Public Improvement District will be paid primarily by assessments against real properties within the Oak Lawn-Hi Line Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The cost of improvements and services in the district will be assessed by application of a single rate applied to all non-exempt property on the combined value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The 2018 assessment rate is proposed at \$0.15 per \$100.00 of appraised value. The annual assessments rate, during the seven-year life of the District, will not exceed \$0.15 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District.

The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District, which is specially benefited. City rights-of-way and city parks are not subject to assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessment by other exempt jurisdictions must be established by contract.

The Oak Lawn Hi Line PID assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Oak Lawn-Hi Line Improvement District Corporation.



Agenda Information Sheet

File #: 18-803

Item #: 16.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 6

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation, the non-profit corporation designated as the management entity for the Oak Lawn-Hi Line Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Oak Lawn-Hi Line Improvement Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On June 15, 2016, City Council authorized the renewal of the Oak Lawn-Hi Line Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with the Oak Lawn-Hi Line Improvement Corporation (OLHLIC) as the management entity for the District. OLHLIC is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract a cooperative relationship is established between the City and OLHLIC with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). The OLHLIC is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is

deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate OLHLIC established bank account. OLHLIC has been responsible for wiring funds back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the Public Improvement District (PID) as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by OLHLIC to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 24, 2009, City Council authorized creation of the Oak Lawn-Hi Line Public Improvement District by Resolution No. 09-1679.

On June 15, 2016, City Council held a public hearing to receive comments concerning the renewal of the Oak Lawn-Hi Line Public Improvement District; approval of the Service Plan and management contract by Resolution No. 16-1022.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

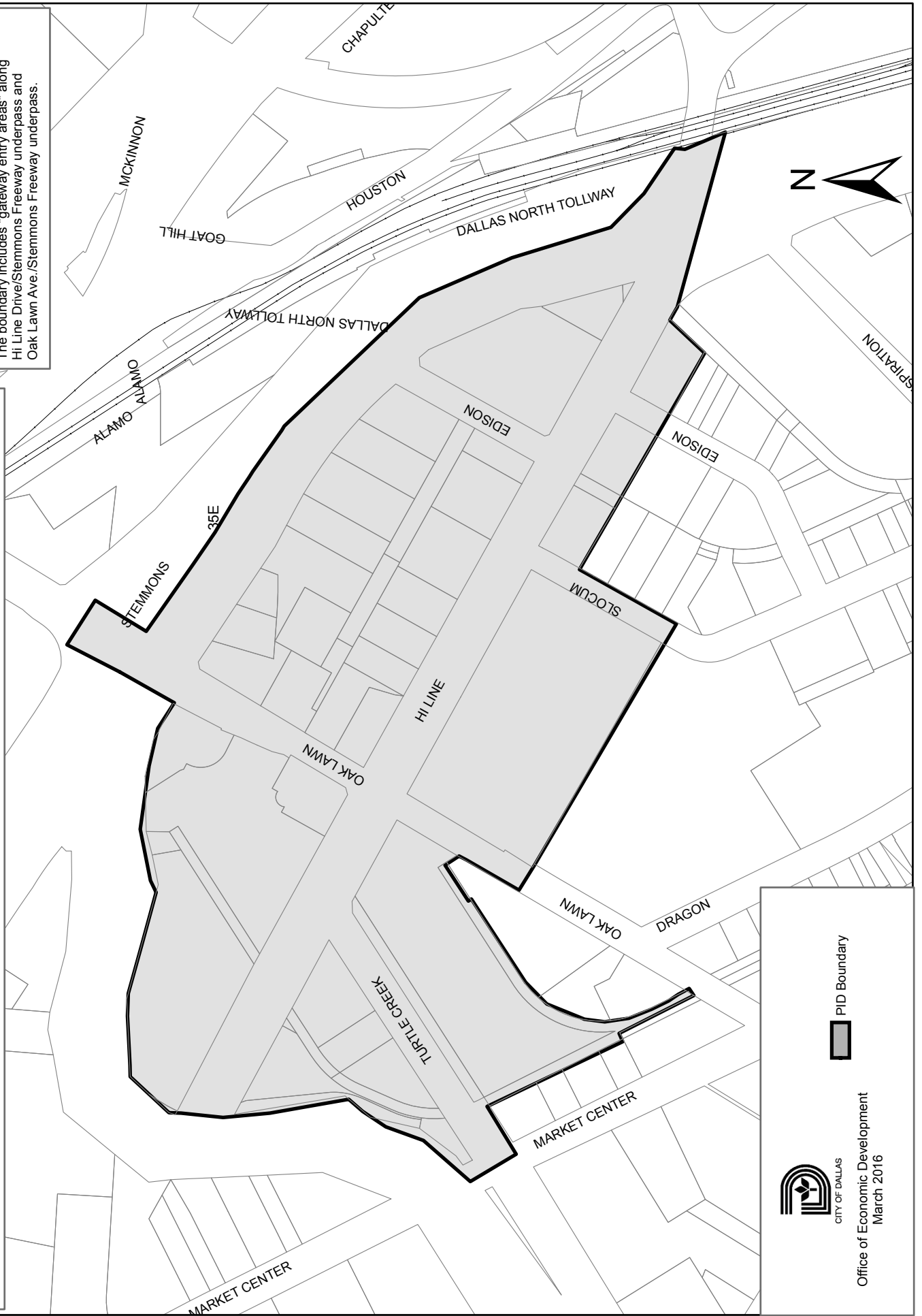
No cost consideration to the City.

MAP

Attached

Oak Lawn - Hi Line Public Improvement District

Note: Parcels shown based on available 2015 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels. The boundary includes "gateway entry areas" along Hi Line Drive/Stemmons Freeway underpass and Oak Lawn Ave./Stemmons Freeway underpass.



CITY OF DALLAS
Office of Economic Development
March 2016

PID Boundary

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on June 24, 2009, City Council authorized the creation of the Oak Lawn-Hi Line Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Oak Lawn-Hi Line Improvement Corporation (OLHLIC) as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 09-1679; and

WHEREAS, on June 15, 2016, City Council authorized the renewal of the Oak Lawn-Hi Line Public Improvement District and approval of the Service Plan and management contract by Resolution No. 16-1022; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Oak Lawn-Hi Line Improvement Corporation.

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 an amended and restated management contract with Oak Lawn-Hi Line Improvement Corporation, the non-profit corporation designated as the management entity for the Oak Lawn-Hi Line Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Oak Lawn-Hi Line Improvement Corporation, and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by OLHLIC to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

September 12, 2018

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-804

Item #: 17.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 12

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Prestonwood Public Improvement District

A public hearing concerning the proposed levy of assessment for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Prestonwood Homeowners Association authorizing the disbursement of assessments to Prestonwood Homeowners Association; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass

on any objections to a proposed assessment and may amend a proposed assessment on any parcel. After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

The Prestonwood Homeowners Association provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

(a) Nature of the Services and Improvements. The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District.

The general nature of the proposed services and improvements to be performed by the District includes enhanced security and security related improvements within the District as authorized by the Act.

(b) Estimated Cost of the Services and Improvements. During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$378,520 in 2019 and reach \$427,284 in 2023. The total estimated assessments to be collected for during the next five-year period is approximately \$2,505,392. The District shall incur no bonded indebtedness.

(c) Boundaries. The boundaries of the District are shown on the attached map of the District.

(d) Method of Assessment. The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$423,306. This amount is approximately equal to \$0.0825 per \$100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

The real property of jurisdictions and entities that have obtained an exemption from the City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions

of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 14, 1997, City Council authorized the creation of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 97-1575.

On August 11, 2004, City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 04-2328.

On June 22, 2011, City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 11-1796.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1489; Ordinance No. 20643.

On May 23, 2018, City Council authorized the renewal of the Prestonwood Public Improvement District, approval of the Service Plan and management contract by Resolution No. 18-0785.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Prestonwood Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1189.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to \$0.0825 per \$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE PRESTONWOOD PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH PRESTONWOOD HOMEOWNERS ASSOCIATION AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO PRESTONWOOD HOMEOWNERS ASSOCIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on May 14, 1997, the City Council established the Prestonwood Public Improvement District (the District), pursuant to the Act, finding that the petition satisfied the Act's requirements and the supplemental services and improvements were feasible and conferred a special benefit to the property in the District; designated Prestonwood Homeowners Association as the manager of the District and authorized a contract for management services; and approved the District Service Plan by Resolution No. 97-1575; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1488; Ordinance No. 30642; and

WHEREAS, on May 23, 2018, City Council held a public hearing to receive comments concerning the renewal of the Prestonwood Public Improvement District; approval of the Service Plan and management contract by Resolution No. 18-0785, as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Prestonwood Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1189; and

WHEREAS, the Prestonwood Homeowners Association provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.0825 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Prestonwood Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Prestonwood Homeowners Association authorizing the disbursement of assessments to Prestonwood Homeowners Association; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD.

The assessment amount for 2018 is proposed to be \$423,306. This amount is approximately equal to \$0.0825 per \$100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$378,520. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Prestonwood Public Improvement District Fund, Fund 9P08, Department ECO, Unit 1863, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P08, Department ECO, Unit 1863, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P08, Department ECO, Unit 1863, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Prestonwood Homeowners Association unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P08, Department ECO, Unit 1863, Object 3034, Vendor VC19187, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P08, Department ECO, Unit 1863, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 20. That this ordinance 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 ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY:  _____
Assistant City Attorney

Passed _____

Exhibit B

**Prestonwood Public Improvement District
Service Plan 2019-2023**

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Estimated annual assessment rate requirement	0.0825	0.0750	0.0750	0.0750	0.0800
Estimated annual aggregate property valuation increase	2.0%	1.0%	1.0%	0.5%	0.5%
Estimated annual aggregate property valuation	\$ 521,765,065	\$ 526,982,716	\$ 532,252,543	\$ 534,913,806	\$ 537,588,375

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Revenue & Reserves					
Calendar Year Beginning Balance	\$ 70,561	\$ 115,347	\$ 113,275	\$ 103,157	\$ 82,663
Gross Assessment Revenue	\$ 430,456	\$ 395,237	\$ 399,189	\$ 401,185	\$ 430,071
PID Oversight Charge from City	\$ (7,150)	\$ (7,150)	\$ (7,150)	\$ (7,150)	\$ (7,150)
PID Renewal					
Net Assessment Revenue	\$ 423,306	\$ 388,087	\$ 392,039	\$ 394,035	\$ 422,921
Exempt Jurisdictions	\$ -	\$ -	\$ -	\$ -	\$ -
Interest on Cash balances	\$ -	\$ -	\$ -	\$ -	\$ -
Total Income & Reserves	\$ 493,867	\$ 503,434	\$ 505,315	\$ 497,192	\$ 505,584

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
PID Services					
Public Safety	\$ 350,200	\$ 360,706	\$ 371,527	\$ 382,673	\$ 394,153
Audit & Insurance	\$ 20,000	\$ 20,800	\$ 21,632	\$ 22,497	\$ 23,397
Administrative	\$ 8,320	\$ 8,653	\$ 8,999	\$ 9,359	\$ 9,733
Total Disbursements	\$ 378,520	\$ 390,159	\$ 402,158	\$ 414,529	\$ 427,284

Reserve	\$ 115,347	\$ 113,275	\$ 103,157	\$ 82,663	\$ 78,300
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Assumptions

- Assumes annual audit paid 100% by PID. Insurance fees shared to better reflect benefits received under the policies between PID and PHA.
- Assumes an estimated annual increase in home valuations as indicated.
- Assumes 3.0% annual officer compensation, cost of living & car D31 expense increase
- \$15,000 PID renewal fee paid in 2017 Service Plan
- Assumes a 4% annual increase in audit and insurance fees.
- Assumes a 4% annual increase in administrative fees. Additionally, a management fee of \$500 per month is charged to the PID by PHA to reflect the cost of operating the PID and time spent by PHA members.
- The management fee will be paid retroactively to 1/1/2018



PRESTONWOOD



Exhibit C

PRESTONWOOD PUBLIC IMPROVEMENT DISTRICT 2018 ASSESSMENT PLAN

The cost of services and improvements provided by the Prestonwood Public Improvement District will be paid primarily by assessments against real properties within the Prestonwood Public Improvement District (PID) boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The 2018 assessment rate for the property in the Prestonwood PID is proposed at \$0.0825 per \$100.00 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas is not responsible for payment of assessments against exempt City property in the District which is specifically benefited. City rights-of-way, parks and cemeteries are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract. No such contract is in place, nor is any proposed.

The Prestonwood PID's assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Prestonwood Homeowners Association.



Agenda Information Sheet

File #: 18-805

Item #: 18.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 12

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Prestonwood Homeowners Association, the non-profit corporation designated as the management entity for the Prestonwood Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Prestonwood Homeowners Association, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On May 14, 1997, City Council authorized the renewal of the Prestonwood Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with the Prestonwood Homeowners Association as the management entity for the District. Prestonwood Homeowners Association is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract a cooperative relationship is established between the City and Prestonwood Homeowners Association with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). The Prestonwood Homeowners Association is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax

bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate Prestonwood Homeowners Association established bank account. Prestonwood Homeowners Association has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Prestonwood Homeowners Association to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 14, 1997, City Council authorized creation of the Prestonwood Public Improvement District by Resolution No. 97-1575.

On May 23, 2018, City Council held a public hearing to receive comments concerning the renewal of the Prestonwood Public Improvement District; approval of the Service Plan and management contract by Resolution No. 18-0785.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on May 14, 1997, City Council authorized the creation of the Prestonwood Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Prestonwood Homeowners Association as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 97-1575; and

WHEREAS, on May 23, 2018, City Council authorized the renewal of the Prestonwood Public Improvement District and approval of the Service Plan and management contract by Resolution No. 18-0785; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Prestonwood Homeowners Association.

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 an amended and restated management contract with Prestonwood Homeowners Association, the non-profit corporation designated as the management entity for the Prestonwood Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Prestonwood Homeowners Association, and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Prestonwood Homeowners Association to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

September 12, 2018

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-808

Item #: 19.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

South Side Public Improvement District

A public hearing concerning the proposed levy of assessment for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amendment to the management contract with South Side Quarter Development Corporation (SSQDC) authorizing the disbursement of assessments to SSQDC; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed management contract amendment, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue.

Annually, City Council calls and holds a public hearing to consider the proposed assessment rate for property in the Public Improvement Districts ("PID") and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel.

After hearing and passing on the objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

SSQDC provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be provided in the District include enhanced security; safety and security related services to promote the District; services to enhance and protect property values, improve infrastructure, streetscape, and service of common areas; business recruitment; marketing; and other services and improvements as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$287,500.00 in 2019 and reach \$289,000.00 in 2023. The total estimated assessments to be collected during the next five-year period is approximately \$1,587,000.00. The District shall incur no bonded indebtedness. Unless a specific purpose is identified in the Service Plan, any over collections of assessments for any year shall be returned to the property owners or the assessment rate shall be reduced in the following year so that such surplus cash may be absorbed by the cost of services and improvements to be provided by the management company for that following year. The City shall not levy assessments against property owners that exceed the total amount budgeted for the entire term of the PID without a new petition securing consent of the property owners to such increases in the Service Plan and city council approval.
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$260,997.36. This amount is approximately equal to \$0.15 per \$100.00 of appraised value for the premium service area in the District and \$0.12 per \$100.00 of appraised value for the standard service area as determined by DCAD.

Once levied, this assessment rate shall not increase during the 2019 Service Plan year. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2005, City Council authorized creation of the South Side Public Improvement District, approval of the Service Plan and management contract by Resolution No. 05-2230.

On June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District, approval of the Service Plan and management contract by Resolution No. 12-1585.

On September 9, 2015, City Council authorized an ordinance approving and adopting the final 2016 Service Plan, 2015 Assessment Plan and 2015 Assessment Roll by Resolution No. 15-1702; Ordinance No. 29867.

