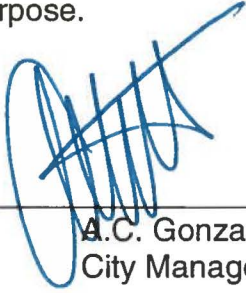


**AUGUST 26, 2015 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated August 26, 2015. 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.



A.C. Gonzalez
City Manager

8/21/15

Date



Jeanne Chipperfield
Chief Financial Officer

8/21/2015

Date

RECEIVED

2015 AUG 21 PM 4:18

CITY SECRETARY
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, AUGUST 26, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.**

REVISED ORDER OF BUSINESS

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

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

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 69

CONSENT ADDENDUM

Items 1 - 3

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 70 - 74
Addendum Item 4

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 75 - 93

**ADDENDUM
CITY COUNCIL MEETING
AUGUST 26, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

Office of Financial Services

1. Ordinances amending Ordinance No. 29474 (FY 2014-15 Operating Budget Appropriation Ordinance) and Ordinance No. 29475 (FY 2014-15 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2014-15 for the capital improvement program and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City

Park & Recreation

2. Authorize **(1)** the rejection of proposals for construction of the proposed Singing Hills Recreation Center Building located between Crouch Road and Patrol Way; and **(2)** the re-advertisement for new Request for Competitive Sealed Proposals - Financing: No cost consideration to the City

Trinity Watershed Management

3. Authorize **(1)** acceptance of a donation from The Trinity Trust in the amount of \$650,000, for a portion of the City's cost share for the Dallas Floodway Extension Project joint use maintenance trails; **(2)** authorize an increase in appropriations in the amount of \$650,000 for the Dallas Floodway Extension; and **(3)** authorize disbursement of funds to the U. S. Army Corps of Engineers for the City's cost share for repair of erosion at I-45 and the Trinity River and joint use maintenance trails from I-20 to Cedar Creek in the Dallas Floodway Extension - Not to Exceed \$6,085,000 - Financing: 1998 Bond Funds (\$2,625,000), 2003 Bond Funds (\$370,000), 2006 Bond Funds (\$271,715), 2012 Bond Funds (\$88,285), Stormwater Drainage Management Capital Construction Funds (\$2,080,000) and Private Funds (\$650,000)

**ADDENDUM
CITY COUNCIL MEETING
AUGUST 26, 2015**

ADDITIONS: (Continued)

ITEM FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

4. Authorize five year contracts with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, L.L.P. and Bracewell & Giuliani, L.L.P. and West & Associates, L.L.P. and Norton Rose Fulbright, L.L.P. and Mahomes Bolden P.C. to provide bond counsel and co-bond counsel services - Financing: This action has no cost consideration to the City - Bond and co-bond counsel fees to be paid from bond proceeds and Current Funds, contingent upon completion of each bond sale

CORRECTION:

Note: Agenda Item No. 77 to be considered as Designated Zoning Cases - Individual

Sustainable Development and Construction

77. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple-Family Subdistrict and surface parking uses on property zoned an MF-2 Multiple-Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Crestview Drive, southwest of Lemmon Avenue
Recommendation of Staff: Denial of a Planned Development Subdistrict, approval of a P Parking Subdistrict, subject to a site plan
Recommendation of CPC: Approval of a Planned Development Subdistrict, subject to a development/landscape plan and conditions
Z145-271(SM)

ADDENDUM DATE August 26, 2015

ITEM		IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION	
#	OK	DEF									
1				N/A	C	OFS	NC	NA	NA	Ordinances amending Ordinance No. 29474 (FY 2014-15 Operating Budget Appropriation Ordinance) and Ordinance No. 29475 (FY 2014-15 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2014-15 for the capital improvement program and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City	
2				8	C	PKR	NC	NA	NA	Authorize (1) the rejection of proposals for construction of the proposed Singing Hills Recreation Center Building located between Crouch Road and Patrol Way; and (2) the re-advertisement for new Request for Competitive Sealed Proposals - Financing: No cost consideration to the City	
3				All	C	TWM, PBW	\$6,085,000.00	NA	NA	Authorize (1) acceptance of a donation from The Trinity Trust in the amount of \$650,000, for a portion of the City's cost share for the Dallas Floodway Extension Project joint use maintenance trails; (2) authorize an increase in appropriations in the amount of \$650,000 for the Dallas Floodway Extension; and (3) authorize disbursement of funds to the U. S. Army Corps of Engineers for the City's cost share for repair of erosion at I-45 and the Trinity River and joint use maintenance trails from I-20 to Cedar Creek in the Dallas Floodway Extension - Not to Exceed \$6,085,000 - Financing: 1998 Bond Funds (\$2,625,000), 2003 Bond Funds (\$370,000), 2006 Bond Funds (\$271,715), 2012 Bond Funds (\$88,285), Stormwater Drainage Management Capital Construction Funds (\$2,080,000) and Private Funds (\$650,000)	
4				N/A	I	ATT, PBD	NC	NA	NA	Authorize five year contracts with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, L.L.P. and Bracewell & Giuliani, L.L.P. and West & Associates, L.L.P. and Norton Rose Fulbright, L.L.P. and Mahomes Bolden P.C. to provide bond counsel and co-bond counsel services - Financing: This action has no cost consideration to the City - Bond and co-bond counsel fees to be paid from bond proceeds and Current Funds, contingent upon completion of each bond sale	
TOTAL							\$6,085,000.00				

KEY FOCUS AREA: E-Gov
AGENDA DATE: August 26, 2015
COUNCIL DISTRICT(S): N/A
DEPARTMENT: Office of Financial Services
CMO: Jeanne Chipperfield, 670-7804
MAPSCO: N/A

SUBJECT

Ordinances amending Ordinance No. 29474 (FY 2014-15 Operating Budget Appropriation Ordinance) and Ordinance No. 29475 (FY 2014-15 Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for FY 2014-15 for the capital improvement program and for maintenance and operation of various departments and activities; and authorize the City Manager to implement those adjustments – Financing: No cost consideration to the City

BACKGROUND

On September 17, 2014, the City Council passed Ordinance Nos. 29474 and 29475, which adopted the operating budget and capital budget appropriation ordinances for fiscal year 2014-15. Management has closely monitored revenues and expenses throughout the fiscal year and adjusted spending to ensure there are revenues (or available fund balance) to cover projected costs. In order to avoid exceeding authorized appropriations, adjustments to budgets are needed in various departments that are forecast to be exceeded and to capital improvement funds.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council approved the FY 2014-15 operating budget and capital budget appropriation ordinances on September 17, 2014, by Resolution No. 14-1568 and Ordinance Nos. 29474 and 29475.

Information about this item was provided to the Budget, Finance & Audit Committee on August 17, 2015.

FISCAL INFORMATION

No cost consideration to the City

8/17/2015

ORDINANCE NO. _____

An ordinance amending Ordinance No. 29474 (2014-2015 FY Operating Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for fiscal year 2014-15 for the maintenance and operation of various departments and activities and to authorize the city manager to implement those adjustments; providing a saving clause; and providing an effective date.