On September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1504; Ordinance No. 30209.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1491; Ordinance No. 30645.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed South Side Public Improvement District's final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1190.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

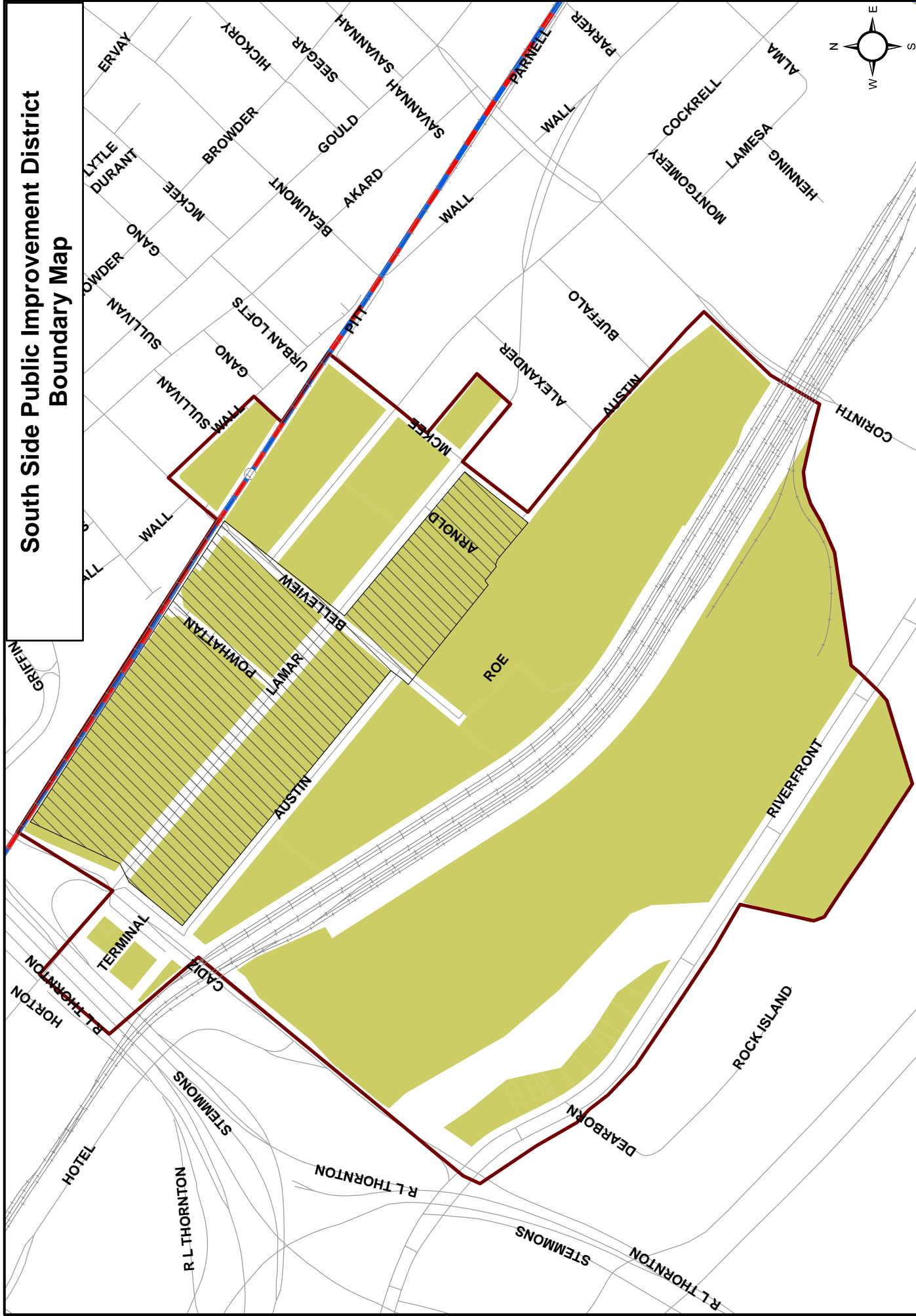
FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to \$0.15 per \$100.00 of appraised value for the premium service area in the District and \$0.12 per \$100.00 of appraised value for the standard service area as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

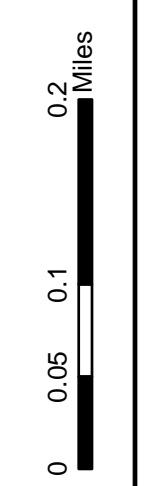
South Side Public Improvement District Boundary Map



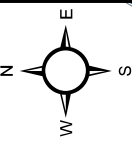
Legend

- South Side PID Boundary
- SouthSide PID Premium Boundary

Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.



City of Dallas
 Office of Economic Development
 Created August 2015



ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE SOUTH SIDE PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COST FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH SOUTH SIDE QUARTER DEVELOPMENT CORPORATION (SSQDC) AUTHORIZING THE DISPURSEMENT OF ASSESSMENTS TO SSQDC; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code ("Act") allows for the creation of public improvement districts; and

WHEREAS, on August 10, 2005, City Council authorized the creation of the South Side Public Improvement District (District), as shown on the attached **Exhibit A - Map of the District**, as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated the South Side Quarter Development Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 05-2230; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District, and approved the Service Plan and management contract by Resolution No. 12-1585; and

WHEREAS, on September 9, 2015, City Council authorized an ordinance approving and adopting the final 2016 Service Plan, 2015 Assessment Plan and 2015 Assessment Roll by Resolution No. 15-1702; Ordinance No. 29867; and

WHEREAS, on September 14, 2016, City Council authorized an ordinance approving and adopting the final 2017 Service Plan, 2016 Assessment Plan and 2016 Assessment Roll by Resolution No. 16-1504; Ordinance No. 30209; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1491; Ordinance No. 30645; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District and at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the South Side Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1190; and

WHEREAS, the District's manager provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan, as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.15 per \$100.00 of appraised value for the premium service area in the District and \$0.12 per \$100.00 of appraised value for the standard service of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD) is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the proposed and final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the South Side Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with South Side Quarter Development Corporation (SSQDC) authorizing the disbursement of assessments to SSQDC; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment amount for 2018 is proposed to be \$260,997.36. This amount shall be apportioned in an amount equal to \$0.15 per \$100.00 of appraised value for the District's premium service area and \$0.12 per \$100.00 of appraised value for its standard service area as determined by the Dallas Central Appraisal District. Once levied, this assessment rate shall not increase during the 2019 service plan year.

SECTION 4. That City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2017, of approximately \$260,997.36. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2018. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County in the South Side Public Improvement District Fund, Fund 9P10, Department ECO, Unit 1865 and Unit 1872, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P10, Department ECO, Unit 1865 and Unit 1872, Object 3090 to General Fund, Fund 0001, Department ECO, Unit 1272, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P10, Department ECO, Unit 1865 and Unit 1872, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to SSQDC unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P10, Department ECO, Unit 1865 and Unit 1872, Object 3549, Vendor 520788 for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any reconciliation adjustments related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P10, Department ECO, Unit 1865 and Unit 1872, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

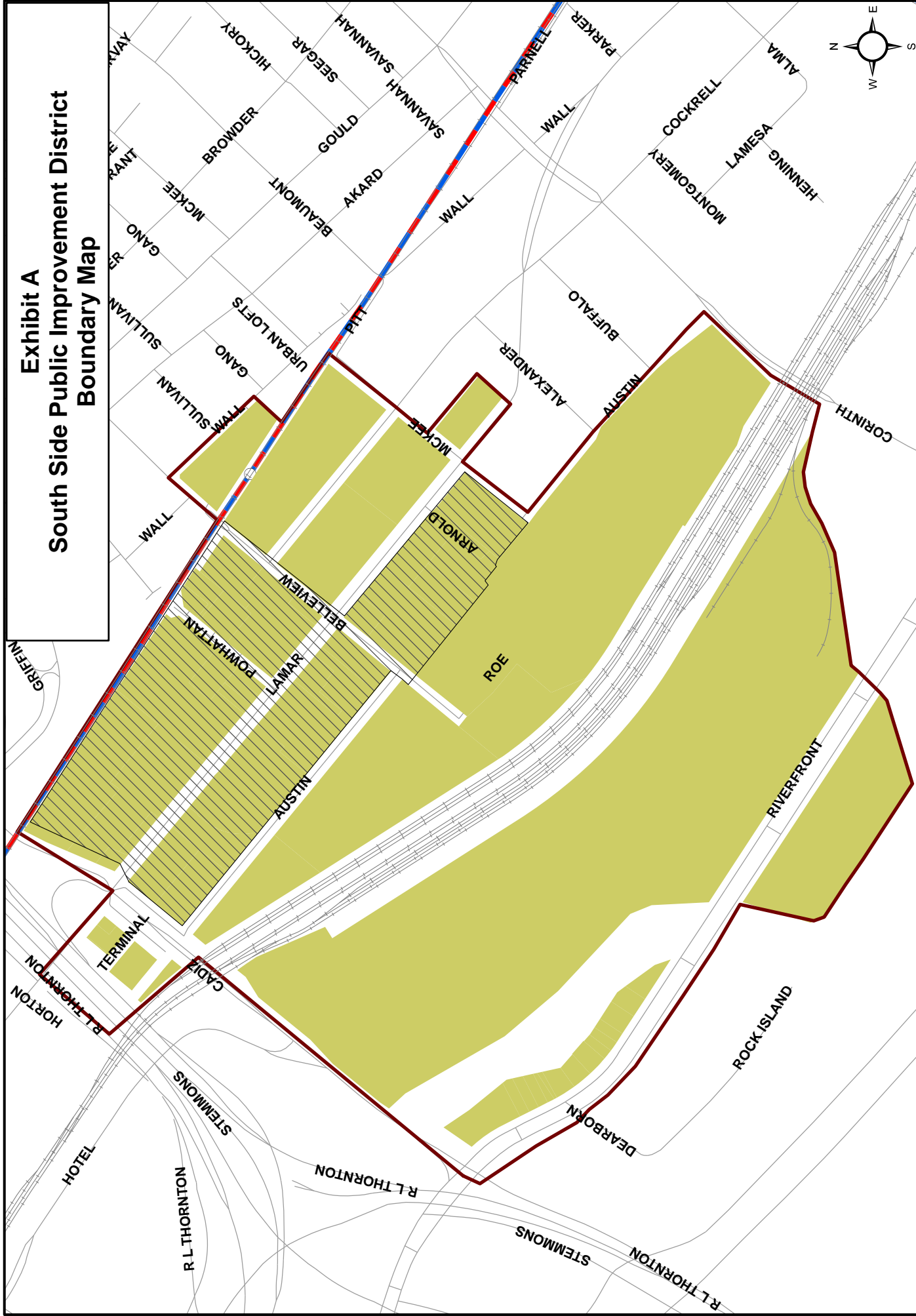
SECTION 20. That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

Passed: _____

Exhibit A South Side Public Improvement District Boundary Map



Legend

- South Side PID Boundary
- South Side PID Premium Boundary

Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.



City of Dallas
Office of Economic Development
Created August 2015

Exhibit B

South Side Public Improvement District Service Plan 2017-2022					
	2019	2020	2021	2022	2023
NET TOTAL ASSESSMENTS	\$ 253,449.00	\$ 261,000.00	\$ 270,000.00	\$ 275,000.00	\$ 280,000.00
Surplus/Deficit from previous year	\$ 57,701.12	\$ 23,650.12	\$ 19,150.12	\$ 20,650.12	\$ 17,150.12
Estimated Annual Income to District	\$ 311,150.12	\$ 284,650.12	\$ 289,150.12	\$ 295,650.12	\$ 297,150.12
Public Improvements					
Distinctive lighting/signs					
Water, wastewater, drainage					
Fountains					
Special Supplemental Services					
Park improvements ⁽¹⁾	\$ 90,000.00	\$ 92,500.00	\$ 95,000.00	\$ 100,000.00	\$ 110,000.00
Public safety/security ⁽²⁾	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00
Public art projects ⁽³⁾	\$ 15,000.00				
Business recruitment/marketing ⁽⁴⁾	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
Cultural events ⁽⁵⁾	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Administration	\$ 30,000.00	\$ 35,000.00	\$ 35,000.00	\$ 40,000.00	\$ 40,000.00
Audit ⁽⁶⁾	\$ 6,500.00	\$ 7,000.00	\$ 7,500.00	\$ 7,500.00	\$ 8,000.00
Insurance ⁽⁷⁾	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
2019 Renewal Fee	\$ 15,000.00				
Estimated Annual Expenses to District	\$ 287,500.00	\$ 265,500.00	\$ 268,500.00	\$ 278,500.00	\$ 289,000.00
SURPLUS (DEFICIT)	\$ 23,650.12	\$ 19,150.12	\$ 20,650.12	\$ 17,150.12	\$ 8,150.12
(1) Dog park/pedestrian area/plaza improvements (2) RHI security group patrol and ensure safety throughout PID (3) mural and artistic updates to beautify PID (4) marketing and promotional ads & events, website maintainance & development (5) events and programs to enrich the culture of the historic area (6) Audit line item also includes quarterly and annual accounting charges (7) Insurance line item covers both insurance and legal fees					

Exhibit C



SOUTH SIDE QUARTER PUBLIC IMPROVEMENT DISTRICT 2018 ASSESSMENT PLAN

The cost of the services and improvements provided by the South Side Public Improvement District will be paid primarily by assessments against real properties within the South Side Public Improvement District boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District.

The 2019 assessment rate for the property in the premium service area is proposed at \$0.15 per \$100.00 of value. The 2018 assessment rate for the property in the standard service area is proposed at \$0.12 per \$100.00. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City of Dallas shall not be responsible for payment of assessments against exempt City property including City rights-of-way and parks. Payment of assessments by other tax-exempt owners must be established by contract. No such contracts are in place at present.

The South Side PID's assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the South Side Quarter Development Corporation.



Agenda Information Sheet

File #: 18-809

Item #: 20.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with South Side Quarter Development Corporation, the non-profit corporation designated as the management entity for the South Side Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to South Side Quarter Development Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with the South Side Quarter Development Corporation (SSQDC) as the management entity for the District. SSQDC is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract a cooperative relationship is established between the City and SSQDC with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). The SSQDC is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is

deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate SSQDC established bank account. SSQDC has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by SSQDC to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2005, City Council authorized creation of the South Side Public Improvement District by Resolution No. 05-2230.

on June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District and approved the Service Plan and management contract by Resolution No. 12-1585.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

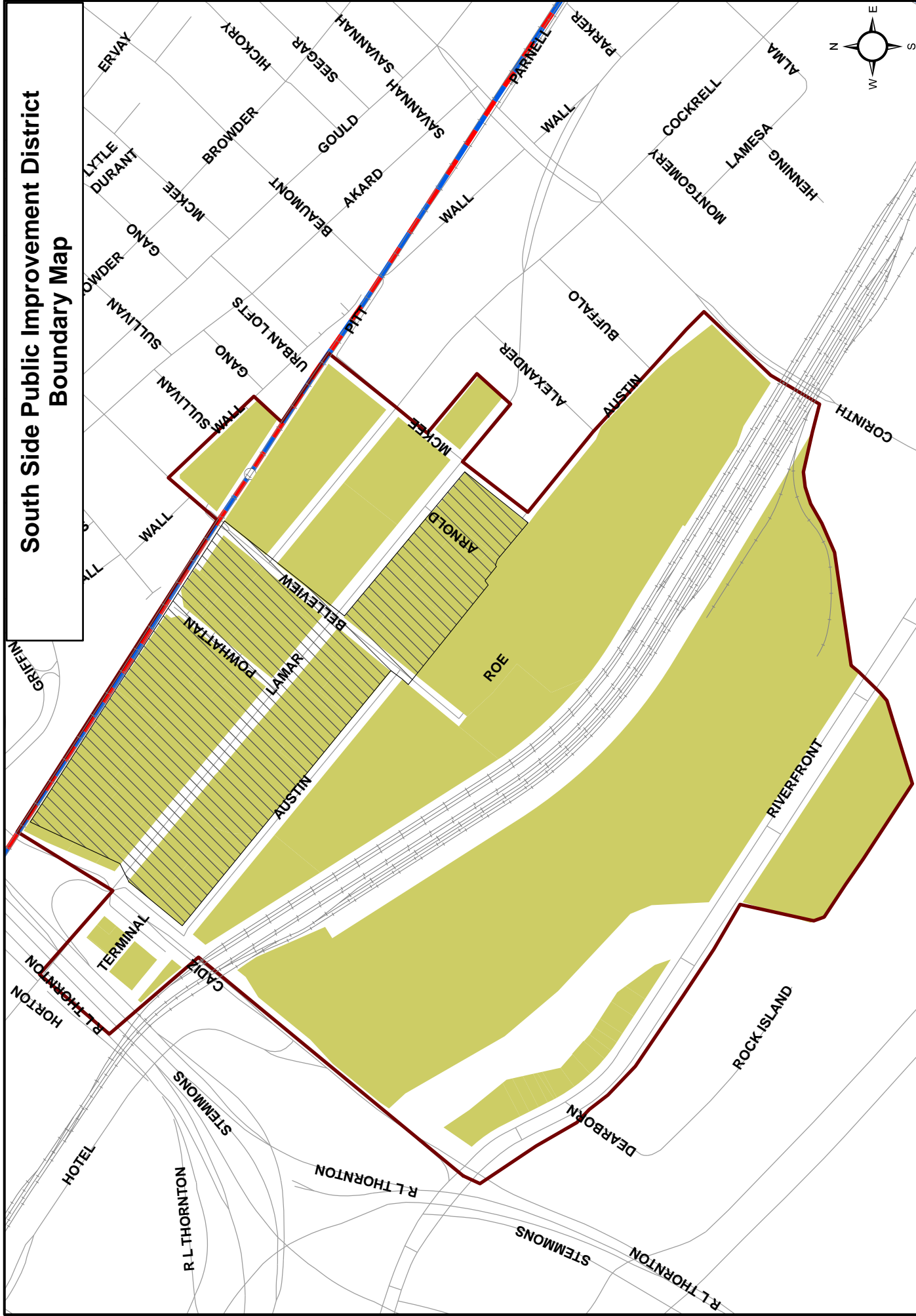
FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

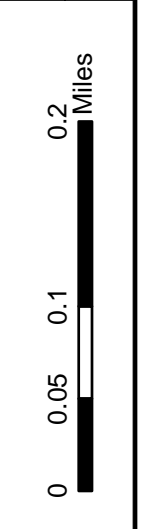
South Side Public Improvement District Boundary Map



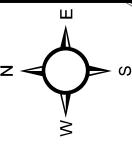
Legend

- South Side PID Boundary
- SouthSide PID Premium Boundary

Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.