WHEREAS, on September 17, 2014, the city council passed Ordinance No. 29474, which adopted the operating budget appropriation ordinance for fiscal year 2014-2015; and

WHEREAS, shortages and excesses in various department and activity appropriations have created a need to adjust those appropriations; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 4, of the Dallas City Charter to transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose to any other department, division, or purpose, upon the written recommendation of the city manager; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 5, of the Dallas City Charter to appropriate, from time to time, excess revenues of the city to such uses as will not conflict with any uses for which such revenues specifically accrued; Now, therefore,

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

SECTION 1. That Section 1 of Ordinance No. 29474 (2014-2015 FY Operating Budget Appropriation Ordinance), passed by the city council on September 17, 2014, is amended by

making adjustments to fund appropriations for fiscal year 2014-15 for maintenance and operation of various departments and activities, to read as follows:

“SECTION 1. That for the purpose of providing the funds to be expended in the budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015, the available revenues of the city of Dallas are hereby appropriated for the maintenance and operation of the various city departments and activities as follows:

<u>DEPARTMENTS AND ACTIVITIES</u>	<u>PROPOSED</u> <u>2014-15</u>
Building Services	23,895,817
Business Development and Procurement Services	2,854,562
City Attorney’s Office	<u>14,996,796</u> [15,146,796]
City Auditor’s Office	<u>2,784,107</u> [2,844,107]
City Manager’s Office	1,829,414
City Secretary’s Office	* <u>4,086,213</u> [3,027,548]
Civil Service	<u>2,364,515</u> [2,344,515]
Code Compliance	<u>35,192,605</u> [35,382,605]
City Controller’s Office	<u>5,253,154</u> [5,603,154]
Court and Detention Services	<u>20,009,916</u> [20,184,916]
Fire	<u>228,058,576</u> [228,008,576]
Housing/Community Services	** <u>11,507,973</u> [11,498,828]
Human Resources	4,638,421
Judiciary	3,695,256
Library	26,143,630
Mayor and Council	<u>4,154,178</u> [3,923,178]
Non-Departmental	<u>49,191,874</u> [49,341,874]
Office of Cultural Affairs	17,287,656
Office of Economic Development	1,576,600
Office of Financial Services	<u>3,467,501</u> [3,642,501]
Office of Management Services	*** <u>6,111,941</u> [5,649,565]
Park and Recreation	<u>82,476,638</u> [81,876,638]
Planning and Neighborhood Vitality	<u>2,877,060</u> [2,527,060]
Police	**** <u>440,537,844</u> [438,059,929]

***An increase to \$3,614,213 was previously approved by Resolution No. 15-0555; an increase to \$4,086,213 was previously approved by Resolution No. 15-0907.**

****An increase to \$11,627,973 was previously approved by Resolution No. 14-2194.**

***** An increase to \$5,711,941 was previously approved by Resolution No. 15-1153.**

******An increase to \$440,487,844 was previously approved by Resolution No. 15-1231.**

Public Works	6,861,155
Sanitation Services	<u>75,994,350</u> [75,693,850]
Street Lighting	17,922,510
Street Services	<u>66,514,081</u> [65,914,081]
Sustainable Development and Construction	<u>1,439,699</u> [1,539,699]
Trinity Watershed Management	<u>1,200,771</u> [1,350,771]
Contingency Reserve	450,000
Salary and Benefits Reserve	<u>818,500</u> [1,800,000]
Liability/Claims Fund	4,169,788
GENERAL FUND TOTAL	*****\$1,170,363,101 [1,166,685,000]

<u>GRANT FUNDS</u>	<u>PROPOSED</u> <u>2014-15</u>
<u>Court and Detention Services</u>	
State Law Enforcement Grant (S104)	4,134
<u>Housing/Community Services</u>	
Neighborhood Stabilization Program (NS10)	132,891
GRANT FUNDS TOTAL	\$137,025

<u>TRUST FUNDS</u>	<u>PROPOSED</u> <u>2014-15</u>
<u>Communication and Information Services</u>	
Information Technology Equipment (0897)	500,000
Employee Morale Fund (0909)	658
<u>Convention and Event Services</u>	
Convention Center Hotel Tax Rebate Fund (0756)	9,739,400
<u>Court and Detention Services</u>	
Employee Morale Fund (0902)	207
Security Fund (0G88)	305,737
Technology Fund (0401)	814,347
<u>Equipment and Building Services</u>	
Fitness Center Fund (0323)	126,701

*******All prior increases raise the total of the General Fund to \$1,170,363,101.**

<u>Housing/Community Services</u>	
Alvin E. Moore Trust (0309)	18,942 [13,000]
Dallas Tomorrow Fund (0476)	4,996
Energy Emergency Assist Fund (0312)	260,000
West Dallas Multipurpose Trust (0T17)	4,334 [3,270]
<u>Judiciary</u>	
Juvenile Case Manager Fund (0396)	416,947 [223,521]
<u>Library</u>	
Kahn Fund (0208)	268,998
Meadows Foundation Fund (0734)	10,587
Parrill Estate Trust (0716)	6,489
<u>Office of Cultural Affairs</u>	
Gifts & Donations (0388)	13,084
<u>Office of Economic Development</u>	
City of Dallas Regional Center (0067)	813,594
Dallas Housing Finance Corporation (0068)	153,003
New Market Tax Credit (0065)	216,068
South Dallas/Fair Park Trust Fund (0351)	266,030
<u>Park and Recreation</u>	
Athletic Field Maintenance (0349)	451,830
Elm Fork Athletic Complex (0447)	100,000
Fair Park Improvement Fund (0448)	495,115
Fair Park Special Maintenance (0329)	185,081
Golf Improvement Trust (0332)	2,435,946
Grauwylers Memorial E. Trust (0331)	765
Junior Golf Program (0359)	3,081
Meadows-Fair Park Security Fund (0643)	64
Momentum Park Improvement (0T80)	144,228
Outdoor Programs (0469)	142,758
Park & Rec Beautification (0641)	813,793
Recreation Program (0341)	869,378
Southern Skates (0327)	236,531
PKR Program Fund Tracking (0395)	3,225,044 [1,801,965]
Vietnam Veterans Memorial Fund (0T82)	34,997
White Rock Endowment Fund (0354)	121,101
W.W. Samuell Park Trust (0330)	1,107,331
<u>Police</u>	
Confiscated Monies - Federal (0412)	3,062,743 [147,219]
Confiscated Monies - State (0411)	1,045,314
Law Enforcement Officer Standard Education (0S1N)	217,728 [103,610]
Various Police Task Forces (0T69)	626,618

<u>Street Services</u>	
Freeway Traffic Signals (0670)	325,000
TRUST FUNDS TOTAL	<u>\$29,584,568</u> [24,931,415]
GRANT AND TRUST FUNDS GRAND TOTAL	<u>\$29,721,593</u> [25,068,440]

	<u>PROPOSED</u> <u>2014-15</u>
<u>ENTERPRISE/INTERNAL SERVICE/OTHER FUNDS</u>	
Aviation	<u>90,944,784</u> [86,544,784]
Communication and Information Services:	
Information Technology	64,400,756
Radio Services	6,044,819
Convention and Event Services	<u>82,045,050</u> [77,345,050]
Employee Benefits	1,370,147
Equipment Services	54,431,524
Express Business Center	<u>4,856,661</u> [4,811,661]
Risk Management	2,525,243
Storm Water Drainage Management	53,598,761
Sustainable Development and Construction	26,838,534
Water Utilities	614,521,177
WRR - Municipal Radio	2,061,761
911 System Operations	<u>17,439,255</u> [17,239,255]
ENTERPRISE/INTERNAL SERVICE/ OTHER FUNDS TOTAL	<u>\$1,021,078,472</u> [1,011,733,472]

SECTION 2. That the city manager is hereby authorized, upon written notice to the city controller, to transfer funds to make the adjustments to appropriations set forth in this ordinance.