City of Dallas
Office of Economic Development
Created August 2015



September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on August 10, 2005, City Council authorized the creation of the South Side Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated the South Side Quarter Development Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 05-2230; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the South Side Public Improvement District, and approved the Service Plan and management contract by Resolution No. 12-1585; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with South Side Quarter Development Corporation.

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 an amended and restated management contract with South Side Quarter Development Corporation, the non-profit corporation designated as the management entity for the South Side Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to South Side Quarter Development Corporation (SSQDC) and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by SSQDC to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

September 12, 2018

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-810

Item #: 21.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 2,5,6,7,8,9,10,11,12,13,14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Tourism Public Improvement District

A public hearing concerning the proposed levy of assessment for the Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final Service Plan for 2018-19, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments on Dallas hotels with 100 or more rooms, for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters and although the Tourism Public Improvement District does not need a contract amendment, since its funding source is different than the other 13 Public Improvement Districts (PID), it has been scheduled on the same agenda as the other PIDs that are in need of a contract amendment.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any hotel. After hearing and passing on the objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

The Dallas Tourism Public Improvement District Corporation provided City staff with the proposed Service Plan for 2018-19 and proposed 2018 Assessment Plan for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

The Public Improvement District Service Plan is outlined in the following way:

(a) Nature of the Services and Improvements. The proposed services and improvements to be provided in the District include marketing, business recruitment, and promotional activities authorized by the Act for improvement and promotion of the district, including the provision of incentives by the Dallas Convention and Visitors Bureau to organizations to encourage them to bring their large and city wide meetings to Dallas and to fund additional marketing by the Dallas Convention and Visitors Bureau to increase hotel stays within the City.

(b) Estimated Cost of the Services and Improvements. During the next thirteen (13) year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$18,222,755 in 2018-19 and reach \$22,149,873 in 2021-22; however, in no event shall the assessment amount exceed two percent of the price paid to hotels for a room in a hotel. The total estimated assessments to be collected during the next five-year period is approximately \$100,692,226. In the event the District requires additional funds, the District shall re-petition the hotel owners for such an increase. The District shall not incur bonded indebtedness.

The service plan budget and assessment amount are subject to annual review by the tourism public improvement district board, and are subject to an annual public hearing and approval by the City Council.

(c) Boundaries. The District is located wholly within the City of Dallas, Texas. The boundaries of the District are shown on the attached map of the District.

(d) Method of Assessment. The District assessment will be levied on hotels with 100 or more rooms ("qualifying hotels") located within the District. The proposed cost of the services and improvements to be provided shall be assessed in a manner that results in imposing equal shares of the cost of the services qualifying on hotels that are similarly benefitted. Under the Act, the apportionment of the cost of the services against property in the District territory must be made on the basis of special benefits accruing to the property because of the services and improvements provided. The total cost of the services and improvements to be provided shall be apportioned at a rate of 2% of room-nights sold at qualifying hotels located within the District territory until the budget for services and improvements for the year is reached.

Accordingly, those qualifying hotels that sell more rooms will pay a greater portion of the assessment since those properties benefit more from the promotion and marketing services provided by the District. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment. The total assessment must be reviewed and approved annually by the Dallas City Council. The total assessment amount for the year may be less than the amount budgeted for the year, but it shall not be more than the amount budgeted for the year as shown in the adopted service plan.

- (e) Apportionment of costs between the District and the Municipality as a Whole.** The District shall continue to pay the cost of the supplemental services described in the Service Plan by assessment against the hotels with 100 or more rooms within the District, including City-owned qualifying hotels located within the District territory, such as the Omni Hotel.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2012, City Council authorized the creation of the Tourism Public Improvement District, approval of the Service Plan and management contract by Resolution No. 12-1581.

On August 10, 2016, City Council authorized the renewal of the Tourism Public Improvement District, approval of the Service Plan and management contract by Resolution No. 16-1250.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final Service Plan for 2017-18, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1492; Ordinance No. 30646.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Tourism Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1191.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

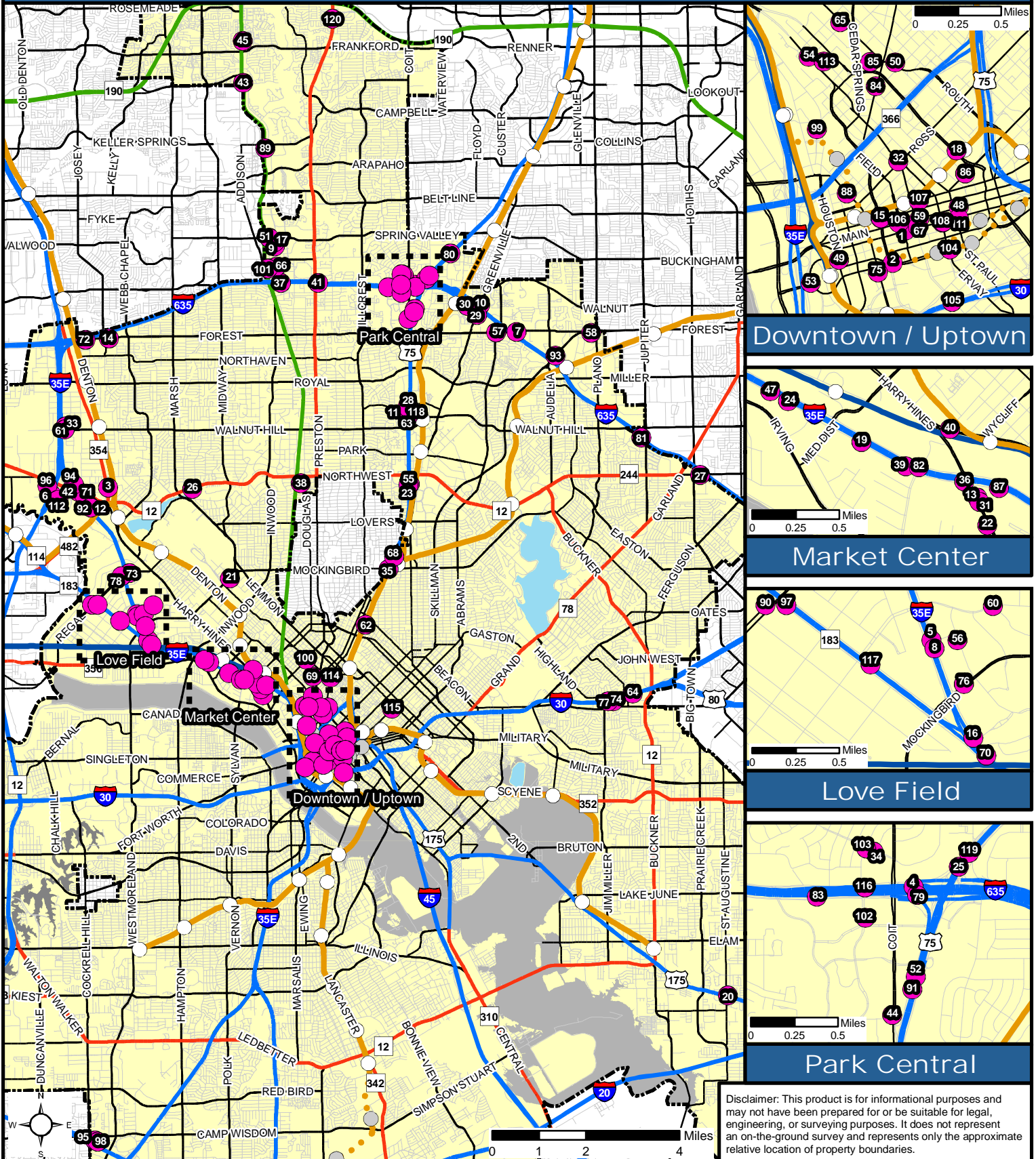
FISCAL INFORMATION

For designated hotel properties, the total cost of the services and improvements to be provided shall be apportioned at a rate of 2 percent of room-nights sold at qualifying hotels located within the District territory until the budget for services and improvements for the year is reached.

MAP

Attached

Tourism PID Hotels



DALLAS ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 5.30.2016, Updated 6.2.2016 - Tourism_PID_2016.TCG

Legend

- Tourism PID Hotel
- Rail Station
- Future Station
- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Freeway
- Tollway
- Highway
- Arterial
- Local Road
- Escarpment
- Flood Plain
- Lake
- City of Dallas

Source: Hotel List - Dallas CVB, 2016; All Other Data - City of Dallas, 2016

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL SERVICE PLAN FOR 2018-19, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE TOURISM PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2018; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on June 13, 2012, City Council established the Tourism Public Improvement District (the District) pursuant to the Act, finding that the petition satisfied the Act's requirements and the supplemental services and improvements were feasible and conferred a special benefit to the property in the District, designated the Dallas Tourism Public Improvement District Corporation as the manager of the District and authorized a contract for management services; and approved the District Service Plan, by Resolution No. 12-1581; and

WHEREAS, City Council has subsequently authorized the renewal of the District on August 10, 2016 by Resolution No. 16-1250 as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1492; Ordinance No. 30642; and

WHEREAS, City Council must review the proposed 2018-19 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Tourism Public Improvement District final 2018-19 Service Plan and 2018 Assessment Rate by Resolution No. 18-1191; and

WHEREAS, the Dallas Tourism Public Improvement District Corporation provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the hotel property owners and that the apportionment of the cost among the hotel properties with 100 or more rooms for the services and improvements based on a 2% rate on hotel room nights sold are reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final Service Plan for 2018-19, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Tourism Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the TPID assessment will be levied on hotels with 100 or more rooms ("qualifying hotels") located within the TPID territory attached hereto as **Exhibit A-1**. The proposed cost of the services and improvements to be provided shall be assessed in a manner that results in imposing equal shares of the cost of the services on qualifying hotels that are similarly benefitted. The apportionment of the cost of the services against property in the TPID territory must be made on the basis of special benefits accruing to the property because of the services and improvements provided.

Accordingly, those qualifying hotels that sell more rooms shall pay a greater portion of the assessment since those properties benefit more from the promotion and marketing services provided by the district. The total cost of the services and improvements to be provided shall be apportioned at a rate of 2% of room-nights sold at qualifying hotels located within the TPID territory until the budget for services and improvements for the year is collected. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the TPID assessment. There are no exempt jurisdictions or entities that meet the definition of "qualifying hotels". City-owned hotels such as the Omni are subject to this assessment.

SECTION 4. That City Council hereby authorizes and adopts the final Service Plan for 2018-19, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending September 31, 2019, of approximately \$18,222,755. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of 8 percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before October 1, 2018. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations conducted by city staff for the District, which amount shall be paid by the District to City upon receipt of an invoice; and that the Chief Financial Officer be authorized to establish Fund 0694, Department ECO, to support recovery of the costs incurred by the Office of Economic Development for such day to day operational costs incurred.

SECTION 13. That the Chief Financial Officer is hereby authorized to accept and deposit any and all revenues received from the District in Fund 0694, Department, ECO, Unit 9884, Revenue Source 7399; and that the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 0694, Dept. ECO, Unit 9884, to General Fund 0001, Department, ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day to day operational oversight of the District.

SECTION 14. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 15. That this ordinance 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 ordained

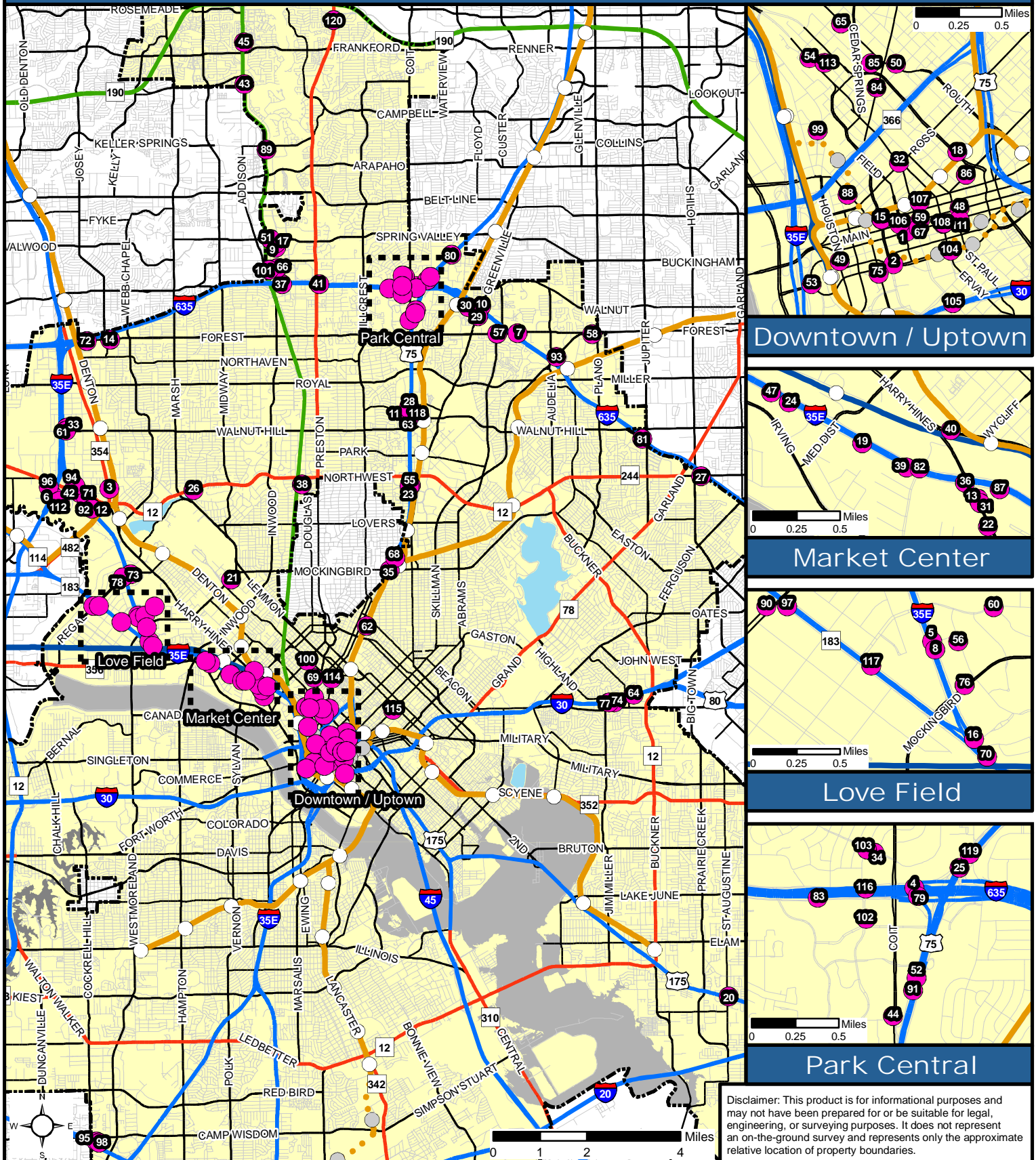
APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY:  _____
Assistant City Attorney

Passed _____

Exhibit A

Tourism PID Hotels



DALLAS ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 5.30.2016, Updated 6.2.2016 - Tourism_PID_2016.TCG

Legend

- Tourism PID Hotel
- Rail Station
- Future Station
- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Freeway
- Tollway
- Highway
- Arterial
- Local Road
- Escarpment
- Flood Plain
- Lake
- City of Dallas

Source: Hotel List - Dallas CVB, 2016; All Other Data - City of Dallas, 2016

Exhibit A-1

2016 Assessment Roll for the Tourism Public Improvement District (TPID)

2016 Assessment Roll for the Tourism Public Improvement District (TPID)				Owner's Name			Owner's Address			City		ST	ZIP	Owner's Name		Owner's Address			City	ST	ZIP	Assessment (Approximate)	% Allocation	FY2019 Service Plan
AC Hotels by Marriott Dallas Downtown	1712	Commerce Street	Dallas	TX	75201	Mehul Patel- Newcrest Image	700 State Hwy 121, suite 175	Lewisville	TX	75067													0.40%	72,237
Adolphus Hotel	1321	Commerce Street	Dallas	TX	75202	Rockbridge Capital- John Rosen	4100 Regent Street	Columbus	OH	43219													1.54%	280,233
Aloft Dallas Downtown	1033	Young Street	Dallas	TX	75202	Texas Motel Corporation	1033 Young Street	Dallas	TX	75202													0.05%	9,950
Anchor Motel	10230	Harry Hines Boulevard	Dallas	TX	75220	Anchor Motel Corporation	10230 Harry Hines Blvd	Dallas	TX	75220													0.06%	11,629
Best Western Plus Dallas Hotel & Conference Center	8951	Lyndon B Johnson Freeway	Dallas	TX	75221	San Breth Hotels LLC Jay Patel	8051 LBJ Freeway	Dallas	TX	75221													0.21%	39,035
Budget Suites of America Empire Central/Dallas	8150	North Stemmons Freeway	Dallas	TX	75247	Budget Management- Robert Bigelow	4545 Fuller Drive	Irving	TX	75038													0.12%	22,752
Budget Suites of America Loop 12/Dallas	10222	North Walton Walker Boulevard	Dallas	TX	75220	Budget Management Inc. - Robert Bigelow	4545 Fuller Drive	Irving	TX	75038													0.09%	16,841
Budget Suites of America North Dallas	9519	Forest Lane	Dallas	TX	75243	Budget Management Inc. - Robert Bigelow	4545 Fuller Drive	Irving	TX	75038													0.10%	17,985
Candlewood Suites Dallas Galleria	13939	Noel Road	Dallas	TX	75240	Hospitality Properties Trust-Dianna Watts	255 Washington Street	Newton	MA	2458													0.19%	34,943
Candlewood Suites Dallas Market Center	7930	North Stemmons Freeway	Dallas	TX	75247	Turn Enterprises LLC	7930 North Stemmons Fwy	Dallas	TX	75247													0.35%	63,496
Candlewood Suites Dallas Park Central	12525	Greenville Avenue	Dallas	TX	75243	Candlewood Dallas TX %Intercontinental Hotels	11580 Great Oaks Way	Alpharetta	GA	30022													0.16%	29,154
Country Inn & Suites by Carlson Dallas Love Field	2383	Stemmons Trail	Dallas	TX	75220	Amit Patel - AMBE Hotels FW LLC	2383 Stemmons Trail	Dallas	TX	75220													0.25%	46,139
Courtyard Dallas Central Expressway	10325	North Central Expressway	Dallas	TX	75231	Hospitality Properties Trust-Dianna Watts	255 Washington Street	Newton	MA	2458													0.62%	112,230
Courtyard Dallas Medical/Market Center	2150	Market Center Boulevard	Dallas	TX	75207	American Realty Capital	PO Box 4900 Dept 114	Scotsdale	AZ	85261													0.73%	132,551
Courtyard Dallas Northwest	2930	Forest Lane	Dallas	TX	75234	Still 88 Hotels Sundp Kumar	3331 University Park Lane	Irving	TX	75062													0.33%	59,275
Crossland Economy Studios - Dallas - North Addison - Tollway	17425	Dallas Parkway	Dallas	TX	75287	PTR Homestead Village LP	PO Box 49550	Charlotte	NC	28277													0.08%	14,057
Crown Plaza Dallas Downtown	1015	Erm Street	Dallas	TX	75202	TOG Hotel Downtown	1015 Elm Street	Dallas	TX	75202													0.69%	125,614
Crowne Plaza Dallas Market Center	7050	North Stemmons Freeway	Dallas	TX	75247	Sid Siddiqi	2712 Southview Freeway	Houston	TX	77098													0.85%	172,388
The Slavier Dallas Curo Collection by Hilton	1914	Commerce Street	Dallas	TX	75201	Ambridge Hospitality	2500 Dallas Parkway	Plano	TX	75093													0.53%	96,918
Dallas Marriott City Center	650	North Pearl Street	Dallas	TX	75201	Xenia Hotels & Resorts - Barry Bloom	200 S Orange Ave	Olando	FL	32801													1.20%	219,406
Dallas Marriott Suites Medical/Market Center	2493	North Stemmons Freeway	Dallas	TX	75207	Asford Market Center LP - John O'Sullivan	141 85 Dallas Parkway	Dallas	TX	75254													1.23%	223,400
Double Tree by Hilton Hotel Dallas Campbell Centre	8250	North Central Expressway	Dallas	TX	75206	Black Forest Ventures	24 Waterway	The Woodlands	TX	77380													1.23%	223,750
Double Tree by Hilton Hotel Dallas Love Field	3300	West Mockingbird	Dallas	TX	75205	Mockingbird Partners	2722 Fairmont St.	Dallas	TX	75201													0.83%	151,662
Double Tree by Hilton Hotel Dallas Market Center	2015	Market Center Boulevard	Dallas	TX	75207	Alliance Hospitality Hotel Management	215 N. Boylan Ave	Raleigh	NC	27603													1.03%	186,447
Dream Dallas	3207	McKinney Avenue	Dallas	TX	75204	Dream Hotel Group	200 West 55th Street	New York	NY	10019													0.42%	77,053
Embassy Suites by Hilton Dallas Market Center	4000	Gaston Avenue	Dallas	TX	75246	Atlantic Hotels Group	2220 Marsh Lane	Carrollton	TX	75006													0.50%	90,898
Embassy Suites by Hilton Dallas Love Field	3880	West Northwest Highway	Dallas	TX	75220	Romie Breaux	3880 West Northwest Highway	Dallas	TX	75220													0.91%	165,271
Embassy Suites by Hilton Dallas Market Center	2727	North Stemmons Freeway	Dallas	TX	75207	2727 Stemmons FWY LP %Schulte Hospitality Group Inc.	2120 High Wickham Pl.	Louisville	KY	40245													1.10%	199,847
Embassy Suites by Hilton Dallas Near the Galleria	14021	Noel Road	Dallas	TX	75240	Asford Hospitality Trust	14180 Dallas Pkwy	Dallas	TX	75254													0.70%	127,149
Executive Inn	13131	North Central Expressway	Dallas	TX	75243	RHFV Dallas LLC	5 Concourse Pkwy NE	Atlanta	GA	30328													0.09%	180,338
Express Studios	12670	East Northwest Highway	Dallas	TX	75228	Garland Hospitality Group LLC	12670 E. Northwest Hwy	Dallas	TX	75228													0.08%	14,642
Extended Stay America - Dallas - Coit Rd.	10326	Finnell Street	Dallas	TX	75220	Dynasty Hotel Group	PO Box 540081	Dallas	TX	75354													0.04%	7,291
Extended Stay America - Dallas - Franklin Road	12121	Coit Road	Dallas	TX	75251	BRE HV Properties LP%Fanees Parker	PO Box 49550	Charlotte	NC	28277													0.10%	18,076
Extended Stay America - Dallas - Greenville Ave	19470	North Dallas Parkway	Dallas	TX	75287	BRE ESA TX PPTIES LP % Property Tax 6016	PO Box 49550	Charlotte	NC	28277													0.10%	17,848
Extended Stay America - Dallas - Greenville Ave	12270	Greenville Avenue	Dallas	TX	75243	BRE ESA TX PPTIES LP% Prop. Tax 6016	PO Box 49550	Charlotte	NC	28277													0.10%	17,687
Extended Stay America - Dallas - Vantage Point Dr.	9019	Vantage Point Drive	Dallas	TX	75243	BREESA P Portfolio TXNC % Frances Parker	PO Box 49550	Charlotte	NC	28277													0.10%	17,618
Fairfield Inn & Suites Dallas Medical/Market Center	2110	Market Center Boulevard	Dallas	TX	75207	Crestline Hotels & Resorts	3950 University Drive	Fairfax	VA	22030													0.39%	71,703
Fairmont Dallas	1717	North Akard Street	Dallas	TX	75201	Xenia Hotels & Resorts, Inc. - Barry Bloom	200 S. Orange Ave.	Orlando	FL	32801													3.04%	553,842
Hampton Inn & Suites Dallas	10310	North Central Expressway	Dallas	TX	75231	Mehul Patel	1700 Commerce Street	Dallas	TX	75201													0.41%	74,645
Hampton Inn & Suites Dallas North I-35 at Walnut Hill	11069	Composite Drive	Dallas	TX	75229	Ajit Bhakia	640 E. Park Blvd	Plano	TX	75074													0.33%	59,532
Hampton Inn & Suites Downtown	1700	Commerce Street	Dallas	TX	75201	Mehul Patel- Newcrest Image	700 State Hwy 121, suite 175	Lewisville	TX	75067													0.58%	105,948
Hawthorn Suites by Wyndham Park Central	7880	Alpha Road	Dallas	TX	75240	HPT c/o The RMR Group	255 Washington St.	Newton	MA	2458													0.22%	40,545
Hilton Anatole	2201	North Stemmons Freeway	Dallas	TX	75207	Anatole Partners III, LLC	3819 Maple Avenue	Dallas	TX	75219													7.73%	1,409,286
Hilton Dallas Lincoln Centre	5410	Lyndon B Johnson Freeway	Dallas	TX	75240	ARES Management	200 Crescent Cr.	Dallas	TX	75201													1.97%	359,336
Hilton Dallas/Park Cities	5954	Luther Lane	Dallas	TX	75225	Apple Nine Services Dallas	814 E Main Street	Richmond	VA	23219													1.35%	245,226
Hilton Garden Inn Dallas/Market Center	2325	North Stemmons Freeway	Dallas	TX	75207	2325 Stemmons TRS, Inc. c/o Pillar Hotels & Resorts	6031 Connection Dr	Irving	TX	75039													0.93%	170,295
Hilton Garden Inn Downtown	1600	Pacific Avenue	Dallas	TX	75201	1600 Pacific Landlord LLC	545 E. John Carpenter Street	New Orleans	LA	70112													0.56%	102,938
Holiday Inn Dallas Market Center	4500	Harry Hines Boulevard	Dallas	TX	75219	Market Center DFW Hotel, LLC	545 E. John Carpenter Fwy	Dallas	TX	75062													0.69%	124,900
Holiday Inn Express & Suites Dallas NW HWY	2225	Connector Drive	Dallas	TX	75220	Bijal Hospitality	2287 W. Northwest Hwy	Dallas	TX	75220													0.33%	60,198
Holiday Inn Express & Suites Dallas Stemmons Fwy	2287	West Northwest Highway	Dallas	TX	75220	Bijal Hospitality	2287 W. Northwest Hwy	Dallas	TX	75220													0.38%	69,663
Holiday Inn Express & Suites North Dallas at Preston	6055	Lyndon B Johnson Freeway	Dallas	TX	75240	Carol/McCutchin Properties LTD	2220 Marsh Lane	Carrollton	TX	75006													0.35%	63,961

The Tourism Public Improvement District's 2016 Assessment Roll was provided by the Dallas Convention & Visitors Bureau