SECTION 3. That it is the intent of the city council, by passage of this ordinance, to appropriate the funds for the city departments and activities. No office or position is created by the appropriation.

SECTION 4. That Ordinance No. 29474 will remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

8/14/2015

ORDINANCE NO. _____

An ordinance amending Ordinance No. 29475 (2014-2015 FY Capital Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for fiscal year 2014-15 for public improvements to be financed from bond funds and other revenues of the City of Dallas and to authorize the city manager to implement those adjustments; providing a saving clause; and providing an effective date.

WHEREAS, on September 17, 2014, the city council passed Ordinance No. 29475, which adopted the capital budget appropriation ordinance for fiscal year 2014-2015; and

WHEREAS, shortages and excesses in various project appropriations have created a need to adjust those appropriations and to establish new appropriations; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 4, of the Dallas City Charter to transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose to any other department, division, or purpose, upon the written recommendation of the city manager; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 5, of the Dallas City Charter to appropriate, from time to time, excess revenues of the city to such uses as will not conflict with any uses for which such revenues specifically accrued; Now, therefore,

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

SECTION 1. That Section 2 of Ordinance No. 29475 (2014-2015 FY Capital Budget Appropriation Ordinance), passed by the city council on September 17, 2014, is amended by making adjustments to fund appropriations for fiscal year 2014-15 for public improvements to be financed from bond funds and other revenues of the City of Dallas, to read as follows:

“SECTION 2. (a) That the following amounts are hereby appropriated from the funds indicated for the projects listed in the FY 2014-15 Capital Budget:

CAPITAL FUNDS

From the City Animal Control Facilities Fund (1P46)	114,829
From the City Animal Control Facilities Fund (0P46)	7,562
From the Animal Control Facilities Improvement Fund (3R46)	33,900
From the Aviation Capital Construction Fund (0131)	<u>18,597,427</u> [13,597,427]
From the Capital Construction Fund (0671)	5,400,000
From the Capital Gifts and Donations Fund (0530)	1,305,545
From the Cedars Tax Increment Financing District Fund (0033)	508,181
From the City Center Tax Increment Financing District Fund (0035)	3,164,722
From the City Hall, City Service and Maintenance Facilities Fund (3T60)	1,559,333
From the Convention Center Capital Construction Fund (0082)	3,150,000

<u>From the Cultural Arts Facilities Fund (BT49)</u>	<u>30,000*</u>
<u>From the Cultural Arts Facilities Fund (5R49)</u>	<u>60,766*</u>
<u>From the Cultural Arts Facilities Fund (6R49)</u>	<u>35,244*</u>
<u>From the Cultural Arts Facilities Fund (9P49)</u>	<u>33,990*</u>
From the Cypress Waters Tax Increment Financing District Fund (0066)	600,876
From the Davis Garden Tax Increment Financing District Fund (0060)	438,126
From the Deep Ellum Tax Increment Financing District Fund (0056)	519,610
From the Design District Tax Increment Financing District Fund (0050)	2,221,631
From the Downtown Connection Tax Increment Financing District Fund (0044)	15,198,483
From the Economic Development and Housing Development Programs Fund (3U52)	12,000,000
From the Economic Development and Housing Development Programs Fund (3U53)	3,500,000
From the 2003 Equipment Acquisition Note Fund (0569)	1,355
From the 2004 Equipment Acquisition Note Fund (0587)	351,423
From the 2005 Equipment Acquisition Note Fund (0588)	38,598
From the 2006 Equipment Acquisition Note Fund (0595)	39,019

****An increase of \$160,000 was previously approved with Resolution No. 15-1247.***

From the 2007 Equipment Acquisition Note Fund (0598)	110,788
From the 2010 Equipment Acquisition Certificates of Obligation Fund (0613)	58,388
From the 2010 Equipment Acquisition Note Fund (0629)	241,600
From the Farmers Market Tax Increment Financing District Fund (0036)	995,025
From the Flood Protection and Storm Drainage Facilities Improvement Fund (3T23)	15,098,697
From the Flood Protection and Storm Drainage Facilities Improvement Fund (3U23)	1,886,800
From the Fort Worth Avenue Tax Increment Financing District Fund (0058)	324,936
From the General Capital Reserve Fund (0625)	5,400,000
From the Grand Park South Tax Increment Financing District Fund (0054)	30,931
From the Land Acquisition under the Land Bank Program for the Development of Low and Moderate Single Family Homes Fund (3T10)	150,000
From the Maple/Mockingbird Tax Increment Financing District Fund (0064)	1,096,737
From the Oak Cliff Gateway Tax Increment Financing District Fund (0034)	1,115,811
From the Park and Recreation Facilities Fund (3T00)	10,964,540
From the Public/Private Partnership Fund (0352)	10,600,000
From the Skillman Corridor Tax Increment Financing District Fund (0052)	1,791,846
From the Southwestern Medical Tax Increment Financing District Fund (0046)	713,358

From the Sports Arena Tax Increment Financing District Fund (0038)	3,730,828
From the Storm Water Drainage Management Capital Construction Fund (0063)	1,072,751
From the Street and Transportation Improvement Fund (3T22)	3,028,838
From the Street and Transportation Improvement Fund (3U22)	61,568,030
From the State-Thomas Tax Increment Financing District Fund (0032)	92,481
From the Transit Oriented Development Tax Increment Financing District Fund (0062)	1,199,543
From the Trinity River Corridor Project Fund (<u>A</u> [3]P14)	10,967,587
From the Vickery Meadow Tax Increment Financing District Fund (0048)	1,619,664
From the Wastewater Capital Construction Fund (0103)	24,809,000
From the Wastewater Capital Improvement Fund (2116)	13,351,000
From the Wastewater Capital Improvement Fund (3116)	84,984,000
From the Water and Wastewater Public Art Fund (0121)	233,000
From the Water Capital Construction Fund (0102)	31,322,000
From the Water Capital Improvement Fund (2115)	156,715,000
From the Water Capital Improvement Fund (3115)	15,350,000

From the 2015 Master Lease - Equipment Fund (ML15)	25,000,000
<u>From the 1998 General Obligation Bond Arbitrage Rebate Fund (8P99)</u>	<u>313</u>
<u>From the 2010 General Obligation Pension Bond Refunding Fund (0630)</u>	<u>31</u>
<u>From the 2010 General Obligation Bond Refunding Fund (0631)</u>	<u>293</u>
<u>From the 2013 General Obligation Bond Refunding Fund (0674)</u>	<u>245</u>
CAPITAL FUNDS TOTAL	<u>\$554,534,681</u> [549,373,799]

(b) That the following amounts are hereby appropriated from the funds indicated for payment of the FY 2014-15 Debt Service Budget:

DEBT SERVICE FUNDS

From the General Obligation Debt Service Fund (0981)	229,908,362
DEBT SERVICE FUNDS TOTAL	\$229,908,362

(c) That these appropriations and all previous appropriated funds for these projects remain in force until each project is completed or terminated.