2016 Assessment Roll for the Tourism Public Improvement District (TPID)

2016 Assessment Roll for the Tourism Public Improvement District (TPID)	Street No.	Street Address	City	ST	ZIP	Owner's Name	Owner's Address	City	State	Zip	Assessment (Approximate)	% Allocation	FY2019 Service Plan
Homewood Suites by Hilton Dallas Downtown	1025	Erm Street	Dallas	TX	75202	Apple Ten Hospitality Ownership Inc Mike Hardin	814 E Main St.	Richmond	VA	23219	\$162,827	0.99%	\$ 179,516
Homewood Suites by Hilton Dallas Market Center	2747	North Stemmons Freeway	Dallas	TX	75207	Island Hospitality Management	222 Lakeview Ave.	West Palm Beach	FL	33401	\$86,061	0.52%	\$ 94,883
Hotel Indigo Dallas Downtown	1933	Main Street	Dallas	TX	75201	Paul Sandhu	1933 Main Street	Dallas	TX	75201	\$110,882	0.67%	\$ 122,248
Hotel Zaza Dallas	2332	Leonard Street	Dallas	TX	75201	Givens Records Development LP	2332 Leonard St	Dallas	TX	75201	\$226,982	1.37%	\$ 250,226
Hyatt House Dallas/Union Park	8221	North Central Expressway	Dallas	TX	75225	RLJ Lodging Trust	Suite 1000 Bethesda	MD	20814	\$104,824	0.63%	\$ 115,568	
Hyatt House Dallas/Uptown	2914	Harry Hines Boulevard	Dallas	TX	75225	RLJ Lodging Trust	Suite 1000 Bethesda	MD	20814	\$99,589	0.60%	\$ 109,797	
Hyatt Place Dallas North by the Galleria	5229	Spring Valley Road	Dallas	TX	75254	Christian Chapel CME%Select Hotel Group	PO Box 2196	Chicago	IL	60690	\$75,427	0.46%	\$ 83,159
Hyatt Place Dallas/Park Central	1241	North Central Expressway	Dallas	TX	75243	Interstate Hotels	Suite 500 Arlington	VA	22203	\$62,741	0.38%	\$ 69,172	
Hyatt Regency Dallas	300	Reunion Boulevard	Dallas	TX	75207	Hunt Realty-Woodbine Development Corp.	1900 N. Akard	Dallas	TX	75201	\$91,415	0.55%	\$ 1,011,450
InTown Suites Dallas North, Plano Extended Stay	19059	Preston Road	Dallas	TX	75252	InTown Suites North Dallas LLC	980 Hammond Dr.	Atlanta	GA	30328	\$66,067	0.40%	\$ 72,839
InTown Suites Dallas Northeast Extended Stay	9355	Forest Lane	Dallas	TX	75243	SLAM Properties LLC	2727 Paces Ferry Road SE	Atlanta	GA	30339	\$8,721	0.05%	\$ 9,614
InTown Suites Dallas/Market Center Extended Stay	8201	Brookriver Drive	Dallas	TX	75247	InTown Suites, Inc. Brookriver	980 Hammond Dr.	Atlanta	GA	30328	\$9,470	0.06%	\$ 10,441
InTown Suites Garland Extended Stay	10477	Metric Drive	Dallas	TX	75243	Sun Suites Dallas Spe LLP	10477 Metric Dr.	Dallas	TX	75243	\$10,445	0.06%	\$ 11,515
Knights Inn Market Center	1550	Empire Central	Dallas	TX	75235	Chetna Patel	8718 DRAYTON DRIVE	Irving	TX	75063	\$52,488	0.32%	\$ 57,868
La Quinta Inn & Suites Dallas Downtown	302	South Houston Street	Dallas	TX	75202	BMR Dallas Downtown Investments LLC	302 South Houston Street	Dallas	TX	75202	\$28,688	0.17%	\$ 31,628
La Quinta Inn & Suites Dallas 155 Walnut Hill Lane	2421	Walnut Hill Lane	Dallas	TX	75229	Hennart Patel BDR Hospitality	2421 Walnut Hill Lane	Dallas	TX	75229	\$47,732	0.29%	\$ 52,625
La Quinta Inn & Suites Dallas Love Field	8300	John W Carpenter Freeway	Dallas	TX	75243	Aaron & Alvin LLS	2130 N. Stemmons Fwy	Dallas	TX	75207	\$55,693	0.34%	\$ 61,402
La Quinta Inn & Suites Dallas Richardson	13175	North Central Expressway	Dallas	TX	75243	Burleson Inn Inc	13165 N. Central Expy	Dallas	TX	75243	\$67,705	0.41%	\$ 74,645
La Quinta Inn & Suites Dallas North Central	10001	North Central Expressway	Dallas	TX	75231	Mark Chloupek	909 Hidden Ridge	Irving	TX	75038	\$59,734	0.36%	\$ 65,857
La Quinta Inn & Suites Dallas Uptown	4440	North Central Expressway	Dallas	TX	75206	La Quinta Management LLC-BRE LO TX PPTIES LO	Ste 600 Irving	Irving	TX	75038	\$47,992	0.29%	\$ 52,911
Lampighter Motel	9001	East R.L. Thornton Freeway	Dallas	TX	75228	Lampighter Motel Ltd.	9033 ERL Thornton Fwy	Dallas	TX	75228	\$7,962	0.05%	\$ 8,778
Le Meridien Dallas by the Galleria	13402	Noel Road	Dallas	TX	75240	NB Holdings, Dallas	13402 Noel Road	Dallas	TX	75240	\$176,862	1.07%	\$ 194,979
Le Meridien Dallas, The Stonleigh	2927	Maple Avenue	Dallas	TX	75201	Carey Watermark Investors	50 Rockefeller Plaza	New York	NY	10020	\$208,123	1.26%	\$ 229,456
Lorenzo Hotel	1011	South Akard Street	Dallas	TX	75202	Scooter Yates	1033 Young Street	Dallas	TX	75202	\$129,404	0.78%	\$ 142,668
Love Field Hotel and Suites	1241	West Mockingbird Lane	Dallas	TX	75247	Chandler Hotel Company	7502 E. Pinnacle Peak Road	Scottsdale	AZ	85255	\$256,192	1.55%	\$ 282,452
Magnolia Hotel Dallas Downtown	1401	Commerce Street	Dallas	TX	75201	Holze Magnolia Hotel	818 17th Street	Denver	CO	80202	\$236,852	1.43%	\$ 261,129
Magnolia Hotel Dallas Park Cities	6070	North Central Expressway	Dallas	TX	75206	TriGate Capital, LLC	750 N Saint Paul St Ste 900	Dallas	TX	75201	\$160,636	0.97%	\$ 177,102
MCM Elegant Hotel & Suites	2320	West Northwest Highway	Dallas	TX	75220	ICA Properties	700 N. Grant	Odessa	TX	79761	\$26,031	0.46%	\$ 53,824
Moel6 Dallas - Fair Park #4816	8510	East R.L. Thornton Freeway	Dallas	TX	75228	Krupalaxmi LP	8510 East R.L. Thornton Fwy	Dallas	TX	75228	\$28,866	0.17%	\$ 31,858
Moel6 Dallas - Galleria #4857	2650	Forest Lane	Dallas	TX	75234	Aum Stram LLC	12301 N. Central Expressway	Dallas	TX	75234	\$30,632	0.19%	\$ 33,772
Moel6 Dallas - Market Center	1625	Regal Row	Dallas	TX	75247	Krishna Blarlam & Ramam Patel	1625 Regal Row	Dallas	TX	75247	\$32,448	0.20%	\$ 35,773
Omni Dallas Hotel	555	South Lamar Street	Dallas	TX	75202	Omni Corporate	555 South Lamar Street	Dallas	TX	75202	\$394,366	2.39%	\$ 434,789
Ramsada by Wyndham Dallas Love Field	1575	Regal Row	Dallas	TX	75247	Danny Patel, Divine Hotels LLC	1575 Regal Row	Dallas	TX	75247	\$109,748	0.66%	\$ 120,997
Ramsada Dallas North	8102	Lyndon B Johnson Freeway	Dallas	TX	75251	Jee Sung Investment Inc	8102 LBJ Freeway	Dallas	TX	75251	\$28,668	0.17%	\$ 31,596
Red Roof Inn - Dallas Richardson	13685	North Central Expressway	Dallas	TX	75243	MPH Group LLC	13685 N. Central Expressway	Dallas	TX	75243	\$19,890	0.12%	\$ 21,929
Regency Hotel closed remodeling	11350	Lyndon B Johnson Freeway	Dallas	TX	75238	Esham Hospitality Inc	835 Bluff Ridge Dr.	Cedar Hill	TX	75104	\$32,988	0.20%	\$ 36,370
Residence Inn Dallas Central Expressway	2222	North Stemmons Freeway	Dallas	TX	75207	Deep Ellum Real Estate LLC	9737 Washington Blvd	404 Galitersburg	MD	20878	\$365,410	2.33%	\$ 424,914
Residence Inn Dallas Market Center	10333	North Central Expressway	Dallas	TX	75231	Hospitality Properties Trust-Diana Watts	255 Washington Street	Newton	MA	2465	\$34,731	0.21%	\$ 38,291
Residence Inn by Marriott Dallas Downtown	1712	Commerce Street	Dallas	TX	75201	Mehul Patel	1712 Commerce Street	Dallas	TX	75201	\$66,067	0.40%	\$ 72,839
Residence Inn by Marriott Dallas Market Center	6950	North Stemmons Freeway	Dallas	TX	75247	Hospitality Properties Trust-Diana Watts	255 Washington Street	Newton	MA	2458	\$66,610	0.40%	\$ 73,438
Residence Inn by Marriott Dallas Park Central	7642	Lyndon B Johnson Freeway	Dallas	TX	75251	Stonebridge Irving Venture %Dilp Prasar	8530 Esters Blvd	Irving	TX	75063	\$61,715	0.37%	\$ 68,041
Hotel Crescent Court	400	Crescent Court	Dallas	TX	75201	CTF	1300 19th St NW	Washington	DC	20036	\$304,869	1.84%	\$ 336,118
Rosewood Mansion on Turtle Creek	2821	Turtle Creek Boulevard	Dallas	TX	75219	CTF	1300 19th St NW	Washington	DC	20036	\$228,515	1.38%	\$ 251,938
Sheraton Dallas Hotel	400	North Olive Street	Dallas	TX	75201	Chattres Lodging Group, LLC-Dustin Kline	50 California Street	San Francisco	CA	94111	\$982,929	5.95%	\$ 1,083,679
Sheraton Suites Market Center Dallas	2101	North Stemmons Freeway	Dallas	TX	75207	Star Dallas GL LP	180 Glastonbury Blvd	Glastonbury	CT	6033	\$168,119	1.02%	\$ 185,352
Springhill Suites by Marriott Dallas Downtown/West End	1907	North Lamar Street	Dallas	TX	75202	BRE Select Hotels TX LP %Blackstone Real Estate Partners VII LP	345 Park Ave.	New York	NY	10154	\$117,761	0.71%	\$ 129,832
Stay Express Inn Dallas Fair Park Downtown	8303	East R.L. Thornton Freeway	Dallas	TX	75228	PCT Hospitality Inc Hiren Patel	8303 E R.L. Thornton Fwy	Dallas	TX	75228	\$20,277	0.12%	\$ 22,356
Staybridge Suites Dallas Addison	16060	Dallas Parkway	Dallas	TX	75248	Parkway Lodging LLC	4235 W. Airport Fwy	Irving	TX	75062	\$39,422	0.24%	\$ 43,463
Stierling Hotel Dallas	1055	Regal Row	Dallas	TX	75247	The Mian Development Corp	1055 Regal Row	Dallas	TX	75247	\$111,137	0.69%	\$ 122,529
Studio 6 Dallas Garland/Northeast #5003	9801	Adelia Court	Dallas	TX	75243	Kevin Hajari	9801 Adelia Ct	Dallas	TX	75243	\$15,089	0.09%	\$ 16,636
Studio 6 Dallas Northwest #6035	2395	Stemmons Trail	Dallas	TX	75220	G6 Hospitality LLC	PO Box 117508	Carrollton	TX	75011	\$17,577	0.11%	\$ 19,378
Studio 6 Dallas Richardson/North #5010	12301	North Central Expressway	Dallas	TX	75243	Jalaram Hotel LLC	12301 N. Central Expressway	Dallas	TX	75243	\$22,861	0.14%	\$ 25,204

The Tourism Public Improvement District's 2016 Assessment Roll was provided by the Dallas Convention & Visitors Bureau

2016 Assessment Roll for the Tourism Public Improvement District (TPID)

2016 Assessment Roll for the Tourism Public Improvement District (TPID)	Street No.	Street Address	City	ST	ZIP	Owner's Name	Owner's Address	City	ST	ZIP	Assessment (Approximate)	FY2019 Service Plan	% Allocation
Super 7 Inn	9626	C F Hawn Freeway	Dallas	TX	75217	Southeast Dallas Hospitality Ltd Ramesh Patel	9626 C F Hawn Fwy	Dallas	TX	75217	\$8,860	9,769	0.05%
Super 7 Inn Dallas	10335	Gardner Road	Dallas	TX	75220	Northwest Hotel Inc.	10335 Gardner Rd	Dallas	TX	75220	\$14,534	16,024	0.09%
Super 8 Dallas Southwest	4220	Independence Drive	Dallas	TX	75237	Mayur Patel	4220 Independence Dr	Dallas	TX	75237	\$21,588	23,812	0.13%
Super 8 Dallas Love Field Market Center	9229	John W Carpenter Freeway	Dallas	TX	75247	Mehalab Management Inc.	9229 E. John W Carpenter Fwy	Dallas	TX	75247	\$17,389	19,182	0.11%
Hotel Alexis	7815	Lyndon B Johnson Freeway	Dallas	TX	75251	Grand Hotel Hospitality	2416 Park Run Dr.	Arlington	TX	76016	\$79,171	87,287	0.48%
The Highland Dallas Curio Collection by Hilton	5300	East Mockingbird Lane	Dallas	TX	75206	Thayer Lodging, Brookfield Hotel Properties	1987 Annapolis Exchange #550	Annapolis	MD	21401	\$207,926	229,238	1.28%
The Joule	1530	Main Street	Dallas	TX	75201	Dunhill 1530 Main LP	2711 N. Haskell Ave	Dallas	TX	75204	\$22,019	24,275	0.13%
The Ritz-Carlton, Dallas	2121	McKinney Avenue	Dallas	TX	75201	Crescent Real Estate Equities Theresa Cabillao	777 Main Street	Fort Worth	TX	76102	\$441,762	487,042	2.67%
The Westin Dallas Park Central	12720	Merit Drive	Dallas	TX	75251	AWH Dallas PC Corporate, LLC Kieran Doll	1040 AVE OF THE AMERICAS 9TH FL 9B	New York	NY	10018	\$277,491	305,933	1.68%
The Westin Galleria Dallas	13340	Dallas Parkway	Dallas	TX	75240	UBS Realty Investors	2515 McKinney	Dallas	TX	75201	\$461,186	508,470	2.79%
TownePlace Suites by Marriott Dallas Downtown	500	South Ervay Street	Dallas	TX	75201	Alterra International	211 North Ervay Street	Dallas	TX	75201	\$1,010,963	1,114,587	6.12%
Townhouse Suites	4150	Independence Drive	Dallas	TX	75237	Uppal Gurjit	4150 Independence Drive	Dallas	TX	75237	\$12,040	13,274	0.07%
Unnamed Hotel @ The Lexi	2815	North Harwood Street	Dallas	TX	75201	HPO Inc.	2501 N. Harwood Street	Dallas	TX	75201	\$60,061	66,217	0.36%
W Dallas - Victory	2440	Victory Park Lane	Dallas	TX	75219	Vpust Hotel LP-Estein & Associates USA, Ltd.	4705 S Appopka Vineland Road	Orlando	FL	32819	\$369,335	407,191	2.23%
Wawick Melrose Hotel Dallas	3015	Oak Lawn Avenue	Dallas	TX	75219	Warwick Melrose Dallas Warwick Amusement Corp.	1776 Grant St. FL 14	Denver	CO	80203	\$184,816	203,760	1.12%
Westin Dallas	1201	Main Street	Dallas	TX	75202	One Main Place Hotel LLC	1205 St. Charles Ave.	New Orleans	LA	70130	\$176,361	194,438	1.07%
Wyndham Dallas Suites Park Central	7800	Alpha Road	Dallas	TX	75240	Hospitality Properties Trust % The RMR Group-Kristin Sage-Black	Two Newton Place 255 Washington St.	Newton	MA	2458	\$113,533	125,171	0.69%
Total											\$16,528,576	18,222,755	100.00%

Exhibit B

Tourism Public Improvement District (PID) Service Plan						
Fiscal Year	2018-19	2019-20	2020-21	2021-22	2022-23	
Assessment Revenue	\$ 18,222,755	\$ 19,133,893	\$ 20,090,588	\$ 21,095,117	\$ 22,149,873	
Categories	%					
Incentives & Sales Efforts	42.5%	\$ 8,131,905	\$ 8,538,500	\$ 8,965,425	\$ 9,413,696	
Marketing (Promotion/Advertising)	35.0%	\$ 6,377,964	\$ 7,031,706	\$ 7,383,291	\$ 7,752,456	
Site Visits & Familiarization Tours	10.0%	\$ 1,822,276	\$ 1,913,389	\$ 2,009,059	\$ 2,109,512	
Event Funding Application Pool	7.5%	\$ 1,366,707	\$ 1,435,042	\$ 1,506,794	\$ 1,582,134	
Operations/Research/Administration	5.0%	\$ 911,138	\$ 956,695	\$ 1,004,529	\$ 1,054,756	
Total Expenses	100.0%	\$ 18,222,755	\$ 19,133,893	\$ 20,090,588	\$ 21,095,117	
					\$ 22,149,873	

Note: Expenditures are limited to actual collections, which can not exceed the 2% fee on each occupied room as defined in the petition.

Exhibit C

Tourism Public Improvement District 2018 Assessment Plan

The cost of the services and improvements provided by the Tourism Public Improvement District (“District”) will be levied by special assessment against Dallas hotels located within the District territory with 100 or more rooms (“qualifying hotels”) based on hotel room nights sold. The total cost of the services and improvements to be provided shall be apportioned at a rate of 2% of room-nights sold at qualifying hotels until the budget for services and improvements for the year is reached. Rooms that are not subject to the City’s hotel occupancy tax shall not be included for the District assessment.



Agenda Information Sheet

File #: 18-815

Item #: 22.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

University Crossing Public Improvement District

A public hearing concerning the proposed levy of assessment for the University Crossing Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPIID, Inc.) authorizing the disbursement of assessments to UCPIID, Inc.; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass on any objections to a proposed assessment and may amend a proposed assessment on any parcel.

After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

University Crossing Improvement District Corporation (dba UCPID, Inc.) provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The proposed services and improvements to be provided in the District include police safety patrol's for the area, safety awareness and education programs, landscaping, banner program, installation and maintenance of trash containers, promotion of the University Crossing area, implement signage and wayfinding systems, management of new and existing public and green space, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to range from approximately \$1,738,000 in 2019 to \$943,500 in 2022. Carryover funds accumulated through 2018 will be used to support capital improvement projects related to the Mockingbird Lane Pedestrian Bridge and Trail Expansion. The total estimated assessments to be collected during the next five-year period is approximately \$4,531,000. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$871,000. This amount is approximately equal to \$0.10 per \$100.00 of appraised value as determined by DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation subject to appropriations set forth in the petition that created the District. Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections. Except for Southern Methodist University (SMU), properties otherwise exempt from ad valorem taxes are not subject to assessment.

SMU has agreed to participate in the University Crossing Public Improvement District (PID) by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID.

- (e) Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way and City parks are not subject to assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 12, 2013, City Council authorized the creation of the University Crossing Public Improvement District, approval of the Service Plan and management contract by Resolution No. 13-1016.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1494; Ordinance No. 30648.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed University Crossing Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1192.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to \$0.10 per \$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE UNIVERSITY CROSSING PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH UNIVERSITY CROSSING IMPROVEMENT DISTRICT CORPORATION (DBA UCPID, INC.) AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO UCPID, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on June 12, 2013, City Council established the University Crossing Public Improvement District (District), as shown on the attached **Exhibit A - Map of the District**, pursuant to the Act and found that the petition satisfied the Act's requirements and the supplemental services and improvements were feasible and conferred a special benefit to the property in the District, designated University Crossing Improvement District Corporation (dba UCPID, Inc.) as the manager of the District, and authorized a contract for management services; and approved the District Service Plan by Resolution No. 13-1016; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1494; Ordinance No. 30648; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the University Crossing Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1192; and

WHEREAS, the University Crossing Improvement District Corporation (dba UCPID, Inc.) provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.10 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the University Crossing Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPID, Inc.) authorizing the disbursement of assessments to UCPID, Inc.; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD.

The assessment amount for 2018 is proposed to be \$871,000. This amount shall be apportioned in an amount equal to \$0.10 per \$100.00 of appraised value as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$1,738,000. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the University Crossing Public Improvement District Fund, Fund 9P12, Department ECO, Unit 1867, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P12, Department ECO, Unit 1867, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P12, Department ECO, Unit 1867, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to University Crossing Improvement District Corporation (dba UCPIID, Inc.) unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P12, Department ECO, Unit 1867, Object 3034, Vendor VC16232, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P12, Department ECO, Unit 1867, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.





SECTION 20. That this ordinance 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 ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

Passed _____

Legend

-  trail_master
-  University Crossing PID Boundary
-  Glencoe_park
-  University Crossing PID Parcels

Parcels shown based on available 2012 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

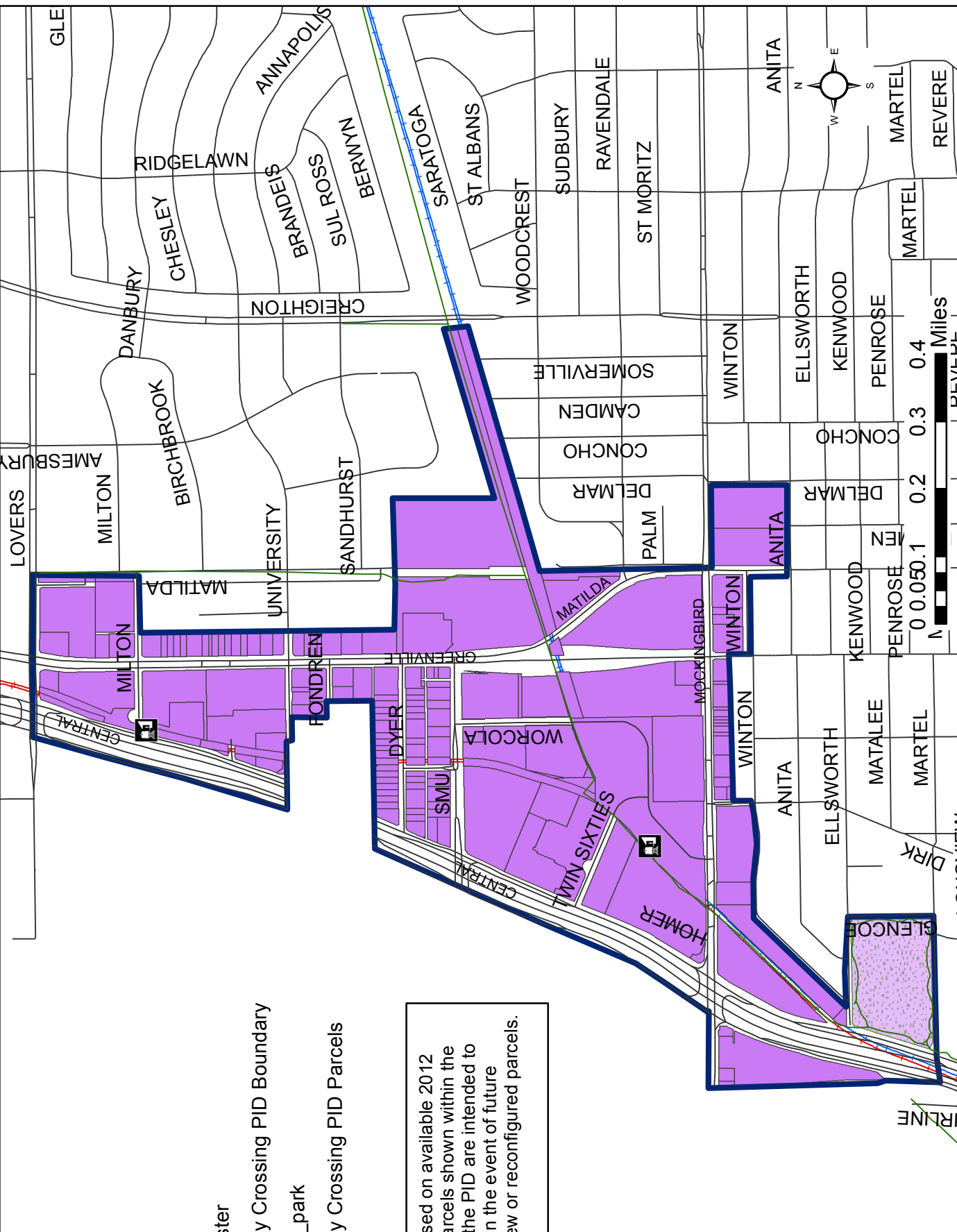


Exhibit A University Crossing Public Improvement District Boundary Map

Exhibit B
University Crossing Public Improvement District - Five - Year Budget

	2019 Budget	2020 Budget	2021 Budget ⁽⁹⁾	2022 Budget ⁽⁹⁾	2023 Budget ⁽⁹⁾
INCOME					
Fund balance from previous year ⁸	1,412,000	547,000	304,000	1,500	0
Net assessment revenue	871,000	888,000	906,000	924,000	942,000
Reimbursement from NTCOG	0	640,000	0	0	0
Exempt jurisdictions	0	0	0	0	0
Interest on cash balances	2,000	3,000	1,500	1,500	1,500
Other income & contributions	0	0	0	0	0
TOTAL INCOME¹	\$2,285,000	\$2,078,000	\$1,211,500	\$927,000	\$943,500
EXPENDITURES					
Security ²	227,000	232,000	237,000	237,000	237,000
Improvements ³	1,120,000	1,142,000	564,000	281,000	297,500
Public Area Maintenance ⁴	156,000	159,000	162,000	162,000	162,000
Promotion and Communication ⁵	77,000	79,000	81,000	81,000	81,000
Organization & Administration ⁶	128,000	131,000	134,000	134,000	134,000
Audit & Insurance ⁷	30,000	31,000	32,000	32,000	32,000
TOTAL EXPENDITURES	\$1,738,000	\$1,774,000	\$1,210,000	\$927,000	\$943,500
FUND BALANCE/RESERVES	\$547,000	\$304,000	\$1,500	\$0	\$0

NOTES:

- 1 The income is net of City/County PID and collection fees based on a \$0.10 per \$100 contribution on the total tax value of the area and 0.5% of the assessment is assumed to not be paid due to delinquencies.
- 2 Police patrol of the University Crossing area, owner safety coordination, safety enhancements in lighting, etc.
- 3 Public Improvements, landscape, parks and pedestrian amenities for the PID.
- 4 Sidewalk, public planters, waste disposal, clean area programs, and landscape improvements throughout the University Crossing area.
- 5 University Crossing area coordination among owners, program services for area promotion and awareness
- 6 Expenses of the PID and salary of PID director.
- 7 Annual audit of the PID finances and liability insurance for the PID.
- 8 Fund balances carried over from 2014, 2015, 2016, 2017 and 2018 will be used across all major categories to support the Mockingbird Lane Pedestrian Bridge and Trail Expansion that began in 2017 and was completed in 2018. The majority of the carryover funds are primarily from the improvement category and will be spent there, as shown.
- 9 The five year plan goes to year 2023. However, this assumes that the PID is successfully renewed for another term beginning in 2021. If the PID isn't renewed then the PID would cease collections at the end of 2020.

Exhibit C
University Crossing Public Improvement District
Assessment Plan 2018

The costs of the services and improvements by the District will be paid primarily by special assessment against properties in the District. Annual assessments are based on the total value of real property and real property improvements as determined by the Dallas Central Appraisal District ("DCAD").

The University Crossing Public Improvement District (PID) proposed assessment rate for 2018 is \$0.10 per \$100 of appraised value. Actual assessment rates and levies will be set by the Dallas City Council subject to a maximum of \$0.15 per \$100 of value and according to procedures stipulated by Chapter 372 of the Texas Local Government Code. City right-of-way, railroad right-of-way, parks and cemeteries are not specially benefitted and therefore are not subject to assessment. With the exception of Southern Methodist University (SMU), payment of assessments by other exempt jurisdictions and entities must also be established by contract. SMU has agreed to participate in the University Crossing PID by contract with the University Crossing Improvement District Corporation through special assessment based on all taxable and tax exempt real property owned by SMU or SMU affiliates within the University Crossing PID.



Agenda Information Sheet

File #: 18-816

Item #: 23.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPIID, Inc.), the non-profit corporation designated as the management entity for the University Crossing Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to UCPIID, Inc, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On June 12, 2013, City Council authorized the creation of the University Crossing Public Improvement District to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with University Crossing Improvement District Corporation (dba UCPIID, Inc.) as the management entity for the District. UCPIID, Inc. is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract a cooperative relationship is established between the City and UCPIID, Inc with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). The UCPIID, Inc. is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is

deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate UCPIID, Inc. established bank account. UCPIID, Inc. has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by UCPIID, Inc. to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 12, 2013, City Council authorized the creation of the University Crossing Public Improvement District, approval of the Service Plan and management contract by Resolution No. 13-1016.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on June 12, 2013, City Council authorized the creation of the University Crossing Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated University Crossing Improvement District Corporation (dba UCPIID, Inc.) as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 13-1016; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with University Crossing Improvement District Corporation (dba UCPIID, Inc.).

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 an amended and restated management contract with University Crossing Improvement District Corporation (dba UCPIID, Inc.), the non-profit corporation designated as the management entity for the University Crossing Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to UCPIID, Inc., and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by UCPIID, Inc. to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-817

Item #: 24.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Uptown Public Improvement District

A public hearing concerning the proposed levy of assessment for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County, pursuant to an amended and restated management contract with Uptown Dallas, Inc. authorizing the disbursement of assessments to Uptown Dallas, Inc.; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass

on any objections to a proposed assessment and may amend a proposed assessment on any parcel. After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

Uptown Dallas, Inc. provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be provided in the District include enhanced public safety and security, lighting, sidewalk and streetscape improvements, landscaping improvements including plantings, hardscape, trolley operation and capital improvements, District marketing and promotional activities and improvements as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at \$2,757,433 in 2019 and reach \$4,032,665 in 2023 (funded by the annual estimated assessments and additional funding sources). The total estimated assessments to be collected during the next five-year period is approximately \$16,577,990. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached Map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District (DCAD). The assessment amount for 2018 is proposed to be \$2,715,433. This amount is equal to \$0.045 per \$100.00 of appraised value as determined by DCAD. Once levied, this assessment apportionment shall not increase during the 2019 service plan year. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Property owned by persons already receiving and qualifying for 65-or-older homestead exemption will not be subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.
- (e) Apportionment of costs between the District and the Municipality as a Whole.** The assessment is levied on the real property and real property improvements in the District

according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the creation of the Uptown Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Uptown, Inc. as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 93-2501; and

On August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 05-2231.

On June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 12-1584.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1493; Ordinance No. 30647.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Uptown Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1193.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

Cost consideration to others - the proposed assessment amount is approximately equal to \$0.045 per \$100.00 of appraised value as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP

Attached

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE UPTOWN PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH UPTOWN DALLAS, INC., AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO UPTOWN DALLAS, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on June 23, 1993, City Council authorized the creation of the Uptown Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Uptown, Inc. as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 93-2501; and

WHEREAS, on August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 05-2231; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District and approval of the Service Plan and management contract by Resolution No. 12-1584, as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, on September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan and 2017 Assessment Roll by Resolution No. 17-1493; Ordinance No. 30647; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Uptown Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1193; and

WHEREAS, Uptown Dallas, Inc., provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.045 per \$100.00 of appraised value of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Uptown Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County, pursuant to an amended and restated management contract with Uptown Dallas, Inc., authorizing the disbursement of assessments to Uptown Dallas, Inc.; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment amount for 2018 is proposed to be \$2,715,433. This amount shall be apportioned in an amount equal to \$0.045 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. Once levied, this assessment rate shall not increase during the 2019 service plan year. Properties otherwise exempt from ad valorem taxes are not subject to assessment. Property owned by persons already receiving and qualifying for 65-or-older homestead exemption will not be subject to assessment. Payment of assessments by other exempt jurisdictions and entities must be established by contract.

SECTION 4. That City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary) apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$2,715,433. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Uptown Public Improvement District Fund, Fund 9P13, Department ECO, Unit 1868, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P13, Department ECO, Unit 1868, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P13, Department ECO, Unit 1868, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Uptown Improvement Corporation unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P13, Department ECO, Unit 1868, Object 3034, Vendor 355176, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P13, Department ECO, Unit 1868, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 20. That this ordinance 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 ordained.


APPROVED AS TO FORM:
LARRY E. CASTRO, City Attorney

BY:  _____
Assistant City Attorney


Passed _____

Uptown Public Improvement District Boundary Map Exhibit A

Legend

 Uptown PID Boundary

 Katy Trail

 Parcels shown based on available 2011 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

* Uptown PDI Boundary excludes Bristle Cone Townhomes.

City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2012

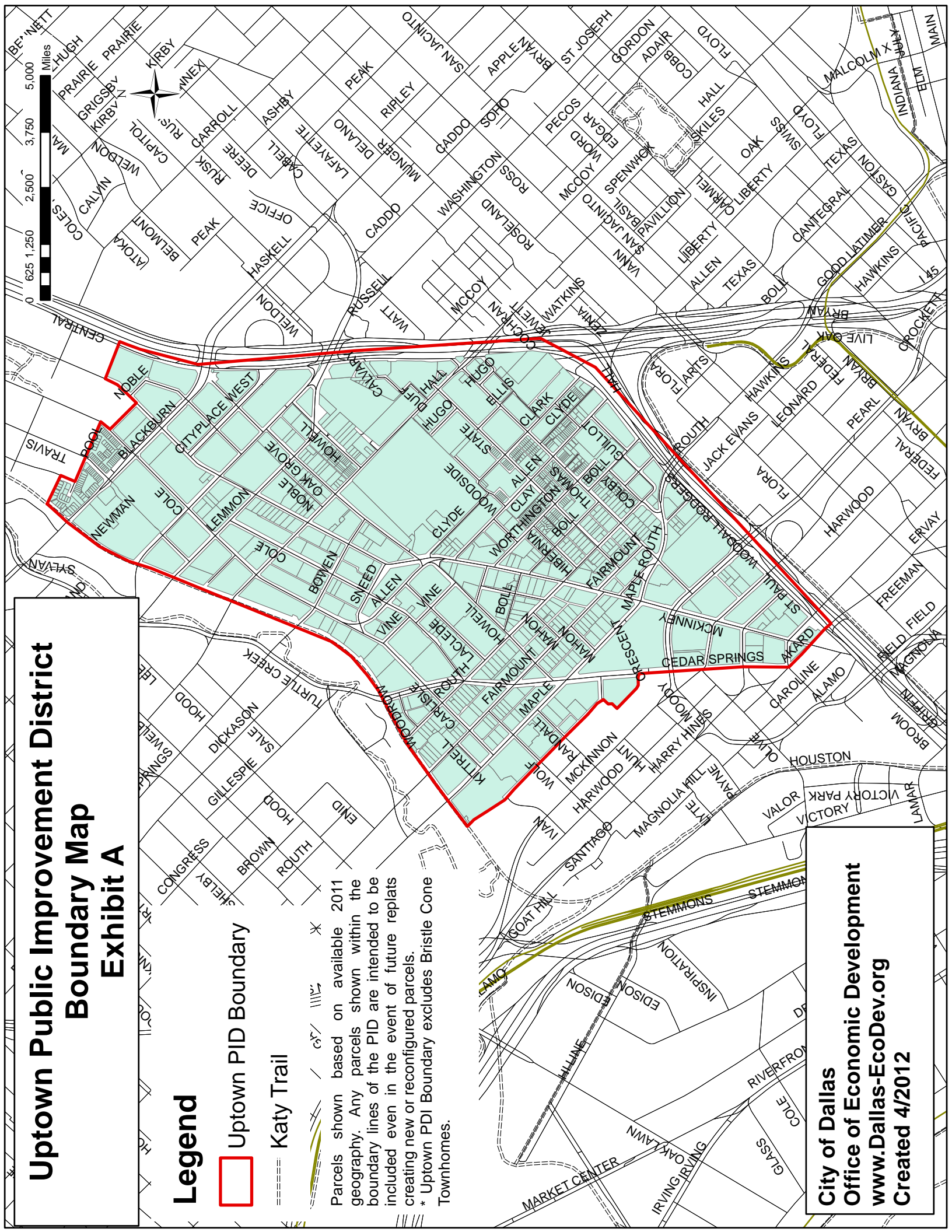


EXHIBIT B

UPTOWN PUBLIC IMPROVEMENT DISTRICT SERVICE PLAN (2019 - 2023)

Income	2019	2020 ²	2021 ²	2022 ²	2023 ²
Net Assessments	\$2,715,433	\$2,986,976	\$3,285,674	\$3,614,241	\$3,975,665
Interest	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
Marketing Sponsorships (for events)	\$40,000	\$40,000	\$45,000	\$50,000	\$55,000
Total	\$2,757,433	\$3,028,976	\$3,332,674	\$3,666,241	\$4,032,665
Expenditures					
Capital Improvements (Median Landscaping, gateway markers, walking trails, parks, streetscape, Katy Trail).	\$827,230	\$908,693	\$999,802	\$1,099,872	\$1,209,800
Services (Off-duty police, trolley operations, traffic & parking, marketing and promotion)	\$639,358	\$707,244	\$783,168	\$866,560	\$958,166
General Improvements (Landscape, tree care, street & sidewalk sweeping, trash cans, graffiti removal, grates).	\$827,230	\$908,693	\$999,802	\$1,099,872	\$1,209,800
Finance & Administration (Staff Salaries & benefits, rent, office expenses, audit, insurance)	\$398,615	\$454,346	\$499,901	\$549,936	\$604,900
Griggs Park Improvements ³	\$0	\$0	\$0	\$0	\$0
Contingency ¹	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Renewal/Creation Fee	\$15,000				
Total	\$2,757,433	\$3,028,976	\$3,332,674	\$3,666,241	\$4,032,665

¹ Contingency funds: Allowance made for anticipated tax refunds due to protests by property owners

² Expenses are estimated and are subject to a renewal in 2019.