(d) That the appropriations listed in Subsections (a) and (b) may be increased by city council resolution upon the recommendation of the city manager.”

SECTION 2. That Section 4 of Ordinance No. 29475 (2014-2015 FY Capital Budget Appropriation Ordinance), passed by the city council on September 17, 2014, is amended by making adjustments to fund appropriations for fiscal year 2014-15 for public improvements to be financed from bond funds and other revenues of the City of Dallas, to read as follows:

“SECTION 4. That the city manager is authorized upon written notice to the city controller to make the following adjustments:

(1) Transfer amounts from one project appropriation to another within the same fund, provided that the total appropriation for each fund is not exceeded by this action.

(2) Decrease appropriation of any fund described in Section 2 to reduce expenditures within the fund when, in the judgment of the city manager, actual or probable receipts are less than the amount estimated and appropriated for expenditures.

(3) Transfer funds, not to exceed \$1,485,000, to the General Fund 0001, in the amounts of \$25,000 from the Cityplace Tax Increment Financing District Fund 0030; \$10,000 from State-Thomas Tax Increment Financing District Fund 0032; \$75,000 from the Cedars Tax Increment Financing District Fund 0033; \$60,000 from the Oak Cliff Gateway Tax Increment Financing District Fund 0034; \$140,000 from the City Center Tax Increment Financing District Fund 0035; \$100,000 from the Farmers Market Tax Increment Financing District Fund 0036; \$120,000 from the Sports Arena Tax Increment Financing District Fund 0038; \$225,000 from the Downtown Connection Tax Increment Financing District Fund 0044; \$50,000 from the Southwestern Medical Tax Increment Financing District Fund 0046; \$75,000 from the Vickery Meadow Tax Increment Financing District Fund 0048; \$75,000 from the Design District Tax Increment Financing District Fund 0050; \$75,000 from the Skillman Corridor Tax Increment Financing District Fund 0052; \$30,000 from the Grand Park South Tax Increment Financing District

Fund 0054; \$50,000 from the Deep Ellum Tax Increment Financing District Fund 0056; \$75,000 from the Fort Worth Avenue Tax Increment Financing District Fund 0058; \$100,000 from the Davis Garden Tax Increment Financing District Fund 0060; \$80,000 from the Transit-Oriented Development Tax Increment Financing District Fund 0062; \$50,000 from the Maple/Mockingbird Tax Increment Financing District Fund 0064; and \$70,000 from the Cypress Waters Tax Increment Financing District Fund 0066, for reimbursement of tax increment financing administration costs.

(4) Transfer funds, not to exceed, \$584,457 to the General Fund 0001, from the Trinity River Corridor Project Fund 6P14, for reimbursement as needed for engineering, project coordination, inspection, survey, and other activities associated with the implementation of the 1998 bond program.

(5) Transfer funds, not to exceed \$39,364,000 from the Water Utilities Operating Fund 0100, in the amounts of \$22,822,000 to the Water Capital Construction Fund 0102; \$16,309,000 to the Wastewater Capital Construction Fund 0103; and \$233,000 to the Water and Wastewater Public Art Fund 0121, for projects listed in the FY 2014-15 Capital Budget.

(6) Transfer funds, not to exceed \$765,469, to the General Obligation Debt Service Fund 0981 from the Storm Water Drainage Management Operating Fund 0061 for payment of the 2004 and 2005 Certificates of Obligation for compliance with the municipal separate sewer system (MS4) permit, and the 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2007A, 2008,

2010, and 2012 General Obligation Bonds for flood protection and storm drainage facilities.

(7) Transfer funds, not to exceed \$5,000,000, from the Storm Water Drainage Management Operating Fund 0061 to the Storm Water Drainage Management Capital Construction Fund 0063, for projects listed in the FY 2014-15 Capital Budget.

(8) Transfer funds, not to exceed \$2,494,850, to the General Obligation Debt Service Fund 0981 from the General Fund 0001 for payment of the 2010 Equipment Acquisition Notes and for payment of the 2003 General Obligation Bonds for flood protection and storm drainage facilities for the McCommas Bluff Landfill.

(9) Transfer funds, not to exceed \$5,400,000, to the Capital Construction Fund 0671 from the General Capital Reserve Fund 0625 for the purpose of partial reconstruction of major thoroughfares and for capital improvements, maintenance, and repair of city facilities.

(10) Transfer funds, not to exceed \$18,597,427 [~~13,597,427~~], from the Aviation Operating Fund 0130 to the Aviation Capital Construction fund 0131 for projects listed in the FY 2014-15 Capital Budget.

(11) Transfer funds, not to exceed \$1,493,276, to the General Obligation Debt Service Fund 0981 from the Convention Center Operating Fund 0080 for payment of 2008 Certificates of Obligation for the acquisition of land for the Convention Center Hotel Development Project.

(12) Transfer funds, not to exceed, \$219,110 to the General Obligation Debt Service Fund 0981 from the unspent balances of Arbitrage Rebate Funds 9P99, and 0N99.

(13) Transfer funds, not to exceed \$32,477,655.10, to the General Obligation Debt Service Fund 0981 from any general government, internal service, or enterprise fund incurring civilian payroll costs based on the pro-rata allocation of the actual civilian payroll costs incurred during fiscal year 2014-15 for payment of debt service on the Pension Obligation Bonds Series 600, 601, and 632.”

SECTION 3. That the city manager is hereby authorized, upon written notice to the city controller, to transfer funds to make the adjustments to appropriations set forth in this ordinance.

SECTION 4. That Ordinance No. 29475 will remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

ADDENDUM ITEM # 2

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: August 26, 2015

COUNCIL DISTRICT(S): 8

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 65U V

SUBJECT

Authorize **(1)** the rejection of proposals for construction of the proposed Singing Hills Recreation Center Building located between Crouch Road and Patrol Way; and **(2)** the re-advertisement for new Request for Competitive Sealed Proposals – Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum at the request of the City Manager's Office.

On April 30, 2015 three proposals were received for construction of the Singing Hills Recreation Center Building. The responsive proposals were from Turner Construction for a base price of \$7,495,000 and J.C. Commercial for a base price of \$6,771,777. Both of these proposals are over the available funding.