³ The elimination of expenses for the Griggs Park Improvements is because the related projects have been completed.

EXHIBIT C
2018 ASSESSMENT PLAN Uptown
Public Improvement District

The cost of the services and improvements provided by the Uptown Public Improvement District will be paid primarily by special assessments against properties in the District. Annual assessments will be based on the total value of real property and improvements as determined by the Dallas Central Appraisal District.

All property owners not exempt from assessment will be assessed at a uniform rate. In 2018, the proposed rate continues to be 4.5 cents per \$100 of value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code.

The City of Dallas shall not be responsible for payment of assessments against exempt City property in the District. The District's cemeteries, which operate on a nonprofit basis and are not specifically benefited by most of the improvements and services, are one class of tax-exempt properties. Accordingly, the cemeteries will be exempt from assessment. Property owned by tax-exempt religious organizations will be exempt from assessment and property owned by persons already receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract. No such contracts are in place, nor are any proposed. City rights-of-way and city parks are exempt from assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment.

UPID's assessments will be collected by Dallas County or other contractor chosen by the City of Dallas, in accordance with the management contract between the City of Dallas and Uptown Dallas, Inc., the non-profit corporation that manages the District.



Agenda Information Sheet

File #: 18-818

Item #: 25.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Uptown Dallas, Inc., the non-profit corporation designated as the management entity for the Uptown Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Uptown Dallas, Inc., and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with Uptown Dallas, Inc. as the management entity for the District. Uptown Dallas, Inc. is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract, a cooperative relationship is established between the City and Uptown Dallas, Inc., with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). Uptown Dallas, Inc. is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is deducted from the first dollars collected until the entire fee is paid. After said fee has been paid,

subsequent collections had been transferred to a separate Uptown Dallas, Inc. established bank account. Uptown Dallas, Inc. has been responsible for wiring funds back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Uptown Dallas, Inc. to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the creation of the Uptown Public Improvement District, approval of Service Plan and management contract by Resolution No. 93-2501.

On August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 05-2231.

On June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 12-1584.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION


No cost consideration to the City.

MAP

Attached

Uptown Public Improvement District Boundary Map

Legend

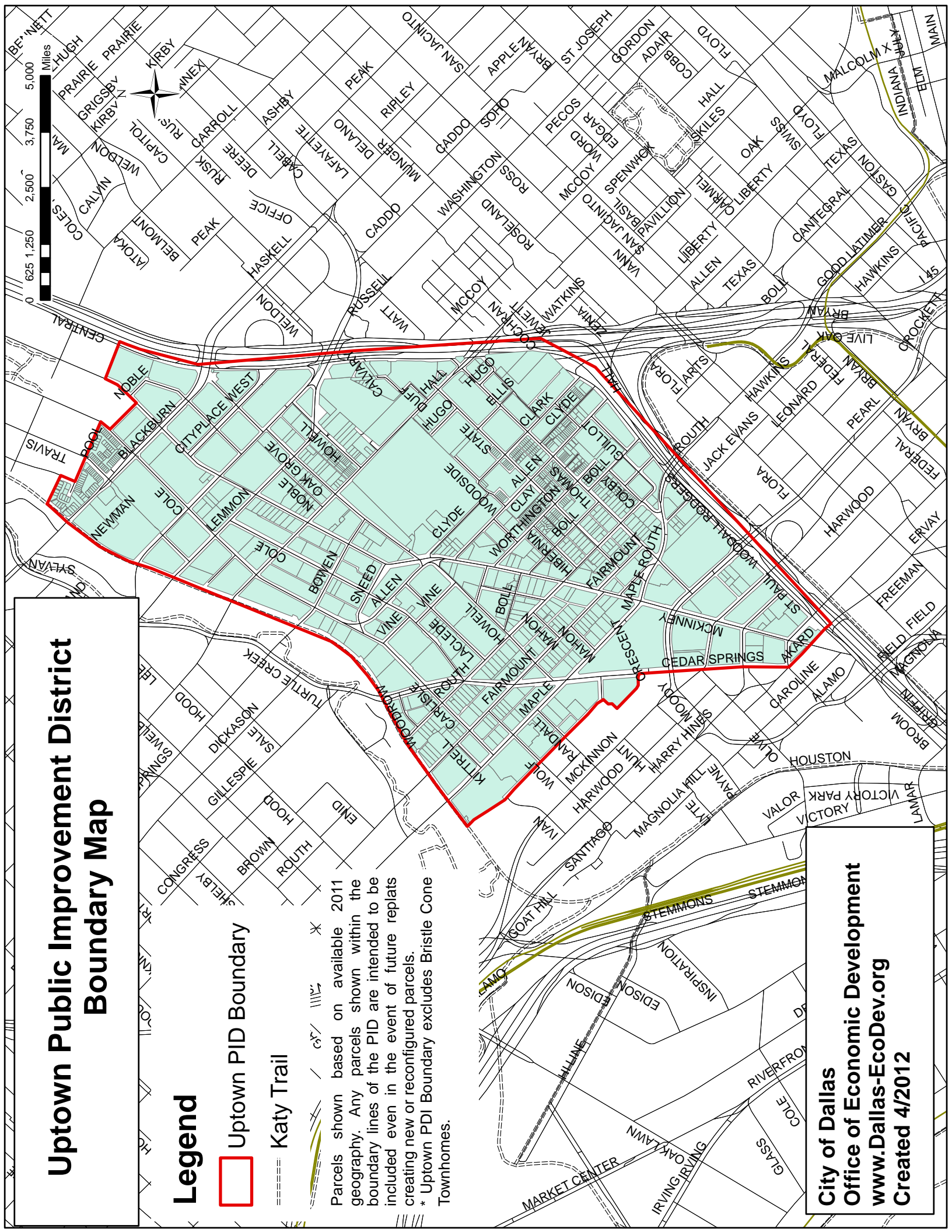
 Uptown PID Boundary

 Katy Trail

Parcels shown based on available 2011 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.

* Uptown PDI Boundary excludes Bristle Cone Townhomes.

City of Dallas
Office of Economic Development
www.Dallas-EcoDev.org
Created 4/2012



September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on June 23, 1993, City Council authorized the creation of the Uptown Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Uptown, Inc. as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 93-2501; and

WHEREAS, on August 10, 2005, City Council authorized the renewal of the Uptown Public Improvement District, approval of the Service Plan and management contract by Resolution No. 05-2231; and

WHEREAS, on June 13, 2012, City Council authorized the renewal of the Uptown Public Improvement District and approval of the Service Plan and management contract by Resolution No. 12-1584; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Uptown Dallas, Inc.

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 an amended and restated management contract with Uptown Dallas, Inc., the non-profit corporation designated as the management entity for the Uptown Public Improvement District (District), to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Uptown Dallas, Inc., and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Uptown Dallas, Inc. to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

September 12, 2018

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Agenda Information Sheet

File #: 18-819

Item #: 26.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 13

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Vickery Meadow Public Improvement District

A public hearing concerning the proposed levy of assessment for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on property in the District; and at the close of the public hearing, authorize an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the District; closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Vickery Meadow Management Corporation authorizing the disbursement of assessments to Vickery Meadow Management Corporation; and providing for an effective date - Financing: No cost consideration to the City (see Fiscal Information)

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to an amended and restated management contract, also on the September 12, 2018 addendum, that is necessary to implement new procedures for the disbursement of assessment revenue and to address other amendments to the agreement form.

Annually, City Council calls and holds a public hearing to consider the proposed assessment for property in the Public Improvement Districts (PID) and authorizes the Service Plan for each PID. At the adjournment of the hearing on the proposed assessments, the City Council must hear and pass

on any objections to a proposed assessment and may amend a proposed assessment on any parcel. After hearing and passing on objections, the City Council by ordinance shall levy the assessment as a special assessment on the property.

The Vickery Meadow Management Corporation provided City staff with the proposed District Service Plan for 2019 and the proposed Assessment Plan for 2018 for review, and staff found the services and improvements to be advisable and recommended approval subject to the public hearing on September 12, 2018.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract along with related changes. No assessment revenue will be disbursed until an amended management contract is executed.

The Public Improvement District Service Plan is outlined in the following way:

- (a) Nature of the Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.
- (b) Estimated Cost of the Services and Improvements.** During the next five-year period, the estimated annual cost of the improvements and services provided by the District is expected to begin at approximately \$905,460 in 2019 and reach \$1,478,975 in 2023. The total estimated assessments to be collected for during the next five-year period is approximately \$6,627,255. The District shall incur no bonded indebtedness.
- (c) Boundaries.** The boundaries of the District are shown on the attached map of the District.
- (d) Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment amount for 2018 is proposed to be \$891,658. This amount is approximately equal to \$0.10 per \$100.00 of appraised value for the premium service area in the District and \$0.05 per \$100.00 of appraised value for the standard service area. Once levied, this assessment rate shall not increase during the 2019 Service Plan year. The annual assessment rate shall not exceed \$0.15 per \$100.00 valuation. Future annual assessment rates, however, may be increased up to a maximum of \$0.15 per \$100.00 valuation subject to appropriations set forth in the petition that created the District.
Any future increase in the assessment rate would also be subject to a public hearing and the city council passing on all objections.

(e) Apportionment of costs between the District and the Municipality as a Whole. The assessment is levied on the real property and real property improvements in the District according to the value of such property. Levying the assessment for the services and improvements based on the appraised value of the property results in the apportionment of the costs on the basis of special benefits accruing to the property. No assessment, however, will be levied against exempt City property in the District.

The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City rights-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized the creation of the Vickery Meadow Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Vickery Meadow Management Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 93-2502.

On May 13, 1998, September 10 2003, June 25, 2008 and August 12, 2015, City Council authorized the renewal of the Vickery Meadow Public Improvement District (District), as a public improvement district in accordance with the provisions of Chapter 372 of the Texas Local Government Code and provided findings as to the advisability of the proposed supplemental services and improvements, to be funded by assessments on real property and real property improvements on property located in the District, exclusive of rights-of-way; designating Vickery Meadow Management Corporation as manager of the District and authorizing a contract for management services; and approving the District Service Plan and annual updates by Resolution Nos. 98-1440, 03-2475, 08-1867 and 15-1474.

On September 13, 2017, City Council authorized an ordinance approving and adopting the final 2018 Service Plan, 2017 Assessment Plan, and 2017 Assessment Roll by Resolution No. 17-1508; Ordinance No. 30213.

Information about this item was provided to the Economic Development and Housing Committee on August 6, 2018.

On August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the proposed Vickery Meadow Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1194.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

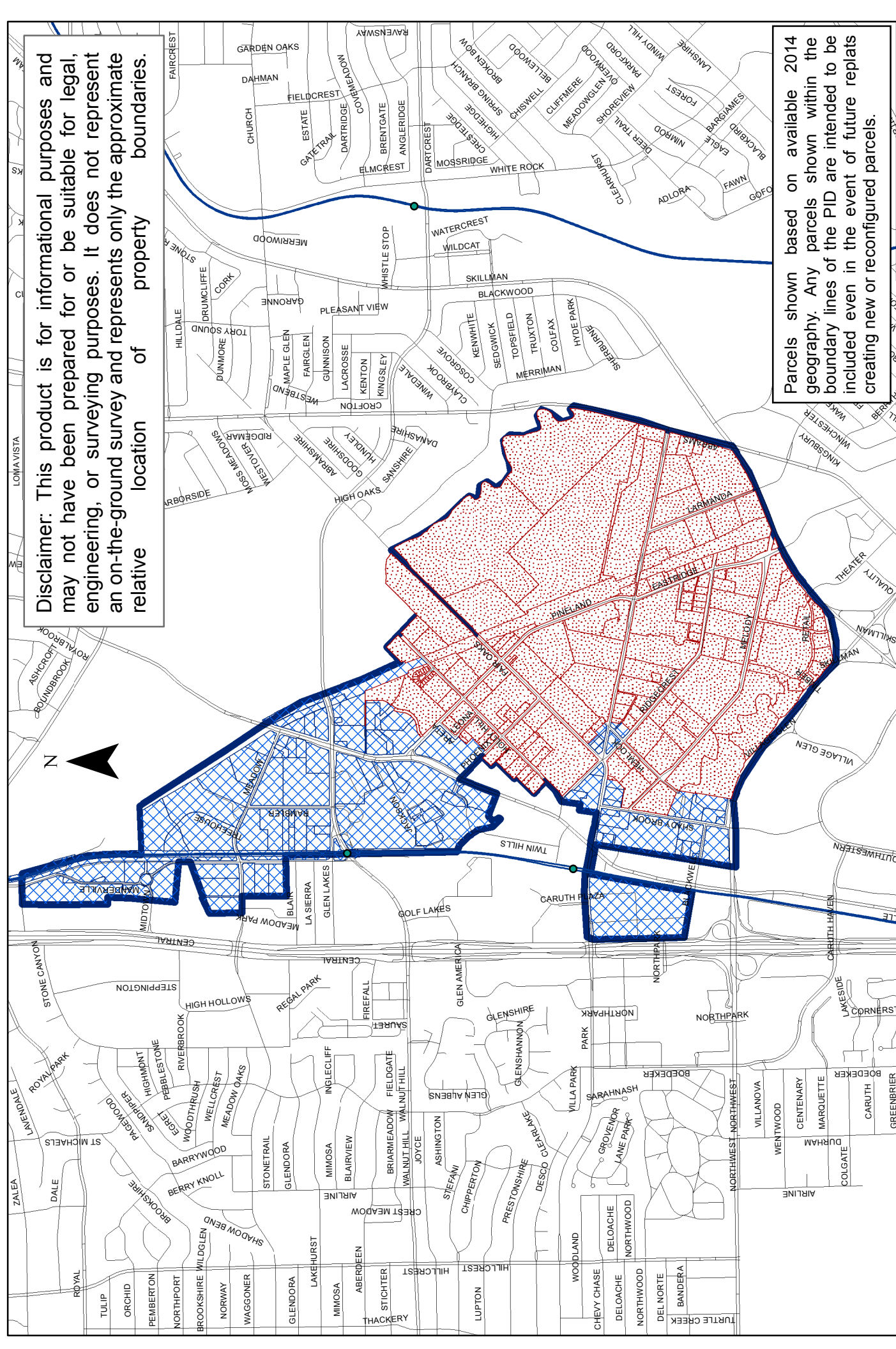
Cost consideration to others - the proposed assessment amount is approximately equal to \$0.10 per \$100.00 of appraised value for the premium service area in the District and \$0.05 per \$100.00 of appraised value for the standard service area as determined by the DCAD (i.e. property owners within the boundaries of the Public Improvement District pay the assessment and the funds are managed by private, non-profit entities under a management contract with the City).

MAP




Attached

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.