A proposal from Key Enterprises was not responsive since they only quoted a price for the gymnasium equipment and not the whole project.

It is recommended that all proposals received be rejected and the project be redesigned and rebid.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized advertisement for construction procurement on November 20, 2014.

The Park and Recreation Board authorized the rejection of proposals on August 6, 2015.

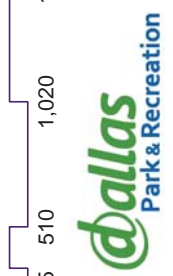
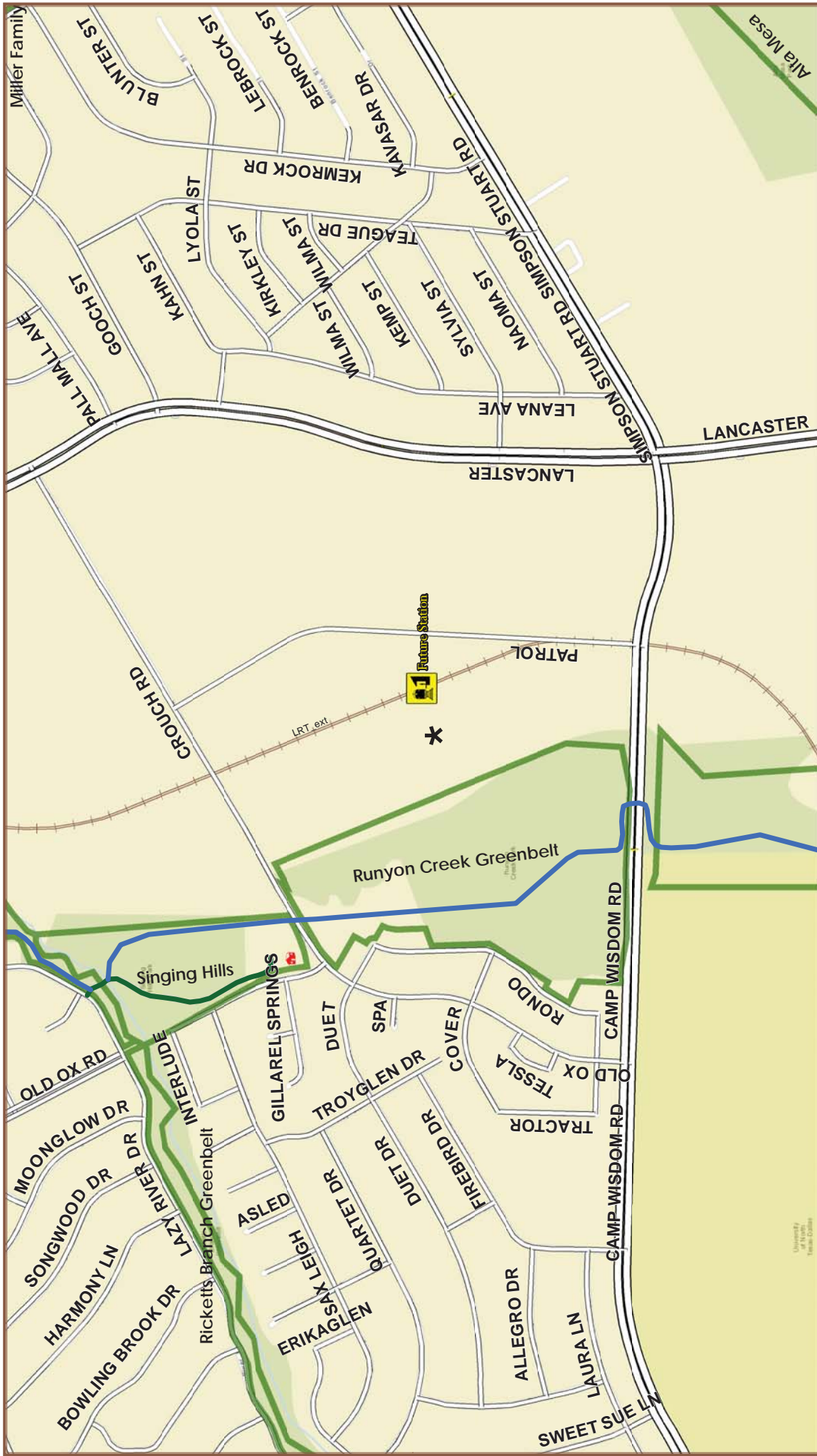
Information about this item will be provided to the Quality of Life Committee on August 24, 2015.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Singing Hills Recreation Center (Crouch Rd & Patrol Way)

MapSCO
65 U V

District
8

May 21, 2015

August 26, 2015

WHEREAS, on April 30, 2015, three proposals were received for construction of the Singing Hills Recreation Center Building located between Crouch Road and Patrol Way; and

WHEREAS, a proposal from Key Enterprises was not responsive since they only quoted a price for the gymnasium equipment and not the whole project and the other proposals are over the available funding; and

WHEREAS, it is recommended that all proposals received be rejected and the project be redesigned and rebid; and

WHEREAS, it has been determined that it is in the best interest of the City of Dallas to reject the three proposals received for construction of the Singing Hills Recreation Center Building.

Now, Therefore,

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

SECTION 1. That the three proposals received for construction of the Singing Hills Recreation Center Building are hereby rejected and authorization to solicit new proposals is granted.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: August 26, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Trinity Watershed Management
Public Works Department

CMO: Mark McDaniel, 670-3256
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize **(1)** acceptance of a donation from The Trinity Trust in the amount of \$650,000, for a portion of the City's cost share for the Dallas Floodway Extension Project joint use maintenance trails; **(2)** authorize an increase in appropriations in the amount of \$650,000 for the Dallas Floodway Extension; and **(3)** authorize disbursement of funds to the U. S. Army Corps of Engineers for the City's cost share for repair of erosion at I-45 and the Trinity River and joint use maintenance trails from I-20 to Cedar Creek in the Dallas Floodway Extension - Not to Exceed \$6,085,000 - Financing: 1998 Bond Funds (\$2,625,000), 2003 Bond Funds (\$370,000), 2006 Bond Funds (\$271,715), 2012 Bond Funds (\$88,285), Stormwater Drainage Management Capital Construction Funds (\$2,080,000) and Private Funds (\$650,000)

BACKGROUND

The Dallas Floodway Extension (DFE) project was authorized by Congress in Section 301 of the Rivers and Harbors Act of 1965. The authorized project was principally a system of levees, stretching over 22 miles within the southern Trinity River Corridor, to provide for Standard Project Flood protection. The authorized project was not built due to lack of full local sponsor support for the project, including navigation initiatives for the Trinity River. Following major flooding of the Trinity River in 1989, 1990 and 1991 that impacted homes and businesses along the southern Trinity River Corridor, the City proceeded with advancing construction of the Rochester and Central Wastewater Treatment Plant levees. Additionally, the City partnered with the U.S. Army Corps of Engineers (Corps) to re-initiate the DFE study.

BACKGROUND (Continued)

As part of these efforts to study the DFE, congressional legislation in the Water Resources Development Act of 1996 established that \$22,200,000 for portions of the City's levee construction will be credited as part of the City's project cost sharing for construction of the DFE project. The Water Resources Development Act of 1999 provided Congressional legislation added environmental restoration and recreation as project components to the original 1965 project authorizing language. The Corps completed the Final Environmental Impact Statement in December 1999. The project cooperation agreement executed between the Corps and the City on December 14, 2001 outlined the project components and cost share requirements. To date, the Corps has received \$84,700,000 in federal funds to complete the design and construction of the Lower Chain of Wetlands (in service) and Upper Chain of Wetlands (under construction), ongoing tree and wetlands plantings throughout the mitigation lands, preliminary design of the Lamar Levee and extension of the Rochester Levee and the joint use maintenance trails from IH-20 to Cedar Creek.

In March 2015, the Corps proceeded with requesting additional funds for the DFE project as part of a call for projects through their budget process resulting in additional federal funding of approximately \$7,000,000. The additional funds address the current erosion at IH-45 and the Trinity River, which compromises the river channel as well as the Lower Chain of Wetlands. Funds were also allocated to complete the joint use maintenance trails that were planned from IH-20 to Cedar Creek near Moore Park. The Transportation and Trinity River Corridor Council Committee was briefed on the path forward and the City's obligations for cost participation should these projects receive federal funding.

In June 2015, the Corps notified the City that these funds were approved and would be contracted during FY15. The City's cost share for these two projects is \$6,085,000. The Transportation and Trinity River Corridor Council Committee recommended staff proceed with allocating 1998 Proposition 11 Bond Funds originally from the Elm Fork area, 2003 Bond Program, 2012 Bond Program and Storm Drainage Funds. The Trinity Trust Foundation to date has received \$650,000 to be applied to the City's required match to complete the joint use maintenance trails. Additional private funding may be provided in the future to replenish the 1998 Bond Program funds.

This action authorizes the acceptance of a donation from the Trinity Trust in the amount of \$650,000 for the joint use maintenance trails, increases appropriations and disburse funds to the Corps for the City's cost share for repair of erosion and other improvements to the channel at IH-45 and the Trinity River near the Lower Chain of Wetlands and will complete construction of joint-use maintenance roads and trails from IH20 to Cedar Creek in the DFE.

ESTIMATED SCHEDULE OF PROJECT

Construction will be performed by the Corps.

Anticipated Schedule:

Begin Construction September 2015

Complete Construction September 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSION)

Authorized execution of the Project Cooperation Agreement between the City of Dallas and the U.S. Army Corps of Engineers for construction of the DFE Project on December 12, 2001, by Resolution No. 01-3720.

Briefed the Transportation and Trinity River Project Committee on June 8, 2015.

Briefed the Transportation and Trinity River Project Committee on June 15, 2015.

Information about this item will be provided to the Transportation and Trinity River Project Committee on August 24, 2015.

FISCAL INFORMATION

1998 Bond Funds - \$2,625,000

2003 Bond Funds - \$370,000

2006 Bond Funds - \$271,715

2012 Bond Funds - \$88,286

Stormwater Drainage Management Capital Construction Funds - \$2,080,000

Private Funds - \$650,000

August 26, 2015

WHEREAS, the Dallas Floodway Extension (DFE) Project represents a portion of a project that was authorized by Congress for construction in 1965; the Congressional authorization for the project was amended by Section 356 of the Water Resources Development Act of 1999 to include environmental restoration and recreation as project purposes; and,

WHEREAS, Congressional language in Section 351 of the Water Resources Development Act of 1996 established that the cost of \$22,200,000 for portions of the City's levee construction compatible with the DFE project will be credited back to the City as part of the project cost sharing during construction; and,

WHEREAS, the U.S. Army Corps of Engineers (Corps) produced a Final Environmental Impact Statement (EIS) in February 1999 for the DFE project, which received final approval in December 1999; and,

WHEREAS, the DFE project will consist of a Cadillac Heights Levee, Lamar Levee, a Chain of Wetlands, a river realignment at IH-45, environmental restoration features incorporated into the Chain of Wetlands, recreation features that include over 30 miles of joint use maintenance trails, and an environmental mitigation plan that includes preservation of about 1,179 acres of forest, which would augment the establishment of the Great Trinity Forest; and,

WHEREAS, the DFE project will restore Standard Project Flood (SPF) protection to the downtown Dallas vicinity and extend this level of protection (800-year) to Cadillac Heights, Lamar area, and Rochester Park; and,

WHEREAS, the City and the Corps entered into a Project Cooperation Agreement (PCA) for the DFE on December 12, 2001, by Resolution No. 01-3720; and,

WHEREAS, the Corps has received \$84,700,000 to date in federal funds to complete the design and construction of the Lower Chain of Wetlands (in service) and Upper Chain of Wetlands (under construction), ongoing tree and wetlands plantings throughout the mitigation lands, preliminary design of the Lamar Levee and extension of the Rochester Levee and the joint use maintenance trails from IH-20 to Cedar Creek; and,

WHEREAS, the Corps has received additional funding for the DFE project to complete construction activities to address current erosion at IH-45 and the Trinity River which compromises the river channel as well as the Lower Chain of Wetlands and joint use maintenance trails that were planned from IH-20 to Cedar Creek near Moore Park in the amount of \$7,000,000; and

WHEREAS, the City is required to provide \$6,085,000 as the cost share for these projects; and,

August 26, 2015

WHEREAS, funding for this cost share has been identified and recommended by the Transportation and Trinity River Corridor Project Committee to be allocated from 1998 Proposition 11 Bond Funds originally from the Elm Fork area, 2003 Bond Program, 2006 Bond Funds, 2012 Bond Program, Storm Drainage Funds and Private Funds; and,

WHEREAS, The Trinity Trust, to date, has received \$650,000 to be applied to the City's required match to complete the joint use maintenance trails with the goal that additional private funding that may be provided in the future will replenish the 1998 Bond Program funds; and,

WHEREAS, it is now necessary to authorize the acceptance of a donation from the Trinity Trust in the amount of \$650,000 for the joint use maintenance trails, increase appropriations and disburse funds to the Corps for the City's cost share for repair of erosion and other improvements to the channel at IH-45 and the Trinity River near the Lower Chain of Wetlands and complete construction of joint-use maintenance roads and trails from IH-20 to Cedar Creek in the DFE.

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to accept the donation from The Trinity Trust.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds from The Trinity Trust in an amount not to exceed \$650,000 in the Trinity Trust Foundation - Dallas Floodway Extension Fund, Fund DL04, Dept. TWM, Unit 5804, Act. TTF, Revenue Source 8411.

Section 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$650,000 in the Trinity Trust Foundation - Dallas Floodway Extension Fund, Fund DL04, Dept. TWM, Unit 5804, Obj. 4599.