DALLAS ECONOMIC DEVELOPMENT
 Area Redevelopment Division
 214.670.1685
 dallas-ecodev.org
 Created 07/2015

-  VMPID Standard Service Area
-  VMPID Premium Service Area
-  Vicky Meadow PID Boundary

Vickery Meadow PID Boundary Map

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING THE FINAL 2019 SERVICE PLAN, THE FINAL 2018 ASSESSMENT PLAN, AND THE 2018 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE VICKERY MEADOW PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2019; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2018 ASSESSMENT; AUTHORIZING THE RECEIPT AND DEPOSIT OF ASSESSMENTS FROM DALLAS COUNTY; PURSUANT TO AN AMENDED AND RESTATED MANAGEMENT CONTRACT WITH VICKERY MEADOW MANAGEMENT CORPORATION AUTHORIZING THE DISBURSEMENT OF ASSESSMENTS TO VICKERY MEADOW MANAGEMENT CORPORATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the Act) allows for the creation of public improvement districts; and

WHEREAS, on June 23, 1993, City Council authorized the creation of the Vickery Meadow Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Vickery Meadow Management Corporation as the manager of the District authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 93-2502; and

WHEREAS, on August 12, 2015, City Council held a public hearing to receive comments concerning the renewal of the Vickery Meadow Public Improvement District; approval of the Service Plan and management contract by Resolution No. 15-1474, as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, on September 13, 2017 City Council authorized an ordinance approving and adopting the final 2019 Service Plan, 2018 Assessment Plan and 2018 Assessment Roll by Resolution No. 17-1495; Ordinance No. 30649; and

WHEREAS, City Council must review the proposed 2019 Service Plan and hold a public hearing to receive comments and pass on any objections to the 2018 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 22, 2018, City Council authorized a public hearing to be held on September 12, 2018, to receive comments on the Vickery Meadow Public Improvement District final 2019 Service Plan and 2018 Assessment Rate by Resolution No. 18-1194; and

WHEREAS, the Vickery Meadow Management Corporation provided City staff with the proposed District 2019 Service Plan and 2018 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the property owners, and that an assessment apportioned in an amount equal to a rate of \$0.10 per \$100.00 of appraised value for the premium service area in the District and \$0.05 per \$100.00 of appraised value for the standard service area of property or improvements to the property in the District, as determined by the Dallas Central Appraisal District (DCAD), is reasonable and adequate.

Now, Therefore,

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

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Vickery Meadow Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2019; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2018 assessment; authorizing the receipt and deposit of assessments from Dallas County; pursuant to an amended and restated management contract with Vickery Meadow Management Corporation authorizing the disbursement of assessments to Vickery Meadow Management Corporation; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the assessment shall apportion the costs each year among the property owners on the basis of special benefits accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be assessed according to the value of the real property and real property improvements as determined by DCAD.

The assessment amount for 2018 is proposed to be \$891,658. This amount is approximately equal to \$0.10 per \$100.00 of appraised value for the premium service area in the District and \$0.05 per \$100.00 of appraised value for the standard service area as determined by the DCAD. Once levied, this assessment rate shall not increase during the 2019 Service Plan year.

SECTION 4. That the City Council hereby authorizes and adopts the final 2019 Service Plan, the final 2018 Assessment Plan, and the 2018 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2018, of approximately \$905,460. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 12, 2018 at 1:00 p.m. in the City Council Chamber, 6th Floor, 1500 Marilla Street, Dallas, Texas 75201 was published in the official newspaper of the City of Dallas, Texas 75201 before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2019. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the Vickery Meadow Public Improvement District Fund, Fund 9P15, Department ECO, Unit 1869 and Unit 1871, Revenue Code 8576.

SECTION 13. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 14. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P15, Department ECO, Unit 1869 and Unit 1871, Object 3090 to General Fund, Fund 0001, Department ECO, Unit Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 15. That the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P15, Department ECO, Unit 1869 and Unit 1871, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 16. That no assessment revenue will be disbursed to Vickery Meadow Management Corporation unless an amended and restated management contract is executed.

SECTION 17. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P15, Department ECO, Unit 1869 and Unit 1871, Object 3034, Vendor REVVPID01, for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 18. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P15, Department ECO, Unit 1869 and Unit 1871, Object 3549, Vendor 243282 for reimbursing Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 19. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 20. That this ordinance 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 ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: 
Assistant City Attorney

Passed _____

Exhibit B
VICKERY MEADOW PUBLIC IMPROVEMENT DISTRICT
SERVICE PLAN (2019-2023)

	2019 BUDGET	2020 BUDGET	2021 BUDGET	2022 BUDGET	2023* BUDGET
REVENUES:					
Gross Assessment	\$907,500.59	\$1,407,500.59	\$1,449,725.61	\$1,449,725.61	\$1,493,217.38
PID Oversight Charge from City	\$15,843.00	\$16,143.00	\$16,143.00	\$16,143.00	\$16,143.00
Net Assessment	\$891,657.59	\$1,391,357.59	\$1,433,582.61	\$1,433,582.61	\$1,477,074.38
Interest Income	\$1,500.00	\$1,600.00	\$1,800.00	\$1,900.00	\$1,900.00
Surplus Carried Forward ⁹	\$12,302.13	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL REVENUE	\$905,459.72	\$1,392,957.59	\$1,435,382.61	\$1,435,482.61	\$1,478,974.38
DISBURSEMENTS:					
Safety & Security Expenses ¹	39%	\$344,074.69	\$529,323.88	\$545,445.39	\$562,010.26
Capital Improvements ²	15%	\$135,818.96	\$208,943.64	\$215,307.39	\$221,846.16
Property Standard Expenses ³	13%	\$117,709.76	\$181,084.49	\$186,599.74	\$192,266.67
Promotion ⁴	7%	\$63,382.18	\$97,507.03	\$100,476.78	\$103,528.21
Economic Development Expense ⁵	2%	\$18,109.19	\$27,859.15	\$28,707.65	\$29,579.49
Recreation programming/Community Service ⁶	2%	\$18,109.19	\$27,859.15	\$28,707.65	\$29,579.49
Park Lane ⁷	8%	\$72,436.78	\$111,436.61	\$114,830.61	\$118,317.95
Midtown Park ⁸	3%	\$27,163.79	\$41,788.73	\$43,061.48	\$44,369.23
Administrative Expenses ⁹	9%	\$90,545.97	\$139,295.76	\$143,538.26	\$147,897.44
Insurance & Audit Expenses	2%	\$18,109.19	\$27,859.15	\$28,707.65	\$29,579.49
TOTAL DISBURSEMENTS		\$905,459.72	\$1,392,957.59	\$1,435,382.61	\$1,478,974.38
ENDING FUND BALANCE		\$0	\$0	\$0	\$0

Notes:

1. Crime Database, Security Patrols, & Crime Prevention
2. Capital Improvements - large-scale street improvements, sidewalks, enhanced landscaping, etc. Large scale projects may require funds to be carried over multiple years.
3. Landscaping, Litter Removal, Graffiti Abatement, Cart Pickup
4. Marketing, Promotion and Advertising
5. Neighborhood Planning & Recruitment of Business
6. Community Enrichment Activities, Youth Development Activities, & Special Events
7. Improvement of Common Areas or security in the Park Lane Development
8. Improvements of Common Areas or security in the Mid-Town Development
9. Office Management & Items Required by PID Contract

Exhibit C

VICKERY MEADOW IMPROVEMENT DISTRICT 2018 ASSESSMENT PLAN

The costs of the services and improvements by the Vickery Meadow Improvement District will be paid primarily by assessments against real properties within the District's boundaries. Annual assessments will be based on the value of real property and improvements as certified by the Dallas Central Appraisal District ("DCAD").

The 2018 assessment rate for the property in the premium service area is proposed at \$.10 per \$100 value. The 2018 assessment rate for the property in the standard service area is proposed at \$.05 per \$100 value. Assessments will be carried out in accordance with procedures stipulated in Chapter 372 of the Texas Local Government Code. The City of Dallas shall not be responsible for payment of assessments against exempt City property including City rights-of-way and parks. Payment of assessment by other tax-exempt owners must be established by contract. No such contracts are in place at present.

The Vickery Meadow PID assessments will be collected by the Dallas County Tax Office in accordance with the contract with the City of Dallas and in accordance with the management contract between the City of Dallas and the Vickery Meadow Management Corporation.



Agenda Information Sheet

File #: 18-820

Item #: 27.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: September 12, 2018

COUNCIL DISTRICT(S): 13

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an amended and restated management contract with Vickery Meadow Management Corporation, the non-profit corporation designated as the management entity for the Vickery Meadow Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Vickery Meadow Management Corporation, and to address other amendments to the agreement form - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum due to the complexity of financial and legal matters related to the proposed contract amendment and the concurrent changes to the District's annual budget and assessment rate ordinance also on the September 12, 2018 addendum.

On June 15, 2016, City Council authorized the renewal of the Vickery Meadow Public Improvement District (District), to provide supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District for another 7-year term and a management contract with the Vickery Meadow Management Corporation as the management entity for the District. Vickery Meadow Management Corporation is a private nonprofit corporation created under the provisions of Section 501(c) (3) of the Internal Revenue Code.

Through the management contract a cooperative relationship is established between the City and Vickery Meadow Management Corporation with the City Council annually reviewing and approving updates to the service plan and assessment plan, determining and levying assessments and conducting other functions as required by the Chapter 372 of the Texas Local Government Code (the "Act"). The Vickery Meadow Management Corporation is responsible for managing and implementing the Service Plan of the District.

As per the contract between the City and Dallas County (the "County"), the County has collected the annual assessments for the District and included the assessments as part of the property owner tax

bills. The County has retained a fee (currently \$2.75 and subject to change) per account that is deducted from the first dollars collected until the entire fee is paid. After said fee has been paid, subsequent collections had been transferred to a separate Vickery Meadow Management Corporation established bank account. Vickery Meadow Management Corporation has been responsible for wiring fund back to the County for any negative balances due to property owner refunds owed.

Beginning with the 2018 assessment year, Dallas County will continue to collect assessments and retain a collection fee (\$2.75 per account and subject to change); however, remaining assessments will be transferred to the City (as opposed to the County disbursing directly to the PID as has been the practice in the past). The City will then disburse assessments to the PID entity at a frequency outlined in an amended management contract.

The City may hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Vickery Meadow Management Corporation to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its fees prior to disbursing the assessment.

No assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 1993, City Council authorized creation of the Vickery Meadow Public Improvement District by Resolution No. 93-2502.

On August 12, 2015, City Council authorized the renewal of the Vickery Meadow Public Improvement District and approval of the Service Plan and management contract by Resolution No. 15-1474.

On September 4, 2018, the Economic Development and Housing Committee was briefed by memorandum regarding the September 12, 2018 Public Hearing for the Public Improvement Districts (PIDs) to Set Annual Assessment Rates for 2018, Adopt 2019 Service Plans, and Amend Management Contracts.

FISCAL INFORMATION

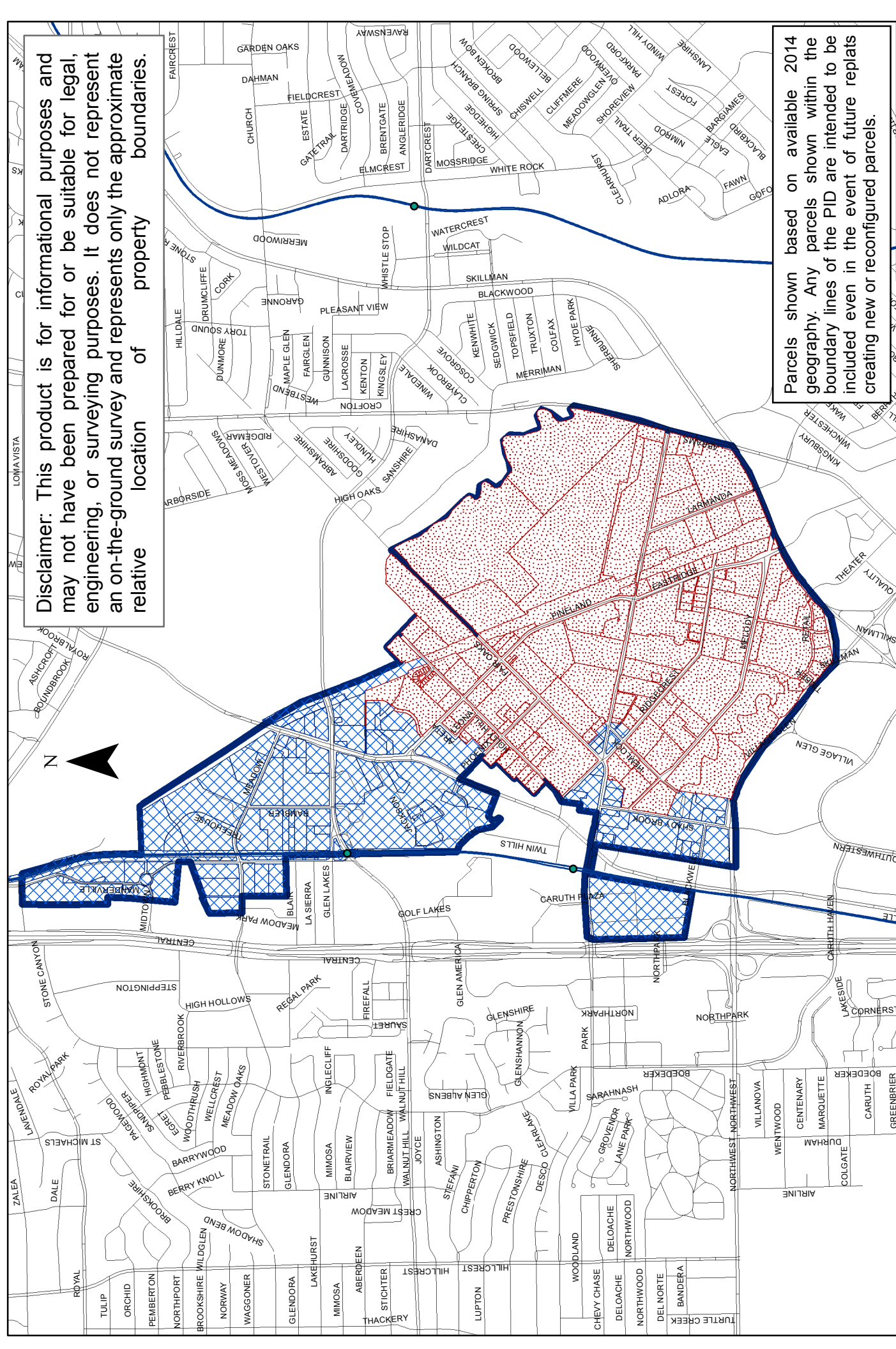
No cost consideration to the City.

MAP

Attached




Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Parcels shown based on available 2014 geography. Any parcels shown within the boundary lines of the PID are intended to be included even in the event of future replats creating new or reconfigured parcels.



**DALLAS
ECONOMIC
DEVELOPMENT**

Area Redevelopment Division
214.670.1685
dallas-ecodev.org
Created 07/2015

-  VMPID Standard Service Area
-  VMPID Premium Service Area
-  Vicky Meadow PID Boundary

Vickery Meadow PID Boundary Map

September 12, 2018

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”) allows for the creation of public improvement districts; and

WHEREAS, on June 23, 1993, City Council authorized the creation of Vickery Meadow Public Improvement District (District), as a public improvement district in accordance with the Act and found that the District promoted the interests of the City and conferred a special benefit to the property in the District, designated Vickery Meadow Management Corporation as the manager of the District, authorized a contract for management services; and approved the District Service Plan, and annual updates by Resolution No. 93-2502; and

WHEREAS, on August 12, 2015, City Council authorized the renewal of the Vickery Meadow Public Improvement District and approval of the Service Plan and management contract by Resolution No. 15-1474; and

WHEREAS, with pending changes in the process for the disbursement of assessment revenue and to address other amendments to the agreement form it is necessary to amend the existing management contract with Vickery Meadow Management Corporation.

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 an amended and restated management contract with Vickery Meadow Management Corporation, the non-profit corporation designated as the management entity for the Vickery Meadow Public Improvement District (District) to reflect changes in the process for disbursement of assessment revenue, authorizing the City to disburse assessments to Vickery Meadow Management Corporation, and to address other amendments to the agreement form.

SECTION 2. That no assessment revenue will be disbursed until an amended and restated management contract is executed to reflect these changes.

SECTION 3. That the amended management contract shall allow the City to hold a retainer for potential property owner refunds with any remaining retainage funds to be released at the end of the year. If retainage funds are not sufficient to address refunds, any additional funds needed will be provided by Vickery Meadow Management Corporation to repay any taxpayer who is legally entitled to a refund of all or a portion of an assessment and any interest required by law to be paid. The City may also deduct its oversight and related fees prior to disbursing the assessment.

September 12, 2018

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.