Section 4. The Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Trinity River Corridor Project Fund	
Fund 6P14, Agency TWM, Unit N964, Act. TRPP	
Object 4599, Program #PB98N964, CT PBW12S619K1	
Vendor #352290, in an amount not to exceed	\$2,625,000.00

August 26, 2015

Street and Transportation Improvements Fund Fund 5R22, Agency PBW, Unit W024, Act. HIBT Object 4599, Program #PB03W024, CT PBW12S619K1 Vendor #352290, in an amount not to exceed	\$ 370,000.00
Street and Transportation Improvements Fund Fund 2T22, Agency PBW, Unit S619, Act. HIBT Object 4599, Program #PB12S619, CT PBW12S619K1 Vendor #352290, in an amount not to exceed	\$ 271,714.61
Street and Transportation Improvement Fund Fund 2U22, Agency PBW, Unit S619, Act. HIBT Object 4599, Program #PB12S619, CT PBW12S619K1 Vendor #352290, in an amount not to exceed	\$ 88,285.39
Stormwater Drainage Management Capital Construction Fund Fund 0063, Agency SDM, Unit P875, Act. SD01 Object 4599, Program #SDM0004, CT PBW12S619K1 Vendor #352290, in an amount not to exceed	\$2,080,000.00
Trinity Trust Foundation - Dallas Floodway Extension Fund Fund DL04, Agency TWM, Unit 5804, Act. TTFF Object 4599, Program #TWMDL5804, CT PBW12S619K1 Vendor #35229, in an amount not to exceed	<u>\$ 650,000.00</u>
Total amount not to exceed	\$6,085,000.00

Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: E-Gov

AGENDA DATE: August 26, 2015

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Business Development & Procurement Services

CMO: Warren M.S. Ernst, 670-3491
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize five year contracts with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, L.L.P. and Bracewell & Giuliani, L.L.P. and West & Associates, L.L.P. and Norton Rose Fulbright, L.L.P. and Mahomes Bolden P.C. to provide bond counsel and co-bond counsel services - Financing: This action has no cost consideration to the City - Bond and co-bond counsel fees to be paid from bond proceeds and Current Funds, contingent upon completion of each bond sale

BACKGROUND

The City requires the services of bond counsel and co-bond counsel to: (1) assist in the preparation of resolutions, ordinances, official statements, agreements and legal documents in connection with authorizing the issuance of bonds and other city debt instruments, (2) assist in obtaining approval of the issuance of the City's bonds from the Texas Attorney General, (3) render legal opinions in connection with the issuance of City bonds, and (4) provide legal advice as needed in connection with City financing and related matters.

A Request for Qualifications for bond counsel and co-bond counsel services was issued July 9, 2015. Seven submissions were received on July 29, 2015 from the following firms: for Bond Counsel - McCall, Parkhurst & Horton, L.L.P., Bracewell & Giuliani, L.L.P., Norton Rose Fulbright, L.L.P., and Haynes and Boone, L.L.P.; and for Co-Bond Counsel - West & Associates, L.L.P., Escamilla & Poneck, L.L.P., and Mahomes Bolden, P.C. Based upon input from the evaluators, the City Attorney recommends that the City Council enter into contracts with:

BACKGROUND (Continued)

(1) McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, LLP, as co-bond counsel (Team A); (2) Bracewell & Giuliani LLP and West & Associates, L.L.P. as co-bond counsel (Team B); and (3) Norton Rose Fulbright LLP and Mahomes Bolden PC as co-bond counsel (Team C). The bond and co-bond counsel teams will provide legal services in connection with the issuance of its Water and Sewer System Bonds, Water and Sewer System Commercial Paper Notes, bonds issued by the Consolidated Economic Development Boards, and certain other city conduit issuers such as the Downtown Dallas Development Authority, Tax Increment Financing Bonds, Public Improvement District Bonds and other special district bonds; as well as the issuance of its General Obligation Bonds, Certificates of Obligation, Contractual Obligations, Convention Center/Arena Bonds and Risk Notes. The contracts are for an initial term of five years. Under the terms of the contracts, at least 25% of the bond counsel services will be performed by West & Associates, L.L.P., Escamilla & Poneck, L.L.P., and Mahomes Bolden, P.C.

A five member committee from the following departments reviewed and evaluated the qualifications:

- City Attorney’s Office (2)
- City Controller’s Office (1)
- Dallas Water Utilities (1)
- Business Development and Procurement Services (1)*

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

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

- Experience 50%
- Firm’s location and availability 20%
- Approach to the project 15%
- Business Inclusion and Development Plan 15%

Substantially, all of the responsibilities under this contract are being performed by attorneys. Therefore, this solicitation was conducted as a Request for Qualifications under Texas Local Government Code Chapter 2254 for professional and consulting services. As such Chapter 2254 specifically restricts the City from including cost/fees as part of the selection criteria.

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 659 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 11, 2012, City Council authorized two year contracts for bond counsel and co-bond counsel services with McCall, Parkhurst & Horton, L.L.P. and Escamilla Poneck & Cruz, L.L.P. (Team A) and Bracewell & Giuliani L.L.P. and West & Associates, L.L.P. (Team B) for the term through February 28, 2014, under the same terms and conditions, by Resolution No. 12-1033.

On August 27, 2014, City Council authorized an amendment to the contracts for co-bond counsel services with McCall, Parkhurst & Horton, L.L.P. and Escamilla Poneck & Cruz, LLP (Team A) and Bracewell & Giuliani LLP and West & Associates, L.L.P. (Team B) to extend the term of the contracts for a two-year term, by Resolution No. 14-1355.

Information about the item was provided by memorandum from the City Attorneys Office to the Budget, Finance and Audit Committee on August 17, 2015.

FISCAL INFORMATION

The fees for legal services provided by the bond-counsel/co-bond counsel firms in connection with the issuance, sale and delivery of the City's bonds are contingent upon the sale and delivery of the bonds and are payable from bond proceeds or Current Funds, as applicable as follows:

FIRM

FEE

Team A

McCall, Parkhurst & Horton,
Bond Counsel

Hourly rate fee for services rendered, plus an
opinion fee of \$.30 per \$1,000
increment of bonds issued

Escamilla & Poneck, Inc.
Counsel
Co-Bond Counsel

Hourly rate fee for services rendered, plus an Co-Bond
opinion fee of \$.20 per \$1,000
increment of bonds issued

FISCAL INFORMATION (Continued)

Team B

Bracewell & Giuliani, L.L.P.
Bond Counsel

Hourly rate fee for services rendered, plus an opinion fee of \$.30 per \$1,000 increment of bonds issued

West & Associates, L.L.P.
Co-Bond Counsel

Hourly rate fee for services rendered, plus an opinion fee of \$.20 per \$1,000 increment of bonds issued

Team C

Norton Rose Fulbright, L.L.P.
Bond Counsel

Hourly rate fee for services rendered, plus an opinion fee of \$.30 per \$1,000 increment of bonds issued

Mahomes Bolden, P.C.
Co-Bond Counsel

Hourly rate fee for services rendered, plus an Co-Bond opinion fee of \$.20 per \$1,000 increment of bonds issued

The hourly rates for the above listed bond counsel and co-bond counsel law firms are set forth on Attachment I hereto.

M/WBE INFORMATION

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

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

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

There will be no subcontractors. There are three Co-Bond Counsel Teams, each consisting of a primary bond counsel firm (McCall, Parkhurst & Horton, L.L.P. - Team A, Bracewell & Giuliani, L.L.P. - Team B, and Norton Rose Fulbright, L.L.P. - Team C) and M/WBE co-bond counsel firm (Escamilla & Poneck, L.L.P.. - Team A, West & Associates, L.L.P. - Team B, and Mahomes Bolden, P.C. - Team C). Under the terms of the contracts, at least 25% of the bond counsel services will be performed by Escamilla & Poneck, L.L.P., West & Associates, L.L.P., and Mahomes Bolden, P.C., M/WBE firms.

ETHNIC COMPOSITION

McCall, Parkhurst & Horton, L.L.P.

White Male	18	White Female	18
Black Male	3	Black Female	3
Hispanic Male	5	Hispanic Female	5
Other Male	0	Other Female	0

Escamilla & Poneck, L.L.P.

White Male	5	White Female	5
Black Male	0	Black Female	0
Hispanic Male	12	Hispanic Female	7
Other Male	0	Other Female	0

Bracewell & Giuliani, L.L.P. (Dallas Office)

White Male	28	White Female	32
Black Male	1	Black Female	2
Hispanic Male	3	Hispanic Female	3
Other Male	1	Other Female	0

West & Associates, L.L.P.

White Male	1	White Female	2
Black Male	6	Black Female	8
Hispanic Male	1	Hispanic Female	1
Other Male	0	Other Female	0

Norton Rose Fulbright, L.L.P.

White Male	529	White Female	570
Black Male	55	Black Female	89
Hispanic Male	50	Hispanic Female	91
Other Male	39	Other Female	56

Mahomes Bolden, P.C.

White Male	0	White Female	1
Black Male	3	Black Female	3
Hispanic Male	0	Hispanic Female	1
Other Male	0	Other Female	0

RESPONDENT INFORMATION

The following qualifications were received from solicitation number BKZ1532 and were opened on July 30, 2015. Contracts are being recommended for the three most qualified respondents for the requested service.

*Denotes qualified respondent

<u>Respondents</u>	<u>Address</u>	<u>Score</u>
<u>Team A</u>		
*McCall Parkhurst and Horton, L.L.P.	717 N. Harwood Ninth Floor Dallas, TX 75201	100.00%
*Escamilla & Poneck, L.L.P.	700 N. St. Mary's St. Suite 850 San Antonio, TX 78205	
<u>Team B</u>		
*Bracewell & Giuliani, L.L.P.	1445 Ross Ave. Suite 3800 Dallas, TX 75202	96.75%
*West & Associates, L.L.P.	320 S. R.L Thornton Frwy. Suite 300 Dallas, TX 75203	
<u>Team C</u>		
*Norton Rose Fulbright, L.L.P.	2200 Ross Ave. Suite 3600 Dallas, TX 75201	95.50%
*Mahomes Bolden P.C.	325 N. St. Paul Street Suite 2750 Dallas, TX 75201	
Haynes and Boone, L.L.P.	1221 McKinney St. Houston, TX 77010	80.25%

OWNER

McCall, Parkhurst & Horton, L.L.P.

Jeffrey A. Leuschel, Partner

Escamilla & Poneck, L.L. P.

Pablo Escamilla, Managing Partner

Bracewell & Giuliani, L.L.P.

Ben Brooks, Partner

West & Associates, L.L.P.

Royce West, Manager Partner

Norton Rose Fulbright, L.L.P.

Robert Dransfield, Partner

Mahomes Bolden, P.C.

William Mahomes, Jr., President

August 26, 2015

WHEREAS, on April 11, 2012, City Council authorized two year contracts for bond counsel and co-bond counsel services with McCall, Parkhurst & Horton, L.L.P. and Escamilla Poneck & Cruz, LLP and Bracewell & Giuliani LLP and West & Associates, L.L.P. for the term through February 28, 2014, under the same terms and conditions via Resolution No.12-1033, and;

WHEREAS, on August 27, 2014, City Council authorized an amendment to the contracts for co-bond counsel services with McCall, Parkhurst & Horton, L.L.P. and Escamilla Poneck & Cruz, LLP (Team A) and Bracewell & Giuliani LLP and West & Associates, L.L.P. (Team B) to extend the term of the contracts for a two-year term, by Resolution No. 14-1355.

WHEREAS, the City Attorney recommends that the contracts for bond counsel and co-bond counsel services be entered into with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, L.L.P. and Bracewell & Giuliani, L.L.P. and West & Associates, L.L.P., and Norton Rose Fulbright, L.L.P. and Mahomes Bolden, P.C. for a term of five years;

NOW, THEREFORE,

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

Section 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to execute contracts with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, L.L.P., Bracewell & Giuliani, L.L.P. and West & Associates, L.L.P., and Norton Rose Fulbright, L.L.P. and Mahomes Bolden, P.C. for bond counsel and co-bond counsel services for a five year term.

Section 2. That the Chief Financial Officer is hereby authorized to pay McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, L.L.P., Bracewell & Giuliani, L.L.P. and West & Associates, L.L.P., and Norton Rose Fulbright, L.L.P. and Mahomes Bolden, P.C. bond counsel and co-bond counsel fees from bond proceeds and Current Funds, contingent upon the completion of each bond sale, in accordance with the hourly rates and opinion fees as set forth in Attachment I to this resolution.

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

ATTACHMENT I

BOND COUNSEL & CO-BOND COUNSEL FEES

Contingent fees for Bond Counsel services in connection with a proposed issuance of City Bonds shall be: (1) payable at the hourly rates set forth below for Bond Counsel services rendered in connection with a bond issuance, plus (2) an additional bond opinion fee of \$.30 per \$1,000 of increment of bonds sold shall be payable for the Bond Opinion rendered by Bond Counsel regarding the validity of the bonds and the federal tax exempt status of the interest on the City's Bonds (which Bond Opinion shall be printed on the City's Bonds) and such other opinions as may be requested by the City Attorney, City Manager, or City Council in connection with the issuance, sale and delivery of the City's Bonds.

<u>BOND COUNSEL</u>	<u>Hourly Rate</u>
Partners	\$475.00
Senior Counsel/Senior Associates	375.00
Associates	300.00
Paralegals	150.00

Contingent fees for Co-Bond Counsel services in connection with a proposed issuance of the City's Bonds shall be: (1) payable at the hourly rates set forth below for Co-Bond Counsel Services rendered in connection with a bond issuance, plus (2) an opinion fee of \$.20 per \$1,000 of increment of bonds sold shall be payable for the Bond Opinion rendered by Co-Bond Counsel regarding the validity of the bonds and/ or the status requested by the City Attorney, Manager, or City Council in connection with the issuance, sale and delivery of the City's Bonds.

<u>CO-BOND COUNSEL</u>	<u>Hourly Rate</u>
Partners	\$475.00
Senior Counsel/Of Counsel	375.00
Associates	300.00
Paralegals	150.00